SCHEDULE “A”

ATTACHED TO BY-LAW NO.6-26

Rural Municipality of Stanley
Zoning By-law No. 6-26

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PART A: ADMINISTRATION

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Section 1: Introduction

1.1 TITLE

1.1.1 This by-law shall be known as the Rural Municipality (RM) of Stanley Zoning By-law (By-law).

1.2 PURPOSE

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

a. Ensure general conformance with the objectives and policies of the MSTW Planning District Development Plan (Development Plan) and any Secondary Plan.

b. Outline the powers and duties of RM of Stanley Council (Council), the MSTW Planning District Planning Board (Board), the Designated Officer and the landowner and/or developer as they relate to this By-law.

c. Regulate the following:

(i) all buildings and structures erected hereafter;

(ii) all uses or changes in use of all buildings, structures and land established hereafter;

(iii) all structural alterations or relocations of existing buildings and structures occurring hereafter; and

(iv) all enlargements or additions to existing buildings, structures and uses.

1.3 SEVERABILITY

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

1.4 CONTENTS OF THIS BY-LAW

1.4.1 The By-law is made up of four parts:

a. *Part A* is the Administrative part of the By-law and explains how to use the By-law. This part also provides a list of definitions to assist with interpretation of the By-law.

b. *Part B* describes the Development Standards. The first subsection includes General Standards that apply to ALL development in the Municipality. The second subsection lists Specific Standards for the different kinds of development in Stanley.

c. *Part C* defines the Zoning Districts and the specific regulations for each of the Zoning Districts within the Municipality.

d. *Part D* illustrates on maps how the land is divided in the RM of Stanley.

1.5 OTHER LEGISLATION

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

Section 2: Administration

2.1 THE DEVELOPMENT OFFICER

2.1.1 The Designated Officer shall be appointed by Council as the person responsible for the administration of this By-law.

2.1.2 The Designated Officer shall be responsible for issuing permits, providing notice of decisions, issuing zoning memoranda, and decision-making power for minor variance in accordance with the provisions of *The Act*.

2.2 DEVELOPMENT PERMITS

2.2.1 Every person shall apply for a Development Permit before commencing any development within the Municipality, except those uses listed in Subsection 2.4.

2.2.2 Council may require the applicant apply for a Development Permit for the demolition of a dwelling or water well to fill, grade, fence or follow other special conditions imposed for public and environmental safety.

2.2.3 All permits shall expire one year from the date of issuance. If requested by the applicant prior to the date of expiry, the Designated Officer may extend the date of expiry by no more than one additional year from the original date of issuance.

2.2.4 The applicant shall obtain all required approvals from Manitoba Transportation and Infrastructure respecting highway access, drainage, signage and development within any controlled area prior to the commencement of development.

2.3 DEVELOPMENT PERMIT APPLICATIONS

2.3.1 An application shall not be considered to have been received and ready for review until the applicant has submitted all information on the permit application and all required information pursuant to this By-law, to the satisfaction of the Designated Officer, and paid the appropriate fee.

2.3.2 The Designated Officer may require an applicant to submit such additional information considered necessary to verify the compliance of the proposed use or development with the regulations of this By-law.

2.3.3 The following information may be required to be submitted with an application for a Development Permit, and the appropriate application form fully and accurately completed to the satisfaction of the Designated Officer:

a. A written statement and other supportive material explaining the proposed development;
b. The municipal address of land and buildings presently occupying the site, if any;
c. A Status of Title;
d. A legal description of the land on which the proposed development is to occur, by lot, block, subdivision and registered plan numbers;
e. The applicant's name, address and interest in the land and if the applicant is not the landowner, a letter from the landowner authorizing the applicant to apply for a Development Permit;
f. Description of the work to be performed with respect to:
    (i) changes in current occupancy of land use; and
    (ii) description of proposed development or building operations;
g. Identification of the scale of the development with respect to:

(i) gross floor area of the development in square metres (m^2);

(ii) area of the site covered in m^2;

(iii) the number of dwellings or commercial/industrial establishments, or other purposes;

(iv) the number of parking and loading spaces required and/or provided;

(v) height of the structure in metres (m.); and

(vi) number of floors or storeys.

h. The estimated value, in dollars, of the proposed work;

i. A site plan, showing the following:

(i) a directional true north arrow with the north point located in such a manner that the true north is in the upper position of the drawings;

(ii) setbacks and yard dimensions;

(iii) the location of all buildings or structures in relation to property lines;

(iv) dimensioned layout of existing and proposed parking areas, driveways, entrances and exits, abutting public roadways, median breaks and auxiliary lanes;

(v) the location of sidewalks and walkways, where applicable, parking, loading, storage, outdoor service and display areas; and

(vi) the location of fences, screening, retaining walls, trees, landscaping, and other physical features both existing and proposed in the site and adjoining boulevard, if any.

j. Floor plans indicating all uses or occupancies, storage and garbage holding areas;

k. Elevation drawings, including sections and the bulk of buildings

l. A staking certificate showing proposed structures in relation to property lines when in the opinion of the designated officer there is uncertainty as to the accuracy of the proposed building in relation to the property lines, or in lieu of the staking certificate, the applicant may provide a building location certificate showing current buildings, proposed location of the new building with a statutory declaration that no physical changes have taken place on the property since the certificate was prepared;

m. A description of the proposed water supply and wastewater management systems; and

n. A description of the proposed site access plans, drainage and flood prevention plans.

2.3.4 A Development Permit for a conditional use shall include a plan showing the location of adjacent buildings and structures indicating the approximate height and number of storeys.

2.3.5 Unless exempted by Subsection 2.4 below, all development for a temporary use shall require a Development Permit and the following information:

a. Applicants shall state the temporary nature of the use in a Letter of Intent submitted with their Development Application; and

b. The Designated Officer and/or Council shall determine the time limits necessary to confirm the temporary nature of the proposed use as well as any conditions required to satisfy the requirements of this and other by-laws.

2.3.6 Should approval of the development permit require an agreement be entered into with the RM of Stanley, said agreement is to be registered by caveat against the title.

2.3.7 In addition to the requirements outlined in Subsection 2.3,3, development applications for sites in the Hospitality and Wellness (HW) District may be required to include the following:

(i) A plan for pedestrian friendly amenities;

(ii) A detailed landscape plan, prepared by qualified professional;

(iii) Connections via sidewalks or pathways to the multi-use pathway where required;

(iv) Public and/or amenity spaces in front yards, relating to the pathway where present or planned;

(v) A description and/or illustration of how the proposed development integrates into the overall Stanley Corridor and relates to adjacent properties; and

(vi) Contribution to active frontages with windows and building entrances facing the roadway with pedestrian connections from the front entrance to any public pathways.

2.4 DEVELOPMENT NOT REQUIRING A PERMIT

2.4.1 A Development Permit is not required for the following developments provided that the proposed development complies with all applicable regulations of this By-law**:**

a. Altering, maintaining or repairing any building or structure, provided that the work does not include structural alterations or does not result in an increase in the number of dwelling units;

b. Installation of private driveways, roads, utilities, and private wells;

c. The maintenance and repair of public works, services or utilities carried out by or on behalf of federal, provincial or municipal authorities;

d. Railways, pipelines, irrigation ditches, conduit flumes and utility lines not integral to an approved development except where the line will cross or lie within the limits of a public road;

e. Temporary use of a building for election or census purposes;

f. Construction or maintenance of gates, fences, walls, privacy screens or other means of enclosure less than 1.0 m. (3.2808 feet (ft.)) in height in front yards and less than 2.0 m. (6.5618 ft.) in height in the side and rear yards, except where corner lot restrictions apply;

g. The temporary installation or use of machinery, structures or buildings such as a construction trailer, the sole purpose of which is incidental to the erection of a building for which a Development Permit has been granted, provided the temporary building is removed within 30 days of substantial completion or as determined by the Designated Officer;

h. Demolition of a building or structure where a Development Permit has been issued for a new development on the same site, and the demolition of the existing building or structure is implicit in that permit;

i. Construction or installation of an Accessory Building that:

(i) does not exceed 10 m^2 (107 square feet (ft^2)) in area; or

(ii) that does not exceed 4.5 m. (15 ft.) or one storey in height; or

(iii) is not deemed a hazard or detriment to the municipality.

j. Landscaping where the where the existing grade and natural surface drainage pattern is not materially altered;

k. Stripping, site grading or excavation that is part of a development for which a Development Permit has been issued;

l. Placement of any portable structures, machinery or other objects on private property including temporary concrete or asphalt batch plants:

(i) outside an area measured 30 m. (100 ft.) from the centre line of any road allowance; or

(ii) outside an area measured 90 m. (300 ft.) in any direction from the intersection of two or more road allowances.

m. Ground level (less than .61 m. (2 ft.) in height) deck, patio, ramps, outdoor ice rink, or similar located in a rear or side yard in any District; and

n. Certain incidental signs as described in Subsection 6.14.

2.4.2 While a permit may not be required by the Municipality for 2.4.2, permits may be required by Manitoba Transportation and Infrastructure.

2.5 SUSPENSION OR REVOCATION OF THE DEVELOPMENT PERMIT

2.5.1 The Designated Officer may suspend or revoke a development permit where:

a. The applicant fails to comply with the conditions of issuance of a permit;
b. Any person undertakes or causes or permits any development on a site contrary to the terms or conditions of a permit;
c. The development has not been established or partially established as determined by the one year after issuance of the permit;
d. The permit was issued in error;
e. The permit was issued on the basis of incorrect information;
f. Any contravention of the RM of Stanley Building By-law.

2.5.2 Any person who undertakes, causes, or permits any development onsite without a permit, or after a permit has been suspended or revoked, shall discontinue such development forthwith upon notice in writing issued by the Designated Officer so requiring, and shall not resume such development unless a permit has been issued or the permit reinstated.

2.5.3 Any person that contravenes the RM of Stanley Building By-law is liable for the penalties as per The Building By-law,

2.6 SPECIAL INFORMATION REQUIRED FOR SENSITIVE LANDS (SOIL AND STABILITY)

2.6.1 When an application for a Development Permit is submitted to the Designated Officer for the development of a site abutting a water course or Municipal drain, the Designated Officer may require, in consultation with a Certified Professional Engineer licenced to practice in Manitoba, information regarding the existing and proposed grades at 0.50 m. (1.64 ft.) contour intervals. The final grades shall be to the satisfaction of the Designated Officer..

2.6.2 Despite anything contained herein, the Designated Officer may require a detailed engineering study of the soil conditions prepared by a Certified Professional Engineer licenced to practice in Manitoba prior to the issuance of a Development Permit or the construction of any development abutting a water course or municipal drain.

2.6.3 The Designated Officer may require the submission of a detailed engineering study to satisfy requirements of this By-law prior to the issuance of a Development Permit at any location within the Municipality that in the opinion of the Designated Officer has unstable soil conditions.

2.6.4 The Designated Officer, having required a detailed engineering study of the soil conditions may, acting on the advice of the Certified Professional Engineer of Manitoba, apply conditions to the approval of the Development Permit to prevent erosion, stabilize soil conditions and ensure proper land drainage.

2.6.5 Environmentally sensitive lands may include land near a landfill, sewage lagoon, railway line, major transmission pipelines or power lines, public wells, river or stream flood plains, heritage resources or human resources, unstable slopes, surface water bodies, or any other natural or human-made features that may potentially influence the establishment of new development in close proximity.

2.6.6 Council may require the applicant to submit topographic or other information to aid in the evaluation of development applications where a proposed development or any required access driveway is located within a potentially environmentally sensitive area, as determined by the Designated Officer.

2.6.7 Where the studies required under the authority of this subsection show that a proposed new use and any required access driveway are suitable to be allowed within an environmentally sensitive area, Council, or their Designated Officer, may either:

a. Approve the permit for the proposed use and access; or

b. Attach special conditions to the permit for that use or access.

2.6.8 Where the studies required under the authority of this subsection, show that a proposed new use and any required access driveway are not suitable to be allowed within an environmentally sensitive area, Council, or their Designated Officer, shall refuse the permit. Council shall also refuse a permit for any development for which, in Council's opinion:

a. Any proposed remedial actions are inadequate to address the possible adverse effects of the proposed new use and access; or

b. May result in excessive costs for the municipality, or land use conflict with surrounding landowners.

2.7 CONDITIONAL USES

2.7.1 An owner or their agent may file an application to use land for a use listed as a conditional use in this By-law.

2.7.2 An application for conditional use shall be filed with the Designated Officer and accompanied by such information and fees as determined by Council.

2.7.3 The following criteria must be considered in the review of conditional use applications:

a. The proposal must be in conformance with all relevant sections of the Development Plan, any Secondary Plan and this By-law;

b. The proposed development must be compatible with the general nature of the surrounding area;

c. The proposal must be capable of being economically serviced including roadways, water and sewer services, and other supportive utilities and community facilities;

d. The proposal must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity, and

e. The proposed use does not create a substantial adverse effect on the amenities, use, safety, and convenience of the adjoining property and adjacent area, including an area separated from the property by a street or waterway.

2.7.4 The approval of a conditional use by Council in accordance with the provisions of *The Act* shall expire and cease to have any effect if it is not acted upon within one year of the date of the decision. Council may extend this deadline for an additional period of twelve (12) months if an application is received before the initial deadline and for a second period of twelve (12) months if the application is received before the expiry of the first extension.

2.7.5 Where an existing use listed as permitted or conditional under a previous zoning by-law, and amendments thereto, is listed as conditional under this By-law, it shall be considered a legally existing conditional use and be subject to all applicable regulations of this By-law and any applicable provisions of *The Act*.

2.7.6 Where an existing use, including a livestock operation, no longer conforms to the Zoning By-law and has been inactive for twelve (12) months, the use can only re-establish in conformity with this Zoning By-law.

2.7.7 If an existing use, including a livestock operation, was previously granted conditional use approval under a former zoning by-law but no longer conforms to this By-law, and becomes inactive for twelve (12) consecutive months, the land must not be used after that time except in conformity with this By-law.

2.7.8 Should the applicant fail to comply with conditions outlined in the Order, Council may review the Order and determine if they will revoke the approval. If Council wishes to modify the conditions, a new hearing must be held and advertised as per *The Planning Act* notification requirements.

2.7.9 In addition to the notice provisions in *The Act*, prior to any hearing of an application for a conditional use permit to establish or expand a dwelling unit not within a designated residential area and within 3000 m (1.86 miles) of a livestock operation, each livestock operation shall be sent notice of the hearing by regular mail.

2.8 VARIANCES

2.8.1 Any person who is of the opinion that this By-law injuriously or adversely affects them or their property rights, may at any time apply for a variance order, in accordance with the provisions *of The Planning Act.*

2.8.2 An application for a variance order shall be filed with the Designated Officer and accompanied by such information and fees as determined by Council.

2.8.3 Subject to Sections 94 and 102 of *The Act*, Council may vary the requirements of this By-law if the variance:

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

2.8.4 The Designated Officer may approve the following minor variances if deemed necessary to accommodate development:

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

2.8.5 Agricultural parcels that are below the stated 80 acres and are above 50 acres prior to subdivision, may be reduced by up to 15% of the original area upon approval by the Designated Officer without the need to obtain a variance, where being subdivided pursuant to MSTW Development Plan Policy 9.3.6.

2.8.6 An application for a variance order shall be processed and approved or rejected in accordance with the provisions of *The Planning Act*. As a condition of approval, Council may require that the owner/applicant enter into a Development Agreement with the municipality.

2.8.7 The approval of Council shall expire and cease to have any effect if it is not acted upon within 12 months of the date of the decision, unless it is renewed. Council may extend this deadline for an additional period of twelve (12) months if an application is received before the expiry of the first extension.

2.8.8 Should the applicant fail to comply with conditions outlined in the Order, Council may review the Order and determine if they will revoke the approval. If Council wishes to modify the conditions, a new hearing must be held and advertised as per *The Planning Act* notification requirements.

2.9 ZONING BY-LAW AMENDMENTS

2.9.1 Subject to the procedures outlines in *The Act*, an amendment to this By-law may be initiated by resolution of Council, or by application to the Designated Officer by the owner of a subject site, or by another party, acting on behalf of the owner, with written consent of the owner.

2.9.2 An application for an amendment shall be accompanied by:

a. The completed application form which many require a Concept Plan as determined by Council;
b. A signed statement by the applicant acknowledging all costs incurred by the RM of Stanley in processing the proposed amendment, whether adopted or not, shall be the responsibility of the applicant;
c. The appropriate fee; and
d. A Status of Title may be required which has been issued no later than 30 days prior to the receipt of the amendment application by the Designated Officer.

2.10 SUBDIVISIONS

2.10.1 Subject to Subsections 2.10.2 and 2.10.3of this By-law, no parcel of land shall hereafter be divided into sites unless each site conforms to the regulations of the Zoning District in which the site is located.

2.10.3 2.10.2 Council may, as provided for in *The Act*, vary the regulations as they apply to an individual site, subject to complying with the objectives and policies of the Development Plan, any Secondary Plan or other Council policies or Concept Plan. An existing undersized lot may be increased in area and/or frontage and still remain an existing undersized lot, provided all other relevant requirements are maintained and in compliance with the Development Plan. An application for subdivision shall be processed and approved or rejected in accordance with the provisions of *The Planning Act*. As a condition of approval, Council may require that the owner/applicant enter into a Development Agreement with the municipality.

2.11 DEVELOPMENT AGREEMENTS

2.11.1 As a condition of amending this By-law, subdividing land, making a variance, or approving a conditional use, Council may require the applicant to enter into a development agreement in respect of the affected property and any contiguous land owned or leased by the owner dealing with one or more of the following matters:

a. The use of the land and any existing or proposed buildings;
b. The timing of construction of any proposed building;
c. The siting and design, including exterior materials, or any proposed building or structure;
d. The provision of affordable housing in accordance with the provisions of Section 150.1 of *The Act*;
e. Parking;
f. Landscaping;
g. The construction or maintenance of services and utilities including, but not limited to, sewer and water, waste removal, drainage, public right-of-ways, lighting, pedestrian and active transportation, and access to existing services;

h. Payment in lieu of any requirements listed in clause (g); and/or

i. The dedication of land or payment in lieu thereof in accordance with Section 135.6 of *The Act*.

2.12 NON-CONFORMING USES

2.12.1 A non-conforming use, building, structure or sign which lawfully existed prior to the effective date of this by-law but does not conform after the effective date of this by-law is deemed a legal non-conforming use

2.12.2 No use that lawfully exists on the effective date of this By-law is non-conforming solely because,

a. When it was established, no conditional use approval was required and, under this By-law, a conditional use approval is now required;

b. It exists with less than the accessory on-site parking or loading spaces required by this By-law; or

c. It exists with a non-conforming accessory sign.

2.12.3 A certificate of non-conformity may be applied for by a person with an interest in a building, a parcel of land or an operation involving a use that does not comply with this by-law to confirm that the building, parcel, use of land, or intensity of use was lawfully in existence before the enactment of this by-law.

2.12.4 The intent of this section is to permit a non-conformity to continue until it is removed but not to encourage its survival. Any intensification of use, expansion, addition, relocation or reconstruction of a non-conforming use ora non-conforming building or structure shall require a variance and shall conform to the site requirements and parking and loading requirements of the zoning district in which it is located unless varied by a variance order. Non-conforming livestock operation uses cannot be intensified through a variance order.

2.12.5 Subject to approval and issuance of a Development Permit, repairs or incidental alterations to a building or structure occupied by a non-conforming use may be made as follows:

a. To the exterior of the building; and

b. Routine maintenance of the building.

2.12.6 The right to maintain a non-conforming building or structure shall terminate when the structure is damaged, in any manner whatsoever, to the extent that the cost of repairing such damage exceeds 50% of the structure's assessed value on the last revised assessment roll and the building may only be repaired or rebuilt conforming to the Zoning By-law.

2.12.7 If a non-conforming building or structure is damaged and repair costs are less than 50% of the value of an equivalent new building or structure, repairs may occur if:

a. The repairs do not introduce new non-conforming uses;

b. A building permit is obtained within 180 days of the date of damage; and

c. The repair has begun within one year and is diligently pursued to completion.

2.12.8 A use that is accessory to a principal non-conforming use may continue as long as the principal non-conforming use exists.

2.12.9 A non-conforming sign shall be subject to all the provisions of this By-law 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 of use; and

b. A non-conforming sign may be structurally altered, reconstructed, or replaced in the same location and position provided that such structural alteration, reconstruction, or replacement does not result in:

(i) The creation of a new non-conformity or an increase in the degree of non-conformity;

(ii) An increase in the sign surface area; or

(iii) An increase in the degree of illumination.

2.12.10 No existing site shall be deemed to be non-conforming to the By-law regulations despite its dimensions or area failing to meet the standards prescribed for proposed sites in the Zoning District in which it is located. Development proposed on such sites shall still be required to conform to all relevant By-law use provisions, setbacks, and building standards.

2.12.11 A non-conforming use of a structure, or portion thereof, which is, or hereafter becomes, abandoned, vacant or unoccupied, and remains so for twelve (12) consecutive months, which includes home based commerce and livestock operations, must not be used after that time except in conformity with this By-law.

2.13 FEES

2.13.1 An applicant for a Development Permit shall pay an application fee in accordance with the fee schedule established by annual review and separate by-law of Council. Separate fees may be charged for each type of development application (Permitted Use, Conditional Use, Zoning amendment, Development Plan amendment, etc.) These fees may be in addition to any fee required to cover the costs of advertising and notifications.

2.14 PUBLIC UTILITIES AND SERVICES

2.14.1 Nothing in this By-law shall be so interpreted as to interfere with the construction, maintenance and operation of the facilities of any Public Utility Service or Protective and Emergency Service, as defined in this By-law.

2.15 ENFORCEMENT

2.15.1 The enforcement of this By-law, or any Resolution or Order enacted by the Council under *The Act* or any Regulation made thereunder, shall be in accordance with T*he Act*.

2.15.2 Any person who violates this By-law is guilty of an offence and liable, on summary conviction, to the penalties set forth in *The Act*.

Section 3: Definitions and Interpretation

3.1 RULES OF CONSTRUCTION

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

a. Words, phrases, and terms defined in this By-law shall be given their defined meaning;

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

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

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

e. The phrase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for";

f. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connect 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; and

(iii) "either-or" indicates that the connected items, conditions, provisions, or events shall apply singly, but not in combination.

3.2 UNITS OF MEASUREMENT

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

3.3 ZONING DISTRICT BOUNDARIES AND RIGHT-OF-WAY BOUNDARIES

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

a. The centre line of streets, lanes, or other public thoroughfares;

b. Existing site boundaries;

c. Municipal limits;

d. The centre of pipelines, railway lines, or utility easements; and

e. A topographic contour and/or top-of-bank line.

3.3.2 No Zoning District shall apply to any public roadway and, should a public roadway be closed, it will then carry the same zoning as the abutting lands. Where different Zoning Districts regulate the abutting lands, the roadway centreline shall become the Zoning District boundary.

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

3.4 GENERAL DEFINITIONS

3.4.1 The terms and words in this By-law as defined in *The Act* have the same meaning expressed therein. Other terms and words, unless the context otherwise requires, are defined herein.

3.4.2 General Definitions:

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

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

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

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

Animal Unit (AU) means the number of animals of a particular category of livestock that will excrete 73.00 kg. (160.93 lb.) of nitrogen in a twelve-month period:

Aquifer means a confined or unconfined water-bearing subterranean body of water.

Basement means the portion of a building or structure which is wholly or partially below grade, having above grade no more than 1.83 m. (6.00 ft.) of its clean height which lies below the finished level of the floor directly above or being a minimum depth of 1.22 m. (4.00 ft.)

Buffer means a strip of landscaping or vegetation used to provide a screen between sites in order to mitigate objectionable features between them.

Building, Accessory means a subordinate detached building, which serves a principal building or use and is located on the same site.

Concept Plan means any plan not formally adopted by by-law that deals with objectives and issues that are within the scope of authority of a board or council in part of the Planning District or Municipality, including, without limitation, any matter (a) dealt with in the development plan by-law; (b) dealing with subdivision, design, road patterns, building standards, or other land use and development matters; or (c) respecting economic development or the enhancement or special protection of heritage resources or human remains or sensitive lands

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

Council means the Municipal Council of the RM of Stanley.

Development means the construction of a building or the installation of services and utilities on, over or under land, a change in the use or intensity of use of a building or land, the removal of soil or vegetation from land, the deposit or stockpiling of material on land, and the excavation of land.

Designated Officer means the employee delegated certain authorities by Council to carry out a power or responsibility in accordance with Section 184 of *The Act*.

Development Permit means a document issued pursuant to this By-law, authorizing the

development of a use.

Development Plan means the *MSTW Planning District Development Plan* adopted by by-law and as amended.

Dwelling Unit means one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons. This calculation shall exclude basement or other areas that are below-grade.

Environmental Impact Study means a study prepared in accordance with established procedures to identify and assess the impacts of development on a specified feature or system.

Environmentally Sensitive Land means land that has unique natural or human-made landforms, vegetation or wildlife or that contains heritages resources, human remains, or Hazard Lands.

Existing Registered Site means any site as defined in this By-law, for which a separate Certificate of Title existed prior to the effective date of the former Zoning By-law No. 20/08, and which has frontage on a currently developed Public Road, which is not seasonal in nature.

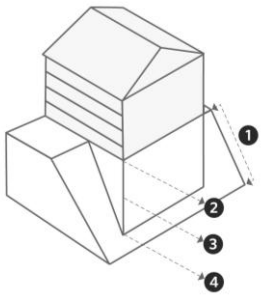
Farmstead Site means the portion of land of an agricultural operation that has existed for a minimum of 10 years that includes the habitable residence of the producer and those buildings and facilities associated with the farm operation, usually surrounded by a well- defined shelterbelt, is generally a minimum of 5 acres and generally does not include pasture, cultivated land, drainage or other water courses.

Floodplain means an area that would be inundated by a design flood as herein defined.

Floor Area means the maximum habitable area contained within the outside walls of a building. In the case of a dwelling, any private garage, porch, veranda, sun lounge, unfinished basement, or attic are excluded from this calculation.

Frontage means all that portion of a site fronting on a street and measured between side lot lines.

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

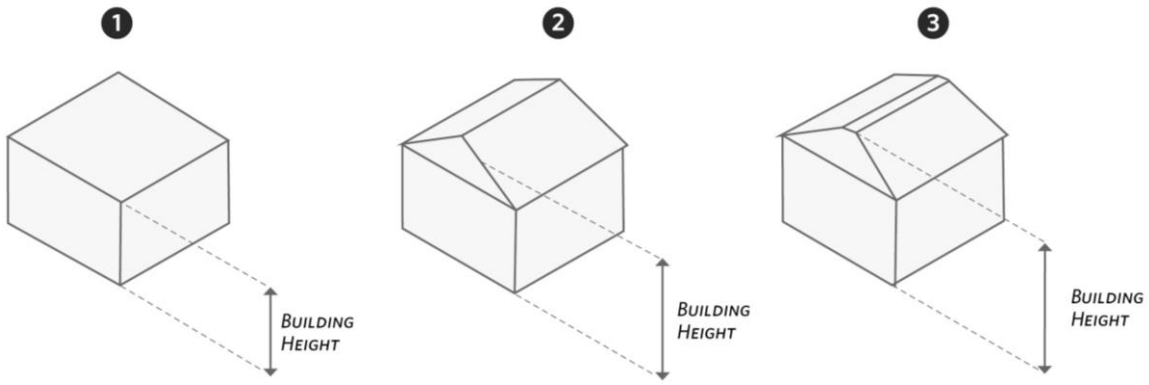


(1) Existing Grade; (2) High Grade; (3) Average Grade; (4) Low Grade

Hazard Land (Environmentally Sensitive Land) means land which may be prone to flooding, slumping, subsidence, landslides, erosion, any other instability, or is located within a flood plain or watercourse.

