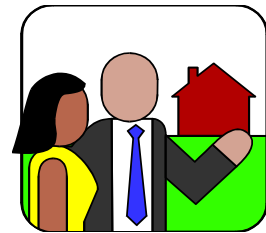
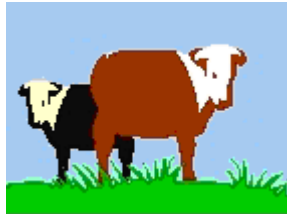
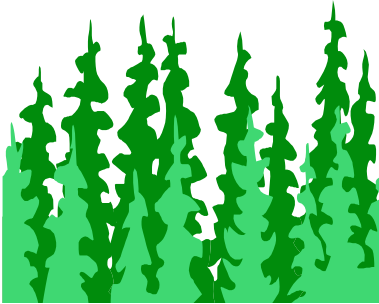


THE RURAL MUNICIPALITY OF CLANWILLIAM



ZONING BY-LAW CONSOLIDATION

UNOFFICIAL OFFICE CONSOLIDATION

R.M. OF CLANWILLIAM
ZONING BY-LAW NO.1313-86

AMENDING BY-LAWS INCLUDED IN THIS OFFICE CONSOLIDATION

[illegible]

THE RURAL MUNICIPALITY OF CLANWILLIAM

BY-LAW NO. 1313-86

Being a By-law to regulate the use and development of land within the Rural Municipality of Clanwilliam.

Whereas, Section 40(1) of the Planning Act, Chapter 29, S.M. 1975 provides that a Zoning By-law maybe enacted by the Council of a Municipality;

And whereas, pursuant to Section 30(1) of the said Planning Act, the South Riding Mountain Planning Board has by By-law adopted a Development Plan;

And whereas, Section 34(2) of the same Act provides that a Zoning By-law shall be prepared upon the adoption of a Development Plan;

Now therefore, the Council of the Rural Municipality of Clanwilliam, in meeting duly assembled, enacts as follows:

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PART I - DEFINITIONS

RULES OF CONSTRUCTION

1. (1) The following rules of construction apply to the text of this By-law:
 - (a) Words, phrases and terms defined herein shall be given the defined meaning.
 - (b) Words, phrases and terms not defined herein but defined in the Act and the Building, Electrical or Plumbing By-laws of the R.M. of Clanwilliam shall be construed as defined in such Act and By-laws.
 - (c) Words, phrases and terms neither defined herein nor in the Building, Electrical or Plumbing By-laws of the R.M. of Clanwilliam shall be given their usual and customary meaning except where, in the opinion of Council, the context clearly indicates a different meaning.
 - (d) The phrase "used for" includes "arranged for", "designed for", or "occupied for".
 - (e) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and", "or" or "either - or", the conjunction shall be interpreted as follows:
 - (i) "and" indicates that all the connected items, conditions, provisions or events shall apply in any combination.
 - (ii) "or" indicates that the connected items, conditions, provisions or events may apply singly or in combination.
 - (iii) "either - or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.
 - (f) The word "includes" shall not limit a term to the specified examples, but is intended to extend the meaning to all instances or circumstances of like, kind or character.

DIVISIONS OF BY-LAW

2. (1) This By-law is divided into PARTS, each PART being self-sufficient with a minimum of cross references.

DEFINITIONS

DEFINITIONS

3. (1) "Accessory building or use" means a subordinate building or use located on the same zoning site as the principal building or use, the use of which is incidental and accessory to that of the principal building or use of the land:
 - (a) "Accessory building, semi-detached" means an accessory building which is attached to the principal building by a breezeway, etc. and, in determining the required yards, the attached accessory building shall be treated as being part of the main building.
 - (b) "Accessory building, detached" means an accessory building which is not attached to the principal building and, in determining the required yards, the requirements for accessory uses, buildings and structures as shown in the Bulk Tables shall be used.
3. (2) "Act, Enabling" means The Planning Act, being CHAPTER P80 of the Continuing Consolidation of the Statutes of Manitoba, and amendments thereto.
3. (3) "Agricultural activities" means a use of land for agricultural purposes including farming, dairying, pasturage, agriculture, apiculture, floriculture, horticulture, and animal and poultry husbandry and the necessary accessory uses for packing, storing or treating the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.
3. (4) "Agricultural implement sales and services" means a building and open area, used for display, sale or rental of new or used farm implements and where incidental repair work is done.
3. (5) "Aircraft landing strip" means any area of land or water which is used or intended for use for the landing or taking off of aircraft and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including taxiways, aircraft storage and tie-down areas, hangars and other related buildings and open spaces.
3. (6) "Alter or alteration" means a change or modification to an existing building, structure or use which, unless otherwise provided for herein, does not increase the exterior dimensions with respect to height and area.
3. (7) "Alterations, incidental" means:
 - (a) Changes or replacements in the non-structural parts of a building or structure, including but not limited to, the following:

3. (7) (a) (i) a minor addition on the exterior of a building, such as an open porch;
- (ii) alteration of interior partitions in all types of buildings; or
- (iii) replacement of, or changes in, the capacity of utility pipes, ducts or conduits.
- (b) Changes or replacements in the structural parts of a building, including but not limited to, the following:
 - (i) adding or enlarging windows or doors in exterior walls;
 - (ii) replacement of building facades; or
 - (iii) strengthening the load bearing capacity, in not more than ten percent (10%) of the total floor area, to permit accommodation of a specialized unit of machinery or equipment.
3. (8) "Alteration, structural" means a structural alteration as defined in the Act.
3. (9) "Automobile body shop" means a building wherein the repair and painting of automobiles taken place.
3. (10) "Automobile ~~laundry~~ washing establishment" means a building or portion thereof wherein facilities are provided for the washing, cleaning and polishing of motor vehicles.
3. (11) "Automobile service station" means a building or portion thereof and land used for supplying fuel, oil and minor accessories for motor vehicles at retail direct to the customer, and for making minor emergency repairs.
3. (12) "Automobile or trailer sales area" means an open area, used for the display, sale or rental of new or used automobiles or trailers, and where repairs are made they shall be done within a completely enclosed building, except minor incidental repairs of automobiles or trailers to be displayed, sold or rented on the premises.
3. (13) "Automobile wrecking" means the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.
3. (14) "Board" means the Board of The South Riding Mountain Planning District as established under the Act.
3. (15) "Building" means a building as defined in the Act.

DEFINITIONS

- 3. (16) "Building, main or principal" means a building in which is conducted the principal use of the site on which it is situated.
- 3. (17) "Building, height of" means the total number of storeys in a building or the vertical distance measured from grade to the highest point of the roof surface if a flat roof, to the deck of a mansard roof, and to the mean height level between eaves and ridge for gable, hip or gambrel roof.
- 3. (18) "Bulk" means the following:
 - (a) The size of buildings or structure (including height of building and floor area);
 - (b) The size of zoning sites (including the area, width and depth of the site) upon which a building or structure is located, and the number of dwelling units or rooms or floor area within such building or structure in relation to the area of the zoning site;
 - (c) The location of exterior walls of building or structures in relation to site lines, to other walls of the same building, to legally required windows, or to other buildings or structures; and
 - (d) All open areas relating to buildings or structures and their relationship thereto.
- 3. (19) "Campgrounds" means an area of land planned and improved to accommodate, on an intermittent basis, travel trailers, camping trailers, pick-up coaches, motorized homes, tents, tent trailers, portable cottages or other camping accommodations used for travel, recreational and vacation uses.
- 3. (20) "Club, recreational, private, lodge" means a non-profit corporation chartered by The Canada Corporation Act or The Manitoba Corporation Act, or an association consisting of persons who are bona fide members paying annual dues, which owns, or leases land or buildings or portion thereof; the use of such premises being restricted primarily to the main use for members and their guests.
- 3. (21) "Conditional use" means the conditional use of land and/or buildings as defined in the Act.
- 3. (22) "Condominium" means a condominium as established under the provisions of The Condominium Act.
- 3. (23) "Condominium, bare land unit" means a unit of land defined by delineation of its horizontal boundaries without reference to any buildings on a condominium plan.
- 3. (24) "Condominium unit" means a part of the land or building and is designated as a unit by the condominium plan, and is comprised of the space enclosed by its boundaries and all the material parts of the land or building within this space at the time the condominium declaration and plan are registered.

DEFINITIONS

3. (25) "Conference Center" means a building or group of buildings and accessory buildings and structures within which conferences and courses are conducted for various organizations.
3. (26) "Council" means the Council of the Rural Municipality of Clanwilliam.
3. (27) "Density" means the total number of dwelling units divided by the total area of land to be developed, expressed in gross acres.
3. (28) "Development plan" means the South Riding Mountain Planning District Development Plan adopted by ~~By-law No. 5-84~~ By-law No. 01-DP-2010 and amendments thereto.
3. (29) "Drive-in establishment" means an establishment with facilities for attracting and servicing prospective customers travelling in motor vehicles, which are driven onto the site where the customer may or may not receive service in the vehicle.
3. (30) "Dwelling" means a building or portion thereof designed for residential occupancy, but not including hotels or motels.
3. (31) "Dwelling cottage" means a dwelling constructed and used as a secondary or intermittent place of residence, for seasonal vacations and recreational purposes.
3. (32) "Dwelling, single-family" means a detached building designed for and used by one (1) family.
3. (33) "Dwelling, two-family" means a detached or semi-detached building designed for and used by two (2) families, each having exclusive occupancy of a dwelling unit.
3. (34) "Dwelling, multiple-family" means a building containing three (3) or more dwelling units, each unit designed for and used by one (1) family.
3. (35) "Dwelling, rural non-farm single-family" means a single-family dwelling or mobile home on a site used for residential purposes, regardless of owner's occupation, and found in an "A80" General Agricultural Zone or "RR" Rural Residential Zone.
3. (36) "Dwelling unit" means one (1) or more rooms in a building designed for one (1) or more persons as a single housekeeping unit with cooking, eating, living, sleeping and sanitary facilities.
3. (37) "Enlargement" means an addition to the floor area of an existing building or structure, or an increase in that portion of a parcel of land occupied by an existing use.
3. (38) "Extension" means an increase in the amount of existing floor area used for an existing use, within an existing building.

DEFINITIONS

3. (39) "Family" means one or more persons related by blood or marriage or common-law marriage, or a group of not more than three (3) persons who may not be related by blood or marriage, living together as a single housekeeping unit.

"Family" also includes domestic servants.

"Common-law" means a man and a woman living together as a family without the sanctity of marriage.

A housekeeping unit referred to above, shall be deemed to exist if all members thereof have access to all parts of the dwelling unit.

3. (40) "Farm buildings or structures" means any buildings or structures existing or erected on agricultural land and used principally for agricultural activities but not including dwellings.

3. (41) "Floor area" (as applied to bulk regulations) means the sum of the gross horizontal areas of the several floors of all buildings and structures on the zoning site, measured from the exterior faces of the exterior walls or from the centrelines of party walls. In particular, the floor area of a building or buildings shall include:

(a) Basements when used for residential, commercial or industrial purposes, but not including space used for storage or the housing of mechanical or central heating equipment, and accessory off-street parking spaces;

(b) Attics where there is a structural head room of seven (7) feet or more.

3. (42) "Garage, private or carport" means an accessory building or portion of a principal building, if attached, used by the occupants of the premises upon which it is located for the parking or temporary storage of private passenger motor vehicles and may also include the incidental storage of other personal property.

3. (43) "Grade" (as applying to the determination of building or structure height) means the average level of finished ground adjoining a building or structure at all exterior walls, as determined by the Development Officer.

3. (44) ~~"Home occupation" means an accessory use which:~~

~~———— (a) Is carried on in a dwelling unit or mobile home or its accessory building;~~

~~———— (b) Is carried on solely by the members of the family residing at the same dwelling unit or mobile home without the employment of other persons except on a temporary basis;~~

~~———— (c) Is incidental to or secondary to the primary use of the site;~~

~~(d) In the opinion of the Council is not offensive, hazardous, or obnoxious, creates a nuisance or does not contravene the policies of the Development Plan;~~

~~(e) Does not cause the generation of undue traffic and congestion.~~

“Home-based business” means an accessory use, either permitted or conditional (depending on the zone) which is carried on for financial gain by an occupant of a dwelling, and which shall be incidental or secondary to the principal residential use.

3. (45) "Hotel" means a building or part thereof wherein accommodation is provided for transient lodgers, in any individual room or apartment, with or without cooking facilities. Permitted accessory uses include, but are not limited to, restaurants, licensed beverage rooms, banquet halls, ballrooms, meeting rooms and gift shops.
3. (46) "House, boarding, lodging or rooming" means a building or portion thereof, other than a hotel or motel, without cooking facilities, where lodging, or lodging and meals are provided for compensation.
3. (47) "Kennel" means any premises on which more than two (2) animals are boarded, bred, trained or cared for, in return for remuneration or are kept for the purpose of sale. A kennel shall not include a veterinary clinic, animal hospital or animal pound.
3. (48) "Lane" means, for the purpose of this By-law, a street for vehicular traffic not over thirty-three (33) feet in width.
3. (49) "Livestock" means cattle, swine, horses, poultry, sheep, rabbits, mink, bison, deer and similar animals.
3. (50) ~~"Livestock production operation" means any agricultural operation where livestock are confined, fed and raised.~~

~~The following operations are not subject to the requirements for livestock production operations unless, in the opinion of the Council, they create a pollution problem:~~

~~(a) Livestock auction markets; and~~

~~(b) Agricultural fairs.~~

“Livestock operation” means a permanent or semi-permanent facility or non-grazing area where livestock producing at least 10 animal units are kept or raised, either indoors or outdoors, and includes all associated manure collection facilities, but does not include an auction mart, agricultural fair, and livestock sale yards, in which livestock may be kept for a period not exceeding 10 days, unless, they create a pollution problem.

DEFINITIONS

- 50.1 "Animal housing facility" means, for the purposes of this by-law, a barn or an outdoor, non-grazing area where livestock are confined by fences or other structures.
- 50.2 "Feedlot" means a fenced area where livestock are confined solely to this structure for the purpose of growing or finishing, and are sustained totally by means other than grazing. This structure may be emptied for short periods of time during the year for cleaning, maintenance or livestock economic or management reasons.
- 50.3 "Seasonal feeding area" means an outdoor non-grazing area where livestock are kept for the purpose of providing supplemental or total feed requirements on a seasonal basis, and where manure builds up such that mechanical removal and land application is required, but, for the purposes of this by-law, does not include a feedlot.
- 50.4 "Earthen manure storage area" means a structure built primarily from soil, constructed by excavating or forming dykes, and used to retain livestock manure.
- 50.5 "Non-earthen manure storage facility" means a structure, molehill, tank or other facility not made out of earth for storing manure, and includes any permanent equipment or structures in or by which manure is moved to or from the storage facility, but does not include a field storage site, a vehicle or other mobile equipment used to transport or dispose of manure, a gutter or concrete storage pit used to store liquid or semi-solid manure for less than 30 days, a collection basin, or a composting site for manure or mortalities.

- [3. (51) ~~"Animal Unit" or A.U. means a unit of measure representing the number of animals excreting 73 kilograms of nitrogen in a 12 month period. Note Table set out in Section 6.(11)(a) of PART IV, RURAL ZONES of this By-law. B/L 1432/98]~~

"Animal unit or A.U." means the number of animals of a particular category of livestock that will excrete 73 kg of total nitrogen in a 12 month period as established by the Province.

3. (52) "Mobile home" means a portable dwelling unit which is designed or used for residential occupancy, built upon or having a frame or chassis to which wheels may be attached by which it may be moved upon a highway, whether or not such structure actually has at any time such wheels attached, or is jacked up or skirted.
3. (53) "Mobile home park" means a parcel of land upon which mobile home spaces are provided and have been approved by the Council.
3. (54) "Mobile home space" means a defined space in a mobile home park for the placement of a mobile home.
3. (55) "Motel" means a building or part thereof, not over two (2) storeys in height wherein sleeping accommodation is provided for transient lodgers and in which there is an exit from each room or suite of rooms directly to the outdoors with access to grade

DEFINITIONS

level. Permitted accessory uses include but are not limited to restaurants, licensed beverage rooms, banquet halls, ballrooms and meeting rooms.

3. (56) See "NON-CONFORMITIES" in PART II, Section 10.
- . (57) "Open space" means that required portion of a zoning site at ground level, unless otherwise stated, unoccupied by principal or accessory buildings and available to all the occupants of the building. The open space shall be unobstructed to the sky and shall not be used for service driveways or accessory off-street parking space or loading space, unless otherwise provided for herein, but shall be usable for landscaping, drying yards, on outdoors. Balconies, roof and other like above grade level areas may also be considered as open space.
3. (58) "Owner" means an owner as defined in the Act.
3. (59) "Parcel of land" means a parcel as defined in the Act.
3. (60) "Party wall" means a wall forming part of a building and used for separation of adjoining buildings occupied, constructed or adapted to be occupied by different persons or businesses.
3. (61) "Pasture" means any area in which forage growth is sustained and provides a significant portion of the diet to livestock kept, fed or raised there and includes facilities for watering, supplement feeders, and handling facilities.
3. (62) "Premises" means an area of land with or without buildings.
- [3. (63) "Public utilities and services" means any system, works, building, plant, equipment or service, excluding communication towers and wind turbine towers, for the purpose of furnishing publicly used services and facilities that are available at approved rates to the inhabitants of the Rural Municipality of Clanwilliam, including but not limited to:
 - (a) Standard communication lines and associated poles
 - (b) Public transportation, by bus or other vehicle
 - (c) Public water wells and public water purification systems
 - (d) Transmission, or delivery of water, gas or electricity to the public at large
 - (e) Public buildings and structures, and
 - (f) Public collection and storage of sewage, garbage or other waste.](B/L 1460/05)
3. (64) "Residential care facility" means the use of any building or structure or part thereof, however named, which is advertised, announced or maintained for the express or

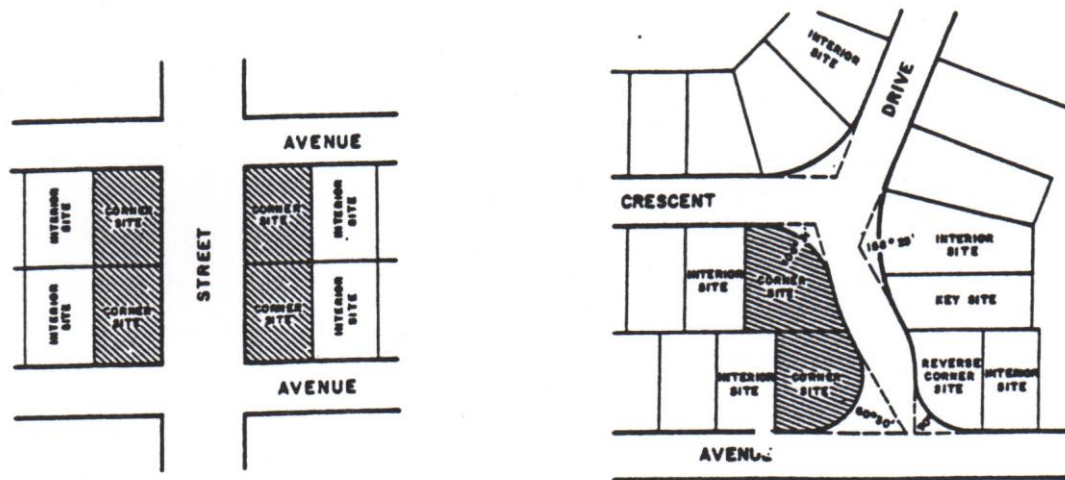
DEFINITIONS

implied purpose of providing care and supervision or transitional services with or without lodging and meals to persons not related by blood, marriage or adoption to the operator nor to each other but does not include a facility which is licensed or designated by the Manitoba Health Services Commission.

3. (65) "Resort, commercial" means a commercial recreation establishment, which may consist of one or more buildings containing single or multiple-family dwellings, recreational facilities, conference facilities and service facilities which are used on an intermittent basis. Other facilities which may be a part of the resort development includes: camping and tenting grounds, hotel, retail store, eating establishment, marina, golf course and other outdoor recreation game courts, areas and trails.
3. (66) "Senior citizen home" means a building containing one or more dwelling units or individual rooms where elderly people live independent of personal care.
3. (67) "Sign" means any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol or trademark), banner, pennant or any other figure of similar character which:
 - (a) Is a structure or any part thereof, or is attached to, painted on or in any other manner represented on or in a building or other structure;
 - (b) Is used to identify, direct attention to, or advertise; and
 - (c) Is visible from outside a building but shall not include show windows as such.
3. (68) "Sign, advertising" means a sign directing attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same zoning site where the sign is maintained, including a billboard sign.
3. (69) "Sign, bulletin board" means a sign or permanent character, but with movable letters, words or numerals indicating the names of persons associated with, or events conducted upon, or products or services offered upon the premises upon which sign is maintained, e.g., school, church, community centre bulletin board sign and similar uses.
3. (70) "Sign, business" means a sign directing attention to a business, commodity, service or entertainment conducted, sold or offered upon the same zoning site where the sign is maintained.
3. (71) "Sign, facia or wall" means any sign attached against the surface of, or against or within a recess in the wall, a column or other perpendicular portion of a building in a position essentially parallel to said wall, column or other perpendicular position. A facia sign shall also mean any sign attached to the walls of two or more buildings and spanning the spaces between said buildings.

