



# THE RURAL MUNICIPALITY OF ALONSA ZONING-BY LAW

BY-LAW NO. 15-02

**RURAL MUNICIPALITY OF ALONSA**

**BY-LAW NO. 15-02**

BEING A BY-LAW TO REGULATE THE USE AND DEVELOPMENT OF LAND WITHIN THE RURAL MUNICIPALITY OF ALONSA.

**WHEREAS** pursuant to Section 53 of The Planning Act, the Rural Municipality of Alonsa has adopted a development plan;

**AND WHEREAS**, Section 68 of The Planning Act states that a municipal council must adopt a zoning by-law that is generally consistent with the development plan;

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

1. The zoning provisions and regulations, attached hereto and forming part of this by-law, are hereby adopted; and
2. This by-law shall be known as "The Alonsa Zoning By-law".

READ A FIRST TIME THIS \_\_15th\_\_ DAY OF \_\_April\_\_ 2015 A.D.

READ A SECOND TIME THIS \_\_24th\_\_ DAY OF \_\_June\_\_ 2015 A.D.

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 A.D.

**DONE AND PASSED** THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016 A.D.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer

# Zoning By-law - Summary of Amendments

Date of Amendment	Bylaw No.	Description

# THE RURAL MUNICIPALITY OF ALONSA

## ZONING BY-LAW

BY-LAW NO. 15-02

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# Part 1 Interpretation



# Interpretation

# 1



## PART ONE : INTERPRETATION

### 1.1 RULES OF CONSTRUCTION

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

- 1.1.1 Words, phrases and terms defined herein shall be given the defined meaning.
- 1.1.2 Words, phrases and terms not defined herein but defined in the Act and the Building, Electrical or Plumbing By-laws of the Rural Municipality of Alonsa shall be construed as defined in such act and by-laws.
- 1.1.3 Words, phrases and terms neither defined herein nor in the Building, Electrical or Plumbing By-laws of the Rural Municipality of Alonsa shall be given their usual and customary meaning except where, in the opinion of Council, the context clearly indicates a different meaning.
- 1.1.4 The phrase “used for” includes “arranged for”, “designed for”, or “occupied for”.
- 1.1.5 Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, or provisions connected by the conjunction “and”, “or” or “either-or”, it shall be interpreted as follows:
  - a. “and” indicates that all the connected items, conditions, provisions or events shall apply in any combination;
  - b. “or” indicates that the connected items, conditions, provisions or events may apply singly or in combination; and
  - c. “either-or” indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
- 1.1.6 The word “includes” shall not limit a term to the specified examples, but is intended to extend the meaning of all instances or circumstances of like kind or character.
- 1.1.7 The term “shall” is mandatory and not permissive, the word “may” is permissive and not mandatory.



## 1.2 DEFINITIONS

### A

**Accessory** when it is used in this By-law shall have the same meaning as accessory use.

**Accessory building** means a minor building located on the same zoning site as the main building or use, the use of which is secondary and accessory to that of the main building and use:

**Accessory use, building or structure** means a use or structure secondary to the main use or structure on the same site.

**Act, the** means The Planning Act.

**Agricultural activities** means a use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, apiculture, floriculture, and horticulture, as well as the necessary accessory uses for packing, storing, or treating the produce provided.

**Agricultural implement sales and services** means a building and open area used for the display, sale or rental of new or used farm equipment, and may include minor repairs to farm equipment.

**Agriculture, specialized** means the use of land for apiculture, floriculture, horticulture, including market gardening, orchards and tree farming, and similar agricultural activities of a commercial nature.

**Aircraft landing field** means an area of land used for the take-off and landing of aircraft for personal use, and associated structures such as hangars.

**Alter or alteration** means a change or modification to an existing building, structure or use which unless otherwise is provided for in this By-law and does not increase the exterior dimensions with respect to height and area.

**Alteration, incidental** means:

- a. Changes or replacements in the non-structural parts of a building or structure, including but not limited to the following:
  - i. An addition on the exterior of a building, such as an open porch;
  - ii. An alteration of interior walls in all types of buildings; or
  - iii. Replacement or change in the capacity of utility pipes or ducts.
- b. Changes or replacements in the structural parts of a building or structure, including but not limited to the following:
  - i. Adding or enlarging windows or doors in exterior walls;
  - ii. Replacement of building facades;
  - iii. Strengthening the load bearing capacity, in not more than ten percent (10%) of the total floor area, to permit specialized machinery or equipment.

**Alteration, structural** means the construction or reconstruction of supporting elements of a building or other structure.

**Animal units or A.U.** means an amount of animal waste or waste equivalent, as set out in Table XX of this By-law.

**Area, the** means all that land within the boundaries defining the RM of Alonsa.

**Automobile body shop** means a building wherein the repair and/or painting of automobiles takes place.

**Automobile service station** means a building or portion of a building and land used for supplying fuel, oil, and minor accessories for motor vehicles at retail direct to the customer, and for making repairs, maintenance and storage.

**Automobile or trailer sales area** means an open area used for the display, sale, or rental of new or used automobiles or trailers, and where repairs are made they shall be done within an enclosed building.

**Automobile wrecking** means the dismantling or wrecking of used motor vehicles and trailers, or the storage or dumping of dismantled vehicles and their parts.

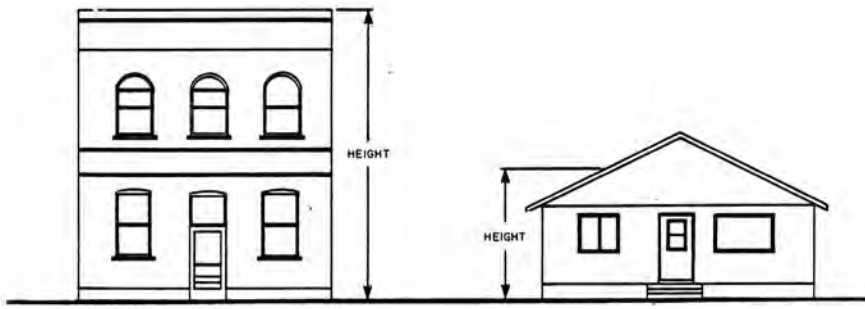
## B

**Basement or cellar** means that portion of a building which is partially underground.

**Bed and breakfast** means a home-based business operated as an accessory use to a single-family residential use and provides temporary lodging to guests for short periods of time.

**Building** means a building as defined in the Act.

**Building, height of** means the vertical distance measured from grade to the highest point of the roof surface of a flat roof, to the deck of a mansard roof, and to the average height level between eaves and ridge for a gable, hip or gambrel roof.



**Building, main or principal** means a building in which the principal use of the site is situated.

**Building permit** means a permit issued by the RM or other appropriate authority authorizing the construction or alteration of all or part of any building.

**Bulk** means the following:

- The size (including height of building and floor area) of buildings or structures.
- The area of the zoning site upon which a building is located, and the

number of dwelling units or rooms within such a building in relation to the area of the zoning site.

- The location of the exterior walls of buildings in relation to site lines to other walls of the same building, to legally required windows, or to other buildings
- All open areas relating to buildings or structures

## C

**Camping and tenting grounds** means a parcel of land planned and improved to accommodate travel trailers, camping trailers, motorized homes, tents, tent trailers or other camping accommodations used for travel, recreational, and vacation uses.

**Carport** means an attached building open on two sides for the shelter of privately owned automobiles.

**Cemetery** means land for the burial of the dead and dedicated for cemetery purposes, including crematoria, mausoleums and mortuaries, when operated in conjunction with and within the boundaries of the cemetery.

**Child care services** means the provision of care for remuneration or reward to a child apart from his or her parents or guardians for a period in any one day exceeding three (3) hours but not exceeding fourteen (14) hours.

**Community hall** means a meeting place for community activities, public organizations, private non-profit clubs, or recreational groups.

**Conditional use** means the use of land or building which may be permitted in any particular zone.

**Conservation area** means land that has been designated by Provincial legislation for the protection and conservation of wildlife.

**Council** means the Council of the RM of Alonsa.

## D

**Designated employee or officer** means an employee or officer of a municipality who is designated to carry out a power or responsibility in accordance with the Act.

**Development permit** means a permit issued under the zoning by-law, authorizing development, and may include a building permit.

**Development Plan** means The Rural Municipality of Alonsa Development Plan.

**Drive-in establishment** 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.

**Dwelling** means a building or portion thereof designed for residential occupancy.

**Dwelling, cottage** means a dwelling intended for use by one (1) family and designed and built for mainly seasonal or periodic occupancy, rather than for permanent use by reason of its light frame construction or lack of basement, or lack of interior finishing.

**Dwelling, single-family** means a detached building designed for use by one (1) family.

**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.

**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.

**Dwelling, manufactured** means a dwelling fabricated off-site and in

accordance with The Manitoba Building Code, which is designed to be placed upon a basement or cement foundation and does not include a modular unit or mobile home.

**Dwelling, modular** means a portable dwelling unit similar to a mobile home but that it may be folded, collapsed, or telescoped when in tow.

**Dwelling unit** means one (1) or more rooms in a building designed for one (1) or more persons as a single housekeeping unit with cooking, eating, living, sleeping, and sanitary facilities.

## E

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

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

## F

**Family** means one or more persons related by blood or marriage or common-law marriage, or a group of not more than three (3) persons who may not be related by blood or marriage, living together as a single housekeeping unit. A housekeeping unit shall be deemed to exist if all members have access to all parts of the dwelling unit.

**Farm buildings or structures** means any buildings or structures existing or erected on land used mainly for agricultural activities but not including dwellings.

**Farmstead site** means the portion of land of an agricultural operation, usually surrounded by a well-defined shelterbelt, that includes the habitable residence of the agricultural producer and the buildings and structures associated with the agricultural operation.

## H

**Home occupation** means an occupation, trade, profession, or craft that is performed in a dwelling unit or its accessory building and which is clearly incidental or accessory to the residential use of the dwelling.

**Hotel** means a building or part of building wherein accommodation is provided for transient lodgers, in any individual room, with or without cooking facilities. Permitted accessory uses include but are not limited to, restaurants, licensed beverage rooms, banquet halls, ballrooms, and meeting rooms.

## J

**Junkyard** 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. A junkyard includes an automobile wrecking or dismantling yard but does not include uses established entirely within an enclosed building.

## K

**Kennel** means any premises on which more than two (2) animals are boarded, bred, trained, or cared for, in return for remuneration or are kept for the purpose of sale. A kennel shall not include a veterinary clinic, animal hospital, or animal pound.

## L

**Livestock** animals, not kept exclusively as pets, excluding bees.

**Livestock operation** means a permanent or semi-permanent facility or non-grazing area where at least ten (10) animal units of livestock are kept or raised either indoors or outdoors, includes associated manure storage facilities,

## M

**Manufacturing, heavy** means processing and manufacturing uses which cannot be classified as light industrial uses, as defined in this By-law.

cannot be classified as light industrial uses, as defined in this By-law.

**Manufacturing, light** means processing and manufacturing uses, provided that they do not create safety hazards or noise in excess of average intensity of street and traffic noise in the area in which they are located. The use should not emit smoke, dust, dirt, toxic or offensive odours, or gas and the use should not produce heat or glare perceptible from any site line of the site on which the use is located. As a rule, in the agricultural zones, industries in this category should be secondary to the agricultural use, if not, they should be of such a size that they do not create traffic problems or impact negatively on the surrounding area.

**Manure management plan** means a plan prepared in accordance with the requirements under the Livestock Manure and Mortalities Regulation — 42/98.

**Manure storage facility, earthen** means a structure built primarily from earth, constructed by excavating or forming dikes, and used to retain livestock manure.

**Manure storage facility, non-earthen** means a structure, molehill, tank or other facility not made out of earth for storing manure, 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 field storage site; a vehicle or other mobile equipment used to transport or dispose of manure; a gutter or concrete storage pit used to store liquid or semi-solid manure for less than 30 days; a collection basin; or a composting site for manure or mortalities.

**Mobile home** means a portable dwelling which is designed or used for residential occupancy, built upon or having a frame or chassis to which wheels may be attached by which it may be moved upon a highway, whether or not such a structure actually has at any time such wheels attached, or is jacked up or skirted and which conforms to the structural standards of The Building and Mobile Homes Act.

**Mobile home park** means a parcel of land upon which mobile home spaces are provided and have been approved by Council.

**Motel** means a building or part thereof, not over two (2) storeys 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. Permitted accessory uses include but are not limited to restaurants, licensed beverage rooms, banquet halls, ballrooms, and meeting rooms.

## N

**Non-conformity means** one, or a combination of the following:

- a. A site or parcel of land;
- b. A building or structure;
- c. A use of a building or structure;
- d. A use of land; or
- e. A sign;

which lawfully existed prior to the effective date of this By-law or amendments thereto, but does not conform to the provisions within this By-law.

**Non-conforming uses** means any lawful use of a structure or of a parcel of land, or portion thereof, which does not conform to any one (1) or more of the applicable use regulations of the zone in which it is located on the effective date of this By-law, or amendments thereto.

**Non-conforming building or structure** means any lawful building or structure which does not comply with one (1) or more of the applicable bulk regulations on the effective date of this By-law, or amendments thereto.

**Non-conforming site or parcel** means any lawful site or parcel of land which does not comply with the site area, site width, or site depth on the effective date of this By-law or amendments thereto, and was on record in the Land Titles Office and in separate ownership prior to the effective date of this By-law, or amendments thereto, and did not form part of a larger contiguous holding in the same ownership.

**Non-conforming sign** means any lawful sign which does not comply with one (1) or more of the applicable bulk regulations on the effective date of this By-law or amendments thereto.

## O

**Ordinary High Water Mark** means the water line where a river, lake, or watercourse is in its normal state, without reference to the extraordinary freshets of the winter or spring or the extreme drought of the summer or autumn.

**Outfitter** means any land or premises equipped with cabins or cottages used or maintained for accommodation of the public for outdoor recreational purposes relating to hunting, fishing, and other similar pursuits.

**Owner** means a person who appears by the records of the proper land titles office to have any right, title, estate, or interest in land and includes the agent of such a person in possession or occupation of the land with the express or implied consent of the owner.

## P

**Parcel of land** means the aggregate of all land described in any manner in a certificate of title.

**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.

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

**Premises** means an area of land with or without buildings.

**Public utility** means any system, works, plant equipment, or services which provides services and facilities at approved rates to or for the use of the inhabitants of the public, including but not limited to:

- a. Communication, by way of telephone, telegraph, wireless or t.v



- b. Public transportation, by bus or other vehicle.
- c. Production, transmission, delivery or provision of water, gas or electricity to the public at large.
- d. Collection of sewage, garbage or other waste.

**Public utility** building means a building used by a public utility.

**Public works yard** means a site primarily used for the maintenance, repair and storage of equipment, vehicles and other goods used by a public utility or government agency in the delivery of its service and may include accessory administrative offices.

## R

**Repair** means the renewal or reconstruction of any part of an existing structure for the purpose of its maintenance or restoration.

**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 or to each other.

**Resort, commercial** means a commercial recreation establishment which may consist of one or more buildings containing single or multiple-family dwelling units, recreational facilities and service facilities which are used on an intermittent and seasonal basis. Other facilities which may be part of the resort development include the following:

- a. Camping and tenting grounds;
- b. Hotels;
- c. Retail stores;
- d. Eating establishments;
- e. Marinas;
- f. Golf courses; and
- g. Other outdoor recreation game courts, areas and trails.