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

a. The highest point of the roof in the case of a building with a flat roof or a roof having a slope of less than 20.00 degrees;
b. The average level between eaves and ridges in the case of a pitched, gambrel, or hipped roof, or a roof having a slope of more than 20.00 degrees, provided that in such cases the ridge line of the roof shall not extend more than 1.52 m. (5.00 ft.) above the maximum permitted building height of the Zoning District; or
c. The deck of a mansard roof.



(1) Flat Roof; (2) Pitched, Gambrel, Hip Roof (3) Mansard Roof

Landscaping means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a site or to provide a screen between sites in order to mitigate objectionable features between them.

Lot, Corner means a lot located at the intersection of two public roadways, the interior angle of such intersection not exceeding 135.00 degrees.

Lot, Flag means a lot lacking the required minimum lot width or frontage on an existing or proposed street but having direct access to the street through a narrow access point. Flag Lots have two distinct parts:

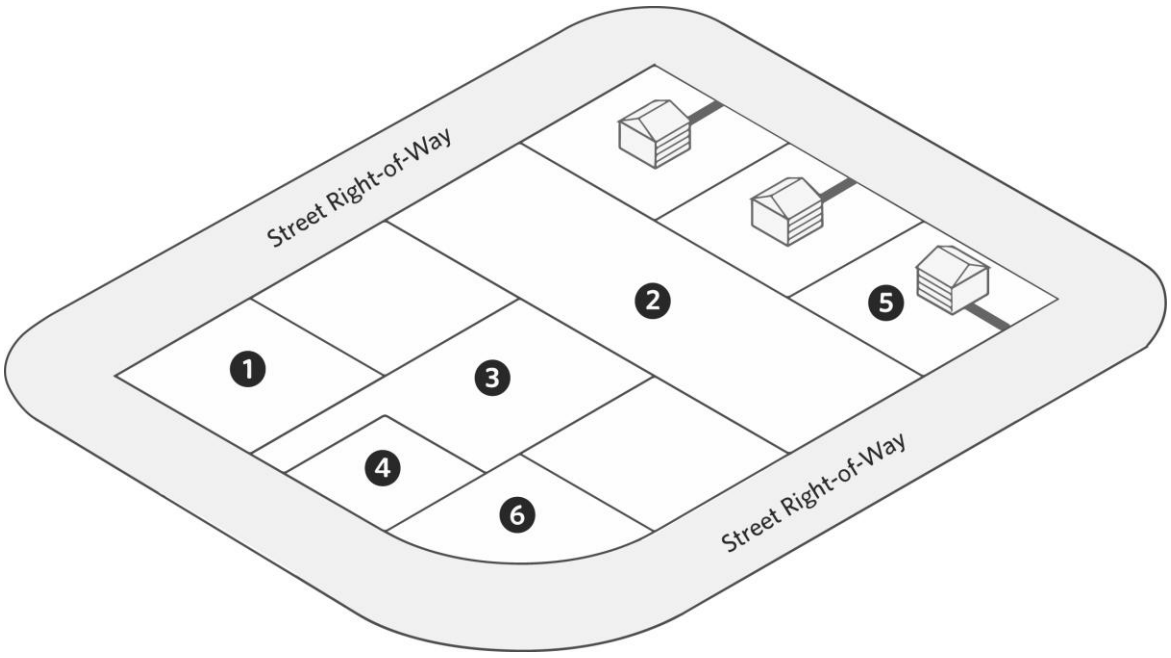
a. The flag, which is the building site and located behind another lot; and
b. The pole, which connects the flag to the road.

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

Lot, Irregular means a lot that is not rectangular or square in shape and whose lots are not parallel or perpendicular to one another, resulting in unusual dimensions, angles, or configurations.

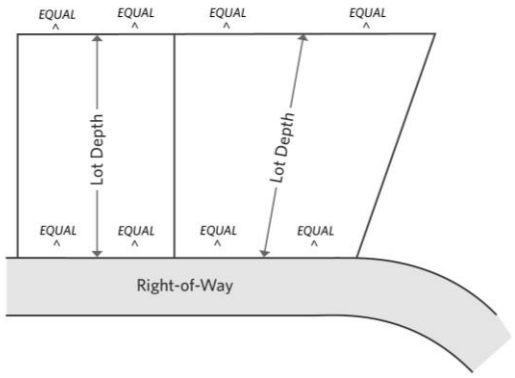
Lot, Reverse Corner means a corner lot, the side street line of which is substantially a continuation of the front site line of the first site to its rear.

Lot, Through means a lot having a pair of opposite lot lines along two streets. On a through lot, both street lines shall be deemed front lot lines.



(1) Corner Lot; (2) Through Lot; (3) Flag Lot; (4) Interior Lot; (5) Reverse Corner Lot; (6) Irregular Lot

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

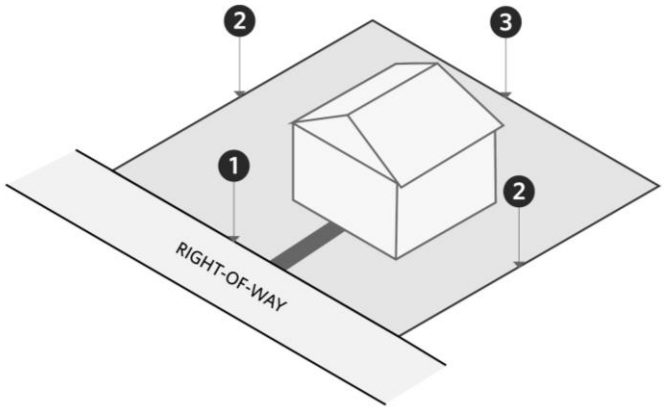


Lot Depth

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

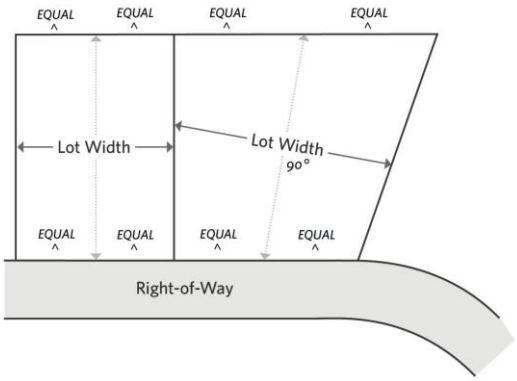
Lot Line, Rear means either the lot line which is furthest from and opposite the front lot line, or, where there is no such lot line, the point of intersection of any side lot lines which is furthest from and opposite the front lot line.

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



(1) Front Lot Line; (2) Side Lot Lines; (3) Rear Lot Line

Lot Width means the horizontal distance between the side lot lines of a site, measured at right angles to the lot depth at a point midway between the front and rear lot lines. See Subsection 6.8 for calculating lot width for flag lots.



Lot Width

Municipality means the Rural Municipality of Stanley.

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

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

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

Planning District means the MSTW Planning District consisting of the City Morden, RM of Stanley, RM of Thompson, and City of Winkler, operating under the guidance of the Planning District Board,

composed of representatives from member municipality councils.

Private Garage or shed means a building or part thereof which is used for the sheltering of private motor vehicles and storage of household equipment incidental to the residential occupancy and in which there are no facilities for repairing or servicing of such vehicles for remuneration or commercial use.

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

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

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

Setback means a horizontal distance between a use and a property boundary in which certain types of development and structures shall not occur.

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

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

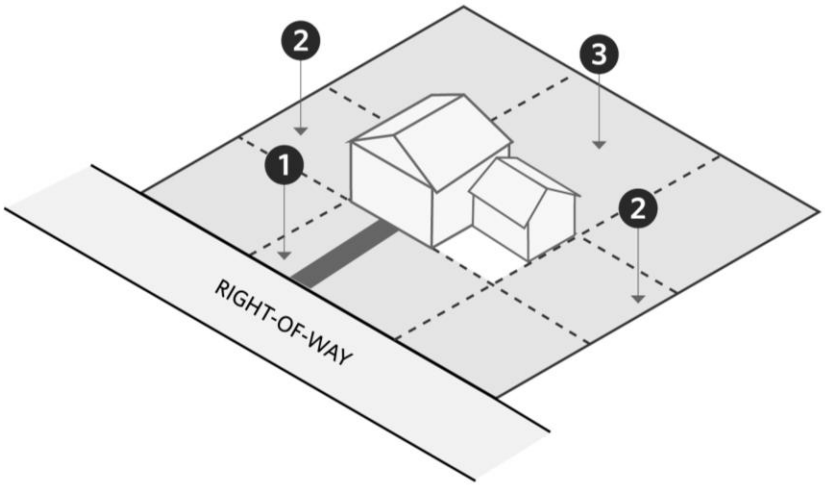
Subdivision means a division of land, and includes a division of a quarter section into legal subdivisions as described in *The Land Titles Act*.

Temporary Buildings and Uses means an incidental use, building or structure for which a permit has been issued for a limited time only.

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

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

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



(1) Front Yard; (2) Side Yards; (3) Rear Yard

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

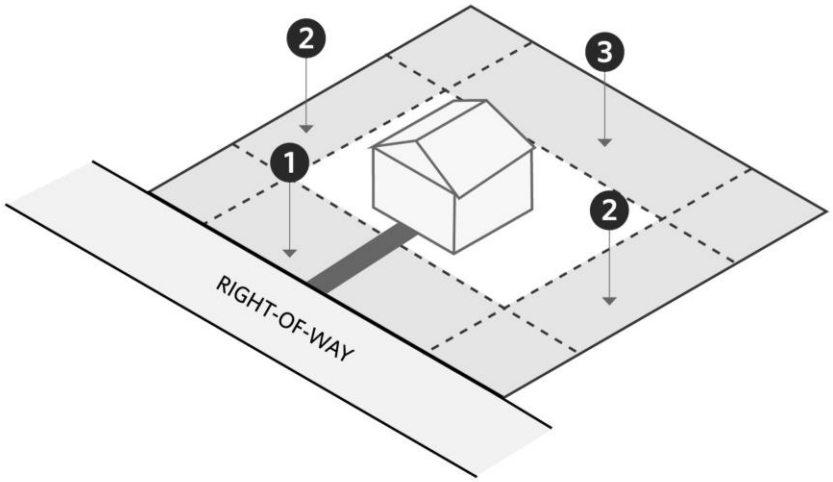
Yard, Rear means the portion of the site abutting the rear site line extending across the full width of the site, situated between the rear site line and the nearest wall of the principal building, not including any projections.

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

Yard, Interior Side means a Side Yard which is adjacent to another zoning site, or to a lane separating the side yard from another zoning site. In the case of a Planned Unit Development, an interior side yard is the space between the walls of adjacent buildings or structures.

Yard, Corner Side means a Side Yard that abuts a public street or road way, as seen on a Corner Lot or Reverse Corner Lot.

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



(1) Required Front Yard; (2) Required Side Yards; (3) Required Rear Yard

Zoning District means a section contained in Part II of this By-law which regulates the use and development of land as depicted on the Zoning District Map comprising Part IV of this By-law.

3.4.3 Sign Definitions:

Sign means any writing, pictorial representation, emblem, flag, and anything designed or intended to, or having the effect of, announcing, identifying, directing attention to, or advertising any building or use.

Sign Copy means letters, graphics, or characters that compromise the sign message.

Surface Area means the area of a sign covered by a single rectangle drawn around the extreme edges of the message contained on the sign and, in the case of a multi-faced sign, comprises half of the total of all sign faces.

Sign Type means one of the following purposes signs are used:

a. **Advertising Signs** are used to direct attention to a business, commodity, service, item, message or entertainment conducted, sold or offered elsewhere than upon the same zoning site on which the sign is located. Advertising sign forms can be free-standing (billboards) or temporary (mobile signs).
b. **Directional Signs** indicate access or egress to and from a building or use, or from a parking or loading area on a zoning site. Directional sign forms can be attached or free standing.
c. **Event Signs** indicate the time, date and type of event or events scheduled for a venue and are located on the same lot or lands. Event sign forms are temporary in nature.
d. **Identification Signs** identify a specific building by name, logo, street address, or combination thereof, or a specific use in relation to a business, service or commodity conducted, offered, or sold on the same site. Identification sign forms can be attached or free-standing.

Sign Form means one of the following physical styles of sign:

a. **Attached** means a sign that is attached to the exterior of a building. Attached sign forms include fascia, awning, banner, marquee, blade, volumetric, canopy or others as identified by the Designated Officer.

b. **Free-standing** means a sign that is supported by a permanent, independent structure that is not attached to a building. Free-standing sign forms include pylons, pedestals, monuments, and others as identified by the Designated Officer.

c. **Temporary** means a non-permanent, moveable sign designed in such a manner that it can be relocated to another site and which may include copy that can be changed through the use of removeable characters or panels. Temporary sign forms include staked signs, mobile signs, sandwich board signs, inflatable signs and others as identified by the Designated Officer.

3.5 USE CLASS DEFINITIONS

3.5.1 Use classes group individual land uses into a specified number of classes, with common functional or physical impact characteristics. The Use Classes of this subsection are used to define the range of uses which are permitted or conditional within the various Zoning Districts of this By-law.

3.5.2 The definitions provided in this subsection are not meant to be exclusive or restrictive. Reference should be made to the definition of the Use Class in determining whether or not a use is included within a particular Use Class.

3.5.3 Where a specific use does not conform to the wording of any Use Class definition or generally conforms to the wording of two or more Use Class definitions, the Designated Officer may deem that the use conforms to and is included a Use Class definition considered the most appropriate in character and purpose.

3.5.4 Agricultural Use Class Definitions:

Agri-Business means an establishment that provides goods, sales, service, production, processing or manufacturing or other commercial or industrial activities related to the agricultural sector. This use includes, but is not limited to, farm equipment and machinery sales or repair shops, feed or agrichemical operations, professional business services and industrial agricultural/horticultural operations.

Agri Tourism means development consisting of tourism-related operations that are directly related to farm operations and agricultural activities. This use may include but is not limited to agricultural exhibits, tours, educational activities, cart, sleigh, and tractor rides, activities that promote or market farm products or livestock such as petting zoos, harvest festivals and related seasonal events, or corn mazes.

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

Anhydrous Ammonia Facility means an area for the storage of anhydrous ammonia that is commonly used as fertilizer.

Cannabis Cultivation Operation means the manufacturing, packaging, and labelling of cannabis projects destined for sale to consumers, and the intra-industry sale of these products, including to provincially authorized distributors, as well as any associated activities.

Communal Farm means a residence or group of residences in connection with a farm operation carried out on the same or adjacent parcel and includes all associated cooking, eating, living, sleeping and sanitary facilities.

Equestrian Establishment means a facility engaged in the training of horses, the operation of a horse-riding academy, or horse-riding stables.

Farm Produce Outlet means a building or structure where farm produce is sold in season. This use includes Farmers' Markets.

Game Farm means a fenced area to enclose animals defined as "domestic game farm animals" by *The Domestic Game Farm Animal Regulation*, used for the purpose of producing animal products.

General Agriculture means a use of land for agricultural purposes. Typical uses include cropping and pasture. This use does not include livestock operations or natural resource developments.

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

Irrigation Reservoir means an accessory use to agriculture operations consisting of an enlarged natural or artificial lake, pond, or impoundment created used a dam or lock to store water for the purposes of conserving water by holding it in storage until it is needed to meet crop irrigation requirements.

Livestock Auctioneering Establishment means a development specifically intended for the auctioning of livestock animals, including temporary housing and storage of such animals.

Livestock Operation means a permanent or semi-permanent or non-grazing area where at least 10 animal units of livestock are kept or raised either indoors or outdoors, and includes all associated manure collection facilities, but does not include an auction mart.

Specialized Agriculture means a commercial agricultural enterprise producing high-value, low-volume, intensively managed products (e.g., greenhouses, apiaries, market gardens) typically requiring a smaller land holding than general agricultural activities. Proposals for new uses require a formal business plan demonstrating financial viability, market strategy, and operational capacity.

3.5.5 Commercial Sales and Services Use Class Definitions:

Animal Shelter, Pound, Kennel or Veterinary Service means a development used for the boarding, breeding, retention, training or medical service of animals.

Auctioneering Establishment means a development specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment.

Cannabis Retail Store means the premises specified in a retail cannabis licence where the retail sale of cannabis is authorized.

Drive-in or Drive-Through Establishment means a development that allows rapid customer service for patrons using a vehicle.

Eating or Drinking Establishment means the sale to the public of prepared foods for consumption within the premises or off the site.

Equipment Rental, Sales, and Service means a development used for the rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items.

Funeral Service means a development used for the preparation of the dead for burial or cremation, and the holding of funeral services.

General Contractor means a development used for the provision of services of a construction nature which require on-site storage space for materials, equipment or vehicles normally associated with the contract service.

General Retail Sales and Service means a use involved in the sale, lease, or rental of new or used products directly to the general public.

Grocery or Supermarket means a retail store that sells primarily groceries, produce, and packaged food products, but in which up to forty percent of the gross floor area may be used for the sale of non-food related products, including convenience products.

Home Improvement Store means a development used for the sale and provision of goods, equipment and appliances normally found within a dwelling unit.

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

Landscape or Garden Contractor means a location for the production of landscape materials, including the wholesale of supplies, plants and landscaping materials.

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

Personal Service Shop means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects.

Short-term rental means the use of all or part of a dwelling unit or a separate building on the same parcel to provide sleeping accommodations for a rental period that is less than 30 consecutive days in exchange for payment, but does not include bed and breakfasts, hotels or motels.

3.5.6 Community, Recreation and Public Service Use Class Definitions:

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

Cemetery means land used or dedicated to the interment of human or animal remains, including columbarium, mausoleums and associated maintenance facilities when operated in conjunction with, and within the boundaries of such cemetery.

Child Care Service means a use involving care, educational activities, and supervision of children in the daytime and evening, licensed by the Government of Manitoba under *The Community Child Care Standards Act.* This use does not include overnight accommodations.

Community Centre or Hall means a facility for community, social or multi-purpose use where patrons attend on a non-recurring basis.

Community Resource Centre means a facility involving a non-profit corporation that provides support, advice or help, to immigrants/refugees which may include but is not limited to housing, training, social activities, and employment opportunities.

Golf Course means an outdoor or public or private area operated for the purpose of playing golf and

includes a golf course, golf course driving range, putting greens, and a miniature golf course and which may include, as accessory uses, a restaurant, a retail store and sells golf equipment and accessories, and other buildings or structures devoted to the maintenance and operation of the golf course.

Hospitals and Medical Services means a use that involves outpatient and inpatient medical treatment and may include overnight stays. Treatment may include diagnostic, laboratory, surgical, counselling and rehabilitation of patients.

Institutional Residence means a building containing living accommodations for one or more residents who meet the provincial definition for "elderly person" or "infirm person" under *The Elderly and Infirm Persons' Housing Act.* This use may include staff not requiring care at the residence and generally has only one kitchen and dining area for the common use of residents. The residence is licensed under applicable provincial legislation and regulations.

Library, Museum or Gallery means a use involving collections of literary, artistic, musical and similar reference materials available to the public through a variety of different media. This use also includes any uses involving the collection, preservation, and exhibition of works or objects of historical, cultural, artistic, or scientific value.

Outfitter means any land or premises used for outdoor recreational purposes relating to hunting, fishing and other similar pursuits including fossil excavation.

Places of Worship means a premise used by a charitable organization or religious group for the practice of religious rites, ceremonies or services, which may also be used for the advancement of its charitable purposes.

Private Club means a use by a not for profit organization incorporated by the Government of Canada or the Government of Manitoba and includes facilities for meetings, social events, and recreational activities of philanthropic, social service, athletic, business or fraternal organizations.

Protective Emergency Service means a use required for public protection of persons and property from injury, harm, or damage together with the incidental storage of equipment and vehicles. Typical uses include police station, fire hall and related training facilities.

Public Parks, Playgrounds, Gardens, and Historical Sites means a use of land specifically designed or reserved for the general public for active or passive recreational use and includes natural and human-designed landscaping, facilities, fields, and other structures that are consistent with the general purposes of park lands.

Public Utility means a use that involves a system, plant, pipeline, transmission line, and related facilities intended to provide public utility services to the RM of Stanley's general public and as defined by the Designated Officer.

Race Track means a measured course where animals or machines are entered in competition against one another or against time, including tracks used only in the training of animals.

Recreation Facility, Indoor means a use involving entertainment, sports, social, or multi-purpose activities where patrons are primarily participants and any spectators are incidental and attend on a non-recurring basis, occurring in an indoor setting. Typical uses include hockey and skating rinks, curling rinks, swimming pools, billiard rooms, bowling alleys, indoor shooting galleries and similar.

Recreation Facility, Outdoor means a use involving entertainment, sports, social or multi-purpose

activities where patrons are primarily participants and any spectators are incidental and attend on a non-recurring basis, occurring in an outdoor setting. Typical uses include playing fields, outdoor skating rinks, outdoor pools, tennis courts, driving ranges, skateboard parks, paintball arenas and similar.

School means a public or private education facility providing instruction to students at the primary, middle, high school level, or post-secondary school.

3.5.7 Transportation and Automotive Related Use Class Definitions:

Airport or Aircraft Landing Field means the use of land for the take-off and landing or aircraft and includes related buildings and structures such as aircraft storage facilities and maintenance hangars, taxiways, runways, and navigational equipment.

Automotive Sales, Service, Repair and Rental means a use involving the servicing, repairing, and restoration of automobiles, motorcycles, and similar recreational vehicles. This includes incidental retail sale of related accessories and parts.

Gas station or Service Station means a use that involves the retail sale of gasoline and other petroleum projects, along with incidental motor vehicles sales and service and similar.

Heavy Equipment Sales, Service, and Rental means a use involving the sale, rental and repair of heavy vehicles, machinery, or mechanical equipment typically used in building, roadway, manufacturing, assembly and processing operations.

Parking Lot or Structure means a use involving motor vehicle parking that is not primarily intended for residents, employees or customers of an onsite development. This included unenclosed surface, enclosed surface and enclosed above or below grade parking areas.

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

Truck Stop means a highway-oriented operation that includes a combination of fuel sales, vehicle repair services, restaurants, and similar uses primarily intended to serve the trucking industry and travelling public.

3.5.8 Industrial Use Class Definitions:

Abattoir means a use involving the slaughtering and processing of animals.

Brewery/Distillery/Winery means a use involving the blending, brewing, distilling, bottling, sampling of alcoholic beverages and other related operations conducted within a building.

Bulk Fuel Storage Facility means the storage of petroleum products or other flammable liquids legally stored within a structure or establishment that is incidental to the primary use of the site.

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

Communication Tower means outdoor equipment and structures for the purposes of transmitting or receiving television, radio, microwave, radar or similar communication signals.

Cryptocurrency Processing Facility means the operation of specialized computer equipment for the purpose of mining one or more blockchain-based cryptocurrencies, such as Bitcoin. Typical physical characteristics of cryptocurrency mining include specialized computer hardware for mining operations as well as equipment to cool the hardware and operating space. For the purposes of the associated regulations, cryptocurrency mining does not include the exchange of cryptocurrency or any other type of virtual currency nor does it encompass the use, creation, or maintenance of all types of peer-to-peer distributed ledgers.

Liquid Waste Disposal Site means a facility designed for the collection, treatment and disposal of liquid waste generated from various sources.

Manufacturing, Heavy means the processing, treatment, preparation, packing, transportation, handling and storage of semi-finished or raw materials where such operations have impacts that would make them incompatible with adjacent land uses.

Manufacturing, Light means the processing and creation of goods or materials, provided they do not create unusual fire, explosion or safety hazards, noise more than average intensity of street and traffic noise in the area in question, and do not emit smoke, dust, dirt, toxic or offensive odours or gas and there is no production of heat or glare perceptible from any adjacent site.

Natural Resource Development means a use involving the onsite preparation, extraction, and primary processing of raw materials found on or under the site or accessible from the site. Typical uses in this class include aggregate, topsoil, forestry and mineral mining.

Recycling Depot means a facility in which recoverable resources are recycled, reprocessed and treated to return such materials to a condition in which they can again be used for production purposes, or consolidated and packaged for transport to other facilities.

Research and Technology Facility means a facility engaged in scientific research, product design, development and testing, and limited manufacturing necessary for the production of prototypes.

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

Solar Energy Farm means a principal facility used for the production of energy derived from solar panels or solar cells and intended to provide electricity for commercial sale and distribution to the electrical grid.

Solid Waste Disposal Site means structures or systems designed for the collection, processing or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

Warehouse and Distribution means a use involving the storage and distribution of materials, goods, or products entirely within an enclosed building.

Waste Transfer Station means a facility where solid waste from collection vehicles is consolidated and temporarily stored for subsequent transport to a permanent disposal site.

Wet Industry means an industry that generates manufacturing or processing wastewater that has higher concentrations than domestic wastewater, or which uses more than 89 L/day or 0.089 m^3 of water on its premises or otherwise determined by the designated officer.

Wind Energy Generating System, Commercial means a large scale electrical generating facility (also referred to as a wind farm) intended solely for commercial sale and distribution of electrical power. This use includes wind turbines and accessory facilities, including but not limited to a generator, transformers, storage, collection and supply equipment, underground fables, sub-station or wind-monitoring equipment.

Wind Energy Generating System (On-Site/Rooftop) means using a wind energy generating system intended to primarily serve the electrical needs of the on-site user or consumer (either behind the meter or off-grid) rather than to produce power for resale and must meet accessory building setbacks and Building Code if attached to a structure.

Wrecking Yard means an establishment for the dismantling or wrecking of used motor vehicles and the storage, sale or dumping of dismantled, obsolete or wrecked vehicles or their parts.

3.5.9 Residential and Residential Related Use Class Definitions:

Dwelling, Manufactured Home pre-fabricated, portable dwelling that is designed for residential occupancy, built upon or having a frame or chassis and having been built in accordance with CSA building regulations and *The Buildings and Mobile Homes Act*. This includes mobile homes but does not include seasonal recreational vehicles, park-model trailers, construction site trailers or yurts. This may include a tiny home if constructed on a frame or chassis.

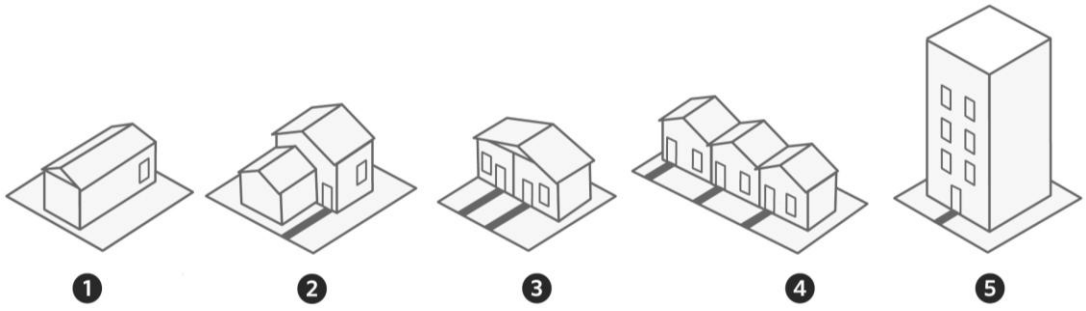
Dwelling, Multiple Unit means a building or structure containing three or more dwelling units, arranged in a vertical or horizontal manner, either served by separate entrances or common corridors and entrances. Typical uses include row housing, tri-plexes, apartment buildings and similar.

Dwelling, Single Unit means a building containing only one dwelling, which is separate from any other dwelling or building. This includes a ready-to-move dwelling and modular home dwelling, but does not include a Manufactured Home Dwelling. This may also include a tiny home if on a permanent foundation.

