By-law No. 34-2026

CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING
BY-LAW



RECORD OF AMENDING BY-LAWS

ADOPTING BY-LAW	DESCRIPTION OF AMENDMENT	TEXT	MAP	REMARKS

CARMAN DUFFERIN GREY PLANNING DISTRICT

BY-LAW NO. 34-2026

Being a By-law of the Carman Dufferin Grey Planning District to regulate the use and development of land within the limits of the District.

WHEREAS Section 69 of *The Planning Act* allows a planning district to adopt a Zoning By-law that applies to the entire district if the council of every municipality in the district passes a resolution in favour of a district-wide zoning by-law.

AND WHEREAS under Part 5 of *The Planning Act*, the Town of Carman, the Rural Municipality of Dufferin, and the Rural Municipality of Grey have, by resolution, confirmed their support for a district-wide zoning by-law;

NOW THEREFORE the Board of the Carman Dufferin Grey Planning District in meeting duly assembled, enacts as follows:

1. The Zoning By-law No. is hereby adopted.
2. This By-law shall be known as the Carman Dufferin Grey Planning District Zoning By-law.
3. Carman – Dufferin Planning District Zoning By-law No. 04/2014, Rural Municipality of Grey Zoning By-law No. 5/03, and the Village of St. Claude By-law 375-04, as amended, are repealed.
4. This By-law shall come into force on, from, and after the date on which it received Third Reading by the Board.

DONE AND PASSED by the Board duly assembled at the Carman Dufferin Grey Planning District this ____ day of ____, 2026.

_____

Brent Owen, Chair

_____

Coordinator of Planning Services

Read a first time this 13th day of May, 2026.

Read a second time this _____ day of _____, 2026

Read a third time this _____ day of _____, 2026.

CARMAN DUFFERIN GREY PLANNING DISTRICT ZONING BY-LAW

HOW TO USE THIS BY-LAW

STEP 1 Review **Part 4: General Development Regulations** for standards that apply to all parcels of land within the Carman Dufferin Grey Planning District.

STEP 2 Reference **Part 5: Zoning Districts Established** to understand the intent of each zoning district and to determine which uses are permitted, which uses require additional permissions, and which uses are not permitted.

STEP 3 Check the applicable **Use Regulations** in **Part 6** for additional standards that apply to your parcel(s).

STEP 4 Confirm dimensional standards that apply to your parcel(s) based on zoning district. Find your parcel(s) of land in **Part 7: Land Use Maps** to identify how your property is zoned.

Clarity on terms or words can be found in **Part 1: Definitions.**

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1 DEFINITIONS

1.1 DEFINITIONS

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

2. **“Abut or abutting”** means a site or use that physically touches another site or use, and shares a site line or boundary with it.

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

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

5. **“Aggregate or mineral extractions”** means the extraction of minerals, sands, gravels 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.

6. **“Agri-tourism operation”** means an establishment that provides a service to promote and educate the public about farming and agricultural activities. Typical accessory uses to the agricultural operation include corn and hay mazes, petting zoos, seasonal activities, limited overnight accommodations for guests, and events related to the farm such as tours.

7. **"Agricultural activities"** means a use of land for agricultural purposes including cropping, grazing, apiculture, floriculture, horticulture, excepting livestock operations, including the necessary accessory uses for packing, storing or treating the produce. The operation of any such accessory uses shall be secondary to that of the general agricultural activities.

8. **"Agriculture crop protection warehouse"** means the facility used to store, blend and/or distribute chemicals used for crop protection and production. Products can include herbicides, insecticides, fungicides, rodenticides and fertilizers, but does not include anhydrous ammonia.

9. **“Agricultural exhibition grounds”** means an area used to provide entertainment to the public, primarily outdoors, and may include vendors of food, beverage and commodities, amusement rides, agricultural fairs, outdoor rodeos and similar uses.

10. **"Agricultural implement sales and services"** means a building and open area, used for display, sale or rental of new or used farm implements and where repair work is done.

11. **"Agricultural product storage"** means the temporary storage of any agriculture product for future use, delivery or processing (does not include farm accessory bins).

12. **"Agriculture, specialized"** means the use of land for apiculture, cannabis cultivation and production, floriculture, horticulture, including market gardening, orchards and tree farming, and similar agricultural activities for commercial production that may require a smaller land holding.

13. **"Airports, landing strips and related facilities"** means land or water which is used or intended for the landing or take-off of aircraft and any associated buildings or areas including taxi-ways, storage facilities and tie-down areas, hangars, helipads or similar uses.

14. **"Alter or alteration"** means a change or modification to an existing building, structure or use which, unless otherwise provided for herein, does not increase the exterior dimensions with respect to height and area.

15. **"Alteration, incidental"** means:

    Changes or replacements in the non-structural parts of a building or structure, including but not limited to the following:

    a. an addition on the exterior of a building, such as an open porch;

    b. alteration of interior partitions in all types of buildings; or

    c. replacement of, or changes in, the capacity of utility pipes or ducts.

    Changes or replacements in the structural parts of a building or structure, including but not limited to the following:

    a. adding or enlarging windows or doors in exterior walls;

    b. replacement of building facades; or

    c. strengthening the load bearing capacity, in not more than ten percent (10%) of the total floor area, to permit accommodation of a specialized unit of machinery or equipment.

16. **"Alteration, structural"** means the construction or reconstruction of supporting elements of a building or other structure.

17. **"Animal keeping"** means a barn or an outdoor area where livestock are confined by fences or other structures, and includes a seasonal feeding area but does not include a feedlot or a grazing area.

18. **"Animal shelter, boarding or breeding establishment"** means a development used for the breeding, boarding, or sheltering of animals normally considered as household pets. This use includes kennels and animal training facilities.

19. **"Animal units or A.U."** means the number of animals of a particular category of livestock that will excrete 73 kg of total nitrogen in a twelve (12) month period as set out in Appendix A.

20. **"Aquifer"** means a permanent geological formation that can supply quantities of water sufficient for at least a single-unit dwelling.

21. **“Auctioneering establishment”** means a building or place used for the public or private sale of goods, merchandise, livestock, vehicles or heavy equipment to the highest bidder.

22. **"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.

23. **"Automotive service station"** means a use involving the repair or servicing of automobiles, recreational vehicles, motorcycles or similar, or an establishment where gasoline or any other motor vehicle fuel is offered for sale to the public. This use includes incidental retail sale of related accessories and parts.

24. **“Bake shop/tea house”** means a small-scale, limited-service establishment primarily engaged in the preparation and retail sale of baked goods, tea, coffee, and other non-alcoholic beverages with or without dine-in options. This use may include on-site baking and the preparation of light meals, but does not include full-service restaurants, drive through service, or large-scale food production.

25. **"Basement"** means a portion of a building between a floor and ceiling that is located partly underground, but with more than half of the floor to ceiling height thereof above the average grade of the adjoining ground.

26. **"Bed and breakfast"** means a building or portion thereof where lodging and/or meals are provided for compensation for person(s) exclusive of the proprietor and family.

27. **“Bicycle parking”** means infrastructure allowing for the storage of bicycles when they are not in use. Examples include outdoor bicycle racks and indoor bicycle wall mounts.

28. **“Board”** means the Board of the Carman Dufferin Grey Planning District as established under *The Planning Act*.

29. **“Boarding or rooming house”** means a building or portion thereof within a single-unit dwelling where the homeowner supplies sleeping accommodation and where meals may be provided, and where no cooking facilities are present in any individual sleeping room or accommodation.

30. **“Buffer”** means a transitional area of land in order to lessen negative impacts. Buffers are typically landscaped to provide visual interest and block site lines.

31. **"Building"** means a building as defined in *The Planning Act*.

32. **"Building, main or principal"** means a building in which is conducted the principal use of the site on which it is situated.

33. **"Building permit"** means a permit issued by the Carman Dufferin Grey Planning District or other appropriate authority authorizing the construction or alteration of all or part of any building in accordance with applicable building codes/standards.

34. **"Bulk fuel and chemical storage"** means the use of land for the storage, sale or distribution of synthetic or petroleum based fluids or chemicals, fertilizers, and other potentially hazardous or noxious materials, primarily on a wholesale basis.

35. **"Bus or school bus depot"** means a facility that provides parking accommodation, servicing, maintenance and related facilities for buses.

36. **"Campground or RV park"** means a use by a for-profit business or municipal/provincial entity on a parcel of land planned and improved to accommodate travel trailers, camping trailers, pick-up coaches, motorized homes, tents, tent trailers or other camping accommodations used for travel, recreational and vacation uses.

37. **"Canada Land Inventory or CLI"** means a series of maps prepared by the governments of Canada and Manitoba showing an evaluation of the capability of the land to support agriculture, forestry wildlife and recreation.

38. **"Cannabis cultivation"** means the preparation of soil, planting, irrigating, growing and harvesting of cannabis as per federal Cannabis Regulations.

39. **"Car wash"** means a facility for the cleaning of automobiles or other motor vehicles, whether operated by the public or by on-site employees, whether or not in conjunction with other goods or services provided to customers.

40. **"Cemetery"** means land for the burial of human remains and dedicated for cemetery purposes, including crematoria, mausoleums and mortuaries, when operated in conjunction with and within the boundaries of the cemetery.

41. **"Cemetery, pet"** means any land, place, structure, facility or building used for the permanent internment or inurnment above or below ground of pet remains.

42. **"Child care facility"** means a use involving the care, educational activities, and/or supervision of children in the daytime and evening, licensed by the Government of Manitoba. A child care facility does not include overnight accommodations.

43. **"Civic uses"** are a building, structure or lot used for public functions and services and can be publicly or privately owned. Examples include schools, federal/provincial/municipal buildings and yards, and healthcare facilities.

44. **"Collection basin"** means a structure:

    a. intended to collect runoff water contaminated with manure in an agricultural operation; and
    b. constructed primarily from soil by excavating or forming dikes.

45. **“Communal farm operation”** means a principal agricultural operation and those secondary dwelling units and various accessory uses intended to support and diversify the livelihood of its residents. Communal farm operations may include a wide range of accessory uses.

46. **“Communication facility”** means an installation which transmits, receives and/or relays communications. Examples include a cellular telephone tower, radio or television broadcast tower, aircraft communications tower, or similar facilities.

47. **“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.

48. **“Condominium”** means individual ownership of a unit in a multiple unit structure where expenses common to all parties are shared.

49. **“Condominium, bare land unit”** means a unit of land defined by delineation of its horizontal boundaries without reference to any buildings on a condominium plan.

50. **“Condominium unit”** means a part of the land or building that is designated as a unit by the condominium plan, and is comprised of the space enclosed by its boundaries and all material parts of the land within this space at the time the condominium declaration and plan are registered.

51. **"Conditional use"** means the conditional use of land or building as defined in *The Planning Act* and as provided for in 3.8.

52. **"Contractors establishment"** means land and/or buildings intended for the storage of equipment and materials and the performance of work related to the provision of contracting businesses such as road building, construction, plumbing, electrical and landscaping.

53. **“Construction”** 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, replacements and/or development.

54. **“Controlled area”** means the area between a declared provincial highway right-of-way and a control line as identified in the *Controlled Area and Limited-Access*

Highway Regulation, or within a control circle measured for the centre of selected provincial highway intersections.

55. **“Cottage”** means a dwelling unit constructed and used as a place of residence for vacations and recreational purposes.

56. **“Cultural/spiritual land based practices”** means the use of land, buildings, and/or structures (temporary or permanent) for the purpose of sharing, teaching or practicing customs, heritage, arts and culture of people. Examples include, but are not limited to, traditional medicinal gardens, sweat lodge, and ceremonial grounds.

57. **“Data centre”** means a site or facility used for large-scale data processing, including but not limited to cloud computing, AI training, crypto mining, storage, and networking.

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

59. **“Designated area”** means an area designated for use as identified in the Carman Dufferin Grey Planning District Development Plan.

60. **"Designated Officer"** means an employee or officer of the planning district or a municipality who is designated to carry out a power or responsibility in accordance with *The Planning Act*.

61. **“Detached sleeping quarters”** means an accessory detached building located on the same site as a cottage or dwelling which provides incidental accommodation for family members and guests.

62. **“Developer”** means any person who engages in construction (as defined) or any person who engages in land development including the subdivision of land.

63. **"Development"** means:
    a. the construction of a building on, over or under land;
    b. a change in use or intensity of use of a building or land;
    c. the removal of soil or vegetation from land; and
    d. the deposit or stockpiling of soil or material on land or the excavation of land.

64. **"Development permit"** means a permit issued under the zoning by-law, authorizing development, and may include a building permit.

65. **"Development Plan"** means The Carman Dufferin Grey Planning District Development Plan and amendments thereto.

66. **“District, the”** means the Carman Dufferin Grey Planning District.

67. **“Drive-in establishment”** means an establishment with facilities for attracting and servicing prospective customers travelling in motor vehicles, which are driven onto the site where the customer may or may not receive service in the vehicle.
68. **“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.

69. **"Dwelling, farmstead"** means any dwelling which is or has been accessory to a farm operation and is on a parcel which includes or has included associated agricultural buildings, normally in a single cluster enclosed by shelterbelts.

70. **“Dwelling, mobile home”** 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.

71. **"Dwelling, multiple-unit"** 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 or townhouses.

72. **"Dwelling, single-unit"** means a building or structure containing only one dwelling unit that is separate from any other dwelling or building.

73. **"Dwelling, two-unit"** means a single building or structure containing two separate dwelling units, separate from any other building. Typical uses include duplexes and side-by-side dwellings.

74. **"Dwelling unit"** means one (1) 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. Recreational vehicles (RVs), travel trailers or other camping vehicles shall not be considered dwelling units.

75. **“Entertainment, adult”** means any premises or part thereof that provides goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations.

76. **“Equipment depot”** means a facility used for the storage of heavy or large equipment including building supplies and farm machinery.

77. **“Fabric building”** means an engineered structure that consists of a fabric membrane stretched across a structural framework and can be made from a variety of different materials.

78. **"Farm buildings or structures"** means any buildings or structures existing or erected on land used principally for agricultural activities but not including dwellings.

79. **“Farm diversification operation”** means uses that are secondary to the principal established agricultural use of the property, operated by the same owner and on the same property as the principal farm use. Examples include, but are not limited to, agritourism, farm shops or restaurants, and value-added processing.

80. **“Farm produce outlet”** means a retail use, such as a shop or kiosk, accessory to a permitted farm used for selling agricultural products produced on the farm or in the surrounding area.

81. **“Farmstead”** means that portion of the land of an agricultural operation on which is located the residence of the operator.

82. **“Farmstead site”** means the area of land previously or presently used to accommodate a residence, animal shelters or other buildings associated with agriculture, normally in a single cluster enclosed by a shelterbelt.

