



# Zoning Fact Sheet

## Southwest Planning District

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Prepared for: Municipality of Deloraine-Winchester, Municipality of Brenda-Waskada, Municipality of Two Borders, and Town of Melita

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March 2022



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# INTRODUCTION

This document is intended to **provide information on the framework of the zoning by-law(s)** proposed for your area, as well as to use as a basis for you to provide input and suggestions.

The goals for each Zoning By-law is to be:

- User friendly.
- Clear and transparent.
- Objective, with black and white regulations that avoids subjective interpretations.
- Provide a determined methodically in applying the regulation to avoid ambiguity in application.
- Use words as defined in Provincial and Federal legislation or regulations.
- Include tools within the document to provide assistance to the user in understanding and applying the regulations.
- Provide all the regulations in one section, and all regulations effecting specific land-use together to avoid missing a regulation: avoid footnote regulations.

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# 1.0 HOW DO THE ZONING BY-LAW REGULATIONS WORK WITH THE DEVELOPMENT PLAN?

## Land-Use Policies vs. Land-Use Regulations

### *Development Plans*

- Municipalities in Canada use a hierarchy of planning tools as provided in their empowering provincial legislation in their approach to planning for land and resources.
- The planning tools range from general [land-use policies] to specific [land-use regulations], and guide the intensification and development of land toward a common vision or goal established for the municipality. These planning tools include: Development Plans and Zoning By-laws.
- Manitoba is similar to other jurisdictions in English Canada that have at the upper-tier of the hierarchy of planning tools, Development Plans that direct municipalities towards a future vision through land-use policies.
- Development Plans contain statements of policies guiding land-use and development across an entire municipalities' jurisdiction; and are the long-range blueprints that direct the municipalities' decision making towards a future vision or goal.
- Development Plans provide guidance to councils in their discretionary decision making on new developments: depending of course on the specific terms of a development plan, a development proposal may fall short of achieving a particular objective in the plan and yet not offend the plan as a whole.
- Development Plans do not extinguish existing land-use rights provided under a Zoning By-law, terminate land-use entitlements, nor change existing zoning by-laws. All zoning by-laws remain unchanged when a new development plan is adopted until a process is undertaken to specifically change the zoning by-law in a manner prescribed in the Planning Act.

### *Zoning By-law*

- Zoning By-laws are the bottom layer, the lower-tier in the planning framework, and are used to implement the Plans' vision by controlling the use of land within a municipality through land-use regulations.
- Zoning By-laws enables Council to adopt specific, measurable regulations for the use and development of land. Where the development plan is a statement of Council's intent respecting future development, the zoning by-law provides an essential mechanism for implementing the policies set out in the development plan by way of regulations.
- Zoning is the process of dividing land within a municipality into 'zones' such as commercial, residential and industrial in which certain land uses are: allowed as permitted or conditional use that requires permission from decision makers; or prohibited/not permitted.
- Zoning By-laws have a series of regulations that: may specify a variety of outright permitted uses and conditional uses of land; provide the rules for the size of land; bulk dimensions and placement of buildings on land; and the form and scale of buildings.
  - » **Conditional Uses** are land-use that are discretionary and subject to a public hearing and municipal council approval.

