

Notice: All persons making use of this Consolidation are reminded that it has no legislative sanction; that the Amendments have been embodied only for the convenience of reference; and that the original By-law and Amendments should be consulted for all purposes of interpreting and applying the law.

**An Office Consolidation of the
Rural Municipality of Rosser
Zoning By-law
By-law No. 4-21**



RM OF ROSSER ZONING BY-LAW

PREPARED FOR
**The Rural Municipality
of Rosser**

PREPARED BY
WSP Canada Inc.

**A zoning by-law to regulate and
control the use and development
of land and buildings in the Rural
Municipality of Rosser**

THE RURAL MUNICIPALITY OF
ROSSER

wsp

**The Rural Municipality of Rosser
BY-LAW NO. 4-21**

BEING A BY-LAW TO REGULATE AND CONTROL THE USE AND DEVELOPMENT OF LAND AND BUILDINGS WITHIN THE MUNICIPALITY OF ROSSER.

WHEREAS pursuant to Section 45 of *The Planning Act*, The South Interlake Planning District, of which the Rural Municipality of Rosser is a member, has by By-law adopted the *South Interlake Planning District Development Plan*;

AND WHEREAS Section 68 of *The Planning Act* provides that a municipal Council must adopt a zoning by-law that is generally consistent with the Development Plan By-law;

NOW THEREFORE the Council of the Rural Municipality of Rosser, in meeting duly assembled, enacts as follows:

1. That By-law 15-14, being the Rural Municipality of Rosser Zoning By-law, is hereby repealed.
2. That Schedule "A", attached hereto and being the Rural Municipality of Rosser Zoning By-law is hereby adopted to regulate and control the use and development of land and building within the limits of the Rural Municipality of Rosser, excluding the Inland Port Special Planning Area, as described in *The Planning Act*.
3. This by-law shall be known as the *Rural Municipality of Rosser Zoning By-law* and it shall take full force and effect on the date of third reading.

DONE AND PASSED as a by-law of the Rural Municipality of Rosser at 0 077E PR 221, Rosser in the Province of Manitoba this 13th day of July, 2021.

Frances Smee
Reeve

Larry Wandowich
Chief Administrative Officer

READ a first time this 27th day of April, 2021.

READ a second time this 13th day of July, 2021.

READ a third time this 13th day of July, 2021.

The Rural Municipality of Rosser
Zoning By-law
Being **SCHEDULE "A"**
Attached to By-law 4-21
of
The Rural Municipality of Rosser

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PART A: ADMINISTRATION

SECTION 1: INTRODUCTION

1.1 TITLE

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

1.2 INTENT AND 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 South Interlake Planning District Development Plan (Development Plan) and any Secondary Plans;
- b. Outline the powers and duties of the RM of Rosser Council (Council), the Designated Officer and the landowners 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 SCOPE

1.3.1 This By-law applies to all lands in the RM of Rosser, excepting those lands identified as the Inland Port Special Planning Area, as indicated on Map 1 in Part D of this By-law.

1.4 SEVERABILITY

1.4.1 If any part of this By-law, including anything shown on the Zoning 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 section or provision of this By-law.

1.5 INTERPRETATION OF PROVISIONS AND STANDARDS

1.5.1 In their interpretation and application, the provisions and standards of this By-law shall be held to be the minimum requirements in order to satisfy the intent and purposes as set forth herein.

1.5.2 Any existing use or structure which was illegal under the provisions of any planning schemes or by-laws in force on the effective date of this By-law and amendments thereto shall not become or be made legal solely by reason of the adoption of this By-law or amendments thereto; and to the extent that, and in any matter that, said illegal use or structure remains illegal hereunder.

1.6 OTHER LEGISLATION

- 1.6.1 A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with:
- a. The regulations of the *Manitoba Building Code* as well as applicable Municipal or Provincial building regulations;
 - b. The South Interlake Planning District Development Plan;
 - c. Any other appropriate federal, provincial or municipal legislation; and
 - d. The conditions of any caveat, covenant, site plan, development agreement, variation order or conditional use order, easement, mineral, sand or gravel title, or other instrument affecting a building or land.
- 1.6.2 Whenever provisions contained in any appropriate federal, provincial or municipal legislation impose overlapping regulations, laws or policies over the use of land, buildings or structures, or contain any restrictions covering any of the same subject matter contained herein, the most restrictive or highest standard shall apply.
- 1.6.3 The Province of Manitoba and the Government of Canada are not bound or restricted by any regulation of this By-law. The said governments are encouraged, however, to permit only those developments that are consistent with the regulation of this By-law.

1.7 DOES NOT PROMOTE NUISANCE

- 1.7.1 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.

1.8 EFFECTIVE DATE

- 1.8.1 This By-law shall be in full force and effect when the Council of the RM of Rosser has given it Third Reading.

SECTION 2: ADMINISTRATION

2.1 REGULATION OF USES

2.1.1 No development, except otherwise expressly permitted in this By-law, shall be undertaken in the RM of Rosser unless an application has been approved and a development permit has been issued.

2.2 THE DESIGNATED OFFICER

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

2.2.2 The Designated Officer shall be responsible for issuing development permits, demolition permits, building permits, providing notice of decisions, issuing zoning memoranda, and decision-making power for minor variances in accordance with the provisions of *The Planning Act (The Act)*.

2.3 DEVELOPMENT PERMITTING

2.3.1 Every person shall apply for a development permit before commencing any development within the Municipality, except those uses listed in Section 2.4.

2.3.2 Council may require an applicant to 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.

2.3.3 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.

2.4 DEVELOPMENT NOT REQUIRING A PERMIT

2.4.1 No development permit from the RM of Rosser is required under this By-law for the developments listed below, provided that such developments shall comply with all other applicable provisions of this By-law. This does not relieve the applicant or landowner from obtaining approvals from other authorities or agencies. Developments exempt from applications are as follows:

- a. Fences or light standards;
- b. An accessory building that:
 - (i) Is less than 11.15 square metres (sq. m.) (120 square feet (sq. ft.));
 - (ii) Does not exceed 4.57 m. (15 ft.) or one storey in height; and
 - (iii) Is not considered a hazard by the Designated Officer.
- c. An unenclosed deck or a deck enclosed by a rail or parapet wall and a wheelchair ramp, all of which having a floor less than 0.61 m. (2 ft.) above grade unless it is anchored to a building or structure;
- d. Landscaping where the existing grade and natural surface drainage pattern is not materially altered
- e. The erection or placement of a temporary building, 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;
- f. Accessory Signs;
 - g. The use of vacant farmland and structures for permitted agricultural activities, excluding livestock operations; and
 - h. A change in land use from one agricultural activity to another, excluding livestock operations.

2.5 CONDITIONAL USE ORDERS

- 2.5.1 Any conditional use must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, nor must it be injurious to property, improvements or potential future development in the vicinity.
- 2.5.2 The following impact criteria must be considered in the review of conditional use applications:
 - a. Conformance to the Development Plan, any Secondary Plan, and the provisions of this By-law;
 - b. Compatibility with the general nature of the surrounding area;
 - c. Traffic;
 - d. The relationship to, or impacts on, utility services and public facilities such as recreational facilities and schools; and
 - e. Topographical, physical and natural features including groundwater and soil conditions.
- 2.5.3 The approval of a conditional use by Council shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision, unless it is renewed prior to the expiry date, at the discretion of Council, in accordance with *The Act*.
- 2.5.4 Council may place a condition on any new conditional use to apply a time limit after which the conditional use order will expire if the operation ceases. This shall not apply to existing conditional uses.
- 2.5.5 Where a use is classified as a conditional use under this By-law, and is authorized by permit or deemed a legal non-conforming use, it shall be considered as a legally existing conditional use.
- 2.5.6 Any change in a conditional use shall be subject to the provisions of this section and the appropriate provisions of *The Act*.

2.6 VARIANCE ORDERS

- 2.6.1 Any person who is of the opinion that this By-law injuriously or adversely affects their property rights may apply for a variance order.
- 2.6.2 Subject to *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.

- 2.6.3 In accordance with *The Act*, 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%.
- 2.6.4 The approval of a variance order by Council shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision, unless it is renewed at the discretion of Council for an additional period not exceeding twelve (12) months.

2.7 AMENDMENTS

- 2.7.1 Subject to the procedures outlined in *The Act*, an amendment to this By-law may be initiated by resolution of Council, or by application to the Designated Officer, or by another party, acting on behalf of the owner, with written consent of the owner.
- 2.7.2 An application for an amendment to this By-law shall be accompanied by the following information:
- a. A Status of Title which has been issued no later than 30 days prior to the receipt of the amendment application by the Designated Officer;
 - b. Written consent, along with contact information from the owner if different from the applicant;
 - c. The applicant's name, signature, address, interest in the property, and reason for applying; and
 - d. The appropriate fee.

2.8 SUBDIVISIONS

- 2.8.1 Subdivisions shall be proceeded with in accordance with *The Act*. No subdivision application shall be approved which is contrary to policies of the Development Plan, any Secondary Plan, this By-law, the Provincial Land Use Policies, subdivision regulations, and other regulations and requirements of the federal, provincial or municipal government.

2.9 DEVELOPMENT AGREEMENTS

- 2.9.1 As a condition of amending this By-law, approving a conditional use, or approving a variance order, 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 *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 *The Act*.

- 2.9.2 As a condition of subdividing land, 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 construction or maintenance – at the owner's expense or partly at the owner's expense – of works, including, but not limited to, sewer and water, waste removal, drainage, public roads, connecting streets, street lighting, sidewalks, traffic control, access, connections to existing services, fencing and landscaping;
 - b. Construction or payment by the owner of all or part of the capacity of works in excess of the capacity required for the proposed subdivision; or
 - c. The use of the land and any existing or proposed building.

2.10 NON-CONFORMANCE

- 2.10.1 Non-conforming uses, buildings, structures, or signs shall be regulated in accordance with and subject to the provisions of *The Act*, unless otherwise provided for herein.
- 2.10.2 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.
- 2.10.3 Any expansion, addition, relocation or reconstruction of a non-conforming use or a non-conforming building or structure shall conform to the site, parking, and loading requirements of the zoning district in which it is located unless varied.
- 2.10.4 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. To those portions of the interior of the building occupied by the non-conforming use, or in connection with an expansion of the non-conforming use.
- 2.10.5 Repairs or incidental alterations may be made to a non-conforming building or structure subject to approval and issuance of a development permit, where necessary.
- 2.10.6 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 fifty percent (50%) of the structure's assessed value on the latest property assessment roll.
- 2.10.7 If a non-conforming building or structure is damaged and repair costs are less than fifty percent (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.
- 2.10.8 A use that is accessory to a principal non-conforming use may continue as long as the principal non-conforming use exists.
- 2.10.9 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.

2.10.10 A non-conforming use of a structure, or portion thereof, which is, or hereafter becomes, abandoned, vacant or unoccupied, and remains so for two (2) consecutive years, must not be used after that time except in conformity with this By-law.

2.10.11 Notwithstanding the provisions of this section, a variation order shall not be required where a non-conforming building or structure is being altered or changed so as to reduce the degree of non-conformity.

2.11 FEES

2.11.1 The Board and/or Council, as appropriate, shall, by By-law, establish a development fee schedule for zoning amendments, conditional use orders, variation orders, zoning memorandum, development permits, building permits, demolition permits, certifications of non-conformity, and any other appropriate documents the Board and/or Council deems fit.

2.12 PUBLIC UTILITIES AND SERVICES

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

2.13 ENFORCEMENT AND PENALTIES

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

2.13.2 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*.

2.13.3 Fines and penalties will be imposed as per *The Act*.

2.13.4 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; or
- b. Any person undertakes or causes or permits any development on a site contrary to the terms or conditions of a permit.

2.13.5 Any person who undertakes, causes or permits, any development on a site 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.

SECTION 3: INTERPRETATION AND DEFINITIONS

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 neither defined herein shall be given their usual and customary meaning except where the context 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 the terms arranged for, maintained for, designed for, and/or occupied for;
- f. Where the words *must* or *shall* are used in this By-law, the provision is mandatory;
- g. The provisions of this by-law shall be interpreted to be the minimum regulations except where the word *maximum* or its abbreviation is used, in which case the maximum regulation shall apply;
- h. Unless the context clearly states the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction *and*, *or*, or *either-or*, the conjunction shall be interpreted as follows:
 - (i) *And* indicates that all the connected items, conditions, provisions or events shall apply in any combination;
 - (ii) *Or* indicates that the connected items, conditions, provisions or events may apply singly or in combination; and
 - (iii) *Either-or* indicates that the connection 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 measurements, the metric unit shall prevail.

3.3 HEIGHT CALCULATIONS

3.3.1 In determining whether a building conforms to the maximum height permissible in any Zoning District, the following features shall not be considered for the purpose of height determination, provided that such features do not provide usable floor space:

- a. Chimney stacks;
- b. Steeples, belfries, domes or spires;
- c. Monuments;
- d. Elevator housings or roof stairway entrances;
- e. Liquid or gas storage tanks;
- f. Telecommunication structures;
- g. Masts, flagpoles or clearance markers; or

h. Other similar erections as determined by the Designated Officer.

3.3.2 Height restrictions imposed by federal or provincial government will continue to apply, notwithstanding this section.

3.4 DEFINITIONS IN THIS BY-LAW

3.4.1 Use classes serve to group individual land uses into common functional or physical impact characteristics. The use classes of this subsection are used to define the range of uses which are allowed within the various Zoning Districts of this By-law.

3.4.2 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.

3.4.3 Where a specific use generally conforms to the wording of two or more use class definitions, the Designated Officer may determine the use class definition considered the most appropriate in character and purpose.

3.5 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 zoning site.

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

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

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

Attached means, when used in reference to a building, a building otherwise complete in itself, which is dependent for structural support, or complete enclosure, upon a wall or walls shared in common with an adjacent building or buildings. When used in reference to a deck, attached means a deck that abuts a home, whether attached or technically independent.

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

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

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

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

Council means the Council of the RM of Rosser.

Development means:

- a. the construction of a building or structure;
- b. the installation of services and utilities on, over or under land;
- c. a change in the use or intensity of use of a building or land;
- d. the removal of soil or vegetation from land;
- e. the deposit of stockpiling or material on land; or
- f. the excavation of land.

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

Development Permit means a document issued pursuant to this By-law, authorizing a development to occur and may include a Building Permit.

Development Plan means the South Interlake Planning District Development Plan adopted by by-law, as amended.

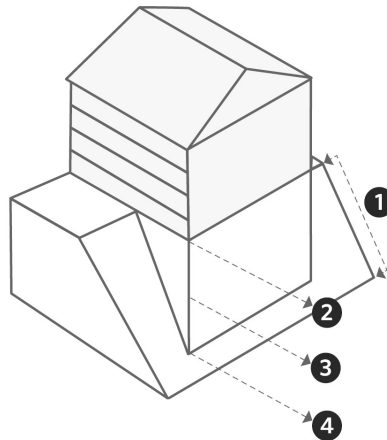
Dwelling Unit means one or more self-contained rooms provided with sleeping and cooking facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a household.

Farm Based Commerce describes a business operation that is accessory to a principal farming operation and located on the same site. Farm based commerce may entail occupations or industries related and accessory to the farm only and are intended to diversify on-farm economic activity. Examples include, manufacturing, processing, services, storage, wholesale, retail sales and distribution services. An example of farm based commerce is a farm diversification operation.

Farmstead Site means the portion of land of an agricultural operation, usually surrounded by a well-defined shelterbelt, that includes the habitable residence of the agricultural produces and the buildings and facilities associated with the agricultural operation.

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

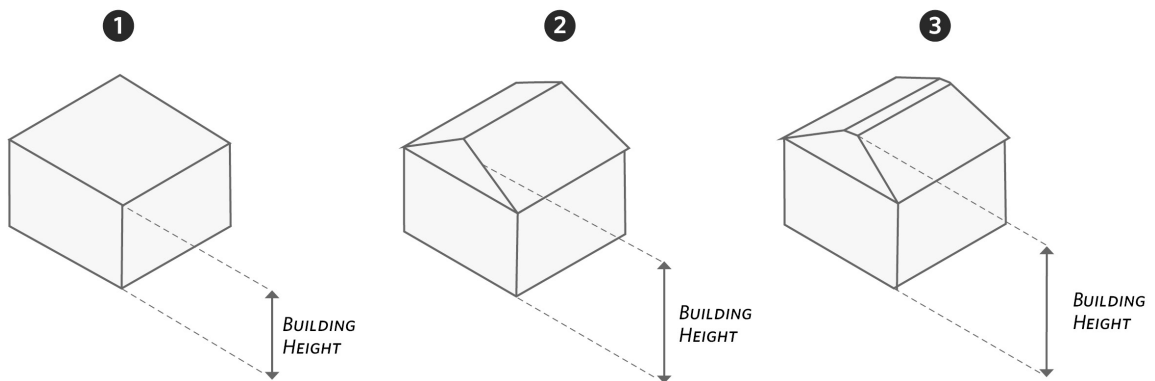
Grade means the lot grade elevation of the finished ground surface immediately adjacent to the foundation of a building.



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

Height, Building 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 equal to or less than 20 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 greater than 20 degrees, provided that in such cases the ridge line of the roof shall not extend more than 1.52 m (5 ft) above the maximum permitted building height in the Zoning District; or
- c. the deck of a mansard roof.



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

Height, Fence means, when used with reference to a fence or screen, the vertical distance measured from the normal ground level.

Home Based Commerce describes a business operation that is accessory to the principal dwelling on a site. Examples of home based commerce include home occupations, home businesses and home industries.

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.

Livestock means animals not kept exclusively as pets, excluding bees.

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

Lot, Double Fronting means a lot which abuts two public roadways, which are parallel or nearly parallel in the vicinity of the lot.