83. **"Feedlot"** means an outdoor area that is fenced to confine livestock solely for the purpose of growing or finishing but does not include a grazing area or a seasonal feeding area.

84. **"Field storage site"** means an area where solid livestock manure is stored in the open air, but does not include an earthen manure storage facility or a non-earthen manure storage facility.

85. **“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, but is not limited to, ambulance services, courier services, taxi services and similar uses.

86. **"Floodplain"** means all land that would be flooded by the 200-year flood or by a recorded flood exceeding the 200-year flood.

87. **“Freight or trucking operation”** means a commercial development used for the process of transporting goods, commodities, or merchandise using heavy-duty trucks or lorries.

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

89. **“Funeral chapel or mortuary”** means a facility for the storage and cremation of deceased human bodies, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies therewith before burial or cremation.

90. **“Garage, private or carport”** means an accessory building or portion of a principal building, if attached, used by the occupants of the premises upon which it is located for the parking or temporary storage of private passenger motor vehicles, and may also include the incidental storage of other personal property.

91. **“Government service”** means a development providing public services directly to the public. Examples include, but are not limited to, correctional centres, courthouses, employment offices, postal distribution centres, social service offices and similar uses.

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

93. **"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.

94. **“Greenhouse, plant or tree nursery”** means an establishment used for the storage, display and sales of plants, trees and other garden materials.

95. **"Groundwater"** means water below the surface of the ground.

96. **“Gun club”** means an indoor facility used by an association or non-profit organization for the safe discharge, on a regular and structured basis, of firearms for the purpose of target practice or target shooting competitions, in accordance with the regulations of *The Firearms Act*.

97. **“Height (of building or structure)”** means the vertical distance measured from the average grade at the base of the building or structure to the highest point of the roof surface, excluding projections or attachments.

98. **"Home business"** means a type of home-based commerce accessory to a dwelling wherein all operations are conducted within a dwelling and such use does not change the character or exterior of the building.

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

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

101. **“Hospital, clinic or health service facility”** means an institution or facility that provides medical care or services including laboratory, surgery, x-ray, or treatment of human illness, injury or disease. Outpatient care may also be provided.

102. **“Indoor/outdoor event space”** means a place that is intended to be used for recreation and special events and is privately owned and operated. Examples include, but are not limited to, farmers and outdoor markets, and wedding venues.

103. **“Institutional and/or care facility”** means a premise which is intended for the training, treatment, rehabilitation, housing, care and/or supervision of children and/or adults. Examples include seniors homes, nursing homes, convalescent homes, personal care homes, rehabilitation homes/treatment centres, group homes, foster care, and similar uses.

104. **“Irrigation pond”** means a water body designed to capture, store, and distribute water for agricultural purposes.

105. **“Library, museum or gallery”** means an establishment intended for the collection, display or sale of literary, artistic, textile or antiquities and similar cultural artifacts.

106. **“Livestock”** means any animal kept or raised for use and/or profit, including:
    a. Animals used for the purposes of food production or other products, herding, protection of livestock, draft work, breeding stock, and training;
    b. Animals kept for the purpose of improving or preserving any species or kind of animal that may be kept for a purpose set out in clause (a) above; or
    c. Poultry.

107. **“Livestock operation”** means a permanent or semi-permanent facility or non-grazing area where livestock producing ten (10) or more animal units (AUs) are confined, fed, kept or raised, either indoors or outdoors, and includes all associated manure collection facilities but does not include a livestock auction facility.

108. **"Loading space"** means an off-street space on the same zoning site with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which has access to a street, lane or other appropriate means of access.

109. **"Manufacturing, heavy"** means processing and manufacturing uses that cannot be classified as light industrial uses, as defined herein.

110. **"Manufacturing, light"** means processing and manufacturing uses, provided that they do not create safety hazards or noise in excess of average intensity of street and traffic noise in the area in which they are located. The use should not emit smoke, dust, dirt, toxic or offensive odours or gas and the use should not produce heat or glare perceptible from any site line of the site on which the use is located. As a rule, in the agricultural zone, industries in this category should be secondary to the agricultural use, if not, they should be of such a size that they do not create traffic problems or impact negatively on the surrounding area.

111. **“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 structures in or by which manure is moved to or from the storage facility, but does not include:

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

112. **“Metal shipping container”** means a prefabricated metal structure designed for use as a storage enclosure, and which may be permanent or temporary in nature. This use includes other storage containers including tractor RVs.

113. **"Mobile home"** means a portable dwelling that is designed for residential occupancy, built upon or having a frame or chassis to which wheels may be attached, which may move it upon a highway.

114. **"Mobile home park"** means an area of land with required improvements and utilities upon which three or more mobile home spaces are provided and have been approved by the Board.

115. **"Mobile home space"** means a space in a mobile home park for the placement of a mobile home.

116. **“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.

117. **“Normal high water mark”** means the line on the shore established by the fluctuations of water and indicated by physical characteristics, such as where vegetation ceases or where the character of vegetation or soil changes.

118. **“Nuisance”** means an unreasonable interference with the public’s right to peaceable enjoyment of their own property and may include smoke, dust, dirt, toxic or offensive odours, gasses, heat or glare, or any other such nuisance that may be perceptible from an adjacent site.

119. **"Occupancy"** means the use or intended use of a building or structure or part thereof for the shelter or support of persons, animals or property.

120. **"Open space"** means that required portion of a zoning site at ground level, unless otherwise stated, unoccupied by principal or accessory buildings and structures and available to all the occupants of the premises and shall be useable for landscaping, recreational space and other leisure activities normally carried on outdoors.

121. **“Outdoor storage”** means the keeping or placement of merchandise, goods, inventory, materials, or equipment, or other items outside of a fully enclosed building, where such items are not intended for immediate sale and are not part of an outdoor display.

122. **“Outdoor woodstoves/boilers”** means a wood-fired heating unit located outside of a building, typically used to provide heat and hot water.

123. **"Owner"** means a person, or agent of such person, who appears by the records of the proper land titles office to have any right, title, estate, or interest in land.

124. **"Parcel/parcel of land"** means a parcel as defined in *The Planning Act*.

125. **"Parking area"** means an open area of land, other than a street or lane, or an area within a building or structure used for the parking of vehicles.

126. **"Parking space"** means a space on a parking area or zoning site for the temporary parking or storage of a vehicle.

127. **“Parks, playgrounds, recreation trails and fields”** means a use of public land specifically designed or reserved for the general public for active or passive recreational use.

128. **"Party wall"** means a wall forming part of a building and used for separation of adjoining buildings occupied, constructed or adapted to, be occupied by different persons or businesses.

129. **“Performance standard”** means a standard established to control noise, odour, smoke, toxic or noxious matter, vibration, fire and explosive hazards or glare or heat generated by, or inherent in, uses of land, buildings or structures.

130. **"Permitted use"** means the use of land, building or structure provided in this zoning by-law for which a development permit shall be issued upon an application having been made, if the use meets all the requirements of this by-law.

131. **“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.

132. **"Planned unit development"** means a land development project planned as an entity in accordance with a unitary site plan that permits flexibility in siting of buildings, mixture of housing types and land uses, useable open spaces and the preservation of significant natural features.

133. **“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 and maintained.

134. **“Principal residence”** means a dwelling where a landowner has a permanent home and to which that individual has the intention of returning to whenever absent.

135. **“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 Planning Act*, and which has not received a legal development permit as required in this by-law.

136. **“Protective and emergency service”** means a facility required for the public protection of persons or property, including police stations and fire stations.

137. **“Public or private club facility”** 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 Province of Manitoba, such uses are considered a drinking establishment.

138. **"Public utility"** means any system, works, plant, equipment or services that are used for, or are incidental to, the operation of a public utility. Examples include public works yards, water control facilities, reservoirs, and works used to provide services or commodities to the public by the Crown or Planning District including power stations or wastewater treatment plants.

139. **“Recreation, indoor”** means a development providing facilities within an enclosed building for sports and active recreation where patrons are predominantly participants. Typical uses include athletic clubs, bowling alleys, cinemas, hockey arenas, public swimming pools, and similar uses.

140. **“Recreation, outdoor”** means a development providing facilities which are available to the public at large for sports and active recreation conducted outdoors where patrons are predominantly participants. Typical uses include athletic fields, drive-in establishments, driving ranges, outdoor rinks, public swimming pools, ski hills, tennis courts, and similar uses. Use does not include a shooting range.

141. **“Rendering plant”** means a facility for converting waste animal tissues into useable, value-added materials.

142. **"Repair"** means the renewal or reconstruction of any part of an existing building or structure for the purpose of its maintenance or restoration.

143. **“Restaurant or drinking establishment”** means an establishment primarily engaged in the preparation of food or alcoholic drinks intended to be sold to the public for consumption on or off the premises.

144. **"Retail sale, service or office"** means any use or premises where materials, goods, food/beverages, productions, instruction, exhibitions, a practice, a profession, advice, or other services are offered for sale, rent, lease or repair to the general public and is contained within an enclosed building. This use does not apply to manufacturing or other retail-based uses defined elsewhere in this By-law.

145. **“Riding academy”** means a commercial facility where horses are sheltered, fed, or kept for sale or hire to the public. Training of horses and riders may also be conducted.

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

147. **“Shooting range”** means a place (indoor and/or outdoor) designed or intended for the safe discharge, on a regular and structured basis, of firearms for the purpose of target practice or target shooting competitions.

148. **"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.

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

150. **“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.

151. **“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.

152. **“Sewage treatment plant and/or lagoon”** means a facility that collects, treats, and discharges wastewater including all related uses.

153. **"Shopping centre"** means a building or group of buildings designed, developed, owned and managed as a unit by a single owner or tenant, or group of owners or tenants, containing three or more separated spaces for lease or occupancy of commercial uses or business or professional offices.

154. **"Sign"** means any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol or trademark), flag, intended to, or having the effect of, announcing, identifying, directing attention to, or advertising a building or use.

155. **"Sign, advertising"** means a sign directing attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same zoning site where the sign is maintained, including a billboard sign.

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

157. **"Site area"** means the computed land area contained within the site lines.

158. **"Site, corner"** means a site situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.

159. **"Site coverage"** means the area, measured as a percentage of the total site area, which is occupied by a principal or accessory building, or structure.

160. **"Site depth"** means the horizontal distance between the centre points of the front and rear site lines.

161. **"Site frontage"** means all that portion of a zoning site fronting on a street and measured between side site lines.

162. **"Site, interior"** means a site other than a corner site or a through site.

163. **"Site lines"** means as follows:

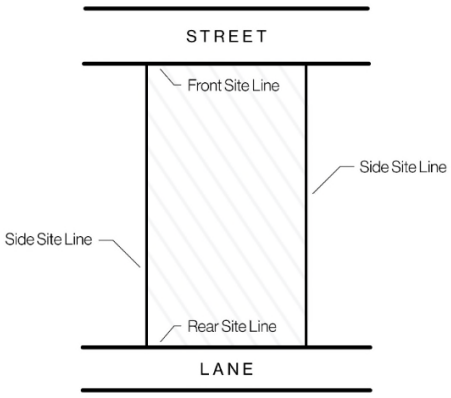
    a. **"Front site line”** means that boundary of a site that is along an existing or designated street. For a corner site the designated employee or officer may determine the front site line.

    b. **"Rear site line”** means that boundary of a site that is most nearly parallel to the front site line. In the case of a site in which the side site lines intersect, such as a triangular site, a line ten (10) feet in length within the site, parallel to and at the maximum distance from the front site line.

    c. **"Side site line”** means a boundary of a site that is not a front or rear site line.

d. Where the front site line is a curve, as in a cul-de-sac or curved street, the front site line shall be deemed to be formed by a straight line joining the two points where the side site lines meet at the edge of the road allowance; and

e. Where an irregular shaped site cannot have its site lines identified by the foregoing definitions, the designated employee or officer shall determine the front, rear and side site lines.



164. **"Site requirements"** means some or all of the following:

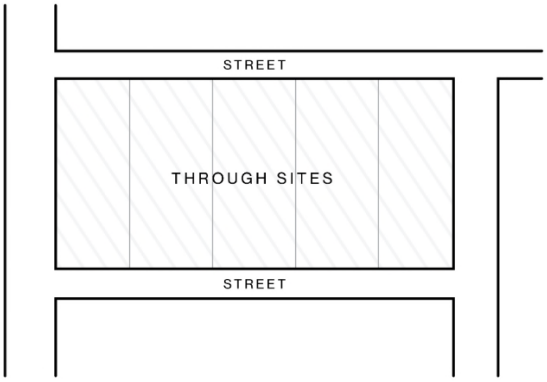
a. the area of the zoning site upon which a building is located, and/or the number of dwelling units or rooms within such building in relation to the area of the zoning site;

b. the location of exterior walls of buildings in relation to site lines, other walls of the same building, legally required windows, and/or other buildings;

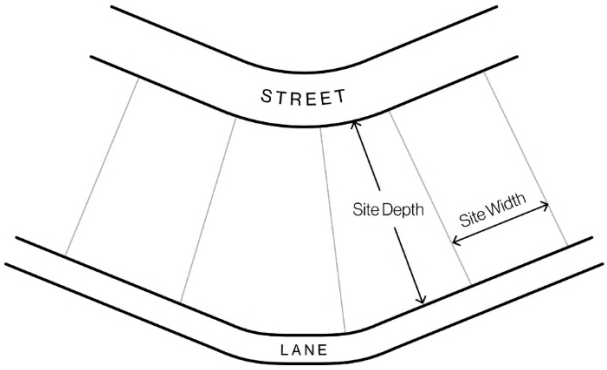
c. all open areas relating to buildings or structures and their relationship thereto; and/or

d. the size (including height and floor area) of buildings or structures.

165. **"Site, through"** means a site having a pair of opposite site lines along two (2) more or less parallel streets. On a through site both street lines shall be deemed front site lines.



166. **"Site width"** means the horizontal distance between the side site lines, measured at right angles to the site depth at a point midway between the front and rear site lines, or forty (40) feet from the front site line, whichever is the lesser.



167. **"Site zoning"** means an area of land which:

    a. is occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use or uses thereto, together with such open spaces as are required under the provisions of this by-law;

    b. has frontage on a street or has any lawful means of access satisfactory to the Board; and

    c. is of sufficient size to provide the minimum requirements of this by-law for a permitted or conditional use in a zone where the use is located.

168. **"Small scale industries"** means light manufacturing, assembly or distribution of ready-made products on a small scale. As a rule, industries in this category are secondary to the agricultural operation, if not, they should not be of such a size that they create traffic problems or impact negatively on the surrounding area.

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

170. **"Stable"** means a private or public detached accessory building for the keeping of cattle, horses, or similar animals owned by the occupants of the premises and not kept for remuneration, hire, or sale.

171. **"Stockpile"** means the placement or storage in a specific location, in an unnatural manner, so as to create a gradually accumulated reserve of something.