DEFINITIONS

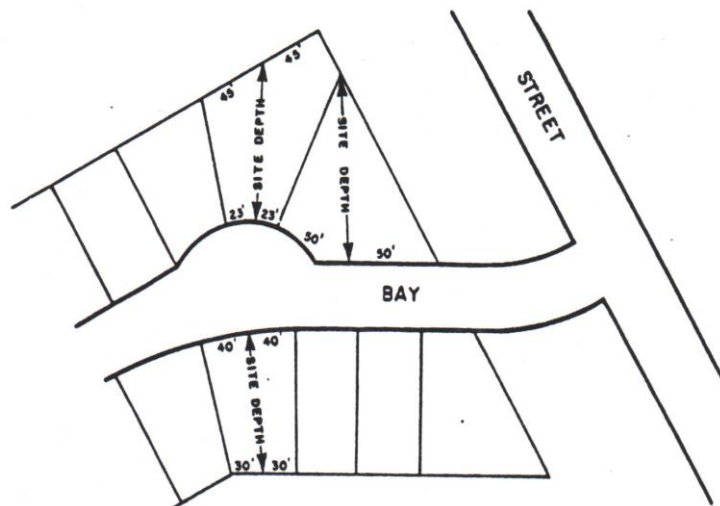
- 3. (72) "Sign, freestanding" means a sign supported by a vertical column or columns placed in the ground with the sign surface area above ground level.
- 3. (73) "Sign, identification" means a sign that identifies the owner, resident or street address and which sets forth no other advertisement.
- 3. (74) "Sign surface area" means the entire area within a single continuous perimeter enclosing the extreme limits of writing, representation, emblem, or any figure of similar character, including any frame or other material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed; excluding the necessary supports or uprights on which it is placed. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back and are at no point more than one (1) yard from one another, the sign surface area of the sign shall be taken as the surface area of one face if the two faces are of equal area, or as the surface area of one face if the two faces are of equal area, or as the surface area of the larger face if the two faces are of unequal area.
- 3. (75) "Site, or Zoning Site" means a parcel of land which:
 - (a) is occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use or uses thereto, together with such open spaces as are required under the provisions by this By-law;
 - (b) has site frontage on a street or has any lawful means of access satisfactory to the Council; and
 - (c) is of sufficient size to provide the minimum requirements of this By-law for a permitted or conditional use in a zone where the use is located.
- 3. (76) "Site area" means the computed area contained within the site lines.
- 3. (77) "Site, corner" means a site situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.



3. (78) "Site coverage" means that part or percentage of the site occupied by buildings, including accessory buildings.

That portion of the structures, which are below the finished grade, shall not be included in site coverage.

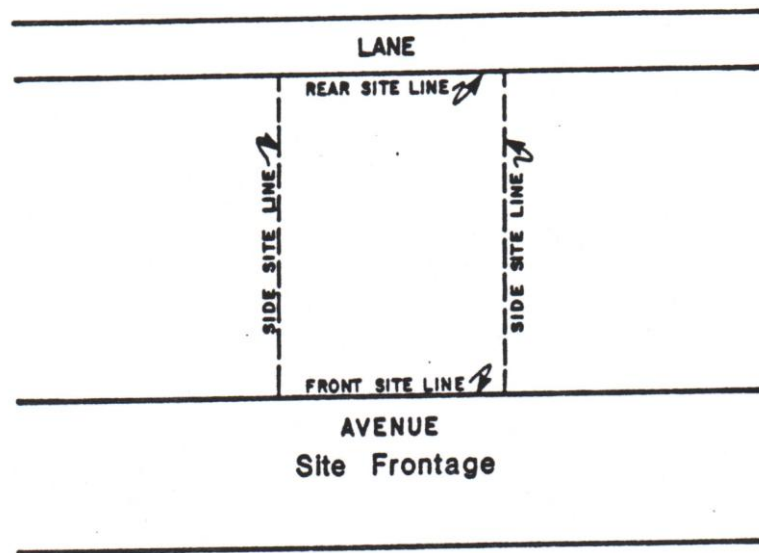
3. (79) "Site depth" means the horizontal distance between the centre points in the front and rear site lines.



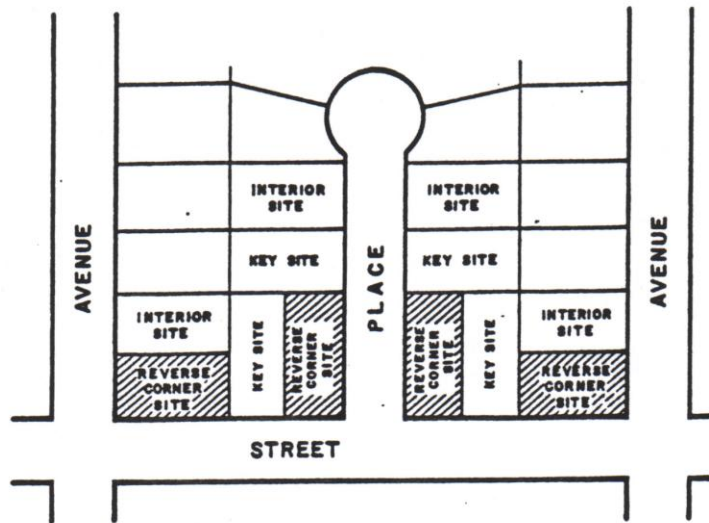
3. (80) "Site frontage" means all that portion of a zoning site fronting on a street and measured between side site lines (see sketches).
3. (81) "Site, interior" means a site other than a corner site or a through site. (See sketches)

DEFINITIONS

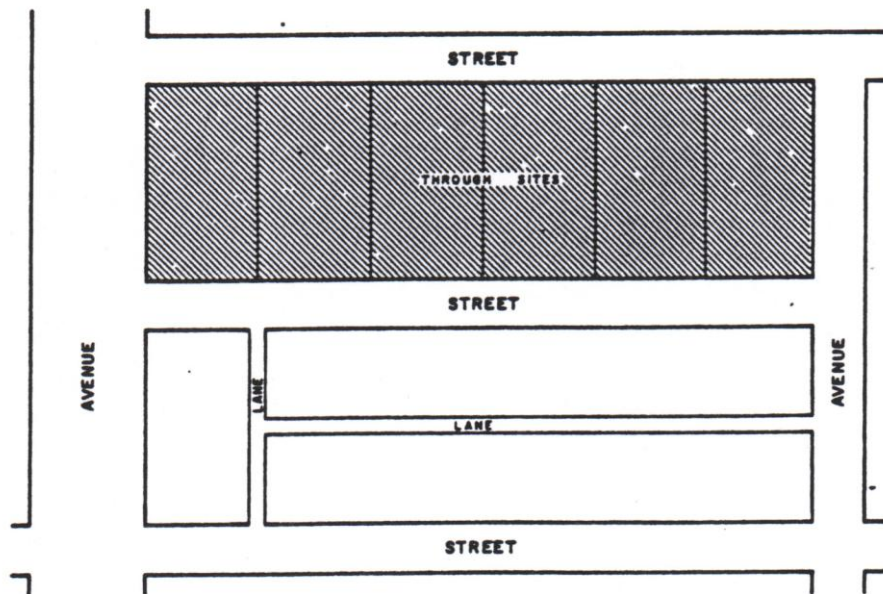
3. (82) "Site, key" means the first site to the rear of a reversed corner site. (See sketches)
3. (83) "Site lines" means as follows:
- (a) "Front site line" means that boundary of a site, which abuts a legally existing street. For a corner site, the Development Officer may select the front site line except where an interior site abuts the corner site, then the front site line shall be that line which is the continuation of the front site line of the interior site;
 - (b) "Rear site line" means that boundary of a site which is most nearly parallel to the front site line and in the case of a site in which the side site lines intersect, such as a triangular site, a line ten (10) feet in length within the site, parallel to and at the maximum distance from the front site line;
 - (c) "Side site line" means any boundary of a site which is not a front or rear site line;
 - (d) Where an irregular shaped site cannot have its site lines defined by the foregoing definitions, the front, rear and side site lines shall be determined by the Development Officer.



3. (84) "Site, reverse corner" means a corner site, the flanking street site line of which is substantially a continuation of the front site line of the first site to its rear.

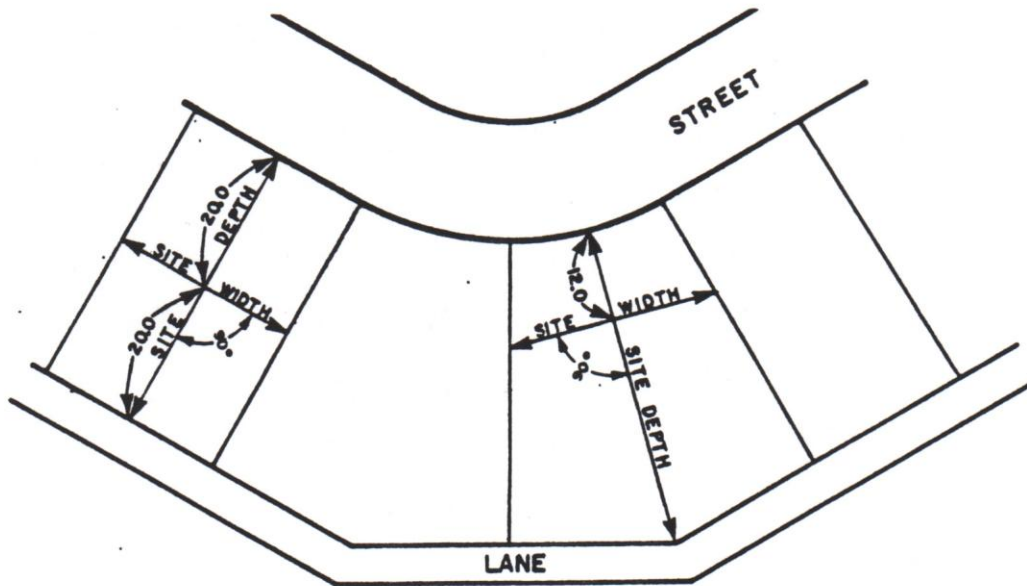


3. (85) "Site, through" means a site having a pair of opposite site lines along two (2) more or less parallel streets. On a through site, both street lines shall be deemed front site lines.



3. (86) "Site width" means the horizontal distance between the side site lines, measured at right angles to the site depth at a point midway between the front and rear site lines, or twenty-five (25) feet from the front site line, whichever is the lesser.

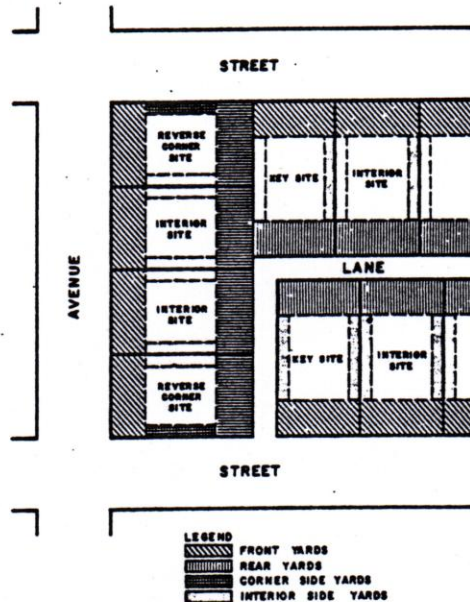
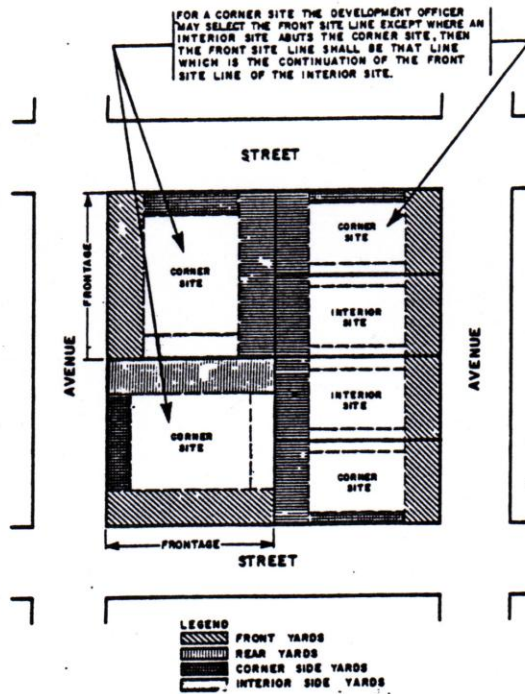
DEFINITIONS



3. (87) "Storey" means that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, then that portion between the top of such floor and the ceiling above it. A basement shall be counted as a storey for the purpose of height measurement, if the vertical distance between the ceiling and the average finished level of the adjoining ground is more than five (5) feet.
3. (88) "Street" means, for the purposes of this By-law, a public street or highway over thirty-three (33) feet in width for vehicular traffic.
3. (89) "Structure" means anything constructed or erected with a fixed location on or below the ground, or attached to something having a fixed location on the ground and includes buildings, walls, fences, signs, billboards, poster panels, light standards, bee hives and similar items.
3. (90) "Travel trailer" means a portable living accommodation designed to be used as accommodation for travel, recreation or vacation purposes that:
 - (a) Is capable of being transported on its own chassis and running gear by towing or other means;
 - (b) Is placed on the chassis or body of a motor vehicle; or
 - (c) Forms part of a motor vehicle.

3. (91) "Use" means:
 - (a) Any purpose for which a building or structure or land may be designed, arranged, intended, maintained or occupied; or
 - (b) Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or structure or on an area of land.
3. (92) "Yard" means an open area, on the same zoning site with a building or structure which yard is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted herein:
 - (a) "Yard, required" means a yard extending along a site line or wall to a depth or width (measured from the site line or wall) specified in the yard requirements for the zone in which such zoning site is located.
 - (b) "Yard, side" means a yard extending along the side site line from the front yard to the rear yard.
 - (c) "Yard, corner side" means a side yard, which adjoins a street.
 - (d) "Yard, interior side" means a side yard which is adjacent to another zoning site, or to a lane separating such side yard from another zoning site, or to the wall of a building adjacent to the wall of another building in a planned unit development.
 - (e) "Yard, front" means a yard extending along the full length of the front site line between the side site lines.
 - (f) "Yard, rear" means a yard extending along the full length of the rear site line between the side site lines.

The following sketches illustrates the foregoing definitions of the yards:



- [3. (93) “Wind Turbine Generator Station (WTGS)” means a site and facility that is comprised of, but not limited to, one or more wind turbine generator towers, and may include associated operation and maintenance buildings, research or meteorological towers, collector grids, roads and substations that convert wind energy to electrical energy for use or sale by a private commercial enterprise or public utility. It must have a collective nameplate rating of 0.50 megawatt or greater and be connected to the transmission or a local distribution grid. The (WTGS) can be comprised of either a leased or an owned site.](B/L 1460/05)
- [3. (94) “Dude Eco Ranch” means a farm which, in addition to the regular farm buildings, consists of an additional one (1) or up to five (5) cabins used for short term rental on an intermittent basis to house farm guests involved in farm and/or eco-tourism activities.](B/L 1476/09)
3. (95) “Surface water” means any body of flowing or standing water, whether naturally or artificially created, including, but not limited to, a lake, river, creek, spring, drainage ditch, roadside ditch, reservoir, swamp, wetland and marsh, including ice on any of them, but not including a dugout or reservoir on the property of an agricultural operation.
3. (96) “Surface water course” 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.
3. (97) “Ordinary high water mark” means a point on land that would be at the water’s edge when the water reaches the following level:
- (a) in the case of a reservoir, the full supply level;
 - (b) in the case of a drain, the bank-full level; and
 - (c) in the case of any other water body, the highest level to which the water usually rises each year at which it remains long enough to change the characteristics of the land or vegetation on the land.

PART II - ADMINISTRATION

SCOPE

TITLE

1. (1) This By-law shall be known as "The Rural Municipality of Clanwilliam Zoning By-law".

WHEN EFFECTIVE

1. (2) This By-law shall be in full force and effect when it is given third reading by the Council of the R.M. of Clanwilliam.

THE AREA

1. (3) The Area to which this Zoning By-law shall apply shall be all of the R.M. of Clanwilliam.

INTENT AND PURPOSE

1. (4) The regulations and provisions established by this By-law are deemed necessary in order to:
 - (a) Implements the objectives and policies of the South Riding Mountain Planning District Development Plan;
 - (b) To define the powers and duties of the Council, the Board, and the Development Officer; and
 - (c) To regulate the following:
 - (i) Buildings and structures erected hereafter unless otherwise provided;
 - (ii) Uses of buildings, structures and land established hereafter;
 - (iii) Alterations or relocations of existing buildings and structures occurring hereafter;
 - (iv) Enlargements or additions to existing buildings, structures or uses; and
 - (v) The change of use of buildings or structures.

RESPONSIBILITIES OF COUNCIL

1. (5) Subject to the provisions of the Act, the Council is responsible for:
 - (a) The enactment of this By-law;
 - (b) Considering the adoption of proposed amendments or the repeal of this By-law;
 - (c) Acting as a Variation Board;
 - (d) Approving or rejecting conditional use applications, and may revoke the authorized conditional use for any violation of any conditions imposed by it; and
 - (e) Establishing a schedule of fees as provided for in Section 21 of this PART.

RESPONSIBILITIES OF THE BOARD

1. (6) Subject to the provisions of the Act, the Board is responsible for:
 - (a) Administering and enforcing the provisions of this By-law;
 - (b) Administering and enforcing those provisions of the Act, where applicable; and
 - (c) In accordance with Section 21 (2) of the Act, establishing a schedule of fees and charges for permits relevant to the Development Plan. Until all applicable fees and charges have been paid in full, no action shall be taken on any application.

AMENDMENTS

2. (1) Subject to the procedure required under the Act, an amendment may be initiated by a resolution of intention by the Council, or by application of one or more owners of the property or their agents within the area provided to be changed. An application to amend the zoning by-law and all required information and fees as determined by Council and in accordance with Section 21 of this PART shall be made to the Council and submitted through the Development Officer.
- (2) Council shall notify the applicant in advance of the hearing, at which time it shall hear all of the facts presented, and any representations by the applicant, study the facts presented, make its findings and determination in writing and shall transmit a copy thereof to the applicant. If Council approves the application, it shall proceed with the adoption of the amendment in accordance with the provisions of the Act.

ADMINISTRATION

CONDITIONAL USE

3. (1) The development and execution of this By-law is based upon the division of The Area into zones, within which zones the use of land and buildings and structures in relation to the land are substantially compatible. It is recognized, however, that there are certain uses deemed conditional uses which, because of their unique characteristics, cannot properly be classified in any particular zone or zones without consideration, in each case, of the impact of those uses upon neighbouring land and of the public need for the particular use at the particular location;
- (2) An application for a conditional use shall be made to the Council and submitted through the Development Officer and processed and approved or rejected in accordance with the provisions of the Act;
- (3) The application shall be accompanied by a site plan and other data as the Council may prescribe and such fees as determined by the Council in accordance with Section 21 of this PART;
- (4) Where a use is classified as a conditional use under this By-law or amendments thereto, and exists as a permitted use or conditional use at the date of the adoption of this By-law or amendments thereto, it shall be considered as a legally existing conditional use;
- (5) Any change in a conditional use shall be subject to the provisions of this Section and the appropriate provisions of the Act; and
- (6) The approval of Council in accordance with the provisions of the 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, unless it is renewed prior to the expiry date, at the discretion of Council, for an additional period of twelve (12) months.

TEMPORARY USES

4. (1) Notwithstanding any provisions elsewhere contained in this By-law, the Council may permit, subject to such terms and conditions as it may seem fit to impose, and for a period of six (6) months which may be renewed by Council for not more than two (2) successive periods, the temporary use of lands, buildings or structures necessary for or incidental to construction purposes if, in Council's opinion, the safety and health or sanitary conditions of property in the vicinity will not be adversely affected thereby; and
- (2) The building shall not be used for human habitation except for a watchman or caretaker on a temporary basis.
- (3) [A meteorological tower, used for climate research shall be allowed to be erected as a temporary use, subject to Council's approval for a term not exceeding three (3)

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years and subject to the pertinent provisions of this By-law concerning Wind Turbine Generator Stations (WTGS) development found in PART IV RURAL ZONES, clause (h) of Table IV-II and Section 6.(25).

If the meteorological tower is to remain in place after the maximum three (3) year period it shall become a part of a (WTGS) through the approval process identified in PART IV.](B/L 1460/05)

VARIATIONS

5. (1) Any person may apply for a variation order, in accordance with the provisions of the Act; and
- (2) An application for a variation order and all required information and fees, shall be filed with the Variation Board and submitted through the Development Officer.

DEVELOPMENT AGREEMENT

6. Where an application is made for the amendment of this By-law, the Council may require the owner or the person entitled to be registered as owner of the land, building or structure to which the amendment shall apply, as a condition to its enactment, to enter into a development agreement with the R.M. of Clanwilliam in respect of that land as well as contiguous land owned or leased by the applicant. The provisions of said agreement shall be in accordance with the Act.

THE DEVELOPMENT OFFICER

DUTIES

7. (1) The Board shall appoint a development officer, who on behalf of the R.M. of Clanwilliam, may:
 - (a) Issue a development permit where the development of land, buildings or structures conforms to the adopted Development Plan and the requirements of this By-law and amendments thereto, subject to the provisions of subsection (2);
 - (b) Enter any buildings or premises at all reasonable hours in the performance of his duties with respect to this By-law;
 - (c) Issue development permits for the temporary use of buildings, structures or land pursuant to the provisions of this By-law;
 - (d) Issue zoning memoranda or such other documents necessary for the administration and enforcement of this By-law;
 - (e) Allow or refuse such minor variations to the requirements of this By-law as authorized by and in accordance with the provisions of the Act; and

ADMINISTRATION

- (f) Shall receive applications for amendments, variations and conditional uses.
- 7. (2) At the request of the Council or the Board, the Development Officer shall:
 - (a) Defer approving an application for a development permit:
 - (i) as provided for in the Act;
 - (ii) which will result in a violation of this By-law, the Development Plan or any By-law of the R.M. of Clanwilliam; or
 - (iii) to any person who has failed to pay any fees due and owing to the R.M. of Clanwilliam under this By-law.

DEVELOPMENT PERMIT

PERMIT REQUIRED

- 8. (1) The owner or his agent shall obtain all necessary permits as required by the Council, Board and other government agencies.

WHEN REQUIRED

- 8. (2) (a) An application for a development permit is required for the following:
 - (i) The erection, construction, relocation or placement of buildings and structures;
 - (ii) The addition, enlargement, extension, structural alteration or conversion of any building or structure;
 - (iii) The use of vacant buildings and structures except in the case of land used for farming activities;
 - (iv) The change of use of land, buildings or structures from one permitted or approved use to another permitted or approved use; and
 - (v) The development of sand, gravel and mineral extraction operations.
- (b) Notwithstanding paragraph (a) above, development permits are not required for the following:
 - (i) Fences, flagpoles, statues or light standards; or storage buildings of a maximum of 120 square feet in area; and
 - (ii) Farm buildings and structures when located more than one hundred and twenty-five (125) feet from a road allowance. However,

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permits shall be required for farm buildings that exceed eight hundred (800) square feet in area or the farm house or any dwelling.

All buildings and structures must still conform to the provisions of this zoning by-law where applicable.

