

BY-LAW 21-25

RM OF SPRINGFIELD Zoning By-law

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

PREPARED FOR
The Rural Municipality of
Springfield, MB

PREPARED BY
WSP Canada Inc.



Zoning By-law No. 21-25 Amendment Listing

[illegible]

BY-LAW NO. 21-25
– OF –
THE RURAL MUNICIPALITY OF SPRINGFIELD

Being a By-law of The Rural Municipality of Springfield, in the Province of Manitoba, to regulate and control the use and development of land and buildings within the Municipal limits of the Rural Municipality of Springfield.

WHEREAS Section 68 of *The Planning Act (The Act)* provides that the Council of a Municipality may enact a Zoning By-law which generally conforms to a Development Plan adopted for the area;

AND WHEREAS pursuant to the provisions of Subsection 40(2) of *The Act*, the Rural Municipality has, by By-law, adopted *The Rural Municipality of Springfield Development Plan By-law 18-09*;

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

1. The Rural Municipality of Springfield Zoning By-law 08-01, and all amendments thereto, is hereby rescinded.
2. The Zoning By-law, attached hereto and marked as Schedule "A", is hereby adopted.
3. This By-law shall be known as the Rural Municipality of Springfield Zoning By-law.
4. The *Rural Municipality of Springfield Zoning By-law* shall take force and full effect on the date of third reading of this By-law.

DONE AND PASSED in Council assembled in Council Chambers, in Oakbank, Manitoba, this _____ day of _____ A.D. 2021.

Tiffany Fell
Mayor

Colleen Draper
Chief Administrative Officer

READ a first time this 23rd day of September, A.D. 2021.
READ a second time this _____ day of _____, A.D. 2021.
READ a third time this _____ day of _____, A.D. 2021.

The Rural Municipality of Springfield
Zoning By-law
Being **SCHEDULE "A"**
Attached to By-law 21-25
Of
The Rural Municipality of Springfield

TABLE OF CONTENTS

PART A: ADMINISTRATION

SECTION 1:	INTRODUCTION.....	1
1.1	TITLE	1
1.2	PURPOSE	1
1.3	SCOPE.....	1
1.4	SEVERABILITY.....	1
1.5	OTHER LEGISLATION.....	1
1.6	DOES NOT PROMOTE NUISANCE	2
1.7	EFFECTIVE DATE.....	2
SECTION 2:	ADMINISTRATION	2
2.1	REGULATION OF USES	2
2.2	THE DEVELOPMENT OFFICER.....	2
2.3	DEVELOPMENT PERMITTING.....	2
2.4	DEVELOPMENT NOT REQUIRING A PERMIT	3
2.5	CONDITIONS ATTACHED TO A DEVELOPMENT PERMIT	3
2.6	CONDITIONAL USE ORDERS	4
2.7	VARIATION ORDERS	5
2.8	ZONING BY-LAW AMENDMENTS	5
2.9	SUBDIVISIONS.....	6
2.10	DEVELOPMENT AGREEMENTS	6
2.11	NON-CONFORMANCE.....	6
2.12	FEES.....	7
2.13	PUBLIC UTILITIES AND SERVICES	7
2.14	ENFORCEMENT AND PENALTIES	7
SECTION 3:	INTERPRETATION.....	8
3.1	RULES OF INTERPRETATION	8
3.2	UNITS OF MEASUREMENT	8
3.3	HEIGHT CALCULATIONS	8
3.4	ZONING DISTRICT MAPS AND BOUNDARIES	9
SECTION 4:	DEFINITIONS.....	9
4.1	DEFINITIONS IN THIS BY-LAW.....	9
4.2	GENERAL DEFINITIONS.....	10
4.3	RESIDENTIAL USE CLASS DEFINITIONS.....	18
4.4	RESIDENTIAL RELATED USE CLASS DEFINITIONS	19
4.5	COMMERCIAL SALES AND SERVICE USE CLASS DEFINITIONS	19
4.6	INDUSTRIAL USE CLASS DEFINITIONS.....	21
4.7	CIVIC USE CLASS DEFINITIONS	22
4.8	AGRICULTURAL USE CLASS DEFINITIONS	24

4.9	ACCESSORY USE CLASS DEFINITIONS	25
4.10	TEMPORARY USE CLASS DEFINITIONS	26
SECTION 5:	ZONING DISTRICTS.....	28
5.1	ZONING DISTRICTS ESTABLISHED	28
SECTION 6:	ZONE DESCRIPTIONS	29
6.1	RESIDENTIAL ZONING DISTRICTS	29
6.2	COMMERCIAL ZONING DISTRICTS	29
6.3	INDUSTRIAL ZONING DISTRICTS	29
6.4	CIVIC ZONING DISTRICTS.....	29
6.5	AGRICULTURAL ZONING DISTRICTS.....	29
6.6	MIXED ZONING DISTRICTS	30
6.7	LIVESTOCK OVERLAY ZONING DISTRICTS	30
SECTION 7:	GENERAL DEVELOPMENT STANDARDS	31
7.1	APPLICABILITY	31
7.2	ACCESSORY BUILDINGS, STRUCTURES AND USES	31
7.3	TEMPORARY BUILDINGS, STRUCTURES AND USES.....	31
7.4	RESTRICTED AND PROHIBITED DEVELOPMENT	32
7.5	ONE DWELLING UNIT PER LOT	33
7.6	MOVEMENT OF BUILDINGS AND STRUCTURES	33
7.7	SUBDIVISION OF ATTACHED DWELLINGS OR COMMERCIAL UNITS	33
7.8	FRONTAGE, ACCESS AND APPROACHES	34
7.9	FLAG LOTS.....	34
7.10	PROJECTIONS INTO YARDS	35
7.11	FRONT YARD ALIGNMENTS	36
7.12	PROTECTION OF RIGHT-OF-WAY SIGHT LINES.....	36
7.13	CORNER VISION TRIANGLES	36
7.14	LANDSCAPING AND BUFFERING	36
7.15	PARKING.....	37
7.16	ACCESSIBLE PARKING.....	39
7.17	LOADING.....	40
7.18	HARD SURFACING OF PARKING AND LOADING AREAS	41
7.19	LIGHTING	41
7.20	FENCES AND SCREENING	42
7.21	SITE EXCAVATION, STRIPPING AND GRADING.....	42
7.22	LAND DRAINAGE	43
7.23	GROUNDWATER PROTECTION.....	43
7.24	CONNECTION TO MUNICIPAL SERVICES.....	43
7.25	DEVELOPMENT ON ROAD ALLOWANCES.....	43
7.26	COMMUNICATION TOWERS.....	43
SECTION 8:	DESIGN STANDARDS.....	43
8.1	APPLICABIITY	43
8.2	GENERAL DESIGN STANDARDS	44
8.3	COMMERCIAL MAIN STREET AREAS IN OAKBANK	44

8.4	RESIDENTIAL USE DESIGN STANDARDS	45
8.5	COMMERCIAL USE DESIGN STANDARDS	45
8.6	INDUSTRIAL USE DESIGN STANDARDS	45
SECTION 9:	USE STANDARDS	46
9.1	APPLICABILITY	46
9.2	REGULATION OF USES	46
9.3	USE TABLE ORGANIZATION	46
9.4	USE TABLE SYMBOLS	46
9.5	DWELLING SETBACKS	52
9.6	PLANNED UNIT DEVELOPMENTS	52
9.7	AUTOMOTIVE SERVICE STATIONS AND GAS BARS	53
9.8	RETAIL ESTABLISHMENT	53
9.9	AGGREGATE OPERATION	53
9.10	COMMERCIAL COMPOSTING FACILITY	54
9.11	AIRPORT VICINITY AREAS	54
9.12	CAMPGROUND OR RV PARKS	55
9.13	ANHYDROUS AMMONIA STORAGE AND DISTRIBUTION FACILITIES	55
9.14	LIVESTOCK OPERATIONS	56
9.15	ANIMAL LODGING	56
9.16	BED AND BREAKFASTS	57
9.17	CAR BROKER	57
9.18	DRIVE THROUGH FACILITIES	58
9.19	FARM DIVERSIFICATION OPERATIONS	59
9.20	HOME OCCUPATIONS, BUSINESSES AND INDUSTRIES	59
9.21	METAL SHIPPING CONTAINERS	61
9.22	OFF ROAD VEHICLE TRACK	61
9.23	POULTRY KEEPING	62
9.24	RESIDENTIAL RELATED FARMS	62
9.25	SECONDARY SUITES	62
9.26	SIGNS	63
9.27	SOLAR ENERGY PANELS	66
9.28	SWIMMING POOLS	66
9.29	PORTABLE ASPHALT BATCHING PLANTS	67
9.30	TEMPORARY ADDITIONAL DWELLINGS	67
9.31	WAYSIDE PITS AND QUARRIES	67
SECTION 10:	DIMENSIONAL STANDARDS	67
10.1	APPLICABILITY	67
10.2	SITE REGULATIONS	68
10.3	DIMENSIONAL TABLE ORGANIZATION	68
10.4	DIMENSIONAL TABLE SYMBOLS	68
10.5	RESIDENTIAL AND MIXED ZONING DISTRICT DIMENSIONAL STANDARDS	68
10.6	COMMERCIAL AND INDUSTRIAL DIMENSIONAL STANDARDS	70
10.7	CIVIC AND AGRICULTURAL DIMENSIONAL STANDARDS	72
SECTION 11:	ZONING DISTRICT MAPS	73

11.1 MAP 1 – SPRINGFIELD ZONING DISTRICT MAP 74

11.2 MAP 2 – LIVESTOCK OPERATION OVERLAY MAP 75

APPENDICES

- APPENDIX A: Separation Distance Calculations
- APPENDIX B: Animal Unit Calculation Table
- APPENDIX C: Developmental Standards
- APPENDIX D: Groundwater Sensitivity Map

PART A: ADMINISTRATION

SECTION 1: INTRODUCTION

1.1 TITLE

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

1.2 PURPOSE

- 1.2.1 The regulations established by this By-law are deemed necessary in order to:
- a. Ensure general conformance with the objectives and policies of the RM of Springfield Development Plan (Development Plan) and any Secondary Plans;
 - b. Outline the powers and duties of the RM of Springfield Council (Council), the Development Officer and landowners and/or developers as they relate to this By-law; and
 - 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, structure and uses.

1.3 SCOPE

- 1.3.1 This by-law applies to all lands in the RM of Springfield 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 District Maps, is declared to be invalid for any reason by an authority of competent jurisdiction, that decision shall not affect the validity of the By-law as a whole, or any other section or provision of this By-law.

1.5 OTHER LEGISLATION

- 1.5.1 A person applying for, or in possession of, a valid Development Permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with:
- a. The regulations of the *National Building Code* as well as applicable Municipal or Provincial building regulations;
 - b. The Development Plan;
 - c. Any Secondary Plan(s);
 - d. Any other appropriate federal, provincial or municipal legislation; and
 - e. 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.
- 1.5.2 Whenever provisions contained in any appropriate federal, provincial or municipal legislation impose overlapping regulations, laws or policies over the use of land, buildings or structures, or contain any

restrictions covering any of the same subject matter contained herein, the most restrictive or highest standard shall apply.

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

1.6 DOES NOT PROMOTE NUISANCE

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

1.7 EFFECTIVE DATE

- 1.7.1 This By-law shall be in full force and effect when the Council has given it Third Reading.
- 1.7.2 The adoption of this By-law shall not prevent any pending or future legal action to deal with any existing land use violations.

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 Springfield unless an application has been approved and a Development Permit has been issued.

2.2 THE DEVELOPMENT OFFICER

- 2.2.1 The Development Officer shall be any person appointed by Council to occupy the position of Development Officer.
- 2.2.2 The Development Officer shall be responsible for interpretation of this By-law, issuing permits, providing notice of decisions, issuing zoning memoranda, and decision-making power for minor variances in accordance with the provisions of *The 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 Demolition Permit for the demolition of a dwelling or water well in order to fill, grade, fence or follow other special conditions required for public and environmental safety.
- 2.3.3 All permits shall expire if work or construction is not commenced within six (6) months from the date of issuance of the permit, or if work or construction is suspended for six (6) months. If requested by the applicant prior to the date of expiry, the Development Officer may extend the date of expiry by no more than one additional six (6) month period from the original date of issuance.

2.4 DEVELOPMENT NOT REQUIRING A PERMIT

- 2.4.1 No Development Permit from the RM of Springfield 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. Regular maintenance and repair of any development provided it does not include structural alterations;
 - b. Private driveways and patios which are accessory to a development;
 - c. A fence, wall or gate not exceeding 2 metres (m) (6.56 feet (ft)) in height;
 - d. An accessory building that:
 - (i) Is less than 10 square metres (m²) (108 square feet (ft²)) in area;
 - (ii) Does not exceed 4.57 m (15 ft) or one story in height; and
 - (iii) Is not considered a hazard or a detriment to the Municipality as determined by the Development Officer.
 - e. 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 will support a structure with a roof;
 - f. Landscaping where the existing grade and natural surface drainage pattern is not materially altered;
 - g. The erection or placement of a temporary building, the sole purposes of which is incidental to the erection of a building for which a Development Permit has been granted, provided the temporary building is removed within 30 days of substantial completion or as determined by the Development Officer;
 - h. Certain incidental signs as described in Section 9.26; and
 - i. The use of vacant farmland, use of farm buildings and use of farm structures for permitted agricultural activities, excluding livestock operations.

2.5 CONDITIONS ATTACHED TO A DEVELOPMENT PERMIT

- 2.5.1 The Development Officer or Council may impose, with respect to a permitted use, such conditions as are required to ensure compliance with this By-law.
- 2.5.2 Council may, with respect to a conditional use, impose such conditions as deemed appropriate, having regard to the regulations of this By-law, other municipal, provincial and federal government regulations, and matter raised at the conditional use hearing.
- 2.5.3 The Development Officer or Council may, as a condition of issuing a Development Permit, require the applicant to make satisfactory arrangement for the supply of electric power, vehicular and pedestrian access, or any of the aforementioned, including payment of the costs of installation or constructing any such utility or facility by the applicant.
- 2.5.4 The Development Officer or Council may, as a condition of issuing a Development Permit, require that an applicant enter into an agreement or an interim agreement, which shall be attached to and form part of such Development Permit, to do all or any of the following:
- a. To construct, or pay for the construction of, or improvement to, a public roadway required to give access to the development;
 - b. To specify the location and number of vehicular and pedestrian access points to site from public roadways, including the construction, or payment for the construction thereof or improvements thereto;
 - c. To install, or pay for the installation of, utilities that are necessary to serve the development, or pay the recovery costs of services which have already been installed;
 - d. To repair, improve or reinstate, or to pay for the repair, improvement or reinstatement, of any street furniture, curbing, sidewalk, boulevard landscaping and tree planting which may be damaged or destroyed or otherwise harmed by the development or building operations upon the site; and

- e. To construct, or pay for the construction of, or improvement to, land drainage works that are necessary to serve the development.

2.5.5 The Development Officer or Council may require any agreement entered into pursuant to Section 2.5.4 of this By-law to be caveated against the title to the site at the Land Titles Office.

2.5.6 When an application for a Development Permit is submitted for a site abutting a water course or municipal drain, the Development Officer may require information and an engineered report from a Certified Professional Engineer of Manitoba. The report shall include information regarding the existing and proposed grades at 0.5 m (1.64 ft) contour intervals, or as directed by the Development Officer. The final grades shall be to the satisfaction of the Development Officer and in accordance with the RM of Springfield Lot Grade By-law, as amended.

2.5.7 The Development Officer may require a detailed engineering study of the soil conditions, prepared by a Certified Professional Engineer of Manitoba, prior to the issuance of a Development Permit or the construction of any development abutting a water course or municipal drain. Such engineering study shall contain evidence of:

- a. Test borings;
- b. Ground water piezometer testing;
- c. Slope indicators, where necessary;
- d. Identification of any sub-surface mining operations;
- e. River erosion analysis; and
- f. Surface erosions analysis.

The detailed engineering study shall conclude with a certification that the foundations of the development are designed with full knowledge of the soil conditions and the proposed siting of the development upon the site.

2.5.8 The Development Officer may require the submissions of a detailed engineering study as outlined in 2.5.7 of this By-law prior to the issuance of a Development Permit at any location within the RM which in the opinion of the Development Officer or Certified Professional Engineer of Manitoba has unstable soil conditions.

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

2.6 CONDITIONAL USE ORDERS

2.6.1 Where a use is classified as being conditionally permitted and exists as an allowable use at the date of adoption of this By-law or amendments thereto, it shall be considered as a legally existing conditional use.

2.6.2 Any conditional use must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, nor must it be injurious to property, improvements or potential future development in the vicinity;

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

- 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;
- 2.6.4 The approval of a conditional use by Council in accordance with *The Act* shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision. Council may extend this deadline for an additional period of one year if an application is received before the initial deadline.
- 2.6.5 Council reserves the right to add any condition(s) on a conditional use approval that it considers necessary to meet the requirements of *The Act*.
- 2.6.6 Council reserves the right to attach as a condition to any new conditional use approval a time limit after which the conditional use order will expire if the operation ceases.

2.7 VARIATION ORDERS

- 2.7.1 Subject to Section 94 and 102 of *The Act*, Council may vary the requirements of this By-law if the variance:
- a. Will be compatible with the general nature of the surrounding area;
 - b. Will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area;
 - c. Is the minimum modification of this By-law required to relieve the injurious affect of this By-law on the applicant's property; and
 - d. Is generally consistent with the applicable provisions of the Development Plan, any applicable Secondary Plan(s), and this By-law.
- 2.7.2 The Development Officer may approve the following minor variances:
- a. Any height, distance, area, size or intensity of use requirement in this By-law by no more than 15%; and
 - b. The number of parking spaces required by this By-law by no more than 15%.
- 2.7.3 The approval of a variation order shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the decision, unless it is renewed at the discretion of Council for an additional period not exceeding twelve (12) months.
- 2.7.4 Council reserves the right to add any condition(s) on a variance approval, including on a minor variance approval, that it considers necessary to meet the requirements of *The Act*.

2.8 ZONING BY-LAW AMENDMENTS

- 2.8.1 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 Development Officer by the owner of a subject site, or by another party, acting on behalf of the owner, with written consent of the owner.
- 2.8.2 An application for an amendment to this By-law shall be accompanied by the following information:
- a. The applicant's name, signature, address, interest in the property, and reason for applying;
 - b. A signed statement by the applicant acknowledging all costs incurred by the RM of Springfield in processing the proposed amendment, whether adopted or not, shall be the responsibility of the applicant;
 - c. The appropriate fee; and
 - d. A Status of Title which has been issued no later than 30 days prior to the receipt of the amendment application by the Development Officer.

2.9 SUBDIVISIONS

- 2.9.1 Subject to Section 2.9.2 and 2.9.3 of this By-law, no parcel of land shall hereafter be divided into sites unless each site conforms to the regulations of the Zoning District in which the site is located.
- 2.9.2 Council may, as provided for in *The Act*, vary the regulations as they apply to an individual site, subject to complying with the objectives and policies of the Development Plan.
- 2.9.3 An existing undersized lot may be increased in area of frontage, or both, and still remain an existing undersized lot if, after the increase, the lot still remains undersized.

2.10 DEVELOPMENT AGREEMENTS

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

2.11 NON-CONFORMANCE

- 2.11.1 When on or before the day on which this By-law or any By-law for the amendment of it comes into force, a development permit has been issued, and the enactment of the By-law would render the development in respect of which the permit was issued a non-conforming building, structure, lot, or use, the development permit continues in effect despite the enactment of the By-law.
- 2.11.2 Any lawful building or structure which does not conform to one or more of the applicable yard regulations of the Zone in which it is located, either on the effective date of this By-law or amendments thereto, shall be deemed to be a lawfully existing permitted building or structure and shall be used as if it conformed to all such regulations, in accordance with Section 2.11.5 hereof.
- 2.11.3 Any legal existing lot which does not conform to the minimum site area, site width, front yard or access regulations hereof for the Zone wherein it is located, shall be deemed to be a permitted lot and shall be used as if it conformed to all such regulations, in accordance with Section 2.11.5 hereof.
- 2.11.4 Any lawful use of a building, structure or lot, or portion thereof, which does not conform to one or more of the applicable use regulations of the Zone in which it is located, either on the effective date of this By-law or amendments thereto, shall be deemed to be a permitted use and shall be used as if it conformed to all such regulations, in accordance with Section 2.11.5 hereof.
- 2.11.5 A non-conforming use of land or a non-conforming use of a building may be continued, but if that use is discontinued for a period of twelve consecutive months or more, any future use of the land or

building shall conform to the provisions of this By-law. A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.