Dwelling, Tiny Home means a dwelling under 400 sq' or less of total floor space and must be built to Building Code and/or CSA standards, including the loft space.

Dwelling, Two Unit means a single building or structure containing two separate dwelling units, separate from any other building.

Manufactured Home Park means a use wherein more than one manufactured home dwelling may be situated on sites and may feature common elements including roads, access and supporting facilities. This includes mobile home parks.



(1) Manufactured Home Dwelling; (2) Single Unit Dwelling (3) Side-by-side Two Unit Dwelling; (4) Row-House Multi-Unit Dwelling (5) Apartment Multi-Unit Dwelling

3.5.10 Accessory Use Class Definitions:

Animal Grooming, Boarding and Breeding means an accessory use dealing with the caring for household pets and which may include training, care, overnight boarding and grooming activities.

Bed & Breakfast means a hospitality use of a dwelling that is owner-occupied in which temporary overnight and breakfast is provided to guests for remuneration

Car Broker means a development used for the retail purchase and sale of used passenger vehicles from a dwelling, single unit. The maximum number of cars permitted on the property is 4. This does not include Automotive Sales, Service, Repair and Rental.

Caretaker's Suite means a dwelling unit accessory to a principal commercial or industrial use required for the housing of an employee or caretaker contained entirely within the principal use and a maximum of 55.74 m^2 (600 ft^2) in area.

Drive-in or Drive-Through Establishment means a development that allows rapid customer service for patrons using a vehicle.

Farm Buildings and Structures means a building or structure, or part thereof which does not contain a residential occupancy and meets all of the following criteria:

a. Associated with or located on land devoted to the practice of farming; and
b. Used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural or horticultural produce or feeds, such as barns, produce storage buildings, milking centres, chicken houses, grain bins, silos, machinery sheds, farm workshops, manure storages, greenhouses and garages not attached to a farmstead dwelling.

Farm buildings less than 600 m^2 (6,458 ft^2) are required to obtain a development permit from the RM of Stanley. Farm buildings greater than 600 m^2 (6,458 ft^2) are subject to the Building Code and must obtain permits from the RM of Stanley and the Planning District.

Farm-Based Commerce means a business operation that is accessory to the principal farming operation on site. Farm-based commerce may entail occupations or industries related and accessory to the farm operation only.

Farm Produce Outlet means a use accessory to a farming operation that involves the direct sale of farm produce sold on a seasonal basis.

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

Farmstead Dwelling means a dwelling accessory to an agricultural operation where the operator of the farm resides. A Farmstead Dwelling is typically situated on a Farmstead Site.

General Retail means the direct sale of merchandise, goods, or inventory related and accessory to a principal use.

Home Day Care means the use of a portion of a dwelling unit for the provision of child care services provided by a resident of the dwelling, up to a maximum of 8 children. The operation must meet all applicable provincial legislation and regulations.

Home-Based Commerce means a business operation that is accessory to the principal dwelling on a site. Home-based Commerce includes the following:

a. **Home-Based Occupation** means a home-based commerce use accessory to a dwelling wherein all operations are conducted within the dwelling and where such use does not change the character or exterior of the dwelling in any way.
b. **Home-Based Industry** means a home-based commerce use accessory to a dwelling wherein operations may be within or external to a dwelling and minimal changes to the character or exterior of a dwelling are expected.

Keeping of Animals means a use where less than 10 animal units of livestock or other animals (excluding pets) are sheltered, bred, raised, or sold.

Metal Shipping Container means a prefabricated metal structure designed for use as a storage container in accordance with international standards.

Outdoor Solid Fuel Appliance means an outdoor wood-burning furnace or other solid fuel burning applicant designed and intended to supply heat to air or water and is housed or situated in an out-building or otherwise physically separate from the building to which it is to provide heated air and water.

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

Secondary Suite means a self-contained accessory dwelling unit within a single unit dwelling building. A secondary suite has its own separate cooking, sleeping, and sanitary facilities and has direct access to the outside without passing through any part of the principal dwelling unit. A Secondary Suite is not permitted in two-unit dwellings or multi-unit dwellings.

c. **Attached** means the Secondary Suite is wholly contained within the dwelling unit or added as an extension or addition to an already existing dwelling unit.
d. **Detached** means the Secondary Suite is independent of the primary dwelling unit or located above an already existing accessory building or structure, such as a garage or shed.

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

Solar Energy System, On-Site Use means an electrical energy generating system intended to primarily serve the electrical needs of the on-site user or consumer (either behind the meter or off-grid) rather than to produce power for resale. This use includes rooftop collectors and backyard systems.

Swimming Pool means a structure designed to hold water for swimming and associated activities that is for private use and accessory to a dwelling unit. See “Recreation Facility” for public uses.

Wind Energy Generating Station, On-Site Use means a small scale electrical generating facility intended to primarily serve the electrical needs of the on-site user or consumer and not intended to produce power for resale.

PART B: ZONING DISTRICTS

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Section 4: Zoning Districts

4.1 ZONING DISTRICTS

4.1.1 This section contains basic information pertaining to Zoning Districts, including statements of purpose and district specific regulations.

4.2 DISTRICTS ESTABLISHED

4.2.1 For the purposes of applying this By-law, the municipality is divided into Zoning Districts found in Table 4-1. The descriptions of districts contained in this section are intended to assist in selecting the appropriate Zoning District for different types of land use, and to assist in identifying the intended character of each district.

4.2.2 When there is a conflict between any statement in the district description and a substantive requirement in other sections of the By-law, the substantive requirements in other sections apply.

Table 4-1: Summary List of Zoning Districts

District Group	*District Symbol*	*District Name*	*Description*
Agricultural Districts	AG	Agricultural General	To accommodate general agricultural uses or other rural uses that are related to or compatible with agriculture.
	AL	Agricultural Limited	To accommodate agricultural activities and limit livestock operations in areas that are near urban settlements or other sensitive areas.
Community Districts	RR	Rural Residential	To accommodate large-lot residential development in rural areas that respects agriculture as the primary rural activity.
	GD	General Development	To accommodate the primary residential uses in the village areas, as well any associated commercial, industrial, recreational and community service developments.
	RC	Community Residential	To accommodate new residential areas in the village areas.
	RMH	Residential Manufactured Home	To accommodate for the location and siting of manufactured home parks, manufactured homes, mobile homes and similar housing options. Uses within the RMH zone shall be serviced with water and wastewater.
	HW	Hospitality and Wellness	To accommodate a mix of hospitality, wellness and other compatible uses of a regional nature within the Stanley Corridor.

Business Districts	SC	Stanley Corridor	To accommodate commercial, industrial and other compatible uses which service, process, produce, distribute and/or store a product, including larger-scale commercial goods and services to the travelling public along the Stanley Corridor with a regional level of service requiring water usage of under 89/L day or 0.089 m^3
	RI	Residential Industrial	To accommodate larger primary residential lots that can accommodate more intensive industrial home-based business and occupation uses and commercial home-based business and occupation uses.
	MG	Industrial General	To accommodate a wide range of processing and manufacturing industry within the municipality, including areas within the Stanley Corridor requiring water usage of under 89L/day or 0.089 m^3.
	RE	Rural Employment	To accommodate commercial/industrial uses that primarily serve the farming community, businesses that pose a hazard or nuisance in urban areas, and businesses that require larger parcels.
Sensitive Lands Districts	EP	Environmental Protection	To restrict development on land that is subject to flooding, identified as environmentally sensitive area by conservation or identified as unsuitable due to physical hazards and/or limitations.
	OS	Recreation and Open Space	To accommodate recreation and institutional uses while protecting and enhancing the natural features of the land.

Section 5: District Use and Bulk Standards

5.1 USE AND SITE REQUIREMENTS

5.1.1 No land shall be used or occupied and no structure shall be erected, altered, used or occupied hereinafter for any use in the Zoning District in which such land and structure is located other than a use listed in **Appendix I** with the exception of uses lawfully established prior to the effective date of this By-law, unless otherwise stated in this By-law.

5.1.2 No land shall be used or occupied and no structure shall be erected, altered, used or occupied herein for any use in the Zoning District in which such land or structure is located other than in accordance with the Site Requirement as listed in **Appendix II** with the exception of development lawfully established prior to the effective date of this By-law.

5.2 USE TABLE SYMBOLS

5.2.1 In **Appendix I:**

a. "P" in a cell indicates that the use identified at the far left of that row is permitted in the zoning district identified at the top of that column;

b. "C" in a cell indicates that, in the Zoning District identified at the top of that column, the use identified at the far left of the row is allowed only if reviewed and approved as a conditional use in accordance with the requirements and procedures of *The Act;*

c. A blank cell indicates the use identified in the far-left column of that row is not permitted within the Zoning District identified at the top of that column;

d. A Section number in a cell within the column "Use Specific Standards" identifies a provision within this By-law which imposes an additional standard with which the use must comply except as authorized by this By-law or by a Conditional Use Order or Variance Order; and

e. An asterisk (*) following a "P" or "C" symbol indicates that a Use Specific Standard applies to the permitted or conditional use, as the case may allow within a specific Zoning District.

5.3 USE TABLE ORGANIZATION

5.3.1 In **Appendix I**, land uses and activities are classified into general "use categories" and specific "use types" based on common functional or physical impact characteristics, such as the type and intensity of land use, the type of customers or residents, how goods or services are sold or delivered, and/or site-specific conditions. This classification provides a systematic basis for assigning present and future land uses into appropriate Zoning Districts. This classification does not list every use or activity that may appropriately exist within the categories, and specific uses may be listed in one category when they may reasonably be listed in one or more other categories. The use category titles are intended to operate as an indexing tool and do not form part of this By-law.

5.4 USE TABLE CATEGORIES

5.4.1 The following provides a description of the use categories found in **Appendix I**:

Agricultural Uses means a category of uses that includes land for agricultural purposes or agriculture-related purposes. The listed uses include *agricultural activities,* different types of *farming uses*, *livestock operations,* and various *agri-businesses.*

Commercial Sales and Services Uses means a category of uses primarily associated with the sale,

lease, or rent of new or used goods or the sale and provision of services, including associated office uses.

Community, Recreation and Public Service Uses means a category of uses primarily associated with public recreational, community based or utility based land uses including parks, recreation facilities, entertainment facilities, and similar.

Transportation and Automotive Uses means a category of uses typically associated with motor vehicles and/or the travelling public. This category includes the sale, service rental and repair of vehicles and related uses thereto.

Industrial Uses means a category of uses including activities and facilities engaged in providing industrial services including manufacturing and production, warehousing and goods movements, as well as waste, salvage and utility services.

Residential Uses means a category of uses dealing with different types of living accommodations and associated uses.

Accessory Uses means a category of uses, normally accessory to other uses within the By-law, that because of their intensity or site-specific characteristics, require additional consideration or provisions.

5.5 INTERPRETATION OF USES AND REGULATIONS

5.5.1 Any person may apply to the Designated Officer or Council for an interpretation as to whether a proposed use falls within any of the use categories or use types described in this By-law and, if so, which one.

5.5.2 The authority to provide an interpretation does not include the authority to add a new permitted or conditional use.

5.5.3 A decision of the Designated Officer with respect to interpretation under Subsection 5.5.1 is final.

PART C: DEVELOPMENT STANDARDS

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Section 6: General Development Standards

The following regulations shall apply to all Zoning Districts in this By-law.

6.1 REGULATION OF USES

6.1.1 In any Zoning District in this By-law, the principal use of the land must be established prior to any accessory buildings, structures, or uses being permitted.

6.1.2 Only one (1) principal building shall be permitted on any one site except in the case of the following:

a. Public utilities;
b. Public or private institutions;
c. Recreational uses; or
d. Agricultural uses.

6.1.3 Temporary Uses may be permitted on a site where a principal development already exists, at Council's discretion.

6.1.4 Council may, at its discretion, issue a Development Permit for additional principal developments, uses, or businesses in Agricultural or Business Zoning Districts.

6.1.5 Notwithstanding anything contained in this By-law, where any land, building, or structure is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with.

6.2 ACCESSORY USES

6.2.1 An accessory use, building, or structure must be naturally or normally incidental, subordinate, and exclusively devoted to the principal use or building, and located on the same lot or site.

6.2.2 Accessory buildings over 107 sq ft require development permits along with building permits. This includes canvas shelters/tents for both permanent and temporary use. Should a canvas shelter/tent be erected each year, new permits are required each year.

6.2.3 No accessory building or structure shall be constructed on any site prior to the time of construction of the principal building to which it is accessory.

6.2.4 Accessory developments shall be subject to the requirements in **Appendix I**. Accessory developments not identified shall be subject to the regulations of the Zoning District in which the principal building is located and:

a. shall be permitted when accessory to a permitted use; and
b. shall be conditional when accessory to a conditional use.

6.2.5 Where an accessory building or structure is attached to a principal building or structure, it shall be subject to, and shall conform to all regulations applicable to the principal building or structure.

6.2.6 No accessory building or structure shall be used as a dwelling unit, except as provided for in this By-law.

6.2.7 In no instance shall an accessory building or structure be located within a dedicated easement or right-of-way.

6.2.8 No accessory building or structure in the GD, RR or RC Zoning District shall be located closer to a public roadway than the front wall of the principal building.

6.2.9 Accessory buildings in the RI Zoning District with the frontage adjacent to a residential zone, shall be behind the principal building. Accessory buildings in the RI Zoning District with the frontage adjacent to industrial zones may be in front of the principal building

6.3 TEMPORARY BUILDINGS AND USES

6.3.1 A Development Permit for a temporary building, structure or use shall be subject to such terms and conditions as required by Council or the Designated Officer;

6.3.2 A temporary building must meet setbacks of an accessory building in each zone.

6.3.3 Each Development Permit issued for a temporary building, structure or use shall be valid for a period of up to one year and may be renewed for up to an additional year at the same location.

6.3.4 In all cases, temporary buildings and structures:

a. May be used as an office space for the contractor or developer;

b. May be used as a temporary placement of concrete and asphalt batch plants that are incidental to and necessary for highway construction and maintenance;

c. Shall not be used for human habitation, except as temporary (less than 6 months) accommodation for a caretaker, watchman or construction workers;

d. Shall not be detrimental to the public health, safety, convenience and general welfare, nor detract from the aesthetic value of the neighbourhood;

e. Must not result in permanent alterations to the site; and

f. Canvas Buildings and Tents on site for fewer than 90 days per calendar year shall be classified as a temporary use whereas if on-site for more than 90 days per calendar days shall be classified as an accessory building

6.3.5 Notwithstanding the regulations of this section of this By-law, a temporary Development Permit may be issued for a carnival provided its maximum permitted duration on a site, which includes the installation and removal of all equipment and structures thereon, is five days.

6.4 NOXIOUS OR OFFENSIVE USES

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

6.5 MOVING OF STRUCTURES

6.5.1 No building or structure shall be moved or relocated, in whole or in part, to any other location unless every portion of the building or structure conforms to all applicable regulations of the zone in which it is to be moved.

6.5.2 Before moving a building or structure which is over 10 m^2 (107 ft^2) in size to a new location within the Municipality, the owner shall obtain a relocation permit, that must be approved by the Municipality prior to issuance.

6.5.3 Before moving a building or structure to a new location, the owner may be required to enter into an agreement with the Municipality detailing an undertaking of the owner to pay all damages arising out of the move and such other terms and conditions as a Designated Officer deems necessary.

6.5.4 Following the removal of a building or structure from a site, any excavation shall be filled, the ground shall be leveled and the site shall be put in a safe condition to the satisfaction of the Designated Officer within one (1) year of the date of removal.

6.5.5 Notwithstanding other requirements of this section, new manufactured homes that have received certifications through the manufacturer are not required to obtain a relocation permit from the municipality for their initial siting. Any subsequent moves shall require a relocation permit.

6.6 SUBDIVISION OF ATTACHED DWELLINGS

6.6.1 A site containing more than one attached dwelling unit may be subdivided to provide individual sites to one or more of the attached dwelling units, provided that:

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

b. Each site created shall have frontage on a public right-of-way, except in the case of a bareland condominium development outlined in *The Condominium Act* where the common site elements containing roads shall be deemed to be a right-of-way for the purposes of this provision;

c. Each created site may only accommodate 1 dwelling unit;

d. Each site created must provide at least 1 parking space with access to a public right-of-way;

e. No side yard is required along the newly created site line; and

f. Notwithstanding the minimum bulk requirements found in **Appendix II**, any parcel created pursuant to this Section shall have a minimum site area of 1 acre and a minimum site width of 22.86 m. (75 ft.) in the RR or GD Zones and a minimum site area of 789.68 m^2 (8,500 ft^2) and a minimum site width of 12.19 m. (40 ft.) in the RC Zone.

6.7 FRONTAGE, ACCESS, AND APPROACHES

6.7.1 A Development Permit shall not be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on a graded all-weather registered road, or unless satisfactory arrangements have been made with the Council for legal access and/or the improvement or building of a road at the cost of the applicant.

6.7.2 For the purposes of this section "developed road" shall mean an existing graded all-weather road on a registered right-of-way, or a road for which a signed servicing agreement has been made with Council to provide for the construction of the road on a registered right-of-way to a standard approved by Council.

6.7.3 A subdivision shall not be recommended for approval by Council unless the proposed sites and any un-subdivided remnant of the land being subdivided has frontage on a developed road, including any road which is required to be registered and developed as a public road under a signed servicing agreement.

6.7.4 The requirement of a service road or internal subdivision roadway to provide access may be imposed as a condition of approval for any new development other than those deemed approved.

6.7.5 All site access from roads shall be to the satisfaction of Council with respect to location, design, and construction standards. Council shall take into account the physical capability and safety of the roads that are proposed to serve the development.

6.7.6 The Designated Officer shall decide upon all approach applications and, based on location, drainage, traffic flow, sight lines, road standards, and safety considerations, may approve or refuse an application for an approach.

6.7.7 Adjacent parcels in agriculture and rural residential areas should share approaches to public roads where possible, as otherwise determined by the Development Officer.

6.7.8 For residential uses in the GD and RC Zones, the location of vehicular approach ramps or driveways at the street line should be no closer than 7.5 m. (24.6 ft.) from the point of intersection of two property lines at a street intersection. For residential uses in all other zones, the location of vehicular approach ramps or driveways shall be approved by the Municipality.

6.7.9 Access must be constructed in conformance with the most current *RM of Stanley Standard Specifications for Design and Construction of Public Works* and must be located separate and away from utility valve locations. Access along a Provincial Truck Highway or Provincial Road must obtain permits from Manitoba Transportation and Infrastructure (MTI) and comply with MTI's access policies, standards and requirements.

6.7.10 All driveways for corner lots must be accessed via an internal road, where available, unless otherwise determined by the Designated Officer.

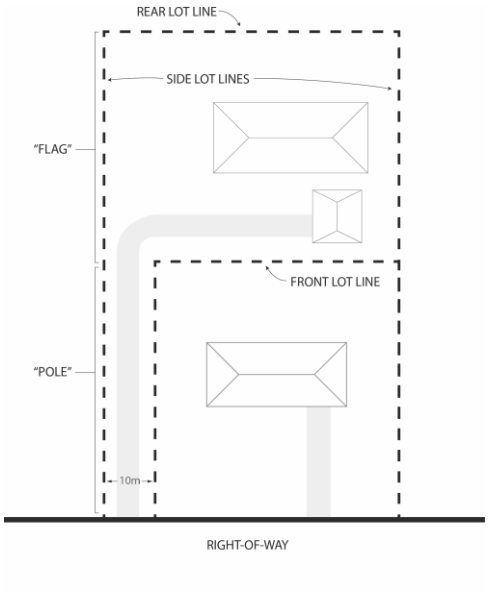
6.7.11 All access points off a public road must have a minimum width of 10 m. (33 ft.) of frontage, unless the Designated Officer approved an otherwise legal access.

6.8 FLAG LOTS

6.8.1 Flag lots may only be created if it ensures that currently farmed land will remain with the residual parcel instead of a

new farmstead parcel and only located in the AG and AL zones.

a. Flag lots must comply with the standards of the Zoning District except as specified below:
   (i) A 10 m. (33 ft.) width is required for the entire length of the pole;
   (ii) The pole portion must be part of the flag lot, connect to an improved right-of-way (municipal road), and be under the same ownership as the flag portion of the lot; and
   (iii) Only the flag portion of the lot is included when calculating minimum lot area and lot coverage.
b. For the purposes of calculating site area, only the flag portion of the lot shall be used; and
c. For the purposes of calculating side width, the midpoint of opposite lot lines of the flag portion of the lot shall be used.



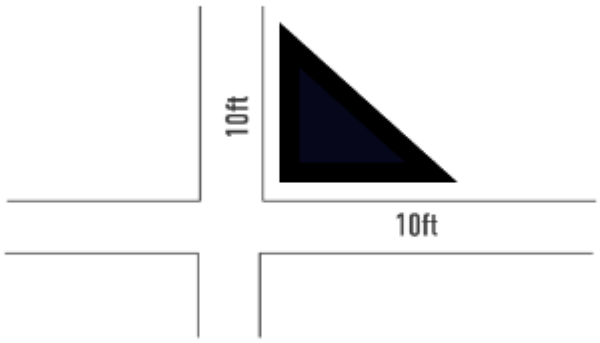
6.9 FRONT YARD ALIGNMENT

6.9.1 Where a new single-, two-, or multi-unit dwelling or addition to a dwelling is proposed within a street block or portion of a street block where at least 80 percent of the lots have been developed with principal residential structures, and the front yard required by this By-law's Bulk Use Table is inconsistent with the majority of existing front yards for development dwellings on the street block, the new structure must be developed with a front yard consistent with the average of the existing front yards within that block or portion of the block. In the case of a corner lot, either the average of the setback for the two nearest properties on the same block or for all the properties facing the same street on the same block may be used for calculating the allowed setback.

6.10 PROTECTION OF RIGHT-OF-WAY SIGHT LINES

6.10.1 Notwithstanding any other provision of this By-law, buildings, structures, stone, earth, or gravel piles, trees or shrubs, portable structures, machinery, fences, or other objects on private property adjacent to certain public transportation corridors shall not be placed in a location that would cause undo accumulations of snow and/or obstruct the vision of drivers within reasonable sight lines, as determined by the Designated Officer.

6.10.2 No building, structure, sign, fence, shelterbelt, hedge, or stockpiling of materials exceeding a height of 0.9 m (3 ft) above grade shall be located within a triangular area of any lot adjacent to an intersection of two public roads, with the sides of the triangular area being measured a distance of 3.1 m (10 ft) along each of the point of intersection.



Corner Vision Triangle

6.10.3 A person who grows trees and brush, or allows them to grow, on land in the vicinity of a sight lines must remove them if they obstruct the right-of-way sightlines as required by the Designated Officer;

6.10.4 Trees and brush that are planted in the vicinity of right-of-ways must ensure the full grown spread does not encroach on the right-of-way, and must remove them if they do.

6.10.5 Notwithstanding 6.10.2, Manitoba Transportation and Infrastructure may require greater site distances or larger corner vision triangles.

6.11 PROTECTION OF RAILWAY RIGHT-OF-WAY SIGHT LINES

6.11.1 A person may not erect, on land adjoining the land on which a line of railway is situated, a building or other structure, not being a railway work, that will obstruct rail right-of-way sightlines, as defined by the Transport Canada Rail Safety regulation.

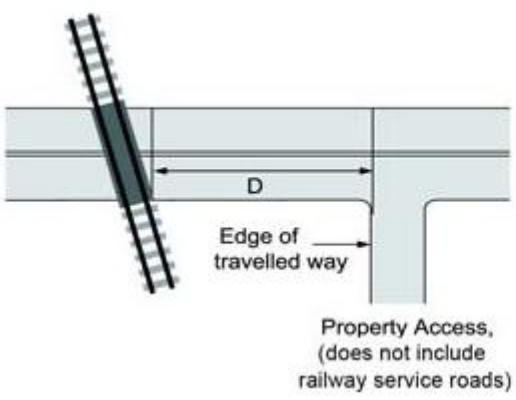
6.11.2 A person must not place, on land adjoining the land on which a line of railway is situated, anything that will obstruct rail right-of-way sightlines.

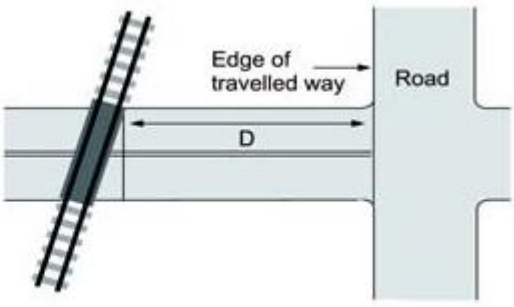
6.11.3 A person who grows trees and brush, or allows them to grow, on land in the vicinity of a grade crossing must remove them if they obstruct rail right-of-way sightlines; and

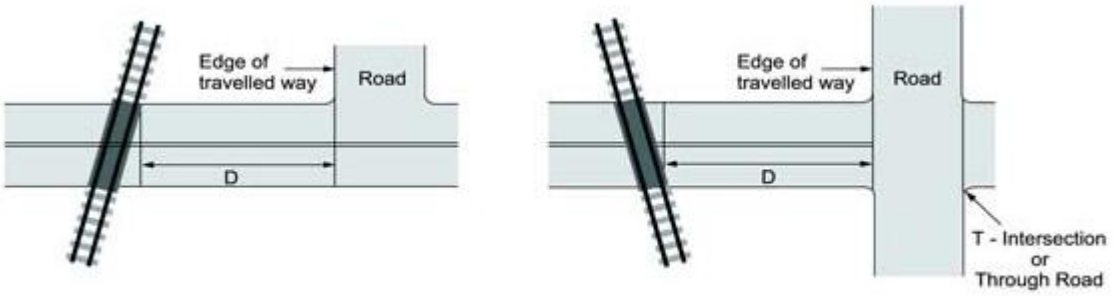
6.11.4 A railway company must not leave any railway equipment unattended that obstructs rail right-of-way sightlines.

6.11.5 No new building shall be located within 15 m (50 ft) from the edge of a railway right-of-way.

6.11.6 A public grade crossing where the railway design speed is more than 25 km/h (15 mph) must be constructed so that no part of the travelled way of an intersecting road or entranceway is closer than 30 m to the nearest rail of the grade crossing.







6.12 FENCES AND SCREENING

6.12.1 Fences, hedges, trees, shrubs and similar landscape features in all yards may be permitted, provided that:

a. Electric or barbed wire fences are only allowed for agricultural or industrial uses;

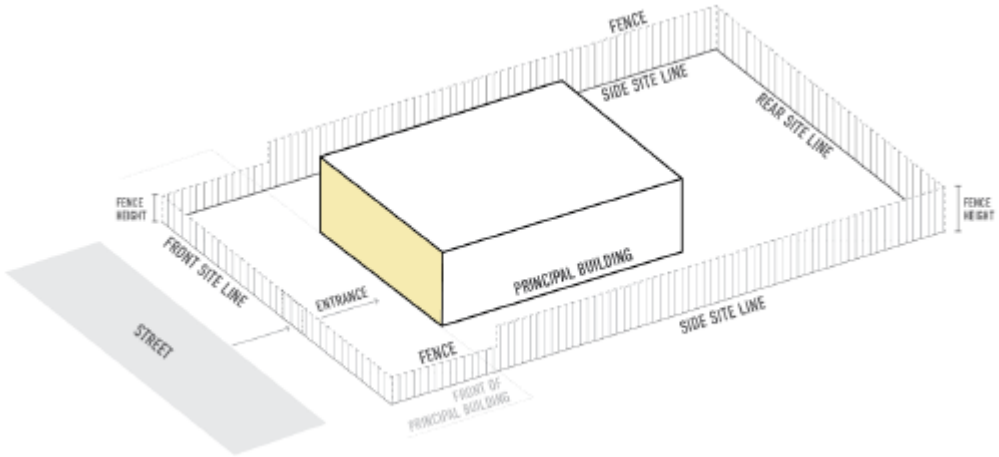
b. Does not create a nuisance, is offensive or contains derogatory statements, obstructs visibility, or in any manner may interfere with public safety; and

c. All other standards of this section are complied with.