REQUIREMENTS

8. (3) In addition to the requirements of any By-law of the R.M. of Clanwilliam or any other provincial regulations, all applications for a development permit shall:
 - (a) Be accompanied by a plan, drawn to scale, showing the actual dimensions and shape of the site to be built upon; the exact size and location on the site of buildings already existing, if any, and the location and dimensions of the proposed building, enlargement, extension or structural alterations and existing or proposed use of buildings and land; and
 - (b) Include such other information as required by the Council, or Board including existing or proposed building or structural alterations; the number and location of automobile parking spaces and loading spaces; landscaping, road surfacing, signs, the number of families, dwelling units or rental units the building is designed to accommodate; conditions existing on the site; outside facilities for waste or sewage disposal, current copies of relevant titles, easements, caveats; a surveyor's certificate prepared by a Manitoba Land Surveyor, other special studies and such other matters as may be necessary to determine conformance with and provide for the enforcement of this By-law.

CONFORMITY

8. (4) (a) No person shall erect, locate, repair, use, or occupy any building, land or structure contrary to any development permit or the material furnished in support of the application; and
- (b) No building or structure shall be moved in whole or in part to any other location unless every portion of the building or structure is made to conform to all the regulations of this By-law unless the relevant requirements may be varied by a variation order pursuant to the provisions of the Act.

BUILDING PERMITS

PERMITS ISSUED PRIOR TO BY-LAW

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

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NON-CONFORMITY

10. (1) "NON-CONFORMITY" means one, or a combination of one or more, of the following:

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

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

10. (2) Non-conformities are hereby classified as:

10. (3) "NON-CONFORMING USES" means any lawful use of building, structure or a parcel of land, or portion thereof, which does not conform to one or more of the applicable use regulations on the zone in which it is located, either on the effective date of this By-law or amendments thereto.

10. (4) "A NON-CONFORMING SITE OR PARCEL OF LAND" means any lawful site or parcel of land which does not comply with the site area, site width or site depth on the effective date of this By-law, or amendments thereto, and was on record in the Land Titles Office and in separate ownership prior to the effective date of this By-law, or amendments thereto, and did not form part of a larger contiguous holding in the same ownership.

10. (5) A "NON-CONFORMING SIGN" means any lawful sign, which does not comply with one or more of the applicable zone bulk regulations on the effective date of this By-law or amendments thereto.

10. (6) A non-conforming use and a non-conforming sign structure shall be regulated in accordance with and subject to the provisions of the Act, unless otherwise provided for herein.

10. (7) No building or structure may be erected on a non-conforming site or land unless:

- (a) The required yards are provided as set forth in the Bulk requirements of the zone in which the parcel of land is located; or
- (b) Where a variation order for such yard requirements is granted.

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10. (8) A "NON-CONFORMING SIGN" shall be subject to all the provisions of this PART relating to non-conformities, except as provided hereafter:
- (a) A change in the subject matter represented on a sign shall not be considered a change or use; and
 - (b) A non-conforming sign may be structurally altered, reconstructed, or replaced in the same location and position provided that such structural alterations, reconstruction, or replacement does not result in:
 - (i) the creation of a new non-conformity or an increase in the degree of non-conformity;
 - (ii) an increase in the sign surface area; or
 - (iii) an increase in the degree of illumination.

EXISTING BUILDINGS AND STRUCTURES

11. Where a building or structure has been erected prior to the effective date of this By-law or amendments thereto, it shall be deemed to meet the Bulk Requirements of this By-law regarding the existing legal yards of the site. Any enlargements or extensions to a building or reconstruction of a building shall conform to the requirements of this By-law or as varied.

INTERPRETATION AND APPLICATION

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

RELATION TO OTHER BY-LAWS

12. (2) Whenever provisions of any By-law of the R.M. of Clanwilliam or any other regulation of the Provincial or Federal Government impose overlapping or contradictory regulations over the use of land or buildings or bulk requirements or contain any restrictions covering any of the same subject matter contained herein, the most restrictive or highest regulation shall govern.

PREVIOUS VIOLATIONS

12. (3) Unless otherwise provided for herein, an existing building, structure or use which was illegal under the provisions of any planning scheme or zoning by-law in force on the effective date of this By-law and amendments thereto shall not become or be made legal solely by reason of the adoption of this By-law; and to the extent that, and in any manner that, said illegal building, structure or use is in conflict with the requirements of this By-law, said building, structure or use remains illegal hereunder.

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SITE REDUCED

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

VARIATION ORDER OR SPECIAL EXCEPTION PRIOR TO BY-LAW

12. (5) A building or structure or use established by a variation order or special exception prior to the coming into force of this By-law shall be subject to the provisions of the variation order or special exception.

RETENTION OF BULK REGULATIONS

12. (6) It shall be continuing obligation of the owner to maintain the minimum site area, site width, site depth, yards and other open spaces required herein for any use as long as it remains in existence. Furthermore, the minimum site area, site width, site depth, yards and other open spaces allocated to a use as per requirements of this By-law shall not by virtue of change of ownership, or for any other reason, be used to satisfy the minimum site area, site width, site depth, yards and other open space requirements for any other use on another site.

FUTURE ROAD ALLOWANCE DEEMED EXISTING

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

PUBLIC UTILITIES AND SERVICES

14. 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, as defined by this By-law, or public service such as police and fire protection, provided that the requirements of such public utility or public service are of a standard compatible with the adjacent area as determined by the Council or the Development Officer, and that any building or structure erected in any zone complies with the required yard and area requirements applicable to the zone. Setbacks from public utilities, where required, shall be recommended by the public utility and maintained by adjacent land uses, if approved by the Council.

MONUMENTS AND STATIONARY

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

ENFORCEMENT

16. The enforcement of this By-law, or any Development Plan, resolution or Order enacted by the Council or Board under the Act or any regulation made thereunder shall be in accordance with the Act.

PRIVATE, LANE OR ROAD FRONTAGE

17. Where it shall deem fit, the Council may permit a use of land or buildings to be constructed upon parcels having frontage on a private lane or road provided that said lane or road intersects with a street.

THROUGH SITE - MAY BE TWO SITES

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

BUILDING GRADE

19. All new principal buildings shall have a ground surface elevation as approved by the Development Officer.

DUTIES OF THE OWNER

20. (1) Neither the granting of a development permit nor the approval of the drawing and specifications nor inspection shall in any way relieve the owner of the responsibility of complying with the requirements of this By-law or of any relevant By-laws of the R.M. of Clanwilliam.
20. (2) Every owner shall:
 - (a) Permit the Development Officer or any other duly appointed officer of the Municipality to enter any building or premises at any reasonable time for the purpose of administering or enforcing this By-law and shall not molest, obstruct or interfere with the said Officer in the discharge of his duties under this By-law;
 - (b) After the development application has been approved and the permit issued, obtain the written approval of the Development Officer before doing any work at variance with the approved documents filed; and
 - (c) Be responsible for obtaining, where applicable, from the appropriate authorities, permits or licenses relating to the buildings, grades, sewers or water supply systems, plumbing, signs, blasting, street, occupancy, electrical, highways, and all other permits required in connection with the proposed work.

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FEE SCHEDULE

21.
 - (a) Council, in accordance with the Act, shall by By-law establish a fee schedule for variations, zoning amendments, zoning memorandum, conditional use orders and non-conforming certificates and other appropriate documents; and
 - (b) The Planning District Board shall by By-law establish a fee schedule for development permits, zoning appeal hearings and other appropriate documents or services.

SUBDIVIDING LAND

22. No land shall hereafter be divided into sites, unless each site conforms with the bulk regulations of the zone in which the land is located.

LANDS SUBJECT TO PERIODIC FLOODING

23.
 - (a) Permanent buildings shall not be located within meander loops of watercourses, which may be subject to cut-offs by erosion or channel improvements within fifty (50) years.
 - (b) Permanent buildings shall be setback from all permanent watercourses a distance of at least ten (10) times the height of the bank above channel grade or 200 feet from the bank, whichever is greater.
 - (c) These limits in (a) and (b) above may be modified by the Council in accordance with advice by a qualified engineer and/or recommendations from government agencies.
 - (d) Development of any structure or use such as but not limited to the following shall not be permitted in those areas described in subsections (b) and (c) of this Section which would, in the opinion of the Council, be potentially hazardous and endanger life and property:
 - (i) structures intended for human habitation;
 - (ii) structures associated with high flood damage potential;
 - (iii) structures not connected with permitted agriculture and recreational open space uses;
 - (iv) structures that may materially affect flood stages; and/or
 - (v) structures used for storage of hazardous materials that are buoyant, flammable, explosive or may be injurious to human, animal or plant life.

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- (e) All permanent structures shall be located on lands which have been raised by fill to an elevation at least two (2) feet above the 100 year flood level and proposed sewerage servicing have been approved.

PROTECTION OF WATER BODIES

- 25.
 - (a) A buffer strip of natural vegetation at least one hundred (100) feet wide from the ordinary high water mark on each side shall be maintained along permanent watercourses and lakes, unless otherwise determined by Council.
 - (b) The minimum setback requirements from waterbodies and drainageways for septic fields, livestock production operations, waste disposal grounds and sewage lagoons shall be determined by Council upon recommendations from the Health Inspector and any other authority that Council may wish to involve except as otherwise herein stated.
 - (c) The Council or the Board may require a developer to, submit evidence prepared by a qualified engineer to support an application for development near water bodies. Such evidence may include, but not be limited to, evaluation of erosion, bank stability, design of flood stages and velocities. The results of this evidence shall be used in determining the setback from the water body to the structure or for clearing purposes.
 - (d) The Council or the Board may require any land developer to submit evidence prepared by a soils expert to support an application for land improvement, including clearing of trees, near a water course in order to obtain approval from the Council or Board.

PART III - ZONING

ZONES

1. In order to carry out the intent and purpose set forth in subsection (4) of Section 1 of PART II, ADMINISTRATION, the following zones are hereby established in the Area:
 - (1) "A80" General Agricultural Zone;
 - (2) "RR" Rural Residential Zone;
 - (3) "SR" General Seasonal Recreation Zone;
 - (4) "SRR" Seasonal Recreation Residential Zone;
 - (5) "CH" Highway Commercial Zone.

ZONING MAPS

2. (1) The location and the boundaries of the zone listed in Section 1 above are shown upon a series of Zoning Maps attached hereto; marked as APPENDIX "A" to this By-law. All notations, references and other information shown thereon, together with any amendments made by amending By-laws from time to time and shown thereon, together with any amendments to boundaries in the case of any street, lane or public utility right-of-way closing, as provided in Section 3 of this PART, shall be as much a part of this By-law as if the matters and information set forth by the said Zoning Maps were fully described herein.
2. (2) The scale and all dimensions of the Zoning Maps are in feet.
2. (3) All plan references on the Zoning Maps pertain to registered plans filed in the Neepawa Land Titles Offices.
2. (4) The abbreviations noted on the Zoning Maps and in the By-law text mean the following:
 - (a) "SS" means Special Survey;
 - (b) "L" means Lake;
 - (c) "Rge." means Range;
 - (d) "R.M. of Clanwilliam" means the Rural Municipality of Clanwilliam;
 - (e) "Sec." means Section;
 - (f) "Twp." means Township;
 - (g) "W.P.M." or "W" means West of the Principal Meridian;
 - (h) "CNR" means Canadian National Railway;
 - (i) "Sq." means Square;
 - (j) "Ft." means Foot;
 - (k) "%" means Percentage.

INTERPRETATION OF ZONE BOUNDARIES

3. (1) In the interpretation of the boundaries of the zones as shown on the Zoning Maps, the following rules shall apply:
 - (a) Double heavy broken lines represent the zoning map boundary. Single heavy broken lines represent zone boundaries. Where the zone boundary is broken by the name of a street, it shall be construed that the boundary continues through the name of a street. Where the limit of a zone boundary and the zoning map is co-terminus, the zoning map limit shall constitute the limits of the zone boundary;
 - (b) Notwithstanding that streets, lanes and public utility rights-of-way may be within zone boundaries, the regulations contained in this By-law shall not be deemed to be applicable to said streets, lanes and public utility rights-of-way;
 - (c) Boundaries indicated, as following the centrelines of streets, highways or lanes shall be construed to follow such centre lines;
 - (d) Boundaries indicated as following lot, site or property holding lines on a registered plan shall be construed as following such lot, site and property holding lines;
 - (e) Boundaries indicated as following the Corporate limits of the Rural Municipality shall be construed as following the Corporate limits of the Rural Municipality;
 - (f) Boundaries indicated as following the centre lines of railway lines or railway rights-of-way or public utility lines or rights-of-way shall be construed to be midway between the main tracks or the centre of the right-of-way, as the case may be; and
 - (h) If a street or lane or Government Road Allowance shown on the Zoning Map is lawfully closed, the land formerly comprising the street or lane or Government Road Allowance shall be included within the zone of the adjoining land. If the said street, lane or Government Road Allowance was a zone boundary between two or more different zones, the new zone boundary shall be the former centerline of the closed street or lane or Government Road Allowance.

CROWN LAND

4. (1) If Crown land located within the municipality is lawfully sold or leased to a private individual or business, the land shall be subject to the provisions of this zoning by-law. Federal Government owned lands are not subject to the requirements of this Zoning By-law.

PART IV - RURAL ZONES

INTENT AND PURPOSE

1. ~~The Rural Zones established in this By law are intended to provide sufficient land for various types of rural development in The Area in keeping with the provisions of the Development Plan.~~

ZONES

2. ~~In order to carry out the intent and purpose of section 1 above, there are hereby established in The Area the following zones:~~

2. (1) "A80" GENERAL AGRICULTURAL ZONE

~~The "A80" General Agricultural Zone primarily provides for a full range of agro-rural activities and development;~~

2. (2) "RR" RURAL RESIDENTIAL ZONE

~~This zone primarily provides for a rural living opportunity in a non-farm residential area.~~

2. (3) "SR" GENERAL SEASONAL RECREATION ZONE

~~The "SR" General Seasonal Recreation Zone primarily provides for a full range of recreational development, which is compatible with existing development and compatible with the natural environment.~~

~~It is intended that the primary recreational function of the Zone will be complimented by those commercial uses deemed essential to such development.~~

2. (4) "SRR" SEASONAL RECREATION RESIDENTIAL ZONE

~~This zone is primarily the same as the "SR" Seasonal Recreation Zone except certain uses are excluded such as but not limited to mobile homes and campgrounds.~~

2. (5) "CH" HIGHWAY COMMERCIAL ZONE

~~This "CH" Highway Commercial Zone primarily provides land for those businesses requiring large sites, serving the motoring public and requiring direct access to a highway.~~

APPLICATION OF BY-LAW TO RURAL ZONES

3. ~~The provisions applying to the RURAL ZONES are contained within this PART. Also applying to these zones are the provisions of PART I "DEFINITIONS", PART II "ADMINISTRATION", and PART III "ZONING" and "APPENDIX A".~~

USE REGULATIONS

CONDITIONAL USE

4. (1) ~~Any use listed as a "CONDITIONAL USE" in TABLE IV I, shall comply with the regulations set forth in section 3, PART II, ADMINISTRATION.~~

ACCESSORY USES, BUILDINGS AND STRUCTURES

4. (2) ~~In the Rural Zones, accessory uses, buildings or structures shall be limited to the following:~~
- ~~(a) Farm dwellings, to include a single family dwelling or a mobile home when on the same site with a permitted or conditional agricultural use;~~
 - ~~(b) A dwelling unit or mobile home for a watchman or caretaker and his family whose presence on a highway commercial site is essential at all times, in Council's opinion;~~
 - ~~(c) Staff dwelling, to include a single family dwelling, two family dwellings, dormitory, and mobile home when on the same site with permitted or conditional uses where, in the opinion of the Council, said dwelling is essential for the maintenance, operation and care of the permitted or conditional use;~~
 - ~~(d) Buildings or structures accessory and incidental to a permitted or conditional seasonal recreation use, excluding guest houses;~~
 - ~~(e) Buildings or structures for the operation and maintenance of a permitted or conditional use;~~
 - ~~(f) Storage of goods used in or produced by agricultural activities on the same site with such activities, unless such storage is excluded by the zone or provincial regulations;~~
 - ~~(g) A private garage, carport, covered patio, toolhouse, boathouse, shed, and other similar buildings for the storage of domestic equipment and supplies and private swimming pools;~~
 - ~~(h) Incinerators and individual sewage disposal systems, subject to the authority having jurisdiction;~~

- ~~_____ (i) Home Occupations in the "A80" General Agricultural Zone, the "RR" Rural Residential Zone and the "CH" Highway Commercial Zone;~~
- ~~_____ (j) Accessory off street parking area as required and regulated in Section 6 (17) of this PART;~~
- 4. ~~(2) (k) Clubhouses and other related recreational structures on the grounds of private clubs, golf courses, and other like permitted or conditional recreational facilities;~~
- ~~_____ (l) Aircraft landing strips and related storage facilities which are necessary to farm operation;~~
- ~~_____ (m) In mobile home parks, cottage subdivisions and campgrounds, the accessory buildings, uses, and structures required to serve the development may also include:~~
 - ~~_____ (i) a storage compound;~~
 - ~~_____ (ii) recreation facilities and appertaining structures; and~~
 - ~~_____ (iii) service building to house water pumps and other service facilities.~~
- ~~_____ (n) Residential Care Facilities in the "A80" General Agricultural Zone and the Rural Residential Zone for eight or fewer children who are under the care of a child caring agency as defined by the Child Welfare Act or for four or fewer adults who may be post mentally ill, mentally retarded or otherwise developmentally delayed;~~
- ~~_____ (o) Parabolic television antenna;~~
- ~~_____ (p) Accessory Signs.~~

USES PERMITTED

- 4. ~~(3) No land shall be used or occupied and no building or structure shall be erected, altered, relocated, used or occupied hereinafter for any use in any RURAL ZONE in which such land, building or structure is located other than a use listed on TABLE IV - I, "RURAL USE TABLE", with the following exception:~~
 - ~~(a) Uses lawfully established prior to the effective date of this By law.~~

RURAL ZONES USE TABLE IV--I

LEGEND: P— Permitted C— Conditional — Use Not Permitted	ZONES				
	“A80”	“RR”	“SR”	“SRR”	“CH”
USES:					
Accessory Use, Buildings, and Structures (See — Section 4(2) of this PART)	P	P	P	P	P
Agricultural Specialized Uses:					
— Apiculture	P	-	-	-	-
— Commercial Greenhouses	P	-	-	-	-
— Market Gardening	P	-	-	-	-
— Nurseries	P	-	-	-	-
Agricultural General Uses, such as but not limited to the following:					
— Field Crops (e.g. grains, vegetables, oil — seeds)	P	-	-	-	-
— Livestock Production Operations (except — as found in Section 6.(9).(10) and (11) — of this PART)	P	-	-	-	-
— Tame and Native Forage Production	P	-	-	-	-
— Vacation Farm	P	-	-	-	-
Agricultural Implement Sales and Service	-	-	-	-	P
Agricultural Supplies Stores	-	-	-	-	P
Aircraft Landing Strips (licensed) and Related — Storage Facilities	C	-	C	-	-
Anhydrous Ammonia, Liquid and Solid — Fertilizer and Chemical Stationary — Storage and Sales	C	-	-	-	C
Auction Mart	C	-	-	-	P
Automobile Service Stations	-	-	-	-	P
Automobile Trades	-	-	-	-	P
Automobile Wrecking Establishments	C	-	-	-	-
Batch Concrete Plant	C	-	-	-	C
Bulk Propane, Sales and Storage	-	-	-	-	P
Bulk Fuel and Non hazardous Solid and — Liquid Fertilizer, Sales and Storage	C	-	-	-	P
Bus Terminal	-	-	-	-	P
Café and Coffee Shops, when in combination — with another permitted or conditional use	-	-	-	-	P
Campgrounds (See Section 6(18) of this — PART)	-	-	C	-	-
Cemeteries	P	-	-	-	-
Churches, Church Halls	P	P	P	P	-
Cottage Dwellings	C	-	P	P	-
Commercial Resorts	-	-	C	-	-

RURAL ZONES USE TABLE IV--I

LEGEND: P—Permitted C—Conditional —Use Not Permitted	ZONES				
	“A80”	“RR”	“SR”	“SRR”	“CH”
USES:					
[Communication Towers](B/L 1460/05)	C	-	-	-	-
Community Halls and Rinks	P	P	P	P	-
Conference Centres	C	-	P	-	C
Drive-In Uses where persons are served in —automobiles, such as refreshment stands, —fast food restaurants and the like, except Drive-In Theatres	-	-	-	-	P
[Dude Eco Ranch	C	-	-	-	† (B/L 1476/09)
Existing Uses legally established prior to the —adoption of this By law except Non Farm/ —Residential, and cottages	P	P	P	P	P
Existing Legally established Rural Non Farm —Single Family Dwellings (includes cottage —dwelling)	C	P	P	P	C
Exhibition Grounds including race tracks	C	-	-	-	-
Game Farms	C	-	-	-	-
General Store and Post Office	C	C	P	-	P
Golf Course	P	-	P	P	-
Grain Elevators and Vegetable Storage —Buildings	P	-	-	-	-
Group Camps (such as Church, 4H, —Boy Scouts, Girl Guides) and like establish- —ments	C	-	P	-	-
Historical Sites	P	P	P	P	P
Hunting and Fishing Lodges and Boating —Clubs	C	-	C	-	-
Kennels and Animal Clubs	C	-	-	-	-
Marina	-	-	P	C	-
Miniature Golf Courses	-	-	C	-	P
Motels	-	-	-	-	P
Mobile Home Parks	-	-	P	-	-
Mobile Home for Seasonal Use	C	-	P	-	-
Public Utilities and Buildings (see PART II —Section 14)	P	P	P	P	P
Public Reserves	P	P	P	P	P
Recreational Courses and Trails	P	P	P	P	-
Rendering Plants, Abattoirs	C	-	-	-	-

RURAL ZONES USE TABLE IV - I

LEGEND: P Permitted C Conditional Use Not Permitted	ZONES				
USES:	"A80"	"RR"	"SR"	"SRR"	"CH"
Ready-to-move and building construction — establishments	-	-	-	-	€
Residential Care Facilities	€	€	-	-	-
Restaurants	-	-	-	-	P
Riding Academies (except as found in — Section 6(9), (10) and (11) of this PART)	P	-	€	-	-
Rural Non-Farm Single-Family Dwellings — including Mobile Homes	€	P	-	-	-
Sand, Gravel and Mineral Extraction — Operations	€	-	-	-	-
Seed Plants	€	-	-	-	-
Service Shops	-	-	-	-	P
Sewage Disposal Lagoons	€	-	-	-	-
Signs (see Section 6.(16) of this PART)	P	P	P	P	P
Signs, Advertising (see Section 6.(16) of this — PART)	€	-	€	-	€
Truck Terminals	-	-	-	-	P
Veterinary Clinics	P	-	-	-	P
Waste Disposal Grounds	€	-	-	-	-
Well Drilling establishments	€	-	-	-	P
[Wind Turbine Generator Stations (WTGS)(See Table IV - II and Section 7(14) of this PART IV)](B/L 1460/05)	€	-	-	-	-
Research Management Area	€	-	-	-	-

BULK REGULATIONS

5. (1) The "A80" General Agricultural Zone bulk regulations shall be as set forth in TABLE IV - II, "A80" GENERAL AGRICULTURAL BULK TABLE and following Sections.
- (2) The Rural Residential Zone bulk regulations shall as set forth in TABLE IV - III, "RR" RURAL RESIDENTIAL BULK TABLE and following Sections.
- (3) The General Seasonal Recreation Zone and Seasonal Recreation Residential Zone bulk regulations shall be as set forth in TABLE IV - IV, "SR" GENERAL SEASONAL RECREATION and "SRR" SEASONAL RECREATION RESIDENTIAL BULK TABLE and following Sections.