- » **Permitted Uses** are non-discretionary and only subject to the regulations of the zoning by-law, building code, etc.
- » **Not-Permitted Uses** means the land-use is NOT allowed in a specific zone.
- The type of zone covering a piece of land usually determines the regulations being applied to the land as such the type of zone will determine whether a given development is allowed or not under the Zoning regulations. A development that is 'permitted' can apply for a building or development permit.
- The Planning Act requires explicitly under Section 68 that:
  - "... a municipal council must adopt a zoning by-law that is generally consistent with the development plan by-law and any secondary plan by-law in effect in the municipality."
- Zoning By-laws are changed by the municipality to align the land-use regulations with the land-use policies in the Plans
- Zoning By-laws are not discretionary in their applications due to their nature of being regulatory: a development proposal that falls short of achieving a particular regulation may not proceed.
- Zoning By-laws contain specific requirements that are legally enforceable. Construction or new development that doesn't comply with a zoning by-law is not allowed, and the municipality can refuse to issue a building permit.
- The regulations of a zoning by-law can be modified via a variance to allow for a new development when such a variance complies with a development plan.
- **Zoning rationalization** occurs where new Zoning By-laws change the zoning of land(s) into a new district instead of translating into a similar zoning district with a new name. For example, an industrial zone is changed to a commercial zone that effects land or lands in a neighbourhood.
- **Downzoning** occurs where the new Zoning By-laws changes the zoning (of an area or a neighbourhood) to downgrade the classification of a zone to reduce the density of housing or permitted land-uses. For example, CH for 'Commercial Highway' zoning on lands is changed to 'A' Agriculture to allow less intense developments.
- **Downzoning** results in the reduction of existing land-use rights that will prevent planned future projects but existing land-use rights are protected as 'non-conforming' uses. Downzoning may affect property values and the assessment of the land for municipal tax purposes.
- **Up zoning** occurs where the new Zoning By-laws changes the zoning (of an area or a neighbourhood) to up-grade the classification of a zone to increase the density of housing or permitted land-uses. For example, 'A' Agriculture zoning on lands is changed to CH for 'Commercial Highway' by the municipality to enable more intense developments in an area the Development Plan calls for intensification of growth.
- Municipalities have the right to amend their zoning by-laws to complete a zoning rationalization, to downzone areas to less intensive zoning classifications, or to up zone areas, as long as the process for these actions follow the prescribed manner for adopting or amending a zoning by-law as per the Planning Act [give notice of the public hearing and conduct a public hearing].

## 2.0 HOW WILL THE ZONING BY-LAWS BE ORGANIZED?

### Volume 1: Zoning By-law

This volume of the Zoning By-law will contain the regulations.

#### ***Part 1: Scope***

- Outlines the limitations and the purview of this Zoning By-law.

#### ***Part 2: Zoning Regulations: Effecting Site Areas and Governing Land-use***

- This section contains all the regulations governing specific types of land-uses and different setback requirements that effect the location of developments.

#### ***Part 3: Parking, Loading, and Signage***

- This is a regulation section. All the rules related to parking, loading, storage and signage is found in this section.

#### ***Part 4: Provisions for Infill Residential***

- This is also regulation section. All the rules that enable and govern the location and the situations that allow for infill housing to occur are found in this section except for setbacks.

#### ***Part 5: Zoning Lands and Land-uses***

- This is a tools section. This section provides guidance to the Zoning By-law user in the method for classifying a land-use. Includes the definition of all the land-uses that will be either permitted, conditional or prohibited in the different zoning districts.

#### ***Part 6: Zoning Districts***

- This is a regulatory section that establishes the different zones that will be used to divide all the land within a municipality into 'zones' such as commercial, residential and industrial in which certain land uses are: allowed as permitted or conditional as displayed in tables for each zone.

## **Volume 2: Zoning and Development Permits, Procedures, Interpretations and Methodology**

This volume will provide detailed guidance for day-to-day administration of land development to aide the public and provide assistance to municipal staff and decision makers who may be casual users of Volume 1 of the zoning by-law.

### ***Part 1: Development Procedures***

- This is a tools section that provides assistance to the administrators of the Zoning By-law by outlining the process for development applications review and approval. The position of a 'Development Officer' is established and the roles and the responsibilities of the Development Officer in the development review and approval process are defined.

### ***Part 2: Zoning Administration***

- This section contains all the regulations governing specific types of land-uses and different setback requirements that effect the location of developments.

### ***Part 3: By-law Interpretations and Glossary.***

- This is a tools section that provides assistance to the administrators of the Zoning By-law. This section outlines how to interpret zoning maps, tables, abbreviations, and words that are used in the Zoning By-law excluding land-uses. And outlines how to take measurements for different setbacks

## 3.0 HOW DO I USE VOLUME 1 OF THE ZONING BY-LAW

The most likely use of this zoning by-law will be the following:

### **Example 1**

You have a land-use in mind and wish to know if it is permitted or not on a piece of land.

1. Find a property on the Zoning Map to see what the lands are zoned as. For example, the map for a specific Parcel XYZ is zoned '**AL – Agricultural Limited**'.
2. Find the zoning district table for 'AE' in Section 9 to find out the permitted land-uses. For example, 'Agri-Manufacturing' is permitted.
3. You are not sure what 'Agri-Manufacturing' means as a land-use. So you look to Section 8 to find the definition of all the land-uses that have been classified under 'Agri-Manufacturing' to see if your land-use is considered as 'Agri-Manufacturing', which is a permitted use.
4. If you are still not sure if the land-use falls under one of the many land-uses defined for 'Agri-Manufacturing', Section 8 of the Zoning By-law provides a tool for indicating how the NAICS can be used to make this determination.
5. This is a regulatory section that establishes the different zones that will be used to divide all the land within a municipality into 'zones' such as commercial, residential and industrial in which certain land uses are: allowed as permitted or conditional as displayed in tables for each zone.