**Retail business/service** means the use of a building, structure, or site in which goods and/or services are sold directly to the public.

## S

**Senior citizen home** means a multiple unit dwelling or a building containing individual rooms where elderly people live independent of personal care.

**Secondary suite** means a self-contained accessory dwelling unit located either within an existing main dwelling or in a separate detached building on the property. A secondary suite is required to have its own separate access, cooking, sleeping, and sanitary facilities which are separate from those of the main dwelling. This use does not include duplex housing, semi-detached housing, or apartment housing, where each dwelling unit is considered the main dwelling.

**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:

- a. 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.
- b. Is used to identify, direct attention to, or advertise.
- c. Is visible from outside a building but shall not include show windows.

**Sign, advertising** means a sign directing attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same zoning site where the sign is maintained. An example of this type of sign is a billboard.

**Sign, bulletin board** means a sign of permanent character, but with movable letters, words, or numerals indicating the names of persons associated with, or events conducted upon, or products or services offered upon the premises upon which the sign is maintained, including school, church, community centre

centre bulletin board signs and similar uses.

**Sign, business** means a sign directing attention to a business, commodity, service or entertainment conducted, sold, or offered upon the same zoning lot where the sign is maintained.

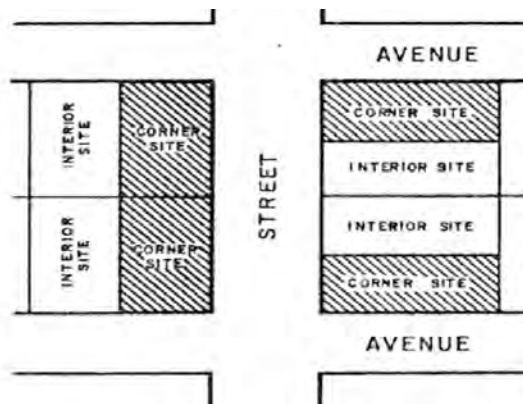
**Sign, identification** means a sign that identifies a business, owner, resident, or institution by name, logo, or street address and which sets for no other advertisement.

**Sign, mobile** means a sign designed for transport, which is placed or maintained at one (1) particular location for the express purpose of conveying an advertising message. The removal of wheels from such a sign does not change the inherent portability which was part of the design.

**Sign, temporary** means a sign with or without a structural frame and intended for a limited period of display, and shall include a mobile sign, but shall have no red, green or amber lights and with no blinking lights when the sign faces a residential area.

**Site** means a zoning site as defined herein unless the context indicates otherwise.

**Site, corner** means a site situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.



**Site coverage** means that part or percentage of the site occupied by buildings, including accessory buildings. Structures which are below the finished grade, including sewage lagoons, water reservoirs, parking structure below grade and similar structures, shall not be included in site coverage.

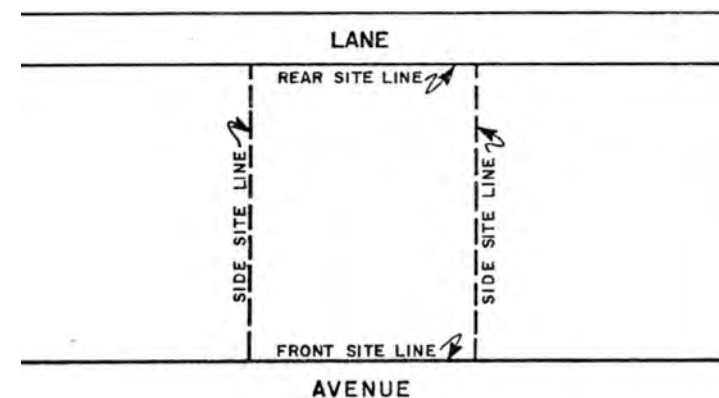
**Site depth** means the horizontal distance between the centre points in the front and rear site lines.

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

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

**Site lines** means as follows:

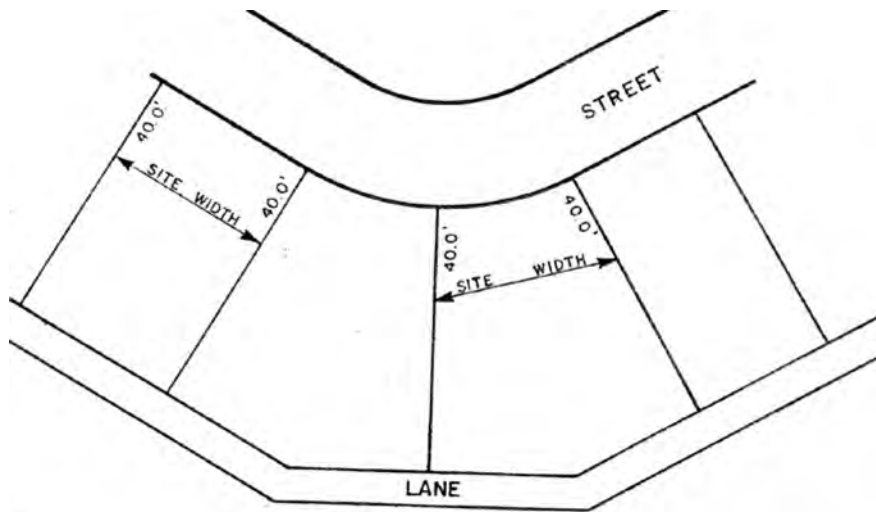
- Front site line means that boundary of a site which is along an existing or designated street. For a corner site the development officer or designated employee may determine the front site line.
- Rear site line means that boundary of site which is most nearly parallel to the front site line and in 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.
- Side site line means any boundary of a site which is not a front or rear site line.



- d. Where an irregular shaped site cannot have its site lines defined by the development officer or designated employee.

**Site, through** means a site having a pair of opposite site lines along two (2) more-or-less parallel streets. On a through site, both street lines shall be deemed front site lines.

**Site width** means the horizontal distance between the side site lines, measured at right angles to the site depth at a point midway between the front and rear site lines, or forty (40) feet from the front site line, whichever is lesser.



**Site zoning** means a parcel of land which:

- Is occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or used for the main use or uses, together with such open space as are required under the provisions of this By-law.
- Has frontage on a street or has any lawful means of access satisfactory to Council.

**Stable** means a private or public detached accessory building for the keeping of cattle, horses, or similar animals owned by the occupants of the premises and not kept for remuneration, hire or sale.

**Street** means a public highway, lane, or thoroughfare intended for the purpose of moving vehicular traffic.

**Structure** means anything constructed 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.

## T

**Telecommunication tower** means any guyed, monopole, or self-supported tower or structure, erected and/or proposed to support one (1) or more antennae intended for transmitting and receiving forms of electronic communication. Includes towers commonly referred to as radio towers or satellite towers, but does not include aerials or parabolic dish antennae.

**Travel trailer** means a portable living accommodation designed to be used as temporary accommodation for travel, recreation or vacation purposes that:

- Is capable of being transported on its own chassis and running gear by towing or other means;
- Is placed on the chassis or body of a motor vehicle; or
- Forms part of a licensed motor vehicle.

## U

**Use** means any purpose for which a building, structure, or site may be designed, arranged, intended, maintained, or occupied; or any activity, occupation, business, or operation carried on, or intended to be carried on, in a building, structure, or site.

## W

**Wind energy generation system (WEGS)** means one or more devices such as a wind charger, windmill, or wind turbine that converts wind energy to electrical energy whether it is used for personal use or for generation of power for sale.

**Wind energy generation system accessory facilities** means those facilities, equipment, machinery, and other devices necessary to the proper operation and maintenance of a wind energy generation system, including but not limited to, access roads, collector and feeder lines, and power substations.

## Y

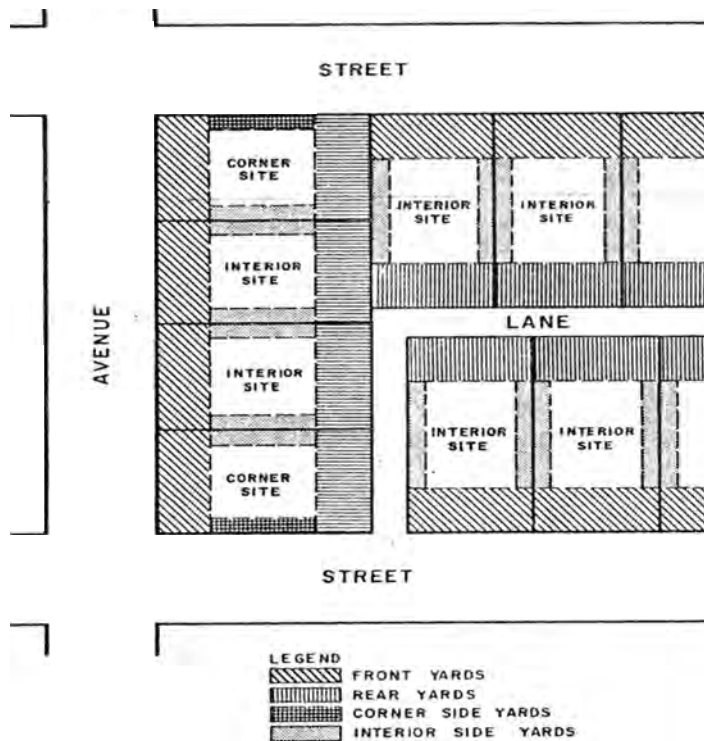
**Yard** means an open area, between the exterior wall of a building and the boundaries of the site on which it is located.

**Yard, front** means a yard extending along the full length of the front site line between the side site lines.

**Yard, rear** means a yard extending along the full length of the rear site line between the side site lines.

**Yard, required** means the yard measured from a front, rear or side site line towards the interior of the site within which no building or any part of a building may be located, except as provided for in this By-law.

**Yard, side** means a yard extending along the side site line from the front yard to the rear yard.







## Part 2 Administration





# Administration

# 2



## PART TWO : ADMINISTRATION

### 2.1 TITLE

This By-law shall be known as “The Rural Municipality of Alonsa Zoning By-Law”.

### 2.2 WHEN EFFECTIVE

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

### 2.3 THE AREA

The Area to which this Zoning By-law shall apply shall be all lands within the limits of the Rural Municipality of Alonsa.

### 2.4 INTENT AND PURPOSE

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

1. Implement the objectives and policies of the Development Plan.
2. Define and limit the powers and duties of the Council and the Development Officer.

3. Regulate the following:

- a. All buildings and structures erected hereafter;
- b. All uses of buildings, structures and land established hereafter;
- c. All structural alterations or relocations of existing buildings and structures occurring hereafter;
- d. All enlargements or additions to existing buildings, structures or uses;
- e. The change of use of land, buildings or structures.

### 2.5 RESPONSIBILITIES OF COUNCIL

Subject to the provisions of The Planning Act, the Council of the Rural Municipality of Alonsa is responsible for the enactment or repeal of this By-law in accordance with the provisions of The Planning Act and:

1. Considering the adoption or rejection of proposed amendments to this By-law;
2. Considering the approval or rejection of applications for conditional use and variations;
3. Considering the revocation of any approved conditional use as a result of any violation by the owner of any conditions specified by Council on the conditional use order, and;

4. Establishing a schedule of fees as provided for in section 2.16 of this PART.

## 2.6 DUTIES OF THE OWNER

1. Neither the granting of a development permit nor the approval of the drawings and specifications or the inspections made by the Development Officer or designated employee shall in any way relieve the owner of the responsibility of complying with the regulations of this By-law or of any relevant by-laws of the RM of Alonsa.
2. The Owner is responsible for:
  - a. The preparation of all applications, forms and drawings which are required to be submitted to the Development Officer or designated employee in accordance with the provisions of this By-law and The Planning Act;
  - b. Obtaining all necessary permits and approvals which may be required by The Rural Municipality of Alonsa, or any agencies or departments of the provincial or federal governments, prior to the commencement of construction, or the change of use of any land, building or structure;
  - c. Obtaining the written approval of the Development Officer before doing any work at variance with the approved development permit; and
  - d. Permitting the Development Officer to enter any premises at any reasonable time for the purpose of administering or enforcing this By-law, and shall not obstruct or interfere with the Development Officer in the discharge of his duties under this By-law.

## 2.7 INTERPRETATION OF REGULATIONS

1. In their interpretation and application, the provisions of this By-law shall be held to the minimum requirements in order to satisfy the intent and purpose as set forth herein.
2. Except wherein otherwise stated, nothing in this By-law shall exempt

any person from complying with the requirements of any other laws or by-laws in force within the Municipality or from obtaining any necessary license, permission, permit, authority or approval required by any other government authorities.

3. Whenever the provisions of this By-law conflict with those of any other municipal, provincial, or federal government requirements, the higher or more restrictive regulations shall prevail.
4. Any existing use or structure which was illegal under the provisions of any planning schemes or by-laws in force on the effective date of this By-law and amendments thereto shall not become or be made legal solely by reason of the adoption of this By-law or amendments thereto; and to the extent that, and in any matter that, said illegal use of structure remains illegal hereunder.

## 2.8 AMENDMENTS

1. Subject to Section 80 of The Act, an amendment to this Zoning By-law might be initiated by Council or by the owners of the affected property, or their agents. An application to amend the zoning by-law and all required information and fees as determined by Council and in accordance with Sections 74 to 79 of The Act.
2. An application for an amendment to this By-law, including a change to the maps, shall be made to the Development Officer.
3. An application for amendment shall be accompanied by plans drawn to scale showing the following:
  - a. The shape and dimensions of the land affected;
  - b. The location and dimensions of existing buildings and structures;
  - c. The location and dimensions of any proposed building, structure, enlargement or alteration;
  - d. The use or uses of each existing and proposed building and structure, or of the land, and the area to be occupied by each use; and

shall include any other information required by the Development Office to determine compliance with, and to provide for enforcement of, this By-law.

4. Following such consultation, review and report (if any) as the Council deems necessary, the application shall be submitted to Council, which shall decide whether or not to start the procedures for enactment of an amendment.
5. On receipt of an application for amendment, Council may, prior to the hearing date prescribed under The Planning Act, refer the application to Manitoba Municipal Government or any other department or agency for its review and comment.
6. After giving the by-law amendment first reading council shall give notice and hold a public hearing according to Sections 74 to 79 of The Act, at which time it shall review all of the facts presented and any representations made. It shall make its findings and determination in writing and transmit a copy to the applicant. If council approves the application, it shall proceed with the adoption of the amendment in accordance with the provisions of The Act.
7. Anyone objecting to a zoning by-law or amendment to a zoning by-law, which subsequently has been given second reading by council, may file a further objection with the council under Section 77 of The Act.

## 2.9 CONDITIONAL USES

1. An application for a conditional use shall be processed and approved or rejected in accordance with the provisions of The Act.
2. An application for a conditional use shall be made to the Development Officer by the owner or owners of the site, or by a person authorized in writing by them, and accompanied by a site plan and any supporting material and such fees as required by council.
3. Where an application for a conditional use has been submitted, a public hearing shall be held by the Council, to receive representations from any

persons with respect to the proposal, and notice of the public hearing shall be given as required by The Planning Act.

