

LOCAL GOVERNMENT DISTRICT OF PINAWA  
BY-LAW NO. 658-04

Being a By-law of the Local Government District of  
Pinawa to regulate the use and development of land  
within the Local Government District of Pinawa.

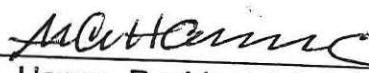
WHEREAS Section 39 (1) of the Planning Act, Chapter P80, January 2, 1999  
provides that a Zoning By-Law may be enacted by the Council of a municipality;

AND WHEREAS, it is deemed desirable and expedient to repeal By-Law No. 105  
and all amendments thereto and substitute therewith a new Zoning By-Law;

RESOLVED that the Council of the Local Government District of Pinawa, in  
meeting duly assembled, enacts as follows:

The L.G.D. of Pinawa  
Zoning By-law Being  
By-law No. 658-04  
Of The L.G.D. of Pinawa

DONE AND PASSED at Pinawa, in the  
Province of Manitoba this 23 day of  
*June*, 2004.

  
G.A. Hanna, Resident Administrator  
LGD of Pinawa

Read a first time this 13<sup>th</sup> day of April, 2004  
Read a second time this 26<sup>th</sup> day of May, 2004  
Read a third time this *23<sup>rd</sup> day of June, 2004*

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## 1.1 TITLE

This By-law shall be known as "The Local Government District of Pinawa Zoning By-law," and may also be referred to as "The LGD of Pinawa Zoning By-law."

## 1.2 WHEN EFFECTIVE

This By-law shall be in full force and effect upon third reading by the Council of the LGD of Pinawa.

## 1.3 AREA

This By-law shall apply to all of the LGD of Pinawa in the province of Manitoba, as shown on Map 1 of Appendix B to this By-law.

## 1.4 INTENT AND PURPOSE

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

- implement the objectives and policies of the LGD of Pinawa Development Plan;
- define and limit the powers and duties of the Council and Development Officer; and
- regulate the following:
  - all erection and location of *buildings* and *structures*;
  - all structural *alterations* and relocations of *existing buildings* and *structures*;
  - all *enlargements* or additions to *existing buildings, structures* or *uses*;
  - all *uses* of land, *buildings* or *structures*; and
  - all changes of *use* of land, *buildings* or *structures*.

## 1.5 RESPONSIBLE AUTHORITY

In accordance with The *Planning Act*, the authority responsible for the enactment of this By-law shall be the Council of the LGD of Pinawa.

In accordance with The *Planning Act*, the regulations, restrictions and boundaries set forth in this By-law may, from time to time, be amended, supplemented or repealed.

## 1.6 COUNCIL RESPONSIBILITIES

In accordance with The *Planning Act*, the Council of the LGD of Pinawa is responsible for the following:

- enacting this By-law;
- administering and enforcing The *Planning Act*, where applicable;
- adopting or rejecting proposed amendments or repeal of this By-law;
- approving and issuing, or rejecting variation orders;
- approving and issuing, or rejecting conditional uses;
- establishing planning advisory committees; and
- establishing a schedule of fees.

## **1.7 DEVELOPMENT OFFICER RESPONSIBILITIES**

In accordance with The *Planning Act* and on behalf of the LGD of Pinawa, the *Development Officer* is responsible for the following:

- issuing *development permits*, zoning memoranda, *non-conforming certificates* and other similar documents; and
- approving minor variations, not exceeding 10% of the requirements of this By-law, governing front, side, rear or any other yards.

## **1.8 RELATION TO OTHER BY-LAWS OR REGULATIONS**

In the event of conflict between this By-law, and any by-law of the LGD of Pinawa or any regulation of the Provincial or Federal Government, the most restrictive or highest requirements shall apply.

The LGD of Pinawa shall only be responsible for enforcement of its own regulations. It may, however, require proof of compliance with Federal and Provincial regulations prior to issuance of the applicable permit or certificate.

## 2.1 TEXT - RULES OF CONSTRUCTION

- The following abbreviations are intended to have the following meanings:
  - n/a not applicable
  - max maximum
  - m metre(s)
  - m<sup>2</sup> square metre(s)
  - ha hectares
- Words, phrases and terms:
  - defined herein shall be given the defined meaning;
  - not defined herein, but defined in The *Planning Act*, The Municipal Act, the Buildings and Mobile Homes Act or the Manitoba Building Code shall be construed as defined therein; and
  - not defined herein, and not defined in The *Planning Act*, The Municipal Act, the Buildings and Mobile Homes Act or the Manitoba Building Code, shall be given their usual and customary meaning except where, in the opinion of Council, the context clearly indicates a different meaning
- Unless the context clearly indicates otherwise, where a regulation involves 2 or more items, conditions, provisions or events connected by the conjunction "and," "or" or "either-or," the conjunction shall be interpreted as follows:
  - "and" indicates that all the connected items, conditions, provisions or events shall apply in any combination;
  - "or" indicates that the connected items, conditions, provisions or events may apply singly, or in combination; and
  - "either-or" indicates that the connected items, conditions, provisions or events shall apply singly, but not in combination.
- The word "includes" or "including" shall not limit a term to the specified examples, but shall extend the meaning to all instances or circumstances of like kind or character.
- The phrase "used for" includes "arranged for," "designed for," or "occupied for."
- "Shall" is mandatory.
- "Council" shall refer to the Council of the LGD of Pinawa.
- "LGD" shall refer to the Local Government District of Pinawa.
- "Province" or "Provincial" shall refer to the Province of Manitoba.
- "Building By-law" shall refer to the LGD of Pinawa Building By-law.
- "Development Plan" shall refer to the LGD of Pinawa Development Plan.
- Units of measure are in metric measure.
- "This By-law" shall refer to this By-law and amendments thereto.



## 2.2 BULK REGULATIONS

The *bulk regulations* contained herein are intended to regulate the size and mutual relationships of a *building* or *structure* on the *zoning site*.

- Units of measure are in metric measure.

1m = 3.2808 ft

1m<sup>2</sup> = 10.7639 ft<sup>2</sup>

1 ha = 10,000 m<sup>2</sup> = 2.47 ac

- Requirements shall be interpreted as minimum, except where the word "maximum" or its abbreviation "max" is used, in which case the maximum requirement shall apply.
- Requirements listed herein do not preclude compliance with:
  - Manitoba Transportation and Government Services requirements; and
  - building and fire code requirements

## 2.3 USE REGULATIONS

No land, *building* or *structure* shall be used or occupied, except for the *uses* listed in the *Use Tables*.

- Uses that are permitted are listed as "P" within the Use Tables;
- Uses that require conditional use approval are listed as "C" within the Use Tables; and
- Uses that are not permitted in a zone, but that may be permitted or conditional in another zone within the same table are listed as "NP" within the Use Tables.

See Section 4.16 - MULTIPLE USES.

See Section 3.5 - NON-CONFORMITIES.

## 2.4 ZONING MAPS

### 2.4.1 Dimensions

The dimensions on the Zoning Maps are in metric measure.

### 2.4.2 Registered Plans

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

### 2.4.3 Abbreviations

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

- "Blk." means Block;
- "Gov't Rd. All'ce." means Government Road Allowance;
- "Pcl." means Parcel;
- "Pt." means Part;
- "Rge." means Range;
- "R.M. of Lac du Bonnet" means the Rural Municipality of Lac du Bonnet;
- "Sec." means Section;
- "Twp." means Township;

- "E.P.M." or "E" means East of the Principal Meridian;
- "NE 33-14-8 E" means the north-east quarter of Section 33, Township 14, Range 8, east of the Principal Meridian, and has a similar meaning for other sections, townships and ranges as the case may be;
- "P.R." means Provincial Road;
- "P.T.H." means Provincial Trunk Highway;
- "N/A" or "n/a" means not applicable;
- "N" means North;
- "D of S" or "D.S. Plan" means Director of Surveys Plan;
- "RD" or "Rd." means road; and
- "Plan" means Registered Plan.

#### 2.4.4 Zone Boundaries

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

- Heavy broken lines represent zone boundaries. Where a zone boundary is broken by the name of a *street*, it shall be construed that the boundary continues through the name of the *street*.
- Notwithstanding that *streets*, *lanes* and *public utility* rights-of-way may be within the zone boundaries, the regulations contained within this By-law shall not be deemed to be applicable to said *streets*, *lanes* and *public utility* rights-of-way.
- Boundaries indicated as following the centre lines of highways, *streets* or *lanes* shall be construed as following such centre lines.
- Boundaries indicated as following the lot, site or property holding lines on a registered plan shall be construed as following such lot, site or property holding lines.
- Boundaries indicated as following the limits of an incorporated municipality shall be construed as following the limits of said municipality.
- Boundaries indicated as following the centre lines of railway lines or railway rights-of-way or *public utility* lines or *public utility* rights-of-way shall be construed to be midway between the main tracks or the centre of the rights-of-way, as the case may be.
- If the *street*, *lane* or government road allowance shown on the Zoning Map is lawfully closed, the land formerly comprising the *street*, *lane* or government road allowance shall be included within the zone of the adjoining land; however, if the said *street*, *lane* or government road allowance was a zoning boundary between 2 or more different zones, the new zoning boundary shall be the former centre line of the closed *street*, *lane* or government road allowance, except where the closed road is being transferred to an adjoining owner, in which case the boundary shall follow the limits of the consolidated property.
- Boundaries indicated as following the centre line of a watercourse, creek or stream shall be construed as following such centre lines.
- Boundaries indicated as following the shoreline shall be deemed to follow the ordinary high water mark.

- Where a zone boundary divides or splits a registered *parcel of land*, the disposition of such boundary shall be determined by dimensions indicated on the Zoning Maps, or by measurements directly scaled from that Map.

#### 2.4.5 Change of Zone Boundaries

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

**3.1 CONDITIONAL USE****3.1.1 Application**

Application for conditional use may be made by the owner(s) or, with written authorization from the owner, the owner's agent. Application shall be made in the form prescribed by Council, and accompanied by information and fees as prescribed by Council.

Applications for a conditional use shall be processed, and approved or rejected in accordance with The *Planning Act*.

**3.1.2 Expiration of Conditional Use Approval**

Approval of a conditional use shall expire or cease to have any effect if it is not acted upon within 12 months from the date it was made, unless it is renewed before the expiry date at the discretion of Council for an additional period not exceeding 12 months.

**3.1.3 Existing Conditional Use Approval**

A use that is listed as a conditional use within this By-law, but that lawfully existed prior to the effective date of this By-law, shall be considered a lawfully *existing* conditional use, and except as regulated by this By-law, shall have non-conforming rights in accordance with The *Planning Act*.

Change, structural alteration, *extension*, or *enlargement* of the aforementioned lawfully *existing* conditional use, building or structure shall require conditional use approval.

**3.1.4 Changes to an Existing Conditional Use**

Changes to an *existing* conditional use, such as *enlargement*, expansion or *extension* to occupy a greater *floor area* or *site area* upon which said use is located, shall require conditional use approval.

In the case of mineral *extraction operations*, *existing* pits may be expanded within the site, provided that no new pits are established and provided that said operation was a legally *existing* conditional use at the effective date of this By-law. The mineral *extraction operation* shall otherwise conform to the requirements of the zone in which it is located.

**3.2 DEVELOPMENT AGREEMENT**

Council may, as a condition of *subdivision* approval or enacting a zoning amendment, require that the owner or the person entitled to be registered owner of the land, *building* or *structure* to which the *subdivision* or amendment shall apply, enter into a development agreement with the LGD.

### 3.3 DEVELOPMENT PERMITS

*Development permits* are required for the following:

- construction, location or relocation of any *building, structure* or *mobile home* greater than 10.0 m<sup>2</sup>;
- structural *alteration, extension*, addition or conversion of any *building* or *structure*;
- relocation, removal or demolition of any *building* or *structure*;
- change of *use* of land, *building* or *structure*, except where change is from one agricultural cropping activity to another;
- deposit, removal, *alteration* or disturbance of any material, or *alteration* of surface or subsurface drainage, diversion of waterway or natural watercourse of a river, stream or creek or waterway channel in flood prone or hazard lands; and
- location of *signs* as per Subsection 4.29.3 - Permits.

#### 3.3.1 Application

Application for a *development permit* may be made by the owner(s) or, with written authorization from the owner, the owner's agent. Application shall be made in the form prescribed by the LGD of Pinawa Building By-law.

See Section 4.8 – EXTRACTION OPERATIONS - SAND, GRAVEL AND MINERAL.

#### 3.3.2 Approval of Permit

Within the 60 day period from the date of application, the Development Officer shall consider the application and may approve the application for a permit, if it is the opinion that the proposed *building, structure* or *use* of land conforms with the provisions of The *Planning Act*, the Development Plan and this By-law.

Neither the granting of a *development permit* nor the approval of the drawings, specifications, nor inspections made by the Development Officer shall in any way relieve the owner of the responsibility of complying with the requirements of this By-law, or with any relevant by-laws of the LGD.

Every owner shall:

- permit the Development Officer to enter any *building* or *premises* at any reasonable time for the purpose of administering or enforcing this By-law, and shall not molest, obstruct or interfere with the Development Officer in the discharge of his or her duties under this By-law;
- obtain written approval from the Development Officer prior to doing any work at variance with that for which a *development permit* was issued; and
- where applicable, be responsible for obtaining from the appropriate authorities, any required permits or licenses relating to blasting, electrical, *grades*, highways, occupancy, plumbing, private sewage disposal systems, sewers or water supply systems, *signs, streets*, water rights for wells, environmental approvals, and other government department approvals.

#### 3.3.3 Suspension or Revocation of Permit

The Development Officer may suspend or revoke a permit if the applicant or any person undertakes, causes or permits development on the site which is not in compliance with the terms and conditions of the permit issued.

Development shall be discontinued forthwith upon receiving written notice from the Development Officer and shall not resume until a permit has been issued or reinstated.

#### 3.3.4 Rejection of Permit

Within the 60 day period from the date of application, the Development Officer shall consider the application and may reject the application for a permit, if it is the opinion that the proposed *building, structure* or *use* of land does not conform with the provisions of The *Planning Act*, the Development Plan or this By-law.

#### 3.3.5 Withholding of Permit

The *Development Officer* may withhold the permit for 60 days from the date of application, plus a further 125 days if:

- Council is of the opinion that the proposed *building, structure* or *use* of land would not conform to the provisions of a *Development Plan* that is not adopted but has been authorized by Council to be prepared for adoption under The *Planning Act* at the time the application for a permit was made; or
- At the time application for the permit was made, Council had passed a resolution authorizing the preparation of a zoning by-law or a Development Plan by-law.

#### 3.3.6 Permits Issued "Prior to"

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

Notwithstanding the above, the Development Officer may cancel a permit if construction of the *building* or *structure* has not commenced and the *building* or *structure* if constructed, would not conform to this By-law.

See Section 3.5 – NON-CONFORMITIES.

### **3.4 ENFORCEMENT**

Enforcement of this By-law shall be in accordance with The *Planning Act*.

### **3.5 NON-CONFORMITIES**

The enactment of this By-law does not affect any land, *buildings* or *structures*, or affect any intensity of *use* of any land, *building*, or *structure* that lawfully existed prior to the effective date of this By-law, in accordance with The *Planning Act*.

#### 3.5.1 Existing Non-Conforming Site or Parcel

Parcels of land having less than the required *site area* or *site width* that were registered at the Land Titles Office at the effective date of this By-law, shall be deemed to be legal *non-conforming parcels* and shall be subject to all applicable zoning regulations.

A *non-conforming site* or *parcel* may be occupied by any *building, structure* or *use* provided:

- the *building, structure* or *use* is listed as a permitted or conditional use within the zone in which said site or parcel is located; and
- all other requirements of the zone in which said site or parcel is located are complied with or variation orders have been issued to vary the requirements of the zone in which said site or parcel is located.

A *variation order* shall not be required where a site or parcel is being increased in size so as to decrease its *non-conformity*, even though the enlarged site or *parcel* does not conform with the *site area* and *site width* requirements of this By-law. The *enlargement* of said site or parcel shall not cause an increase in *non-conformity* of an abutting or adjoining site or parcel.

### 3.5.2 Existing Non-Conforming Buildings or Structures

- Accessory Buildings or Structures  
*Buildings* or *structures* that are accessory to *buildings, structures* or *uses* that lawfully existed prior to the effective date of this By-law, shall be permitted provided said *accessory buildings* or *structures* are in compliance with the applicable *bulk regulations*.
- Signs  
Non-conforming *signs* shall be subject to the applicable provisions of Section 3.5 – Non-Conformities, except as listed hereunder:
  - a change in the subject matter represented on the *sign* shall not be considered a change in *use*;
  - a non-conforming *sign* may be structurally *altered*, reconstructed, or replaced in the same location and position, provided such *alteration, reconstruction* or replacement does not result in:
    - the creation of a new *non-conformity* or an increase in the degree of *non-conformity*;
    - an increase in the *sign* surface area; or
    - an increase in the degree of illumination.
  - *signs* within the control area of a provincial trunk highway or provincial highway will require a permit from the Highway Traffic Board or Manitoba Transportation and Government Services.

See Section 4.26 – SIGNS.

