

ROSSBURN MUNICIPALITY ZONING BY-LAW

A by-law to regulate and control the use and development of land and buildings in Rossburn Municipality.

PREPARED FOR:
ROSSBURN MUNICIPALITY

PREPARED BY:
LANDMARK PLANNING & DESIGN INC.

 **Landmark**
Planning & Design Inc.



ROSSBURN MUNICIPALITY

ZONING BY-LAW
NO. 2024-001

Schedule "A"

January 2024

PREPARED BY:
LANDMARK PLANNING & DESIGN INC.

PREPARED FOR:
ROSSBURN MUNICIPALITY

TABLE OF CONTENTS

1	INTRODUCTION.....	1
1.1	Title	1
1.2	Purpose.....	1
1.3	Scope	1
1.4	Severability.....	1
1.5	Other Legislation	1
1.6	Does Not Promote Nuisance.....	1
1.7	Effective Date.....	1
2	ADMINISTRATIVE CLAUSES	2
2.1	Regulation of Uses.....	2
2.2	The Development Officer	2
2.3	Development Permitting	2
2.4	Development Not Requiring a Permit.....	2
2.5	Conditions Attached to a Development Permit.....	2
2.6	Conditional Use Orders	3
2.7	Variation Orders	4
2.8	Amendments to this Zoning By-law	4
2.9	Development Agreements.....	4
2.10	Non-Conformance.....	4
2.11	Fees	5
2.12	Public Utilities and Services	5
2.13	Enforcement.....	5
3	INTERPRETATION.....	7
3.1	Rules of Interpretation	7
3.2	Units of Measurement.....	7
3.3	Height Calculations	7
3.4	Zoning Maps and Boundaries	7
4	ZONING DISTRICTS ESTABLISHED.....	8
4.1	Zoning Districts.....	8
5	Zone Descriptions	8
5.1	Rural / Agricultural Zones.....	8
5.2	Recreation and Natural Zones	8
5.3	Residential Zones.....	9
5.4	Business Zones.....	9
6	GENERAL DEVELOPMENT REGULATIONS	10
6.1	Applicability	10
6.2	Multiple Uses or Provisions	10
6.3	Accessory Uses.....	10
6.4	Temporary Uses.....	10
6.5	Restricted and Prohibited Development.....	10
6.6	Only One Principal Use on a Site	10
6.7	Movement of Buildings and Structures.....	10
6.8	Subdivision of Attached Units.....	11
6.9	Public Monuments and Statuary.....	11
6.10	Land Unsuitable for Development	11
6.11	Land Subject to Flooding.....	11
6.12	Protection of Groundwater	11

6.13	Public Reserve Lands	12
6.14	Special Setbacks.....	12
6.15	Projections Into Yards	12
6.16	Parking	12
6.17	Accessible Parking.....	15
6.18	Loading	15
6.19	Lighting.....	16
6.20	Fences and Screening	16
6.21	Development of Road Allowances.....	17
6.22	Developments Along Lakes and other Significant Water Bodies.....	17
6.23	Communication Towers.....	17

7 USE REGULATIONS18

7.1	Applicability	18
7.2	Regulation of Uses.....	18
7.3	Use Table Organization.....	18
7.4	Use Table Symbols	18
7.5	Mobile Home Dwellings.....	24
7.6	Mobile Home Parks	24
7.7	Multi-Unit Dwellings.....	24
7.8	Single-Unit Dwellings	24
7.9	Boarding and Rooming Houses	24
7.10	Planned Unit Developments.....	24
7.11	Automotive Service Stations	25
7.12	Contractor Services.....	25
7.13	Gas Stations.....	25
7.14	Special Event Facilities	25
7.15	Abattoirs	26
7.16	Aggregate or Mineral Extractions	26
7.17	Equipment Depot.....	26
7.18	General Industrial (Heavy)	26
7.19	Wind or Solar Farms	26
7.20	Airports, Landing Strips and Related Facilities.....	27
7.21	Campgrounds or RV Parks	27
7.22	Agri-Tourism Operations	27
7.23	Anhydrous Ammonia Storage and Distribution Facilities.....	27
7.24	Communal Farm Operations	28
7.25	Livestock Operations.....	28
7.26	Animal Keeping	28
7.27	Farm Diversification Operations	29
7.28	Guest Houses.....	29
7.29	Home Businesses, Industries and Occupations	29
7.30	Metal Shipping Containers	30
7.31	Off Road Vehicle Track	31
7.32	Secondary Suites	31
7.33	Short-Term Rentals	32
7.34	Signs	32
7.35	Solar Panels.....	35
7.36	Swimming Pools.....	35
7.37	Wind Energy Generating Systems	35
7.38	Temporary Additional Dwellings.....	35

TABLE OF CONTENTS

7.39	Tiny Homes	36
8	DIMENSIONAL REGULATIONS.....	37
8.1	Applicability	37
8.2	Site Regulations	37
8.3	Dimensional Table Symbols.....	37
8.4	Dimensional Standards	37
9	DEFINITIONS.....	40
9.1	Rules of Interpretation	41
9.2	General Definitions.....	41
9.3	Principal Use Definitions	47
9.4	Accessory and Temporary Use Definitions	53
10	MAPS.....	55
10.1	Zoning District Maps.....	55
10.2	Map 1 – Rossburn Municipality	56
10.3	Map 2 – Rossburn Town Area.....	57
10.4	Map 3 – Rossburn Lake Area.....	58
10.5	Map 4 – Olha Lake Area	60
	APPENDIX A	61
	APPENDIX B	62



1 INTRODUCTION

1.1 Title

1.1.1 This By-law shall be known as the Rossburn Zoning By-law (By-law).

1.2 Purpose

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

Ensure general conformance with the objectives and policies of the Rossburn Municipality Development Plan (Development Plan) and any Secondary Plans;

Outline the powers and duties of the Rossburn Municipality Council, the Development Officer and landowners and/or developers as they relate to this By-law; and

Regulate the following:

- All buildings and structures erected hereafter;
- All uses or changes in use of all buildings, structures and land established hereafter; and
- All enlargements or additions to existing buildings, structures and uses.

1.3 Scope

1.3.1 This By-law applies to all lands in the Rossburn Municipality as indicated on Map 1 in Section 10 of this By-law.

1.4 Severability

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

1.5 Other Legislation

1.5.1 A person applying for, or in possession of, a valid Development Permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with:

The regulations of the *National Building Code* as well as any applicable Municipal or Provincial building regulations;
The Rossburn Municipality Development Plan;

Any Secondary Plan; and

Any other appropriate federal, provincial or municipal legislation.

1.5.2 Whenever provisions contained in any appropriate federal, provincial or municipal legislation impose overlapping regulations, laws or policies over the use of land, buildings, or structures, or contain any restrictions covering any of the same subject matter contained herein, the most restrictive or highest standard shall apply.

1.5.3 The Province of Manitoba and the Government of Canada are not bound or restricted by any regulation of this By-law. The said governments are encouraged, however, to permit only those developments that are consistent with the regulation of this By-law.

1.6 Does Not Promote Nuisance

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

1.7 Effective Date

1.7.1 This By-law shall be in full force and effect when the Rossburn Council has given it Third Reading.

1.7.2 The adoption of this By-law shall not prevent any pending or future legal action to deal with any existing land use violations.

PART A: ADMINISTRATION

ADMINISTRATION

2 ADMINISTRATIVE CLAUSES

2.1 Regulation of Uses

2.1.1 No development, except otherwise expressly permitted in this By-law shall be undertaken in Rossburn Municipality unless an application has been approved and a Development Permit has been issued.

2.2 The Development Officer

2.2.1 The Development Officer shall be any person appointed by Council to occupy the position of Development Officer.

2.2.2 The Development Officer shall be responsible for interpretation of this By-law, issuing permits, providing notice of decisions, issuing zoning memoranda, and decision-making power for minor variances in accordance with the provisions of *The Planning Act*.

2.3 Development Permitting

2.3.1 Every person shall apply for a Development Permit before commencing development within Rossburn Municipality, except those uses listed in 2.4.

2.3.2 Council shall require an applicant to apply for a Demolition Permit for the demolition of a dwelling or water well in order to fill, grade, fence or follow other special conditions required for public and environmental safety.

2.3.3 A development permit shall expire if the development has not commenced within one (1) year from the date of issuance, or if work has been suspended for six (6) consecutive months. If requested by the applicant prior to the date of expiry, the Development Officer may extend the date of expiry by no more than one additional six (6) month period from the original date of issuance.

2.4 Development Not Requiring a Permit

2.4.1 A Development Permit is not required under this By-law for the developments listed below, provided that such development shall comply with all other applicable provisions of this By-law. This does not relieve the applicant or landowner from obtaining approvals from other authorities or agencies:

Regular maintenance and repair of any development provided it does not include structural alterations;

Private driveways and patios which are accessory to a development;

A fence, wall or gate not exceeding 2 metres (6.56 ft.) in height;

An accessory building that:

- Is less than 10 square metres (108 square feet) in area;
- Does not exceed 3.65 m (12 ft) or one story in height; and
- Is not considered a hazard or a detriment to the Municipality as determined by the Development Officer.

An unenclosed deck or a deck enclosed by a rail or parapet wall and a wheelchair ramp, all of which having a floor less than 0.61 m (2 ft.) above grade unless it supports a structure with a roof;

Landscaping where the existing grade and/or natural surface drainage pattern is not materially altered;

The erection or placement of a temporary building, the sole purposes of which is incidental to the erection of a building for which a Development Permit has been granted, provided the temporary building is removed within 30 days of substantial completion or as determined by the Development Officer;

Certain incidental signs as described in Section 7.34; and

The use of vacant farmland, use of farm buildings and use of farm structures for permitted agricultural activities, excluding livestock operations.

2.5 Conditions Attached to a Development Permit

2.5.1 The Development Officer or Council may impose, with respect to permitted uses, such conditions as are required to ensure compliance with this By-law.

- 2.5.2 Council may, with respect to a conditional use, impose such conditions as deemed appropriate, having regard to the regulations of this By-law, other municipal, provincial and federal government regulations, and matter raised at the conditional use hearing.
- 2.5.3 The Development Officer or Council may, as a condition of issuing a Development Permit, require the applicant to make satisfactory arrangement for the supply of electric power, vehicular and pedestrian access, or any of the aforementioned, including payment of the costs of installation or constructing any such utility or facility by the applicant.
- 2.5.4 The Development Officer or Council may, as a condition of issuing a Development Permit, require an applicant do any of the following:
- To construct, or pay for the construction of, or improvement to, a public roadway required to give access to the development;
 - To specify the location and number of vehicular and pedestrian access points to site from public roadways, including the construction, or payment for the construction thereof or improvements thereto;
 - To install, or pay for the installation of, utilities that are necessary to serve the development, or pay the recovery costs of services which have already been installed;
 - To repair, improve or reinstate, or to pay for the repair, improvement or reinstatement of any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by the development or building operations upon the site;
 - To construct, or pay for the construction of lot grading and drainage works, including the provision of a drainage plan; and
 - To construct, or pay for the construction of, or improvement to, land drainage works that are necessary to serve the development.
- 2.5.5 The Development Officer or Council may require any agreement entered into pursuant to this By-law be caveated against the title to the site at the Land Titles Office, at the expense of the development proponent.
- 2.5.6 When an application for a Development Permit is submitted for a site abutting a water course or municipal drain, the Development Officer may require a report or study from a Certified Professional Engineer of Manitoba, at the expense of the development proponent. The report or study shall include information regarding the existing and proposed grades of the site. The final grade of the site shall be to the satisfaction of the Development Officer and in accordance with municipal by-laws.
- 2.5.7 The Development Officer may require a detailed engineering study, at the expense of the development proponent, of the soil conditions of a site prior to the issuance of a Development Permit where a site:
- a. Is abutting a water course or municipal drain; or
 - Has unstable soil conditions.

2.6 Conditional Use Orders

- 2.6.1 Where a use is classified as being conditionally permitted and exists as an allowable use at the date of adoption of this By-law or amendments thereto, it shall be considered as a legally existing conditional use.
- 2.6.2 Any conditional use must not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity, nor must it be injurious to property, improvements or potential future development in the vicinity.
- 2.6.3 The following criteria must be considered in the review of conditional use applications:
- Conformance to Development Plan policies, Secondary Plan policies (if applicable) and the provisions of this By-law;
 - Compatibility with the general nature of the surrounding area;
 - Traffic;
 - The relationship to, or impacts on, utility services and public facilities such as recreational facilities and schools; and
 - Topographical, physical and natural features including groundwater and soil conditions.
- 2.6.4 The approval of a conditional use by Council in accordance with *The Planning Act* shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision. Council can apply to extend this deadline for an additional period of twelve months (12) if the application is received before the initial deadline. Council can issue a second period of no more than twelve (12) months if an application is received before the expiration of the first extension.

- 2.6.5 Council reserves to attach, as a condition to any new conditional use approval, a time limit after which the conditional use order will expire if the operation ceases.

2.7 Variation Orders

- 2.7.1 Subject to the applicable sections of *The Planning Act*, Council may vary the requirements of this By-law if the variance:

Will be compatible with the general nature of the surrounding area;
Will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area;
Is the minimum modification of this By-law required to relieve the injurious affect of this By-law on the applicant's property; and
Is generally consistent with the applicable provisions of the Development Plan, any applicable Secondary Plan(s), and this By-law.

- 2.7.2 The Development Officer may approve the following minor variances:

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

- 2.7.3 The approval of a variation order shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision, unless renewed in accordance with *The Act*.

2.8 Amendments to this Zoning By-law

- 2.8.1 Subject to the procedures outlined in *The Planning Act*, an amendment to this By-law may be initiated by resolution of Council, or by application to the Development Officer by the owner or owners of a subject site, or by another party, acting on behalf of the owner, with written consent of the owner(s).

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

The applicant's name, signature, address, interest in the property, and reason for applying;
A statement signed by the applicant acknowledging all cost incurred the by Rossburn Municipality in processing the proposed amendment, whether adopted or not, shall be the responsibility of the applicant;
The appropriate fee; and
A Status of Title which has been issued no later than 30 days prior to the receipt of the Amendment application by the Development Officer.

2.9 Development Agreements

- 2.9.1 As a condition of amending this By-law, subdividing land, approving a conditional use, approving a variation order, or other development as permitted under *The Planning Act*, Council may require the applicant to enter into a Development Agreement in respect of the affected property and any contiguous land owned or leased by the owner dealing with one or more of the following matters:

The use of the land and any existing or proposed buildings;
The timing of construction;
The siting and design, including exterior materials, or any proposed building or structure;
The provision of affordable housing;
Parking;
Landscaping;
The construction or maintenance of services on-site or off-site and utilities including, but not limited to, sewer and water, waste removal, drainage, public rights-of-way, lighting, pedestrian and active transportation, and access to existing services;
Payment in lieu of any requirements listed in clause (g); and/or
The dedication of land or payment in lieu thereof in accordance with *The Planning Act*.

2.10 Non-Conformance

- 2.10.1 When on or before the day on which this By-law comes into force, a development permit has been issued, and the enactment of the By-law would render the development to be no longer in conformance with the By-law, the development permit continues in effect despite the enactment of the By-law.

- 2.10.2 Any lawful building or structure which does not conform to one or more of the applicable yard regulations of the Zone in which it is located, either on the effective date of this By-law or amendments thereto, shall

be deemed to be a *lawfully existing permitted building or structure* and shall be used as if it conformed to all such regulations, in accordance with subsection 2.10.5 hereof.

