

**GENERAL DEVELOPMENT REGULATIONS**

**28.0 Applicability**

- 1) The General Development Regulations apply to any development on any site, irrespective of the Zoning District in which it is located.

**29.0 Yards on Corner Sites and Double Fronting Sites in GD: General Development Zoning District**

- 1) In the case of a Corner Site, the Front Yard shall be the Yard abutting the Front Lot Line.
- 2) Notwithstanding Section 29.0(1), the Development Officer may require any Corner Site to provide an additional Front Yard or Yards other than that required, having regard to the orientation and access of adjacent developments.
- 3) The Developer Officer may require a Double Fronting Site to provide a Front Yard on each public roadway, other than a lane, provided that at least one Front Yard shall be provided.

**30.0 Projection into Yards**

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

- 1) Uncovered walks, wheelchair ramps, trellises, flag poles, lighting fixtures and lamp posts.
- 2) Verandas, porches, eaves, shade projections, unenclosed steps, chimney or parts of a chimney, belt courses, sills, together with any other architectural features which, in the opinion of the Development Officer, are of a similar character, provided such projections do not exceed 0.61 m. (2.00 ft.).
- 3) Bay, oriel, or similar windows, provided that such projections do not exceed 0.61 m. (2.00 ft.).
- 4) Balconies, provided with such projections do not exceed 0.61 m. (2.00 ft.).
- 5) Any loading space required under the provisions of this By-law, provided it shall not be in a required Front Yard.

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

### **31.0 Objects Prohibited or Restricted in GD: General Development Zoning District**

- 1) No person shall keep in any part of a site in a GD: General Development Zoning District:
  - a) any dismantled or wrecked vehicle for more than 14 consecutive days; or
  - b) 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 area.

### **32.0 Fences in the GD: General Development Zoning District**

- 1) Fencing for Residential and Residential-Related Use Class developments in the GD: General Development Zoning District:
  - a) Shall not include electric fences or barbed wire fences.
  - b) Shall not be higher, measured from the general ground level 0.50 m. (1.64 ft.) back of the property line of the site on which the fence is to be constructed, than:
    - i) 2.00 m. (6.56 ft.) for the portion of a fence that does not extend beyond the foremost portion of the principal building abutting the Front Yard, nor beyond the foremost portion of the principal building where it abuts a Side Yard abutting a flanking public roadway other than a lane; and
    - ii) 1.00 m. (3.28 ft.) for the portion of a fence that does extend beyond the foremost portion or portions of the principal building on the site.
- 2) Fencing for Commercial and Industrial Use Class developments in the GD: General Development Zoning District:
  - a) Shall be not be higher than 2.44 m. (8.00 ft.) along a Rear Yard.
  - b) Shall be of sufficient height so as not to allow storage to project above it.
- 3) Fencing for all other Use Class developments in the GD: General Development Zoning District:

- a) Shall not include electric fences or barbed wire fences.
  - b) Shall not be higher than:
    - i) 1.22 m. (4.00 ft.) in a required Front Yard; and
    - ii) 2.00 m. (6.56 ft.) in a required Side or Rear Yard.
  - c) Notwithstanding the above, the maximum height of a fence located on a public or private education service site, public utility site or public park shall be 3.05 m. (10.00 ft.), excepting chain link fences for which there shall be no height limitation.
- 4) Notwithstanding the above, the height of a fence can be increased or decreased at the discretion of the Development Officer to account for the grade of surrounding properties.

### **33.0 Accessory Uses and Buildings**

#### **33.1 General Regulations**

- 1) Accessory developments are permitted when accessory to a Permitted Use.
- 2) Accessory developments are conditional when accessory to a Conditional Use.
- 3) Where any building or structure on a site is attached to a principal building on the site by a roof, an open or enclosed structure above grade, a floor or a foundation which is above grade, or any structure below grade allowing access between the buildings such as a parking garage or a corridor or passageway connecting the buildings, it is a part of the building and is not an accessory building.
- 4) No accessory building or structure shall be constructed on any site prior to the time of construction of the principal building to which it is accessory.
- 5) No accessory building or structure shall be used as a Dwelling.