- 2.11.6 A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.
- 2.11.7 A non-conforming use of part of a building shall not be extended throughout the building and the building, whether or not it is a non-conforming building shall not be enlarged or added to and no structural alterations shall be made thereto or therein.
- 2.11.8 A non-conforming building may continue to be used, but the building shall not be enlarged, added to, rebuilt or structurally altered except:
- a. As may be necessary to make it a conforming building; or
 - b. As the Development Officer considers necessary for the routine maintenance of the building or to make safe as per the building code.
- 2.11.9 Where a building or structure that does not conform to the provisions of this By-law or amendments thereto is destroyed or damaged to an extent that is 50% or more of the assessed value of the building or structure above its foundation, the building or structure shall not be repaired or rebuilt except in conformity with the provisions of this By-law.
- 2.11.10 The use of land or the use of a building is not affected by change of ownership, tenancy or occupancy of the land or building.
- 2.11.11 Despite Section 2.11.1 to Section 2.11.10, as per *The Act* a non-conformity may be altered by way of variation order by Council.
- 2.11.12 Any owner may apply to the Development Officer for a Certificate of Non-Conformity in accordance with the provisions of *The Act*.

2.12 FEES

- 2.12.1 An applicant for a Development Permit shall pay an application fee in accordance with the fee schedule established by separate by-law or policy of Council. Separate fees may be charged for each type of development application. These fees may be in addition to any fee required to cover the costs of advertising and notifications.

2.13 PUBLIC UTILITIES AND SERVICES

- 2.13.1 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.

2.14 ENFORCEMENT AND PENALTIES

- 2.14.1 The enforcement of this By-law, or any Resolution or Order enacted by the Council under *The Act* or any Regulation made thereunder, shall be in accordance with *The Act*.
- 2.14.2 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*.

- 2.14.3 Fines and penalties will be imposed as per *The Act*.
- 2.14.4 The Development 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.
- 2.14.5 Any person who undertakes, or cause 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 Development Officer so requiring, and shall not resume such development unless a permit has been issued or the permit reinstated.

SECTION 3: INTERPRETATION

3.1 RULES OF INTERPRETATION

- 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. The provisions of this By-law shall be interpreted to be the minimum regulations except where the abbreviation for, or word, *maximum*, is used, in which case the maximum regulation shall apply; and
 - g. 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 standards, the metric unit shall prevail.

3.3 HEIGHT CALCULATIONS

- 3.3.1 In determining whether a development conforms to the maximum height permissible in any Zoning District, the following features shall not be considered for the purpose of height determination:
- 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. Silos;
- g. Stock piles;
- h. Telecommunication structures;
- i. Masts, flagpoles or clearance markers; or
- j. Other similar erections as determined by the Development Officer.

3.4 ZONING DISTRICT MAPS AND BOUNDARIES

- 3.4.1 The Zoning District Maps provided herein form part of this By-law.
- 3.4.2 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 Development 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.
- 3.4.3 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.
- 3.4.4 Where a Zoning District boundary divides or splits a registered parcel of land into more than one Zoning District:
 - a. The disposition of the said boundaries shall be determined by dimensions indicated on the Zoning District Maps or by measurements directly scaled from the Zoning District Maps; and
 - b. Each such portion of the said parcel of land be used in accordance with the applicable Zoning District regulations of this By-law as if it were a separate title.

SECTION 4: DEFINITIONS

4.1 DEFINITIONS IN THIS BY-LAW

- 4.1.1 The terms and words in this By-law as defined in *The Act* have the same meaning expressed therein. Other terms and words, unless the context otherwise requires, are defined herein.
- 4.1.2 Use classes serve to group individual land uses into common functional or physical impact characteristics. The use classes of this section are used to define the range of uses which are permitted or conditionally permitted within the various Zoning Districts of this By-law.
- 4.1.3 The definitions provided in this section are not meant to be exclusive or restrictive. Reference should be made to the definition of the use class in determining whether or not a use is included within a particular use class.
- 4.1.4 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.

4.2 GENERAL DEFINITIONS

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

Accessibility means the ability of persons with disabilities to enter and use facilities without having to avoid significant obstacles that are not inherent in the design of the facility.

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 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.

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

Attached, when used in reference to a building, means 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.

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.

Calliper means the trunk diameter of a tree measured at a point 300 mm (12 in) above the top of the root ball.

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 Springfield.

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

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.

Designated Officer shall mean the Development Officer or any employee delegated certain authorities by the Development Officer to carry out a power or responsibility in accordance with the regulations under *The Act* or by the RM of Springfield.

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

Development means:

- a. the construction of a building;
- 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.

Development 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.

Development Plan means the RM of Springfield Development Plan adopted by by-law, as amended.

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

Farm Based Commerce means a class of business operations that are accessory to a principal farming operation and located on the same site but not necessarily agricultural in nature. Farm based commerce may entail occupations or industries related and accessory to the farm only and are intended to diversify on-farm economic activity.

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

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

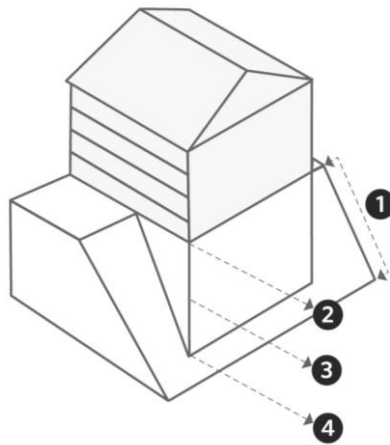
Feedlot means an outdoor area that is fenced to confine livestock solely for the purposes of growing or finishing, but does not include:

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

Floor Area Ratio (FAR) means the gross floor area of all building on a lot or site, divided by the lot or site area, except that such floor area does not include any area used for parking within the principal building and does not include any area used for incidental service storage, installations or mechanical equipment, penthouses housing HVAC systems, and similar uses.

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.

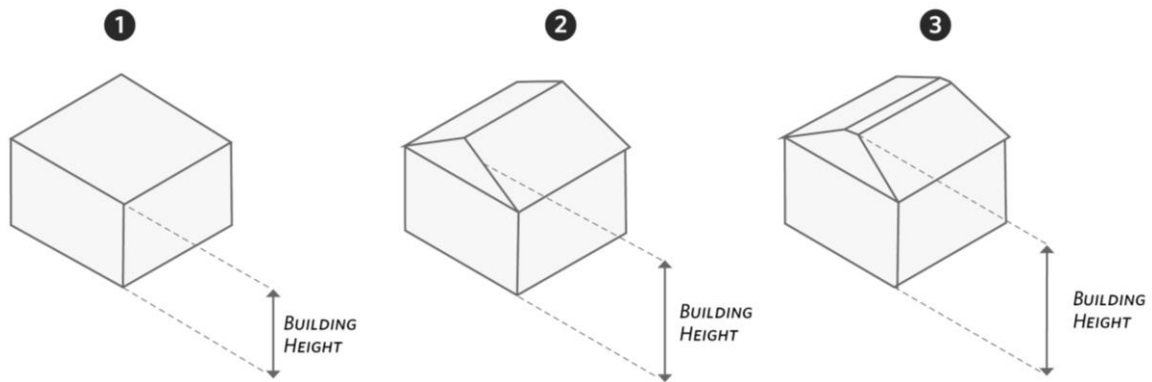


(1) Existing Grade; (2) High Grade; (3) Average Grade; (4) Low Grade

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

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

- c. the highest point of the roof in the case of a building with a flat roof (not parapet) or a roof having a slope equal to or less than 20 degrees;
- d. 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
- e. the deck of a mansard roof.



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

Home Based Commerce means a business operation that is accessory to the principal dwelling on a site. Home based commerce may include such uses as home occupations, home businesses or home industries or other specialized operations.

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

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

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

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

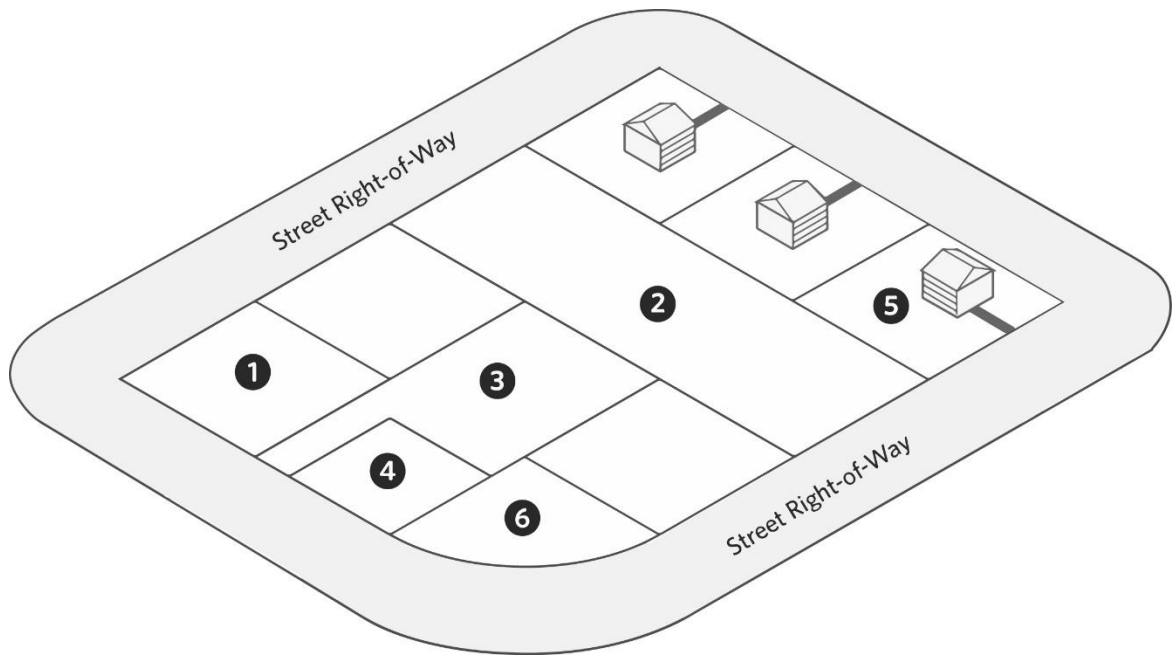
Lot, Flag means a lot lacking the required minimum lot width or frontage on an existing or proposed street but having direct access to the street through a narrow access point. Flag Lots have two distinct parts:

- 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.

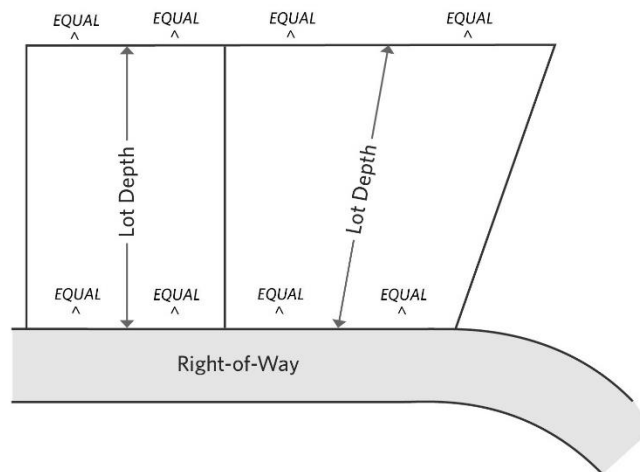
Lot, Reverse Corner means a corner lot in which the rear property line abuts the side lot line of an adjoining property.

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

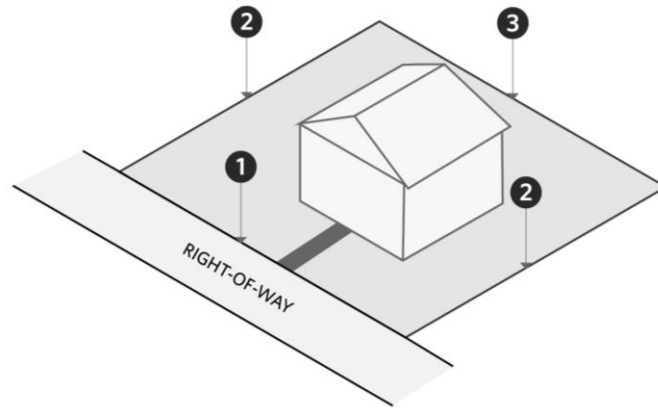
Lot Depth means the horizontal distance measured between the midpoint of the front lot line and the midpoint of the rear lot line.



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.

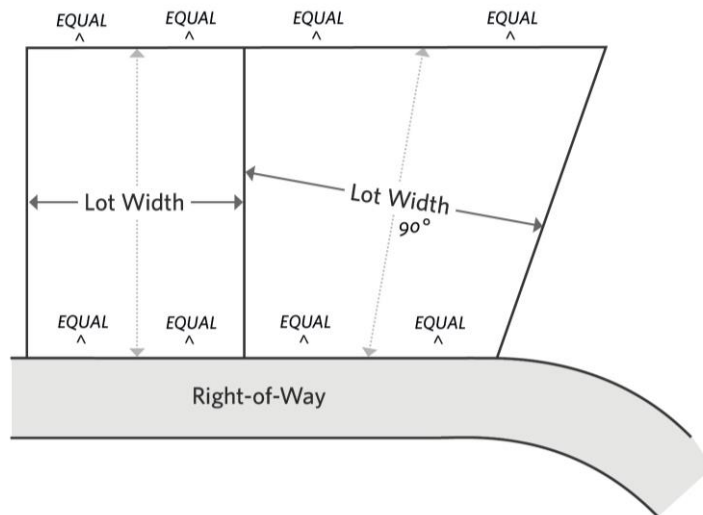
Lot Line, Rear means either the lot line which is furthest from and opposite the front lot line, or where such lot line does not exist, the point of intersection of any side lot lines which is further from and opposite the front lot line.

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.



Municipality means the RM of Springfield.

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

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

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

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.

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

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

Seasonal Feeding Area means an outdoor area other than a feedlot or grazing area, where

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

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

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

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

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

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

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

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

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

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

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

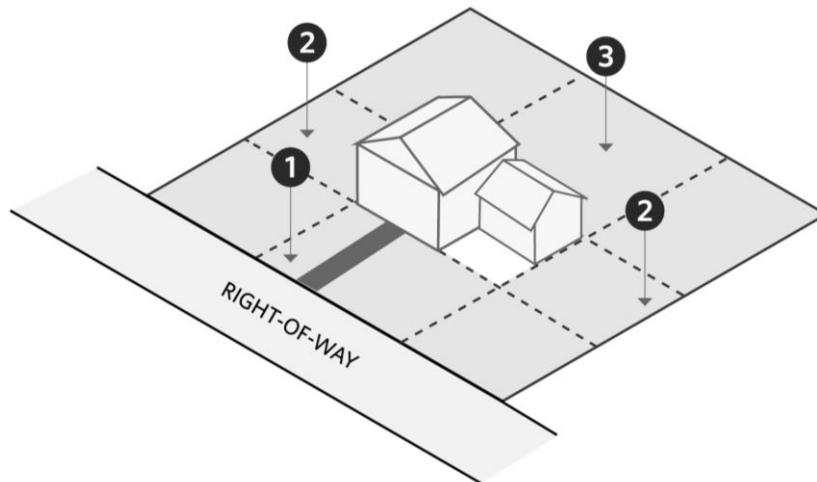
Temporary Uses, Buildings or Structures mean incidental uses, buildings or structures for which a permit has been issued for a limited time only.

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

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

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

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

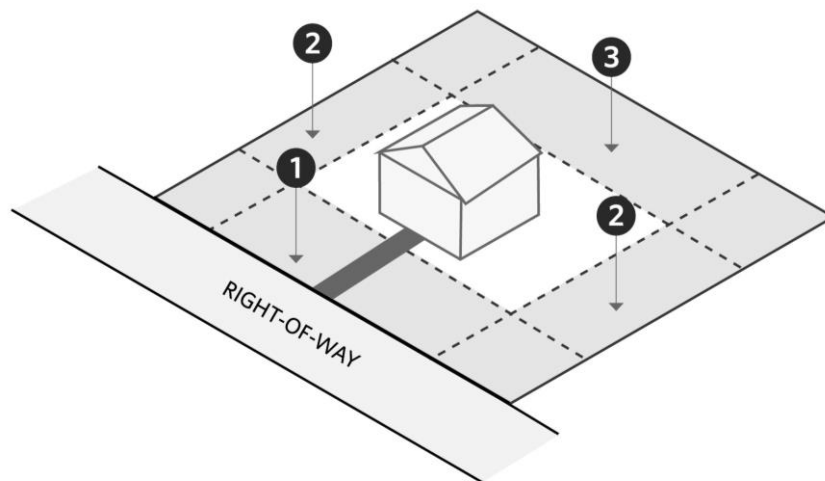
Yard, Rear means the portion of the site abutting the rear site line extending across the full width of the site, situated between the rear site line and the nearest wall of the principal building, not including any projections.

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

4.3 RESIDENTIAL USE CLASS DEFINITIONS

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.

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.

Modular Dwelling means a building assembly or system of building sub-assemblies manufactured in its entirety, or in substantial part, off-site and transported to the point of use for installation on-site, with or without other specified components, as a finished building or as part of a finished building in accordance with CSA building regulations. Modular homes need not have electrical, plumbing, heating, ventilation, insulation or other service systems, but when such systems are installed at the off-site manufacture or assembly point, they shall be deemed a part of such building or system of building assemblies. Modular homes do not include open frame construction which can be completely inspected onsite.

Planned Unit Development means a development planned as an entity in accordance with a unitary site plan, which permits flexibility in siting of buildings, mix of residential 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.

Special Needs Housing means a dwelling that is licensed or funded under an Act of the Parliament of Canada or the Province of Manitoba for the accommodation of up to three (3), exclusive of staff or receiving family, living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social or physical condition, require a group living arrangement for their well-being.

Tiny Dwelling means a residential dwelling that is less than 37.16 m² (400 ft²). Under this by-law, they are a permanent dwelling and not a tiny dwelling on a trailer.

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.

4.4 RESIDENTIAL RELATED USE CLASS DEFINITIONS

Group Home means a dwelling for four (4) or more residents that provides room and/or board and provides or requires 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 for no more than fifteen (15) individuals. The sponsoring entity typically imposes restrictions on the occupants.

4.5 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.

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

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 means a use involving the supply and storage of fuel, oil, and minor accessories, as well as service or repairs to motor vehicles. Uses may also include, but not be limited to, retail sale of related accessories and parts, convenience stores and car washes.

Contractor Services, Limited means development used for the provision of electrical, plumbing, heating, painting and similar contractor services and the accessory sale of goods normally associated

with the contractor services where all materials are kept within an enclosed building, and there are no accessory manufacturing activities.

Crematorium means a facility containing a properly installed, certified furnace or other apparatus intended for use in the incineration of deceased bodies.

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, art classes, recreational workshops, or similar uses.

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

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

Funeral Parlour means a facility for the storage of deceased bodies, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith, but does not include a crematorium.

Gas Bar means an establishment operated at a fixed location where gasoline or any other motor vehicle fuel is offered for sale to the public. This use does not include Automotive Service Stations.

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.

Household Repair Service means a development used for the provision of repair services to goods, equipment and appliances normally found within a dwelling unit. This Use Class includes radio, television and appliance repair shops, furniture refinishing and upholstery shops.

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, tattoos and body modifications shops, 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 including physical or mental therapy. Other facilities which may be part of the resort development include retail facilities, eating and drinking establishments, natural areas, or event spaces.