- 2.10.3 Any legally existing lot which does not conform to the minimum site areas, site width, front yard or access regulations hereof for the Zone wherein it lies, shall be deemed to be a permitted lot and shall be used as if it conformed to all such regulations, in accordance with subsection 2.10.5.
- 2.10.4 Any lawful use of a building, structure or site, or portion thereof, which does not conform to one or more of the applicable use regulations of the Zone in which it is located, either on the effective date of this By-law or amendments thereto, shall be deemed to be a permitted use and shall be used as if it conformed to all such regulations, in accordance with this By-law.
- 2.10.5 A non-conforming use of land, building, or structure may be continued, but if that use is discontinued for a period of twelve (12) consecutive months or more, any future use of the land, building or structure shall conform to the provisions of this By-law.
- 2.10.6 A non-conforming use of a part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional building shall be erected upon the lot while the non-conforming use continues.
- 2.10.7 A non-conforming use of part of a building shall not be extended throughout the building and shall not be enlarged or added to and no structure alterations shall be made thereto or therein.
- 2.10.8 A non-conforming building may continue to be used, but the building shall not be enlarged, added to, rebuilt or structurally altered, except:
- As may be necessary to make it a conforming building; or
 - As the Development Officer considers necessary for the routine maintenance of the building or to make safe as per the building code.
- 2.10.9 Where a building or structure that does not conform to the provisions of this By-law or amendments thereto is destroyed or Council determines damage to an extent that is 50% or more of the assessed value of the building or structure above its foundation, the building or structure shall be repaired or rebuilt in conformance with the provisions of this By-law.
- 2.10.10 The use of land or the use of a building is not affected by change of ownership, tenancy or occupancy of the land or building.
- 2.10.11 Despite the previous subsections noted herein, as per *The Planning Act*, a non-conformity may be altered by way of variation order by Council.
- 2.10.12 Any owner may apply to the Development Officer for a Certificate of Non-Conformity in accordance with the provisions of *The Planning Act*.

2.11 Fees

- 2.11.1 An application for development shall be accompanied by an application fee in accordance with the fee schedule established by Council.

2.12 Public Utilities and Services

- 2.12.1 Nothing in this By-law shall be so interpreted as to interfere with the construction, maintenance and operation of the facilities of any public utility service or protective and emergency service, as defined in this By-law.

2.13 Enforcement

- 2.13.1 The enforcement of this By-law, including fines and penalties, shall be in accordance with *The Planning Act*. Any person who violates this By-law is guilty of an offence and liable, upon summary conviction, to the penalties set forth in *The Planning Act*.
- 2.13.2 The Development Officer may suspend or revoke a Development Permit where:
- The applicant fails to comply with the conditions of issuance of a permit; or
 - Any person undertakes, causes or permits any development on a site that is contrary to the terms or conditions of a permit.

2.13.3 Any person who undertakes a development on a site without a permit, or after a permit has been revoked, shall discontinue such development forthwith upon notice in writing issued by the Development Officer and shall not resume such development unless a permit has been issued or reinstated.

3 INTERPRETATION

3.1 Rules of Interpretation

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

Words, phrases, and terms defined herein shall be given their defined meaning;

Words, phrases and terms not defined herein, but defined under provincial legislation, such as *The Planning Act*, shall be construed as defined in such legislation;

All other words, phrases, and terms not defined herein shall be given their usual and customary meaning, except where the context indicates a different meaning;

The word *includes* shall not limit a term to the specific examples provided, but is intended to extend the meaning to all instances or circumstances of like kind or character;

The phrase *used for* includes the terms arranged for, designed for, and/or occupied for;

Where a provision involves two or more items connected by the conjunction *and*, *or*, or *either-or*, the conjunction shall be interpreted as follows:

- *And* indicates all items apply in any combination;
- *Or* indicates that the items apply singly;
- *And-or* indicates the items may apply singly or in combination.

3.2 Units of Measurement

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

3.3 Height Calculations

3.3.1 In determining whether a development conforms to the maximum height permissible in any Zoning District, the following building features shall not be considered:

Chimneys;

Steeple, belfries, domes or spires;

Monuments;

Elevator housings or stairway entrances;

Liquid or gas storage containers;

Silos;

Stockpiles;

Telecommunication structures;

Masts, flagpoles or clearance markers; or

Other similar constructions as determined by the Development Officer.

3.4 Zoning Maps and Boundaries

3.4.1 The Zoning Maps provided herein form part of this By-law.

3.4.2 No Zoning District shall apply to public lands including rights-of-way.

3.4.3 Where a Zoning District boundary divides or splits a registered parcel of land into more than one Zoning District:

The disposition of the said boundaries shall be determined by dimensions indicated on the Zoning District Maps or by measurements directly scaled from the Zoning District Maps; and

Each portion of the said parcel of land shall be used in accordance with the applicable Zoning District provisions of this By-law as if it were a distinct zoning site.

4 ZONING DISTRICTS ESTABLISHED

4.1 Zoning Districts

For the purposes of applying this By-law, the Municipality is divided into Zoning Districts found in Table 5-1. The descriptions in this section are intended to assist in selecting the appropriate Zoning District for different types of land uses, and to assist in identifying the intended character of each district.

Table 5-1

Zone Group	Symbol	Zone Name
Rural / Agricultural Zones	AG	Agricultural General
	AL	Agricultural Limited
	RR	Rural Residential
	GD	General Development
Recreation and Natural Zones	RCR	Recreation Residential
	NE	Natural Environment
	PR	Parks and Recreation
Residential Zones	RS	Residential Serviced
	MH	Mobile Home
Business Zones	CC	Commercial Centre
	CH	Commercial Highway
	MB	Industrial Business
	MG	Industrial General

5 ZONE DESCRIPTIONS

5.1 Rural / Agricultural Zones

The **AG – Agricultural General Zone** is intended to accommodate a full range of agricultural activities including, among others, livestock production on a commercial basis.

The **AL – Agricultural Limited Zone** is generally a ½ mile area around non-agricultural zones and is intended to provide for agricultural uses and activities on a restricted basis in areas adjacent to rural settlement centres, rural residential areas and recreation areas in order to avoid land use conflicts.

The **RR – Rural Residential Zone** is intended to provide sufficient land for rural residential development in keeping with the provisions of the Development Plan.

The **GD – General Development Zone** is intended to provide sufficient land for development in the rural settlements.

5.2 Recreation and Natural Zones

The **RCR – Recreation Residential Zone** is intended for residential development capitalizing on natural, and waterside areas.

The **NE – Natural Environment Zone** is intended to allow for preservation of natural areas, with some accommodation for non-intensive activities.

The **PR – Parks and Recreation Zone** is intended to provide public reserve and amenity/institutional areas, either in a natural state, or as developed park areas, generally under public ownership.

5.3 Residential Zones

The **RS – Residential Serviced Zone** is intended primarily for residential dwellings in Settlement Centres, including single-unit, two-unit and multiple- and associated or compatible uses.

The **MH – Mobile Home Zone** is intended to provide for mobile home dwellings and associated or compatible uses.

5.4 Business Zones

The **CC – Commercial Centre Zone** is in is intended for commercial, residential, office and service-based uses within the central commercial areas of Settlement Centres.

The **CH – Commercial Highway Zone** is intended to provide for high quality commercial developments along major municipal roadways and provincial highways.

The **MB – Industrial Business Zone** is intended for light industrial and related businesses which carry out their operations primarily within an enclosed building and with limited outdoor storage or operational characteristics.

The **MG – Industrial General Zone** is intended for a wide range of general industrial uses.

6 GENERAL DEVELOPMENT REGULATIONS

6.1 Applicability

6.1.1 The provisions of this section shall apply to any development on any site, irrespective of the zoning district in which it is located.

6.2 Multiple Uses or Provisions

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

6.3 Accessory Uses

6.3.1 Where this By-law provides that any premises may be used or a building or structure may be erected, altered or used for a purpose, that purposes shall include any accessory building, structure or use.

6.3.2 Where an accessory building is attached to a principal building, it is considered part of the principal building and is not an accessory building or structure.

6.3.3 Excluding farm buildings and related structures, no accessory building or structure shall be constructed on any site prior to the construction of the principal building or structure on the site.

6.3.4 Accessory buildings and structure shall not be located closer than five (5) feet, clear of all projections, to the principal building.

6.3.5 Detached accessory buildings or structures shall not be located within a required yard, except a required rear yard or as provided for elsewhere herein.

6.4 Temporary Uses

6.4.1 Temporary buildings, structures and uses which are incidental and necessary for construction on the same site may be permitted on a temporary basis, subject to the issuance of a development permit and under the following conditions:

Storage of construction materials and equipment;

Office space for a contractor or developer; and

Temporary accommodation for a caretaker, watchman or other employees on the same construction site.

6.4.2 A development permit for a temporary building, structure or use shall be subject to such terms and conditions as required by Council or the Development Officer.

6.4.3 A development permit for a temporary building, structure or use shall be valid for a period of not more than twelve (12) months and may not be renewed for more than two (2) consecutive periods at the same location.

6.5 Restricted and Prohibited Development

6.5.1 Nothing in this By-law shall be construed as authorization for the carrying out of any development or activity that is a nuisance.

6.5.2 No development or activity shall emit air or water contaminants in excess of the standards prescribed by the Province of Manitoba pursuant to *The Environment Act* and the regulations pertaining thereto.

6.5.3 Notwithstanding the provisions contained in this By-law, Council may prohibit the development of land if Council is of the opinion that the land is subject to erosion, flooding, or subsidence, or is low-lying, marshy or unstable, or otherwise unsuitable or hazardous for the proposed development by virtue of its soil, topography or unique conditions, unless otherwise proven contrary by a professional engineering report.

6.6 Only One Principal Use on a Site

6.6.1 There shall be only one principal building, structure or use on a site, except wherein otherwise stated in this By-law.

6.7 Movement of Buildings and Structures

- 6.7.1 No building or structure shall be moved or relocated, in whole or in part, to any other location unless every portion of the building or structure conforms to all applicable regulations of the zone in which it is to be moved.
- 6.7.2 Before moving a building or structure over 10m (107 sq. ft.) in size to a new location within the municipality, the owner shall obtain a permit and may be required to enter into an agreement with the Municipality detailing the undertaking of the owner to pay all damages that may arise from the move and other such terms and conditions as the Development Officer deems necessary.
- 6.7.3 Any excavation shall be filled, the ground shall be leveled, and the site shall be put in a safe condition to the satisfaction of the Development Officer within 30 days of the date of removal.

6.8 Subdivision of Attached Units

- 6.8.1 A site containing more than one attached dwelling or commercial unit may be subdivided to provide individual titles to one or more of the attached dwellings or commercial units, provided that:

Any new site line shall be a straight line between the front and rear site lines, located in such a way that the party wall of the two adjacent units shall form part of the new site line. Where a site line is unable to be straight due to the irregular shape of the site, the location of the new site line shall be determined by the conditions of any subdivision approval and verified by the Development Officer;

Each site created shall have frontage on a public right-of-way, except in the case of a bare land condominium development;

In the case of an attached dwelling, each newly created site may only accommodate one (1) dwelling unit; and No side yard is required along the newly created site line.

6.9 Public Monuments and Statuary

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

6.10 Land Unsuitable for Development

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

6.11 Land Subject to Flooding

- 6.11.1 No building shall be constructed or placed in the vicinity of a lake, river, watercourse or body of water on land that has been identified by the Province as a flood hazard or would be inundated by a two-hundred year flood event, unless it is demonstrated to the satisfaction of Council that:

The land is not subject to flooding;

Proper measures will be taken to protect the building from flooding; or

That access to the property is on a developed public road to a standard and elevation that meets with provincial flood protection measures.

- 6.11.2 No building shall be constructed or placed on land which may be subject to subsidence or erosion by water or damage by ice or may be marshy or unstable or may be otherwise unsuitable or hazardous by virtue of its soil or topography, unless it is demonstrated to the satisfaction of Council that proper measures will be taken to deal with the unsuitability or hazard.
- 6.11.3 Notwithstanding any provisions of this By-law, the Development Officer may refuse to issue a development permit or building permit where the Council has reason to believe that the proposed development is located on land that is subject to one or more of the hazards identified in this section, or where Council has reason to believe such works would create an adverse effect on adjacent public or private lands or where adjacent drains are insufficient to accommodate added surface water run-off.
- 6.11.4 The Development Officer may require a development permit applicant to provide, at their own expense, such flood levels, elevations, or other geotechnical data as may be required.

6.12 Protection of Groundwater

- 6.12.1 If groundwater is to be used as a source of potable water, it shall be done in a sustainable manner and compliant with all applicable provincial legislation.
- 6.12.2 Private well owners are responsible for the construction, ongoing operation, maintenance, and monitoring of their water systems. Water well development should be done in such a manner as to protect groundwater from contamination.
- 6.12.3 Development of any common drinking water or sewer systems should be done in accordance with provincial legislation.

6.13 Public Reserve Lands

6.13.1 In accordance with Section 138(1) of *The Planning Act*, Public Reserve land may only be used for:

- A public park;
- A public recreation area;
- A natural area;
- A planted buffer strip separating incompatible land uses; or
- Public Works.

6.14 Special Setbacks

- 6.14.1 A minimum clearance of 10 ft vertical and horizontal shall be maintained when locating buildings and structures within close proximity of Manitoba Hydro lines and conductors.
- 6.14.2 No dwelling shall be located within 400 m (1,312 ft) of the boundary of any active waste disposal ground or sewage lagoon unless approval has been obtained from the Province of Manitoba.

6.15 Projections Into Yards

6.15.1 The following elements may project into or exist within a required yard:

- Unenclosed terraces, steps, stairs or ramps;
- Trellises, flagpoles, lighting fixtures, lampposts and similar freestanding elements;
- Uncovered walks or driveways;
- Fences, retaining walls, screening and hedges;
- Recreational or play equipment; or
- Other such elements as determined by the Development Officer.

6.15.2 The following architectural elements are permitted to project into required yards no more than 0.61 m (2 ft):

- Window sills, bay or oriel windows;
- Canopies or shade structures;
- Lighting fixtures;
- Other similar architectural elements as determined by the Development Officer.

6.15.3 Loading spaces are permitted to project into side or rear yards only.

6.16 Parking

6.16.1 For the purposes of this By-law and the regulations found within this section, all required parking areas are to be located on-site.

6.16.2 The following regulations apply to all accessory on-site parking areas:

- All parking spaces shall be located on the same lot as the use served unless permitted by variation order to locate elsewhere or as otherwise stated in this By-law;
- Parking areas shall have clearly marked approaches or driveways and be defined by a fence, curb, or other suitable boundary designed to provide an orderly appearance;
- Lighting provided for parking areas shall be shielded and directed away from adjoining residential area and generally confined to the site;
- The grade of a parking area, and the access driveways thereto shall be designed in such a manner that there will be no free flow of water onto either adjacent property or public sidewalk;
- Any parking area shall be of such a surface that will minimize the carrying of dirt or foreign matter onto the public right-of-way;
- Parking areas provided for a use shall be used exclusively for the parking of employees, occupants, patrons or visitors of such use, unless otherwise permitted herein, and shall not be used for motor vehicle repair work or similar uses;

When any building, structure or use in existence on the effective date of this By-law is subsequently damaged or destroyed, and is reconstructed or re-established, the parking spaces maintained at the time of such damage or destruction shall be restored or continued in operation; and
 Parking spaces in existence on the effective date of this By-law or amendments thereto shall not be further reduced below the parking requirements for a similar new building or use under the provisions of this section.