172. **"Street"** for the purpose of this by-law means any public highway, road allowance, lane, bridge, thoroughfare or way or part thereof which serves to provide access to a site.

173. **“Structure, non-permanent”** means any building or anything constructed that can be easily disassembled or relocated, and does not require a foundation. Non-permanent structures are intended to be short-term in use.

174. **"Structure, permanent"** means any building or anything constructed or erected with a fixed location on or below the ground, or attached to something having a fixed location on the ground and includes buildings, walls, fences, signs, billboards, poster panels, light standards and similar items. Permanent structures cannot be easily disassembled or relocated and are intended for long-term use.

175. **"Surface water"** means any body of flowing or standing water, whether naturally or artificially created, including, but not limited to, a lake, river, creek, spring, drainage ditch, roadside ditch, reservoir, swamp, wetland and marsh, including ice on any of them, but not including a dugout or reservoir on the property of an agricultural operation.

176. **"Surface 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.

177. **“Temporary additional dwelling”** means an additional dwelling unit placed on a site already containing a dwelling unit on a temporary basis. A temporary additional dwelling does not have a permanent foundation.

178. **“Temporary car shelter”** means a portable covering which is used to protect an automobile or vehicle from the elements on a temporary basis.

179. **“Temporary uses, buildings or structures”** means incidental uses, buildings or structures for which a permit has been issued for a limited time only, or those necessary for highway construction and maintenance.

180. **“Tiny home”** means a detached dwelling unit measuring less than 500 square feet on a single lot, or a cluster of detached dwelling units measuring less than 500 square feet each on a single lot.

181. **“Transportation terminal”** means a facility used for the transfer of goods primarily involving loading and unloading of freight-carrying trucks.

182. **"Travel trailer"** means a vehicle used or intended to be used as a transient living accommodation facility for travel, recreation, business, trade, vacation and construction work which is designed for frequent moves but not for long-term residential occupancy and which:

    a. is capable of being transported on its own chassis and running gear by towing or other means;

b. is placed on the chassis or body of a motor vehicle; or

c. forms part of a motor vehicle.

183. **“Truck wash”** means any building or premises, or portion thereof, used for washing trucks, trailers, semi-trailers, recreational vehicles, and similar motor vehicles.

184. **“Two-hundred year flood event”** means a flood event that can be expected to occur, on average, once in 200 years.

185. **“Village Centre”** means any areas designated as such in the Development Plan.

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

187. **“Variation order”** means the altering of any of the regulations found in this by-law in accordance with *The Planning Act*.

188. **“Veterinary hospital or clinic”** means a development used for the care and treatment of animals including outpatient care and medical procedures. This use may include relevant accessory uses including crematoriums.

189. **“Waste disposal ground”** means a parcel of land that is used for the disposal of solid or industrial waste or for which a site approval is given from the appropriate provincial authority for use of the land for the disposal of solid or industrial waste.

190. **“Water body”** means any body of flowing or standing water, whether naturally or artificially created, and whether the flow or presence of water is continuous, intermittent or occurs only during a flood, including but not limited to a lake, river, creek, stream, slough, marsh, drain, swamp and wetland, including ice on any of them.

191. **"Wholesale"** means an establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers or other wholesalers; or acting as agents and buying merchandise for such individuals or companies.

192. **“Wind energy generating system”** means an electricity generating facility with a combination of wind turbines and accessory facilities, including but not limited to a generator, transformer, storage, collection and supply equipment, underground cables and access road(s).

193. **“Wind or solar farm”** means a development comprised of, but not limited to, one or more wind or solar electric generators on a commercial basis.

194. **“Wind turbine”** means a structure designed to convert wind energy into mechanical or electrical energy as a utility and includes all associated components.

195. **"Wrecking and salvage yard or junkyard"** means an area used for the storage, baling, disassembling, sale, exchange of and/or dismantling of scrap materials including the wrecking of motor vehicles or trailers, metals, paper, rubber, and glass.

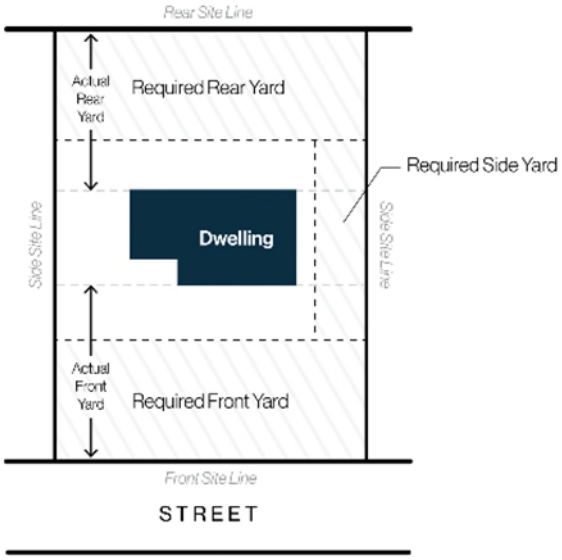
196. **"Yard"** means an open area, on the same zoning site containing a building or structure, which is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted:

    a. **"Required yard"** means a yard extending along a site line to a depth or width (measured from the site line) specified in the yard requirements for the zone in which such zoning site is located;

    b. **"Required front yard"** means a yard extending along the full length of the front site line between the side site lines;

    c. **"Required rear yard"** means a yard extending along the full length of the rear site line between the side site lines; and

    d. **"Required side yard"** means a yard extending along the side site line from the front yard to the rear yard.



197. **"Zoning memorandum"** means a notice issued by the Planning District certifying that a building, structure, use or parcel of land complies with the provisions of this by-law.

2 INTERPRETATION

2.1 TITLE

2.1.1 This by-law shall be known as the Carman Dufferin Grey Planning District Zoning By-law.

2.2 PURPOSE

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

1. Implement the objectives and policies of the Carman Dufferin Grey Planning District Development Plan;
2. Outline the powers and duties of the Planning District Board, the Designated Officer, and landowners and/or developers as they relate to this by-law; and
3. Regulate the following:
    a. All buildings and structures erected hereafter;
    b. All uses or changes in use of all buildings, structures and land established hereafter; and
    c. All enlargements or additions to existing buildings, structures and uses.

2.3 SCOPE

2.3.1 This by-law applies to all lands in the Carman Dufferin Grey Planning District as indicated on Map 1 in Section 7.1 of this by-law.

2.4 SEVERABILITY

2.4.1 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 this by-law as a whole, or any other section or provision provided for herein.

2.5 OTHER LEGISLATION

2.5.1 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:

1. The regulations of the National Building Code as well as any applicable Municipal or Provincial building regulations;
2. The Carman Dufferin Grey Planning District Development Plan;
3. Any secondary plan; and
4. Any other appropriate federal, provincial or municipal legislation.

2.5.2 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.

2.5.3 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.

2.6 DOES NOT PROMOTE NUISANCE

2.6.1 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.

2.7 EFFECTIVE DATE

2.7.1 This by-law shall be in full force and effect when the Carman Dufferin Grey Planning District Board has given it Third Reading.

2.7.2 The adoption of this by-law shall not prevent any pending or future legal action to deal with any existing land use violations.

2.8 RULES OF INTERPRETATION

2.8.1 The following rules apply to the text of this by-law:

1. Words, phrases and terms defined herein shall be given the defined meaning.
2. Words, phrases and terms not defined herein but defined in *The Planning Act* and the Building, Electrical or Plumbing By-laws of the Rural Municipality of Dufferin, Rural Municipality of Grey, Town of Carman and LUD of St. Claude shall be construed as defined in such act and by-laws.
3. Words, phrases and terms neither defined herein nor in the aforementioned by-laws shall be given their usual and customary meaning except where, in the opinion of the District, the context clearly indicates a different meaning.
4. The phrase "used for" includes "arranged for", "designed for", or "occupied for".
5. Unless the context clearly indicates 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:
    a. "and" indicates that all the connected items, conditions, provisions or events shall apply in any combination;
    b. "or" indicates that the connected items, conditions, provisions or events may apply singly or in combination; and
    c. "either-or" indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

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

2.9 UNITS OF MEASUREMENT

2.9.1 For clarity and ease of interpretation, this by-law contains imperial measurements.

2.10 HEIGHT CALCULATIONS

2.10.1 In determining whether a development conforms to the maximum height permissible in any zoning district, the following building features shall not be considered:

a. Chimneys;
b. Church spires, steeples or similar;
c. Communication facilities (private);
d. Electrical or mechanical works of buildings;
e. Elevator shafts or stairway enclosures;
f. Masts, flag poles or clearance markers;
g. Roof ornaments or lightening rods;
h. Ornamental domes (less than 10% of the total roof area and no more than five (5) feet above maximum building height);
i. Monuments;
j. Liquid or gas storage containers;
k. Silos;
l. Sky lights;
m. Stockpiles;
n. Ventilation fans; and
o. Other similar constructions as determined by the Designated Officer.

2.11 ZONING MAPS AND BOUNDARIES

2.11.1 The zoning maps provided herein form part of this by-law.
2.11.2 No zoning district shall apply to public lands including rights-of-way.
2.11.3 Where a zoning district boundary divides or splits a registered parcel of land into more than one zoning district:

1. 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
2. Each portion of the said parcel of land shall be used in accordance with the applicable zoning district provisions of this by-law as if it were a distinct zoning site.

3 ADMINISTRATION

3.1 REGULATION OF USES

3.1.1 No development, except otherwise expressly permitted in this by-law, shall be undertaken in the Carman Dufferin Grey Planning District unless an application has been approved and a development permit has been issued.

3.2 RESPONSIBILITIES OF THE PLANNING DISTRICT BOARD

3.2.1 The Planning District Board shall be the authority responsible for the enactment of this by-law and, subject to the provisions of *The Planning Act*, is responsible for:

1. The enactment, repeal and amendment of this by-law;
2. Administering and enforcing the provisions of this by-law and the provisions of *The Planning Act*, where applicable;
3. Considering the adoption of amendments to or the repeal of this by-law;
4. Consider and issue variance orders;
5. Approving or rejecting conditional use applications; and
6. Establishing a schedule of fees.

3.3 DESIGNATED OFFICER

3.3.1 In accordance with the provisions of Section 184 of *The Planning Act*, the Planning District Board may designate an officer, by by-law, who on behalf of the Carman Dufferin Grey Planning District:

1. May issue a development permit where the proposed development generally conforms with the applicable provisions of the Development Plan, the Zoning By-law and any secondary plan by-law;
2. May enter any buildings or premises at all reasonable hours in the performance of his/her duties with respect to this by-law;
3. May issue development permits for the temporary use of buildings, structures, or land pursuant to the provisions of this by-law;
4. May issue zoning memoranda or such other documents necessary in the administration and enforcement of this by-law;
5. May allow or refuse such minor variances to the requirements of this by-law as authorized by subsection 3.9.4 and in accordance with the provisions of *The Planning Act*; and
6. Shall refer, with his/her recommendations, to the Planning District Board all applications for:
    a. Amendments to this by-law;
    b. New conditional uses and changes to an existing conditional use;

c. Variances from zone requirements in excess of that authorized by subsection 3.9.4;

d. Matters requiring the specific approval of the Planning District Board pursuant to this by-law; and

e. Any other items which may require the Planning District Board's attention.

3.4 DEVELOPMENT PERMITTING

3.4.1 Every person shall apply for a development permit before commencing development within the Carman Dufferin Grey Planning District except those uses listed in 3.5.

3.4.2 The Planning District Board shall require an applicant to apply for a demolition permit for the demolition of a dwelling in order to fill, grade, fence or follow other special conditions required for public and environmental safety.

3.4.3 A development permit shall expire if the development has not commenced within one (1) year of the date of issuance, or if work has been suspended for six (6) consecutive months. If requested by the applicant prior to the date of expiry, the Designated Officer may extend the date of expiry by no more than one additional twelve (12) month period from the original date of issuance.

3.5 DEVELOPMENT NOT REQUIRING A PERMIT

3.5.1 A development permit is not required for the developments listed below, provided that they comply with all other applicable provisions of this by-law. This exemption does not relieve an applicant or landowner from the obligation to obtain other required approvals from applicable authorities or agencies.

1. Regular maintenance and repair of any development provided it does not include structural alterations or does not exceed the amount listed in the fee schedule;
2. Private driveways which are accessory to a development;
3. Private patios which are accessory to a development;
4. A fence, wall or gate;
5. An accessory building that:
    a. Is 108 square feet or less in area;
    b. Does not exceed fifteen (15) feet in height; and
    c. Is not considered a hazard or detriment to the District as determined by the Designated Officer.
6. Open decks/landings/stairs having a floor less than two (2) feet above grade and no greater than fifty (50) square feet in area;
7. Landscaping;

8. The erection or placement of a temporary building, the sole purpose of which is incidental to the erection of a building for which a development permit has been granted, provided the temporary building is removed within thirty (30) days of substantial completion or as determined by the Designated Officer;
9. The construction and/or erection of permitted non-illuminated signs; and
10. The use of vacant farmland, use of farm buildings and use of farm structures for permitted agricultural activities, excluding livestock operations.

3.6 REQUIRED FOR A DEVELOPMENT PERMIT

3.6.1 The Designated Officer may impose, with respect to permitted uses, such conditions as are required to ensure compliance with this by-law.

3.6.2 The Board 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.

3.6.3 The Designated Officer 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.

3.6.4 The Designated Officer may, as a condition of issuing a development permit, require an applicant do any of the following:

1. To provide a detailed engineering study, at the expense of the development proponent, of the soil conditions of a site where a site:
    a. Is abutting a water course of municipal drain; or
    b. Has unstable soil conditions.
2. To construct, or pay for the construction of, or improvement to, a public roadway required to give access to the development;
3. To specify the location and number of vehicular and pedestrian access points to a site from public roadways, including the construction, or payment for the construction thereof or improvements thereto;
4. 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;
5. 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;
6. To construct, or pay for the construction of lot grading and drainage works, including the provision of a drainage plan; and
7. To construct, or pay for the construction of, or improvement to, land drainage works that are necessary to serve the development.

3.6.5 The Designated Officer may require any agreement entered into pursuant to this by-law be caveated against the title to the site at the Land Titles Office, at the expense of the development proponent.

3.6.6 When an application for a development permit is submitted for a site abutting a water course or municipal drain, the Designated Officer may require a report or study from a Certified Professional Engineer of Manitoba, at the expense of the development proponent. The report or study shall include information regarding the existing and proposed grades of the site. The final grade of the site shall be to the satisfaction of the Designated Officer and in accordance with municipal by-laws.

3.7 AMENDMENTS TO THIS ZONING BY-LAW

3.7.1 Subject to *The Planning Act*, an amendment to this zoning by-law might be initiated by the Planning District Board or by the owners of the affected property, or their agents. An application to amend this zoning by-law and all required information and fees, shall be made to the Planning District Board and processed in accordance with *The Planning Act*.

