



# MUNICIPALITY OF **VICTORIA**

ZONING BYLAW NO. \_\_\_\_\_

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# HOW TO USE THIS ZONING BY-LAW

This zoning bylaw regulates the use, size, height and location of buildings on properties within the Municipality of Victoria. There is a simple four-step process to determine the uses and structures that are permitted on a specific piece of property.

## 1 What zone is your property located in?

- Use the Zoning Maps in Schedule A to determine the zoning for your property.
- Reference Part 5: Zones for a description of the intent of that particular zone.
- Look in the South Central Planning District Development Plan to confirm your proposal fits with the applicable policies in those documents.

## 2 What uses are permitted in your zone?

- Find the column with the zone of your property in the applicable Use & Bulk Table in Part 5: Zones.
- Uses marked with the letter 'P' are permitted uses and may be developed once you have received a development permit.
- Uses marked with the letter 'C' are conditional uses that may or may not be acceptable in a zone depending on the particular circumstances of a proposed development. Conditional uses require a public hearing process and may have extra conditions imposed on the use to make it acceptable for the location.
- Uses that have use-specific requirements referenced in a Use & Bulk Table can be found in Part 4: Use Standards.

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

- Find the applicable Use and Bulk Table for the zone of your property in Part 5: Zones
- The Use & Bulk Table provides information on allowable height of buildings and structures, required yards, and other spatial requirements for a property.
- To understand the specific details of these requirements, you may need to reference Part 2: General Regulations and Part 7: Definitions.

## 4 What kind of permits do you need?

- In most cases, you will need a development permit before you start any change in land use or any development (including construction of a building) on a property.
- Check Part 6: Administration to see if your planned development is exempt from needing a development permit. If so, you may proceed with development, as long as it meets the other requirements in this zoning bylaw and other applicable bylaws.
- If you need a development permit, fill out a development permit application.
- You are responsible for finding out any other provincial or federal regulations applying to your development, as well as any other required local permits, including building permits, electrical permits, demolition permits, etc.

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# **PART 1: APPLICABILITY AND SCOPE**

## **1.1 Title**

This bylaw shall be known as the Municipality of Victoria Zoning Bylaw.

## **1.2 Scope**

This bylaw applies to all lands in the Municipality of Victoria as indicated on Maps 1-3 of Schedule A of this bylaw.

## **1.3 Application**

This bylaw regulates:

- a) The construction, erection, alteration, enlargement or placing of buildings and structures
- b) The establishment, alteration, or enlargement of uses of land, buildings and structures
- c) All other forms of development not included above.

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

Within the Municipality of Victoria, no land, building or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered enlarged or placed, except in accordance with this bylaw and only after all required permits have been obtained by the owner.

## **1.5 Restrictions in Other Bylaws or Federal and Provincial Laws**

Whenever a provision of another bylaw or a law or regulation of the provincial or federal government contains a restriction governing the same subject matter contained in this bylaw, or imposes inconsistent regulations with respect to uses, buildings or structures, the most restrictive or highest standard shall prevail.

## **1.6 Does Not Promote Nuisance**

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

## **PART 2: GENERAL REGULATIONS**

The following regulations shall apply to all use and development of land and buildings in the Municipality of Victoria, except where otherwise noted in this bylaw.

### **2.1 Regulation of Uses**

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

- a) is listed in the Use & Bulk Table as:
  - (i) A Permitted Principal Use
  - (ii) A Permitted Secondary Use
  - (iii) A Conditional Principal Use, subject to approval as such
  - (iv) A Conditional Secondary Use, subject to approval as such
- b) is a Temporary Use

### **2.2 Principal Uses**

Only one (1) principal use and associated principal building shall be permitted on a single zoning site, except where it is reasonable to accommodate more than one (1) principal use or building on the same site without requiring subdivision or rezoning of the subject parcel (e.g., residential complex, mobile home park, planned unit development, mixed use development).

Development permits for additional principal uses may be issued at the discretion of Council.

### **2.3 Secondary Uses**

- a) More than one (1) secondary use may be permitted on a single zoning site, subject to the requirements of this bylaw.
- b) No secondary use or associated structure shall be established prior to the establishment of the principal use of the land, building or structure to which it is secondary, and must comply with the following regulations:
  - (i) The area of land or buildings used or occupied by secondary uses on a site shall not exceed the area of land or buildings respectively used or occupied by the principal use on the same site
  - (ii) No land, building or structure shall be used or occupied for any secondary use after the use or uses to which it is secondary have been discontinued
  - (iii) A secondary use shall be located on the same zoning site as the principal use to which it is secondary



## **PART 2: GENERAL REGULATIONS**

- (iv) A secondary use that is located within the principal building shall be subject to and conform to the requirements for the principal building. A secondary use located within a detached accessory building shall be subject to and conform to the requirements for the accessory building

### **2.4 Temporary Buildings, Structures or Uses**

- a) Temporary buildings, structures or uses may be allowed on a non-permanent basis, subject to the issuance of a development permit under the following conditions:
  - (i) A development permit for a temporary building, structure or use shall be subject to such terms and conditions as required by Council or the Development Officer
  - (ii) Each development permit issued for a temporary building, structure or use shall be valid for a period of not more than six (6) months and may not be renewed for more than one (1) successive six (6) month period at the same location.
- b) As an exception to a) above, uses, buildings and structures associated with fairs, events, exhibitions, public markets, sales in public places, transient traders and similar, may be located on a temporary basis without obtaining a development permit, provided the necessary licenses are obtained as required

### **2.5 Multiple Uses or Provisions**

Where land, a building or a structure is used for more than one purpose, all provisions of this bylaw relating to each use must be satisfied. Where more than one provision in this bylaw is applicable, the higher or more stringent requirement shall apply, unless specified otherwise.

### **2.6 Accessory Buildings and Structures**

No accessory building or structure shall be constructed or erected, except those in compliance with the following regulations:

- a) Where the accessory building or structure is attached to a principal building or structure, it shall be subject to, and shall conform to, all regulations of this bylaw applicable to the principal building or structure
- b) Where the accessory building or structure is detached from the principal building or structure, it shall be subject to, and shall conform to, all regulations of this bylaw applicable to accessory buildings or structures
- c) Detached accessory buildings or structures shall not be located in any required front yard, with the exception of the AG and AL zones
- d) No accessory building or structure shall be used as a dwelling, except where otherwise permitted in this bylaw
- e) No accessory building or structure shall be constructed on any zoning site prior to the establishment of the principal use to which it is accessory, except where it is allowed by written agreement from the Municipality of Victoria

## **PART 2: GENERAL REGULATIONS**

- f) Notwithstanding 2.4 e) above, an accessory garage or storage building may be constructed or erected for the purpose of storing materials and equipment for use during construction of the principal building, provided that a development permit and building permit has first been obtained for the principal building on same the zoning site as the accessory building or structure
- g) No building or structure that is accessory to a conditional use shall be constructed or located on a site, prior to approval by Council, if the accessory building or structure would contribute significantly to an intensification or expansion of the conditional use
- h) In no instance shall an accessory building or structure be located within a dedicated easement or right-of-way

### **2.7 Required Yards / Permitted Projections**

- a) Required yards shall be free of buildings, except permitted accessory buildings, which must conform to the other requirements of this bylaw
- b) Open, unenclosed projections, whether vertical or horizontal, such as stairs, landings, awnings, porches, and unenclosed balconies, may extend into the required yards for not more than 50 per cent of the required yard depth, up to a maximum of 5 feet, except for wheelchair ramps (or similar accessibility structures), which are not subject to the restrictions for required yards
- c) Enclosed projections of a building, including chimneys, alcoves and bay windows may extend into a required yard up to 50 per cent of the required yard depth to a maximum projection of 5 feet, whichever is the lesser, provided that no more than 10 sq. ft. of area within any required yard is occupied by these types of projections
- d) Landscaping features such as walkways and patios at grade level, ornamental plantings, fences and other decorative features are permitted within any required yard, subject to the other requirements of this bylaw
- e) Any parking and/or loading spaces required under this bylaw may be located in a required side or rear yard but are prohibited in the required front yard of all zones, except the AG and AL zones. This shall not prohibit the use of a required front yard for such walkways and driveways as deemed necessary by the Development Officer

### **2.8 Party Walls**

- a) A building containing more than one (1) unit, divided by common party walls (such as a two-family dwelling, row house or strip mall) may be subdivided in a straight line along vertical party walls to permit the sale of individual units. Each site created shall have frontage on a street other than a lane
- b) The applicable side yard and bulk requirements shall be considered fulfilled for those side site lines contained within the party walls.

### **2.9 Bare Land Condominiums**

Where dwellings are to be developed in accordance with a bare land condominium concept, the minimum required site area, minimum required site width, and minimum required yards shall not apply to individual

## **PART 2: GENERAL REGULATIONS**

condominium units; however, the front and rear walls of the condominium structure shall be set back a minimum distance of 25 feet from the front and rear boundaries of the condominium lot, and the side wall shall be set back a minimum distance of 5 feet from the side boundary, unless the wall is a party wall, in which case the minimum required side yard shall be 0 feet.

### **2.10 Double Frontage Sites (Through Sites)**

Within the GD, RG, RA, and CG zones, where a site has frontage along two more or less parallel streets, the following provisions shall apply:

- a) Where the site depth is greater than 200 feet, both site lines which abut these streets shall be considered to be front site lines, and the adjacent yards shall both be considered to be required front yards; and
- b) Where the site depth is 200 feet or less, only one (1) site line shall be considered to be the front site line, and this determination shall be made by the development officer, based on the arrangement of existing buildings in the immediate area.

### **2.11 Yards Adjacent to Rural Roadways**

- a) Where a side or rear site line is adjacent to a government road allowance or other municipal road, the minimum required side or rear yard shall be:
  - (i) 125 feet in AG zone
  - (ii) 50 feet in the AL and RR zones
- b) In the case of sites which abut roads under provincial jurisdiction, the front, side and rear yard requirements shall be as established by the applicable provincial authority

### **2.12 Height Exceptions**

The height maximums in the Use and Bulk Tables shall not apply to limit the height of any ornamental dome, chimney, communication tower, electrical or telephone transmission line, television or radio mast, steeple, water storage tank, electrical apparatus, or the mechanical operation of a building, provided that no roof structure or any space above the height limit shall be permitted for the purpose of providing useable floor space.

### **2.13 Road Access**

- a) No permanent building may be constructed or placed on a parcel which does not have legal access to an improved public road
- b) Where an existing road needs to be upgraded or a new road developed to provide legal access for a proposed development, the development proponent shall enter into an agreement with the Municipality
- c) Any proposed new, modified or relocated access (including to intensify the use of an existing access) to a provincial trunk highway or a provincial road requires a permit from the applicable provincial authority

## **PART 2: GENERAL REGULATIONS**

### **2.14 Future Road Allowances**

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

### **2.15 Open Space at Intersections and Along Rural Roadways**

To keep intersections and rural roadways clear of features which may obstruct visibility, contribute to snow drifting or create a safety hazard to motorists, no building, structure, shelterbelt, hedge or stockpiling of materials exceeding a height of three (3) feet above grade, and no vehicular parking space or excavation (such as a dugout or gravel pit):

- a) Shall be placed at any time, in a manner that would create a safety hazard to traffic
- b) Shall be located within the 'restricted area' of an intersection, as defined in the General Definitions of Part 7, within all zones
- c) Shall be located in any required front yard, side yard or rear yard that is adjacent to an improved government road allowance in the AG zone, unless permitted by Council
- d) Exceptions to c) above include fences that are at least 75 per cent open in character, signs less than 50 sq. ft. in surface area, and small shelters for children at school bus stops

### **2.16 Water and Wastewater Facilities**

- a) In locations where piped, municipal drinking water and/or wastewater services are not available, onsite water and/or wastewater facilities may be developed in accordance with all applicable provincial regulatory requirements
- b) All onsite wastewater disposal facilities must be registered with the provincial authority having jurisdiction prior to installation by a licensed installer. It is the responsibility of the development proponent to apply for provincial permits and/or approvals for all onsite wastewater disposal facilities
- c) The provincial authority having jurisdiction should also be consulted about permitting or licensing requirements for private water supplies
- d) For development proposals that require significant volumes of surface water and/or groundwater, the development proponent will be required to investigate the need for a Provincial Water Rights License and development approval may be withheld until such time as a license is issued
- e) Where a site is served by piped, municipal drinking water and/or wastewater services, no permanent, principal building shall be constructed or placed unless it is connected to such services
- f) In cases where piped, municipal drinking water and/or wastewater services are introduced into an area where un-serviced development already exists, such development is required to connect to these services within time frames established by Council

## **PART 2: GENERAL REGULATIONS**

### **2.17 Public Utilities and Monuments**

- a) This bylaw shall be interpreted so as not to interfere with the construction, erection and location of the distribution facilities of a public utility (as defined in this bylaw), provided that the requirements are of a standard compatible with the adjacent area, and that any building or structure erected in any zone complies with the required yard and area requirements applicable to the zone
- b) Where a public utility of another municipality is proposed to be located within the Municipality of Victoria, it shall first apply to the South Central Planning District for approval prior to the commencement of development
- c) The use and bulk requirements of this bylaw do not apply to the transmission facilities (wires, pipes, poles and associated equipment such as transformers and sub-stations) of a public utility as defined herein, as equipment such as this may require only very small parcels or none at all (where easements are used)
- d) Oil and gas pipelines are deemed to be in compliance with this bylaw if they are constructed and operated in accordance with federal and provincial law
- e) All office buildings, warehouse facilities and storage compounds owned or used by any public utility or public works shall be subject to all of the provisions of this bylaw
- f) This bylaw shall be interpreted so as not to interfere with the establishment of public monuments and cairns

### **2.18 Site Reduced**

Where any site requirement (including site area, site width, required yards or parking) of an existing parcel of land is reduced below the requirements of this bylaw as a result of land acquired for any public work--such as a street, lane, public utility, public works, public park area or public monument--it shall be deemed to conform to the requirements of this By-law

### **2.19 Lot Grading**

- a) The landowner shall establish and maintain lot grading for adequate drainage so that there will be no free flow of water onto public sidewalks or adjacent properties, other than through a drain, ditch or swale
- b) No person shall proceed with any work that may alter or otherwise change the grading of a lot or a property by six (6) inches or more without approval of the development officer, who will consider the flood level, street elevation, installation of services, drainage and any effect on existing or established storm water runoff from that or any adjacent property

### **2.20 Moving and Demolition of Buildings**

- a) No building or structure shall be moved in whole or in part to any other location unless a development permit has been granted and every portion of the building or structure is made to conform to or, where a variation order is granted pertaining to the regulations of this bylaw, apply to the zone in which it is located and to the Building Bylaw
- b) Upon completion of the removal or demolition of a building from a site, the old foundation shall be removed, any excavation shall be filled, the ground shall be levelled, and the site shall be put in a

## **PART 2: GENERAL REGULATIONS**

safe condition to the satisfaction of the Development Officer, with whom Council shall rely on for advice that the site owner has undertaken appropriate action to ensure public safety on the affected site. Unless otherwise specified, a minimum of 6 inches of topsoil is to be added to complete the filling of the excavation.

### **2.21 High Water Table Areas**

Groundwater conditions are highly variable throughout the Municipality and in some areas, the groundwater table may be very close to the surface. It is the owner's responsibility to provide sufficient measures in the design of the building to adequately protect basements from groundwater infiltration and in the design of on-site wastewater treatment to protect the groundwater quality.

### **2.22 Flood Risk Areas and Hazard Lands**

Development on hazard lands, as identified in Policy 2.3.4.1 and Figures 5 and 6 of the South Central Planning District Development Plan, is restricted to low intensity uses (such as grazing and open space uses), unless it can be demonstrated that a proposed development is compatible with the risks or that hazards have been eliminated or protected against. The following requirements apply to any proposed development that is not a low intensity use:

Applications for development on hazard lands shall include, where applicable:

- (i) a geotechnical engineering report showing how the development may occur without creating any additional erosion risks, and how to remediate or lessen any existing erosion risk or instability
  - (ii) an engineering report showing how the development, with flood protection measures to a 200 year flood event plus freeboard, as indicated by the appropriate provincial authority, may occur without creating any additional risks
- a) All development applications in flood plain hazard areas shall be referred to the provincial authority responsible for flood protection for review and comment
- b) Where a public road is subject to flooding or erosion, any new development shall be a conditional use and subject to complete engineering studies and a development agreement with the Municipality
- c) In areas where a specific bank stability risk has not been identified, nor engineering study completed, buildings should be set back a distance of at least 10 times the height of the bank above the ordinary high watermark of any water course or 200 ft., whichever is greater
- d) Where development is proposed in an area which, in the opinion of the Development Officer, may be subject to ponding due to snowmelt or heavy rainfall events, the applicant may be required to undertake additional measures to protect from flood damage, including the provision of sufficient fill around the building

## **PART 2: GENERAL REGULATIONS**

### **2.23 Riparian and Wetland Areas**

- a) No development shall occur within the area 100 ft. upslope from the ordinary high-water mark of a natural water body, waterway, wetland, or a third (or higher) order drain. No development shall occur within 50 ft. of a first or second order drain, or artificially created retention pond.
- b) No development shall occur 200 ft. upslope from the normal high-water mark of a water body or waterway identified in the South Central Planning District Development Plan as being socially, historically or culturally important, as designated under an enactment, or as containing unique aquatic assemblages and species.
- c) Notwithstanding the restrictions in a) and b) above, developments that create minor disturbances to the natural vegetative cover of riparian areas (such as docks, boathouses, and pathways) may be allowed within the riparian and wetland area, provided no more than 25 per cent of the length of a lot's shoreline is affected
- d) Development shall not result in alteration to permanent, semi-permanent or coastal wetlands by the consolidation of wetlands or by ditching, filling, pumping, subsurface drainage or other works or means, unless it is for the purpose of flood mitigation. Flood mitigation must maintain the natural boundaries of permanent, semi-permanent or coastal wetlands
- e) The clearing of natural vegetative cover shall not occur within 80 feet of the normal high-water mark of a river or creek, except stabilization works, without the approval of Council. Where land has been cleared up to the water's edge, Council may require rehabilitation, such as tree planting, as a condition of permitting a development on the site

### **2.24 Special Development Restrictions/Setbacks**

- a) No dwelling or mobile home or other habitable building shall be constructed or located within 1,500 feet of the site of any municipal wastewater or solid waste disposal site.
- b) No dwelling or mobile home or other habitable building shall be constructed or located within 1,000 feet of the site of an anhydrous ammonia storage tank
- c) No dwelling or mobile home or other habitable building shall be constructed or located within 500 feet of an agricultural chemical storage facility
- d) No ground disturbance that is 12 inches or deeper may occur within the 'prescribed area' (measured 100 feet on both sides from the centre of the pipeline and including the right-of-way), unless written consent has been granted by the pipeline operator
- e) No building, dwelling, mobile home or farm building or structure shall be located within 100 feet of the edge of the right-of-way of any railway, unless the structure is required for railway operations or requires railway service. Any residential development in the vicinity of a railway shall also be separated from the right-of-way by a berm or fence.
- f) No building, dwelling or farm building or structure shall be constructed or located within an area which has been designated as a high or medium quality aggregate area by the applicable provincial authority, unless the site has been further reviewed by that authority and a recommendation provided which would allow development to proceed. Where the proposed building is a dwelling, a separation distance of 500 feet shall be provided between the building location and any active mining area.