6.12.2 The height of a fence, hedge, or similar privacy screen or landscape feature must comply with the standards set forth in the Table below, unless otherwise provided for Subsection 7.10 and 7.20:

Table 6-1: Maximum Heights for Fences and Screening

Yard	*Zoning Districts*			
	Agricultural	*Residential*	*Commercial/Industrial*	*Sensitive Lands*
Front	1.828 m. (6 ft.)	1.219 m. (4 ft.)	1.8288 m (6 ft.)	3.048 m. (10 ft.)
Side and Rear	3.048 m. (10 ft.)	1.828 m. (6 ft.)	3.048 m. (10 ft.)	3.048 m. (10 ft.)



6.12.3 Screening fences shall be consistent and complement the quality of building design and materials of the primary building.

6.12.4 No person shall erect or maintain a fence or screening using non-permanent materials such as chicken wire or snow fencing or use materials made of debris, junk, or waste materials, or use dangerous materials.

6.12.5 Fences with commercial/industrial zoned development shall adhere to regulations in Subsection 7.25;

6.12.6 Fences and screening including trees shall be outside:

a. A 640' x 640' triangle beside uncontrolled intersections;

b. A 100' setback from the center of the intersection for stop controlled intersections.

6.13 ACCESSORY OUTDOOR STORAGE REGULATIONS

6.13.1 Accessory outdoor storage areas must be screened from the public view using fencing, walls, buildings, topography, shrubs, trees / shelterbelts according to the standards for Subsection 6.12. The use of natural features for screening is encouraged.

6.13.2 Additional landscaping may be required on any sides adjacent to a residential district, public road, or visible from a public road to the satisfaction of the municipality.

6.14 SIGNS

Signs are regulated in this By-law to achieve compatibility among adjacent land uses within the public realm. These include various sign types and sign forms that may be found within the Municipality.

6.14.1 The following regulations shall apply to all signs in all zoning districts, except wherein otherwise provided for in this By-law:

a. All signs are subject to the issuance of a Development Permit, unless otherwise stated in this section;

b. No lot shall contain more than one freestanding sign, unless it is a corner lot or through lot, in which case two freestanding signs may be permitted, at the discretion of the Designated Officer;

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

(i) In the opinion of Council creates a nuisance, is offensive or contains derogatory statements, obstructs visibility, or in any manner may interfere with public safety;

(ii) Due to its position, shape, colour, format, or illumination, obstructs the view of or may be confused with an official traffic sign, signal, or device as determined by the designated officer;

(iii) Displays flashing lights resembling those used by police, fire, ambulance, or other emergency vehicles;

(iv) Have animation or moving parts such as a swinging or swaying motion;

(v) Located on the roof of buildings or structures;

(vi) Painted on roofs or fences;

(vii) Is located within a public right-of-way, without the consent of the Designated Officer and subject to terms and conditions specified in an agreement with the municipality.

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

a. Signs installed by the municipality for traffic control, parking, street/road names and direction or those signs required to be constructed or maintained by law or government order;

b. Temporary signs including garage sale signs, auction signs, or election signs;

c. Window signs, unless such signs occupy more than 30 percent of the window surface on any façade of the principal building, in which case they are treated as fascia signs; and

d. Memorial signs or tablets of non-combustible material when built into or attached to the walls of a building or other structure.

6.14.3 An owner may erect or maintain the following signs in any Zoning Districts without first obtaining a Development Permit:

a. Signs less than 6.5 ft.^{2} in area that advertise the sale, lease or rent of property, premises or buildings on that site;
b. One building identification sign not exceeding 1.5 ft^2 in area for single-unit dwellings, two-unit dwellings and manufactured homes;
c. One building identification sign not exceeding 50 ft^2 in area for institutional uses;
d. Signs posted by a duly constituted governmental body in performance of their duties;
e. 'No Trespassing' or 'Private Property' signs;
f. Real estate signs no larger than 16 ft^2 and no higher than 20 ft. in total height; and
g. Any sign that cannot be seen from off the premises.

6.14.4 The following regulations shall apply to abandoned and unlawful signs:

a. Where a Designated Officer finds a sign to be abandoned, the Designated Officer may, after resolution of Council, by notice in writing or by registered mail, order the registered owner, the person in possession of the site or building or the person responsible for the abandoned sign to remove the sign within twenty days after receipt of the notice, or take such measures as are specified in the notice to alter and refurbish the sign so that it correctly identifies the business, or the products and services offered on the site where the sign is displayed;
b. Where a sign contravenes the regulations of this By-Law, Council may, by notice in writing, order the owner or the person responsible for the contravening sign to take such measures as are specified in the notice to alter the sign so that it complies with the regulations of this By-Law, or remove the sign; and
c. Failure to remove the abandoned or unlawful signs, or to comply with the measures specified in the notice by Council, shall result in the removal of the sign by the Municipality with the owner or the person responsible for the contravening sign assuming liability for all removal costs.

6.14.5 The following sign types and forms are recognized in this By-law:

Table 6-2: Sign Types and Permitted Forms

Sign Type	Sign Form	*Example*
Advertising	Free-Standing	*Billboards*
	Temporary	*Mobile, Vehicular, Trailer*
Identification	Attached	*Fascia, Awning, Band, Marquee, Projecting*
	Free-Standing	*Pedestal, Pole*
Directional	Attached	*Fascia, Projecting*
	Free-Standing	*Pedestal, Pole*
Event	Temporary	*Inflatable, Banners, Flags, Staked, Sandwich Board*

All signs must comply with the standards shown in Table 6-3 and the associated yard setbacks where applicable.

A | FASCIA (SMALL)
B | FASCIA (LARGE)
C | PROJECTING (SMALL)
D | PROJECTING (LARGE)
E | FREE-STANDING (SMALL)
F | FREE-STANDING (LARGE)
G | AWNING
H | PORTABLE
I | INFLATABLE



Table 6-3: Zone Specific Sign Standards

Zone	Sign Types Permitted	Sign Forms Permitted	Max.		Min.
			Surface Area	Height (from grade)	Setback (from lot line)
GD RR RC RMH RI	Identification – Building	Attached or Freestanding	.372 m² (4 ft²)	Below top floor ceiling	1.524 m. (5 ft.)
	Identification – Use	Attached	1.486 m² (16 ft²)	Below top floor ceiling	-
		Free Standing		6.096 m. (20 ft.)	1.524 m. (5 ft.)
	Directional ①	Attached or Freestanding	1.115 m² (12 ft²)	1.828 m. (6 ft.)	1.524 m. (5 ft.)
SC HW MG RE AG AL OS	Advertising	Free-standing	18.580 m² (200 ft²)	7.62 m. (25 ft.)	3.048 m. (10 ft.)
		Temporary	4.645 m² (50 ft²)	3.048 m. (10 ft.)	-
	Identification – Building and Use	Attached	25% of the front wall of the building façade to a max. 18.580 m² (200 ft²) for single occupancy; Combined max 55.742 m² (600 ft²) for multiple occupancy	10.668 m. (35 ft.)	-
		Free Standing	18.580 m² (200 ft²) for single occupancy; 27.871 m² (300 ft²) for double occupancy; and 37.161 m² (400 ft²) for multiple		3.048 m. (10 ft.)

Table 6-3: Zone Specific Sign Standards

Zone	Sign Types Permitted	Sign Forms Permitted	Max.		Min.
			Surface Area	Height (from grade)	Setback (from lot line)
			occupancy of 3 or more occupants.		
	Directional ①	Attached or Freestanding	1.115 m² (12 ft²)	-	1.524 m. (5 ft.)
	Event	Attached or Freestanding	5.946 m² (64 ft²)	-	-

Notes: ① Only 1 sign per entrance or exit shall be permitted, or 2 signs per combined entrance/exit.

6.14.6 The following regulations shall apply to all free-standing advertising signs (billboards):

a. No free-standing advertising sign may be located within 91.44 m. (300 ft). of another free-standing advertising sign; and

b. No free-standing advertising sign shall be located within a 152.4 m. (500 ft.) radius of the centre of an intersection of two public roads, or the intersection of a public road and a rail right-of-way;

6.14.7 The following regulations shall apply to all temporary mobile signs:

a. There shall be no more than one mobile sign per lot, except for lots with multiple occupancy where two signs shall be permitted. Where there is more than one mobile sign, the signs shall be a minimum of 19.81 m. (65 ft.) apart.

b. Flashing or scintillating mobile signs are prohibited; and

c. No mobile sign shall be placed in such a way that it may interfere with, obstruct the view of, or be confused with an authorized traffic signal, warning sign or other regulatory or informational device, and in no circumstances, shall it be located within 3.05 m. (10 ft.) from the nearest part of any exit or entrance driveway.

6.14.8 The following regulations shall apply to electronic signs:

a. All signs with electronic images shall have a minimum hold time of 6 seconds, transition to not include any blinking, intermittent or flashing light or the illusion of such effects;

b. An electronic sign must not exhibit moving or animated content;

c. An electronic sign must not exceed 3.2 lux above ambient light conditions; and

d. All electronic signs must use automatic dimming technology so that the sign is not a nuisance or safety issue.

6.15 SITE GRADING AND LEVELLING

6.15.1 Every development shall be graded and levelled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land in accordance with, and to the satisfaction of, applicable municipal policies and by-laws and provincial licensing standards.

6.15.2 All developments must provide for the appropriate on-site infrastructure to manage stormwater to the satisfaction of the municipality.

6.15.3 All excavations or filling shall be re-vegetated immediately after other construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion.

6.15.4 All vegetation and debris in an area to be re-graded or filled must be removed from the site prior to site grading and levelling.

6.15.5 All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by the Municipality.

6.15.6 Where excavation or filling is proposed for any development in a flood hazard sub-district, the Municipality may request comments of Manitoba Transportation and Infrastructure prior to marking a decision on the Development Permit application.

6.16 LANDSCAPING AND BUFFERING

6.16.1 The Designated Officer may require that site landscaping be provided in conjunction with, and addressed as part of, any Development Permit approval in any Zoning District.

6.16.2 Council may establish specific landscaping requirements to include berms, natural vegetation, planted vegetation, landscaping, trees, shrubs, fences, private signs, parking areas, and similar amenities.

6.16.3 Landscape buffers are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitate natural drainage. Landscape buffers, where required to separate uses from adjacent properties may require a minimum 1 m. (3 ft.) wide vegetative landscape buffer, unless a fence is required for other reasons.

6.16.4 Rural Residential dwellings may be required to establish a shelterbelt, or vegetative landscape buffer around the residential use to reduce land use conflicts and to recognize the need for a windbreak.

6.16.5 All trees, shrubs and other vegetative plantings required pursuant to this section shall be drought resistant and hardy to the region, using native species where possible.

6.16.6 Commercially zoned properties shall adhere to landscaping requirements set out in Subsection 7.25.

6.16.7 A permit is required from Manitoba Transportation and Infrastructure for any plantings proposed within 15 m of a provincial highway.

6.17 PARKING REGULATIONS

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

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

a. All accessory on-site parking spaces shall be located on the same lot as the use served, unless permitted by variation order to locate elsewhere;

b. Accessory parking areas shall have clearly-marked approaches or driveways and be defined by a fence, curb or other suitable boundary designed to provide a neat appearance;

c. Lighting provided for parking areas shall be shielded and directed away from adjoining residential areas and generally confined to the site;

d. The surface of an accessory on-site parking area, and the access driveways thereto shall be surfaced and designed in such a manner that there will be no free flow of water onto either adjacent properties or a public sidewalk;

e. Any required on-site parking area shall be of such a surface that will minimize the carrying of dirt or foreign matter onto the public right-of-way;

f. Accessory on-site parking areas provided for a use shall be used exclusively for the parking of employees, occupants, patrons or visitors of such use, unless otherwise permitted herein, and shall not be used for motor vehicle repair work or similar such uses;

g. When any building, structure or use in existence on the effective date of this By-law is subsequently damaged or destroyed, and is reconstructed or re-established, the accessory on-site parking spaces maintained at the time of such damage or destruction shall be restored or continued in operation; and

h. Accessory on-site parking spaces in existence on the effective date of this By-law or amendments thereto shall not be further reduced below the parking requirements for a similar new building or use under the provisions of this section.

6.17.3 No person shall erect, enlarge, or change the use of a site without providing and maintaining a minimum number of on-site parking spaces in accordance with the Table below:

Table 6-4: Minimum On-Site Parking Spaces Required

Use Category and Use	*Minimum On-Site Parking Spaces Required*
Agricultural Uses	
General	Exempt
Agri-Business	1 space per 5 employees on maximum work shift. but not less than 1 space per 100 m^2 (1,076.36 ft^2) of gross floor area
Commercial Sales and Service Uses	
General	1 space per 20 m^2 (215.28 ft^2) of gross floor area
Hotels and Motels	1 space per guest room
Community, Recreation and Public Service Uses	
General	Exempt
Schools	1.5 spaces per classroom
Places of Worship	1 space per 15 seating places plus 1 space per 20 m^2 (215.28 ft^2) of assembly room floor area of the largest assembly room within the building.
Community Centres and Halls	1 space per 10 seating places for the public or 1 space per 10 m^2 (107.64 ft^2) of gross floor area used by patrons, whichever is greater.
Hospitals and Medical Services	1 space per 35 m^2 (376.74 ft^2)of gross floor area
Entertainment Establishment, Library, Museum, Gallery, Recreation Facility	1 space per 5 seats. Where no fixed seats, 1 space per 10 m^2 (107.64 ft^2) of gross floor area
Transportation and Automotive Uses	
General	1 space per 3 employees on maximum work shift. but not less than 1 space per 150 m^2 (1,614.59 ft^2) of gross floor area
Industrial Uses	
General	1 space per 3 employees on maximum work shift. but not less than 1 space per 150 m^2 (1,614.59 ft^2) of gross floor area
Residential Uses	
Single Unit, Two-Unit, Manufactured Home Dwellings	1 space per dwelling unit
Multi-Unit Dwellings	1.5 spaces per dwelling unit

Table 6-4: Minimum On-Site Parking Spaces Required	
Use Category and Use	*Minimum On-Site Parking Spaces Required*
Accessory	
Secondary Suites	1 space per dwelling unit

6.17.4 The following regulations apply to the required dimensions for parking spaces:

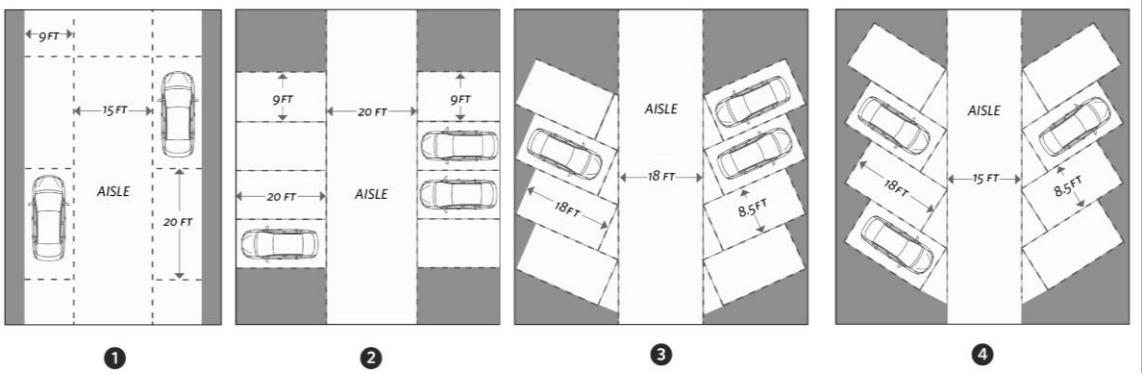
a. Parking space dimensions may vary depending on the angle measured perpendicular to the axis of the access aisle of the space provided. The dimensions of parking spaces shall be in accordance with the standards of the Table below;

b. All entrances and egress driveways shall be a minimum of 7.5 m. (24.61 ft.) and no closer than 7.5 m. (24.61 ft.) from the point of two property lines at a street intersection;

c. Where an aisle serves two different types of angled parking, which are located across from each other, the largest required access aisle shall be provided;

d. Where access to a parking space is directly from a street or lane, the width of the adjacent street or lane may be computed as part of the required aisle width.

Table 6-5: Parking Space Standards			
Angle of Parking	*Width*	*Length*	*Aisle*
Parallel	2.74 m. (9 ft.)	6.10 m. (20 ft.)	4.57 m. (15 ft.)
45 degrees	2.74 m. (9 ft.)	5.49 m. (20 ft.)	5.49 m. (20 ft.)
60 degrees	2.74 m. (8.5 ft.)	5.49 m. (18 ft.)	5.49 m. (18 ft.)
90 degrees	2.74 m. (8.5 ft.)	6.10 m. (18ft.)	4.57 m. (15 ft.)



6.17.5 Where in this By-law parking facilities are required for single detached and bare land condominium dwelling units, the parking area shall:

a. be provided on the same site;

b. have a minimum required area for each parking space of 15 m^2 (161.46 ft^2), a minimum width of 2.5 m. (8.20 ft.), and a minimum length of 5.5 m. (18.04 ft.); and

c. be constructed so that the location of vehicular approach ramps or driveways at the street line are no closer than 7.5 m. (24.61 ft.) from the point of intersection of two property lines at a street intersection.

6.17.6 The following regulation applies to commercial sites:

a. Extended vehicle parking is not allowed in front of the principal building. All vehicles stored for an extended period are to be located on the side or behind the principal building.

b. All parking, circulation and maneuvering areas to be graveled or hard surfaced;

c. All parking is required to be on-site, unless permitted by variation.

d. Where the rear or side lots of a site abut either a residential zone, a site in the Hospitality and Wellness zone, or the Cities of Morden or Winkler, and are to be used for parking, they shall be screened as determined by the Designated Officer.

6.18 LOADING REGULATIONS

6.18.1 No person shall erect, enlarge, or change the use of a site without providing and maintaining a minimum number of loading spaces in accordance with Table 6-6 below:

Table 6-6: Minimum Loading Spaces Required

Use Category and Use	*Minimum Loading Spaces Required*
Commercial Sales and Service Uses	
General	Exempt for less than 465 m^2 (1,525.59 ft^2) of gross floor area; 1 space between 465 m^2 (1,525.59 ft^2) and 1,400 m^2 (4,593.12 ft^2) of gross floor area; 1 additional space for each 2,300 m^2 (7,545.93 ft^2)
Office	Exempt for less than 1,400 m^2 (4,593.12 ft^2); 1 space for uses between 1,400 m^2 (4,593.12 ft^2) and 2,800 m^2 (9,186.35 ft^2); 1 additional space for each 2,300 m^2 (7,545.93 ft^2) up to 5
Community, Recreation and Public Service Uses	
Hospitals and Medical Services	1 space up to 1,400 m^2 (4,593.12 ft^2) of gross floor area; 2 spaces up to 2,800 m^2 (9,186.35 ft^2) of gross floor area; 1 additional space for each 2,800 m^2 (9,186.35 ft^2) up to 5
Industrial	
General	1 space up to 1,400 m^2 (4,593.12 ft^2) of gross floor area; 2 spaces up to 2,800 m^2 (9,186.35 ft^2) of gross floor area; 1 additional space for each 2,800 m^2 (9,186.35 ft^2) up to 5

6.18.2 When required, on-site vehicular loading and unloading spaces must meet the following provisions:

a. Loading spaces must be located either within or abutting the building containing the use and shall be screened from view from any adjacent sites and public roadways;

b. No loading spaces shall be provided within a minimum front yard; and

c. Loading spaces provided within the minimum side yard shall be open and uncovered.

Table 6-7: Loading Space Standards

Building Gross Floor Area	*Minimum Area*	*Minimum Width*	*Minimum Clearance*
1,400 m^2 or less	17 m^2 (182.99 ft^2)	3 m. (9.84 ft.)	-

Table 6-7: Loading Space Standards			
Building Gross Floor Area	*Minimum Area*	*Minimum Width*	*Minimum Clearance*
(15,069.47 ft²)			
Larger than 1400 m² (15,069.47 ft²)	33.5 m² (360.59 ft²)	3 m. (9.84 ft.)	4.25 m. (13.94 ft.)

6.19 PROJECTIONS INTO REQUIRED YARDS

6.19.1 The following features may project into a required yard as provided for below:

a. Uncovered walks, wheelchair ramps, trellises, flagpoles, lighting fixtures and lamp posts.

b. Verandas, porches, decks, eaves, shade projections, unenclosed steps, cantilevers, chimney or parts of a chimney, belt courses, sills, together with any other architectural features which, in the opinion of the Designated Officer, are of a similar character, excluding rain gutters provided such projections do not exceed 0.91 m. (3.00 ft.).

c. Bay, oriel, or similar windows, provided that such projections do not exceed 0.61 m. (2.00 ft.).

d. Balconies, provided with such projections do not exceed 0.61 m. (2.00 ft.).

e. Any loading space required under the regulations of this By-law, provided it shall not be in a required front yard.

f. A parking area when comprised of parking spaces required under this By-law, provided that no parking area in any Zoning District shall be located within the required front yard. This shall not prohibit the use of a required front yard for such walkways and driveways as the Designated Officer considers necessary.

g. Fences, hedges, walls, and screening.

6.20 WATER SUPPLY

6.20.1 A potable water supply shall be available to developments where water is required and the development proponent is responsible to gain confirmation and approval for adequate water service and infrastructure.

6.20.2 Council may require an applicant to provide written proof from a qualified professional, that a potable water supply of sufficient quality and quantity is available to service the proposed development or subdivision.

6.20.3 If Subsection 6.20.2 above is not complied with, or if the proposed development or subdivision may jeopardise ground or surface water supplies, Council may refuse a development or recommend refusal of a proposed subdivision.

6.21 WASTE DISPOSAL

6.21.1 The development proponent is responsible to gain confirmation and approval for adequate wastewater service and infrastructure and solid waste disposal to the satisfaction of approving authorities.

6.21.2 Notwithstanding any minimum site size referenced in this By-law, the minimum site size for sites with private onsite wastewater services will be limited by the minimum site size required by the Onsite Wastewater Management Systems Regulation.

6.22 DEVELOPMENT ON ENVIRONMENTALLY SENSITIVE LANDS

6.22.1 No buildings or structures shall be built in an area that has been identified either by Council or other agencies as being subject to flooding, unless the development proponent demonstrates to the satisfaction of Council that measures will be taken to protect the development from flood damage.

6.22.2 Where development is proposed in an area that, in the opinion of the Designated Officer, may be subject to ponding due to snowmelt or heavy rainfall events, the development proponent may be required to provide additional

measures, including the provision of sufficient fill around the building, to provide an additional measure of protection from flood damage including providing a geotechnical engineering report showing that the development may occur without creating any additional risks.

6.22.3 No building or structure shall be built in an area that is subject to erosion, bank instability, landslide, and subsidence, is marshy or unstable, or is otherwise hazardous or unsuitable by virtue of its soil or topography, unless it is demonstrated to the satisfaction of Council that proper measures will be taken to deal with the unsuitability or hazard.

6.22.4 Buildings proposed in areas located in an area subject to periodic flooding may be required to meet building elevations set out by the municipality.

6.22.5 Any filling or draining of regulated wetlands (Class 3, 4 or 5) constitutes the construction of water control works.

6.22.6 Class 6, 7 and unimproved organic soils (ag capability) cannot be drained.

6.23 AIRPORT VICINITY AREAS

6.23.1 No buildings or structures shall be erected within the following areas:

a. A 60.96 m. (200.00 ft.) strip parallel to and on either side of the centerline of a runway; and

b. An area 243.84 m. (800.00 ft.) from either end of a runway.

6.23.2 No building constructed around an airport shall exceed the following height restrictions:

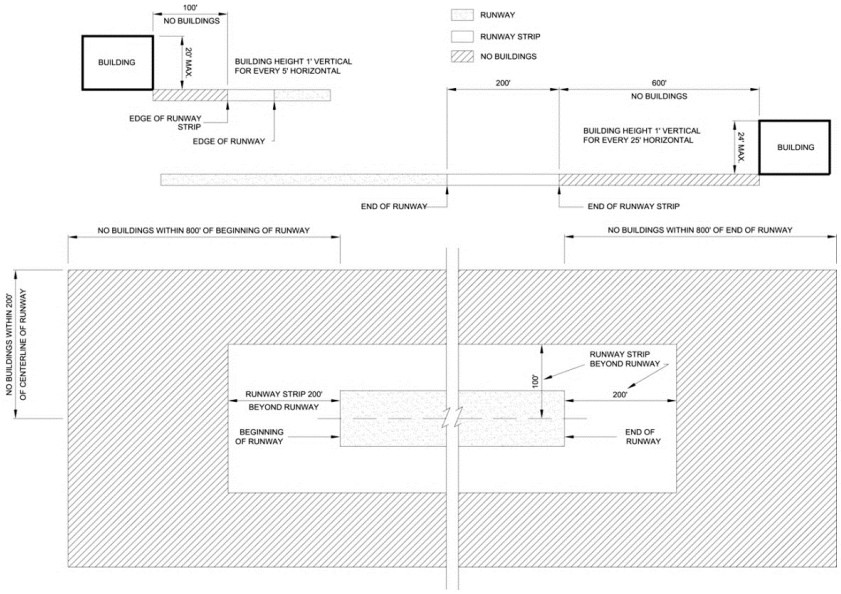
a. No building along the edge of a runway shall exceed a height of 0.31 m. (1.0 ft.) vertical for every 1.54 m. (5.00 ft.) measured horizontally from the edge of the runway strip, as illustrated below; and

b. No building located in the take-off or approach paths to a runway shall exceed a height of 0.31 m. (1.0 ft.) vertical for every 7.62 m. (25 ft.) measured horizontally from the ends of the runway strip and diverging ten (10) percent from the extension of the edges of the runway, as illustrated below.

6.23.3 Applications for Development Permits involving properties within the vicinity of an airport shall be accompanied by either:

a. A statement from Transport Canada Aviation that the proposed development does not include obstructions that in any way exceed the obstruction limitation surfaces applicable to the Morden Regional Airport and the Winkler Airport; or

b. Certification by a professional engineer or architect licensed to practice in the Province of Manitoba, confirming that the proposed development does not include obstructions that in any way exceed the obstruction limitation surfaces applicable to the Morden Regional Airport and the Winkler Airport.



Section 7: Use-Specific Development Standards

The following regulations apply to specific land uses due to their unique characteristics and impact on land and/or infrastructure. In addition to the standards outlined in this section, it is the applicant's responsibility to to identify and obtain any and all necessary permits, licenses or approvals from relevant provincial and federal authorities.

7.1 PLANNED UNIT DEVELOPMENTS

A Planned Unit Development (PUD) is a land development project built as an entity in accordance with a comprehensive site plan that is presented by a developer to a board or council. PUDs can be a useful tool for larger mixed-use developments because they give municipalities and developers flexibility in siting building, mix of uses and different housing types, usable open spaces and the preservation of significant natural features through customized site-specific standards.