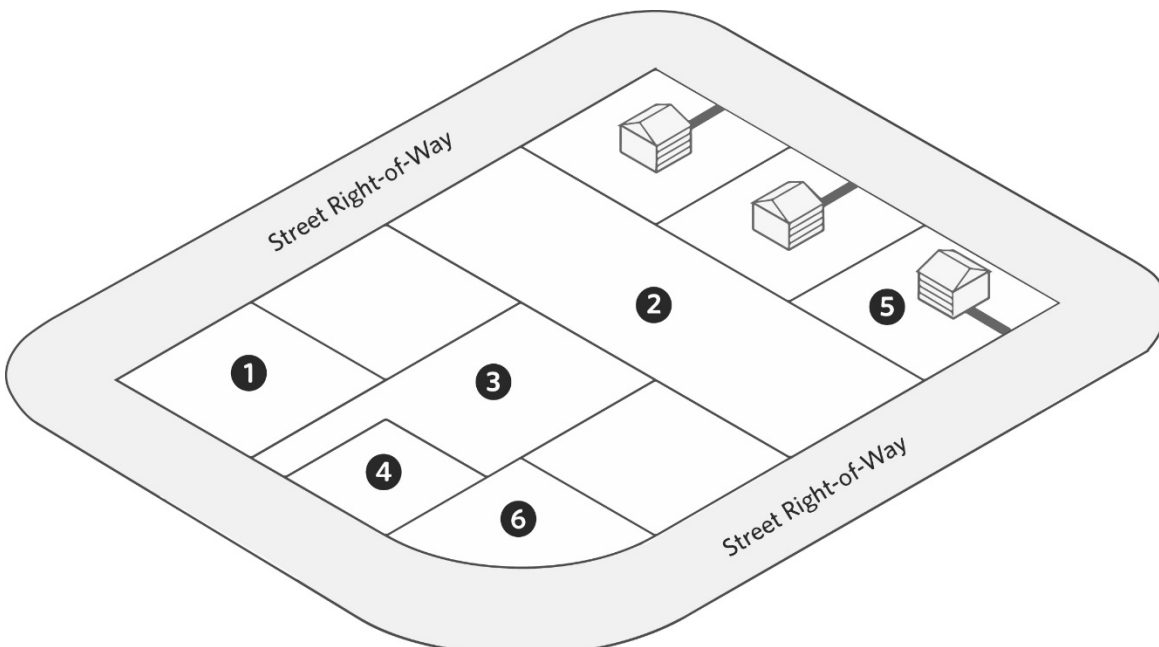
Lot, Flag means a lot lacking the required minimum lot width or frontage on an existing or proposed street but having direct access to the street through a narrow access point. Flag Lots have two distinct parts:

- a. The “flag”, which is the building site and located behind another lot; and
- b. The “pole”, which provides the flag access to the street.

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

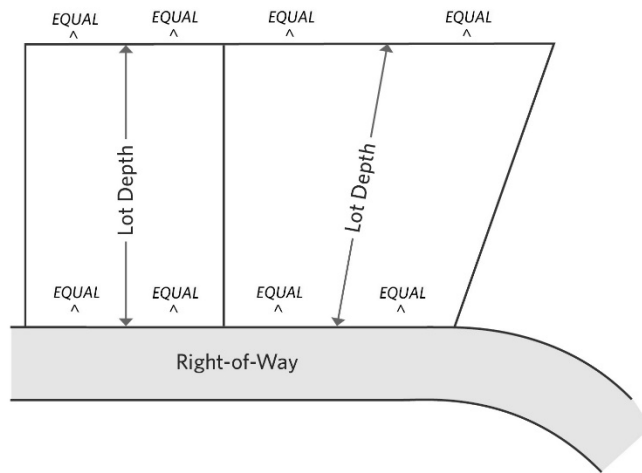
Lot, Reverse Corner means a corner lot, the side street line of which is substantially a continuation of the front site line of the first site to its rear.

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 to be front lot lines.



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

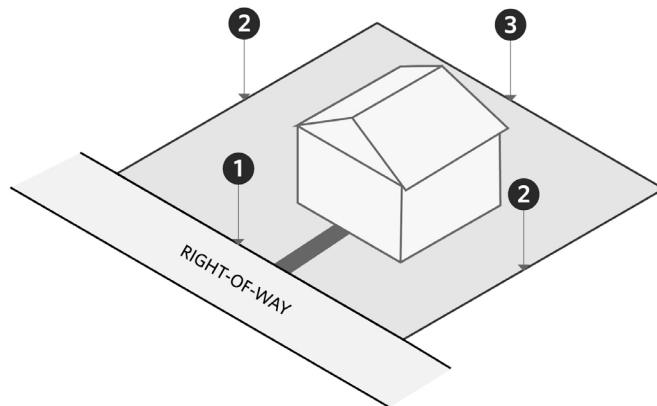
Lot Depth means the horizontal distance measured between the midpoint of the front lot line and the midpoint of the rear lot line.



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

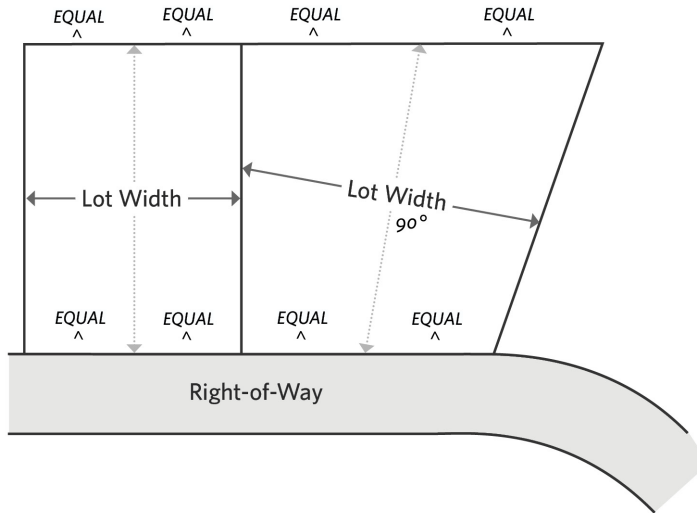
Lot Line, Rear means either the lot line which is furthest from and opposite the front lot line, or where such lot line does not exist, the point of intersection of any side lot lines which is further from and opposite the front lot line.

Lot Line, Side means the property line of a lot other than a front 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, or at 15.24 m. (50 ft.) from the front lot line, and the lesser of these distances is the site width.



Municipality means the Rural Municipality of Rosser.

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

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

Planning District means the South Interlake Planning District.

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.

Secondary Plan means a plan adopted by by-law in accordance with *The Act* to guide development or re-development in a defined area.

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

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

Sign means any writing (including letter, word, or numeral), pictorial representation (including

illustration or decoration), emblem (including device, symbol, logo, or trademark), flag (including banner, or pennant but not the flag of any nation or government), and anything designed or intended to, or having the effect of, announcing, identifying, directing attention to, or advertising any building or use.

Sign Form

Attached means a sign that is attached to the exterior of a building. This form of sign may include fascia, awning, banner, marquee, blade, volumetric, canopy, or other attached forms.

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

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

Sign Type

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

Directional Sign means a sign that indicates vehicular access or egress from a parking or loading area

Identification Sign means a sign that identifies a building, business, service, institution, owner, or resident by name, logo, street address, or a combination thereof and which may direct attention to a business, service, or commodity conducted, offered, or sold on the same lot or lands.

Temporary Sign means a sign intended for a temporary event or purpose.

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

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

Subdivision means the division of land by an instrument, including

- a. a plan of subdivision, conveyance, deed, mortgage or grant; or
- b. an agreement granting or extending a use of or right in land, directly or indirectly or by an entitlement to renewal, for a period of 21 years or more; but not including a lease respecting only floor space in a building.

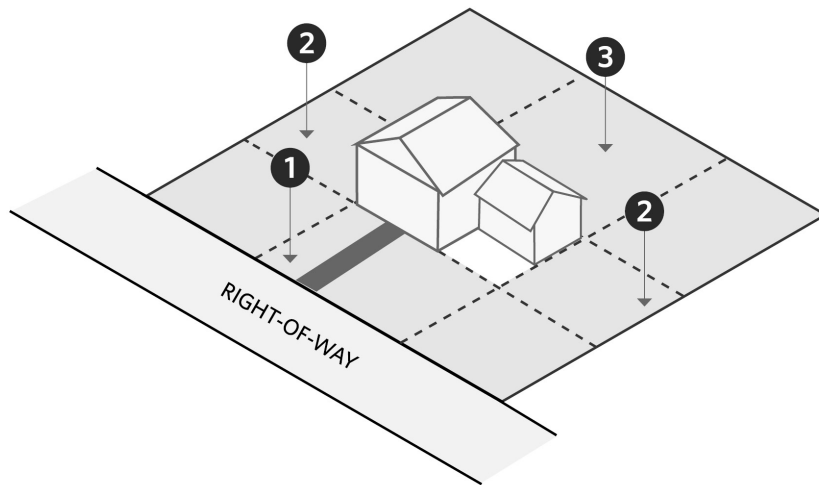
Temporary Uses, Buildings or Structures mean incidental uses, buildings or structures for which a permit has been issued for a limited time only.

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

intended, occupied or maintained for.

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 line and the closest wall of a building or structure along a line perpendicular to the site line.



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

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

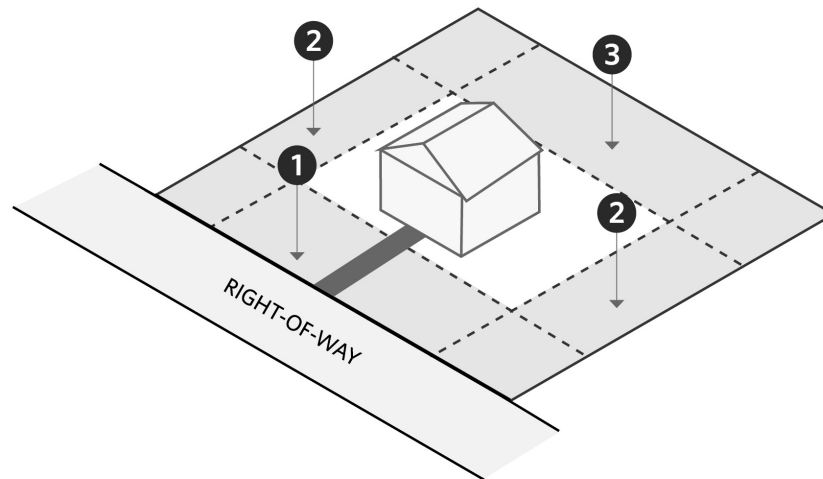
Yard, Rear means the portion of the site abutting the rear site line extending across the full width of the site, situated between the rear site line and the nearest wall of the principal building, not including any projections.

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

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

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

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



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

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

3.6 RESIDENTIAL USE CLASS DEFINITIONS

Group Home means a dwelling for 4 to 15 residents that provides room and/or board and provides participation in a program of treatment or special care (on or off site), or that provides room and/or board for individuals who are placed in a dwelling unit by a sponsoring entity, to meet individual needs in a family environment. The sponsoring entity typically imposes restrictions on the occupants and must acquire a licence from the provincial government to operate.

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

Mobile Home Park means a development used to provide space for the accommodation of more than one mobile home dwelling unit.

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

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.

Single-Unit Dwelling means a building or structure containing only one dwelling unit that is separate from any other dwelling or building. For the purposes of this By-law, a tiny home shall be considered a single-unit dwelling.

Townhouse Dwelling means a type of multi-unit dwelling containing three (3) or more separate dwelling units arranged horizontally where no dwelling unit is located entirely or partially above another dwelling unit. Typical units include row houses, tri-plexes, four-plexes and similar.

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

3.7 COMMERCIAL SALES AND SERVICE USE CLASS DEFINITIONS

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

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

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

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

Contractor Service means a development used for the provision of construction services which require on-site storage space for materials, equipment or vehicles normally associated with the contractor service. Any sales, display, manufacturing, office or technical service areas shall be accessory to the principal contractor service use only.

Eating and Drinking Establishment means a development primarily engaged in the preparation of food or alcoholic beverages intended to be sold to the public for consumption on or off the premises.

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

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

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

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

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

Parking Lot means a principal development providing vehicular parking which is not primarily intended for the use of residents, employees or client of a particular development. Typical uses include surface parking lots and parking structures, above or below grade.

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. This includes, but is not limited to, hair salons, beauty salons, tailors, dry cleaners, laundromats and similar uses.

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

Retail Establishment means a development involved in the sale, lease, or rent of new or used products directly to the general public, or to individuals or households based on their membership in an association or club.

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.

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

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

3.8 INDUSTRIAL USE CLASS DEFINITIONS

Bulk Storage Facility means a premise for the outdoor storage or tank storage of large quantities of raw materials or industrial related goods such as liquids, gases, minerals, pipes, gravel, fertilizers, or grains. This use does not include facilities used to store anhydrous ammonia.

Commercial Composting Facility means a facility designed and managed to facilitate the process of aerobic decomposition or organic matter by biological action.

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

ambulance services, taxi services, bus lines, messenger and courier services.

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

General Industrial, Heavy means the processing, assembly, servicing, storage, creation, transportation or repairing of goods or materials where such operations may have a higher level of nuisance including smoke, dust, dirt, toxic or offensive odours, gasses, heat or glare, or any other such nuisance that is perceptible from an adjacent site.

General Industrial, Light means the processing, assembly, servicing, storage, creation or repairing of goods or materials typically involving a low level of nuisance including smoke, dust, dirt, toxic or offensive odours, gasses, heat or glare, or any other such nuisance that is perceptible from an adjacent site.

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

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

Mill or Forestry Related Establishment means the harvesting of wood or processing of wood products including pulpwood, lumber and other forestry related products.

Quarry Operation means the extraction of minerals, sand, gravel and ores from their natural occurrences on affected land and the distribution of extracted materials, including the excavation, processing or distribution of clay, gravel, stone and soils.

Recycling Depot means a development used for the buying and temporary storage of recyclable materials within an enclosed building or structure. This use does not include auto wreckers.

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

Wind Farm means a development comprised of, but not limited to, one or more wind turbine generator towers that convert wind energy to electrical energy for private or commercial use.

3.9 CIVIC USE CLASS DEFINITIONS

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

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

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

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

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

Conservation Area means land that has been designated by the Government of Manitoba for the protection and conservation of wildlife and may include Wildlife Management Areas.

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

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

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

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

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

Motocross Track means a facility used for the recreational racing of motorized vehicles and may include limited retail and food or beverage service.

Park means a use of public land specifically designed or reserved for the general public for active or passive recreational use. Examples include tot lots, band shells, interpretive centres, picnic grounds, public trails and pathways, playgrounds, water features, amphitheatres or athletic fields.

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

Protective and Emergency Service means a development which is required for the public protection or persons and property from injury, harm or damage. Examples include police stations, fire stations, ambulance station and ancillary services.

Public or Private Club means a facility used for the meeting, social, or recreational activities of non-profit philanthropic, social service, athletic, business, or fraternal organizations, without onsite residences. When licensed for the sale of alcohol by the Government of Manitoba, such uses are

considered a drinking establishment.

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

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

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

Shooting Range means an outdoor facility used for the recreational use of armaments.

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

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

3.10 AGRICULTURAL USE CLASS DEFINITIONS

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

Agribusiness means a commercial establishment that provides goods or services to the agricultural sector. Examples include farm equipment and machinery sales and repair shops, bulk fuel stations, feed and fertilizer supply operations, and livestock auction marts.

Agricultural Activities means a use of land for agricultural purposes. Examples include the production of crops, including grains, oil seeds, hay and forages, and horticultural crops, apiaries and pasturage. This use does not include livestock operations or natural resource developments.

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

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

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

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

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

Communal Farm Operation means a cooperative settlement whose principal operation is agricultural in nature and contains at least two (2) dwelling units and various accessory uses intended to support the livelihood of its residents. Accessory uses may include, but are not limited to, accessory dwelling units, commercial or industrial enterprises, educational facilities, community facilities, and/or places of worship.

Elevators, Mills and Seed Plants means an agricultural facility design to process, store or manufacture goods for the agricultural industry.

Exhibition Grounds means a use where permanent facilities are provided for fairs, races, or other cultural activities or celebrations to be held.

Livestock Operation means permanent or semi-permanent facility or non-grazing area where at least 10 animal units of livestock are kept or raised either indoors or outdoors, and includes all associate manure collection facilities, but does not include:

- a. A livestock auction mart;
- b. A livestock sales yard where livestock are kept no longer than three days.
- c. An operation for the grading or packing of livestock or livestock products;
- d. An operation for the slaughter or processing of livestock;
- e. An agricultural fair; or
- f. An operation for transporting livestock or livestock products.

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

Stable or Riding Academy means a facility engaged in the training of horses or the operation of a horse riding academy or horse riding stables.

3.11 ACCESSORY USE CLASS DEFINITIONS

Accessory Use, Building or Structure see **Accessory** definition in Section 3.5 General Definition.

Animal Boarding means a type of home based commerce wherein care or supervision is provided to domesticated animals for short or extended periods.

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

Bed and Breakfast means a principal dwelling where sleeping accommodation with or without light meals is provided to members of the travelling public for remuneration.

Beekeeping means the maintenance of bee colonies, commonly in man-made hives and typically in order to collect their honey and other products that the hive produce.

Drive Through means any use designed or operated to allow patrons, while outside on the premises

in motor vehicles, to order, request, exchange, donate or receive goods, wares, merchandize, products, foods, beverages, or services.

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

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

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

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

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

Metal Shipping Container means a prefabricated metal structure designed for use as a storage enclosure and which may be permanent in nature.

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

Private Vehicle Collection means an activity involving the assembling, restoring, upgrading, and/or collecting of multiple new or used motorized and non-motorized vehicles for personal use or restoration purposes only, and, by its nature, the collection may include partial vehicles and parts and components thereof, and does not include any activity that is operated as a business. (BL 4-23)

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

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

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

3.12 TEMPORARY USE CLASS DEFINITIONS

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

Metal Shipping Container means a prefabricated metal structure designed for use as a storage enclosure and which may be temporary in nature.

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

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

Wayside Pit or Quarry means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a project such as a road construction contract that is not located on the road right-of-way.