## **PART 2: GENERAL REGULATIONS**

- g) No use, building or structure (permanent or temporary) shall be established, constructed, modified, intensified, or relocated within the Controlled Area of a provincial road or provincial trunk highway without a permit from the applicable provincial authority
- h) Any proposal to place, erect or construct a building, structure or object, or an addition to an existing building, structure or object, that has the potential to interfere with an aircraft approach or landing shall be a conditional use as follows:
  - (i) A building, structure or object exceeding a height of 50 feet within a one (1) mile radius, referenced from the centre point of the runway of a principal aircraft facility
  - (ii) A building, structure or object exceeding a height of 100 feet within a radius of between one (1) and two and a half (2.5) miles, referenced from center point of runway of a principal aircraft facility

### **2.25 Public Drinking Water Source Zones**

Intensive and high-risk development activities, including but not limited to chemical/fertilizer storage facilities, disposal fields, waste disposal grounds, and wastewater treatment facilities, shall be restricted within 1 mile of the well heads of a Public Drinking Water System (public drinking water source zone).

Where restriction of these uses is not possible, development may be considered within these water source protection zones provided:

- a) The proponent can demonstrate, through engineering or hydro-geological investigation, that the proposed activity will not cause pollution to the public drinking water supply, or that precautionary measures have been taken to sufficiently mitigate the risk of endangering the quality of the water supply for public drinking water supply purposes
- b) Any unused, abandoned and poorly constructed wells that are located within the applicable zone are sealed



## PART 3: ACCESSORY DEVELOPMENT

In addition to Section 2.6 of this bylaw, the following regulations shall apply to the development of accessory buildings, structures and activities in the Municipality of Victoria, except where otherwise noted in this bylaw.

### 3.1 Off-Street Parking Spaces Required

Accessory off-street parking spaces shall be provided according to the minimum number of spaces required for each Use Category, as calculated by Table 3-1. All accessory off-street parking spaces shall be located on the same site as the principal use, unless specifically permitted to locate elsewhere.

*Table 3-1: Minimum Off-Street Parking Requirements*

Use Category	AG/AL	RR	GD	RG	RA	CG	CH	MG	OR	UH	Unit
Residential	1.0	1.0	1.0	1.0	1.0	1.0	-	-	-	1.0	Per Dwelling Unit
Lodging	-	-	1.0	-	-	1.0	1.0	-	-	-	Per Guest Room
Services	1.0	-	1.5	-	-	1.5	1.5	1.5	0.5	-	Per 1075 sq ft. of floor area
Retail	1.0	-	1.5	-	-	2.5	2.5	2.5	0.5	-	Per 1075 sq ft. of floor area
Civic	-	-	1.0	1.0	1.0	-	1.0	1.0	0.5	1.0	Per 1075 sq ft. of floor area
Industrial	1.0	-	1.0	-	-	1.5	1.5	1.5	-	-	Per 1075 sq ft. of floor area
Transport /Utilities	1.0	-	1.0	-	-	1.0	1.0	1.0	-	-	Per 1075 sq ft. of floor area

**Table Notes:**

- If the calculation of the required parking spaces results in a fraction, the required parking spaces shall be the next higher whole number.
- Where parking requirements are based on the floor area of the use, the term 'floor area' means the gross floor area of the principal building, excluding any area used for parking within the principal building or any area used for incidental service storage, mechanical equipment or similar uses.

### 3.2 General Parking Requirements

- An accessory parking area must comply with the minimum yard requirements for the zone in which the parking area is located
- When a building is enlarged or a use extended or changed, the accessory parking requirements for the enlargement, extension, or new use shall be provided in accordance with the requirements of this section and those of the zone in which the building or use is located

### **PART 3: ACCESSORY DEVELOPMENT**

- c) In the case of multiple uses on a zoning site, the parking required in Table 3-1 for each individual use must be calculated and the total shall be deemed to be the required parking for the site. Where an applicant can demonstrate to the satisfaction of the Development Officer that the complementary use of the parking facilities would warrant a reduction in the parking requirements, the Development Officer may vary the parking requirement on a site by up to fifteen (15) percent, for zoning sites with multiple uses
- d) The minimum dimensions for off-street parking spaces shall be 9 feet wide and 18 feet long. The length of each parking space shall be exclusive of access driveways, aisles, ramps and columns
- e) The minimum aisle widths required for off-street parking areas is dependent upon the angle of the proposed parking spaces. Table 3-2 specifies the minimum aisle widths required with the associated angle. If the proposed spaces are designed at an angle that is not in Table 3-2, use the specifications for the angle that is closest.
- f) Off-street parking areas shall be provided with at least one (1) entrance and one (1) exit for vehicles, and driveways and aisles, for the removal of a vehicle without the necessity of moving any other vehicle
- g) The off-street parking area shall be provided with an access drive with a minimum width of 10 feet, to a street or lane
- h) The parking area shall be drained and maintained with a stable surface which is treated so as to prevent the rising of dust or loose particles. It may be constructed of crushed stone, gravel, concrete, asphalt or other approved material
- i) Lighting for parking areas shall be shielded and directed so as to reflect away from any adjoining residential zone or property
- j) Where a parking area is situated along a site line which coincides with the boundary of a residential zone and is not separated by any street, lane or water course, a buffer of a design acceptable to Council shall be provided
- k) No sign shall be erected in parking areas except:
  - (i) Signs for the direction of traffic within the parking area, and
  - (ii) Directional signs of not more than 5 square feet in area at each point of entrance and exit.Such signs may bear the name of the business that the parking area is associated with.

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Table 3-2: Parking Aisle Specifications

90° (Head-In)	45-60° (Angled)	0° (Parallel)
<b>Min. Aisle Width:</b> One-way: 20 ft Two-way: 22 ft	<b>Min. Aisle Width:</b> One-way: 12 ft (45°) / 18 ft (60°) Two-way: 24 ft	<b>Min. Aisle Width:</b> One-way: 12 ft Two-way: 22 ft
*The angle of parking shall be measured between the centerline of the parking space and the centerline of the aisle		

### 3.3 Required Barrier Free Parking Spaces

For every 10 spaces of off-street parking required on a zoning site, as per Table 3-1 above, one (1) barrier-free parking space shall be provided. Each barrier-free parking space shall:

- Have a minimum width of 11.5 feet and a minimum length of 23 feet
- Be located within 200 feet of major building entrances used by residents, employees or the public
- Must be clearly marked and reserved for the exclusive use of people with mobility issues

### 3.4 Minimum Loading Spaces

Loading spaces shall be provided according to the minimum number of spaces as calculated by Table 3-3 for uses within the Use Categories indicated. There are no loading requirements for zones not included on the table.

Table 3-3: Minimum Required Loading Spaces

Use Category	AG/ AL	GD	RG	CG	CH	MG	OR	Unit
Residential	-	1.0	1.0	1.0	-	--	-	Per Multi-Family Dwelling
Lodging	-	1.0	-	1.0	1.0	-	-	Per 20,000 sq. ft. of floor area
Retail & Services (> than 10,000 sq. ft.)	-	1.0	-	1.0	1.0	1.0	1.0	Per 20,000 sq. ft. of floor area
Civic (> than 10,000 sq. ft.)	1.0	1.0	1.0	1.0	1.0	-	1.0	Per 30,000 sq. ft. of floor area
Industrial	1.0	1.0	-	-	1.0	1.0	-	Per 20,000 sq. ft. of floor area
Transportation/Utilities	1.0	-	-	1.0	1.0	1.0	-	Per 20,000 sq. ft. of floor area

**Table Notes:**

- If the calculation of the required loading spaces results in a fraction, the required loading spaces shall be the next higher whole number.

## **PART 3: ACCESSORY DEVELOPMENT**

- b) Where loading requirements are based on the floor area of the use, the term 'floor area' means the gross floor area of the principal building, excluding any area used for parking within the principal building or any area used for incidental service storage, mechanical equipment or similar uses.

### **3.5 Loading Space Standards**

A required off-street loading space shall meet the following minimum standards:

- a) Shall have minimum dimensions of 30 feet long, 12 feet wide and 14 feet vertical clearance
- b) Shall have access to a lane or street
- c) Shall be provided on the same site as the principal building or use but not in the required front yard




### **3.6 Signage Regulations**

The following provisions shall apply to all accessory signs erected or maintained within the Municipality, except where otherwise provided for in this bylaw:




- a) All signs are subject to the issuance of a development permit, except those provided for in Section 3.8, and shall comply with the requirements of Table 3-4
- b) Not more than one (1) freestanding sign shall be permitted on a single zoning site, unless it is a corner site or through site, in which case, one (1) additional freestanding sign may be permitted at the discretion of Council
- c) All signs shall comply with the minimum yard requirements for accessory structures in the zone in which they are to be located or erected
- d) No sign or sign structure shall be erected at any location where it may interfere with or obstruct the view of any street, intersection or railroad grade crossing, or be confused with any authorized traffic sign, signal or device. No rotating beam, beacon or flashing illumination resembling an emergency light shall be used in connection with any sign display
- e) No sign may contain flashing lights or digital images unless specifically allowed in Table 3-4. All signs with flashing lights or digital images are prohibited within 100 feet of residential zones. Digital images must have a minimum hold time of 6 seconds.
- f) No sign or sign structure shall be erected or maintained on, over or above any land or right-of-way belonging to the Municipality without a development permit
- g) The placing of signs within the controlled area of a Provincial Road or Provincial Trunk Highway shall require a permit from the applicable provincial authority
- h) All signs and sign structures shall be kept in good repair and in a proper state of preservation. Signs which have become obsolete because of discontinuance of the operation or activity or are not maintained in good condition or repair shall be repaired, removed or relocated within 30 days following notice by the Development Officer

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Table 3-4: Sign Requirements

Sign Type	Permitted Zones	Specifications
 <p><b>Fascia (small)</b></p>	All zones	<p>Max. Sign Surface Area: 5 square feet (for a single face)</p> <p>In residential zones, signs may only be illuminated during business hours.</p> <p>No digital images or flashing lights are permitted in residential zones</p>
 <p><b>Fascia (large) or Marquee</b></p>	All zones except residential zones	<p>Max. Sign Surface Area: 10 per cent of the area of the wall to which the sign is affixed</p> <p>Illumination, digital images and flashing lights are permitted, following the standards for signs.</p>
 <p><b>Projecting (small)</b></p>	All zones except residential zones	<p>Max. Sign Surface Area: 5 square feet (for a single face)</p> <p>Must not project more than 5 feet from the wall to which the sign is affixed.</p> <p>Illumination, digital images and flashing lights are permitted, following the standards for signs</p>

### PART 3: ACCESSORY DEVELOPMENT

Sign Type	Permitted Zones	Specifications
 <p><b>Projecting (large)</b></p>	All zones except residential zones	<p>Max. Sign Surface Area: 21.5 square feet (for a single face)</p> <p>Must not project more than 6.5 feet from the wall to which the sign is affixed.</p> <p>Illumination, digital and flashing lights are permitted, following the standards for signs.</p>
 <p><b>Free-Standing (small)</b></p>	All zones	<p>Max. Sign Surface Area: 48 square feet (for a single face), except in residential zones where the maximum is 12 square feet</p> <p>Maximum Height (from grade): 6.5 feet</p> <p>In residential zones, signs may only be illuminated during business hours.</p> <p>No digital images or flashing lights are permitted in residential zones</p>
 <p><b>Free-Standing (large)</b></p>	All zones except residential zones	<p>Max. Sign Surface Area: 118 square feet (for a single face)</p> <p>Max. Height (from grade): 34 feet</p> <p>Illumination, digital and flashing lights are permitted, following standards.</p> <p>Not permitted in a required yard abutting a residential zone.</p> <p>Minimum setback from a property line must be 33 per cent the height of the sign.</p> <p>See 3.7 for additional standards</p>

### PART 3: ACCESSORY DEVELOPMENT

Sign Type	Permitted Zones	Specifications
 <p><b>Awning</b></p>	All zones	Max. Sign Surface Area: 10 per cent of the area of the wall to which awning is affixed
 <p><b>Sandwich Board</b></p>	All zones	<p>Max. Height: 6 feet.</p> <p>One sign may be placed within public right-of-way immediately adjacent to a commercial use during regular hours of operation.</p>
 <p><b>Mobile</b></p>	All zones except residential zones	<p>Max. Sign Surface Area: 48 square feet (for a single face)</p> <p>Max. Height (from grade): 10 feet.</p> <p>Must not include any flashing lights.</p> <p>Only allowed to occupy one parking space where there is no practical alternative.</p> <p>See 3.7 for additional standards</p>
 <p><b>Inflatable</b></p>	All zones except residential and OR zones	<p>Max. Height: 16.5 feet from grade</p> <p>Only one (1) inflatable sign shall be permitted per site.</p> <p>Only allowed as a temporary sign that may be displayed for no more than 15 days within a 6 month period.</p>

## **PART 3: ACCESSORY DEVELOPMENT**

### **3.7 Advertising Signs**

Advertising signs, as defined in Section 7.2, shall be subject to the following additional standards:

- a) Freestanding advertising signs (billboards) shall:
  - (i) Be a conditional use
  - (ii) Only be located in the AG and AL zones
  - (iii) Not contain more than two (2) faces
  - (iv) Not be located within 300 ft. of another freestanding advertising sign
  - (v) Not be located within a 500 ft. radius from the centre of an intersection of two public roads
- b) Mobile advertising signs shall:
  - (i) Be limited to a maximum of one (1) mobile sign per zoning site
  - (ii) Not be located within 10 ft. of the nearest part of any exit or entrance driveway

### **3.8 Signs Not Requiring a Development Permit**

The following accessory signs shall not require a development permit. However, they must still comply with any applicable standards in this bylaw:

- a) signs posted by duly constituted public authorities in the performance of their public duties
- b) flags or emblems of a political, civic, educational or religious organization
- c) commemorative or memorial signs or tablets
- d) temporary signs including real estate signs, construction signs, election signs, garage sale signs and similar
- e) sandwich boards not exceeding 5 sq. ft. in surface area (for a single sign face)
- f) awning signs with signage originally incorporated in the design or awning material
- g) residential on-site identification signs or warning signs (such as "Private Property" signs and similar) not exceeding 3 sq. ft. each in surface area
- h) signs required for direction and convenience of the public, including signs identifying restrooms or parking entrances, not exceeding 5 sq. ft. in sign surface area

### **3.9 Outdoor Lighting**

Outdoor lighting shall be installed in accordance with the following standards:

- a) Any outdoor lighting (other than those exempted in provision (c) below) must be located, arranged, or shielded so that no light is directed at any adjoining properties or interferes with the effectiveness of any traffic control device
- b) The maximum permitted height of a light fixture is 30 feet
- c) These standards do not apply to federally or provincially regulated buildings and structures (including the lighting required for airports and towers)



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### 3.10 Fences and Screening

Fences, walls, hedges, and privacy screening are permitted in all yards for aesthetic and privacy purposes and can be placed up to the property line, subject to the following requirements:

- a) The height of any fence, wall, hedge or privacy screen, as measured from the highest part of the fence to the point where the fence post enters grade, shall not exceed the maximum fence height for the zone in which it is located, as identified in Table 3-5
- b) Where a fence is located on top of a retaining wall, the height of the fence shall include the height of the retaining wall measured from the finished grade
- c) No fence, wall, hedge or privacy screen located on the street side of a corner site in a residential zone or zone directly adjacent to a residential zone, shall exceed a height of 3.5 feet, unless it is setback a distance of 15 feet, in which case the height shall not exceed the maximum for the zone
- d) Plantings proposed within 50 feet from the edge of a provincial highway right-of-way may require a permit from the applicable provincial authority
- e) Fences shall
  - (i) Not be electrified, except where accessory to a permitted agricultural use in the AG zone
  - (ii) Not contain barbed wire, except where accessory to a permitted industrial or agricultural use in the Agricultural or Industrial zones
  - (iii) Not contain scrap metal or industrial waste material

Table 3-5: Maximum Fence Heights

Fence Height	AG	AL	RR	GD	RG	RA	CG	CH	MG	OR	UH
Front Yard (Max)	-	-	-	4 ft	4 ft	4 ft	4 ft	4ft	4 ft	4 ft	4 ft
Side and Rear Yards (Max)	-	-	-	6 ft	6 ft	6 ft	6 ft	8ft	8 ft	6 ft	8 ft

### 3.11 Outdoor Storage, Display and Sales

- a) Outdoor Storage: Accessory outdoor storage shall be permitted in accordance with the following standards:
  - (i) No outdoor storage shall be located in any required front yard
  - (ii) Outdoor storage located in a required side or rear yard shall be screened from adjacent sites by a fence at least 6 feet in height, or a combination of fence and soft landscaping that screens a minimum of 6 feet in height. In the MG zone, outdoor storage areas shall be screened by a light proof fence at least 6 feet high
  - (iii) Where outdoor storage areas are located adjacent to a public road, a landscaped buffer (of at least 10 feet in horizontal depth) shall be provided between the required fence and the required right-of-way
  - (iv) All items stored outside shall be placed on a hard and durable surface

### **PART 3: ACCESSORY DEVELOPMENT**

- (v) No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard
  - (vi) No required yard shall be used for the storage or collection of hazardous material
  - (vii) The owner must maintain all screening required for outdoor storage areas, keeping it in good repair. Where plantings are used for or to enhance screening, these must be maintained in healthy growing condition and replaced when the planting becomes diseased or dies
  - (viii) No outdoor storage shall be located in the 'restricted area' of an intersection, as defined in Part 8
  - (ix) For conditional uses, Council may apply special standards for outdoor storage as a condition of approval
- b) Outdoor Display and Sales: Accessory outdoor display and sales areas shall be permitted in the AG, AL, GD, CG, CH and MG zones and are subject to the following requirements:
- (i) Outdoor display and sales areas shall be located at least 25 feet from any adjacent residential property. Any outdoor display and sales areas abutting a residential property shall be completely screened from view
  - (ii) No outdoor display and sales area shall be allowed in areas set aside, required, or designated for driving aisles, driveways, maneuvering areas, emergency access ways, off-street parking, or unloading/loading
- c) Exemptions: The following uses are exempt from the outdoor storage, display and sales requirements of a) and b) above:
- (i) Uses with accessory outdoor storage, display or sale of plant material, including live plants, fruits and vegetables and seasonal plant materials, but not including other landscape materials or lumber
  - (ii) Vehicle sales and display areas which meet the applicable requirements provided for in this bylaw
  - (iii) Retail sales that occur under a permanent canopy structure attached to the principal building on the site.