4. On receipt of an application for a conditional use in proper form, the Municipality may, prior to the hearing date prescribed under The Planning Act refer the application to Manitoba Municipal Government or any other department or authority for its review and comment.
5. Council shall either approve or deny the conditional use, and may establish conditions of approval appropriate to the circumstance, in accordance with the provisions of The Planning Act.
6. Council may subsequently revoke any approved conditional use as a consequence of any violation of conditions specified at the time of approval.
7. The validity of a conditional use or variation shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the approval by Council unless the approval is renewed prior to the expiry, at the discretion of Council, for an additional period not exceeding twelve (12) months.
8. Where a use is classified as conditional use under this By-law or amendments thereto, and exists as a permitted or conditional use at the date of the adoption of this By-law or amendments thereto, it shall be considered as a legally existing conditional use.
9. Any change in the circumstances of a conditional use shall be subject to the provisions of this Section and the provisions of The Planning Act.

## 2.10 VARIANCES

1. An application for a variation order shall be processed and approved or rejected in accordance with the provisions of The Act.
2. An application for a variation order and all required information and fees shall be provided to Council or the designated employee.

3. The designated employee may, in accordance with the provisions of subsection 102(1) of The 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 (10) percent. The applicant may appeal the order of the designated employee or officer to council.

## 2.11 DEVELOPMENT AGREEMENTS

1. In accordance with the provisions of The Planning Act, where an application is made for the amendment of this Zoning By-law, Council may require the owner or the person entitled to be registered as owner of the land, building, or structure to which the amendment will apply, as a condition to its enactment, to enter into a development agreement with The Rural Municipality of Alonsa in respect of that land as well as contiguous land owned or leased by the applicant.
2. Where an application is made for the subdivision of land, Council may require the owner or the person entitled to be registered as owner of the land to enter into a development agreement with The Rural Municipality of Alonsa, in accordance with the provisions of The Planning Act.
3. A development agreement may contain provisions with respect to the responsibilities for the provision of various services and other improvements such as water and sewer piping, lot grading and drainage, street construction, and other matters as provided for in The Planning Act.
4. The development agreement may be registered in the Land Titles Office in the form of a caveat and shall be discharged when the requirements and conditions of the agreement have been met.

## 2.12 SUBDIVISION APPLICATIONS

Subdivision applicants shall be proceeded with in accordance with Part VI of the Act. No subdivision application shall be approved which in contrary to the Development Plan, this By-Law, provincial land use policies, subdivision regulations, and other regulations and requirements of the Federal, Provincial and municipal governments.

## 2.13 DUTIES OF DEVELOPMENT OFFICER OR DESIGNATED EMPLOYEE

Subject to the provisions of The Planning Act, the Development Officer OR designated employee shall be the person appointed as such by the Rural Municipality of Alonsa Council who on behalf of the council shall:

- a. Receive and review applications for development permits;
- b. Issue development permits, and otherwise administer and enforce the provisions of this By-law and The Planning Act, where the proposed development of land, buildings or structures conforms with this By-law, there by-laws of the Rural Municipality of Alonsa, and any applicable regulations of the provincial and federal governments;
- c. Receive and process applications for amendments to this By-law, conditional use orders and variation orders;
- d. Issue zoning memoranda and other documents as may be necessary for the administration and enforcement of this By-law;
- e. Allow or refuse minor variations (up to 10% of stated setback requirements) of this By-law as authorized by and in accordance with the provisions of The Planning Act; and
- f. Establishing a schedule of fees as provided for in section 2.18 of this PART.

## 2.14 DEVELOPMENT PERMITS

- a. No person shall use or occupy any land, building or structure, or erect, construct, enlarge, alter or place any building or structure, except in accordance with an approved development permit (where required), and with this By-law.
- b. Every owner shall be required to obtain a development permit prior to the commencement of development, including the commencement of

construction or relocation of any building or structure, except as provided herein. The issuance of a development permit in respect of a building or structure does not affect the obligation to obtain a building permit or other permit where they are required under the building by-law for such a building or structure, nor does it relieve the owner from the responsibility of obtaining any other permit or licenses, environmental approvals, highway access and structure location approval and similar approvals.

3. A development permit is required for any of the following:
  - a. the erection, construction, enlargement, structural alteration or placing of a building, structure, or mobile home, except fences and light standards;
  - 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;
  - d. The use of vacant buildings or structures;
  - e. The change of use of land, buildings or structures;
  - f. The establishment or expansion of any Livestock Operation, including the erection, construction or placement, or addition, enlargement or relocation of any livestock barns and other livestock buildings and/or manure storage structures.
4. Notwithstanding the provisions of subsection 2.14.2 of this PART, an application for a development permit shall not be required for:
  - a. Accessory buildings or structures not exceeding 120 square feet in area;
  - b. Minor accessory farm buildings or structures that are open ended or unenclosed such as hay shelters or loose housing animal shelters and moveable structures built on skids such as granaries and cattle feeders;
  - c. Fences;

- d. Signs and notices(not including advertising signs where they are conditional uses);
  - e. Lighting;
  - f. Flagpoles;
  - g. Communications aerials or antennas;
  - h. Garden houses or children's playhouses;
  - i. Water supply wells and private sewage disposal systems; or
  - j. Unenclosed patios.
5. Notwithstanding the development permit exemptions listed in subsection 2.15.3 of this PART, all such exempted activities shall be subject to all other requirements of this By-law and of any government department, including the highway control areas adjacent to provincial trunk highways and provincial roads.
  6. An application for a development permit shall be accompanied by plans drawn to scale showing the following:
    - a. The shape and dimensions of the site to be used and built on;
    - b. The location and dimensions of existing buildings and structures and their distances from property lines;
    - c. The location and dimensions of the proposed building, structure, enlargement or alteration, including separation from site boundaries;
    - d. The use or uses of each existing and proposed building and structure, or of the land, and the area to be occupied by each use;
    - e. Vehicular access and utility connections;



and shall be accompanied by any other information required by the Development Officer to determine compliance with, and to provide enforcement of, this By-law.

7. All proposed development shall be in accordance with the application and drawings submitted to and approved by the Development Officer. No work shall vary from the approved application and drawings without the prior written authorization of the Development Officer, and the owner shall ensure that all development is completed in accordance with the approved development permit.
8. An application for a development permit shall be accompanied by the fee prescribed by the Council of the RM of Alonsa.
9. Despite apparent compliance with this By-law, the Development Officer may refuse to issue a development permit where the proposed building structure or use does not, to the Development Officer's knowledge, comply with The Rural Municipality of Alonsa Development Plan, the municipal building by-law or with any other by-law.
10. The Development Officer may revoke a development permit
  - a. Where any information accompanying the development application is incorrect or incomplete and an existing or proposed building, structure or use is thereafter found to be in contravention of this By-law, the building by-law, or any other by-law; or
  - b. Where the development permit was issued in error.
11. A development permit may also include a building permit and/or an occupancy permit.
12. Unless otherwise provided for herein, building permits issued prior to the effective date of this By-law shall be considered valid for the purpose of this By-law provided all conditions under which the permit was issued are complied with.

## 2.15 NON-CONFORMITIES

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

Pursuant to Section 50(1) of the Act, a structural alteration may be made to

2. a building or structure, while a non-conforming use thereof is continued or to a non-conforming building or structure, provided that the said alteration conforms to the requirements of this By-law, or where such requirements may be varied by a variation order.
3. Pursuant to Section 50(5) of the Act, where Council determines that a non-conforming building or structure is damaged or destroyed more than fifty (50%) percent of its replacement value above its foundation, the said building or structure may be repaired or rebuilt, but only in conformance with this By-law or its amendments.
4. A building or structure may be erected on a non-conforming parcel of land provided:
  - a. The required yards are provided as set forth in the Bulk Table of the zone in which the parcel of land is located; or
  - b. Where a variation order for such yard requirements is granted.
5. A "non-conforming sign" shall be subject to all provisions relating to non-conformities, except as provided hereafter:
  - a. A change in the subject matter represented on a sign shall not be considered a change in use.
  - b. A non-conforming sign may be structurally altered, reconstructed, or replaced in the same location and position provided that such structural alteration, reconstruction, or replacement does not result in:
    - i. the creation of a new non-conformity or an increase in the degree of non-

- ii. an increase in the sign surface; or
  - iii. an increase in the degree of illumination.
6. Notwithstanding the provision of this section, a variation order shall not be required where a non-conforming building, structure or parcel is being altered or changed so as to reduce the degree of non-conformity.
7. Any fees made to the Development Office for the issuance of a certificate in accordance with Section 48(3) of the Act shall be determined by Council.

## 2.16 FEE SCHEDULE

- 1. The fees shall be as established by Council for any amendment, conditional use order, variation order, zoning memorandum or non-conforming use certificate to this By-law.
- 2. Council shall by by-law establish a fee schedule for development permits and other charges to be paid by any person for services rendered by any employee of Council.

## 2.17 ENFORCEMENT

- 1. The enforcement of this By-law shall be in accordance with the Act.



## Part 3 General Regulations



# General Regulations

## 3



## PART 3 : GENERAL REGULATIONS

### 3.1 INTENT

The following regulations shall apply to all zones except where otherwise stated.

### 3.2 CONFORMANCE AND PERMITS

No building or structure shall be erected, reconstructed, structurally altered, enlarged or moved, nor shall any building, structure or land be used for any use other than is permitted in the zones in which such building, structure or land is located and then only after applying for and securing all development permits, building permits, other permits and licenses required by all laws and by-laws in effect within the municipality.

### 3.3 AREA AND YARD REQUIREMENTS

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

1. For the purpose of side yard regulations, a semi-detached two-family dwelling, a row- house or a multiple-family dwelling with common party walls shall be considered as one (1) building occupying one (1) site.
2. No site shall be reduced in any manner below the minimum site area, size or dimensions required by this By-law, nor shall any site be created which does not conform to all the requirements of this By-law unless an appropriate amendment or variation to this By-law is first approved;
3. All yards and other open space required for any use shall be located on the same site as the use.
4. It shall be a 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. Furthermore, the minimum site area, yards and other open spaces allocated 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 requirements for any other use on another site.
5. No parcel of land shall hereafter be divided into sites, unless each site conforms to the requirements set forth in the Bulk Regulations of the Zone in which the parcel is located or where such requirements are varied by a variation order.
6. When an accessory building forms part of the main building, (for example an attached garage) said accessory building shall be deemed as part of

the main building for the purpose of calculating yard requirements. Yards for accessory structures shall be in accordance with regulations in each Zone.

7. Notwithstanding any other requirements elsewhere provided in this By-law, where a Commercial or Industrial site abuts a Residential site, the following regulations shall apply:
  - a. The minimum yard requirements for the abutting site of the Commercial or Industrial development shall be as follows, but only for the yard which so abuts:
    - i. Front Yard, Minimum 9 m (30 ft)
    - ii. Side Yard, Minimum 6 m (20 ft)
    - iii. Rear Yard, Minimum 9 m (30 ft)
  - b. No open storage or outdoor display shall be permitted in an abutting yard in the Commercial or Industrial site;
  - c. No parking space shall be permitted in an abutting yard within 6 m (20 ft) of any site line of a Residential site; and
  - d. Signs located in an abutting yard shall be subject to the following requirements:
    - i. all signs shall be non-illuminated; and
    - ii. all signs shall be set back at least 3 m (10 ft) from the abutting property line.

### 3.4 FRONT YARD EXCEPTIONS

Where sites comprising forty (40) percent or more of the entire frontage of the block are developed with buildings, the average front yard depths established by such buildings shall establish the minimum front yard depths for the entire

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

### 3.5 PROJECTIONS INTO REQUIRED YARDS

Every part of a required yard shall be open and unobstructed from the ground to the sky, except for permitted accessory buildings and the following:

1. Eaves and gutters, awnings and canopies may project into any required yard, a distance of not more than 1.5 m (5 ft), provided that in no case shall an eave project within 1 m (3 ft) of a side site line;
2. Chimneys may project into a required yard not more than 1 m (3 ft), provided the width of a side yard is not reduced to less than 1 m (3 ft);
3. Enclosed driveways, sidewalks, stairways, balconies, porches, platforms, patios, decks, or landing places covered by a roof or canopy, located closer than 1.5 m (5 ft) to the main building or attached to the main building, shall be considered, for the application of all yard requirements as a part of the main building. If located 1.5 m (5 ft) or further from the main building they shall be considered for the application of all yard and site requirements, as an accessory building;
4. Open, un-enclosed stairways, balconies, porches, platforms, decks, patios or landing places, not covered by a roof or canopy, which are higher than 0.3 m (1 ft) above grade but do not extend above the level of the first storey of the building, may extend or project into any required yard not more than 3.5 m (12 ft), provided no such structure projects within 1 m (3 ft) of any site line;
5. Open, un-enclosed porches, platforms, patios, decks or landing places, not covered by a roof or canopy, which do not extend above the level of the first storey of the building, may extend or project into a court a distance of not more than twenty percent (20%) of the width of such court but in no case more than 4 m;
6. Open, un-enclosed porches, platforms, patios, decks or landing places,



- not covered by a roof or canopy, which do not extend above the level of the first storey of the building, may extend or project into a court a distance of not more than twenty percent (20%) of the width of such court but in no case more than 4 m;
7. Open-work ornamental fences, hedges, landscape architectural features, or guard railing, for safety or protection around depressed ramps, may be located in any front yard if maintained at a height not more than 1.2 m (4 ft) above the average ground level adjacent thereto. An open-work type railing not more than 1.2 m (4 ft) in height may be installed or constructed on any balcony, stairway, deck, patio, porch, platform or landing place mentioned in Section 4.2.13 (d), (e) and (f) above;
  8. Fences and hedges shall not exceed a height of 2 m (7 ft) above the finished grade, but a fence or hedge in any front yard or in a required side yard on a corner site shall not exceed 0.8 m (3 ft) in height, except:
    - i. in an Industrial zone where a fence of 2.4 m (8 ft) in height may be permitted in all yards; or
    - ii. Where a fence is transparent, semi-transparent or non-transparent but has a fence face coverage of 75% or less.
  9. A fence, wall, or gate on a site in a Residential zone shall be less than or equal to 1.85 m (6 ft) in Height, for the portion of the fence, wall, or gate that does not extend beyond the foremost portion of the principal building abutting:
    - i. the Front Yard; or
    - ii. Side Yard abutting a public roadway other than a Lane.
  10. A fence, wall, or gate on a Site in a Residential zone shall be less than or equal to 1.2 m (4 ft) in Height for the portion of the fence, wall, or gate that extends beyond the foremost portion or portions of the principal building on the Site, into:
    - i. the Front Yard; or
    - ii. Side Yard abutting a public roadway other than a Lane.
  11. A fence, wall, or gate on a Site in a Residential zone shall be less than or equal to 1.2 m (4 ft) in Height for the portion of the fence, wall, or gate that extends beyond the foremost portion or portions of the principal building on the Site, into:
    - i. the Front Yard; or
    - ii. a Side Yard abutting a public roadway other than a Lane, provided that the Development Officer may vary the Height of the fence, wall, or gate to a maximum of 1.85 m (6 ft).
  12. Fences surrounding public sports or recreational facilities (such as tennis courts) may be permitted to a height of 5 m (16 ft);
  13. Landscape features, such as lawns, trees, shrubs, bushes, flowers or plants, shall be permitted in any required yard provided they do not produce a hedge effect.
  14. Lawn ornaments, statues, statuettes, sculptures and other such decorative accessory structures shall be permitted in any required yard. But, in Residential zones such lawn ornaments, statues, statuettes and sculptures, etc., shall not exceed 2 m (7 ft) in height when they are located in any front or side yard, and in no case shall they exceed 5 m (15 ft) in height;
  15. Flag poles and exterior yard lights shall be permitted in any required yard. No more than two (2) flag poles and four (4) free standing exterior yard lights shall be permitted per site; and any exterior lighting shall be arranged so as to divert light away from adjacent sites; and in no case shall a free standing flag pole or exterior yard light exceed 12 m (39 ft) in height.
  16. Temporary decorative or ornamental light displays and structures (such as Christmas decorations) shall be permitted on any site;

17. Open, un-enclosed decks, patios, landing places, platforms, and driveways not covered by a roof or canopy shall be permitted in any required yard provided such sidewalks, decks, patios, landing places, platforms and driveways do not project above grade higher than 0.3 m (1 ft), and provided they do not encroach upon any required amenity areas, or buffer strips; Open, un-enclosed decks, patios, landing places, platforms, and driveways not covered by a roof or canopy shall be permitted in any required yard provided such sidewalks, decks, patios, landing places, platforms and driveways do not project above grade higher than 0.3 m (1 ft), and provided they do not encroach upon any required amenity areas, or buffer strips;

### 3.6 HEIGHT EXCEPTIONS

The provisions of this By-law shall not apply to limit the height of any ornamental dome, chimney, tower, electrical or telephone transmission line, television or radio mast, steeple, water storage tank, electrical apparatus, or the mechanical operations of the building provided that no roof structure or any space above the height limit shall be permitted for the purpose of providing usable floor space.