PART B: ZONING DISTRICTS

SECTION 4: ZONING DISTRICTS

4.1 ZONING DISTRICTS ESTABLISHED

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

TABLE 4-1 – ZONING DISTRICTS

District Group	Symbol	District Name
<i>Agricultural</i>	AG	Agricultural General Zone
	AL	Agricultural Limited Zone
<i>Settlement Centres</i>	GD	General Development Zone
	RSC	Rural Settlement Centre Residential Zone

SECTION 5: ZONE DESCRIPTIONS

- 5.1.1 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 shall apply.

5.2 AGRICULTURAL ZONING DISTRICTS

- 5.2.1 The Agricultural General Zone provides for a full range of agricultural and other compatible activities.
- 5.2.2 The Agricultural Limited Zone provides for agricultural uses and activities on a restricted basis in the immediate areas of Marquette, as well as in areas adjacent to the Rural Settlement Centres of Rosser, Grosse Isle and Meadows in order to avoid land use conflicts and to preserve lands for future expansion.

5.3 SETTLEMENT CENTRE ZONING DISTRICTS

- 5.3.1 The General Development Zone is intended to provide guidance to land uses and development within the rural settlement centres of Rosser, Gross Isle and Meadows.
- 5.3.2 The Rural Settlement Centre Residential Zone is intended to provide guidance to residential development within the hamlets in the municipality of Rosser, in keeping with any Secondary Plan.

PART C: DEVELOPMENT STANDARDS

SECTION 6: GENERAL DEVELOPMENT STANDARDS

6.1 APPLICABILITY

6.1.1 The provisions of this section shall apply to any development on any site, irrespective of the Zoning District in which it is located, unless otherwise noted.

6.2 CONFORMANCE

6.2.1 No land, building, or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, enlarged, or placed, except for a use that is permitted in the zones in which such building, structure or land is located and then only after applying for and securing all development permits, building permits, other permits and licenses required by all laws and by-laws in effect within the Municipality.

6.3 ONLY ONE PRINCIPAL BUILDING OR USE ON A SITE

6.3.1 There shall only be one principal building and/or one principal use on a site, except in the following cases:

- a. Planned Unit Developments;
- b. Communal Farm Operations; or
- c. Wherein otherwise stated or permitted in *The Act*.

6.3.2 A two-unit or multi-unit dwelling shall be considered one (1) building occupying one (1) site.

6.4 MULTIPLE USES

6.4.1 Where any land or building is used for more than one purpose, all provisions of this By-law related to each use shall be satisfied. Where there is a conflict, the higher, more stringent requirement shall prevail.

6.5 SUBDIVISION OF ATTACHED DWELLINGS

6.5.1 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 Designated Officer;

- b. Each site created shall have frontage on a public right-of-way, except in the case of a planned unit development or 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 one (1) dwelling unit;
- d. Each site created must provide at least one (1) parking space with access to a public right-of-way; and
- e. No side yard is required along the newly created site line.

6.6 RESTRICTED AND PROHIBITED DEVELOPMENT

- 6.6.1 Nothing in this By-law, or in a development permit, subdivision approval, or a conditional use order, variation order, or other approval issued under this By-law or under *The Act* shall be construed as authorization for the carrying out of any activity that is a nuisance.
- 6.6.2 No operations or activities shall emit air or water contaminants more than the standards prescribed by the Province of Manitoba pursuant to *The Environment Act* and the regulations pertaining thereto.
- 6.6.3 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.
- 6.6.4 Lands subject to flooding should be left in their natural state and only utilized for low intensity uses such as open space, recreation, grazing or cropping. Lands subject to flooding include:
 - a. Lands that would be affected by the 1:200 year flood or by a recorded flood exceeding the 1:200 flood level; and
 - b. Lands that would be affected by water erosion within a 50 year period due to the action contained in an adjacent waterway or waterbody.
- 6.6.5 Council will forward development proposals in suspected flood hazard lands to the applicable Provincial authority for their review and recommendations prior to consideration.
- 6.6.6 When development is proposed in suspected flood hazard lands, the applicant may be required to complete professional environmental, geotechnical or hydrogeological studies that would provide recommendations on preventative and mitigation measures to eliminate or reduce the risk.
- 6.6.7 Any development permitted on or near flood hazard lands shall be required to build to the 1:200 year Flood Protection Level as provided by the applicable Provincial authority and beyond the range of the 50 year erosion period. Development in these areas shall also be required to maintain the natural capacity of waterways to convey water flows and be constructed in a manner that would minimize property damage, public expenditures and public safety.
- 6.6.8 No building or structure shall be erected upon any land designated for a future road allowance. Any development adjacent to said future road allowance shall comply with the regulations of the By-law as if the said future road allowance was already in existence.
- 6.6.9 No building or structure shall be built in an area that is subject to erosion, bank instability, landslide, 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.

- 6.6.10 No permanent building or structure shall be constructed or placed in the vicinity of a lake, river, watercourse, or body of water on land that has been identified by the province and/or municipality as a flood hazard, unless it is demonstrated to the satisfaction of Council that:
- a. The land is not subject to flooding;
 - b. Adequate measures will be taken to protect the building from flooding; and
 - c. Access to the property is on a developed public road to a standard and elevation that meets with provincial and/or municipal flood protection standards.
- 6.6.11 Notwithstanding any other provision in this By-law, the Designated Officer may refuse to issue a development permit on private lands where Council has reason to believe that such development would create an adverse effect on adjacent public or private lands or where adjacent drains are insufficient to accommodate the added run-off.
- 6.6.12 The Designated Officer may require an applicant to provide information, at their own expense, such as flood levels, elevations, or other geotechnical data, as may be required to arrive at a rational decision with respect to restricted development.
- 6.6.13 Council may, prior to the issuance of a development permit or building permit, consult with provincial departments and agencies.

6.7 ACCESSORY BUILDINGS, STRUCTURES AND USES

- 6.7.1 Accessory buildings, except as otherwise regulated in this By-law, shall be subject to the provisions below:
- a. Where any building or structure on a site is attached to a principal building on the site, it is considered a part of the principal building and is not an accessory building or structure;
 - b. Excluding farm buildings and related structures, no accessory building or structure shall be constructed on any site prior to the construction of the principal building or structure on the site, except where it is necessary for the storage of the tools and materials for use during construction of the principal building or structure;
 - c. Accessory buildings and structures shall not be located closer than 3.05 m. (10 ft.) clear of all projections to the principal building; and
 - d. An accessory building shall not be located within a dedicated easement right-of-way.
- 6.7.2 Accessory buildings and structures shall be subject to the dimensional standards for the Zoning District of the site.

6.8 TEMPORARY BUILDINGS, STRUCTURES AND USES

- 6.8.1 Temporary buildings, structures or uses that are incidental or necessary for specific reasons, and are found on the same site may be permitted on a temporary basis, subject to the issuance of a development permit, for the following purposes:
- a. The storage of construction materials and equipment incidental and necessary for construction;
 - b. Office space for a contractor or developer;
 - c. For reasons identified in Section 7.38 – Temporary Additional Dwellings; or

- d. Temporary accommodation for a caretaker, watchman or other workers employed on the same construction site.

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

6.8.3 Each development permit issued for a temporary building, structure or use shall be valid for a period of not more than six (6) months and may not be renewed for more than two (2) successive periods at the same location, with the exception of Temporary Additional Dwellings as provided for in Section 7.38.

6.9 MOVEMENT OF BUILDINGS AND STRUCTURES

6.9.1 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.

6.9.2 Before moving a building or structure which is over 11.15 sq. m. (120 sq. ft.) in size to a new location within the Municipality, the owner shall obtain authorization from the Municipality prior to issuance.

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

6.9.4 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.

6.9.5 Notwithstanding other requirements of this section, new manufactured homes that have received certifications through the manufacturer are not required to obtain authorization from the Municipality for their initial siting. Any subsequent movements shall require Municipal authorization.

6.10 SITE AND YARD REQUIREMENTS

6.10.1 All yards and other open space required for any use shall be located on the same site as the use.

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

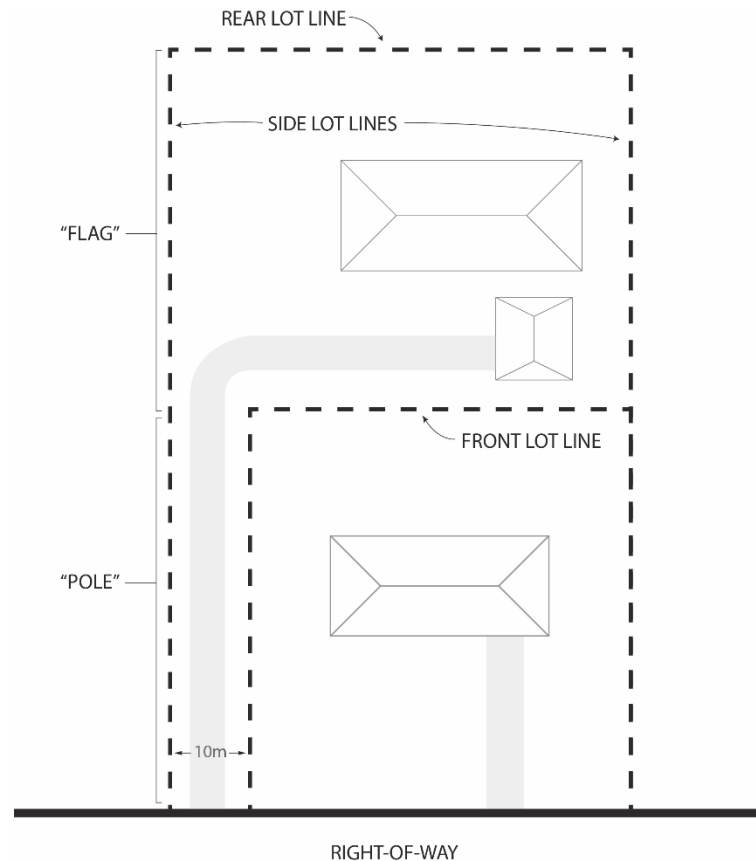
6.10.3 No parcel of land hereafter shall be divided into sites unless each site conforms to the requirements set forth in the dimensional standards of the zone in which the parcel is located or where such requirements are varied by variation order.

6.11 OBSOLETE PLANS OF SUBDIVISION

- 6.11.1 Obsolete plans of subdivision have been identified for reference on the Zoning District Maps. It is recognized that these areas were subdivided at a time when planning approval was not required and subsequently declared obsolete, meaning that the parcels exist as legal titles but are not recognized as a site under this By-law. It is further recognized that additional obsolete plans of subdivision may be discovered within the municipality to which these provisions apply.
- 6.11.2 For sites that do not have an authorized existing building or structure as of the date of adoption of this By-law, no development permit or building permit shall be issued for the site.
- 6.11.3 A development permit or building permit may be issued for sites containing an authorized existing building or structure as of the date of adoption of this By-law, provided the use on the site is not changing or intensifying, in that it is supporting the continued existing use of the site, and is otherwise in keeping with the requirements of this By-law.
- 6.11.4 Accessory uses or structures for sites containing an authorized existing building or structure as of the date of adoption of this By-law are allowed, subject to the provisions of this By-law. Notwithstanding the dimensional requirements outlined in Table 8-1 Dimensional Standards, no accessory building in an obsolete plan of subdivision should not exceed 74.32 sq. m. (800 sq. ft.).

6.12 FLAG LOTS

- 6.12.1 Flag lots may be created in limited circumstances when other development options are not achievable and provided additional driveways and extended access are minimized. The following provisions apply to flag lots:
- a. Flag lots must comply with the standards of the Zoning District except as specified below:
 - (i) A minimum 10 m. (33 ft.) width is required for the entire length of the “pole”; and
 - (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.
 - b. Where practical, shared access via easements to allow for use of the pole by another lot, may be used at the discretion of the Designated Officer;
 - c. For the purposes of calculating site area, only the flag portion of the lot shall be used; and
 - d. For the purposes of calculating site width, the midpoint of opposite site lines of the flag portion of the lot shall be used.



Flag Lots

6.13 FRONTAGE, ACCESS AND APPROACHES

- 6.13.1 Neither a development permit nor building permit shall be issued unless the site intended to be used, or lands 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. For the purpose 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.
- 6.13.2 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, or otherwise legal access, including any road which is required to be registered and developed as a public road under a signed servicing agreement.
- 6.13.3 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.

6.13.4 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 capacity and safety of the roads that are proposed to serve the development.

6.14 FRONT YARD SETBACK AVERAGING

6.14.1 Where at least 40 percent of the entire street block has been developed, any new developments must be constructed with a front yard setback that is consistent with the average of the existing front yard setbacks within that street block, provided such average is less than the minimum front yard required in the zone in which the site is located. 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. Where an average setback is proposed or used, applicants shall provide front yard setback information for the street block.

6.15 SPECIAL SETBACKS

6.15.1 Notwithstanding the dimensional standards found within this By-law, where a side or rear yard abuts an hydroelectrical transmission line right-of-way, a minimum principal or accessory use setback of 15 m. (50 ft.) shall apply.

6.15.2 No new dwelling unit shall be located:

- a. Within 804.67 m. (2,640 ft.) of the boundary of an active waste disposal ground unless approval has been obtained from the Province of Manitoba.
- b. Within 804.67 m. (2,640 ft.) of the boundary of a municipal sewage lagoon;
- c. Within 15.24 m. (50 ft.) from the edge of a right-of-way from a high-pressure gas pipeline or hydro electricity transmission line exceeding 100 kilovolts;
- d. Within 30 m. (98.4 ft.) from the edge of a railway right-of-way that is in active use; or
- e. Within an area that has been designated as a high or medium quality aggregate area as identified for reference in the Zoning District Maps, unless the site has been reviewed by the Province of Manitoba and a recommendation has been provided that allows development to proceed.

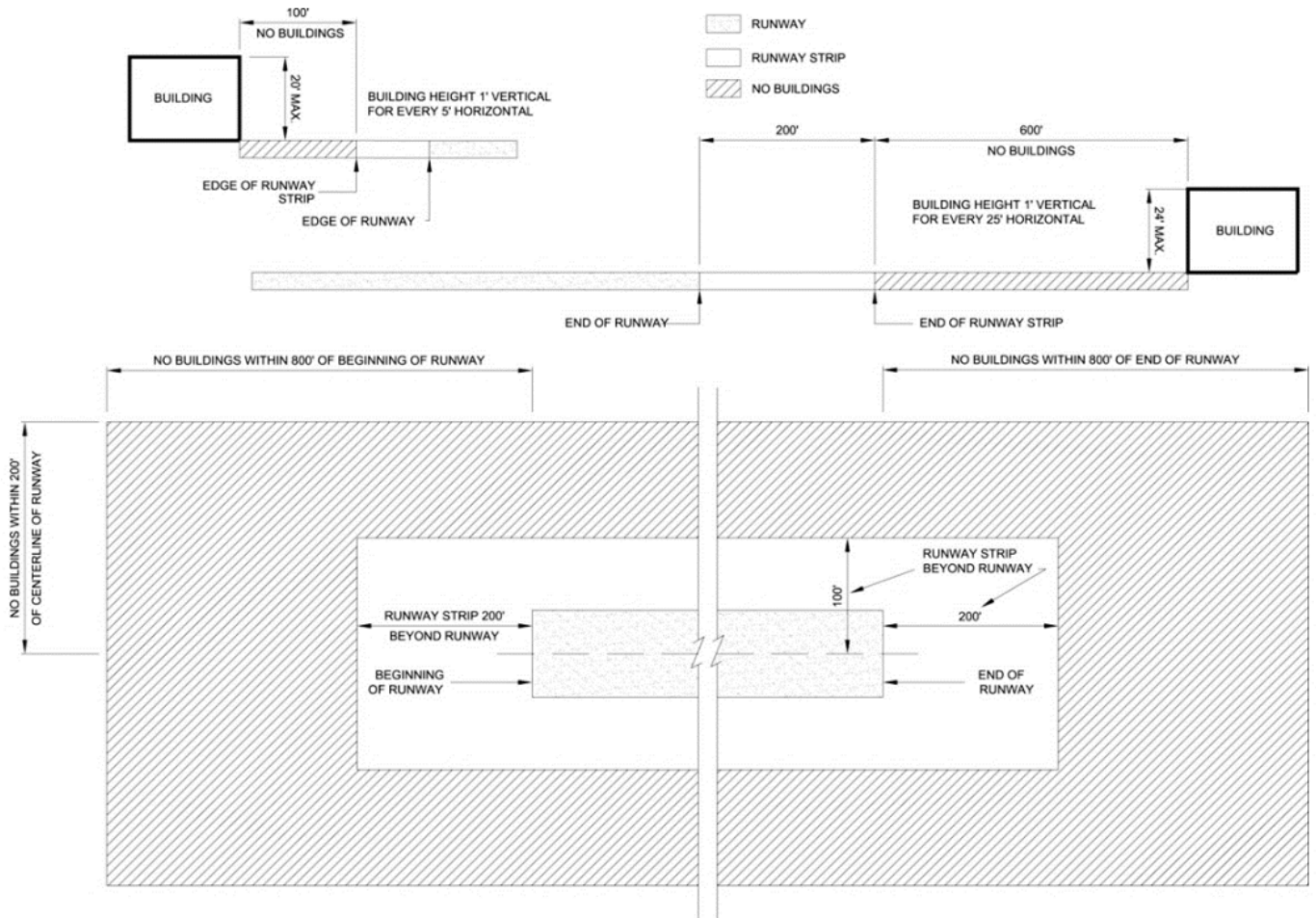
6.16 AIRPORT VICINITY AREAS

6.16.1 No buildings or structures shall be constructed within the following areas:

- a. A 60.96 m. (200 ft.) strip parallel to and on either side of the centreline of a runway; and
- b. An area 243.84 m. (800 ft.) from either end of a runway.

6.16.2 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 ft.) vertical for every 1.54 m. (5 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 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.



- 6.16.3 Applications for development permits involving properties within the vicinity of an airport shall be accompanied by either:
- a. A statement from Transport Canada and NAV Canada that the proposed development does not include obstructions that in any way exceed the obstruction limitation surfaces applicable to the nearest 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 nearest airport.