3.7.2 After giving the by-law amendment first reading, the Planning District Board shall give notice and hold a public meeting according to *The Planning Act*, at which time it shall review all of the facts presented and any representation made. It shall make its findings and determination in writing and shall transmit a copy thereof to the applicant. If the Planning District Board approves the application, it shall proceed with the adoption of the amendment in accordance with the provisions of *The Planning Act*.

3.7.3 Subject to the procedures required under *The Planning Act*, anyone objecting to any amendment which has been given second reading by the Planning District Board may file that objection with the Municipal Board.

3.8 CONDITIONAL USE ORDERS

INTENT

3.8.1 The development and execution of this by-law is based upon the division of the Planning District into zones, within each zone the use of land, buildings and structures in relation to the land are substantially compatible. There are certain uses deemed conditional uses which, because of their unique characteristics, cannot properly be classified in any particular zone or zones without consideration of the impact of those uses upon neighbouring land and of the public need for the particular use at that particular location.

APPLICATION

3.8.2 An application for a conditional use shall be processed and approved or rejected in accordance with the provisions of *The Planning Act*.

FILING AN APPLICATION

3.8.3 The application shall be made to the Planning District Board or the designated employee or officer and must be in the form and accompanied by a site plan and any supporting material, including engineering reports or studies, and such fees as required by the Planning District Board.

EXPIRY OF APPROVAL

3.8.4 The approval of the Planning District Board in accordance with the provisions of *The Planning 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. The conditional use order may be extended for an additional period of not longer than twelve (12) months, if an application is received before the initial deadline.

EXISTING CONDITIONAL USE

3.8.5 Where a use is classified as a conditional use under this by-law, or amendments hereto, and legally exists as a permitted or conditional use at the date of the adoption of this by-law or amendments hereto, it shall be considered as an existing conditional use.

CHANGES TO AN EXISTING CONDITIONAL USE

3.8.6 Any change in a conditional use shall be subject to the provisions of this section and the appropriate provisions of *The Planning Act*.

REVOKING A CONDITIONAL USE

3.8.7 The Planning District Board may revoke an approved conditional use order for a violation of any conditions imposed by it.

CONDITIONS OF APPROVAL

3.8.8 The Planning District Board may impose conditions on a conditional use which serve to secure the objectives of the District Zoning By-law and more specifically meet the general development standards of the subject zone. Such conditions may include, but are not limited to:

1. Safeguards to control potentially dangerous, noxious or offensive effects such as:
    a. Noise or vibration;
    b. Odour, smoke, dust or other airborne particles;
    c. Radiation, fire or explosive materials;
    d. Heat, humidity or glare; and
    e. Toxic and noxious matters including waste.

2. Hours of operation and other performance standards as required.
3. Design and siting requirements including:
    a. The provision of open space, landscaping, planting, screening and buffering including fences;
    b. Off-street parking and loading areas;
    c. Outdoor storage and display areas;
    d. Grading and surface drainage;
    e. Lot surfacing;
    f. Pedestrian and vehicular circulation systems including entrances and exits;
    g. Outdoor lighting;
    h. Signs;
    i. Refuse and garbage storage;
    j. Location of buildings and structures within the site; and
    k. Building design and architectural appearances.
4. Upgrading of municipal services including sewer, water, drainage, transportation and other services and systems as required or for the provision of individual on-site servicing; and/or
5. Other matters deemed necessary by the Board to ensure a desirable and compatible development.

3.9 VARIATION ORDERS

INTENT

3.9.1 Any person may apply for an order varying specific provisions of the by-law in accordance with the provisions of *The Planning Act*.

APPLICATION

3.9.2 An application for a variance order shall be processed and approved or rejected in accordance with the provisions of *The Planning Act*.

FILING AN APPLICATION

3.9.3 An application for a variance order shall be made to the Planning District Board or the designated employee or officer and must be in the form and accompanied by any supporting material and fees required by the Planning District Board.

3.9.4 The designated employee or officer may, in accordance with the provisions of *The Planning Act*, make an order that varies the height, distance, area, size or intensity of use requirements and the number of parking spaces, by no more than fifteen (15) percent. The applicant may appeal the order of the designated employee or officer to the Planning District Board.

3.9.5 Where subdivision does not alter widths of existing lots, site width variations shall not be required.

3.10 DUTIES OF THE OWNER

3.10.1 Neither the granting of a development permit nor the approval of the drawings and specifications nor the inspection made by a designated employee or officer shall in any way relieve the owner of the responsibility of complying with the requirements of this by-law.

3.10.2 Every owner shall:

1. In accordance with *The Planning Act*, permit a designated employee or officer to enter any building or premises at any reasonable time for the purpose of administering or enforcing this by-law and shall not molest, obstruct or interfere with the designated employee or officer in the discharge of his/her duties under this by-law;
2. After the development application has been approved and the permit issued, obtain the written approval of the designated officer before doing the work at variance with the approved documents filed; and
3. Be responsible for obtaining where applicable, from the appropriate authorities, permits or licenses relating to the buildings, grades, sewers or water supply systems, plumbing, signs, blasting, street, occupancy, electrical, highways, and all other permits required in connection with the proposed work.

3.11 NON-CONFORMANCE

3.11.1 A non-conforming use and a non-conforming building or structure shall be regulated in accordance with and subject to the provisions of *The Planning Act*, unless otherwise provided for herein.

3.11.2 All buildings and structures, parcels of land, and uses of land that lawfully existed before the enactment of this zoning by-law are deemed to conform to the site and use requirements of the zone in which the buildings and structures, parcel of land or use of land are situated. Any expansion, addition, relocation or reconstruction of the said buildings and structures or change in use shall conform to the site and use requirements of the zone in which they are located unless varied by a variance order.

3.11.3 Incidental alterations that do not increase the non-conformity and otherwise conforms to this by-law may be made to an existing building that does not conform to the zoning by-law, pursuant to *The Planning Act*.

3.11.4 Pursuant to the provisions of *The Planning Act*, where a building that does not conform to the provisions of the zoning by-law, is damaged or destroyed to an extent of fifty (50) percent or more of the replacement value of the building above its foundation, said building must not be repaired or rebuilt except in conformity with this by-law and any approved variance.

3.11.5 If the size or dimensions of an existing parcel of land do not conform to the zoning by-law, the owner of the land may:

1. use the land for any use permitted under the by-law; and
2. construct or alter a building on the land if all requirements of the by-law, such as yards, building height and floor area, are met.

3.11.6 Wherever a requirement of site area, width, frontage, depth of required yard is reduced below the minimum requirements of this by-law by virtue of a highway, road allowance, drain, right-of-way or the section survey, such site shall be deemed to conform to the requirements of this by-law. Site reductions resulting from subdivisions made by any owner shall not qualify for this exception.

3.11.7 If the use of land or the intensity of the use of land does not conform to the zoning by-law and the non-conformity has been discontinued for more than 12 consecutive months, the land must not be used after that time except in conformity with the zoning by-law.

3.11.8 The Planning District Board may permit the following alterations to an existing non-conformity by variance order as per *The Planning Act*:

1. construction on a non-conforming building beyond that permitted under subsection 3.11.3;
2. an increase in the intensity of an existing non-conforming use, other than a variance to increase the number of animal units in a non-conforming livestock operation;
3. the repair or rebuilding of a non-conforming building that has sustained more damage than permitted under subsection 3.11.4 above; or
4. the extension of the 12-month time limit under subsection 3.11.7 above for not more than 12 additional months.

3.11.9 Where any of the above variances do not result in the elimination of the non-conformity, the subject building, structure, use or parcel shall retain its non-conforming status as per subsection 3.11.1 above.

3.11.10 Upon request, the Planning District Board will issue a zoning memorandum that states whether or not a building, parcel, or use appears to conform to the zoning by-law.

1. Application for a zoning memorandum must be in the form and be accompanied by any supporting material and fees, required by the Planning District Board.

3.12 INTERPRETATION AND APPLICATION

3.12.1 In their interpretation and application, the provisions of this by-law shall be held to be the minimum requirements to satisfy the intent and purpose as set forth herein.

3.12.2 Developments approved under this by-law are subject to applicable Provincial or Federal approvals. Whenever provisions of any by-law of the RM of Dufferin, the RM of Grey, the Town of Carman, the LUD of St. Claude, or any other requirements of the Provincial or Federal Governments impose overlapping regulations on the use of land or buildings or site regulations or contain any restrictions covering any of the same subject matter contained herein, the most restrictive or highest requirement shall govern.

3.12.3 The granting of a development permit in compliance with the provisions of this by-law shall not in any way relieve the person obtaining such permit from full responsibility of complying with the requirements of any other Municipal, Provincial or Federal statutes, by-laws, regulations or orders or those of any of their agencies.

3.12.4 Unless otherwise provided for herein, an existing building, structure or use which was illegal under the provisions of any by-law in force on the effective date of this zoning by-law, and amendments thereto, shall not become or be made legal solely by reason of the adoption of this by-law. To the extent that, and in any manner that, said illegal building structure or use is in conflict with the requirements of any by-law, said building, structure or use remains illegal hereunder.

3.13 DEVELOPMENT AGREEMENTS

3.13.1 As a condition of amending this zoning by-law, making a variation order or approving a conditional use, the Planning District Board may require the owner to enter into a development agreement in respect of the affected property dealing with one or more of the following matters pursuant to *The Planning Act*:

a. the use of the land and any proposed building;

b. the timing of construction;

c. the siting and design of any proposed building;

d. the provision of parking, landscaping, open space, grading of land and fencing;

e. the construction or maintenance of works, such as sewer and water, waste removal, drainage, public roads, street lighting, and sidewalks;

f. the payment of a sum of money to the Board in lieu of requirements under clause (e) to be used for any of the purposes referred to in that clause; and

g. the dedication of land or payment of money where the amendment is for a residential use, a mobile home park or an increase in residential density, as per *The Planning Act*.

3.13.2 The development agreement may be registered in the Land Titles Office in the form of a caveat against the certificate of title for the land that is the subject of the development agreement and shall be discharged when the requirements and conditions of the agreement have been met.

3.14 PUBLIC UTILITIES AND SERVICES

3.14.1 Nothing in this by-law shall be so interpreted as to interfere with the construction, maintenance and operation of the facilities of any public utility service or protective and emergency service, as defined in this by-law.

3.15 LAND UNSUITED FOR DEVELOPMENT

3.15.1 Notwithstanding the provisions contained in this by-law, the Planning District Board may prohibit the development of land for a use permitted in a zoning district if the Board is of the opinion that the land is subject to flooding or subsidence or is low-lying or unstable, or otherwise unsuitable or hazardous for the purpose by virtue of its soil, topography or unique conditions.

3.16 ENFORCEMENT

3.16.1 The enforcement of this by-law, including fines and penalties, shall be in accordance with *The Planning Act*. Any person who violates this by-law is guilty of an offence and liable, upon summary conviction, to the penalties set forth in *The Planning Act*.

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

1. The applicant fails to comply with the conditions of issuance of a permit; or
2. Any person undertakes, causes or permits any development on a site that is contrary to the terms or conditions of a permit.

3.16.3 Any person who undertakes a development on a site without a permit, or after a permit has been revoked, shall discontinue such development forthwith upon notice in writing issued by the Designated Officer and shall not resume such development unless a permit has been issued or reinstated.

3.16.4 The provisions of this zoning by-law do not apply to Crown lands within the Carman Dufferin Grey Planning District. The administration of Crown land is legislated under various Acts. Crown land tenure must be obtained from the department/branch responsible for administration of the relevant provincial regulation or legislation.

3.17 FEES

3.17.1 An application for development shall be accompanied by an application fee in accordance with the Carman Dufferin Grey Planning District’s fee schedule by-law.

4 GENERAL DEVELOPMENT REGULATIONS

4.1 APPLICABILITY

4.1.1 The provisions of this Part shall apply to any development on any site, irrespective of the zoning district in which it is located.

4.2 MULTIPLE USES OR PROVISIONS

4.2.1 Where land, a building, or a structure is used for more than one purpose, all provisions of this by-law relating to each use must be satisfied. When more than one provision in this by-law is applicable, the higher and more stringent requirements shall apply unless otherwise specified.

4.3 ACCESSORY USES

4.3.1 Where this by-law provides that any premises may be used or a building or structure may be erected, altered or used for a purpose, that purpose shall include any accessory building, structure or use.

4.3.2 Where an accessory building is attached to a principal building, it is considered part of the principal building and is not an accessory building or structure.

4.3.3 No accessory building or structure shall be constructed on any site prior to the construction of the principal building or structure on the site without receiving conditional use approval in the residential zoning districts.

4.3.4 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, unless allowed under written agreement with the Board and it is determined to be necessary for storage of tools and materials to maintain a site prior to the construction of a dwelling, in the agricultural, business, or open space and institutional zoning districts.

4.3.5 Accessory buildings and structures shall not be located closer than ten (10) feet, clear of all projections, to the principal building.

4.3.6 Detached accessory buildings or structures shall not be located within a required front yard, except in the AG and AR zones at the discretion of the Designated Officer.

4.3.7 Notwithstanding the provision under clause 4.3.6 above, a detached accessory building may be allowed in the required front or side yard on sites which back onto a waterbody or public reserve.

4.3.8 Accessory uses, buildings and structures shall be limited to those listed in Table 4-1 below:

Table 4-1: Accessory use table

BUILDING, USE OR STRUCTURE	ZONE							
	Agri-cultural	Residential			Business		Open Space and Institutional	
	AG, AR	GD	RR, SR	RL, RM, RMH	CC, CG	CH, ICA, MH, MG	I	OS
Accessory use, building or structure not otherwise defined herein	C	C	C	C	C	C	C	C
Airport landing strip	P[1]	-	-	-	-	C	-	-
Animal keeping[2]	P	C	P	-	-	-	-	-
Detached sleeping quarters	P	-	C[3]	-	-	-	-	-
Drive through	-	-	-	-	C	C	-	-
Fabric building	P	-	-	-	C	C	-	-
Farm buildings or structures	P	-	-	-	-	-	-	-
Farm diversification operation	P	-	-	-	-	-	-	-
Farm produce outlet	P	C	C	-	-	-	-	-
Garage, private or carport	P	P	P	P	P	-	-	-
Home business	P	P	P	P	C	-	-	-
Home industry	P	C	C	C	-	-	-	-
Irrigation pond[4]	P	-	-	-	-	-	-	-
Manure storage facility[5]	P	-	-	-	-	-	-	-
Metal shipping container	P	C	C	-	-	P	-	-
Outdoor market	P	P	-	-	P	P	-	P
Outdoor storage	-	-	-	-	C	P	-	-
Outdoor woodstoves/boilers	P	P	P[6]	-	-	-	-	-
Private swimming pools and hot tubs[7]	P	P	P	P	-	-	-	-
Second dwelling	C	-	-	-	-	-	-	-
Secondary suite	C	P	P	P[8]	-	-	-	-
Sign, billboard	C	C	-	-	-	C	C	-
Signs	P	P	P	P	P	P	P	P
Solar panel[9]	P	P	P	P	P	P	P	P
Temporary additional dwelling	C	C	C	-	-	-	-	-
Temporary car shelter	P	-	-	-	-	-	-	-
Wind energy generating system	P	-	-	-	-	-	-	-

[1] When incidental to an agricultural operation.