7.1.1 A PUD shall comply with the following regulations:

a. PUDs are only permitted as conditional uses in the following zones:
   (i) **RR** – Rural Residential;
   (ii) **GD** – General Development;
   (iii) **RC** – Community Residential;
   (iv) **RMH** – Residential Manufactured Home;
   (v) **RI** – Residential Industrial;
   (vi) **SC** – Stanley Corridor;
   (vii) **MG** – General Industrial;
   (viii) **HW** – Hospitality and Wellness; and
   (ix) **OS** – Recreation and Open Space.

b. A PUD may only be established on sites or developments larger than 10 acres in area;

c. The uses and standards of a PUD must be generally consistent with the desired character for the area set out in the Development Plan, any applicable Secondary Plan, and the uses and standards intended for the site;

d. In addition to a conditional use application, an application for a PUD shall include normal Development Permit as well as an impact study that outlines the following information:
   (i) Economic, social and environmental benefits to the community;
   (ii) Municipal servicing requirements including water, sanitary and sewer;
   (iii) The effect on the general character of the area and adjacent areas;
   (iv) The effect on the general environment including, but not necessarily limited to, drainage, groundwater and erosion;
   (v) The effect on Municipal services and the street system; and
   (vi) Other information as required by Council;

e. PUDs shall be regulated through a site plan or development agreement, which is caveated against the title at the Land Titles office;

f. An application for a PUD must be accompanied with a detailed site plan, including:
   (i) The location of the site boundaries
   (ii) The location, height and types of use of buildings and structures;
   (iii) The location of all transportation infrastructure;
   (iv) Landscaping;
   (v) Parking;
   (vi) Services including water and sewage collection;

(vii) Lot grading;

(viii) All instances where the bulk standards of proposed buildings or structure do not comply with the requirements of the Zoning By-law; and

(ix) Other information as required by the Designated Officer.

7.2 COMMUNICATION TOWERS

7.2.1 Innovation, Science and Economic Development Canada will ensure that Federal requirements are followed including procedures outlined in the CPC-2-0-03 Radiocommunication and Broadcasting Antenna Systems for any new cell towers or similar wireless technology infrastructure to be established in the municipality, including but not limited to:

a. Notification of potential siting;

b. Site investigation meeting with municipality to discuss location and potential co-location;

c. Confirmation of municipal development and design preferences and requirements;

d. A proposal submitted with all requirements contained in the Protocol; and

e. Confirmation of any applicable municipal fees and requirements.

7.2.2 The following systems are generally excluded from requirements to consult with the municipality, but must still consider local surroundings, neighbouring residents, co-location opportunities, sensitive locations, and Transport Canada marking requirements:

a. Systems less than 15 m. (49.21 ft.) above ground;

b. Maintenance of existing radio apparatus;

c. Additions or modifications to an existing Antenna System, within limits described in CPC 2-0-03;

d. Painting or lighting to comply with Transport Canada;

g. e. Applicants shall apply to the Municipality for a Development Permit and provide a copy of the notification package as outlined in CPC 2-0-03 and complete other notifications outlined therein which may include surrounding properties and the local newspaper. Any comments received by the applicant must be provided to the Municipality; Private communication towers may be located on the roof of a building provided the roof can structurally support the weight of the facility, including all apparatus, in accordance with the Manitoba and National Building Code.

7.3 MANUFACTURED HOME PARKS AND DWELLINGS

7.3.1 Each manufactured home shall comply with its appropriate Canadian Standards Association standards for construction and comply with The Building By-law in place of time of application.

7.3.2 Wherever a manufactured home is allowed under this By-law outside of the RMH Zone, it must be attached to a foundation or otherwise be secured to the satisfaction of the Designated Officer, prior to occupancy;

7.3.3 Notwithstanding the requirements of **Appendix II**, the following reduced dimensional standard shall apply to individual manufactured home spaces within manufactured home parks:

a. Minimum site area per manufactured home space – 334.45 m^2 (3,600 ft^2);

b. Minimum site width per manufactured home space – 12.192 m. (40 ft.).; and

c. Minimum site depth per manufactured home space – 27.432 m. (90 ft.).

7.3.4 A manufactured home park shall meet the following standards:

a. Walkways, where provided, must have a minimum width of 1.828 m. (6 ft.);

b. Main internal roads must be a minimum of 15.24 m. (50 ft.) wide; and

c. All other internal roads must be a minimum of 10.06 m. (33 ft.) wide.

7.3.5 Manufactured homes being moved into a RMH Zone must be newer than 10 years old. Homes older than that will not be permitted to be moved into the RMH Zone.

7.3.6 A manufactured home park must provide a common park space or recreation area for the residents.

7.3.7 Development Permit applications within Rosebrook Place must be accompanied by approval letter and signed site plan from their condo board.

7.3.8 Manufactured homes shall be one level, no basements permitted.

7.4 SECONDARY SUITES

7.4.1 No more than one Secondary Suite shall be permitted on a single zoning site.

7.4.2 The owner of the property must reside in either the principal dwelling or the secondary suite.

7.4.3 The exterior of the Secondary Suite should incorporate building materials, textures, and colours that are similar to those found on the principal building.

7.4.4 The following regulations apply to a Secondary Suite that is within or attached to a principal dwelling:

a. The principal dwelling must be an existing permanent structure; and

b. The maximum floor area shall not exceed 40% of the total habitable floor space of the principal dwelling or 80 m^2 (861.1 ft^2) or second storey, whichever is the lesser;

7.4.5 The following regulations apply to a detached Secondary Suite

a. The maximum total floor area shall be no greater than 92.90 m^2 (1000 ft^2.) and shall not exceed 40% of the total habitable floor space of the principal dwelling whichever is lesser or the maximum lot coverage for ancillary structures as permitted within the zoning bylaw. Basements are prohibited;

b. The maximum building height shall be no greater than:

(i) 8 m. (26.2 ft.) for a suite located above a detached accessory building, and

(ii) 5 m. (16.4 ft.) for an at-grade suite.

c. Where a property with a detached Secondary Suite backs onto a public lane, public right-of-way, public park, or a property zoned for commercial or industrial uses, the Secondary Suite may project into a required rear yard, but must be setback a minimum of 3.1 m. (10 ft.); and

d. Minimum separation from the Principal Dwelling shall be 3.1 m. (10 ft.);

e. Setbacks to the front yard setback must be equal or greater than the minimum setback from the principal building required for that zone and shall not be located in front of the principal building.

7.4.6 Maximum size for a single car garage attached to the suite is 288 sq' (24' x 12').

7.4.7 Municipal services for the suite shall be provided through the principal building unless otherwise approved by the Designated Officer.

7.4.8 A minimum of one on-site parking space must be provided.

7.4.9 A manufactured home shall not be used as a Secondary Suite, nor should a seasonal recreational vehicle, park-model trailer, construction trailers, tiny home (whether on frame or chassis), or yurts.

7.5 HOME-BASED COMMERCE

7.5.1 All Home-Based Commerce operations, including home-based occupations and industries, shall be subject to the following general regulations:

a. Uses are limited to those uses which do not interfere with the rights of other residents to a peaceful enjoyment of their neighborhood;

b. Uses must be accessory to a privately owned single unit dwelling;

c. The home-based commerce operation must be operated by a resident of the dwelling unit and shall only be valid during the period of time the dwelling is occupied by said resident;

d. A home-based commerce operation shall not significantly change the principal character or external appearance of the dwelling unit unless otherwise permitted through a Development Permit;

e. On-site signs shall be permitted according to Subsection 6.14;

f. Off-site directional signs not exceeding 0.5 m^2 (5 ft^2) may be permitted at the discretion of Council where necessary;

g. Home-based commerce operations shall comply with all environmental and public health standards of the Province of Manitoba. If Council determines that a proposed use may conflict with these standards, the application shall be referred to the appropriate provincial department(s) prior to issuing a Development Permit;

h. A home-based commerce use shall not be permitted if in the opinion of the Municipality, such a use would be more appropriately located in another Zoning District having regard for, among other matters, required services, the potential for traffic generation and potential interference with the residential character of the area;

i. A Development Permit for a home-based commerce use shall include provisions satisfactory to the municipality for the following:

   (i) A description of the home-based commerce use;

   (ii) Site plan showing parking and location for vehicles, equipment, and materials;

   (iii) Appropriate space for garbage and debris;

   (iv) Appropriate fencing/landscaping and/or other screening;

   (v) Hours of operation;

   (vi) Traffic management; and

   (vii) Mitigative measures to ensure negative impacts on neighbours are minimized.

j. Any increase in the operation as originally applied for or approved shall require a new conditional use approval; and

7.5.2 A Development Permit for a home-based commerce operation may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met or the operation exceeds the scope of its initial permit

7.5.3 Home-Based Occupations shall be subject to the following additional provisions:

a. All primary commerce activities must take place inside the existing private dwelling and/or accessory building or structure and there shall be no outside storage of goods or materials associated with the home-based commerce activity;

b. The home-based occupation shall not create nuisance by way of dust, noise, vibration, smoke, odour, etc., nor shall it create or cause any fire hazard, electrical interference or traffic congestions in the neighbourhood or area;

c. The maximum floor area for a home-based business shall be 55.74 m^2 (600 ft^2);

d. May include limited selling of goods and services related to the Home-Based Occupation; and

e. No more than two non-resident full-time equivalent employees shall be permitted.

7.5.4 Home-Based Industries shall be subject to the following additional provisions:

a. The maximum floor area for a home-based industry shall be 232.25 m^2 (2,500 ft^2);

b. No more than two (2) non-resident full-time equivalent employees shall be permitted;

c. No more than 5 additional vehicles associated with the business, excluding those owned by employees;

d. Limited and/or controlled character change to the existing buildings/yard may be permitted;

e. Outside storage of materials, equipment, loading, noise, traffic, hours of operation will generally exceed those of a home-based occupation, and are permitted within the parameters of the development permit;

f. May include the selling of goods or services related to the Home-Based Industry within the parameters of the development permit;

g. Should the operation utilize mechanical or electrical equipment, the application shall include mitigative measures to ensure negative impacts on neighbouring uses are minimized; and

h. Home-Based Industries shall only be considered on lots over 0.75 acres.

7.6 FARM-BASED COMMERCE

7.6.1 All farm-based commerce operations shall be subject to the following conditions:

a. Farm-based commerce operations shall only be located on farmstead sites which are accessory to currently active agricultural operations;

b. The farm-based commerce use shall be valid only during the period of time the property is occupied as an agricultural operation;

c. On-site signs shall be permitted according to Subsection 6.14;

d. Off-site directional signs not exceeding 0.5 m^2 (5 ft^2) may be permitted at the discretion of Council where necessary to provide directions from a highway or main road to the operation;

e. Farm-based commerce operations shall comply with all environmental and public health standards of the Province of Manitoba. If Council determines that a proposed use may conflict with these standards, the application shall be referred to the appropriate provincial department(s) prior to issuing a Development Permit.

f. A proposed use should not be permitted if in the opinion of Council, such use would be more appropriately located in another Zoning District having regard for potential traffic generation and interference with the agricultural character of the area;

g. A Development Permit for a farm-based commerce operation will include provisions satisfactory to the municipality for the following:

(i) Adequate on-site parking and location for vehicles and equipment and materials;

(ii) Garbage and debris to be kept out of public view;

(iii) Appropriate fencing/landscaping and/or other visual barriers; and

(iv) Hours of operation;

h. Any increase in the operation as originally applied for or approved shall require a new approval;

i. Council may also apply special standards in the issuance of a Development Permit limiting the size of operation including, but not limited to, the size and number of buildings used for the operation, the number of employees, or the requirement to mitigate negative impacts on neighbouring uses; and

j. A Development Permit for a farm-based commerce operation may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met.

7.7 SWIMMING POOLS, HOT TUBS & OTHER WATER FEATURES

7.7.1 Swimming Pools shall be enclosed with a fence or other suitable barrier constructed in accordance with the following requirements:

a. A minimum height of 1.5 m. (5 ft.);

b. There shall be no openings, other than a door to a building or a gate as described in (c), and it shall not be possible for a child to crawl under either the fence or the gate;

c. Any gate shall be self-closing, shall be at least 1.5 m. (5 ft.) in height and shall be equipped with a lockable latch to prevent unauthorized entry; and

d. The outside surface of the fence and gate shall be relatively smooth so as not to provide foot or toe holds.

7.7.2 The following pools are not subject to this By-law:

a. Pools incapable of holding water beyond a maximum depth of 300 millimetre (11 ¾ inch) and beyond the volume of 4,550 litres (1,000 gallons);

b. Pools owned by a public or government body, agency or authority;

c. Pools designed and used solely for ornamental purposes;

d. Farm ponds, which for the purposes of this By-law shall mean a pond which is maintained for agricultural or horticultural uses only; or

e. Naturally occurring streams, lakes, swamps or other natural bodies of water.

7.7.3 Notwithstanding the requirements outlined in **Appendix II**, the side and rear yard setbacks for a swimming pool are a minimum 1.5 m. (5 ft.), all other yard setbacks shall be the same as the site requirements.

7.7.4 All other requirements must be met in accordance with the RM of Stanley Building By-law on Private Swimming Pools.

7.7.5 Hot tubs shall have a secure lid in place when not in use.

7.7.6 Pools, hot tubs, and other water features are prohibited from draining into the septic system.

7.7.7 Sump pump and/or drain tiles for in-ground pools may not discharge into the municipal sewer system.

7.8 GAS STATIONS AND AUTOMOTIVE SERVICE STATIONS

7.8.1 Gas Stations and Automotive Service Stations shall be subject to the following requirements:

a. Gas pumps and islands shall be set back 6 m. (20 ft.) from any site line;

b. Underground storage tanks shall be in accordance with *The Fire Protection Act*;

c. Propane and natural gas pumps (retail or wholesale) shall be set back according to Provincial regulations;

d. Access/egress points shall not be continuous along a street and shall be at least 10 m. (32 ft.) apart;

e. Gas stations or service stations are restricted to locations with access to a paved road; and

f. Vehicles and parts storage shall not locate in any yard abutting a road and must be screened from view by a solid fence with the location, height and materials being first approved by the Designated Officer.

7.9 NATURAL RESOURCE DEVELOPMENTS

7.9.1 In addition to the standard Development Permit application submission regulations, an applicant proposing to establish a natural resource development including aggregate, topsoil, forestry, or mineral mining, may be required to submit the following information:

a. A description of existing land uses immediately adjacent to the site;

b. A description of the proposed operation including:

(i) Site preparation measures to accommodate the proposed operation;

(ii) Location and size of proposed equipment storage areas as well as aggregate, topsoil or peat moss stockpile areas;

(iii) Access and egress locations on the site;

(iv) Site security and public safety provisions thereon;

(v) Infrastructure servicing needs;

(vi) Existing and anticipated final grades of the excavated land;

(vii) Drainage and water storage provisions;

(viii) Analyses of topography, geology, aquifers, groundwater supply, soils and soil profiles relative to the proposed operation;

(ix) Landscaping provisions;

(x) The condition in which the site is to be left when the proposed operation is complete, or the final disposition to be made of the area from which the topsoil or peat moss is to be removed, including the action which is to be taken for restoring the condition of the surface of the land to be affected, preventing, controlling or lessening the creation of erosion or dust from the land, removing goods and materials from the site and providing for site security and public safety measures; and

(xi) Traffic management plan including trip generation data – a Traffic Impact Study may be required.

7.9.2 A dwelling unit is allowed provided it is occupied by the owner/operator or a site watchperson or caretaker, if necessary.

7.9.3 No parking, loading, storage, trash collection, outdoor service or display area shall be permitted within a required side or rear yard.

7.9.4 When outside storage of goods and materials is required, such storage shall be located to the rear of a line adjacent to and parallel with the front wall of the building.

7.9.5 The Natural Resource Development shall comply with all environmental and public health regulations of the Province of Manitoba. If the Designated Officer believes a proposed Natural Resource Development may conflict with these regulations, the application shall be referred to the appropriate Provincial department(s) prior to issuing a Development Permit.

7.9.6 No dwelling unit shall be located within 152.4 m. (500 ft.) from any active Natural Resource Development.

7.9.7 No dwelling unit shall be located within 15.24 m. (50.00 ft.) from the edge of a right-of-way established for the transmission of high-pressure natural gas or the transmission of hydroelectricity in excess of 100 kilovolts;

7.9.8 No dwelling unit or farm building shall be located within an area that has been designated as a high or medium quality aggregate area by the Manitoba Mines Branch, unless the site has been reviewed by that Branch and a recommendation provided that would allow development to proceed;

7.10 SOLID OR LIQUID WASTE DISPOSAL FACILITIES

7.10.1 Development and maintenance of a solid or liquid waste disposal facility shall be subject to the following standards:

a. A buffer strip containing trees, shrubs or a berm surrounding a solid or liquid waste disposal facility may be required to the specifications established by Council in the required Development Permit;

b. Any solid or liquid waste disposal facility may be fenced to a standard as specified by Council;

c. Development of a solid or liquid waste disposal facility shall also be subject to the minimum separation distance set out in Table 7.1 below and measured between the fence, berm, or edge of the facility (as the case may be) and the nearby building development.

Table 7-1: Mutual Separation Distance for Solid/Liquid Waste Disposal Facilities

Use	*Minimum Separation Distance to Solid Waste Facility*	*Minimum Separation Distance to Liquid Waste Facility*
Dwelling	800 m. (2,624 ft.)	457 m. (1,500 ft.)
Intensive rural residential subdivision, community residential, general development or urban municipality	1,600 m. (5,249 ft.)	600 m. (1,968 ft.)
Commercial or industrial use	300 m. (984 ft.)	300 m. (984 ft.)

7.11 SOLAR ENERGY GENERATING SYSTEMS

7.11.1 All solar energy systems must meet the following standards:

a. Any solar energy system not connected to a building shall adhere to the same setbacks and height restrictions for accessory buildings for the zone in which the installation is situated;

b. A roof or wall-mounted solar collector shall not exceed, in size, the total square footage of the principal structure;

c. A solar collector that is mounted on a roof may project a maximum of five (5 feet from the surface of the roof but may not extend beyond the outermost edge of the roof;

d. A solar collector may be mounted on a structure provided the structure can structurally support the weight of the system, including all apparatus, in accordance with the Manitoba and National Building Code; and

e. A solar energy system that is mounted on a wall may project a maximum of two (2) feet from the surface of the wall and must be located a minimum of eight (8) feet above grade.

7.12 WIND ENERGY GENERATING SYSTEMS

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

a. A commercial WEGS turbine facility must be setback a distance equal to the height of the WEGS plus 9.14 m. (30 ft.) from the property line unless appropriate agreements or easements are in place with adjacent property owners. The total height of any WEGS shall be measured from the ground to the uppermost extension of any rotor blade;

b. All commercial WEGS must adhere to a 30-m. separation distance from any water body or waterway;

c. In addition to satisfying the minimum yard requirements, the minimum separation distance between a commercial WEGS tower and the nearest habitable buildings shall be 457.2 m. (1,500 ft.);

d. All WEGS shall observe a minimum separation distance of 457.2 m. (1,500 ft.) from the boundary of any City, Rural Residential area, or Village area;

e. Commercial WEGS shall not contain any artificial lighting, other than what is required by federal and provincial regulations;

f. Commercial WEGS shall not have any advertising or signage, other than the manufacturer's or owners name or logo;

g. As part of their Development Permit application, proponents for commercial WEGS must submit a detailed site plan showing the location of wall wind generating devices, associated accessory buildings or structures, electrical lines (above or below ground), on-site roads, and driveways providing access the public road system;

h. Proponents of WEGS are responsible for obtaining any required federal or provincial permits or approvals from any agencies and a copy of such permits of approvals must be remitted to the municipality;

i. Where a WEGS is proposed on a site that is not under the ownership of the proponent, they will be required to enter into an easement agreement with the owner of the property in order to secure on-going access to the WEGS; and

j. Where in the opinion of the Municipality, the distances referred to in this section are not sufficient to reduce the potentially negative impact of WEGS due to the proposed number or density, the existing number or density of other uses in the general vicinity, the proximity to a public road, or any other reason that the Municipality believes is relevant, Council may vary the required distances.

7.12.2 An On-site Use WEGS must meet the following standards:

a. An on-site use WEGS must be setback at least 6 m. (20 ft.) behind the front facing wall of the principal building, or in the case of corner lots, at least 4.5 m. (15 ft.) from the front and side site lines;

b. On-site use WEGS are permitted to exceed the maximum heights permitted in the Bulk Table found in **Appendix II**, up to a maximum 4.5 m. (15 ft.) above the roof of the principal building; and

c. An on-site use WEGS must be safely and securely attached to a rooftop in compliance with the National and Provincial Building Codes.

7.13 WASTE TRANSFER STATION

7.13.1 Development and maintenance of a waste transfer station shall be subject to the following standards:

a. The site should be located on a major haul route to the landfill and designed with a controlled site exit and entry and signage indicating the name of the facility, emergency contacts and a list of materials accepted and unaccepted for transfer;

b. Facilities should not be located in the 1:200-year flood plain or in any area which has a greater than 0.5% chance of flooding in any year;

c. There shall be a setback of 30 m. (98.43 ft.) from the transfer area to the nearest property boundary and / or nearest back top or high-water mark of any water course or water resource, including any off-site well used as a water supply;

d. There shall be a separation distance of 90 m. (295.28 ft.) from the transfer area to the foundation or pad of the nearest off-site building or structure;

e. The facility must include features to minimize the generation of leachate and odours; and

f. The site design should incorporate a vegetated or landscaped buffer of at least 15 m. (49.21 ft.) around the perimeter of the transfer area.

7.14 HEAVY INDUSTRIAL USES

7.14.1 Council may require additional information for the developed of a Heavy Industrial site including, but not limited to, impacts to neighbouring land uses, levels of nuisance, access, circulation, and potential truck traffic.

7.14.2 Development and maintenance of heavy industrial or manufacturing operations as a principal or accessory use shall be subject to the following:

a. Where the potential for pollution of the groundwater resources is identified, any appropriate mitigative measures acceptable to the Manitoba Environment and Climate Change shall be implemented; and

b. Industrial development that emits, produces, processes, handles, or stores hazardous materials or hazardous wastes shall be subject to appropriate mitigative measures acceptable to Manitoba Environment and Climate Change.

7.14.3 Containment ponds shall be constructed so as to minimize any seepage into underlying aquifers.

7.14.4 All new storage tanks and all storage tank replacements shall:

a. Be situated above ground;

b. Have a secondary containment with dykes, impervious liners or equivalent leak detection; and/or

c. Install a monthly statistical inventory reconciliation system.

7.15 ANHYDROUS AMMONIA FACILITIES

7.15.1 Any Anhydrous Ammonia Facility shall be located at least:

a. 1.61 kilometres (1.00 mile) from Community Zoning Districts or the City of Morden or City of Winkler;

b. 792.48 m. (2,600.00 ft.) from any residential or institutional development located outside Community Zoning Districts; and

c. 100 m. (328.08 ft.) from the right-of-way of a Provincial Trunk Highway, Provincial Road or Provincial Access Road.

7.15.2 An Anhydrous Ammonia Facility shall not be located above the Winkler Aquifer or the Massey Aquifer.

7.16 KEEPING OF ANIMALS

7.16.1 In the GD Zone, livestock outlined below, including any associated buildings or structures, may be kept as accessory to a dwelling, under the following conditions:

a. The keeping to a maximum of one hog, goat or sheep with a minimum of 2.0 acres of land to a maximum of 2 hogs, goats or sheep per site; or

b. The keeping to a maximum of 20 chickens per site which does not include roosters; or

c. The keeping to a maximum of 10 turkeys, or 10 ducks or 10 geese per site.

7.16.2 In the RC Zone, livestock outlined below, including any associated buildings or structures, may be kept as accessory to a dwelling on a parcel that exists as of the date of the adoption of this Zoning By-law and under the following conditions:

a. The keeping to a maximum of one hog, one goat or one sheep with a minimum of 2.0 acres of land; ;

b. The keeping to a maximum of 20 chickens per site which does not includes roosters; and

c. The keeping to a maximum of 10 turkeys, ducks or geese per site.

7.16.3 In the RMH zone, a maximum of 10 chickens are permitted per site and does not include roosters.

7.16.4 In the AG, AL and RR Zones, livestock totalling under 10 Animal Units (AU) and up to 0.67 AU per acre, including any associated buildings or structures, may be kept as accessory to a dwelling. See **Appendix III** to calculate AUs.

7.16.5 Minimum setback of 7.62 m. (25 ft.) from all property lines shall be required for all pens, coups, aviaries, hutches, and similar enclosures, and free-range areas. Within the GD and RC Zones, buildings and structures must be located in the rear yard of properties. In the RMH zone, these setbacks do not apply.

7.16.6 The keeping of livestock shall not interfere with the use and enjoyment of adjacent land uses as determined by the Designated Officer.

7.16.7 In the RR Zone and GD Zone, beekeeping is a conditional use and accessory to a principal use and is subject to the following criteria:

a. A maximum of 4 bee hives are allowed;

b. Bee hives shall be located a minimum of 6.1 m. (20 ft.) from property lines but should the setback not be able to be maintained, the beehive entrance must be directed away from the neighbouring property and situated behind a solid fence or hedge that is 1.83 m (6 ft.) in height running parallel to the property line;

c. Bee hives shall be located a minimum of 30.48 m. (100 ft.) from any off-site dwelling;

d. Bee hives are located in the rear yard only;

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

7.17 ANIMAL SHELTER, POUNDS, KENNELS, VETERINARY FACILITIES

7.17.1 The following additional considerations shall be made for an Animal Shelter, Pounds, Kennels, and Veterinary Facilities:

a. For animal shelters, pounds and kennels no building or exterior exercise area(s), shall be used to accommodate the animals, or be allowed within 300 m. (1000 ft.) of any dwelling located on adjacent lots;

b. All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council;

c. All facilities shall be visually screened from existing dwellings on adjoining lots;

d. A use shall at no time unduly interfere with the character of the area or the general enjoyment of adjoining sites; and

e. Failure to comply with any of the above regulations or the conditions of a Development Permit may result in the revoking of the permit by the Municipality.

7.18 LIVESTOCK OPERATIONS

7.18.1 All Livestock Operations shall meet the mutual separation distances as outlined in **Appendix IV** based on the AU

calculations and criteria outlined in **Appendix III**. Mutual separation distances to dwellings will be measured to the building itself. Separation distances to designated areas will be measured to the boundaries of the designated areas as identified by the Designated Officer.

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

7.18.3 In addition to the standard development application submission regulations, applications for Livestock Operations producing up to and including 299 AU shall:

a. Meet or exceed all applicable provincial or federal government environmental health regulations in force at the time of the permit application from the province for the expansion or modification of a livestock operation;

b. Have an adequate land base that is either owned or leased by the proponent to carry out the proposed operation requirements; and

c. Ensure all manure storage facilities and confinement facilities conform to all applicable provincial government regulations.

7.18.4 In addition to the standard development application submission regulations, and the requirements for Livestock Operations up to and including 299 AU, applications for Livestock Operations involving 300 or more AU shall:

a. Be sent to the Minister for referral to the Technical Review Committee;

b. Be subject to any measures required to implement the recommendations of the Technical Review Committee, if imposed by Council;

c. Submit analyses of geology, aquifers, and groundwater supply, soils and soil profiles, crop production/nitrogen/phosphorus utilization, and surface drainage relative to the proposed operation if requested by the Designated Officer or as required by the Technical Review Committee; and

d. Submit a letter signed by the applicant and agricultural engineer (or other qualified professional) certifying the contents of all information submitted as part of the application, if required by the Designated Officer in consultation with the Technical Review Committee.

7.18.5 Notwithstanding any other site regulations set forth in this By-law, no Livestock Operation shall be situated on a site less than 40 acres in area without a variance approved by Council.

7.18.6 In addition to the notice provisions in *The Act*, prior to any hearing of an application for a conditional use permit to establish or expand a livestock operation, the following notice is required:

a. 10 – 49 AU, send notice by regular mail to every residence within 100 m. (328 ft.);

b. 50 – 299 AU, send notice by regular mail to every residence within 1600 m. (1 mile); and,

c. 300+ AU and all earthen manure storage facilities, send notice by regular mail to every residence within 3000 m. (1.86 mile).

These notice provisions apply mutually to any hearing of an application for a conditional use permit to establish or expand a dwelling unit not within a designated residential area and in the vicinity of a livestock operation. Notice is required in accordance with Section 2.6.4 of this By-law.