6.17 PUBLIC UTILITIES, SERVICES AND WORKS

- 6.17.1 Nothing in this By-law shall be so interpreted as to interfere with the construction, maintenance and operation of any public utility or protective and emergency service, provided that any building or structure erected in any zone complies with the yard and area requirements applicable to that zone.
- 6.17.2 A site area, width or yard setback reduced below the minimum requirements of this By-law by virtue

of a public work, right-of-way or utility shall be deemed to conform to the requirements of this By-law.

6.18 PUBLIC RESERVE LANDS

6.18.1 Public reserve land shall only be used for:

- a. A public park or recreation area;
- b. A natural or forested area;
- c. A planted buffer strip or part thereof separating incompatible uses; or
- d. A public works use.

6.18.2 No building or structure shall be placed on public reserve land by adjacent land owners.

6.19 PROTECTION OF GROUNDWATER

6.19.1 If groundwater is to be used as a water supply, it shall be done in a sustainable manner and compliant with provincial legislation.

6.19.2 Private well owners are responsible for the construction, ongoing operation and maintenance, and monitoring of their water system. Water well development should be done in such a manner as to protect groundwater from contamination.

6.19.3 Development of a common drinking water or sewer system should be done in accordance with provincial legislation.

6.20 PROTECTION OF RIGHT-OF-WAY SIGHT LINES

6.20.1 Notwithstanding any other provision of this By-law, buildings, structures, earthworks or objects on private property adjacent to right-of-way corridors and at-grade crossings shall not cause undue accumulations of snow and/or obstruct the sight lines, as determined by the Designated Officer.

6.20.2 No building, structure, parking area, shelterbelt, hedge or stockpiling of materials exceeding a height of 0.91 m. (3 ft.) above grade shall be located within a triangular area of any lot adjacent to an intersection of two public streets, with the sides of the triangular area being measures 3.05 m. (10 ft.) along each lot line from the point of intersection.

6.21 PUBLIC MONUMENTS AND STATUARY

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

6.22 PROJECTIONS INTO YARDS

6.22.1 Notwithstanding the required front, side and rear yard requirements in this By-law, owners may permit the following building, site and landscaping elements to project into required front, side and rear yards of properties in any zone:

TABLE 6-1 – PERMITTED PROJECTIONS

Element	Standard
Alcoves, bay windows, vestibules	No closer than 0.9 m. (3 ft.) to any side site line; Up to 1.5 m. (5 ft.) into a required front or rear yard
Unsupported overhangs, eaves and gutters	No closer than 0.6 m. (2 ft.) from any side site line; No closer than 1.5 m. (5 ft.) from the front or rear site line
Open and unenclosed stairways or uncovered balconies	Up to 1.2 m. (4 ft.) into a required front or rear yard
Open and unenclosed porches, decks or terraces	Up to 1.8 m. (6 ft.) into a required front or rear yard
Fences, hedges or landscaping walls	Permitted into all required yards
Name plates and real estate signs	Permitted into all required yards
Exterior wall finishing	Up to 12.7 centimetres (cm.) (5 inches(in.)) into any required yard
Other landscape or horticultural elements	Permitted into all required yards
Cantilever	Permitted into all required yards; No closer than 0.6 m. (2 ft.) from any site line
Parking areas	Permitted into all required yards

6.22.2 Elements not listed herein shall not be permitted unless otherwise specifically approved in writing by the Designated Officer.

6.23 FENCES AND SCREENING

6.23.1 Fences and landscape screening, including hedges, trees, shrubs and similar landscape features may be permitted, provided that electric or barbed wire fences are only permitted for agricultural or industrial uses.

6.23.2 Fences for commercial or industrial uses with outdoor storage may utilize barbed wire on the top 0.61 m. (2 ft.) of a fence in the side and rear yards for security purposes.

6.23.3 No person may erect or maintain a fence or wall made of debris, junk, or waste materials, or use dangerous materials, such as razor wire or other dangerous security fencing or other materials as determined by the Designated Officer (aside from barbed wire as excepted above in 6.23.1 and 6.23.2).

6.23.4 No person may erect or maintain a fence or wall using non-permanent fence materials such as chicken wire or snow fencing.

6.23.5 The maximum height for fencing shall comply with the standards outlined in the table below:

TABLE 6-2 – MAXIMUM FENCE HEIGHT

Yard	AL	AG	GD	RSC
Front Yard	2 m 6.5 ft	2 m 6.5 ft	1.22 m 4 ft.	1.22 m 4 ft.
Side Yard	3.05 m 10 ft.	3.05 m 10 ft.	2 m 6.5 ft	2 m 6.5 ft
Rear Yard	3.05 m 10 ft.	3.05 m 10 ft.	2 m 6.5 ft	2 m 6.5 ft

- 6.23.6 On any lot that contains any use other than a single-unit or two-unit dwelling, and abuts or is adjacent to a lot containing a residential use, all permitted storage of materials, inventory, and products must be within an enclosed building or effectively screened from view of the residential buildings by:
- An opaque fence or masonry wall at least 2m (6.5 ft.) in height; or
 - A chain link fence bordered by coniferous trees and shrubs with an expected height at least equal to the height of the fence.

6.24 LANDSCAPING AND BUFFERING

- 6.24.1 Development applications in the GD or RSC Zoning Districts shall require an approved landscaping plan, with the exception of single- or two-unit dwellings and associated accessory structures.
- 6.24.2 A landscaping plan shall contain the following information for the site and its adjacent boulevards:
- All physical features existing or proposed, including sodding, vegetation, berms, contours, walls, fences, outdoor furniture and fixtures, surface utilities, and paving, etc.; and
 - All shrubs and trees, whether existing or proposed, labelled by their common name, botanical name, and size.
- 6.24.3 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, and plant materials located within 6.1 m. (20 ft.) of a public street must be of a salt-tolerant species. In the event that planting material required in an approved development is inappropriate or fails to survive, the Designated Officer may allow or require materials to be substituted.
- 6.24.4 The applicant shall be responsible for landscaping and proper maintenance of the site. The Designated Officer may require, as a condition of approval, that the applicant provide an irrevocable letter of credit in the amount of 100% of the estimated landscaping cost, the condition of the said irrevocable letter of credit being that, if the landscaping is not completed in accordance with this By-law and the plan within one growing season after the completion of the development, then the amount required to complete the landscaping shall be paid to the Municipality from the said irrevocable letter of credit.

6.25 LIGHTING

6.25.1 The following provisions shall apply to all outdoor lighting for any development:

- a. Outdoor lighting shall be low-glare in nature and located and arranged such that no light is directed at any adjoining properties, or that it may interfere with the effectiveness of any traffic control devices in the vicinity;
- b. If ground mounted, the maximum height shall be 10.67 m. (35 ft.); and
- c. All outdoor lights must have fully shielded luminaries to direct light downward.

6.26 PARKING

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

- a. All parking spaces shall be located on the same lot as the use served unless permitted by variation order to locate elsewhere, except as provided for under Subsection 6.26.1.b;
- b. Where off-site parking is proposed to meet on-site parking requirements and is associated with a conditional use, the off-site parking shall be considered as part of the conditional use and defined as part of the Development Agreement. A variance is not required;
- c. Parking areas shall have clearly identifiable approaches or driveways;
- d. Lighting provided for parking areas shall be shielded and directed away from adjoining residential areas and generally confined to the site and otherwise comply with Section 6.25;
- e. Where a parking area is situated along a site line which abuts a residential area, a buffer of a design acceptable to Council shall be provided;
- f. The grade of a parking area, and the access driveways thereto shall be designed in such a manner that there will be no free flow of water onto either adjacent property or public sidewalk;
- g. 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; and
- h. 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.

6.26.2 When any new development is proposed, including a change of use of existing development, or when any existing development is enlarged or increased in capacity or area, provisions shall be made for on-site parking spaces in accordance with the table below:

TABLE 6-3 – REQUIRED ON-SITE PARKING SPACES

Use Class	Minimum Parking Spaces
Residential and Residential Related Uses	
<i>Multi-Unit Dwellings</i>	1.2 spaces / dwelling unit
<i>Townhouse Dwellings</i>	1.2 spaces / dwelling unit
<i>All other residential uses</i>	1.0 space / dwelling unit

Commercial Uses	
<i>Auditorium, Theatre, Concert Hall, or Cinema</i>	1.0 space / 4 seats
<i>Eating and Drinking Establishment</i>	1.0 space / 4 seats or 1.0 / 9.2 sq. m. (100 sq. ft.) whichever is lesser
<i>Hotel or Motel</i>	1.0 space / 1.5 guest rooms or sleeping units
<i>Retail Establishments</i>	1.0 space / 18.6 sq. m. (200 sq. ft.)
<i>Special Event Facility</i>	1.0 space / 4.65 sq. m. (50 sq. ft.)
<i>All other commercial uses</i>	1.0 space / 23.2 sq. m (250 sq. ft.) but no less than 2 spaces
Industrial Uses	
<i>All industrial uses</i>	1.0 space / 92.9 sq. m. (1,000 sq. ft.) or 1.0 space / 5 employees, whichever is greater
Civic Uses	
<i>Assisted Living Facility</i>	1.0 space / bed or sleeping unit
<i>Child Care Facility</i>	1.0 space / 2 employees
<i>Community Centres or Halls</i>	1.0 space / 10 seating places for the public or 1.0 space / 10 sq. m. (107.64 sq. ft.) used by patrons, whichever is greater
<i>Funeral Service</i>	1.0 space / 5 seating places
<i>Government Service</i>	1.0 space / 51.1 sq. m. (550 sq. ft.)
<i>Places of Worship</i>	1.0 space / 5 seating places for the public or 1.0 space / 20 sq. m. (215.28 sq. ft.) of assembly room space, whichever is greater
<i>Recreational uses</i>	1.0 space / 5 seating spaces or 3.05 m. (10 ft.) of bench space Where there are no seats, 1.0 space / 9.29 sq. m. (100 sq. ft.) in any assembly area
<i>School</i>	1.5 spaces / classroom, plus 1.0 space / 9.29 sq. m. (100 sq. ft.) of public area
<i>All other civic uses</i>	Exempt
Agricultural Uses	
<i>Agribusiness or Farm Implement Sales and Service</i>	1.0 space / 92.9 sq. m (1,000 sq. ft.) or 1.0 space / 5 employees, whichever is greater
<i>All other agricultural uses</i>	Exempt

6.26.3 Parking spaces dimensions shall be in accordance with the table below:

TABLE 6-4 – PARKING SPACE DIMENSIONAL STANDARDS

Angle of Parking	Min. Width	Min. Length	Min. Aisle Width
<i>Parallel</i>	2.74 m. (9 ft.)	6.1 m. (20 ft.)	3.6 m. (11.81 ft.)
<i>45 Degree</i>	2.5 m. (8.2 ft.)	5 m. (16.4 ft.)	3.6 m. (11.81 ft.)
<i>60 Degree</i>	2.5 m. (8.2 ft.)	5 m. (16.4 ft.)	5.5 m. (18.04 ft.)
<i>90 Degree</i>	2.74 m. (9 ft.)	6.1 m. (20 ft.)	7 m. (22.97 ft.)

- a. All entrances and egress driveways shall be 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;
- b. Where an aisle serves two different types of angled parking, which are located across from each other, the largest required access aisle shall be provided; and
- c. 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.

6.26.4 Where in this By-law parking facilities are required for single-unit, planned unit development or bareland condominium units, the parking area shall:

- a. Be provided on the same site;
- b. Have a minimum required area for each parking space of 15 sq. m. (161.46 sq. ft.), a minimum width of 2.74 m. (9 ft.), and a minimum length of 6.1 m. (20 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.

6.26.5 Where the parking space requirement is a fractional number, the number of required parking spaces shall be rounded up.

6.27 ACCESSIBLE PARKING

6.27.1 At least one curb ramp must be located within 30.48 m. (100 ft.) of an accessible parking space closest to the entrance of the principal or accessory use that is not a service entrance.

Except single-unit, two-unit and mobile home dwelling units, the owner must provide the number of accessible parking spaces shown in the table below, based on the total number of parking spaces required in the table below:

TABLE 6-5 – REQUIRED ACCESSIBLE PARKING SPACES

Number of Required Parking Spaces	Minimum Accessible Parking Spaces	Minimum Van Accessible Parking Spaces
<i>1-5</i>	0	0
<i>6-25</i>	1	0
<i>26-50</i>	2	1
<i>51-75</i>	3	1
<i>76-150</i>	4	2
<i>151+</i>	5	2

6.27.2 Each accessible parking space shall meet the following requirements:

- a. The width of each accessible parking space shall be 3.05 m. (10 ft.);
- b. The width of a van accessible parking space shall be a minimum of 2.44 m. (8 ft.) and must have an adjacent loading and maneuvering area at least 2.44 m. (8 ft.) wide;
- c. An accessible space must be located within 60.96 m. (200 ft.) of an entrance used by residents, employees or the public; and
- d. Each accessible parking space must include signage reserving the space for use by persons with disabilities.

6.28 LOADING

6.28.1 The following regulations apply to all accessory on-site loading areas:

- a. Loading spaces are to be located on-site;
- 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.

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

TABLE 6-6 – REQUIRED ON-SITE LOADING SPACES

Use Class	Floor Area	Number of Loading Spaces Required
<i>Commercial Uses (except for Office uses)</i>	Less than 465 sq. m. (5,005.38 sq. ft.)	1
	465 sq. m. (5,005.38 sq. ft.) to 1,500 sq. m. (16,146.39 sq. ft.)	2
	Each additional 2,300 sq. m. (24,757.8 sq. ft.)	+1 (up to 5 max.)
	2,800 sq. m. (30,139.94 sq. ft.)	1

<i>All other Industrial or Civic uses</i>	Each additional 2,800 sq. m. (30,139.94 sq. ft.)	+1 (up to 5 max.)
<i>Uses not elsewhere classified and primarily concerned with the handling of goods</i>	Less than 1,858.06 sq. m. (20,000 sq. ft.)	1
	1,858.06 sq. m. (20,000 sq. ft.) to 4,645.06 sq. m. (49,999 sq. ft.)	2
	4,645.06 sq. m. (49,999 sq. ft.) or greater	3

6.28.3 Loading space dimensions shall be in accordance with the standards of the table below:

TABLE 6-7 – LOADING SPACE DIMENSIONAL STANDARDS

Gross Floor Area of Principal Building	Minimum Area	Minimum Width	Minimum Height Clearance
<i>Buildings 1,400 sq. m. (15,069.47 sq. ft.) or less</i>	28 sq. m (301.4 sq. ft.)	3 m (9.84 ft.)	3.7 m (12.14 ft.)
<i>Buildings larger than 1,400 sq. m. (15,069.47 sq. ft.)</i>	33.5 sq. m (360.59 sq. ft.)	3 m (9.84 ft.)	4.25 m (13.94 ft.)

6.29 SURFACING OF PARKING AND LOADING AREA

6.29.1 Accessory parking and loading spaces, including access thereto, shall be maintained with a stable surface which is treated so as to prevent the rising of dust or loose particles. It may be constructed of crushed stone, slag, gravel, concrete, asphalt or other Council-approved materials

6.30 COMMUNICATION TOWERS

6.30.1 All communication towers are federally regulated and subject to policies as provided by Industry Canada thereto.

6.30.2 Abandoned communication towers are subject to the regulations that apply to abandoned signs in subsection 7.34.5.

SECTION 7: USE STANDARDS

7.1 APPLICABILITY

- 7.1.1 The provisions of this section shall only apply to the listed developments in the specific zoning districts where they are a permitted or conditional.

7.2 PRINCIPAL USE TABLE ORGANIZATION

- 7.2.1 In Table 7-1, land uses and activities are classified into general ‘use categories’ based on common functional or physical characteristics, such as the type and intensity of land use, the type and number of customers or residents, how goods or services are managed or delivered, and/or other site specific conditions. This classification system provides a method for assigning present and future land uses into appropriate Zoning Districts. This classification does not list every use or activity that may appropriately exist within the categories and specific uses may be listed in one category when they may reasonably be listed in one or more other categories.
- 7.2.2 The use category titles in Table 7-1 are intended to operate as an indexing tool and do not form part of this By-law.

7.3 USE TABLE SYMBOLS

- 7.3.1 In Table 7-1 and 7-2:
- a. The letter *P* indicates a use is permitted;
 - b. The letter *C* indicates a use is conditionally permitted; and
 - c. A blank cell indicates a use is prohibited.