- Structural Alteration  
Structural *alterations* shall not be made to a non-conforming *building* or *structure*, or a *building* or *structure* containing a *non-conforming use*, unless, an appropriate variation order has been issued, and said *alteration*:
  - does not otherwise conflict with this By-law; and
  - does not increase the degree of *non-conformity*.
- Restoration of Damaged Buildings  
Where Council has determined that a non-conforming *building* or *structure* is destroyed or damaged to an extent that is 50% or more of the replacement value of the *building* or *structure* above its foundation, the *building* or *structure* shall not be repaired or rebuilt unless an appropriate variation order has been issued.

### 3.5.3 Existing Non-Conforming Uses

All *uses* of land, *buildings* or *structures* that lawfully existed prior to the effective date of this By-law, where the *use* was not discontinued for a period exceeding 12 consecutive months, may continue. *Non-conforming uses* that lawfully existed prior to the effective date of this By-law, may be *altered* by variation order.

See Section 3.1 – CONDITIONAL USES.

### 3.5.4 Existing Violations

An *existing building, structure* or *use* that was illegal under the Planning Scheme in force on the effective data of this By-law, shall not become or be made legal solely by reason of the adoption of this By-law.

The legal status of *buildings, structures* or land, or their *use*, is not affected by change of ownership, tenancy or occupancy of *building, structure* or land.

### 3.5.5 Non-Conforming Certificate

A certificate may be issued by Council upon application of any person having an interest therein, describing the land, *building* or *structure*, or the *use* or intensity of *use* of land or a *structure* that was lawfully in existence at the date of the enactment of this By-law, and stating it may continue to exist although it does not conform to this By-law, in accordance with The *Planning Act*.

## **3.6 SUBDIVISION**

### 3.6.1 Application

Application for *subdivision* approval shall be made in the form prescribed by the Province, and accompanied by information and fees as prescribed by the Province.

Applications for *subdivision* shall be approved in accordance with The *Planning Act*.

### 3.6.2 Development Agreement

See Section 3.2 – DEVELOPMENT AGREEMENT.

## **3.7 VARIATION ORDERS**

Council may issue variation orders for the purpose of varying the requirements of this By-law in accordance with The *Planning Act*.

### 3.7.1 Application

Application for a variation order may be made by the owner(s) or, with owner's written authorization, by the owner's agent. Application shall be made in the form prescribed by Council, and accompanied by information and fees as prescribed by Council.

Applications for a variation order shall be processed, and approved or rejected in accordance with The *Planning Act*.



### 3.7.2 Existing Variation Order

A *building, structure* or *use* established by a variation order prior to the effective date of this By-law shall, subject to the provisions of the variation order, be deemed to conform to this By-law

### 3.7.3 Expiration of Variation Order

A variation order shall expire or cease to have any effect if it is not acted upon within 12 months from the date it was made, unless it is renewed before the expiry date at the discretion of Council for an additional period not exceeding 12 months.

### 3.7.4 Minor Variations

The Development Officer may grant or refuse minor variations, not exceeding 10% of the requirements of this By-law, governing a front, side, rear or any other yard.

See Section 1.7 - DEVELOPMENT OFFICER RESPONSIBILITIES.

## **3.8 ZONING BY-LAW AMENDMENT**

### 3.8.1 Application

Application for amendment to this By-law shall be made in the form prescribed by Council, and accompanied by information and fees as prescribed by Council.

Applications for amendment shall be processed, and approved or rejected in accordance with The *Planning Act*.

### 3.8.2 Development Agreement

See Section 3.2 – DEVELOPMENT AGREEMENT.

## **3.9 ZONING MEMORANDUM**

A zoning memorandum may be issued upon application of any person having an interest in land, *land use, a building or structure* within the area affected by this By-law, stating whether or not the land, *building, structure* and *use* appears to conform with this By-law, in accordance with The *Planning Act*.

The general provisions apply to all zones, except as otherwise specified herein.

## 4.1 ACCESS TO LOTS

All new lots must have frontage and legal access on a publicly maintained road.

Development on *existing* lots that do not have frontage on a publicly maintained road may be permitted, provided a caveat with a copy of the easement agreement is filed in the appropriate land titles office against the titles of the affected properties.

## 4.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

Accessory buildings shall not be used as *dwellings*, except where permitted as an additional agricultural *dwelling*, temporary accommodation during construction or periods of displacement, or accommodation for security personnel.

See Section 4.31 – TEMPORARY BUILDINGS, STRUCTURES AND USES.

### 4.2.1 Attached Accessory Structures

Where an *accessory structure* is attached to the *principal building* by a roof, floor (except a slab on *grade* or a foundation), or an open or enclosed *structure*, it is considered part of the *principal building* and shall be subject to the *bulk regulations* for *principal buildings*.

### 4.2.2 Construction Prior to Principal Building

No accessory *use* shall be established and no accessory *building* or *structure* shall be constructed prior to the construction of the *principal building*, *structure* or *use* on the same site, except where:

- a *development permit* has been issued for the *principal building*; and
- the *accessory building* is to be used as the builder's *office* or for the storage of tools and materials used in the construction of the *principal building* or *structure*.

See Section 4.31 - TEMPORARY BUILDING, STRUCTURES AND USES.

### 4.2.3 Location

Location of detached *accessory buildings* and *structures* shall be subject to the *bulk regulations* for accessory buildings or structures for the applicable zones, and to *building separation* distances.

Detached *accessory buildings* shall not be located within a dedicated easement or right-of-way, except as provided for by said easement.

### 4.2.4 Number

The number of *accessory buildings* allowed may vary from zone to zone according to the *bulk regulations* and *building separation* distance requirements of this By-law.

When the number of *accessory buildings* allowed per certificate of title is limited by a development agreement that is enforced by the LGD, an increase in the number of *accessory buildings* shall require an amendment to the development agreement.

See Section 4.23 - PONDS AND FOUNTAINS.  
See Section 4.24 - POOLS.

#### 4.3 ANIMALS

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

#### 4.4 BARE-LAND UNIT CONDOMINIUM PLANS

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

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

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

Use	Yard (m)				Site Coverage (%) (max)	Building or Structure Separation Distance
	Front	Side		Rear		
		Interior	Corner			
<i>Common Elements</i>	9.1	1.5	9.1	1.5	10	3.0

The above table does not preclude compliance with Manitoba Transportation and Government Services requirements and Manitoba Building and Fire Code requirements.

#### 4.5 BED AND BREAKFAST

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

- be restricted to the *dwelling* unit;
- be operated by a live-in owner as a *secondary use;*
- be limited to a maximum of 4 guest bedrooms per *dwelling;*
- be limited to a maximum visitor stay of 10 consecutive days;
- provide 1 *parking space* per guest room in the *existing* driveway or yard;
- not change the principal character or external appearance of the *dwelling;*
- not generate traffic beyond what is normally characteristic of the area; and
- be limited to 1 non-illuminated, non-flashing *sign* with a maximum area of 0.4 m<sup>2</sup>.

See Section 4.12 – HOME OCCUPATIONS.

#### **4.6 DEVELOPMENT STANDARDS**

Development in all zones shall be in compliance with the development standards established by this By-law and by development agreements as may be prescribed through the zoning by-law amendment, *subdivision* approval or conditional use approval processes.

#### **4.7 DRAINAGE**

Council may refuse a *development permit* for, or prohibit, any drainage works to be undertaken on lands where it has been determined that such works would create an adverse effect on adjacent public or private lands, or where adjacent drains are insufficient to accommodate the added runoff.

Council may require that the applicant provide, at the applicant's expense, information such as flood levels, elevations or other data prepared by a certified professional engineer, as may be required for Council to make its decision.

#### **4.8 EXTRACTION OPERATIONS – SAND, GRAVEL AND MINERAL**

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

##### 4.8.1 Application

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

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

The Mines Branch shall be consulted prior to issuance of a *development permit*.

Manitoba Quarry Minerals Regulation provides provincial operating standards for aggregate extraction operations and should be used for regulatory activities for pit management. The provincial pit and quarry rehabilitation program for reclamation of depleted sites to a condition that is safe, environmentally stable and compatible with adjoining lands may be accessed as part of the reclamation plan for post mining conditions.

See Subsection 3.1.4 – Changes to an Existing Conditional Use.

#### **4.9 FENCES**

Barbed wire and razor wire fences shall not be permitted in any Residential Zone. See Section 4.20 OBSTRUCTIONS INTO YARDS and Section 4.33 – VISUAL CLEARANCE AT INTERSECTIONS.

#### 4.10 HEIGHT EXCEPTIONS

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

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

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

#### 4.11 HIGHWAYS

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

#### 4.12 HOME OCCUPATIONS

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

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

Table 2 is provided as a guide. The Development Officer shall determine the suitability of proposed *Home Occupations* not included in the table.

TABLE 2 EXAMPLES OF HOME OCCUPATIONS	
SUITABLE	NOT SUITABLE
Bookkeeping, accounting, investment counseling	Auto body shops / vehicle servicing
Computer sales and programming	<i>Building</i> trades - carpentry, plumbing, and similar
Consulting service - engineering, computer, planning and similar	Delivery services (more than 1 vehicle)

TABLE 2 EXAMPLES OF HOME OCCUPATIONS continued	
SUITABLE	NOT SUITABLE
Craft manufacturing & sales - paintings, stained glass and similar	Large household appliance sales and repair
Drafting, computer graphics, interior design	Mobile <i>sign</i> business
Dress making, sewing	Printing services
Electronics and small household appliance sales / repair	Small engine and equipment sales and repair
<i>Home Day Care</i>	Tow truck operation
Photography	Trucking operation (more than 1 vehicle)
Real estate and insurance	Upholstery (household or auto)
Tutoring, music, dance and singing training	Waste disposal or septic tank servicing
Personal Services - hairdressing and barbering, licensed massage therapists, reflexology	Any business requiring use of explosives or radioactive material

See Section 4.5 – BED AND BREAKFAST.

#### 4.13 LOADING

##### 4.13.1 Location

All required *accessory off-street loading* shall be located on the same *zoning site* as the *use* served, unless permitted by variation order to locate elsewhere. *Accessory off-street parking* areas shall have access to a *street* or public *lane*.

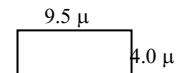
##### 4.13.2 Number

The Development Officer shall determine the *loading* requirements for *uses* not included in the table.

TABLE 3 LOADING SPACE REQUIREMENTS		
USE	FLOOR AREA (m <sup>2</sup> )	# OF SPACES
<i>Educational Facilities</i> <i>Hospitals</i> <i>Nursing Homes</i> <i>Religious Facilities</i>	< 930	0
	930 – 18,600	1
	> 18,600	2 plus 1 per each additional 18,600 m <sup>2</sup> or part thereof
<i>Financial Institutions</i> <i>Halls</i> <i>Health Services</i> <i>Offices</i> <i>Recreational Facilities</i>	< 1,860	0
	1,860 – 18,600	1
	> 18,600	2 plus 1 per each additional 18,600 m <sup>2</sup> or part thereof
<i>Uses not defined above, primarily concerned with the handling of goods</i>	< 1,860	1
	1,860 or greater	2 plus 1 per each additional 1,860 m <sup>2</sup> or part thereof

##### 4.13.3 Dimension

Minimum dimensions for *loading spaces* shall be 4.0 x 9.5 m, with a minimum vertical clearance of 4.3 m.



##### 4.13.4 Standards

Standards of development shall be the same as parking standards.

See Subsection 4.21.6 Standards.

#### 4.14 LOT GRADE

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

Storm water shall be directed to the municipal storm drainage system, and not to adjacent properties. If the storm water volumes are determined to be greater than the capacity of the municipal storm drainage system, alternate control measures, as determined by the LGD, may be required.

#### 4.15 MOBILE HOMES

All *mobile homes* shall meet the Canadian Standards Association (CSA) Mobile Home Structural Standards Z240 series and all revisions thereto and shall comply with all residential standards of the Manitoba Building Code.

Subject to the Manitoba Building Code, all *structures* and/or *buildings* such as porches, additions, *carports*, skirting, *garages* and *storage facilities* shall be CSA factory prefabricated units or equivalent quality and shall be painted or pre-finished and maintained so that the design, construction and maintenance complements the *mobile home*.

All *mobile homes* shall be provided with skirting from the bottom of the *mobile home* to the ground, adequate ventilation and ready access to service connections through a removable panel.

All *mobile homes* shall be anchored to a basement, concrete foundation, concrete pad or concrete piers in accordance with the CSA Z240 standards and Manitoba Building Code.

All outside storage of materials, equipment and storage tanks shall be adequately concealed from view by screening or other appropriate measures, unless otherwise approved by Council.

#### 4.16 MULTIPLE USES

Where multiple permitted or conditional uses occur on a single *zoning site*, all requirements of this By-law for each *use* shall apply. Where there is conflict, the greater or more restrictive shall prevail.

#### 4.17 MULTIPLE-FAMILY DWELLINGS

##### 4.17.1 Yard Requirements

Semi-detached or *multi-family dwellings* with common party walls shall be considered as 1 building, occupying 1 site.

##### 4.17.2 Subdivision and Use

A site with a *two-family* attached *dwelling* or row housing located thereon may be subdivided into 2 or more sites through the common *party wall* provided:

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

See Section 3.6 – Subdivision

#### 4.18 MUNICIPAL SERVICES

All *principal buildings* constructed on a site served by public sewer, water, storm sewer and hydro distribution shall be connected to such services.

#### 4.19 NOXIOUS OR OFFENSIVE USES

No *use* shall be permitted in any zone that may, in the opinion of the Development Officer, be noxious or offensive to adjoining *uses* by reason of the emission or production of odour, dust, refuse matter, waste, vapour, smoke, gas, vibration, or noise, or the creation of a safety hazard. Table 4 indicates the standards to be upheld.

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

#### 4.20 OBSTRUCTIONS INTO YARDS

##### 4.20.1 Above Ground

USE	ALLOWABLE PROJECTION DISTANCE (max)
Air Conditioner	1.5 m into side or <i>rear yard</i>
Alcove, Bay Window	0.9 m into front and <i>side yard</i>
Chimney	0.9 m into front or <i>side yard</i> - provided the yard is not reduced to less than 0.9 m
Eave	0.9 m into front or <i>side yard</i> - provided the yard is not reduced to less than 0.9 m
Fences	Open ornamental fence or landscape architectural features
	Fence – except open, ornamental fence. See above.
	<i>Open wire mesh fences (By-law 699-08)</i>
	may locate in front yard - max height is 1.1m
	not permitted in any front yard may locate in all other yards – max. height is 1.8 m
	<i>not permitted in any front yard may located in all other yards – max. height is 2.4m</i>
Hedges	may locate in any yard - max height is 0.8 m in front yard and 1.8 m in other yards
Name plate, bulletin board, or real estate <i>sign</i> pertaining to the sale, lease or rental of the premises on which it is located	shall be allowed in any required front side or <i>rear yard</i> – provided the yard is not reduce to less than 0.3 m
Porch, platform or landing - open, unenclosed, not covered by roof or canopy, and which does not extend beyond level of first floor	1.8 m into any yard
Stairway or balcony - open, unenclosed, not covered by roof or canopy	1.2 m into <i>rear yard</i> 0.8 m into <i>front yard</i>
Swimming Pool and Pool Equipment	1.5 m into side or <i>rear yard</i>

##### 4.20.2 Underground



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

Any development, construction or structure above, below or at ground level proposed within the control area of a provincial highway will require a permit from Manitoba Transportation and Government Services or the Highway Traffic Board.

## 4.21 PARKING

### 4.21.1 Location

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

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

*Accessory off-street parking areas* shall have access to a *street* or public *lane*.

### 4.21.2 Number

*Accessory off-street parking spaces* shall be provided and maintained at the time of construction of any *principal building, structure* or *use*, in accordance with Table 6 - *Parking Space Requirements*. The Development Officer shall determine the parking requirements for *uses* not included in the table.

#### - Expansion of Building, Structure or Use

Where expansion of a *building, structure* or *use* occurs at a later date, the number of *parking spaces* provided shall be in accordance with the *parking* requirements for the entire site.

#### - More than 1 Use

Where a *zoning site* contains or provides for more than 1 *use*, the number of *parking spaces* required shall be the aggregate of the spaces required for each *use*, unless the combination of 2 or more *uses* is associated in terms of ownership and/or management, and it can be demonstrated that the combination of *uses* have different periods of peak *parking* demand or that efficiencies in *parking* are achieved through the combination of *uses*.

#### - Calculation

Where the calculation of the number of *accessory off-street parking spaces* required:

- results in a fractional *parking space*, the *parking space* requirement shall be rounded up; and
- are calculated based on seating capacity, where seating is comprised of:
  - benches, pews or other similar seating, each 0.5 m shall be counted as 1 seat;
  - both fixed seats and open assembly area, each requirement shall be calculated separately and added together; and

- movable seats or chairs, 1 seat per 0.6 m<sup>2</sup> of assembly area shall be required.