- 6.16.3 In the case of a mixed-use development, the Development Officer shall calculate parking requirements for each individual use and the total shall be deemed to be the required parking for the site, unless the applicant can demonstrate to the satisfaction of Council, through a parking demand study, there is a complimentary use of the parking facilities which would warrant a reduction in the parking requirements.
- 6.16.4 No person shall establish or change the use of a site without providing and maintaining a minimum number of on-site parking spaces in accordance with the table below:

TABLE 6-1 – Minimum Parking Requirements

Use Class	Minimum Parking Spaces
Residential Uses	
<i>Multi-Unit Dwelling</i>	1.2 spaces / dwelling unit
<i>All other residential uses</i>	1.0 space / dwelling unit
Commercial Uses	
<i>Auditorium, Theatre, Concert Hall or Cinema</i>	1.0 space / 4 seats
<i>Restaurant or Drinking Establishment</i>	1.0 space / 4 seats or 1.00 space / 9.29 sq. m. (100.0 sq. ft.), whichever is greater
<i>Funeral Chapel or Mortuary</i>	1.0 space / 5 seating places
<i>Hotel or Motel</i>	1.0 space / guest room or sleeping unit
<i>Resort</i>	1.0 space / 4 persons maximum occupancy load
<i>Retail Sales Establishment</i>	1.0 space / 18.6 sq. m. (200.0 sq. ft.)
<i>Special Event Facility</i>	1.0 space / 4.6 sq. m. (50.0 sq. ft.)
<i>All other Commercial Uses</i>	1.0 space / 23.2 sq. m. (250 sq. ft.) but no less than 1 space
Industrial Uses	
<i>All Industrial Uses</i>	1.0 space / 92.9 sq. m. (1,000 sq. ft.) or 1.0 space / 5 employees, whichever is greater
Civic Uses	
<i>Assisted Living Facility</i>	1.0 space / bed
<i>Childcare Facility</i>	1.0 space / 2 employees

Funeral Service Facility	1.0 space / 5 seating places
Government Service	1.0 space / 51.1 sq. m. (550 sq. ft.)
Hospital, Clinic or Medical Service Facility	2.0 spaces / bed
Indoor / Outdoor Recreation Facility	1.0 space / 5 seating places Where there are no fixed seats, 1.0 space / 9.29 sq. m. (100 sq. ft.) of floor area devoted to the assembly room floor area
School	1.5 spaces / classroom plus 1.0 space / 9.29 sq. m. (100 sq. ft.) of public area
Place of Worship	1.0 space / 5 seats or 1.0 space / 20 sq. m. (215 sq. ft.) of assembly room space, whichever is greater
Community Centre or Hall	1.0 space / 10 seating places or 1.0 space / 10 sq. m. (107 sq. ft.) used by patrons, whichever is great
All other Civic Uses	N/A
Agricultural Uses	
Agri-business	1.0 space / 92.9 sq. m. (1,000 sq. ft.) or 1.0 space / 5 employees, whichever is greater
All other agricultural uses	N/A

- 6.16.5 Where a proposed use is not listed above, the parking regulation shall be determined by the Development Officer.
- 6.16.6 Where the number of required parking spaces is determined by reference to a unit such as the number of bedrooms, seats or floor area, the next higher number shall be required where the calculation results in a fractional number of parking spaces.
- 6.16.7 The following regulations apply to the required dimensions for parking spaces:
- a. Parking space dimensions may vary depending on the angle measured perpendicular to the axis of the access aisle of the space provided. The dimensions of parking spaces shall be in accordance with the Table 6-2; All entrances and egress driveways shall be a minimum of 7.5 m (24.61 ft.) and no closer than 7.5 m (24.61 ft.) from the point of two property lines at a street intersection; Where an aisle serves two different types of angled parking, which are located across from each other, the largest required access aisle shall be provided; and Where access to a parking space is directly from a street or lane, the width of the adjacent street or lane may be computed as part of the required aisle width.

TABLE 6-2 – Parking Space and Aisle Dimensions

Angle of Parking	Ref.	Minimum Parking Space Dimensions		Minimum Aisle Dimensions	
		Width	Length	One-Way	Two-Way
<i>Parallel</i>	A	9	20	12	20
<i>49° or less</i>	B	8.5	18	12	20
<i>50 – 74°</i>	C	8.5	18	14	24
<i>75 – 90°</i>	D	9	18	18	24

6.17 Accessible Parking

- 6.17.1 The number of accessible parking stalls shall be determined in accordance with Table 6-3;
- 6.17.2 All accessible parking spaces must be a minimum of 10 feet in width, plus a 5 feet wide adjacent access aisle, and a minimum of 20 feet in length. Two such adjacent stalls may be served by the same access aisle.
- 6.17.3 All accessible parking spaces must be located within 200 feet of a major building entrance used by residents, employees or the public.
- 6.17.4 All accessible parking spaces must provide signate or adequate representation to ensure the space is reserved for persons with mobility issues.
- 6.17.5 The portion of required off-street parking spaces that must be accessible for any new development, exclusive of single-unit dwellings and two-unit dwellings, is as follows:

TABLE 6-3 – Accessible Parking Requirements

Number of Parking Spaces	Minimum Number of Accessible parking Spaces
1 – 25	1
26 – 50	2
51 – 75	4
76 – 100	6
101 – 200	8
201+	10 plus 1 for every 50 additional spaces

6.18 Loading

- 6.18.1 All commercial and industrial land uses shall provide loading spaces, located on the same site as the principal building or structure and in accordance with the requirements noted herein.
- 6.18.2 Off-street loading spaces shall be a minimum of 9.14 m (30 ft.) in length, 3.66 m (12 ft.) in width and shall have a vertical clearance of at least 4.26 m (14 ft.).
- 6.18.3 All off-street loading spaces shall have access to a public right-of-way or lane within a parking lot.
- 6.18.4 The number of off-street loading spaces shall be as follows:

TABLE 6-4 – Loading Space Requirements

Floor Area of Principal Building	Number of Spaces Required
Up to and including 5,000 sq. ft.	1
5,001 to 15,000 sq. ft.	2
15,001 to 40,000 sq. ft.	3
Over 40,000 sq. ft.	3 plus 1 space for each additional 25,000 sq. ft. of floor area or portion thereof

6.19 Lighting

- 6.19.1 Outdoor lighting shall be low glare in nature and located in and arranged such that no light is direct at any abutting or adjacent properties, or that it may interfere with the effectiveness of any traffic control devices in the vicinity.
- 6.19.2 All outdoor lights must have fully shielded luminaries to direct light downward.
- 6.19.3 If free standing, the maximum height of a light standard shall be 10.67 m (35 ft).

6.20 Fences and Screening

- 6.20.1 Fences and landscaped screens, including hedges, trees, shrubs and similar landscape features shall be permitted in all zones, provided that:
 - Electric or barbed wire fences are only permitted for agricultural or industrial uses; and
 - All other standards of this section are complied with.
- 6.20.2 The height of a fence or screen must comply with the standards set forth in the table below, unless otherwise provided for:

TABLE 6-5 – Maximum Height for Fencing

Use Group	Front Yard	Side or Rear Yard
Residential Uses	1.22 m (4 ft.)	2.0 m (6.56 ft)
Commercial Uses	3.05 m (10 ft)	3.05 m (10 ft)
Industrial Uses	3.05 m (10 ft)	3.05 m (10 ft)
Civic Uses	3.05 m (10 ft)	3.05 m (10 ft)
Agricultural Uses	2.0 m (6.56 ft)	2.0 m (6.56 ft)

- 6.20.3 For the purposes of this section, all fences shall be measured from the general ground level at a distance of 0.61 m (2 ft) from within the lot line of the site on which the fence is to be constructed, unless otherwise stated.

6.20.4 Electrified fencing shall be permitted for Stables, Game Farms, Livestock Operations or Animal Keeping. Shall not be electrified barbed wire adjacent to public spaces or uses.

6.20.5 Fences in the M Zoning District may include barbed wire on the top 0.61 (2 ft) in the side and rear yards.

6.21 Development of Road Allowances

6.21.1 No building or structure shall be erected upon any land designated for a future road allowance. Any development adjacent to said future road allowance shall comply with the regulations of this By-law as if the said future road allowance was already in existence.

6.22 Developments Along Lakes and other Significant Water Bodies

6.22.1 All buildings and structures must be built to meet the 200-year flood design requirements of the Province of Manitoba.

6.22.2 Landowners shall not place any buildings or structures on public reserve land.

6.22.3 Multi-lot cottage developments located within the RCR Zoning District adjacent to lakes shall be required to utilize holdings tanks for on-site sewage disposal only.

6.22.4 Along streams, creeks and lakes, a buffer strip of natural vegetation no less than 10 m (30') wide from the ordinary high-water mark shall be encouraged in order to prevent erosion, siltation and excess runoff.

6.22.5 Any work in or near water that has the potential to harmfully alter, disrupt or destroy fish habitat (including riparian areas) or deposit deleterious substances (including sediment) into any fish bearing water must be reviewed by the Province of Manitoba and possible authorization by Fisheries and Oceans.

6.22.6 New or expanded manure storage facilities, septic fields, and municipal wastewater lagoons will be discouraged on land that has soils determined, by detailed soil survey, to have an agricultural capability of Class 6, Class 7, or Unimproved Organic Soils and must be setback from water courses or streams.

6.23 Communication Towers

6.23.1 All communication towers are federally regulated and are under the jurisdiction of Industry Canada.

7 USE REGULATIONS

7.1 Applicability

7.1.1 The provisions of this section shall only apply to the uses listed in Tables 7-1 and 7-2 below.

7.2 Regulation of Uses

7.2.1 No land, building or structure shall be used or occupied except for a use which is listed in the Use Table as:

- A permitted use;
- A conditional use;
- An accessory use; or
- A temporary use.

7.2.2 Where necessary and permitted by Council, a use listed in Table 7-1 as a principal use may be considered an accessory use to another principal use.

7.3 Use Table Organization

7.3.1 In Table 7-1 and Table 7-2, land uses and activities are classified into general 'use categories' based on common functional or physical characteristics, such as the type and intensity of land use, the type and number of customers or residents, how goods or services are managed or delivered, and/or other site-specific conditions. This classification system provides a method for assigning present and future land uses into appropriate Zoning Districts. This classification does not list every use or activity that may appropriately exist within the categories and specific uses may be listed in one category when they may reasonably be listed in one or more other categories.

7.3.2 Use specific standards that apply to certain uses are noted in the Use Specific Standard Reference column in Table 7-1 and 7-2 and begin in Section 7.5.

7.4 Use Table Symbols

7.4.1 In Table 7-1 and 7-2:

- The letter *P* denotes a use is *permitted*.
- The letter *C* denotes a use is *conditionally permitted*.
- A blank cell indicates a use is *prohibited*.
- An asterisk (*) denotes a use specific standard applies.

TABLE 7-1 – PRINCIPAL USE TABLE

USE CLASS	Rural and Agricultural Zones				Recreation and Natural Zones			Residential Zones		Business Zones				Use Specific Standards
	AG	AL	RR	GD	RCR	NE	PR	RS	MH	CC	CH	MB	MG	
Residential and Residential Related														
Boarding or Rooming House	C	C	C	C				C						7.9
Mobile Home Dwelling			C	C				C	P					7.5
Mobile Home Park									P					7.6
Multi-Unit Dwelling								C		P ¹				7.7
Rehabilitation Home			C	C				C						
Single-Unit Dwelling	P	P	P	P	P			P						7.8
Tiny Home, Cluster					C			C	C					7.39
Tiny Home, Single	C	C	C	C	C			C	C					7.39
Two Unit Dwelling				C				P						
Planned Unit Development								C						7.10
¹ When located in a building with main-floor commercial uses														
Commercial														
Animal Shelter, Boarding or Breeding Establishment	P	P	C	C							P	P		
Auctioneering Establishment				C							P	P		
Auditorium, Theatre, Concert Hall or Cinema				C						P	P			
Automotive Sales or Rental				C						C	P	P		
Automotive Service Station				C						C	P	P		7.11
Cannabis Store										C	C			
Car Wash				C						C	P	P		
Contractor Service	C	C		C								P	P	7.12
Entertainment, Indoor				P						P	P			
Entertainment, Outdoor				C		C					C			
Funeral Chapel or Mortuary				C						C	P			

Gas Stations				C						C	P			7.13
P = Permitted C = Conditional * = Use Specific Standard(s) Apply	Rural and Agricultural Zones				Recreation and Natural Zones			Residential Zones		Business Zones				Use Specific Standards
USE CLASS	AG	AL	RR	GD	RCR	NE	PR	RS	MH	CC	CH	MB	MG	
Commercial (Cont.)														
Greenhouse, Plant or Tree Nursery		P		P							P	P		
Gun Club or Shooting Range		C											C	
Hotel or Motel				C						C	P			
Landscaping or Garden Contractor				C							P	P	P	
Mobile Home Sales and Construction													P	
Office				P						P	P	P		
Outfitter Camp						C								
Parking Lot				P						C	P	P	P	
Personal Service				P						P	P			
Professional Service				P						P	P			
Resort						C				C	P			
Restaurant or Drinking Establishment				C						P	P	C		
Retail Sales Establishment				C						P	P			
Self-Storage Facility				C							C	P	P	
Special Event Facility				C						C	C			7.14
Theatre or Cinema				C						P	P			
Veterinary Hospital or Clinic	P	P		C						P	P	P	P	
Industrial Uses														
Abattoir												C	C	7.15
Aggregate or Mineral Extraction	C	C												7.16
Agricultural Processing Facility	C	C		C								C	P	
Asphalt Batching Plant													C	
Cannabis Cultivation	C	C										C	C	
Cannabis Processing												C	C	
Equipment Depot	C	C		C									P	7.17
Fleet Service				C							P	P	P	
Freight or Trucking Operation				C									P	
General Industrial (Heavy)													P	7.18
General Industrial (Light)												P	P	
Heavy Equipment Sales, Rental and Service				C							P	P	P	
Mill or Forestry Service	C	C											P	

Recycling Depot												C	P	
P = Permitted C = Conditional * = Use Specific Standard(s) Apply	Rural and Agricultural Zones				Recreation and Natural Zones			Residential Zones		Business Zones				Use Specific Standards
USE CLASS	AG	AL	RR	GD	RCR	NE	PR	RS	MH	CC	CH	MB	MG	
Industrial Uses (Cont.)														
Storage Facility												C	P	
Transportation Terminal													P	
Warehouse												P	P	
Wind or Solar Farm	C	C											C	7.19
Wrecking or Salvage Yard													P	
Civic Uses														
Airports, Landing Strips and Related Facilities	C	C											C	7.20
Assisted Living Facility							C	C						
Campground or RV Park				C	C	C	C				C			7.21
Cemetery		C	C				C							
Childcare Facility			P				C	C	C		P	P		
Community Centre or Hall				P			P			P	P			
Golf Course		C					P							
Government Service	P	P	P	P	P	P	P	P	P	P	P	P	P	
Hospital, Clinic or Health Service Facility				P			C			P	P			
Library, Museum or Gallery				P			C			P	P			
Parks, Playgrounds, and Recreation Trails	P	P	P	P	P	P	P	P	P	P	P			
Place or Worship				C				P	P	P	P			
Protective and Emergency Service	P	P	P	P	P		P	P	P	P	P	P	P	
Public or Private Club Facility				C						P	P			
Public Utility, Major	P	P	C	C							C	P	P	
Public Utility, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	
Recreation, Indoor				P			P			P	P			
Recreation, Outdoor	P	P		C		P	P							
School				P			P	P	P	P	P			
Wildlife or Conservation Reserve	P	P				P	P							
Agricultural Uses														
Agri-business Establishment	P	P		P								P	P	
Agri-tourism Operation	P	P	C	P										7.22
Agricultural Activities	P	P	C	C										

Agricultural Product Storage	P	P											P		
P = Permitted C = Conditional * = Use Specific Standard(s) Apply	Rural and Agricultural Zones				Recreation and Natural Zones			Residential Zones		Business Zones				Use Specific Standards	
USE CLASS	AG	AL	RR	GD	RGR	NE	PR	RS	MH	CC	CH	MB	MG		
Agricultural Uses (Cont.)															
Anhydrous Ammonia Storage and Distribution Facility	C	C											C	C	7.23
Communal Farm Operation	P	P													7.24
Equestrian Establishment or Stable (<10 AU)	P	P	C	C											
Equestrian Establishment or Stable (10 or more AU)	P	C													
Exhibition or Fair Grounds	P	P					P								
Game Farm	P														
Livestock Operation	P	C													7.25
Specialized Agriculture	P	P		C									P		

TABLE 7-1 –ACCESSORY AND TEMPORARY USE TABLE

USE CLASS	Rural and Agricultural Zones				Recreation and Natural Zones			Residential Zones		Business Zones				Use Specific Standards
	AG	AL	RR	GD	RCR	NE	PR	RS	MH	CC	CH	MB	MG	
Accessory Use, Building or Structure not otherwise defined herein	P	P	P	P	P	P	P	P	P	P	P	P	P	
Animal Keeping	P	P	P	C										7.26
Drive Through											P	P		
Farm Diversification Operation	P	P												7.27
Farm Produce Outlet	P	P	C	C							C			
Guest House				C	C			C						7.28
Home Business	P	P	P	P				P						7.29
Home Occupation	P	P	P	P				C						7.29
Home Industry	P	P	C	C				C						7.29
Metal Shipping Container	P	P	C	C						C	P	P	P	7.30
Outside Storage				C						C	P	P	P	
Off Road Vehicle Track	C	C				C	C							7.31
Secondary Suite	C	C	C	C				C						7.32
Short Term Rental Accommodations	P	P	P	P	P			C						7.33
Sign, Freestanding Advertising (Billboard)	C	C		C						C	C	C	C	7.34
Signs	P	P	P	P	P	C	P	P	P	P	P	P	P	7.34
Solar Panel (Building Mounted)	P	P	P	P	P	P	P	P	P	P	P	P	P	7.35
Solar Panel (Freestanding)	P	P	P	P	P	P	P	P	P	P	P	P	P	7.35
Swimming Pool	P	P	P	P	P	C	P	P	P	C	C	C	C	7.36
Wind Energy Generating SYSTEM	P	P	P	P	P	P	P	P	P	P	P	P	P	7.37
Farmers' Market	P	P		P			C			C	P			
Metal Shipping Container	P	P	C	C						C	P	P	P	7.30
Portable Asphalt or Concrete Batching Plant	C	C									C	C	C	
Temporary Additional Dwelling	C	C	C	C								C	C	7.38

7.5 Mobile Home Dwellings

- 7.5.1 No mobile home shall be placed in any zone and used as a dwelling unless it meets all structural standards as determined by *The Buildings and Mobile Homes Act, Chapter B93, C.C.S.M.*, as amended.
- 7.5.2 A mobile home dwelling shall:
- Be connected to an approved sewage disposal system installed in accordance with regulations under *The Environment Act*;
 - Be placed in such a way as to meet the approval of the Development Officer; and
 - Be connected to an approved electrical service outlet.
- 7.5.3 All accessory buildings and/or structures shall be painted or pre-finished and maintained in a manner which will complement the principal mobile home dwelling.