[2] Animal keeping shall adhere to use specific standards as identified in Section 6.6.

[3] Detached sleeping quarters are a conditional use in the SR zone but are not permitted in the RR zone.

[4] Irrigation ponds shall adhere to use specific standards as identified in Section 6.23.

[5] Manure storage facilities shall be developed and operated in accordance with all Provincial requirements and regulations.

[6] Outdoor woodstoves/boilers are permitted in the RR zone but are not permitted in the SR zone.

[7] Secondary suites are permitted in the RL zone but are not permitted in the RM or RMH zones.

[8] Private swimming pools and hot tubs shall adhere to use specific standards as identified in Section 6.32.

[9] Solar panels shall adhere to use specific standards as identified in Section 6.35.

4.4 TEMPORARY USES

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

4.4.2 Temporary buildings, structures and uses which are incidental and necessary for construction on the same site may be permitted on a temporary basis, subject to the issuance of a development permit and under the following conditions:

1. Storage of construction materials and equipment;
2. Office space for a contractor or developer; and
3. Temporary accommodation for a caretaker, watchperson or other employees on the same construction site.

4.4.3 Each zoning site shall have not more than one (1) temporary car shelter subject to the issuance of a development permit and under the following conditions:

1. Temporary car shelters must be kept in good condition at all times and be located on the same zoning site as the principal building that they serve; and
2. A temporary car shelter is not permitted in a required front yard.

4.4.4 A development permit for a temporary building, structure or use shall be valid for a period of not more than twelve (12) months and may not be renewed for more than one (1) additional twelve (12) month extension at the same location.

4.5 RESTRICTED AND PROHIBITED DEVELOPMENT

4.5.1 Nothing in this by-law shall be construed as authorization for the carrying out of any development or activity that is a nuisance.

4.5.2 No development or activity 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.

4.5.3 Notwithstanding the provisions contained in this by-law, the Board may prohibit the development of land if the Board is of the opinion that the land is subject to erosion, flooding, or subsidence, or is low-lying, marshy or unstable, or otherwise unsuitable or hazardous for the proposed development by virtue of its soil, topography or unique conditions, unless otherwise proven contrary by a professional engineering report.

4.6 ONLY ONE PRINCIPAL USE ON A SITE

4.6.1 There shall be only one principal building, structure or use on a site, except wherein otherwise stated in this by-law.

4.7 DWELLING UNITS PERMITTED ON A PARCEL

4.7.1 No person shall be issued a development permit to construct more than one dwelling unit or mobile home on a parcel of land, except as follows:

a. Dwellings used in connection with or ancillary to an agricultural operation;

b. Multi-unit dwellings;

c. A mobile home when part of a mobile home park; or

d. Dwellings forming part of a bare land unit condominium, or a planned unit development.

4.8 MOVEMENT OF BUILDINGS, STRUCTURES AND EARTH

4.8.1 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.

4.8.2 Before moving a building or structure greater than 108 square feet in size to a new location within the District, the owner shall obtain a permit and may be required to enter into an agreement with the District detailing the undertaking of the owner to pay all damages that may arise from the move as the Designated Officer deems necessary.

4.8.3 The relocation of any building or structure into the Carman Dufferin Grey Planning District from another location shall require a pre-inspection report be conducted to the satisfaction of the Designated Officer.

4.8.4 The relocation of any building or structure that is not entirely new and unused will require the owner to enter into a surety with the District, unless it is determined by the Designated Officer in consultation with the Planning District Board that the building or structure is not of concern through a pre-inspection.

4.8.5 Any excavation shall be filled, the ground shall be leveled, and the site shall be put in a safe condition to the satisfaction of the Designated Officer within 30 days of the date of removal of the building or structure.

4.8.6 The removal of topsoil from a site shall require the prior approval from the Planning District Board.

4.9 SUBDIVISION OF ATTACHED UNITS

4.9.1 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:

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

2. Each site created shall have frontage on a public right-of-way, except in the case of a bare land condominium development; and
3. In the case of an attached dwelling, each newly created site may only accommodate one (1) dwelling unit.

4.9.2 Notwithstanding the requirements of Table 5-5, the minimum site area and minimum site width shall be reduced by half for any new site created pursuant to this subsection. No side yard is required along the newly created site line (party wall).

4.10 PUBLIC MONUMENTS AND STATUARY

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

4.11 LAND SUBJECT TO FLOODING AND HAZARD LANDS

4.11.1 No building shall be constructed or placed in the vicinity of a lake, river, watercourse, municipal or provincial drains or other body of water on land that has been identified by the Province as a flood hazard or would be inundated by the two-hundred year flood event, unless it is demonstrated to the satisfaction of the Board that:

a. The land is not subject to flooding;
b. Proper measures will be taken to protect the building from flooding; or
c. That access to the property is on a developed public road to a standard and elevation that meets with provincial flood protection measures.

4.11.2 No permanent structures shall be located within 100 feet adjacent to all natural water bodies and waterways, measured from the normal high water mark.

4.11.3 Within 100 feet of all natural waterbodies and waterways vegetation shall be maintained in a natural state.

4.11.4 No building shall be constructed or placed on land which may be subject to subsidence or erosion by water or damage by ice or may be marshy or unstable or may be otherwise unsuitable or hazardous by virtue of its soil or topography, unless it is demonstrated to the satisfaction of the Board that proper measures will be taken to deal with the unsuitability or hazard.

4.11.5 Where the specific hazard has not been determined, buildings shall be setback from all waterways a minimum of ten (10) times the height of the bank above channel grade or 100 feet, whichever is greater, unless an engineering investigation shows that these limits may be reduced.

4.11.6 Notwithstanding any provisions of this by-law, the Designated Officer may refuse to issue a development permit or building permit where the Board has reason to believe that the proposed development is located on land that is subject to one or more of the hazards identified in this section, or where the Board has reason to believe such works would create an adverse effect on adjacent public or private lands or where adjacent drains are insufficient to accommodate added surface water run-off.

4.11.7 The Designated Officer may require a development permit applicant to provide, at their own expense, such flood levels, elevations, or other geotechnical data as may be required.

4.12 DEVELOPMENT ALONG LAKES AND WATERBODIES

4.12.1 All buildings and structures must be built to meet the two-hundred (200) year flood design requirements of the Province of Manitoba.

4.12.2 Landowners shall not place any buildings, structures, decks or similar on public reserve land unless a permit has been issued by the proper authority to the satisfaction of the Designated Officer.

4.12.3 Any work in or near water that has the potential to harmfully alter, disrupt or destroy fish habitat (including riparian areas) or deposit deleterious substances (including sediment) into any fish bearing water must be reviewed by the Province of Manitoba and possible authorization by Fisheries and Oceans.

4.12.4 New or expanded manure storage facilities, septic fields, and municipal wastewater lagoons will be discouraged on land that has soils determined, by detailed soil survey, to have an agricultural capability of Class 6, Class 7, or Unimproved Organic Soils and must be setback from water courses or streams, in accordance with Provincial regulations.

4.13 PROTECTION OF GROUNDWATER

4.13.1 If groundwater is to be used as a source of potable water, it shall be done in a sustainable manner and compliant with all applicable provincial legislation.

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

4.13.3 Development of any common drinking water or sewer systems should be done in accordance with provincial legislation.

4.14 CONNECTION TO MUNICIPAL SERVICES

4.14.1 All principal buildings constructed on a site serviced by water, wastewater and/or hydro distribution shall be connected to such services.

4.14.2 Where services do not exist, a property owner shall be required to connect to these services as they are installed.

4.15 PUBLIC RESERVE LANDS

4.15.1 In accordance with *The Planning Act*, Public Reserve land may only be used for:

a. A public park;

b. A public recreation area;

c. A natural area;

d. A planted buffer strip separating incompatible land uses; or

e. Public Works.

4.16 SPECIAL SETBACKS

4.16.1 No dwelling unit shall be located within 1,320 feet of the boundary of any active, closed, or abandoned waste disposal ground unless:

a. A Certified Professional Engineer of Manitoba determines that there will be no migration of methane gas; and

b. Approval has been obtained from applicable Provincial departments.

4.16.2 No residential property line shall be located within 1,500 feet of the boundary of a municipal sewage lagoon.

4.16.3 Development adjacent to rights-of-way for the transmission of natural gas or hydro electricity shall adhere to setback requirements as per Manitoba Hydro guidelines.

4.16.4 A minimum clearance distance shall be maintained when locating buildings and structures within close proximity of Manitoba Hydro lines and conductors, as per Manitoba Hydro guidelines.

4.16.5 Development adjacent to a railway right-of-way shall adhere to the *Federation of Canadian Municipalities* guidelines for development in proximity to railway operations.

4.16.6 No dwelling unit shall be located within 1,640 feet of any active aggregate extraction operation.

4.16.7 Buildings, structures and hedges adjacent to Provincial highways, roads or access roads shall be setback in accordance with the *Transportation Infrastructure Act*.

4.16.8 Any development proposal to establish a dwelling unit, farm building or structure that exceeds a height of 100 feet, or to establish a shelterbelt or similar obstruction within the flight approaches of an aircraft landing field for a distance of 1.6 kilometres shall be deemed to be a conditional use.

4.17 PERMITTED PROJECTIONS

4.17.1 The following open, uncovered and unobstructed (ground level to sky) elements may project into a required yard by no more than 25%:

a. Deck (in the AG and AL zones);

b. Terrace; and

c. Landing fifty (50) square feet or less.

4.17.2 Notwithstanding the above, within the residential, business or open space and institutional zoning districts, an open, uncovered and unobstructed (ground level to sky) deck may project into required yards by the following:

1. Front yard: 10 feet (maximum)
2. Rear yard: 15 feet (maximum)
3. Notwithstanding the above, decks must adhere to provincial regulations if the yard in which it projects abuts the provincial road network.

4.17.3 The following elements may project into or exist within a required yard:

a. Unenclosed patios, steps, stairs or ramps;

b. Eaves and downspouts, but must be a minimum of 18 inches from any property line;

c. Trellises, flagpoles, lighting fixtures, lampposts and similar freestanding elements;

d. Uncovered walks or driveways;

e. Fences, retaining walls, screening and hedges; and

f. Other such elements as determined by the Designated Officer.

4.17.4 The following architectural elements are permitted to project into required yards no more than two (2) feet:

a. Window sills, bay or oriel windows;

b. Canopies or shade structures;

c. Chimneys;

d. Lighting fixtures; and

e. Other similar architectural elements as determined by the Designated Officer.

4.17.5 Loading spaces are permitted to project into side or rear yards only by no more than 25%.

4.18 PARKING

4.18.1 For the purposes of this by-law and the regulations found within this section, all required parking areas are to be located on-site.

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

1. All parking spaces shall be located on the same lot as the use served unless permitted by variation order to locate elsewhere or as otherwise stated in this by-law;
2. 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;
3. Lighting provided for parking areas shall be shielded and directed away from adjoining residential areas and generally confined to the site;
4. 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;
5. 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;
6. 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;
7. 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
8. 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.

4.18.3 In the case of a mixed-use development, the Designated Officer shall calculate parking requirements 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 the Board, through a parking demand study, there is a complimentary use of the parking facilities which would warrant a reduction in the parking requirements.

4.18.4 No person shall establish or change the use of a site without providing and maintaining a minimum number of on-site parking spaces in accordance with Table 4-2 below:

Table 4-2: Minimum parking requirements

<table>
<tr><th>USE CLASS</th><th>MINIMUM VEHICLE PARKING SPACES</th><th>MINIMUM BICYCLE PARKING SPACES</th></tr>
<tr><td colspan="3">RESIDENTIAL USES</td></tr>
<tr><td>Multiple-Unit Dwelling</td><td rowspan="2">1.0 space / dwelling or sleeping unit</td><td>1.0 space / 5 dwelling units</td></tr>
<tr><td>All other residential uses</td><td>-</td></tr>
<tr><td colspan="3">COMMERCIAL USES</td></tr>
<tr><td>Auditorium, Theatre, Concert Hall or Cinema</td><td rowspan="2">1.0 space / 5 seats</td><td rowspan="7">A minimum of 2.0 spaces, plus an additional 1.0 space for every ten (10) vehicle parking spaces provided</td></tr>
<tr><td>Funeral Chapel or Mortuary</td></tr>
<tr><td>Hotel</td><td>1.0 space / guest room or sleeping unit</td></tr>
<tr><td>Restaurant or Drinking Establishment</td><td>1.0 space / 5 seats</td></tr>
<tr><td>Retail Sale, Service and Office</td><td rowspan="3">A minimum of 1.0 space / each commercial or retail unit, plus an additional 1.0 space for every 500 square feet of floor area</td></tr>
<tr><td>Shopping Centre</td></tr>
<tr><td>All other commercial uses</td></tr>
<tr><td colspan="3">CIVIC AND INSTITUTIONAL USES</td></tr>
<tr><td>Child care facility</td><td>1.0 space / 2 employees</td><td rowspan="6">2.0 spaces for every ten (10) vehicle parking spaces provided</td></tr>
<tr><td>Government service</td><td>A minimum of 1.0 space, plus an additional 1.0 space for every 500 square feet of floor area</td></tr>
<tr><td>Hospital, clinic or health facility</td><td>1.0 space / bed</td></tr>
<tr><td>School</td><td>1.0 space / classroom, plus an additional 1.0 space for every 500 square feet of floor area</td></tr>
<tr><td>Place of worship</td><td>1.0 space / 5 seats</td></tr>
<tr><td>All other civic and institutional uses</td><td>1.0 space / 500 square feet of floor area</td></tr>
<tr><td colspan="3">INDUSTRIAL USES</td></tr>
<tr><td>All industrial uses</td><td>1.0 space / 1,000 square feet of floor area</td><td>-</td></tr>
</table>

4.18.5 Where a proposed use is not listed above, the parking regulation shall be determined by the Designated Officer.

4.18.6 Where the number of required parking spaces is determined by reference to a unit such as the number of bedrooms, seats or floor area, the next higher number shall be required where the calculation results in a fractional number of parking spaces.