- (4) The Highway Commercial Zone bulk regulations shall be as set forth in TABLE IV-V, "CH" HIGHWAY COMMERCIAL BULK TABLE and following Sections.

~~"A80" GENERAL AGRICULTURAL BULK TABLE IV-II~~

PERMITTED OR CONDITIONAL USES	REQUIREMENTS(e)				
	MINIMUM				
	Site Area (acres)	Site Width (ft.)	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
Accessory Uses, Buildings and Structures (see Section 6.(2) and 6.(16) of this PART)			125	25	25
Aircraft Landing Strips (licensed) and Related Storage Facilities (b)			125	75	75
Agricultural Specialized Uses (c)	20	300	125	25	25
[Agricultural General Uses and Livestock Production Operations including Riding Academies, Vacation Farms and Game Farms	80(d)(f)	1000	125	125	125](B/L 1432/98
Anhydrous Ammonia, Sales and Storage	5	300	300	75	75
Bulk Fuel and Liquid and Solid Fertilizer Commercial Sales and Storage	2	200	125	50	50
Automobile Wrecking Establishments including storage of automobiles, Batch Concrete Plant, Campgrounds	5	200	125	25	25
Cemeteries, Churches and Church Halls, Community Halls and Rinks	2	200	125	25	25
[Communication Tower(g)](B/L 1460/05)	5	400	125	125	125
[Dude Eco Ranch (i)(j)	80(d)(f)	1000	125	125	125](B/L 1476/09)
Exhibition Grounds	10	300	125	50	50
General Stores and Post Offices	2	200	125	25	25
Golf Courses	50	575	125	25	25
Grain Elevators	2	200	125	25	25

"A80" GENERAL AGRICULTURAL BULK TABLE IV-II

PERMITTED OR CONDITIONAL USES	REQUIREMENTS(e)				
	MINIMUM				
	Site Area (acres)	Site Width (ft.)	a Front Yard (ft.)	a Side Yard (ft.)	a Rear Yard (ft.)
Group Camps	10	200	125	25	25
Historical Sites	10,000 sq.ft.	50	125	10	10
Hunting, Fishing and Boating Clubs	10	300	125	50	50
Kennel and Animals Clubs	2	150	125	50	50
Other Permitted and Conditional Uses	5	200	125	25	25
Public Picnic Areas, Parks and related Recreational Activities	2	200	125	25	25
Public Utilities and Services	20,000 sq.ft.	100	125	25	25
Rendering Plants, Abattoirs	2	200	125	50	50
Residential Care Facilities Rural Non Farm Single-Family Dwelling, Mobile Homes, and Cottages (e)	2	200	125	25	25
Sand, Gravel and Mineral Extraction Operations Seed Plants	2	200	125	25	25
Sewage Disposal Lagoons	3	300	125	50	50
Veterinary Hospitals	2	150	125	50	50
Waste Disposal Grounds	5	300	125	50	50
[Wind Turbine Generator Station (h)](B/L 1460/05)	7	550	(h)	(h)	(h)

— [Explanations and Exceptions to the Bulk Requirements of Table IV—II are as follows:

— (a) — (i) — Setback provisions pertain to buildings, structures, hedges and shelterbelts only.

— (ii) — Where buildings and structures are adjacent to a Government Road Allowance, the minimum setback shall be one hundred and twenty—

RURAL ZONES

~~five (125) feet or as required in the Table, except for shelter belts where the minimum setback shall be seventy five (75) feet or for signs as provided for elsewhere herein.~~

- ~~(iii) Setback for Buildings, structures or hedges from provincial roads, provincial trunk highways and their centers of intersections shall be in accordance with the Highway Protection Act and the Highway Department Act or as varied from time to time.~~
- ~~(b) Notwithstanding anything in this PART, the aircraft landing strips and related storage facilities shall be subject to Transport Canada requirements where applicable.~~
- ~~(c) The minimum dwelling unit floor area shall be four hundred fifty (450) square feet.~~
- ~~(d) The minimum site area shall be eighty (80) acres or two (2) legal subdivisions, which butt each other.~~
- ~~(e) Council may require the applicant to submit a physical and economic proposal for the agricultural specialized use.~~
- ~~(f) For all livestock productions operations producing 75 animal units (A.U.) or more, or where a conditional use is required, the minimum suitable land base required for livestock manure disposal shall be based on the number and types of animals, soil conditions, general crops grown and the method of manure management, in accordance with the provisions of the Manitoba Farm Practices Guidelines for Livestock Producers. This land shall be provided and in no case shall the land base for the operation, be less than required in Table IV II. This land base must be owned by the producer or obtained through an agreement between the producer and other landowner(s). A copy of this agreement shall be submitted to the Council prior to initiation of the operation and from then on as required by Council.](B/L 1432/98)~~
- ~~[(g) A communication tower shall be separated by a distance of one and one half (1.5) times the maximum height of the structure from a dwelling or mobile home.~~
- ~~(h) Each wind turbine generator station (WTGS) site shall be used for the location of the wind turbine generator tower(s) and/or the associated buildings and infrastructure. This is the principal use of the (WTGS) site and it shall be limited to a maximum site area of 160 acres. The land within the (WTGS) site that is not used for the facility may be used for compatible agricultural activities provided provisions of this by law are maintained. All Wind Turbine towers and accessory uses shall have the following minimum yard and separation distance requirements:~~

Yards:

- i. All tower yards shall be one (1) times the total height of the tower plus rotor from any other titled property boundary, including the boundary of a railway right of way. Note exception, this setback distance with respect to the title property lines shall be reduced to one half (0.5) the height of the tower plus rotor for wind turbines located within a (WTGS) where the property line(s) nearest to any given wind turbine define and separate properties belonging to the same landowner with a lease of the same type and duration,
- ii. All tower yards shall be one (1) times the total height of the tower plus rotor from all government road allowances, any other public road and Provincial roads. The location of these towers within greater control areas than one (1) times the height, adjacent to Provincial Trunk Highways and Provincial Roads, shall be subject to the approval of the Province.
- iii. All tower yards that do not coincide with a title property boundary or road allowance shall be 135 feet in depth.
- iv. All accessory uses yards (front, side and rear) associated with the (WTGS) shall be 135 feet in depth.

Separation Distances:

- a. The tower base shall be one and one half (1.5) times the total height of the tower plus rotor from dwellings associated with the (WTGS);
- b. The tower base shall be one (1) times the total height of the tower plus rotor from non-dwelling principal structures.
- c. The tower base shall be one quarter mile (1320 feet) from all dwellings or other habitable buildings (e.g. motel) not associated with the (WTGS);
- d. The tower base shall be one half mile (2640 feet) from an urban area (Erickson), a "RR" rural residential zoned area or a "SR" seasonal recreation zoned area (Otter Lake and Gertrude Lake).](B/L 1460/05).

- [(i) A dude eco-ranch shall be subject to the site provisions found in PART IV—RURAL ZONES—GENERAL PROVISIONS Section 6.(15) COMMERCIAL RESORT, CONFERENCE CENTER DEVELOPMENT AND PLANNED UNIT DEVELOPMENT PROVISIONS.

- (j) ~~A site plan for the cabin locations must be submitted to Council for their consideration and approval prior to issuance of a Development Permit. The development shall have approved sewage systems and provide a potable water supply for all cabins.](B/L 1476/09)~~

~~“RR” RURAL RESIDENTIAL BULK TABLE IV-III~~

PERMITTED OR CONDITIONAL USE	REQUIREMENTS				
	MINIMUM				
	Site Area (acres)	Site Width (ft.)	b Front Yard (ft.)	b Side Yard (ft.)	b Rear Yard (ft.)
Accessory Uses, Buildings and Structures (a) (See also Section 6.(2) and 6.(19) of this PART			75	30	30
Church and Church halls	2	150	75	50	50
General Store and Post Office	2	200	75	30	30
Historical Site	10,000 sq.ft.	50	30	30	30
Public Utilities and Buildings	5,000	50	30	15	30
Playgrounds	1	100	75	30	30
Residential Care Facilities	5	200	75	50	50
Rural Non-farm Single-Family Dwelling (c)	2	200	75	30	30
Other Permitted and Conditional Uses	1	100	75	30	30

~~Explanations and Exceptions to the Bulk Requirements of Table IV-III are as follows:~~

- (a) ~~An accessory building or structure for the housing of animals shall have a minimum separation from any dwelling of two hundred (200) feet excluding the owner's dwelling. The keeping of animals for purposes other than commercial production shall be permitted providing that animal waste production does not exceed 0.75 Livestock Waste Units per (2) acres of sites and that compliance is made with all Public Health Regulations. The maximum number of Livestock Waste Units produced on a Country Residential site shall be five (5).~~

- ~~(b) (i) Where buildings, structures are adjacent to a Government Road Allowance, the minimum setback shall be one hundred and twenty-five (125) feet except where the Government Road Allowance is part of a Development and then Table IV-III shall apply or as provided elsewhere herein for signs. Shelter belts shall have a minimum setback of seventy-five (75) feet.~~
- ~~(ii) Setbacks for buildings, structures and hedges from provincial roads, provincial trunk highways and their centers of intersections shall be in accordance with the Highway Protection Act and the Highway Department Act or as varied from time to time.~~
- ~~(c) The minimum dwelling unit floor area shall be six hundred (600) square feet for a rural non-farm dwelling.~~

~~"SR" GENERAL SEASONAL RECREATION ZONE & "SRR" SEASONAL RECREATION RESIDENTIAL ZONE BULK TABLE IV-IV~~

PERMITTED OR CONDITIONAL USES	REQUIREMENTS						MAXIMUM
	MINIMUM					Site Coverage (%)	
	Site Area (sq.ft.)	Site Width (ft.)	a Front Yard (ft.)	a Side Yard (ft.)			a Rear Yard (ft.)
				interior	corner		
Accessory Uses, Buildings and Structures (See also Section 6.(2) and 6.(19) of this PART)			f	5	10	5	10
Aircraft Landing Strips (licensed) and Related Storage Facilities	b	b	125b	75b	100b	75b	N/A
Campgrounds	4 acres	200	125	25	30	25	N/A
Church and Church Halls	2 acres	200	75	25	30	25	55
Cottages dwellings and mobile homes (e)							
— Serviced site	6,000	60	30	10e	20	25	30
— Unserviced site	15,000	75	30	20	20	25	40
Commercial Resort (e)(d)	5 acres	300	75	20	20	25	25
Conference Centres (d)	5 acres	200	75	20	20	25	60
Community Halls and Rinks	2 acres	200	75	25	30	25	45

~~"SR" GENERAL SEASONAL RECREATION ZONE & "SRR" SEASONAL RECREATION RESIDENTIAL ZONE BULK TABLE IV-IV~~

PERMITTED OR CONDITIONAL USES	REQUIREMENTS						
	MINIMUM						MAXIMUM
	Site Area (sq.ft.)	Site Width (ft.)	a Front Yard (ft.)	a Side Yard (ft.)		a Rear Yard (ft.)	Site Coverage (%)
				interior	corner		
Golf Courses	50 acres	575	125	15	15	25	N/A
Group Camps (d)	5 acres	200	75	20	20	25	60
Hunting and Fishing Lodges & Boating Clubs	5 acres	200	75	20	20	25	60
Mobile Home Parks	5 acres	300	30	30	30	20	N/A
Mobile Home Parks Spaces							
Serviced	6,000	50	20	8e	15	10	35
Unserviced	15,000	65	30	8e	15	25	50
Picnic Areas, Parks, Playgrounds, Tot lots, Recreation Facilities	21,000	100	30	20	30	25	N/A
Public Utilities and Buildings	5,000	50	30	15	20	20	20
Riding Academies	40 acres	660	125	50	50	50	N/A
Other Permitted or Conditional Uses Listed	15,000	65	30	5d	15	25	50

~~Explanations and Exceptions to the Bulk Regulations of Table IV – IV are as follows:~~

- ~~(a) (i) Where buildings and structures are adjacent to a Government Allowance, the minimum setback shall be one hundred and twenty-five (125) feet except where the Road Allowance forms part of the Development or as provided for elsewhere herein for signs.~~
- ~~(ii) Setbacks for buildings, structures or hedges from provincial roads, major provincial highways and their centers of intersection shall be in accordance with the Highway Protection Act and the Highways Department Act or as varied from time to time.~~
- ~~(b) Notwithstanding anything in this PART, the licensed aircraft landing strips shall be subject to Transport Canada requirements where applicable. All buildings and structures, when being located in close proximity to licensed aircraft landing strips, shall be governed by the recommended Transport Canada regulations.~~

- _____ (c) ~~On that side of the mobile home containing the main entrance and/or window to the living room, the required side yard minimum shall be twenty (20) feet.~~
- _____ (d) ~~The minimum floor area per dwelling unit area shall be four hundred (400) square feet for cottages and rental cabins and three hundred (300) square feet for rental multi-dwelling unit buildings.~~
- _____ (e) ~~The minimum floor area per dwelling unit shall be four hundred and fifty (450) square feet.~~
- _____ (f) ~~The minimum required front yard shall be the same as the main building.~~

HIGHWAY COMMERCIAL BULK TABLE IV-V

PERMITTED OR CONDITIONAL USES	REQUIREMENTS					
	MINIMUM					MAXIMUM
	Site Area (sq.ft.)	Site Width (ft.)	(a) Front Yard (ft.)	(a,b,d) Side Yard (ft.)	(a) Rear Yard (ft.)	Site Coverage (%)
Accessory Uses, Buildings and Structures (c)(See also Section 6.(19) of this Part)			40	10	10	10
Agricultural Implement Sales and Services	40000	150	40	10	10	70
Agricultural Supplies Stores	25000	150	40(f)	30(f)	30(f)	35
Auction Market						
Automobile Service Stations						
Automobile Trades						
Bulk Fuel non-hazardous						
Solid and Liquid Fertilizer						
Sales and Storage						
Bulk Propane Sales and Storage						
Bulk Propane Sales and Storage						
Bus Terminal						
Drive-In Uses, e.g. Fast Food Restaurants						
Miniature Golf Courses						
Motels (c)(g)	43560	150	40	20	20	45
Public Utilities and Services	5000	50	40	10	10	30
Truck Terminals	80000	150	40	10	10	70
Other Permitted and Conditional Uses	15000	100	40	10	10	45

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Explanations and Exceptions to the Bulk Requirements of Table IV—V are as follows:

- ~~_____ (a) (i) Where buildings and structures are adjacent to a Government Road Allowance, the minimum setback shall be one hundred and twenty-five (125) feet or as varied, except where the Government Road Allowance forms part of the Development or as provided for elsewhere herein for signs.~~
- ~~_____ (ii) Buildings, structures and hedges adjacent to provincial roads, major provincial trunk highways and their centres of intersections shall have a setback in accordance with the Highway Protection Act and the Highway Department Act or as varied.~~
- ~~_____ (b) In the case of a reversed corner site, there shall be a minimum side yard of thirty (30) feet on the street side of the reversed corner site. When the required yard is greater than thirty (30) feet, the greater yard shall apply.~~
- ~~_____ (c) Where a dwelling unit is an accessory use, the minimum site area shall be fifteen thousand (15,000) square feet.~~
- ~~_____ (d) The minimum required side yard shall be twelve (12) feet if the site is unserviced. Where the required yard is greater than twelve (12) feet, the greater yard shall apply.~~
- ~~_____ (e) The minimum floor area per dwelling unit shall be three hundred (300) square feet for rental cabins and three hundred (300) square feet for seasonal rental multi-unit buildings.~~
- ~~_____ (f) Gasoline pumps shall have a required front, side and rear yard of twenty (20) feet. Bulk propane tanks shall have a required setback from all buildings and site lines as regulated by the Department of Labour. Fuel oil dispensing tanks shall have a required front, side and rear yard of twenty (20) feet.~~
- ~~_____ (g) First five (5) motel units require forty three thousand and five hundred and sixty (43,560) square feet plus one thousand (1,000) square feet for each additional motel unit.~~

GENERAL PROVISIONS

INTENT

- ~~6. (1) The following provisions shall apply to all Rural Zones except wherein otherwise provided:~~

ACCESSORY BUILDINGS AND USES PERMITTED

- ~~6. (2) Accessory buildings, structures and uses, shall be subject to the following regulations, except wherein otherwise provided:~~
- ~~———— (a) Where the accessory building or structure is attached to a main building or farm dwelling, it shall conform to all regulations of this By law applicable to the main building structure;~~
 - ~~———— (b) Detached accessory buildings or structures shall be located in any required yard of the principal building, except a required front yard;~~
 - ~~———— (c) In no instance shall an accessory building or structure be located within a dedicated easement right of way;~~
 - ~~———— (d) No accessory building or structure shall be erected prior to the erection of the main building or structure except for farm dwellings and accessory buildings where it is necessary for the storage of the tools and materials for use during construction of the main building or structure;~~
 - ~~———— (e) A private swimming pool and parabolic antennae shall not be located in a required front yard; and~~
 - ~~———— (f) Boathouses shall be set back from the shoreline as determined by Council.~~

NOXIOUS OR OFFENSIVE USES

- ~~6. (3) Notwithstanding anything herein contained, no use shall be permitted in any Rural Residential Zone, General Seasonal Recreation Zone, Seasonal Recreation Residential Zone or Highway Commercial Zone which may be noxious or offensive by reason of the emission or production of odour, dust, refuse, matter, wastes, vapour, smoke, gas, vibration or noise. This shall not be so interpreted as to prohibit those uses specifically permitted in the "A80" General Agricultural Zone.~~

HEIGHT OF BUILDINGS

- ~~6. (4) The maximum height of principal buildings or structures shall be three (3) storeys and that of accessory buildings and structures shall be fifteen (15) feet.~~

HEIGHT EXCEPTIONS

- ~~6. (5) Except wherein otherwise provided the provisions of this PART shall not apply to limit the height of any farm buildings including grain elevators and seed plants, ornamental dome, chimney, tower, electrical or telephone transmission line, television or radio mast, steeple, water storage tank, electrical apparatus or the mechanical operation of the building provided that no roof structures or any space above the height limit shall be permitted for the purpose of providing usable floor space.~~

~~The maximum heights of all buildings and structures including (agricultural) may be reduced by Council if in Council's opinion there is a danger of the buildings or structures being hit by aircraft in their take-off or landing phase of flight.~~

FRONT YARD EXCEPTIONS

6. ~~(6) Where in any Rural Residential, General Seasonal Recreation, Seasonal Recreation Residential, or Highway Commercial Zone, sites comprising forty (40) percent or more of the entire frontage of the block (excluding reversed corner sites) are developed with buildings, the average front yard depths established by such buildings shall establish the minimum required front yard depths for the entire frontage of the block provided such average is less than the minimum required front yard in the Zone in which the site is located.~~

PROJECTIONS INTO REQUIRED YARDS

6. ~~(7) Required yards shall be provided and maintained in accordance with the Bulk Tables and shall be unobstructed from ground level to the sky, except as follows:~~
- ~~(a) Projections from a building such as eaves, balconies, canopies, stairways and chimney may project into any required yard not more than three (3) feet provided the width of a required side yard is not reduced to less than three (3) feet;~~
 - ~~(b) Open, unenclosed porches, platforms, not covered by a roof or canopy, which do not extend above the level of the first storey of the building, may extend or project into any required side or rear yard not more than twelve (12) feet provided the width of a required side yard is not reduced to less than three (3) feet and may extend or project into any required front yard not more than ten (10) feet;~~
 - ~~(c) Fences, hedges and lamp posts in the General Seasonal Recreation and Seasonal Recreation Residential Zones shall not exceed a height of six (6) feet above finished grade in the side and rear yards except in the case of fences required under various Government Department Regulations. A fence or hedge shall be permitted in any required front yard in which case the height shall not exceed three and one half (3 1/2) feet; and~~
 - ~~(d) Landscape features, such as trees, shrubs, flowers or plants, shall be permitted in any required front, side or rear yard provided they do not produce a hedge effect contrary to the provisions of clause (c) above.~~

SEPARATION FOR DWELLING SITES FROM INCOMPATIBLE USES

6. ~~(8) A single dwelling site, a Rural Residential Zone, a General Seasonal Recreation Zone, a Seasonal Recreation Residential Zone or a Highway Commercial Zone containing dwelling sites shall not be located within:~~

- ~~(a) Five hundred (500) feet from any aggregate deposit identified in the Development Plan as valuable unless the deposit has been depleted to the point where no further extraction will take place and residential development is recommended by the Mineral Resources Division;~~
- ~~(b) One thousand three hundred and twenty (1,320) feet from a waste disposal ground or one thousand five hundred (1,500) feet from a sewage lagoon or as recommended by the Health Inspector of the Environmental Control Branch;~~
- ~~(c) Five hundred (500) feet for single sites or one half (1/2) mile for Rural Residential, any Seasonal Recreation and Highway Commercial Zones from a stationary commercial anhydrous ammonia tank with a storage capacity exceeding two thousand (2,000) imperial gallons or as required by the Provincial Government;~~

~~[(d) Six hundred (600) feet from any barn or animal confinement area or concentrated waste disposal site where there is a production in excess of 5 animal units. Dwelling sites of the owner or operator are excepted from this requirement; and~~