### **Example 2**

You have a land-use in mind, such as **Livestock Operations**, and wish to know if it is permitted or not on a piece of land; and what regulations effect such a land-use.

1. Find a property on the Zoning Map to see what the lands are zoned as. For example, the map for specific Parcel ZXY is zoned '**AG – Agricultural General**'.
2. Find the zoning district table for 'AG' in Section 9 to find out the permitted land-uses. For example, 'Livestock Operation Uses, 10 AU > 299 AU' is permitted.
3. You check Section 8 to confirm what Livestock Operations means.
4. You Check Section 5 in the Table of Contents OR do a word search in adobe for Livestock Operations . All the regulations governing this type of land-use are listed under the section entitled 'Livestock'

## 4.0 WHAT ARE THE BIG SHIFTS OR NEW APPROACHES IN THIS ZONING BY-LAW?

### *Elements that Differentiate Zoning By-law from other or past Zoning By-laws in Manitoba*

There are several elements to the new Zoning By-law that differentiate it from other or past zoning by-laws in Manitoba.

#### **Land Use Definitions**

##### **NAICS**

The Land-Uses are defined using the [North American Industrial Classification System \[NAICS\]](#). The NAICS (pronounced “nakes”) is used by business and government to classify business establishments according to type of economic activity (process of production) in Canada, Mexico, and the United States of America. The NAICS versions are released every five years. Click [here](#) to learn more about the NAICS.

- The exceptions to using the NAICS include land-uses clearly defined in the Planning Act [quarrying, and agricultural operations], and residential land-uses.

##### **DWELLING UNITS**

Definition of housing types moves away from the descriptor ‘family’, such as ‘single-family and two-family’ since this is closely associated with the description of the household composition within the structure, whereas the definition we use is closer to describing the building form of the dwelling [single-detached, semi-detached, etc.].

#### **Agricultural Enterprise**

We were not able to find a solid definition in any other Zoning By-law in Manitoba for the term ‘Agri-Business’, and consulted by-laws in both Ontario, Alberta and Saskatchewan. Both American Planning Association, and the Congress of New Urbanism were consulted for terminology but was inconclusive.

The NAICS provide land-use definitions for all the agricultural related industries, services and manufacturing. Using several definitions from NAICS, three (3) land-use classifications were created: Agri-Business, Agri-Industrial and Agri-Manufacturing.

- **Agri-Business** means establishments primarily engaged in providing goods and services to Agriculture Operations.
- **Agri-Industrial** means establishments primarily engaged in manufacturing agricultural chemicals, including nitrogenous and phosphoric fertilizer materials; mixed fertilizers; and agricultural and household pest control chemicals. Includes mainly land-uses under ‘Pesticide, fertilizer and other agricultural chemical manufacturing’ of the NAICS.
- **Agri-Manufacturing** means establishments primarily engaged in producing food for human or animal consumption on a large scale in a manufacturing process. Land-uses under ‘Food Manufacturing’ of the NAICS.

All three of these land-uses dominate a zoning designations in the Zoning By-law called 'Agricultural Limited - AL', which would conceivable enable spin off commerce activities that are dependent on agriculture operations/producers as either customers or suppliers.

The "AL" Zone allows for land-uses such as In-Land Grain Terminals, Fertilizer depots, seed cleaning plants, etc. that may be located outside of a settlement area and along a rail corridor or highway to have a specific zone that prevents other highway commercial land-uses from being established. Likewise, zoning **Agri-Business, Agri-Industrial and Agri-Manufacturing** the same as 'Agri-operations' opens the entire rural area to allow intensive, non-farming operations to be established anywhere.