### 3.7 SITE REDUCED BY PUBLIC WORKS

A site area or site width or required yard reduced below the minimum requirements of this By-law by virtue of a public works, street or public utility shall be deemed to conform to the requirements of this By-law.

### 3.8 ACCESSORY BUILDINGS, STRUCTURES AND USES

1. Where this By-law provides that any premises may be used or a building or structure may be erected altered or used for a purpose, that purpose shall include any accessory building or structure or accessory use.
2. Accessory buildings, except as otherwise regulated in this By-law, shall be subject to the regulations below.

- 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. Detached accessory buildings shall not be located in any required yard, except a required rear yard or as provided for elsewhere herein.
- c. No detached accessory building shall be located closer than ten (10) feet to any main building.
- d. An accessory building shall not be located within a dedicated easement right-of-way.
- e. 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.
- f. Notwithstanding the provisions under clause (b) above, a detached accessory building may be allowed in the required front or side yards required for the principal use, on sites which back onto a lake or a Public Reserve abutting a lake.

### 3.9 ONLY ONE MAIN BUILDING OR USE PER SITE

There shall be only one main building and/or one main use on a site, except wherein otherwise stated or permitted by the Act.

### 3.10 MULTIPLE USES

Where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be satisfied. Where there is conflict such as in the case of site area and frontage, the higher or more stringent requirement shall prevail.

### 3.11 MOBILE HOMES

1. No mobile home shall be placed in any zone and used as a dwelling

structural standards as determined by The Buildings and Mobile Homes Act, Chapter B93, C.C.S.M. as amended.

2. A mobile home dwelling, when located on a site, shall:
  - a. Be connected to a private sewage disposal system installed in accordance with regulations under The Environment Act;
  - b. Be placed in such a way as to meet the approval of the Development Officer; and
  - c. Be connected to the hydro system with an approved electrical service outlet.
3. All structures and/or buildings such as porches, additions, carports, private garages, skirting and storage facilities shall be painted or pre-finished and maintained in a manner which will complement the main structure.

### 3.12 PLANNED UNIT DEVELOPMENTS

1. For a planned unit development, the provisions of the Bulk Table of the zone in which the planned unit development is located shall not apply. The design, however, shall produce an environment of stable and desirable character and shall incorporate at least equivalent standards of amenity, accessory off-street parking areas, and other requirements and standards established in this By-law.
2. An application for the establishment of, or modification to, a planned unit development as a Conditional Use shall be accompanied by the following information prepared and submitted by the applicant:
  - a. Those requirements normally required for the issuance of a development permit under Section 2.14 of PART 2: Administration of this By-law.
  - b. In addition to complying with Section 2.14 of PART 2: Administration, a development application for a planned unit development shall be accompanied by the following information:

- i. The location and use of each existing and proposed building or structure and the use or uses to be contained therein, including providing the separation distances between buildings and structures, a minimum distance of ten (10) feet eave to eave to be maintained between all buildings and structures;
  - ii. The location of all doors and windows, and the type;
  - iii. The location of all exterior refuse storage facilities and the screening;
  - iv. The location of all exterior storage facilities and the screening;
  - v. The location of all driveways, accessory parking areas, accessory loading areas, and the illumination facilities for same;
  - vi. The location of all pedestrian walks and open space areas;
  - vii. The location, type, and height of all proposed walls, fences, and landscaping;
  - viii. The types of surfacing, such as paving, turf, or gravel, to be used at various locations;
  - ix. Floor plans and elevations of all proposed buildings and structures; and
  - x. The total number of dwelling units and the gross floor area.
- c. Impact studies, as deemed necessary by Council, dealing with the following matters:
    - i. A concise statement as to the general benefits of the development to the community as a whole;
    - ii. Effect on the general area;
    - iii. Effect on the natural environment, such as surface and sub-surface of the land, increase in run-off, and flooding, soil erosion and vegetation;

- iv. Safety and general welfare;
- v. Drainage systems; and
- vi. A traffic study prepared by a qualified engineer.

### 3.13 DWELLING SETBACK FROM WASTE DISPOSAL GROUNDS OR SEWAGE LAGOON

1. Development and site maintenance shall be in accordance with provincial and federal environmental and health regulations.
2. A solid waste disposal facility shall be located a minimum of 457 m (1500 ft) from any residential dwelling unit or recreational use.
3. A liquid waste disposal facility shall be located a minimum of 600 m (1968 ft) from any residential dwelling unit or recreational use.
4. When approving a solid or liquid waste disposal facility, Council may impose the following conditions:
  - a. Place a limitation on the years, months, weeks, days and or hours of operation;
  - b. Limit the height of the development; and
  - c. Impose requirements related to any stripping, filling, excavation and grading associated with any landfill development.
5. Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.

### 3.14 SETBACKS FROM PUBLIC UTILITIES

Nothing in this By-law shall be so interpreted as to interfere with the construction, maintenance and operation of any public utility, as defined by this By-law, or public service such as police and fire protection, provided that

any building or structure erected in any zone complies with the yard and area requirements applicable to the zone.

A minimum clearance of ten (10) feet vertical and horizontal shall be maintained when locating buildings and structures within close proximity of all public utilities.

### 3.15 SECONDARY SUITES

1. One additional, self-contained, secondary dwelling unit may be located either within an existing primary dwelling or placed in a separate attached or detached building on the same site as the permanent primary single-family dwelling.
2. The following criteria apply:
  - a. No more than one (1) secondary suite shall be allowed within a principal dwelling;
  - b. No more than one (1) attached or secondary suite shall be allowed on a single zoning site;
  - c. The affected property must contain a legally conforming and permanent, owner-occupied habitable dwelling, to which the secondary suite is an accessory use;
  - d. Notwithstanding a basement suite, a secondary suite (attached or detached) shall not exceed 40% of the total habitable floor space of the primary dwelling or 800 square feet, whichever is the lesser;
  - e. Notwithstanding a basement suite, a secondary suite will not be allowed on properties smaller than 7,500 sq. ft. in size;
  - f. A detached secondary suite shall be placed on a cement pad or footing (no basement);
  - g. Attached and detached secondary suites shall comply with all the yard

requirements for the primary dwelling;

- h. The minimum separation distance between the primary dwellings and any detached secondary suite buildings shall be in compliance with the requirements of this By-law and the Manitoba Building Code;
- i. Access to the secondary suite shall be provided by the existing driveway;
- j. A minimum of one (1) off-street parking space must be provided for each secondary suite;
- k. The exterior of the attached or detached secondary suites should incorporate building materials, textures, and colours that are similar to that of the principal dwelling;
- l. A detached secondary suite shall be a conditional use.

### 3.16 SWIMMING POOLS

- 1. Private and semi-private pools shall meet Provincial regulations and:
  - a. Shall be considered as being accessory to a Permitted Use;
  - b. Shall not be located closer than 1.52m (5.00 ft.) to any side or rear lot line, nor shall they be constructed beyond the foremost portion or portions of the principal building of the site
  - c. Shall be completely enclosed with a vertical board fence, with no vertical or horizontal supports that would facilitate climbing, or other suitable barrier, constructed or erected in accordance with the following:
    - i. fences shall have a maximum height of 1.83m (6.0ft) including gates which shall be self closing and equipped with a lockable latch.
    - ii. there shall be no openings other than an entry to a building or a gate and it shall be constructed so as to prevent a child from crawling under either the fence or gate.

### 3.17 HOME OCCUPATIONS

- 1. The operation of the home occupation shall be accessory to the principal use of the site as a resident occupied residence.
- 2. The use shall be conducted entirely within the residential dwelling unit and shall not have any exterior evidence of an accessory use on the site.
- 3. There shall be no outside storage or exterior display of goods, materials, or equipment associated with the applied use.
- 4. The use shall not create or become a public nuisance
- 5. The character of the zoning district in which the home occupation is located shall not be disturbed by dust, noise, smoke or smell generated by the use.
- 6. Only the residents of the residential dwelling unit shall be employed in the home occupation.
- 7. No use shall cause an increase in the demand placed on one or more utilities (water, sewer, electricity, telephone, garbage, etc.) such that the combined total consumption for a residential dwelling unit and its home occupation substantially exceeds the average for residential dwelling units in the area.
- 8. The use shall not generate substantially more traffic and parking than is normal for the zoning district in which the use is located.
- 9. No use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the zoning district in which the home occupation is located.
- 10. The use shall be valid only for the period of time the property is occupied by the applicant for such use.
- 11. No external advertising shall be permitted relating to a home occupation.



### 3.18 TEMPORARY BUILDINGS AND USES

1. Temporary buildings, structures and uses which are incidental and necessary to construction in the same zone may be permitted on a temporary basis, subject to the issuance of a development permit, for the following purposes:
  - a. Storage of construction materials and equipment incidental and necessary for construction;
  - b. Office space for contractor or developer; and
  - c. Temporary accommodation for a caretaker, watchman and other workers employed on the same construction site.
2. A development permit for a temporary building, structure or use shall be subject to such terms and conditions as required by Council or the Development Officer.
3. A development permit for a temporary building, structure or use shall be valid for a period of not more than six (6) months and may not be renewed for more than two (2) successive periods at the same location.

### 3.19 STREETS AND ROADS

1. All developments shall be on sites that have direct frontage on an approved all-weather road. This provision shall also affect the following:
  - a. No development or building permit shall be issued for a building or structure that does not have direct frontage to an approved all-weather road; and
  - b. No subdivision shall be approved where the proposed and residual lots, and or parcels of land will not have direct access to a developed all-weather road.
2. No building or structure shall be erected upon any land designated for a

future road allowance by Council. Any development adjacent to a future road allowance shall comply with the regulations of the By-law as if the said future road allowance was already in existence.

### 3.20 SIGN REGULATIONS

The following shall apply in all zones in this By-law except as otherwise stated below.

1. 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.
2. 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.
3. 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 purpose.
4. No flashing sign shall be permitted in or within three hundred (300) feet of any residential district or Provincial Roads and Provincial Trunk Highways.
5. 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.
6. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back and are at no point more than two (2) feet from one another.
7. It shall be unlawful to erect or maintain any sign on, over or above any

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 setback requirements of the zone in which they are located.

8. The placing of advertising, business or identification signs within the control lines and circles of a Provincial Road or Provincial Trunk Highway shall require a permit from the appropriate authority.
9. The following signs shall not be subject to the provisions of this By-law, except wherein otherwise noted:
  - a. Signs posted by duly constituted public authorities in the performance of their public duties.
  - b. Flags or emblems of a political, civic, educational or religious organization.
  - c. Temporary signs as may be authorized by Council for not more than two months at a time by written permit which shall show the size, shape, content, height, type of construction and location of such signs.
  - d. Construction signs when placed on construction sites and not exceed twenty-five (25) square feet.
  - e. Signs required for direction and convenience of the public including signs which identify rest rooms or parking entrance or exit, not exceeding five (5) square feet in area.
  - f. Real estate signs not exceeding ten (10) square feet which advertise the sale, rental or lease of a building, structure, site, or part thereof.

### 3.21 PARKING REQUIREMENTS

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

#### Off Street Parking Regulations

Use Class	Number of Parking Spaces Required
<b>Residential and Recreation Related Use Classes</b>	
Cottage Dwelling	1.0/Dwelling Unit
Institutional Residence	1.0/each 2 Dwelling or Sleeping Units
Mobile Home Dwelling	1.0/Dwelling Unit
Multiple Family Dwelling	1.2/Dwelling Unit
Single Family Dwelling	1.0/Dwelling Unit
Semi-Detached Dwelling	1.0/Dwelling Unit
Two Family Dwelling	1.0/Dwelling Unit
Bed and Breakfast Home	1.0/Sleeping Accommodation
Lodge	1.0/Sleeping Accommodation
<b>Commercial Use Classes</b>	
Hotel and Motel	1.0/Guest Room or Sleeping Unit
Eating and Drinking Establishment	1.0/4 Seats or 1.0/9.29 sq. m. (100.00 sq. ft.)
Convenience and General Retail Stores	1.0/18.60 sq. m. (200.00 sq. ft.) of floor area
All Other Commercial Establishments	1.0/23.20 sq. m. (250.00 sq. ft.) of floor area
<b>Industrial Use Classes</b>	
All Industrial Establishments	1.0/92.90 sq. m. (1,000.00 sq. ft.) of floor area or 1.0/5 employees, whichever is greater
<b>Basic Service Use Classes and Community, Educational, Recreational and Cultural Service Use Classes</b>	
Indoor Participant Recreation Service, Religious Assembly, Outdoor Participant Recreation Service, Private Club, Public Library and Cultural Exhibit, and Community Recreation Service	1.0/5 Seating spaces or 3.05 m. (10.00 ft.) of bench space. Where there are no fixed seats, 1.0/each 9.29 sq. m. (100.00 sq. ft.) of floor area devoted to the assembly room floor area
Extended Medical Treatment Service	2.0/Bed
Public and Private Education Service	1.5/Classroom, plus 1.0/each 9.29 sq. m. (100.00 sq. ft.) of floor area devoted to public use
Government Service	1.0/51.10 sq. m. (550.00 sq. ft.) of floor area
Child Care Service	1.0/2 Employees
Funeral Service	1.0/5 Seating places

2. For commercial and industrial land uses, off-street loading or unloading spaces shall be provided on the same site as the main building. The off-street loading and unloading space shall be thirty (30) feet long, twelve (12) feet wide and (14) feet vertical clearance and have access to a lane or street. The number of off-street loading or unloading spaces shall be as follows:

**Loading Spaces Table**

Floor Area of Building or Area of Open Air Storage	Number of Spaces
Up to and including 5,000 sq. ft.	One (1) loading space
5,001 to 15,000 sq. ft.	Two (2) loading space
15,001 to 40,000 sq. ft.	Three (3) loading space
Over 40,000 sq. ft.	Three (3) loading spaces plus one (1) space for each additional twenty-five thousand (25,000) sq. ft. or portion thereof

3. Where a proposed use is not listed above, the parking regulation shall be determined by Council which may either determine that the proposed use is similar to one which is listed, or, if that is not the case, the Development Officer shall make his/her own determination as to the regulation.
4. Where the parking space regulation is determined by reference to a unit such as the number of bedrooms or seats, floor area, the next higher number shall be required where the calculation results in a fractional number of parking spaces.