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.

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. No other business or service may be allowed to operate out of a rented storage space.

Special Event Facility means a premises whose primary purpose is to accommodate specific events, functions, celebrations, ceremonies, or similar activities for the benefit of someone other than the property owner that takes place on a periodic basis and involves the gathering of individuals assembled for the common purposes of attending the event. When licensed by the Government of Manitoba, the sale and consumption of alcohol is permitted.

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.

4.6 INDUSTRIAL USE CLASS DEFINITIONS

Aggregate Operation means the extraction of 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, soils and peat moss.

Bulk Storage Facility means a premises 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.

Concrete Batching Plant means a development used for the production of concrete or concrete products, and includes associated storage and office uses.

Contractor Services, General means development used for the provision of building and road construction services including landscaping, concrete, electrical, excavation, drilling, heating and plumbing or similar services of a construction nature which require on-site storage and warehouse space. Any sales, display, office or technical support service areas shall only be permitted as an accessory use.

Commercial Composting Facility means a facility designed and managed to facilitate the process of aerobic decomposition of 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, 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.

General Industrial, Heavy means the processing, assembly, servicing, storage, creation, transportation or repairing of goods or materials where such operations may have a high level of nuisance.

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

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.

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.

RTM, Modular Homes and Mobile Home Manufacturing, Sales and/or Rentals means a development used for the manufacturing, sale or rental of RTM, modular homes and mobile home.

Storage Compound means a development used exclusively for temporary outdoor storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land. Typical uses include vehicle storage compounds, automobile wrecking yards, automobile recycling facilities and salvage yards.

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

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.

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

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

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*. This does not include a home day care.

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.

Commercial School means an establishment offering training or instruction in the trades, arts, or vocations. Examples include beauty schools, dance schools, or vocational schools.

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.

Gun Clubs, Rifle or Archery Ranges, Outdoor means a place that is designed or intended for the safe discharge, on a regular and structured basis of firearms or bows for the purpose of target practice or target shooting.

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.

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 golf courses, driving ranges, ski hills, 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.

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.

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.

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

4.8 AGRICULTURAL USE CLASS DEFINITIONS

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

Agri-business 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.

Agri-tourism Operation means an agricultural 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, art classes, recreational workshops, and events related to the farm such as tours and event facilities.

Agricultural Activities means a use of land for agricultural purposes. Typical uses include farming, pasturage, agriculture, apiculture, aquaculture, floriculture and horticulture. This Use Class does not include Livestock Operations or Natural Resource Developments.

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

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

Agriculture Support Industry means an industry, commercial service or retail business in which the major product or service being bought, sold or processed is intended mainly for, from or by farmers. Typical uses include aerial spraying companies, grain storage including grain elevators, feed mills peat moss plants, seed plants. This Use Class does not include Anhydrous Ammonia 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.

Communal Farm Operation means a principal agricultural operation that has more than two (2) dwelling units and various accessory uses intended to support and diversify the livelihood of its residents. Accessory uses may include, but are not limited to, multi-unit dwellings, commercial or industrial operations, education facilities, and places of worship.

Equestrian Establishment means a facility engaged in the training of horses or the operation of a horse riding academy, horse riding, equine-assisted therapy, and/or boarding stables.

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

Livestock Operation means a facility or non-grazing area where livestock producing ten (10) or more AUs are kept or raised, either indoors or outdoors, and includes all associated 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.

4.9 ACCESSORY USE CLASS DEFINITIONS

Accessory Use, Building or Structure see **Accessory** definition in Section 4.2 General Definitions.

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

Bed and Breakfast means a type of home based commerce wherein sleeping accommodation with or without light meals is provided to members of the travelling public for remuneration within a principal dwelling unit.

Car Broker means a development used for the retail purchase and sale of used passenger vehicles from a single-unit dwelling. The use does not include Automotive Sales or Rental, Automotive Service Stations and recreational vehicle sales and/or convenience vehicle rentals.

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

Farm Diversification Operation means a type of farm based commerce accessory to an active farming operation wherein non-agricultural 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.

Guest Cabin means a building accessory to and subordinate to a permitted residential use designed to provide additional sleeping quarters for occasional guests of the owner and without kitchen facilities.

Home Business means a type of home based commerce 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 a type of home based commerce wherein operations may be within or external to a dwelling and minimal changes to the character or exterior of a dwelling are expected.

Home Occupation means a type of home based commerce 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 or temporary in nature. These are typically designed to store and transport cargo by ship, rail, or truck, whether or not it is actually used for such a purpose. Shipping containers may also be known as cargo containers, intermodal containers, and sea cans. For the purposes of this by-law, a shipping container does not have wheels, and does not include a motor vehicle.

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.

Off Road Vehicle Track means a facility used for the recreational racing of off-road motorized vehicles and may include limited retail and food or beverage service.

Poultry Keeping means a facility or area where poultry are kept or raised, either indoors or outdoors, and includes all associated facilities such as coops, etc.

Private Wind Turbine means a small scale electrical generating facility intended to primarily serve the electrical needs of the on-site user or consumer and not intended to produce power for resale.

Residential Related Farm means an accessory use where less than 10 AUs of livestock or other animals (excluding pets) are sheltered, bred, raised, or sold.

Secondary Suite means a self-contained accessory dwelling unit located within either a permanent single-unit dwelling or in a carriage house. A carriage house is a secondary suite located above a detached garage on the same zoning site as the single-unit dwelling. A secondary suite has its own separate cooking, sleeping and bath/toilet facilities. A carriage house has an entrance separate from the garage vehicle entrance, either from a common indoor landing or directly from the exterior of the structure.

Solar Energy Panels means an 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.

4.10 TEMPORARY USE CLASS DEFINITIONS

Carnival means a temporary use of land, buildings or structures for the purpose of providing or locating facilities for commercial entertainment and participatory amusement activities, including games, rides, midways and circuses.

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

Portable Asphalt/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.

Wayside Pit or Aggregate Operation 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 5: ZONING DISTRICTS

5.1 ZONING DISTRICTS ESTABLISHED

- 5.1.1 For the purposes of applying this By-law, the Municipality is divided into Zoning Districts found in Table 5-1. 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 5-1 – Zoning Districts

District Group	Symbol	District Name
<i>Residential Zones</i>	RS	Residential Single-Unit
	RT	Residential Two-Unit
	RM	Residential Multi-Unit
	RR	Rural Residential
<i>Commercial Zones</i>	CC	Commercial Central
	CH	Commercial Highway
<i>Industrial Zones</i>	MB	Industrial Business
	MG	Industrial General
	MX	Industrial Extractive
<i>Civic Zones</i>	R	Recreation
	I	Institutional
	N	Natural Lands
<i>Agricultural Zones</i>	AG	Agricultural General
	AR	Agricultural Restricted
<i>Mixed Zones</i>	GD	General Development
<i>Livestock Overlay Zones</i>	L1	Livestock General
	L2	Livestock Limited
	L3	Livestock Restricted
	L4	Livestock Prohibited

SECTION 6: ZONE DESCRIPTIONS

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.

6.1 RESIDENTIAL ZONING DISTRICTS

- 6.1.1 The Residential Single-Unit Zoning District is intended to accommodate primarily single-detached residential development in urban areas.
- 6.1.2 The Residential Two-Unit Zoning District is intended to accommodate single- and two-unit dwellings in urban areas.
- 6.1.3 The Residential Multi-Unit Zoning District is intended to accommodate single-, two- and multi-unit dwellings of higher densities in urban areas.
- 6.1.4 The Rural Residential Zoning District is intended to accommodate large lot residential development in rural settings.

6.2 COMMERCIAL ZONING DISTRICTS

- 6.2.1 The Commercial Central Zoning District is intended to accommodate neighbourhood scale commercial development typically found in urban areas.
- 6.2.2 The Commercial Highway Zoning District is intended to accommodate larger scale commercial development with a focus on providing services for the travelling public.

6.3 INDUSTRIAL ZONING DISTRICTS

- 6.3.1 The Industrial Business Zoning District is intended to accommodate industrial developments of light to medium intensity with lower levels of nuisance.
- 6.3.2 The Industrial General Zoning District is intended to accommodate industrial development of a medium to heavy intensity with higher levels of nuisance.
- 6.3.3 The Industrial Extractive Zoning District is intended to accommodate aggregate quarries and mining operations.

6.4 CIVIC ZONING DISTRICTS

- 6.4.1 The Recreation Zoning District is intended to accommodate passive and active recreation, tourism and commercial recreation enterprises in a rural setting.
- 6.4.2 The Institutional Zoning District is intended to accommodate both public and privately-operated facilities of an institutional, governance or community service nature.
- 6.4.3 The Natural Areas Zoning District is intended for those areas that are unsuitable for development due to flooding, unstable or poorly drained soils as well as areas with unique natural or wildlife habitats.

6.5 AGRICULTURAL ZONING DISTRICTS

- 6.5.1 The Agriculture General Zoning District is intended to accommodate a full range of agricultural uses.
- 6.5.2 The Agriculture Restricted Zoning District is intended to accommodate general agricultural uses, large lot residential development and smaller lot minimums than other agricultural areas in the Municipality.

6.6 MIXED ZONING DISTRICTS

- 6.6.1 The General Development Zoning District is intended to enhance and support specific areas in the Municipality, being those that are designated as General Development in the Development Plan, and accommodate a mix of land uses including various residential, commercial, industrial, and civic land uses.

6.7 LIVESTOCK OVERLAY ZONING DISTRICTS

- 6.7.1 The location of Livestock Overlay Zoning Districts is shown on the Livestock Operation Overlay Zones Map in Part D.
- 6.7.2 The Livestock General Overlay Zoning District provides for livestock operations with no maximum size limits, subject to municipal and provincial requirements.
- 6.7.3 The Livestock Limited Overlay Zoning District provides for new or expanding livestock operations to a maximum of 299 AUs, subject to municipal and provincial requirements.
- 6.7.4 The Livestock Restricted Overlay Zoning District provides for new livestock operations to a maximum of 50 AUs, and existing livestock operations can expand to a maximum of 100 AUs, subject to municipal and provincial requirements.
- 6.7.5 The Livestock Prohibited Overlay Zoning District prohibits new livestock operations from developing, or existing livestock operations from expanding.

PART C: DEVELOPMENT STANDARDS

SECTION 7: GENERAL DEVELOPMENT STANDARDS

7.1 APPLICABILITY

- 7.1.1 The provisions of this section shall apply to any development on any site, irrespective of the Zoning District in which it is located.

7.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

- 7.2.1 Where a proposed accessory building, structure or use is not specifically listed in the Accessory section of the Accessory and Temporary Use Table (Table 9-2) and does not clearly meet the definition of 'Accessory' as determined by the Development Officer (and is therefore not permitted under 'Accessory Uses, Buildings or Structures, not otherwise defined'), it may be considered by Council through a conditional use application in compliance with Section 2.6.
- 7.2.2 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.
- 7.2.3 Excluding farm buildings and related structures, no accessory building or structure shall be constructed on any site prior to the construction of the principal building or structure on the site.
- 7.2.4 Accessory buildings and structures shall not be located closer than 0.91 m (3 ft) clear of all projections to the principal building.
- 7.2.5 Accessory buildings and structures shall be subject to the dimensional standards for the Zoning District of the site.
- 7.2.6 The maximum height of any accessory building or structure on a site which abuts a site in the RS, RT, or RM Zoning District shall not be greater than the height of the principal building permitted in those Zoning Districts.

7.3 TEMPORARY BUILDINGS, STRUCTURES AND USES

- 7.3.1 A Development Permit for a temporary building, structure or use shall be subject to such terms and conditions as required by Council or the Development Officer.
- 7.3.2 Each Development Permit issued for a temporary building, structure or use shall be valid for a period of not more than twelve months and may not be renewed for more than one successive period at the same location. In the case of a temporary additional dwelling, the Development Permit shall be valid for the period identified as part of the conditional use and as required under Section 9.30.
- 7.3.3 In all cases, temporary buildings and structure shall not exceed 92.9 m² (1,000 ft²) in area and one storey or 4.57 m (15 ft) in height.

7.4 RESTRICTED AND PROHIBITED DEVELOPMENT

- 7.4.1 Nothing in this By-law, or in a Development Permit, 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.
- 7.4.2 No operations or activities shall emit air or water contaminants in excess of the standards prescribed by the Province of Manitoba pursuant to *The Environment Act* and the regulations pertaining thereto.
- 7.4.3 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. Land subject to flooding include:
- Lands that would be affected by the 1:200 year flood or by a recorded flood exceeding the 1:200 year flood; and
 - Lands that would be affected by water erosion within a 50 year period due to the action contained in an adjacent waterway or water body.
- 7.4.4 Activities that would accelerate flooding or erosion levels such as excavating and clearing will not be considered.
- 7.4.5 The Development Officer will forward development proposals in suspected hazard lands to the applicable Provincial authority for review and recommendations prior to consideration.
- 7.4.6 When development is proposed in suspected hazard areas, 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.
- 7.4.7 Any development on or near 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 capability of waterways to convey water flows and be constructed in a manner that would minimize property damage, public expenditure and public safety.
- 7.4.8 Where development is proposed in an area that, in the opinion of the Development 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 protection from flood damage.
- 7.4.9 No building or structure shall be built in an area that is subject to erosion, bank instability, landslide, or 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 the Development Officer that proper measures will be taken to deal with the unsuitability or hazard.
- 7.4.10 The following objects or uses are prohibited in the RS, RT, and RM Zoning Districts:
- Any commercial vehicle, loaded or unloaded, of a maximum weight exceeding 6,804 kg (10,000 lb) gross vehicle weight Class 2 (see **Appendix C**);
 - Any dismantled or wrecked vehicle for more than fourteen consecutive days unless otherwise authorized under *The Derelict Vehicle By-law*;
 - Any object or chattel which, in the opinion of the Development Officer or Council, is unsightly or tends to adversely affect the amenities of the areas; or
 - Any aboveground or below ground bulk storage.
- 7.4.11 No use or activity shall emit, or cause to emit, a noise either at or within the lot line of a site in the RS, RT, RM or GD Zoning Districts that exceeds the regulations of the Province of Manitoba pursuant to

The Environment Act and regulations pertaining thereto, or the RM of Springfield Noise By-law, as amended.

7.5 ONE DWELLING UNIT PER LOT

7.5.1 There shall be a maximum of one dwelling unit per lot or parcel of land, except for the following:

- a. Two Unit Dwellings, Townhouse Dwellings or Multi-Unit Dwellings;
- b. Temporary Additional Dwellings as provided for in this By-law;
- c. Mobile Home Dwellings as provided for in this By-law; and
- d. Secondary Suites as provided for in this By-law.

7.6 MOVEMENT OF BUILDINGS AND STRUCTURES

- 7.6.1 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.
- 7.6.2 Before moving a building or structure which is over 10 m² (107 ft²) in size to a new location within the Municipality, the owner shall obtain a development permit, that must be approved by the Municipality prior to issuance.
- 7.6.3 Before moving a building or structure to a new location, the owner may be required to enter into an agreement with the Municipality detailing the undertaking of the owner to pay all damages arising out of the move and such other terms and conditions as the Development Officer deems necessary.
- 7.6.4 A demolition permit is required prior to the removal of a building or structure from a site. All building code requirements must be adhered to for the 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 Development Officer within 30 days of the date of removal.

7.7 SUBDIVISION OF ATTACHED DWELLINGS OR COMMERCIAL UNITS

- 7.7.1 A site containing more than one attached dwelling or commercial unit may be subdivided to provide individual titles to one or more of the attached dwellings or commercial units, provided that:
- a. Any new site line shall be a straight line between the front and rear site lines, located in such a way that the party wall of the two adjacent units shall form part of the new site line. Where a site line is unable to be straight due to the irregular shape of the site, the location of the new site line shall be determined by the conditions of any subdivision approval and verified by the Development Officer;
 - b. Each site created shall have frontage on a public right-of-way, except in the case of a bareland condominium development as 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. In the case of an attached dwelling, each newly 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;
 - e. Notwithstanding the minimum dimensional requirements found in Table 10-1, any parcel created pursuant to this section shall not be required to meet the minimum dimensional standards following subdivision; and
 - f. No side yard is required along the newly created site line.

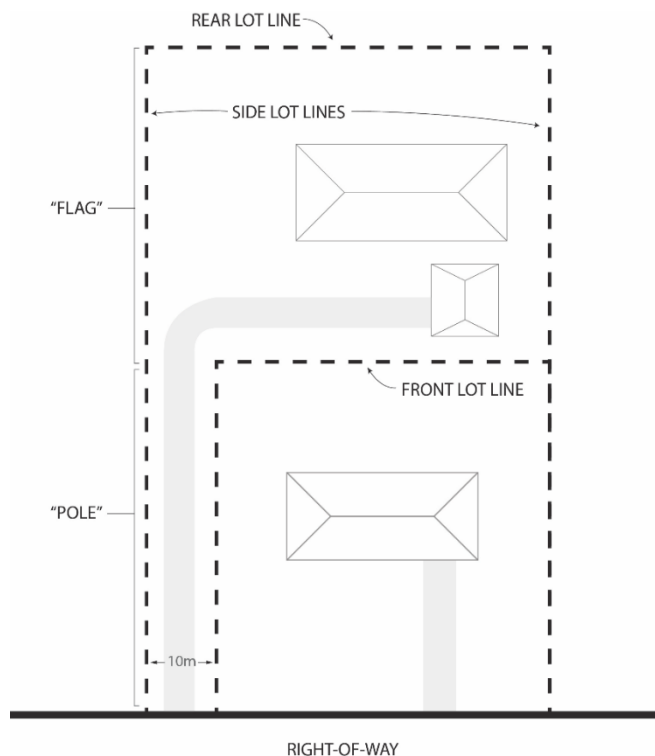
7.8 FRONTAGE, ACCESS AND APPROACHES

- 7.8.1 A Development Permit shall not be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on a graded all-weather registered road, or unless satisfactory arrangements have been made for legal access and/or the improvement or building of a road.
- 7.8.2 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.
- 7.8.3 A subdivision shall not be recommended for approval by Council unless the proposed sites and any un-subdivided remnant of the land being subdivided has frontage on a developed road, or otherwise legal access, including any road which is required to be registered and developed as a public road under a signed development and servicing agreement.
- 7.8.4 The requirement of a service road or internal subdivision roadway to provide access may be imposed as a condition of approval for any new development other than those deemed approved.
- 7.8.5 All site access from roads shall be to the satisfaction of Council with respect to location, design, and construction standards. Council shall take into account the physical capability and safety of the roads that are proposed to serve the development.
- 7.8.6 The Development Officer shall decide upon all approach applications and, based on location, drainage, traffic flow, sight lines, road standards, and safety considerations, may approve or refuse an application for an approach.
- 7.8.7 Adjacent parcels in agriculture and rural residential areas should share approaches to public roads where possible, or as otherwise determined by the Development Officer.
- 7.8.8 For residential uses, the location of vehicular approach ramps or driveways at the street line should be no closer than 7.5 m (24.6 ft) from the point of intersection of two property lines at a street intersection.
- 7.8.9 Access must be constructed in conformance with the most current standards and must be located separate and away from any utility valve locations unless otherwise determined by the Development Officer.
- 7.8.10 All driveways for corner lots must be accessed via an internal road, where available, unless otherwise determined by the Development Officer.
- 7.8.11 All access points off a public road must have a minimum width of 10 m (33 ft) of frontage, unless the Development Officer approved an otherwise legal access.

7.9 FLAG LOTS

- 7.9.1 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;

- (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;
 - (iii) For the purposes of calculating site area, only the flag portion of the lot shall be used; and
 - (iv) For the purposes of calculating site width, the midpoint of opposite site lines of the flag portion of the lot shall be used; and
- b. Shared access via easements to allow for use of the pole by another lot, may be used at the discretion of the Development Officer.