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

1. 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 Table 4-3;
2. All entrances and egress driveways shall be a minimum of 24 feet and no closer than 24 feet from the point of two property lines at a street intersection;
3. 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
4. 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 4-3: Parking space dimensions

ANGLE OF PARKING (DEGREE)	MINIMUM PARKING SPACE DIMENSIONS (FEET)		MINIMUM DRIVE AISLE DIMENSIONS (FEET)	
	Width	Length	One-way	Two-way
Parallel	9	20	12	20
49 or less	9	18	12	20
50 – 74	9	18	14	24
75 - 90	9	18	18	24

4.19 ACCESSIBLE PARKING

4.19.1 The number of accessible parking stalls shall be determined in accordance with Table 4-4;

4.19.2 The total number of required parking spaces is inclusive of required accessible parking spaces;

4.19.3 All accessible parking spaces must be a minimum of ten (10) feet in width, plus a five (5) feet wide adjacent access aisle, and a minimum of twenty (20) feet in length. Two (2) such adjacent stalls may be served by the same access aisle.

4.19.4 All accessible parking spaces must be located within 150 feet of a major building entrance used by residents, employees or the public.

4.19.5 All accessible parking spaces must provide signage or adequate representation to ensure the space is reserved for persons with mobility issues.

4.19.6 The portion of required off-street parking spaces that must be accessible for any new development, exclusive of single-unit dwellings and two-unit dwellings, is as follows:

Table 4-4: Accessible parking requirements

NUMBER OF PARKING SPACES	MINIMUM NUMBER OF ACCESSIBLE PARKING SPACES
5 - 25	1.0
26 - 50	2.0
51 - 99	4.0
100 - 199	6.0
200+	10.0 plus an additional 1.0 for every additional 50 spaces

4.20 LOADING SPACE REQUIREMENTS

4.20.1 All commercial and industrial land uses shall provide loading spaces, located on the same site as the principal building or structure and in accordance with the requirements noted herein.

4.20.2 Off-street loading spaces shall be a minimum of thirty (30) feet in length, twelve (12) feet in width and shall have a vertical clearance of at least fourteen (14) feet.

4.20.3 All off-street loading spaces shall have access to a public right-of-way or lane within a parking lot.

4.20.4 The number of off-street loading spaces shall be as follows:

Table 4-5: Loading space requirements

FLOOR AREA OF PRINCIPAL BUILDING	NUMBER OF SPACES REQUIRED
Up to and including 5,000 square feet	1.0
5,001 to 15,000 square feet	2.0
15,001 to 40,000 square feet	3.0
Over 40,000 square feet	3.0 plus an additional 1.0 for every additional 25,000 square feet of floor area

4.21 VEHICLE QUEUING SPACES

4.21.1 In addition to off-street parking spaces listed in Table 4-2, if any, the owner of property containing any of the uses listed in the first column of Table 4-6 must provide the number of automobile queueing spaces indicated in the second column of the Table for any drive-through facility.

Table 4-6: Vehicle queuing space requirements

Use	Number of Spaces Required
Car wash – automatic	3.0
Car wash – self-service	2.0 per bay
Bank or lending institution, or automated teller machine (ATM) with drive-through facility	3.0
Restaurant with drive-through facility	5.0
Any other use with an accessory drive-through facility	2.0

4.21.2 Vehicle queueing spaces must not block or interfere with the smooth flow of traffic within a parking area or any adjacent street or public lane.

4.21.3 Each queuing space must be a minimum of sixteen (16) feet in length and eight (8) feet in width.

4.22 LIGHTING

4.22.1 Outdoor lighting shall be low glare in nature and located in and arranged such that no light is directed at any abutting or adjacent properties, or that it may interfere with the effectiveness of any traffic control devices in the vicinity.

4.22.2 All outdoor lights must have fully shielded luminaries to direct light downward.

4.22.3 If free standing, the maximum height of a light standard shall be thirty-five (35) feet.

4.23 FENCES AND SCREENING

4.23.1 Fences and landscaped screens, including hedges, trees, shrubs and similar landscape features shall be permitted in all zones, provided that:

a. Electric or barbed wire fences are only permitted for agricultural or industrial uses in the AG, AL, ICA, and MH zones; and

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

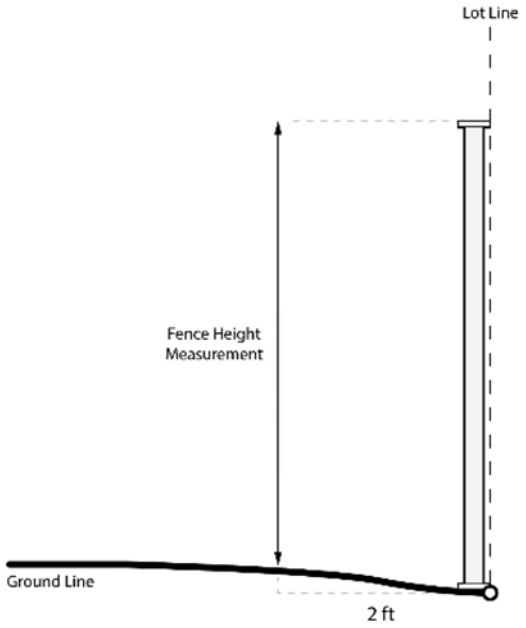
4.23.2 Notwithstanding the above, snow fences are not permitted within the RL, RM, or RMH zones in the Town of Carman.

4.23.3 The height of a fence or screen must comply with the standards set forth in Table 4-7 below, unless otherwise provided for:

Table 4-7: Maximum fence height

USE GROUP	FRONT YARD	SIDE OR REAR YARD
	MAXIMUM HEIGHT (FEET)	
Residential Uses	4	6.5
Commercial Uses	6.5	10
Industrial Uses	10	10
Civic Uses	10	10
Agricultural Uses	6.5	10

4.23.4 For the purposes of this section, all fences shall be measured from the general ground level at a distance of two (2) feet from within the lot line of the site on which the fence is to be constructed, unless otherwise stated.



4.23.5 Electrified fencing shall be permitted for Stables, Livestock Operations or Animal Keeping. There shall not be electrified barbed wire adjacent to public spaces or uses.

4.23.6 Fences in the MG zoning district may include barbed wire on the top two (2) feet in the side and rear yards.

4.23.7 All fences shall be required to be constructed in a manner so that the finished side of the fence faces outward from the property on which it is situated.

4.24 BUFFERING OF RESIDENTIAL USES FROM NON-RESIDENTIAL USES

4.24.1 Where a side or rear lot line of any development from a commercial or industrial use abuts a residential zone, or is separated from a residential zone by a public right-of-way, a landscaped buffer must be installed on the abutting property line in accordance with the following:

a. An opaque wall, fence, or similar with a minimum height of six (6) feet to the satisfaction of the Designated Officer; or

b. A heavily landscaped area to the satisfaction of the Designated Officer.

4.25 DEVELOPMENT OF ROAD ALLOWANCES

4.25.1 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.

4.26 COMMUNICATION TOWERS

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

4.27 YARDS

4.27.1 Except as otherwise stated in this by-law, the following provisions shall apply in all zones to ensure:

1. The yard requirements shall be as set forth in the Use Table and Dimensional Standards Table of each zone;
2. Yards provided for a building or structure, existing on the effective date of this by-law or amendments thereto, shall not be further reduced if already less than the minimum requirements of the zone;
3. All yards and other open space required for any use shall be located on the same site as the use;
4. Where a site is occupied for a use and has no buildings or structures thereon, the required yards for the zone shall be provided and maintained;
5. Where permitted in this by-law, a building containing more than one unit with common party walls, such as a semi-detached two-unit dwelling, row housing or businesses shall be considered as one (1) building occupying one (1) site for the purpose of side yard regulations;
6. Minimum required yards contained in this by-law do not relieve the owner from compliance with applicable provincial requirements where said requirements demand greater setbacks;

7. On a corner site, no fence, wall, hedge, shrubs or other landscape features shall be placed in such a manner as to produce a fence effect or visual barrier hazardous to vehicle and pedestrian traffic; and
8. Plantings proposed within the control line of a provincial highway or road right-of-way requires a permit from the applicable provincial authority.

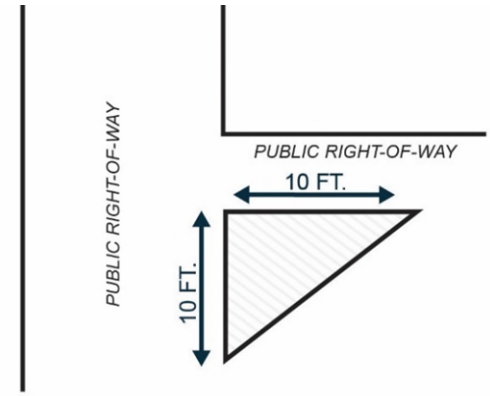
4.28 CORNER ALIGNMENTS

4.28.1 In the case of a corner lot, the front yard shall be the yard abutting the front lot line.

4.28.2 Notwithstanding the above, the Designated Officer may require any corner lot to provide an additional front yard or yards other than that required, having regard to the orientation and access of adjacent developments.

4.28.3 The Designated Officer may require double fronting lots to provide a front yard on each public roadway, other than a lane, provided that at least one front yard shall be provided.

4.28.4 No building, structure, sign, fence, parking area, shelterbelt, hedge or stockpiling of materials exceeding a height of three (3) feet above grade shall be located within a triangular area of any lot adjacent to the intersection of two public streets, with the sides of the triangular area being measured to a distance of ten (10) feet along each lot line from the point of intersection. Rear lanes are not considered as public streets in relation to corner alignments.



4.29 ZONING SITE

4.29.1 No development shall take place and no development permit shall be issued by the Designated Officer unless the development occurs on a zoning site as defined in this by-law.

5 ZONING DISTRICTS ESTABLISHED

5.1 ZONING

ESTABLISHMENT OF ZONES

5.1.1 For the purposes of this by-law, the Planning District is divided into zoning districts found in Table 5-1. The descriptions 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 established

Zone Group	Symbol	Zone Name
Agricultural and Rural Zones	**AG**	Agricultural General
	AR	Agricultural Restricted
Residential Zones	**GD**	General Development
	RL	Residential Low-Density
	RM	Residential Medium-Density
	RMH	Residential Mobile Home
	RR	Rural Residential
	SR	Seasonal Residential
Business Zones	**CC**	Commercial Central
	CG	Commercial General
	CH	Commercial Highway
	ICA	Dufferin Industrial Park
	MG	Industrial General
	MH	Industrial Heavy
Open Space and Institutional Zones	**I**	Institutional
	OS	Open Space

5.2 AGRICULTURAL AND RURAL ZONES

5.2.1 The **AG – Agricultural General Zone** is intended to accommodate a full range of agricultural activities including, along others, livestock production on a commercial scale.

5.2.2 The **AR – Agricultural Restricted Zone** is intended to provide for agricultural uses and activities on a restricted basis in areas in proximity to Village Centres, rural residential development areas, and environmentally sensitive areas in order to avoid land use conflicts.

5.2.3 The following use requirements apply to the Agricultural zoning districts:

Table 5-2: Agricultural zones permitted uses

AGRICULTURAL ZONES				
USE		ZONE		USE STANDARD APPLIES
		AG	AR	
Aggregate				
a)	Aggregate or mineral extractions	C	C	6.2
Agricultural				
a)	Abattoir	C	C	6.1
b)	Agri-tourism operation	C	C	6.3
c)	Agricultural activities	P	P	-
d)	Agricultural crop protection warehouse	C	C	-
e)	Agricultural implement sales and service	C	C	-
f)	Agricultural product storage	P	C	-
g)	Agriculture, specialized	P	P	-
h)	Animal shelter, boarding or breeding establishment	P	P	-
i)	Auctioneering establishment	C	C	-
j)	Communal farm operation	C	C	6.13
k)	Farm buildings or structures	P	P	-
l)	Farmstead	P	P	-
m)	Grazing area	P	P	-
m)	Greenhouse, plant or tree nursery	P	P	-
o)	Irrigation pond	C	C	6.23
p)	Livestock operation (up to 300 AU)	P	P	6.24
q)	Livestock operation (more than 300 AU)	C	-	6.24
r)	Riding academy	C	C	-
s)	Stable (<10 AU)	P	P	-
t)	Stable (10 or more AU)	P	C	-

AGRICULTURAL ZONES				
USE		ZONE		USE STANDARD APPLIES
		AG	AR	
Agricultural continued				
u)	Veterinary hospital or clinic	P	P	-
Civic and Institutional				
a)	Cemetery	P	P	-
b)	Cemetery, pet	P	P	-
c)	Community centre or hall	-	C	-
d)	Government service	C	C	-
e)	Protective and emergency service	P	P	-
f)	Sewage treatment plant and/or lagoon	C	C	-
g)	Waste disposal ground	P	C	-
Dwellings and Lodging				
a)	Boarding or rooming house	C	C	6.10
b)	Dwelling, farmstead	P	P	-
c)	Dwelling, mobile home	P	P	6.26
d)	Dwelling, single-unit	P	P	-
e)	Planned unit developments	C[1]	-	6.31
f)	Tiny homes	-	C	6.37
Land Based Practices				
a)	Cultural/spiritual land based practices	P	P	-
Manufacturing, Industrial and Storage				
a)	Bulk fuel and chemical storage	C	C	-
b)	Contractor establishment	C[2]	C[2]	6.14
c)	Equipment depot	C	C	6.18
d)	Manufacturing, light	C	-	-
e)	Rendering plant	P	-	-
Recreational/Commercial				
a)	Gun club	C	C	-
b)	Indoor/outdoor event space	-	C[3]	6.22
c)	Parks, playgrounds, recreation trails and fields	-	P	-
d)	Recreation, indoor	C	C	6.22
e)	Recreation, outdoor	C	C	6.22
f)	Shooting range	C	C	-

AGRICULTURAL ZONES				
USE		ZONE		USE STANDARD APPLIES
		AG	AR	
Transportation				
a)	Airports, landing strips and related facilities	C	C	6.4
b)	Bus or school bus depot	P	P	-
c)	Wrecking and salvage yard or junkyard	C	C	6.40
Utilities				
a)	Communication facility	P	P	-
b)	Public utility	P	P	-
c)	Wind or solar farm	C	C	6.38
[1] When proposed as part of a communal farm operation.				
[2] When established secondary to an agricultural or residential use.				
[3] When established secondary to an agricultural or residential use.				