### 3.22 ANHYDROUS AMMONIA FACILITIES

1. Anhydrous Ammonia Facilities shall be located at least:
  - a. 792.48 m. (2,600 ft.) from residential areas, schools, hospitals, churches and other institutional facilities;
  - b. 1,524.00 m. (5,000 ft.) from any village or settlement centre;

- a. 304.80 m. (1,000 ft.) from the centre line of a provincial highway; and
- b. 100 m. (328 ft.) from the edge of arterial highways and provincial roads.

### 3.23 PUBLIC RESERVE LAND

1. Public reserve land shall only be used for:
  - a. a public park or recreation area;
  - b. a natural area;
  - c. a planted buffer strip or part thereof separating incompatible land uses; or
  - d. public works.
2. No buildings or structures shall be placed on public reserve land by adjacent land owners.

### 3.24 LAND UNSUITABLE FOR DEVELOPMENT

Notwithstanding the provisions contained in this By-law, Council may prohibit the development of land for a use permitted in this By-law of Council is of the opinion that the land is subject to erosion, flooding, or subsidence, or is low-lying, marshy or unstable, or otherwise unsuitable or hazardous for the proposed purpose by virtue of its soil, topography or unique conditions.

### 3.25 LANDS SUBJECT TO FLOODING

1. No permanent building shall be constructed or placed in the vicinity of a lake, river, watercourse or body of water on land that has been identified by the province as a flood hazard or would be inundated by the hundred year flood or by a recorded flood exceeding the hundred year flood, unless it is demonstrated to the satisfaction of Council that:
  - a. the land is not subject to flooding;

- b. proper measures will be taken to protect the building from flooding; or
  - c. that access to the property is on a developed public road to a standard and elevation that meets with provincial flood protection measures.
2. No permanent building shall be constructed or placed on land which may be subject to subsidence or erosion by water or damage by ice or may be marshy or unstable, or may be otherwise unsuitable or hazardous by virtue of its soil or topography, unless it is demonstrated to the satisfaction of Council that proper measures will be taken to deal with the unsuitability or hazard.
  3. Notwithstanding any provisions of this by-law, the Council may refuse to issue a development permit and/or a building permit where the Council has reason to believe that the proposed development is located on land that is subject to one or more of the hazards identified above in 1 and/or 2.
  4. Notwithstanding any provisions of this by-law, the Council may refuse to issue a development permit on private lands where Council has reason to believe that such works would create an adverse effect on adjacent public or private lands or where adjacent drains are insufficient to accommodate the added run-off.
  5. The Council may require a development permit applicant and/or a building permit applicant to provide, at his own expense, such flood levels, elevations, or other geotechnical data as may be required to arrive at a rational decision with respect to above.
  6. Council may, prior to the issuance of a development permit and/or a building permit, consult with Manitoba Conservation and Water Stewardship, and other departments of the provincial government.

### 3.26 PROTECTION OF GROUNDWATER SUPPLY

1. If groundwater is to be used as a source of water supply, it shall be done in a sustainable manner and compliant with The Water Rights Act, The Groundwater and Well Act and the Well Drilling Regulation (228/88R).

2. Private well owners are responsible for the construction, ongoing operation, maintenance, and monitoring of their water systems. Water well development should be done in such a manner as to protect groundwater from contamination.
3. Development of any common drinking water or sewer systems should be done in accordance with provincial legislation (The Public Health Act and The Drinking Water Safety Act).

### 3.27 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.

### 3.28 HISTORICAL SITES

A development permit for development of a site located adjacent to land designated as a “Historical Site” shall not be issued unless the applicant can demonstrate to Council’s satisfaction that the proposed development will not endanger or degrade the adjacent historical site.





## Part 4 Land Use Zones



# Land Use Zones

# 4



## PART FOUR : LAND USE ZONES

### 4.1 ZONES

In order to carry out the intent and purpose set forth in this By-law, the following zones are hereby established in the area:

**“AG-80” Agricultural General Zone**

**“AG-40” Limited Agricultural Zone**

**“SC” Settlement Centre Zone**

**“LS” Lakeside Settlement Zone**

### 4.2 ZONING MAPS

The location and boundaries of the zones listed in Section 4.1 are shown upon Zoning Maps attached and marked as Appendix “A” to this By-law. These Zoning Maps form part of this By-law. All notations, references and other information shown thereon, together with any amendments made by amending By-laws or amendments to the boundaries in the case of any street, lane, or public utility right-of-way closing (as provided in Section 3 of this By-law) and

shown thereon, shall be as much a part of this By-law as if the matters and information set forth by the amended Zoning Maps were fully described at the time of the By-law’s adoption.

### 4.3 DIMENSIONS AND SCALE

The scale and all dimensions of the Zoning Maps are in miles and kilometres.

### 4.4 REGISTERED PLANS

All plan references on the Zoning Maps pertain to registered plans filed in the Portage la Prairie Land Titles Office unless otherwise indicated.

### 4.5 ABBREVIATIONS

All plan references on the Zoning Maps pertain to registered plans filed in the Portage la Prairie Land Titles Office unless otherwise indicated.

1. “Blk.” means Block.
2. “Gov’t. Rd. All’ce.” means Government Road Allowance.
3. “Pcl.” means Parcel.
4. “Pt.” means Part.
5. “Rge.” means Range.
6. “Sec.” means Section.

7. "Twp." means Township.
8. "W.P.M." or "W" means West of the Provincial Meridian.
9. "P.R." means Provincial Road.
10. "P.T.H." means Provincial Trunk Highway.
11. "P.L.P." means Portage la Prairie Land Titles Office.
12. "W.L.T.O." means Winnipeg Land Titles Office.

## 4.6 INTERPRETATION OF ZONE BOUNDARIES

The scale and all dimensions of the Zoning Maps are in miles and kilometres.

1. Heavy unbroken lines represent the zone boundaries. Even if the zone boundary is broken by the name of a street, the boundary continues through the name of the street.
2. While streets, lanes and public utility rights-of-way may be within zone boundaries, the regulations contained in this By-law do apply to streets, lanes and public utility rights-of-way.
3. Boundaries indicated as following the centerlines of streets, highways or lanes shall be construed to follow such centerlines.
4. Boundaries indicated as following lot, site or property holding lines on a registered plan shall be construed as following such lot, site and property holding lines.
5. Boundaries indicated as following the RM's limits shall be construed as following the RM's limits.
6. Boundaries indicated as following the centerline of railway or public utility lines or rights-of-way shall be construed to be the centre of the line or right-of-way.
7. Boundaries indicated as following the centerlines of streams or rivers shall be construed as following the centerline of such streams or rivers.
8. Boundaries indicated as following legal subdivision lines shall be construed as following such legal subdivision lines.
9. If a street, lane, or Government Road Allowance shown on the Zoning Map is lawfully closed, the land formerly comprising the street or land shall be included within the zone of the adjoining land, provided that if the former street or lane was a zone boundary between two or more different zones, the new zone boundary shall be the former centerline of the closed street or lane.
10. Boundaries indicated as going through the middle of a section shall be construed as following the quarter section limits.





## Part 5 Agricultural Zones



# Agricultural Zones

# 5



## 5.1 INTENT AND PURPOSE

The Agricultural Zones established in this By-law are intended to provide sufficient land for various types of agricultural development and secondary small industries when associated with an agricultural operation in the area, in accordance with the provisions of the Development Plan.

## 5.2 ZONES

In order to carry out the intent and purpose of Section 5.1, the following zones have been established:

1. The “**AG-80**” Agricultural General Zone which provides for a full range of agricultural activities in accordance with Agricultural-80 Use and Site Requirements Table 5-1.
2. The “**AG-40**” Limited Agricultural Zone which provides for agricultural uses and activities on a restricted basis in areas adjacent to Settlement Centres and Lakeside Settlement Centres in order to avoid land use conflicts and to preserve lands for future expansion of settlement centres. The “AG-40” Zone also restricts the size of livestock operations that are permitted in the Limited Agricultural Use and Site Requirements Table 5-2. Summer pasturing is allowed in this zone.

## 5.3 GENERAL REQUIREMENTS

The requirements applying to all Agricultural Zones are contained within this part. Also applying to these zones are the provisions of Part 1: Interpretation; Part 2: Administration; and Part 3: General Regulations.

## 5.4 USE AND SITE REGULATIONS

1. Table 5-1, “Agricultural-80 Use and Site Requirements” lists all uses and the site requirements that are “P” Permitted and “C” Conditional in the Agricultural-80 Zone. All listed uses are subject to the provisions of this By-law.
2. Table 5-2, “Limited Agricultural Use and Site Requirements” lists all uses and the site requirements that are “P” Permitted and “C” Conditional in the Limited Agricultural Zone. All listed uses are subject to the provisions of this By-law.

## 5.5 CONDITIONAL USES

Any use listed as a “Conditional Use” in Table 5-1 and Table 5-2 shall comply with the regulations as set forth in Part 2: Administration and Part 3: General Regulations.

**TABLE 5-1: AGRICULTURAL-80 “AG-80” USE AND SITE REQUIREMENTS**

	MINIMUM REQUIREMENTS				
	Site Area (acres)	Site Width (feet)	Front Yard (feet)	Side Yard (feet)*	Rear Yard (feet)
<b>PERMITTED USES:</b>					
Accessory uses, buildings/structures	N/A	N/A	125	25	25
Agricultural activities	80	600	125	25	25
Farmstead dwellings/Single-family dwellings	2	200	125	25	25
Secondary suites (See Section 3.15)	2	200	125	25	25
LOs producing less than 300 A.U.	80	600	125	125	125
LOs producing less than one A.U. per acre of on-site area	40	600	125	125	125
<b>CONDITIONAL USES:</b>					
Abattoirs, meat/food processing & packaging	5	300	125	100	100
Agricultural auction markets	5	300	125	50	50
Agricultural exhibition grounds	5	300	125	25	25
Anhydrous ammonia and crop protection warehouse	5	300	125	50	50
Agricultural related commercial uses	5	300	125	25	25
Aircraft landing fields and airports	10	200	125	50	50
Asphalt plants	5	300	125	50	50
Auction marts	2	200	125	25	25
Automobile/farm equipment wrecking and body shops	5	300	125	25	25
Automobile service stations, car washes	20,000	100	30	15	15
Billboard advertising signs	N/A	N/A	125	25	25
Bulk fuel storage and sales	5	300	125	50	50
Cemeteries	2	200	125	25	25
Concrete plants	5	300	125	50	50
Contractor establishments	2	200	125	25	25
Feed mill and seed cleaning operations	5	200	125	50	50
Flax straw storage and processing	20	400	125	50	50
Golf courses with associated structures	5	300	125	25	25
Grain terminals/elevators	10	300	125	25	25



**TABLE 5-1**

	MINIMUM REQUIREMENTS				
	Site Area (acres)	Site Width (feet)	Front Yard (feet)	Side Yard (feet)*	Rear Yard (feet)
<b>CONDITIONAL USES (continued):</b>					
Greenhouses, nursery	5	300	125	25	25
Heavy manufacturing	5	300	125	50	50
Lagoons or open pits for the storage and/or treatment of domestic sewage	2	100	125	50	50
Light manufacturing	2	200	125	25	25
Lumber yards	2	200	125	25	25
Maintenance yards and machine shops	2	200	125	25	25
LOs producing 300 A.U. or more	80	600	125	125	125
LOs producing more than 1 A.U. per acre of on-site area	40	600	125	125	125
Municipal administrative offices and services	2	200	125	25	25
Parks/recreation areas, public/private camps, and museums/historic sites	2	200	125	25	25
Public works yard, public utilities/communication	2	200	125	25	25
Schools, religious facilities and community halls	2	200	125	25	25
Sand and gravel extraction/processing	5	300	125	50	50
Small scale industries	2	200	125	25	25
Solid waste disposal	N/A	N/A	125	125	125
Specialized agricultural activities (e.g. apiaries, aviaries)	5	300	125	50	50
Stables and riding academies	5	300	125	50	50
Storage, handling and/or processing facilities for grains, vegetables and pulse crops	5	300	125	50	50
Truck terminals	2	200	125	25	25
Veterinary clinics, animal kennels and pounds	2	200	125	25	25
Wastewater treatment facilities	N/A	N/A	125	125	125
Welding, machinery and repair shops	2	200	125	25	25
Wind energy generation system	2	200	125	50	50

**TABLE 5-2: LIMITED AGRICULTURAL-40 “LA-40” USE AND SITE REQUIREMENTS**

MINIMUM REQUIREMENTS					
	Site Area (acres)	Site Width (feet)	Front Yard (feet)	Side Yard (feet)*	Rear Yard (feet)
PERMITTED USES:					
Accessory uses, buildings/structures	N/A	N/A	125	25	25
Agricultural activities	40	600	125	25	25
Farmstead dwellings/Single-family dwellings	2	200	125	25	25
Secondary suites (see Section 3.15)	2	200	125	25	25
LOs to less than 300 A.U.	80	600	125	125	125
CONDITIONAL USES:					
CONDITIONAL USES LISTED FOR THE “AG-80” ZONE (except livestock operations)	SEE TABLE 5-1				
Expansion of existing LOs to 300 or more A.U.	80	600	125	125	125

## 5.6 ACCESSORY USES, BUILDINGS, AND STRUCTURES

In the Agricultural-80 and Limited Agricultural Zones, accessory uses, buildings or structures shall be limited to the following:

1. Farm dwellings, including a single-family dwelling or mobile home when on the same site with a permitted or conditional agricultural activity;
2. Staff dwellings, including a single-family dwelling, two-family dwelling, dormitory, or mobile home when on the same site as permitted or conditional uses where, in the opinion of Council, such a dwelling is essential for the maintenance, operation and care of the permitted or conditional use;
3. Buildings or structures for the operation and maintenance of an agricultural activity;
4. Storage of goods used in, or produced by, agricultural activities on the same site as such activities, unless such storage is excluded by the zoning district or provincial regulations;
5. A private garage, carport, covered patio, toolhouse, shed, and other similar buildings for the storage of domestic equipment and supplies;
6. Incinerators and individual sewage disposal systems, subject to the authority of the jurisdiction;
7. Home occupations;
8. Signs as permitted in this part; and
9. Clubhouses and other related recreational structures on the grounds private clubs, golf courses, and other like permitted or conditional recreational facilities.

## 5.7 AIRCRAFT LANDING STRIPS

All buildings and structures, when being located in close proximity to licensed aircraft, landing strips, whether on the same property or an adjoining property, shall be governed by the appropriate Transport Canada regulations.