7.10 PROJECTIONS INTO YARDS

7.10.1 The following elements may project into or exist within a required yard, as provided for below:

- a. Unenclosed terraces, steps, stairs or ramps;
- b. Trees, shrubs and similar plantings;
- c. Trellises, flagpoles, lighting fixtures, lampposts and similar freestanding elements;
- d. Uncovered walks or driveways;
- e. Fences, retaining walls, screening and hedges;
- f. Recreational or play equipment; or
- g. Other such elements as determined by the Development Officer.

7.10.2 The following architectural elements are permitted to project into required yards, provided such projections do not exceed 0.61 m (2 ft):

- a. Window sills, bay or oriel windows;
- b. Eaves, gutters, canopies, awnings or shade structures;
- c. Lighting fixtures;

- d. Alcoves or vestibules not exceeding 4.65 m² (50 ft²);
- e. Balconies;
- f. Verandas or porches; or
- g. Other similar architectural elements as determined by the Development Officer.

7.10.3 Decks are permitted to project into side or rear yards no closer than 1.52 m (5 ft) from the property line.

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

7.10.5 No parking areas shall be located within the first 6.1 m (20 ft) of a required front yard or separation space in any Zoning District, with the exception of the MG, MB and MX Zones. This provision shall not prohibit the use of a required front yard for walkways and driveways as the Development Officer may consider necessary.

7.11 FRONT YARD ALIGNMENTS

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

7.12 PROTECTION OF RIGHT-OF-WAY SIGHT LINES

7.12.1 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 Development Officer.

7.13 CORNER VISION TRIANGLES

7.13.1 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.

7.14 LANDSCAPING AND BUFFERING

7.14.1 For development applications in the Residential, Commercial, Industrial, Civic and Mixed Zoning Districts, a landscaping plan is required, and no landscaping work shall be commenced unless the landscaping plan is approved by the Development Officer.

7.14.2 Notwithstanding Clause 7.14.1 above, a landscaping plan is not required for single- or two-unit dwellings.

7.14.3 A landscaping plan shall contain the following information for the site and its adjacent boulevards:

- a. All physical features existing or proposed, including vegetation, berms, contours, walls, fences, outdoor furniture and fixtures, surface utilities, and paving, etc.; and

- b. All shrubs and trees, whether existing or proposed, labelled by their common name, botanical name, and size.
- 7.14.4 Landscape buffers are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitate natural drainage. Landscape buffers, where required to separate uses from adjacent properties may require a minimum 1 m (3 ft) wide vegetative landscape buffer, unless a fence is required for other reasons.
- 7.14.5 For commercial use class developments, when planted, deciduous trees shall be at least 63 millimetres (mm) (2.5 inches (in)) caliper and coniferous trees shall have a minimum height of 2 m (6.56 ft).
- 7.14.6 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 Development Officer may allow or require alternative materials to be substituted.
- 7.14.7 The applicant shall be responsible for landscaping and proper maintenance of the site. The Development Officer shall 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.

7.15 PARKING

- 7.15.1 For the purposes of this By-law and the regulations found within this section, all required parking areas are to be located on-site.
- 7.15.2 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;
 - b. Parking areas shall have clearly marked approaches or driveways and be defined by a fence, curb, or other suitable boundary designed to provide an orderly appearance;
 - c. Lighting provided for parking areas shall be shielded and directed away from adjoining residential area and generally confined to the site;
 - d. 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;
 - e. Any parking area shall be of such a surface that will minimize the carrying of dirt or foreign matter onto the public right-of-way;
 - f. Parking areas provided for a use shall be used exclusively for the parking of employees, occupants, patrons or visitors of such use, unless otherwise permitted herein, and shall not be used for motor vehicle repair work or similar uses;
 - g. When any building, structure or use in existence on the effective date of this By-law is subsequently damaged or destroyed, and is reconstructed or re-established, the parking spaces maintained at the time of such damage or destruction shall be restored or continued in operation; 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.

- 7.15.3 Recreational vehicles are not allowed to park within the front yard of a residential use within the RS or RT Zoning District.
- 7.15.4 In the case of a multi-unit site, the Development Officer shall calculate the parking required for each individual use and the total shall be deemed to be the required parking for the site, unless the applicant can demonstrate to the satisfaction of Council, through a parking demand study, that there is a complementary use of the parking facilities which would warrant a reduction in the parking regulations.
- 7.15.5 No person shall erect, enlarge, or change the use of a site without providing and maintaining a minimum number of on-site parking spaces in accordance with the table below:

Table 7-1 – Required On-Site Parking Spaces

Use Class	Minimum Parking Spaces
Residential and Residential Related Uses	
<i>Multi-Unit Dwelling or Townhouse Dwelling</i>	1.5 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 m ² (100 ft ²) whichever is lesser
<i>Funeral Parlour</i>	1.0 space / 5 seating places
<i>Hotel or Motel</i>	1.0 spaces / guest rooms or sleeping units
<i>Retail Establishment</i>	1.0 space / 18.6 m ² (200 ft ²)
<i>Resort</i>	1.0 space / 4 persons maximum occupancy load
<i>Special Event Facility</i>	1.0 space / 4.65 m ² (50 ft ²)
<i>All other commercial uses</i>	1.0 space / 23.2 m ² (250 ft ²) but no less than 2 spaces
Industrial Uses	
<i>All industrial uses</i>	1.0 space / 92.9 m ² (1,000 ft ²) or 1.0 space / 5 employees, whichever is greater
Civic Uses	
<i>Assisted Living Facility</i>	1.0 space / bed
<i>Child Care Facility</i>	1.0 space / 2 employees
<i>School or Commercial School</i>	1.5 spaces / classroom, plus 1.0 space / 9.29 m ² (100 ft ²) of public area
<i>Place of Worship</i>	1.0 space / 5 seating places for the public or 1.0 space / 20 m ² (215.28 ft ²) of assembly room space, whichever is greater

Table 7-1 – Required On-Site Parking Spaces

Use Class	Minimum Parking Spaces
<i>Government Service</i>	1.0 space / 51.1 m ² (550 ft ²)
<i>Community Centres or Hall</i>	1.0 space / 10 seating places for the public or 1.0 space / 10 m ² (107.64 ft ²) used by patrons, whichever is greater
<i>All other civic uses</i>	Exempt
Agricultural Uses	
<i>Agri-business or Agri-tourism</i>	1.0 space / 92.9 m ² (1,000 ft ²) or 1.0 space / 5 employees, whichever is greater
<i>All other agricultural uses</i>	Exempt

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

- Parking space dimensions may vary depending on the angle measured perpendicular to the axis of the access aisle of the space provided. The dimensions of parking spaces shall be in accordance with the table below;
- All entrances and egress driveways shall be a minimum of 7.5 m (24.61 ft) and no closer than 7.5 m (24.61 ft) from the point of two property lines at a street intersection;
- Where an aisle serves two different types of angled parking, which are located across from each other, the largest required access aisle shall be provided; and
- Where access to a parking space is directly from a street or lane, the width of the adjacent street or lane may be computed as part of the required aisle width.

Table 7-2 – Parking Space Dimensional Standards

Angle of Parking	Minimum Width	Minimum Length	Minimum Aisle Width
<i>Parallel</i>	2.5 m (8.2 ft)	5.5 m (18.04 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>	2.5 m (8.2 ft)	5.5 m (18.04 ft)	7 m (22.97 ft)

7.16 ACCESSIBLE PARKING

- 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 at least the number of accessible parking spaces shown in the table below, based on the total number of parking spaces required in Table 7-3:

Table 7-3 – Required Accessible Parking Spaces

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

7.16.3 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.

7.17 LOADING

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

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

- a. Loading spaces must be located either within or abutting the building containing the use;
- 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.

7.17.3 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 Table 7-4:

Table 7-4 – 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 m ² (5,005.38 ft ²)	1
	465 m ² (5,005.38 ft ²) to 1,500 m ² (16,146.39 ft ²)	2
	Each additional 2,300 m ² (24,757.8 ft ²)	+1 (up to 5 max.)
<i>All other Industrial or Civic uses</i>	2,800 m ² (30,139.94 ft ²)	1
	Each additional 2,800 m ² (30,139.94 ft ²)	+1 (up to 5 max.)
<i>Uses not elsewhere classified and primarily concerned with the handling of goods</i>	Less than 1,858.06 m ² (20,000 ft ²)	1
	1,858.06 m ² (20,000 ft ²) to 4,645.06 m ² (49,999 ft ²)	2
	4,645.06 m ² (49,999 ft ²) or greater	3

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

Table 7-5 – Loading Space Dimensional Standards

Gross Floor Area of Principal Building	Minimum Area	Minimum Width	Minimum Height Clearance
<i>Buildings 1,400 m² (15,069.47 ft²) or less</i>	28 m ² (301.4 ft ²)	3 m (9.84 ft)	3.7 m (12.14 ft)
<i>Buildings larger than 1,400 m² (15,069.47 ft²)</i>	33.5 m ² (360.59 ft ²)	3 m (9.84 ft)	4.25 m (13.94 ft)

7.18 HARD SURFACING OF PARKING AND LOADING AREAS

- 7.18.1 Accessory parking and loading space provided or required in the CC or CH Zoning Districts shall be hard surfaced if such area lies in front or side of the principal building.
- 7.18.2 Accessory parking and loading space provided or required in the CC, CH or MB Zoning Districts, including access thereto, shall be hard surfaced if the access is from a public roadway which is hard surfaced.
- 7.18.3 Any area at the rear of the principal building provided or required for accessory parking and loading spaces in the CC, CH, MB, MG, or MX Zoning Districts need not be hard surfaced, but shall be of such a surface that will minimize the carrying of dirt or foreign matter onto the public roadway.

7.19 LIGHTING

- 7.19.1 The following provisions shall apply to all outdoor lighting for any development:
- 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;
 - 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.

7.20 FENCES AND SCREENING

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

Table 7-6 – Maximum Height for Fences and Screening

Yard	District Group				
	Residential and Mixed	Commercial	Industrial	Civic	Agricultural
<i>Front</i>	1.22 m (4 ft)	3.05 m (10 ft)	3.05 m (10 ft)	3.05 m (10 ft)	2 m (6.56 ft)
<i>Side and Rear</i>	2 m (6.56 ft)	3.05 m (10 ft)	3.05 m (10 ft)	3.05 m (10 ft)	2 m (6.56 ft)

- 7.20.3 For the purposes of this section, all fences shall be measured from the general ground level at a distance of 0.61 m (2 ft) from within the lot line of the site on which the fence is to be constructed, unless otherwise stated.
- 7.20.4 Electrified fencing shall be permitted for Equestrian Establishments, Game Farms, Livestock Operations or Residential Related Farms but shall not be electrified barbed wire fences.
- 7.20.5 Fences in the Commercial or Industrial Zoning Districts may include barbed wire on the top 0.61 m (2 ft) in the side and rear yards.

7.21 SITE EXCAVATION, STRIPPING AND GRADING

- 7.21.1 No buildings or structure shall be erected without first obtaining from the Development Officer written instructions as to the grade for the building or structures to be erected, which shall be in accordance with the RM of Springfield Lot Grade By-law.
- 7.21.2 A person wishing to excavate, strip or grade land shall provide the following details in the Development Permit application:
- a. The location and area of the site on which the excavation, stripping or grading is to take place;
 - b. The existing land use vegetation;
 - c. The type and dimensions of the excavation to be made, and the effect on existing drainage patterns; and
 - d. The condition in which the excavation is to be left when the operations are complete, or the final disposition to be made of the area from which the topsoil is to be removed, including the action which is to be taken for restoring the condition of the surface of the land to be affect, and for preventing, controlling or lessening the creation of erosion or dust from the land.

- 7.21.3 The Development Officer shall consider every application for a permit to excavate land and shall not issue a permit unless they are satisfied that:
- a. The operation will be carried out so as to create a minimum of dust and environmental disturbance; and
 - b. The operation is one which, in the opinion of the Development Officer, is reasonably necessary for the use and development of the land in question.
- 7.21.4 The Development Officer may require, as a condition of issuing a permit to excavate land, that the applicant take the precautions and follow the prescribed by the Development Officer for the prevention or control of dust or any other nuisance caused by the proposed operation, and for the reclamation of the site if required.

7.22 LAND DRAINAGE

- 7.22.1 A Development Permit shall be required for any drainage works undertaken on any lands, where it is proposed to alter or divert the natural course of a watercourse.
- 7.22.2 Notwithstanding any other regulation of this By-law, the Development Officer or Council may refuse a Development Permit for any drainage works to be undertaken on lands where it has been determined that such works would create an adverse effect on adjacent public or private lands or where adjacent drains are insufficient to accommodate the added surface water runoff.

7.23 GROUNDWATER PROTECTION

- 7.23.1 Development in areas sensitive to groundwater contamination, as outlined on the Groundwater Sensitivity Map in **Appendix D**, may require a site-specific hydrogeological assessment completed by a professional engineer licensed to practice in Manitoba, or a manure management plan approved by the Provincial authority having jurisdiction.

7.24 CONNECTION TO MUNICIPAL SERVICES

- 7.24.1 All new principal buildings constructed on a site that is serviced by Municipal sewer or water shall be connected to such services.

7.25 DEVELOPMENT ON ROAD ALLOWANCES

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

7.26 COMMUNICATION TOWERS

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

SECTION 8: DESIGN STANDARDS

8.1 APPLICABILITY

- 8.1.1 The provisions in this section shall apply to all residential, commercial and industrial developments located in the Zoning District in which they are permitted or conditional.

8.2 GENERAL DESIGN STANDARDS

- 8.2.1 The Development Officer or Council may require any surfaces or walls exposed to public view from beyond the site be improved where the appearance of such surface or wall is inconsistent with the finishing standards of the surrounding development.

8.3 COMMERCIAL MAIN STREET AREAS IN OAKBANK

- 8.3.1 The provisions of this sub-section shall apply to Commercial Central Zoned lands fronting onto PR 206 between Balsam Crescent / Oakwood Road 64N and Oakbank Drive within Oakbank in accordance with the policies of the Springfield Development Plan.
- 8.3.2 Sites in Oakbank along PR 206 containing a front yard area, such yards must have a minimum of one deciduous or coniferous tree for each 6.1 m (20 ft) of linear street frontage. Required trees may be clustered to provide visual interest as long as all other requirements of this section are met.
- 8.3.3 Parking lot interior landscaping is required for all commercial uses containing more than 20 parking spaces, in accordance with the following:
- a. Five percent (5%) of the gross parking area must be landscaped;
 - b. One deciduous or coniferous tree must be provided for each 30 m² (322 ft²) of parking area;
 - c. One shrub must be provided for each 10 m² (107 ft²) of parking area;
 - d. Landscaping must be distributed within the parking area so as to break up the expanse of impermeable surfacing;
 - e. Where landscaping is provided on an island within the parking area, such islands must be a minimum of 1.524 m (5 ft) in width; and
 - f. Required trees and shrubs may be clustered to create visual interest, but not impede site lines.
- 8.3.4 A landscaped buffer must be installed along the side or rear lot lines of any required parking or loading area accessory to any commercial use class where such parking area abuts any residential use class, in accordance with the following:
- a. Site buffering must have a landscaped area with at least one deciduous or coniferous tree and three shrubs for every linear 10 m (32.8 ft) where the abutting condition exists; and
 - b. An opaque wall, berm, fence and/or dense vegetative screen with a minimum combined height of 1.83 m (6 ft). Vegetative screens must be at least 1.2 m (4 ft) in height at the time of planting, with a future height of at least 1.83 m (6 ft) in total.
- 8.3.5 Each principal commercial building must have a clearly defined, highly visible main entrance for occupants and/or customers with features designed to emphasize the importance of the entrance, which must include at least two of the following features, the choice of features to be at the option of the owner:
- a. A canopy or portico;
 - b. A roof overhang;
 - c. A horizontal recess or projection;
 - d. An arcade or arch;
 - e. A peaked roof form;
 - f. An outside patio;
 - g. A display window;
 - h. Architectural tilework or mouldings integrated into the building design;
 - i. Plantings or landscaped areas integrated into the building design; or
 - j. Another architectural feature not found on the remainder of the building façade.

- 8.3.6 For commercial use classes that involve the retail sale of goods or services or would otherwise incur the patronage of the general public, a minimum 60% of the total horizontal building frontage of the main floor should be glass. Equivalent alternatives that would meet the design standards may be submitted and are subject to the approval of the Designated Officer.
- 8.3.7 For commercial uses along Main Street, parking should be encouraged to be located behind the building or in the side yard instead of in the front yard.

8.4 RESIDENTIAL USE DESIGN STANDARDS

- 8.4.1 In any development, the design, use of exterior finishing materials, and/or construction materials, shall be to the satisfaction of the Development Officer who may require, as far as reasonably practicable, that materials will be used which ensure that the standard of the buildings will be similar to, or better than, the standard of surrounding development.

8.5 COMMERCIAL USE DESIGN STANDARDS

- 8.5.1 All commercial developments shall be designed to:
- a. Convey an image of cohesive appearance and architectural character;
 - b. Ensure that offices, reception areas, and public areas are easily identifiable and visible from the public right-of-way; and
Be constructed and finished with durable materials to maintain the initial appearance of the development throughout its lifespan.
- 8.5.2 The location of the principal building on a commercial development site shall take into account:
- a. The setbacks and building placements of adjacent sites; and
 - b. The micro-climatic effects of building design, including shading and wind generation.
- 8.5.3 During the application process, the siting, access, parking and loading of the following commercial use class developments shall be subject to the review and satisfaction of the Development Officer who shall ensure that such developments do not interfere with the safety and transportation function of public roadways:
- a. Automotive Service Stations;
 - b. Gas Bars;
 - c. Eating and Drinking Establishments;
 - d. Retail Establishments;
 - e. Special Event Facilities; and
 - f. Drive Throughs.

8.6 INDUSTRIAL USE DESIGN STANDARDS

- 8.6.1 All industrial use class development in the MB Zoning District shall comply with the following design standards:
- a. The Development Officer may require that exposed projections outside the building, such as mechanical and electrical equipment, transformer ducts, or material handling equipment be screened from view from any public roadway, or from adjacent sites if, in their opinion, such projections are inconsistent with the character and appearance of surrounding development; and

- b. All buildings shall be constructed and finished with durable materials designed to maintain the initial appearance of the development throughout the lifespan of the project. The Development Officer may require the appearance of bare metal or cinder block walls exposed to public view be improved where, in their opinion, such walls are inconsistent with the finishing materials of surrounding development.

SECTION 9: USE STANDARDS

9.1 APPLICABILITY

- 9.1.1 The provisions of this section shall only apply to the listed developments in the specific Zoning Districts where they are a permitted or conditional.

9.2 REGULATION OF USES

- 9.2.1 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:
 - a. Is listed as permitted or conditional; or
 - b. Is an accessory use, building or structure to a permitted or conditional use.

9.3 USE TABLE ORGANIZATION

- 9.3.1 In Table 9-1 and Table 9-2, land uses and activities are classified into general 'use categories' based on common functional or physical characteristics, such as the type and intensity of land use, the type and number of customers or residents, how goods or services are managed or delivered, and/or other site specific conditions. This classification system provides a method for assigning present and future land uses into appropriate Zoning Districts. This classification does not list every use or activity that may appropriately exist within the categories and specific uses may be listed in one category when they may reasonably be listed in one or more other categories.
- 9.3.2 The use category titles in Table 9-1 are intended to operate as an indexing tool and do not form part of this By-law.
- 9.3.3 Use specific standards that apply to certain uses are noted in the Use Specific Standard Reference column in Table 9-1 and Table 9-2 and begin in Section 9.5.

9.4 USE TABLE SYMBOLS

- 9.4.1 In Table 9-1 and Table 9-2:
 - a. The letter *P* indicates a use is permitted;
 - b. The letter *C* indicates a use is conditionally permitted;
 - c. A blank cell indicates a use is prohibited.
 - d. A cross reference in the Use Specific Standard Reference column indicates a Use Specific Standard applies.