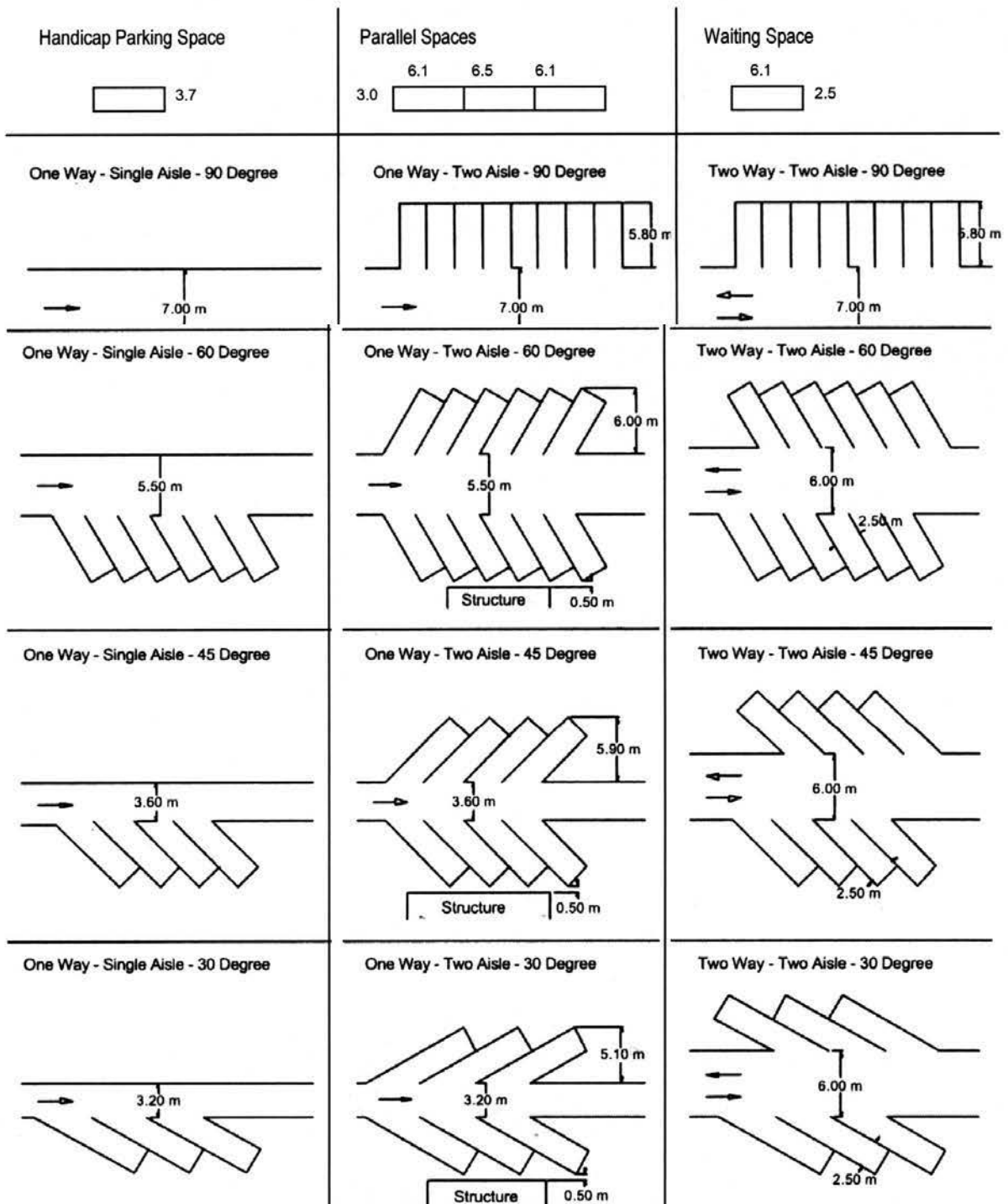
TABLE 6 PARKING SPACE REQUIREMENTS		
USE OF BUILDING OR SITE		MINIMUM NUMBER OF PARKING SPACES
Assembly places: <i>arenas, auditoriums, billiard parlours, clubs, funeral chapel or home, halls, lodges, stadiums, swimming pools, theatres and similar organizations</i>		1 per 9.3 m <sup>2</sup> of <i>floor area</i> or 1 per 5 seating spaces, whichever is greatest
Athletic Fields		20 plus 1 per every 5 fixed seats
Boarding, rooming and lodging houses		1 per rooming unit
Bowling alley, curling rink		5 per <i>lane</i> or curling sheet of ice
Drive through banks, <i>restaurants</i> and car washes		5 stack ups
<i>Dwelling</i>	<i>One - Family</i>	Single-detached <i>2 per unit</i>
	<i>Two - Family</i>	Semi-detached <i>2 per unit</i>
		Duplex <i>2 per unit</i>
	<i>Multi - Family</i>	Triplex <i>2 per unit</i>
		Fourplex <i>2 per unit</i>
		Townhouse <i>2 per unit (By-law 699-08)</i>
		Apartment 1 per unit plus 1 visitor space per 5 units
Educational Facilities	Elementary and Junior High	1 per faculty member plus 1 per each 4 employees
	Senior High and other	1 per faculty member plus 1 per each 4 employees plus 1 per 10 students
<i>Financial institutions</i>		1 per 46 m <sup>2</sup> of gross <i>floor area</i> and minimum of 5 for employees
Hospital		1 per bed
<i>Hotels</i>		2 per every 3 guest rooms plus 1 per 8 seats in accessory <i>eating and drinking establishment</i> and meeting rooms
<i>Manufacture, Assembly, Processing and Sales Industries, Laboratories, and other industrial uses including warehouses</i>		1 per 92.9 m <sup>2</sup> of <i>floor area</i> or 1 per 5 employees on maximum working shift, whichever is the greatest
<i>Motel</i>		1 per rental unit plus 1 per 8 seats in all accessory rooms as per <i>hotels</i>
<i>Office</i>		1 per 37.2 m <sup>2</sup> of <i>floor area</i> , but not less than 2 per tenant
<i>Personal Service Establishments</i>		1 per 18.6 m <sup>2</sup> of <i>floor area</i> , but not less than 4 per establishment
<i>Retail Businesses</i> such as		1 per 23.2 m <sup>2</sup> of <i>floor area</i> , but not less than 4 per establishment
<i>Shopping centres</i>		1 per 18.6 m <sup>2</sup> of leasable <i>floor area</i>
Tennis courts		1 per court
<i>Warehouses, storage buildings or yards or other similar uses</i>		1 per 185.8 m <sup>2</sup> or 1 per 5 employees on maximum working shift, whichever is the greatest

#### 4.21.3 Number – Accessible Parking

TABLE 7 ACCESSIBLE PARKING REQUIREMENT	
TOTAL NUMBER OF SPACES	MINIMUM NUMBER OF ACCESSIBLE SPACES
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of total
1001 and over	20 plus 1 for each 100 over 1000

4.21.4 Dimensions

The minimum dimensions for the design of *parking areas* shall be as illustrated, unless otherwise allowed by the Development Officer.



#### 4.21.5 Entrance and Exit Requirements

Entrance or exit perpendicular width	4.6 – 7.6
Joint entrance and exist perpendicular width	11.6 max
Distance between 2 driveways on 1 lot	9.1
Distance between a driveway and an intersection	
Angle between a driveway and the <i>street</i> line	60°

#### 4.21.6 Standards:

Development standards may be established between the developer and the LGD, and may include the following requirements:

- Drainage

All *parking areas* and driveways shall be drained to control the pooling of water and prevent the flow of surface water onto adjacent lots or public sidewalks.

- Lighting

Lighting used to illuminate *accessory off-street parking* areas shall be arranged and shielded so as to reflect away from any adjacent residential properties.

- Screening

Where a *parking area* abuts a residential zone, a solid and continuous wall or fence having a minimum height of 1.5 m shall be erected and maintained along the entire length of the abutting *site line*. The wall or fence shall be constructed of masonry, wood or metal.

Alternatively, a strip of land 1.5 m in width abutting the *site line* of the *parking* area shall be landscaped with at least 1 hedgerow of hardy shrubs, having a minimum height of 1.5 m and the remainder of such land shall be lawn. The landscaping shall be kept free of refuse and debris and maintained in a healthy growing condition and neat orderly appearance.

- Surface

All *off-street parking* and loading areas, including driveways, access aisles and maneuvering areas, shall be maintained with a *stable* surface which is treated so as to prevent the rising of dust or loose particles.

Surface may be crushed stone, slag, gravel or cinders, with an asphalt or cement binder or any permanent type of surfacing

## 4.22 PLANNED UNIT DEVELOPMENTS

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

#### 4.22.1 Application

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

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

#### 4.22.2 Standards

The design shall be subject to the following requirements:

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

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

### **4.23 PONDS AND FOUNTAINS**

Ponds and fountains, which are lined and have a water depth exceeding 0.6 m, shall be deemed private pools and shall be subject to the Manitoba Building Code and requirements for *accessory buildings* and *structures*.

### **4.24 POOLS**

Private swimming pools shall be subject to the Manitoba Building Code and shall be located only in *rear* and *side yards* in compliance with the requirements for *accessory buildings* and *structures*.

See Section 4.20 – OBSTRUCTIONS INTO YARDS.

### **4.25 PUBLIC MONUMENTS & STATUARIES - PUBLIC SERVICES & PUBLIC UTILITIES**

Nothing in this By-law shall be so interpreted as to interfere with the erection or maintenance of monuments, statuaries and similar *structures*, nor the construction, maintenance and operation of the facilities of any public service or public utility, provided that any building or structure is in compliance with the *bulk regulations* of the applicable

zone, and that the land surrounding the buildings or structures is landscaped to the satisfaction of the Development Officer.

Public utilities or public services include water mains, sewers, telephone and electrical transmission lines, booster stations, water storage tanks, pumping stations, electrical sub-stations, telephone exchanges, and police and fire protection.

See Section 4.35.2 – Yard Reduced by Virtue of Public Work, Street or Utility.

#### 4.26 ROADS – FUTURE ROAD ALLOWANCE DEEMED EXISTING

No *building or structure* shall be erected upon any land acquired by the LGD or any other Federal or Provincial government agency and designated as a future road allowance. Any development adjacent to the future road allowance shall comply with the requirements of this by-law and Manitoba Transportation and Government Services set back requirements, as if the future road allowance was already in existence.

#### 4.27 SERVICE STATIONS

##### 4.27.1 Site Location

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

##### 4.27.2 Special Provisions

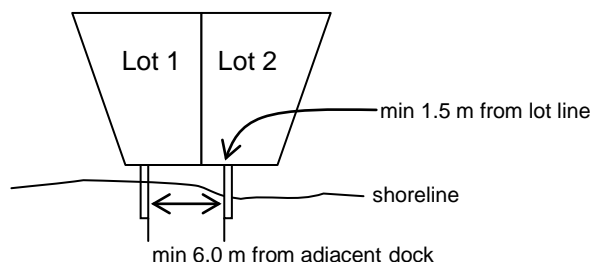
Where *service stations* are permitted, the following special provisions shall apply:

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

Section 4.30 –STORAGE & DISPLAY IN YARDS.

#### 4.28 SHORELANDS

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



#### 4.29 SIGNS

#### 4.29.1 Location

- *Signs* shall not obstruct or confuse the view of:
  - any authorized traffic *sign*, signal or device; and
  - any *street* or highway intersection.
- *Signs* shall not be located on, over or above any land or right-of-way belonging to the LGD, unless such right is established by agreement with the LGD.
- *Signs* within the control area of a provincial trunk highway or provincial road will require a permit from the Highway Traffic Board or Manitoba Transportation and Government Services.
- *Signs* shall be set back a minimum of 0.3 m from property lines.

#### 4.29.2 Surface Area and Height Calculation

- Building Face Signs  
*Sign* surface area shall be calculated to include the area of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the copy plus any material or colour forming an integral part of the background, but does not include any supporting framework.
- Free-Standing or Mobile Signs  
*Sign* surface area shall be calculated to be the area of 1 side as per *building face sign* calculation.
- Multi-Faced or 3-Dimensional  
*Sign* surface area shall be calculated to be 1.5 times the area of one face as calculated as per *building face sign* calculation.
- Sign Height  
The height of the *sign* shall be calculated as the distance from the base of the *sign* at normal *grade* to the top of the highest attached component of the *sign*.

#### 4.29.3 Permits

Permits are required for the following:

- new *sign* construction or placement; and
- re-location of *existing signs*.

Permits are not required for the following:

- real estate *signs*;
- construction *signs*;
- political campaign *signs*;
- window *signs*;
- home *identification*, home sale/lease/rent;
- non-commercial memorial *signs*, commemorative plaques or *building* cornerstones;
- municipal bulletin boards;
- temporary event *signs* - civic, non-commercial health, safety or welfare, educational or religious *signs*;
- municipal traffic control, *parking*, *street* name and direction *signs*;
- official public notice *signs*;
- municipal *street* decoration; and



- *signs* erected or maintained by law or government order, rule or regulation.

#### 4.29.4 Maintenance

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

#### 4.29.5 Real Estate Signs

Real Estate *signs* shall be permitted in each zone, provided:

- maximum size of 1.8 m<sup>2</sup> in area;
- for the purpose of *advertising* the sale, rental or lease of a *building, structure, site* or part thereof; and
- maximum of 1 *sign* for each *building, structure, site* or part thereof.

#### 4.29.6 Rotating Beam or Flashing Signs

Beams or rotating beams in connection with any *sign* display shall not be permitted.

Flashing *signs* shall not be permitted in any zone, except in the Commercial and Industrial Zones if:

- located greater than 45.7 m from any Residential Zone, provincial road or provincial trunk highway; and
- lights do not resemble an emergency light.

#### 4.29.7 2 Properties – 1 Sign

Where a *sign* straddles 2 *zoning sites*, the maximum size for 1 *sign* shall apply.

### **4.30 STORAGE & DISPLAY IN YARDS**

#### 4.30.1 Non-Residential Zones

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

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

#### 4.30.2 Residential Zones

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

- Garden equipment, garden furniture, trailers, boats, firewood or other goods and materials normally associated with the enjoyment of residential property may be stored at any time in any *rear* or *side yard*.
- Trailers, *travel trailers* or motor homes shall not be parked at any time in the *front yard* of any site, nor in front of the front face of any *building* fronting a *street* or public right-of-way.

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

#### 4.30.3 Aesthetically Unpleasing Goods or Materials

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

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

#### **4.31 TEMPORARY BUILDINGS, STRUCTURES AND USES**

Temporary *buildings*, *structures* and *uses* may be permitted for a 12-month period for the following purposes:

- storage of construction materials and equipment incidental to and necessary for construction on the same site;
- *office* space for the contractor or developer on the same site;
- temporary accommodation for:
  - a caretaker, security personnel, farm workers or other workers employed on the same site;
  - the owner and *family* during the construction of a *dwelling* on the same site; or
  - the owner and *family* displaced due to flooding or other natural disasters including fire; and
- asphalt and concrete *batching plants* incidental to and necessary for highway construction.

The Development Officer may grant an *extension* to the time limit for a maximum period of 12 months.

#### **4.32 TREE PROTECTION AND REMOVAL**

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

#### **4.33 VISUAL CLEARANCE AT INTERSECTIONS**

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

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

#### **4.34 WRECKING FACILITIES - AUTOMOTIVE AND EQUIPMENT**

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

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

See Section 4.30 – STORAGE & DISPLAY IN & YARDS.

#### **4.35 YARDS**

##### 4.35.1 Dwelling Units above Commercial or Industrial Uses

Where *dwelling* units are erected or constructed above commercial or industrial uses, no *side yards* are required other than as specified for the commercial or industrial building; however, if the *dwellings* contain windows, doors, or other openings in the side walls, *side yards* may be required for fire separation purposes in accordance with the Manitoba Building Code and Manitoba Fire Code.

##### 4.35.2 Yard Reduced by Virtue of Public Work, Street or Utility

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



The LGD of Pinawa is divided into zones, as shown on the Zoning Maps in Appendix B. The zones conform to Development Plan designations as illustrated below.

ZONING BY-LAW		DEVELOPMENT PLAN	
Section	ZONE	Abbrev	DESIGNATION
5.1	Agricultural	AG	Agricultural or Natural Area
5.2	Commercial	General Commercial	Commercial
		Central Commercial	
		Highway Commercial	
5.3	Industrial	Light Industrial	Industrial
		Heavy Industrial	
		Waste Disposal Industrial	
5.4	Institutional	I	Institutional
5.5	Recreation Commercial	RC	Recreational
	Natural Areas	NA	Natural Area or Agricultural or Recreational
	Parks and <i>Open Space</i>	OS	Natural Area or Parks and <i>Open Space</i>
5.6	Residential	<i>One-Family</i> Residential	Serviced Residential
		<i>Multi-Family</i> Residential	
		Rural Residential	Un-serviced Residential

## 5.1 AGRICULTURAL ZONE

### 5.1.1 Intent and Purpose

#### AG - General Agricultural Zone

- To foster agriculture and conserve agricultural land by providing for a wide range of agricultural uses with regulations that maintain large parcel sizes; and
- To provide for *compatible* non-agricultural uses on a conditional basis.