### ***Dangerous Goods > Hazardous Uses***

**Hazardous uses** in many zoning by-laws are defined differently and appear to be created specifically for that particular by-law and not based on a set criteria or a legislative definition. In attempt to be more 'absolute', this land-use was defined using the provincial legislation that defines 'dangerous goods' and the Manitoba Building Code for defining 'high hazard' types of occupancies. The following are some of the regulations proposed for this type of land-use:

- All sites with the outside storage of dangerous goods shall be encircled with a minimum 6.6 ft high chain link fence with three strands of barbed wire, and shall provide means of emergency egress and be locked when the site is not in use.
- All sites with the storage of dangerous goods shall have some form of outdoor security lighting.
- All sites with the storage of dangerous goods must be posted with a Dangerous Goods warning signage located at the entrance to the storage operation that includes the following:
  - » Warn of the presence of dangerous goods.
  - » 24 hour contact for the company.
  - » 24 hour contact for emergency services.
  - » Nearest Location of a publicly available phone.

### ***Heavy Industries \*\* (not currently included in the DRAFT 1 ZBL MAPS) \*\****

**Heavy Industrial** is defined by list of objective, measurable criteria to clearly differentiate from 'light industry'. The main differences being the measurable size of commercial vehicles attending the site; and the manufacturing activities occurring outside of a building.

Establishments that routinely store or park overnight outside a building, more than 4 vehicles with GVWR greater than 33,000 lbs. or more than 8 vehicles with GVWR greater than 19,501 lbs. are considered 'Heavy Industry' along with the following:

- The manufacturing, fabricating, processing, assembly or disassembly of materials, semi-finished goods, finished goods, products or equipment, provided live animals are not involved in any aspect of the operation where part or all of the processes and functions associated with the use are located outside of a building.
- The cleaning, servicing, testing, repairing or maintenance of industrial or commercial goods and equipment where part or all of the processes and functions associated with the use are located outside of a building.

- The crushing, dismantling, sorting or processing of discarded goods outside a building.
- Establishments that routinely store or park overnight outside a building, more than 4 vehicles with GVWR greater than 33,000 lbs. or more than 8 vehicles with GVWR greater than 19,501 lbs.
- Establishments whose sole purpose is to provide for the consolidation, division and/or distribution of bulk goods through the use of Truck Tractor/Trailer Combinations.
- The intermodal system of transport whereby two or more modes of transport are used to transport the same loading unit or truck in an integrated manner, without loading or unloading, in a transport chain.
- Establishments where part or all of the processes and functions associated with the use are located outside of a building, including the function of routinely using Truck Tractor/Trailer Combinations with 4 or more axles, or railway cars.
- A railyard where an area of land, a portion of which is covered by a system of tracks, that provides for the making up of trains by one or more railroads or private industry concerns. Necessary functions of a railyard include but are not limited to the classifying, switching, storing, assembling, distributing, consolidating, moving, repairing, weighing, or transferring of cars, trains, engines, locomotives, and rolling stock.
- The occupancy contains sufficient quantities of highly combustible and flammable or explosive materials to constitute a special fire hazard because of their inherent characteristics.

### **Home Enterprises**

There are two (2) types that keep appearing in many different zoning by-laws, and jurisdictions use a variety of terms so there is no consistency in the planning profession. An attempt has been made to bring some consistency to this land-use:

- **Home Occupations** are jobs/professions, occupations, etc that are contained within the dwelling unit except for Day Care.
- **Home Based Business** are jobs/professions, etc that involve using the exterior the dwelling such as the yard or accessory structure, and may also have employees.

### **Infill Housing**

A specific section that has all the regulations that enable infill housing to occur to fit with the Development Plan goal of directing housing towards existing serviced areas. This includes Accessory Dwelling Units [and defines the differences between attached and detached]; Clusters / Courts [use of the term Bungalow whereas in the USA the more common term is 'Cottage Clusters' but we have a different definition and concept for 'cottages' in Manitoba].

### **Parking**

A whole section dedicated with regulations that enables an automatic reduction in parking requirements for infill developments, etc.

## ***Commercial Main Streets***

A designated zone for Commercial Main Streets to enable the redevelopment of the traditional 'Main Street' of settlement areas with land-uses to contribute to the 'main street' experience.

## ***Development Procedures***

Provides a step-by-step instructions for guiding the processing of the different types of development applications including public hearings items.

## ***Measurement Methods***

Definitions and instructions on how to complete different measurements for different setbacks will use imperial measurements.

## ***Elements found in other Zoning By-laws in North America but not necessarily common to Zoning By-laws in Manitoba***

### ***Accessory Dwelling Units***

Are allowed in several zones as part of the strategy to enable infill housing, and to allow for workers / business owners to live on-site with their commercial or industrial business operations.