TABLE 7-1 – PRINCIPAL USE TABLE

P = Permitted C = Conditional		Agricultural Zones		Settlement Centre Zones		Use Specific Standard
Use Class / Type	Def. (page ref.)	AG	AL	GD	RSC	
RESIDENTIAL AND RESIDENTIAL RELATED						
Group Home	15	P	P	P	P	
Mobile Home Dwelling	15	C	C	C		7.4
Mobile Home Park	15			C	C	7.5
Multi-Unit Dwelling	15			C	C	7.6
Planned Unit Development	15			C	C	7.7
Single-Unit Dwelling	16	C	C	P	P	7.8
Townhouse Dwelling	16			C	C	7.6
Two-Unit Dwelling	16			P	P	
COMMERCIAL						
Animal Breeding, Boarding or Shelter	16	C	C			7.9
Auditorium, Theatre, Concert Hall or Cinema	16			C		
Automotive Sales or Rental	16			C		
Automotive Service Station or Gas Bar	16	P①	C	C		7.10
Contractor Service	16		C	C		7.11
Eating and Drinking Establishment	16			C		
Entertainment, Indoor	16			C		
Entertainment, Outdoor	16			C		
Greenhouse, Plant or Tree Nursery	16	C	C	C		
Hotel or Motel	17			C		
Office	17			C		
Parking Lot	17			C		
Personal Service Shop	17			P		
Resort	17	C②		P		
Retail Establishment	17			C		
Self or Mini Storage	17			C		
Special Event Facility	17	C①	C①	C		7.12
Veterinary Hospital or Clinic	17	P	P	C		
INDUSTRIAL						

TABLE 7-1 – PRINCIPAL USE TABLE

P = Permitted C = Conditional		Agricultural Zones		Settlement Centre Zones		Use Specific Standard
Use Class / Type	Def. (page ref.)	AG	AL	GD	RSC	
Bulk Storage Facility	17	C	C			
Commercial Composting Facility	17	C	C			7.13
Fleet Service	17			C		
Freight or Trucking Operation	18			C		
General Industrial, Heavy	18			C		7.14
General Industrial, Light	18			C		
Heavy Equipment Sales, Rental and Service	18			C		
Landscaping or Garden Contractor Establishment	18	C	C			
Mill or Forestry Related Establishment	18	C	C			
Quarry Operation	18	C	C			7.15
Recycling Depot	18	C	C	C		
Warehouse	18			C		
Wind Farm	18	C				7.16
CIVIC						
Airports, Landing Fields and Related Facilities	18	C				7.17
Assisted Living Facility	18			C		
Campground	19	C①	C①			
Child Care Facility	19			C		
Community Centre or Hall	19			C		
Conservation Area	19	P	P			7.18
Funeral Service	19			C		
Golf Course	19	C②	C②			
Government Service	19	P	P	P		
Hospitals, Clinics or Health Related Facility	19			C		
Library, Museum or Gallery	19			C		
Park	19	C	C	P	P	
Place of Worship	19			C		
Protective and Emergency Service	19	P	P	P		
Public or Private Club	19			C	C	

TABLE 7-1 – PRINCIPAL USE TABLE

P = Permitted C = Conditional		Agricultural Zones		Settlement Centre Zones		Use Specific Standard
Use Class / Type	Def. (page ref.)	AG	AL	GD	RSC	
Recreation Facility, Indoor	20	C ^①	C ^①	C		
Recreation Facility, Outdoor	20	C	C	C		
School	20			P		
Shooting Range	20	C				
Utility Facility, Minor	20	P	P	P	P	
Utility Facility, Major	20	P	P	P	C	
AGRICULTURAL						
Abattoir	20	C				
Agribusiness	20	C	C	C		
Agricultural Activity	20	P	P			
Agricultural Chemical Storage	20	C	C			
Agricultural Product Storage	20	C	C			
Agri-tourism Operation	20	C	C			7.19
Anhydrous Ammonia Storage and Distribution Facility	21	C				7.20
Auctioneering Establishment	21	C	C			
Communal Farm Operation	21	C	C			7.21
Elevators, Mills and Seed Plants	21	C	C			
Exhibition Grounds	21	C	C	C		
Livestock Operation (Less than 300 AU)	21	P	P			7.22
Livestock Operation (300 AU or greater)	21	C	C			7.22
Specialized Agriculture	21	P	P			
Stable or Riding Academy	21	P	C			7.23

Table Notes:

① Existing as of the date of adoption of this by-law, otherwise prohibited.

② Existing or expansion of an existing Golf Course or Resort as of the date of adoption of this by-law, otherwise prohibited.

TABLE 7-2 – ACCESSORY AND TEMPORARY USE TABLE

P = Permitted C = Conditional * = Use Specific Standards Apply		Agricultural Zones		Settlement Centre Zones		Use Specific Standard
Use Class / Type	Def.	AG	AL	GD	RSC	
ACCESSORY						
Accessory Uses, Buildings or Structures, not otherwise defined	21	P	P	P	P	
Animal Boarding	21	C	C	C	C	7.24
Animal Keeping	21	P	P	C		7.25
Bed and Breakfast	21	P	P	P	P	7.26
Beekeeping	21	P	P	C		7.26
Drive Through	21			C		7.28
Farm Diversification Operation	22	C	C			7.29
Farm Produce Outlet	22	P	P			
Home Business	22	P	P	P	P	7.30
Home Industry	22	C	C	C		7.30
Home Occupation	22	P	P	P	P	7.30
Metal Shipping Container	22	P	P			7.31
Motocross Track	22	C				7.32
Outdoor Storage	22	P	P	C		
Private Vehicle Collection (BL 4-23)	22	C	C			7.40
Secondary Suite	22	C	C	C	C	7.33
Sign, Freestanding Advertising (Billboard)	22	C	C			7.34
Signs	22	P	P	P	P	7.34
Solar Energy Generating System (Building Mounted)	22	P	P	P	P	7.35
Solar Energy Generating System (Ground Mounted)	22	P	P			7.35
Swimming Pool	22	P	P	P	P	7.36
Wind Energy Generating System	22	C	C			7.37
TEMPORARY						
Farmers' Market	22	P	P	P		
Metal Shipping Container	22	P	P	P	P	7.31
Portable Asphalt or Concrete Batching Plant	23	C				
Temporary Additional Dwelling	23	C	C			7.38

TABLE 7-2 – ACCESSORY AND TEMPORARY USE TABLE

P = Permitted C = Conditional * = Use Specific Standards Apply		Agricultural Zones		Settlement Centre Zones		Use Specific Standard
Use Class / Type	Def.	AG	AL	GD	RSC	
Wayside Pit or Quarry	23	C				7.39

7.4 MOBILE HOME DWELLINGS

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

7.5 MOBILE HOME PARKS

- 7.5.1 All mobile home parks shall comply with the following regulations:
- a. All mobile home parks must meet the dimensional standards of the zone in which they are found, as outlined in Section 8 of this By-law;
 - b. A mobile home park must contain a storage compound with adequate space for each mobile home dwelling and must be located as shown on submitted plans;
 - c. The minimum separation distance between two mobile home dwellings shall be 3.05 m. (10 ft.) clear of all projections;
 - d. A mobile home park must contain a common recreational area that is bordered by a fence or hedge where it abuts any part of an internal or external road right-of-way;
 - e. A mobile home park must have an internal roadway system with a main route that is a minimum of 15.24 m. (50 ft.) in width and supplementary routes that are a minimum of 10.06 m. (33 ft.) in width;
 - f. The entrance to a mobile home park must be 7.62 m. (25 ft.) in width;
 - g. Each mobile home dwelling space shall be provided with the following:
 - (i) A sewer and water connection;
 - (ii) An electrical service outlet; and
 - (iii) An adequate base support for the mobile home dwelling.

7.6 MULTI-UNIT DWELLINGS

- 7.6.1 A multi-unit dwelling shall comply with the following regulations:
- a. The minimum site area for multi-unit dwellings shall be 929 sq. m. (10,000 sq. ft.) for the first four dwelling units and 116.13 sq. m (1,250 sq. ft.) for each additional dwelling unit thereafter; and
 - b. The maximum site coverage for multi-unit dwellings shall be 60%.
- 7.6.2 Where approved, an owner or applicant for a multi-unit dwelling may be required to enter into a development agreement to cover such matters as:
- a. Maximum building sizes;
 - b. Maximum allowable density;

- c. Design requirements including, but not limited to, exterior finishes and materials;
- d. Parking requirements;
- e. Waste storage and removal requirements;
- f. Emergency access requirements; and
- g. Any other matter deemed necessary or relevant by Council.

7.7 PLANNED UNIT DEVELOPMENTS

- 7.7.1 Planned Unit Developments shall only be allowed in the GD and RSC Zones as conditional uses.
- 7.7.2 The minimum site area for a Planned Unit Development shall be 4.04 hectares (ha.) (10 acres(ac.)).
- 7.7.3 For a planned unit development, the dimensional standards of the zone in which the planned unit development is located shall not apply. The design of a planned unit development should produce an environment of stable and desirable character and shall incorporate at least equivalent standards of amenity, parking areas and other requirements established in this By-law.
- 7.7.4 An application for a planned unit development as a conditional use shall be accompanied by the following information prepared and submitted by the applicant:
- a. The requirements normally required for the issuance of a development permit as noted in this By-law;
 - b. The location and use of each existing and proposed building or structure and the use or uses to be contained therein, including providing the separation distances between buildings and structures;
 - c. The location of all doors and windows, and the type thereof;
 - d. The location of all exterior refuse storage facilities and the screening thereof;
 - e. The location of all exterior storage facilities and the screening thereof;
 - f. The location of all driveways, parking areas, loading areas and the illumination facilities included therein;
 - g. The location of all pedestrian walks and open space areas;
 - h. The location, type and height of all proposed walls, fences and landscaping;
 - i. The types of surfacing to be used throughout the site;
 - j. Floor plans and elevations of all proposed buildings and structures;
 - k. The total number of dwelling units and the gross floor area; and
 - l. Impact studies or plans as deemed necessary by Council, including, but not limited to:
 - (i) Drainage plans prepared by a qualified engineer licensed to operate in Manitoba;
 - (ii) Landscaping plans; and
 - (iii) Traffic impact studies prepared by a qualified traffic engineer licensed operate in Manitoba.
 - m. A concise statement as to the general benefits of the development to the community as a whole, the effect on the general area and the effect on the natural environment; and
 - n. Any additional information Council may require as may be necessary for the review of the application.
- 7.7.5 A minimum distance of 3.05 m. (10 ft.), eave to eave, shall be maintained between all buildings and structures in a planned unit development.

7.8 SINGLE-UNIT DWELLINGS

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

7.8.2 A single-unit dwelling in the RSC Zone that is considered a tiny home shall be of a desirable character, consistent with other dwellings in the area and otherwise conform to any applicable Secondary Plan.

7.9 ANIMAL BREEDING, BOARDING OR SHELTER

7.9.1 An animal breeding, boarding or shelter shall comply with the following regulations:

- a. An animal breeding, boarding or shelter establishment shall comply with all applicable provincial and municipal animal control and licensing by-laws; and
- b. The maximum number of companion animals that may be kept on the premise shall adhere to applicable provincial and municipal legislation.

7.9.2 An establishment shall not create or become a nuisance by way of noise, fumes, dust, odour, traffic or otherwise interfere with the use and enjoyment of adjacent or abutting land uses.

7.9.3 An establishment may include a crematorium as an accessory use.

7.10 AUTOMOTIVE SERVICE STATIONS OR GAS BARS

7.10.1 All automotive service stations and gas bars shall comply with the following regulations:

- a. All pump islands and underground storage tanks shall be located at least 6.10 m. (20 ft.) from any boundary of the site, parking area on the site, or laneways intended to control traffic circulation on the site;
- b. Refuelling areas are not permitted in a required parking area;
- c. A canopy over a pump island may extend to within 3.05 m. (10 ft.) of the boundary of the site. The canopy area shall not constitute part of the site coverage for the purpose of this section of the By-law; and
- d. An automotive service station or gas bar site must have a minimum frontage and depth of 30.48 m. (100 ft.).

7.10.2 Where approved, an owner or applicant for an automotive service station or gas bar shall be required to enter into a development agreement with the municipality to:

- a. Ensure all underground infrastructure (i.e. tanks) are removed;
- b. Ensure the site is remediated following a discontinuance of use; or
- c. Other such matters deemed relevant by Council.

7.11 CONTRACTOR SERVICE

7.11.1 A general contractor service must comply with the following regulations:

- a. Outdoor storage must be screened in accordance with the provisions in Section 6.23 – Fences and Screening.

7.12 SPECIAL EVENT FACILITY

7.12.1 Applications for a special event facility shall include the following information:

- a. A site plan showing:
 - (i) General vehicle access routes;
 - (ii) Emergency and protective service vehicle access routes;

- (iii) Parking (location, sizes, number of stalls);
 - (iv) Pathways (if applicable);
 - (v) Buildings and structures;
 - (vi) Exterior site lighting; and
 - (vii) Landscaping.
- b. Sound and/or sight barriers or buffers (description or illustration);
 - c. Signage;
 - d. Site maintenance information (waste management, etc.);
 - e. Security information;
 - f. Dates and hours of operation;
 - g. Emergency and protective service arrangements;
 - h. Liability insurance information; and
 - i. Other matters deemed necessary by the Designated Offer and/or Council.
- 7.12.2 Applications shall be circulated to all relevant provincial departments or agencies for review and comment.
- 7.12.3 Where approved, a special event facility shall require the landowner or applicant to enter into a development agreement with the municipality to cover such matters as outlined in Subsection 7.13.1, or other matters deemed necessary by Council.
- 7.12.4 Off-site parking may be considered as part of the conditional use and defined as part of the Development Agreement but should not take cultivated land out of production.
- 7.12.5 It is the intent that special event facilities in Agricultural Zoning Districts shall serve the rural community, be in keeping with the area and not negatively impact agricultural operations in the area.

7.13 COMMERCIAL COMPOSTING FACILITIES

- 7.13.1 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.
- 7.13.2 Initial decomposition of compostable waste for operations within 457.2 m. (1,500 ft.) of a Residential Zoning District must be contained in a vessel or on a site from which potential odours can be mitigated.
- 7.13.3 Where approved, a conditional use for a commercial composting facility shall require the landowner or applicant to enter into a development agreement with the municipality to cover such matters deemed necessary by the Designated Officer or Council.

7.14 GENERAL INDUSTRIAL

- 7.14.1 Where a heavy industrial operation abuts a residential land use within the GD or RSC Zone, a solid fence of a minimum height of 1.83 m. (6 ft.) shall be provided and maintained along the site line abutting the residential use.

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

7.15 QUARRY OPERATIONS

- 7.15.1 All quarry operations within the RM of Rosser shall meet or exceed the appropriate and relevant regulations outline by the Province of Manitoba.
- 7.15.2 Applications for a development permit for quarry operations (aggregate mining) shall include documents and information in accordance with the RM of Rosser Quarry Operations By-law, and as directed by the Designated Officer in consultation with the RM of Rosser Council.
- 7.15.3 The owner/operator of a quarry operation shall enter into a development agreement with the RM of Rosser in accordance with the applicable Municipal By-law.

7.16 WIND FARMS

- 7.16.1 The minimum separation distance between a wind turbine and the nearest habitable building shall be 500 m. (1,640 ft.).
- 7.16.2 A wind turbine shall be setback no less than 1.5 times the total turbine height from the property line. This setback requirement shall be waived where the adjoining property will be used for wind turbine development and the turbines on both properties will be connected to the same array.
- 7.16.3 The minimum setback for a wind turbine from a public road shall be no less than 1.5 times the total turbine height.
- 7.16.4 A commercial wind turbine should not be provided with artificial lighting except for lighting that is required to meet federal or provincial regulations.
- 7.16.5 No wind turbine shall be located within 500 m. (1,640 ft.) from the Grants Lake Wildlife Management Area.
- 7.16.6 Where approved, a conditional use for a wind farm shall require the landowner or the applicant to enter into a development agreement with the municipality to cover such additional matters as deemed necessary by the Designated Officer or Council.

7.17 AIRPORTS, LANDING FIELDS AND RELATED FACILITIES

- 7.17.1 Notwithstanding the height limitations as provided for in this By-law, the limitations prescribed, or

practices recommended by Transport Canada with respect to height and appropriate lighting in the vicinity of airfields shall prevail.

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

7.18 CONSERVATION AREA

- 7.18.1 Any new development adjacent to conservation areas (within a 1.6 kilometre (1 mile) radius) will be referred to the Provincial Authority for review and comment on whether a development might adversely affect the sustainability of the area of its resident flora and fauna. Such proposals may also be referred to the appropriate provincial department for comment where Council determines the development may have the potential to alter, disrupt or destroy significant natural and/or sensitive environmental areas, including the Grants Lake Wildlife Management Area.

7.19 AGRITOURISM OPERATION

- 7.19.1 Applications for an agri-tourism operation shall include the following information:
- a. A site plan showing:
 - (i) General vehicle access routes;
 - (ii) Emergency and protective service vehicle access routes;
 - (iii) Parking (location, sizes, number of stalls);
 - (iv) Pathways (if applicable);
 - (v) Buildings and structures;
 - (vi) Exterior site lighting; and
 - (vii) Landscaping.
 - b. Sound and/or sight barriers or buffers (description or illustration);
 - c. Signage;
 - d. Site maintenance information (waste management, etc.);
 - e. Security information;
 - f. Dates and hours of operation;
 - g. Emergency and protective service arrangements;
 - h. Liability insurance information; and
 - i. Other matters deemed necessary by the Designated Officer and/or Council.
- 7.19.2 Applications shall be circulated to all relevant provincial departments or agencies for review and comment.
- 7.19.3 Where approved, the landowner or applicant shall be required to enter into a development agreement with the municipality to cover such matters as outlined in Subsection 7.19.1, or other matters deemed necessary by Council.
- 7.19.4 It is the intent that agri-tourism facilities in Agricultural Zoning Districts shall serve the rural community, be in keeping with the area and not negatively impact agricultural operations in the area.

- 7.19.5 Agri-tourism operations should not take agricultural land out of production and shall not require a subdivision.
- 7.19.6 Off-site parking may be considered as part of the conditional use and defined as part of the Development Agreement but should not take cultivated land out of production. Off-site parking is subject to Subsection 7.19.5.
- 7.19.7 If traffic generation as a result of the operation is a concern, a traffic study may be required should the Designated Officer and/or Council as part of the application.

7.20 ANHYDROUS AMMONIA STORAGE AND DISTRIBUTION FACILITIES

- 7.20.1 Anhydrous ammonia storage facilities having a storage capacity in excess of 1979.7 imperial gallons (9000 litres) shall be located a minimum distance of:
- 1500 m. (4,921.3 ft.) from the border of any rural settlement centre or from evacuation sensitive facilities such as hospitals, schools or seniors' homes;
 - 500 m. (1,640 ft.) from any residence;
 - 50 m. (164 ft.) from a creek, stream or other environmentally sensitive area; and
 - 100 m. (328 ft.) from the edge of the right-of-way of a provincial road or trunk highway, or less if authorized by the Province.
- 7.20.2 Where approved, a conditional use for an anhydrous ammonia storage and distribution facility shall require the landowner or applicant to enter into a development agreement with the municipality to cover such matters deemed necessary by the Designated Officer or Council.