#### **3.12 Shipping Containers**

The following standards apply to the accessory use of shipping containers:

- a) Shall be permitted in the AG and AL zones, conditional in the MG zone and prohibited in all other zones
- b) Shall meet the requirements for accessory buildings in the zone in which it is located
- c) Shall be maintained in good repair
- d) Shall be appropriately screened from view, where adjacent to RG and RG-1 zones.
- e) Shall be located in the side or rear yard only, and shall not project beyond the front line of the principal building

## **PART 3: ACCESSORY DEVELOPMENT**

- f) Shall not be used for human occupancy, except where a registered professional (architect/engineer) has verified that the conversion of the container to a secondary occupancy use (e.g. dwelling unit, office, retail space) complies with the requirements of the Manitoba Building Code
- g) Notwithstanding subsection a) above, a shipping container may be used for temporary storage or emergency purposes in any zone, provided it meets the requirements for temporary buildings and structures in this bylaw

### **3.13 Portable Garage / Canvass Building**

The following standards apply to the installation of a portable garage:

- a) Shall be prohibited within the communities of Holland and Cypress River
- b) A maximum of one (1) portable garage is allowed on a site
- c) Shall not be located within a required front yard and shall not project beyond the front line of the principal building
- d) Shall conform to the height maximums for accessory buildings in the zone in which it is located
- e) Shall be kept in good condition (any rip in the fabric must be repaired)

### **3.14 Communications Facilities**

- a) Private communications facilities not exceeding a height of 49.2 feet above ground may be permitted as accessory structures in all zones, in accordance with the minimum yard requirements for accessory structures in the zone in which it is to be located or erected, and the following standards:
  - (i) A private communications facility may be located in any rear or side yard in any zone. It may also be located in any front yard in the AG, AL and RR zones
  - (ii) A private communications facility shall be set back from all property lines of the site on which it is located a minimum distance equal to its total height, measured from grade to the uppermost point of its extension
  - (iii) A private communications facility may be mounted on a building wall or roof
  - (iv) A private communications facility shall not be illuminated or carry any advertising signs
- b) Private and commercial communication facilities (telecommunications carriers, broadcasting operations or third-party tower owners) that exceed a height of 49.2 feet above ground shall require a development permit and be subject to the following additional standards:
  - (i) Shall notify the Municipality of potential siting of communication facility
  - (ii) Shall carry out a site investigation meeting with Municipality to discuss site location options, as well as confirm any development and design preferences and requirements of the Municipality
  - (iii) Shall submit a siting proposal to the Municipality, including information on the rationale for the site selection, drawings of the proposed facility, a site plan and map showing distances

## **PART 3: ACCESSORY DEVELOPMENT**

from nearest properties, ownership or authorization documentation for the selected site(s), any other information required by the Municipality along with applicable fees

- (iv) Shall give notice of proposed project to affected residents
- (v) These standards do not apply to: Maintenance of existing radio apparatus; Additions or modifications to an existing antenna system, not exceeding 25% increase in height; Painting or lighting to comply with Transport Canada; Installation for a special event or emergency (i.e. less than 3 months)

### **3.15 Small Wind Energy Generating Systems**

Small wind energy generating systems shall be permitted accessory structures in all zones, subject to the following standards:

- a) Shall be set back at least 20 feet from the front building line, or, in the case of corner lots, at least 15 feet from the front and side lot line
- b) Shall be limited to a total turbine height of no more than 15 feet above the rooftop
- c) Shall be safely and securely attached to the rooftop in compliance with the National and Provincial Building Codes
- d) A max of one (1) small wind energy generating system is allowed on a site

### **3.16 Solar Energy Generating Systems**

Solar energy generating systems shall be permitted as accessory structures, subject to the following standards:

- a) Any solar collector not connected to a building shall adhere to the same setbacks and height restrictions for secondary/accessory buildings in the zone in which the installation is situated
- b) A roof or wall-mounted solar collector shall not exceed, in size, the total square footage of the principal structure
- c) A solar collector that is mounted on a roof may project a maximum of 6.5 feet from the surface of the roof and must not extend beyond the outermost edge of the roof

A solar collector that is mounted on a wall may project a maximum of 2 feet from the surface of that wall and must be located a minimum of 8 feet above grade

### **3.17 Swimming Pools and Hot Tubs**

Swimming pools, hot tubs, and similar structures shall be permitted accessory uses to residential (including when located on a farm), recreational, or lodging developments and shall comply with the bulk requirements for accessory buildings and structures (including associated heaters and pumps). Those structures with a water depth greater than two (2) feet shall be constructed in accordance with the requirements of Part 10 of the Manitoba Building Code (private pools) and the Swimming Pools and Other Water Recreation al Facilities Regulation 132/97.

## **PART 4: USE SPECIFIC STANDARDS**

This section provides regulations for specific uses that have standards that go beyond the basic requirements for development in each zone. Regardless of whether a use is allowed as a permitted or a conditional use, and regardless of the zone in which the use is located, the following standards for specific uses must be met, except as otherwise provided in this bylaw or by a conditional use or variance order:

### **4.1 Agri-Tourism Operations**

Agri-tourism operations shall be subject to the following standards:

- a) The location of an agri-tourism operation shall be limited to the farmstead site of a principal agricultural operation, including accessory buildings and structures
- b) At least one (1) occupant of the farmstead dwelling must be actively engaged in the principal agricultural operation
- c) No more than five (5) people who do not reside in the farmstead dwelling shall be employed or otherwise engaged in the agri-tourism operation
- d) If an agri-tourism operation includes accommodations, the maximum number of guest rooms is four (4)
- e) A development permit for an agri-tourism operation will include provisions satisfactory to the Municipality for the following: off-street parking and loading; signage; outside storage of waste, materials or equipment; noise; traffic; and hours of operation
- f) Should the operation be intensified beyond what was originally approved and/or exceed the standards associated with the use, it will be considered evidence that the agri-tourism operation has become a principal use. If the applicable zone does not provide for such a principal use, the Development Officer may order the operation be suspended until it complies with the terms of the permit and the above standards, as per Sections 175 – 183 of the Act.

### **4.2 Agricultural Chemical or Hazardous Materials Storage Facility**

Agricultural Chemical or Hazardous Materials Storage Facilities shall be subject to the following standards:

- a) Shall be located at a minimum distance of 165 feet from residential zones, hospitals, restaurants, processing facilities for feed or food (not storage) and other buildings with high occupancy

### **4.3 Anhydrous Ammonia Storage Facility**

Anhydrous Ammonia Storage Facilities shall be subject to the following standards:

- a) Shall be located a minimum distance of:

## **PART 4: USE SPECIFIC STANDARDS**

- (i) 5,000 feet from the boundaries of any Rural Residential Cluster, Rural or Urban Settlement Centre (as designated in the SCPD Development Plan), or from lot line of an evacuation-sensitive facility such as a school, hospital, senior citizens' home, or other institutional facility
  - (ii) 1,640 feet from any individual occupancy such as a dwelling or small business
  - (iii) 165 feet from any creek, stream, or environmentally sensitive area
  - (iv) 330 feet from the edge of the right-of-way of a Provincial Road or Highway
- b) Ammonia pressure vessels (stationary and/or mobile) and piping systems shall be secured within a 6 foot high, full perimeter security fence with lockable security gates and a 3-strand barbed wire top
  - c) The design, operation and maintenance of the facility shall comply with the Fertilizer Canada Anhydrous Ammonia Code of Practice

### **4.4 Animal Keeping**

Animal keeping shall be subject to the following standards:

- a) A maximum of one (1) animal unit (cumulative across species) is permitted for every 6 acres of site area
- b) As an exception to b) above, hobby horse farms, riding academies and horse stables shall require 2 acres of site area for one (1) horse plus an additional acre for each additional horse
- c) Shall be maintained at less than 10 AUs. Should the operation be intensified to 10 AUs or greater, it will be considered evidence that the animal keeping operation has become a livestock operation. If the applicable zone does not provide for such a use, the Development Officer may order the operation be suspended until it complies with the terms of the development permit, as per Sections 175 – 183 of the *Act*
- d) The keeping of livestock must adhere to all other local, provincial and federal health and agriculture regulations, in addition to the standards in this bylaw
- e) Any ground level structure intended for the keeping of animals must maintain a minimum setback of 15 feet from any site line. In the UH, RR and RA zones, these structures shall be located in the rear yard only
- f) Animal feed must be properly stored in enclosed vessels, and areas or enclosures intended for the keeping of animals must be properly cleaned and maintained to prevent odours from spreading onto abutting properties
- g) Animal keeping operations that are secondary to the principal use shall comply with the bulk requirements for accessory structures

### **4.5 Apiaries**

Apiaries shall be subject to the following standards:

- a) Shall be a conditional use when located within a one (1) mile radius of a residence or designated community area

## **PART 4: USE SPECIFIC STANDARDS**

- b) Every landowner who allows the keeping of bees on their property has the duty to ensure the maintenance of the beehives. The bees must be requeened if they swarm or show signs of aggressive behaviour

### **4.6 Bed and Breakfasts**

A bed and breakfast shall be subject to the following standards:

- a) The principal dwelling shall be a single-family dwelling
- b) The operator must reside within the principal dwelling to which the Bed and Breakfast is a secondary use
- c) In the GD, RG and RA zones, a bed and breakfast shall have a maximum of two (2) guest suites. In the AG, AL and RR zones a bed and breakfast shall have a maximum of four (4) guest suites.
- d) One (1) additional on-site parking spot shall be provided for each guest suite used in the operation
- e) Shall have a maximum of one (1) business sign, in accordance with the signage specifications of Table 3-4

### **4.7 Camping Grounds**

A campground (including recreational vehicle (RV) parks) shall be subject to the following standards:

- a) Shall provide a roadway with an all-weather surface that serves all camp sites and amenities
- b) Shall provide storage of refuse in a sanitary manner at a location not more than 500 feet from any camp site
- c) Shall provide clear numbered identification of each camp site
- d) Shall provide a centrally located recreation area equivalent to a minimum area of 215 square feet per camp site

### **4.8 Caretaker/Staff Dwelling**

A caretaker/staff dwelling shall be subject to the following standards:

- a) When secondary to a principal agricultural operation:
  - (i) Only one (1) staff dwelling is allowed on the same zoning site as the principal use
  - (ii) The staff dwelling shall be a detached single-family dwelling or mobile home
  - (iii) The staff dwelling shall be essential for the maintenance, operation and/or care of the principal use
- b) When secondary to a principal commercial, industrial, or institutional use:
  - (i) Only one (1) caretaker dwelling is allowed on the same zoning site as the principal use
  - (ii) The caretaker dwelling shall be a maximum of 600 sq. ft
  - (iii) The caretaker dwelling shall be located within the principal building, with the front of the building at grade level always remaining in the principal use

## **PART 4: USE SPECIFIC STANDARDS**

- (iv) The caretaker dwelling shall have an entrance separate from the principal use and provide an additional fire exit
- (v) The caretaker dwelling shall be essential for the maintenance, operation and/or care of the principal use

### **4.9 Commercial Wind Energy Generating Systems**

A commercial Wind Energy Generating System (WEGS) shall meet the following standards:

- a) Shall observe a minimum setback of one and a half (1.5) times the total height of the WEGS from any property line
- b) Shall observe a minimum separation distance of 1,640 ft. (500 m) from the boundary of any Settlement Centre or Rural Residential area
- c) Shall be setback from a water body or waterway a distance of no less than 100 ft (30 m)
- d) Shall be setback a distance of no less than 1,640 ft (500 m) from the nearest habitable building
- e) Shall observe a minimum setback of one and a half (1.5) times the total height of the WEGS from public roads
- f) For subsections 4.7 a) and e) above, the total height shall be measured from the ground to the uppermost extension of any rotor blade
- g) Shall not contain commercial advertising, other than the manufacturers or owner's name or logo
- h) Shall not contain artificial lighting, other than the lighting that is required by federal and provincial regulation
- i) As part of their development permit application, proponents of a commercial WEGS must submit a detailed site plan showing the location of all wind generating devices, associated accessory buildings or structures, substations, electrical lines (above or below ground), on-site roads, culverts and driveways providing access to the public road system
- j) Proponents of a commercial WEGS are responsible for obtaining any required federal or provincial permits or approvals from any agencies, a copy of which shall be submitted to the Municipality

### **4.10 Drive Through Establishments**

A drive through establishment is subject to the following standards:

- a) Existing parking or loading stalls or drive aisles shall not be utilized as part of a drive-through lane.
- b) No drive-through facility may be located on a lot or site adjacent to a lot containing a residential use, unless the drive-in or drive-through facility is separated from the residential use by an intervening building, public lane, or public street
- c) No portion of a drive-in or drive-through facility may be located in a required front yard



## **PART 4: USE SPECIFIC STANDARDS**

### **4.11 Gravel Pit**

A development permit shall be required for any development of a commercial mining or extraction operation. Before a development permit is issued, an applicant must provide the following:

- a) In the case of Crown quarry minerals, proof of the issuance of a Provincial Lease or Casual Permit under Manitoba Quarrying Minerals Regulations
- b) A plan showing areas and means for goods and waste transportation
- c) A site plan showing the operation, the manner in which extraction or development will occur, the means of visual buffering and noise and dust protection
- d) A plan for the rehabilitation and intended use(s) of the site upon completion of the operation phase, subject to provincial regulations
- e) The results of groundwater testing to assess the connectivity of surface water and groundwater and a plan for the ongoing monitoring of ground water levels

### **4.20 Home Daycare**

A home daycare shall be subject to the following standards:

- a) A licensed, home daycare operation:
  - (i) Shall be a permitted use for the care of up to eight (8) children. An operation for the care of nine (9) to twelve (12) children shall be a conditional use
  - (ii) Shall comply with provincial licensing
- b) An unlicensed, home daycare operation:
  - (i) Shall be conducted solely by a person or persons residing in the principal dwelling unit. No persons residing outside the principal dwelling unit shall be employed or otherwise engaged in the business
  - (ii) Is limited to a maximum of four (4) children under the age of 12, including the care giver's own children and other children residing in the home;
  - (iii) Is limited to operating between the hours of 6:00am and 7:00pm.

### **4.13 Home Occupations**

A home occupation shall be subject to the following standards:

- a) Shall be conducted entirely within the dwelling unit to which the business is secondary to, or an accessory building on the same site. There shall be no outside operations or outside storage or display
- b) Shall be conducted by a person or persons residing in the dwelling
- c) No more than two (2) people who do not reside in the dwelling shall be employed or otherwise engaged in the business
- d) Operations shall not include the processing of goods

## **PART 4: USE SPECIFIC STANDARDS**

- e) No more than 30% of the gross floor area of buildings on the site shall be devoted to the home occupation
- f) Shall be compatible with the surrounding area and not significantly change the principal character or external appearance of the dwelling unless otherwise permitted through a development permit
- g) Shall have a maximum of one (1) business sign, in accordance with the signage specifications of Table 3-4
- h) Shall not cause or add to on-street parking congestion or cause an increase in traffic through residential zones
- i) No more than one (1) business vehicle, for which off-street parking is provided on-site, shall be operated in conjunction with the home occupation
- j) The proponent of the home occupation shall obtain a development permit before establishing a home occupation on a site. In the case of rental premises, the proponent will be required to obtain the permission of the owner of the premises before a development permit will be issued
- k) Should the operation be intensified beyond what was originally approved and/or exceed the standards associated with the use, it will be considered evidence that the home occupation has become a principal use. If the applicable zone does not provide for such a principal use, the Development Officer may order the operation be suspended until it complies with the terms of the permit and the above standards, as per Sections 175 – 183 of the *Act*

### **4.14 Home Industries**

A Home Industry is subject to the following standards:

- a) Shall be conducted by a person or persons residing in the dwelling to which the home industry is secondary to
- b) No more than five (5) people who do not reside in the dwelling shall be employed or otherwise engaged in the business
- c) Outside operations, storage and display, as well as commodity sales that are limited to those produced or repaired on the premises are permitted with this use. Any outside storage of materials and equipment, or loading areas must be located in the rear yard and screened from view
- d) Noise, traffic and hours of operation associated with the home industry that exceed those of a home occupation may be permitted within the parameters of the development permit
- e) The area used to carry out the home industry shall not occupy more than 1,000 sq. ft. in RR and GD zones.
- f) On-site parking shall be provided for all vehicles associated with the home industry, in addition to those of the residential use of the site
- g) Shall have a maximum of one (1) business sign, in accordance with the signage specifications of Table 3-4
- h) The proponent of the home industry shall obtain a development permit before establishing or expanding a home industry on a site. In the case of rental premises, the proponent will be required to obtain the permission of the owner of the premises before a development permit will be issued

## **PART 4: USE SPECIFIC STANDARDS**

- i) Should the operation be intensified beyond what was originally approved and/or exceed the standards associated with the use, It will be considered evidence that the home industry has become a principal use. If the applicable zone does not provide for such a principal use, the Development Officer may order the operation be suspended until it complies with the terms of the permit and the above standards, as per Sections 175 – 183 of the *Act*.

### **4.15 Livestock Operations/Manure Management**

Livestock operations are subject to the following standards:

- a) New and expanding livestock operations will be prohibited in Wildlife Management Areas and within designated community limits, as identified in Maps 1-3 of this bylaw
- b) All livestock operations shall meet the separation distances as outlined in Appendix B, based on the animal unit (AU) calculations and criteria outlined in Appendix A. Mutual separation distances to dwellings will be measured to the building itself; separation distances to designated areas will be measured to the boundaries of the designated areas found in the South Central Planning District Development Plan, not the buildings within
- c) An application for approval of a new or expanded livestock operation producing up to and including 299 AU (cumulative across species) shall:
  - (i) Implement any measures required to ensure conformity with the Development Plan and this zoning bylaw
  - (ii) Meet or exceed all applicable provincial or federal government environmental health regulations in force at the time of the permit application
  - (iii) Have an adequate land base that is either owned or leased by the proponent to carry out the proposed operation requirements
  - (iv) Include appropriate measures to restrict livestock access to riparian areas (as per the Watershed Districts Program)
  - (v) Ensure all manure storage facilities and confinement facilities conform to all applicable provincial government regulations
  - (vi) Be accompanied by an application on a form prescribed by Council, including information describing the operation, such as a site plan showing the location of buildings, manure storage, manure application fields, other facilities and their distance to property lines and the number, type of livestock and AU produced.
- d) In addition to the standards in (b) above, an application for approval of a new or expanded livestock operation involving 300 or more AU (cumulative across species) shall:
  - (i) Be sent to the minister for referral to the Technical Review Committee
  - (ii) Be subject to any measures required to implement the recommendations of the Technical Review Committee, if imposed by Council
  - (iii) Submit analysis of the bio-physical conditions and capacities of the land and resources (such as ground water, soils, surface drainage) in the area proposed for the livestock operation, if requested by Council or the Technical Review Committee

## **PART 4: USE SPECIFIC STANDARDS**

### **4.16 Mobile Homes/Mobile Home Parks**

The following standards apply to mobile homes and mobile home parks:

#### **4.16.1 Standards for Mobile Homes**

No mobile home proposed to be located in the Municipality shall receive a permit unless it complies with the following regulations:

- a) All mobile homes, even those constructed outside the municipality, must meet the structural standards in *The Buildings and Mobile Homes Act* and the Municipality's Building Bylaw
- b) A mobile home, when located permanently on a site, shall:
  - (i) be connected to municipal sewer and water services when such services are available on the site
  - (ii) have skirting that screens the view of the foundation supports or wheels
  - (iii) have an open space at least 20 ft. by 50 ft. adjacent to the side of the mobile home containing either the entrance or the main living room window, to be utilized for household exterior recreational use

#### **4.16.2 Mobile Home Parks**

A mobile home park shall be subject to the following standards:

- a) More than one mobile home may be permitted on an approved mobile home park site
- b) A mobile home park must provide a roadway with a driving surface a minimum of 16.5 feet wide with an all-weather surface that serves all dwellings
- c) A mobile home park must provide clear identification of each dwelling space and its boundaries
- d) A mobile home park must provide a centrally located common park space or recreation area equivalent to a minimum area of 430 square feet per dwelling space
- e) An application for a mobile home park must be accompanied with a detailed site plan, including:
  - (i) location of the site boundaries
  - (ii) foundations, pads, or mobile home sites
  - (iii) accessory buildings
  - (iv) internal roads
  - (v) sidewalks and active transportation paths
  - (vi) vehicle parking
  - (vii) systems supplying electrical power, water and sewage disposal

### **4.17 Modular Home Dwellings**

A modular home dwelling shall be subject to the following standards:

## **PART 4: USE SPECIFIC STANDARDS**

- a) Shall be manufactured by a CAN/CSA-A277 accredited facility
- b) Shall be placed upon a basement or enclosed perimeter wall foundation constructed in accordance with the Manitoba Building code
- c) Shall be a minimum of 1000 square feet in floor area

### **4.18 Multi-Family Dwellings**

A multi-unit dwelling shall be subject to the following standards:

- a) Shall have no required side yard on a side that shares a party wall with a building on an adjacent site
- b) The minimum site area required in the applicable Use and Bulk Table shall increase by 1000 sq. ft for each additional dwelling unit over three (3) units
- c) When located within a principal commercial building, a maximum of two (2) dwelling units may be allowed, and the front of the building at grade level shall always remain in the principal use. An additional entrance and fire exit separate from the principal use is required for the dwelling units
- d) When located within the CBD Overlay area, shall only be located above the first story of the building

### **4.19 Oil Batteries**

The development of oil batteries shall be subject to the following standards:

- a) Where an oil battery is proposed to be located within 1/2 mile of an existing dwelling, the application will be considered as a conditional use
- b) In keeping with requirements of provincial regulations under *The Oil and Gas Act*, notice of the proposed development and public hearing shall be given to all registered owners of land within 1.5 km of the proposed oil battery site
- c) Where an oil battery is proposed to be located in close proximity to a provincial highway, the applicable provincial authority should be consulted to determine if a traffic impact study is required
- d) A development permit will be issued for each new oil battery approved as a permitted or conditional use in the Municipality, provided that the applicable provincial authority confirms that the proposed oil battery development can meet provincial regulations. The required development permit will serve as confirmation to the proponent that the proposed oil battery location meets the requirements of this bylaw

### **4.20 Planned Unit Developments**

A planned unit development (PUD) is a conditional use that may be used to accommodate larger, mixed-used developments by providing flexibility through customized siting standards that take into the multiple uses and structures associated with the development. A PUD shall comply with the following standards:

- a) Shall only be established on a zoning site or proposed development larger than 5 acres in size

## **PART 4: USE SPECIFIC STANDARDS**

- b) The uses and standards of a Planned Unit Development shall be generally consistent with the desired character for the area as set out in the South Centra Planning District Development Plan and the uses and standards in the zones adjacent to the site
- c) An application for a planned unit development shall be considered as a conditional use application, subject to the conditional use provisions of this bylaw and the *Act* and shall be accompanied with a detailed site plan, including:
  - (i) Location of the site boundaries
  - (ii) Planned location, height, and types of use of buildings and structures
  - (iii) Planned location of internal roads and entrances to site
  - (iv) Planned locations of communal and public facilities and spaces
  - (v) Details for fencing, lighting, landscaping and parking
  - (vi) Plans for servicing, including systems supplying electrical power, water, and collection of sewage and waste
  - (vii) Details of lot grading and drainage
  - (viii) A list of all instances on the site where the bulk standards of the proposed buildings and structures do not comply with the requirements of this bylaw
  - (ix) Other information as required by the Development Officer

### **4.21 Secondary Suites**

A secondary suite shall be subject to the following standards:

- a) A maximum of one (1) secondary suite is permitted on a single zoning site
- b) The principal use of the site shall be an existing, permanent single-family dwelling
- c) A minimum of one (1) off-street parking space shall be provided for the occupants of the secondary suite, in addition to the parking required for the principal dwelling
- d) For any secondary suite that is located within or attached to (above an attached garage) a principal dwelling, the maximum floor area shall not exceed 40% of the total habitable floor space of the principal dwelling (including any finished basement space) or 861.1 sq.ft., whichever is the lesser
- e) For any Secondary Suite that is detached from a principal dwelling:
  - (i) the maximum floor area shall not exceed 861.1 sq. ft and shall not exceed a maximum site coverage of 10% for accessory buildings and structures
  - (ii) shall meet the required yard minimums for accessory buildings and structures in the applicable Use and Bulk Table for the zone the use is located in
  - (iii) shall be setback a minimum of 10 ft. from the principal dwelling and any other residential dwelling, as measured from wall to wall
  - (iv) shall not contain a basement and shall rest on a permanent foundation
  - (v) shall be connected to the sewer and water system of the principal dwelling

## **PART 4: USE SPECIFIC STANDARDS**

### **4.22 Schools**

Schools shall meet the following standards:

- a) Shall provide parking space as follows:
  - (i) one and a half (1.5) spaces per classroom for Elementary and Jr. High Schools
  - (ii) five (5) spaces per classroom for High Schools
- b) Shall provide stacking space for the loading and unloading of passengers, as follows:
  - (i) an Elementary or Jr. High School shall provide space to accommodate three (3) school buses and five (5) passenger vehicles
  - (ii) a High School shall provide space to accommodate three (3) school buses and three (3) passenger vehicles
  - (iii) such stacking spaces may be located within the required front yard

### **4.23 Riding Academy or Stable**

A riding academy or stable shall meet the following standards:

- a) Shall require two (2) acres of site area for one (1) horse, plus an additional acre for each additional horse

## **PART 5: ZONES**

### **5.1 Establishing Zones**

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

#### **General Agriculture (AG):**

This zone is intended to accommodate a full range of agricultural uses and provide opportunities to for farm diversification and agriculture-related business. is applied to those rural areas where agriculture is the dominant activity.

#### **Limited Agriculture (AL):**

This zone is intended to accommodate a more limited range of agricultural uses that are complimentary to, and will not pose conflict with, the development and expansion of urban and rural Settlement Centres. This zone is applied to those areas immediately adjacent to the Settlement Centres of Holland and Cypress River in the Municipality of Victoria. This zone may also be applied to other sensitive areas that would benefit from less intensive agricultural development.

#### **Rural Residential (RR):**

This zone is intended to accommodate primarily rural residential uses; however, uses that are complimentary to agricultural and rural activities may also be appropriate. This zone is applied to the Rural Residential Clusters within the Municipality of Victoria.

#### **General Residential (RG):**

This zone is intended to accommodate residential development and other uses that are supportive and compatible with residential uses, such as schools, parks and places of worship. This zone is applied to predominantly residential areas in the LUD of Holland

#### **Acreage Residential (RA):**

This zone is intended to accommodate single-family residential development and secondary agricultural uses, such as animal keeping, in the LUD of Holland

#### **General Development (GD):**

This zone is intended to accommodate a mix of residential and non-residential uses and is applied to the Rural Settlement Centre of Cypress River.

#### **General Commercial (CG)**

This zone is intended to accommodate the retail, service, hospitality and entertainment uses of a community, as well as civic and recreational uses. Some complementary higher density residential development may also be considered. This zone is applied to the commercial areas within the LUD of Holland.



## **PART 5: ZONES**

### **Highway Commercial (CH)**

This zone is intended to accommodate more intensive commercial and light industrial uses that require larger site areas and/or locations adjacent to major transportation routes, as well as those businesses that serve the travelling public. This zone should be applied to those areas of highway commercial development within the Highway Business Area on the fringe of Holland, as designated in the South Central Planning District Development Plan.

### **General Industrial (MG)**

This zone is intended to accommodate a wide range of manufacturing, processing, distribution, and transportation warehouse uses. This zone is applied to areas of industrial development within the LUD of Holland and the adjacent Highway Business Area, as designated in the South Central Planning District Development Plan.

### **Open Space and Recreation (OR):**

This zone is intended to accommodate recreation and institutional uses, as well as protecting and enhancing the natural features of the land. This zone is applied to larger-scale recreational and institutional areas in the LUD of Holland.

### **Urban Hold (UH):**

This zone is intended to limit the development and subdivision of un-serviced agricultural land until such time that it can be serviced and developed for urban uses. This zone is applied to large tracts of undeveloped, un-serviced land within the LUD of Holland.

## **5.2 Zoning Boundaries**

The zones established above shall apply within the boundaries of the zones shown on the maps in Schedule A, following these rules of interpretation:

- a) boundaries indicated as approximately following the centre-lines of streets, lanes, highways, rivers, or railway or public utility lines or rights-of-way shall follow such lines
- b) boundaries indicated as approximately following parcel limits as shown on a registered plan or by reference to the Dominion Government Survey shall follow such limits

## **5.3 Use and Bulk Tables**

- a) The permitted and conditional uses prescribed for parcels within each zone are those set out in the Use and Bulk Tables. Permitted uses are indicated on these tables with the letter P. Conditional uses are indicated on these tables with the letter C. Where a use is not listed and is not similar to, or accessory to, a permitted or conditional principal use, or a permitted or conditional secondary use, the use is not allowed in the zone.
- b) No land, building, or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, enlarged, or placed, except in accordance with the bulk requirements described in the Use and Bulk Tables, or elsewhere in this bylaw.

## PART 5: ZONES

AG: GENERAL AGRICULTURE ZONE									
List of Uses P = Permitted C = Conditional * = Only as a Secondary Use	Dimensional Standards							Applicable Use Standard	
	Site Area (acres)		Site width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Building Height (feet)		
	(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)		
Agricultural									
Agri-Business <sup>(b)</sup>	P	2	10	200	125	25	25	35	
Agri-Tourism	C*	Shall comply with the dimensional standards for the farmstead site							4.1
Agricultural Chemical Storage <sup>(b)</sup>	C	2	10	200	125	25	25	35	4.2
Agriculture, Indoor <sup>(g)</sup>	C	2	10	200	125	25	25	35	
Agricultural Industry <sup>(b)(g)</sup>	P	2	10	200	125	25	25	35	
Agriculture, General <sup>(g)</sup>	P	80	-	1,000	125	25	25	35	
Agriculture, Specialized <sup>(g)</sup>	C	2	-	200	125	25	25	35	
Anhydrous Ammonia Distribution and Storage	C	2	10	200	125	25	25	35	4.3
Animal Keeping	C	2 (i)	-	200	125	25	25	35	4.4
Apiary	P	2	-	200	125	25	25	35	4.5
Communal Farm	P	80	-	1,000	125	25	25	35	
Greenhouse/Nursery <sup>(i)</sup>	C	2	-	200	125	25	25	35	
Livestock Operations (10 to 100 AUs) <sup>(a)</sup>	P	80	-	1,000	125	25	25	35	4.15
Livestock Operations (101 – 299 AUs) <sup>(a)</sup>	P	80	-	1,000	125	25	25	35	4.15
Livestock Operations (300+ AUs) <sup>(a)</sup>	C	80	-	1,000	125	25	25	35	4.15
Riding Academy/Stable	C	2	-	200	125	25	25	35	4.23
Residential									
Dwelling, Caretaker/staff	C*	-	-	-	125	25	25	30	4.8
Dwelling, Farmstead	P*	-	-	-	125	25	25	30	
Dwelling, Mobile Home <sup>(e)</sup>	P	2	10	200	125	25	25	30	4.16
Dwelling, Modular Home <sup>(e)</sup>	P	2	10	200	125	25	25	30	4.17
Dwelling, Single-Family <sup>(e)</sup>	C	2	10	200	125	25	25	30	
Secondary Suite	P*	-	-	-	125	25	25	30	4.21
Lodging									
Seasonal Resort <sup>(h)</sup>	C	80	-	200	125	25	25	30	
Retail & Services									
Amusement Enterprise, Outdoor <sup>(d)</sup>	P	2	-	200	125	25	25	30	
Animal Hospital/Veterinary Clinic <sup>(c)</sup>	C	2	10	200	125	25	25	30	
Auction Yard	C	2	10	200	125	25	25	30	
Contractor's Establishment <sup>(c)</sup>	C	2	10	200	125	25	25	30	
Heavy Equipment, Sales and Service <sup>(c)</sup>	C	2	10	200	125	25	25	30	
Home Daycare	P*	Shall comply with the dimensional standards for the principal building							4.12
Home Occupation	C*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.13
Kennel <sup>(c)</sup>	C	2	10	200	125	25	25	30	

## PART 5: ZONES

AG: GENERAL AGRICULTURE ZONE									
List of Uses P = Permitted C = Conditional <u>Underline</u> = Only as a Secondary Use		Dimensional Standards							Applicable Use Standard
		Site Area (acres)		Site width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Building Height (feet)	
		(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)	
Restaurant <sup>(i)</sup>	C	2	10	200	125	25	25	30	
Retail Sales <sup>(f)(i)</sup>	C	2	10	200	125	25	25	30	
Vehicle Repair and Service	C	2	10	200	125	25	25	30	
<b>Industrial</b>									
Gravel Pit	C	2	-	200	125	25	25	30	4.11
Home Industry	C*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.14
Industrial, Light <sup>(c)(g)</sup>	C	2	10	200	125	25	25	30	
Industrial, Heavy <sup>(c)(g)</sup>	C	2	10	200	125	25	25	30	
Storage, Bulk	P	2	10	200	125	25	25	30	
Storage, Hazardous Materials	C	2	10	200	125	25	25	30	4.2
Wrecking and Salvage Yards	C	2	10	200	125	25	25	30	
<b>Civic</b>									
Camping Grounds	C	2	10	200	125	25	25	30	4.7
Cemetery	C	2	10	200	125	25	25	30	
Community/Recreation Facilities	C	2	10	200	125	25	25	30	
Gallery/Museum <sup>(i)</sup>	C	2	10	200	125	25	25	30	
Place of Worship <sup>(i)</sup>	C	2	10	200	125	25	25	30	
Recreation Trails	C	-	-	-	-	-	-	-	
<b>Transportation &amp; Utilities</b>									
Aircraft Facilities	C	10	-	200	125	25	25	30	
Commercial WEGS	P	80	-	1000	125	25	25	30	4.9
Freight or Truck Yard <sup>(c)</sup>	C	2	10	200	125	25	25	30	
Oil Battery	P	80	-	1000	125	25	25	30	4.19
Public Utility <sup>(c)</sup>	C	2	10	200	125	25	25	30	
Waste Management Facility, Solid	C	2	-	200	125	25	25	30	
Wastewater Management Facility	C	2	-	200	125	25	25	30	
<b>Accessory Buildings and Structures</b> <sup>1</sup>	-	-	-		125	25	25	18	
<sup>1</sup> Refer to Section 2.6 on Accessory Buildings and Structures, and Part 3: Accessory Development									

### Table Notes:

- (a) As per the South Central Planning District Development Plan, in areas designated as Livestock Policy Area 1 (LPA1), Livestock Operations up to 100 AUs shall be a conditional use and Livestock Operations greater than 100 AUs are not permitted.
- (b) Where the activities or nature of the use is more suitable for a rural location and it supports surrounding agricultural operations
- (c) Only when no suitable location exists in a Settlement Centre or Highway Business Area, and must be directed away from prime agricultural lands, viable lower class lands and existing operations
- (d) In Agricultural zones, this use only includes Exhibition Grounds
- (e) Only in accordance with Development Plan Policies 3.8.2 to 3.8.5 for Non-Farm Dwellings.

## **PART 5: ZONES**

- (f) In Agricultural zones, this use only includes rural convenience stores
- (g) Any use that involves the cultivation or processing of cannabis shall be a conditional use. Licensing under federal and/or provincial regulations may be a conditional of approval
- (h) Seasonal resort development will only be considered in the area identified as the *Assiniboine and Pembina River Greenway* on Map 1 of the SCPD Development Plan. Circle Square Ranch shall be included in this use.
- (i) Refer to Use Specific Standard 4.2 and Appendix A for calculation of Animal Units and associated minimum acreage required
- (j) Shall include the expansion and/or renovation of existing uses only. New uses shall be directed to Settlement Centres

## PART 5: ZONES

AL: LIMITED AGRICULTURE ZONE									
List of Uses P = Permitted C = Conditional * = Only as a Secondary Use		Dimensional Standards							Applicable Use Standard
		Site Area (acres)		Site width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Building Height (feet)	
		(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)	
Agricultural									
Agri-Business <sup>(c)</sup>	C	2	10	200	50	25	25	35	
Agri-Tourism	C*	Shall comply with the dimensional standards for the farmstead site							4.1
Agricultural Chemical Storage <sup>(c)</sup>	C	2	10	200	50	25	25	35	4.2
Agricultural Industry <sup>(c)(h)</sup>	C	2	10	200	50	25	25	35	
Agriculture, General <sup>(h)</sup>	P	80		800	125	25	25	35	
Agriculture, Specialized <sup>(h)</sup>	C	2		200	125	25	25	35	
Animal Keeping <sup>(a)</sup>	C	2 (i)		200	125	25	25	35	4.4
Apiary	C	2		200	125	125	125	35	4.5
Greenhouse/Nursery <sup>(h)</sup>	P	2		200	125	25	25	35	
Livestock Operations (10 to 100 AUs)	C	80		300	125	25	25	35	4.15
Riding Academy/Stable	C	2	-	200	50	25	25	35	4.23
Residential									
Dwelling, Caretaker/staff	P*	-	-	-	50	25	25	30	4.8
Dwelling, Farmstead	P*	-	-	-	50	25	25	30	
Dwelling, Mobile Home <sup>(b)</sup>	P	2	10	200	50	25	25	30	4.16
Dwelling, Modular <sup>(b)</sup>	C	2	10	200	50	25	25	30	4.17
Dwelling, Single-Family <sup>(b)</sup>	C	2	10	200	50	25	25	30	
Secondary Suite	P*	-	-	-	50	25	25	30	4.21
Retail & Services									
Amusement Enterprise, Outdoor <sup>(e)</sup>	P	2		200	125	25	25	30	
Animal Hospital/Veterinary Clinic <sup>(d)</sup>	C	2	10	200	50	25	25	30	
Auction Yard	C	2	10	200	50	25	25	30	
Contractor's Establishment <sup>(d)</sup>	C	2	10	200	50	25	25	30	
Heavy Equipment, Sales and Service <sup>(d)</sup>	C	2	10	200	50	25	25	30	
Home Daycare	P*	Shall comply with the dimensional standards for the principal building							4.12
Home Occupation	C*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.13
Kennel	C	2	10	200	50	25	25	30	
Vehicle Repair and Service <sup>(d)</sup>	C	2	10	200	50	25	25	30	
Industrial									
Home Industry	C*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.14
Industrial, Light <sup>(d)(h)</sup>	C	2	10	200	50	25	25	30	
Industrial, Heavy <sup>(d)(h)</sup>	C	2	10	200	50	25	25	30	
Storage, Bulk	C	2	10	200	50	25	25	30	
Storage, Hazardous Materials	C	2	10	200	50	25	25	30	
Wrecking and Salvage Yards	C	2	10	200	50	25	25	30	
Civic									
Camping Grounds	C	2	10	200	50	25	25	30	4.7