## 5.8 REGULATION OF LIVESTOCK OPERATIONS

1. In addition to complying with Farm Practice Guidelines, livestock may be kept on parcels of land smaller than 10 acres in size in agricultural zones, based on the following criteria:

Less than 4 acres	0 animal units
4 to 6 acres	2 animal units
More than 6 to 8 acres	3 animal units
More than 8 to 10 acres	4 animal units

2. A development permit shall be required for new or expanding livestock operations. The permit shall state the use of the land, buildings and structures, the size of the operation (in number of animals), and the method of waste disposal.
3. All new or expanding livestock operations must comply with the siting and setback requirements from property lines, residences, designated development areas, watercourse, and wells as outlined in the Provincial Farm Practice Guidelines and The Environment Act.
4. Any reference in this By-law to animal units (a.u.) shall use Table 5-3: Animal Unit Table to determine the amount of livestock waste produced and/or the number of animals permitted. For the purposes of this By-law and all animal types will be included in the calculation of animal waste for any given site or livestock operation.

5. New livestock operations or the expansion of existing livestock operations will not be permitted:
  - a. within areas designated as Settlement Centre;
  - b. within areas designated as Lakeside Settlement;
  - c. on soils determined by detailed soil survey to be Agricultural Capability Class 6, 7, or unimproved organic soils as defined under the Canada Land Inventory; and
  - d. any lands defined as Zone 4N for nutrients under the Nutrient Management Regulation.
6. Council shall refer all applications involving 300 or more animal units to the Minister and request that a Technical Review Committee be appointed to review the proposed application. Once the Technical Review Report has been received a hearing date shall be set as per the provisions contained in The Planning Act. After the hearing, Council may approve the application with or without conditions, only if:
  - a. The Technical Review Committee has determined, based on the appropriate information, that the proposed operation or expansion will not propose a risk to the community or the environment, or that any risk can be mitigated through the use of appropriate practices;
  - b. any detailed soil survey information required as part of the application process indicates that the land on which the proposed livestock operation or expansion is to be located has an agricultural capability rating of Class 1 to 5;
  - c. that Council is satisfied that:
    - i. the proposal will be compatible with the general nature of the surrounding area;
    - ii. the proposal generally conforms to the Development Plan; and

- iii. the proposal conforms with the applicable provisions contained in the municipality's Zoning By-law.
6. As part of the conditions of approval as provided for in The Planning Act, Council may impose the following:
  - a. measures to ensure conformity with the applicable provisions of the development plan and zoning by-law for a municipality;
  - b. measures to implement recommendations made by the Technical Review Committee;
  - c. one or both of the following measures intended to reduce odours from the livestock operation:
    - i. requiring covers on manure storage facilities; and/or
    - ii. requiring shelter belts to be established; and/or
  - d. requiring the applicant to enter into a Development Agreement which may deal with one or more of the following matters:
    - i. the timing of any proposed construction;
    - ii. the control of traffic;
  - iii. the construction and maintenance of roads, fencing, landscaping, shelterbelts or site drainage works by, or at the expense, of the owner or applicant;
  - iv. as part of any Development Agreement, Council may require that no development takes place until all conditions have been met. Council may revoke its approval for non-compliance with any condition in the Development Agreement.

## SITING AND SETBACK OF LIVESTOCK OPERATIONS



7. The mutual separation distances, as set out in Table 5-4, apply to the establishment of new dwellings, new designated areas, and the establishment of new or expanding LOs, but do not otherwise affect existing dwellings, designated areas, or LOs.
8. An existing LO is an operation that has been approved by Council, has a valid development permit, and is lawfully under construction or operating at the time this by-law is adopted.
9. Table 5-3 shall be used to calculate the number of animal units by categories of livestock. The total number of animal units in a LO is to be calculated by adding together the total number of animal units produced by each category of livestock in the operation.
10. Where two or more LOs involving the production of the same species are located within 800 metres of one another and share a common manure storage facility, they are deemed to be a single LO for the purposes of calculating siting and setback requirements.

#### MUTUAL SEPARATION OF DWELLINGS AND LIVESTOCK OPERATIONS

11. The mutual separation distances as set out in Table 5-4: Minimum Separation Distances for Siting Livestock Operations, apply to the establishment of new dwellings, new designated areas, and the establishment of new or the expansion of existing livestock operations. The mutual separation distances do not affect existing dwellings, designated areas, or livestock operations.

#### EXCEPTIONS

12. The following are not subject to the requirements for LOs unless, in the opinion of Council, they may create a potential pollution problem:
  - a. livestock auction markets and livestock transportation operations;
  - b. livestock as an accessory use;

- c. agricultural fairs; or
- d. livestock sale yards, in which livestock may be kept for a period not exceeding ten (10) days.

#### NOTICE OF PUBLIC HEARING FOR LIVESTOCK OPERATIONS

13. An application to approve a conditional use for a LO involving 300 or more animal units must fix a date and hold a public hearing in accordance with Sections 114 – 188 of The Planning Act.

**TABLE 5-3: ANIMAL UNIT TABLE**

		<b>A.U. PRODUCED BY ONE LIVESTOCK</b>	<b>LIVESTOCK PRODUCING ONE A.U.</b>
<b>DAIRY</b>	Milking cows, including associated livestock	2.000	0.5
<b>BEEF</b>	Beef cows, including associated livestock	1.250	0.8
	Backgrounder	0.500	2
	Summer pasture/replacement heifers	0.625	1.6
	Feeder cattle	0.769	1.3
<b>HOGS</b>	Sows, farrow to finish	1.250	0.8
	Sows, farrow to weanling	0.250	4.0
	Sows, farrow to nursery	0.313	3.2
	Weanlings	0.033	30
	Growers/finishers	0.143	7
	Boars (artificial insemination operations)	0.200	5
<b>CHICKENS</b>	Broilers	0.0050	200
	Roasters	0.0100	100
	Layers	0.0083	120
	Pullets	0.0033	300
	Broiler breeder pullets	0.0033	300
	Broiler breeder hens	0.0100	100
<b>TURKEYS</b>	Broilers	0.010	100
	Heavy toms	0.020	50
	Heavy hens	0.010	100
<b>HORSES</b>	Mares, including associated livestock	1.333	0.75
<b>SHEEP</b>	Ewes, including associated livestock	0.2	5
	Feeder lambs	0.063	16
<b>Other livestock or operation type</b> – please inquire with your regional agricultural engineer or livestock specialist			

**TABLE 5-4:  
MINIMUM SEPARATION DISTANCES FOR SITING LIVESTOCK OPERATIONS**

Size of Livestock Operation in Animal Units	Separation Distance in Metres (Feet) from Single Residence		Separation Distance in Metres (Feet) from Designated Areas	
	To Earthen Manure Storage Facility	To Animal Housing Facility and Non-earthen Manure Storage Facility	To Earthen Manure Storage Facility	To Animal Housing Facility and Non-earthen Manure Storage Facility
10 – 100	200 (656)	100 (328)	800 (2,625)	530 (1,739)
101 – 200	300 (984)	150 (492)	1,200 (3,937)	800 (2,625)
201 – 300	400 (1,312)	200 (656)	1,600 (5,249)	1,070 (3,511)
301 – 400	450 (1,476)	225 (738)	1,800 (5,906)	1,200 (3,937)
401 – 800	500 (1,640)	250 (820)	2,000 (6,561)	1,330 (4,364)
801 – 1,600	600 (1,968)	300 (984)	2,400 (2,800)	1,600 (5,249)
1,601 – 3,200	700 (2,297)	350 (1,148)	2,800 (9,186)	1,870 (6,135)
3,201 – 6,400	800 (2,625)	400 (1,312)	3,200 (10,499)	2,130 (6,988)
6,401 – 12,800	900 (2,953)	450 (1,476)	3,600 (11,811)	2,400 (7,874)
>12,800	1,000 (3,281)	500 (1,640)	4,000 (13,123)	2,670 (8,860)

## 5.9 MINERAL EXTRACTION OPERATIONS

A development permit shall be required for the establishment of a commercial pit or quarry operation, and shall include:

1. In the case of Crown quarry minerals, proof of the issuance of a Provincial Lease or Casual Permit under Manitoba Quarrying Minerals Regulation (MR 65/92).
2. A plan showing areas and means for disposing of overburden, and routes for hauling the minerals.
3. A site plan showing the precise plan of the 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 quarrying phase.
4. A plan for rehabilitation of the site when exhausted and where applicable.
5. Council shall consult with Manitoba Mineral Resources when considering such applications.

## 5.10 TEMPORARY ADDITIONAL DWELLING OR MOBILE HOME

This section is intended to provide standards and conditions for the placement of a detached, removable one-family dwelling or mobile home, for occupancy, on the same site as a permanent principal dwelling.

1. A temporary additional dwelling or mobile home shall be subject to the following regulations:
  - a. Only owner-occupiers of the principal dwelling are permitted to place a temporary additional dwelling or mobile home.
  - b. The additional dwelling or mobile home shall be temporary in nature. It shall be placed on a concrete pad and post foundation only, and is to be removed upon the cessation of the occupancy for which it is intended.

- c. The additional dwelling unit shall comply with the front, side and rear yard requirements applicable to the principal dwelling.
- d. The unit shall meet all applicable codes for single-family detached dwellings or mobile homes.
- e. Hydro and water services for the additional unit shall, where feasible, be connected to existing facilities upon approval by local and provincial authorities.
- f. Sewage disposal for the additional unit shall be provided in accordance with applicable provincial regulations.
- g. A caveat shall be placed on the subject property by the municipality at the applicant's expense, stating that the additional unit is temporary and must be removed upon cessation of the occupancy for which it was intended.
- h. Council may impose any other reasonable conditions deemed necessary to protect adjoining properties and the public welfare.

## 5.11 WIND ENERGY GENERATION SYSTEM (WEGS)

This section is intended to provide standards and conditions for the placement of wind energy generation systems as a conditional use in the rural areas provided that:

1. Proponents of a Wind Energy Generation Systems (WEGS) shall submit to the Development Officer a detailed site plan showing the location of all wind generating devices, associated accessory buildings or structures, electrical lines (above or below ground), on-site roads, and driveways providing access to the public road system.
2. Accessory buildings or structures forming part of any WEGS shall comply with all minimum yard requirements for WEGS.
3. In addition to satisfying the minimum yard requirements in Table 5-1

above, all WEGS shall be setback a minimum of one and one-half (1.5) times the total height of the WEGS from all property lines and dwellings. The sole exception to the separation requirement between a residence and a WEGS shall be where a landowner sites a WEGS for his sole use on his own property adjacent to the principal residence.

4. In addition to satisfying the minimum yard requirements in Table 5-1 above, newly siting residences in the vicinity of a WEGS, other than the residence of the owner of the lands upon which a WEGS is located, shall be separated a minimum of one and one-half (1.5) times the total height of the nearest adjacent WEGS.
5. The total height of any WEGS shall be the distance measured between from the ground to the uppermost point of extension of any rotor blade.
6. In addition to satisfying the minimum yard requirements in Table 5-1 above, all WEGS shall be separated a minimum of 2,640 feet ( ½ mile) from any lands designated or zoned for residential use.
7. Any WEGS sites located adjacent to provincial highways (PTH or PR) shall be subject to the setback requirements of the province.
8. Proponents of WEGS shall be responsible for obtaining any required federal and/or provincial government permits or approvals from agencies such as but not limited to: Transport Canada; NAV Canada; the federal Department of Fisheries and Oceans; Manitoba Hydro; and Manitoba Conservation and Water Stewardship, prior to the issuance of a development permit.
9. A development permit shall be obtained prior to the commencement of construction.
10. Where a proponent locates a WEGS on lands not under their ownership, they will be required to enter into an easement agreement with the owner of the property in order to ensure ongoing access to the WEGS.
11. The criteria in the Use and Bulk Tables pertaining to WEGS shall not

apply in instances where a WEGS is constructed on the same site as and is in direct support of either a permitted or conditionally approved agricultural activity. In such cases, the WEGS shall be treated as an accessory structure.

12. Notwithstanding the treatment of WEGS as accessory structures to permitted or conditionally approved agricultural activities as outlined in 11. above, proponents shall be required to investigate the need for federal and/or provincial approval or licensing of the WEGS in their circumstances.





## Part 6 Settlement Centre Zones

# Settlement Centre Zones

# 6



## 6.1 INTENT AND PURPOSE

The Settlement Centre Zones established in this By-law are intended to provide sufficient land for various types of urban development including residential, commercial and industrial, in accordance with the provisions of the Development Plan.

## 6.2 ZONES

In order to carry out the intent and purpose of Section 6.1, the following zones have been established:

1. The “SC” Settlement Centre Zone which provides sufficient land in suitable locations to accommodate residential, commercial, industrial and other compatible uses in the communities of Alonsa, Amaranth, Kinosota, and Edystone. This zone provides for single-family dwellings as well as other types of higher density residential development and other compatible uses such as churches, parks and recreational facilities.
2. The “LS” Lakeside Settlement Zone which provides sufficient land along Lake Manitoba to accommodate residential/cottage, commercial, and other compatible uses in the communities of Hall’s Beach, Beckville Beach, Campground XX, Westlake Music Beach, Margaret Bruce Park and the Lake Manitoba Narrows. This zone provides for seasonal and

permanent cottages as well as other types of residential development appropriate for cottage areas as well as other compatible uses such as parks and recreational facilities.

## 6.3 GENERAL REQUIREMENTS

The requirements applying to the Settlement Centre Zone and the Lakeside Settlement Zone are contained within this part. Also applying to these zones are the provisions of Part 1 – “Interpretation and Definitions”, Part 2 – “Administration”, and Part 3 – “General Regulations”.

## 6.4 USE REGULATIONS

1. Table 6-1 “Settlement Centre Use and Site Requirements” list all uses and the site requirements that are “P” Permitted and “C” Conditional in the Settlement Centre Zone. All listed uses are subject to the provisions of this By-law.
2. Table 6-2 “Lakeside Settlement Centre Use and Site Requirements” lists all uses and the site requirements that are “P” Permitted and “C” Conditional in the Lakeside Settlement Zone. All listed uses are subject to the provisions of this By-law.