7.21 COMMUNAL FARM OPERATION

- 7.21.1 A communal farm operation shall include permitted additional accessory uses that are otherwise not permitted but shall remain accessory to the principal farm operation. These uses include, but are not limited to:
- Accessory dwelling units;
 - Commercial or industrial enterprises;
 - Education facilities;
 - Community spaces; and/or
 - Places of worship.
- 7.21.2 All development on a communal farm operation must meet all applicable provincial standards and building codes.
- 7.21.3 A minimum distance of 3.05 m. (10 ft.), eave to eave, shall be maintained between all buildings and structures in a communal farm operation.
- 7.21.4 An application for a communal farm operation shall be accompanied by the following information prepared and submitted by the applicant:
- The requirements normally required for the issuance of a development permit as noted in this By-law;
 - The location and use of each existing and proposed building or structure and the use or uses to be contained therein, including providing the separation distances between buildings and structures;
 - Floor plans and elevations of all proposed buildings and structures;

- d. The total number of dwelling units and the gross floor area; and
- e. Impact studies or plans as deemed necessary by Council, including, but not limited to:
 - (i) Drainage plans prepared by a qualified engineer licensed to operate in Manitoba;
 - (ii) Landscaping plans; and
 - (iii) Traffic impact studies prepared by a qualified traffic engineer licensed to operate in Manitoba; and
- f. Any additional information Council may deem as necessary for the review of the application.

7.22 LIVESTOCK OPERATIONS

- 7.22.1 Notwithstanding any other provision of this By-law, any livestock operation involving 300 or more animal units shall be a conditional use and is subject to a report prepared by the Technical Review Committee and submitted to Council. The said report shall be made available to the public for a minimum of 30 days prior to the date of the Conditional Use Hearing.
- 7.22.2 All livestock operations shall meet the mutual separation distance as outlined in Appendix B based on the animal unit (AU) calculations and criteria outlined in Appendix A. Separation distances to designated areas will be measured to the boundaries of the designated areas as identified by the Designated Officer.
- 7.22.3 For the purposes of this section of the By-law, the calculation of AUs shall be cumulative across the species as determined by the Province of Manitoba. See Appendix B for additional information.
- 7.22.4 In addition to the standard development application submissions regulations, applications for Livestock Operations shall:
 - a. Meet or exceed all applicable provincial or federal government environmental health regulations in force at the time of the permit application for the expansion or modification of a livestock operation;
 - b. Obtain a development permit from the RM of Rosser prior to any development activity taking place on the site;
 - c. Meet or exceed any applicable site regulations for the site;
 - d. Have an adequate land base that is either owned or leased by the proponent to satisfy the proposed operation requirements; and
 - e. Ensure all manure storage and confinement facilities conform to all applicable provincial government regulations.

7.23 STABLES OR RIDING ACADEMY

- 7.23.1 All stables or riding academies shall comply with the following regulations:
 - a. The maximum number of equine animals per stable or riding academy shall be one for every 0.81 ha. (2 ac.) of land;
 - b. A manure management plan shall be put in place that shall meet or exceed all provincial government regulations related to the storage, handling and disposal of animal manure;
 - c. A stable or riding academy shall have a minimum site area of 8.10 ha. (20 ac.);
 - d. Any buildings that permanently (or have the ability to permanently) house animals associated with a stable or riding academy shall be a minimum of 38.1 m. (125 ft.) from the nearest residence on an abutting site at the time of construction;

- e. Any barns associated with a stable or riding academy shall be a minimum of 15.24 m. (50 ft.) from the nearest property line;
- f. Fences used for corrals or pastures shall be set back a minimum of 2.29 m. (7.5 ft.) from the property line and 15.24 m. (50 ft.) from any outdoor area used for general occupancy, as determined by the Designated Officer;
- g. Any on site commercial uses that are accessory to the stable or riding academy shall be limited to those uses intended to service the needs of the surrounding facility and agricultural communities as determined by the Designated Officer; and
- h. The use of recreational vehicles, travel trailers, campers or similar vehicles as temporary accommodation is permitted but shall not exceed two (2) weeks between January 1st and December 31st each year.

7.24 ANIMAL BOARDING

- 7.24.1 Accessory Animal Boarding may only be permitted as accessory to a single-unit dwelling.
- 7.24.2 An animal boarding operation shall only be carried out by an occupant of the single-unit dwelling to which it is accessory.
- 7.24.3 One assistant, who is not a resident of the dwelling unit of the animal boarding operation may operate in and from the said dwelling unit.
- 7.24.4 There shall be no principal retail sale of goods from within the dwelling unit of an animal boarding operation.
- 7.24.5 An animal boarding operation shall not create or become a nuisance by way of noise, fumes, dust, odour, traffic or otherwise interfere with the use and enjoyment of adjacent land uses.

7.25 ANIMAL KEEPING

- 7.25.1 Animal keeping may only be permitted as accessory to a single-unit dwelling.
- 7.25.2 The minimum site area for a residential site with accessory animal keeping shall be 2.02 ha. (5 ac.).
- 7.25.3 For the purposes of this section of the By-law, the calculation of AU shall be cumulative across the species as determined on the basis the table in Appendix B, or as determined by the Province of Manitoba.
- 7.25.4 The use of land or structures for animal keeping shall be limited to 1.33 Animal Units (AU) per 0.8 ha (2 ac.) of land to a maximum of 9.9 AU.
- 7.25.5 Notwithstanding Section 7.25.4 above, the following provisions shall apply to the keeping of poultry:
 - a. For sites 1.62 ha. (4 ac). or less, no more than six (6) hens (no roosters) may be kept;
 - b. For sites greater than 1.62 ha. (4 ac.), no more than ten (10) hens (no roosters) may be kept;
 - c. The minimum site area for the keeping of poultry shall be 0.81 ha. (2 ac); and
 - d. The coop and enclosure must meet the following standards:
 - (i) Located in the rear yard of the lot;
 - (ii) Positioned a minimum of 4.6 m. (15 ft.) from any neighbouring property line;

- (iii) Kept in a clean and tidy manner as determined by the Designated Officer; and
- (iv) Enclosure must be covered entirely on all sides and top by chicken-grade fencing.

- 7.25.6 Buildings or structures associated with said animal keeping shall be a minimum distance of 15.24 m. (50 ft.) from any lot line.
- 7.25.7 All animal keeping must be operated in accordance with all plans and documents approved as part of the application.

7.26 BED AND BREAKFASTS

- 7.26.1 A bed and breakfast shall have no exterior display or advertisement larger than 0.37 sq. m. (4 sq. ft.) in area, provided that no sign shall be illuminated, and any sign must be compatible with the residential character of the area.
- 7.26.2 The bed and breakfast shall not generate vehicular traffic or parking that is in excess of what is normally characteristic of that area.
- 7.26.3 The bed and breakfast shall be operated by a live-in owner as a secondary use only, and shall not change the principal residential nature of external appearance of the dwelling unit in any way.
- 7.26.4 A bed and breakfast shall have a maximum of:
- a. Three bedrooms or bedroom suites in the GD or RSC Zones; and
 - b. Six bedrooms or bedroom suites in the AG or AL Zones.
- 7.26.5 In addition to the parking regulations for the principal dwelling on the site, bed and breakfasts shall provide additional on-site parking space for each bedroom or bedroom suite.
- 7.26.6 Bedrooms or bedroom suites in a bed and breakfast shall not have cooking facilities.
- 7.26.7 Approved smoke alarms that are hard wired to each other shall be required in:
- a. Every bedroom or bedroom suite; and
 - b. In the common corridor of every storey or floor, even if no bedroom or bedroom suite is provided on that storey or floor level.
- 7.26.8 An approved 2.2 kilogram (4.85 pound) multi-purpose portable fire extinguisher shall be visibly mounted near the kitchen exit door, preferably the door leading directly outdoors.

7.27 BEEKEEPING

- 7.27.1 Beekeeping as an accessory use 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;
 - c. Bee hives shall be located a minimum of 30.48 m. (100 ft.) from any off-site dwelling; and
 - d. Bee hives are to be located in the rear yard only.

7.28 DRIVE THROUGHS

- 7.28.1 Existing parking or loading spaces must not be utilized as part of a drive-through lane.
- 7.28.2 No use containing a drive through facility may abut a residential use, unless the facility is separated

from the residential use by an intervening building, lane or public right-of-way.

7.28.3 No portion of a drive through facility may project into a required front yard.

In addition to the minimum on-site parking spaces required in this By-law, if any, the owner of property containing any of the uses listed in the table below must provide the number of vehicle stacking spaces indicated.

TABLE 7-3 – DRIVE THROUGH STACKING REQUIREMENTS

<i>Use</i>	<i>Inbound Stacking Spaces Required</i>	<i>Outbound Stacking Spaces Required</i>
<i>Automatic Car Wash</i>	3	1
<i>Self-Serve Car Wash</i>	2 / bay	1
<i>Drive Through Oil Change Service</i>	2 / bay	1
<i>Bank or Financial Institution with an automated teller machine (ATM)</i>	2	1
<i>Restaurant with drive-through facility</i>	6 (3 between order box, 3 between order box and pickup window)	1
<i>Other Drive Through</i>	1	1

7.28.4 Stacking spaces shall be a minimum of 5.49 m. (18 ft.) long and 3.05 m. (10 ft.) wide. Stacking lanes shall provide sufficient space for turning and manoeuvring.

7.28.5 All stacking spaces shall be located so as to not block or interfere with the smooth flow of traffic to and from required on-site parking spaces or the driving aisles providing access to those spaces, or any adjacent street or lane through an approved access point.

7.29 FARM DIVERSIFICATION OPERATIONS

7.29.1 All farm diversification operations shall comply with the following regulations:

- a. A farm diversification operation located on a farmstead site may only be permitted as an accessory to currently active agricultural operations;
- b. The farm diversification operation shall be valid so long as the principal use of the site is an active agricultural operation;
- c. Farm diversification 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 or agency for their review and comment prior to issuing a development permit;

- d. A proposed farm diversification operation 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;
- e. When reviewing a conditional use application for a farm diversification operation, Council shall take the following into consideration:
 - (i) Whether the type of operation and location on the farm premises can be sustained without adverse impact to adjoining agricultural activities or to the natural environment;
 - (ii) Ensuring that the character and scale of operation does not create adverse impacts upon the use of adjoining land uses; and
 - (iii) Whether the type and location of the operation requires the Municipality to invest in new infrastructure to accommodate the operation.
- f. A development permit for a farm diversification operation shall include provisions satisfactory to the municipality for the following:
 - (i) Adequate space for the parking and/or storage of vehicles, equipment or materials;
 - (ii) Garbage and debris to be kept out of public view;
 - (iii) Appropriate fencing, landscaping or other visual barriers; and
 - (iv) Hours of operation.
- g. A farm diversification operation shall not require the creation of a new title separate from the title for the principal agricultural operation.
- h. Any increase in the operation as originally approved shall require a new application and approval, including additional staff, new accessory buildings or structures, etc.
- i. Council may also apply special standards in the issuance of a development permit limiting the size of the operation including, but not limited to, the size and number of buildings used for the operation, the number of employees, or the requirement to mitigate negative impacts on neighbouring land uses; and
- j. A development permit for a farm diversification operation may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met.

7.30 HOME BUSINESSES, INDUSTRIES AND OCCUPATIONS

7.30.1 All home occupations, businesses and industries shall comply with the following general regulations:

- a. All home occupations, businesses and industries must be accessory to a privately-owned residential dwelling;
- b. All home occupations, businesses and industries must be operated in accordance with all plans and documents approved as part of the application therein. Any increase in intensity or substantial change in the operation of a home occupation, business or industry shall require a new application;
- c. The operators of a home occupation, business or industry must be residents of the dwelling unit;
- d. Home occupations, businesses and industries must be operated by a resident of the dwelling unit, or in the case of a rental situation, permission must be received from the owner of the dwelling unit.
- e. A permit for a home occupation, business or industry is not transferable to a new owner;
- f. A home occupation, business or industry shall not be permitted if, in the opinion of the Designated Officer or Council, such a use would be more appropriately located in another zoning district having regard for, among other matters, the potential for traffic generation and potential interference with the residential character of the surrounding neighbourhood; and
- g. A development permit for a home occupation, business or industry may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met.

7.30.2 In addition to all standards applicable in the zoning district where the use is located, the following conditions apply to all home occupations. Any home occupation that does not satisfy the following conditions is considered a home business or industry depending on their nature and is subject to the corresponding provisions for said accessory use types.

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

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

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

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

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

7.31 METAL SHIPPING CONTAINERS

- 7.31.1 For the purposes of this By-law, metal shipping containers shall include semi-trailers or other large scale storage units.
- 7.31.2 Metal shipping containers shall not be stacked.
- 7.31.3 If used for more than a total of 90 days per calendar year, a shipping container shall be considered an accessory use and shall:
 - a. Meet the standards for accessory uses in this By-law;
 - b. Meet the dimensional requirements for accessory uses in the zone in which it is located;
 - c. Be located to the rear of the principal building;
 - d. Be placed on a secure and level foundation as determined by the Designated Officer;
 - e. For sites less than 1 ha. (2.27 ac.) there shall be no more than two (2) shipping containers;
 - f. For sites between 1 ha. (2.27 ac.) and 2 ha. (4.94 ac.) there shall be no more than four (4) shipping containers;
 - g. For sites greater than 2 ha. (4.95 ac.) there shall be no more than six (6) shipping containers; and
 - h. Shall only be permitted in the AL and AG Zones.
- 7.31.4 If used for less than 90 days per calendar year, a shipping container shall be considered a temporary use and shall:
 - a. Be located to the rear of the principal building wherever possible; and
 - b. Meet the requirement for temporary uses and structures in this By-law.

7.32 MOTOCROSS TRACK

- 7.32.1 Motocross tracks shall be located a minimum of 152.4 m. (500 ft.) from any off site dwelling unit.
- 7.32.2 A minimum landscaped buffer of 9.14 m. (30 ft.) shall be required between a motocross track and any off site abutting dwelling unit.
- 7.32.3 During all hours of operation, a responsible supervisor holding a valid first aid credential shall be on duty.

- 7.32.4 Dust control measures and all site ingress and egress to the site are subject to approval from the Designated Officer.
- 7.32.5 The fueling, storage or repair of vehicles on site is prohibited.
- 7.32.6 An application for a motocross track may require a noise study, as required by the Designated Officer.

7.33 SECONDARY SUITES

- 7.33.1 A secondary suite shall be subject to the following provisions:
 - a. No more than one (1) secondary suite shall be permitted within a principal residence;
 - b. No more than one (1) attached and one (1) detached secondary suite shall be permitted on any zoning site;
 - c. The principal dwelling must be an existing permanent structure;
 - d. Home occupations, businesses and industries are not permitted within a secondary suite;
 - e. All secondary suites shall comply with all building code standards;
 - f. All secondary suites shall be connected to municipal sanitary sewer and water connections, where such services are available, as determined by the municipality; and
 - g. A minimum 9.29 sq. m. (100 sq. ft.) of amenity outdoor space shall be provided for each secondary suite.
- 7.33.2 An attached secondary suite (within a principal dwelling or constructed as an addition) shall also comply with the following provisions:
 - a. The area of an attached secondary suite shall not exceed 40% of the total habitable floor space (including basement) of the principal dwelling or 92.9 sq. m. (1,000 sq. ft.), whichever is the lesser;
 - b. The secondary suite shall have a separate entrance, either from a common indoor landing or directly from the side or rear of the principal dwelling; and
 - c. The minimum ceiling height shall be 2.43 m. (8 ft.).
- 7.33.3 A detached secondary suite (standalone, above a detached garage or attached to a detached garage) shall also comply with the following provisions:
 - a. The area of a detached secondary suite shall be less than the principal dwelling and shall not exceed 92.9 sq. m. (1,000 sq. ft.);
 - b. A detached secondary suite must adhere to all dimensional standards that apply to the zone in which it is situated;
 - c. A detached secondary suite shall be separated from the principal dwelling a minimum of 3.05 m. (10 ft.) and a maximum of 15.24 m. (50 ft.);
 - d. The exterior of the secondary suite shall incorporate building materials, textures, and colours that are similar to those found on the principal dwelling, as determined by the Designated Officer;
 - e. Secondary suites that are above or attached to a garage must have an entrance that is separate from the vehicle entrance; and
 - f. Where a secondary suite is above or attached to a garage, the combined area of the garage and secondary suite shall not exceed the area of the principal dwelling on site.

7.34 SIGNS

- 7.34.1 No person shall erect a sign without first obtaining a development and/or building permit from the

Designated Officer, unless otherwise specified herein, and no permit approval shall be issued unless all the sign regulations and yard requirements of this By-law have been satisfied;

- 7.34.2 No sign shall be erected, operated, used or maintained which:
- a. Creates a nuisance, obstructs visibility, or in any way interferes with public safety;
 - b. 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 or Council;
 - c. Display lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance, and other emergency vehicles;
 - d. Allows a swinging motion or contains moving parts;
 - e. Is located on the roof of a building or structure;
 - f. Is painted on a fence or roof; or
 - g. Is located in a public right-of-way or sidewalk area.
- 7.34.3 The following signs are not subject to this By-law, however, this does not relieve the owner or person in control of such signs from erecting and maintaining them in a safe and good condition:
- 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 governmental order;
 - b. One temporary sign per site including garage sale signs, auction signs, or election signs;
 - c. Non-illuminated directional signs, each sign not to exceed 0.5 sq. m. (5.38 sq. ft.) in sign area;
 - d. 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
 - e. Memorial signs or tablets of non-combustible material when built into or attached to the walls of a building or other structure provided such tablets bear only the name of the owner, the name and use of the building, the date of erection of the building or reading matter commemorating a person or event.
- 7.34.4 The following signs do not require a Development Permit;
- a. Signs posted by duly constituted public authorities in the performance of their public duties;
 - b. Flags or emblems of a political, civic, educational or religious organization;
 - c. Historic or commemorative signs identifying a location of historical significance;
 - d. "No Trespassing" or "Private Property" or similar signs not exceeding 0.3 sq. m. (3.2 sq. ft.);
 - e. Construction signs when placed on construction sites and not exceeding 2.3 sq. m. (25 sq. ft.);
 - f. Signs required for direction and convenience of the public including signs which identify rest rooms or parking entrance or exits, not exceeding 0.46 sq. m. (5 sq. ft.);
 - g. Real estate signs not exceeding 0.93 sq. m. (10 sq. ft.);
 - h. For single- and two-unit dwellings, one building identification sign not exceeding 0.14 sq. m. (1.5 sq. ft.) in area;
 - i. For institutional uses, one building identification sign not exceeding 4.65 sq. m. (50 sq. ft.) in area; and
 - j. Any sign that cannot be seen from off the premises.
- 7.34.5 The following regulations shall apply to signs that are abandoned, in disrepair or unlawful:
- a. Where the Designated Officer finds a sign to be abandoned, the Designated Officer may, 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 or refurbish the sign so that it performs its purpose correctly;

- b. All signs shall be well maintained and shall remain in the general form as when they were applied for. Where the designated officer finds a sign to be in disrepair, or knocked over, the Designated Officer may, 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 sign in disrepair, to remove the sign within twenty days after receipt of the notice, or take such measures as are specified in the notice to alter or refurbish the sign so that it performs its purpose correctly.
- c. Where a sign contravenes the regulations of this By-law, or has been erected without authorization or permit, 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
- d. Failure to remove an abandoned, derelict or unlawful sign, 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.