## PART 5: ZONES

AL: LIMITED AGRICULTURE ZONE									
List of Uses P = Permitted C = Conditional <u>Underline</u> = Only as a Secondary Use		Dimensional Standards							Applicable Use Standard
		Site Area (acres)		Site width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Building Height (feet)	
		(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)	
Community/Recreation Facilities <sup>(f)</sup>	P	2		200	125	25	25	30	
Gallery/Museum <sup>(i)</sup>	C	2	10	200	50	25	25	30	
Place of Worship <sup>(i)</sup>	C	2	10	200	50	25	25	30	
Recreation Trails	C	-	-	-	-	-	-	30	
<b>Transportation &amp; Utilities</b>									
Aircraft Facilities	C	10		200	125	25	25	30	
Commercial WEGS	C	40		200	125	25	25	30	4.9
Freight or Truck Yard <sup>(d)</sup>	C	2	10	200	50	25	25	30	
Public Utility <sup>(d)</sup>	C	2	10	200	50	25	25	30	
Wastewater Management Facility <sup>(g)</sup>	C	2		200	50	25	25	30	
<b>Accessory Buildings and Structures <sup>1</sup></b>	-	-	-	-	50	25	25	18	
1 Refer to Section 2.6 on Accessory Buildings and Structures, and Part 3: Accessory Development									

### Table Notes:

- (a) Shall be allowed on a pasture basis only, subject to the capability of the land
- (b) Only in accordance with Development Plan Policies 3.8.2 to 3.8.5 for Non-Farm Dwellings.
- (c) Where the activities or nature of the use is more suitable for a rural location and it supports surrounding agricultural operations
- (d) Only when no suitable location exists in a Settlement Centre or Highway Business Area, and must be directed away from prime agricultural lands, viable lower class lands and existing operations
- (e) In Agricultural zones, this use only includes Exhibition Grounds
- (f) If the use is a community hall, it shall only be allowed in the AL zone if no suitable location exists in a Settlement Centre and must be directed away from prime agricultural lands, viable lower class lands and existing operations
- (g) This use is limited to private sewage lagoons in the AL zone
- (h) Any use that involves the cultivation or processing of cannabis shall be a conditional use. Licensing under federal and/or provincial regulations may be a condition of approval
- (i) Refer to Use Specific Standard 4.2 and Appendix A for calculation of Animal Units and associated minimum acreage required
- (j) Shall include the expansion and/or renovation of existing uses only. New uses shall be directed to Settlement Centres

## PART 5: ZONES

RR: RURAL RESIDENTIAL ZONE									
List of Uses P = Permitted C = Conditional * = Only as a Secondary Use	Dimensional Standards								Applicable Use Standard
	Site Area (acres)		Site width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Building Height (feet)		
	(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)		
Agricultural									
Nursery/Greenhouse	C*	Shall comply with the dimensional standards for accessory buildings							
Animal Keeping (a)	C	2 (b)	-	200	50	25	25	35	4.4
Riding Academy/Stable	C	2	-	200	50	25	25	35	4.23
Residential									
Dwelling, Seasonal	P	2	-	200	50	25	25	30	
Dwelling, Single-Family	P	2	-	200	50	25	25	30	
Dwelling, Two Family	C	2	-	200	50	25	25	30	
Dwelling, Mobile Home	C	2	-	200	50	25	25	30	4.16
Dwelling, Modular	C	2	-	200	50	25	25	30	4.17
Dwelling, Multi-Family	C	2	-	200	50	25	25	30	4.18
Planned Unit Development	C	5 ac.	As determined by Council						4.20
Secondary Suite	P*	-	-	50	25	5	25	30	4.21
Lodging									
Bed and Breakfast	P*	Shall comply with the dimensional standards for the principal building							4.6
Retail & Services									
Home Daycare	P*	Shall comply with the dimensional standards for the principal building							4.12
Home Occupation	P*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.13
Restaurant	C	2	-	200	50	25	25	30	
Industrial									
Home Industry	C*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.14
Civic									
Camping Grounds	C	2	-	200	50	25	25	30	4.7
Parks/Playgrounds	P	2	-	200	50	25	25	30	
Transportation & Utilities									
Public Utility	P	2	-	200	25	15	25	30	
Accessory Buildings and Structures <sup>1</sup>	-	-	-	-	25	5	25	15	

<sup>1</sup> Refer to Section 2.6 on Accessory Buildings and Structures, and Part 3: Accessory Development

<sup>1</sup> Refer to Section 2.6 on Accessory Buildings and Structures, and Part 3: Accessory Development

### Table Notes:

- (a) Animal keeping shall be allowed on a pasture basis only, except for riding academies and stables
- (b) Refer to Appendix A for calculation of Animal Units and associated minimum acreage required as per Use Standard 4.2

## PART 5: ZONES

GD: GENERAL DEVELOPMENT ZONE									
List of Uses P = Permitted C = Conditional * = Only as a Secondary Use		Dimensional Standards							Applicable Use Standard
		Site Area (square feet)		Site width (feet)	Front Yard (feet)	Side Yard (feet) <sup>1</sup>	Rear Yard (feet)	Building Height (feet)	
		(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)	
Agricultural									
Greenhouse/Nursery (i)	C	15,000	-	100	25	15	25	30	
Residential									
Assisted Living Facility	P	20,000	-	100	25	15	25	30	
Dwelling, Mobile Home (a)	C	5,000	-	50	25	5	25	30	4.16
Dwelling, Modular Home (a)	C	5,000	-	50	25	5	25	30	4.17
Dwelling, Multi-Family (a)	P	9,000	-	100	25	5	25	30	4.18
Dwelling, Single-Family (a)	P	5,000	-	50	25	5	25	30	
Dwelling, Two-Family (a)	P	7,500	-	50	25	5	25	30	
Dwelling, Caretaker/staff	C*	Shall comply with the dimensional standards for the principal building							4.8
Residential Care/Group Home (a)(g)	P	10,000	-	100	25	5	25	30	
Rooming House (a)(b)	P	7,500	-	75	25	5	25	30	
Secondary Suite (h)	P*	Shall comply with the dimensional standards of the principal building							4.21
Lodging									
Bed and Breakfast (a)	P*	Shall comply with the dimensional standards for the principal building							4.6
Hotel/Motel	P	15,000	-	100	25	5	25	30	
Retail & Services									
Amusement Enterprise, Indoor	C	15,000	-	100	25	15	25	30	
Amusement Enterprise, Outdoor	C	20,000	-	100	25	15	25	30	
Animal Hospital/Veterinary Clinic (a)	C	7,500	-	100	25	5	25	30	
Building, Landscape or Garden Supplies	C	15,000	-	100	25	5	25	30	
Contractor's Establishment	C	15,000	-	100	25	5	25	30	
Drinking Establishment (a)	P	7,500	-	100	25	5	25	30	
Entertainment Facility	P	15,000	-	100	25	15	25	30	
Funeral Chapel/Mortuary (a)	P	7,500	-	100	25	5	25	30	
Heavy Equipment, Sales and Service	C	15,000	-	100	25	5	25	30	
Home Daycare	P*	Shall comply with the dimensional standards for the principal building							4.12
Home Occupation	P*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.13
Office (a)	P	7,500	-	75	25	5	25	30	
Personal Services (a)	P	7,500	-	75	25	5	25	30	
Retail Sales (a)(i)	P	6,000	-	60	25	5	25	30	
Restaurant (a)	P	7,500	-	75	25	5	25	30	
Vehicle Sales and Rental	C	15,000	-	100	25	5	25	30	
Vehicle Repair and Service	C	15,000	-	100	25	5	25	30	
Industrial									
Home Industry	C*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.14
Industrial, Light (c)(i)	C	15,000	-	100	25	5	25	30	



## PART 5: ZONES

GD: GENERAL DEVELOPMENT ZONE									
List of Uses P = Permitted C = Conditional <u>Underline</u> = Only as a Secondary Use		Dimensional Standards							Applicable Use Standard
		Site Area (square feet)		Site width (feet)	Front Yard (feet)	Side Yard (feet) <sup>1</sup>	Rear Yard (feet)	Building Height (feet)	
		(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)	
Industrial, Heavy (c)	C	15,000	-	100	25	5	25	30	
Storage, Bulk (c)	C	15,000	-	100	25	5	25	30	
Storage, Self	C	15,000	-	100	25	5	25	30	
Warehouse	C	10,000	-	100	25	5	25	30	
<b>Civic</b>									
Camping Grounds	P	20,000	-	100	25	15	25	30	4.7
Childcare Centre	P	15,000	-	75	25	5	25	30	
Club, Private	P	15,000	-	100	25	5	25	30	
Community/Recreation Facilities	P	15,000	-	100	25	15	25	30	
Gallery/Museum	P	15,000	-	100	25	15	25	30	
Golf Course	P	15,000	-	100	25	15	25	30	
Government Services (a)	P	7,500	-	100	25	15	25	30	
Health Institute/Hospital	P	20,000	-	100	25	15	25	30	
Library	P	15,000	-	100	25	15	25	30	
Park/Playground	P	1,000	-	20	-	-	-	30	
Parking, Surface Lot	P	5,000	-	50	-	-	-	30	
Personal Care Home	P	20,000	-	100	25	15	25	30	
Place of Worship (a)	P	10,000	-	100	25	15	25	30	
Protection & Emergency Services (a)	P	10,000	-	100	25	15	25	30	
School	P	20,000	-	100	25	15	25	30	4.22
<b>Transportation &amp; Utilities</b>									
Freight or Truck Yard	C	15,000	-	100	25	5	25	30	
Public Utility	P	15,000	-	100	25	15	25	30	
Wastewater Management Facility	C	15,000	-	100	25	15	25	30	
<b>Accessory Buildings and Structures</b> <sup>2, 3, (f)</sup>	-	-	-	-	25	5 (d)	5 (d)	(e)	
<sup>1</sup> The min. side yard requirement shall be 15 ft. when located on the street side of a corner site, or when back lane access is not available <sup>2</sup> The maximum site coverage for buildings and structures accessory to residential uses shall be 10% of the site area <sup>3</sup> Refer to Section 2.6 on Accessory Buildings and Structures, and Part 3: Accessory Development									

### Table Notes:

- (a) Sites not serviced by piped Municipal services or private holding tanks shall meet the following bulk requirements: Min. Site Area: 15,000 sq. ft; Min. Site Width: 100 feet; Min. Side Yard: 10 feet; or as required by the provincial authority for approving onsite wastewater management facilities.
- (b) A Rooming House with more than 4 suites shall be a conditional use and the min. site area shall be 15,000 sq. ft.
- (c) Where the side or rear site line of a site coincides with the boundary of a railway right-of-way, the required yard shall be 0 ft. for those structures which require railway service for loading or unloading.
- (d) Min. side and rear yard requirements for buildings and structures accessory to residential uses is 4 ft, when located entirely to the rear of the principal building
- (e) Max. height for buildings and structures accessory to a principal residential use is 12 ft. Max. height for buildings and structures accessory to a principal non-residential use is 18 ft.

## **PART 5: ZONES**

- (f) Where an accessory building or structure is used for the storage of a motor vehicle, the wall which contains the vehicular access door shall be set back a minimum distance of 10 ft. from a public lane.
- (g) A residential care home for more than 4 persons shall be a conditional use and require a min. site area of 15,000 sq.ft.
- (h) In the General Development zone, this use does not include detached Secondary Suites
- (i) Any use that involves the cultivation or processing of cannabis shall be a conditional use. Licensing under federal and provincial regulations may be a condition of approval.
- (j) The sale of cannabis and cannabis-related products shall be a conditional use. Licensing under federal and provincial regulations may be a condition of approval.

## PART 5: ZONES

RG: GENERAL RESIDENTIAL ZONE									
List of Uses P = Permitted C = Conditional * = Only as a Secondary Use	Dimensional Standards								Applicable Use Standard
	Site Area (Square feet) (g)		Site width (feet)	Front Yard (feet)	Side Yard (feet) <sup>1</sup>	Rear Yard (feet)	Building Height (feet)		
	(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)		
Residential									
Assisted Living Facility	C	20,000	-	100	25	15	25	30	
Dwelling, Mobile Home (e)	C	5,000	-	40	25	5	25	30	4.16
Dwelling, Modular Home	C	5,000	-	50	25	5	25	30	4.17
Dwelling, Multi-Family	C	9,000	-	100	25	5	25	30	4.18
Dwelling, Single-Family	P	5,000	-	50	25	5	25	30	
Dwelling, Two-Family (a)	P	7,500	-	75	25	5	25	30	
Planned Unit Development	C	5 ac.	-	-	-	-	-	30	4.20
Residential Care/Group Home	C	7,500	-	75	25	5	25	30	
Rehabilitation Home	C	7,500	-	75	25	5	25	30	
Rooming House	C	7,500	-	75	25	5	25	30	
Secondary Suite (f)	P*	Shall comply with the dimensional standards of the principal building							4.21
Lodging									
Bed and Breakfast	C*	Shall comply with the dimensional standards for the principal building							4.6
Retail & Services									
Home Daycare	P*	Shall comply with the dimensional standards for the principal building							4.12
Home Occupation	P*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.13
Civic									
Childcare Centre	C	7,500	-	75	25	5	25	30	
Club, Private	C	7,500	-	75	25	5	25	30	
Community/Recreation Facilities	C	7,500	-	75	25	5	25	30	
Library	C	7,500	-	75	25	5	25	30	
Parks/Playgrounds	P	1,000	-	20	-	-	-	-	
Personal Care Home	C	20,000	-	100	25	15	25	30	
Place of Worship	P	7,500	-	75	25	5	25	30	
School	C	20,000	-	100	25	15	25	30	4.22
Transportation & Utilities									
Public Utility	P	5,000	-	50	25	5	25		
Accessory Buildings and Structures <sup>2, 3</sup>	-	-	-		25	5 <sup>(b)</sup>	5 <sup>(c)(d)</sup>	12	

<sup>1</sup> The min. side yard required shall be 15 ft. when located on the street side of a corner site, or when the building height is in excess of 20 feet above grade

<sup>2</sup> The maximum site coverage for accessory buildings and structures is 10% of the site area

<sup>3</sup> Refer to Section 2.6 on Accessory Buildings and Structures, and Part 3: Accessory Development

### Table Notes:

- (a) Where a two-family dwelling is to be subdivided into two separate sites along a party wall, the minimum site area requirement for each site shall be 3,500 sq.ft. and the min. site width shall be 35 ft.
- (b) When located entirely to the rear of a principal building, the min. required interior side yard for accessory buildings and structures shall be 4 ft.
- (c) When the rear site line is not adjacent to a public lane, the minimum required rear yard for accessory buildings and structures shall be 4 ft.

## **PART 5: ZONES**

- (d) Where an accessory building or structure is used for the storage of a motor vehicle, the wall which contains the vehicular access door shall be set back a minimum distance of 10 ft. from a public lane.
- (e) Mobile homes shall only locate in an approved mobile home park or within a mobile home subdivision, in accordance with a Municipal Development Agreement
- (f) In the General Residential zone, this use shall not include detached Secondary Suites
- (g) In locations where sites are not serviced by piped Municipal services (or private holding tanks), the following bulk requirements shall be applied to lots less than 15,000 sq ft: Min. Site Area: 15,000 sq. ft; Min. Site Width: 100 feet; Min. Side Yard: 10 feet; or as required by the provincial authority for approving onsite wastewater management facilities.

## PART 5: ZONES

RA: ACREAGE RESIDENTIAL ZONE									
List of Uses P = Permitted C = Conditional * = Only as a Secondary Use		Dimensional Standards							Applicable Use Standard
		Site Area (square feet)		Site width (feet)	Front Yard (feet)	Side Yard (feet) <sup>1</sup>	Rear Yard (feet)	Building Height (feet)	
		(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)	
Agricultural									
Animal Keeping (a)	P	Shall comply with the dimensional standards for accessory buildings							4.4
Residential									
Dwelling, Single-Family	P	5,000	-	50	25	5	25	30	
Secondary Suites	P*	Shall comply with the dimensional standards for the principal building							4.21
Retail & Services									
Home Daycare	P*	Shall comply with the dimensional standards for the principal building							4.12
Home Occupation	P*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.13
Civic									
Parks/Playgrounds	P	1000	-	20	-	-	-	-	
Accessory Buildings and Structures <sup>2, 3</sup>	-	-	-	-	25	5	5	15	
<sup>1</sup> The min. side yard required shall be 15 ft. when located on the street side of a corner site, when the building height is in excess of 20 feet above grade, or when the side wall of the building contains a window in excess of 20 sq. ft. <sup>2</sup> The maximum site coverage for accessory buildings and structures shall be 10% of the site area <sup>3</sup> Refer to Section 2.6 on Accessory Buildings and Structures, and Part 3: Accessory Development									

### Table Notes:

- a) Animal keeping shall be allowed on a pasture basis only, except for riding academies and stables

## PART 5: ZONES

CG: GENERAL COMMERCIAL ZONE									
List of Uses P = Permitted C = Conditional * = Only as a Secondary Use		Dimensional Standards							Applicable Use Standard
		Site Area (square feet)		Site width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Building Height (feet)	
		(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)	
Agricultural									
Agri-Business	C	10,000	-	100	25	10	25	30	
Greenhouse/Nursery (a)	C	5,000	-	50	25	10	25	30	
Residential									
Assisted Living Facility	P	20,000	-	100	25	15	25	30	
Dwelling, Caretaker/staff	C*	Shall comply with the dimensional standards for the principal building							4.8
Dwelling, Multi-Family	C	9,000	-	50	25	10	25	30	4.18
Planned Unit Development	C	5 ac.	-	200					4.20
Lodging									
Hotel / Motel (b)	P	10,000	-	50	25	25	25	30	
Retail & Services									
Amusement Enterprise, Indoor	P	5,000	-	50	25	10	25	30	
Animal Hospital/Veterinary Clinic	C	10,000	-	50	25	15	25	30	
Animal Shelter	C	5,000	-	50	25	10	25	30	
Auction Room	C	10,000	-	50	25	15	25	30	
Building, Landscape or Garden Supplies	C	10,000	-	100	25	15	25	30	
Car Wash	P	10,000	-	100	25	15	25	30	
Contractor's Establishment	C	5,000	-	50	25	10	25	30	
Drinking Establishment	P	5,000	-	50	25	10	25	30	
Drive-Through Establishment	C	5,000	-	100	25	15	25	30	4.10
Entertainment Facility	P	5,000	-	50	25	10	25	30	
Event Centre	C	10,000	-	100	25	15	25	30	
Fitness Centre	P	5,000	-	50	25	10	25	30	
Fuel Sales	C	5,000	-	50	25	10	25	30	
Funeral Chapel or Mortuary	P	5,000	-	50	25	10	25	30	
Hall Rental	P*	Shall comply with the dimensional standards for the principal or accessory building it is located within							
Heavy Equipment, Sales, Service & Rental	C	10,000	-	100	25	15	25	30	
Home Daycare	P*	Shall comply with the dimensional standards for the principal building							4.12
Home Occupation	C*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.13
Office	P	5,000	-	50	25	10	25	30	
Pawn Shop	C	5,000	-	50	25	10	25	30	
Personal Services	P	5,000	-	50	25	10	25	30	
Pet Services	C	5,000	-	50	25	10	25	30	
Restaurant	P	5,000	-	50	25	10	25	30	
Retail Sales (c)	P	5,000	-	50	25	10	25	30	

## PART 5: ZONES

CG: GENERAL COMMERCIAL ZONE									
<b>List of Uses</b> P = Permitted C = Conditional * = Only as a Secondary Use		Dimensional Standards							Applicable Use Standard
		Site Area (square feet)		Site width (feet)	Front Yard (feet)	Side Yard (feet)	Rear Yard (feet)	Building Height (feet)	
		(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)	
Vehicle Repair and Service	C	5,000	-	50	25	10	25	30	
Vehicle Sales and Rental	C	10,000	-	100	25	15	25	30	
<b>Industrial</b>									
Industrial, Light (a)	C	5,000	-	50	25	10	25	30	
Storage, Bulk	C	5,000	-	50	25	10	25	30	
Storage, Self	C	10,000	-	100	25	15	25	30	
Warehouse	C	10,000	-	100	25	15	25	30	
<b>Civic</b>									
Child Care Centre	P	5,000	-	50	25	10	25	30	
Club, Private	P	5,000	-	50	25	10	25	30	
Community/Recreation Facility	P	5,000	-	100	25	15	25	30	
Emergency Shelter	C	5,000	-	50	25	15	25	30	
Gallery/Museum	P	5,000	-	50	25	10	25	30	
Government Services	P	10,000	-	100	25	15	25	30	
Library	P	5,000	-	50	25	10	25	30	
Park/Playground	P	1,000	-	20	-	-	-	30	
Parking, Surface Lot	P	5,000	-	50	25	-	-	-	
Personal Care Home	P	20,000	-	100	25	15	25	30	
Protection and Emergency Services	P	5,000	-	100	25	15	25	30	
Place of Worship	P	5,000	-	100	25	15	25	30	
School	P	20,000	-	100	25	15	25	30	4.22
<b>Transportation &amp; Utilities</b>									
Fleet Services	C	10,000	-	80	30	10	20	30	
Public Utility	P	5,000	-	50	25	10	25	30	
<b>Accessory Buildings and Structures</b> <sup>1</sup>	-	-	-	-	25	5	5	18	
<sup>1</sup> Refer to Section 2.6 on Accessory Buildings and Structures, and Part 3: Accessory Development									

### Table Notes:

- This use shall not include cannabis cultivation or processing
- Where the exterior wall does not contain any exterior windows or entrances to individual suites, and where there is sufficient parking provided elsewhere, the min. required side yard shall be 5 ft.
- The sale of cannabis and cannabis-related products shall be a conditional use

## **PART 5: ZONES**

### **5.3.1 Central Business District Overlay**

The intent of the Central Business District (CBD) Overlay is to recognize and maintain the existing character and compact development pattern of the commercial main street in the LUD of Holland.