### 5.1.2 Accessory and Principal Uses

		ZONE
USE - accessory to the permitted or conditional principal use on the same zoning site		AG
<i>aircraft landing strips</i>		P
<i>buildings and structures</i>	animal housing structure	P
	storage <i>building</i> or <i>structure</i> for equipment and machinery used for the permitted or conditional agricultural uses	P
	machine shop, repair shop, welding shop, <i>garage</i> or similar used for the permitted or conditional agricultural uses	P
<i>contractor's establishments</i>	enclosed within <i>building</i>	C
	with exterior storage	C
<i>dwelling for farm family or staff :</i>	<i>one-family dwelling</i>	P
	<i>factory-built house</i> or <i>mobile home</i> See Section 4.15 – MOBILE HOMES	C
	<i>Bed &amp; Breakfast</i> , when accessory and subordinate to the farm <i>family dwelling</i> See Section 4.5– <i>BED &amp; BREAKFAST</i>	C
	children's playhouse, dog house or similar, when accessory to the farm <i>family</i> or staff <i>dwelling</i>	P
	<i>home occupation</i> , including <i>home day care</i> , when accessory and subordinate to the farm <i>family</i> or staff <i>dwelling</i> See Section 4.12 – HOME OCCUPATIONS	C
	individual sewage disposal systems, when accessory to the farm <i>family</i> or staff <i>dwelling</i> , subject to approval by authority having jurisdiction	P
	<i>garage</i> , <i>carport</i> , tool shed or similar used for the storage of domestic equipment and supplies, when accessory to the farm <i>family</i> or staff <i>dwelling</i>	P
	patio or <i>gazebo</i> , or similar <i>structures</i> , when accessory to the farm <i>family</i> or staff <i>dwelling</i>	P
	swimming pool, private open or enclosed, when accessory to the farm <i>family</i> or staff <i>dwelling</i>	P
	exterior storage	storage of goods used in or produced by the permitted or conditional agricultural uses, unless such storage is not permitted in the zoning regulations
storage of equipment and machinery used for the permitted or conditional agricultural uses		P
<i>fabric covered accessory buildings or structures</i>		C
farm vacation operations		C
<i>parking</i> and <i>loading</i> areas – as required and regulated herein See Section 4.13 – <i>LOADING</i> and Section 4.21 – <i>PARKING</i>		P
processing and sale of:	livestock, when raised on the same site	P
	produce, when grown on the same site	P
seed cleaning, fertilizer sales and storage		C
<i>signs</i> - as permitted and regulated herein See Section 4.29 and 5.1.5 – <i>SIGNS</i>		P
<i>storage facilities</i> – commercial See Section 4.30 <i>STORAGE &amp; DISPLAY</i>	enclosed within <i>buildings</i>	P
	with exterior storage	C

TABLE 11 AGRICULTURAL ZONE - PRINCIPAL USES		
USE		ZONE
		AG
<i>Agricultural Operations</i>	operations excluding livestock	P
	livestock operations - less than 50 animal units (au)	P
	livestock operations - 50 animal units (au) and greater	C
<i>Aircraft Landing strips</i>		C
Animals	<i>animal kennels or shelters</i>	C
	<i>veterinary clinics - may include animal compounds</i>	C
<i>Conservation Areas</i>		P
<i>Dwellings - one-family dwelling, on a lot approved in accordance with the Development Plan</i>		P
<i>Extraction Operations - gravel, sand, mineral and peat moss</i>		C
<i>Forestry and Wildlife Management Areas</i>		P
<i>Landscaping Establishments</i>	<i>garden centres</i>	C
	<i>contractor's establishments, may include exterior storage</i>	C
Parks	<i>public reserves and public walkways</i>	P
<i>Recreational Facilities</i>	riding academies and stables	C
Utilities and Services	utilities and public works	P

### 5.1.3 Bulk Regulations

TABLE 12 AGRICULTURAL ZONE - BULK REGULATIONS											
Zone	Site Area (ha)	Site Width (m)	Use		Yard (m)			Height (whichever is less)		Distance between Buildings(m)	
					Front	Side <sup>1</sup>		Rear	(m)		storey
						interior	corner				
AG	32.4	183	principal	agricultural	30.5	7.6	30.5	7.6	10.7	n/a	3.0
	0.8	61.0		non-agricultural							
	n/a	n/a	accessory	temporary							

The above table does not preclude compliance with Manitoba Transportation and Government Services requirements and Manitoba Building and Fire Code requirements.

### 5.1.4 Livestock Regulations

All new and expanding *livestock production operations* shall be in compliance with the applicable Provincial Farm Practices Guidelines or the regulations contained within this By-law. The more restrictive requirements shall prevail.

#### 5.1.4.1 Restrictions near Residential Zones and the Atomic Energy of Canada Limited (AECL) Complex

Notwithstanding the *uses* contained within Table 11, Agricultural Zone – Principal *Uses*, no new *livestock production operations* greater than 50 au shall be permitted within 1.5 km of any Residential Zone or the AECL Industrial Complex.

#### 5.1.4.2 Setbacks from Dwellings

- *New Livestock Production Operations*  
New animal housing structures and *manure storage facilities* shall be set back from residences, other than those associated with the operation, by the distances specified in the applicable Provincial Farm Practices Guidelines.

- Expansion of Existing *Livestock Production Operations*  
*Livestock production operations* that lawfully existed prior to the effective date of this By-law, which are not in compliance with the distances specified within the applicable Provincial Farm Practices Guidelines, shall be limited to one expansion to a maximum of 50% in size.

#### 5.1.4.3 Site Area

Notwithstanding Table 12, Agricultural Zone – Bulk Regulation, animal housing structures and *manure storage facilities* for *livestock production operations* greater than 200 au must be located on a site having a minimum area of 32.4 ha.

#### 5.1.4.4 Manure Application

- Land Area  
Owners/managers of new or expanding *livestock production operations* must have access to sufficient land to provide for the environmentally sustainable application of manure. The required land area will be based on the criteria outlined in the applicable Provincial Farm Practices Guidelines. It is the obligation of the owner/manager to maintain this required land base by lease or purchase.
- Winter Disposal Restrictions  
Application of manure in the winter is not permitted for operations over 300 au, in accordance with Manitoba Environment Regulation.
- Setback Distance from Wells and Water bodies  
Spreading of manure will not be permitted within 60.0 m of any well, the normal high water mark of the Winnipeg River, or any creek or water body.

#### 5.1.4.5 Animal Unit Summary Table

Table 13 – *ANIMAL UNIT SUMMARY* is included for reference purposes only. Where there is any discrepancy between this table and those contained in the Provincial Farm Practices Guidelines and legislation enacted by the Province of Manitoba, the latter shall prevail.



TABLE 13 ANIMAL UNIT SUMMARY			
LIVESTOCK		A.U. Produced by One Livestock	Livestock Producing One A.U.
DAIRY	Milking cows, including associated livestock	2.000	0.5
BEEF	Beef cows, including associated livestock	1.250	0.8
	Backgrounder	0.500	2
	Summer pasture/replacement heifers	0.625	1.6
	Feeder cattle	0.769	1.3
HOGS	Sows, farrow to finish	1.250	0.8
	Sows, farrow to weanling	0.313	3.2
	Sows, farrow to nursery	0.250	4
	Weanlings	0.033	30
	Growers/finishers	0.143	7
	Boars (artificial insemination operations)	0.200	5
CHICKENS	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
TURKEYS	Broilers	0.010	100
	Heavy toms	0.020	50
	Heavy hens	0.010	100
HORSES	Mares, including associated livestock	1.333	0.75
SHEEP	Ewes, including associated livestock	0.200	5
	Feeder lambs	0.063	16
Other livestock or operation type – please inquire with your regional agricultural engineer or livestock specialist.			

Reference: Appendix I, Farm Practices Guidelines for Hog Producers in Manitoba, Feb.7, 2000 edition.

### 5.1.5 Signs

TABLE 14 SIGNS					
ZONE	USE	TYPE	# (max)	AREA (m <sup>2</sup> ) (max)	HEIGHT (m) (max)
AG	Agricultural	<i>identification</i>	1 per <i>dwelling</i>	0.74	2.4 - not to be attached to the roof of a <i>dwelling</i>
	Non-agricultural	<i>identification or business</i>	no limit on <i>fascia signs</i>	3.0	9.1
		<i>advertising</i>	requires conditional use approval		

See Section 4.29 - SIGNS.

## 5.2 COMMERCIAL ZONES

### 5.2.1 Intent and Purpose

#### CG - General Commercial Zone

- To provide for multi-functional *uses* developed on linear, single or multi-tenant sites along collector and arterial *streets* such as professional services, *retail businesses*, as well as recreational, social, cultural and administrative *uses*. *Uses* primarily serve local clientele.

#### CC - Central Commercial Zone

- To provide for multi-functional *uses* such as *retail businesses* and social, cultural and administrative land *uses* in the central business area.

#### CH - Highway Commercial Zone

- To provide for businesses that require large areas adjacent to major transportation routes or arterial *streets*, and for retail and personal services to serve the travelling public. *Uses* generally serve a broad regional clientele.

### 5.2.2 Accessory and Principal Uses

TABLE 15 COMMERCIAL ZONES - ACCESSORY USES					
USE - accessory to the permitted or conditional principal use on the same zoning site		ZONE			
		CG	CC	CH	
<i>dwelling</i>	<i>Bed &amp; Breakfast</i> See Section 4.5 – BED & BREAKFAST	P	P	P	
	<i>one-family dwelling unit</i>	when contained within the principal commercial building	P	P	P
		when detached from the principal commercial building	C	C	C
	children's playhouse, dog house, or similar	P	P	P	
	<i>garage, carport, tool shed</i> or similar used for the storage of domestic equipment and supplies	P	P	P	
	<i>home occupation</i> See Section 4.12 – HOME OCCUPATIONS	P	P	P	
	patio or <i>gazebo</i> , or similar <i>structures</i> , when accessory to the <i>dwelling</i> unit or apartment	P	P	P	
	swimming pool, private – open or enclosed, when accessory to the <i>dwelling</i> unit or apartment See Section 4.24 – Pools	P	P	P	
<i>fabric covered accessory buildings or structures</i>		C	C	C	
<i>parking</i> and loading areas- as required and regulated herein See Section 4.13 – LOADING and Section 4.21 - PARKING		P	P	P	
production, processing, cleaning, servicing, <i>altering</i> , testing, repair or storage of merchandise incidental to the principal use, if conducted by the owners of the principal use and contained within a <i>building</i>		P	P	P	
refuse and garbage areas		P	P	P	
<i>signs</i> – as permitted and regulated herein. See Section 4.29 - SIGNS		P	P	P	

TABLE 16 COMMERCIAL ZONES – PRINCIPAL USES				
USE		ZONE		
		CG	CC	CH
Animals	<i>animal kennels or shelters</i>	NP	NP	P
	<i>veterinary clinics - no animal compound</i>	C	C	P
Assembly Places	<i>community centres and halls</i>	NP	P	P
	<i>funeral chapels or homes</i>	P	NP	P
Automotive/Truck/ Farm/RV/Marine	<i>automotive / RV / marine sales and service</i>	P	P	P
	<i>service stations</i> See Section 4.27 – SERVICE STATIONS	C	C	P
	<i>autobody shops</i>	NP	NP	P
	<i>car washes</i>	P	P	P
	<i>truck / farm implement sales and service</i>	NP	NP	P
Building Supply Sales	<i>enclosed within building</i>	P	P	P
	<i>with exterior storage</i> See Section 4.28 – EXTERIOR STORAGE	NP	NP	P
Bulk Fuel and Propane Sales		NP	NP	C
Child Care Services	<i>group daycare</i>	P	P	P
Commercial	<i>outdoor market</i>	C	C	P
	<i>personal services</i>	P	P	P
	<i>retail businesses – enclosed within building</i>	P	P	P
	<i>shopping centres, malls, strips, plazas</i>	P	P	P
Community Resource Centres		P	P	NP
Contractor's Establishments	<i>enclosed within building</i>	NP	NP	P
	<i>with exterior storage</i> See Section 4.30 – EXTERIOR STORAGE	NP	NP	P
Eating and Drinking Establishments	<i>restaurants</i>	P	P	P
	<i>bars, nightclubs and taverns</i>	P	P	NP
Financial Institutions		P	P	P
Health Services		P	P	P
Hotels and Motels		C	P	P
Landscaping Establishment	<i>garden centres</i>	NP	NP	P
	<i>contractor's establishments, may include exterior storage</i> See Section 4.28 – EXTERIOR STORAGE	NP	NP	P
Offices – Professional		P	P	P
Parks	<i>parks</i>	P	P	P
	<i>public reserves and walkways</i>	P	P	P
Parking Facilities		P	P	P
Personal Care	<i>nursing homes</i>	C	C	NP
	<i>residential care facilities</i>	C	C	NP
Planned Unit Developments See Section 4.22 - PLANNED UNIT DEVELOPMENT		C	C	C
Recreational Facilities	<i>amusement</i>	<i>enclosed within building with exterior use</i>	P	P
	<i>enterprise</i>		NP	NP
Recycling	<i>collection depots</i>	P	P	P
	<i>recycling depot</i>	NP	NP	P
Religious Facilities		P	P	P
Storage Facilities commercial	<i>enclosed within building</i>	C	NP	P
	<i>with exterior storage</i> See Section 4.28 – EXTERIOR STORAGE	NP	NP	P
Transportation	<i>bus terminals</i>	P	P	P
	<i>taxi and courier services – may include parking and repair</i>	C	P	P
	<i>truck terminals</i>	NP	NP	P
Utilities and Services	<i>police and fire stations</i>	P	P	P
	<i>utilities and public works</i>	P	P	P

### 5.2.3 Bulk Regulations

Zone	Site Area (m <sup>2</sup> )	Site Width (m)	Use	Yard			Height (whichever is less)		Site Coverage (%)	
				Front	Side		Rear	(m)		storey
					interior	corner				
CG	465	15.2	individual commercial uses	7.6	0 <sup>2</sup>	7.6	10.7	13.7	3	n/a
	167 <sup>1</sup>	n/a	group of commercial uses (shopping centre, mall, strip)							
	1858	30.5	service station buildings pumps		7.6		7.6	9.1	2	
				4.6	4.6	4.6	4.6	n/a	n/a	
n/a	n/a	accessory temporary	7.6	1.5	7.6	1.5	4.6	1		
CC	1858 <sup>3</sup>	15.2	hotels, motels, bars, assembly places	7.6	1.5 <sup>2</sup>	7.6	7.6	13.7	3	50 <sup>3</sup>
		30.5	service station buildings pumps		7.6		7.6	9.1	2	
			4.6	4.6	4.6	4.6	n/a	n/a		
	465	15.2	other commercial uses	7.6	1.5	7.6 <i>By-law 699-08</i>	4.6	13.7	3	
n/a	n/a	accessory temporary		1.5	7.6	1.5	4.6	1	10	
CH	929	30.5	eating establishments	13.7	3.0 <sup>2</sup>	13.7	7.6	9.1	2	n/a
			restaurants bars, ...							
	1858	30.5	hotels, motel							
			service station buildings pumps	7.6	7.6	7.6	4.6	n/a	n/a	
n/a	n/a	accessory temporary	13.7	1.5	13.7	1.5	6.1	1		

The above table does not preclude compliance with Manitoba Transportation and Government Services, Manitoba Building Code and Manitoba Fire Code requirements.

- The project area shall total not less than 167 m<sup>2</sup> for each shop exclusive of *parking area*.
- Where a *site line* is adjacent to a site containing a *dwelling*, or adjacent to public *open space*, and where permitted commercial building contains *dwelling* units, the *side yard* shall be 3.0 m.  
Where *dwelling* units are constructed as part of a commercial building, the minimum site area, site width and *side yard* requirements shall not be less than that required for the equivalent number of *dwelling* units in the R3 zone.
- Minimum area of site to remain in natural vegetation or to be landscaped with trees and shrubs shall be 15% and shall be located in *front yard* or adjoining perimeter of building.

See Section 4.27 – SERVICE STATIONS.

### 5.2.4 Signs

ZONE	TYPE	#	AREA (m <sup>2</sup> ) (max)	HEIGHT (m) (max)
CG CC	Advertising of bonafide business on premises – fascia type only, fixed flat against the building	no limit	0.6 m <sup>2</sup> per lineal m of building frontage	shall not project more than 0.45 m from any wall, parapet, flat roof or eave of building to which it's attached
CH	Advertising of bonafide business on premises – fascia type only and fixed flat against the building			

	<i>Sign</i> on pole or <i>structure</i> or as an integral part of the building	1	3.7	6.1
--	--	---	-----	-----

See Section 4.29 - SIGNS.

5.2.5 Development Standards

Where commercial *uses* are adjacent to residential *uses*, Council may require that the developer enter into an agreement with the LGD, as a condition of *subdivision* approval or as a condition of enacting a zoning by-law amendment, in order to ensure compatibility. The development agreement may address such matters as siting, design, *parking* and landscaping.

See Section 3.2 – DEVELOPMENT AGREEMENT.

### 5.3 INDUSTRIAL ZONES

#### 5.3.1 Intent and Purpose

##### ML - Light Industrial Zone

- To provide for light manufacturing, warehousing and low impact *industrial uses*, and includes landscaped industrial parks. Light *industrial uses* do not include those *uses* that require extensive outdoor storage of supplies and equipment.

##### MH - Heavy Industrial Zone

- To provide for a wide range of heavy *industrial uses* that may involve a certain level of nuisance or environmental risk due to noise, odour, dust, vibration, aesthetics and heavy truck traffic. Heavy *industrial uses* may require extensive outdoor storage of raw and finished products and equipment.

##### MD - Waste Disposal Industrial Zone

- To provide for public or private waste disposal grounds, waste transfer stations and *recycling depots*.