~~(e) One thousand three hundred and twenty (1,320) feet for single sites one half (1/2) mile for Rural Residential, Seasonal Recreation and Highway Commercial Zones from a livestock production operation confinement area producing in excess of seventy five (75) Animal Units or land used in concentrated waste disposal thereof excluding the spreading of manure. This requirement may be altered as recommended by the Provincial Government and this requirement does not pertain to the owner or operator of the livestock operation.] (B/L 1432/98)~~

CONDITIONAL USE SITUATIONS AND DISTANCE SEPARATIONS OF LIVESTOCK PRODUCTION OPERATIONS INCLUDING RIDING ACADEMIES FROM DWELLING SITES AND CERTAIN ZONES

~~6. (9) (1) Notwithstanding the provisions of TABLE IV I "RURAL ZONES USE TABLE", Livestock Production Operations falling within the following categories, as determined below shall be deemed as Conditional Uses. For the purpose of this Section, "residential area" means the Town of Erickson and any area zoned "RR" Rural Residential Zone, "CH" Highway Commercial Zone, Recreational Zone means the "SR" General Seasonal Recreation Zone and "SRR" Seasonal Recreation Residential Zone.~~

~~(a) All riding academies, producing over a maximum of 5 Animal Units, located within the SR Zone. In this zone an operation shall not exceed a production capacity of 10 Animal Units, and shall not be located within 600 feet of an existing cottage, campground or other form of accommodation.~~

- ~~(b) All livestock production operation confinement areas and concentrated waste disposal sites, excluding manure spreading producing in excess of 150 Animal Units and located anywhere in the A80 zone.~~
 - ~~(c) All livestock production operation confinement areas and concentrated waste disposal sites, excluding manure spreading producing in excess of 40 Animal Units and located anywhere in the AG80 zone where 50 percent or more of the land proposed for the operation is covered with native woody vegetation or a lake or a combination of both.~~
 - ~~(d) All operations located within the A80 zone and producing:

 - ~~i) wastes in excess of 75 Animal Units and located or spreading manure between 1/4 and 1/2 mile of a single family dwelling. In this area an operation shall not exceed a production capacity of 150 Animal Units.~~
 - ~~ii) waste in excess of 100 Animal Units and located or spreading manure between 1/2 mile and 1 mile of a residential area. In this area an operation shall not exceed a production capacity of 200 Animal Units.~~~~
 - ~~(2) No livestock production operations, confinement areas or concentrated waste disposal sites, excluding manure spreading, with a capacity exceeding 75 Animal Units shall be constructed, located or expanded within one half mile of a residential area or recreation zone, with the exception of confinement facilities for temporary use at an agricultural exhibition grounds.~~
 - ~~(3) No livestock production operation confinement areas or concentrated waste disposal sites, excluding manure spreading, with a capacity exceeding 75 Animal Units shall be constructed, located or expanded within 1320 feet of a single family dwelling. Dwelling sites of the owner or operator are excepted from this requirement.~~
 - ~~(4) No livestock production operation confinement areas or concentrated waste disposal sites, excluding manure spreading, with a capacity exceeding 5 Animal Units shall be located within 600 feet, or as required by the Provincial Government, whichever is greater, of a dwelling site (excluding the owner or operator's dwelling) or a residential or recreation zone. B/L 13/86[B/L 1432/98]~~
 - ~~(5)~~
-

[PROXIMITY OF LIVESTOCK PRODUCTION OPERATIONS INCLUDING RIDING ACADEMIES TO PERMANENT WATERBODIES AND WATERCOURSES

6. ~~(10)~~ (a) ~~New or expanding livestock production operation confinement areas or concentrated waste disposal sites shall not be located within 328 feet of a permanent water body, watercourse or domestic water supply, unless approved by Council upon a recommendation by the Province and mitigating measures to stop pollution and land erosion are accepted by all parties to the agreement put in place and managed as required.~~
- (b) ~~Any new or existing livestock production operation confinement areas or concentrated waste disposal sites with an annual production capacity in excess of 100 animal units, shall not be located within 600 feet of a permanent water body or watercourse unless approved by Council upon a recommendation by the Province and mitigating measures to stop pollution and land erosion are accepted by all parties to the agreement, put in place and managed as required.~~

Note 1: ~~For a diagrammatic representation of 6(9) and 6(10) requirements see Diagram 1.~~

Note 2: ~~The distances specified in Section 6(9) and 6(10) are deemed to be required yards for the purposes of this By law, and variances may be considered where applicable.] (B/L 1432/98)~~

1 MILE

1/2 MILE

600 FEET

A80
ZONE

L.P.O. - LIVESTOCK PRODUCTION
OPERATION
A.U. - ANIMAL UNIT
R.M. - RURAL MUNICIPALITY
SR - SEASONAL RECREATION
ZONE
ABO - AGRICULTURAL GENERAL
ZONE

A80 ZONE - 80 ACRES
SR ZONE - 40 ACRES

NO L.P.O. EXCEEDING
5 A.U.

ALL L.P.O.
PRODUCTION NOT TO EXCEED 75 A.U.

ALL L.P.O. EXCEEDING 100 A.U. ARE
CONDITIONAL USE
PRODUCTION NOT TO EXCEED 200 A.U.

1/4 MILE

600 FEET
NO L.P.O.
EXCEEDING 5 A.U.

HOTEL
EATING PLACE
SINGLE
DWELLING

L.P.O. PRODUCTION
NOT EXCEED 75 AU

BETWEEN 1/4 AND 1/2 MILE PRODUCTION
OVER 75 A.U. IS CONDITIONAL USE.
PRODUCTION NOT TO EXCEED 150 A.U.

A80

328 FT. LIMIT

660 FOOT LIMIT
328 FOOT LIMIT

NO LP.O. IN EXCESS OF 100 A.U. PRODUCTION

NO L.P.O. CONFINEMENT AREA

RIVER OR LAKE

ANIMAL UNITS (A.U.) AND CONDITIONAL USE REVIEW

6. (11) (a) The following TABLE OF ANIMAL UNITS (A. U.) is to be used in determining the number of A. U. produced by a Livestock Production Operation:

ANIMAL CONVERSION TABLE V—3

	No. of A.U. Produced by One Livestock
<u>Dairy</u>	
—Milking cows, inc. associated livestock	2.0
<u>Beef</u>	
—Beef cows, inc. associated livestock	1.20
—Feeders, 100-day backgrounder	0.45
—Feeders, 200-day backgrounder	0.50
—Feeders, Summer Pasture	0.60
—Feeders, Short Keep	0.80
—Feeders, Long Keep	0.70
<u>Swine</u>	
—Sows, farrow to finish	1.25
—Sows, farrow to weanling	0.33
—Sows, farrow to nursery	0.25
—Weanlings	0.02
—Feeders	0.14
<u>Chicken</u>	
—Broilers	0.0059
—Roasters	0.0091
—Layers	0.01
—Pullets	0.0033
<u>Turkeys</u>	
—Broilers	0.0083
—Heavy Toms	0.0143
—Heavy Hens	0.0083
—Broiler Breeder Pullets	0.0033
—Broiler Breeder Hen	0.01
<u>Horses (PMU)</u>	
—Mares, including associated livestock	1.33
<u>Sheep</u>	
—Ewes, including associated livestock	0.20
—Feeder Lambs	0.10
	A.U. produced by 1,000 kg. live animal weight
Other Livestock (except poultry)	2.5
Other Poultry	7.5

6. ~~(11)~~ ~~(b)~~ Conditional Use Review

~~Any development proposal for a new livestock production operation or for an expansion of an existing livestock production operation, which is deemed to be a conditional use as determined by the criteria set forth in Section 6.(9), shall be subject to review by Council. Council shall consider the proposal in accordance with The Planning Act, and may approve the development proposal, with or without conditions or may deny the proposal. In reviewing such development proposals, the Council takes the following into consideration:~~

- ~~(a) The type of operations;~~
- ~~(b) The size of the operation, including the maximum number of animals and the resulting Animal Units of Waste produced;~~
- ~~(c) The manure management system, including the handling, storage and disposal of manure;~~
- ~~(d) The location and amount of suitable land available for disposal of manure;~~
- ~~(e) Soils, probable crop rotation and ground water conditions within the area of the confinement facility and manure disposal areas;~~
- ~~(f) The on-site drainage system; and~~
- ~~(g) Recommendations from the Board of the South Riding Mountain Planning District or any provincial government department that Council may choose to consult.~~

~~Conditions of approval may include, among other conditions deemed necessary, size of operation (number of animals and number and the size of confinement buildings) provisions for specialized manure storage systems, manure disposal practices, crop rotations, verification for land required for manure disposal, monitoring systems to maintain good agricultural practice, responsibility for implementation and mitigation costs, in order to minimize problems with excessive nutrient accumulations in subsoils and ground water and in order to minimize nuisance factors for other residents in the surrounding area.](B/L 1432/98)~~

PROXIMITY OF STATIONARY ANHYDROUS AMMONIA STORAGE TANKS TO AREAS DESIGNATED FOR RESIDENTIAL DEVELOPMENT

6. ~~(12)~~ A stationary anhydrous ammonia storage tank with a storage capacity exceeding two thousand (2,000) imperial gallons shall not be located within two thousand six hundred and forty (2,640) feet of the Village of Erickson, a Rural Residential Zone, a General Seasonal Recreation Zone, a Seasonal Recreation Residential Zone or a Highway Commercial Zone containing habitable buildings, or within five hundred (500) feet of a dwelling site unless a reduced separation is recommended by the Provincial Government.

STORAGE OF ANHYDROUS AMMONIA AND OTHER HAZARDOUS CHEMICALS IN COMMERCIAL ESTABLISHMENTS

- ~~6. (13) Notwithstanding anything in this PART, there shall be no storage of Anhydrous Ammonia or other hazardous chemicals in any required front, side or rear yard unless approved by the authority having jurisdiction.~~

PROXIMITY OF WASTE DISPOSAL GROUNDS AND SEWAGE LAGOONS TO SINGLE DWELLING SITES AND CERTAIN ZONES

- ~~6. (14) A parcel of land containing a waste disposal ground or a sewage lagoons shall not be located within one thousand three hundred and twenty (1,320) feet or one thousand five hundred (1,500) feet respectively of a dwelling site, Country Residential Zone, a General Seasonal Recreation Zone, a Seasonal Recreation Residential Zone or a Highway Commercial Zone contain habitable buildings, unless recommended by the Provincial Government.~~

COMMERCIAL RESORT, CONFERENCE CENTER DEVELOPMENT AND PLANNED UNIT DEVELOPMENT PROVISIONS

- ~~6. (15) (a) Where the proposed development consists of a number of single family dwellings on the site, each dwelling shall be on a minimum space area of fifteen thousand (15,000) square feet. Yards must be large enough to provide suitable aesthetics and privacy such as cottage dwelling sites have in the Seasonal Recreation Zones. Where holding tanks, low pressure sewerage systems, or where an approved septic system servicing the entire development is being proposed, the space area required for each dwelling location may be reduced, as permitted by the Health Inspector, to a minimum of six thousand (6,000) square feet;~~
- ~~(b) Where the proposed development consists of one or more buildings, with each building containing two, three, four or more dwelling units, each building with two dwelling units shall be located on a minimum space area of twenty thousand (20,000) square feet plus one thousand (1,000) square feet for each additional dwelling unit contained thereon. Yards must be large enough to provide suitable aesthetics and privacy. Where holding tanks, low pressure sewerage systems, or where an approved septic system servicing the entire development is being proposed, the space area required for the location of each building may be reduced, as permitted by the Health Inspector, to a minimum of sixty six hundred (6,600) square feet for a building with two dwelling units and an additional one thousand (1,000) square feet for each additional dwelling unit contained in the building; and~~
- ~~(c) The development shall be treated as a Planned Unit Development as defined in the Planning Act, in order to allow flexibility in design. In all cases, the overall site area shall be as required in the Bulk Table.~~

SIGN REGULATIONS

- ~~6. (16) The regulations of this section are intended and designed to establish a minimum control of signs. Such control is deemed essential to promote the health, safety, and general welfare by reducing hazards to pedestrian and vehicular traffic, and by preventing unsightly and detrimental development having a blighting influence upon residential, recreational, highway commercial, agricultural and other uses.~~
- ~~(a) (i) The following signs shall be permitted in the "A80" General Agricultural Zone:~~
- ~~identification signs;~~
- ~~business signs; and~~
- ~~bulletin board signs.~~
- ~~(ii) advertising signs shall be a conditional use in the "A80" General Agricultural Zone subject to the approval of the Council.~~
- ~~All signs shall not exceed thirty two (32) square feet in sign surface area.~~
- ~~(b) (i) The following signs shall be permitted in the Rural Residential Zone and the General Seasonal Recreation Zone and the Seasonal Recreation Residential Zone:~~
- ~~identification sign, non-illuminated;~~
- ~~business sign, non-illuminated;~~
- ~~bulletin board sign;~~
- ~~(ii) Advertising signs shall not be permitted in these zones.~~
- ~~(iii) Identification signs shall not exceed four (4) square feet in sign surface area and all other signs shall not exceed thirty two (32) square feet in sign surface area.~~
- ~~(c) All signs shall be permitted in the Highway Commercial Zone except advertising signs which shall be a conditional use. No sign shall exceed a maximum of sixty four (64) square feet in sign surface area.~~
- ~~(d) All free standing signs shall be located seventy five (75) feet or as varied from any site line fronting on a municipal road except identification signs and all signs in the Country Residential Zone and any Seasonal Recreation Zone where they shall be five (5) feet from all site lines which do not abut a highway or provincial road. When adjacent to Provincial roads or highways, signs shall be setback according to the authority having jurisdiction.~~

- ~~_____ (e) No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of any street, street intersection or railway grade crossing or be confused with any authorized traffic sign, signal or device.~~
- ~~_____ (f) No rotating beam flashing signs shall be permitted in any zone without the approval of the Council.~~
- ~~_____ (g) All signs and sign structures shall be kept in repair and in proper state of preservation. Signs which have become obsolete because of discontinuance of the business service or activity, shall be removed or relocated within thirty (30) days following such condition.~~
- ~~_____ (h) It shall be unlawful to erect or maintain any sign on, over or above any land or right of way belonging to the Municipality unless such right is established by agreement with the Municipality, and all signs shall adhere to all the setback requirements of the zones in which they are located.~~
- ~~_____ (i) Flags, political, civic, educational, religious, temporary, traffic, and real estate signs are permitted in all Rural Zones.~~

PARKING

- ~~6. (17) The following requirements apply in the Rural Residential Zone, the General Seasonal Recreation Zone, the Seasonal Recreation Residential Zone and Highway Commercial Zone only:~~
 - ~~_____ (a) For residential use, there shall be one (1) parking space per dwelling unit or mobile home located on the same zoning site, or mobile home space as the principal building or mobile home; and~~
 - ~~_____ (b) For non-residential uses, the number of parking spaces for employees, visitors and customers may be determined by the Council.~~

CAMPGROUND PROVISIONS

- ~~6. (18) All site plans for the park must be submitted to Council for their consideration and approval prior to the issuance of a Development Permit. As a guide, where sewage disposed and/or water supplies are provided on individual camping spaces, the space area and yard requirements of the campground spaces shall be similar to those of Mobile Home Parks found in Section (7) of this PART.~~

LOCATION OF AUTOMOBILE WRECKING ESTABLISHMENTS

- ~~6. (19) An automobile wrecking establishment shall not be located within one half (0.5) mile of a Provincial Trunk Highway or one (1) mile of the Village of Erickson, a Country Residential Zone, or any Season Recreation Zone.~~

STORAGE OF DERELICT VEHICLES

- ~~6. (20) (i) Subject to clause (ii) below there shall be no storage of derelict automobiles, parts, other machinery, or products in any front, side or rear yard within the rural zone, except in a waste disposal ground or an automobile wrecking establishment.~~
- ~~(ii) Where there is storage of derelict automobile parts and other machinery outside of a building in an automobile wrecking establishment a continuous compact hedge or continuous row of evergreen trees expected to attain a height of not less than six (6) feet, or a six (6) foot high fence shall be provided and maintained along the periphery of the storage area in a manner that conceals the stored materials from any public street or road or an adjacent land use.~~

CONDOMINIUM SUBDIVISION OF LAND

- ~~6. (21) Notwithstanding anything herein contained and with reference to the General Seasonal Recreation Zone and Seasonal Recreation Residential Zone only, the following bulk regulations shall apply:~~
- ~~(i) bare land unit plans as described in Section 6(5) of The Condominium Act of the Province of Manitoba, and existing structures situated on any such unit shall be deemed to comply with the bulk requirements of the Seasonal Recreation Zone;~~
- ~~(ii) for the purpose of the Season Recreation Zone, a bare land unit title is a zoning site; and~~
- ~~(iii) new development, any structural alteration or any replacement to any existing structure shall conform in all respects to the bulk regulations (including site area and yards) as set out in Table IV-IV of this PART or as varied.~~

ONLY ONE MAIN BUILDING OR USE ON A SITE

- ~~6. (22) There shall be only one main building or one main use on a site except wherein otherwise stated.~~
- ~~For the purposes of yard regulations, the following dwellings with common party walls shall be considered as one building occupying one site: semi-detached, duplex, triplex and fourplex, row or town houses, apartment block and condominium.~~

MULTIPLE USES

- ~~6. (23) Where any land or building is used for more than one purpose, all provisions of this by law relating to each use shall be satisfied. Where there is conflict such as in the case of site area and site frontage, the higher or more stringent requirement shall prevail.~~

NUMBER OF SINGLE FAMILY DWELLINGS AND COTTAGES PER PARCEL OF LAND

- ~~6. (24) There shall be only one single family dwelling or cottage per parcel which meets all zoning site requirements or as varied except for the exceptions provided in this By law including the infill of existing leased lots (at By law adoption) and the Planning Act.~~

LOCATION OF GAME FARMS

- ~~6. (25) Game farms used for the production of elk, moose or buffalo for commercial meat shall not locate within three (3) miles of the Southern Boundary of Riding Mountain National Park.~~

EXISTING COTTAGE LEASES

- ~~6. (26) Notwithstanding anything herein contained and with reference to the General Seasonal Recreation Zone only, the following bulk regulations shall apply:~~
- ~~(i) existing leased cottage lots proposed for conversion to cottage zoning sites, as of the time of this amendment, and existing structures situated on any such leased lot shall be deemed to comply with the bulk site requirements of the General Seasonal Recreation Zone;~~
 - ~~(ii) new buildings, any structural alteration or any replacement to any existing structure shall conform to the bulk yard regulations as set out in Table IV — IV of this PART or as varied.~~
 - ~~(iii) Where these leased lots are less than fifteen thousand (15,000) square feet in area and are proposed to be subdivided, a holding tank or other suitable approved sewage disposal system designed for small sites shall be installed immediately or when the existing system requires replacing as a condition of subdivision. JB/L 1428/97~~

MOBILE HOME PARK DEVELOPMENT PROVISIONS

- ~~7. In addition to the preceding bulk requirements, the following requirements shall apply to mobile home parks and their accessory buildings and structures in the General Seasonal Recreation Zone.~~

MOBILE HOME PARK

- ~~7. (1) A mobile home park shall contain a minimum of five (5) mobile home spaces and shall have a minimum site width of three hundred (300) feet.~~

BUFFER AREA

- ~~7. (2) A buffer area at least twenty (20) feet in width shall be provided within and adjacent to the perimeter of the mobile home park property.~~

DEVELOPMENT OF THE BUFFER AREA

- ~~7. (3) (a) The buffer area provided in clause (2) above shall be developed as an area suitably landscaped with trees, shrubs, grass and similar horticultural features as shown on the site plans submitted pursuant to subsection (12) of this section;~~
- ~~_____ (b) The buffer area may be crossed by an access right-of-way a minimum of fifty (50) feet in width containing a concrete, gravel, or asphalt driveway from a street to the internal roadway system; and~~
- ~~_____ (c) The buffer area shall contain no use other than those permitted by clauses (a) and (b) above.~~

LOCATION OF STORAGE COMPOUND

- ~~7. (4) A storage compound shall not be located within the buffer area provided but shall be located according to the site plan approved by the Council.~~

MOBILE HOME PARK OR SUBDIVISION INTERNAL ROADWAY SYSTEM

- ~~7. (5) Internal roadways within a mobile home park shall be as follows:~~
- ~~_____ (a) The internal roadway system shall have a right-of-way a minimum of fifty (50) feet in width; and~~
- ~~_____ (b) The internal roadway system shall have a concrete or asphalt or gravel driveway a minimum of twenty-five (25) feet in width.~~

NUMBER OF MOBILE HOMES

- ~~7. (6) There shall not be more than one mobile home located on a mobile home space in a mobile home park.~~

DISTANCE FROM STORAGE COMPOUND, COMMON PARKING, SERVICE BUILDING

- ~~7. (7) A mobile home shall be located a minimum distance of twelve (12) feet away from a storage compound or a common parking area and twenty (20) feet from a service building in a mobile home park.~~

REQUIRED SERVICES FOR MOBILE HOME SPACE

- ~~7. (8) A mobile home space shall be provided with the following:~~
- ~~_____ (a) an approved sewage system;~~
 - ~~_____ (b) an approved potable water supply that is satisfactory to Council;~~
 - ~~_____ (c) an electrical service outlet; and~~
 - ~~_____ (d) an adequate base support for the mobile home.~~

REQUIRED SERVICES FOR MOBILE HOME PARK

- ~~7. (9) A mobile home park shall be provided with:~~
- ~~_____ (a) An adequate street lighting system, satisfactory to Council; and~~
 - ~~_____ (b) Any other services that Council considers necessary for the public health and safety.~~

LOCATION OF ACCESSORY BUILDINGS

- ~~7. (10) Notwithstanding anything herein provided, no detached accessory building or structure shall be located nearer a mobile home, including a mobile home on an adjoining space, than a distance of six (6) feet clear of all projections. Detached accessory buildings or structures shall be located only in the rear yard.~~

ACCESSORY STRUCTURES AND BUILDINGS

- ~~7. (11) All accessory structures and buildings such as porches, additions, carports, skirting and storage facilities shall be painted or pre finished and maintained so that the design, construction and maintenance, in the opinion of the Council, will compliment the main structure.~~

SITE PLANS -- REQUIREMENTS

7. (12) Plans submitted to Council for approval of a mobile home park shall be drawn to scale and fully dimensioned indicating landscaping, access roads, mobile home spaces, buffers, storage compounds, common recreational area, retention of surface run-off and parking; and shall include such other information as may be necessary to determine conformance with this By-law.

MOBILE HOME STANDARDS

7. (13) All mobile homes, travel trailers or motor homes must meet all structural standards as determined by The Buildings and Mobile Homes Act, Chapter B93, S.M. 1977.