- **Secondary Suites** are an accessory dwelling unit may be constructed within and accessory to a Single-detached dwelling
- **Garage Suites** are an accessory dwelling unit may be constructed above a detached Garage (above grade); or a single-storey attached to the side or rear of, a detached Garage (at-grade) that is accessory to a Single-detached dwelling,
- **Garden Suites** an accessory dwelling unit may be located in a detached accessory structure to a Single-detached dwelling

### ***Local Food/Cultivation***

Appropriately scaled food and non-food crop production is enabled, from the large scale agriculture operations in rural areas to indoor cultivation in industrial/commercial areas to community gardens and indoor cultivation in residential areas via home based businesses.

- **Agri-tourism** and the direct sale of production is provided for the large scale agriculture operations and Farmer's Markets in urban centres.
- **Animal keeping** including bees is provided for non-farm locations including Rural Residential lots of the appropriate size.

### ***Institutional Zones - IN***

This zone is for public or privately owned facilities with an orientation towards educational, institutional, health care or community service to exist alongside uses that complement the institutional land-use. Some examples will be High Schools, health care facilities, care homes, etc.

***There are couple of elements found in other Zoning By-laws in Manitoba that are new to the Planning Area or used differently:***

***Site Plan Approval / Design Review***

- A move away from the strict separation of land-uses with instead a mixing of land-use offset by the introduction of the Plan Approval process to review the exterior design of developments to ensure compatibility.

***Day Cares in Homes***

- Is aligned to the Province of Manitoba's definition, Home-Based Child Care, and the provincial regulations for this land-use apply.

***Airports***

- Industrial Airport – EA Zoning. The purpose of this new zone is to provide for airport operations and enables adjacent areas for tourist accommodations, commercial uses and employment uses that complementary to an airport, to be established near an airport.

## 5.0 HOW IS THIS ZONING BY-LAW APPROACHING CERTAIN LAND-USES AND REGULATIONS?

### *Is marijuana selling at a store allowed?*

The selling of marijuana as a land-use is considered a 'retail trade' in the Zoning By-law, and allowed in the zones that allow 'retail trade' such as 'commercial' zones.

### *Is marijuana cultivation and production ['Micro-cultivation'] allowed as a land-use?*

- 'Micro-cultivation' is the license [Health Canada](#) provides for the growing of marijuana.
- In the NAICS '**Marijuana cultivation**' is classified under 'Other food crops grown under cover'. This also includes herbs and spices, hydroponic crops, market gardening, vegetable crops, etc grown under cover such as inside a green house or in a warehouse space converted to grow crops.
- The zoning by-law has under the definition of '**Agri-manufacturing**' to specifically include 'other crops grown under cover'.
- The Agri-Manufacturing as a land-use is permitted in the '**AL - Agriculture Limited Zone**'; an accessory use in the '**IN - Institutional Zone**'; permitted in the '**CH - Commercial Highway Zone**'; permitted in the '**EL - Light Industrial**', and the '**EA - Airport Industrial Zone**'. This would mean that warehouse type buildings can be converted to grow crops OR large greenhouses can be established.
- It's **NOT** allowed in the '**CM - Commercial Main Streets**' and the '**EH - Heavy Industrial**'. The purpose the Main Street zone is to have people orientated business that create a lively Main Street and indoor cultivation is not that. The heavy industrial zone is for noxious land-uses [quarry] that are not likely compatible with growing indoor food/crops nearby.
- **Home Based Business** may also grow 'Other food crops grown under cover' for the purpose of selling crops, subject to the land-use regulations for 'Home Based Business'
- A person who is NOT selling crops, and garden produce being grown at home, are not subject to any zoning regulations [greenhouses and garages are subject to 'accessory structure' regulations for setbacks and size].

### *Can a resident who operates a school bus, park their bus on his/her residential lot?*

- School buses are considered large vehicles, and are only permitted up to a maximum of two (2) buses in the Rural Residential Zone subject to performance standards.

### *Can a resident who owns/operates a large commercial vehicle, park their vehicle on his/her residential lot?*

- Large vehicles up to 33,000 lbs GVWR are allowed to be parked in Rural Residential zone, subject to performance standards. A 33,000 lbs GVWR truck is a Kenworth T600, Peterbilt 579, International WorkStar.
- Large vehicles up to 16,000 lbs GVWR are allowed in the urban areas at dwellings, subject to performance standards. These would be RAM 4500, GMC 4500, Ford E-450.