Table 9-1 – Principal Use Table

P = Permitted C = Conditional		Residential				Commercial		Industrial			Civic			Ag		Mix	Use Specific Standard Reference
Use Class / Type	Ref	RS	RT	RM	RR	CC	CH	MB	MG	MX	R	I	N	AG	AR	GD	
Residential																	
Mobile Home Dwelling	18				C									C	C	C	9.5
Multi-Unit Dwelling	18			P		C										C	9.5
Modular Dwelling	18				C									C	C	C	9.5
Planned Unit Development	19	P	P	P												P	9.6
Single-Unit Dwelling	19	P	P	C	P									P	P	P	9.5
Special Needs Housing	19	P	P	P	P									P	P	P	9.5
Tiny Dwelling	19	C	C	C	C									C	C	C	9.5
Townhouse Dwelling	19		C	P												C	9.5
Two-Unit Dwelling	19	C	P	P												C	9.5
Residential Related																	
Group Home	19			P	P									P	P	P	9.5
Commercial																	
Animal Breeding, Boarding or Shelter	19				C			P	P					P	P		
Auctioneering Establishment	19						P	P	P					C	C		
Auditorium, Theatre, Concert Hall or Cinema	19					C	C				P	P				C	
Automotive Sales or Rental	19						P	P	P							C	
Automotive Service Station	19						P	P	P							C	9.7
Contractor Service, Limited	19					P	P	P	P								
Crematorium	20					C	C	P	P			C				C	
Eating and Drinking Establishment	20					P	P	P	P							C	
Entertainment, Indoor	20					C	P	P	P		P	P				C	
Entertainment, Outdoor	20						C	C			P	C				C	
Equipment Rentals and Sales	20					C	P	P	P							C	
Funeral Parlour	20					P	P	P	P			P				P	
Gas Bar	20					C	P	P	P							C	9.7
Greenhouse, Plant or Tree Nursery	20				C	P	P	P			P			P	P	C	
Hotel or Motel	20					C	P	C								C	
Household Repair Service	20					P	P	P	P							P	
Office	20					P	P	P	P							P	
Parking Lot	20						P										

Table 9-1 – Principal Use Table

P = Permitted C = Conditional		Residential				Commercial		Industrial			Civic			Ag		Mix	Use Specific Standard Reference
Use Class / Type	Ref	RS	RT	RM	RR	CC	CH	MB	MG	MX	R	I	N	AG	AR	GD	
Personal Service Shop	20					P	P	P	P							P	
Resort	21					C	C				P						
Retail Establishment	21					P	P	P	P		P					C	9.8
Self or Mini Storage	21						P	P	P							C	
Special Event Facility	21				C	C					C	C		C	C	C	
Veterinary Hospital or Clinic	21				C	C	P	P	P					P	C	C	
Industrial																	
Aggregate Operation	21									P				C	C		9.9
Bulk Storage Facility	21						C	C	P					C			
Commercial Composting Facility	21								C					C	C		9.10
Concrete Batching Plant	21								P								
Contractor Service, General	21						C	C	P	C							
Fleet Service	21						C	P	P							C	
Freight or Trucking Operation	21						P	P	P								
General Industrial, Light	22						P	P	P							C	
General Industrial, Heavy	22							C	P	C							
Heavy Equipment Sales, Rental and Service	22						P	C	P					C			
Landscaping or Garden Contractor Establishment	22						P	P	P					P	C		
Mill or Forestry Related Establishment	22												C	C			
Recycling Depot	22							P	P					C		C	
RTM, Modular Homes and Mobile Home Manufacturing, Sales and/or Rentals	22						C	P	P								
Storage Compound	22								C								
Transportation Terminal	22						C	C	C							C	
Warehouse	22						P	P	P							C	
Wind Farm	22													C	C		
Civic																	
Airports, Landing Fields and Related Facilities	22													C	C		9.11
Assisted Living Facility	22	C	C	P	C	P						P				C	

Table 9-1 – Principal Use Table

P = Permitted C = Conditional		Residential				Commercial		Industrial			Civic			Ag		Mix	Use Specific Standard Reference
Use Class / Type	Ref	RS	RT	RM	RR	CC	CH	MB	MG	MX	R	I	N	AG	AR	GD	
Campground or RV Park	22						C				P						9.12
Cemetery	23											C		C	C	C	
Child Care Facility	23	C	C	C	C	P					P	P				C	
Community Centre or Hall	23	C	C	C	P	C					P	P			C	P	
Commercial School	23					P	P	P	P			P		C	C	C	
Government Service	23				P	P	P	P	P			P		P	P	P	
Gun Clubs, Rifle or Archery Ranges, Outdoor	23									C				C	C		
Hospitals, Clinics or Health Related Facility	23					P	P	P	P			P				C	
Library, Museum or Gallery	23	C	C	C		P	P				P	P				P	
Park	23	P	P	P	P	P	P	P	P		P	P	P			P	
Place of Worship	23	C	C	C	C	C	P	P			C	P		C	C	P	
Protective and Emergency Service	23	C	C	C	C	P	P	P	P	P	C	P	C	P	C	P	
Public or Private Club	23					C	C	C			P	C				P	
Recreation Facility, Indoor	23					C	P	P	P		P	C				C	
Recreation Facility, Outdoor	24					C	C				P		C	C		C	
School	24	C	C	C	C							P				P	
Utility Facility, Minor	24	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utility Facility, Major	24						P	P	P				P	P	P		
Wildlife or Conservation Reserve	24												P	P	P		
Agricultural																	
Abattoir	24								C					C			
Agri-business	24						C	C	C					P	C		
Agri-tourism Operation	24										C			C	C		
Agricultural Activities	24				P								P	P	P		
Agricultural Processing	24													C	C		
Agricultural Product Storage	24						C	C	C					P	P		
Agriculture Support Industry	24													P	C		
Anhydrous Ammonia Storage and Distribution Facility	25													C			9.13
Communal Farm Operation	25													P	P		

Table 9-1 – Principal Use Table

P = Permitted C = Conditional		Residential				Commercial		Industrial			Civic			Ag		Mix	Use Specific Standard Reference
Use Class / Type	Ref	RS	RT	RM	RR	CC	CH	MB	MG	MX	R	I	N	AG	AR	GD	
Equestrian Establishment <10 AU	25													P	P		
Equestrian Establishment 10+ AU	25	See Table 9-3															9.14
Game Farm	25													C	C		
Livestock Operation	25	See Table 9-3															9.14
Specialized Agriculture	25													P	P		

Table 9-2 – Accessory and Temporary Use Table

P = Permitted C = Conditional		Residential				Commercial		Industrial			Civic			Ag		Mix	Use Specific Standard Reference
Use Class / Type	Ref	RS	RT	RM	RR	CC	CH	MB	MG	MX	R	I	N	AG	AR	GD	
Accessory																	
Accessory Uses, Buildings or Structures, not otherwise defined	25	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	7.2
Animal Lodging	25	C			C									P	C	C	7.2, 9.15
Bed and Breakfast	25	C	C		C									P	C	C	7.2, 9.16
Car Broker	25				C									C	C	C	7.2, 9.17
Drive Through	25					P	P	P	P							P	7.2, 9.18
Farm Diversification Operation	25													C	C		7.2, 9.19
Farm Produce Outlet	25				C	C		C						P	P		7.2
Guest Cabin	25				C									C	C		7.2
Home Business	26	P	P	P	P									P	P	P	7.2, 9.20
Home Industry	26				C									P	C	C	7.2, 9.20
Home Occupation	26	P	P	P	P									P	P	P	7.2, 9.20
Metal Shipping Container	26	C	C	C	P	P	P	P	P	P	P	P		P	P	P	7.2, 9.21
Outdoor Storage	26						P	P	P	P							7.2
Off Road Vehicle Track	26				C				C	C				C	C		7.2, 9.22
Poultry Keeping	26	P	P		P									P	P	C	7.2, 9.23
Private Wind Turbine	26				C				C	C				C	C		7.2
Residential Related Farm	26				P									P	P	C	7.2, 9.24
Secondary Suite	26	C	C	C	C									C	C	C	7.2, 9.25
Signs	26	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	7.2, 9.26
Signs, Billboard	26						C					C		C	C	C	7.2, 9.26
Solar Energy Panels	26	P	P	P	P	P	P	P	P	C	P	P	P	P	P	P	7.2, 9.27
Swimming Pools	26	P	P	P	P	C	P	C			P	P		P	P	P	7.2, 9.28
Temporary																	
Carnival	26					C	C				P	C					7.3
Farmers' Market	26				P	P	P	P			P	P	P	P	P	P	7.3
Metal Shipping Container	26	C	C	C	P	P	P	P	P	P	P	P		P	P	P	7.3, 9.21
Portable Asphalt/Concrete Batching Plant	27									C				C			7.3, 9.29
Temporary Additional Dwelling	27				C									C	C	C	7.3, 9.30
Wayside Pit or Aggregate Operation	27									C				C	C		7.3, 9.31

9.5 DWELLING SETBACKS

9.5.1 No dwelling unit shall be located:

- a. Within 402.34 m (1,320 ft) of the boundary of an active waste disposal ground unless:
 - (i) A certified professional engineer of Manitoba determines that there will be no migration of methane gas; and
 - (ii) Approval has been obtained from the Provincial authority having jurisdiction.
- b. Within 467.2 m (1,500 ft) of the boundary of an active municipal sewage lagoon;
- c. Within 15.24 m (50 ft) from the edge of a right-of-way from a major gas distribution pipeline;
- d. Within 30.48 m (100 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 in the Development Plan, unless the site has been review by the Province of Manitoba and a recommendation has been provided that allows development to proceed.

9.5.2 Any dwelling unit, farm building, or structure (excluding structures regulated by other jurisdictions having authority) that exceeds a height of 30.48 m (100 ft) within a distance of 1.61 km (1 mile) from the approach area of an airport or aircraft landing field shall be deemed a conditional use.

9.5.3 Any new dwelling unit within 243.84 m (800 ft) of the property limits of an active Aggregate Operation or a site zoned MX shall be deemed a conditional use.

9.6 PLANNED UNIT DEVELOPMENTS

9.6.1 Planned Unit Developments should be consistent with the desired character for the area as set out in the Development Plan and any applicable Secondary Plan.

9.6.2 Dimensional standards outlined in Table 10-1 shall not apply to Planned Unit Developments.

9.6.3 Individual single-unit dwellings, mobile home dwellings, modular dwellings and tiny dwellings may be considered as part of a Planned Unit Development. Other uses, including two-unit and multi-unit dwellings, shall not be permitted.

9.6.4 Planned Unit Developments may be used to provide for smaller homes on smaller lots that may have shared greenspace and/or other amenities.

9.6.5 In addition to other submission regulations of this By-law, an application for a Planned Unit Development shall be accompanied with a detailed site plan. The detailed site plan should include the following items, where applicable:

- a. Location of the site boundaries;
- b. Planned location, height, and types of use of buildings and structures;
- c. Planned location of internal roads and entrances to the site;
- d. Planned location of any sidewalks and active transportation paths;
- e. Planned location of any communal and public facilities and spaces;
- f. Planned locations of any fencing, lighting, trees, shrubs, groundcover and plantings;
- g. Planned location of any vehicle parking; and
- h. Planned location of, if available, or a description of systems supplying electrical power, water, and collection of sewage and waste.

9.6.6 The separation space between buildings shall be provided as follows:

- a. A minimum depth of 6.71 m (22 ft) from any on-site roadway;
- b. A minimum depth of 4.57 m (15 ft) in the rear of a dwelling unit;

- c. A minimum depth of 1.52 m (5 ft) in the side of a dwelling unit; and
- d. The minimum separation distance shall be applied along the full length and height of the exterior wall.

9.6.7 For developments that have more than 10 dwelling units, the exteriors of the dwelling shall provide individuality and variety of building design in terms of setbacks, entrances, elevations and finishing materials.

9.6.8 Where parking facilities are required, the parking area shall:

- a. Have a minimum required area for each parking space of 16.75 m² (180.4 ft²), a minimum width of 2.5 m (8.2 ft), and a minimum length of 6.71 m (22 ft); and
- b. Be constructed so that the location of vehicular approach ramps or driveways at the street line are no closer than 6.71 m (22 ft) from the point of intersection of two property lines at a street intersection.

9.7 AUTOMOTIVE SERVICE STATIONS AND GAS BARS

9.7.1 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).

9.8 RETAIL ESTABLISHMENT

9.8.1 Retail establishments involving the sale of cannabis shall conform to all applicable federal and provincial government regulations and be located a minimum of 152.40 m (500 ft) from schools, child care facilities, and community centres or halls.

9.9 AGGREGATE OPERATION

9.9.1 In addition to the standard development application submission requirements, an applicant proposing to establish an Aggregate Operation, or expand an existing Aggregate Operation shall meet the requirements of the municipal aggregate by-law.

9.9.2 Applications for establishment or expansion of an Aggregate Operation comply with applicable Municipal and Provincial government regulations. Provincial government agencies may be consulted by the Development Officer prior to the issuance of a Development Permit.

9.9.3 No excavation shall occur within:

- a. 30 m (98.43 ft) from any property boundary, with the exception of sites that abut another aggregate operation or the required Provincial dimensions, whichever is more restrictive; or
- b. 150 m (492.15 ft) from any residential dwelling unit or the required Provincial dimensions, whichever is more restrictive.

9.9.4 The owner/operator of a new or expanding Aggregate Operation shall be required to enter into a development agreement with the Municipality prior to issuance of a Development Permit. Such development agreement shall be registered as a caveat against the title in the Land Titles Office and meet the requirements of the municipal aggregate by-law.

9.10 COMMERCIAL COMPOSTING FACILITY

9.10.1 Composting for commercial purposes in the Agricultural Zoning Districts must comply with the following regulations:

- a. The processing of composting material, including material undergoing initial decomposition and material undergoing secondary curing before being applied to land, must not occur within 30 m (98.43 ft) of any parcel boundary or domestic water supply intake, nor within 15 m (49.21 ft) of any natural watercourse or constructed ditch; and
- b. Initial decomposition of compostable waste for operations within 457.2 m (1,500 ft) of a residence must be contained in a vessel or on a site from which potential odours can be mitigated.

9.11 AIRPORT VICINITY AREAS

9.11.1 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.

9.11.2 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.

9.11.3 An application for a Development Permit involving property within the vicinity of an airport shall be accompanied by either:

- a. A statement from Transport Canada Aviation that the proposed development does not include obstructions that in any way exceed the obstruction limitation surfaces applicable to Lyncrest 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 Lyncrest Airport.

- 9.13.2 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.

9.14 LIVESTOCK OPERATIONS

- 9.14.1 Livestock operations shall be permitted in accordance with table below:

Table 9-3 – Livestock Operation Use Table

Livestock Operation Overlay Zone	Livestock Operation Uses by Animal Unit (AU) Size			
	0-50 AU (new)	0-100 AU (expanding)	51 – 299 AU (new or expanding)	300+ AU (new or expanding)
L1	P	P	P	C
L2	P	P	P	-
L3	P	C	-	-
L4	-	-	-	-

- 9.14.2 Notwithstanding any other provision of this By-law, any livestock operation involving 300 or more AUs shall be conditional 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.
- 9.14.3 All livestock operations shall meet the mutual separation distance as outlined in **Appendix B** based on the AU calculations and criteria outlined in **Appendix A**. Separation distances to designated areas will be measured to the boundaries of the designated areas as identified by the Development Officer.
- 9.14.4 For the purposes of this section of the By-law, the calculation of AUs shall be cumulative across the species as determined by the Province of Manitoba. See **Appendix A** for additional information.
- 9.14.5 In addition to the standard development application submissions regulations, applications for Livestock Operations producing up to and including 299 AU shall:
- Meet or exceed all applicable provincial or federal government environmental health regulations in force at the time of the permit application from the province for the expansion or modification of a livestock operation;
 - Obtain a Development Permit from the RM of Springfield prior to any development activity taking place on the site;
 - Meet or exceed any applicable site regulations for the site;
 - Have an adequate land base that is either owned or leased by the proponent to carry out the proposed operation requirements; and
 - Ensure all manure storage facilities and confinement facilities conform to all applicable provincial government regulations.

9.15 ANIMAL LODGING

- 9.15.1 An animal lodging operation shall only be carried out by an occupant of the dwelling unit to which it is accessory.

- 9.15.2 An animal lodging operation shall only be allowed a maximum of 5 domestic animals at any one time, including animals of the occupant of that dwelling unit.
- 9.15.3 One assistant, who is not a resident of the dwelling unit of the animal lodging operation may be employed in the operation.
- 9.15.4 There shall be no retail sale of goods from within the dwelling unit of an animal lodging operation.
- 9.15.5 An animal lodging 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.

9.16 BED AND BREAKFASTS

- 9.16.1 A bed and breakfast shall have no exterior display or advertisement larger than 0.37 m² (4 ft²) in area, provided that no sign shall be illuminated, and any sign must be compatible with the residential character of the area.
- 9.16.2 The bed and breakfast shall not generate vehicular traffic or parking that is in excess of what is normally characteristic of the area.
- 9.16.3 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.
- 9.16.4 A bed and breakfast shall have a maximum of:
 - a. Three bedrooms or bedroom suites in the RS, RT, RM or GD Zoning Districts; and
 - b. Six bedrooms or bedroom suites in the RR, CR, AR or AG Zoning Districts.
- 9.16.5 In addition to the parking regulations for the principal dwelling on the site, bed and breakfasts shall provide an additional on-site parking space for each bedroom or bedroom suite.
- 9.16.6 Bedrooms or bedroom suites in a bed and breakfast shall not have cooking facilities.
- 9.16.7 Approved smoke alarms 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.
- 9.16.8 An approved 2.2 kg (4.85 lb) multi-purpose portable fire extinguisher shall be visibly mounted near the kitchen exit door, preferably the door leading directly outdoors, or as directed by the Municipal Fire Chief.

9.17 CAR BROKER

- 9.17.1 A Car Broker shall comply with the following regulations:
 - a. The Car Broker operation shall be operated as an accessory use only, and shall not change the principal character or external appearance of the dwelling unit involved;
 - b. The Car Broker operation shall be limited to the purchase and sale of used passenger vehicles only;
 - c. Except as hereinafter provided, the passenger vehicles that are for sale shall be parked or stored at the rear of the dwelling unit on the site so as to be entirely screened from public view;
 - d. Notwithstanding subsection c above, a maximum of one passenger vehicle may be put on display for sale in the front yard of the site on which a Car Broker operation is located at any one time. Passenger vehicles on display cannot be placed within any road right-of-way and setback in accordance with The Highway Traffic Act, as required;

- e. The site on which a Car Broker operation is located shall be kept in a tidy, well-maintained manner to the satisfaction of the Development Officer;
- f. The Car Broker operation shall not generate pedestrian or vehicular traffic, or parking, in excess of that which is characteristic of the Zoning District in which it is located;
- g. The Car Broker operation shall be operated solely by the members of the family residing at the same dwelling unit on the site where the Car Broker operation is located without the employment of other persons;
- h. Any exterior display or advertisement of the Car Broker operation shall:
 - (i) Not exceed 0.37 m² (4 ft²) in area;
 - (ii) Not be illuminated; and
 - (iii) Be compatible with the character of the area.
- i. The maximum number of passenger vehicles for sale on-site at any one time shall be limited to six vehicles; and
- j. All Car Brokers must be operated in accordance with all plans and documents approved as part of the application.

9.18 DRIVE THROUGH FACILITIES

- 9.18.1 Existing parking or loading spaces must not be utilized as part of a drive-through lane.
- 9.18.2 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.
- 9.18.3 No portion of a drive through facility may project into a required front yard.
- 9.18.4 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 9-4 – Drive Through Stacking Requirements

Use	Inbound Stacking Spaces Required	Outbound Stacking Spaces Required
<i>Automatic Car Wash</i>	5 / bay	1
<i>Self-Serve Car Wash</i>	3/ bay	1
<i>Drive Through Oil Change Service</i>	3 / bay	1
<i>Bank or Financial Institution with an automated teller machine (ATM)</i>	3	1
<i>Restaurant with drive-through facility</i>	10 (7 before order box, 3 between order box and pickup window)	1
<i>Other Drive Through</i>	1	1

- 9.18.5 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.