WIND TURBINE GENERATOR STATIONS (WTGS) DEVELOPMENT

7. (14) a. A conditional use application to establish one or more wind turbine generator station(s) (WTGS) may include one or more turbine(s) on a parcel of land or a network of turbines and associated structures located on different parcels of land at different locations in the Municipality respectively, provided that all structures will be operated by the same corporate entity. For the purposes of this By-law, an application involving more than one parcel of land and (WTGS) shall be processed as one application, with the provision that a separate conditional approval shall be issued for each separate parcel of land and/or (WTGS). ~~](B/L 1460/05)~~
- b. Proponents of a wind turbine generator station (WTGS) shall submit, to the Development Officer a detailed site plan showing the location of all wind turbines, electrical lines (above or below ground), on site roads and driveways providing access to the public road system as part of the conditional use application. Proposals for additional infrastructure will require additional conditional use approval.
- c. Newly sited residences in the vicinity of a (WTGS), other than the residence of the owner of the lands upon which a (WTGS) is located, shall be separated a minimum distance of one quarter mile (1320) feet from the nearest adjacent wind turbine tower located in the (WTGS).
- d. Proponents of a (WTGS) are responsible for obtaining any required Federal and/or Provincial permits or approvals from agencies such as but not limited to Transport Canada, NAV Canada, Manitoba Hydro, Manitoba Transportation and Government Services, and Manitoba Conservation, prior to the issuance of a development permit.
- e. When locating a proposed wind turbine in the vicinity of any registered or certified airport all Transport Canada regulations for certified airports regarding height and location of buildings and structures shall be followed.

- ~~f. A development permit shall be obtained prior to the commencement of construction.~~
- ~~g. The colour scheme of a commercial wind turbine and associated signage affixed to the structure shall be subject to the approval of Council. Any illumination of the facility shall be arranged so that it does not create glare at any nearby property or public roadway. Both of these items must be dealt with in a manner consistent with any applicable Federal Government regulations.~~
- ~~h. All wind turbine systems locate on the same site and in direct support of either a permitted or conditionally approved single private agricultural activity or private residential activity shall be treated as an accessory structure. This structure shall be set back from the property line a minimum distance equal to its total height, measured from the ground to the extent of its rotors.](B/L 1460/05)~~

INTENT AND PURPOSE

1. The Rural Zones established in this By-law are intended to provide sufficient land for various types of rural, non-farm residential and recreational development in The Area in keeping with the provisions of the Development Plan.

ZONES

2. In order to carry out the intent and purpose of Section 1 above, there are hereby established the following zones:

2. (1) "A80" GENERAL AGRICULTURAL ZONE

The "A80" General Agricultural Zone primarily provides for a full range of agro-rural activities and development including livestock and some other compatible rural uses under various criteria found in the Development Plan and this document;

2. (2) "RR" RURAL RESIDENTIAL ZONE

This zone primarily provides for a rural living opportunity in a non-farm residential area.

2. (3) "SR" GENERAL SEASONAL RECREATION ZONE

The "SR" General Seasonal Recreation Zone primarily provides for a full range of recreational development, which is compatible with existing development and compatible with the natural environment.

It is intended that the primary recreational function of the Zone will be complemented by those commercial uses deemed essential to such development.

2. (4) “SRR” SEASONAL RECREATION RESIDENTIAL ZONE

This zone is primarily the same as the “SR” Seasonal Recreation Zone except certain uses are excluded such as but not limited to mobile homes, campgrounds and recreational concessions.

2. (5) “CH” HIGHWAY COMMERCIAL ZONE

This “CH” Highway Commercial Zone primarily provides land for those businesses requiring large sites, serving the motoring public and requiring direct access to a highway.

APPLICATION OF BY-LAW TO RURAL ZONES

3. The provisions applying to the RURAL AREA ZONES are contained within this PART. Also applying to this zone are the provisions of PART I - "DEFINITIONS", PART II - "ADMINISTRATION", PART III - "ZONING" and "APPENDIX -A", MAPS.

USE REGULATIONS

4. (1) No land shall be used or occupied and no building or structure shall be erected, altered, relocated, used or occupied hereinafter for any use in any RURAL ZONE in which such land, building or structure is located other than a use listed on TABLE IV-I, "RURAL USE TABLE", with the following exception:
- (a) Uses lawfully established prior to the effective date of this By-law.

RURAL USE TABLE IV - I

LEGEND: P – Permitted C - Conditional - - Use Not Permitted	ZONES				
	“A80”	“RR”	“SR”	“SRR”	“CH”
USES:					
Accessory Uses, Buildings, and Structures [See Section 4.(2) of this PART]	P	P	P	P	P
Accessory Home-based Businesses (excluding vehicle sales) [See Section 6.(25)]	C	C	-	-	-
Agricultural Specialized Uses: Apiculture	P	-	-	-	-
Commercial Greenhouses	P	-	-	-	-
Market Gardening	P	-	-	-	-

RURAL ZONES

RURAL USE TABLE IV - I

LEGEND: P – Permitted C - Conditional - - Use Not Permitted	ZONES				
	“A80”	“RR”	“SR”	“SRR”	“CH”
USES:					
Nurseries	P	-	-	-	-
Agricultural General Uses, such as but not limited to the following:					
Field Crops (e.g. grains, vegetables, oil seeds)	P	-	-	-	-
Livestock Operations [See Sections 6.(9) to (13) of this PART] [See Section 6.(10)] for conditional use threshold	P	-	-	-	-
Livestock Operations within livestock buffers adjacent to or near water bodies, rural residential zones, seasonal recreation zones and urban centres identified in the Development Plan, Zoning Maps and sections 6.(11) and 6.(12) of this PART. [See Section 6.(12)] for “P” and “C” thresholds	C	-	-	-	-
Tame and Native Forage Production, Grazing	P	-	-	-	-
Vacation Farms	P	-	-	-	-
Agricultural Implement Sales and Service	-	-	-	-	P
Aircraft Landing Strips and Related Storage Facilities [See Section 6.(18)]	C	-	-	-	-
Anhydrous Ammonia, Sales and Service – [See Sections 6.(15) and 6.(16)]	C	-	-	-	-
Automobile Trades	-	-	-	-	P
Automobile Wrecking Establishments – [See Sections 6.(22)]	C	-	-	-	-
Auction Mart	C	-	-	-	P
Batch Concrete Plant	C	-	-	-	-
Bulk Fuel, Liquid and Solid Fertilizer and Chemical Stationary Storage and Sales	C	-	-	-	C
Bus Terminal	-	-	-	-	P

RURAL ZONES

RURAL USE TABLE IV - I

LEGEND: P – Permitted C - Conditional - - Use Not Permitted	ZONES				
	“A80”	“RR”	“SR”	“SRR”	“CH”
USES:					
Café and Coffee Shops, when in combination with another permitted or conditional use	-	-	-	-	P
Campgrounds [See Section 6.(24) of this PART]	-	-	C	-	-
Cemeteries	P	-	-	-	-
Churches, Church Hall	-	P	P	P	-
Communication Towers	C	-	-	-	-
Cottage dwellings including mobile homes for seasonal use	C	-	P	P	-
Commercial Resorts [See Section 6.(19)]	-	-	C	-	-
Community Halls and Rinks	-	P	P	P	P
Concessions (Recreational Facilities)	-	-	C	-	-
Conference Centres [See Section 6.(19)]	-	-	P	-	C
Drive-In Uses where persons are served in automobiles, such as refreshment stands, fast food restaurants and the like, except Drive-In theatres	-	-	-	-	P
Dude Eco-Ranch	C	-	-	-	-
Existing Uses legally established prior to the adoption of the original By-law 1313-86 except Rural Non- Farm Residences and Cottages	P	P	P	P	P
Existing legally established Rural Non-Farm Single-Family Residences (includes cottage dwellings) established prior to the adoption of the original By-law 1313-86	C	P	P	P	P
Exhibition Grounds including Race Tracks	-	-	-	-	-
Game Farms [See Section 6.(31)]	C	-	-	-	-
General Store and Post Office	-	P	C	-	P
Golf Course	C	-	C	C	-
Grain Elevators and Vegetable Storage Buildings	P	-	-	-	-
Group Camps (such as Church, 4H, Boy Scouts, Girl Guides) and like establishments	C	-	P	-	-
Historical Sites	P	P	P	P	P
Hunting and Fishing Lodges and Boating Clubs	C	-	C	-	-

RURAL ZONES

RURAL USE TABLE IV - I

LEGEND: P – Permitted C - Conditional - - Use Not Permitted	ZONES				
	“A80”	“RR”	“SR”	“SRR”	“CH”
USES:					
Kennels and Animal Clubs	C	-	-	-	-
Motels	-	-	-	-	P
Mobile Home Parks	-	-	C	-	-
Public Picnic Areas, Parks, Playgrounds, Tot-lots, Public Outdoor Recreational Facilities	C	P	P	P	-
Public Utilities and Buildings [See PART II Section 14]	P	P	P	P	P
Public Reserves	P	P	P	P	P
Recreation Trails	C	P	P	P	C
Rendering and Abattoirs	C	-	-	-	-
Research and/or management Forest and Wildlife Preserves	C	-	-	-	-
Residential Care Facilities	C	C	-	-	-
Riding Academies – up to 9 animal units	P	-	C	-	-
Rural Non-Farm Single-Family Dwellings including Mobile Homes	C	P	-	-	-
Sand, Gravel and Mineral Extraction Operations	C	-	-	-	-
Seed Plants	P	-	-	-	-
Service Shops	-	-	-	-	P
Sewage Disposal Lagoons	C	-	-	-	-
Signs [See Section 6.(20) of this PART]	P	P	P	P	P
Signs, Advertising [See Section 6.(20) of this PART]	C	-	-	-	C
Truck Terminals	-	-	-	-	P
Veterinary Clinics	P	-	-	-	P
Waste Disposal Grounds	C	-	-	-	-
Well Drilling Establishments	-	-	-	-	P
Wind Turbine Generator Stations (WTGS) [See TABLE IV-II and Section 6(30) of this PART IV]	C	-	-	-	-

ACCESSORY USES, BUILDINGS AND STRUCTURES

4. (2) In the Rural Zones, accessory uses, buildings or structures may include but not be limited to the following:
- (a) Farm dwelling to include a single-family dwelling or a mobile home when

RURAL ZONES

on the same site with a permitted or conditional agricultural use;

- (b) Staff dwelling to include single-family dwellings, two-family dwellings, dormitory, mobile homes and private churches and private school facilities, when on the same site with agricultural permitted or conditional uses where, in the opinion of the Council, said dwelling or private church and/or school, is essential for the maintenance, operation and care of the agricultural permitted or conditional use;
- (c) Buildings and structures accessory and incidental to a permitted or conditional seasonal recreation use, excluding a guest house;
- (d) Buildings or structures for the operation and maintenance of a permitted or conditional use;
- (e) Storage of goods used in or produced by agricultural activities on the same site with such activities, unless such storage is excluded by the zone or provincial regulations;
- (f) A private garage, carport, covered patio, toolhouse, boathouse, shed, and other similar buildings (excluding shipping containers in “RR,” “SR” and “SRR” zones) for the storage of domestic equipment and supplies, private swimming pools;
- (g) Incinerators and individual sewage disposal systems, subject to the authority having jurisdiction;
- (h) Home-based businesses, as accessory conditional uses, in the "A80" General Agricultural Zone and the Rural Residential Zone – [See Section 6.(25)];
- (i) Accessory off-street parking areas as required and regulated in Section 6.(21) of this PART;
- (j) Clubhouses and other related recreational structures on the grounds of private clubs, golf courses, and other like permitted or conditional recreational facilities;
- (k) Aircraft landing strips and related storage facilities which are necessary to a farm operation – [See Section 6.(18)];
- (l) In cottage subdivisions and campgrounds, the accessory uses, buildings and structures required to serve the development may also include:
 - (i) a storage compound;
 - (ii) recreation facilities and appertaining structures;
 - (iii) service building to house water pumps and other service facilities; and
 - (iv) required washroom facilities;

- (m) Residential Care Facilities in the "A80" General Agricultural Zone and the "RR" Rural Residential Zone for eight or fewer children who are under the care of a child caring agency as defined by the Child Welfare Act or for four or fewer adults who may be post mentally ill, mentally retarded or otherwise developmentally delayed; and
- (n) Individual guest cabins when located in an approved plan within a commercial resort.

CONDITIONAL USE

4. (3) Any use listed as a "CONDITIONAL USE" in TABLE IV-I shall comply with the regulations set forth in Section 3, PART II, ADMINISTRATION.

BULK REQUIREMENTS

5. (1) The "A80" General Agricultural Zone bulk requirements shall be as set forth in TABLE IV-II, "A80" GENERAL AGRICULTURAL BULK TABLE and following Sections.
- (2) The "RR" Rural Residential Zone bulk requirements shall be as set forth in TABLE IV-III, "RR" RURAL-RESIDENTIAL BULK TABLE and following Sections.
- (3) The "SR" General Seasonal Recreation Zone and "SRR" Seasonal Recreation Residential Zone bulk requirements shall be as set forth in TABLE IV-IV, "SR" GENERAL SEASONAL RECREATION ZONE AND "SRR" SEASONAL RECREATION RESIDENTIAL ZONE and following Sections.
- (4) The "CH" Highway Commercial Zone bulk requirements shall be as set forth in TABLE IV-V, "CH" HIGHWAY COMMERCIAL BULK TABLE and following Sections.

"A80" GENERAL AGRICULTURAL BULK TABLE IV - II

PERMITTED OR CONDITIONAL USES	REQUIREMENTS				
	MINIMUM				
	Site Area (acres)	Site Width (ft.)	(a) Front Yard (ft.)	(a) Side Yard (ft.)	(a) Rear Yard (ft.)
Accessory Use, Buildings and Structures (c) [see Section 6.(2)] of this PART			125	25	25
Aircraft Landing Strips (Licensed and private) and Related Storage Facilities [See Section 6. (18)]	60(b)	1000(b)	300(b)	300(b)	300(b)
Agricultural Specialized Uses (e)	20	300	125	25	25
Agricultural General Uses and Livestock including Riding Academies, Vacation Farm (up to 9 animal units capacity)	80(d)(f)	1000	125	125	125

RURAL ZONES

“A80” GENERAL AGRICULTURAL BULK TABLE IV - II

PERMITTED OR CONDITIONAL USES	REQUIREMENTS				
	MINIMUM				
	Site Area (acres)	Site Width (ft.)	(a) Front Yard (ft.)	(a) Side Yard (ft.)	(a) Rear Yard (ft.)
Livestock Operations including Riding Academies and Vacation Farms with over 9 animal unit capacity confinement	80(d)(f)	1000	328	328	328
Anhydrous Ammonia Sales and Service	5	300	300	75	75
Automobile Wrecking Establishments including storage of Automobiles [See Section 6. (22)]	5	200	200	25	25
Batch Concrete Plant	4	200	125	50	50
Bulk fuel, Liquid/Solid Fertilizer Sales and Stationary Storage	3	300	125	50	50
Campgrounds	5	200	125	25	25
Cemeteries	2	200	125	50	50
Communication Towers	5	400	125	125	125
Dude Eco-Ranch (h)	80(d)(f)	1000	125	125	125
Game Farm, Hunting and Fishing Reserves	80(d)	660	125	50	50
Golf Courses	55	575	125	25	25
Grain Elevators and Vegetable Storage Buildings	3	200	125	25	25
Group Camps	10	300	125	25	25
Historical Sites	10,000 sq. ft.	50	125	10	10
Hunting, Fishing and Boating Clubs	10	300	125	50	50
Kennels and Animal Clubs	5	200	125	50	50
Public Picnic Areas, Parks and related Outdoor Recreational Activities (i)	2	200	125	25	25
Public Utilities and Services	20,000 sq. ft.	100	125	25	25
Rendering Plants, Abattoirs	5	200	125	25	25
Residential Care Facility	2	200	125	25	25
Rural Non-Farm Single-Family Residences including mobile homes and cottages (c) (g)	2	200	125	25	25
Sand, Gravel and Mineral Extraction Operations	2	200	125	50	50
Seed Plants	3	200	125	25	25
Sewage Disposal Lagoons	5	300	200	50	50
Waste Disposal Grounds	5	300	200	50	50
Wind Turbine Generator Station (j)	16	835	(i)	(i)	(i)
Veterinary Hospitals	3	150	125	50	50
Other Permitted or Conditional Uses	5	200	125	25	25

RURAL ZONES

Explanations and Exceptions to the Bulk Requirements of TABLE IV-II are as follows:

- (a) (i) Setback provisions pertain to buildings, structures and shelterbelts only.
- (ii) Where buildings and structures are adjacent to a Government Road Allowance, the minimum setback shall be one hundred and twenty-five (125) feet or as required in the TABLE, except for shelter belts where the minimum setback shall be seventy-five (75) feet, or for signs as provided for elsewhere herein [Section 6.(20)].
- (iii) Setbacks for buildings, structures or hedges from provincial roads, provincial trunk highways and their centers of intersections shall be in accordance with the Highway Protection Act and the Highway Department Act or as varied from time to time.
- (b) Notwithstanding anything in this PART, the aircraft landing strips and related storage facilities shall be subject to Transport Canada requirements and/or recommendations.
- (c) The minimum dwelling unit floor area shall be six hundred (600) square feet.
- (d) The minimum site area shall be eighty (80) acres or two (2) legal subdivisions which abut each other.
- (e) Council may require the applicant to submit a physical site plan and business plan proposal for the agricultural specialized use.
- (f) The minimum suitable land base required for livestock operations and riding academies shall be increased from the required 80 acres in TABLE IV II, based on the size of the operation, soils and the Provincial Regulations, if required. Additional land base required must be owned by the producer or obtained through an agreement between the producer and other landowner(s).
- (g) A residence shall be separated by a distance of one and one half (1.5) times the maximum height of a communication tower located in the immediate vicinity of the proposed residence's location.
- (h) A dude-eco ranch shall be subject to the provisions found in Part IV – RURAL ZONES AND GENERAL PROVISIONS SECTION 6.(19) COMMERCIAL RESORT, AND CONFERENCE CENTRE DEVELOPMENT PROVISIONS.
- (i) Outdoor recreation developments shall be directed away from prime agricultural land and viable lower class agricultural land.
- (j) Each wind turbine generator station (WTGS) site shall be used for the location of the wind turbine generator tower(s) and/or the associated buildings and infrastructure. This is the principal use of the (WTGS) site and it shall be limited to a maximum site area of 160 acres. The land within the (WTGS) site that is not used for the facility

may be used for compatible agricultural activities provided provisions of this by-law are maintained.

All Wind Turbine towers and accessory uses shall have the following minimum yard and separation distance requirements:

Yards:

- i. All tower yards shall be (1.1) times the total height of the tower plus rotor from any other titled property, including the boundary of a railway right-of-way. Note exception, this setback distance with respect to the title property lines shall be 400 feet for wind turbines located where the property line(s) nearest to any given wind turbine define and separate properties belonging to the same landowner with a lease of the same type and duration.
- ii. All tower yards shall be (1.1) times the total height of the tower plus rotor from all government road allowances, any other public roads and Provincial roads. The location of these towers within greater highway control areas shall be (1.5) times the height of the tower plus rotor when adjacent to Provincial Trunk Highways and shall be subject to the approval of the Province.
- iii. All tower yards that do not coincide with a title property boundary or road allowance shall be equal to the height of the tower plus the rotor in depth.
- iv. All accessory uses yards (front, side and rear) associated with the (WTGS) shall be 135 feet in depth.

Separation Distances:

- a. The tower base shall be (1640 feet) from all dwellings or other habitable buildings (e.g. motel) located on all lands, except as provided in (c) below.
- b. The tower base shall be one half mile (2640 feet) from an urban area (Erickson), a "RR" rural residential zoned area (eg. Sand Lake) or a "SR" seasonal recreation zoned area (eg. Otter lake, Kerrs Lake and Ditch Lake).
- c. The tower base shall be a distance equivalent of one and one half (1.5) times the total height of the tower plus rotor from employee accommodation buildings built and owned by the Wind Turbine Company on associated owned or leased lands.
- d. The tower base shall be a distance equivalent of one point one (1.1) times the total height of the tower plus rotor from non-dwelling principal structures.
- e. These distances are reciprocal from dwellings and structures to wind towers.

“RR” RURAL RESIDENTIAL BULK TABLE IV – III

PERMITTED OR CONDITIONAL USES	REQUIREMENTS				
	MINIMUM				
	Site Area (acres)	Site Width (ft.)	(b) Front Yard (ft.)	(b) Side Yard (ft.)	(b) Rear Yard (ft.)
Accessory Use, Buildings and Structures [See Section 6.(2) of this PART](a)			75	30	30
Churches and Church Halls	2	200	75	50	50
General Store and Post Office	2	200	75	30	30
Public Playgrounds and Picnic Areas	1	100	75	30	30
Residential Care Facilities	5	200	75	50	50
Rural Non-farm Single-Family Dwelling (c)	2	200	75	30	30
Historical Site	1	100	30	30	30
Other Permitted and Conditional Uses	2	100	75	30	30

Explanations and Exceptions to the Bulk Requirements of TABLE IV- III are as follows:

- (a) An accessory building or structure for the housing of animals shall have a minimum separation from any dwelling of three hundred (300) feet excluding the owner's dwelling. The keeping of animals for purposes other than commercial production shall be permitted provided that animal waste production does not exceed 0.75 Animal Units per two (2) acres of site and that compliance is made with all Public Health Regulations. The maximum number of Animal Units produced on a Rural Residential Zoning site shall be two (2).
- (b) (i) Where buildings, structures are adjacent to a Government Road Allowance, the minimum setback shall be one hundred and twenty- five (125) feet, except where the Government Road Allowance forms part of a concept for a multi-lot subdivision plan, or as provided in section 6.(20) for signs.
- (ii) Setbacks for buildings, structures and hedges from provincial roads, provincial trunk highways and their centers of intersections shall be in accordance with the Highway Protection Act and the Highway Department Act or as varied from time to time.
- (c) The minimum dwelling unit floor areas shall be six hundred (600) square feet for a rural non-farm dwelling.