The following provisions apply to all sites within the CBD Overlay, as defined on Map 2 of this bylaw. Where other provisions of this bylaw appear to be in conflict with those of this overlay, the rules for this overlay shall prevail:

- a) The minimum site width is reduced to 25 feet
- b) The minimum required front yard may be reduced to 0 feet, except where adjacent yard setbacks differ. In these cases, the required yards shall be calculated to the average setback of adjacent yards
- c) There shall be no minimum off-street parking or loading requirements within the CBD, except for multi-family dwellings
- d) The design and scale of buildings should be consistent with adjacent buildings, where applicable and practical, to convey a cohesive appearance and character
- e) Where off-street parking is provided, it shall be located behind the principal building
- f) Any loading and refuse storage areas should be located behind the principal building, where accessible by public lane
- g) Within the CBD Overlay area, Vehicle Repair and Service uses, and Vehicle Sales and Rental uses shall be conditional uses



## PART 5: ZONES

CH: HIGHWAY COMMERCIAL ZONE									
List of Uses P = Permitted C = Conditional * = Only as a Secondary Use		Dimensional Standards							Applicable Use Standard
		Site Area (square feet)		Site width (feet)	Front Yard (feet) <sup>1</sup>	Side Yard (feet)	Rear Yard (feet)	Building Height (feet)	
		(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)	
Agricultural									
Agri-Business	C	10,000	-	100	25	10	25	30	
Greenhouse/Nursery <sup>(a)</sup>	C	10,000	-	50	25	10	25	30	
Residential									
Dwelling, Caretaker/staff	C*	Shall comply with the dimensional standards for the principal building							4.8
Lodging									
Hotel / Motel <sup>(b)</sup>	P	10,000	-	50	25	25	25	30	
Retail & Services									
Building, Landscape or Garden Supplies	P	20,000	-	100	30	10	20	30	
Car Wash	P	10,000	-	100	25	15	25	30	
Drive-Through Establishment	C	5,000	-	100	25	15	25	30	4.10
Fuel Sales	P	6,000	-	50	25	5	20	30	
Heavy Equipment, Sales and Service	P	20,000	-	100	30	10	20	30	
Personal Services	C	5,000	-	50	25	10	25	30	
Retail Sales <sup>(c)</sup>	C	5,000	-	50	25	10	25	30	
Vehicle Repair and Service	P	10,000	-	80	30	10	20	30	
Vehicle Sales and Rental	P	10,000	-	80	30	10	20	30	
Industrial									
Industrial, Light <sup>(a)</sup>	P	10,000	-	100	25	15	25	30	
Storage, Bulk	P	10,000	-	80	30	10	20	30	
Storage, Self	P	10,000	-	100	25	25	25	30	
Warehouse	P	10,000	-	80	30	10	20	30	
Civic									
Parking, Surface Lot	P	5,000	-	50	25	-	-	-	
Transportation & Utilities									
Freight or Truck Yard	P	20,000	-	100	30	10	20	30	
Public Utility	P	10,000	-	80	30	10	20	30	
Accessory Buildings and Structures <sup>2</sup>	-	-	-	-	30	5	5	18	

<sup>1</sup> Front yards shall include a landscaped green space adjacent to the street right-of-way, at least 10 feet in depth as measured from the front property line

<sup>2</sup> Refer to Section 2.6 on Accessory Buildings and Structures, and Part 3: Accessory Development

### Table Notes:

- a) This use shall not include cannabis cultivation or processing
- b) Where the exterior wall does not contain any exterior windows or entrances to individual suites, and where there is sufficient parking provided elsewhere, the min. required side yard shall be 5 ft.
- c) The sale of cannabis and cannabis-related products shall be a conditional use

## PART 5: ZONES

MG: GENERAL INDUSTRIAL ZONE									
List of Uses P = Permitted C = Conditional * = Only as a Secondary Use		Dimensional Standards							Applicable Use Standard
		Site Area (square feet)		Site width (feet)	Front Yard (feet) <sup>1</sup>	Side Yard (feet)	Rear Yard (feet)	Building Height (feet)	
		(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)	
Agricultural									
Agriculture, Indoor <sup>(a)</sup>	C	10,000	-	100	25	15	25	30	
Residential									
Dwelling, Caretaker/staff	C*	Shall comply with the dimensional standards for the principal building							4.8
Retail & Services									
Adult Oriented Business	C	5,000	-	50	25	15	25	30	
Auction Yard	C	20,000	-	100	30	10	20	30	
Building, Landscape or Garden Supplies	P	20,000	-	100	30	10	20	30	
Contractor's Establishment	P	10,000	-	100	25	15	25	30	
Fuel Sales	P	6,000	-	50	25	5	20	30	
Heavy Equipment, Sales and Service	P	20,000	-	100	30	10	20	30	
Pawnshop	C	5,000	-	50	25	15	25	30	
Vehicle Repair and Service	P	10,000	-	80	30	10	20	30	
Vehicle Sales and Rental	P	10,000	-	80	30	10	20	30	
Industrial									
Industrial, Light <sup>(a)</sup>	P	10,000	-	100	25	15	25	30	
Industrial, Heavy <sup>(a)</sup>	C	10,000	-	100	25	15	25	30	
Recycling Yards	C	20,000	-	100	30	10	25	30	
Storage, Bulk	P	10,000	-	80	30	10	20	30	
Storage, Hazardous Materials	C	20,000	-	100	30	10	20	30	4.2
Storage, Self	P	5,000	-	50	25	25	25	30	
Warehouse	P	10,000	-	80	30	10	20	30	
Wrecking and Salvage Yards <sup>(b)</sup>	C	20,000	-	100	30	10	20	30	
Transportation & Utilities									
Fleet Services	C	10,000	-	80	30	10	20	30	
Freight or Truck Yard	P	20,000	-	100	30	10	20	30	
Public Utility	P	10,000	-	80	30	10	20	30	
Towing and Storage Facility	C	10,000	-	80	30	10	20	30	
Accessory Buildings and Structures <sup>2</sup>	-	-	-	-	30	5	5	18	
<sup>1</sup> Front yards shall include a landscaped green space adjacent to the street right-of-way, at least 10 feet in depth as measured from the front property line									
<sup>2</sup> Refer to Section 2.6 on Accessory Buildings and Structures, and Part 3: Accessory Development									

### Table Notes:

- a) This use shall not include cannabis cultivation or processing. Licensing under federal and/or provincial regulations may be a condition of approval
- b) An 8 ft. high fence shall be required to screen any outdoor storage

## PART 5: ZONES

OR: OPEN SPACE AND RECREATION ZONE									
List of Uses P = Permitted C = Conditional * = Only as a Secondary Use		Dimensional Standards							Applicable Use Standard
		Site Area (square feet)		Site width (feet)	Front Yard (feet)	Side Yard (feet) <sup>1</sup>	Rear Yard (feet)	Building Height (feet)	
		(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)	
Residential									
Dwelling, Caretaker/staff	C*	Shall comply with the dimensional standards for the principal building							4.8
Retail & Services									
Amusement Enterprise, Outdoor <sup>(a)</sup>	P	10,000	-	100	25	15	25	30	
Farmer's Market	C	10,000	-	100	25	15	25	30	
Restaurants <sup>(b)</sup>	P*	Shall comply with the dimensional standards for the principal or accessory building it is located within							
Retail Sales <sup>(c)</sup>	P*	Shall comply with the dimensional standards for the principal or accessory building it is located within							
Civic									
Camping Grounds	C	20,000	-	100	25	15	25	30	4.7
Cemetery	C	20,000	-	100	25	15	25	30	
Child Care Centre	P	5,000	-	50	25	10	25	30	
Club, Private	C	5,000	-	50	25	10	25	30	
Community Garden	C	5,000	-	50	25	10	25	15	
Community/Recreation Facilities	P	20,000	-	100	25	15	25	30	
Gallery/Museum	P	5,000	-	50	25	10	25	30	
Golf Course	P	20,000	-	100	25	15	25	30	
Health Institute/Hospital	C	20,000	-	100	25	15	25	30	
Library	P	5,000	-	50	25	10	25	30	
Parks/Playgrounds	P	1,000	-	20	-	-	-	30	
School	P	20,000	-	100	25	15	25	30	4.22
Transportation & Utilities									
Public Utility	C	5,000	-	50	25	5	25	30	
Accessory Buildings and Structures <sup>2</sup>	-	-	-	-	25	5	5	15	
<sup>1</sup> The min. side yard required shall be 15 ft. when located on the street side of a corner site, or when the building height is in excess of 20 feet above grade, or when the side wall of the building contains a window in excess of 20 sq. ft.									
<sup>2</sup> Refer to Section 2.6 on Accessory Buildings and Structures, and Part 3: Accessory Development									

### Table Notes:

- a) Exhibition Grounds shall have a min. site area of 20,000 square feet
- b) Shall be limited to concessions when incidental to a permitted recreation use
- c) Shall be limited to gift shops when incidental to a recreation use

## PART 5: ZONES

UH: URBAN HOLD ZONE									
List of Uses P = Permitted C = Conditional * = Only as a Secondary Use	Dimensional Standards								Applicable Use Standard
	Site Area (acres)		Site width (feet)	Front Yard	Side Yard	Rear Yard	Building Height		
	(Min)	(Max)	(Min)	(Min)	(Min)	(Min)	(Max)		
Agricultural									
Agri-Tourism	C*	Shall comply with the dimensional standards of the farmstead site							4.1
Agriculture, General (a)	C	40	-	1,000	125	25	25	30	
Agriculture, Specialized (a)	C	2	-	200	125	25	25	30	
Animal Keeping (c)	C	(d)	-	200	125	25	25	30	4.4
Greenhouse/Nursery (a)	C	2	-	200	125	25	25	30	
Riding Academy/Stable	C	2	-	200	125	25	25	30	4.23
Residential									
Dwelling, Farmstead	C*	-	-	-	50	25	25	30	
Dwelling, Caretaker/staff	C*	-	-	-	50	25	25	30	4.8
Retail & Services									
Home Occupation	C*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.12
Industrial									
Home Industry	C*	Shall comply with the dimensional standards for the principal or accessory building it is located within							4.13
Civic									
Camping Grounds	C	2	-	200	125	25	25	30	4.7
Community/Recreation Facility (b)	C	2	-	200	125	25	25	30	
Transportation & Utilities									
Public Utility	C	2	-	200	50	25	25	30	
Accessory Buildings and Structures <sup>1</sup>	-	-	-	-	50	25	25	15	
<sup>1</sup> Refer to Section 2.6 on Accessory Buildings and Structures, and Part 3: Accessory Development									

### Table Notes:

- a) This use shall not include cannabis cultivation or processing
- b) Shall be limited to athletic/sports fields and associated accessory buildings
- c) Animal keeping shall be on a pasture basis only, except for riding academies and stables
- d) Refer to Use Specific Standard 4.2 and Appendix A for calculation of Animal Units and associated minimum acreage required

## **PART 6: ADMINISTRATION**

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

### **6.1 Administration and Enforcement**

In the administration and enforcement of this bylaw, the Planning District shall have all of the powers of inspection, remedy and enforcement provided under Part 12 of *The Planning Act*.

### **6.2 The Development Officer**

As the designated employee of the Planning District, the Development Officer shall have the authority to:

- a) issue development permits and exercise the powers of administration, inspection, remedy and enforcement provided in Part 12 of *The Planning Act*.
- b) refuse to issue a development permit where:
  - (i) the development permit application, or any information accompanying the development permit application, is incorrect or incomplete
  - (ii) the proposed building, structure or use does not, to the development officer's knowledge, comply with this zoning bylaw, the Building Bylaw or with any other law
- c) revoke a development permit where the development permit was issued in error
- d) make a minor variance order, without the need for a public hearing, for any proposed change that varies:
  - (i) any height, distance, area, size or intensity of use requirement in the zoning bylaw by no more than fifteen (15) per cent
  - (ii) the number of parking spaces required by the zoning bylaw by no more than fifteen (15) per cent

### **6.3 When Development Permits are Required**

A development permit is required for any of the following, except as otherwise provided for in this bylaw:

- a) the erection, construction, enlargement, structural alteration or placing of a building or structure, either permanent or temporary
- b) the establishment of a use of land or a building or structure
- c) the change of a use of land or a building or structure from the existing use to a use which is not a permitted use
- d) the alteration or enlargement of an approved conditional use
- e) the relocation, removal or demolition of any building or structure

## **PART 6: ADMINISTRATION**

### **6.4 Development Permits and Other Permits**

The issuance of a development permit in respect of a building or structure does not affect the obligation to obtain a building permit or other permit where required under the building bylaw, or another law, bylaw or regulation, for such a building or structure.

### **6.5 When Development Permits are Not Required**

A development permit is not required for the following:

- a) incidental alterations
- b) agricultural cropping of land
- c) the erection, construction, enlargement, structural alteration or placing of the following as accessory structures:
  - (i) fences, walls or similar means of screening or enclosure
  - (ii) non-illuminated accessory signs (except advertising signs, which are conditional uses)
  - (iii) outdoor lighting
  - (iv) flagpoles
  - (v) sheds and buildings for the storage of domestic equipment and supplies with a floor area of less than 100 square feet
  - (vi) garden houses or children's playhouses
  - (vii) private water supply wells and onsite wastewater disposal systems
  - (viii) private communications facilities 49.2 feet or less in height above ground
  - (ix) unenclosed patios at grade level
- d) Despite not requiring a development permit, all items in this section shall be subject to the requirements of this bylaw.

### **6.6 Applications for Development Permits**

An application for a development permit:

- a) shall be made by the owner or owners of the parcel in question, or by a person authorized in writing by them
- b) shall be accompanied by plans drawn to scale showing the following:
  - (i) the shape and dimensions of the parcel to be used or built on
  - (ii) the location and dimensions of existing buildings and structures
  - (iii) the location and dimensions of any proposed building, structure, enlargement or alteration
  - (iv) the use or uses of each existing and proposed building and structure, or of the land, and the area to be occupied by each use

## **PART 6: ADMINISTRATION**

- (v) vehicular access and utility connections, and where required, parking and loading areas and signage
- (vi) Other information, as may be required by the Development Officer, to determine compliance with and to provide enforcement of, this bylaw
- c) shall be accompanied by the fee prescribed by the South Central Planning District.

### **6.7 Development Permit Expiry**

A development permit shall expire and the right of an owner under that permit shall terminate if the work authorized by the permit is not commenced within twelve (12) months from the date of issuance of the permit, or within any extensions in writing of that time period granted by the Development Officer and is not reasonably continued without interruption after the end of such period.

### **6.8 Application for Amendments, Variances and Conditional Uses**

- a) An application for a variance, or conditional use, or an amendment to this bylaw shall be made in the proper form to the Development Officer by the owner or owners of the land in question, or by an authorized representative.
- b) Applications shall include:
  - (i) plans drawn to scale showing the shape and dimensions of the affected property
  - (ii) plans drawn to scale showing the location and dimensions of existing buildings and structures
  - (iii) plans drawn to scale showing the location and dimensions of the proposed building, structure, enlargement or alteration
  - (iv) a description of the use or uses of each existing and proposed building or structure, or of the land
  - (v) a description of the reason why the variance, conditional use, or amendment to this bylaw is being requested
  - (vi) any other information required by the development officer to determine compliance with, and to provide for enforcement of, this bylaw
- c) Applications shall be accompanied by the fee prescribed by the South Central Planning District

### **6.9 Expiry of Approval**

The approval of Council of a variance or conditional use shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of decision, unless it is renewed prior to the expiry date at the discretion of Council for an additional period of twelve (12) months. Only one (1) twelve (12) month extension is permitted.

### **6.10 Development Agreements**

Where an application is made for a subdivision, variance, conditional use or amendment to this bylaw, Council may require the owner to enter into a development agreement in accordance with the *Act*.