- 9.18.6 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.

9.19 FARM DIVERSIFICATION OPERATIONS

- 9.19.1 All farm diversification operations shall comply with the following regulations:

- a. Farm diversification operations 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.
- b. Farm diversification operations shall only be located on a farmstead site and only be permitted as accessory to currently active agricultural operations;
- c. The farm diversification operation shall be valid so long as the principal use of the site is an active agricultural operation;
- d. 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 prior to issuing a Development Permit;
- e. 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;
- 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. Any increase in the operation as originally applied for or approved shall require a new approval, including additional staff, new accessory buildings or structures, etc.
- h. 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
- i. 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.

9.20 HOME OCCUPATIONS, BUSINESSES AND INDUSTRIES

- 9.20.1 All Home Occupations, Businesses and Industries shall comply with the following general regulations:

- a. All Home Occupation, Businesses and Industries must be accessory to a privately owned residential dwelling;
- b. All Home Occupation, 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. Home Occupation, 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.
- d. A permit for a Home Occupation, Business or Industry is not transferable to a new owner;
- e. A Home Occupation, Business or Industry shall not be permitted if, in the opinion of the Development Officer, 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

- f. 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.

9.20.2 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 is not able meet any one of the following conditions is considered a Home Business or Industry and is subject to subsequent provisions in this section.

- 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 m² (400 ft²);
- d. The principal in person sale of retail goods is not permitted; however accessory in person sale of retail goods may be allowed;
- 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, but excluding personal passenger vehicles with business identification;
- 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 m² (6 ft²) in area, indicating the name of the occupant and/or home occupation; and
- g. Automotive or construction related business are prohibited.

9.20.3 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 is not able meet any one of the following conditions is considered a home industry and is subject to subsequent provisions in this section.

- 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;
- c. The cumulative area of the principal dwelling or accessory building used for the home business shall not exceed 92.9 m² (1000 ft²) in area;
- d. The principal and/or accessory in person sale of retail 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 but excluding personal passenger vehicles with business identification
- f. A home business shall be permitted one attached identification sign not exceed 0.56 m² (6 ft²) in area, indicating the name of the occupant and/or home business;
- g. 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) Must follow all provincial regulations;
 - (ii) The use is limited to single-unit dwellings only; and
 - (iii) 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.

9.20.4 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 278.71 m² (3,000 ft²) in area;
- d. The principal or accessory sale of retail 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 Development Officer; and
 - (iii) The storage shall not project above the height of the fence or screening.
- f. There shall be no mechanical or electrical equipment used which creates noise, or visible and audible interference in radio or television reception in adjacent dwelling units;
- g. A home industry shall be permitted one identification sign not exceed 0.75 m² (8 ft²) in area, indicating the name of the occupant and/or home business.

9.21 METAL SHIPPING CONTAINERS

9.21.1 Metal shipping containers must adhere to the following standards:

- a. If used for more than 90 days per calendar year, a shipping container shall be considered an accessory structure and:
 - (i) Must meet the requirements for accessory uses in the zone in which it is located; and
 - (ii) In residential zones, must be finished (i.e.: painted) in a manner that is consistent with surrounding development. The Development Officer may require the shipping container to be improved (i.e.: painted a neutral colour or complement the colour of the principal building) where, in their opinion, it is causing a visual nuisance.
- b. If used for less than 90 days per calendar year, a shipping container shall be considered a temporary use and:
 - (i) Must meet the requirement for temporary uses and structures in this By-law; and
 - (ii) Should generally be kept out of sight of public view.
- c. If stacked, shipping containers must not exceed the maximum height for accessory buildings or structures in the zone in which it is located.

9.21.2 Any development permit approving a shipping container should include conditions regarding the number of shipping containers allowed on the site and may necessitate a site plan.

9.22 OFF ROAD VEHICLE TRACK

- 9.22.1 Off road vehicle tracks shall be located a minimum of 61 m (200 ft) from any dwelling unit.
- 9.22.2 A minimum landscaped buffer of 9.14 m (30 ft) shall be required between an off road track and any abutting dwelling unit.
- 9.22.3 During all hours of operation, a responsible supervisor holding a valid first aid credential shall be on duty.
- 9.22.4 Dust control measures and all site ingress and egress to the site are subject to approval from the Development Officer.
- 9.22.5 The fueling, storage or repair of vehicles on site is prohibited.

9.23 POULTRY KEEPING

- 9.23.1 Notwithstanding the provisions of Section 9.24, the following provisions shall apply to the keeping of poultry:
- a. Where permitted, no more than eight (8) hens and no roosters may be kept;
 - b. A chicken coop and enclosure is required and must meet the following standards:
 - (i) Shall be located in the rear yard of the site;
 - (ii) Shall be positioned a minimum of 4.6 m (15 ft) from any neighbouring property line;
 - (iii) All areas shall be kept in a clean and tidy manner as determined by the Springfield Animal Control Officer; and
 - (iv) Enclosures may be no larger than 9.29 m² (100 ft²) and covered entirely on all sides and top by chicken-grade fencing.

9.24 RESIDENTIAL RELATED FARMS

- 9.24.1 Residential Related Farms may only be permitted in conjunction with a single-unit dwelling.
- 9.24.2 Residential Related Farms may include Equestrian Establishments <10 AU.
- 9.24.3 The minimum site area for a residential site with accessory Residential Related Farms shall be 2.02 ha (5 ac).
- 9.24.4 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 A**, or as determined by the Province of Manitoba.
- 9.24.5 The use of land or structures for Residential Related Farms shall be limited to 1.33 AU per 0.8 ha (2 ac) of land to a maximum of 9.9 AU.
- 9.24.6 Buildings or structures associated with said Residential Related Farms shall be a minimum distance of 15.24 m (50 ft) from any lot line.

9.25 SECONDARY SUITES

- 9.25.1 No more than one Secondary Suite shall be permitted on a single zoning site.
- 9.25.2 The exterior of the Secondary Suite should incorporate building materials, textures, and colours that are similar to those found on the principal building.
- 9.25.3 The following regulations apply to a Secondary Suite that is within or attached to a principal dwelling:
- a. The principal dwelling must be an existing permanent structure; and
 - b. The maximum floor area shall not exceed 40% of the total habitable floor space of the principal dwelling or 92.9 m² (1,000 ft²) including any finished basement space, whichever is the lesser;
- 9.25.4 The following regulations apply to a detached Secondary Suite (carriage house):
- a. The maximum floor area shall be no greater than 111.48 m² (1,200 ft²) or shall not exceed the maximum lot coverage for accessory structures as permitted within the zoning bylaw, whichever is the lesser; and
 - b. The maximum building height shall be no greater than 8 m (26.2 ft) from grade.
- 9.25.5 Where a property with a detached Secondary Suite backs onto a public lane, public right-of-way, public park, or a property zoned for commercial or industrial uses, the Secondary Suite may project into a required rear yard but must be setback a minimum of 3 m (9.8 ft).

- 9.25.6 A minimum of one on-site parking space must be provided.
- 9.25.7 A mobile home manufactured under the CSA Z240 MH certification shall not be used as a Secondary Suite.
- 9.25.8 A Tiny Dwelling shall not be used as a Secondary Suite.

9.26 SIGNS

- 9.26.1 No person shall erect a sign without first obtaining a Development Permit, unless otherwise specific herein, and no Development Permit to erect a sign shall be issued unless all the sign regulations and yard requirements of this By-law have been satisfied.
- 9.26.2 No sign shall be erected, operated, used or maintained which:
- Creates a nuisance, obstructs visibility, or in any way interfere with public safety;
 - 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 Development Officer or Council;
 - Display lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance, and other emergency vehicles;
 - Allows a swinging motion or contains moving parts;
 - Is located on the roof of a building or structure;
 - Is painted on a fence or roof; or
 - Is located in a public right-of-way or sidewalk area.
- 9.26.3 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:
- Signs less than 0.6 m² (6.46 ft²) in area, advertising the sale, lease or rent of property, premises or buildings on that site;
 - 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;
 - One temporary sign per site including garage sale signs, auction signs, real estate signs or election signs; (please see section 9.26.13)
 - Non-illuminated directional signs, each sign not to exceed 0.5 m² (5.38 ft²) in sign area;
 - 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
 - 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.
- 9.26.4 The following signs do not require a Development Permit:
- For single- and two-unit dwellings, one building identification sign not exceeding 0.14 m² (1.5 ft²) in area;
 - For institutional uses, one building identification sign not exceeding 4.65 m² (50 ft²) in area;
 - 'No Trespassing,' 'Private Property,' or 'No Hunting' signs; and
 - Any sign that cannot be seen from off the premises.
- 9.26.5 The following signs shall be prohibited in all Zoning Districts:
- Signs with animations or moving parts;
 - Signs located on the roof of buildings or structures; or
 - Signs painted on fences or roofs.
- 9.26.6 The following regulations shall apply to abandoned or unlawful signs:

- a. Where the Development Officer finds a sign to be abandoned, the Development Officer may, after resolution of Council, by notice in writing or by registered mail, order the registered owner, the person in possession of the site or building, or the person responsible for the abandoned sign to remove the sign within twenty days after receipt of the notice, or take such measures as are specified in the notice to alter or refurbish the sign so that it performs its purpose correctly;
- b. Where a sign contravenes the regulations of this By-law, Council may, by notice in writing, order the owner or the person responsible for the contravening sign to take such measures as are specified in the notice to alter the sign so that it complies with the regulations of this By-law, or remove the sign; and
- c. Failure to remove an abandoned 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.

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

Table 9-5 – Permitted Sign Types and Forms

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

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

Table 9-6 – Sign Types and Forms Dimensional Standards

Use Class	Permitted Type	Permitted Form	Surface Area	Height
Residential or Residential Related Uses	Identification (building or use)	Attached or Free Standing	0.37 m ² (4 ft ²) or 1.49 m ² (16 ft ²) for real estate signs	3.05 m (10 ft) or 6.10 m (20 ft) for real estate signs
	Directional	Attached or Free Standing	0.37 m ² (4 ft ²)	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 m ² (200 ft ²) for single occupancy or maximum 55.74 m ² (600 ft ²) for multiple occupancy	10.67 m (35 ft)

Table 9-6 – Sign Types and Forms Dimensional Standards

Use Class	Permitted Type	Permitted Form	Surface Area	Height
		Free Standing	18.58 m ² (200 ft ²) for single occupancy or 55.74 m ² (600 ft ²) for multiple occupancy	10.67 m (35 ft)
	Directional	Attached or Free Standing	1.115 m ² (12 ft ²)	10.67 m (35 ft)
	Temporary	Free Standing	4.65 m ² (50 ft ²)	10.67 m (35 ft)
Civic Uses	Identification (building or use)	Attached or Free Standing	4.65 m ² (50 ft ²) or 2.32 m ² (25 ft ²) if it abuts a Residential or Residential Related Use Class	10.67 m (35 ft)
	Directional	Attached or Free Standing	1.115 m ² (12 ft ²)	10.67 m (35 ft)
Agricultural Uses	Identification (building or use)	Attached or Free Standing	2.97 m ² (32 ft ²)	10.67 m (35 ft)
	Temporary	Free Standing	4.65 m ² (50 ft ²)	10.67 m (35 ft)

- 9.26.9 Free Standing signs are limited to no more than one per lot, except on a corner lot or through lot. The Development Officer or Council may allow more than one free standing sign if warranted by the site-specific characteristics or circumstances.
- 9.26.10 For the purposes of this section, each occupant in a multiple occupancy lot or building shall be considered on an individual basis.
- 9.26.11 Notwithstanding anything elsewhere contained in this By-law, the following regulations shall apply to mobile signs:
- Mobile signs are only allowed in the AG, AR, CC, CH, CR, MB or MG Zoning Districts;
 - The mobile sign shall be removed from the site upon the expiry date of the mobile sign permit;
 - 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 19.81 m (65 ft) apart;
 - Any flashing or scintillating mobile signs shall not be located within 60.96 m (200 ft) of a RS, RT, RM or GD Zoning Districts;
 - No mobile sign shall be located within 3.05 m (10 ft) of the nearest part of an entrance or exit;
 - The maximum height for all mobile signs shall be 3.05 m (10 ft) measured from grade to the highest part of the sign;
 - The maximum duration of a mobile sign on a site is ninety (90) consecutive days per calendar year; and
 - 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.

9.26.12 Notwithstanding anything elsewhere contained in this By-law, the following regulations shall apply to a temporary sign that provides information dealing with land development or construction:

- a. The maximum sign surface area of a land development or construction sign is 13.94 m² (150 ft²);
- b. No land development or construction sign shall be located within 3.05 m (10 ft) of the nearest part of an entrance or exit;
- c. A land development or construction sign shall be removed within thirty days of the last sale of any lots or buildings, or upon completion of the construction, or at the discretion of the Development Officer; and
- d. An applicant for a land development or construction sign must sign a letter indicating they will comply with the regulations in this section and agree to a date when the land development or construction sign will be removed.

9.26.13 Notwithstanding anything elsewhere contained in this By-law, or the regulations of Section 9.26.12, the following regulations shall apply to temporary signs:

- a. No temporary sign shall be located within 3.05 m (10 ft) to the nearest part of an entrance or exit; and
- b. All temporary signs shall be removed within seven days after the date of the advertised community event or at the discretion of the Development Officer.

9.26.14 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 m² (200 ft²).

9.27 SOLAR ENERGY PANELS

9.27.1 All solar energy systems must meet the following standards:

- a. Any solar energy system not connected to a building shall adhere to the same setback and height restrictions for accessory buildings for the zone in which the installation is situated;
- b. A roof or wall-mounted solar collector shall not exceed, in size, the total square footage of the principal structure to which it is mounted;
- c. A solar collector that is mounted on a roof may project a maximum of 2 m (6.56 ft) from the surface of the roof but may not extend beyond the outermost edge of the roof; and
- d. A solar energy system that is mounted on a wall may project a maximum of 0.61 m (2 ft) from the surface of the wall and must be located a minimum of 2 m (6.56 ft) from grade.

9.28 SWIMMING POOLS

9.28.1 No swimming pool or hot tub shall be located closer than 1.52 m (5.0 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.

9.28.2 Outdoor hot tubs shall have a lockable cover.

9.28.3 All swimming pools or hot tubs shall follow any applicable National and Provincial regulations and requirements.

9.29 PORTABLE ASPHALT BATCHING PLANTS

- 9.29.1 Where approved, a conditional use for a portable asphalt batching plant shall require the landowner or the applicant to enter into a development agreement with the municipality to cover such matters deemed necessary by the Development Officer or Council.

9.30 TEMPORARY ADDITIONAL DWELLINGS

- 9.30.1 All temporary additional dwellings must meet the regulations established in Section 7.3 – Temporary Buildings, Structures and Uses.
- 9.30.2 A temporary additional dwelling shall be installed on a site in the following cases:
- a. To provide care or assistance to an individual;
 - b. Where a dwelling is required for an individual who significantly participates in an agricultural operation and derives an income from said agricultural operation; or
 - c. As temporary accommodation while a permanent dwelling is being constructed on the same site.
- 9.30.3 A temporary additional dwelling must be constructed in accordance with CSA and/or applicable building code regulations.
- 9.30.4 Temporary additional dwellings shall not include a basement but may include a crawl space if required.
- 9.30.5 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. All temporary additional dwellings must be removed by the property owner upon the cessation of its Council approved occupancy.
- 9.30.6 Council may impose additional conditions on the installation of a proposed temporary additional dwelling deemed necessary to protect adjacent sites in the public welfare.
- 9.30.7 Temporary additional dwellings must be operated in accordance with all plans and documents approved as part of the application.

9.31 WAYSIDE PITS AND QUARRIES

- 9.31.1 Wayside pits and quarries should be located at least:
- a. 1,524 m (5,000 ft) from Oakbank, Dugald, Anola (measured from the edge of any urban zones), or any GD Zoning District;
 - b. 792.48 m (2,600 ft) from any Residential, Residential Related, or Civic use class located outside Oakbank, Dugald, Anola (measured from the edge of any urban zones), or any GD Zoning District; and
 - c. 150 m (492.13 ft) from the edge of the rights-of-way of a Provincial Trunk Highway or Provincial Road.

SECTION 10: DIMENSIONAL STANDARDS

10.1 APPLICABILITY

- 10.1.1 The provisions of this section shall apply 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 District Maps in Part D of this By-law.

10.2 SITE REGULATIONS

- 10.2.1 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 10-1 through 10-3, with the exception of development lawfully established prior to the effective date of this By-law.
- 10.2.2 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.

10.3 DIMENSIONAL TABLE ORGANIZATION

- 10.3.1 In Tables 10-1 through 10-3, 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 a specific Zoning District.

10.4 DIMENSIONAL TABLE SYMBOLS

- 10.4.1 In Tables 10-1 through 10-3, dimensional standards are expressed in metric units first and [imperial units] second.
- 10.4.2 Special notes are denoted with numbers (①, ②, ③, etc.).

10.5 RESIDENTIAL AND MIXED ZONING DISTRICT DIMENSIONAL STANDARDS

- 10.5.1 No person may erect a building or structure in any Residential or Mixed Zoning District unless the building or structure complies with Table 10-1 below or the regulations pertaining to that specific development or zone found herein:

Table 10-1 – Residential and Mixed Zoning District Dimensional Standards

ZONE	USE TYPE	SITE		YARDS				OTHER		
		MINIMUM SITE AREA	MINIMUM WIDTH	MINIMUM FRONT YARD	MINIMUM SIDE		MINIMUM REAR YARD	ACCESSORY BUILDING(S) AREA MAX	MAXIMUM HEIGHT ⑤	MAXIMUM SITE COVERAGE
					INTERIOR YARD	CORNER YARD				
RS	Principal	464.51 [5,000]	15.24 [50]	7.62 [25]	1.52 [5]	3.05 [10]	6.1 [20]	-	2.5 storeys; 10.67 [35]	40%
	Accessory	-	-	7.62 [25]	0.61 [2]	3.05 [10]	0.61 [2]	74.32 [800]	1 storey; 4.57 [15]	-
RT	Principal	650.32 [7,000]	22.86 [75]	7.62 [25]	1.52 [5]	4.57 [15]	7.62 [25]	-	2.5 storeys; 10.67 [35]	50%
	Accessory	-	-	7.62 [25]	0.61 [2]	4.57 [15]	0.61 [2]	74.32 [800]	1 storey; 4.57 [15]	-
RM	Principal (Townhouse)	278.7/unit [3,000]	9.14/unit [30]	7.62 [25]	3.05 [10]	4.57 [15]	7.62 [25]	-	10.67 [35]	60%
	Principal (Multi-unit)	①	30.48 [100]	9.14 [30]	4.57 [15]	4.57 [15]	7.62 [25]	-	3 storeys; 10.67 [35] ⑥	60%
	Principal (Other)	See 10.5.2 and 10.5.3								
	Accessory	-	-	7.62 [25]	3.05 [10]	4.57 [15]	4.57 [15]	-	4.57 [15]	10%
RR	Principal	2.02 ha [5 ac] ②	91.44 [300]	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	-	2.5 storeys; 10.67 [35]	10%
	Accessory	-	-	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	464.52 [5,000]	9.15 [30]	-
GD	Principal	0.8 ha [2 ac]	61 [200]	7.62 [25]	7.62 [25]	7.62 [25]	7.62 [25]	-	2.5 storeys; 10.67 [35]	③
	Accessory	-	-	7.62 [25]	④	④	④	185.8 [2,000]	9.15 [30]	-

Table Notes:

① The minimum site area for multi-unit dwellings shall be 929 m² (10,000 ft²) for the first four dwelling units and 92.9 m² (1,000 ft²) for each additional dwelling unit thereafter.

② The minimum site area for the RR Zoning District within the boundary of the Red River Floodway is 3.24 ha (4 ac).

③ For residential use class developments, excluding multi-unit dwellings, the maximum site coverage is 40%. For multi-unit dwellings and non-residential uses, the maximum site coverage is 60%.