7.6 Mobile Home Parks

- 7.6.1 All mobile home parks must meet the dimensional standards of the zone in which they are found.
- 7.6.2 A mobile home park must contain a storage compound with adequate space for each mobile home dwelling and must be located as shown on submitted plans.
- 7.6.3 The minimum separation distance between two mobile home dwellings shall be 3.05 m (10 ft) clear of all projections.
- 7.6.4 A mobile home park must contain a common recreational area that is bordered by a fence or hedge where it abuts any part of an internal or external road right-of-way.
- 7.6.5 A mobile home park must have an internal roadway system with a main route that is a minimum of 15.24 m (50 ft) in width and supplementary routes that are a minimum of 10.06 m (33 ft) in width.
- 7.6.6 The entrance to a mobile home park must be at least 7.62 m (25 ft) in width.
- 7.6.7 Each mobile home dwelling space shall be provided with the following:
- A sewer and water connection;
 - An electrical service outlet; and
 - An adequate base support for the mobile home dwelling.

7.7 Multi-Unit Dwellings

- 7.7.1 Where approved, an owner or applicant for a multi-unit dwelling may be required to enter into a development agreement to cover such matters as:
- Maximum building sizes;
 - Maximum allowable density;
 - Design requirements including but not limited to, exterior finished and materials;
 - Parking requirements;
 - Waste storage and removal requirements;
 - Emergency access requirements; and
 - Any other matter deemed necessary or relevant by Council.

7.8 Single-Unit Dwellings

- 7.8.1 Wherever possible, a site for a new single-unit dwelling in an Agricultural Zoning District shall not take cultivated land out of production and not be more than 2.02 ha (5 ac).

7.9 Boarding and Rooming Houses

- 7.9.1 Boarding or Rooming Houses shall comply with the following:
- No more than two (2) persons shall be accommodated within dwelling unit;
 - No cooking facilities or other facilities for the keeping of food shall be provided for within any bedrooms or living space;
 - A business license is required; and
 - A parking stall shall be provided for each boarder.

7.10 Planned Unit Developments

- 7.10.1 A planned unit development may only be established on a zoning site or proposed development larger than 5 acres (2 hectares) in size.
- 7.10.2 The uses and standards of a Planned Unit Development must be generally consistent with the desired character for the area as set out in the Rosssburn Municipality Development Plan, any applicable Secondary Plan, or Concept Plan.
- 7.10.3 An application for a Planned Unit Development shall be considered as a conditional use application and subject to the conditional use provisions of this By-law.
- 7.10.4 An application for a planned unit development must be accompanied by a detailed site plan that includes the following:
 - Site boundary;
 - Heights and types of use of buildings and structures;
 - Floor plans and elevations of all proposed buildings and structures;
 - Location of internal roads and entrances to site;
 - Sidewalks and active transportation paths;
 - All public elements or facilities;
 - Fencing, lighting, landscaping;
 - Parking;
 - Lot grading and drainage;
 - Impact studies including, but not limited to, the following:
 - Drainage Study;
 - Traffic Impact Study;
 - Public Engagement Study;
 - All instances where the dimensional standards of the proposed buildings and structures do not comply with the requirements of this By-law; and
 - Any other information as required by Council.

7.11 Automotive Service Stations

- 7.11.1 A site for an automotive service station must have a minimum frontage and depth of 30.48 m (100 ft).
- 7.11.2 Where approved, an owner or applicant for an automotive service station shall be required to enter into a development agreement with Rosssburn Municipality to:
 - Ensure all underground infrastructure (i.e. tanks) is removed;
 - Ensure the site is remediated following a discontinuance of use; or
 - Other such matters deemed relevant by Council.

7.12 Contractor Services

- 7.12.1 All outdoor storage associated with a contractor service must be screened in accordance with the provisions of Section 6.20 of this By-law.

7.13 Gas Stations

- 7.13.1 All gas stations shall comply with the following standards:
 - All pump islands and underground storage tanks shall be located at least 6.1 m (20 ft) from any boundary of the site, parking area on the site, or laneway intended to control traffic circulation on the site;
 - Re-fueling areas are not permitted in a required parking area; and
 - A canopy over a pump island may extend to within 3.05 m (10 ft) of the boundary of the site. The canopy area shall not constitute part of the site coverage for the purposes of this section.

7.14 Special Event Facilities

- 7.14.1 Applications for a special event facility must include the following information:
 - A site plan showing:
 - General vehicle access routes;
 - Emergency and protective service vehicle access routes;
 - Parking;
 - Pathways (if applicable);
 - Buildings and structures;
 - Exterior lighting;

Landscaping.
Sound and/or site barriers or buffers;
Signage;
Site maintenance information;
Security information;
Dates and hours of operation;
Emergency and protective service arrangements;
Liability insurance information; and
Other matters deemed necessary by the Development Officer and/or Council.

- 7.14.2 Applications shall be circulated to all relevant provincial departments or agencies for review and comment.
- 7.14.3 Where approved, a special event facility shall require the landowner or applicant to enter into a development agreement with the municipality to cover such matters as outlined herein.
- 7.14.4 Off-site parking may be considered as part of the conditional use and defined as part of the development agreement but should not take cultivated land out of production.
- 7.14.5 It is the intent that special event facilities in Agricultural Zoning Districts shall serve the rural community, be in keeping with the area and not negatively impact agricultural operations in the area.

7.15 Abattoirs

- 7.15.1 All abattoirs are subject to Provincial regulations and requirements.

7.16 Aggregate or Mineral Extractions

- 7.16.1 All aggregate or mineral extraction operations in Rossburn Municipality shall meet or exceed the appropriate and relevant regulations outlined by the Province of Manitoba.
- 7.16.2 The owner / operator of an aggregate or mineral extraction operation shall enter into a development agreement with Rossburn Municipality.

7.17 Equipment Depot

- 7.17.1 All outdoor storage associated with an equipment depot must be screened in accordance with the provisions of Section 6.20 of this By-law.

7.18 General Industrial (Heavy)

- 7.18.1 No heavy industrial operation shall cause, or permit to be caused, a noise level at or inside the site line of a residential use which exceeds the regulations of the Province of Manitoba pursuant to *The Environment Act* and regulations pertaining thereto.
- 7.18.2 All outdoor service, assembly, refuse collection and storage areas shall be located to the rear or sides of the principal building. Loading and refuse collection facilities service office, warehouse and similar developments, where the handling or assembly of goods is carried on within a building, shall be allowed to the rear, sides or front of the principal building.
- 7.18.3 Outdoor display areas are permitted to the side or front of the principal building, provided that such displays are limited to examples of equipment or material related to the industry or business located on site.

7.19 Wind or Solar Farms

- 7.19.1 The minimum separation distance between a wind turbine within a wind farm and the nearest habitable building shall be 500 m (1,640 ft).
- 7.19.2 A wind turbine shall be setback no less than 1.5 times the total turbine height from the property line. This setback requirement shall be waived where the adjoining property will be used for wind turbine development and the turbines on both properties will be connected to the same array.
- 7.19.3 A wind turbine should not be provided with ratification lighting except for lighting that is required to meet federal or provincial regulations.
- 7.19.4 No wind turbine shall be located within 1 km (3,280 ft) from any Wildlife Management Area.

7.19.5 Where approved, a conditional use for a wind or solar farm shall require the landowner or the applicant to enter into a development agreement with Rossburn Municipality.

7.20 Airports, Landing Strips and Related Facilities

7.20.1 Notwithstanding the height limitations as provided for in this By-law, the limitations prescribed, or practices recommended by Transport Canada with respect to height and appropriate lighting in the vicinity of airports and airfields shall prevail.

7.20.2 Where approved, a conditional use for an airport, landing field or related facilities shall require the landowner or the applicant to enter into a development agreement with the municipality to cover such additional matters as deemed necessary by the Development Officer or Council.

7.21 Campgrounds or RV Parks

7.21.1 A campground or recreational vehicle (RV) park must meet the following standards:

More than one camp space or RV may be permitted within a campground or RV park use;

A campground or RV park must provide storage of refuse in a sanitary manner at a location not more than 150 m (500 ft) from any dwelling;

A campground or RV park must provide a roadway with an all-weather surface that serves all camp or RV spaces to Rossburn Municipality standards;

A campground or RV park must provide clear numbered identification of each camp or RV space; and

A campground or RV Park must provide a centrally located recreation area.

7.22 Agri-Tourism Operations

7.22.1 Applications for agri-tourism operations shall include the following information:

A site plan;

Signage;

Site maintenance information;

Security information;

Dates and hours of operation;

Emergency and protective service arrangements;

Liability insurance information; and

Other matters deemed necessary by the Development Officer and/or Council.

7.22.2 Applications shall be circulated to all relevant provincial departments or agencies for review and comment.

7.22.3 Where approved, the landowner or applicant shall be required to enter into a development agreement with the municipality to cover such matters as outlined herein.

7.22.4 It is the intent of agri-tourism operations in Agricultural Zoning Districts shall serve the rural community, be in keeping with the area and not negatively impact agricultural operations in the area.

7.22.5 Agri-tourism operations should not take agricultural land out of production and shall not require a subdivision.

7.22.6 Off-site parking may be considered as part of the conditional use and defined as part of the development agreement but should not take cultivated land out of production.

7.22.7 A traffic impact study may be required as part of the application.

7.23 Anhydrous Ammonia Storage and Distribution Facilities

7.23.1 Anhydrous ammonia storage facilities having a storage capacity in excess of 1979.7 imperial gallons (9000 liters) shall be located a minimum distance of:

1500 m. (4,921.3 ft.) from the border of any rural settlement centre or from evacuation sensitive facilities such as hospitals, schools or seniors' homes;

500 m. (1,640 ft.) from any residence;

50 m. (164 ft.) from a creek, stream or other environmentally sensitive area; and

100 m. (328 ft.) from the edge of the right-of-way of a provincial road or trunk highway, or less if authorized by the Province.

- 7.23.2 Where approved, a conditional use for an anhydrous ammonia storage and distribution facility shall require the landowner or applicant to enter into a development agreement with the municipality to cover such matters deemed necessary by the Designated Officer or Council.

7.24 Communal Farm Operations

- 7.24.1 A communal farm operation shall include permitted additional accessory uses that are otherwise not permitted but shall remain accessory to the principal farm operation. These uses include, but are not limited to:

- Accessory dwelling units;
- Commercial or industrial enterprises;
- Education facilities;
- Community spaces; and/or
- Places of worship.

- 7.24.2 All development on communal farm operations must meet all applicable provincial standards and building codes.

- 7.24.3 A minimum distance of 3.05 (10 ft), eave to eave, shall be maintained between all buildings and structures in a communal farm operation.

- 7.24.4 An application for a communal farm operation shall be accompanied by the following information:

- The requirements normally required for the issuance of a development permit as noted in this By-law;
- The location and use of each existing and proposed building or structure and the use or uses to be contained therein, including providing the separation distances between buildings and structures;
- Floor plans and elevations of all proposed buildings and structures;
- The total number of dwelling units and gross floor area; and
- Impact studies or plans as deemed necessary by Council, including, but not limited to:
 - Drainage plans;
 - Landscaping plans;
 - Traffic impact studies; and

Any additional information Council may deem necessary for the review of the application.

7.25 Livestock Operations

- 7.25.1 Notwithstanding any other provisions of this By-law, any livestock operation involving 300 or more animal units shall be a conditional use and is subject to a report prepared by the Technical review Committee and submitted to Council. The said report shall be made available to the public for a minimum of 30 days prior to the date of the Public Hearing as required in *The Planning Act*.

- 7.25.2 All livestock operations shall meet the mutual separation distances as outlined in Appendix B based on the animal unit (AU) calculations and criteria outlined in Appendix A. Separation distances to designated areas will be measured to the boundaries of the designated areas as identified by the Development Officer.

- 7.25.3 For the purposes of this section of the By-law, the calculation of AUs shall be cumulative across the species as determined by the Province of Manitoba. See Appendix A for additional information.

- 7.25.4 In addition to the standard development application submission provisions, applications for livestock operations shall:

- Meet or exceed all applicable provincial or federal government environmental health regulations in force at the time of the permit application for the creation, expansion or modification or a livestock operation;
- Obtain a development permit from Rossburn Municipality prior to any development activity taking place on the site;
- Meet or exceed any applicable site regulations for the site;
- Have an adequate land base that is either owned or leased by the proponent to satisfy the proposed operation requirements; and
- Ensure all manure storage and confinement facilities conform to all applicable provincial government regulations.

7.26 Animal Keeping

- 7.26.1 Animal keeping may only be permitted as accessory to a single-unit dwelling.

- 7.26.2 The minimum site area for a residential site with accessory animal keeping shall be 2.02 ha (5 ac).
- 7.26.3 For the purposes of this section of the By-law, the calculation of AU shall be cumulative across the species as determined using the table in Appendix A, or as determined by the Province of Manitoba.
- 7.26.4 The use of land or structures for animal keeping shall be limited to 1.33 AU per 0.8 ha (2 ac) of land, to a maximum of 9.9 AU.
- 7.26.5 Notwithstanding the provisions above, the following provisions shall apply to the keeping of poultry:
For sites 1.62 ha (4 ac) or less, no more than six (6) hens only may be kept (no roosters);
For sites greater than 1.62 ha (4 ac), no more than ten (10) hens (no roosters) may be kept;
The minimum site area for the keeping of poultry shall be 0.81 ha (2ac); and
A chicken coop must be located in the rear yard of the lot and must be positioned a minimum of 4.6 m (15 ft) from any neighbouring property line.
- 7.26.6 Buildings or structure associated with said animal keeping shall be a minimum distance of 15.24 m (50 ft) from any lot line.
- 7.26.7 All animal keeping must be operated in accordance with all plans and documents approved as part of the application.

7.27 Farm Diversification Operations

- 7.27.1 A farm diversification operation located on a farmstead site may only be permitted as accessory to currently active agricultural operations;
- 7.27.2 The farm diversification operation shall be valid so long as the principal use of the site in an active agricultural operation;
- 7.27.3 Farm diversification operations shall comply with all environmental and public health standards. If Council determines that a proposed use may conflict with these standards, the application shall be referred to the appropriate provincial department or agency for their review and comment prior to issuing a development permit;
- 7.27.4 A farm diversification operation shall not require the creation of a new title separate from the title for the principal agricultural operation.
- 7.27.5 Any increase in intensity from what was originally approved shall require a new application and approval.
- 7.27.6 Council may also apply special standards in the issuance of a development permit limiting the size of the operation including, but not limited to, the size and number of buildings used for the operation, the number of employees, or the requirement to mitigate negative impacts on neighbouring land uses.
- 7.27.7 A development permit for a farm diversification operation may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met.