**“SR” GENERAL SEASONAL RECREATION & “SRR” SEASONAL RECREATION
RESIDENTIAL BULK TABLE IV - IV**

PERMITTED OR CONDITIONAL USES	REQUIREMENTS					
	MINIMUM					MAXIMUM
	Site Area (sq.ft.)	Site Width (ft.)	(a) Front Yard (ft.)	(a) SideYard (ft.)	(a) Rear Yard (ft.)	Site Coverage %

RURAL ZONES

				interior	corner		
Accessory Uses, Buildings and Structures [See also Section 6.(2)] of this PART)			(b)	5	10	5	10 (c)
Campgrounds	5 acres	200	125	25	30	25	75
Church and Church Halls	2 acres	200	75	25	30	25	55
Cottages including single mobile homes and sites in mobile home parks (d):							
Serviced site	6000	50	30	10(e)	20	25	30
Unserviced site (holding tank)	15000	75	30	20	20	25	40
Unserviced site (septic field)	2 acres	200	75	30	30	50	40
Commercial Resort(f)	10 acres	300	75	20	20	25	25
Concessions	15000	70	30	20	20	25	30
Conference Centers(f)	8 acres	200	75	20	20	25	60
Community Halls and Rinks	3 acres	200	75	25	30	25	45
Golf Courses	55 acres	575	125	25	25	25	N/A
Group Camps (f)	5 acres	200	75	20	20	25	60
Hunting and Fishing Lodges and Boating Clubs	5 acres	200	75	20	20	25	60
Public Picnic Area, Parks, Playgrounds, Tot-Lots, Outdoor Recreation Facilities	21000	100	30	20	30	25	N/A
Public Utilities and Buildings	5000	50	30	15	20	20	20
Riding Academies (g)	40 acres	660	125	50	50	50	N/A
Other uses listed(d)	21500	65	30	5	15	25	50

Explanations and Exceptions to the Bulk Requirements of TABLE IV-IV are as follows:

- (a) (i) Where buildings and structures are adjacent to a Government Road Allowance, the minimum setback shall be one hundred and twenty-five (125) feet, except where the Government Road Allowance forms part of a concept for a multi-lot subdivision Plan, or as provided in Section 6.(20) for signs.

- (ii) Setbacks for buildings, structures or hedges from provincial roads, major provincial highways and their centers of intersection shall be in accordance with the Highway Protection Act and the Highway Department Act or as varied from time to time.
- (b) The minimum required front yard shall be the same as the main building.
- (c) An accessory building or structure shall have a maximum site coverage of ten (10) percent or six hundred (600) square feet, whichever is lesser.
- (d) The minimum floor area per dwelling unit shall be four hundred and fifty (450) square feet.
- (e) On that side of the mobile home containing the main entrance and/or window to the living room, the required side yard minimum shall be twenty (20) feet.
- (f) The minimum floor area per dwelling unit shall be four hundred (400) square feet for cottages and rental cabins and three hundred (300) square feet for each rental dwelling unit in a multi- dwelling unit building.
- (g) All riding academies located within the “SR” Zone are conditional uses. In this zone an operation shall not exceed a production capacity of 9 Animal Units and shall not be located within 300 feet of an existing cottage, campground or other form of accommodation.

“CH” HIGHWAY COMMERCIAL BULK TABLE IV-V

PERMITTED OR CONDITIONAL USES	REQUIREMENTS					
	MINIMUM					MAXIMUM
	Site Area (sq.ft.)	Site Width (ft.)	(a) Front Yard (ft.)	(a,b,d) Side Yard (ft.)	(a) Rear Yard (ft.)	Site Coverage (%)
Accessory Uses, Buildings and Structures (c)[See also Section 6.(2) of this Part]			40	10	10	10
Agricultural Implement Sales and Services	40000	150	40	10	10	70
Agricultural Supplies Stores	43560	200	40(f)	30(f)	30(f)	47
Auction Market						
Automobile Service Stations						
Automobile Trades						
Bulk Fuel non-hazardous Solid and Liquid Fertilizer Sales and Storage						
Bulk Propane Sales and Storage						
Bus Terminal						
Drive-In Uses, e.g. Fast Food Restaurants						
Miniature Golf Courses						
Motels (e)(g)	2 acres	200	40	20	30	67

“CH” HIGHWAY COMMERCIAL BULK TABLE IV-V

PERMITTED OR CONDITIONAL USES	REQUIREMENTS					
	MINIMUM					MAXIMUM
	Site Area (sq.ft.)	Site Width (ft.)	(a) Front Yard (ft.)	(a,b,d) Side Yard (ft.)	(a) Rear Yard (ft.)	Site Coverage (%)
Conference centres(e)						
Public Utilities and Services	5000	50	40	10	10	30
Truck Terminals	2 acres	200	40	10	30	67
Other Permitted and Conditional Uses		100	40	10	10	45

Explanations and Exceptions to the Bulk Requirements of TABLE IV – V are as follows:

- (a) (i) Where buildings and structures are adjacent to a Government Road Allowance, the minimum setback shall be one hundred and twenty-five (125) feet or as varied, except where the Government Road Allowance forms part of the Development or as provided for elsewhere herein for Section 6.(20) signs; and
- (ii) Buildings, structures and hedges adjacent to provincial roads, major provincial trunk highways and their centres of intersections shall have a setback in accordance with Highway Protection Act and the Highway Department Act or as varied.
- (b) In the case of a reversed corner site, there shall be a minimum side yard of thirty (30) feet on the street side of the reversed corner site. When the required yard is greater than thirty (30) feet, the greater yard shall apply.
- (c) Where a dwelling unit is an accessory use, the minimum site area shall be fifteen thousand (15,000) square feet.
- (d) The minimum required side yard shall be twelve (12) feet if the site is unserved. Where the required yard is greater than twelve (12) feet, the greater yard shall apply.
- (e) The minimum floor area per dwelling unit shall be four hundred (400) square feet for rental cabins and three hundred (300) square feet for each dwelling unit in a seasonal rental multi-unit building.
- (f) Gasoline pumps shall have a required front, side and rear yard of twenty (20) feet or greater if required by the province. Bulk propane tanks shall have a required setback from all buildings and site lines as regulated by the Province. Fuel oil dispensing tanks shall have a required front, side and rear yard of twenty (20) feet or greater if required by the Province.
- (g) First fifteen (15) motel units or conference accommodation units require two (2) acres of site, plus one thousand (1,000) square feet for each additional motel unit or conference accommodation unit.

GENERAL PROVISIONS

INTENT

6. (1) The following provisions shall apply to all Rural Zones except wherein otherwise provided:

ACCESSORY BUILDINGS, STRUCTURES AND USES PERMITTED

6. (2) Accessory buildings or structures shall be subject to the following regulations, except wherein otherwise provided:
- (a) Where the accessory building or structure is attached to a main building or structure, it shall conform to all regulations of this By-law applicable to the main building or structure;
 - (b) Detached accessory buildings or structures shall not be located in any required yard of the principle building or use except a side or rear yard or as provided for elsewhere herein;
 - (c) No detached accessory building or structure shall be located closer than six (6) feet to any main building;
 - (d) In no instance shall an accessory building or structure be located within a dedicated easement right-of-way;
 - (e) No accessory building or structures shall be erected prior to the erection of the main building or structure except for farm dwellings and where the building is necessary for use during construction of the main building or structure;
 - (f) A private swimming pool shall not be located in a required front yard; and
 - (g) Boathouses and other recreational structures shall be set back from the shoreline as determined by Council and/or the Province, and the Federal Government (Oceans and Fisheries) where applicable. These structures shall occupy a maximum of 25 percent of the shoreline length located in front of each lot for structure development and clearing of vegetation.

NOXIOUS OR OFFENSIVE USES

6. (3) Notwithstanding anything herein contained, no use shall be permitted in any Rural Residential Zone, General Seasonal Recreation Zone, Seasonal Recreation Residential Zone and Highway Commercial Zone under this PART which may be noxious or offensive by reason of the emission or production of odour, dust, refuse matter, wastes, vapour, smoke, gas, vibration or noise.

HEIGHT OF BUILDINGS AND STRUCTURES

6. (4) The maximum height of principal buildings or structures shall be three (3) storeys and of accessory buildings and structures shall be fifteen (15) feet, except fences which shall be six (6) feet in the side and rear yards and three and one-half (3.5) feet in the front yard.

HEIGHT EXCEPTIONS

6. (5) The provisions of this PART shall not apply to limit the height of any farm buildings including grain elevators and seed plants, ornamental dome, chimney, tower, electrical or telephone transmission line, television, internet or radio mast, steeple, water storage tank, electrical apparatus or the mechanical operation of the building provided that no roof structure or any space above the height limit shall be permitted for the purpose of providing usable floor area.

The maximum heights of all buildings and structures (including farm) may be determined and limited by Council if in Council's opinion there is a danger of the buildings or structures being struck by low flying aircraft during their landing or take-off phase of flight.

FRONT YARD EXCEPTIONS

6. (6) Where in the General Seasonal Recreation Zone and Seasonal Recreation Residential Zone, sites comprising forty (40) percent or more of the entire frontage of the block (excluding reversed corner sites) are developed with buildings, the average front yard depths established by such buildings shall establish the minimum required front yard depths for the entire frontage of the block provided such average is less than the minimum required front yard required in the Zone in which the site is located.

PROJECTIONS INTO REQUIRED YARDS

6. (7) Required yards shall be provided and maintained in accordance with the provisions of the Bulk Table and shall be unobstructed from ground level to the sky, except as follows:
- (a) A projection from a building such as eaves, balconies, canopies, stairways, chimneys may project into any required yard not more than three (3) feet provided the width of a required side yard is not reduced to less than four (4) feet;
 - (b) Open, unenclosed porches, platforms, not covered by a roof or canopy, which do not extend above the level of the first storey of the building, may extend or project into any required side or rear yard not more than twelve (12) feet provided the width of a required side yard is not reduced to less than four (4) feet and may extend or project into any required front yard not more than ten (10) feet;
 - (c) Fences, hedges and lamp posts in the General Seasonal Recreation Zone, and the Seasonal Recreation Residential Zone shall not exceed a height of six (6) feet above finished grade in the side and rear yards except in the case of fences required under various Government Department Regulations. A fence, hedge, trellises shall be permitted in any required front yard in which case the height shall not exceed three and one-half (3-1/2) feet; and
 - (d) Landscape features, such as trees, shrubs, flowers or plants, shall be permitted in any required yard provided they do not produce a hedge effect contrary to the provisions of clause (c) above.

SEPARATIONS FOR DWELLING SITES FROM INCOMPATIBLE USES

6. (8) A single dwelling site, a Rural Residential Zone, a General Seasonal Recreation Zone, a Seasonal Recreation Residential Zone or a Highway Commercial Zone containing dwelling sites shall not be located within:
- (i) Five hundred (500) feet from any aggregate deposit identified in the Development Plan as valuable unless the deposit has been depleted to be point where no further extraction will take place and residential development is not objected to by the Provincial Government;
 - (ii) One thousand three hundred and twenty (1,320) feet from a waste disposal ground or one thousand five hundred (1,500) feet from a sewage lagoon or as recommended by the Provincial Government;
 - (iii) Five hundred (500) feet for single sites or one half (1/2) mile for Rural Residential Zone, General Seasonal Recreation Zone, Seasonal Recreational Residential Zone and Highway Commercial Zone from a stationary commercial anhydrous ammonia tank with a storage capacity exceeding two thousand (2,000) imperial gallons or as required by the Provincial Government;
 - (iv) Three hundred (300) feet from any barn or animal confinement area or concentrated waste disposal site where there is a production in excess of 1 animal unit and does not exceed 9 animal units. Dwelling sites of the owner or operator are excepted from this requirement; and
 - (v) The mutual minimum separation distances (defined by policy in Development Plan By-law No. 01-DP-2010) between livestock operations and single residences and designated rural residential and seasonal recreation areas are provided for in TABLE IV-VII: MINIMUM SEPARATION DISTANCES FOR SITING LIVESTOCK OPERATIONS of this PART, and Section 6. (12) LIVESTOCK OPERATIONS DEVELOPMENT IN BUFFER AREAS in this PART.

LIVESTOCK OPERATIONS

6. (9) The provisions of this subsection shall apply to livestock operations, which shall be deemed to include animal housing facilities such as barns and similar types of buildings along with related manure storage facilities, and also to include feedlots and similar fenced areas where livestock are confined solely for the purpose of growing and finishing, and are sustained by means other than grazing, including seasonal feeding areas;

Existing Operations:

- (a) Existing livestock operations, that due to their size and/or location, would be considered as a conditional use in accordance with the provisions of this PART, shall be deemed to be legally established conditional uses, and any expansion of the operation shall be administered by the provisions of the Planning Act and this By-law pertaining to conditional uses.

- (b) Existing livestock operations which exceed any maximum size requirements established by this By-law, are deemed to be non-conforming uses as of the date of adoption of this By-law, and may continue to exist and operate at the level of production at which they existed on that date, and expansion of the operation will be administered by the provisions of The Planning Act and this By-law pertaining to non-conformities. If a non-conforming livestock operation has been discontinued for more than 12 months, or with Council's approval up to a maximum of 60 months, the land must not be used after that except in conformity with this Zoning By-law.
- (c) Any conditional use order for an existing livestock operation, or variation of a requirement approved under a previous zoning By-law, will continue to be in full force and effect.
- (d) Where two or more existing or proposed livestock operations involving the production of the same species of livestock are either:
 - i) located within ½ mile (800 m) of one another and are owned by the same individual, corporate, partnership or other entity, or
 - ii) located within ½ mile (800m) of one another and share a common manure storage facility (regardless of ownership)
 they are deemed to be a single livestock operation, and the total number of existing or proposed animal units in each operation shall be added together for the purpose of interpreting the requirements of this By-law.
- (e) Livestock operations including animal housing structures and manure storage facilities shall be setback three hundred twenty-eight (328) feet from property lines.
- (f) To assist in the interpretation of this By-law, the total number of existing and proposed Animal Units (AUs) cumulative across species, of a livestock operation, shall be determined in accordance with TABLE IV-VI of this PART.
- (g) The provisions of this By-law are dependent upon a determination of the production capacity of a livestock operation facility, which shall be based upon the intensity of use as measured by Animal Units determined in accordance with TABLE IV-VI by multiplying the number of animals that can be accommodated in the facility by the animal units produced by one livestock.
- (h) No manure storage facility shall be constructed or located within three hundred and twenty-eight (328) feet of surface water which is standing or flows either perennially or intermittently beyond the site of the facility.
- (i) Requirements for setback and separation distances, as provided for in this PART, shall be measured from the closest point of the barn, feedlot or high density seasonal feeding area, including any related manure storage facility, to the property boundary, residence, zoning area boundary or waterbody, as the case may be.

TABLE IV-VI: ANIMAL UNIT SUMMARY TABLE

Animal	Type	AU Produced by One Livestock	Livestock Producing One AU
Dairy	Milking Cows, including associated livestock	2.000	0.5
Beef	Beef Cows, including associated livestock	1.250	0.8
	Backgrounder	0.500	2
	Summer pasture/replacement heifers	0.625	1.6
	Feeder cattle	0.769	1.3
Hogs	Sows, farrow to finish	1.250	0.8
	Sows, farrow to weanling	0.313	3.2
	Sows, farrow to nursery	0.250	4
	Weanlings	0.033	30
	Growers/finishers	0.143	7
	Boars (artificial insemination operations)	0.200	5
Chickens	Broilers	0.0050	200
	Roasters	0.0100	100
	Layers	0.0083	120
	Pullets	0.0033	300
	Broiler Breeder Pullets	0.0033	300
	Broiler Breeder Hens	0.0100	100
Turkeys	Broilers	0.010	100
	Heavy Toms	0.020	50
	Heavy Hens	0.010	100
Horses (PMU)	Mares, including associated livestock	1.333	0.75
Sheep	Ewes, including associated livestock	0.200	5
	Feeder Lambs	0.063	16

Current conversion factors are from Manitoba Regulation 193/2005 being the Provincial Land Use Policies Regulation. The regional agricultural engineer or livestock specialist of Manitoba Agriculture, Food and Rural Initiatives may be consulted for other livestock or operation types and interpretation of this TABLE.

NOTE: To calculate the number of AUs for a particular operation, multiply the AU produced by one livestock by the number of animals. For example, for 200 animal beef cows including associated livestock equals $1.25 \times 200 = 250$ AUs.

Changes may be made in this TABLE IV-VI, by the Province, without requiring an amendment to this By-law.

LIVESTOCK OPERATIONS DEEMED CONDITIONAL USES

- 6.(10) Livestock operations are deemed to be a conditional use when the size of the operation exceeds three hundred (300) animal units (cumulative across species), irrespective of location, except as identified in Section 6. (12) of this PART.

LIVESTOCK OPERATIONS IN PROXIMITY TO RESIDENCES AND DESIGNATED AREAS

- 6.(11) The criteria outlined in TABLE IV-VII, applies to all new and expanding livestock operations in proximity to residences and designated areas as well as siting of new rural residences and designated areas in proximity to existing livestock operations. These separation distances may be varied by Council.

TABLE IV-VII: MINIMUM SEPARATION DISTANCES FOR SITING LIVESTOCK OPERATIONS

Size of Livestock Operation or Animal Housing Facility in Animal Units (AUs)	Minimum Separation Distance (feet)			
	From Single Residences (a)		From Designated Areas (b)	
	To Earthen Manure Storage Facility or Feedlot	To livestock Buildings and structures(c)	To Earthen Manure Storage Facility or Feedlot	To Livestock Buildings and Structures(c)
10-100	984	492	2,625	1,739
101-200	1,476	738	3,937	2,625
201-300	1,968	984	5,249	3,511
301-400	2,214	1,107	5,906	3,937
401-800	2,460	1,230	6,561	4,364
801-1,600	2,952	1,476	7,874	5,249
1,601-3,200	3,446	1,722	9,186	6,135
3,201-6,400	3,938	1,968	10,499	6,988
6,401-12,800	4,430	2,214	11,811	7,874
>12,800	4,922	2,460	13,123	8,760

- (a) Residences, excluding the residence of the owner/operator of the livestock operation.
- (b) “Designated Areas” means areas designated as a residential or seasonal recreation area and any settlement centre as designated in the Development Plan, the corporate limits of a town, village or city and the limits of an unincorporated local urban district.
- (c) The distance to buildings includes barns, animal housing facilities including seasonal feeding areas and non-earthen manure storage such as a molehill, tank or other facility not made out of soil for storing manure, and includes any permanent equipment or structures in or by which manure is moved to or from the storage facility.

LIVESTOCK OPERATIONS DEVELOPMENT IN BUFFER AREAS

- 6.(12) (a) Notwithstanding the requirements of TABLE IV-VII that are applicable in all cases, there are additional livestock operation requirements adjacent to the designated urban community of Erickson, the designated rural residential and seasonal recreation areas, the Rolling River, and other water bodies. These requirements are included in 6.(12)(b) to(f) herein;
- (b) The livestock inner and outer zoning overlay areas adjacent to the urban community of Erickson are illustrated as shaded areas on Zoning Map One. The livestock requirements are as follows:
- (i) there shall be no new livestock operations located within 2640 feet of urban policy areas in Erickson. All existing livestock operations within this area (at date of adoption of this By-law) shall be deemed to be conditional uses and expansion will require conditional use approval. The maximum size for a conditional use in this situation shall be 100 animal units; and
 - (ii) there shall be a maximum animal unit threshold of 300 animal units between 2640 feet and 5280 feet of the urban policy areas in Erickson. New and expansion of existing livestock operations over 200 animal units are conditional uses. Existing livestock operations (at the date of adoption of this By-law) may expand over 300 animal units;
- (c) Designated rural residential and seasonal recreation areas illustrated on Zoning Map One have shading located on their outer periphery indicating that there are livestock buffers adjacent to the designations. The livestock requirements are as follows:
- (i) there shall be no new livestock operations located within 2000 feet of the rural residential or seasonal recreation designated policy areas. All existing livestock operations within this area (at the date of adoption of this By-law) shall be deemed to be conditional uses and expansion will require conditional approval. The maximum size for a conditional use shall be 100 animal units; and
 - (ii) there shall be a maximum animal unit threshold of 400 animal units between 2000 feet and 5280 feet. All new and expanding operations over 300 animal units shall be conditional uses. Existing livestock operations (at the date of adoption of this By-law) may expand over 400 animal units if the conditional use is approved;
- (d) Livestock operations adjacent to or near water bodies will not be allowed within:
- (i) a distance of 330 feet of the ordinary high water mark of any surface watercourse, surface water, sinkhole, spring, well and/or property boundary, nor
 - (ii) within any riparian area, nor

- (iii) any 100 year high water level or flood plain adjacent to a surface water course. This policy does not apply to existing livestock operations that are provided for under Manitoba Conservation Livestock Manure and Mortalities Management Regulations; and
- (e) No new livestock operations over 100 animal units shall be established within an 800 foot wide buffer from the high water mark and up the backshore from Ditch Lake, Otter Lake, Kerrs Lake and Sand Lake where the land is zoned “A80” and outside the buffer areas around designated urban and “RR”, “SR”, and “SRR” zoned areas. All existing livestock operations of any size are a conditional use in this buffer area.
- (f) Additional buffering will be required for the Rolling River as it is a significant regional surface watercourse with significant recreational potential and is a potable water source for downstream communities. Zoning Map One illustrates by shading that there are livestock buffer areas adjacent to this waterway. The livestock requirements are as follows:
 - (i) a minimum separation distance of 2000 feet shall be maintained between the ordinary high water mark of this river and any proposed new livestock operation. Where the 2000 foot point is located above the river valley slope, the land above the slope may be treated without this restriction for new livestock operations with (d) above and conditional use applying for 300 animal unit operations or greater size; and
 - (ii) existing livestock operation facilities that are located within these distances defined in (i) above, may be expanded subject to compliance with Manitoba Conservation Regulations, except that all expansions must be located a minimum of 330 feet from the high water mark of the river or greater distance;
- (g) Livestock operations proposed adjacent to single-family residences and designated areas, other than residences of the owner/operator of the livestock operation, shall also be subject to the requirements of TABLE IV-VII: MINIMUM SEPARATION DISTANCES FOR SITING LIVESTOCK OPERATIONS from single residences and designated areas. These separation distances shall also apply to residences located adjacent to or near existing livestock operations;

APPLICATION REQUIREMENTS

- 6.(13) (a) Where approval for a new or expanding livestock operation is required, the application shall be accompanied by, in addition to the information required by Section 8 Development Permit of PART II herein:
- (i) site plans, specifications and descriptions, for
 - the livestock housing facilities;
 - the manure storage facilities including storage and odour control; and
 - available land for application of manure.
 - (ii) a site plan showing the location of animal housing, manure storage and other related facilities and their distances from property boundaries and surface water; and

- (iii) type of existing and proposed livestock and number of Animal Units (AUs);
- (b) Council shall refer all applications for conditional use, for livestock operations involving three hundred (300) or more animal units, together with all supporting material to the Minister of Local Government for referral to the appropriate Regional Technical Review Committee for review;
- (c) Applications for livestock operation under 300 animal units shall be received by the Chief Administrative Officer (CAO) of the Municipality or the Development officer of the Planning District.
 The Officer shall review the application with respect to applicable Development Plan policy and Zoning By-law requirements. Where no manure plan is required the operation shall have access to the amount of suitable land, recommended in the Farm Practices Guidelines, per animal unit produced in order to have enough land for manure application requirements.
 Complying permitted use operations shall receive an approved Development permit.
 Operations that require conditional use approval shall be advised to apply for same. These applications shall be processed using the Planning Act and the provisions of this By-law found in PART II – ADMINISTRATION, Section 3.
 Non complying applications may mean rejection or the Development Officer may refer the application to Council and the Planning Board, depending on the issue, for a decision.
- (d) Council may require that an application for a new or expanding livestock operation within a groundwater sensitivity area, as identified in Appendix “B”, Map 3 of The South Riding Mountain Planning District Development Plan, be accompanied by, in addition to other information contained in this PART and Section 8 of PART II herein, the following information:
 - (i) an engineering and hydro-geological assessment of soils, surface and groundwater site features; and
 - (ii) a description of mitigative measures to be undertaken to minimize the risk of soil and groundwater pollution;
- (e) Council may approve a livestock operation subject to conditions as provided for in *The Planning Act*, which consist of:
 - (i) measures to ensure conformity with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-laws;
 - (ii) one or both of the following measures intended to reduce odours from the livestock operation:
 - requiring covers on manure storage facilities, and
 - requiring shelterbelts to be established;
 - (iii) requiring the owner of the affected property to enter into a development agreement dealing with the affected property and any contiguous land owned or leased by the owner, on one or more of the following matters:
 - the timing of construction of any proposed building,
 - the control of traffic,

- the construction or maintenance – at the owner’s expense or partly at the owner’s expense, of roads, traffic control devices, fencing, landscaping, shelterbelts or site drainage works required to service the livestock operation, and
 - the payment of a sum of money to the planning district or municipality to be used to construct anything mentioned in item (iii) above pertaining to construction or maintenance; and
- (iv) measures to implement recommendations made by the Technical Review Committee.