7.19 MANURE STORAGE AND DISPOSAL

7.19.1 The siting of manure storage facilities must be consistent with the requirements under Manitoba Regulation 42/98.

7.20 COMMERCIAL COMPOSTING

7.20.1 Composting for commercial purposes in the Agricultural Zoning Districts must adhere to the following development standards:

a. The processing of composting material, including material undergoing initial decomposition and material undergoing secondary curing before being applied to land, must not occur within 30 m. (98.43 ft.) of any parcel boundary or domestic water supply intake, nor within 15 m. (49.21 ft.) of any natural watercourse or constructed ditch; and

b. Initial decomposition of compostable waste for operations within 457.2 m. (1,500 ft.) of a residential zone must be contained in a vessel or on a site from which potential odours can be mitigated.

7.20.2 Composting for commercial purposes in the Industrial General Zoning District must adhere to the following development standards:

a. Composting materials undergoing initial decomposition must be contained in a closed reactor or vessel in which conditions such as moisture, temperature, and oxygen levels can be closely monitored and controlled, and from which odours detectable by humans cannot escape; and

b. Equipment for the shredding or grinding of materials must be located within a structure having solid walls and a roof so that any noise generated by the equipment is attenuated.

7.20.3 Composting materials undergoing secondary curing or being stored prior to initial decomposition must be stored on an impermeable surface and any leachate must be collected, such that any contaminants leaching from the composted materials cannot enter the groundwater table.

7.20.4 Council may prescribe additional standards on a case-by-case basis related to screening, landscaping, and buffering as appropriate.

7.21 GREENHOUSES AND PLANT NURSERIES

7.21.1 Any landscaping material sales in a greenhouse and plant nursery shall occupy no greater than 10% of the site area to a maximum of 2,000 m^2 (21,527.82 ft^2).

7.22 METAL SHIPPING CONTAINERS (SEA CANS)

7.22.1 Metal shipping Containers must adhere to the following standards:

a. If used for more than 90 days per calendar year, a shipping container is considered an accessory building and must meet the requirements for accessory buildings in the zone in which it is located;

b. Shipping containers, when stacked, must not exceed the maximum height for accessory buildings for the zone; and

c. If used for less than 90 days per calendar year, a shipping container is considered temporary and may be used for temporary storage or emergency purposes, provided it meets the requirements for temporary buildings and structures in this By-law.

7.22.2 Metal Shipping Containers used for storage should generally be kept out of sight of public view.

7.22.3 Any Development Permit approving a shipping container will include provisions regarding the number of shipping containers allowed on the site and may include requirements for a site plan.

7.23 OUTDOOR SOLID FUEL APPLICANCE

7.23.1 Outdoor Solid Fuel Appliances may be constructed and used provided that they:

a. Shall be located on a flat level and non-combustible base and clear of overhangs such as roofs, tree branches or utility wires.

b. Shall comply with the Manitoba Building Code, Manitoba Fire Code, the manufacturer's installation instructions, and all other applicable law including CSA B366.1-M91.

7.23.2 General Rules Affecting the Use of Outdoor Solid Fuel Appliances

a. An outdoor solid fuel appliance system is required to obtain a development permit from the RM of Stanley. Approval may be subject to conditions.

b. Only manufacturer approved material may be burned which may include only clean, dry wood, pellets or other fuels permitted specific to manufacturer's Specifications.

c. Items that shall not be burned include garbage, rubbish, debris, chemicals or previously painted or treated wood or any fuel, which when burned result in the excessive and unreasonable smoke creation plus any material as defined within the legislation of Canada or Manitoba as hazardous and/or offensive odours which may negatively impacting neighbouring properties.

d. Heating materials must be stored in an orderly fashion at a distance of at least 10 ft from the heating system and not within the same structure as the heating system.

e. The Outdoor Solid Fuel Application must meet the setbacks as determined for accessory buildings in the Zoning Bylaw;

f. Use of the Outdoor Solid Fuel Appliance shall not be utilized during wind conditions exceeding 25 kilometres per hour or during extreme drought conditions or when there is a fire ban in order to prevent an undue fire hazard.

g. No Outdoor Solid Fuel Appliance shall unreasonably interfere with another individual's reasonable use and enjoyment of their property. If an Outdoor Solid Fuel Appliance is deemed to be a public nuisance by the Designated Officer, he/she shall take necessary actions to rectify the situation, including restraining the use of the Outdoor Solid Fuel Appliance;

h. Shall meet or exceed the emissions standards set by the Canadian Standards Association.

i. No Outdoor Solid Fuel Appliance shall be located within Community Districts or within 250 ft. of Community Districts.

j. Shall be located behind the rear wall of the principal building site.

7.24 DEVELOPMENT IN THE VICINITY OF MORDEN AND WINKLER

7.24.1 Notwithstanding other requirements of this by-law, no Heavy Manufacturing, Waste Transfer Station, Commercial Composting or Wrecking Yard uses shall be allowed to establish in the City and Corridor Interface as identified in the Stanley Corridor Secondary Plan.

7.25 COMMERCIAL DESIGN STANDARDS

7.25.1 General design standards for a commercial building include that:

a. Entrances should orient to the public road or, if not located on the road facing wall, be well defined and clearly identifiable. The use of canopies, brick, stone, or highly contrasting trim is strongly encouraged around principal entrances in order to make them visually prominent;

b. Principal facades of buildings visible from a public road shall be constructed of at least two different building materials. The façade of the building facing the street (or streets if located on a corner lot) should consist of attractive cladding material and should incorporate suitably scaled accents when used. Details of the building's proposed colours and materials must be shown on the building elevation drawings, and are subject to the approval of the Development Officer;

c. A minimum of 5% of the building area facing the street shall have windows;

7.25.2 Garbage containers must:

a. Be hidden from public view by either a freestanding enclosure screened from view from any public roadway and from adjacent sites; and

b. Must have lids;

7.25.3 Fencing and Outdoor Storage shall comply with the following:

a. Where the rear or side lot lines of a site abut either a residential use zone, the Hospitality and Wellness zone, or a site in the Cities of Morden or Winkler and are to be used for an outdoor service or display area, they shall be screened as determined by the Designated Officer.

7.25.4 Lighting for commercial properties shall ensure that:

a. Lighting be shielded and directed away from adjoining residential areas and generally confined to the site;
b. Avoid undue illumination of neighbouring properties;
c. Not to interfere with traffic safety; and
d. All pedestrian and public areas are well illuminated.

7.25.5 Signage shall adhere to Subsection 6.14;

7.25.6 Parking regulations shall adhere to Subsection 6.17.6 and may:

a. Be shared by two (2) or more buildings or uses in accordance with an agreement in order ot provide exception to the parking requirements set forth in this bylaw.

7.25.7 Loading regulations shall adhere to Subsection 6.18.

7.26 BED AND BREAKFAST

7.26.1 A Bed and Breakfast shall comply with the following:

a. Shall be operated as an accessory use and shall not change the principal residential character or external appearance of the dwelling unit.
b. Shall be operated within the dwelling unit and exclude any accessory buildings unless said buildings have obtained an occupancy permit from MSTW for a habitable building.
c. Meals to be limited to the owner and guests of the Bed and Breakfast which does not include operating an eating or drinking establishment.
d. No cooking facilities permitted within the bedroom suites.
e. A minimum of one on-site parking space must be provided per bedroom suite.
f. Shall be owner-occupied.

7.27 SHORT-TERM RENTALS

7.27.1 In order to support the tourism industry and locally available accommodations option while ensuring the neighbourhood compatibility of uses, a short-term rental shall comply with the following:

a. A short-term rental may not be offered or advertised without a valid and subsisting development permit;
b. A permit is not assignable or transferrable. If ownership of the premises changes, the new owner must apply for a new permit;
c. The premiss in which the short-term rental occurs must comply with the Building By-law and Codes adopted under it;
d. An operator of a short-term rental must disclose that fact to their home insurance provider and obtain adequate damage and liability coverage;
e. Guests or visitors at a short-term rental must not make, cause, or allow any noise nuisance and must comply with the Nuisance By-law;
f. The maximum number of overnight adult guests permitted in a short-term rental shall be two per legal bedroom.
g. A minimum of one on-site parking space must be provided per bedroom suite. No off-site parking permitted; and

h. Every person operating a short-term rental shall maintain the rental in a clean and sanitary conditions, with adequate measures for storage and disposal of garage and waste.

PART D: ZONING MAPS

Map 1: Overview

Map 2: City of Morden Area

Map 3: City of Winkler Area

Map 4: Stanley Corridor

Map 5: Blumenfeld

Map 6: Chortitz

Map 7: Friedensfeld West

Map 8: Haskett

Map 9: Hochfeld

Map 10: Neuenberg

Map 11: Osterwick

Map 12: Reinfeld

Map 13: Reinland

Map 14: Rosebrook Place

Map 15: Schanzenfeld

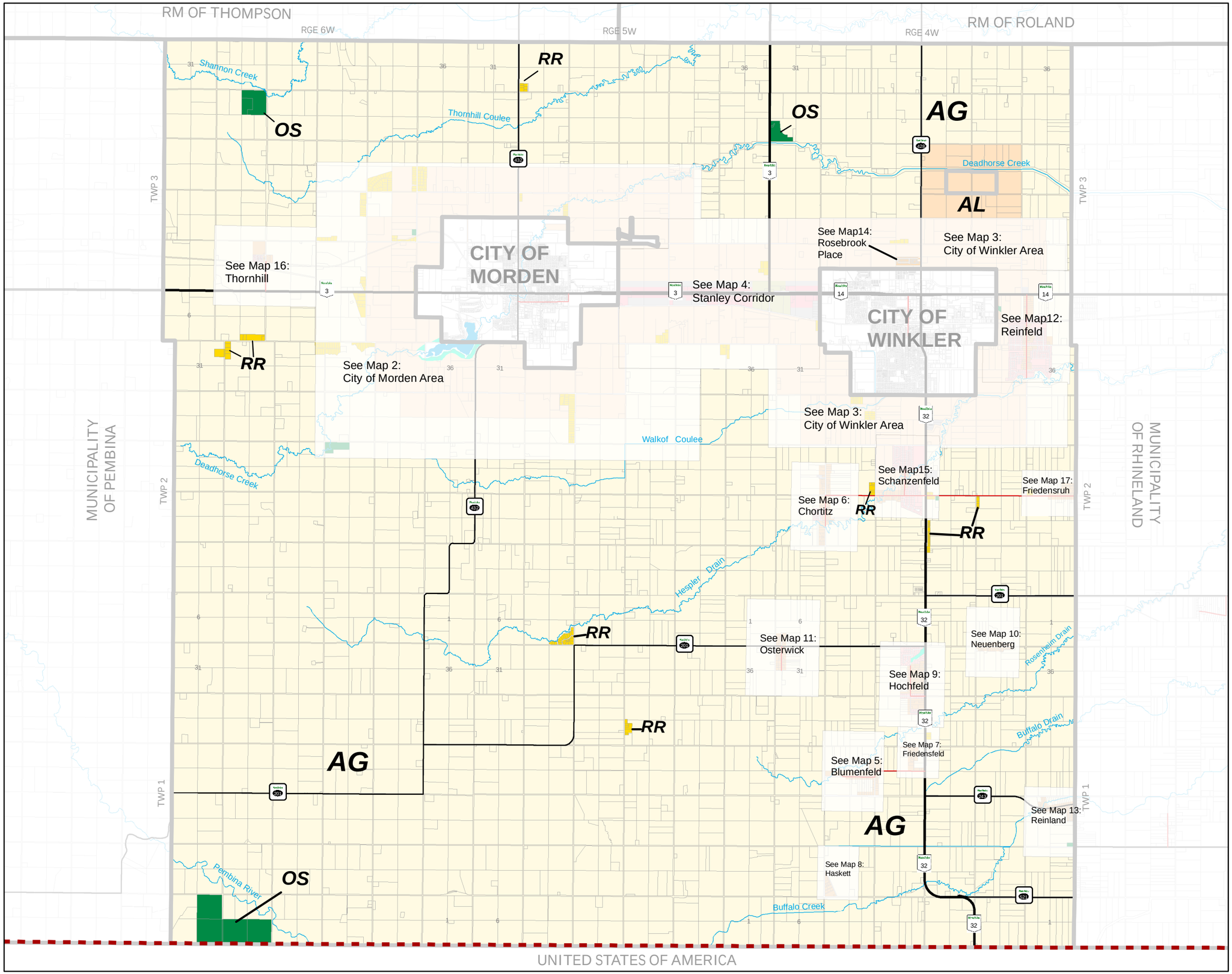
Map 16: Thornhill

Map 17: Friedensruh

RM of Stanley

Zoning By-Law #6-2026

Map 1 - Municipal Overview



Zoning:

- AG - Agriculture General
- AL - Agriculture Limited
- GD - General Development
- MG - Industrial General
- RR - Rural Residential
- EP - Environmental Protection
- OS - Open Space and Recreation

Other:

- Assessment Parcels
- Municipal Boundary
- Waterbody
- Waterways
- Access Road
- Provincial Road
- Provincial Trunk Highway
- International Border

N

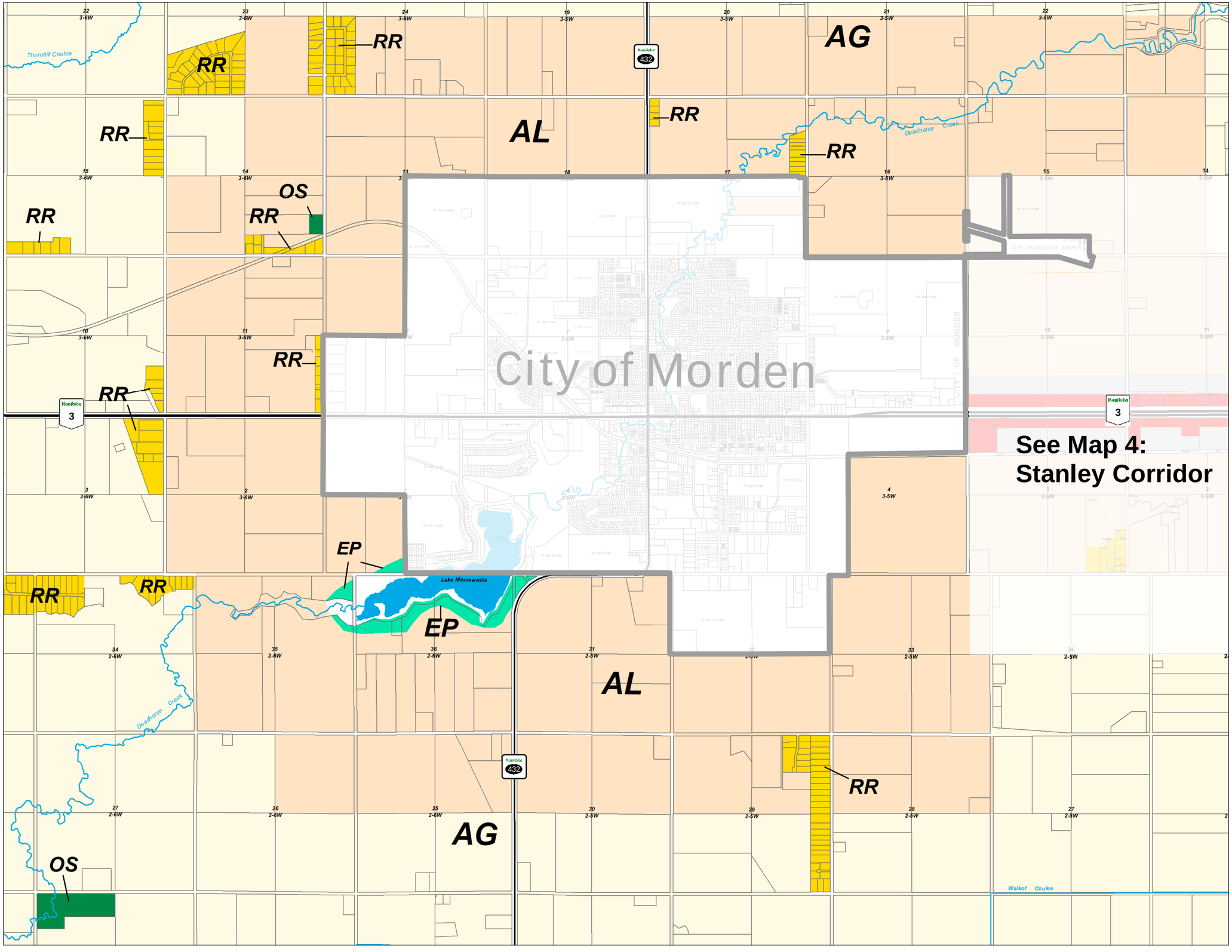
Kilometers
0 1 2 4 6
0 1 2 4
Miles

Manitoba
Municipal and Northern Relations
Community Planning
Date: October 2026
Coordinate System: NAD 1983 UTM Zone 14N

RM of Stanley

Zoning By-Law #6-2026

Map 2: City of Morden Area



Zoning:

- AG - Agriculture General
- AL - Agriculture Limited
- RR - Rural Residential
- EP - Environmental Protection
- OS - Open Space and Recreation

Other:

- Assessment Parcels
- Municipal Boundary
- Waterbody
- Waterways
- Provincial Road
- Provincial Trunk Highway

N

Feet
0 1,200 2,400 3,600 4,800 6,000

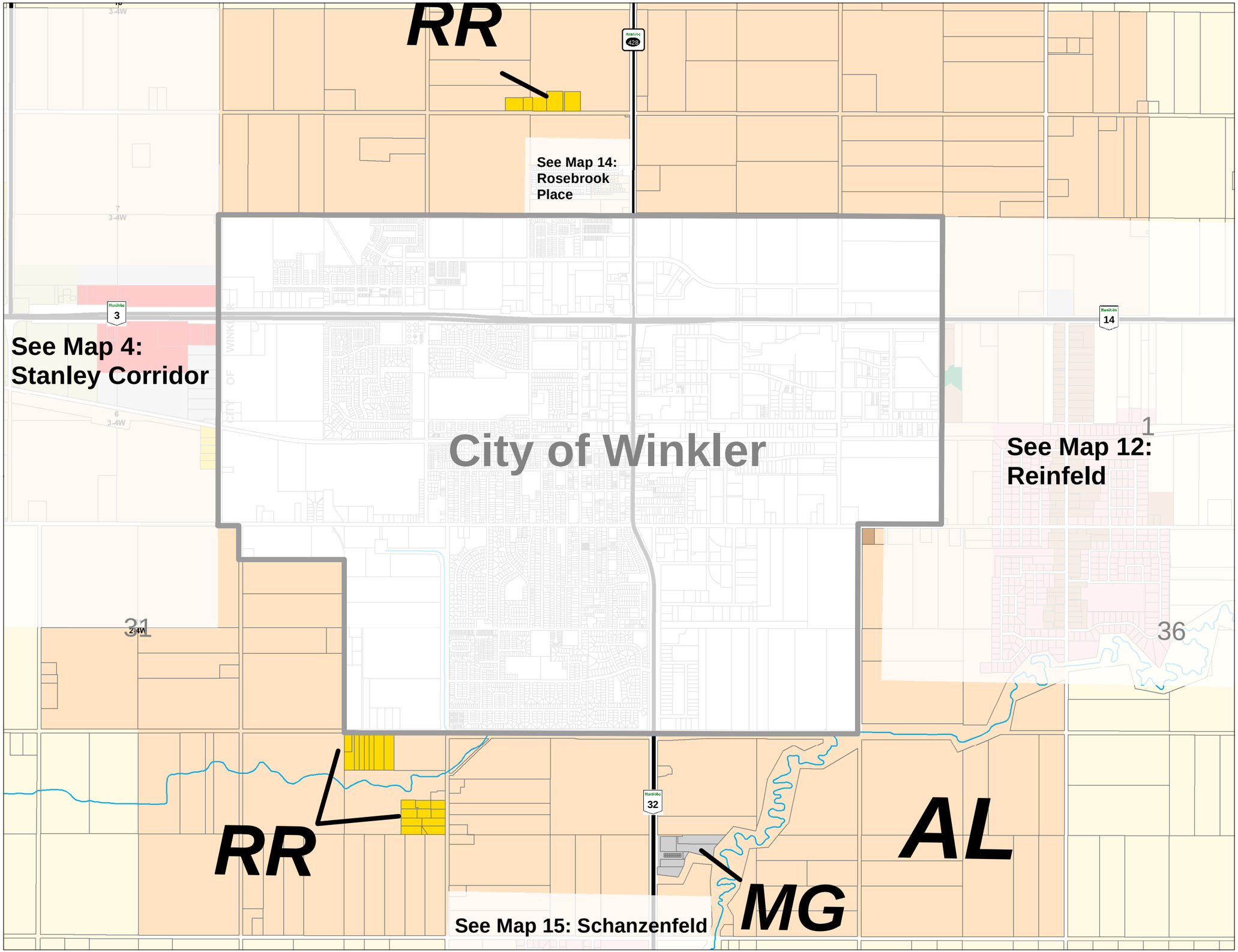
0 200 400 800 1,200 1,600
Meters

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Community Planning
Date: October 2026
Coordinate System: NAD 1983 UTM Zone 14N

RM of Stanley

Zoning By-Law #6-2026

Map 3: City of Winkler Area



Zoning:

- AG - Agriculture General
- AL - Agriculture Limited
- GD - General Development
- MG - Industrial General
- RR - Rural Residential

Other:

- Assessment Parcels
- Municipal Boundary
- Waterways
- Provincial Road
- Provincial Trunk Highway

N

Feet
0 900 1,800 2,700 3,600 4,500

0 150 300 600 900 1,200
Meters

Manitoba
Municipal and Northern Relations
Community Planning
Date: October 2026
Coordinate System: NAD 1983 UTM Zone 14N

RM of Stanley

Zoning By-Law #6-2026

Map 4: Stanley Corridor

Zoning:

- HW - Hospitality and Wellness
- MG - Industrial General
- SC - Stanley Corridor
- AG - Agriculture General
- AL - Agriculture Limited
- RR - Rural Residential

Other:

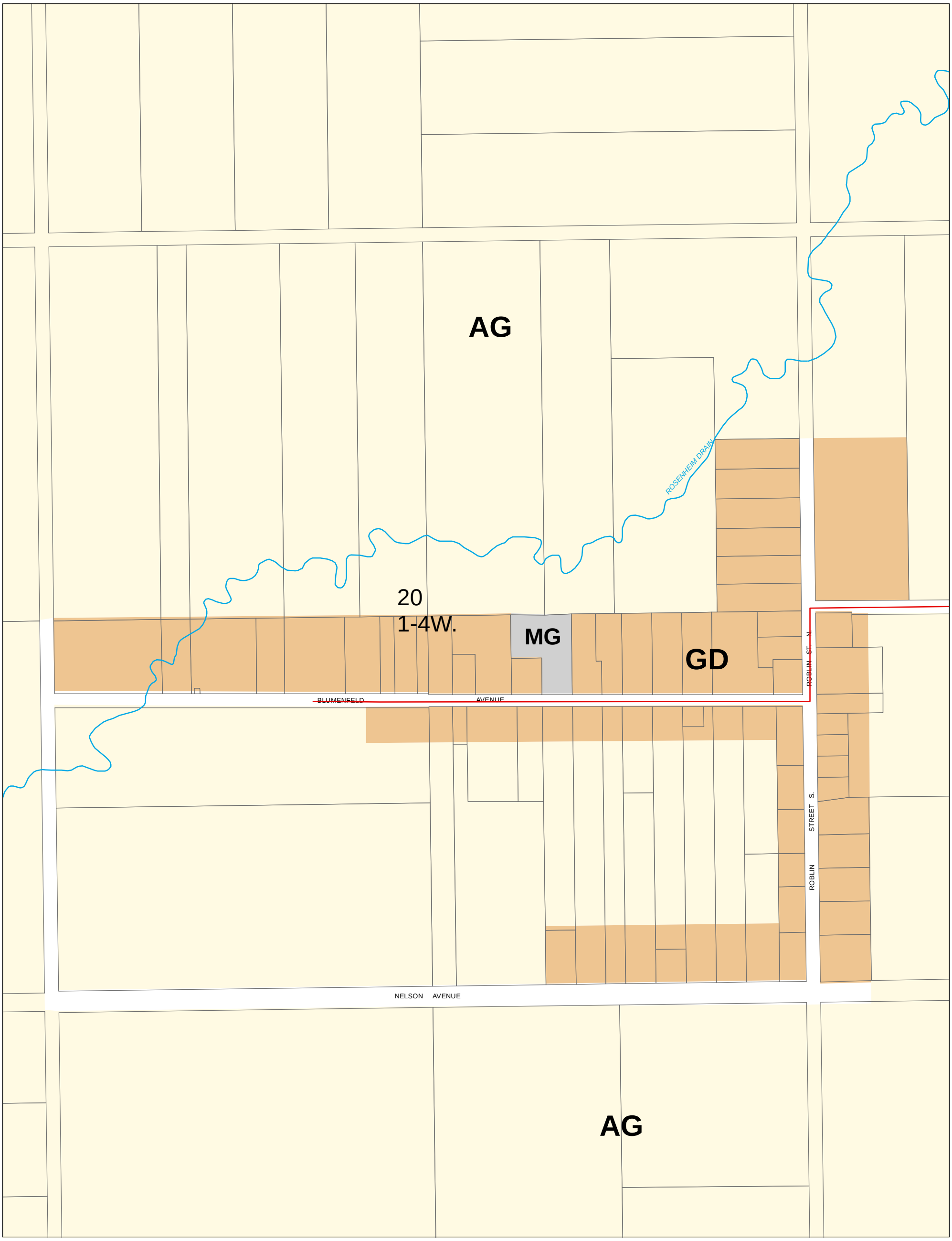
- Assessment Parcels
- Municipal Boundary
- Provincial Trunk Highway

N

Feet
0 600 1,200 1,800 2,400 3,000

0 100 200 400 600 800 1,000
Meters

Manitoba
Municipal and Northern Relations
Community Planning
Date: October 2026
Coordinate System: NAD 1983 UTM Zone 14N



RM of Stanley

Zoning By-Law
By-Law #6-2026
Map 5: Blumenfeld

Zoning:

- AG - Agriculture General
- GD - General Development
- MG - Industrial General

Other:

- Assessment Parcels
- Waterways
- Access Road

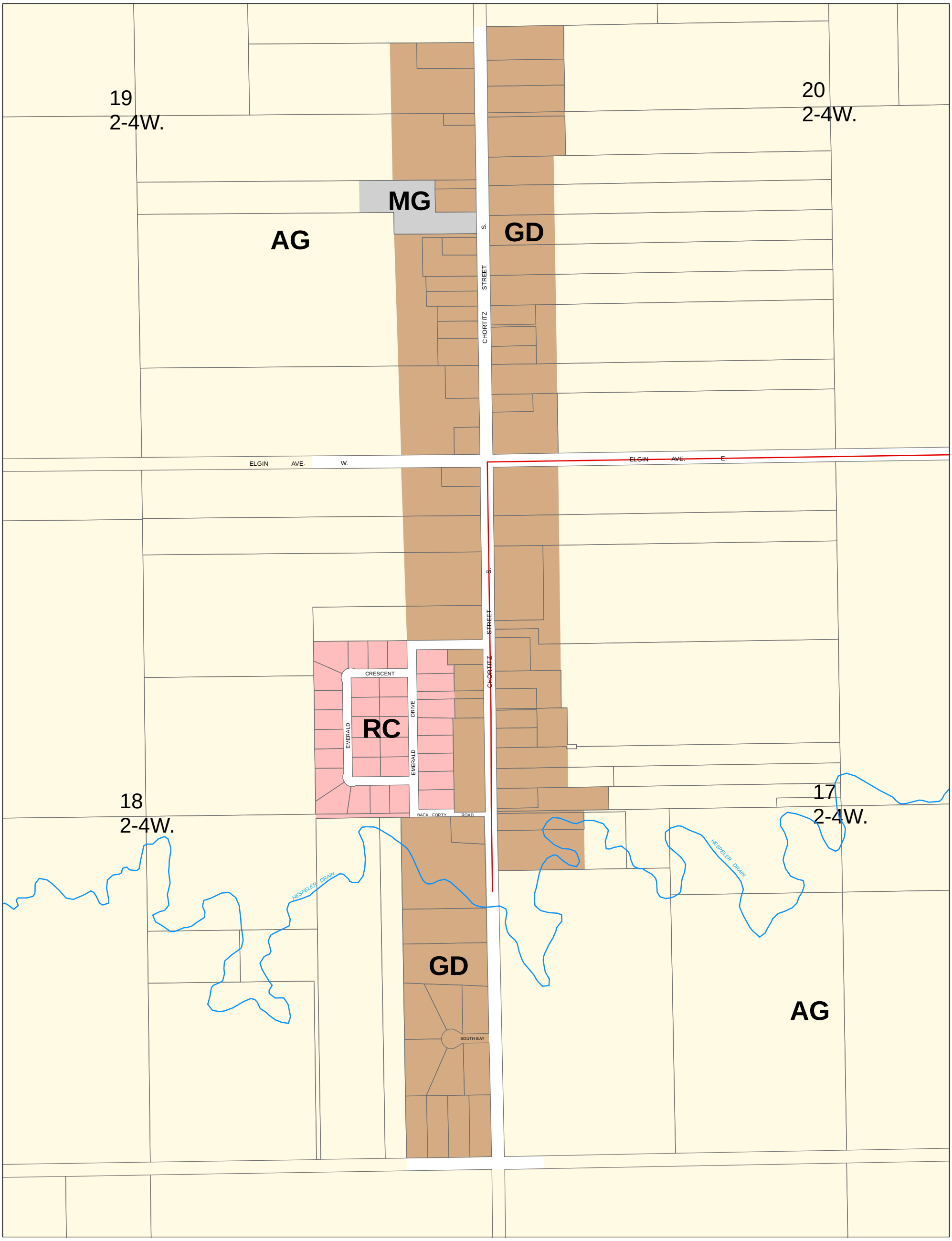
N

Feet
0 200 400 800 1,200

0 75 150 300
Meters

Manitoba
Municipal and Northern Relations
Community Planning

Date: October 2026
Coordinate System: NAD 1983 UTM Zone 14N



RM of Stanley

Zoning By-Law
By-Law # 6-2026
Map 6: Chortitz

Zoning:

- AG - Agriculture General
- GD - General Development
- RC - Community Residential
- MG - Industrial General

Other:

- Assessment Parcels
- Waterways
- Access Road

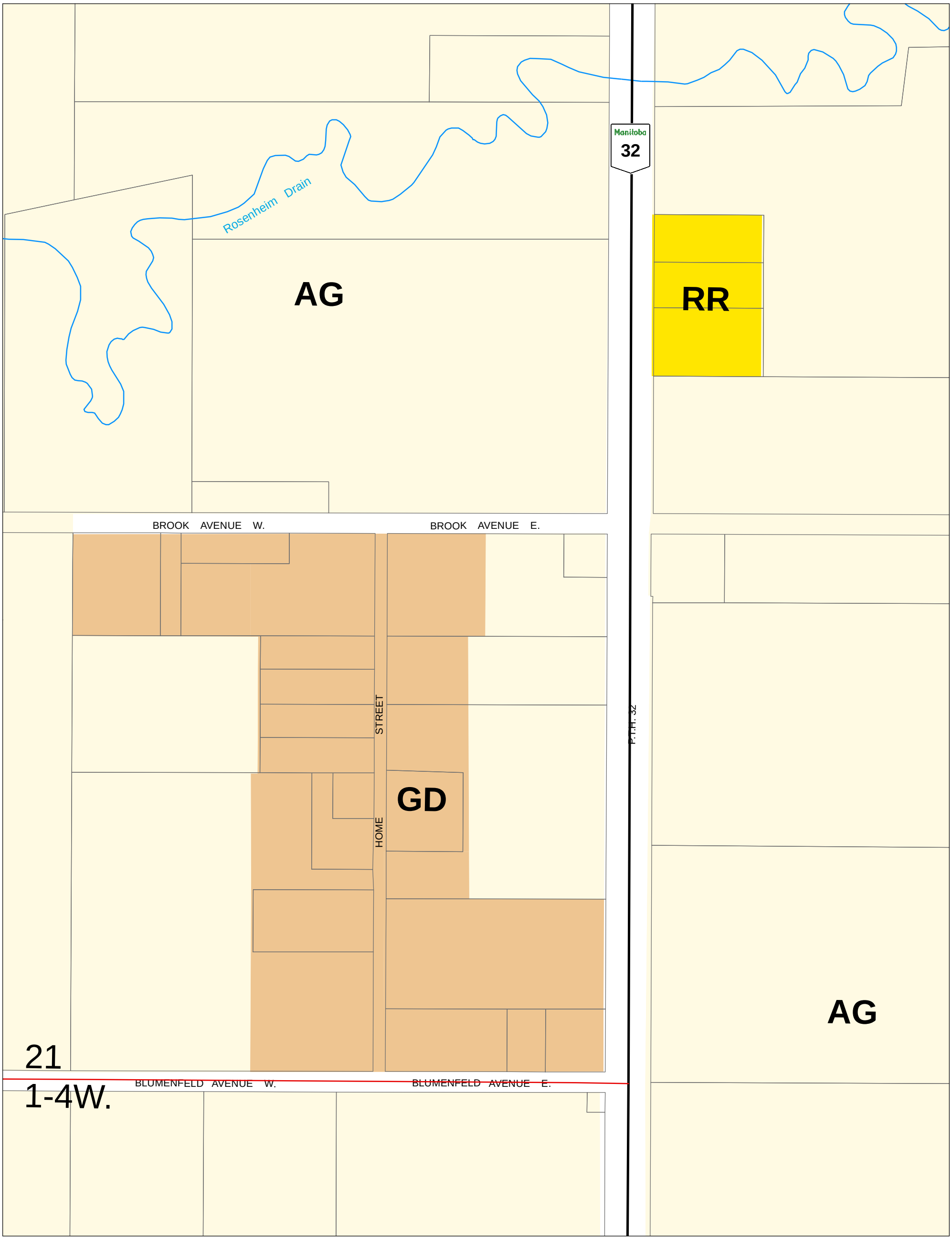
N

Feet
0 200 400 800 1,200

0 75 150 300
Meters

Manitoba
Municipal and Northern Relations
Community Planning

Date: October 2026
Coordinate System: NAD 1983 UTM Zone 14N



RM of Stanley

Zoning By-Law
By-Law #6-2026
Map 7: Friedensfeld West

Zoning:

- AG - Agriculture General
- GD - General Development
- RR - Rural Residential

Other:

- Assessment Parcels
- Waterways
- Access Road
- Provincial Trunk Highway

N

Feet
0 125 250 500 750
0 50 100 200
Meters

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Community Planning

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Coordinate System: NAD 1983 UTM Zone 14N

8
1-4-W

AG

GD

ST.
COLLINS
ST.
GRANT
THIRD AVE.
FOURTH AVE.
MAIN AVE.
FIFTH AVE.
RIVER AVE.

RM of Stanley

Zoning By-Law
By-Law # 6-2026
Map 8: Haskett

Zoning:

- AG - Agriculture General
- GD - General Development

Other:

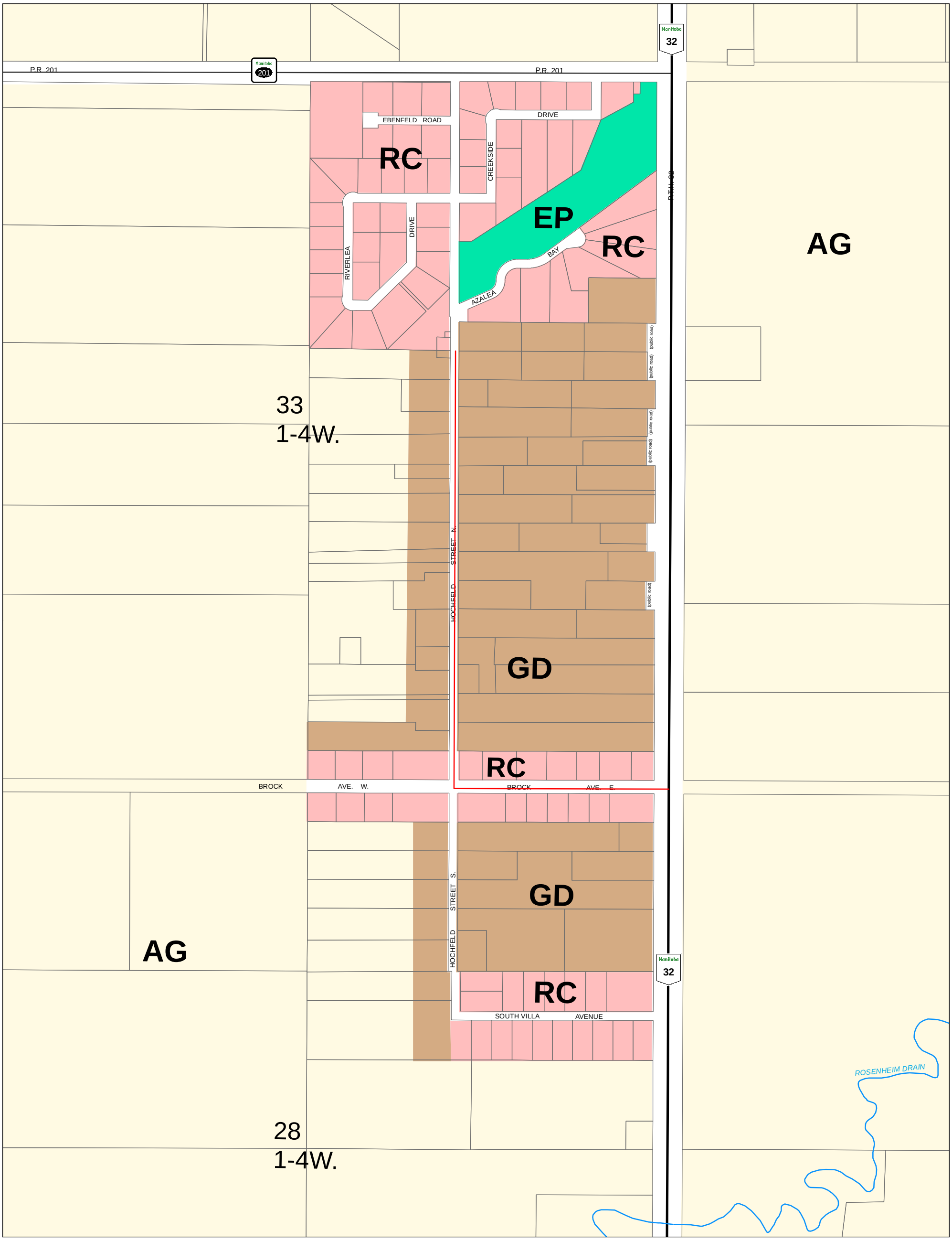
- Assessment Parcels

N

Feet
0 125 250 500 750
0 50 100 200
Meters

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Municipal and Northern Relations
Community Planning

Date: October 2026
Coordinate System: NAD 1983 UTM Zone 14N



RM of Stanley

Zoning By-Law
By-Law #6-2026
Map 9: Hochfeld

Zoning:

- AG - Agriculture General
- EP - Environmental Protection
- GD - General Development
- RC - Community Residential

Other:

- Assessment Parcels
- Waterways
- Access Road
- Provincial Road
- Provincial Trunk Highway

N

Feet
0 200 400 800 1,200
0 80 160 320
Meters

Manitoba
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2
2-4W.

AG

GD

N. BIRKENHEAD STREET

W. NEUENBERG AVE. E.

S. BIRKENHEAD STREET

35
1-4W.

RM of Stanley

Zoning By-Law
By-Law # 6-2026
Map 10: Neuenberg

N

Feet
0 150 300 600 900

0 50 100 200
Meters

Zoning:

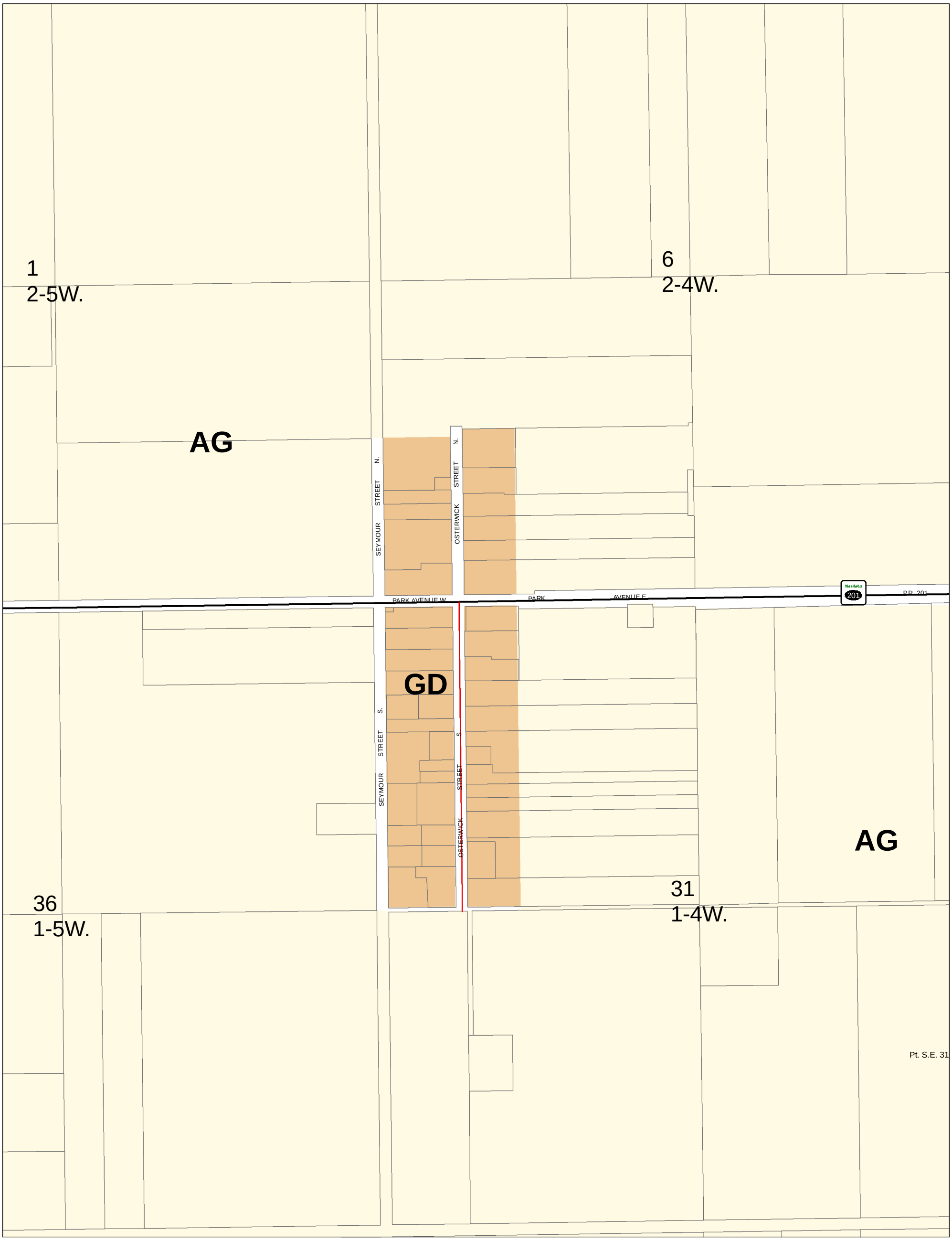
- AG - Agriculture General
- GD - General Development

Other:

- Assessment Parcels

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Municipal and Northern Relations
Community Planning

Date: October 2026
Coordinate System: NAD 1983 UTM Zone 14N



RM of Stanley

Zoning By-Law
By-Law #6-2026
Map 11: Osterwick

Zoning:

- AG - Agriculture General
- GD - General Development

Other:

- Assessment Parcels
- Access Road
- Provincial Road

N

Feet
0 250 500 1,000 1,500
0 100 200 400
Meters

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RM of Stanley

Zoning By-Law
By-Law #6-2026
Map 12: Reinfeld

Zoning:

- AG - Agriculture General
- AL - Agriculture Limited
- GD - General Development
- MG - Industrial General
- RC - Community Residential
- OS - Open Space and Recreation

Other:

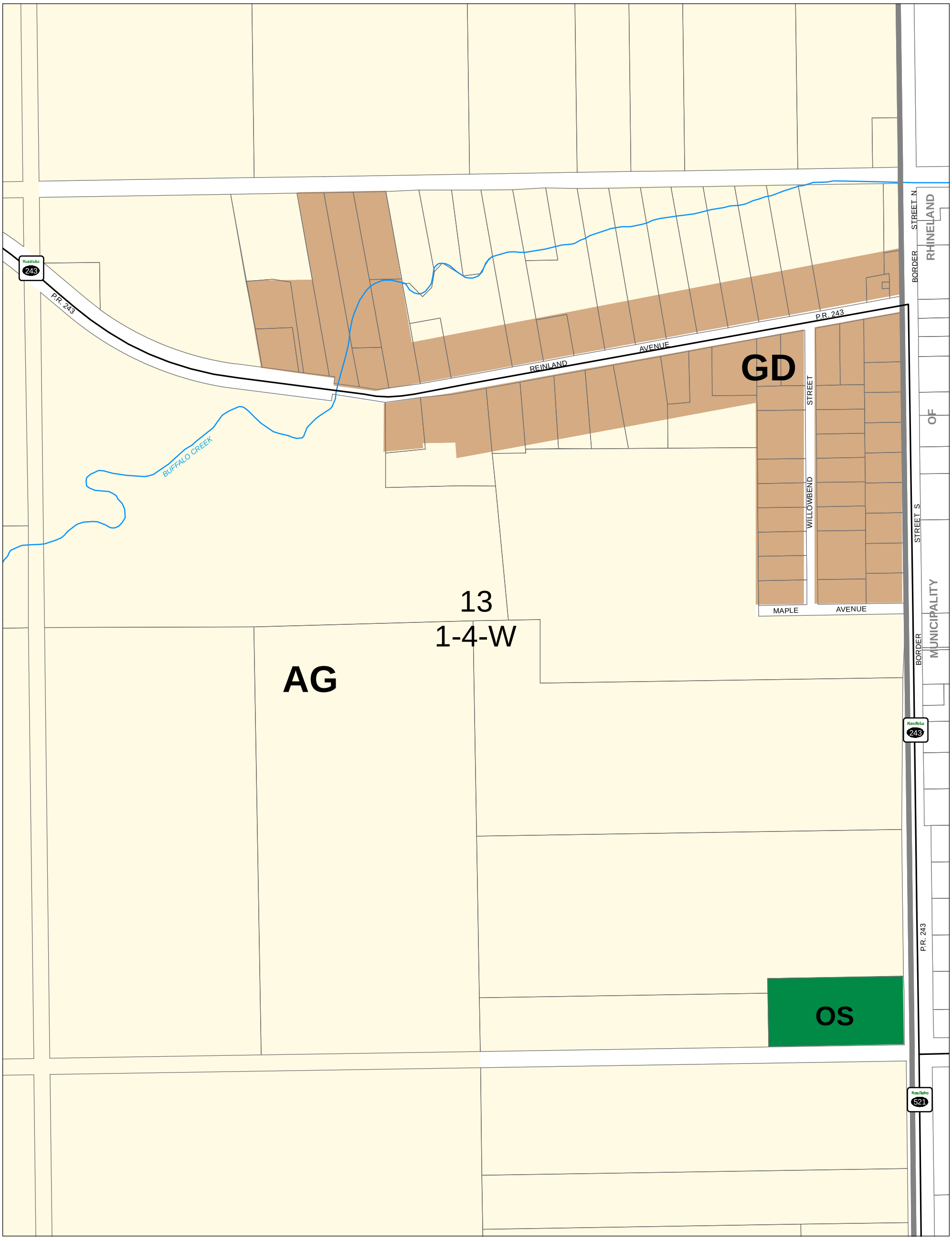
- Municipal Boundary
- Assessment Parcels
- Waterways
- Access Road
- Provincial Trunk Highway

N

Feet
0 250 500 1,000 1,500
0 100 200 400
Meters

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Municipal and Northern Relations
Community Planning

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RM of Stanley

Zoning By-Law
By-Law # 6-2026
Map 13: Reinland

Zoning:

- AG - Agriculture General
- GD - General Development
- OS - Open Space and Recreation

Other:

- Municipal Boundary
- Assessment Parcels
- Provincial Road
- Waterways

O

Feet
0 150 300 600 900
0 75 150 300
Meters

Manitoba
Municipal and Northern Relations
Community Planning

Date: October 2026
Coordinate System: NAD 1983 UTM Zone 14N

RM of Stanley

Zoning By-Law
By-Law #6-2026
Map 14: Rosebrook Place

AL

RMH

Pt. NE-9-3-4W

9

R.M. of Stanley
City of Winkler

3-4W

Manitoba 428

Zoning:

- AL - Agriculture Limited
- RMH - Residential Mobile Home

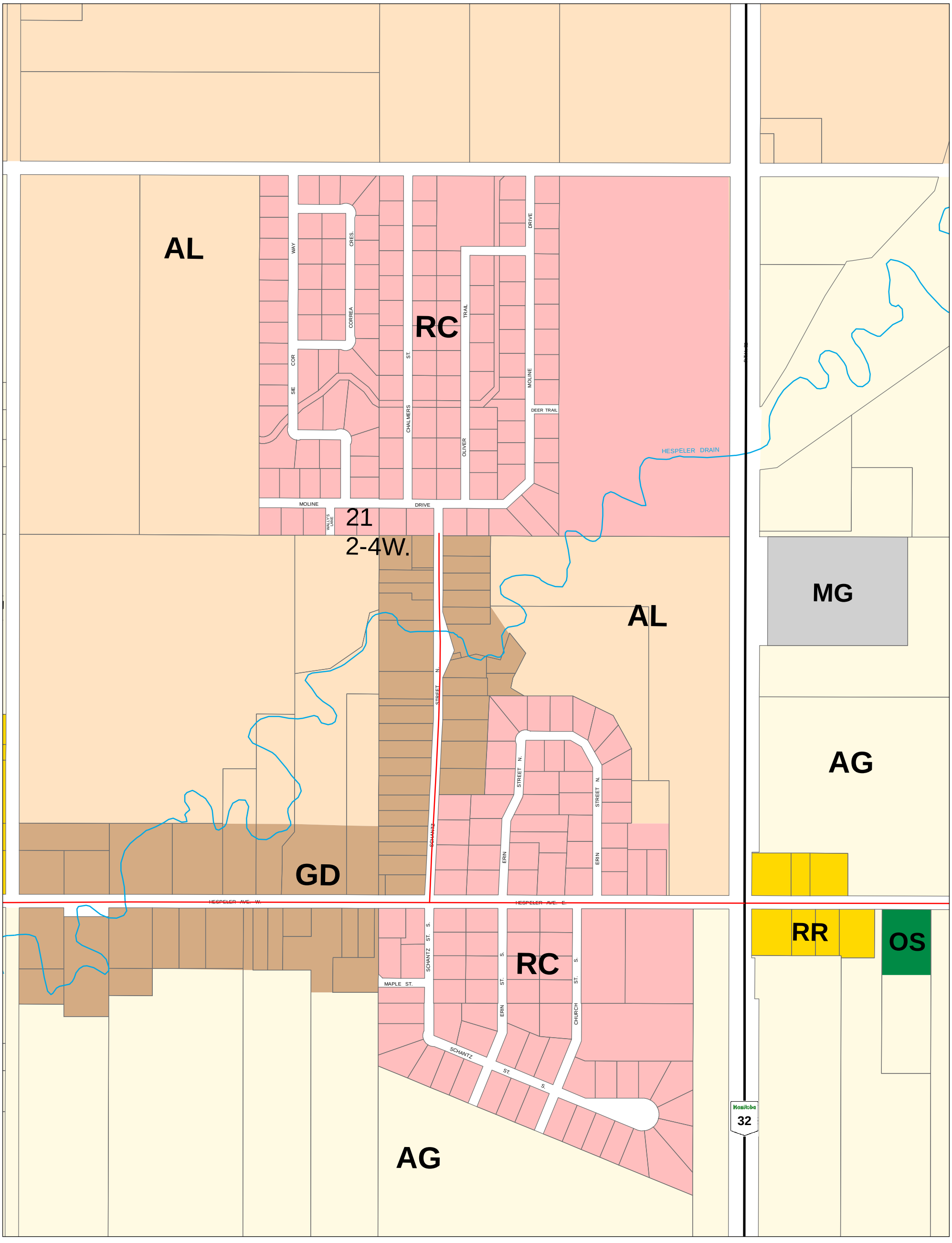
Other:

- Municipal Boundary
- Assessment Parcels
- Provincial Road

N

Feet
0 65 130 260 390
0 25 50 100
Meters

Manitoba
Municipal and Northern Relations
Community Planning
Date: October 2026
Coordinate System: NAD 1983 UTM Zone 14N



RM of Stanley

Zoning By-Law
By-Law #6-2026
Map 15: Schanzenfeld

Zoning:

- AG - Agriculture General
- AL - Agriculture Limited
- GD - General Development
- RC - Community Residential
- RR - Rural Residential
- MG - Industrial
- OS - Open Space and Recreation

Other:

- Assessment Parcels
- Waterways
- Access Road
- Provincial Trunk Highway

N

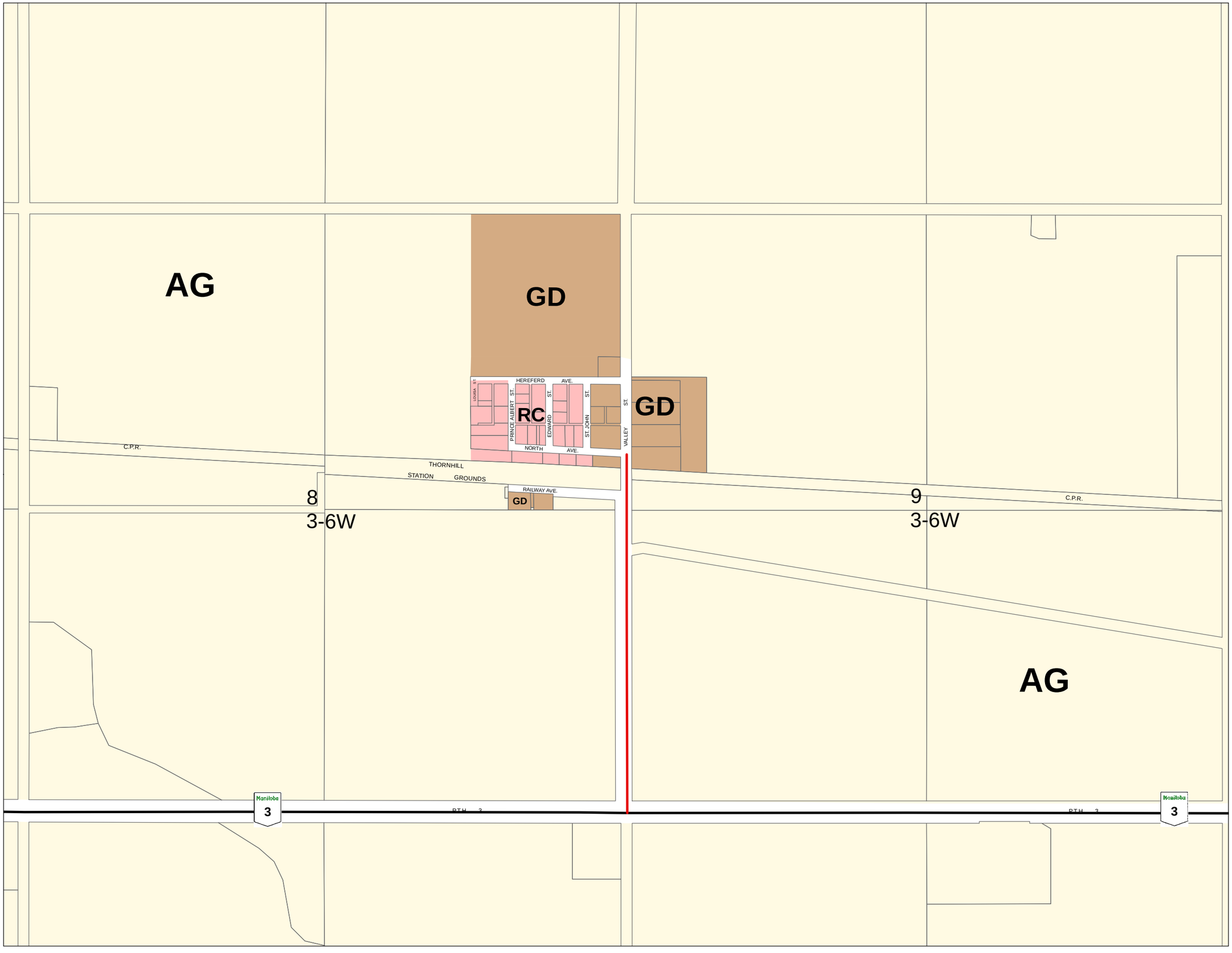
Feet
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0 90 180 360
Meters