7.28 Guest Houses

- 7.28.1 Guest houses shall be subject to the following regulations:
Guest houses shall comply with all site requirements applicable to the zone;
The units shall have a maximum building area of 37 sq m (400 sq ft);
A guest house is not intended for occupancy independent of the principal dwelling on site and cannot utilize separate utilities;
Guest houses should not contain cooking facilities; and
Council may impose additional conditions on the installation or utilization of a guest house deemed necessary to protect adjoining properties and the public welfare.

7.29 Home Businesses, Industries and Occupations

- 7.29.1 All home occupation, businesses and industries:
must be accessory to a privately owned residential dwelling;
must be operated in accordance with all plans and documents approved as part of the application therein. Any increase in intensity or substantial change in the operation of a home occupation, business or industry shall require a new application;

the operators of an occupation, business or industry must be residents of the dwelling unit, or in the case of a rental situation, permission must be received from the owner of the dwelling unit;
is not transferrable to a new owner; and
A development permit for a home occupation, business or industry may be revoked at any time, if in the opinion of Council, the conditions under which the permit was originally issued are no longer met.

7.29.2 In addition to all standards applicable in the zoning district where the use is located, the following conditions apply to all home occupations:

All work or activity of a home occupation must take place wholly within the principal dwelling unit on the site;
A home occupation may not employ additional on-site employees;
The area of the principal dwelling used for the home occupation shall not exceed 37.16 sq m (400 sq ft);
The principal sale of retail goods related to the home occupation is not permitted. This does not include produce or farm-related goods;
A home occupation may not have outdoor storage of any items related to the occupation, including materials, inventory, or equipment, unless such items are stored in an enclosed accessory building meeting the requirements of this By-law;
There must be no exterior indication of the existence of the home occupation and no indoor display of the business visible from the outside, except one attached identification sign not exceeding 0.56 sq m (6 sq ft) in area, indicating the name of the occupant and/or home occupation; and
Escort services, child care, automotive or construction related occupations are prohibited.

7.29.3 In addition to all standards applicable in the zoning district where the use is located, the following conditions apply to all home businesses. Any home business that does not satisfy the following conditions is considered a home industry and is subject to the corresponding provisions for said accessory use type:

All work or activity of a home business must take place within the principal dwelling, or an accessory building on the site;
A home business may have a maximum number of two on-site employees, not including the owner;
The cumulative area of the principal dwelling or accessory building used for the home business shall not exceed 92.9 sq m (1,000 sq ft) in area;
The sale of goods related to the home business is permitted;
A home business may not have outdoor storage of any items related to the business, including materials, inventory, or equipment, unless such items are stored in an enclosed accessory building meeting the requirements of this By-law;
f. A home business shall be permitted one attached identification sign not exceed 0.56 sq m (6 sq ft) in area, indicating the name of the occupant and/or home business;
Escort services, automotive or construction related business are prohibited; and
If the home business is a child care operation, the use must comply with the following additional requirements:
The hours of operation must be limited to between 7:00 am and 7:00 pm;
No other home occupation or business may be conducted within the premises;
The use is limited to 8 persons;
The use is limited to single-unit dwellings only; and
The use must provide a pick-up/drop-off area, which may be a driveway, sufficient to ensure the safety of people when entering and leaving the premises.

7.29.4 In addition to all standards applicable in the zoning district where the use is located, the following conditions apply to all home industries:

All work or activity of a home industry must take place within an accessory building on the site;
A home industry shall be permitted up to a maximum of five on-site employees;
The cumulative area of the accessory building used for the home industry shall not exceed 232.35 sq m (2,500 sq ft) in area;
The sale of goods or services associated with the home industry is permitted;
A home industry may have outdoor storage of any items related to the business, including materials, inventory, or equipment, subject to the following:
The storage shall be located to the rear of a line adjacent to and parallel with the front wall of the building;
The storage area shall be fenced or screened from public view to the satisfaction of Council; and
The storage shall not project above the height of the fence or screening; and
A home industry shall be permitted one attached identification sign not exceed 1.49 sq m (16 sq ft) in area, indicating the name of the occupant and/or home industry.

7.30 Metal Shipping Containers

7.30.1 For the purposes of this By-law, the term *metal shipping containers* shall apply to all large, portable storage enclosures including tractor-trailers and similar units.

- 7.30.2 Metal shipping containers shall not be stacked unless approved by the Development Officer.
- 7.30.3 If used for more than a total of 90 days per calendar year, a shipping container or other portable storage unit shall be considered an accessory use under this By-law and shall:

Meet the standards for accessory uses in this By-law;
Meet the dimensional requirements for accessory uses in the zone in which it is located;
Be located to the rear of the principal building;
Must be painted the same colour as the principal dwelling;
Be placed on a secure and level foundation as determined by the Development Officer;
For sites less than 1 ha (2.27 ac) there shall be no more than two (2) shipping containers;
For sites between 1 ha (2.27 ac) and 2 ha (4.94 ac) there shall be no more than four (4) shipping containers; and
For sites greater than 2 ha (4.94 ac) there shall be no more than six (6) shipping containers.

- 7.30.4 If used for less than 90 days per calendar year, the shipping container shall be considered a temporary use and shall:

Be located to the rear of the principal building wherever possible; and
Meet the requirements for temporary uses and structures as identified in this By-law.

7.31 Off Road Vehicle Track

- 7.31.1 Off road vehicle tracks shall be located a minimum of 152.4 m (500 ft) from any off-site dwelling unit.
- 7.31.2 During all hours of operation, a staff member holding a valid first aid credential shall be on duty.
- 7.31.3 Dust control measures and all site ingress and egress to the site are subject to approval from the Development Officer.
- 7.31.4 The fueling, storage and repair of vehicles on site is prohibited.
- 7.31.5 A noise study may be required as part of the application process, as required by the Development Officer.

7.32 Secondary Suites

- 7.32.1 A secondary suite shall be subject to the following provisions:

No more than one (1) secondary suite shall be permitted within a principal residence;
No more than one (1) attached and one (1) detached secondary suite shall be permitted on any zoning site;
The principal dwelling must be an existing permanent structure;
Home occupations, businesses and industries are not permitted within a secondary suite;
All secondary suites shall comply with all building code standards;
All secondary suites shall be connected to municipal sanitary sewer and water connections, where such services are available, as determined by the municipality; and
A minimum 9.29 sq m (100 sq ft) of amenity outdoor space shall be provided for each secondary suite.

- 7.32.2 An attached secondary suite (within a principal dwelling or constructed as an addition) shall also comply with the following provisions:

The area of an attached secondary suite shall not exceed 40% of the total habitable floor space (including basement) of the principal dwelling or 92.9 sq m (1,000 sq ft), whichever is the lesser;
The secondary suite shall have a separate entrance, either from a common indoor landing or directly from the side or rear of the principal dwelling; and
The minimum ceiling height shall be 2.43 m (8 ft).

- 7.32.3 A detached secondary suite (standalone, above a detached garage or attached to a detached garage) shall also comply with the following provisions:

The area of a detached secondary suite shall be less than the principal dwelling and shall not exceed 92.9 sq m (1,000 sq ft);
A detached secondary suite must adhere to all dimensional standards that apply to the zone in which it is situated;
A detached secondary suite shall be separated from the principal dwelling a minimum of 3.05 m (10 ft) and a maximum of 15.24 m (50 ft);
The exterior of the secondary suite shall incorporate building materials, textures, and colours that are similar to those found on the principal dwelling, as determined by the Designated Officer;
Secondary suites that are above or attached to a garage must have an entrance that is separate from the vehicle entrance; and

Where a secondary suite is above or attached to a garage, the combined area of the garage and secondary suite shall not exceed the area of the principal dwelling on site.

7.33 Short-Term Rentals

7.33.1 All short-term rentals shall comply with the following requirements:

A short-term rental shall have a maximum occupancy of five (5) accommodation units (bedrooms);
The rental shall not change the principal residential character or external appearance of the dwelling.
In addition to the required parking for the principal dwelling, a short-term rental shall require an additional 0.5 parking spaces for each accommodation unit;
A short-term rental shall not generate vehicular traffic that is in excess of what is required by this By-law or normally characteristic of the area.

7.33.2 Guest stays shall be limited to less than twenty-eight (28) days.

7.33.3 Cooking facilities shall not be provided within individual accommodation rooms.

7.33.4 Social functions, including special events, are not permitted within a short-term rental or on a short-term rental site.

7.33.5 Approved smoke alarms and carbon monoxide detectors shall be required:

In every sleeping room; and
In the common corridor of every storey or floor level, even if no sleeping accommodation is provided on that storey or floor level. The smoke alarms are to be electrically hard wired to each other in cases where major renovations are to take place.

7.34 Signs

7.34.1 No person shall erect a sign without first obtaining a permit from Rossburn Municipality, unless otherwise specified herein, and no permit approval shall be issued unless all the sign regulations and yard requirements of this By-law are met.

7.34.2 No sign shall be erected, operated, used or maintained which:

Creates a nuisance, obstructs visibility, or in any way interferes with public safety;
Resembles an official traffic signal, as determined by the Development Officer;
Displays lights resembling those used by protective and emergency services;
Allows a swinging motion or contains moving parts;
Is located on the roof of a building or structure;
Is painted on a fence or roof; or
Is located in a public right-of-way or sidewalk area.

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

Signs installed by Rossburn Municipality for traffic control, parking, street and road naming or those signs required to be constructed or maintained by law or government order;
Temporary signs including garage sale signs, event signs, or election signs.
Non-illuminated directional signs not exceeding 0.5 sq m (5.38 sq ft) in area;
Window signs;
Memorial signs; or
Building commemoration signage.

7.34.4 The following signs do not require a permit:

Flags or emblems of a political, civic, educational or religious organization;
Historic or commemorative signs identifying a location of historical significance;
"No Trespassing" or "Private Property" signs not exceeding 2.3 sq m (25 sq ft);
Construction signs when placed on construction sites;
Real estate signs;
Building identification signs for single- and two-unit dwellings and institutional uses; and
Any sign that cannot be seen from off the premises.

7.34.5 The following standards apply to any unlawful or abandoned signs:

For the purposes of this section, signs that are in disrepair, no longer applicable to the zoning site in which they are erected, or derelict shall be deemed abandoned.

Where the Development Officer finds a sign to be abandoned, the Officer may, by written notice, order the owner to remove the sign, or take such measures as are specified such that the sign no longer appears abandoned;
 Where a sign contravenes the standards of this By-law, or has been erected without authorization from Rossburn Municipality, Council may, by notice in writing, order the owner of the sign to take such measures to ensure it complies with the standards of this By-law, or remove the sign; and
 Failure to remove an abandoned or unlawful sign, or to comply with measures specified by the Development Officer or Council in an official notice, shall result in the removal of the sign by Rossburn Municipality at the expense and liability of the owner.

7.34.6 The following standards shall apply to all illuminated video screens or electronic messaging signs:

- All video screens or electronic messaging signs that feature animation, moving copy, reader boards, or movement shall be considered a conditional use;
- Video screens or electronic messaging boards are prohibited in the yards of commercial, institutional or industrial uses that abut a lot line of a Residential or General Development;
- Flashing, scintillating, animated, rotating, electronic or video message boards are prohibited on mobile signs;
- No video screens or electronic messaging boards may be located within 50 ft. of a pedestrian crosswalk or controlled intersection;
- Video screens or electronic messaging board signs must be positioned in such a way that any illumination does not project toward any surrounding residential uses;
- Such signs may not carry live video or audible broadcasts, and shall only feature static imagery; and
- The brightness of a video screen or electronic messaging board sign must be adjusted to the time of day or night, as well as ambient light conditions. A maximum luminaire of 13,000 nits between sunrise and sunset, and a maximum luminaire of 400 nits between sunset and sunrise shall be permitted.

7.34.7 For the purposes of this section, the following types and forms of signs are recognized in Rossburn Municipality:

TABLE 7-3 – Sign Types and Forms

Sign Type	Sign Form	Example
Advertising	Attached	<i>Billboards</i>
	Free Standing	<i>Mobile, Vehicular, Trailer</i>
Identification	Attached	<i>Fascia, Awning, Band, Marquee, Projecting</i>
	Free Standing	<i>Pedestal, Pylon, Pole</i>
Directional	Attached	<i>Fascia, Projecting</i>
	Free Standing	<i>Pedestal, Pylon, Pole</i>
Temporary	Free Standing	<i>Mobile, Inflatable, Flags, Sandwich Boards, Vehicle</i>

7.34.8 Regardless of the Zoning District, no on-site sign shall be constructed, erected, altered, enlarged, or placed, except those that are permitted in accordance with the table below.

TABLE 7-4 – Permitted Accessory Signs

Use Group	Permitted Sign Type	Permitted Sign Form	Dimensions (Maximum)	
			Surface Area	Height
Residential and Related Uses	Identification – Building or Use	<i>Attached or Free Standing</i>	0.19 sq m (2 sq ft)	3.05 m (10 ft)
	Directional	<i>Attached or Free Standing</i>	0.37 sq m (4 sq ft)	1.83 m (6 ft)
Commercial or Industrial Uses	Identification – Building or Use	<i>Attached</i>	25% of the front façade for each business to a maximum of 18.58 sq m (200 sq ft) for single occupancy or maximum 55.74 sq m (600 sq ft) for multiple occupancy	10.67 m (35 ft)
	Directional	<i>Free Standing</i>	1.12 sq m (12 sq ft)	10.67 m (35 ft)
	Temporary	<i>Free Standing</i>	4.65 sq m (50 sq ft)	10.67 m (35 ft)
Civic	Identification – Building or Use	<i>Attached or Free Standing</i>	4.65 sq m (50 sq ft) or 2.32 sq m (25 sq ft) when abutting a Residential or Related Use	10.67 m (35 ft)
	Directional	<i>Attached or Free Standing</i>	1.12 sq m (12 sq ft)	10.67 m (35 ft)
Agricultural Uses	Identification – Building or Use	<i>Attached or Free Standing</i>	2.97 sq m (32 sq ft)	10.67 m (35 ft)
	Temporary	<i>Free Standing</i>	4.65 sq m (50 sq ft)	10.67 m (35 ft)

7.34.9 Free standing signs are limited to no more than one per lot, except on a corner lot or through lot. The Development officer or Council may allow more than one free standing sign if warranted by the site-specific characteristics or circumstances.

7.34.10 All temporary signs shall be removed within seven days of the date of the advertised event or at the discretion of the Development officer.

7.34.11 The following provisions shall apply to off-site advertising signs (billboards):

No billboard shall be located within 150 m (492 ft) from another billboard sign on the same road and facing the same direction of traffic;

No billboard shall be located within 45.7 m (150 ft) from the intersection of any road, rail or pedestrian corridor right-of-way intersection;

Applications for billboard signs shall include the same information required in this By-law for development and/or building permits;

The maximum height for a billboard sign shall be 9.14 m (30 ft). If the billboard is attached to a building or structure or freestanding within five linear feet of a building or structure, the maximum height of the billboard sign is the height of the building wall or structure; and

The maximum surface area of a billboard sign shall be 18.58 sq m (200 sq ft).

7.35 Solar Panels

7.35.1 The provisions for Solar Panels within this By-law do not supersede any requirements of the Building Code or Manitoba Hydro regulations.

7.35.2 Any solar collector not connected to a building shall adhere to the same dimensional standards for accessory buildings in the zone in which the installation is situated.

7.35.3 A roof or mounted solar panel- shall not exceed the total area of the principal structure to which it is adhered.

7.35.4 A solar panel that is mounted on a roof may project a maximum of 1.5 m (6.5 ft) from the surface of the roof and shall not exceed the outermost edge of the roof.

7.35.5 A solar panel that is mounted on a wall can project a maximum of 0.6 m (2 ft) from the surface of the wall and shall be located a minimum of 2.4 m (8 ft) above grade.

7.35.6 A solar panel that is freestanding shall comply with all accessory use provisions with respect to dimensional standards.

7.36 Swimming Pools

7.36.1 No swimming pool or hot tub shall be located closer than 1.5 m (4.92 ft) to any side or rear lot line, nor shall they be constructed beyond the foremost portion or portions of the principal building on site.

7.36.2 Within 3m of the house, an engineering stamp is required for a swimming pool.

7.37 Wind Energy Generating Systems

7.37.1 An accessory wind energy generating system must meet the following standards:

The unit must be set back at least 6 m (20 ft) from the front building line, or in the case of a corner lot, at least 4.5 m (15 ft) from the front and side lot line;

It is limited to a total turbine height of no more than 4.5 m (15 ft) above the rooftop; and

It is safely and securely attached to the rooftop in compliance with applicable building codes.