**TABLE 6.1: SETTLEMENT CENTRE “SC” ZONE USE AND SITE REQUIREMENTS**

MINIMUM REQUIREMENTS					
	Site Area (square feet)	Site Width (feet)	Front Yard (feet)	Side Yard (feet)*	Rear Yard (feet)
<b>PERMITTED USES:</b>					
Accessory uses, buildings/structures	N/A	N/A	30	15	15
Childcare Services	15,000	50	30	15	15
Churches, Church Halls, Cultural Facilities	15,000	75	30	15	15
Community Centres	15,000	75	30	15	15
Convenience Store	15,000	50	30	15	15
Exhibition and Fair Grounds	1 acre	150	30	15	15
Green House, Plant and Tree Nursery	1 acre	150	30	15	15
Home Occupations	N/A	N/A	N/A	N/A	N/A
Hotel / Motel	20,000	50	30	15	15
Parks or Playgrounds	10,000	50	30	15	15
Public and government buildings / offices	20,000	100	30	15	15
Public Utilities / Communication Facilities	20,000	100	30	15	15
Recreation Facilities / Buildings (e.g. rinks, pools)	20,000	100	30	15	15
Restaurants and coffee shops	15,000	50	30	15	15
Retail Business / Services	15,000	50	30	15	15
Schools	20,000	100	30	15	15
Single-family dwellings and mobile homes	5,000	50	30	15	15
Two-family dwellings	5,000	50	30	15	15
<b>CONDITIONAL USES:</b>					
Agricultural Implement Sales and Service	1 acre	150	30	15	15
Any manufacturing or industrial use conducted within an enclosed building	1 acre	150	30	15	15
Automobile service stations, car washes	20,000	100	30	15	15
Automobile or trailer sales area	1 acre	150	30	15	15

**TABLE 6-1**  
**continued**

	MINIMUM REQUIREMENTS				
	Site Area (square feet)	Site Width (feet)	Front Yard (feet)	Side Yard (feet)*	Rear Yard (feet)
<b>CONDITIONAL USES (continued):</b>					
Automobile body shop, automobile wrecking	1 acre	150	30	15	15
Building materials storage, handling, sales, and manufacturing	1 acre	150	30	15	15
Cemeteries	1 acre	150	30	15	15
Contractors' establishments and retail sales	1 acre	150	30	15	15
Drive-in establishments	1 acre	150	30	15	15
Entertainments and amusement facilities	1 acre	150	30	15	15
Expansion of existing Livestock Operations to 300 or more Animal Units, in the Settlement Centre of Eddystone only	80 acres	600	125	125	125
Institutional Buildings (e.g. hospitals, personal care homes, libraries)	1 acre	150	30	15	15
Lumber Yard	1 acre	150	30	15	15
Multiple-family Dwellings	15,000	75	30	15	15
Planned Unit Development (see Section 3.12)	N/A	N/A	N/A	N/A	N/A
Public works yard, garages	20,000	100	30	15	15
Secondary Suite (See Section XX)	N/A	N/A	N/A	N/A	N/A
Storage buildings and warehousing	1 acre	150	30	15	15
Tourist Campsite	1 acre	150	30	15	15
Truck terminals and freight stations	1 acre	150	30	15	15
Veterinary clinics, animal kennels and pounds	1 acre	150	30	15	15

**TABLE 6.2: LAKESIDE SETTLEMENT “LS” ZONE USE AND SITE REQUIREMENTS**

		MINIMUM REQUIREMENTS				
		Site Area (acres)	Site Width (feet)	Front Yard (feet)	Side Yard (feet)*	Rear Yard (feet)
<b>PERMITTED USES:</b>						
Accessory uses, buildings/structures		N/A	N/A	30	15	15
Childcare Services		15,000	75	30	15	15
Home Occupations		N/A	N/A	N/A	N/A	N/A
Hotel / Motel		20,000	50	30	15	15
Parks or Playgrounds		10,000	75	30	15	15
Public Utilities / Communication Facilities		20,000	100	30	15	15
Recreation Facilities / Buildings (e.g. rinks, pools)		20,000	100	30	15	15
Single-family dwellings and mobile homes		5,000	50	30	15	15
Two-family dwellings		5,500	50	30	15	15
<b>CONDITIONAL USES:</b>						
Churches, Church Halls, Cultural Facilities		15,000	75	30	15	15
Community Centres		15,000	75	30	15	15
Convenience Store		15,000	50	30	15	15
Entertainments and amusement facilities		1 acre	150	30	15	15
Exhibition and Fair Grounds		1 acre	150	30	15	15
Green House, Plant and Tree Nursery		1 acre	150	30	15	15
Multiple-family Dwellings		15,000	75	30	15	15
Planned Unit Development (see Section 3.12)		N/A	N/A	N/A	N/A	N/A
Restaurants and coffee shops		15,000	50	30	15	15
Retail Business / Services		15,000	50	30	15	15
Secondary Suite (See Section 3.15)		N/A	N/A	30	15	15
Tourist Campsite		1 acre	150	30	15	15



## 6.5 CONDITIONAL USES

Any use listed as a “Conditional Use” in Table 6-1 and Table 6-2 shall comply with the regulations as set forth in Part 2: Administration and Part 3: General Regulations.

## 6.6 ACCESSORY USES

In the Settlement Centre Zone and Lakeside Settlement Zone, accessory uses, buildings, and structures shall be limited to the following:

1. Those related to a dwelling, including a mobile home, which may include:
  - a. a children’s playhouse, garden supply storage house, private greenhouse, private conservatory, and private swimming pools;
  - b. a private garage, carport, covered patio, porch, tool house, shed, or other similar additions and structures;
  - c. home occupations; and
  - d. individual sewage systems, subject to the authority having jurisdiction.
2. Those related to parks and the like, including structures for the operation, maintenance, and administration of, or incidental to, a permitted park or recreational use.
3. Those related to commercial, industrial, or institutional buildings and uses, which may include:
  - a. incinerators and individual sewage disposal systems, subject to the approval of the authority having jurisdiction and which shall be incidental to a permitted or conditional use;
  - b. a dwelling unit or mobile home for a watchman or caretaker whose presence on a permitted or conditional commercial or industrial site is necessary at all times;

- c. dwelling units, when incidental to another permitted or conditional use;
- d. storage of goods, including buildings and structures in which such goods are stored for, used in, or produced by, manufacturing activities, unless such storage is excluded by zone regulations;
- e. the production, processing, cleaning, servicing, altering, testing, repair, or storage of merchandise normally incidental to a business or personal service, or mercantile occupancy if conducted by the same ownership as the principal use; and
- f. signs, which are permitted in this part.

## 6.7 NUMBER OF BUILDINGS PERMITTED PER SITE

Any use listed as a “Conditional Use” in Table 6-1 and Table 6-2 shall comply with the regulations as set forth in Part 2: Administration and Part 3: General Regulations.

## 6.8 HOME BASED BUSINESS

1. Not more than forty (40) percent of the gross floor area or 800 square feet (74.32 square metres), whichever is less, shall be devoted to a home based business in any dwelling unit or mobile home.
2. A business sign for a home based business either free-standing or affixed to an exterior wall of a main or accessory building shall not exceed eight (8) square feet in surface area.
3. One hundred (100) percent of the gross floor area, up to 800 square feet in accessory buildings, may be devoted to a home based business.

## 6.9 NOXIOUS OR OFFENSIVE USES

Notwithstanding anything herein contained, no use shall be permitted in any zone of this PART where that use may be noxious or offensive by reason of the emission or production of odor, dust, refuse matter, wastes, vapour, smoke, gas, vibration or noise.

## 6.10 MULTIPLE USES

Except as provided for in Section 6.7 of this PART, any land or building in the Settlement Centre Zones may be used for more than one principal use provided the requirements of Section 3.9 of PART 3 – “GENERAL REGULATIONS” are met.

## 6.11 SIGN REGULATIONS

1. The following signs shall be permitted in the Settlement Centre Zones:
  - a. Signs posted by duly constituted public authorities in the performance of their public duties;
  - b. Flags or emblems of a political, civic, educational or religious organization;
  - c. Temporary signs as authorized by Council;
  - d. “No Trespassing” or identification signs not exceeding three (3) square feet;
  - e. Construction signs when placed on construction sites and not exceeding twenty-five (25) square feet;
  - f. Signs required for direction and convenience of the public, including signs which identify restrooms, or parking entrances and exits, not exceeding five (5) square feet;
  - g. Real estate signs not exceeding ten (10) square feet which advertise the sale, rental or lease of a building, structure, site or part thereof;
  - h. Business signs shall not exceed eight (8) square feet and not be closer than two (2) feet from any site line; and
  - i. Bulletin boards (fixed or mobile) not exceeding thirty-two (32) square feet and not closer than two (2) feet from any site line.

2. Business advertising signs and bulletin boards (fixed or mobile) not exceeding thirty-two (32) square feet and not closer than two (2) feet from any site line.
3. In addition to the sign regulations of this PART, the provisions of Section 3.20 of PART 3 – “GENERAL REGULATIONS” shall apply to signs in the Settlement Centre Zones.

## 6.12 OUTSIDE STORAGE

1. In the “SC” and “LS” Zones, outside storage of goods and materials incidental to a commercial or industrial use shall be permitted, provided that:
  - a. Such storage is not located in any required front yard;  
  
On a site adjacent to a residential area, dwelling unit, modular home or a mobile home, outside storage shall be effectively screened from the view of the adjacent residence by a wall, fence, or hedge, unless it can be demonstrated to Council’s satisfaction that such storage will not be obnoxious or detrimental to the adjacent residential area; and
  - c. The storage shall not project above the height of the wall, fence, or hedge.

## 6.13 SEPARATION FROM SAND AND GRAVEL RESOURCES

1. A minimum separation distance of five hundred (500) feet shall be provided between any land zoned “SC” or “LS” and any aggregate resource deposit assigned a “High” or “Medium” designation in the RM of Alonsa Development Plan, except:
  - a. Where a suitable buffer, acceptable to the Council and the Mineral Resources Branch, is included as part of the proposed development, in which case the minimum separation distance may be reduced to not less than 250 feet.

## 6.14 ADDITIONAL RESIDENTIAL REQUIREMENTS

The following requirements shall apply to all settlement centres zones unless otherwise noted:

1. No building or structure shall be erected without first obtaining from the designated employee or officer written instructions as to the grade for the building or structures to be erected, which shall be in accordance with any applicable lot grading by-law. It shall be the continuing obligation of the property owner to maintain building grades for adequate site drainage and to ensure that the level of the surrounding fill at the building line shall not be less than the flood protection level.
2. The grade of any site shall not be raised or lowered by more than 0.25 feet of the adjacent site without the approval of the designated employee or officer. When evaluating the raising or lowering of the grade of any site by 0.25 feet or more, flood level information, street elevation, service installations, elevation of adjacent sites, drainage, appearance and other pertinent factors shall be taken into consideration.
3. All new principal buildings constructed on a site that is serviced by municipal sewer or water shall, where feasible, be connected to such service.
4. Excluding reversed corner lots, where sites comprising 40 percent or more of the entire frontage of the block are developed with buildings, the average front yard calculation established by such buildings shall be the front yard regulation for the block.
5. When no public lane is located at the rear of a site and no garage attached to the side of the house, one side yard shall be a minimum of 12 feet in the "SC" Settlement Centre Zone and the "LS" Lakeside Settlement Zone.
6. The total floor area of accessory buildings and structures on any zoning site shall not exceed 800 square feet unless otherwise specified.
7. In addition to the minimum site area of 10,000 square feet, each multiple

multiple family development shall provide an additional 1,000 square feet for each dwelling unit in excess of four (4).

8. Prior to the issuance of a development/building permit, Council or the designated employee shall review the plans for all proposed multiple-family developments in excess of four (4) dwelling units.
9. A Bed and Breakfast home shall be operated by a live-in owner as a secondary use only and shall not change the principal residential character or external appearance of the dwelling unit.
10. A Bed and Breakfast home shall not generate vehicular traffic or parking that is in excess of what is normally characteristic of the area.
11. Home occupation shall be owned by the member(s) of the family residing at the dwelling unit, shall have no more than two (2) outside employees, and shall comply with the requirements of the home occupation requirements outlined in Section 3.17 HOME OCCUPATIONS in Part 3.

## 6.15 ADDITIONAL REQUIREMENTS FOR DEVELOPMENTS ALONG LAKE MANITOBA

The following requirements shall be adhered to along Lake Manitoba:

1. All buildings and structures must be built to meet the 100 year flood design requirements of the Province.
2. Land owners shall not place any buildings or structures on public reserve land.
3. New multi-lot cottage subdivisions located along Lake Manitoba shall be required to utilize holding tanks for on-site wastewater management.
4. Land clearing, cultivation and development to the shore of any natural waterbody shall be discouraged.
5. Along spawning streams, creeks, and lakes a buffer strip of natural

vegetation 30 metres wide from the ordinary high water mark shall be encouraged to prevent erosion, siltation, and excess runoff.

6. Any work in or near water that has the potential to harmfully alter, disrupt, or destroy fish habitat (including riparian areas) or deposit deleterious substances (including sediment) into any fish bearing water must be reviewed by Manitoba Conservation and Water Stewardship, and if necessary, by the Department of Fisheries and Oceans.
7. New or expanded manure storage facilities, septic fields, and municipal wastewater lagoons will be discouraged in areas designated as Class 6, 7, unimproved Organic Soils, and buffers adjacent to water.

## 6.16 ADDITIONAL REQUIREMENTS FOR SEASONAL CAMP GROUND SITES

The following requirements shall be adhered to for Seasonal Campground Sites:

1. Not more than one recreational vehicle or travel trailer shall be permitted per individual campground site.
2. No permanent buildings, cottages, or structures shall be built on individual seasonal campground sites, with the exception of the main campground office buildings and associated accessory buildings.
3. Accessory buildings or structures may be permitted per individual campground site under the following conditions:
  - a. The individual has an annual seasonal campground permit and obtains an annual permit to have the accessory building or structure located on site (and the permit to be renewed each year).
  - b. That the accessory building meets the setback requirements under Tables 6.1 and 6.2 for Accessory Buildings and Structures.
  - c. That the building or structure is temporary and shall be removed at the

request of the municipality.

- d. Not more than one (1) accessory building shall be permitted (e.g. storage shed, gazebo) and shall not exceed 120 square feet in size.
- e. In addition to one accessory building, decks when adjacent to a licensed recreational vehicle or travel trailer are permitted provided all setback requirements are met as per Tables 6.1 and 6.2 for Accessory Buildings and Structures. A development permit is required for decks.
- f. Buses, mobile homes, and un-licensed travel trailers or motor homes shall not be permitted as accessory buildings or structures.