### ***Are shipping containers or sea cans allowed?***

- Shipping containers are permitted where outdoor storage, rail terminals and rail yards, truck terminals are permitted by right; and are allowed for agricultural operations.
- Shipping containers may serve as temporary buildings or structures on a site in connection with construction, seasonal sales, farmer's markets, outdoor special events, and Exploration Projects [Advanced].

### ***Are fabric coverall buildings allowed?***

- Coverall buildings and fabric buildings are allowed for agricultural operations otherwise shall be considered as temporary buildings for all other uses and zoning districts.
- This means fabric buildings are NOT allowed to be permanently erected on a residential lot to be used as 'garage', etc.

### ***Are Day Cares and Home-Based Child Care allowed?***

- Yes, day cares being operated out of a private resident is regulated by the Province of Manitoba, and the Zoning By-law regulations match the provincial regulations under 'Home Occupations'.
- **Child Day-Care Services** are day cares operating outside of residential dwellings, and are allowed in several zoning districts as a principle use or an accessory use.

### ***Are living situations for the elderly, dependent and semi-dependent on care, being provided for?***

- Yes, a variety of living arrangements are being provided with the goal that the external structure of the structures are compatible with the surrounding area regardless of the internal household composition and management. The Zoning By-law makes requirements for the design of the building and Plan Approval / Design review by decision makers is utilized to ensure the external design fits the character of the surrounding neighbourhood.

### ***Can non-farm homeowners keep horses or chickens in their yard?***

Yes, **Livestock Operations, Animal Keeping** is a land-use with less than 10 Animal Units that is allowed as an 'accessory use' in the Rural Residential zone subject to specific regulations.

### **ANIMAL KEEPING, LIVESTOCK OPERATIONS**

- The following requirements must be met for all cases where livestock or other animals (excluding pets) are sheltered, bred, raised, or possibly sold:
  - » Lots shall be a minimum of 5.0 acres, but no larger than 20.0 acres.
  - » No more than four (4) Animal Units allowed on the first 5.0 acres with 0.5 Animal Units allowed per additional acre up to a total of 20 acres and twelve (12) Animal Units..
  - » Any ground-level structure intended for the keeping of animals or waste storage areas must maintain a minimum setback of 15 feet from any site line.
  - » Animal feed must be properly stored in enclosed vessels, and areas or enclosures intended for the keeping of animals must be properly cleaned and maintained to prevent odours from spreading onto abutting properties.

## PRIVATE STABLES

- Private stables for horses may be allowed as an accessory structure in the “RR” Residential Rural Zones, subject to the following conditions:
  - » The maximum number of horses shall be 2.66 AU for every 2.0 acres of site area, and an additional 2.0 acres of site area required for each additional 1.33 AU to a maximum of 10 animal units.
  - » The animal shelter (stable) and the manure storage area shall be separated a distance of 250 feet from any dwelling unit (other than a dwelling of the owner or occupant), 50 feet from the site boundary and 250 feet from a public road.
  - » The paddock or animal exercising yard or enclosure shall be a minimum 15 feet from any site boundaries.

## EQUESTRIAN ESTABLISHMENT

- Equestrian Establishments may be allowed as an accessory use in the “RR” Residential Rural Zones, subject to the following conditions:
  - » A maximum of three non-resident employees shall be permitted on site.
  - » Outdoor activities shall be located behind the rear wall of the principal building. For the purpose of this regulation, the rear wall of the principal building is the wall furthest from the wall with the façade facing the fronting public road.
  - » The hours of operation must be limited to between 8:00 am and 6:00 pm; six (6) days a week.
  - » Students may attend the home based business only six (6) days a week.
  - » There shall be no signage, other than a non-illuminated sign of less than 8 square feet in size, to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential.
  - » There shall be no signage, other than a non-illuminated sign of less than 8 square feet in size, to indicate to persons outside that any part of the dwelling is being used for a purpose other than residential.
  - » The requirements of Private Stables shall apply.

## ***How is infill housing encouraged and regulated?***

1. First, single-detached dwelling are allowed to have one of the possible three varieties of Accessory Dwelling units [Secondary Suites, Garage Suites, and Garden Suites] subject to a number of regulations to ensure the accessory dwelling remains smaller than the primary dwelling.
2. Second, corner lots with single-detached dwellings and two-family dwelling in settlement areas [Urban Policy Areas] are targeted to allow for slight intensification to increase density, subject to a number of regulations to ensure the building form and design remains compatible in scale with the building forms for single-detached dwellings.