7.38 Temporary Additional Dwellings

7.38.1 A temporary additional dwelling shall be subject to the following regulations:

Only owner-occupiers of the principal dwelling are permitted to place a temporary additional dwelling;

The additional dwelling shall be temporary in nature. It shall be placed on a concrete pad and post foundation only, and is to be removed upon the cessation of the occupancy for which it is intended;

The additional dwelling unit shall comply with the front, side, and rear yard requirements applicable to the principal dwelling;

The unit shall meet all applicable codes for single-family detached dwellings or mobile homes;

Hydro and water services for the additional unit shall, where feasible, be connected to existing facilities upon approval by local and provincial authorities;

Sewage disposal for the additional unit shall be provided in accordance with applicable provincial regulations; A caveat shall be placed on the subject property by the municipality at the applicant's expense, stating that the additional unit is temporary and must be removed upon cessation of the occupancy for which it was intended. Council may impose any other reasonable conditions deemed necessary to protect adjoining properties and the public welfare.

- 7.38.2 In the event that the application for a temporary additional dwelling arises out of a farmstead subdivision where there are two existing dwellings, or one dwelling and one mobile home on site, the additional second dwelling may be used for the provision of care and clauses a, d, e, g, and h of this subsection apply.

7.39 Tiny Homes

- 7.39.1 Tiny Homes can be developed either as single dwellings on a single lot or as a cluster of several units on a single site. Due to the unique nature of this housing format care should be taken to demonstrate a proposed Tiny Home meets the overall aesthetic and character of the area in which they are proposed. Tiny Homes are intended to be permanent, all-season dwellings and must meet all building code requirements. A Tiny Home dwelling shall not be less than 300 square ft.
- 7.39.2 Tiny Home Clusters in urban areas shall be serviced by municipal water and wastewater services. When developed in the RCR zone, Clusters shall be served adequately by on-site water and wastewater systems the satisfaction of the municipal engineer/designated officer and any relevant Provincial regulations.
- 7.39.3 A Single Tiny Home application shall be accompanied by the following:
- A detailed site plan with landscaping and grading details;
 - Detailed house plans;
 - Any other design drawings or application materials deemed necessary or relevant by Council
- 7.39.4 A Tiny Home Cluster shall comply with the following regulations:
- 7.39.5 Specific regulations in a Zoning District shall not directly apply to Planned Unit Developments for Tiny Home Clusters. However, the project shall produce an environment of stable and desirable character and shall incorporate at least equivalent standards of building separation, parking, height and other regulations and regulations of this By-law.
- 7.39.6 An application for a Tiny Home Cluster shall be accompanied by the following:
- A detailed site plan with landscaping, amenity space, parking and grading details;
 - Detailed house plans (interior and exterior) for each dwelling;
 - Any other design drawings or application materials deemed necessary or relevant by Council
- 7.39.7 An application for a Tiny Home Cluster shall include normal development permit regulations as well as an impact study that outlines the following information:
- economic, social and environmental benefits to the community;
 - the effect on the general character of the area and adjacent areas;
 - the effect on the general environment including, but not necessarily limited to, drainage, groundwater and erosion;
 - the effect on Municipal services and the street system; and
 - such additional information as required by Council.
- 7.39.8 The minimum site area for a Planned Unit Development for Tiny Homes shall be 0.80 ha. (2.00 acres).
- 7.39.9 There shall be no more than 24 Tiny Home sites per hectare of land (10 Tiny Home sites per acre of land).
- 7.39.10 Tiny Homes Clusters shall be regulated through a site plan agreement or development agreement which is caveated against the title at the Land Titles office which may, at minimum, addresses the following:
- Minimum dwelling size and maximum density;
 - Site plan details including minimum landscaping requirements, parking provision and amenity space requirements;
 - Exterior cladding and building materials; and
 - Other additional requirements deemed relevant by Council.

8 DIMENSIONAL REGULATIONS

8.1 **Applicability**

8.1.1 The provisions of this section pertain to all principal and accessory developments in the specific zoning district where they are permitted or conditional, unless otherwise stated. Where specific dimensional standards apply in different zoning districts, they apply to the zoning districts designated on the Zoning Map in Section 10 of this By-law.

8.2 **Site Regulations**

8.2.1 No land shall be used or occupied, and no structure shall be erected, altered, used or occupied herein for any use in the Zoning District in which such land or structure is located other than in accordance with the Dimensional Standards as listed in Table 8-1, with the exception of any development lawfully established prior to the effective date of this By-law.

8.2.2 For the purposes of this section, the maximum accessory building area shall not apply to swimming pools.

8.3 **Dimensional Table Symbols**

8.3.1 In Table 8-1, dimensional standards are expressed in imperial units in accordance with the rural context of the municipality.

8.4 **Dimensional Standards**

8.4.1 No person may initiate development in any zoning district in Rossburn Municipality unless the development complies with the dimensional standard outlined in Table 8-1 below or the regulations pertaining to that specific development or zone found herein:

TABLE 8-1 – DIMENSIONAL STANDARDS

ZONE	USE TYPE	MINIMUM STANDARD						MAXIMUM STANDARD		
		SITE AREA (ac)	SITE WIDTH (ft)	FRONT YARD SETBACK (ft)	SIDE YARD (ft)		REAR YARD (ft)	DWELLING AREA (Sq ft)	HEIGHT (ft)	SITE COVERAGE (%)
					INTERIOR	CORNER				
AG	PRINCIPAL (AG RELATED)	80 ac	600 ft	125 ft	25 ft	25 ft	25 ft	600	-	-
	PRINCIPAL (OTHER)	2 ac	198 ft	125 ft	25 ft	25 ft	25 ft	-	-	-
	FARMSTEAD SITE	2 ac	198 ft	100 ft	15 ft	15 ft	15 ft	600	-	-
	ACCESSORY	-	-	125 ft	25 ft	25 ft	25 ft	-	-	-
AL	PRINCIPAL (AG RELATED)	80 ac	600 ft	125 ft	25 ft	25 ft	25 ft	600	-	-
	PRINCIPAL (OTHER)	2 ac	198 ft	125 ft	25 ft	25 ft	25 ft	-	-	-
	FARMSTEAD SITE	2 ac	198 ft	100 ft	15 ft	15 ft	15 ft	600	-	-
	ACCESSORY	-	-	125 ft	25 ft	25 ft	25 ft	-	-	-
RR	PRINCIPAL	2 ac	198 ft	125 ft	25 ft	25 ft	25 ft	600	30 ft	-
	ACCESSORY	-	-	125 ft	25 ft	25 ft	25 ft	-	15 ft	-
GD	PRINCIPAL	20,000 sq ft	100 ft	25 ft ①	15 ft	15 ft	25 ft	600	30 ft	40%
	ACCESSORY	-	-	25 ft	5 ft	10 ft	10 ft	-	15 ft	15%
RCR	PRINCIPAL	5,000 sq ft	50	25 ft	5 ft	10 ft	20 ft	600	30 ft	40%
	ACCESSORY	-	-	25 ft	2 ft	10 ft	5 ft	-	15 ft	15%
NE	PRINCIPAL	-	-	25 ft	10 ft	10 ft	20 ft	-	35 ft	60%
	ACCESSORY	-	-	25 ft	10 ft	10 ft	10 ft	-	30 ft	15%
PR	PRINCIPAL	10,000 sq ft	150	25 ft	10 ft	10 ft	25 ft	-	35 ft	-
	ACCESSORY	-	-	20 ft	10 ft	10 ft	10 ft	-	30 ft	15%
RS	PRINCIPAL ②	5,000 sq ft	50	20 ft	5 ft	15 ft	25 ft	600	35 ft	60%
	ACCESSORY	-	-	20 ft	10 ft	10 ft	5 ft	-	12 ft	15%
	PRINCIPAL	2 ac	200 ft	30 ft	20 ft	25 ft	25 ft	-	30 ft	40%

TABLE 8-1 – DIMENSIONAL STANDARDS

ZONE	USE TYPE	MINIMUM STANDARD						MAXIMUM STANDARD		
		SITE AREA (ac)	SITE WIDTH (ft)	FRONT YARD SETBACK (ft)	SIDE YARD (ft)		REAR YARD (ft)	DWELLING AREA (Sq ft)	HEIGHT (ft)	SITE COVERAGE (%)
					INTERIOR	CORNER				
MH	ACCESSORY	-	-	30 ft	5 ft	5 ft	5 ft	-	12 ft	15%
CC	PRINCIPAL	3	-	0 ft	0 ft	0 ft	-	-	40 ft	-
	ACCESSORY		-	0 ft	0 ft	0 ft	-	-	15 ft	15%
CH	PRINCIPAL	30,000 sq ft	100	20 ft	10 ft	10 ft	25 ft	-	35 ft	-
	ACCESSORY	-	-	20 ft	10 ft	10 ft	10 ft	-	15 ft	15%
MB	PRINCIPAL	30,000 sq ft	100	25 ft	10 ft	15 ft	25 ft	-	35 ft	80%
	ACCESSORY	-	-	25 ft	10 ft	15 ft	36 ft	-	35 ft	20%
MG	PRINCIPAL	40,000 sq ft	150	25 ft	15 ft	15 ft	25 ft	-	35 ft	60%
	ACCESSORY	-	-	25 ft	15 ft	15 ft	36 ft	-	35 ft	15%
<p>1 When the principal use is commercial the front yard may be 0ft</p> <p>2</p> <ul style="list-style-type: none"> For two-unit dwellings minimum dimensions are as follows: 5,000 sf per unit; 50ft site width per unit; 600 sq ft per unit, yard dimensions of the RS Zoning District Apply For multi-unit dwellings minimum dimensions are as follow: 1250 sf minimum site per unit (45 units per acre) – Density may be increased at Council’s discretion by variation; yard dimensions of the RS Zoning District Apply <p>3 The intent of the CC zone is to allow for development of buildings that create an attractive streetscape and walkable environment, at Council’s discretion setbacks and yards may be required to match those of adjacent buildings.</p>										

9 DEFINITIONS

9.1 Rules of Interpretation

- 9.1.1 Use classes, as provided for in this section, serve to group individual land uses with common functions or similar levels of impact to surrounding properties or land uses. The use classes of this section are used to define the range of uses which are permitted or conditionally permitted within the various Zoning Districts of this By-law.
- 9.1.2 The definitions provided in this section are not meant to be exclusive or restrictive. Reference should be made to the definition of the use class in determining whether or not a use is included in a particular use class.
- 9.1.3 Where a specific use generally conforms to the wording of two or more use class definitions, the Development Officer may determine the use class definition considered the most appropriate in character, purpose or level of impact.

9.2 General Definitions

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

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

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

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

Animal Unit (AU) means the number of animals of a particular category of livestock that will excrete 73.0 kilograms (160.93 pounds) of nitrogen in a twelve-month period.

Attached means a complete building which is dependent for structural support, or complete enclosure, upon a wall or walls shared in common with an adjacent building or buildings.

Basement means the portion of a building or structure which is wholly or partially below grade, having above grade no more than 1.83 m (6 ft) of its clean height which lies below the finished level of the floor directly above or being a minimum depth of 1.22 m (4 ft).

Buffer means a transitional area of land used to lessen the impact of one area on another. Buffers are typically landscaped to provide visual interest and block site lines.

Building Permit means a permit issued by the Municipality authorizing the construction or alteration of all or part of any building or structure, in accordance with applicable building codes and / or standards.

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

Council means the Council of Rossburn Municipality.

Construction means the physical location, erection, increase or decrease in size of any building or structure or ground including any excavation, building, drilling, digging, alteration, addition, extension, location, relocation, demolition, replacements and/or development.

Designated Area means an area designated for use as an urban centre, settlement centres, rural residential area, cottage area, park or recreational area in the application development plan.

Density means the total number of dwelling units divided by the total land area to be developed expressed in gross hectares / acres.

Development means:

- The construction of a building;
- The installation of services and utilities on, over or under land;
- A change in the use or intensity of use of a building or land;
- The removal of soil from land;
- The deposit or stockpiling of material on land; or
- The excavation of land.

Development Plan means the Rossburn Municipality Development Plan.

Dwelling Unit means one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons. This definition shall exclude basement or other areas that are below grade. Recreational vehicles (RVs) or other camping vehicles shall not be considered dwelling units.

Farm Building / Structure means a building or structure which does not contain a residential occupancy and which is (a) associated with and located on land devoted to the practice of farming and (b) used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds, such as barns, produce storage buildings, milling centres, piggeries, poultry houses, grain bins, silos, machinery sheds, farm workshops, feed preparation centres, manure storages, greenhouses and garages not attached to a farm residence and (c) has a Low Human Occupancy (meaning an occupant load of not more than 1 person per 40 square metres during normal use).

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

Feedlot means an outdoor area that is fenced to confine livestock solely for the purposes of growing or finishing but does not include a grazing area or a seasonal feeding area.

Floor Area means the sum of the gross horizontal areas of several floors of all buildings and structures on the site, measured from the exterior faces of the exterior walls, or from the centre line or partitions, except spaces in a basement, cellar or penthouse used for mechanical or heating equipment, and except any space within the building used as a parking area or loading area.

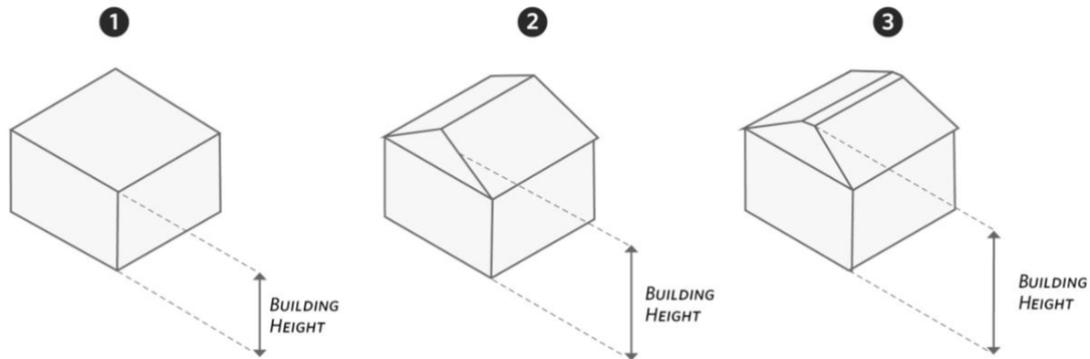
Frontage means all that portion of a site fronting on a public right-of-way and measured between the side lot lines.

Grade means the lot grade elevation of the finished ground surface immediately adjacent to the foundation of the building.

Grazing Area means an outdoor area where livestock are primarily sustained for part of the year by the direct consumption of feed grown on the area and manure does not accumulate such that mechanical removal or redistribution is required.

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

1. The highest point of the roof in the case of a building with a flat roof (not a parapet) or a roof having a slope equal to or less than 20 degrees;
2. The average level between eaves and ridges in the case of a pitched, gambrel or hip roof, or a roof having a slope greater than 20 degrees, provided that in such cases the ridge line of the roof shall not extend more than 1.52 m (5 ft) above the maximum permitted building height in the Zone; or
3. The deck of a mansard roof.



Landscaping means any combination of trees, shrubs, or other vegetation, horticultural or architectural elements designed to enhance the visual amenity of a site or to provide a screen between sites in order to mitigate objectionable features between them.

Livestock means any animal kept or raised for use and/or profit, including:

- a. Animals used for the purposes of food production or other products, herding, protection of livestock, draft work, breeding stock, training, boarding, recreation or show purposes; Animals kept for the purpose of improving or preserving any species or kind of animal that may be kept for a purpose set out in clause (a) above, but not including bees; or Poultry.

Lot, Corner means a lot located at the intersection of two public roadways, where the interior angle of such intersection does not exceed 135 degrees.