7.34.6 Owners must maintain all signs such that they are no damaged or upended and with a neat appearance. Should a sign be inadequately maintained, the Designated Officer may by notice in writing or by registered mail, order the sign to be corrected.

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

TABLE 7-4 – PERMITTED SIGN TYPES AND FORMS

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

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

TABLE 7-5 – ACCESSORY ON-SITE SIGNS

Use Class	Permitted Type	Permitted Form	Surface Area Maximum	Height Maximum
Residential or Residential Related Uses	Identification – Building or Use	Attached or Free Standing	0.19 sq. m. (2 sq. ft.) or 1.49 sq. m. (16 sq. ft.) for real estate signs	3.05 m. (10 ft.)
	Directional	Attached or Free Standing	0.37 sq. m. (4 sq. ft.)	1.828 m. (6 ft.)
Commercial or Industrial Uses	Identification – Building or Use	Attached	25% of the front building façade for each business to a maximum 18.58 sq. m. (200 sq. ft.) for single occupancy or maximum 55.74 sq. m. (600 sq. ft.) for multiple occupancy	10.67 m. (35 ft.)
		Free Standing	18.58 sq. m. (200 sq. ft.) for single occupancy or 55.74 sq. m. (600 sq. ft.) for multiple occupancy	10.67 m. (35 ft.)
	Directional	Attached or Free Standing	1.115 sq. m. (12 sq. ft.)	10.67 m. (35 ft.)
	Temporary	Free Standing	4.65 sq. m. (50 sq. ft.)	10.67 m. (35 ft.)
Civic Uses	Identification – Building or Use	Attached or Free Standing	4.65 sq. m. (50 sq. ft.) or 2.32 sq. m. (25 sq. ft.) if it abuts a Residential or Residential Related Use Class	10.67 m. (35 ft.)
	Directional	Attached or Free Standing	1.115 sq. m. (12 sq. ft.)	10.67 m. (35 ft.)
Agricultural Uses	Identification – Building or Use	Attached or Free Standing	2.97 sq. m. (32 sq. ft.)	10.67 m. (35 ft.)
	Temporary	Free Standing	4.65 sq. m. (50 sq. ft.)	10.67 m. (35 ft.)

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

7.34.10 For the purposes of this section, each occupant in a multiple occupancy lot or building shall be considered on an individual basis.

7.34.11 The following regulations shall apply to mobile signs:

- a. Portable signs are only allowed in the AG or AL Zoning Districts;
- b. The maximum duration of a mobile sign on a site is ninety (90) consecutive days per calendar year. The mobile sign shall be removed from the site upon the expiry date of the sign permit;
- c. There shall be no more than one mobile sign per lot, except that for a lot with multiple occupancy, where there can be a maximum of two mobile signs. Where there is more than one mobile sign, the signs shall be a minimum of 15.24 m. (50 ft.) apart;
- d. Any flashing or scintillating mobile signs shall not be located within 60.96 m. (200 ft.) of any GD or RSC Zone;
- e. No mobile sign shall be located within 3.05 m. (10 ft.) of the nearest part of an entrance or exit to a site;
- f. The maximum height for all mobile signs shall be 3.05 m. (10 ft.) measured from grade to the highest part of the sign; and
- g. An applicant for a mobile sign must sign a letter indicating they will comply with the regulations of this section and agree to a date that the mobile sign will be removed.

7.34.12 Notwithstanding the regulations pertaining to mobile signs, the following regulations shall apply to all other temporary signs:

- a. No temporary sign shall be located within 3.05 m. (10 ft.) to the nearest part of an entrance or exit;
- b. All temporary signs shall be removed within seven days after the date of the advertised community event or at the discretion of the Designated Officer; and
- c. An applicant shall sign a letter indicating that they will comply with these regulations.

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

- a. No billboard shall be located within 150 m. (492 ft.) from another billboard sign on the same road and facing the same direction of traffic;
- b. No billboard shall be located within 45.72 m. (150 ft.) from the intersection of any road, rail or pedestrian corridor right-of-way intersection;
- c. Applications for billboard signs shall include the same information required in this By-law for development and/or building permits;
- d. The maximum height for a billboard sign shall be 9.14 m. (30 ft.). If the billboard is attached to a building or structure or free standing within five linear feet of a building or structure, the maximum height of the billboard sign is the height of the building wall or structure; and
- e. The maximum sign surface area of a billboard sign shall be 18.58 sq. m. (200 sq. ft.).

7.35 SOLAR ENERGY GENERATING SYSTEMS

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

7.35.2 A roof or mounted solar energy generating system shall not exceed the total area of the principal structure to which it is adhered.

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

- 7.35.4 A solar energy generating system that is mounted on a wall can project a maximum of 0.6 m. (2 ft.) from the surface of the wall and shall be located a minimum of 2.4 m. (8 ft.) above grade.
- 7.35.5 A solar energy generating system that is ground mounted shall comply with all accessory use provisions with respect to dimensional standards.

7.36 SWIMMING POOLS

- 7.36.1 No swimming pool or hot tub shall be located closer than 1.5 m. (4.92 ft.) to any side or rear lot line, nor shall they be constructed beyond the foremost portion or portions of the principal building on the site.
- 7.36.2 Outdoor swimming pools shall be constructed in accordance with the Manitoba Building Code.

7.37 WIND ENERGY GENERATING SYSTEMS

- 7.37.1 An accessory wind energy generating system must meet the following standards:
- The unit must be set back at least 6 m. (20 ft.) from the front building line, or, in the case of a corner lot, at least 4.5 m. (15 ft.) from the front and side lot line;
 - It is limited to a total turbine height of no more than 4.5 m. (15 ft.) above the rooftop; and
 - It is safely and securely attached to the rooftop in compliance with applicable building codes.

7.38 TEMPORARY ADDITIONAL DWELLINGS

- 7.38.1 All temporary additional dwellings must meet the regulations put forward in Section 6.8 – Temporary Buildings, Structures and Uses.
- 7.38.2 A temporary additional dwelling shall be installed on a site in the following cases:
- To provide care or assistance to an individual;
 - As temporary accommodation while a permanent dwelling is being constructed on the same site; or
 - As determined by Council on a case by case basis.
- 7.38.3 A temporary additional dwelling must be constructed in accordance with CSA and applicable building code regulations and may resemble a mobile home or an RTM.
- 7.38.4 Council may impose additional conditions on the installation of a proposed temporary additional dwelling deemed necessary to protect adjacent sites.
- 7.38.5 Temporary additional dwellings must be operated in accordance with all plans and documents approved as part of the application.
- 7.38.6 Approval for a temporary additional dwelling must be reviewed by Council every five (5) years, at which time Council may or may not approve the use for an extension of five (5) years.
- 7.38.7 A temporary additional dwelling shall not be permitted on a site already containing a secondary suite.

7.39 WAYSIDE PITS AND QUARRIES

- 7.39.1 Wayside pits and quarries should be located at least:

- a. 1,524 m. (5,000 ft.) from any GD Zone;
- b. 792.48 m. (2,600 ft.) from any Residential or Residential Related, or Civic use class located outside GD Zone; and
- c. 150 m. (492.13 ft.) from the edge of the rights-of-way of a Provincial Trunk Highway or Provincial Road.

7.40 Private Vehicle Collection (BL 4-23)

- 7.40.1 Private vehicle collections include collections of more than 20 vehicles and are a Conditional Use. Collections consisting of 20 or less vehicles are a permitted accessory use. For the purpose of this use, a vehicle is defined as a motorized or non-motorized vehicle which, at minimum, includes a chassis or supporting frame.
- 7.40.2 A maximum of 6 registered vehicles are excluded from the private vehicle collection size calculations prescribed under Section 7.40.1.
- 7.40.3 Private vehicle collections shall be accessory to an existing Single-Unit Dwelling on a site as defined by this by-law.
- 7.40.4 Private vehicle collections shall be maintained by the landowner/resident/principal occupant or their family on the site on which the use is located, however, the landowner shall always be responsible for any activities conducted upon their land and shall be subjected to any enforcement proceedings contained herein.
- 7.40.5 Private vehicle collections shall be reasonably obstructed from the general public's view when viewed from a public roadway, and reasonably obstructed from the neighbour's view when viewed from a residence on an adjacent property.
- 7.40.6 Private vehicle collections shall not generate undue impacts on neighbouring properties, including impacts related to traffic, noise, odour, light, emission, and vibration.
- 7.40.7 The applicant shall provide a site plan with the Conditional Use application, which at minimum shows the following information:
 - a. all existing buildings and structures on the property;
 - b. the proposed location(s) where the private vehicle collection is or will be maintained on the property;
 - c. the proposed site ingress/egress and location of all driveways to be used for the private vehicle collection;
 - d. the proposed location of all exterior lighting;
 - e. the proposed or existing landscaping and screening measures, if any, including the type, size and extent of all vegetation and fencing or a combination thereof;
 - f. the total number of vehicles to be stored on the property.
- 7.40.8 The owner of the property shall enter into a Development Agreement for a Conditional Use to address matters including but not limited to:
 - a. the maximum number of vehicles permitted on a site in consideration of the size of the site, its context, and potential impacts on adjacent properties and/or municipal infrastructure;

- b. the location(s) where the private automobile collection shall be maintained on the site, including all indoor and outdoor locations;
- c. the site ingress/egress and the location of all driveways that shall be used for the private vehicle collection;
- d. the location of all exterior lighting;
- e. landscaping and screening measures to be established and maintained on the site in conjunction with the private vehicle collection, including the type, size and extent of all vegetation and fencing or a combination thereof.

SECTION 8: DIMENSIONAL STANDARDS

8.1 APPLICABILITY

8.1.1 The provisions of this section shall to all principal and accessory developments in the specific zoning districts where they are a permitted or conditional, unless otherwise stated. Where specific dimensional standards apply in different zoning districts, they apply to the zoning districts designated on the Zoning Maps in Part D of this By-law.

8.2 SITE REGULATIONS

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

8.2.2 For the purposes of this section, the maximum accessory building area shall not apply to swimming pools, hut tubs, or seasonal non-winter structures including decks, screened porches, verandas, uncovered walks and wheelchair ramps.

8.3 DIMENSIONAL TABLE ORGANIZATION

8.3.1 In Table 8-1, the cells in each row specify a dimensional standard for development for each zoning district, noted in the far left column, in relation to the requirement set out at the top of the column in which the cell is contained. Notes indicate special situations that affect the application of dimensional standards to specific zoning district.

8.4 DIMENSIONAL TABLE SYMBOLS

8.4.1 In Table 8-1, dimensional standards are expressed in metric units first and [imperial units] second.

8.4.2 Special notes are denoted with numbers (①, ②, ③, etc.).

8.5 DIMENSIONAL STANDARDS

8.5.1 No person may erect a building or structure in any residential or mixed zoning district unless the building or structure complies with Table 8-1 below or the regulations pertaining to that specific development or zone found herein:

TABLE 8-1 – DIMENSIONAL STANDARDS

ZONE	USE TYPE	MINIMUM					MAXIMUM		
		SITE AREA in sq. m. [sq. ft.] unless otherwise noted	SITE WIDTH in m. [ft.]	FRONT YARD in m. [ft.]	SIDE YARD		REAR YARD in m. [ft.]	HEIGHT in m. [ft.]	SITE COVERAGE
					INTERIOR in m. [ft.]	CORNER in m. [ft.]			
AG	<i>Principal (Agricultural)</i>	32.37 ha [80 ac]	182.88 [600]	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	-	-
	<i>Principal (Other)</i>	32.37 ha [80 ac]	60.96 [200]	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	-	-
	<i>Principal (Farmstead)</i>	0.81 ha [2 ac]	60.96 [200]	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	-	-
	<i>Accessory</i>	-	-	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	-	-
AL	<i>Principal (Agricultural)</i>	32.37 ha [80 ac]	182.88 [600]	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	-	-
	<i>Principal (Other)</i>	32.37 ha [80 ac]	60.96 [200]	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	-	-
	<i>Principal (Farmstead)</i>	0.81 ha [2 ac]	60.96 [200]	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	-	-
	<i>Accessory</i>	-	-	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	-	-
GD	<i>Principal (Single Unit)</i>	668.9 [7,200]	18.29 [60]	9.14 [30]	1.54 [5]	3.05 [10]	7.62 [25]	9.14 [30]	40%
	<i>Principal (Two Unit)</i>	836.1 [9,000]	22.86 [75]	9.14 [30]	1.54 [5]	3.05 [10]	7.62 [25]	9.14 [30]	40%
	<i>Principal (Multi Unit)</i>	929 [10,000] ①	30.48 [100]	9.14 [30]	4.57 [15]	7.62 [25]	7.62 [25]	9.14 [30]	50%
	<i>Principal (Other)</i>	1,858 [20,000]	30.48 [100]	9.14 [30]	4.57 [15]	6.1 [20]	7.62 [25]	10.67 [35]	60%
	<i>Accessory</i>	-	-	7.62 [25]	1.54 [5]	3.05 [10]	3.05 [10]	4.57 [15]	15%
RSC	<i>Principal (Single Unit)</i>	668.9 [7,200]	18.29 [60]	9.14 [30]	1.54 [5]	3.05 [10]	7.62 [25]	9.14 [30]	40%
	<i>Principal (Two Unit)</i>	836.1 [9,000]	22.86 [75]	9.14 [30]	1.54 [5]	3.05 [10]	7.62 [25]	9.14 [30]	40%
	<i>Principal (Multi Unit)</i>	929 [10,000] ①	30.48 [100]	9.14 [30]	4.57 [15]	7.62 [25]	7.62 [25]	9.14 [30]	50%
	<i>Principal (Other)</i>	1,858 [20,000]	30.48 [100]	9.14 [30]	4.57 [15]	6.1 [20]	7.62 [25]	10.67 [35]	60%
	<i>Accessory</i>	-	-	7.62 [25]	1.54 [5]	3.05 [10]	3.05 [10]	4.57 [15]	15%

Table Notes:

① For the first four dwelling units. The minimum site area shall increase 92.903 sq. m. (1,000 sq. ft.) for each additional dwelling unit thereafter.

PART D: MAPS

SECTION 9: LAND USE MAPS

9.1 ZONING DISTRICT MAPS

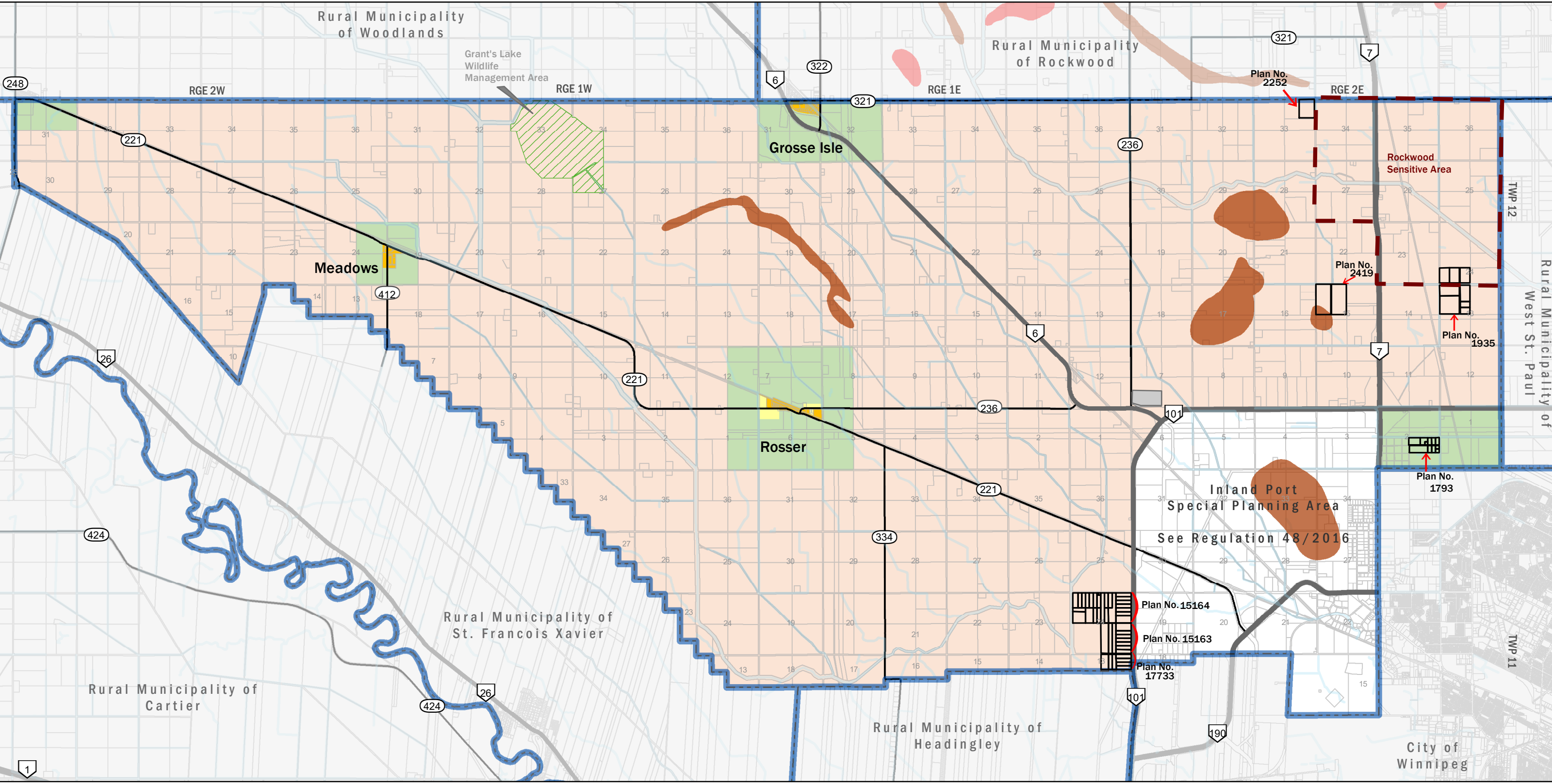
- 9.1.1 The zoning district maps provided herein form part of this By-law.
- 9.1.2 Should uncertainty or dispute arise relative to the precise location of the boundary of any Zoning District, as depicted on the Zoning District Maps, the location shall follow the closest logical boundary, a line that is parallel, or an extension to such an existing feature, as determined by the Designated Officer, including:
- 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 embankment line.
- 9.1.3 No Zoning District shall apply to any public road right-of-way and, should a public right-of-way be closed, it will then carry the same zoning as the abutting lands. Where different Zoning Districts regulate the abutting lands, the roadway centreline shall become the Zoning District Boundary.
- 9.1.4 Where one lot has more than one Zoning District, the area illustrated for a particular Zoning District shall be treated as the development site and must comply with the bulk regulations for the Zoning District, using the zoning line as the measurement for lot size and setbacks.