3. Third, dwellings are allowed in commercial zones such as along Main Streets and select industrial zones to accommodate business owners and employees to live on-site.

The Zoning By-law makes requirements for the design of the building and Plan Approval / Design review by decision makers is utilized to ensure the external design fits the character of the surrounding neighbourhood.

### ***Are Mobile Homes and Mobile Parks allowed?***

- Mobile Homes and mobile units are not allowed in R1 or R2 zoning.
- Mobile Homes and mobile units are allowed in Bungalow Clusters and Bungalow Courts in a third residential zone, either Residential Mixed Use (RMU) or Residential Third Density (R3). R3 is not currently included in the DRAFT 1 ZBL MAPS.
- Mobile Homes and mobile units are also allowed in select industrial zones where such structures are anticipated to house on-site workers or security guards.

### ***What is the difference between 'Heavy' and 'Light' Industrial?***

- The main measurable differences are that heavy industrial uses are:
- Establishments that routinely store or park overnight outside a building, more than 4 vehicles with GVWR greater than 33,000 lbs. or more than 8 vehicles with GVWR greater than 19,501 lbs.
- A 33,000 lbs GVWR truck is a Kenworth T600, Peterbilt 579, International WorkStar. A 19,501 lbs GVWR Truck is a F-650, Chevrolet C6500, Peterbilt 330.
- Where part or all of the processes and functions associated with the use are located outside of a building.

### ***What is the zoning going to be for inland grain terminals and grain elevators?***

- Under the NAICS, grain elevators fall under the definition of 'oilseed and grain merchant wholesalers' and is a sub-area under 'Farm product merchant wholesalers', which have been classified under 'Agri-business' land-uses in the zoning by-law.
- The Agri-business land-uses are allowed under the AGRICULTURE LIMITED – AL Zone; COMMERCIAL HIGHWAY ZONE – CH and INDUSTRIAL ZONE – M.
- An in-land grain terminal with tractor-trailer traffic, and located outside an Urban Policy Area will likely be zoned AGRICULTURE LIMITED – AL.

### ***What is the zoning going to be for farm operations?***

- Agriculture Operations means an agricultural, horticultural or silvicultural operation that is conducted in order to produce agricultural products on a commercial basis
- Agriculture Operations has a specific zone that primarily enables agricultural producers to generate agricultural products, entitled AGRICULTURE GENERAL – AG.

- Agriculture Operations is also allowable in several other zones.

***Are there restriction on the height or size of accessory structures associated with Agriculture Operations?***

- No restrictions on height or lot coverage. Yard setbacks must be adhered to.

***What is the difference between the Agriculture General Zone and the Agricultural Limited Zone?***

- The AG Zone is for agricultural produces [farmers] to generate agricultural products [grow crops] whereas the ALimited Zone is for businesses that either provide products to agricultural operations and/or use the agriculture products for shipping / manufacturing.

***Can farm operations have any other businesses?***

- Yes, Home Based Business, and Home Occupations are allowed as are Agri-Tourism, and Bed and Breakfast.

***Can farm operations have accessory dwelling units?***

- Yes, all types of accessory dwelling units are allowed such as Secondary Suites, Garage Suites and Garden Suites.

***Can a farmer have accessory structures such as grain bins, silos, and barns on their lands when there is no house on the same land?***

- Yes. Agricultural Operations such as growing crops is considered a principal use. A barn or grain bins are considered 'accessory structures' to the crop growing. The building heights are allowed under Section 5.22 to have no height restrictions. Setbacks from side yards, water bodies, etc. still apply.

***Can intensive livestock operation occur within the Planning Area?***

- Yes. Livestock Operations Uses, Large Scale, +300 Animal Units are a **CONDITIONAL USE** in the AGRICULTURE GENERAL – AG Zone.
- A municipality can choose to set a conditional use threshold that is greater than 300 AU.
- A livestock technical review will continue to be triggered by the requirement for a municipal conditional use approval for any livestock operation that is 300 AU or greater.

***What will the zoning be for Churches, Schools, Libraries, etc.?***

- The **INSTITUTIONAL ZONE** – IN enables public or privately owned facilities with an orientation towards educational, institutional, health care or community service to exist alongside uses that complement the institutional land-use.