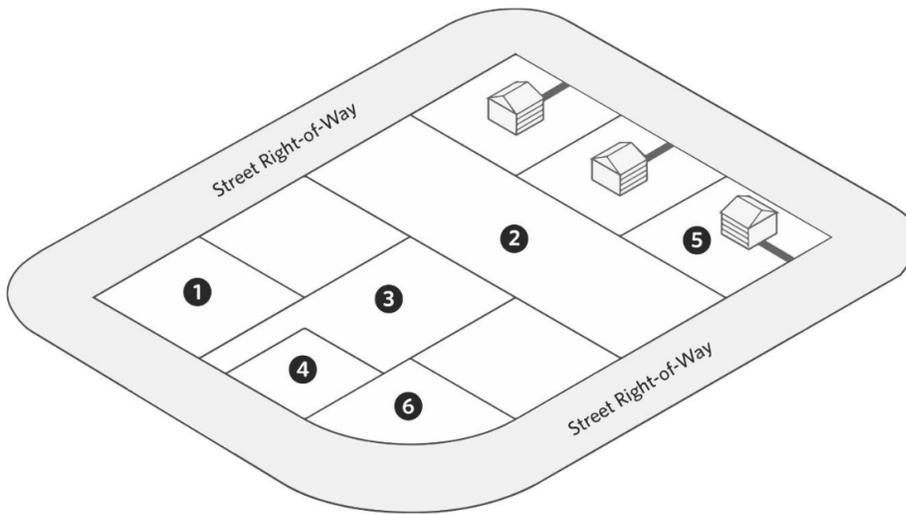
Lot, Flag means a lot lacking the required minimum lot width or frontage on an existing or proposed street but having direct access to the street through a narrow access point. Flag lots have a flag part (where the principal building is located) and the pole part (which provides access to the flag).

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

Lot, Reverse Corner means a corner lot in which the rear site line abuts the side site line of the adjoining property to its rear.

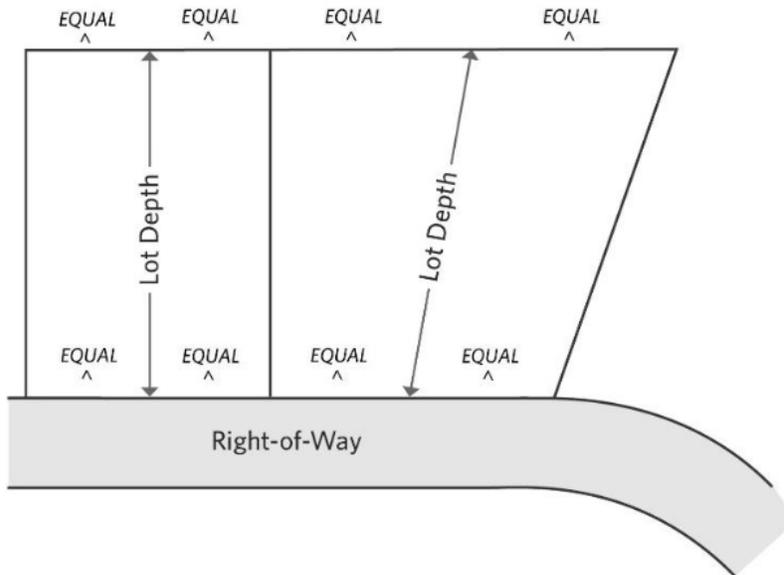
Lot, Through means a lot having two opposite lot lines along two public roadways. A through lot is deemed to have two front lot lines.

Demonstration of Lot Types



- (1) Corner lot (2) Through lot (3) Flag lot (4) Interior lot (5) Reverse Corner lot (6) Corner lot

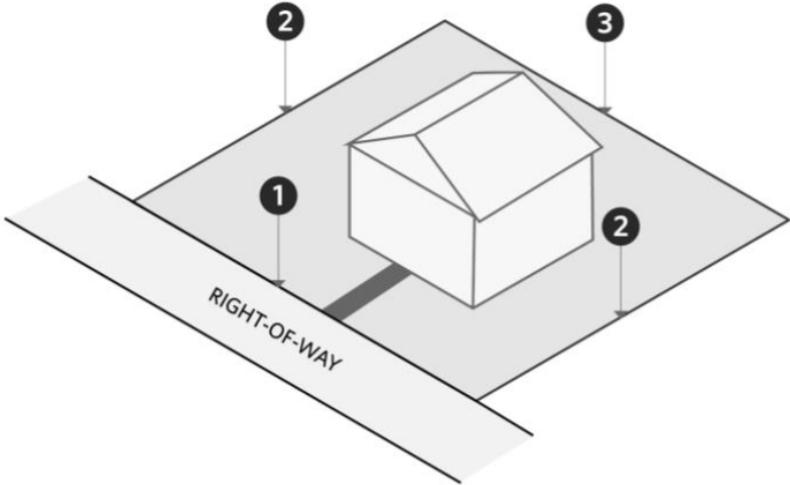
Lot Depth means the horizontal distance measured between the midpoint of the front and rear lot lines.



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

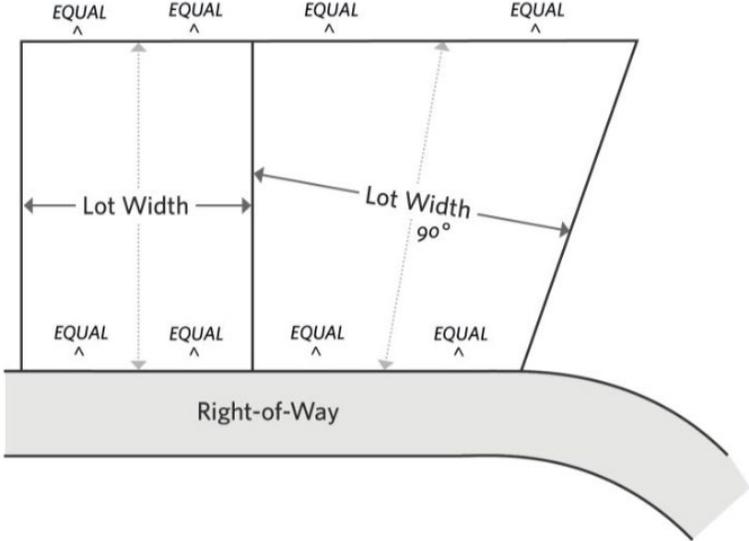
Lot Line, Rear means either the lot line which is furthest from and opposite the front lot line, or where such lot line does not exist, the point of intersection of any side lot lines which is further from and opposite the front lot line.

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



(1) Front lot line (2) Side lot lines (3) Rear lot line

Lot Width means the lesser of the horizontal distance between the side lot lines of a lot, measured at right angles to the lot depth line at a point midway between the front and rear lot lines, or at 50 feet from the front lot line.



Municipality means Rossburn Municipality.

Manure Storage Facility means a structure, earthen storage facility, molehill, tank or other facility for storing manure or where it is stored, and includes any permanent equipment or structures in or by which manure is moved to or from the storage facility, but does not include:

- a. a field storage site;
- b. a vehicle or other mobile equipment used to transport or dispose of manure;
- c. a gutter or concrete storage pit used to store liquid or semi-solid manure for less than thirty days;
- d. a collection basin; or
- e. a temporary composting site for manure or mortalities.

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

Nuisance means an unreasonable interference with the public’s right to property and may include smoke, dust, dirt, toxic or

offensive odours, gasses, heat or glare, or any other such nuisance that may be perceptible from an adjacent site.

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

Principal Residence means a dwelling where a landowner lives for at least eight (8) calendar months of the year.

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

Principal Building, Structure or Use means the main or primary activity for which a site or its buildings are designed, arranged, developed, or intended, or for which it is occupied or maintained.

Seasonal Feeding Area means an outdoor area other than a feedlot or grazing area, where a. livestock are given their supplemental or total feed requirements on a seasonal basis; and b. because of its accumulation, manure must be removed from the area by mechanical means from time to time.

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

Setback means a horizontal distance between the lot lines of a site and the use on such site where certain aspects of the development shall not occur.

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

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

Site Plan means a map or series of maps drawn to scale showing some or all of the following information: proposed and existing buildings, structures, alterations and additions, roads, walkways, landscaping, parking areas, stacking spaces, loading spaces, vegetation, buffer strips, elevations, areas to be raised by fill, grade level, physical features of the site and other relevant information as may be required by the Development Officer or Council for any proposed development.

Sleeping Unit means a habitable room, or a group of two or more habitable rooms, not equipped with self-contained cooking facilities, providing accommodation for not more than two persons.

Stacking Space means an on-site queuing area for a passenger vehicle that is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

Structure means anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure (excluding fencing).

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

Temporary Uses, Buildings or Structures mean incidental uses, buildings or structures for which a permit has been issued for a limited time only.

Two-Hundred Year Flood Event means a flood event that can be expected to occur, on average, once in 200 years.

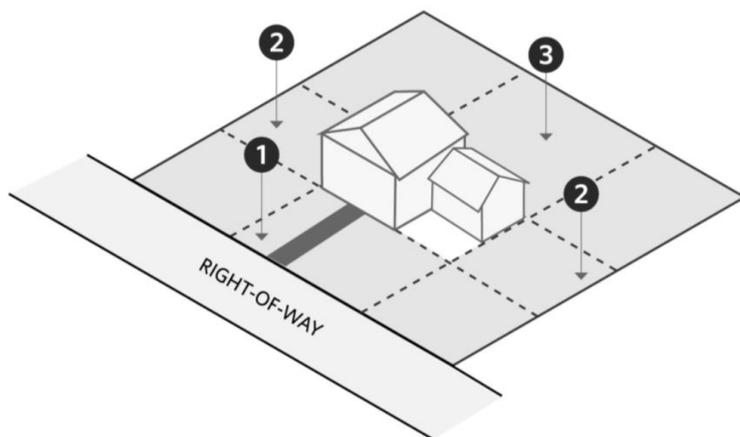
Use means the purpose, or activity for which a piece of land or its buildings are designed, arranged or intended, occupied or

maintained.

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

Watercourse means the channel in or bed on which surface water flows or stands, whether continuously or intermittently, but does not include a dugout, reservoir, intermittent slough, drainage ditch or intermittent stream that is completely surrounded by private land controlled by the owner or operator of an agricultural operation and that has no outflow going beyond the private land.

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



(1) Front yard (2) Side yards (3) Rear yard

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 projects.

Yard, Corner Side means a side yard that abuts a public street or roadway, as seen on a corner lot or reverse corner lot.

Yard, Interior Side means a side yard which is adjacent to another zoning site, or to a lane separating the side yard from another zoning site.

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

Zoning District means an area of land, identified in Part B of this By-law, which regulates the use and development of land as depicted on the Zoning District Maps, comprising Part D of this By-law.

9.3 Principal Use Definitions

Abattoir means a building, structure, or part thereof, used for the slaughtering of animals and related activities.

Aggregate or Mineral Extraction means the extraction of minerals, sands, gravels and ores from their natural occurrences on affected land and the distribution of extracted materials, including the excavation, processing, or distribution of clay, gravel, stone, soils and peat moss.

Agri-business Establishment means a commercial establishment that provides goods or services to the agricultural community. Examples include farm implement and machinery sales and repair, bulk fuel stations, feed and fertilizer supply operations, and similar uses.

Agri-Tourism Operation means an establishment that provides a service to promote and educate the public about farming and agricultural activities. Typical accessory uses to the farming operation include bed and breakfast, farm produce retail outlets, corn and hay mazes, petting zoos, hayrides, sleigh rides, buggy or carriage rides, seasonal activities and events related to the farm such as tours and event facilities.

Agricultural Activities means a use of land for agricultural purposes. Typical uses include farming, pasturage, apiculture, aquaculture, dairies and creameries, aviaries, floriculture and horticulture. This use class does not include livestock operations.

Agricultural Processing Facility means a facility specializing in operations that transform, package, sort or grade livestock or livestock products, agricultural commodities, or plant and/or plant products, excluding forest products or chemical products, into goods that are used for intermediate or final consumption, including goods for non-food use. Typical uses include seed processing plants and similar uses.

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

Airports, Landing Strips and Related Facilities means land or water which is used or intended for the landing or take-off of aircraft and any associated buildings or areas including taxi-ways, storage facilities and tie-down areas, hangars, helipads or similar uses.

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 Shelter, Boarding or Breeding Establishment means a development used for the breeding, boarding, or sheltering of small animals normally considered as household pets. This use includes kennels and animal training facilities.

Assisted Living Facility means a facility where meals, lodging and continuing nursing care may be provided for compensation. Examples include personal care home or facilities, nursing homes, convalescent homes and medical receiving homes.

Auctioneering Establishment means a building or place used for the public or private sale of goods, merchandise, livestock, vehicles or heavy equipment, to the highest bidder.

Auditorium, Theatre, Concert Hall or Cinema means an establishment devoted to showing motion pictures or dramatic arts, dance, musical or other live performances.

Automotive Sales or Rental means a development used for the retail sale or rental of new or used automobiles, motorcycles or other recreational vehicles, together with incidental maintenance services and sale of parts.

Automotive Service Station means a use involving the repair or servicing of automobiles, recreational vehicles, motorcycles or similar. This use involves incidental retail sale of related accessories and parts and may include a Gas Bar.

Boarding or Rooming House means a building or portion thereof within a single-unit dwelling where the homeowner supplies sleeping accommodation and where meals may be provided, and where no cooking facilities are present in any individual

sleeping room or accommodation.

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

Car Wash means a facility for the cleaning of automobiles or other motor vehicles, whether operated by the public or by on-site employees, whether or not in conjunction with other goods or services provided to customers.

Cemetery means land used or dedicated to the internment of human or animal remains, including columbarium, mausoleums, mortuaries and associated maintenance facilities when operated in conjunction with, and within the boundaries of cemeteries. This use may include related accessory uses including a crematorium.

Childcare Facility means a development involving the care and supervision or teaching of children during the day and evening hours, licensed by the Government of Manitoba under The Community Child Care Standards Act.

Commercial Service Use means a place where the main function is offering a service for a fee. This use includes, but is not limited to, commercial schools, banks and credit unions, pharmacies, travel agencies, print shops, optical dispensaries, esthetician establishments, barbers or hair salons, tailors, laundromats or dry-cleaners. The accessory retailing of products associated with the above service uses is also permitted. This term does not apply to other specific service-based uses in this By-law.

Communal Farm Operation means a principal agricultural operation that has more than two (2) dwelling units and various accessory uses intended to support and diversify the livelihood of its residents. Communal Farm Operations may include a wide range of Accessory uses.

Community Centre or Hall means a facility for recreational, social or multi-purpose use where patrons are primarily participants, and any spectators are incidental and attend on a non-recurring basis. Examples include leisure centres, community centres, community halls, and similar uses.

Contractor Service means a development used for the provision of services of a construction nature which requires materials, equipment or vehicles normally associated with the contracted service.

Dwelling, Mobile Home means a dwelling unit design for transportation after fabrication, and which arrives at the site where it is to be occupied as a dwelling complete and ready for occupancy. These dwellings are constructed in accordance with CSA building regulations and *The Buildings and Mobile Homes Act*. For the purposes of this By-law, the removal of wheels or any permanent or semi-permanent foundation attachment shall not change its classification.

Dwelling, Multi-Unit- means one or more buildings containing three (3) or more dwelling units, arranged in a vertical or horizontal manner, either served by separate entrances or common corridors and entrances. Typical uses include apartment buildings or townhouses.

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

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

Entertainment, Indoor means a facility providing entertainment and amusement activities which primarily take place indoors and where patrons are primarily participants. Typical uses include bowling alleys, arcades, pool or billiards halls, dance halls, paintball arenas, escape rooms, art classes, recreational workshops, or similar uses.

Entertainment, Outdoor means a facility providing entertainment and amusement activities which primarily take place outdoors and where patrons are primarily participants. Typical uses include amusement parks, sport ranges, paintball parks, skateboard parks, water parks and similar.

Equestrian Establishment or Stable (<10 A.U.) means a facility engaged in the training of horses or the operation of a horse-riding academy or horse riding and boarding stables, less than ten (10) animal units.

Equestrian Establishment or Stable (10 A.U. +) means a facility engaged in the training of horses or the operation of a horse-riding academy or horse riding and boarding stables, ten (10) animal units or more.

Equipment Depot means a facility used for the storage of heavy or large equipment including building supplies and farm machinery.

Exhibition or Fair Grounds means outdoor or partially outdoor facilities specifically intended for members of the public to attend festivities or events, where patrons may attend on a recurring basis.