#### **33.2 Temporary Buildings and Uses**

- 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.
- 2) Each development permit issued for a temporary building, structure or use

shall be valid for a period of not more than six months and may not be renewed for more than two successive periods at the same location.

- 3) In all cases, temporary buildings and structures shall not exceed 92.90 sq. m. (1,000.00 sq. ft.) in area and one storey or 4.57 m. (15.00 ft.) in height, and:
  - a) may be used as an office space for the contractor or developer;
  - b) shall not be used for human habitation, except as temporary accommodation for a caretaker, watchman or construction workers; and
  - c) shall not be detrimental to the public health, safety, convenience and general welfare, nor detract from the aesthetic value of the neighbourhood.

#### **34.0 Lighting of Sites**

Outdoor lighting for any development:

- 1) Shall be low-glare in nature and located and arranged so that no direct rays of light are directed at any adjoining properties, or interfere with the effectiveness of any traffic control devices.
- 2) If ground mounted, the maximum height shall be 6.10 m. (20.00 ft.).

#### **35.0 Height**

- 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: chimney stacks, steeples, belfries, domes or spires, monuments, elevator housings, roof stairway entrances, water or other tanks, ventilating equipment, skylights, fire walls, receiving or transmitting structures, masts, flag poles, clearance markers or other erections which are considered to be similar by the Development Officer.

#### **36.0 Access to Sites**

- 1) All access locations and curb crossings shall require the approval of the Development Officer or Municipal Engineer. Permits for:
  - a) developments adjacent to PTH 7 and PTH 17 shall be required from the Highway Traffic Board; and
  - b) developments adjacent to PR 229, 231, 415, 416, 419 and 512 as well

as all Provincial Access Roads and Main Market Roads shall be required from Manitoba Transportation and Government Services.

### **37.0 Landscaping**

#### **37.1 Landscaping for Commercial Use Class Developments**

- 1) A landscaping plan is required and no landscaping work shall be commenced unless the landscaping plan is approved by the Development Officer.
- 2) A landscaping plan shall contain the following information for the site and adjacent boulevards:
  - a) all physical features, existing or proposed, including vegetation, berm contours, walls, fences, outdoor furniture and fixtures, surface utilities, and paving; and
  - b) all shrubs and trees, whether existing or proposed, labelled by their common name, botanical name, and size.
- 3) Notwithstanding the provisions of Section 37.1(2), the Development Officer may consider an application if, in his/her opinion, the development is of such a nature as to enable the decision to be made on the application without all of the information.
- 4) The owner shall be responsible for landscaping and proper maintenance.

### **38.0 Moving of Structures**

- 1) No person shall move any structure or part thereof off his/her property to any other location unless that structure or part is made to conform to the provisions of this By-law applicable to the Zoning District to which it is to be moved.
- 2) Before moving a building or portion to a new location, the owner shall enter into an agreement with the Municipality containing an undertaking of the owner to pay all damages arising out of the move and such other terms and conditions as a Development Officer deems necessary.

### **39.0 Parking**

- 1) When any new development is proposed, including a change of use of existing development, or when any existing development is enlarged or

increased in capacity, then provision shall be made for off-street vehicular parking or garage spaces in accordance with the regulations and standards contained in this Section as follows:

**TABLE 39.0.1  
Off Street Parking Regulations**

Use Class	Number of Parking Spaces Required
<b>Residential and Residential-Related Use Classes</b> Institutional Residence Mobile Home Dwelling Multiple Family Dwelling Single Family Dwelling Semi-Detached Dwelling Two Family Dwelling Bed and Breakfast Home	1.00/each 2 Dwelling or Sleeping Units 1.00/Dwelling Unit 1.20/Dwelling Unit 1.00/Dwelling Unit 1.00/Dwelling Unit 1.00/Dwelling Unit 1.00/Sleeping Accommodation
<b>Commercial Use Classes</b> Hotel and Motel Eating and Drinking Establishment  Convenience and General Retail Stores All Other Commercial Establishments	1.00/Guest Room or Sleeping Unit 1.00/4 Seats or 1.00/9.29 sq. m. (100.00 sq. ft.) of floor area, whichever is greater  1.00/18.60 sq. m. (200.00 sq. ft.) of floor area 1.00/23.20 sq. m. (250.00 sq. ft.) of floor area
<b>Industrial Use Classes</b> All Industrial Establishments	1.00/92.90 sq. m. (1,000.00 sq. ft.) of floor area or 1.00/5 employees, whichever is greater
<b>Basic Service Use Classes and Community, Educational, Recreational and Cultural Service Use Classes</b>  Indoor Participant Recreation Service, Religious Assembly, Outdoor Participant Recreation Service, Private Club, Public Library and Cultural Exhibit, and Community Recreation Service  Extended Medical Treatment Service Public and Private Education Service  Government Service Child Care Service Funeral Service	1.00/5 Seating spaces or 3.05 m. (10.00 ft.) of bench space. Where there are no fixed seats, 1.00/each 9.29 sq. m. (100.00 sq. ft.) of floor area devoted to the assembly room floor area  2.00/Bed 1.50/Classroom, plus 1.00/each 9.29 sq. m. (100.00 sq. ft.) of floor area devoted to public use  1.00/51.10 sq. m. (550.00 sq. ft.) of floor area 1.00/2 Employees 1.00/5 Seating places

- 2) Where a proposed use is not listed above, the parking regulation shall be determined by Council which may either determine that the proposed use is similar to one which is listed, or, if that is not the case, the Development Officer shall make his/her own determination as to the regulation.
- 3) Where the parking space regulation is determined by reference to a unit such as the number of bedrooms or seats, floor area, the next higher number shall be required where the calculation results in a fractional number of parking spaces.

#### **40.0 Signs**

##### **40.1 General**

- 1) Signs are considered accessory uses and shall be developed in accordance with Section 33.0 of this By-law.
- 2) No sign shall be erected, operated, used or maintained which:
  - a) 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;
  - b) display lights resembling the flashing lights usually associated with danger or those used by police, fire, ambulance and other emergency vehicles; and
  - c) is not related to any business upon the site where the sign is located.
- 3) Where provisions of this By-law are inconsistent with the regulations respecting signs on or near public highways made or administered by the Manitoba Department of Transportation and Government Services, the more restrictive regulations shall apply.

##### **40.2 Abandoned and Unlawful Signs**

- 1) Where a 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 land or building or the person responsible for the abandoned sign to remove the sign within 20 days after receipt of the notice, or take such measures as are specified in the notice to alter and refurbish the sign so that it correctly identifies the business, or the products and services offered on the site where the sign is displayed.



- 2) Where a sign contravenes the provisions 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 provision of this By-law, or remove the sign.
- 3) Failure to remove abandoned or unlawful signs, or to comply with the measures specified in the notice by Council, shall result in:
  - a) the issuance of an offense ticket pursuant to this By-law by either the Development Officer or Council; or
  - b) 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.

**40.3 Sign Regulations in the GD: General Development Zoning District**

- 1) No person shall erect a sign in the GD: General Development Zoning District without first obtaining a development permit from the Development Officer and no development permit to erect a sign shall be issued unless all the sign provisions of this By-law have been satisfied.
- 2) Where the architectural design and appearance of a building facade for a multiple business occupancy are uniform, signs or individual businesses located on the same facade shall, in the opinion of the Development Officer or Council, be similar as to proportion, materials, and placement such that they present a pleasing architectural appearance.
- 3) Signs shall be developed in accordance with the following regulations:

**TABLE 40.3.1**  
**Signage Regulations in the GD: General Development Zoning District**

Use Class	Type of Sign	Maximum Sign Area
<b>Residential, Residential Related and Agricultural Use Classes</b>	Identification Sign Real Estate Sign	0.37 sq. m. (4.00 sq. ft.) 1.49 sq. m. (16.00 sq. ft.)
<b>Commercial and Industrial Use Classes</b>	Sign Attached to a Building  Free Standing Sign  If both Attached and Free Standing Signs are used	The total sign area per business shall not exceed 20.00 percent of the building face for each business (with only the wall of a building which faces a street being eligible), to a maximum of 9.29 sq. m. (100.00 sq. ft.) for single occupancy and a combined maximum of 27.87 sq. m. (300.00 sq. ft.) for multiple occupancy  9.29 sq. m. (100.00 sq. ft.) per business to a maximum total sign area per site of 18.58 sq. m. (200.00 sq. ft.) for multiple occupancy  The maximum combined total sign area shall not exceed 13.94 sq. m. (150.00 sq. ft.) shall apply for single occupancy sites and 37.16 sq. m. (400.00 sq. ft.) for multiple occupancy sites of three or more businesses
<b>Basic Service Use and Community, Educational, Recreational and Cultural Service Use Classes</b>	Free Standing Sign and/or Sign attached to a building	2.32 sq. m. (25.00 sq. ft.) when abutting a Residential Use Class development and 4.65 sq. m. (50.00 sq. ft.) in other Zoning Districts