## **PART 6: ADMINISTRATION**

### **6.11 Effect of Bylaw on Existing Permits**

Unless otherwise provided for herein, development permits issued prior to the effective date of this bylaw shall be considered valid for the purpose of this bylaw, provided all the conditions under which the permit was issued are complied with

### **6.12 Pre-Existing Parcels, Uses and Buildings**

For parcels, uses, buildings or structures that lawfully existed prior to the effective date of this zoning bylaw, or amendments hereto:

- a) A use, building or structure which is classified as a permitted use, building or structure in this bylaw shall be allowed to continue to exist and may be enlarged or expanded, may be changed to another permitted use, or may be replaced if destroyed
- b) A use, building or structure which is classified as a conditional use, building or structure in this bylaw and shall be allowed to continue to exist, may be changed to a permitted use, or may be replaced if destroyed, provided that the replacement does not increase the intensity of the previously existing use
- c) A use, building or structure which is not classified as a permitted or conditional use, building or structure in this bylaw shall be deemed a legal non-conforming use, building or structure and may continue to exist, subject to section 6.13 regulating non-conformities, and the *Act*
- d) A parcel, building or structure that does not conform to one or more of the applicable site or yard requirements in this bylaw shall be deemed a legal non-conforming parcel, building or structure and shall be used or occupied as if it conformed to all such requirements, subject to section 6.13 regulating non-conformities, and the *Act*
- e) A person with an interest in a building, parcel of land, or an operation involving a use of land that does not comply with this bylaw, may apply to the South Central Planning District for a certificate that confirms that the building, parcel, use of land or intensity of use was lawfully in existence before the enactment of this bylaw
- f) An existing parcel, use, building or structure that was considered illegal under the provisions of any development plan or zoning bylaw in force prior to the effective date of this bylaw, or amendments hereto, shall not become or be made lawful, solely by reason of the adoption of this bylaw, and to the extent that, and in any manner that, said illegal parcel, building, structure or use is in conflict with the requirements of this bylaw, said parcel, building, structure or use shall remain illegal hereunder

A parcel, use, building or structure is considered to be 'lawfully' pre-existing, as per Section 86 (2) – (4) of *The Act*

### **6.13 Non-Conformities**

The intent of this section is to permit a legal non-conformity to continue until it is removed, but not to encourage its survival. The following regulations apply to legal non-conformities:

- a) A non-conforming use may be changed to a permitted use and shall not be changed to another non-conforming use



## **PART 6: ADMINISTRATION**

- b) A non-conforming use shall not be intensified, unless approved by a variation order
- c) A use that is secondary to a principal non-conforming use may continue as long as the principal non-conforming use exists
- d) A non-conforming use, building or structure shall not be re-established or reconstructed if it is:
  - (i) discontinued for a period in excess of twelve (12) consecutive months. A change in ownership or tenancy of a non-conforming use shall not affect the status of the non-conforming use
  - (ii) is removed, or
  - (iii) destroyed by more than 50 percent of its replacement value above the foundation
- e) A non-conforming structure may be enlarged or extended, provided that the use of the structure conforms with the regulations of the applicable zone and the enlargement or extension would not create a new non-conformity or increase the degree of non-conformity. The addition or enlargement shall conform to the requirements of this bylaw, unless varied by a variation order
- f) A structural alteration may be made to a non-conforming building or structure, provided that the said structural alteration conforms to the requirements of this bylaw, or that such requirements are varied by a variation order
- g) Incidental alterations may be made to a non-conforming building or structure, provided that the said alterations do not increase the non-conformity and otherwise conform to this bylaw
- h) A building, structure or use may be established on a non-conforming parcel of land when it is listed as a permitted or conditional use within the applicable zone in this bylaw, and when all other requirements of the zone are met, or a variance order has been obtained to alter the requirements
- g) A non-conforming sign shall be subject to the above provisions, with the following exceptions:
  - (i) A change in the subject matter represented on a sign shall not be considered a change in use
  - (ii) A non-conforming sign may be structurally altered, reconstructed or replaced in the same location and position, provided that such structural alteration, reconstruction or replacement does not result in: the creation of a new non-conformity or increase in the non-conformity, an increase in the sign surface area, or an increase in the degree of illumination.

### **6.14 Zoning Memorandum**

A person with an interest in a building, parcel of land or operation involving the use of land may apply to the South Central Planning District for a zoning memorandum that states whether or not the building, parcel, use or intensity of use, appears to conform with this bylaw.

### **6.15 Fees**

South Central Planning District shall, by bylaw, establish a fee schedule for zoning amendments, zoning memoranda, conditional use orders, non-conforming certificates, development permits, building permits and other appropriate documents.

## **PART 6: ADMINISTRATION**

### **6.16 No Changes Without Authorization**

All development shall be in accordance with the application and drawings submitted to and approved by the Development Officer. No work shall vary from the approved application and drawings without the written authorization of the Development Officer, and the owner shall ensure that all development is completed in accordance with the development permit

### **6.17 Order to Remedy Contravention**

If the Development Officer finds that a person is contravening this bylaw, the *Act*, or any other Act or bylaw, the Development Officer may by written order require the person responsible for the contravention to remedy it if, in the opinion of the Development Officer, the circumstances so require.

### **6.18 Review by Board**

A person who receives an order under section 6.17, or who is refused a development permit, may request the South Central Planning District Board to review the matter, by written notice given within 14 days after the date the order or decision was made.

## PART 7: DEFINITIONS

### 7.1 Definitions in The Planning Act

Terms not defined in this bylaw which are defined in *The Planning Act* have the meaning provided in that Act.

### 7.2 Definitions in this Bylaw

Where the following terms appear in this bylaw, they have the meaning provided as follows:

#### A

**Accessory** means the minor and subordinate buildings, structures and activities that are naturally and normally associated with the main or principal use.

**Act, The** means The Planning Act, C.C.S.M. c. P80 and all amendments and regulations thereto.

**Adult Oriented Business** means an establishment which is engaged in the exhibition, display, dance, or service, or the sale or rental of products that is intended to provide sexual stimulation or sexual gratification to patrons. Typical uses include but are not limited to, an adult book store, adult video store, adult movie theatre, exotic dance cabaret or strip club.

**Agri-Business** means a commercial establishment that provides goods or services to the agricultural sector, including but not limited to, farm supply co-ops, farmer's markets, livestock assembly yards and auction marts, and farm equipment repair shops.

**Agri-Tourism** means those farm-related tourism and recreation uses that promote enjoyment, education or activities related to the farm operation of which it is located on and secondary to. This includes, but is not limited to, corn or hay mazes, petting zoos (subject to the livestock operation requirements in the bylaw), hay, sleigh or carriage rides, farm produce retail outlets, eating facilities and like uses, and seasonal activities or events related to the farm, including farm tours and event facilities. Accommodations associated with farm vacations are considered part of an agri-tourism use.

**Agricultural Chemical Storage** means a facility used to store, blend and/or distribute chemicals used for crop protection and production. Products can include herbicides, insecticides, fungicides, rodenticides, and fertilizers. This use does not include anhydrous ammonia facilities.

**Agricultural Industry** means an operation that processes, packages, stores and/or distributes agricultural products from surrounding agricultural operations, including, but not limited to abattoirs, feed mills, grain dryers, cold or dry storage, seed cleaning plants, food and beverage processors, and agriculture biomass pelletizers.

## **PART 6: ADMINISTRATION**

**Agriculture, General** means a use of land for agricultural purposes, including cropping, pasturing, apiculture, aquaculture, floriculture, and horticulture, ~~and animal and poultry husbandry~~, as well as associated on-farm buildings and structures, including value-retaining facilities such as for treating, grading/sorting, packing, and storing the on-farm, agricultural products, but does not include the following:

- a) livestock production operations
- b) storage, handling or processing of agricultural products for the general public in return for remuneration
- c) sales or servicing (in return for remuneration) of agricultural equipment or agricultural buildings.

**Agriculture, Indoor** means an indoor, commercial-scale horticultural operation using soil-free methods (hydroponic or aeroponic) for growing high value/high yield plants for consumption and non-food products, such as cannabis. This type of use is typically housed in a fully enclosed warehouse with stacked, vertically oriented growing containers and controlled, year-round growing systems.

**Agriculture, Specialized** means an agricultural operation in which high value, lower volume, intensively managed agricultural products are produced on a smaller land holding than the minimum size required for general agriculture. Typical operations include apiaries, greenhouses, market gardening, orchards and tree farming. Specialized agriculture may contain limited retail of goods produced on site and educational components, but agricultural production is to be the primary activity.

**Aircraft Facilities** means land or water which is used or intended for the landing or take-off of aircraft and any associated areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including taxi-ways, aircraft storage and tie-down areas, hangers, helipads, and other related buildings and open spaces.

**Alteration, Incidental** means changes or replacements to the non-structural parts of an existing building, structure, but which does not increase the exterior dimensions of height and area, including:

- a) Alteration of interior partitions in all types of buildings
- b) Replacement of, or changes in, the capacity of utility pipes, ducts or conduits
- c) Adding or enlarging windows or doors in exterior walls
- d) Replacement of building facades
- e) Strengthening the load bearing capacity, in not more than 10% of the total floor area to permit the accommodation of a specialized unit of machinery or equipment

**Alteration, Structural** means any change, which prolongs the life of the supporting members of a building or structure, which includes, but is not limited to, bearing walls, columns, beams or girders

**Amusement Enterprise, Indoor** means a fully enclosed building or portion of a building used to provide the general public with entertainment or recreation, with or without charge. Typical uses may include, but are not exclusive to, bowling alleys, billiard or pool halls, driving range or mini-golf, roller or ice skating, indoor playgrounds, video gaming and similar uses.

**Amusement Enterprise, Outdoor** means outdoor facilities used to provide the general public with entertainment or recreation, with or without charge. Typical uses include amusement parks/fair grounds, batting cages, drive-in theatres, golf driving ranges, mini golf courses, go-cart tracks, target sport ranges, skating rinks, skateboard parks, swimming pools, water parks, zoological parks, and similar uses.

## **PART 6: ADMINISTRATION**

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

**Animal Hospital or Veterinary Clinic** means a facility for keeping domestic animals to be treated, undergoing treatment or recovering from treatment, in accordance with normal veterinary practice. This definition shall not apply to educational institutions of veterinary science.

**Animal Keeping** means a use where livestock or other animals (excluding pets) less than 10 animal units (cumulative across species) are sheltered, bred, raised, trained or sold. This includes, but is not limited to, stables and aquaculture operations, but does not include kennels.

**Animal Shelter** means a lot and/or building, or part thereof, used for the temporary lodging and care of lost, abandoned or neglected domestic animals. This use does not include pet services or a kennel.

**Animal Unit (AU)** means the number of animals of a particular category of livestock that will excrete 160.9 lbs (73 kg) of total nitrogen in a twelve (12) month period.

**Apiary** means a place where bee colonies, hives, combs, or appliances are kept.

**Assisted Living Facilities** means a building, or portion of a building, used to provide a combination of housing, supportive services and personalized assistance to people who need some assistance with activities of daily living, or anticipate needing assistance in the near future, but who do not require the skilled medical and other care provided at a personal care home/long-term care facility. This is a residential facility with a central or private kitchen, dining, recreational and other facilities, with separate sleeping or living accommodations. Typical uses include retirement homes, retirement villages, independent supportive living facilities, etc).

**Auction Room** means a building, or portion of a building, used for the public sale of goods, merchandise, or equipment, other than livestock, vehicles or heavy equipment, to the highest bidder.

**Auction Yard** means a place where vehicles or heavy equipment (operable or inoperable) are offered for sale to the highest bidder.

## **B**

**Basement** means the portion of a building or structure between a floor and ceiling, that is located partly underground, but with more than half (1/2) of the floor to ceiling height thereof above the average grade of the adjoining ground.

**Bed and Breakfast** means a single family dwelling or portion thereof where, as a secondary use, lodging and/or meals are provided for compensation for person(s) exclusive of the proprietor and family.

**Boat Dock, Public** means a structure built over or floating on water used as a landing place for boats and for other recreational uses by the general public.

## **PART 6: ADMINISTRATION**

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

**Building, Landscape or Garden Supplies** means a building, part of a building or open space, for the display and/or sale of lumber and other building materials and supplies, plants, trees, and/or other materials used in indoor or outside planting, for retail sales and incidental wholesale trade.

**Bulk** means the size of buildings or structures (based on floor area and height), the site area and site width upon which a use, building or structure is located, the location of exterior walls of a building in relation to the site lines, and all open spaces required along site lines.

**Bus Depot** means an area utilized by commercial carriers for pick-up or drop-off of passengers, including loading and unloading areas, shelters, restrooms, concessions, benches, information offices, parking, ticket sales, landscaping, lighting and other such facilities and appurtenances.

## **C**

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

**Car Wash** means a building or portion thereof wherein facilities are provided for the washing, cleaning and polishing of motor vehicles, whether operated by the public or by onsite employees, whether or not in conjunction with other goods or services provided to customers.

**Cemetery** means land used for the internment of human or animal remains and may include columbarium, mausoleums, mortuaries and associated maintenance facilities, when operated in conjunction with and within the boundaries of such cemetery.

**Child Care Centre** means a building, or portion of a building, used for the provision of care, for remuneration or rewards, to a child apart from his or her parents or guardians for a period in any one day. The operation meets all applicable provincial licensing requirements.

**Club, Private** means a non-profit organization incorporated as such by the Government of Canada or the Government of Manitoba and includes facilities used for the meeting, social, or recreational activities of non-profit philanthropic, social service, athletic, business, or fraternal organizations, without onsite residences. When licensed for the sale of alcoholic beverages by the Government of Manitoba, such a club is considered a drinking establishment.

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

**Communal Farm** means a principal farm operation and those secondary dwellings and communal facilities (such as for worship, education and dining) located on the same zoning site as the principal farm operation, that accommodate and support those living on the communal farm.

## **PART 6: ADMINISTRATION**

**Community Garden** means an area, managed by a non-profit organization, a community-based entity or a public entity, where members of the community may grow plants for beautification, education, recreation, community distribution or personal use. This use may include common areas and accessory structures maintained and used by group members.

**Community/Recreation Facility** means any land, buildings or structures used for public recreational, social, or multi-purpose activities and not operated for profit. This use includes indoor and outdoor public recreation and leisure facilities and community halls.

**Conditional Use** means a use or development that may have unique or widely varying operating characteristics and may have potential operational or other impacts on adjacent properties or site development demands, specified as conditional in this bylaw. The classification of a use as conditional is intended to provide for a special process of review and approval to address any potential impacts.

**Contractor's Establishment** means a building, or part of a building, or land area used for the storage of materials, equipment, tools, or products needed to design, build, install, maintain, or repair goods, equipment, or real property and where such services are conducted on or off-site. This use includes facilities for administration, drafting and sample display. Typical contractor uses include construction, mechanical, electrical, plumbing, heating, roofing, siding, insulation, refrigeration, painting, decorating, grounds maintenance or general contractors.

## **D**

**Development Permit** means a document issued pursuant to this bylaw, authorizing a development to occur and may include a building permit.

**Development Plan** means the South Central Planning District Development Plan adopted by bylaw, as amended

**Drive-Through Establishment** means any use designed or operated to allow patrons, while outside on the premises in motor vehicles, to order, request, exchange, donate, or receive goods, wares, merchandise, products, foods, beverages, or services.

**Dwelling** means a building, or portion thereof, designed and intended for residential occupancy, but not including hotels, motels or other accommodations for the transient public. This use includes mobile homes.

**Dwelling, Caretaker/Staff** means a dwelling unit which is secondary to, and located on the same site as, a permitted or conditional agricultural operation or commercial/industrial use, and which is used as the habitable residence of staff that are essential for the maintenance, operation and care of the principal agricultural operation or commercial/industrial use.

**Dwelling, Farmstead** means a dwelling unit that is secondary to, and located on the same site as, an agricultural operation, and which is used as the habitable residence of the farm operator. A farmstead dwelling is located on a portion of the site that is usually surrounded by a well- defined shelterbelt (farmstead)

## **PART 6: ADMINISTRATION**

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

**Dwelling, Modular** means an off-site built/ready to move (RTM) home designed to be placed on a permanent foundation and used as a single-family dwelling

**Dwelling, Multi-Family** means a dwelling, or portion of a building, designed for and containing three or more dwelling units. This includes triplexes and fourplexes, townhouses, row houses, and apartment buildings and complexes.

**Dwelling, Seasonal** means a single-family dwelling constructed for and used as a secondary or temporary place of residence for vacations and recreational purposes, and not as the principal residence of the owner or occupant thereof.

**Dwelling, Single-Family** means a detached dwelling designed for and containing only one dwelling unit.

**Dwelling, Two-Family** means a detached or semi-detached dwelling designed for and containing two dwelling units. This includes duplexes and side-by-sides.

**Dwelling Unit** means a room or group of rooms (including sleeping, eating and sanitary facilities, but not more than one kitchen), occupied or intended for occupancy by a single household on a long-term basis.

## **E**

**Emergency Shelter** means a facility where emergency, temporary accommodation is provided to persons who are homeless, due to indigence, family violence or disaster, operated by a public or non-profit agency, and where on-site supervision is provided whenever such shelter is occupied.

**Entertainment Facility** means an establishment devoted to showing motion pictures or dramatic, dance, musical, or other live performances. Typical uses include auditoriums, concert halls, theatres and cinemas.

**Event Centre** means a building or portion of a building in which the primary use is to accommodate lectures, meetings or events for the exclusive use of individual or group participants that have rented the premises, and in which meals for participants may be included.

## **F**

**Farm Buildings and Structures** means any buildings or structures existing or erected on land used principally for agricultural activities, but which do not include dwellings.

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



## **PART 6: ADMINISTRATION**

**Fitness Center** means a commercial establishment designed and equipped for assembly occupancy uses for the conduct of sport or physical activities within a fully enclosed building. Typical uses include racquet/curling clubs, gymnasiums and health clubs, weightlifting establishments, martial arts/exercise/yoga/dance studios, swimming pools, and related fitness and wellness activities.

**Fleet Services** means a central facility for the distribution, storage, loading and repair of fleet vehicles, with or without associated dispatch services and offices. Typical uses include, but are not limited to, courier, delivery, and express services, cleaning services, key and lock services, security services, and taxi services.

**Freight or Truck Yard** means an area or building where cargo is stored and where trucks, including tractors and trailer units, load and unload cargo on a regular basis. The use may include facilities for the temporary storage of loads prior to shipment. The use also includes truck stops or fueling stations where diesel fuel is primarily sold.

**Frontage** means all that portion of a site fronting on a public right-of-way and measured between the side lot lines.

**Fuel Sales** means an establishment operated at a fixed location at which vehicle fuel, lubricants and automotive accessory items are offered for sale but where no provision is made for the repair, maintenance and storage of vehicles. The selling of convenience store items is also permitted.

**Funeral Chapel or Mortuary** means a facility for the storage and cremation of deceased human bodies, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

## **G**

**Gallery/Museum** means

- (a) a commercial establishment engaged in the sale, loan, or display of paintings, sculpture, textiles, antiquities, or other works of art; or,
- (b) a permanent facility, open to the public, with or without charge, devoted to the acquisition, conservation, study, display and/or educational interpretation of subject matter with scientific, environmental, historical or artistic value

This type of use is distinct from and does not include libraries.

**Golf Course** means a tract of land laid out with a course having 9 or more holes for playing the game of golf. This term does not include mini golf courses nor does it include driving ranges that are not accessory to a golf course.

**Government Services** means a building or portion of a building used to provide governmental services to the public, such as employment, public assistance, motor vehicle licensing and registration, election boards, income tax, information resources, and similar activities.

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

## **PART 6: ADMINISTRATION**

**Gravel Pit** means an open pit mine used for the removal of sand and gravel occurring on the surface of land, or that is obtainable from land by stripping off the overburden and excavating from the surface.

**Greenhouse/Nursery** means a building, part of a building, or land area used for the production of landscape materials and the wholesale sale of supplies, plants, trees and landscaping materials.

## **H**

**Hall Rental** means any building or portion of a building that is, as a secondary use, hired or rented for private receptions, banquets, socials, or other private functions to which the public is not admitted and to which no direct fee is charged for admission.