Fleet Service means a development using a fleet of vehicles for the delivery of people, goods or services, and where such vehicles are not available for sale or long-term lease. This use includes ambulance services, taxi services, courier or messenger services and similar.

Freight or Trucking Operation means the use of land, buildings or structures for the purpose of storing, repairing, servicing or loading trucks, tractors and trailer units or buses and cargo. This use also includes truck stops or fueling stations where diesel fuel is primarily sold.

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 therewith before burial or cremation.

Game Farm means a development where elk, wild boar, bison, etc. are held in captivity, pursuant to *The Livestock Industry Diversification Act* and *The Wildlife Act*.

Gas Station means an establishment operated at a fixed location where gasoline or any other motor vehicle fuel is offered for sale to the public. This use does not include automotive service stations.

General Industrial (Heavy) means the processing, assembly, servicing, storage, creation, transportation or repairing of goods or materials where such operations may have a high level of nuisance perceptible from an adjacent site.

General Industrial (Light) means the processing, assembly, servicing, storage, creation or repairing of goods or materials typically involving a low level of nuisance perceptible from an adjacent site.

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 miniature golf courses, nor does it include driving ranges that are not accessory to a golf course.

Government Service means a development providing public services directly to the public. Examples include tax centres, courthouses, postal distribution centres, correctional centres, jails, employment offices and social service offices.

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

Group Residence means a dwelling for between four (4) and 15 residents that provides room and/or board for individuals who are placed in a dwelling unit by a sponsoring entity to meet individual needs.

Gun Club or Shooting Range means a place that is designed or intended for the safe discharge, on a regular and structured basis, of firearms for the purpose of target practice or target shooting competitions, in accordance with the regulations of *The Firearms Act*.

Heavy Equipment Sales, Rental and Service means an establishment used for the sale, rental and repair of heavy vehicles,

machinery or mechanical equipment typically used in building, roadway, construction, manufacturing, assembly and processing operations.

Hospital, Clinic or Health Service Facility means an institution or facility that provides medical care or services including x-ray, laboratory, surgery, or treatment of human illness, injury, or disease. Outpatient care may also be provided.

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

Landscaping or Garden Contractor means a site or building used for the production or stockpiling of soils, gravels, stones or other landscaping construction supplies or materials.

Library, Museum or Gallery means an establishment intended for the collection, display or sale of literary, artistic, textile or antiquities and similar cultural artifacts.

Livestock Operation means a permanent or semi-permanent facility or non-grazing area where livestock producing ten (10) or more animal units (AUs) are confined, fed, kept or raised, either indoors or outdoors, and includes all associated manure collection facilities but does not include a livestock auction facility.

Mill or Forestry Service means the harvesting of wood or processing of wood products including pulp, lumber and other forestry related products.

Mobile Home Park means a premise designed for residential use and the accommodation of two or more mobile homes as single unit dwellings, whether or not a charge is made for such an accommodation.

Outfitter Camp means a use established for the provision of guiding, supplies and equipment for use in connection with ecotourism, hunting, or fishing activities and may include permanent or temporary forms of accommodation.

Parking Lot means a principal use providing parking for vehicles which is not primarily intended for the use of residents, employees or patrons of a particular establishment. Parking lots can be above or below grade.

Parks, Playgrounds, Recreation Trails and Fields means a use of public land specifically designed or reserved for the general public for active or passive recreational use.

Place of Worship means facilities used primarily for non-profit purposes to provide assembly and meeting areas for religious or spiritual activities. Examples include churches, mosques, temples, synagogues, chapels and meeting houses.

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

Protective and Emergency Service means a facility required for the public protection of persons or property, including police stations, fire stations, etc.

Public or Private Club Facility means a facility 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 alcohol by the Province of Manitoba, such uses are considered a drinking establishment.

Public Utility, Major means those facilities that normally entail the construction of new buildings, and that may have employees located at the site. Examples include public works yards, water control facilities, reservoirs, and works used to provide services or commodities to the public by the Crown or the Municipality including power stations or wastewater treatment plants.

Public Utility, Minor means those facilities that do not qualify as major and that are used for, or incidental to, the operation of a public utility. Examples include electric transformer stations, gas regulator stations, lift stations, or pumping stations for water or wastewater.

Recreation, Indoor means a development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants. Typical uses include athletic clubs, fitness clubs, curling rinks, hockey arenas, swimming pools, and similar uses.

Recreation, Outdoor means a development providing facilities which are available to the public at large for sports and active recreation conducted outdoors. Typical uses include driving ranges, ski hills, tennis courts, outdoor rinks, athletic fields, or similar uses.

Recycling Depot means a development used for the buying and temporary storage of recyclable material within an enclosed building or structure. This use does not include wrecking or salvage yards.

Rehabilitation Home means a dwelling used for the boarding and supervision or treatment of individuals who are from or discharged from a government facility and who may require supervision or treatment for addictions.

Resort means a commercial recreation establishment which may consist of one or more buildings containing lodging units, recreational facilities, spa facilities and service facilities, including physical or mental therapy. Other facilities which may be part of the resort development include retail facilities, eating and drinking establishments, natural areas or event spaces.

Restaurant or Drinking Establishment means an establishment primarily engaged in the preparation of food or alcoholic drinks intended to be sold to the public for consumption on or off the premises.

Retail Sales Establishment means a place where food, new and/or used goods, or merchandise, are sold directly to the public. This term includes an open-air market and a place where an artisan makes and sells their wares. This use does not apply to other retail-based uses defined elsewhere in this By-law.

School means an educational institution under the sponsorship of a public, private or religious agency, providing instruction to students.

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

Short Term Rental means all or part of a dwelling unit used to provide accommodations for any rental period less than thirty (30) consecutive nights. This use includes bed & breakfasts but does not include hotels or motels.

Special Event Facility means a premises whose primary purpose is to accommodate specific events, functions, celebrations, ceremonies, or similar activities for the benefit of someone other than the property owner that take place on a periodic basis and involves the gathering of individuals assembled for the common purpose of attending the event.

Specialized Agriculture means the use of land for apiculture, floriculture, horticulture, orchards and similar alternative agricultural activities on a commercial basis, and requiring smaller parcel sizes.

Storage Facility means a development used exclusively for temporary outdoor storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land.

Tiny Home, Single means a dwelling measuring less than 600 sq ft. Tiny Homes must meet all building code standards for dwellings.

Tiny Home, Cluster means a group of several dwelling measuring less than 600 sq ft each on a single site. Tiny Homes must meet all building code standards for dwellings.

Transportation Terminal means a development where commercial passenger vehicles pick up and discharge fare-paying passengers. This use includes bus depots, railway yards, transit stations and similar uses.

Veterinary Hospital or Clinic means a development used for the care and treatment of animals including outpatient care and minor medical procedures. This use may include relevant accessory uses including crematoriums.

Warehouse means a development used for the wholesale, retail or storage of goods, primarily within an enclosed building with limited outdoor storage and where the nature of the principal goods being sold or stored typically requires large floor areas.

Wildlife or Conservation Reserve means land that has been designated by the Province for the protection and conservation of wildlife or habitats and may include Wildlife Management Areas.

Wind or Solar Farm means a development comprised of, but not limited to, one or more wind or solar electric generators for private or commercial use.

Wrecking or Salvage Yard means an open or enclosed area where waste or scrap items or materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including, but not limited to vehicles, metals, building materials, paper, rags, rubber tires or any other kind of salvage.

9.4 Accessory and Temporary Use Definitions

Animal Keeping means an accessory use where less than 10 AU of livestock (excluding pets) are sheltered, bred, raised, or sold.

Drive Through 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.

Farm Diversification Operation means a type of farm based commerce accessory to an active farming operation wherein manufacturing, processing, services, storage, wholesale, retail sales, and distribution services may be utilized to diversify a farm's economic activity.

Farm Produce Outlet means a building or structure where farm produce is sold in season.

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

Guest House means an accessory sleeping unit including sanitary but without cooking facilities. This use is not a secondary suite.

Home Business means a type of home based commerce accessory to a dwelling wherein most operations are within a dwelling, some external storage is permitted, and such use does not change the character or exterior of the building.

Home Industry means an industry or profession carried out in a building accessory to a dwelling as a secondary use generally in keeping with the trade or calling of the occupant.

Home Occupation means a type of home based commerce accessory to a dwelling wherein all operations are conducted within the dwelling and where such use does not change the character or exterior of the dwelling.

Metal Shipping Container means a prefabricated metal structure design for use as a storage enclosure, and which may be permanent or temporary in nature. This use includes other storage containers including tractor RVs.

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

Off Road Vehicle Track means a facility used for recreational racing of motorized vehicles.

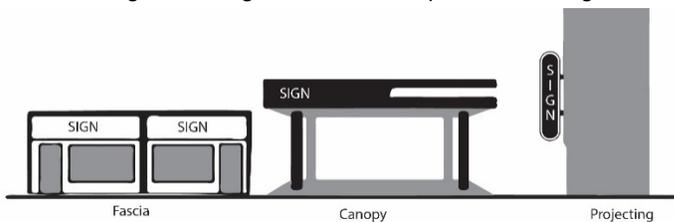
Portable Asphalt or Concrete Batching Plant means a temporary facility with equipment designed to heat, dry and mix aggregate with asphalt or concrete to produce paving materials and includes accessory stockpiles of bulk materials used in the process.

Secondary Suite means a self-contained accessory dwelling unit located either within a permanent single-family detached dwelling, or in an accessory building, on a single zoning site. A secondary suite contains a single housekeeping unit and has its own separate access, cooking, sleeping and sanitary facilities which are separate from and not shared with those of the principal dwelling. This use does not include duplex housing, semi-detached housing, guest houses, or apartment housing.

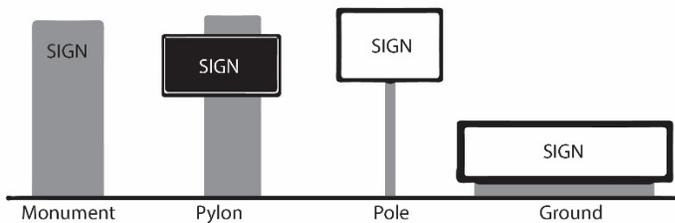
Sign means any writing (including letters or numerals), pictorial representation, emblem, flag, intended to, or having the effect of, announcing, identifying, directing attention to, or advertising a building or use.

Sign Forms refers to the physical form that a sign may take including its support system and surface area.

Attached Sign means a permanent sign that is attached to the exterior of a building or structure. This form of sign may include fascia signs, awnings, banners, marquees, blade signs, volumetric, canopy or other attached forms.



Freestanding Signs means a permanent sign that is independently supported and is not attached to a building or structure. This form includes pylons, pedestals, monuments, and other free-standing forms.



Temporary Signs means a sign that is supported by non-permanent means and may be independent or attached to a building or structure.



Sign Intent refers to the purpose of a sign.

Advertising Signs mean signs that direct attention to a business, commodity, service or entertainment that is conducted, sold, or offered elsewhere than upon the same site where the sign is maintained.

Directional Signs mean signs that direct vehicles or people, typically found in parking lots or loading areas.

Identification Signs mean signs that identify a building, business, service, institution, owner, or resident by name, logo, address, or a combination thereof and which may direct attention to a business, service, or commodity conducted, offered or sold on the same lot or lands as the sign.

Temporary Signs mean signs intended for a temporary event or purpose.

Solar Panel means an on-site electrical generating system intended to primarily serve the electrical needs of the on-site user or consumer (either behind the meter or off-grid) rather than produce power for resale. This use includes rooftop collectors and free-standing systems.

Wind Energy Generating System means an on-site wind energy generating system designed to serve the electrical needs of the on-site user or consumer and not intended to produce power for resale.

Temporary Additional Dwelling means an additional dwelling unit placed on a site already containing a dwelling unit on a temporary basis. A temporary additional dwelling does not have a permanent foundation.

10 MAPS

10.1 Zoning District Maps

10.1.1 The Zoning District maps provided herein form part of this By-law.

10.1.2 Should uncertainty or dispute arise relative to the precise location of the boundary of any Zoning District, as depicted on the Zoning District Maps, the location shall follow the closest logical boundary, a line that is parallel, or an extension to such an existing feature, as determined by the Designated Officer, including:

- The centre line of streets, lanes, or other public thoroughfares;
- Existing site boundaries;
- Municipal limits;
- The centre of pipelines, railway lines, or utility easements; and
- A topographic contour and/or embankment line.

10.1.3 No Zoning District shall apply to any public road right-of-way and, should a public right-of-way be closed, it will then carry the same zoning as the abutting lands. Where different Zoning Districts regulate the abutting lands, the roadway centre line shall become the Zoning District Boundary.

10.1.4 Where one lot has more than one Zoning District, the area illustrated for a particular Zoning District shall be treated as the development site and must comply with the bulk regulations for the Zoning District, using the zoning line as the measurement for lot size and setbacks.

10.2 Map 1 – Rossburn Municipality

10.3 Map 2 – Rossburn Town Area

10.4 Map 3 – Rossburn Lake Area

10.5 Map 4 – Olha Lake Area

APPENDIX A

Separation Distance Calculations

Size of Livestock Operation in Animal Units	Separation Distance in Metres (Feet) from a Residence		Separation Distance in Metres (Feet) from a Designated Area	
	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-earthen Manure Storage Facility	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-earthen Manure Storage Facility
10 - 100	200 (656)	100 (328)	800 (2,625)	530 (1,739)
101 – 200	300 (984)	150 (492)	1200 (3,937)	800 (2,625)
201 – 300	400 (1,312)	200 (656)	1600 (5,249)	1070 (3,511)
301 – 400	450 (1,476)	225 (738)	1800 (5,906)	1200 (3,937)
401 – 800	500 (1,640)	250 (820)	2000 (6,561)	1330 (4,364)
801 – 1,600	600 (1,986)	300 (984)	2400 (7,874)	1600 (5,249)
1,601 – 3,200	700 (2,297)	350 (1,148)	2800 (9,186)	1870 (6,135)
3,201 – 6,400	800 (2,625)	400 (1,312)	3200 (10,499)	2130 (6,988)
6,401 – 12,800	900 (2,953)	450 (1,476)	3600 (11,811)	2400 (7,874)
> 12,801	1000 (3,281)	500 (1,640)	4000 (13,123)	2670 (8,760)

“animal confinement facility” means a barn or an outdoor area where livestock area confined by fences or other structures and includes a seasonal feeding area but does not include a feedlot or grazing area.

“designated area” means an area designated for use as an urban centre, settlement centre, rural residential area, cottage area, park area or recreational area in the applicable development plan.

“feedlot” means an outdoor area that is fenced to confine livestock solely for the purposes of growing or finishing, but does not include:

- A grazing area; or
- A seasonal feeding area.

“grazing area” means an outdoor area where livestock are primarily sustained for part of the year by the direct consumption of feed grown on the area and manure does not accumulate such that mechanical removal or redistribution is required.

“seasonal feeding area” means an outdoor area other than a feedlot or grazing area, where

Livestock are given their supplemental or total feed requirements on a seasonal basis; and
 Because of its accumulation, manure must be removed from the area by mechanical means from time to time.

APPENDIX B

Animal Unit Calculation Table

Column 1 Category of Livestock	Column 2 Animal Units Produced by One Livestock	Column 3 Factor to be used to Determine Animal Units (Number of livestock to produce one animal unit)
Dairy Milking Cows (including associated livestock)	2	0.5
Beef Beef Cows (including associated livestock) Backgrounder Summer pasture / replacement heifers Feeder Cattle	1.25 0.5 0.625 0.769	0.8 2 1.6 1.3
Hogs Sows, farrow to finish Sows, farrow to weanling Sows, farrow to nursery Weanlings Growers / finishers Boars (artificial insemination operations)	1.25 0.25 0.313 0.033 0.143 0.2	0.8 4 3.2 30 7 5
Chickens Broilers Roasters Layers Pullets Broiler Breeder Pullets Broiler Breeder Hens	0.005 0.01 0.0083 0.0033 0.0033 0.01	200 100 120 300 300 100
Turkeys Broilers Heavy Toms Heavy Hens	0.01 0.02 0.01	100 50 100
Horses Mares (including associated livestock)	1.333	0.75
Sheep		

Ewes (including associated livestock)	.02	5
Feeder Lambs	0.063	16