#### 5.3.2 Accessory and Principal Uses

USE - accessory to the permitted or conditional principal use on the same zoning site		ZONE		
		ML	MH	MD
<i>buildings and structures</i>	<i>garage, shed or storage building</i>	P	P	P
	<i>machine shop, repair shop, welding shop, garage or similar for permitted or conditional use</i>	P	P	P
	<i>storage building for products manufactured by the permitted or conditional principal use</i>	P	P	P
<i>dwelling</i> - <i>one-family dwelling</i> unit sleeping accommodation for owner, security personnel or caretaker and their family, whose presence on site is essential at all times	when contained within the principal industrial building	C	C	C
	when detached from the principal industrial building	C	C	C
commercial retail use which is incidental to a permitted or conditional principal use		P	P	P
exterior storage	storage of goods used in or produced by the site's permitted or conditional principal use, unless such storage is not permitted in the zoning regulations	C	P	P
	storage of equipment and machinery used for the permitted or conditional principal use	C	P	P
<i>fabric covered accessory buildings or structures</i> of canvas, polyethylene, reinforced polyethylene, kevlar, nylon or similar material		C	C	C
<i>parking and loading Areas</i> - as required and regulated herein See Section 4.13 – LOADING and Section 4.21 - PARKING		P	P	P
production, processing, cleaning, servicing, <i>altering</i> , testing, repair or storage of merchandise incidental to the permitted or conditional principal use, if conducted by the owners of the principal use and contained within a <i>building</i>		P	P	P
refuse and garbage areas		P	P	P
<i>signs</i> – as permitted and regulated herein See Section 4.29 - SIGNS		P	P	P

TABLE 20 INDUSTRIAL ZONES – PRINCIPAL USES				
USE		ZONE		
		ML	MH	MD
Agriculture	agriculture implement sales and service	P	P	NP
	seed cleaning, fertilizer sales and storage	C	C	NP
Animal	<i>animal kennels or shelters</i>	P	P	NP
	<i>veterinary clinics</i> – may include animal compound	C	NP	NP
Automotive / Truck / RV / Marine	<i>service stations</i>	P	P	NP
	automotive / RV / marine sales and service	P	P	NP
	car and truck washes	P	P	NP
<i>Batching Plants</i>		C	P	P
Bulk Fuel and Propane Sales		NP	NP	C
<i>Building Supply Sales</i>	enclosed within <i>building</i>	P	NP	NP
	with exterior storage	P	NP	NP
	See Section 4.30 – EXTERIOR STORAGE			
Commercial	<i>outdoor market</i>	P	NP	NP
	other commercial uses	C	C	NP
<i>Contractor's Establishments</i>	enclosed within <i>building</i>	P	NP	NP
	with exterior storage See Section 4.30 – EXTERIOR STORAGE	C	NP	NP
<i>Eating and Drinking Establishments</i>	restaurants	P	P	NP
<i>Education Facilities</i>	business and technical schools, training centres	P	NP	NP
<i>Laboratories</i>		P	P	NP
<i>Landscaping Establishments</i>	garden centres	P	P	NP
	with exterior storage	C	P	NP
	See Section 4.30 – EXTERIOR STORAGE			
Manufacturing	food processing plants	P	P	NP
	foundries	C	P	NP
	machine shops and similar	P	P	NP
	<i>manufacture, assembly, processing, sale</i> enclosed within building	P	P	NP
<i>Offices – Professional</i>		P	P	NP
<i>Parks</i>	<i>parks</i>	P	P	NP
	<i>public reserves and walkways</i>	P	P	NP
<i>Parking Facilities</i>		P	P	NP
<i>Planned Unit Developments</i> See Section 4.22 – PLANNED UNIT DEVELOPMENT		C	C	NP
Recycling	<i>collection depots</i>	P	P	P
	<i>recycling centres</i>	C	C	P
<i>Storage Facilities</i> commercial	indoor and outdoor storage	C	P	NP
	<i>warehouses</i> - no explosives, fertilizers, flammable or toxic wastes	P	P	P
	<i>warehouses</i> – with explosives, fertilizers, flammable or toxic wastes	NP	NP	C
Transportation	<i>bus terminals</i>	P	P	NP
	taxi & courier services - may include parking/repair	P	P	NP
	<i>truck terminals</i>	P	P	NP
Utilities and Services	utilities and public works	P	P	P
<i>Waste Disposal Grounds and Waste Transfer Stations</i>		NP	NP	P
<i>Wrecking Facilities</i>		C	C	NP

### 5.3.3 Bulk Regulations

Zone	Site Area (m <sup>2</sup> )	Site Width (m)	Use	Yard				Height (whichever is less)		Distance between buildings
				Front	Side <sup>1</sup>		Rear	(m)	storey	
					interior	corner				
ML	650	21.3	principal industrial use	6.1	3.0	4.6	6.1	15.2	3	3.0
	n/a	n/a	accessory	6.1	3.0	4.6	4.6	7.6	-	
			temporary							
MH	929	61.0	principal industrial use	9.1	3.0	4.6	6.1	15.2	3	
	n/a	n/a	accessory	6.1	3.0	4.6	4.6	4.6	1	
			temporary							
MD	16.2 ha	61.0	principal industrial use	30.5	30.5	30.5	30.5	9.1	2	
	n/a	n/a	accessory	6.1	3.0	6.1	4.6	4.6	1	
			temporary							

The above table does not preclude compliance with Manitoba Transportation and Government Services, Manitoba Building Code and Manitoba Fire Code requirements.

See Section 4.27 – SERVICE STATIONS.

### 5.3.4 Signs

ZONE	TYPE	#	AREA (m <sup>2</sup> ) (max)	HEIGHT(max)
ML MH MD	<i>Advertising of bonafide business on premises – fascia type only and fixed flat against the building</i>	no limit	0.6 m <sup>2</sup> per lineal m of building frontage	shall not project more than 0.45 m from any wall, parapet, flat roof or eave of building to which it is attached
	<i>on a pole or structure or as an integral part of the building</i>	1	3.7	6.1

See Section 29 - SIGNS.

### 5.3.5 Development Standards

Where *industrial uses* are adjacent to residential *uses*, Council may require that the developer enter into an agreement with the LGD, as a condition of *subdivision* approval or as a condition of enacting a zoning by-law amendment, in order to ensure compatibility. The development agreement may address such matters as siting and design, provision of *parking* and landscaping.

See Section 3.2 – DEVELOPMENT AGREEMENT.



## 5.4 INSTITUTIONAL ZONES

### 5.4.1 Intent and Purpose

#### I - Institutional Zone

- To provide for public and private institutional or community service facilities.

### 5.4.2 Accessory and Principal Uses

TABLE 23 INSTITUTIONAL ZONES - ACCESSORY USES		
		ZONE
USE - accessory to the permitted or conditional principal use on the same zoning site		I
<i>buildings and structures</i>	operation, maintenance, administration <i>building</i>	P
	storage <i>building</i> or <i>structure</i>	P
canteens and restaurants		P
<i>dwelling</i> for staff :  when in the opinion of Council, said <i>dwelling</i> is essential to the maintenance and operation of the permitted or <i>conditional use</i> on the same site	<i>one-family</i> or <i>two-family dwelling</i>	P
	<i>factory-built house</i> or <i>mobile home</i> See Section 4.15 – MOBILE HOME	C
	children's playhouse, dog house or similar, when accessory to the staff <i>dwelling</i>	P
	<i>home occupation</i> when accessory and subordinate to the staff <i>dwelling</i> See Section 4.12 – HOME OCCUPATION	C
	individual sewage disposal systems, when accessory to the staff <i>dwelling</i> , subject to authority having jurisdiction	P
	<i>garage, carport, tool shed</i> or similar used for the storage of domestic equipment and supplies, when accessory to the staff <i>dwelling</i>	P
	patio or <i>gazebo</i> , or similar <i>structures</i> , when accessory to the staff <i>dwelling</i>	P
<i>fabric covered accessory buildings or structures</i>		C
<i>parking</i> and loading areas - as required and regulated herein See Section 4.13 – LOADING and Section 4.21 – PARKING		P
refuse and garbage areas		P
<i>signs</i> - as permitted and regulated herein See Section 4.29 and 5.4.4 – SIGNS		P

USE	ZONE	
Assembly Places	community centres, <i>halls</i>	P
Cemeteries		P
<i>Child Care Services</i>	<i>group day care</i>	P
Community Resource Centre		P
<i>Education Facilities</i>	elementary, junior and high schools	P
	kindergarten and nurseries	P
	universities and community colleges	P
<i>Fair &amp; Exhibition Grounds</i>		P
<i>Health Services</i>	clinics	P
	hospitals	P
<i>Offices</i>		P
Personal Care	<i>nursing homes</i>	P
	<i>residential care facilities</i>	C
	<i>elderly persons housing (By-law 699-08)</i>	<i>P</i>
<i>Planned Unit Development</i> See Section 4.22 - PLANNED UNIT DEVELOPMENT		P
<i>Parks</i>	<i>parks</i>	P
	<i>pavilions and picnic areas or shelters</i>	P
	<i>public reserves and walkways</i>	P
Recreational Facilities	playgrounds	P
<i>Religious Facilities</i>		P
Utilities and Services	police and fire stations	P
	utilities and public works	P

#### 5.4.3 Bulk Regulations

Zone	Site Area (m <sup>2</sup> )	Site Width (m)	Use	Yard			Height (whichever is less)		Distance between buildings	
				Front	Side <sup>1</sup>		Rear	(m)		storey
					interior	corner				
I	4,047	30.5	principal institutional use	7.6	3.0	4.6	6.1	15.2	3	3.0
	n/a	n/a	accessory		0.6		1.5	4.6	1	
			temporary							

The above table does not preclude compliance with Manitoba Transportation and Government Services, Manitoba Building Code and Manitoba Fire Code requirements.

#### 5.4.4 Signs

Zone	TYPE	#	AREA (m <sup>2</sup> ) (max)	HEIGHT (m) (max)
I	<i>Advertising</i> of bonafide business on premises – fascia type only and fixed flat against the building	no limit	0.6 m <sup>2</sup> per lineal m of building frontage	shall not project more than 0.45 m from any wall, parapet, flat roof or eave of building to which it's attached
	On pole or <i>structure</i> or as an integral part of the building	1	3.7	6.1

See Section 4. 29 - SIGNS.

## 5.5 RECREATION COMMERCIAL, NATURAL AREAS AND PARKS & OPEN SPACE ZONES

### 5.5.1 Intent and Purpose

#### RC - Recreation Commercial Zone

- To provide for public recreation areas such as water slide parks, *arenas*, curling rinks and golf courses.

#### NA - Natural Areas Zone

- To provide for natural areas and extensive recreational uses, while ensuring that areas with inherent hazards are not developed for building purposes.

#### OS - Parks and Open Space

- To provide for public *open space* and parks in areas owned by a public authority.

### 5.5.2 Use Regulations

USE - accessory to the permitted or conditional principal use on the same zoning site		ZONE		
		RC	NA	OS
<i>buildings and structures</i>	for operation, maintenance and administration	P	P	P
	for storage	P	P	P
<i>boat house, dock or wharf, subject to approval by authority having jurisdiction</i>				
canteens, restaurants, clubhouses, lounges, sale or rental of sport equipment		P	P	P
<i>dwelling unit – staff :</i> when, in the opinion of Council, said <i>dwelling</i> is essential to the maintenance and operation of the permitted or conditional use	<i>one or two-family dwelling</i>	P	P	P
	<i>factory-built house or mobile home</i> See Section 4.15 – MOBILE HOME	C	C	C
	children's playhouse, dog house, or similar, when accessory to the staff <i>dwelling</i>	P	P	P
	<i>home occupation, including home day care, when accessory and subordinate to the staff dwelling</i> See Section 4.12 – HOME OCCUPATION	C	C	C
	individual sewage disposal systems, when accessory to the staff <i>dwelling</i> , subject to authority having jurisdiction	P	P	P
	<i>garage, carport, tool shed or similar used for the storage of domestic equipment and supplies, when accessory to the staff dwelling</i>	P	P	P
	patio or <i>gazebo</i> , or similar <i>structures</i> , when accessory to the staff <i>dwelling</i>	P	P	P
<i>fabric covered accessory buildings or structures</i>		C	C	C
<i>parking and loading areas-</i> as required and regulated herein See Section 4.17 – LOADING and Section 4.21 - PARKING		P	P	P
refuse and garbage areas		P	P	P
<i>signs</i> - as permitted and regulated herein See Section 4.29 – SIGNS		P	P	P

USE	ZONE				
	RC	NA	OS		
<i>Agricultural Operations, excluding livestock production operations</i>	NP	P	P		
Assembly Places	<i>auditoriums and stadiums</i>	NP	NP		
	<i>clubs</i>	P	NP		
	<i>community centres and halls</i>	P	NP		
<i>Boat Houses, subject to approval by authority having jurisdiction</i>	P	P	P		
<i>Campgrounds</i>	P	NP	NP		
Community Resources	<i>historic sites or centres</i>	P	P		
	<i>interpretive sites or centres</i>	P	P		
	<i>museums</i>	P	P		
<i>Conservatories</i>	P	P	P		
<i>Conservation Areas</i>	P	P	P		
<i>Extraction operations - gravel, sand, mineral and peat moss</i>	NP	C	C		
<i>Fair and Exhibition Grounds</i>	C	C	C		
<i>Parks</i>	<i>aquariums, aviaries, wildlife parks, zoological gardens</i>	P	P	P	
	<i>parks and playgrounds</i>	P	P	P	
	<i>pavilions and picnic areas or shelters</i>	P	P	P	
	<i>public reserves and walkways</i>	P	P	P	
Planned Unit Development See Section 4.22 - PLANNED UNIT DEVELOPMENT	C	C	C		
Recreation	<i>amusement enterprises</i>	<i>within building</i>	P	NP	NP
		<i>with exterior use</i>	C	NP	NP
	<i>arenas and curling rinks</i>		P	NP	NP
	<i>athletic fields</i>		P	NP	NP
	<i>docks and wharfs - subject to approval by authority having jurisdiction</i>		P	NP	P
	<i>golf courses</i>		P	NP	NP
	<i>extensive outdoor recreational</i>		P	P	P
	<i>marinas</i>		P	NP	NP
	<i>riding academies</i>		C	C	C
	<i>shooting range</i>		P	NP	NP
	<i>swimming pools</i>		P	NP	NP
<i>Timber Harvesting, when approved by the authority having jurisdiction, except on public reserve lands</i>		NP	P	P	
Utilities and Services	Utilities and public works		P	NP	NP
Wildlife Parks			P	P	P

### 5.5.3 Bulk Regulations

Zone	Site Area (m <sup>2</sup> )	Site Width (m)	Use	Yard			Height (whichever is less)		Distance between buildings	
				Front	Side <sup>1</sup>		Rear	(m)		storey
					interior	corner				
RC	1858	30.5	principal	12.2	1.5	4.6	1.5	13.7	3	3.0
NA	n/a	n/a	accessory	7.6				4.6	1	
OS			temporary							

The above table does not preclude compliance with Manitoba Transportation and Government Services, Manitoba Building Code and Manitoba Fire Code requirements.

5.5.4 Signs

TABLE 30 SIGNS					
ZONE	USE	TYPE	#	AREA (m <sup>2</sup> ) (max)	HEIGHT (max) (m)
I	Non-Residential	<i>Advertising of bonafide business on premises – fascia type only and fixed flat against the building;</i>	No limit	0.6 m <sup>2</sup> per lineal m of building frontage	shall not project more than 0.45 m from any wall, parapet, flat roof or eave of building to which it's attached
		On pole or <i>structure</i> or as an integral part of the building	1	3.7	6.1
	Residential	Identification	1	0.186	n/a

See Section 4. 29 - SIGNS.

## 5.6 RESIDENTIAL ZONES

### 5.6.1 Intent and Purpose

#### R1 - One-Family Residential Zone

- To provide for one-family *dwelling*s and related *compatible uses*.

#### R3 - Multi-Family Residential Zone

- To provide for the development of medium to high-*density* multiple-family housing such as duplexes, triplexes, fourplexes, row housing and apartments.

#### RR - Rural Residential Zone

- To provide for the *existing* large lot un-serviced residential and seasonal residential development.