9.2 MAP 1 – OVERVIEW

9.3 MAP 2 – GROSSE ISLE

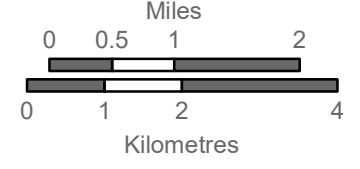
9.4 MAP 3 – MEADOWS

9.5 MAP 4 – ROSSER



- Zones**
- AG - Agricultural General Zone
 - AL - Agricultural Limited Zone
 - GD - General Development Zone
 - RSC - Rural Settlement Centre Zone

- Other Features**
- Municipal Boundary
 - Provincial Trunk Highway
 - Provincial Road
 - Grant's Lake Wildlife Management Area
 - Medium Aggregate Deposit Area
 - Water Features
 - Obsolete Subdivision Plans
 - Assessment Parcel
 - First Nation Reserve
 - Rockwood Sensitive Area

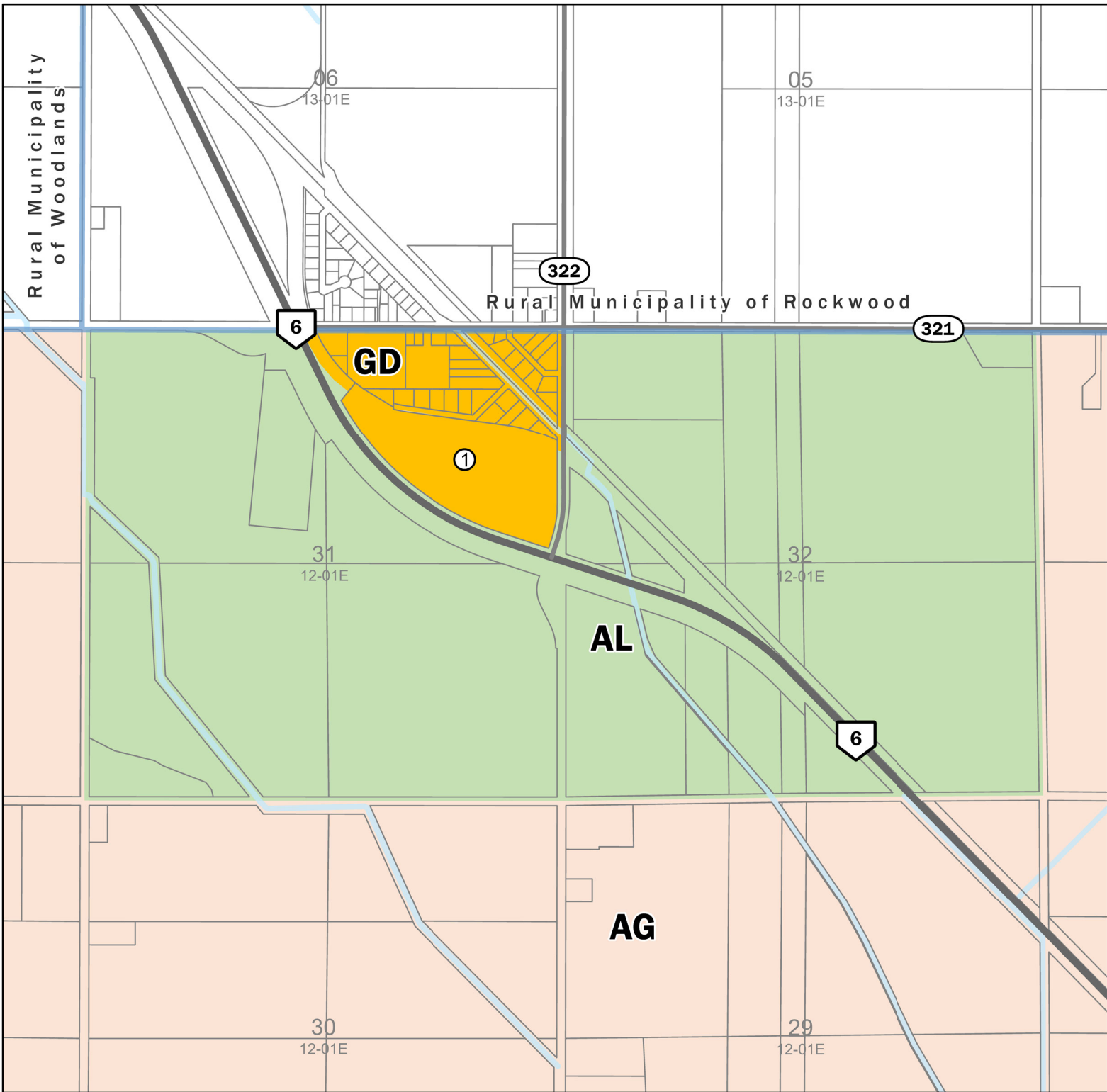


Rural Municipality of Rosser

Rural Municipality of Rosser
Zoning By-Law No. 4-21

Map 1: Regional Zoning Map

Map Date: April 8, 2021



Rural Municipality of Rosser

Rural Municipality of Rosser
Zoning By-Law No. 4-21

Map 2: Grosse Isle

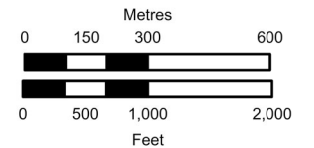
Zones

- AG - Agricultural General Zone
- AL - Agricultural Limited Zone
- GD - General Development Zone

Other Features

- Municipal Boundary
- Provincial Trunk Highway
- Provincial Road
- Water Features
- Assessment Parcel
- 1 Consolidated Amendment No.

Office Consolidation
Up to and including
By-Law No. 7-22

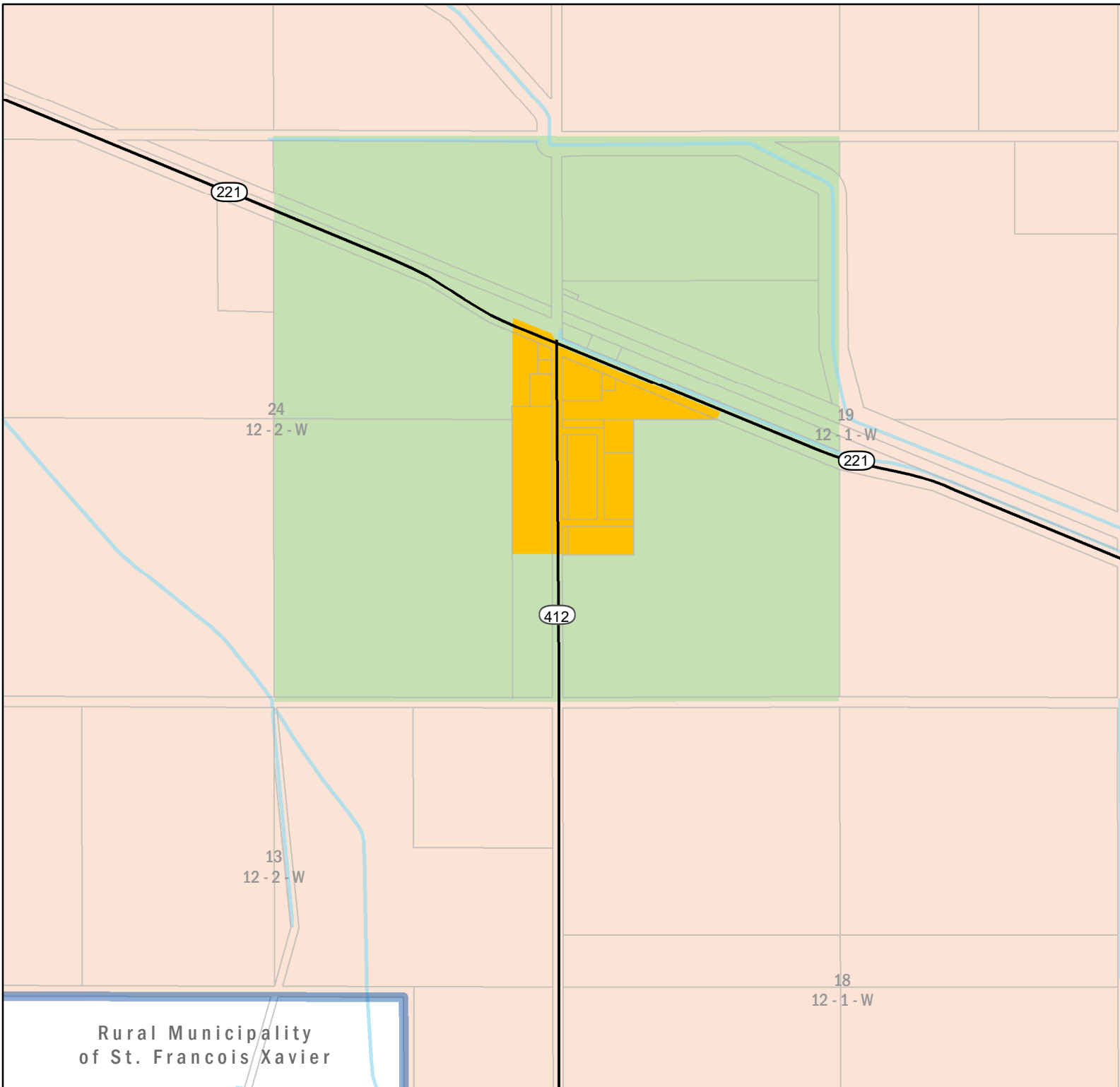


Date: February 05, 2024




Rural Municipality of Rosser

Rural Municipality of Rosser
Zoning By-Law No. 4-21





Map 3: Meadows

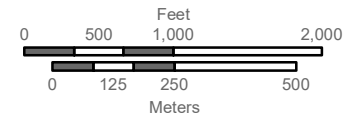


Zones

-  AG - Agricultural General Zone
-  AL - Agricultural Limited Zone
-  GD - General Development Zone

Other Features

-  Municipal Boundary
-  Provincial Road
-  Water Features
-  Assessment Parcel



Manitoba
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Map Date: April 8, 2021

Rural Municipality
of St. Francois Xavier

Rural Municipality of Rosser

Rural Municipality of Rosser
Zoning By-Law No. 4-21

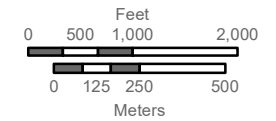
Map 4: Rosser

Zones

- AG - Agricultural General Zone
- AL - Agricultural Limited Zone
- GD - General Development Zone
- RSC - Rural Settlement Centre Zone

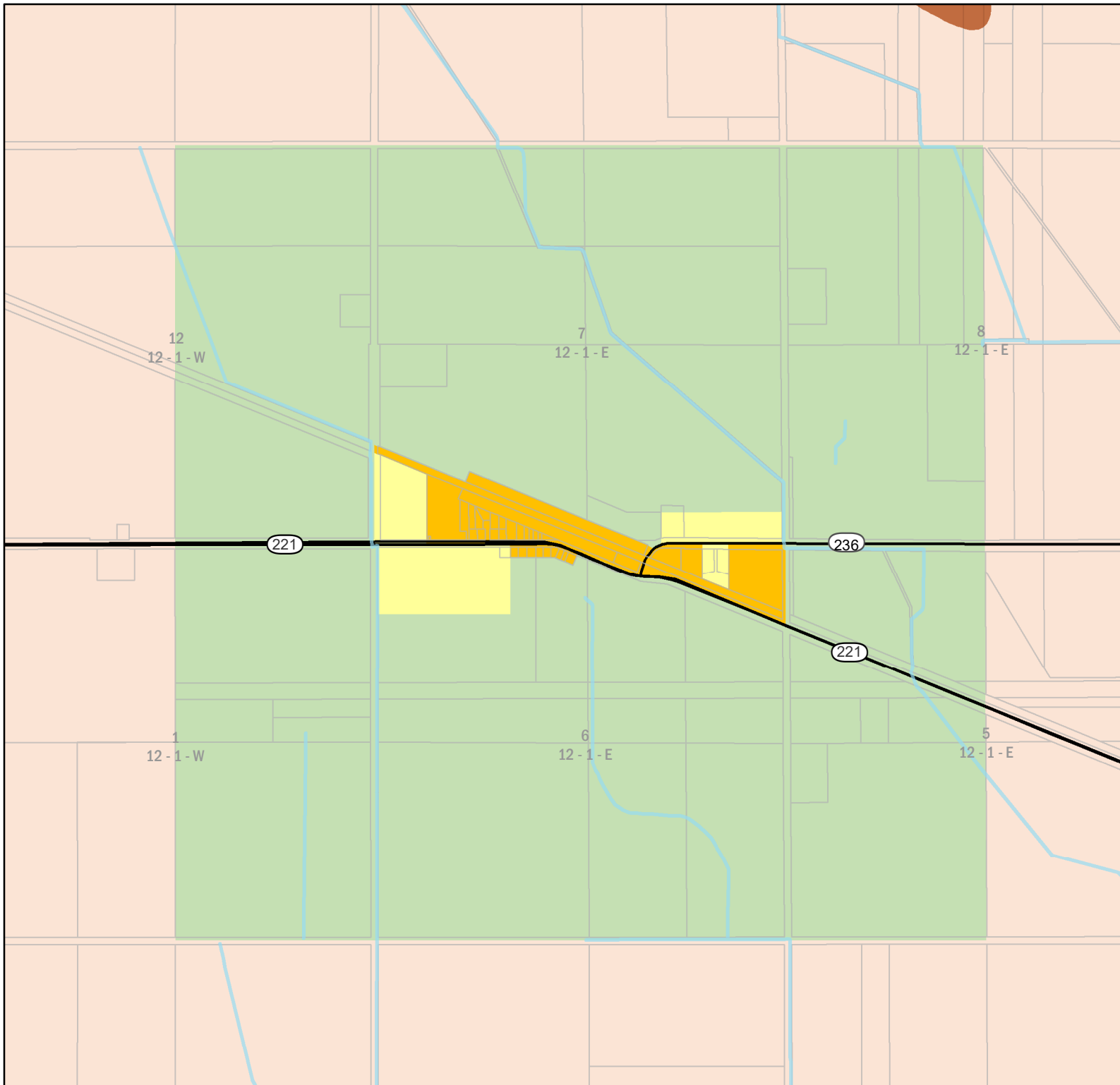
Other Features

- Provincial Road
- Water Features
- Assessment Parcel



Manitoba
Municipal Relations
Community Planning

Map Date: April 8, 2021



APPENDIX A

Separation Distance Calculations

Size of Livestock Operation in Animal Units	Separation Distance in Metres (Feet) from a Residence		Separation Distance in Metres (Feet) from a Designated Area	
	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-earthen Manure Storage Facility	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-earthen Manure Storage Facility
10 – 100	200 (656)	100 (328)	800 (2,625)	530 (1,739)
101 – 200	300 (984)	150 (492)	1200 (3,937)	800 (2,625)
201 – 300	400 (1,312)	200 (656)	1600 (5,249)	1070 (3,511)
301 – 400	450 (1,476)	225 (738)	1800 (5,906)	1200 (3,937)
401 – 800	500 (1,640)	250 (820)	2000 (6,561)	1330 (4,364)
801 – 1,600	600 (1,968)	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)

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

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

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

- a) a grazing area; or
- b) a seasonal feeding area.

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

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

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

APPENDIX B

Animal Unit Calculation Table

Column 1 Category of Livestock	Column 2 Animal Units Produced by One Livestock	Column 3 Factor to be used to Determine Animal Units (Number of livestock to produce one animal unit)
Dairy Milking Cows (including associated livestock)	2	0.5
Beef Beef Cows (including associated livestock)	1.25	0.8
Backgrounder	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 (artificial insemination operations)	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 (including associated livestock)	1.333	0.75
Sheep		
Ewes (including associated livestock)	.02	516
Feeder Lambs	0.063	

*Animals not listed in the Animal Unit Calculation Table (such as alpacas, llamas or goats) must contact Manitoba Agriculture for accurate animal unit calculations.