Manitoba
Municipal and Northern Relations
Community Planning

Date: October 2026
Coordinate System: NAD 1983 UTM Zone 14N

RM of Stanley

Zoning By-Law
By-Law #6-2026
Map 16: Thornhill



Zoning:

- AG - Agriculture General
- GD - General Development
- RC - Community Residential

Other:

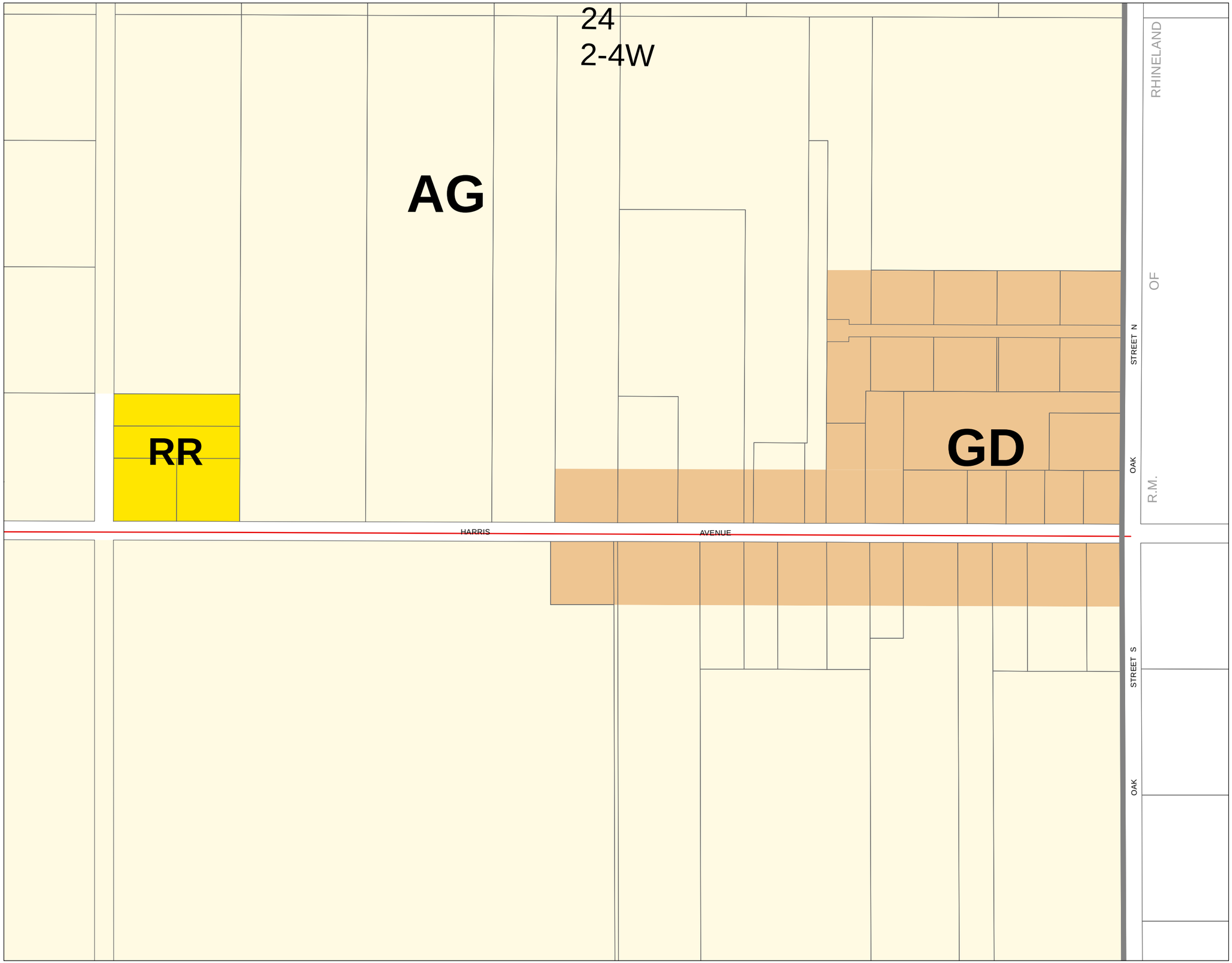
- Assessment Parcels
- Access Road
- Provincial Trunk Highway

N

Feet
0 300 600 900 1,200 1,500

0 50 100 200 300 400
Meters

Manitoba
Municipal and Northern Relations
Community Planning
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RM of Stanley

Zoning By-Law
By-Law #6-2026
Map 17: Friedensruh

Zoning:

- AG - Agriculture General
- GD - General Development
- RR - Rural Residential

Other:

- Municipal Boundary
- Assessment Parcels
- Access Road

N

Feet
0 125 250 500 750
0 50 100 200
Meters

Manitoba
Municipal and Northern Relations
Community Planning
Date: October 2026
Coordinate System: NAD 1983 UTM Zone 14N

APPENDIX I - USE TABLE

	AGRICULTURAL DISTRICTS		COMMUNITY DISTRICTS							BUSINESS DISTRICTS		SENSITIVE LANDS DISTRICTS		USE SPECIFIC STANDARDS
										RE Rural Employment				
LEGEND **P - Permitted Use** **C - Conditional Use** *** - Use Specific Standard Apply**	**AG** Agricultural General		**RR** Rural Residential							**SC** Stanley Corridor		**EP** Environmental Protection		
			GD General Development											
	AL Agricultural Limited		**RC** Community Residential							**MG** General Industrial		**OS** Recreation and Open Space		
			RMH Residential Manufactured Home											
			HW Hospitality and Wellness											
			RI Residential Industrial											
Agricultural Uses	AG	AL	RR	GD	RC	RMH	HW	RI	RE	SC	MG	EP	OS	Section
Agri-Business	P	P	C	C	-	-	-	C	P	P	P	-	-	
Agri-Tourism	C	C	C					-	C					
General Agriculture	P	P	C①	C①	-	-	P①	-	-	P①	P①	P	C	
Bee Keeping*	P	P	C*	C*	-	-	-	-	-	-	-	-	-	7.16.7, 7.16.8
Specialized Agriculture	P	P	C	-	-	-	-	-	-	P①	P	-	-	
Agricultural Product Storage	P	P	C	C	-	-	-	-	P	-	P	-	-	
Anhydrous Ammonia Facility*	C*	C*	-	-	-	-	-	-	-	-	-	-	-	7.15
Cannabis Cultivation Operation	P	C*						-	-					
Communal Farm	C	C	C	C	-	-	-	-	-	-	-	-	-	
Equestrian Establishment	P	C	C					-	-					
Farm Produce Outlet	P	P	P	C	C	-	C	C	-	P	C	C	C	
Greenhouse or Plant Nursery*	P*	P*	C*	C*	-	-	P*	C*	P*	P*	P*	C*	P*	7.21
Game Farm	C	-	-	-	-	-	-	-	-	-	-	-	-	
Irrigation Reservoir	C	C	-	-	-	-	-	-	-	-	-	-	-	
Livestock Auctioneering Establishment	C	C	C	-	-	-	-	-	-	-	-	-	-	
Livestock Operation 100 or less AU (existing)*	P*	C*	C*	C*	-	-	-	-	-	-	-	-	-	7.18, 7.19
Livestock Operation 100 or less AU (new)*	P*	C*	-	-	-	-	-	-	-	-	-	-	-	7.18, 7.19
Livestock Operation 101-299 AU*	P*	C*	-	-	-	-	-	-	-	-	-	-	-	7.18, 7.19
Livestock Operation 300+ AU (existing)*	C*	C*	-	-	-	-	-	-	-	-	-	-	-	7.18, 7.19
Livestock Operation 300+ AU (new)*	C*	-	-	-	-	-	-	-	-	-	-	-	-	7.18, 7.19
Commercial Sales and Service Uses	AG	AL	RR	GD	RC	RMH	HW	RI	RE	SC	MG	EP	OS	
Animal Shelter, Pound, Kennel or Veterinary Facility *	C*	C*	C*	C*	-	-	P*	C*	-	P*	P*	-	-	7.17
Auctioneering Establishment (excluding storage/sales of livestock)	P	C	-	-	-	-	-	-	C	C	C	-	-	
Cannabis Retail Store	-	-	-	-	-	-	-	-	-	-	-	-	-	
Drive-in or Drive-Through Establishment	-	-	-	C	-	-	P	C	-	P	C	-	-	
Eating or Drinking Establishment	-	-	-	C	-	-	C	C	-	C	C	-	-	
Equipment Rental, Sales, and Service	-	-	-	-	-	-	-	C	P	P	P	-	-	

Funeral Service	-	-	-	C	-	-	C	C	-	C	-	-	-	
General Contractor	-	-	C	C	-	-	C	C	P	P	P	-	-	
General Retail Sales and Service (unless otherwise listed)	-	-	C	C	-	-	P	C	-	P	-	-	-	
Grocery or Supermarket	-	-	-	C	-	-	P	-	-	P	-	-	-	
Home Improvement Store	-	-	-	C	-	-	P	-	-	P	P	-	-	
Hotel or Motel	-	-	-	-	-	-	C	-	-	C	-	-	-	
Landscape or Garden Contractor	P	C	C	C	-	-	-	C	C	C	P	-	-	
Office	-	-	-	C	-	-	P	-	-	P	C	-	-	
Personal Service Shop	-	-	-	C	-	-	P	C	-	P	-	-	-	
Community, Recreation and Public Services Uses	AG	AL	RR	GD	RC	RMH	HW	RI	RE	SC	MG	EP	OS	
Campground	C	C	C	C	-	-	-	-	-	-	-	-	C	
Cemetery	C	C	C	C	-	-	-	-	-	-	-	-	C	
Child Care Service	C	C	C	C	C	C	P	C	-	C	-	-	-	
Community Centre or Hall	-	-	C	C	C	C	C	C	-	C	-	C	P	
Community Resource Centre	-	-	-	C	C	-	-	C	-	-	-	-	-	
Golf Course	-	-	-	-	-	-	-	-	-	-	-	-	P	
Hospitals and Medical Services	-	-	-	P	C	C	P	-	-	P	-	-	C	
Institutional Residence	-	-	-	P	-	-	P	-	-	P	-	-	C	
Library, Museum or Gallery	-	-	C	P	C	C	P	-	-	C	-	-	P	
Outfitter	C	C	C	C	-	-	-	-	-	-	-	-	C	
Places of Worship	-	-	C	C	C	C	-	-	-	-	-	-	C	
Private Club	-	-	-	C	-	-	-	-	-	C	-	-	C	
Protective Emergency Service	C	P	P	P	C	C	P	P	-	P	P	C	-	
Public Parks, Playgrounds, Gardens, and Historical Sites	C	C	C	P	P	P	P	C	-	P	-	C	P	
Public Utility*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	2.14
Race Track	C	C	-	-	-	-	-	-	-	-	-	-	C	
Recreation Facility, Indoor	-	-	-	C	-	-	C	-	-	C	-	-	C	
Recreation Facility, Outdoor	C	C	-	C	-	-	C	-	-	C	C	-	C	
School	-	-	C	C	C	C	C	-	-	C	-	-	-	
Transportation and Automotive-Related Uses	AG	AL	RR	GD	RC	RMH	HW	RI	RE	SC	MG	EP	OS	
Airport or Aircraft Landing Field*	C*	C*	-	-	-	-	-	-	-	-	C*	-	-	6.23
Automotive Sales, Service, Repair and Rental	-	-	C	C	-	-	-	C	-	P	P	-	-	
Gas Station or Automotive Service Station*	-	-	C*	C*	-	-	C*	C*	-	P*	P*	-	-	7.8
Car Broker	-	-	C	C	C			C	-					
Heavy Equipment Sales, Service, and Rental	-	-	-	-	-	-	-	-	P	P	P	-	-	
Parking Lot or Structure	-	-	-	C	C	-	-	-	P	C	P	-	-	
Towing and Storage Facility	C	-	-	C	-	-	-	-	C	C	P	-	-	
Truck stop	-	-	-	-	-	-	-	-	C	P	P	-	-	

Industrial Uses	AG	AL	RR	GD	RC	RMH	HW	RI	RE	SC	MG	EP	OS	
Abattoir	C	-	-	-	-	-	-	-	C	-	-	-	-	
Brewery/Distillery/Winery	C	C	-	C	-	-	-	C	-	C	C	-	-	
Bulk Fuel Storage Facility	C	C	-	-	-	-	-	-	C	C	C	-	-	
Commercial Composting*	C*	C*	-	-	-	-	-	-	-	-	C*	-	-	7.20, 7.24
Communication Towers*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	7.5
Cryptocurrency Processing Facility	C⑦	C⑦	-	-	-	-	-	-	-	C⑦	C⑦	-	-	
Manufacturing, Heavy*	-	-	-	-	-	-	-	-	C*	-	C*	-	-	7.14
Manufacturing, Light	-	-	-	C	-	-	-	C	C	P	P	-	-	
Natural Resource Developments*	C*	C*	-	-	-	-	-	-	-	-	-	-	C*	7.9
Recycling Depot	C	C	-	-	-	-	-	-	C	C	P	-	-	
Research and Technology Facility	-	-	-	-	-	-	-	-	-	P	P	-	-	
Self or Mini Storage	-	C	-	C	-	-	-	C	C	P	P	-	-	
Solar Energy Farm*	P*	C*	P*	-	-	-	-	-	-	-	P*	C*	P*	7.11
Solid or Liquid Waste Disposal Site*	C*	C*	-	-	-	-	-	-	-	-	-	-	-	6.21, 7.10
Warehouse and Distribution	-	-	-	-	-	-	-	-	-	C	P	-	-	
Waste Transfer Station*	C*	-	C*	C*	C*	-	-	-	-	-	C*	-	-	7.13, 7.24
Wind Energy Generating System (Commercial)*	C*	C*	-	-	-	-	-	-	C*	-	C*	C*	-	7.12
Wind Energy Generating System (On-Site/Rooftop)*	P	P	P	P	P	P	P	P	P	P	P	-	-	7.12
Wrecking Yard*	C*	-	-	-	-	-	-	-	-	-	C*	-	-	7.24
Residential Uses	**AG**	**AL**	**RR**	**GD**	**RC**	**RMH**	**HW**	**RI**	**RE**	**SC**	**MG**	**EP**	**OS**	
Dwelling, Manufactured Home *	C*	C*	C*	-	-	P*	-	-	-	-	-	-	-	7.3
Dwelling, Multiple Unit	-	-	C	C	C	-	-	-	-	-	-	-	-	6.6
Dwelling, Single Unit	C⑥⑨	C⑥⑨	P⑨	P⑨	P⑨	P	-	P⑨	-	-	-	-	-	
Dwelling, Two Unit	-	-	C	C	C	-	-	C	-	-	-	-	-	6.6
Manufactured Home Park*	-	-	-	-	-	P*	-	-	-	-	-	-	-	7.3
Accessory Uses	**AG**	**AL**	**RR**	**GD**	**RC**	**RMH**	**HW**	**RI**	**RE**	**SC**	**MG**	**EP**	**OS**	
Accessory Uses, not listed	C	C	C	C	C	C	C	C	C	C	C	-	C⑥	
Animal Grooming/Boarding/Breeding	P	P	C	C	C	C	-	C	-	-	-	-	-	
Bed & Breakfast*	P*	P*	P*	C*	C*	-	-	C*	-	-	-	-	-	7.26
Caretaker's Suite④	C	C	C	C	-	-	-	-	-	C	C	-	C	
Drive-in or drive-through	-	-	-	-	-	-	P	C	-	P	P	-	-	
Farm Buildings and Structures①	P	P	-	-	-	-	-	-	-	-	-	-	-	
Farm-Based Commerce ②	P*	P*	-	-	-	-	-	-	-	-	-	-	-	7.6
Home Day Care ②	C	C	C	C	C	C	C	C	-	C	-	-	-	
Home-Based Industry* ②	P*	P*	C*	C*	C*⑤	-	-	P	-	-	-	-	-	7.5
Home-Based Occupation* ②	P*	P*	P*	P*	P*	C*	-	P	-	-	-	-	-	7.5
Keeping of Animals* ②	P*	P*	P*	P*	P*	-	-	-	-	-	-	-	-	7.16
Metal Shipping Containers*	P*	P*	C⑧*	C*	-	-	-	C*	C*	C⑧*	C*	C*	C*	7.22
Outdoor Solid Fuel Appliance*	P*	P*	P*	P*	P*			P*	-					7.23

Outdoor Storage*	P*	P*	C*	C*	-	-	-	C*	C*	C*	P*	-	-	6.13
Private Garage or Shed ②	P	P	P	P	P	P	P	P	-	-	-	-	-	
Secondary Suite (Attached) ②	P*	P*	P*	P*	P*	-	-	P	-	-	-	-	-	
Secondary Suite (Detached) ②	C*	C*	C*	C*	C*	-	-	C	-	-	-	-	-	
Short-Term Rental*	C*	C*	C*	C*	C*	C*	-	-	-	-	-	-	-	7.27
Signs	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	
Solar Energy System (On-Site)	P*	P*	P*	P*	P*	P*	P*	P	P	P*	P*			
Swimming Pool ②	P*	P*	P*	P*	P*	P*	-	P*	-	-	-	-	-	7.7
Wet Industry				C			C	C	C	C	C			
Wind Energy Generating-System (On-Site/Rooftop)	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	-	-	7.12.2

Notes

① Until such time as the land is developed.

② When accessory to a residential use.

③ When accessory to an agricultural use.

④ When accessory to a commercial or industrial use, enclosed within the principal building and a maximum of 55.74 m^2 (600 ft^2) in area.

⑤ May only be considered on parcels that existing as of the date of adoption of this Zoning By-law.

⑥ Provided that a geotechnical assessment including stability evalution has been provided to confirm no issues with development.

⑦ Prior to submission of a conditional use application, applicant is to provide confirmation from Manitoba Hydro that the application will not affect the RM"s capacity for future developments.

⑧ When replacing an existing single unit dwelling, no conditional use will be require as long as the existing home will be removed or has been destroyed.

⑨ Pre-owned homes being relocated to the property require a pre-inspection from MSTW and a conditional use approved by Council.

APPENDIX II - BULK TABLE

	Agricultural Districts		Community Districts						Business Districts			Sensitive Land Districts	
	AG	AL	RR	GD	RC	RMH ⑥	HW	RI	RE	SC	MG	EP	OS
Permitted and Conditional Uses													
Site Area (min. ac.) – Agricultural Activities and Livestock Operations	80 ac ⑦	80 ac ⑦	-	-	-	-	-	-	2 ac	-	-	-	-
Site Area (min. ac.) - Permitted or Conditional use other than Agricultural Activities and Livestock	2 ac	2 ac ⑧	2 ac	.40 ac ⑤	.40 ac ⑤	2.3 ac	2 ac	1 ac ⑤	2 ac	2 ac	2 ac	2 ac	2 ac
Site Width (min. ft.)	400 ft.	400 ft.	200 ft.	80 ft. ⑤	80 ft. ⑤	220 ft.	50 ft.	150 ft. ⑤	200 ft.	150 ft.	150 ft.	150 ft.	150 ft.
Front Yard (min. ft.) [1]	125 ft.	125 ft.	125 ft.	50 ft.	40 ft.	~~210~~ ft.	20 ft.	50 ft.	125 ft.	75 ft.	75 ft.	75 ft.	75 ft.
Rear Yard (min. ft.) where abutting a Mun./Prov. Right-of-way (ROW) ①	125 ft.	125 ft.	125 ft.	50 ft.	50 ft.	50 ft.	50 ft.			50 ft.	50 ft.	50 ft.	
Rear Yard (min. ft.)	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	10 ft.	15 ft.	25 ft.	25 ft.	15 ft.	10% site depth ②	25 ft.	25 ft.
Side Yard (min. ft.)	20 ft.	20 ft.	20 ft.	10 ft.⑨	5 ft. ⑨	5 ft.	10 ft.	10 ft.	30 ft.	20 ft.	20 ft.	15 ft.	20 ft.
Corner Side yard (min. ft.)	125 ft.	125 ft.	125 ft.	25 ft.	25 ft.	10 ft.	25'	50 ft	125 ft.	~~21~~5 ft.	~~15~~ 25 ft.	25 ft.	25 ft.
Building Height (max. ft.)	-	-	-	35 ft.	35 ft.	25 ft.	75 ft.	35 ft	-	75 ft.	75 ft.	-	35 ft.
Dwelling Unit Area (min. sq. ft.)	-	-	800 sq. ft.	800 sq. ft.	800 sq. ft.	-	-	800 sq. ft.	-	-	-	-	-
Accessory Uses													
Front Yard (min. ft.)	125 ft.	125 ft.	125 ft.	50 ft.	50 ft.	20 ft.	75 ft.	50 ft.	125 ft.	75 ft.	75 ft.	50 ft.	50 ft.
Rear Yard (min. ft.)	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	2 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Side Yard (min. ft.)	10 ft.	10 ft.	10 ft.	5 ft.	5 ft.	3 ft.	5 ft.	5 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Corner Side yard (min. ft.)	75 ft.	75 ft.	50 ft.	25 ft.	25 ft.	10 ft.	25 ft.	50 ft	50 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Building Height (max. ft.)	-	-	16 ft	-	12 ft.	12 ft.	45 ft.	16 ft	-	45 ft.	45 ft.	-	35 ft.
Site Coverage (max. ft^2)	-	-	-	10%	10% ④	10%	-	10 ft.	-	-	-	-	-
Separation from other on-site buildings (min. ft.) ③	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	5 ft.	10 ft.	10 ft.	10 ft.	6 ft.	6 ft.	-	-

Notes

① Minimum setback is the greater of setback stated or minimum required by Manitoba Transportation & -Infrastructure, whichever is larger. Structures and landscaping within 125' of roadways under the jurisdiction of MTI require a permit from their office.

② Except where the rear yard abuts a residential use, in which case 30 ft. shall be required.

③ Separation between Accessory buildings or structures and Principal buildings or structures shall be measured clear of all projections.

④ Accessory buildings in the RC Zone shall be no larger than 2400 ft^2 for any lot 1 acre or more and will be prorated on lots smaller than 1 acre. Ex. A 0.75 acre lot would have a maximum accessory building of 1800 ft^2

⑤ Notwithstanding the minimum site size listed herein, sites utilizing a septic field wastewater system must meet the minimum provincial standard of 2 acres and a minimum site width of 198 ft.

⑥ For dimensional standards for spaces within a manufactured home park, see Section 7.3.

⑦ For special variance provisions for agricultural parcels subdivided pursuant to MSTW Development Plan Policy9.3.~~6.~~ please see Section 2.8.~~3.~~

⑧ Smaller lots between 2 acres and 5 acres may be required to ensure farmland is not incorporated with a new subdivision.

⑨ For lots larger than 0.75 acres and wider than 45.72 m. (150 ft.), no building may be sited within 1.52 m. (5 ft.) of the centre line of the lot to facilitate future subdivision.

⑩ Accessory buildings in the RI zone with the frontage adjacent to residential zones shall be placed behind the residence. Accessory buildings with the frontage adjacent to industrial zones may be placed in front of the residence.

APPENDIX III – ANIMAL UNIT TABLE

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

NOTE:
"Animal unit" means the number of animals of a particular category of livestock that will excrete 73 kg of total nitrogen in a 12-month period. To calculate the number of animal units, multiply the number of livestock (head) by the animal units produced (i.e.: number of livestock x animal units produced by one livestock = number of animal units).

APPENDIX IV– MINIMUM SEPARATION DISTANCES FOR LIVESTOCK OPERATIONS

Size of Livestock Operation in Animal Units	Separation Distance in Metres (Feet) From a Residence		Separation Distance in Metres (Feet) From a Designated Area	
	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-earthen Manure Storage Facility	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-earthen Manure Storage Facility
10 – 100	200 (656)	100 (328)	800 (2,625)	530 (1,739)
101 – 200	300 (984)	150 (492)	1200 (3,937)	800 (2,625)
201 – 300	400 (1,312)	200 (656)	1600 (5,249)	1070 (3,511)
301 – 400	450 (1,476)	225 (738)	1800 (5,906)	1200 (3,937)
401 – 800	500 (1,640)	250 (820)	2000 (6,561)	1330 (4,364)
801 – 1,600	600 (1,968)	300 (984)	2400 (7,874)	1600 (5,249)
1,601 – 3,200	700 (2,297)	350 (1,148)	2800 (9,186)	1870 (6,135)
3,201 – 6,400	800 (2,625)	400 (1,312)	3200 (10,499)	2130 (6,988)
6,401 – 12,800	900 (2,953)	450 (1,476)	3600 (11,811)	2400 (7,874)
>12,800	1000 (3,281)	500 (1,640)	4000 (13,123)	2670 (8,760)

APPENDIX V – MINIMUM MUTUAL SEPARATION DISTANCES TO DWELLINGS

The following table outlines mutual separation distances between specific uses and dwellings that are required throughout the By-law. For ease of interpretation, they have been compiled in this Appendix. For clarification purposes, the specific Subsection of the By-law should be referenced.

Use	Separation Distance	Subsection Reference
Airports	a) 60.96 m. (200.00 ft.) strip parallel to and on either side of the centerline of a runway; and b) 243.84 m. (800.00 ft.) from either end of a runway	Subsection 6.23
Anhydrous Ammonia Facility	792.48 m. (2,600 ft.)	Subsection 7.15
Commercial WEGS Tower	457 m. (1,500 ft.)	Subsection 7.12
Liquid Waste Disposal	457 m. (1,500 ft.)	Subsection 7.10
Livestock Operations	Dependent on size of livestock operation	Subsection 7.18 and Appendix III
Natural Resource Developments	152.4 m. (500 ft.)	Subsection 7.9
Solid Waste Disposal	800 m. (2,624 ft.)	Subsection 7.10
Transmission Line right-of-way (natural gas or electricity)	15.24 m. (50 ft.)	Subsection 7.9.7