### 5.6.2 Use Regulations

USE - accessory to the permitted or conditional principal <i>use</i> on the same <i>zoning site</i>	ZONE		
	R1	R3	RR
<i>animal kennels or shelters</i>	NP	NP	C
<i>bed and breakfast</i> see Section 4.5 – BED & BREAKFASTS	P	NP	P
<i>boat house, dock or similar, subject to approval by authority having jurisdiction</i>	NP	NP	P
children's playhouse, dog house or similar	P	P	P
deck, patio, <i>gazebo</i> or similar	P	P	P
<i>fabric covered accessory buildings or structures</i>	NP	NP	NP
garden house, private greenhouse or conservatory, or similar	P	P	P
<i>garage, carport, tool shed or similar used for the storage of domestic equipment and supplies</i>	P	P	P
<i>home day care</i>	C	C	C
<i>home occupation, see home day care above</i> see Section 4.12 – HOME OCCUPATIONS	P	P	P
individual sewage disposal systems subject to approval by authority having jurisdiction	NP	NP	P
market gardening operations			
<i>parking and loading areas-</i> as required and regulated herein See Section 4.17 – LOADING and Section 4.21 - PARKING	P	P	P
refuse and garbage areas	NP	P	P
<i>signs</i> - as permitted and regulated herein see section 4.29 – SIGNS	P	P	P
swimming pool (private) and open or enclosed / hot tubs see Section 4.24 – POOLS.	P	P	P

USE		ZONE		
		R1	R3	RR
Assembly Places	community centres and <i>halls</i>	NP	P	C
<i>Boarding Houses</i>		C	C	C
<i>Child Care Services</i>	<i>group day care</i>	C	NP	P
Commercial	<i>neighbourhood commercial</i>	P	P	NP
Dwellings	<i>one-family</i>	P	P	P
	<i>two-family</i>	C	P	NP
	<i>multi-family</i>	NP	P	NP
	<i>mobile home</i>	NP	NP	P
	<i>modular home or factory-built house</i>	P	NP	P
	<i>secondary suites</i>	C	NP	C
<i>Education Facilities</i>	kindergarten and nurseries	C	C	C
Personal Care	<i>elderly persons housing (By-law 699-08)</i>	NP	P	NP
	<i>nursing homes</i>	C	C	NP
	<i>residential care facilities</i>	C	NP	C
Parks	<i>common elements in bare-land unit condominium plans</i>	P	P	P
	<i>open space, parks and playgrounds</i>	P	P	P
	<i>public reserves and walkways</i>	P	P	P
	<i>Planned Unit Development</i> See Section 4.22 – PLANNED UNIT DEVELOPMENT	C	C	C
<i>Religious Facilities</i>		P	P	P
Utilities and Services	utilities and public works	P	P	P

### 5.6.3 Bulk Regulations

Zone	Site Area (m <sup>2</sup> )	Site Width (m)	Use		Yard			Height (whichever is less)		Building Area per Dwelling (m <sup>2</sup> )	
					Front	Side		Rear	(m)		storey
						interior	corner				
R1	465	15.2	residential	1 storey	6.1	1.2 <sup>1</sup>	6.1	7.6	9.1	2	74
				2 storey							46
	3716	30.5	non-residential	religious facility	9.1	4.6	9.1	7.6 <sup>9</sup>	n/a	n/a	n/a
	697	22.9	residential	other				7.6	9.1	2	
	n/a	n/a	accessory temporary		6.1	0.6	6.1	0.6	4.6	1	
R3	4	21.3	residential (By-law 699-08)	1 storey	6.1	1.2 <sup>2</sup>	6.1	7.6	9.1	2	70
				2 storey							46
				apartment		3.7 <sup>7</sup>	4.6	10.7	13.7	3	n/a
				boarding house							
	5			row house	3.7	1.8 <sup>8</sup>	3.7				
	6	n/a									
	3716	30.5	non-residential	religious facility	9.1	4.6	9.1	7.6 <sup>9</sup>	n/a	n/a	
	697	22.9	residential	other				7.6	9.1	2	
n/a	n/a	accessory temporary		6.1	0.6	6.1	0.6	4.6	1		
RR	1394	24.7	residential		9.1	1.5	4.6	7.6	9.1	2	74
	3716	30.5	non-residential	religious facility		4.6	9.1	7.6 <sup>9</sup>	n/a	n/a	n/a
	697	22.9		other				7.6	9.1	2	
	n/a	n/a	accessory temporary			1.5	4.6	1.5	4.6	1	

The above table does not preclude compliance with Manitoba Transportation and Government Services, Manitoba Building Code and Manitoba Fire Code requirements.

<sup>1</sup> Where a *garage* or *carport* is not included as part of the building permit application for the *one-family dwelling*, one *side yard* shall be increased by a minimum 5.5 m.

- 2 Where 2 *garages* or *carports* are not included as part of the building permit application for the *two-family dwelling*, both *side yards* shall be increased by a minimum 5.5 m.
- 3 Where a rear face of building does not contain any required window to a living room, the *rear yard* may be reduced to 7.6 m.
- 4 Site area shall be a minimum 162.6 m<sup>2</sup> for each *dwelling* unit.
- 5 Site area shall be a minimum 74.3 m<sup>2</sup> for each sleeping unit.
- 6 Site area shall be a minimum of 186 m<sup>2</sup> for each internal *dwelling* unit and 232 m<sup>2</sup> for each end *dwelling* unit, exclusive of *parking space*, streets, vehicular access and public *open space*.
- 7 *Side yard* shall be minimum:
  - 3.7 or ½ the height of a wall containing a required window to a *habitable* room, whichever is greater; but such distance need not exceed 7.6 m; or
  - 2.3 m or ¼ the height of a wall containing no windows of *habitable* rooms, whichever is greater; but such distance need not exceed 3.7 m.
- 8 *Side yard* shall be minimum:
  - 1.8 m where end wall contains no window to *habitable* rooms;
  - 7.6 m where end wall contains a required window to a *habitable* room other than a living room; and
  - 10.7 m where end wall contains a required window to a living room.
- 9 Where a church, church hall and Sunday school does not abut a residential site, the *rear yard* may be reduced to 3.0 m.

#### 5.6.4 Signs

ZONE	USE	TYPE	#	AREA (max)(m <sup>2</sup> )	HEIGHT (max)
R1	Residential	Identification	1 per <i>dwelling</i>	0.186	n/a
R2 RR	Non-Residential	Identification or Bulletin	1	1.67	
R3	<i>Multi-family or Boarding House</i>	Identification	1	0.557	
	Other	Identification or Bulletin	1	1.67	

See Section 4. 29 - SIGNS.



## **APPENDIX A - DEFINITIONS**

### **A**

Accessory Buildings, Structures and Uses means a *building structure and use* which:

- is subordinate in area, extent, or purpose to the *principal building, structure and use*;
- contributes to the comfort, convenience or necessity of occupants of the *principal building, structure and use*; and
- is located on the same *zoning site* as the *principal building, structure and use*.

Agricultural Operation means the *use* of land and associated *buildings* for agricultural purposes including:

- tillage and crop production, including hay and forage;
- apiculture, floriculture, horticulture;
- ground or aerial application of fertilizer, manure, soil amendments and pesticides;
- operation of agricultural equipment and machinery; and
- necessary *uses* accessory to normal agricultural activities, such as processing packing, storage or treating of produce.

See "*Livestock Production Operation*."

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

Alter or Alteration means:

- any structural change to a building that results in an increase or decrease in the area of a building;
- any move of a building or structure from one location to another;
- any change in the area, frontage, depth or width of a lot that affects the required yard, *open space* or parking requirements;
- any structural change to a *sign*; or
- any discontinuation of a principal *use* of a building or site and the replacement of it with a *use* that is distinct from the discontinued *use*.

Amusement Enterprise means an establishment where the principal business is providing video, pinball, player participation table top games or computer games for use by the general public, but does not include:

- machines that provide exclusively musical entertainment, rides, food or drink;
- premises licensed to serve alcohol under the appropriate statute;
- premises of a non-profit organization, association, institution or club which is operated for social, recreational, educational, religious or fraternity or sorority purposes; and
- an amusement park.

Animal Kennel means a premises on which 3 or more domestic pets are boarded, bred, trained or cared for, in return for remuneration or are kept for the purpose of sale, but does not include a *veterinary clinic*, animal hospital, animal pound or be used for the keeping of exotic animals such as lions, bears, and similar animals.

Animal Shelter means a premises or part thereof, used for the care of lost, abandoned or neglected animals.

Animal Unit (au) means the number of animals of a particular category of livestock that will excrete 73 kg of nitrogen in a 12-month period as established in "The Farm Practices

Guidelines” published by Manitoba Agriculture. See Section Subsection 5.1.5.4 – Animal Unit Summary Table.

Arena means a facility for sport activities, and may include ice surfaces for sporting activities.

Attached to Principal Building means a *building* or *structure* that is attached to the *principal building* by any of the following:

- roof;
- floor, except a slab on *grade*;
- open or enclosed *structure* above *grade*;
- foundation which is above *grade*; or
- any *structure* below *grade*, which allows access between *buildings* such as a *parking garage*, corridor or passageway connecting the *buildings*.

Auditorium means a *building* or *structure* where facilities are provided for athletic, civic, educational, political, religious or social events.

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

## **B**

Bare-land Unit Condominium Plan means a bare-land unit condominium plan as defined in The Condominium Act.

- Bare-land Unit in a *bare-land unit condominium plan* means a unit of land defined by delineation of its horizontal boundaries without reference to any *buildings* on a condominium plan. For purposes of this By-law, a bare-land unit in a *bare-land unit condominium plan* shall be considered a “site” as defined in this By-law.

See “*Common Element*.”

Basement means a storey of a building located below the first storey and is the portion of a building between two floor levels, which is partially underground and which has at least one half of its height, from finished floor to underside of first floor joists, below the average level of the finished ground surface adjacent to the exterior walls of the building, and in which the height from finished grade to ceiling level is less than 1.8m. (By-law 699-08)

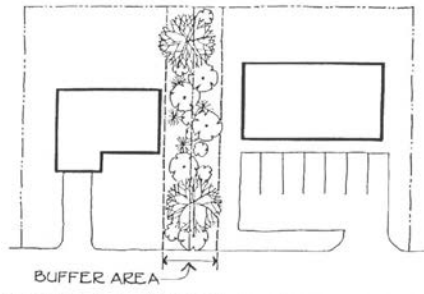
Batching Plant means an industrial facility producing bulk processed materials used in *building* or construction, and may include facilities for the administration or management of the business, stockpiling of bulk materials used in the production of finished products manufactured on the premises and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

Bed and Breakfast means an accessory use of a principal *dwelling* unit in which temporary overnight accommodation and limited meals are provided to overnight paying guests. See “*Boarding House*,” “*Home Occupation*” and Section 4.5 – BED AND BREAKFAST.

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

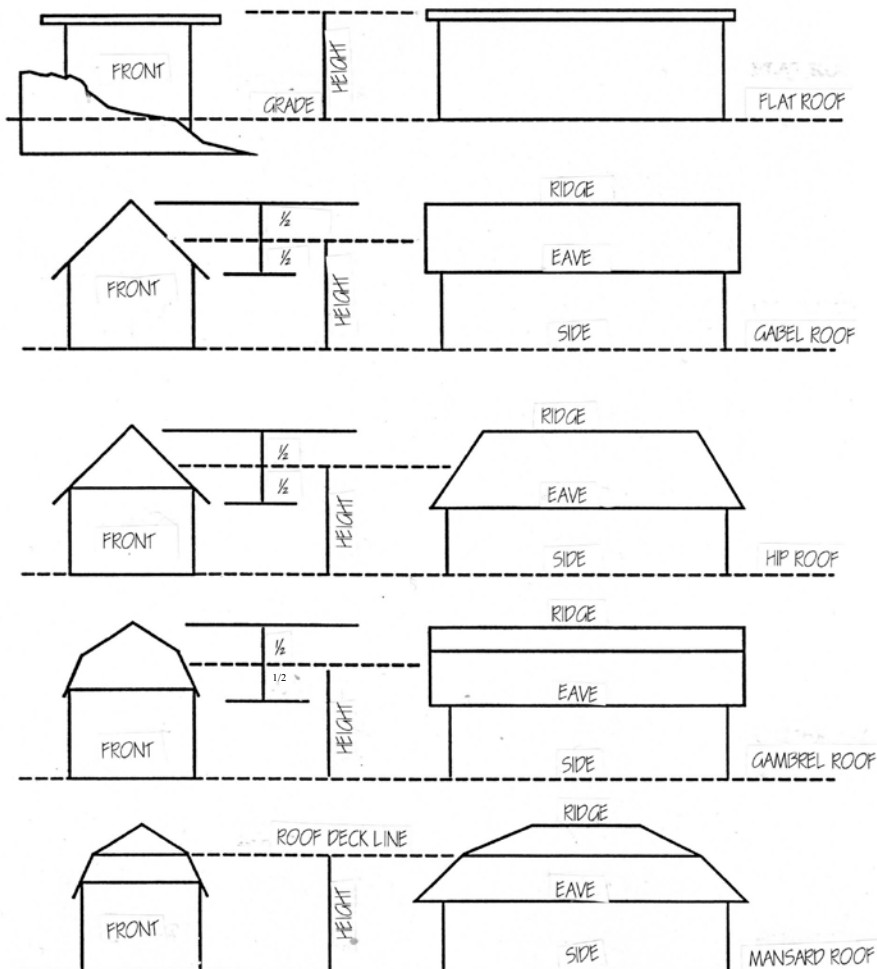
Boat House means a *building* or part thereof, used by the occupants of the premises primarily for the *parking* or storage of private boats or other personal watercraft, but does not include living accommodations.

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



**Building** means a structure having a roof supported by columns or walls for the housing or enclosure of animals, goods and chattels. Where a dwelling is separated by a division wall without openings each portion of such dwelling shall be deemed a separate building. See "Accessory Building," "Attached to Principal Building," "Farm Building," "Principal Building" and "Temporary Building."

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



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

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

Bulk Regulation means the size and mutual relationships of a *building* or *structure* and the location of same with respect to:

- *floor area* and height of the *building* or *structure*;
- location of exterior walls at all levels in relation to *site lines* or other *buildings*;
- *floor area* of the *building* in relation to the *site area*;
- all *open space* allocated to the *building*; and
- the area and width of the *zoning site* upon which a *building* is located, and the number of *dwelling* units or rooms within such *building* in relation to the area of the *zoning site*.

Bus Terminal means a *building* or part thereof, where commercial motor vehicles pick up and discharge fare-paying passengers, and may include ticket *offices*, luggage checking facilities and similar *uses*.

## C

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

Carport means a permanent roofed *structure*, which is attached to the *principal building*, and has not more than 60% of the total perimeter enclosed by walls, doors or windows, used for the storage or *parking* of motor vehicles.

Car Wash means an establishment used for the washing, cleaning or polishing of motor vehicles.

Child Care Services means a service providing for the care of children, apart from their parents or guardians for a period in any 1-day not exceeding 14 hours, for remuneration or reward. See “*group Day Care*” and “*Home Day Care*.”

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

Common Elements for the purposes of this By-law, those “*common elements*” in a *bare-land unit condominium plan*, which are normally used for the passage of vehicles or pedestrians, including roads, road allowances, *streets*, *lanes*, bridges, but not including pedestrian walkways or vehicle *parking areas*, shall be considered a *street* or a *lane* as defined in this By-law. See “*Bare-land Unit Condominium Plan*.”

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

Condominium means a *condominium* as defined in The *Planning Act*. See “*Bare-land Unit Condominium Plan*” and Section 4.4 – BARE-LAND UNIT CONDOMINIUM PLANS.

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

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

## D

Development Permit means a *development permit* as defined in The *Planning Act*.

Drinking Establishment means an establishment licensed pursuant to provincial legislation, where alcoholic beverages are served for consumption on the premises.

Dwelling means a *building* or part thereof, designed for residential occupancy. See "factory-built home," "mobile home" and "modular home."

- Dwelling Unit means 1 or more rooms in a *building* designed for 1 or more persons as a single housekeeping unit, with cooking, eating, living, sleeping and sanitary facilities.
- One-Family Dwelling means a detached *building* designed for and used by 1 *family*.
- Two-Family Dwelling means a semi-detached or duplex *building* designed for and used by 2 families, each having exclusive occupancy of a *dwelling* unit.
- Multi-Family Dwelling means a *building* containing 3 or more *dwelling* units, with each unit designed for and used by 1 *family*, each having exclusive occupancy of a *dwelling* unit.
- Seasonal Dwelling means a one-family detached *dwelling* used essentially for recreation, rest or relaxation, throughout any season of the year, by any person or persons, but not used or intended to be used continuously in excess of 5 months or as a permanent residence.

## E

Eating Establishment means an establishment where food is prepared and served on the premises for sale to the public, and may include outdoor seating areas. Typical examples include restaurants, delicatessens, cafeterias and tearooms. See "Drinking Establishment."

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

Elderly Persons Housing means residences that provide for independent living with access to in-house communal services. Such facilities may be (1) equipped with one or two

*bedroom self contained apartments generally designed for single or double occupancy; (2) contain central dining facilities where prepared meals can be served to the residents; (3) employ full time nursing or medical assistance and supervision; and (4) may provide other additional services to residents. (By-law 699-08)*

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*. See “*Extension*.”

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

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

Extraction Operation means the on-site extraction of surface or subsurface mineral products or natural resources including sand, gravel, clay, earth or mineralized rock found in or under the site. Typical *uses* include, but are not limited to quarries, borrow pits and gravel pits. This does not include processing of raw materials transported to the site.

## F

Fabric covered accessory buildings or structures means buildings or structures made of canvas, polyethylene, reinforced polyethylene, kevlar, nylon or similar material

Factory-Built House means a manufactured *dwelling*, whether of modular (built in 2 or more sections) or unitary construction, which complies with the National Building Code, and which is built off-site by a manufacturer having CAN/CSA-A277 “Procedure for Certification of *Factory-built houses*” accreditation. For purposes of this By-law, a “*factory-built house*” shall not include a “*mobile home*” as defined herein.