5.2.4 The following bulk use requirements apply to the Agricultural Zones:

Table 5-3: Agricultural and rural zones bulk use requirements

AGRICULTURE			REQUIREMENTS								
			Min.							Max.	
			Site Area (ac.)	Site Width (ft.)	Front Yard (ft.)	Side Yard (ft.)		Rear Yard (ft.)	Dwelling Area (sq. ft.)	Building Height (ft.)	Site Cov. (%)
						Interior	Corner				
ZONE	**CATEGORY**	**USE TYPE**									
AG	Non-farm residential	Principal	2	200	50	25	25[1]	25	-	30	30
	All other uses	Principal	80[2]	660	125	25	25[1]	25	-	-	-
		Accessory	-	-	125	25	25[1]	25	-	-	-
AR	Non-farm residential	Principal	2	200	50	25	25[1]	25	-	30	30
	All other uses	Principal	80[2]	660	125	25	25[1]	25	-	-	-
		Accessory	-	-	125	25	25[1]	25	-	-	-
[1] When adjacent to a provincial road allowance, the side yard shall be increased to a minimum of 125 feet.											
[2] For Specialized Agriculture, the minimum site area shall be reduced to 2 acres and the minimum site width shall be reduced to 200 feet.											

5.3 RESIDENTIAL ZONES

5.3.1 The **GD – General Development Zone** is intended to provide sufficient land for development in rural settlements.

5.3.2 The **RL – Residential Low-Density Zone** is intended primarily for single-unit dwellings and associated or compatible uses.

5.3.3 The **RM – Residential Medium-Density Zone** is intended to provide for the establishment of two-unit and multiple-unit dwellings and associated or compatible uses.

5.3.4 The **RMH – Residential Mobile Home Zone** is intended to provide for the development of mobile home parks and subdivisions for mobile homes and associated or compatible uses.

5.3.5 The **RR – Rural Residential Zone** is intended to provide sufficient land for rural residential development in keeping with the provisions of the Development Plan.

5.3.6 The **SR – Seasonal Residential Zone** is intended to provide primarily for the development of rural residential dwellings in areas with natural features.

5.3.7 The following use requirements apply to the Residential zoning districts:

Table 5-4: Residential zone permitted uses

RESIDENTIAL ZONES								
USE		ZONE						USE STANDARD APPLIES
		GD	RL	RM	RMH	RR	SR	
Agricultural								
a)	Animal shelter, boarding or breeding establishment	P	-	-	-	C	-	-
b)	Auctioneering Establishment	C	-	-	-	-	-	-
c)	Greenhouse, plant or tree nursery	P	-	-	-	-	-	-
d)	Stable (<10 AU)	C	-	-	-	-	-	-
e)	Veterinary hospital or clinic	P	-	-	-	-	-	-
Civic and Institutional								
a)	Cemetery	C	C	-	-	C	-	-
b)	Cemetery, pet	C	C	-	-	C	-	-
c)	Child care facility	C	C	C	-	C	-	6.12
d)	Community centre or hall	P	-	-	-	-	-	-
e)	Funeral chapel and mortuary	P	-	-	-	-	-	-
f)	Government service	P	-	-	-	-	-	-
g)	Hospital, clinic or health service facility	P	-	-	-	-	-	-

RESIDENTIAL ZONES								
USE		ZONE						USE STANDARD APPLIES
		GD	RL	RM	RMH	RR	SR	
Civic and Institutional continued								
h)	Institutional and/or care facility	P	C	C	C	P	-	-
i)	Library, museum or gallery	P	C	P	-	C	-	-
j)	Place of worship	P	P	P	-	C	C	-
k)	Protective and emergency service	P	P	P	P	P	P	-
l)	School	C	-	-	-	C	-	-
Dwellings and Lodging								
a)	Bare land condominium	C	C	C	-	C	-	6.8
b)	Bed and breakfast	C	C	-	-	C	C	6.9
c)	Boarding or rooming house	C	C	C	-	C	C	6.10
d)	Cottage	P	-	-	-	-	P	-
e)	Dwelling, mobile home	P	C	-	P	-	-	6.26
f)	Dwelling, multiple-unit	C	C	P	-	-	-	6.28
g)	Dwelling, single-unit	P	P	P	-	P	P	-
h)	Dwelling, two-unit	P	C	P	-	C	C	-
i)	Mobile home park	-	-	-	P	-	C	6.27
j)	Hotel	C	-	-	-	-	-	-
k)	Planned unit development	C	C	C	C	C	C	6.31
l)	Tiny home, cluster	-	-	-	C	-	C	6.37
m)	Tiny home, single	C	C	-	-	C	C	6.37
Land Based Practices								
a)	Cultural/spiritual land based practices	P	-	-	-	-	-	-
Manufacturing, Industrial and Storage								
a)	Contractor service	C	-	-	-	-	-	6.14
b)	Equipment depot	C	-	-	-	-	-	6.18
c)	Warehouse	C	-	-	-	-	-	-

RESIDENTIAL ZONES								
USE		ZONE						USE STANDARD APPLIES
		GD	RL	RM	RMH	RR	SR	
Recreational/Commercial								
a)	Campground or RV Park	C	C	-	-	C	C	6.11
b)	Bake shop/tea house	P	C	-	-	C	-	-
c)	Indoor/outdoor event space	C	-	-	-	-	C	6.22
c)	Parks, playgrounds, recreation trails and fields	P	P	P	P	P	P	-
d)	Public or private club facility	P	-	-	-	-	-	-
e)	Recreation, indoor	P	-	-	-	-	-	6.22
f)	Recreation, outdoor	C	-	-	-	-	C	6.22
g)	Restaurant or drinking establishment	P	-	-	-	-	C	-
h)	Retail sale, service or office	P	-	-	-	-	-	-
i)	Shopping centre	P	-	-	-	-	-	-
Transportation								
a)	Airports, landing strips and related facilities	C	-	-	-	-	-	6.4
b)	Automotive sales or rental	P	-	-	-	-	-	-
c)	Automotive service station	C	-	-	-	-	-	6.7
d)	Car wash	P	-	-	-	-	-	-
e)	Parking area	P	-	-	-	-	-	6.30
Utilities								
a)	Communication facility	P	P	P	P	P	P	-
b)	Public utility	P	P	P	P	P	P	-

5.3.8 The following bulk use requirements apply to the Residential zones:

Table 5-5: Residential zone bulk use requirements

RESIDENTIAL			REQUIREMENTS								
			Min.							Max.	
			Site Area (ac.[a]/ sq. ft.)	Site Width (ft.)	Front Yard (ft.)	Side Yard (ft.)		Rear Yard (ft.)	Dwelling Area (sq. ft.)	Building Height (ft.)	Site Cov. (%)
						Interior	Corner				
ZONE	**CATEGORY**	**USE TYPE**									
GD	Serviced	Principal	7,200	60	25	5	12	25	600	30	40
		Accessory	-	-	25	2	12	10	-	20	10
	Unserviced	Principal	2[a]	200	25	25	25	25	600	30	30
		Accessory	-	-	25	25	25	25	-	20	10
RL	All Uses	Principal	5,000	50	25	5	12	25	600	30	40
		Accessory	-	-	25	5	12	5	-	15	10
RM	All uses	Principal[1]	6,000[2]	60	25	15	15	25	400	40	60
		Accessory	-	-	25	15	15	5	-	15	10
RMH	All uses	Principal	4,500	50	10	5	10	15	400	15	50
		Accessory	-	-	10	5	12	5	-	15	10
RR	Serviced	Principal	1[a]	150	50	25	25	25	-	30	30
		Accessory	-	-	50	25	25	25	-	20	10
	Unserviced	Principal	2[a]	200	50	25	25	25	-	30	30
		Accessory	-	-	50	25	25	25	-	20	10
SR	All uses	Principal	15,000	100	50	10	25	25	600	30	25
		Accessory	-	-	50	10	25	10	-	15	10

[1] When a single-unit dwelling is proposed in the RM zone, the minimum requirements of the RL zone are applied.

[2] Indicates the minimum requirement for the total site area (not area per dwelling unit).

5.4 BUSINESS ZONES

5.4.1 The **CC – Commercial Central Zone** is intended for the development of commercial, residential, office and service-based uses, primarily within the central commercial areas of urban centres.

5.4.2 The **CG – Commercial General Zone** provides for the development of a diverse variety of appropriate retail, service and other commercial uses which are oriented towards serving the daily needs of area residents.

5.4.3 The **CH – Commercial Highway Zone** is intended to provide for the development of commercial and some light industrial uses along major municipal roadways and provincial highways within the Planning District.

5.4.4 The **ICA – Industrial Zone** encompasses the Dufferin Industrial Park and provides for a wide range of industrial and commercial uses.

5.4.5 The **MG – Industrial General Zone** is intended to provide for a wide range of general industrial, ancillary commercial and associated or compatible uses.

5.4.6 The **MH – Heavy Industrial Zone** provides for a wide range of industrial uses including intensive industrial uses or those that require very large buildings, frequent heavy truck traffic for supplies or shipments, or that may require substantial mitigation to avoid sound, noise, and odour impacts to neighbouring properties.

5.4.7 The following use requirements apply to the Commercial and Industrial zoning districts:

Table 5-6: Business zones permitted uses

BUSINESS ZONES								
USE		ZONE						USE STANDARD APPLIES
		CC	CG	CH	ICA	MG	MH	
Agricultural								
a)	Agricultural activities	-	-	-	P	C	C	-
b)	Animal shelter, boarding or breeding establishment	C	C	P	-	C	C	-
c)	Auctioneering establishment	-	-	P	P	C	P	-
d)	Greenhouse, plant or tree nursery	P	P	P	P	P	P	-
Civic and Institutional								
a)	Child care facility	P	P	P	-	-	-	6.12
b)	Funeral chapel or mortuary	C	C	P	-	C	-	-
c)	Government service	P	P	P	P	P	P	-
d)	Hospital, clinic or health service facility	P	P	P	-	-	-	-
e)	Library, museum or gallery	P	P	P	-	-	-	-

BUSINESS ZONES								
USE		ZONE						USE STANDARD APPLIES
		CC	CG	CH	ICA	MG	MH	
Civic and Institutional continued								
f)	Protective and emergency service	P	P	P	P	P	P	-
g)	Veterinary hospital or clinic	P	P	P	-	P	-	-
h)	Waste disposal ground	-	-	-	-	-	C	-
Dwellings and Lodging								
a)	Dwelling, multiple-unit	P	P	C	-	-	-	6.28
b)	Hotel	P	P	P	-	-	-	-
c)	Planned unit development	C	C	C	-	C	C	6.31
Manufacturing and Industry								
a)	Contractor establishment	P	P	P	P	P	P	6.14
b)	Data centre	-	-	-	C	-	-	6.15
c)	Equipment depot	-	-	P	P	P	P	6.18
d)	Manufacturing, light	-	-	C	P	P	P	-
e)	Manufacturing, heavy	-	-	C	P	C	C	6.20
f)	Warehouse	C	P	P	P	P	P	-
g)	Wholesale establishment	C	C	P	-	P	P	-
Recreational/Commercial								
a)	Bake shop/tea house	P	P	P	-	C	-	-
b)	Community centre or hall	P	P	P	-	-	-	-
c)	Drive-in establishment	P	P	P	-	-	-	-
d)	Public or private club facility	C	C	C	-	-	-	-
e)	Recreation, indoor	P	P	P	-	C	-	6.22
f)	Recreation, outdoor	-	-	C	-	C	-	6.22
g)	Restaurant or drinking establishment	P	P	P	-	C	-	-
h)	Retail sale, service or office	P	P	P	-	C	-	-
i)	Shopping centre	P	P	P	-	-	-	-

BUSINESS ZONES								
USE		ZONE						USE STANDARD APPLIES
		CC	CG	CH	ICA	MG	MH	
Transportation								
a)	Airports, landing strips and related facilities	-	-	-	C	-	C	6.4
b)	Automotive sales or rental	P	P	P	C	C	P	-
c)	Automotive service station	C	C	C	C	C	P	6.7
d)	Car wash	C	P	P	-	P	P	-
e)	Fleet service	C	C	C	P	C	P	-
f)	Freight or trucking operation	-	C	P	P	C	C	-
g)	Transportation terminal	C	C	C	P	C	C	-
h)	Truck wash	-	C	P	P	P	P	-
i)	Wrecking and salvage yard and junkyard	-	-	-	P	-	C	6.40
Utilities								
a)	Communication facility	P	P	P	P	P	P	-
b)	Public utility	P	P	P	P	P	P	-
c)	Wind or solar farm	-	-	C	-	-	-	6.38

5.4.8 All uses otherwise not listed in Table 5-6 shall be considered a conditional use in the business zones.

5.4.9 The following bulk use requirements apply to the Business zones:

Table 5-7: Business zones bulk use requirements

BUSINESS			REQUIREMENTS								
			Min.							Max.	
			Site Area (ac.[a]/ sq. ft.)	Site Width (ft.)	Front Yard (ft.)	Side Yard (ft.)		Rear Yard (ft.)	Dwelling Area (sq. ft.)	Building Height (ft.)	Site Cov. (%)
						Interior	Corner				
ZONE	**CATEGORY**	**USE TYPE**									
CC	Commercial use	Principal	5,000	50	0	0	0	20	-	30	-
		Accessory	-	-	0	0	0	5	-	15	10
	Multiple-unit dwelling	Principal	10,000	100	20	15	20	25	400	50	50
		Accessory	-	-	0	0	0	5	-	15	10
CG	All uses	Principal	5,000	50	5	5	15	20	-	30	-
		Accessory	-	-	5	5	15	10	-	15	10
CH	All uses	Principal	15,000	150	20	5	15	15	-	30	60
		Accessory	-	-	20	5	15	15	-	15	10
ICA	All uses	Principal	2[a]	200	50	25	25	25	-	-	-
		Accessory	-	-	50	25	25	25	-	-	-
MG	All uses	Principal	15,000	100	25	10	15	25	-	45	70
		Accessory	-	-	25	10	15	10	-	20	10
MH	All uses	Principal	15,000	100	25	10	15	25	-	45	80
		Accessory	-	-	25	10	15	10	-	30	10

5.5 OPEN SPACE AND INSTITUTIONAL ZONES

5.5.1 The **I – Institutional Zone** is intended to provide for the establishment of public, semi-public and private institutional uses and facilities of a non-commercial character.

5.5.2 The **OS – Open Space Zone** provides for public and private recreational uses such as arenas, sports fields, golf courses, skating rinks and similar facilities and open spaces as well as seasonal recreational resorts and campgrounds.