④ For residential use class developments, excluding multi-unit dwellings:

- a) The minimum rear yard shall be 3.05 m (10 ft);
- b) The minimum side yard shall be 3.05 m (10 ft); and
- c) The minimum corner side yard shall be 4.57 m (15 ft).

For multi-unit dwellings and non-residential use class developments:

- a) The minimum rear yard shall be 7.62 m (25 ft);
- b) The minimum side yard shall be 7.62 m (25 ft); and
- c) The minimum corner side yard shall be 7.62 m (25 ft).

⑤ The maximum height for accessory carriage suites shall be 2 storeys; 8 m (26.2 ft) from grade.

⑥ Non-combustible structures shall be permitted up to 4 storeys; 14.33 m (47 ft) in height.

10.5.2 Non-residential uses developed in the RM Zoning District shall be subject to the dimensional standards of the CC Zoning District in Table 10-2.

10.5.3 Special Needs Housing developed in the RM Zoning District shall be subject to the dimensional standards of the RS Zoning District. Two-Unit Dwellings developed in the RM Zoning District shall be subject to the dimensional standards of the RT Zoning District.

10.5.4 Where an outdoor dining area or patio accessory to an eating or drinking establishment in the GD Zoning District abuts a residential use class or a local street or a lane separating the site from a residential use class, the maximum gross floor area of that outdoor dining area or patio shall be 18.58 m² (200 ft²).

10.6 COMMERCIAL AND INDUSTRIAL DIMENSIONAL STANDARDS

10.6.1 No person may erect a building or structure in any Commercial or Industrial Zoning District unless the building or structure complies with Table 10-2 below or the regulations pertaining to that specific development or zone found herein:

Table 10-2 – Commercial and Industrial Zoning District Dimensional Standards

ZONE	USE TYPE	SITE		YARDS				OTHER		
		MINIMUM SITE AREA	MINIMUM WIDTH	MINIMUM FRONT YARD	MINIMUM SIDE		MINIMUM REAR YARD	MAXIMUM FAR	MAXIMUM HEIGHT	SITE COVERAGE
CC	Principal	-	-	0 [0]	①	①	6.1 [20]	1.0	2 storeys 10.67 [35]	60%
	Accessory	-	-	0 [0]	①	①	1.52 [5]	-	9.15 [30]	15%
CH	Principal	0.2 ha [0.5 ac]	30.48 [100]	7.62 [25]	3.05 [10]	3.05 [10]	7.62 [25]	1.0	2.5 storeys 10.67 [35]	-
	Accessory	-	-	7.62 [25]	3.05 [10]	3.05 [10]	3.05 [10]	-	9.15 [30]	-
MB	Principal	0.4 ha [1 ac]	22.86 [75]	7.62 [25]	3.05 [10]	3.05 [10]	3.05 [10]	1.0	3 storeys 10.67 [35]	-
	Accessory	-	-	7.62 [25]	3.05 [10]	4.57 [15]	3.05 [10]	-	9.15 [30]	-
MG	Principal	0.4 ha [1 ac]	22.86 [75]	7.62 [25]	3.05 [10]	4.57 [15]	3.05 [10]	1.0	3 storeys 10.67 [35]	-
	Accessory	-	-	7.62 [25]	3.05 [10]	4.57 [15]	3.05 [10]	-	9.15 [30]	-
MX	Principal	2.02 ha [5 ac]	91.44 [300]	4.57 [15]	4.57 [15]	4.57 [15]	4.57 [15]	1.0	3 storeys 10.67 [35]	-
	Accessory	-	-	4.57 [15]	4.57 [15]	4.57 [15]	4.57 [15]	-	9.15 [30]	-

Table Notes:

① A minimum side yard or corner side yard of 3.05 m (10 ft) shall be required where a site abuts the lot line of a site in the RS, RT, or RM Zoning Districts or a residential use class in the GD Zoning District.

10.6.2 In the CC Zoning District, no loading, storage, trash collection, outdoor service or display area shall be permitted within a required side yard. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites and

public roadways. If the rear or side lot lines of a site abut a residential dwelling unit or a lane serving said dwelling unit and are used for parking, an outdoor service or display area, or both, they shall be screened in accordance with Section 7.20 of this By-law.

10.6.3 In the CH Zoning District:

- a. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites and public roadways.
- b. If the rear or side lot lines of a CH Zoned site abut a residential dwelling unit or a lane serving a residential dwelling unit and are used for parking, an outdoor service or display area, or both, they shall be screened in accordance with Section 7.20 of this By-law; and

10.6.4 In the MB Zoning District:

- a. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites and public roadways;
- b. Where a site abuts the lot line of an existing or future Residential Area as indicated in the Development Plan:
 - (i) A 7.62 m (25 ft) landscaped yard is required. This yard shall include a berm, fence and extensive landscaping to the satisfaction of the Development Officer or Council; and
 - (ii) Buildings shall be setback a minimum of 15.24 m (50 ft) from the lot line; and
- c. When outside storage of goods and materials is required:
 - (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 shall not project above the height of the wall or fence; and
 - (iii) An opaque fence shall be provided and maintained in a condition that is acceptable to the Development Officer.

10.6.5 In the MG Zoning District:

- a. Loading, storage and trash collection areas shall be located to the rear or sides of the principal building and shall be screened from view from any adjacent sites and public roadways;
- b. Where a site abuts the lot line of an existing or future Residential Area as indicated in the Development Plan, a 15.24 (50 ft) landscaped yard is required. This yard shall include a berm, fence and extensive landscaping to the satisfaction of the Development Officer or Council. As a minimum, this landscaping screen shall consist of an earthen berm of not less than 1.52 m (5 ft) in height and a width of not less than 2.5 m (8.2 ft). In cases where the landscaping screen is a hedge, it shall be a minimum of 1.52 m (5 ft) in height; and
- c. When outside storage of goods and materials is required:
 - (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 shall not project above the height of the wall or fence; and
 - (iii) An opaque fence shall be provided and maintained in a condition that is acceptable to the Development Officer.

10.6.6 In the MX Zoning District:

- a. Where a site abuts the lot line of a GD, RS, RT, RM, RR or RP Zoning District, a 30.48 m (100 ft) landscaped yard is required. This landscaped yard may include a berm, opaque fence, existing or new trees and/or landscaping or a combination thereof to the satisfaction of the Development Officer or Council.

- b. Notwithstanding the maximum building height restrictions listed in Table 10-2, any mechanical equipment or use such as draglines, conveyors, crushers, screeners, silos, stockpiling materials, or other equipment associated with a conditional use as determined by the Development Officer, the maximum building height regulations shall not apply.

10.7 CIVIC AND AGRICULTURAL DIMENSIONAL STANDARDS

- 10.7.1 No person may erect a building or structure in any Civic or Agricultural Zoning District unless the building or structure complies with Table 10-3 below or the regulations pertaining to that specific development or zone found herein:

Table 10-3 – Civic and Agricultural Zoning District Dimensional Standards

ZONE	USE TYPE	SITE		YARDS				OTHER		
		MINIMUM SITE AREA	MINIMUM WIDTH	MINIMUM FRONT YARD	MINIMUM SIDE		MINIMUM REAR YARD	MAXIMUM FAR	MAXIMUM HEIGHT	SITE COVERAGE
					INTERIOR YARD	CORNER YARD				
R	Principal	0.8 ha [2 ac]	60.96 [200]	15.24 [50]	7.62 [25]	7.62 [25]	7.62 [25]	-	2.5 storeys 10.67 [35]	50%
	Accessory	-	-	15.24 [50]	7.62 [25]	7.62 [25]	7.62 [25]	-	9.15 [30]	-
I	Principal	-	30.49 [100]	12.19 [40]	3.05 [10]	4.57 [15]	7.62 [25]	1.0	2.5 storeys 10.67 [35]	-
	Accessory	-	-	12.19 [40]	3.05 [10]	4.57 [15]	3.05 [10]	-	6.10 [20]	-
N	Principal	-	-	12.19 [40]	3.05 [10]	4.57 [15]	7.62 [25]	-	2.5 storeys 10.67 [35]	-
	Accessory	-	-	12.19 [40]	3.05 [10]	4.57 [15]	3.05 [10]	-	6.10 [20]	-
AG	Principal (Agricultural)	32.38 ha [80 ac]	201.17 [660]	38.1 [125]	15.24 [50]	15.24 [50]	15.24 [50]	-	10.67 [35]	-
	Principal (Farmstead or Other)	0.8 ha [2 ac]	60.96 [200]	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	-	10.67 [35]	-
	Accessory	-	-	38.1 [125]	15.24 [50]	15.24 [50]	15.24 [50]	-	9.15 [30]	-
AR	Principal	8.09 ha [20 ac]	100.58 [330]	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	-	10.67 [35]	-
	Accessory	-	-	38.1 [125]	7.62 [25]	7.62 [25]	7.62 [25]	-	9.15 [30]	-

- 10.7.2 In the CR Zoning District, no loading, storage, trash collection, outdoor service or display area shall be permitted within a required side yard. Loading, storage and trash collection areas shall be located to the rear of the principal building and shall be screened from view from any adjacent sites and public roadways in accordance with Section 7.20 of this By-law. If the rear or side lot lines of a site abut a Residential or Residential-Related Use Class development or a lane serving a Residential or Residential-Related Use Class development and are used for parking, an outdoor service or display area, or both, they shall be screened in accordance with Section 7.20 of this By-law.
- 10.7.3 In the PN Zoning District:
- The maximum building height standard of 10.67 m (35 ft) shall not apply to farm buildings; and
 - For any forestry use adjacent to the AR, RR or RP Zoning Districts, the minimum yards standards shall be increased to 50.29 m (165 ft) for the adjacent yard(s).
- 10.7.4 In the AR or AG Zoning District, the maximum building height standard of 10.67 m (35 ft) shall not apply to farm buildings and farm related storage facilities as determined by the Development Officer.