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

Family means 1 or more persons related by blood, marriage, or common-law marriage, and may include adopted and foster children; or a group of not more than 4 persons who may not be related by blood or marriage, but who live together as a single housekeeping unit. The term “*family*” shall not be construed to mean fraternity, sorority, *club* or institutional group.

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

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

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

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

Funeral Chapel means a *building* or part thereof, used primarily for human funeral services, and shall not contain facilities for services used in the preparation of the dead for burial, the storage of caskets, funeral urns and other related funeral supplies. *Garage* or other *accessory buildings* may be used for the storage of funeral vehicles.

Funeral Home means a *building* or part thereof, used for human funeral services, and may contain facilities for services used in the preparation of the dead for burial, the storage of caskets, funeral urns and other related funeral supplies, the storage of funeral vehicles and facilities for cremation.

## G

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

Garden Centre (commercial) means an establishment providing for the retail sale of bedding, household and ornamental plants and associated merchandise, and may include display gardens, but not on-site outdoor cultivation or propagation of plants.

Gazebo means a free-standing, roofed *accessory structure*, which is not enclosed, except for screening or glass, and which is used for the purposes of relaxation in conjunction with a residential *dwelling*.

Grade means the average level of finished *grade* calculated at the perimeter of a site, or for *structures* at the average level at the base of the exterior walls, or as determined by the Development Officer.

Group Day Care means a provincially licensed facility with access to an outdoor recreational area, where *child care services* are provided to 9 or more children who are not over the age of 12.

## H

Habitable Space means a place, site or space in a *dwelling*, which could be used for human occupancy.

Hall means a *building* or part thereof, used for the purpose of entertaining a large group of people where food and liquor are generally provided.

Heavy Industrial Use means a facility generally used for mass-production of goods from raw materials through the *use* of an assembly line or similar process, usually for sale to wholesalers or other industrial or manufacturing *uses*. Heavy industry may produce external effects such as odour, dust, refuse, waste, vapour, smoke, gas, vibration or noise.

Historic Site or Centre means a site or *building*, or both, designated to be of historical significance by the Government of Canada, Government of Manitoba or the LGD of Pinawa.

Home Day Care means a privately-owned *dwelling* or part thereof, or a church or parish *hall* with access to an outdoor recreational area, where *child care services* are provided to less than 9 children, and may include the children of the owner or tenant.

Home Occupation means an occupation that is accessory to a residential use. See Section 4.12 – HOME OCCUPATIONS.

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



## I

Industrial Use see “*Light Industrial Use*” and “*Heavy Industrial Use*.”

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

## K

## L

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

Landscaping Establishment see “*Contractor’s Establishment*” and “*Garden Centre*.”

Lane means a *street* 10.1 m or less in width.

Light Industrial Use means a facility used for processing, assembling or manufacturing component parts or finished products, but does not include any operation involving stamping presses, furnaces, production of volatile chemicals or the emission of any air, water or noise pollution that creates a nuisance outside of the *building*. Such *uses* shall not generate any outside activity other than loading and *parking areas*.

Livestock Production Operation means any *agricultural operation* where livestock are confined, fed or raised, including high *density* seasonal cattle feeding areas exceeding 1 mature animal per 100 m<sup>2</sup>, but does not include:

- an operation for the slaughter or processing of livestock;
- an operation for the grading or packing of livestock or livestock products;
- an operation for transporting livestock or livestock products;
- a livestock auction market; and
- a cattle pasturing operation.

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

## M

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

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

Manure Storage Facility means a *structure*, reservoir, *Earthen Storage facility*, molehill or tank for storing livestock manure, but does not include the following:

- field storage;
- vehicle or other mobile equipment used for transportation or disposal of livestock manure; or
- under-barn concrete storage pits used for short-term containment of livestock manure.

Mobile Home means a detached *one-family dwelling*, which is factory-built, compact and transportable, with the following characteristics:

- the unit is designed for the long-term occupancy and domestic *use* by 1 or more individuals living as a single housekeeping unit; and contains cooking, eating, living, sleeping and sanitary facilities, and has plumbing and electrical connections for permanent attachment to outside systems;
- the unit is designed to be moved or transported, after fabrication, on its own wheels, other trailers, or detachable wheels;
- the unit is designed and built in conformity with the Canadian Standards Association (CSA) Z240 series standards for *mobile homes*; and/or
- *the unit has the appearance of, or resembles, a mobile home based on maximum length to minimum width aspect ratio of 2 or more. (By-law 699-08)*

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

Motel See “Hotel.”

## N

Neighbourhood Commercial means an establishment that serves the needs of the adjacent neighbourhood. Typical examples include convenience stores, *personal service establishments* and *health services* establishments. See “*Personal Service Establishment*” and “*Health Services*.”

Non-Conformity means 1, or a combination of 1 or more, of the following:

- a site or *parcel of land*;
- a *building* or *structure*; and
- a *use* of a *building* or *structure* or land,

which lawfully existed prior to the effective date of this By-law or amendments thereto, but does not comply with 1 or more of the applicable *bulk regulations* contained within this By-law or amendments thereto. See Section 3.5 – NON-CONFORMITIES.

Nursing Home means an establishment where care and lodging is provided, and which may provide or make available, meals, personal care, nursing services or medical care and treatment.

## O

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

mail order sales where no stock or merchandise is retained or stored on the premises except as may be used for display or showroom purposes and similar other like *uses*.

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

Outdoor Market means an area where individual vendors operating from stalls, booths, or other defined areas offer articles such as fresh fruit or vegetables, uncooked poultry, fish and meat, eggs, honey, cider, cut flowers, bedding plants, or baked foodstuffs, handicrafts and the like.

## **P**

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

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

### Parking

- Accessory Off-Street Parking means a space on the premises other than *streets*, used for the temporary *parking* of motor vehicles.
- Parking Area means an area used for the temporary *parking* of motor vehicles and is available for public *use* whether free, for compensation or as an accommodation for clients, customers, employees or visitors.
- Parking Space means a space in a *parking area*, *public parking area* or *zoning site* for the temporary *parking* or storage of a motor vehicle. A *parking space* shall have adequate provision for vehicular entry, exit and manoeuvrability.

See Section 4.21 – *PARKING*.

Performance Standards means a standard established to control noise, odour, smoke, toxic or noxious matter, vibration, explosive hazards, glare or heat generated by, or inherent in, *uses* of land or *buildings*. See Section 4.19 – *NOXIOUS OR OFFENSIVE USES*.

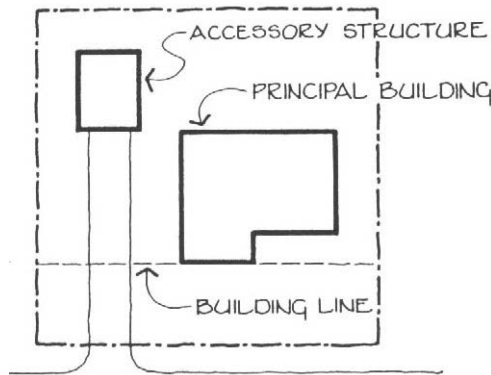
Permitted Use means the *use* of a *building*, *structure* or land, which is listed in this By-law as a “P” *permitted use* in the *use* tables for each zone.

Personal Service Establishment means an establishment providing services to the individual and personal needs of persons. Typical examples include barbershops, beauty parlours, hairdressing shops, hand laundries, shoe repair and shoe shining shops, tailor and dressmaking shops, valets and depots for collecting dry cleaning, laundry and the like. See “*Neighbourhood Commercial*.”

Planned Unit Development means a *planned unit development* as defined in The *Planning Act*.

Planning Act means The *Planning Act*, S.M. 1975, Chapter 29, being Chapter P80 of the Continuing Consolidation of the Statutes of Manitoba, and amendments thereto.

Principal Building means a *building*, which contains the *principal use* permitted on a particular site in a particular zone.



Public Reserve means a *public reserve* as defined in The *Planning Act*.

Public Utility means any system, works, plant, equipment or service, which provides services or facilities at approved rates to or for the *use* of residents of the LGD including:

- communication services and facilities, such as telephone, telegraph, wireless or cable television;
- public transportation, such as bus or other vehicle;
- water, gas or electrical production, transmission or delivery to the public at large;
- sewage, garbage or other waste collection; or
- public works yard.

See Section 4.25 – PUBLIC MONUMENTS AND STATUARIES - PUBLIC SERVICES AND PUBLIC UTILITIES.

## R

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

Religious Facility means a *building* or *structure* used for worship and related activities. Typical examples include churches, chapels, mosques, temples and synagogues.

Residential Care Facility means a building or part thereof, however named, that is advertised, announced or maintained for the express or implied purposes of providing residential care or transitional services to more than 3 but not more than 10 adults, or to more than 4 but not more than 10 children, where these persons are ambulatory and not related by blood or marriage to the operator.

Retail Business means an establishment or part thereof, used for the sale of goods, wares or merchandise directly to the public.

## S

School means a *school* under the jurisdiction of a Board as defined in The Education Act.

Service Station means an establishment providing for the sale of fuel, oil and accessories for motor vehicles, and may include car washes and servicing and repair of motor vehicles.

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

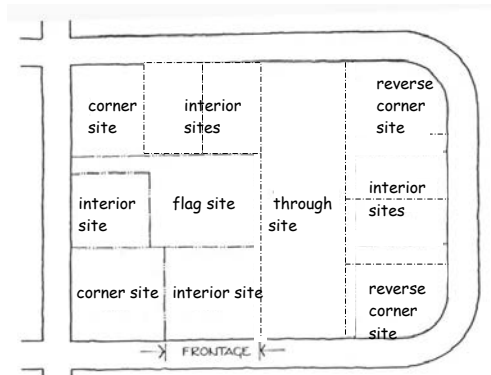
Sign means any writing (including letter, word or number), pictorial representation (including illustration or decoration), emblem (including devise, symbol or trademark), banner, pennant or any other figure of similar character which:

- is a *structure* or any part thereof, or is attached to, painted on or in any other manner represented on or in a *building* or other *structure*;
  - is used to identify, direct attention to, or advertise; and
  - is visible from outside a *building*, but does not include show windows.
- Advertising Sign means a permanent *sign* directing attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere upon the same *zoning site* where the *sign* is maintained, and may include a billboard *sign*.
  - Bulletin Board means a permanent *sign* with movable copy indicating community events or names associated with events located on-site, or products or services upon the same *zoning site* where the *sign* is maintained. Typical examples include *school*, church, and community centre bulletin boards.
  - Business Sign means a *sign* directing attention to a business, commodity, service or entertainment conducted, sold or offered on the same *zoning site*. Typical examples include *signs* for gas stations, *eating establishments* or sleeping accommodations.
  - Construction Sign means a *sign* identifying a construction project and information relative thereto.
  - Directional Sign means a *sign* indicating the distance or direction, or both, to a place of business, event, or other *premises* indicated on the *sign*.
  - Identification Sign means a *sign* identifying a business, owner, resident or the *street* address, and which sets forth no other advertisement.
  - Mobile Sign means a *sign*, which may include movable copy or panels, which is mounted on a trailer, vehicle, stand or similar support *structure* that allows the *sign* to be readily relocated to another location.
  - Real Estate Sign means a *sign* advertising the sale, rental or lease of the site on which it is located.
  - Undefined Sign means a *sign* that cannot be clearly defined as any of the *sign* types defined in this section, or is deemed to be a combination of types. In such cases the *Development Officer* shall determine the *sign* type and the regulations applicable thereto.

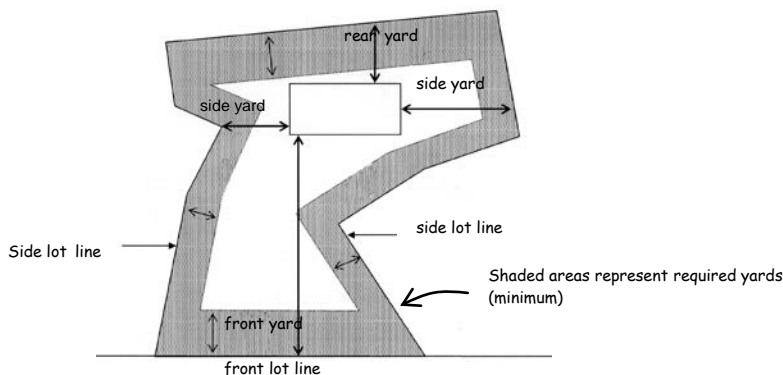
See Section 4.29 – SIGNS.

Site see Zoning Site.

- Corner Site means a site situated at the intersection of 2 streets, where the interior angle of such intersection does not exceed 135 degrees.
- Reverse Corner Site means a corner site where the side site line is substantially a continuation of the front site line of the first site to its rear.
- Flag Site means a site not fronting or abutting a public roadway and where access to the public roadway is limited to a narrow private right-of-way.
- Interior Site means a site other than a corner site or a through site.
- Through Site means a site having a pair of opposite site lines along 2 more-or-less parallel streets.
- Where a through site has vehicular access across both frontages, both street lines shall be deemed front site lines.
- Where a through site has a depth of 61 m or greater, it may be considered as 2 sites, with the rear lot line being approximately equidistant from the front site lines, provided there is compliance with all site area, site width and yard requirements.
- Where a through site has a depth less than 61 m, the Development Officer shall determine which one of the site lines is to be considered the rear site line.



- Irregular Site means a site of such shape or configuration that technically meets the area, frontage and width requirements of this By-law, but meets these requirements by incorporating unusual elongations, angles, curvilinear lines unrelated to topography or other natural features. The front, rear and side site lines shall be determined by the Development Officer.



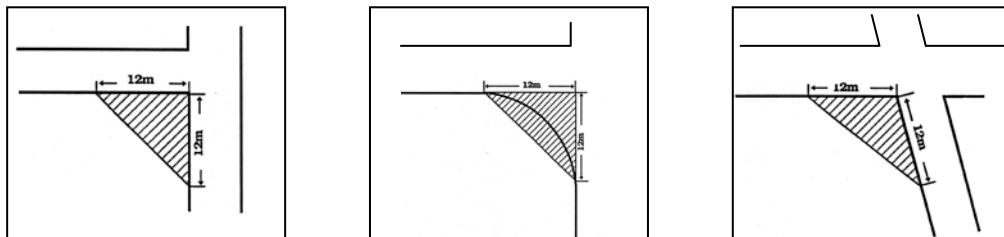
Site Area means the total area contained within the *site lines*.

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 Line means the boundary of a lot or site, including:

- Front Site Line means that boundary of a site, which abuts an *existing* or designated *street*.
  - In the case of a *corner site*, the front *site line* shall be the shortest *site line* which abuts an *existing* or designated *street*, except where an interior site abuts the *corner site*, then the front *site line* shall be that line which is the continuation of the front *site line* of the interior site.
  - In the case of a site which does not have frontage on an *existing* or designated *street*, and is provided sole means of access by right-of-way, the right-of-way shall be deemed a *street* for purposes of determining site requirements. The front *site line* shall be the *site line*, which abuts the right-of-way. Where the right-of-way is contained within the site, that portion of the right-of-way facing the interior of the site shall be deemed the front *site line*. Where a *street* or right-of way does not cross or abut the entire width of a site, the *site line* having greatest length abutting the *street* or right-of-way shall be deemed the front *site line*.
- Rear Site Line means that boundary of a site which is most nearly parallel to the front *site line* and in the case of a site in which the side *site lines* intersect, such as a triangular site, a line 3.05 metres 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.
- Site Triangle means the triangular space formed by the *street* lines of a corner lot and a line drawn from a point in one *street* line to a point in the other *street* line, measured along the *street* line.



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

- at a point midway between the front and rear site or at a point 15.24 m from the front *site line*, whichever is the lesser; or
- in a case where the *site depth* is greater than 91.44 m, and the site's *front yard* requirement is greater than 18.29 m, at the point of minimum *site depth*.

Storage Facility (commercial) means a development, which includes a series of enclosed storage bays or lockers, and may include exterior storage sites for recreational vehicles, all

of which are intended for rental or lease to the general public. See Section 4.30 – EXTERIOR STORAGE & DISPLAY IN YARDS.

*Storey means that portion of a building that is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it.*

- *First Storey means the storey closest to finished grade having its ceiling 1.8 m or more above average finished grade adjacent to the exterior walls of the building. (By-law 699-08)*

Street means a *street* as defined in The *Planning Act*.

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. Typical examples include *buildings*, walls, fences, *signs*, billboards, poster panels and light standards.

Subdivision means the division of a parcel by an instrument including a plan of *subdivision*, conveyance, deed or mortgage, as defined in The *Planning Act*.

## T

Temporary Building means a removable building, structure or use permitted on a temporary basis. See Section 4.31 – TEMPORARY BUILDINGS, STRUCTURES AND USES.

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

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

## U

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

## V

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

## W

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

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

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

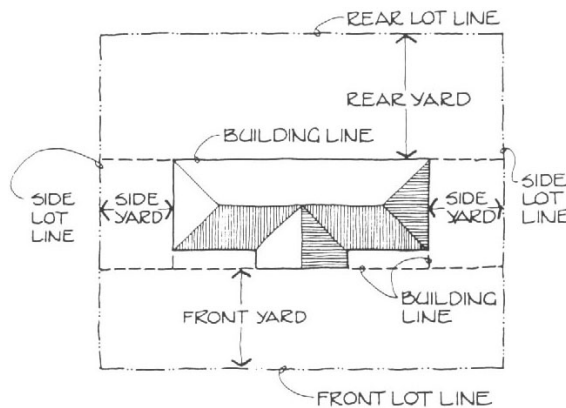


Wrecking Facilities – Automotive and Equipment means an area of land deemed as a Class 2 development in accordance with the Environment Act, which is used for the storage and processing of wrecked motor vehicles, industrial equipment or farm equipment.