SMALL-SCALE AND NON-FARM RESIDENTIAL ACCESSORY LIVESTOCK FACILITIES

6. (14) (a) The animal confinement facilities, housing 9 or less animal units capacity, and any associated manure storage facilities shall be set back a distance of three hundred (300) feet from the designated urban community of Erickson, any designated rural residential and seasonal recreation areas and three hundred (300) feet from any dwelling, other than the dwelling of the operator on the same site.
- (b) The farm or non-farm residential site area, upon which the confinement facilities are found, is not less than five (5) acres in size, and require two (2) acres of land for each 0.75 animal unit capacity as determined by TABLE IV-VI, to a maximum of 9 animal unit.
- (c) Small amounts of livestock may be kept for only non-commercial purposes in Rural Residential

Designated Areas as provided for in TABLE IV-III of this PART.

PROXIMITY OF STATIONARY ANHYDROUS AMMONIA STORAGE TANKS TO AREAS DESIGNATED FOR RESIDENTIAL DEVELOPMENT

6. (15) A stationary anhydrous ammonia storage tank with a storage capacity exceeding two thousand (2000) imperial gallons shall not be located within two thousand six hundred and forty (2640) feet of an urban zone, a Rural Residential or Seasonal Recreation Zones or within five hundred (500) feet of a single dwelling site unless a reduced separation is recommended by the Provincial Government.

STORAGE OF ANHYDROUS AMMONIA AND OTHER HAZARDOUS CHEMICALS IN COMMERCIAL ESTABLISHMENTS

6. (16) Notwithstanding anything in this PART, there shall be no storage of Anhydrous Ammonia or other hazardous chemicals in any required front, side or rear yard unless approved by the authority having jurisdiction.

PROXIMITY OF WASTE DISPOSAL GROUNDS AND SEWAGE LAGOONS TO SINGLE DWELLING SITES AND DESIGNATED AREA ZONES

6. (17) Parcels of land containing waste disposal ground and sewage lagoons shall not be located within one thousand three hundred and twenty (1320) feet or one thousand five hundred

(1500) feet respectively of a dwelling site, an urban zone, a Rural Residential Zone, a General Seasonal Recreation Zone, or a Seasonal Recreation Residential Zone unless recommended by the Provincial Government.

PROXIMITY OF AIR LANDING STRIPS TO BUILDINGS AND STRUCTURES AND OTHER DESIGNATED AREA ZONES

- 6.(18) All approved air landing strips when being located in close proximity to buildings or structures or zoned urban, rural residential or seasonal recreational lands, whether on the same property or adjoining property, shall be governed by the recommended Federal (Transport Canada) regulations or recommended guidelines. This requirement is reciprocal when locating buildings or structures and these designated area zones with respect to air landing strips.

COMMERCIAL RESORT, AND CONFERENCE CENTRE DEVELOPMENT PROVISIONS

- 6.(19) (a) Where the proposed development consists of a number of single cottage dwellings on the site, each served by individual septic fields, each dwelling shall be on a minimum space area of two (2) acres. Yards must provide suitable aesthetics and privacy such as cottage dwelling sites have in the Seasonal Recreation Zone. Where Provincially approved holding tanks or low pressure piped sewage systems, or Provincially approved biological sewage systems or where a Provincially approved Municipal piped sewage system servicing the entire development is being proposed, the space area required for each dwelling location may be reduced, as permitted by the Provincial Environmental Officer, to a minimum of fifteen thousand (15000) square feet;
- (b) Where the proposed development consists of one or more buildings, each served by individual septic fields, with each building containing two, three, or four dwelling units (maximum 4 dwelling units), each building with two dwelling units shall be located on a minimum space area of two (2) acres, plus twenty thousand (20,000) square feet of additional space area for each additional dwelling unit contained within the building. Yards must provide suitable aesthetics and privacy. Where Provincially approved holding tanks, or low pressure sewage systems, or Provincially approved biological sewage systems or where a Provincially approved Municipal piped sewage system servicing the entire development is being proposed, the space area required for the location of each building may be reduced, as permitted by the Provincial Environmental Officer, to a minimum of twenty thousand (20,000) square feet for a building with two dwelling units and an additional five thousand (5000) square feet for each additional dwelling unit contained in the building; and
- (c) The development shall be treated as a Planned Unit Development in order to allow flexibility in design. In all cases, the overall site area shall be as required in the Bulk Table.

SIGN REGULATIONS

6. (20) The regulations of this section are intended and designed to establish a minimum control of signs. Such control is deemed essential to promote the health, safety, and general welfare

by reducing hazards to pedestrian and vehicular traffic, and by preventing unsightly and detrimental development having a blighting influence upon residential, recreational, agricultural and other uses.

- (a) (i) The following signs shall be allowed in the "A80" General Agricultural Zone:
 - identification signs;
 - business signs;
 - bulletin board signs; and
 - advertising signs, as conditional use.
- (ii) All signs shall not exceed sixty-four (64) square feet in sign surface area;
- (b) (i) The following signs shall be permitted in the Rural Residential Zone, the General Seasonal Recreation Zone and the Seasonal Recreation Residential Zone: identification signs, non-illuminated; business signs, non-illuminated; bulletin board signs;
- (ii) Signs shall not exceed twenty (20) square feet in sign surface area; and
- (iii) Advertising signs shall not be permitted in these zones.
- (c) All signs shall be permitted in the Highway Commercial Zone except advertising signs which shall be a conditional use. No sign shall exceed a maximum of sixty-four (64) square feet in sign surface area.
- (d) All free standing signs shall be located fifty (50) feet or as varied from any site line fronting on a municipal road except identification signs and all signs in the General Seasonal Recreation Zone and the Seasonal Recreation Residential Zone where they shall be five (5) feet from all site lines. All signs shall be set back from Provincial Roads and Highways as required by the Province.
- (e) No sign or sign structures shall be erected at any location where it may interfere with, obstruct the view of any street, street intersection or railway grade crossing or be confused with any authorized traffic sign, signal or device.
- (f) No rotating beam or flashing signs shall be permitted in any zone without the approval of the Council. In any event, these signs shall not be permitted within one hundred (100) feet of any residential zone.
- (g) All signs and sign structures shall be kept in repair and in proper state of preservation. Signs which have become obsolete because of discontinuance of the business, service or activity shall be removed or relocated within thirty (30) days following such condition.
- (h) It shall be unlawful to erect or maintain any sign on, over or above any land or right-of-way belonging to the Municipality unless such right, in the case of land other than

right-of-way, is established by agreement with the Municipality, and all signs shall adhere to all the setback requirements of the zone in which they are located.

- (i) Flags, political, civic, educational, religious, temporary, traffic signs, and real estate signs are permitted in the Rural Zones.

PARKING

- 6. (21) The following requirements apply only in the Rural Residential Zone, the General Seasonal Recreation Zone and the Seasonal Recreation Residential Zone:
 - (a) For residential use, there shall be one (1) parking space per dwelling unit or mobile home located on the same zoning site, or mobile home space; and
 - (b) For non-residential uses, the number of parking spaces for employees, visitors and customers may be determined by the Council.

LOCATION OF AUTOMOBILE WRECKING ESTABLISHMENTS

- 6. (22) An automobile wrecking establishment shall not be located within one-half (0.5) mile of a Provincial Trunk Highway or one (1) mile of an Urban area, Seasonal Recreation Zones or Rural Residential Zone.

STORAGE OF DERELICT VEHICLES

- 6. (23)
 - (i) Subject to clause (ii), there shall be no storage of derelict automobiles, parts, other machinery, or products in any required front, side or rear yard within a rural zone, except in a waste disposal ground or an automobile wrecking establishment.
 - (ii) Where there is storage of derelict automobile parts and other machinery outside of a building, a continuous compact hedge or continuous row of evergreen trees expected to attain a height of not less than six (6) feet, or a six (6) foot high fence or berm shall be provided and maintained along the periphery of the storage area in a manner that conceals the stored materials from any public street or road or an adjacent land use.

CAMPGROUND PROVISIONS

- 6. (24) All site plans and operational plans, including allowance of accessory structures, for campgrounds must be submitted to Council for their consideration and approval prior to the issuance of a Development Permit. As a guide, where approved piped or campground owned holding tank sewage disposal and piped water supplies are provided on individual camping spaces, the space area, yards, perimeter buffers, roads and space service and hook-ups requirements of the camping space shall be similar to those of Mobile Home Parks found in TABLE IV-IV and Section 7 of this PART IV. Besides this, all Provincial requirements for public washrooms and other public facilities must be met. These requirements shall apply as well in more primitive campgrounds, especially the Provincial requirement for public washroom facilities of an approved amount and size and trailer dump stations. The camping spaces may be smaller, to a recommended

minimum of 3500 square feet and 40 feet of frontage if on-site sewage facilities are not provided or allowed other than portable built-in facilities in the recreation vehicle.

HOME-BASED BUSINESSES

6. (25) A home-based business is an accessory use which is carried on for financial gain by an occupant of a dwelling, and which shall be incidental or secondary to the principle residential use, subject to the following requirements:
- (a) the business activity shall be conducted either in the dwelling, within an accessory building, or, in the case of the agricultural zone, elsewhere on the same site, subject to the provisions of this By-law;
 - (b) the business activity shall be conducted by a person or persons residing in the dwelling, and person(s) employed or otherwise engaged on the same site as the business, who do not reside in the dwelling, may not exceed 1 in the “RR” Rural Residential Zone and 5 in the “A80” General Agriculture Zone;
 - (c) there shall be no exterior processing or storage in the “RR” Zone. In the “A80” Zone the location of all exterior processing and storage facilities within 350 feet of a property boundary shall be subject to Council approval;
 - (d) in the “RR” Zone, a maximum of 300 square feet of floor area may be devoted to the business activity;
 - (e) in the “A80” Zone, a maximum of 1000 square feet of floor area may be devoted to a business or a maximum of 4000 square feet in a machinery storage building;
 - (f) one business sign, either free standing or affixed to the wall of the principle or accessory building, is permitted, not exceeding 20 square feet in the “RR” Zone or 32 square feet in the “A80” Zone; and
 - (g) the business activity shall not generate undue traffic or congestion, adversely affect existing municipal infrastructure, adversely affect the amenity and convenience of the surrounding area, or create a nuisance. In the “RR” Zone, the residential character of the property shall be maintained.

CONDOMINIUM SUBDIVISION OF LAND

6. (26) Notwithstanding anything herein contained and with reference to the General Seasonal Recreation Zone, and the Seasonal Recreation Residential Zone, the following bulk regulations shall apply:
- (i) Existing bare land unit developments as described in the Condominium Act of the Province of Manitoba, and any existing structure situated on any such unit shall be deemed to comply with the bulk requirements of the General Seasonal Recreation Zone and Season Recreation Residential Zone;
 - (ii) For the purpose of the General Seasonal Recreation Zone and Seasonal Recreation Residential Zone, a bare land unit title is a zoning site; and

RURAL ZONES

- (iii) New development, any structural alteration or any replacement to any existing structure shall conform to all respects to the bulk regulations (including site area and yards) as set out in TABLE IV- IV of this PART or as varied.

ONLY ONE MAIN BUILDING OR USE ON A SITE

- 6. (27) There shall be only one main building and one main use on a site except herein otherwise stated. For purposes of yard regulations, the following dwellings with common party walls shall be considered as one building occupying one site: semi-detached duplex, triplex, four-plex, row or town houses, apartment block and condominium.

NUMBER OF SINGLE-FAMILY DWELLINGS AND COTTAGES PER PARCEL OR CONDO UNITS OF LAND

- 6. (28) There shall be only one single-family dwelling or cottage per parcel or condo unit which meets all zoning site requirements or as varied except for the exceptions provided in this By-law, including the infill of existing leased lots (at this By-law adoption), dwellings for farmers or their staff on the farm, within or adjacent to the farm yard, mobile homes in a mobile home park, and guest cabins located within an approved commercial resort.

MULTIPLE USES

- 6. (29) Where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be satisfied. Where there is conflict such as in the case of site area and site frontage, the higher or more stringent requirement shall prevail. In some cases, as determined by Council, the site area requirement may equal the sum of site area requirements for all uses.

WIND TURBINE GENERATOR STATION DEVELOPMENT PROVISIONS

- 6. (30) In addition to the other requirements in this Zoning By-law found in TABLES IV-I and IV-II, the following provisions shall apply to the development of Wind Turbine Generator Stations (WTGS) as conditional uses on sites within the “A80” Zone. Agricultural land uses may co-exist with (WTGS) on these parcels.
 - (a) A conditional use application to establish one or more wind turbine generator station(s) (WTGS) may include one or more turbine(s) on a parcel of land or a network of turbines and associated structures located on different parcels of land at different locations in the municipality respectively, provided that all structures will be operated by the same corporate entity. For the purposes of this By-law, an application involving more than one parcel of land and (WTGS) shall be processed as one application, with the provision that a separate conditional approval shall be issued for each separate parcel of land and/or (WTGS).

- (b) Proponents of a wind turbine generator station (WTGS) shall submit, to the Development Officer a detailed site plan showing the location of all wind turbines, electrical lines (above or below ground), on-site roads and driveways providing access to the public road system as part of the conditional use application. Proposals for additional infrastructure will require additional conditional use approval.
- (c) Proponents of a (WTGS) are responsible for obtaining any required Federal and/or Provincial permits or approvals from agencies such as but not limited to Transport Canada, NAV Canada, Manitoba Hydro, Manitoba Infrastructure and Transportation and Manitoba Conservation, prior to the issuance of a development permit.
- (d) When locating a proposed wind turbine in the vicinity of any registered or certified airport all Transport Canada regulations or recommendations for certified airports regarding height and location of surrounding buildings and structures shall be followed.
- (e) A development permit shall be obtained prior to the commencement of construction.
- (f) The colour scheme of a commercial wind turbine and associated signage affixed to the structure shall be subject to the approval of Council. Any illumination of the facility shall be arranged so that it does not create glare at any nearby property or public roadway. Both of these items must be dealt with in a manner consistent with any applicable Federal Government regulations.
- (g) All private single wind turbine systems located on the same site and in direct support of either a permitted or conditionally approved single private agricultural activity or private residential activity shall be treated as an accessory structure. This structure shall be set back from the property line a minimum distance equal to its total height, measured from the ground to the extent of its rotors.
- (h) The WTGS facility shall be separated by a distance of two thousand six hundred and forty (2640) from any designated Wildlife Management Area or Provincial Park.

LOCATION OF GAME FARMS

- 6. (31) Game farms used for the production of elk, moose or buffalo for commercial meat shall not locate within three (3) miles of the Southern Boundary of Riding Mountain National Park.

EXISTING COTTAGE LEASES

- 6. (32) Notwithstanding anything herein contained and with reference to the General Seasonal Recreation Zone only, the following bulk regulations shall apply:
 - (i) existing leased cottage spaces proposed for conversion to cottage zoning sites, as of the time of this amendment, and existing structures situated

on any such leased lot shall be deemed to comply with the bulk site requirements of the General Seasonal Recreation Zone;

- (ii) new buildings, any structural alteration or any replacement to any existing structure shall conform to the bulk yard regulations as set out in TABLE IV – IV of this PART or as varied; and
- (iii) where these leased spaces are less than fifteen thousand (15,000) square feet in area and are proposed to be subdivided into lots, a holding tank or other suitable approved sewage disposal system designed for small sites shall be installed immediately as a condition of subdivision approval.

MOBILE HOME PARK DEVELOPMENT PROVISIONS

- 7. In addition to the preceding bulk requirements, the following requirements shall apply to mobile home parks and their accessory buildings and structures in the General Seasonal Recreation Zone.

MOBILE HOME PARK

- 7. (1) A mobile home park shall contain a minimum of five (5) mobile home spaces and shall have a minimum site width of three hundred (300) feet.

BUFFER AREA

- 7. (2) A buffer area at least twenty (20) feet in width shall be provided within and adjacent to the perimeter of the mobile home park property.

DEVELOPMENT OF THE BUFFER AREA

- 7. (3) (a) The buffer area provided in subsection (2) above shall be developed as an area suitably landscaped with trees, shrubs, grass and similar horticultural features as shown on the site plans submitted pursuant to subsection (12) of this section;
- (b) The buffer area may be crossed by an access right-of-way a minimum of fifty (50) feet in width containing a concrete, gravel, or asphalt driveway from a street to the internal roadway system; and
- (c) The buffer area shall contain no use other than those permitted by clauses (a) and (b) above.

LOCATION OF STORAGE COMPOUND

- 7. (4) A storage compound shall not be located within the buffer area provided but shall be located according to the site plan approved by the Council.

MOBILE HOME PARK OR SUBDIVISION INTERNAL ROADWAY SYSTEM

- 7. (5) Internal roadways within a mobile home park shall be as follows:

- (a) The internal roadway system shall have a right-of-way a minimum of fifty (50) feet in width; and
- (b) The internal roadway system shall have a concrete or asphalt or gravel driveway a minimum of twenty-five (25) feet in width.

NUMBER OF MOBILE HOMES

- 7. (6) There shall not be more than one mobile home located on a mobile home space in a mobile home park.

DISTANCE FROM STORAGE COMPOUND, COMMON PARKING, SERVICE BUILDING

- 7. (7) A mobile home shall be located a minimum distance of twelve (12) feet away from a common storage compound or a common parking area and twenty (20) feet from a service building in a mobile home park.

REQUIRED SERVICES FOR MOBILE HOME SPACE

- 7. (8) A mobile home space shall be provided with the following:
 - (a) a Provincially approved sewage system;
 - (b) an approved potable water supply that is satisfactory to Council and the Province;
 - (c) an electrical service outlet; and
 - (d) an adequate base support for the mobile home.

REQUIRED SERVICES FOR MOBILE HOME PARK

- 7. (9) A mobile home park shall be provided with:
 - (a) an adequate street lighting system, satisfactory to Council; and
 - (b) any other services that Council considers necessary for the public health and safety.

LOCATION OF ACCESSORY BUILDINGS

- 7. (10) Notwithstanding anything herein provided, no detached accessory building or structure shall be located within (6) feet a mobile home, on the same site or (8) feet of a mobile home on an adjoining space, clear of all projections. Detached accessory buildings or structures shall be located only in the rear yard.

ACCESSORY STRUCTURES AND BUILDINGS

7. (11) All accessory structures and buildings such as porches, additions, carports, skirting and storage facilities shall be painted or pre-finished and maintained so that the design, construction and maintenance, in the opinion of the Council, will compliment the main structure.

SITE PLANS – REQUIREMENTS

7. (12) Mobile Home Park plans submitted to Council for approval shall be drawn to scale and fully dimensioned indicating landscaping, access roads, mobile home spaces, buffers, common storage compounds, parking and recreation areas, retention and drainage of surface water and shall include space dimensions and such other information as may be necessary to determine conformance with this By-law.

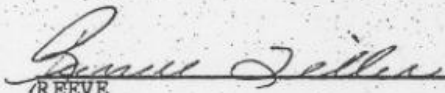
MOBILE HOME STANDARDS

7. (13) All mobile homes, travel trailers or recreation vehicles must meet all structural standards pertaining to the structure including The Buildings and Mobile Homes Act, Chapter B93, S.M. 1977.

APPENDIX "A" ZONING MAP of By-Law No. 1313-86

RURAL MUNICIPALITY OF CLANWILLIAM

DONE AND PASSED in Council duly assembled at the R.M. of Clanwilliam
Municipal Office, Erickson, Manitoba, this 14th day of JANUARY A.D. 1987


REEVE


SECRETARY-TREASURER

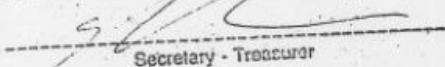
July 9

Received First Reading on this 9th day of JULY A.D. 1986.

^{SEPT 10}
Received Second Reading on this 10th day of SEPTEMBER A.D. 1986.

Received Third Reading on this 14th day of JANUARY A.D. 1987.

CERTIFIED A TRUE AND CORRECT COPY OF
BY-LAW/RESOLUTION No. 1313/86 OF
THE RURAL MUNICIPALITY OF CLANWILLIAM


Secretary - Treasurer