PART D: **MAPS**

SECTION 11: ZONING DISTRICT MAPS

Rural Municipality of Springfield

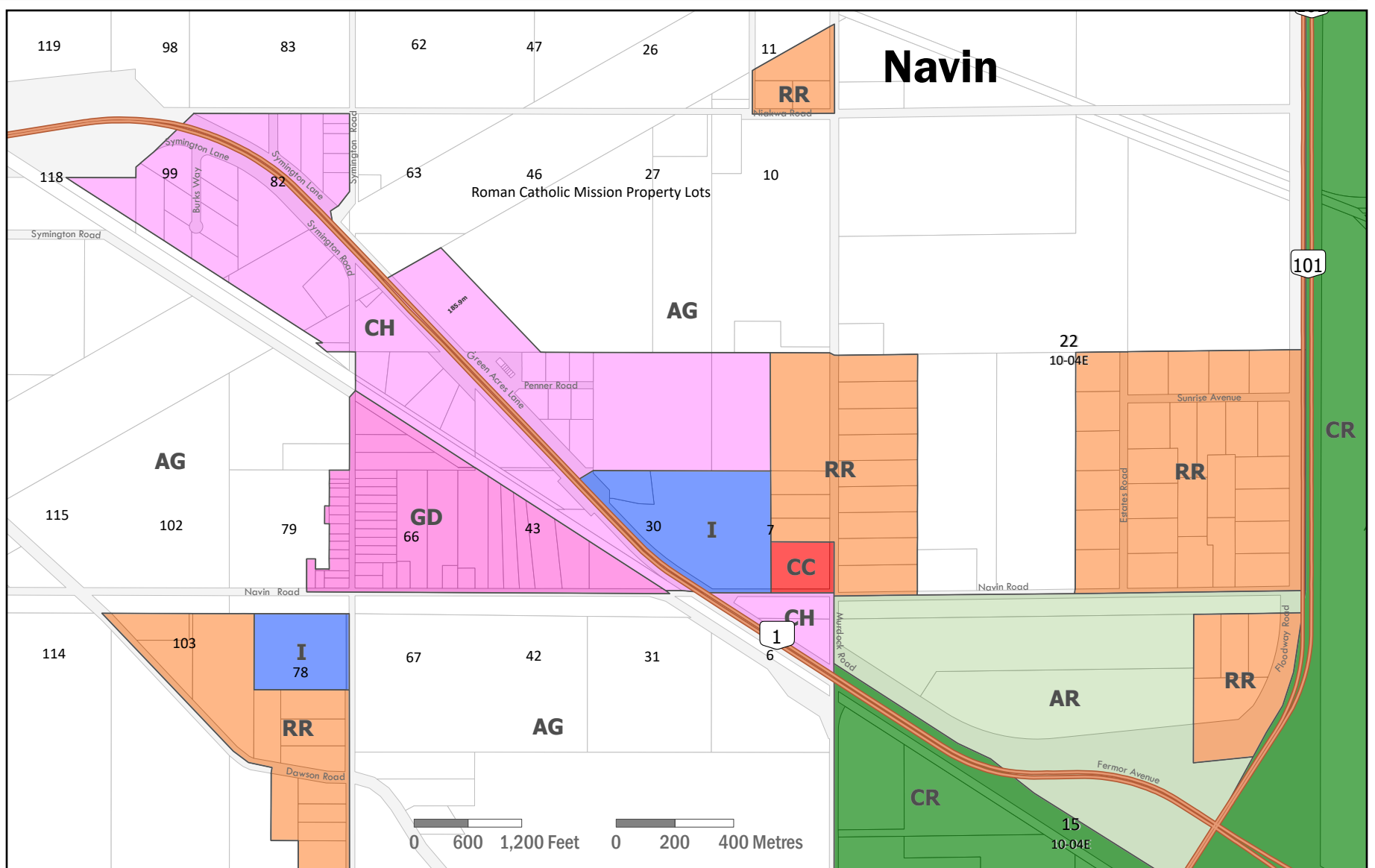
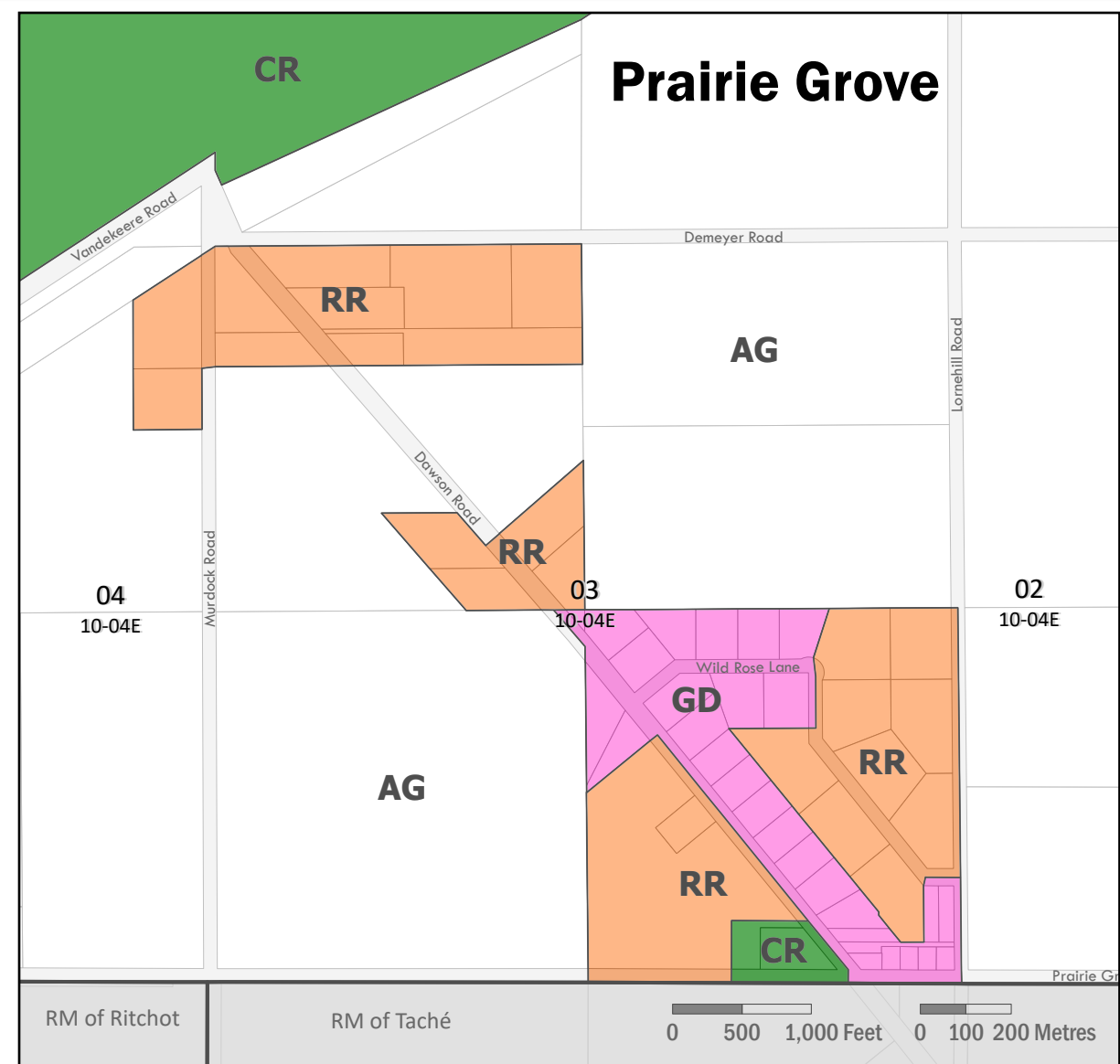
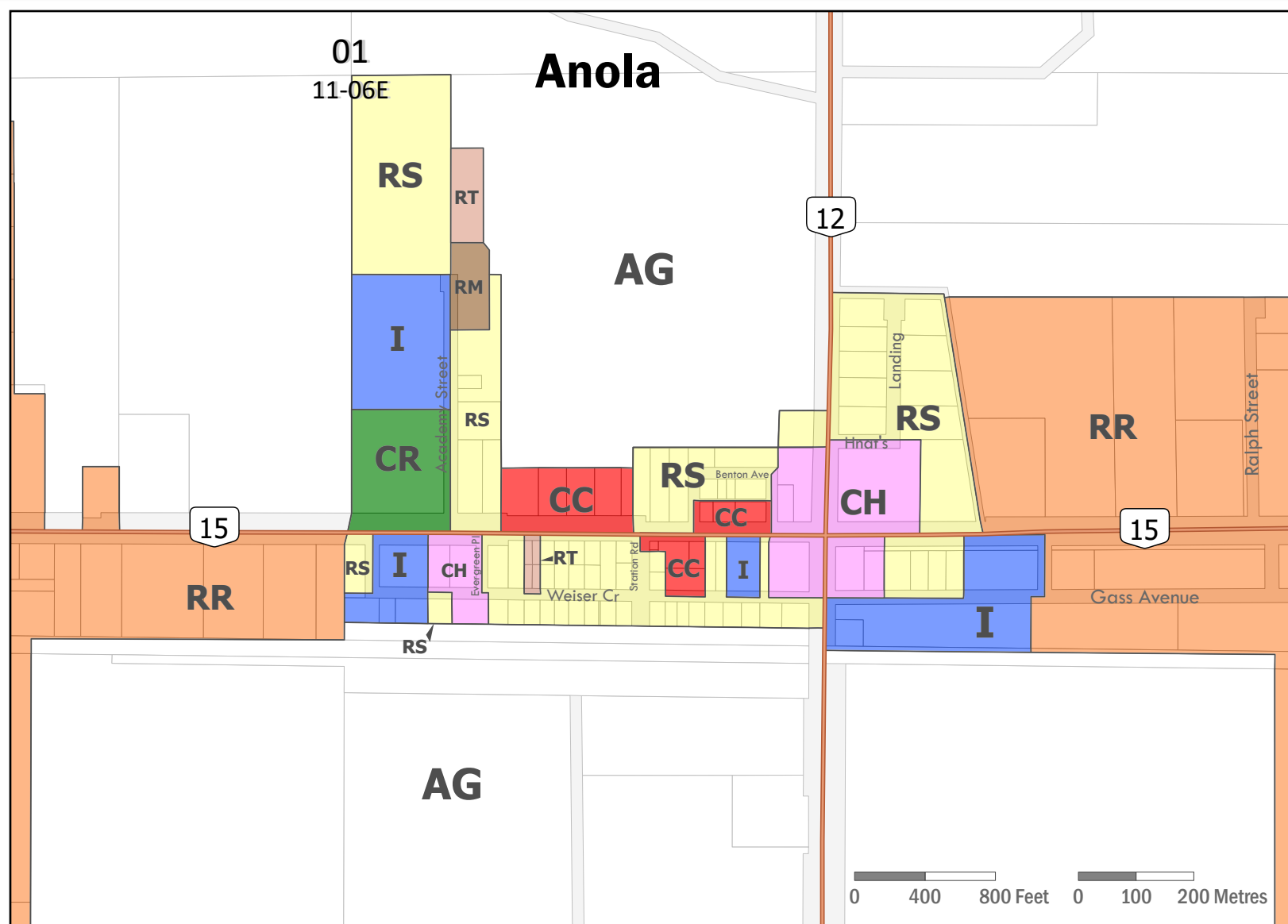
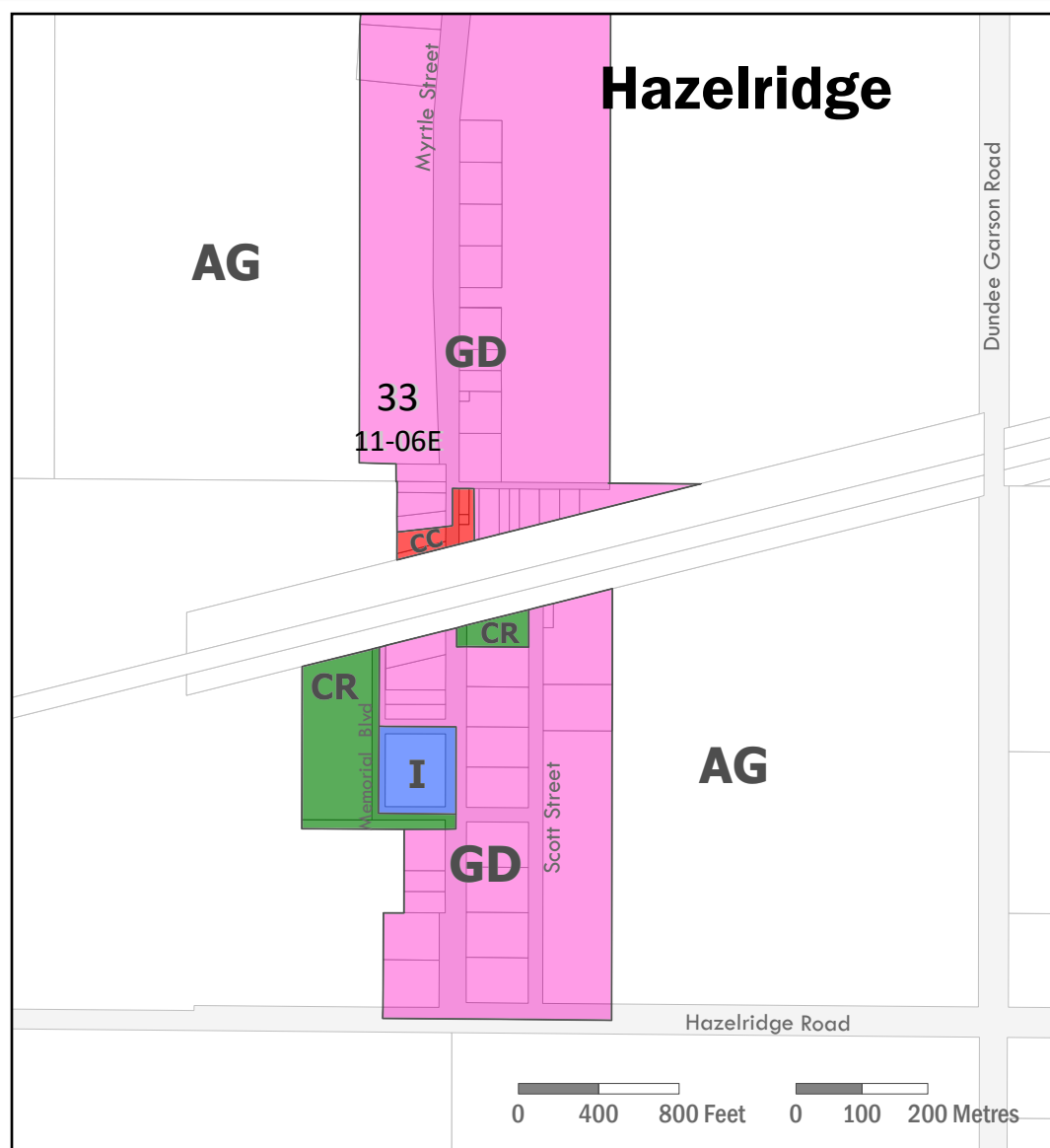
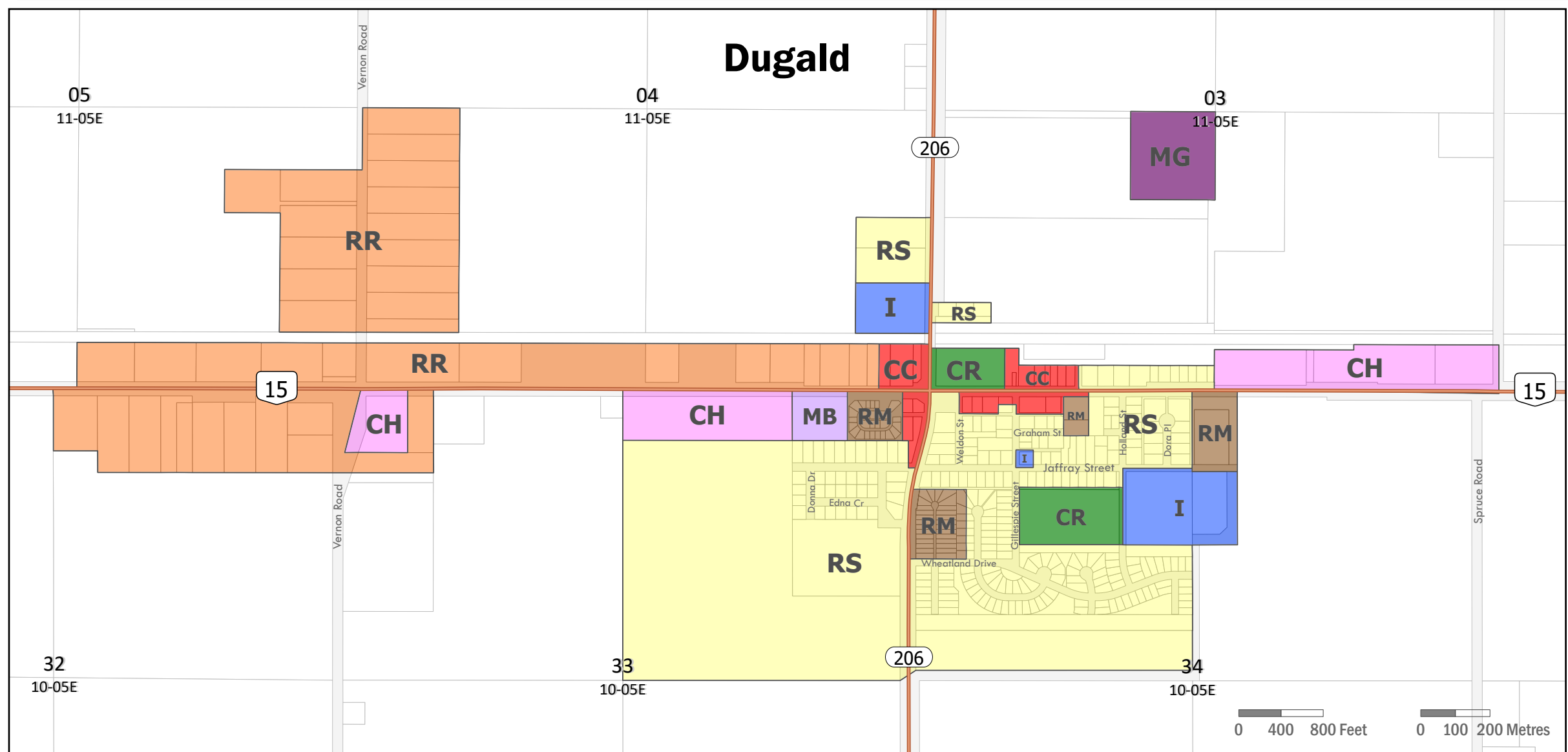
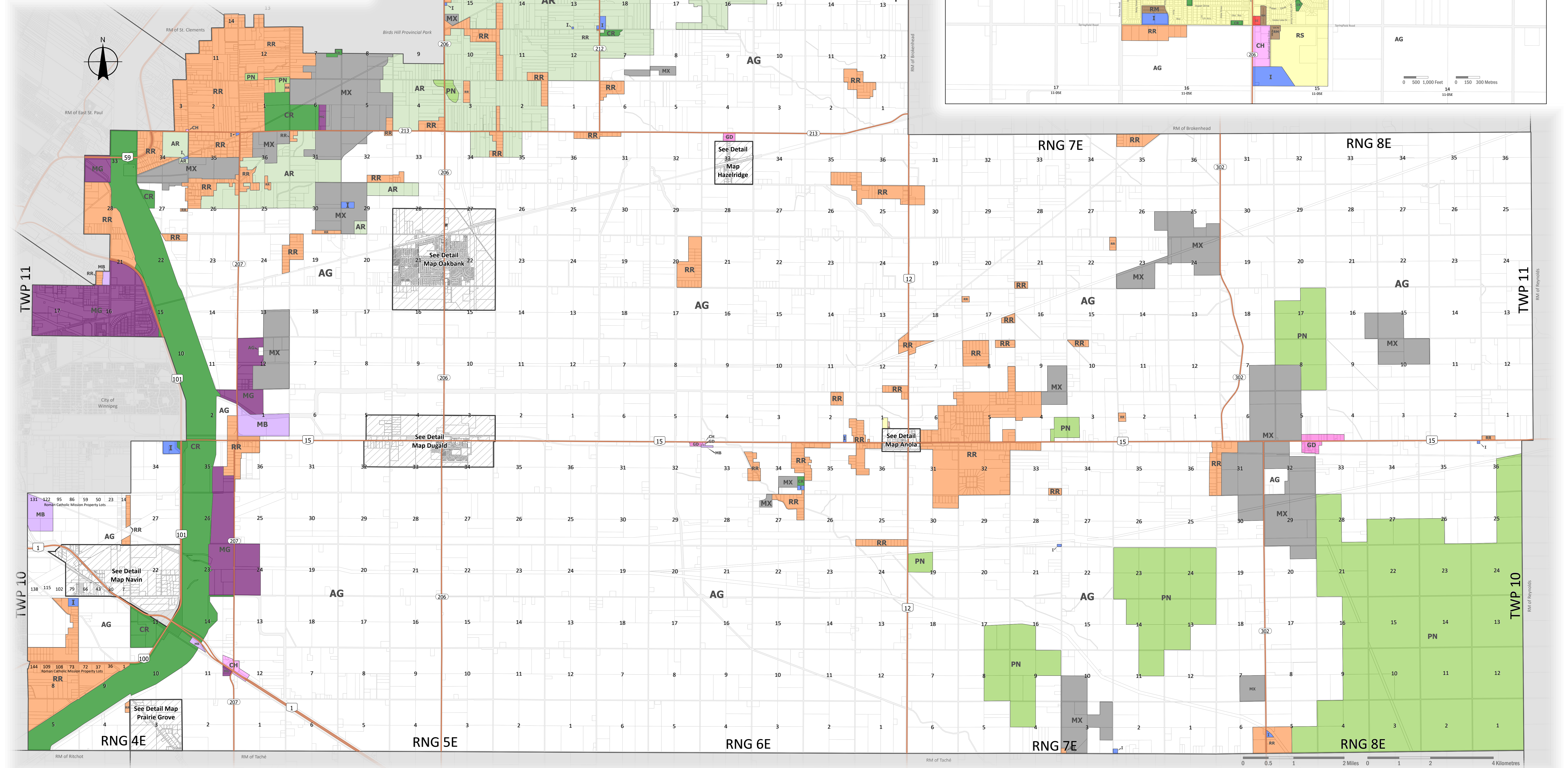
Zoning By-law 21-25

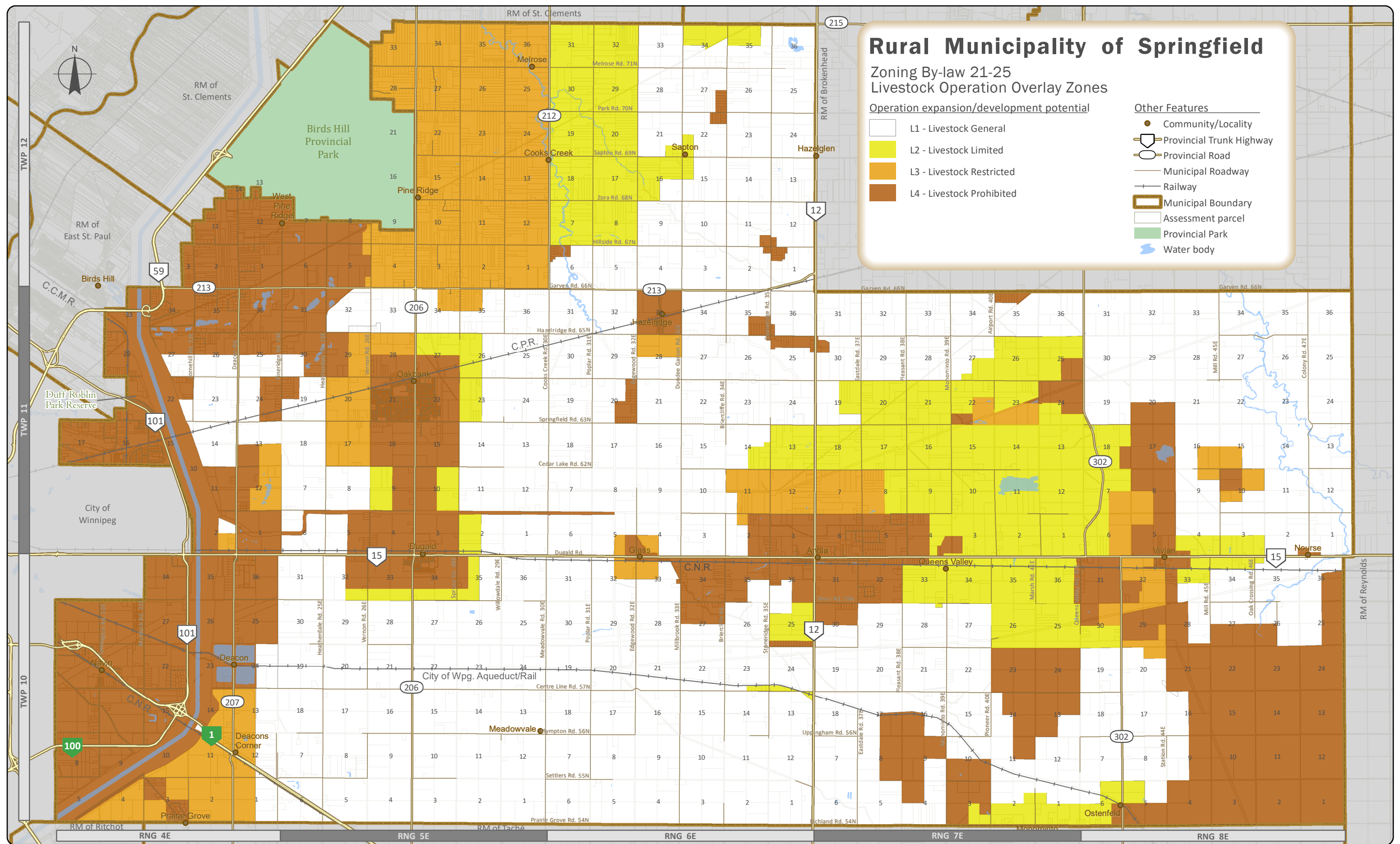
Zoning

- Residential Zones**
- RS - Residential Single Family
 - RT - Residential Two Family
 - RM - Residential Multiple Family
 - RR - Rural Residential
- Commercial Zones**
- CC - Commercial Central
 - CH - Commercial Highway
- Industrial Zones**
- MB - Industrial Business
 - MG - Industrial General
 - MX - Industrial Extractive
- Civic Zones**
- CR - Commercial Recreation
 - I - Institutional
- Parks and Natural Lands**
- PN - Parks and Natural Lands
- Agricultural Zones**
- AG - Agricultural General
 - AR - Agricultural Restricted
- Mixed Zones**
- GD - General Development

Other features

- Municipal boundary
- Inset Map Boundary
- Assessment parcel
- Provincial Trunk Highway/Road





Rural Municipality of Springfield

Zoning By-law 21-25 Livestock Operation Overlay Zones

Operation expansion/development potential

- L1 - Livestock General
- L2 - Livestock Limited
- L3 - Livestock Restricted
- L4 - Livestock Prohibited

Other Features

- Community/Locality
- Provincial Trunk Highway
- Provincial Road
- Municipal Roadway
- Railway
- Municipal Boundary
- Assessment parcel
- Provincial Park
- Water body



Date: September, 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

Category of Livestock	Animal Units Produced by One Livestock	Factor to be used to Determine Animal Units (Number of livestock to produce one animal unit)
Dairy Milking Cows (including associated livestock)	2	0.5
Beef Beef Cows (including associated livestock) Backgrounder Summer pasture / replacement heifers Feeder Cattle	1.25 0.5 0.625 0.769	0.8 2 1.6 1.3
Hogs Sows, farrow to finish Sows, farrow to weanling Sows, farrow to nursery Weanlings Growers / finishers Boars (artificial insemination operations)	1.25 0.25 0.313 0.033 0.143 0.2	0.8 4 3.2 30 7 5
Chickens Broilers Roasters Layers Pullets Broiler Breeder Pullets Broiler Breeder Hens	0.005 0.01 0.0083 0.0033 0.0033 0.01	200 100 120 300 300 100
Turkeys Broilers Heavy Toms Heavy Hens	0.01 0.02 0.01	100 50 100
Horses Mares (including associated livestock) Miniature Ponies	1.333 0.222 0.4	0.75 4.5 2.5
Sheep Ewes (including associated livestock) Feeder Lambs	.02 0.063	5 16
Goats	0.14	7
Geese Meat Non-Meat	0.024 0.045	42 22
Ducks Meat Non-Meat	0.017 0.024	58 42
Rabbits	0.1	10
Alpacas or Llamas	0.17	5.9

*For other animals not listed above, consult with Manitoba Agriculture.

APPENDIX C

Vehicle Weight Classifications

Types of Vehicles by Weight Class					
Class One: 6,000 lbs. or less					
					
Full Size Pickup	Mini Pickup	Minivan	SUV	Utility Van	
Class Two: 6,001 to 10,000 lbs.					
					
Crew Size Pickup	Full Size Pickup	Mini Bus	Minivan	Step Van	Utility Van
Class Three: 10,001 to 14,000 lbs.					
					
City Delivery	Mini Bus	Walk In			
Class Four: 14,001 to 16,000 lbs.					
					
City Delivery	Conventional Van	Landscape Utility	Large Walk In		
Class Five: 16,001 to 19,500 lbs.					
					
Bucket	City Delivery	Large Walk In			
Class Six: 19,501 to 26,000 lbs.					
					
Beverage	Rack	School Bus	Single Axle Van	Stake Body	
Class Seven: 26,001 to 33,000 lbs.					
					
City Transit Bus	Furniture	High Profile Semi	Home Fuel		
					
Medium Semi Tractor	Refuse	Tow			
Class Eight: 33,001 lbs. & over					
					
Cement Mixer	Dump	Fire Truck	Fuel		
					
Heavy Semi Tractor	Refrigerated Van	Semi Sleeper	Tour Bus		

Groundwater Sensitivity Map