## Y

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

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



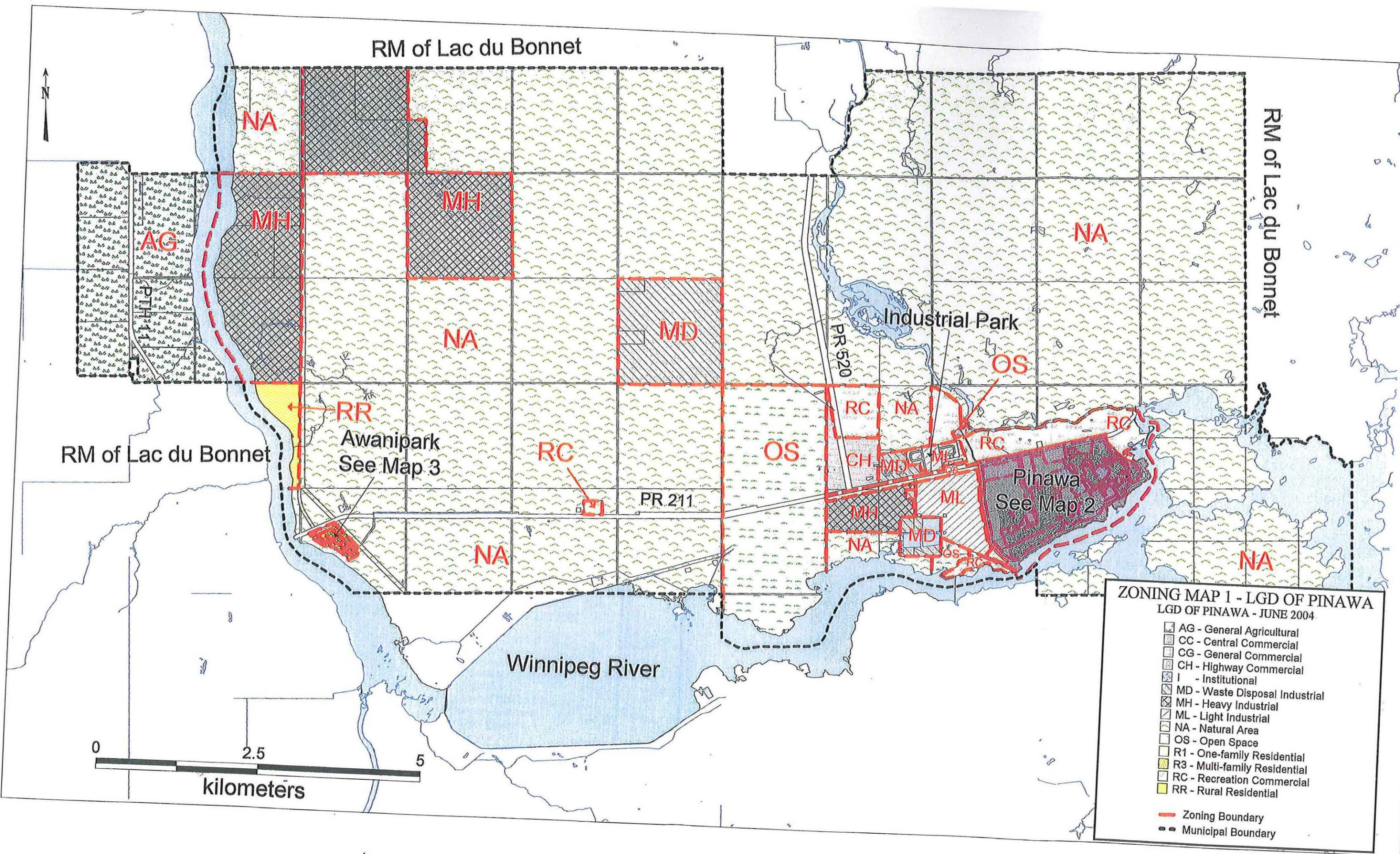
See "Irregular Site" diagram.

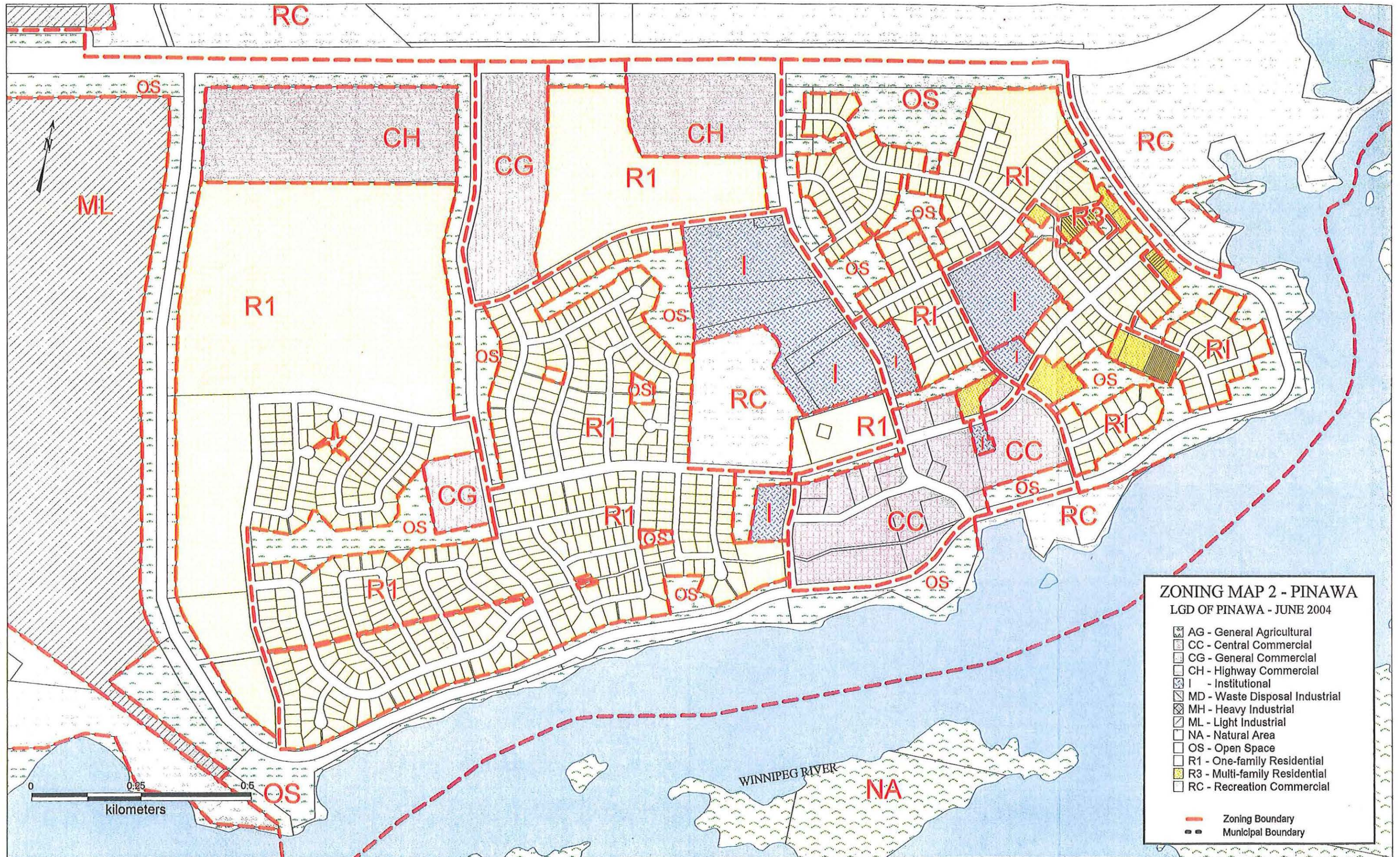
## Z

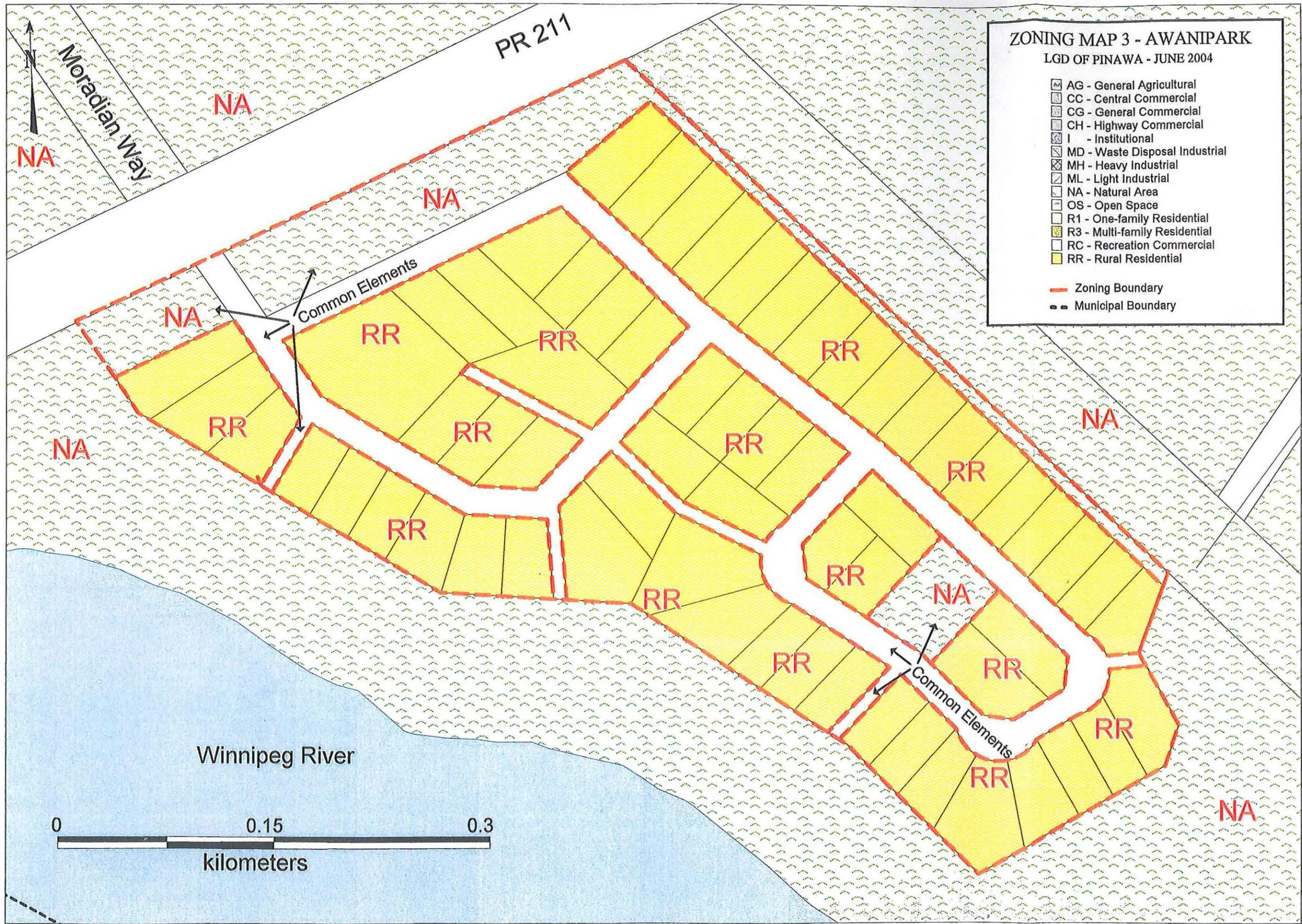
Zoning Site means an area of land consisting of a lot, or 2 or more abutting lots, or a *parcel of land* occupied or intended for occupancy by a permitted or conditional use in that particular zone, including one *principal building* or *structure*, and any *accessory buildings*, *open spaces* and *parking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

## **APPENDIX B – ZONING MAPS**

- MAP 1: ZONING MAP 1 - LGD of PINAWA
- MAP 2: ZONING MAP 2 - PINAWA
- MAP 3: AWANIPARK
- MAP 4: INDUSTRIAL PARK



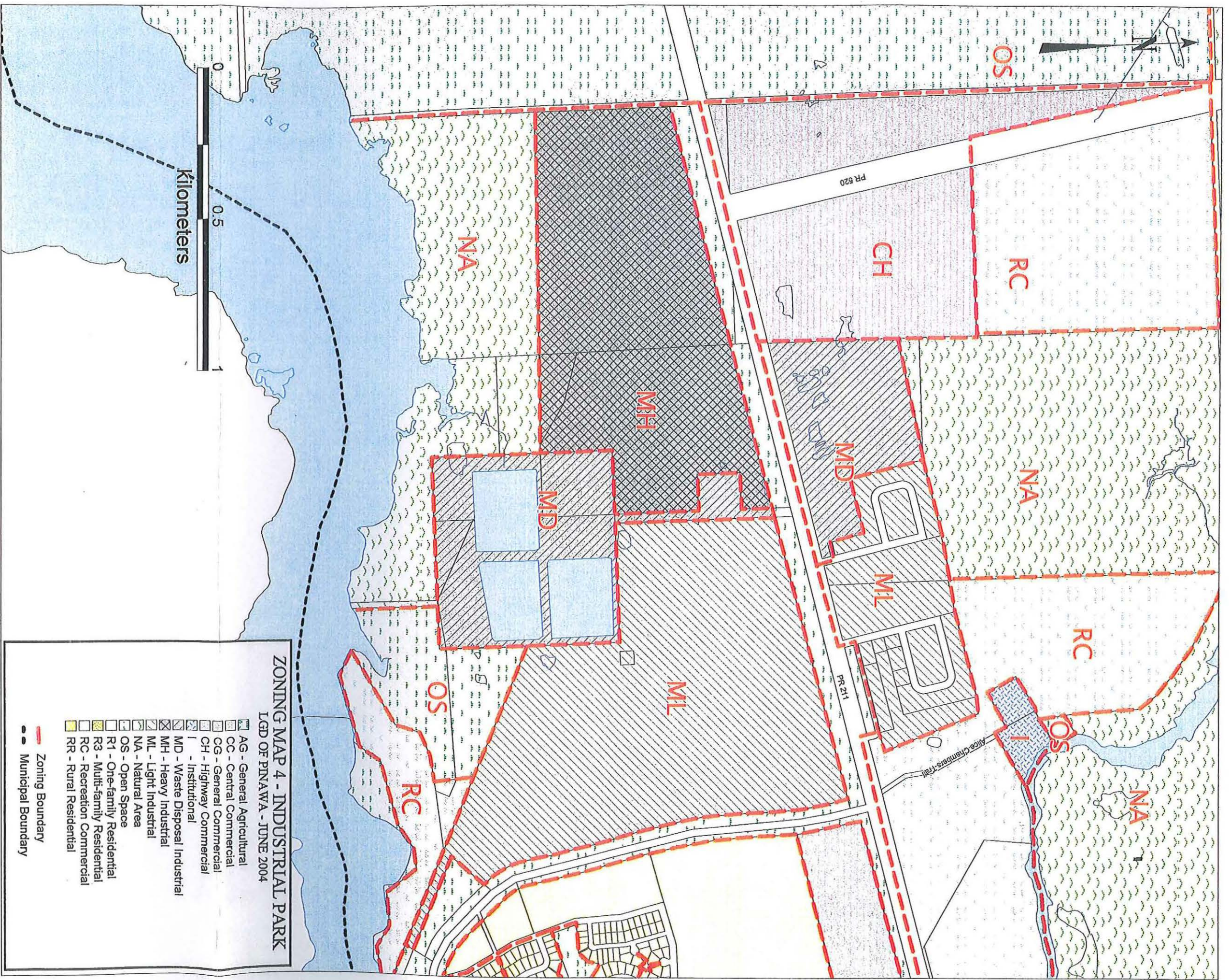




**ZONING MAP 3 - AWANIPARK**  
 LGD OF PINAWA - JUNE 2004

	AG - General Agricultural
	CC - Central Commercial
	CG - General Commercial
	CH - Highway Commercial
	I - Institutional
	MD - Waste Disposal Industrial
	MH - Heavy Industrial
	ML - Light Industrial
	NA - Natural Area
	OS - Open Space
	R1 - One-family Residential
	R3 - Multi-family Residential
	RC - Recreation Commercial
	RR - Rural Residential

Zoning Boundary  
 Municipal Boundary



**ZONING MAP 4 - INDUSTRIAL PARK**  
 LGD OF PINAWA - JUNE 2004

- AG - General Agricultural
  - CC - Central Commercial
  - CG - General Commercial
  - CH - Highway Commercial
  - I - Institutional
  - MD - Waste Disposal Industrial
  - MH - Heavy Industrial
  - ML - Light Industrial
  - NA - Natural Area
  - OS - Open Space
  - R1 - One-family Residential
  - R3 - Multi-family Residential
  - RC - Recreation Commercial
  - RR - Rural Residential
- Zoning Boundary  
 Municipal Boundary