**Hazard Land** means land where actual effects of hazards have occurred, and without limiting the generality of the word, hazard includes but is not limited to the following:

- a) lands that would be flooded by a 200-year flood or the flood of record, whichever is greater, specified by the applicable provincial authority.
- b) erosion or cutting of land due to action of water in an adjacent watercourse or water body, within a 50 year period;
- c) river bank instability or slumping;
- d) landslides including mud slides;
- e) subsidence; and
- f) local ponding due to improper surface drainage

**Health Institute/Hospital** means an institution that maintains and operates facilities for inpatient medical care with overnight stays, including x-ray, laboratory, and surgical, for the diagnosis, care, and treatment of human illness, injury, and disease (physical or mental). Outpatient care may also be provided.

**Height, Building** means the total number of storeys in a building or the vertical distance measured from grade to:

- a) the highest point of the roof surface of a flat roof
- b) the average level between eaves and ridges in the case of a pitched, gambrel, or hipped roof
- c) the deck of a mansard roof

**Heavy Equipment Sales, Service and Rental** means a facility that is engaged in the sales and repair of heavy equipment typically used in agricultural, commercial or industrial operations, including tractors, trucks with a gross vehicle weight of over 15,000 pounds, semi trucks and/or trailers, harvesters, loaders and tracked vehicles as well as sales of parts, whether new or used, for heavy equipment.

**Home Industry** means a light manufacturing operation that is carried out as a secondary use on the same site as a dwelling. Typical uses include carpentry, metal working and blacksmithing, textiles manufacturing, and other trades.

**Home Occupation** means an occupation or business that is secondary to the principal use of the premises as a dwelling. Typical uses include a commercial or professional operation, business or personal service, or office use.

## **PART 6: ADMINISTRATION**

**Hotel/Motel** means a building, or part thereof, wherein temporary accommodation is provided for transient lodgers, in any individual guest room or suite, with or without cooking facilities. This use does not include seasonal resorts.

**Household** means one or more persons related by blood, legal adoption/foster care, marriage or common-law marriage, or a group of no more than seven (7) unrelated persons living together as a single housekeeping unit.

### **I**

**Industrial, Heavy** means a use of land that includes the assembly, fabrication, storage, or processing of goods and materials that may have impacts in terms of noise, fumes, odours, or safety hazards outside of the structures in which the use takes place.

**Industrial, Light** means a use of land that includes the assembly, fabrication, storage, or processing of goods and materials that do not create noise, fumes, odours, safety hazards outside of the structures in which the use takes place.

### **J**

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### **K**

**Kennel** means any establishment in which more than five (5) domestic animals (more than 4 months of age) are boarded, bred, trained, or cared for, in return for remuneration, or are kept for the purpose of sale. A kennel shall not include an animal hospital/veterinary clinic or animal shelter.

### **L**

**Library** means a public facility for the use, but not sale, of printed information, electronic information, and pictorial material.

**Livestock** means

1. Cattle, horses, sheep, swine, poultry and bees; or
2. Animals of a kind raised for meat production or production of products from the animals, including breeding stock of those animals.

**Livestock Operation** means a permanent or semi-permanent facility or non-grazing area where at least 10 animal units (AUs) of livestock are kept or raised either indoors or outdoors, and includes all associated manure collection facilities, but does not include an auction mart. Typical uses include feedlots, barns, paddocks and stables.

## **PART 6: ADMINISTRATION**

**Loading Space** means an off-street space or berth on the same site with a building, or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which has access to a street, lane, or other appropriate means of access.

### **M**

**Municipality** means the Municipality of Victoria

### **N**

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### **O**

**Office** means a building, or portion of a building, used for the practice of a profession or for conducting the affairs of a business or service. This use does not include the manufacturing of any product or the retail sales of goods. Typical uses include, but are not limited to, financial services, insurance agencies, real estate offices, accountant firms, law firms, medical centres (including clinics and laboratories), and dental offices.

**Oil Battery** means a system or arrangement of tanks or other surface equipment that receives fluid from, or delivers fluid to, one or more wells, and includes an injection plant, a pump station and equipment or a device designed to separate the fluid into oil, gas, and water and to measure the amount of oil, gas and water.

**Outside display and sales** means an exterior display of goods and/or materials for sale, accessory to a commercial principal use. Merchandise may be directly available to the consumer for purchase.

**Outside storage** means the exterior storage of goods and/or materials, accessory to a principal use. Storage of materials in a structure with a roof, but no walls is also included as outside storage.

### **P**

**Park/Playground** means a development of public land specifically designed or reserved for the general public for active or passive recreational use and including 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/bicycle paths and pathways, landscaped buffers, arboretums, botanical gardens, playgrounds, toboggan slides, skateboard parks, and water features.

**Parking, Structure** means an enclosed structure or facility where motor vehicles may be stored for purposes of temporary, daily, or overnight off-street parking as a principal use. The facility may be above, below, or partially below ground and includes parking garages and parking decks.

## **PART 6: ADMINISTRATION**

**Parking, Surface Lot** means an unenclosed area where motor vehicles may be stored for purposes of temporary, daily, or overnight off-street parking as a principal use.

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

**Pawnshop** means a place where money is loaned on security of personal property left in pawn and pledged as collateral for the loan.

**Permitted Use** means a use allowed in a zone without the need for special administrative review or approval, subject to the applicable regulations in this bylaw.

**Personal Care Home/Long-Term Care Home** means a facility, licensed by the Province, to provide accommodations, meals, supportive services and continuing nursing care or treatment to residents in a secure environment, 24 hours a day.

**Personal Services** means an establishment that provides services to the general public, and in which any retail sale of merchandise associated with the service provided is incidental to the provision of services. Typical uses may include but are not limited to spas and salons, cleaning and garment services, printing and photography services, and small appliance repair.

**Pet Services** means an establishment for the care and grooming of domestic animals but does not include overnight boarding. Typical uses include pet groomers and pet daycares, but does not include a kennel or animal shelter.

**Place of Worship** means a building (ex: a church, chapel, mosque, synagogue, or temple) primarily used for religious purposes.

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

**Portable Garage** means a temporary structure intended to store goods or materials and may consist of a metal or steel frame and is covered by such material as canvas, plastic, polyethylene, various types of fabric or similar materials. This use does not include temporary rain/sun shelters or gazebos.

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

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

**Private Communications Facilities** means accessory, outdoor equipment and structures, including freestanding and building-mounted, required for the purposes of transmitting or receiving television, radio, microwave, radar, laser, or similar communications signals. These facilities may include, but are not limited to antennae, aerials, receiving dishes, transmission beacons, masts and towers.

## PART 6: ADMINISTRATION

**Protection and Emergency Services** means a development that is required for the public protection of persons and property from injury, harm, or damage together with the incidental storage of equipment and vehicles. Typical uses include police stations, fire stations, ambulance services, and ancillary training facilities.

**Public Utility** means any system, works, plant, equipment or service for furnishing water, wastewater collection, electricity, telecommunication services, gas or similar services to properties by means of pipes, lines and other equipment located on or under public roads and other rights-of-way. This includes any associated public works buildings but does not include private for-profit or commercial-scale wind or solar energy generating systems.

## Q

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## R

**Railway Yard** means an area for storing or switching of freight and passenger trains. Necessary and allowed functions include but are not limited to the switching, storing, assembling, distributing, consolidating, repairing, weighing, or transferring of cars, trains, engines, and rolling stock.

**Recreation Trail** means a groomed track or trail, either of natural or man-made surfaces, established for recreational transport on small personal vehicles (snowmobiles, ATVs) or for non-motorized mobility (skiing, hiking, cycling, equestrian). Trailheads may include parking areas, restrooms, rest areas and signage.

**Recycling Yards** means a facility that serves as a drop-off point for temporary storage of recyclable materials. No permanent storage or processing of such items is allowed.

**Rehabilitation Home** means a building, or portion of a building, licensed to provide accommodation plus the mandatory supervision or treatment of up to six (6) persons who are from, or discharged from, any penal institution, or who are receiving supervision or treatment for alcohol or other drug addictions. Supervision or treatment shall only be provided to persons residing in the rehabilitation home.

**Religious Group Living** - means a facility, or group of facilities located on a single zoning site, used as a place of worship and communal living residence by a religious order. Typical uses include convents, monasteries, seminaries for religious purposes

**Residential Care/Group Home** means a dwelling, licensed or funded under the Province of Manitoba or Government of Canada legislation, and used to provide supervised and supportive group living accommodation for up to 15 persons, as per the requirements of its residents. Typical uses include group homes, foster homes, transitional homes and special needs housing. This use does not include emergency shelters, rooming houses, or rehabilitation homes.

**Restricted Area** means an area on a corner site formed by the intersecting street lines and a straight line joining points with said street lines 10 feet from the point of intersection of the street lines. See figure below

## PART 6: ADMINISTRATION



**Retail Sales** means a building, or portion of a building, involved in the display, sale, lease, or rental of new or used products directly to the general public. This use includes general retail, grocery, and convenience, and also warehouse-style, bulk retail facilities that sell to individuals or households based on their membership in an association or club.

**Riding Academy or Stable** means a use associated with farming/ranching that involves the training of horses and riders and may including riding stables.

**Rooming House** means a building, or portion thereof, used to provide group living accommodations to more than two (2) boarders that have a rental arrangement with the landlord (who may or may not be an occupant of the building) to rent an individual bedroom unit and share communal spaces (kitchens, sanitary facilities, and living areas) with other occupants. Care, treatment or supervision must not be provided to any resident.

## S

**School (Elementary, Junior or High)** means an accredited school under the sponsorship of a public, private, or religious agency providing instruction to students from kindergarten to senior high school levels and may include a childcare centre.

**Seasonal Resort** means a facility or group of facilities located on a single zoning site, wherein temporary accommodation is provided for lodgers, with or without cooking facilities. This use includes camps, lodges, rental or land-lease cabin and cottage resorts, and associated concessions.

**Secondary Suite** means a self-contained, secondary dwelling unit located within, or detached from, a principal dwelling. This use includes attached suites (basement, above an attached garage) and detached suites (garden suites, above/within a detached garage)

## **PART 6: ADMINISTRATION**

**Secondary Use** means a use that is secondary and subordinate in size, extent and purpose to the principal use on the same site, but is not necessary for the operation of the principal use on that site.

**Shipping Container** means a pre-fabricated metal container or structure having a floor, ceiling or roof, walls, and door(s) (but no wheels) that is specifically designed for storage of goods and materials while under transport by ship, rail or truck. For the purpose of this definition, a shipping container-also includes a transportation container from a truck, van, passenger carrier unit or semi-trailer (with or without wheels or landing gear) that is manufactured for transportation, storage and/or shipping of materials.

**Sign** means any writing, illustration, or emblem, which directs attention to a building, use, business, commodity, service, or entertainment.

**Sign, Advertising** means a sign directing attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the same site where the sign is located.

**Sign, Awning** means a sign that is incorporated into the material of an awning.

**Sign, Business** means a sign directing attention to a business conducted on the site where the sign is maintained.

**Sign, Digital** means a sign that uses electronic screens, light emitting diodes, or similar technology. Digital signs may include (but are not limited to) digital reader boards or digital static copy screens.

**Sign, Fascia** means a sign (or individual letters) attached to or inscribed on a wall or other surface and having the exposed face of the sign on a plane approximately parallel to the plane of such wall or other surface. May include a sign attached to a marquee.

**Sign, Free-Standing** means a sign supported by one or more poles, braces or anchors that are placed permanently in the ground and that are independent from any building or other structure.

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

**Sign, Inflatable** means a three-dimensional device that is designed to be filled with air or gas, which may or may not incorporate writing, illustrations, or emblems.

**Sign, Mobile** means a sign which is mounted on a trailer, stand, or other support structure which is designed in such a manner that the sign can be readily taken down or relocated, and which may include copy that can be changed through the use of removable characters, panels, or by electronic means.

**Sign, Projecting** means a sign attached to a building, which extends perpendicularly beyond the surface of that portion of the building to which it is attached.



## **PART 6: ADMINISTRATION**

**Sign, Temporary** means a sign identifying temporary activities including, construction project signs and real estate signs advertising and located on a specific site.

**Sign Surface Area** means the area enclosing the limits of writing and picture excluding the necessary supports or uprights on which it is placed. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign unless the faces are less than three (3) feet apart in which case only the area of the larger face shall be used.

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

**Site, Corner** means a site situated at the intersection of two streets.

**Site, Flag** means a lot lacking the required minimum lot width or frontage on an existing or proposed street but having direct access to the street through a narrow access point.

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

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

**Site Area** means the computed amount of gross land area contained within the site lines.

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

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

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

**Site Line, Front** means that boundary of a site along an existing or designated street. For a through site or corner site, the site lines along both streets shall be deemed front site lines. Where an irregular shaped site cannot have its site lines defined by this definition, the front site line shall be determined by the development officer.

**Site Line, Rear** means that boundary of a site which is most nearly parallel to the front site line. Where an irregular shaped site cannot have its site lines defined by this definition, the rear site line shall be determined by the development officer.

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

## **PART 6: ADMINISTRATION**

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

**Solar Collector** means a panel or other solar energy device, the primary purpose of which is to provide for the collection, inversion, storage and distribution of solar energy for electricity generation, space heating, space cooling or water heating.

**Stacking Space** means a space in a lane or area that is specifically designated for cars to queue or wait in.

**Storage, Bulk** means the storage of chemicals, petroleum products and other materials in above-ground containers for subsequent resale to distributors or retail dealers or outlets. This use does not include hazardous materials, such as anhydrous ammonia.

**Storage, Hazardous Materials** means a storage facility for materials that could pose a hazard to human health or safety. Typical materials include, anhydrous ammonia, asphalt, explosives, flammable or toxic goods.

**Storage, Self** means an enclosed, permanent facility that provides storage space to the general public on a for-hire basis. Self-storage facilities may also include vehicle storage for recreational vehicles, boats, and other vehicles, some of which may be located in a secure, outdoor compound. No other business or service may be allowed to operate out of a rented storage space. This definition also applies to a use that provides portable containers for storage.

**Story** means that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it, but does not include a cellar.

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

## **T**

**Temporary Use, Building or Structure** means a use, building or structure for which a permit has been issued for a limited time only.

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

## **U**

## PART 6: ADMINISTRATION

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

### V

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

**Vehicle Repair and Service** means an establishment involved in the repair and maintenance of automobiles, light trucks, motorcycles, recreational vehicles and similar vehicles. Services include engine, transmission, or differential repair or replacement; body work; upholstery work; painting; engine tune-ups; oil change and lubrication; brake repair shop; tire store; detailing and polishing, and associated repairs. Vehicle parts ordinarily installed on the premises may be sold.

**Vehicle Sales and Rental** means premises used for the display, sale, lease or rental of new or used automobiles, light trucks, motorcycles, recreational vehicles, camper and travel trailers, boats, boat and utility trailers, and similar vehicles. Where repairs are made they shall be done within a completely enclosed building, except minor incidental repairs. Accessory vehicle inventory may be stored outside on the same zoning lot. This use does not include junk or salvage operations.

### W

**Warehouse** means a permanent facility for the storage of products, supplies, and equipment within an enclosed building. This use does not include storage of hazardous materials

**Wholesaling Establishment** means a facility where goods are distributed or sold to retailers, to industrial, commercial, agricultural or institutional users, or to other wholesalers, for resale or redistribution, but where goods are not sold to the public or to individuals or households based on their membership in an association or club.

**Waste Management Facility, Solid** means a permanent facility, either publicly- or privately-owned, operated for the purpose of disposing of or composting solid waste.

**Wastewater Management Facility** means a facility for the treatment and disposal of sewage. Typical uses include lagoons and wastewater treatment plants.

**Wind Energy Generating System (WEGS), Commercial** means a structure that converts wind energy to electrical energy, including but not limited to a wind charger or wind turbine. A commercial WEGS may include one or more structures that individually or collectively produce more than a total of 150 Kilowatts (150 KW) based upon the nameplate rating capacity, and that are connected to the provincial or local electrical transmission grid for commercial purposes and includes the associated transformers and power transmission lines.

## PART 6: ADMINISTRATION

**Wind Energy Generating System (WEGS), Small** means a small scale electrical generating facility intended to primarily serve the electrical needs of the on-site user or consumer and not intended to produce power for resale

**Wrecking and Salvage Yards** means any lot upon which two (2) or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of license or registration, have been placed for the purpose of obtaining parts for recycling or resale. Sites that handle waste or scrap building materials, metal, or any other kind of salvage are also be included in this definition.

## X

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## Y

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

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

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

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

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

## Z

**Zoning site** means a parcel of land with frontage on a street (excluding a lane) and of at least sufficient size to provide the minimum requirements for use, area, yards, and other open spaces as are herein required.

## APPENDIX A: ANIMAL UNITS TABLE

Livestock by Category	Animal Units (AU) produced by one animal	Number of animals to produce one AU
<b>Dairy</b>		
Milking Cows, including associated livestock	2	0.5
<b>Beef</b>		
Beef Cows, including associated livestock	1.25	0.8
Backgrounder	0.5	2
Summer pasture / replacement heifers	0.625	1.6
Feeder Cattle	0.769	1.3
<b>Hogs</b>		
Sows, farrow to finish	1.25	0.8
Sows, farrow to weanling	0.25	4
Sows, farrow to nursery	0.313	3.2
Weanlings	0.033	30
Growers / finishers	0.143	7
Boars (artificial insemination operations)	0.2	5
<b>Chickens</b>		
Broilers	0.005	200
Roasters	0.01	100
Layers	0.0083	120
Pullets	0.0033	300
Broiler Breeder Pullets	0.0033	300
Broiler Breeder Hens	0.01	100
<b>Turkeys</b>		
Broilers	0.01	100
Heavy Toms	0.02	50
Heavy Hens	0.01	100
<b>Horses</b>		
Mares, including associated livestock	1.333	0.75
<b>Sheep</b>		
Ewes, including associated livestock	0.2	5
Feeder Lambs	0.063	16

**Table Note:** To calculate the number of animal units, multiply the number of livestock (head) by the animal units produced (i.e.: number of livestock x animal units produced by one livestock = number of animal units).

## APPENDIX B: MUTUAL SEPARATION DISTANCES

Size of Livestock Operations in Animal Units (A.U.)	Separation Distance from a Dwelling Unit In meters (feet)		Separation Distance) from a Designated Area In meters (feet)	
	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility and Non- earthen Manure Storage Facility	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility and Non- earthen Manure Storage Facility
<b>10-100</b>	200 (656)	100 (328)	800 (2625)	530 (1739)
<b>101-200</b>	300 (984)	150 (492)	1200 (3937)	800 (2625)
<b>201-300</b>	400 (1,312)	200 (656)	1600 (5,249)	1070 (3,511)
<b>301-400</b>	450 (1,476)	225 (738)	1800 (5,906)	1200 (3,937)
<b>401-800</b>	500 (1,640)	250 (820)	2000 (6,561)	1330 (4,364)
<b>801-1600</b>	600 (1,968)	300 (984)	2400 (7,874)	1600 (5,249)
<b>1601-3200</b>	700 (2,297)	350 (1,148)	2800 (9,186)	1870 (6,135)
<b>3201-6400</b>	800 (2,625)	400 (1,312)	3200 (10,499)	2130 (6,988)
<b>6401-12,800</b>	900 (2,953)	450 (1,476)	3600 (11,811)	2400 (7,874)
<b>&gt;12,800</b>	1000 (3,281)	500 (1,640)	4000 (13,123)	2670 (8,760)

# SCHEDULE A: ZONING MAPS