Map 1: Rural Municipality of Alonsa

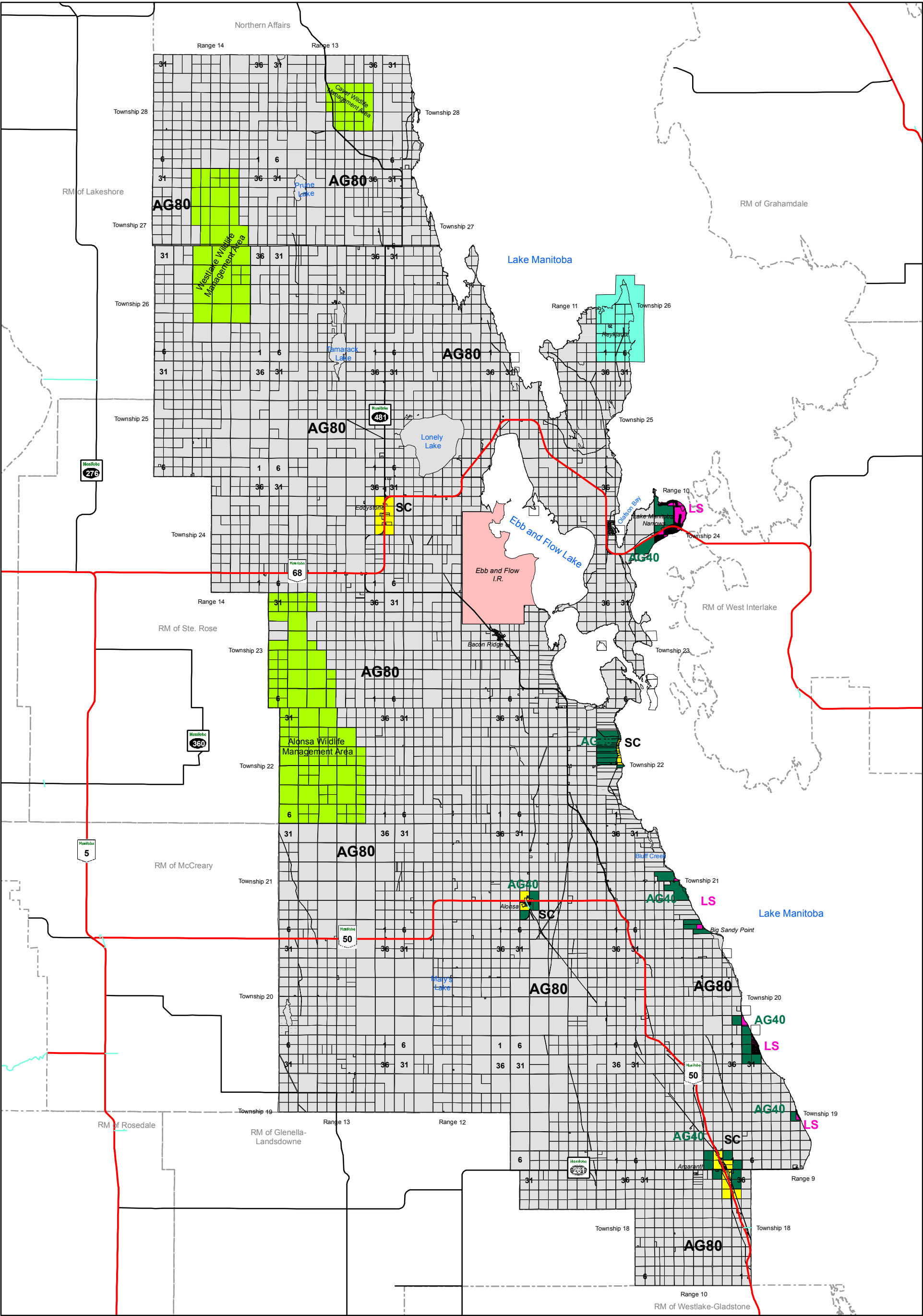
Map 2: Settlement Centre of Alonsa

Map 3: Settlement Centre of Amaranth

Map 4: Lakeside Settlement of The Narrows

## Appendix A





**Map 1: Rural Municipality of Alonsa**

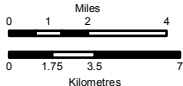
*Proposed Zoning By-Law*

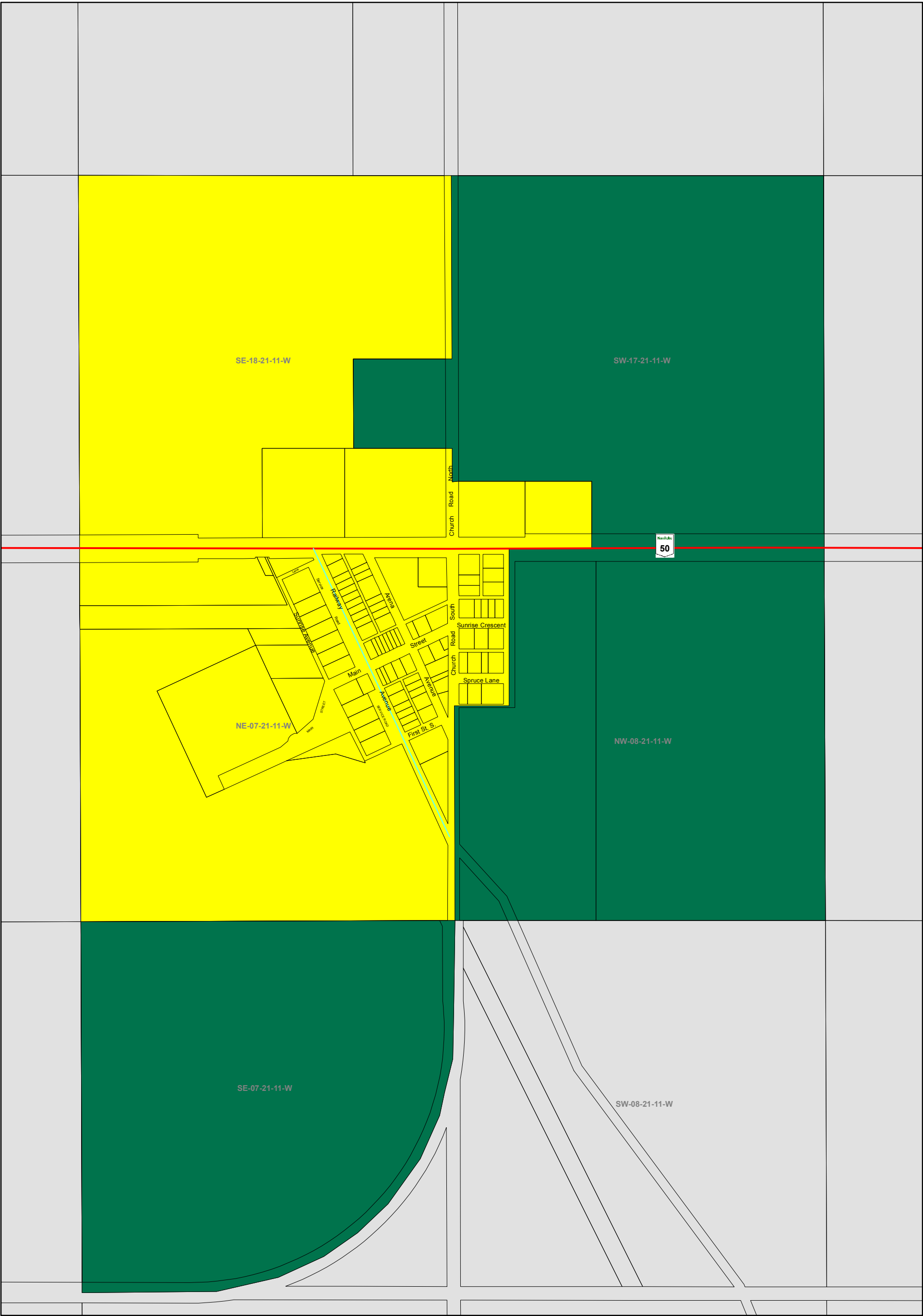
**R.M. of Alonsa**

- Municipal Boundaries
- Highways**
  - Access/Other
  - Expressway
  - Provincial Road
  - Provincial Trunk Highway
  - Wildlife Refuges
  - Wildlife Management Area

**Proposed Zoning**

- Agriculture
- Lakeside Settlement
- Limited Agriculture
- Settlement Centre





**Map 2: Settlement Centre of Alonsa**

*Proposed Zoning By-Law*

**R.M. of Alonsa**

— Municipal Boundaries

**Highways**

— Access/Other

— Expressway

— Provincial Road

— Provincial Trunk Highway

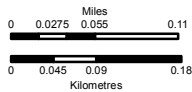
**Proposed Zoning**

— Agriculture

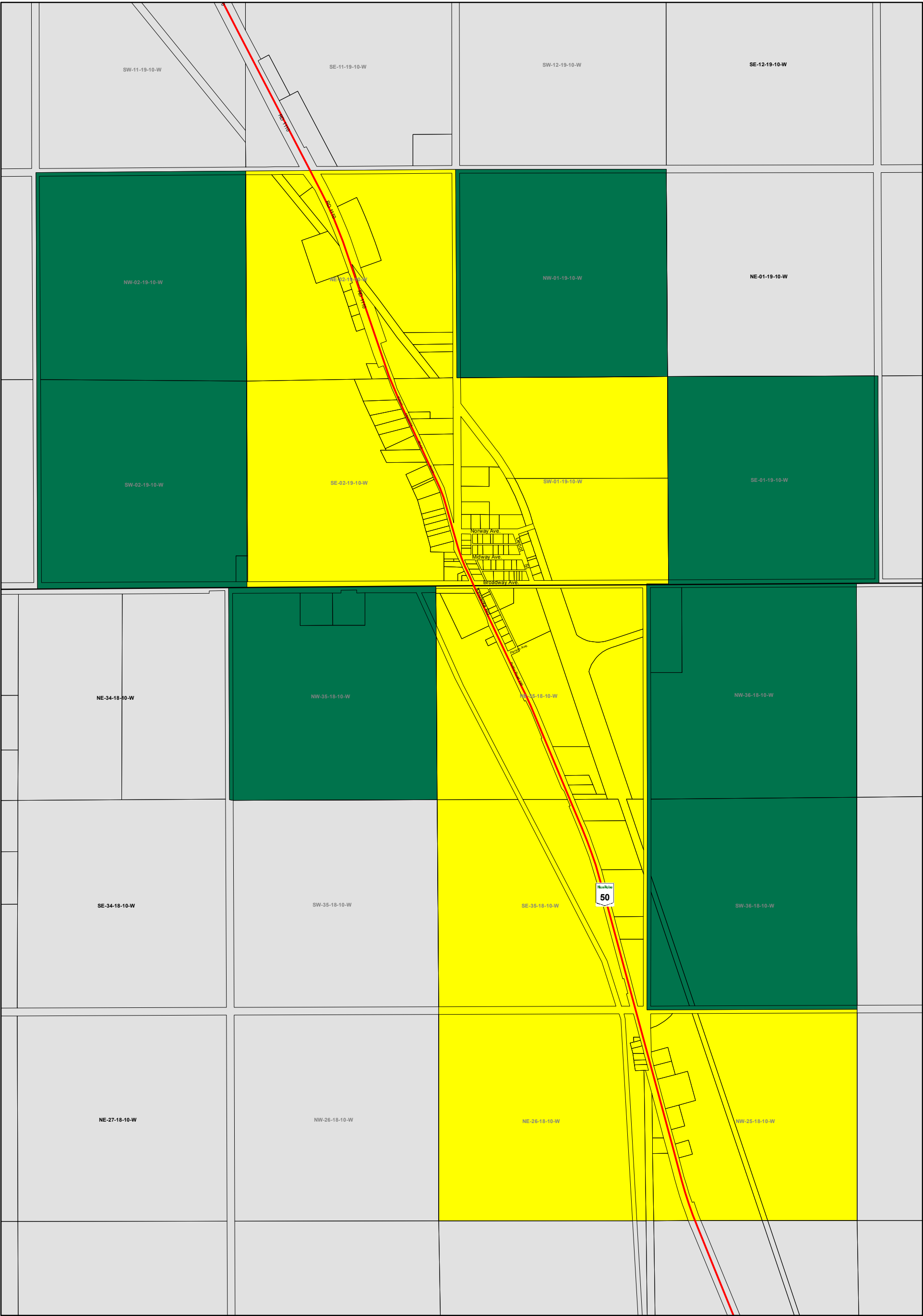
— Lakeside Settlement

— Limited Agriculture

— Settlement Centre







**Map 3: Settlement Centre of Amaranth**

*Proposed Zoning By-Law*

**R.M. of Alonsa**

Municipal Boundaries

**Highways**

Access/Other

Expressway

Provincial Road

Provincial Trunk Highway

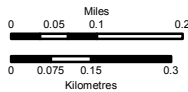
**Proposed Zoning**

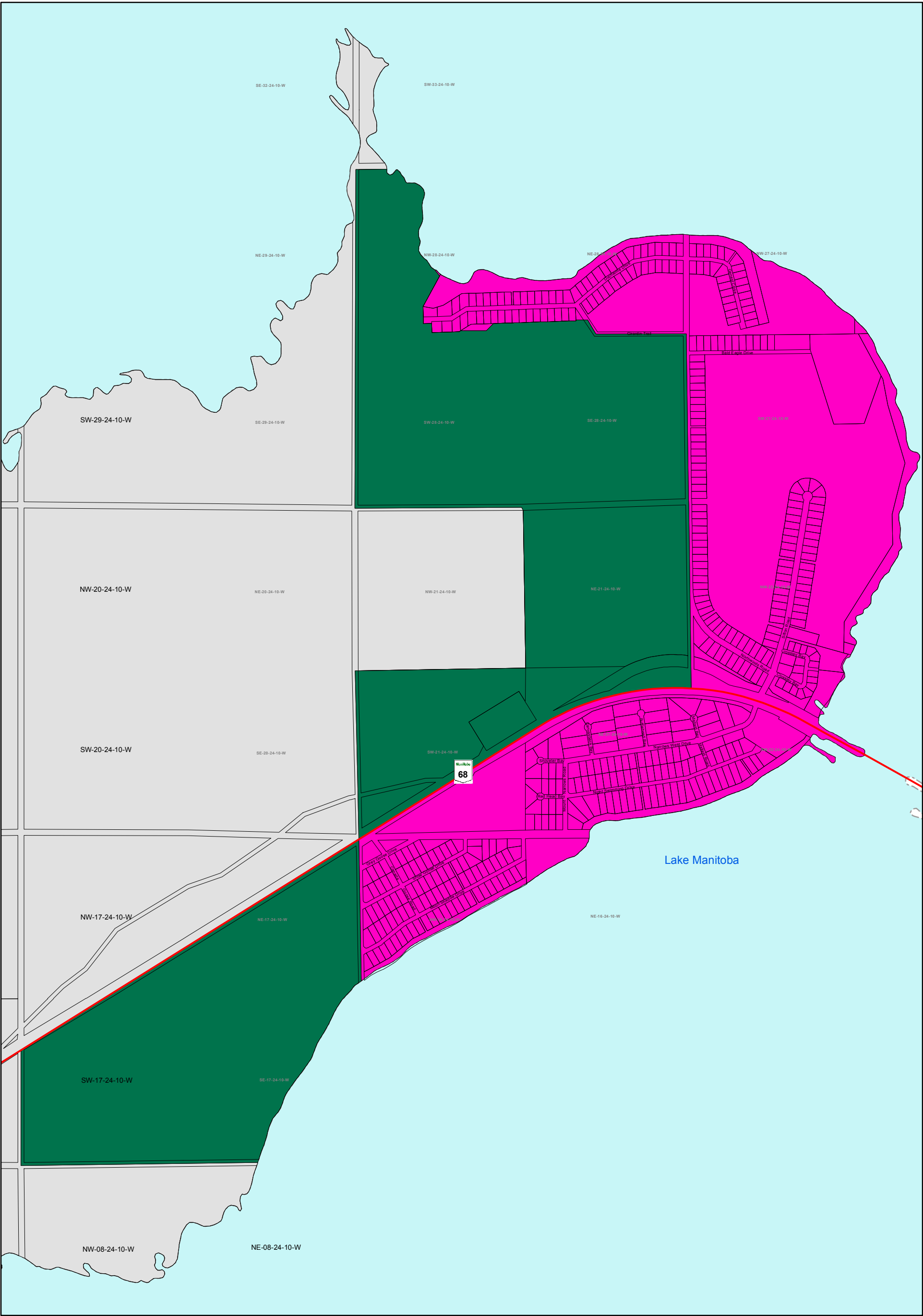
Agriculture

Lakeside Settlement

Limited Agriculture

Settlement Centre





**Map 4: Lake Manitoba Narrows**

*Proposed Zoning By-Law*

**R.M. of Alonsa**

— Municipal Boundaries

**Highways**

— Access/Other

— Expressway

— Provincial Road

— Provincial Trunk Highway

**Proposed Zoning**

— Agriculture

— Lakeside Settlement

— Limited Agriculture

— Settlement Centre