**41.0 Off Street Loading**

- 1) When any new development is proposed including a change of use of existing development, or when any existing development is substantially enlarged or increased in capacity, off-street vehicular loading and unloading spaces shall be provided.
- 2) All loading and unloading spaces shall be located on the site so that all materials and commodities loaded or unloaded can be easily collected or distributed within the site, to and from all tenants and occupants. Access shall be so arranged that no backing or turning movements of vehicles going

to or from the site causes interference with traffic on the adjoining or abutting public roadways, lanes, sidewalks or boulevards.

- 3) Loading and unloading spaces shall be of adequate size and with adequate access, both to the satisfaction of the Development Officer, to accommodate the types of vehicles that will be loading and unloading, without those vehicles projecting into a public roadway. In no case shall the space be less than 27.87 sq. m. (300.00 sq. ft.), or less than 2.59 m. (8.50 ft.) wide, or have less than 3.66 m. (12.00 ft.) of overhead clearance.

#### 42.0 General Performance Standards

- 1) In any development, the design, use of exterior finishing materials and construction shall be to the satisfaction of the Development Officer or Council who shall 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. The Development Officer or Council may require that the appearance of walls exposed to public view from beyond the site be improved where the appearance of such walls is inconsistent with the finishing standards of surrounding development.

#### 43.0 Development Restricted

##### 43.1 Restricted Lot Occupancy

- 1) Unless specifically permitted in a Zoning District, no more than one dwelling unit is permitted on a lot.
- 2) Notwithstanding Subsection 43.1(1), a second additional dwelling unit or mobile home dwelling shall be allowed in cases where the said dwelling:
  - a) is to be used in connection with either an approved permitted or conditional use agricultural operation where a farm residence is required for people involved in the operation;
  - b) is to be used as an approved Temporary Additional Dwelling or Mobile Home in accordance with Section 46.0 of this By-law;
  - c) is to be used as an approved Guest Cottage Dwelling in accordance with Section 47.0 of this By-law; and
  - d) is a mobile home dwelling that is part of an approved Mobile Home Park development.

**43.2 Noxious or Offensive Uses**

- 1) Notwithstanding anything herein contained, no use shall be permitted in any Zoning District which may be offensive or objectionable unless satisfactory measures are undertaken to mitigate or eliminate such effects.

**43.3 Land Unsuitable for Development**

- 1) Notwithstanding the provisions contained in this By-law, the Development Officer or Council may prohibit or restrict the development of an area of land for a use permitted in a Zoning District if the area has been identified either by Council or other agencies as being subject to flooding, erosion, bank instability, landslide, subsidence, marshy or unstable, or otherwise hazardous or unsuitable for the proposed development and use by virtue of its soil or topography.

**43.4 Dwelling Setback from Waste Disposal Grounds and Lagoons**

- 1) No dwelling shall be located within 400.00 m. (1,312.34 ft.) of the boundary of any active waste disposal ground or sewage lagoon unless approval has been obtained from the Department of Conservation.

**43.5 Multiple Uses**

- 1) Where any land, building or structure is used for more than one purpose, all provisions of the By-law relating to each use shall apply. Where there is a conflict such as in the case of site area and frontage, the more restrictive regulations shall prevail, except as otherwise approved by Council.

**43.6 Side Yard Exceptions**

- 1) For the purpose of side yard regulations, the following dwellings that have common party walls shall be considered as one building occupying one site: two family dwellings, semi-detached dwellings, and multiple family dwellings. Side yard regulations shall not apply along the common party walls.

**44.0 Streets**

**44.1 Future Road Allowance Deemed Existing**

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