***What are the size of lots for 'Rural Residential'?***

- **RURAL RESIDENTIAL ZONE** – RR is to provide for Single Detached Dwellings intended to be a permanent residence with a larger lot size and in a rural setting. Generally these developments are without the provision of the full range of municipal services but may have some piped water or

wastewater infrastructure.

- The RR Zone allows a minimum lot size of 1.0 acre when municipal services are provided and a minimum lot size of 2.0 acres when no piped services [or only piped water].

### ***What is the difference between the Commercial Main Street [CM] Zone and the Highway Commercial [CH] Zone?***

- The CM zone is to enable smaller, pedestrian orientated businesses that offer personal services, etc to residents [ie. Dentist office, accountant, etc.] whereas the CH zone is auto-orientated with large scale parking areas. Parking is not required in the CM Zone whereas parking is required in the CH zone.

### ***Has any downzoning or up zoning of properties, or zoning rationalization occurred?***

- No. We have taken the existing zoning on lands and translated into the new zoning district language, purposefully avoiding any loss of existing land-use rights.

### ***How big of a garage can my neighbour construct?***

- There will be a Section that governs garage and carports.
- The maximum height of a garage is 13 feet, the garage can not come closer than 5 feet from the property line, and the cumulative gross floor area of garages, carports and any other accessory structures on the lot cannot exceed 12.5% of the total area of the lot.
- There are also performance standards for garages that the exterior design is subject to Plan Approval / Design Review.

### ***Outside Storage, is this allowed?***

- As a stand alone, principle use, outside storage is permitted in the AE and EH Zones ; and as an accessory use in the CH Zone; and a conditional use in the EL Zone.
- Outside storage is also allowed when accessory to a home-based business.
- All instances of outside storage require screening with landscaping, fencing, etc.

### ***Are Places that serve Liquor allowed?***

- Yes. Drinking Places (alcoholic beverages) means establishments, known as bars, taverns or drinking places, primarily engaged in preparing and serving alcoholic beverages for immediate consumption. Includes bars, beer parlours or taverns, brasseries, cocktail lounges, nightclubs.
  - » Permitted in the CM and CH Zones.
- Yes. Micro-Brewery / Distillery / Winery means an establishment completely contained within a structure where beer, wine or liquor produced on-site and sold to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and directly to the consumer through carry-outs or on-site tap-room or restaurant sales.
  - » Permitted in the EL CM and CH Zones.

### ***What about parking? Is parking required?***

- Parking is required for certain Institutional uses such as Schools and Hospitals that demand parking as attendance at these land-uses are a necessary.
- Parking is required for all types of residential land-uses.
- Parking is required for land-uses in Light Industrial zones.
- All other zones and land-uses are not required to have parking: these uses are 'market' driven meaning if they do not provide any parking, the businesses may not function, so the owner/operator will decide if their business can function with or without parking and the number of parking stalls that are needed,
- Required Parking such as at multiple family residential land-uses may be reduced by the provision of bicycle and motorcycle parking; shared parking and tandem parking arrangements.
- Barrier Free [handi-cap parking] is required to be provided in all situations where 11 or more parking stalls are being provided regardless if the parking stalls are required or voluntarily.
- All parking areas, regardless of being required parking or voluntarily being provided, must meet parking area performance standards for screening, landscaping, fencing, etc.

### ***Can my neighbour park his boat or RV in the front yard?***

- Yes.
- Boats, recreational vehicles, trailers or similar vehicles shall be parked or stored in an interior side or rear yard provided that the boat, recreational vehicle, trailer, or similar vehicle is set back a minimum of 2 feet from any lot line, and the line dividing the side yard from the front yard, and shall be visually buffered from the view of a public road and abutting properties.
- Boats, recreational vehicles, trailers or similar vehicles shall not be parked or stored long-term in any portion of a front yard excluding lots fronting on a navigable water way.
- Recreational vehicle and trailer storage shall be permitted in a driveway for **Single Detached, Semi-detached, Duplex and Triplex Dwellings** only between May 1st and October 31st.

### ***Can my business that is located in town, pay a farmer to allow an advertisement sign be placed along the highway in to town?***

- Yes. A free standing sign no bigger than the size of 4 sheets of plywood can be erected on lands zoned 'Agriculture General'. Any structures within 125 feet from the edge of the PTH or PR requires a permit from the Provincial Government.