5.5.3 The following use requirements apply to Open Space and Institutional zones:

Table 5-8: Open space and institutional zones permitted uses

OPEN SPACE AND INSTITUTIONAL ZONES				
USE		ZONE		USE STANDARD APPLIES
		I	OS	
Agricultural				
a)	Agricultural exhibition grounds	P	P	-
Civic and Institutional				
a)	Cemetery	C	C	-
b)	Cemetery, pet	C	C	-
c)	Child care facility	C	C	6.12
d)	Community centre or hall	P	P	-
e)	Government service	P	-	-
f)	Hospital, clinic or health service facility	P	-	-
g)	Institutional and/or care facility	P	-	-
h)	Library, museum or gallery	P	P	-
i)	Place of worship	P	-	-
j)	Protective and emergency service	P	P	-
k)	School	P	-	-
Dwellings and Lodging				
a)	Hotel	P	-	-
b)	Planned unit development	C	C	6.31
Recreational/Commercial				
a)	Campground or RV Park	C	P	6.11
b)	Drive-in establishment	-	C	-
c)	Gun club	C	C	-
d)	Parks, playgrounds, recreation trails and fields	P	P	-
e)	Public or private club facility	C	P	-
f)	Recreation, indoor	P	P	6.22
g)	Recreation, outdoor	C	P	6.22

OPEN SPACE AND INSTITUTIONAL ZONES				
USE		**ZONE**		**USE STANDARD APPLIES**
		I	**OS**	
Recreational/Commercial continued				
h)	Restaurant or drinking establishment	C	P[1]	-
i)	Shooting range	C	C	-
Utilities				
a)	Communication facility	P	P	-
b)	Public utility	P	P	-
[1] When accessory to a principal use.				

5.5.4 The following bulk use requirements apply to the Open Space and Institutional zoning districts:

Table 5-9: Open space and institutional zones bulk use requirements

OPEN SPACE AND INSTITUTIONAL			REQUIREMENTS								
			Min.							Max.	
			Site Area (ac.[a]/ sq. ft.)	Site Width (ft.)	Front Yard (ft.)	Side Yard (ft.)		Rear Yard (ft.)	Dwelling Area (sq. ft.)	Building Height (ft.)	Site Cov. (%)
						Interior	Corner				
ZONE	**CATEGORY**	**USE TYPE**									
I	All uses	Principal	20,000	200	25	15	15	25	-	45	60
		Accessory	-	-	25	5	15	5	-	15	10
OS	Serviced	Principal	40,000	100	25	25	25	25	-	35	50
		Accessory	-	-	25	25	25	50	-	35	50
	Unserviced	Principal	2[a]	200	125	25	25	50	-	35	-
		Accessory	-	-	125	25	25	50	-	35	-

6 USE REGULATIONS

6.1 ABATTOIRS

6.1.1 All abattoirs are subject to provincial regulations and requirements.

6.2 AGGREGATE OR MINERAL EXTRACTIONS

6.2.1 All aggregate or mineral extraction operations in the Carman Dufferin Grey Planning District shall meet or exceed the appropriate and relevant regulations outlined by the Province of Manitoba.

6.2.2 The owner/ operator of an aggregate or mineral extraction operation shall enter into a development agreement with the Carman Dufferin Grey Planning District.

6.3 AGRI-TOURISM OPERATION

6.3.1 Applications for agri-tourism operations shall include the following information:

a. A site plan;
b. A business plan;
c. Proposed signage;
d. Site maintenance information;
e. Security information;
f. Dates and hours of operation;
g. A traffic impact study;
h. Emergency and protective service arrangements;
i. Liability insurance information; and
j. Other matters deemed necessary by the Designated Officer and/or the Board.

6.3.2 Applications shall be circulated to all relevant provincial departments or agencies for review and comment.

6.3.3 Where approved, the landowner or applicant may be required to enter into a development agreement with the Board to cover such matters as outlined herein.

6.3.4 It is the intent that agri-tourism operations in Agricultural zoning districts shall serve the rural community, be in keeping with the area and not negatively impact agricultural operations in the area.

6.3.5 Agri-tourism operations should not take agricultural land out of production and shall not require a subdivision.

6.4 AGRICULTURE, SPECIALIZED

6.4.1 A cannabis cultivation operation shall be maintained and operated according to applicable federal and provincial regulations.

6.5 AIRPORT, LANDING STRIP AND RELATED FACILITIES

6.5.1 Notwithstanding the height limitations as provided for in this by-law, the limitations prescribed, or practices recommended by Transport Canada with respect to height and appropriate lighting in the vicinity of airports and airfields shall prevail.

6.5.2 Where approved, a conditional use for an airport, landing field or related facilities may require the landowner or the applicant to enter into a development agreement with the Board to cover such additional matters as deemed necessary by the Designated Officer.

6.6 ANIMAL KEEPING

6.6.1 Animal keeping may only be permitted as accessory to a single-unit dwelling.

6.6.2 The minimum site area for a residential site with accessory animal keeping shall be two (2) acres.

6.6.3 For the purposes of this section of the by-law, the calculation of AU shall be cumulative across the species as determined using the table in Appendix A, or as determined by the Province of Manitoba.

6.6.4 The use of land or structures for animal keeping shall be limited to 1.33 AU per 0.8 ha (2 ac) of land, to a maximum of 9.9 AU.

6.6.5 Notwithstanding the provisions above, the following provisions shall apply to the keeping of poultry in the GD – General Development, RR – Rural Residential, and SR – Seasonal Residential zoning districts:

1. For sites 4 ac or less, no more than six (6) hens may be kept (no roosters);
2. For sites greater than 1.62 ha (4 ac), no more than ten (10) hens (no roosters) may be kept;
3. The minimum site area for the keeping of poultry shall be 0.81 ha (2ac).

6.6.6 Buildings or structure associated with said animal keeping shall be a minimum distance of 25 feet from any lot line.

6.6.7 All animal keeping must be operated in accordance with all plans and documents approved as part of the application.

6.6.8 Notwithstanding the provisions above, properties in the agricultural and rural zoning districts shall defer to Provincial regulations.

6.7 AUTOMOTIVE SERVICE STATION

6.7.1 A site for an automotive service station must have a minimum frontage and depth of 100 feet.

6.7.2 All automotive service stations shall comply with the following standards:

1. All pump islands and underground storage tanks shall be located at least 20 feet away from any boundary of the site, parking area on the site, or laneway intended to control traffic circulation on the site.
2. Re-fueling areas are not permitted in a required parking area; and
3. A canopy over a pump island may not extend to within 10 feet of the boundary of the site. The canopy area shall not constitute part of the site coverage for the purposes of this section.

6.7.3 Where approved, an owner or applicant for an automotive service station shall be required to enter into a development agreement with Carman Dufferin Grey Planning District to:

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

6.8 BARE LAND CONDOMINIUMS

6.8.1 Each bare land unit as defined in *The Condominium Act*, which is delineated by horizontal land boundaries, shall be considered a site as defined herein for the purposes of determining site area and width, yards and other requirements.

6.8.2 Those common elements as defined in the said Act, which will be ordinarily used for the passage of vehicles or pedestrians including roads, road allowances, streets and lanes but not including pedestrian walkways or off-street vehicle parking areas, shall be considered:

1. A "street" as defined herein where such thoroughfare is over thirty-three (33) feet in width; and
2. A "lane" as defined herein where such thoroughfare is not over thirty-three (33) feet in width; and
3. The provisions of the Use Table and Site Requirement Table for the zone in which the development is to be located and all other regulations and requirements of this By-law shall apply.

6.8.3 In bare land condominium developments, each bare land unit shall be considered a lot for the purposes of this By-law, and any dwelling located on a bare land unit shall be subject to the regulations applicable to the dwelling type proposed unless otherwise specified in this By-law.

6.9 BED AND BREAKFAST

6.9.1 A Bed and Breakfast shall only be permitted on a site in a zone in which it is a conditional use if it meets all of the following requirements:

1. The operator must reside within the residence;
2. No more than eight patrons shall be accommodated within one dwelling;
3. No more than four bedrooms shall be used for the Bed and Breakfast operation;
4. One additional on-site parking space shall be provided for each bedroom that is used for the Bed and Breakfast operation; and
5. Signs shall follow the regulations for home-based businesses in the zone in which the Bed and Breakfast is located.

6.10 BOARDING AND ROOMING HOUSE

6.10.1 Boarding or Rooming Houses shall comply with the following:

1. No more than two (2) persons shall be accommodated within a bedroom or sleeping unit;
2. No cooking facilities or other facilities for the keeping of food shall be provided for within any bedrooms or sleeping units;
3. A parking stall shall be provided for each boarder.

6.11 CAMPGROUND OR RV PARK

6.11.1 A campground or recreational vehicle (RV) park must meet the following standards:

1. A campground or RV park must provide storage of refuse in a sanitary manner at a location not more than 500 feet from any camp space/site;
2. A campground or RV park must provide a roadway with an all-weather surface that serves all camp or RV spaces to the Planning District's standards;
3. A campground or RV park must provide clear numbered identification of each camp or RV space; and
4. A campground or RV Park must provide a centrally located recreation area, or in a location deemed suitable by the Designated Officer.

6.12 CHILD CARE FACILITY

6.12.1 Each child care facility must provide a designated drop-off/pick-up area to ensure the safety of people entering/exiting the facility to the satisfaction of the Designated Officer.

6.13 COMMUNAL FARM OPERATION

6.13.1 A communal farm operation may include additional accessory uses that are otherwise not permitted in agricultural zones but shall remain accessory to the principal farm operation. These uses include, but are not limited to:

a. Accessory dwelling units;
b. Commercial or industrial enterprises;
c. Education facilities;
d. Community spaces; and/or
e. Places of worship.

6.13.2 All development on communal farm operations must meet all applicable provincial standards and building codes.

6.13.3 A minimum distance of 10 feet eave to eave, shall be maintained between all buildings and structures in a communal farm operation.

6.13.4 A new communal farm operation shall be considered a conditional use.

6.13.5 An existing communal farm operation seeking to introduce new industrial uses, as defined within this by-law, shall require conditional use approval.

6.13.6 A communal farm operation shall additionally adhere to the use standards associated with a planned unit development in Section 6.30 of this by-law.

6.14 CONTRACTOR ESTABLISHMENT

6.14.1 All outdoor storage associated with a contractor establishment must be screened in accordance with the provisions of Section 4.23 of this by-law.

6.15 DATA CENTRE

6.15.1 A data centre shall only be established in the ICA zone, subject to required approval.

6.15.2 A data centre shall not cause adverse or detrimental effects to adjoining property owners, tenants or residents.

6.15.3 A data centre shall not produce a noise level exceeding 60db from a distance of 25 feet from the exterior of the structure in which it is located.

6.16 DETACHED SLEEPING QUARTERS

6.16.1 Detached sleeping quarters shall be subject to the following regulations:

1. There shall be a maximum of one detached sleeping quarter permitted per zoning site;
2. Detached sleeping quarters shall comply with all site requirements applicable to the zone;
3. The units shall have a maximum building area of 320 square feet and be limited to one per zoning site;
4. A detached sleeping quarter is not intended for occupancy independent of the principal dwelling on site and cannot utilize separate utilities;
5. Detached sleeping quarters must not contain cooking facilities (stove, range and similar);
6. Detached sleeping quarters shall not be subdivided from the zoning site on which they are established; and
7. The Board may impose additional conditions on the installation or utilization of a detached sleeping quarter deemed necessary to protect adjoining properties and the public welfare.

6.17 DRIVE THROUGH

6.17.1 A drive through shall be subject to the following regulations:

1. A drive through shall have a minimum stacking space of four (4) vehicle spaces;
2. Required stacking spaces must not interfere with parking areas, drive aisles, or public streets;
3. Required stacking spaces shall not replace minimum parking requirements for the proposed use;
4. Where a drive through intersects a pedestrian route, the crosswalk must be clearly identified with legible signage and delineated from the vehicle travel lane to the satisfaction of the Designated Officer.
5. Where a drive through is proposed on a site that abuts a residential zoning district, the drive through must be setback a minimum of ten (10) feet from the abutting property line;
6. Where a drive through is proposed on a site that abuts a residential zoning district or adjacent to a public street, the drive through must be screened from view via measures such as an opaque fence/wall or landscaping, to the satisfaction of the Designated Officer; and
7. Lighting must be oriented to prevent glare off site.

6.18 EQUIPMENT DEPOT

6.18.1 All outdoor storage associated with an equipment depot must be screened in accordance with the provisions of Section 4.23 of this By-law.

6.19 FARM DIVERSIFICATION OPERATION

6.19.1 A farm diversification operation located on a farmstead site may only be permitted as accessory to currently active agricultural operations.

6.19.2 The farm diversification operation shall be valid so long as the principal use of the site is an active agricultural operation.

6.19.3 Farm diversification operations shall comply with all environmental and public health standards. If the Designated Officer determines that a proposed use may conflict with these standards, the application shall be referred to the appropriate provincial department or agency for their review and comment prior to issuing a development permit.

6.19.4 A farm diversification operation shall not require the creation of a new title separate from the title for the principal agricultural operation.

6.19.5 Any increase in intensity from what was originally approved shall require a new application and approval.

6.19.6 The Designated Officer 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.

6.19.7 A development permit for a farm diversification operation may be revoked at any time if, in the opinion of the Board, the conditions under which the permit was originally issued are no longer met.

6.20 HEAVY MANUFACTURING

6.20.1 No heavy manufacturing operation shall cause, or permit to be caused, a noise level at or inside the site line of a residential use which exceeds the regulations of the Province of Manitoba pursuant to *The Environment Act* and regulations pertaining thereto.

6.20.2 All outdoor service, assembly, refuse collection and storage areas shall be located to the rear or sides of the principal building. Loading and refuse collection facilities servicing office, warehouse and similar developments, where the handling or assembly of goods is carried on within a building, shall be allowed to the rear, sides or front of the principal building.

6.20.3 Outdoor display areas are permitted to the side or front of the principal building, provided that such displays are limited to examples of equipment or material related to the industry or business located on site.

6.21 HOME BUSINESSES AND INDUSTRIES

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

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

6.21.1 All home businesses and industries:

1. Must be accessory to a privately owned or rented residential dwelling;
2. 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 business or industry shall require a new application;
3. The operators of a business or industry must be residents of the dwelling unit, or in the case of a rental situation, permission must be received from the owner of the dwelling unit; and
4. A development permit for a home business or industry may be revoked at any time, if in the opinion of the Board, the conditions under which the permit was originally issued are no longer met.

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

1. All work or activity of a home business must take place within the principal dwelling, or an accessory building on the site, and not create excessive noise or cause nuisance to adjacent property owners;
2. A home business may have a maximum number of two on-site employees, not including the owner;
3. The cumulative area of the principal dwelling or accessory building used for the home business shall not exceed 50% of the total floor area in the dwelling unit, but may take up all floor area in a permitted accessory building and/or structure;
4. The sale of goods related to the home business is permitted;
5. A home business may not have outdoor storage of any items related to the business, including materials, inventory, or equipment, unless such items are stored in an enclosed accessory building meeting the requirements of this By-law;
6. A home business shall be permitted one attached identification sign not exceeding 6 square feet in area, indicating the name of the occupant and/or home business;
7. Escort services, automotive or construction related business are prohibited; and

8. If the home business is a child care operation, the use must comply with the following additional requirements:
    a. The hours of operation must be limited to between 7:00 am and 7:00 pm;
    b. No other home occupation or business may be conducted within the premises;
    c. The use is limited to 8 children;
    d. The use is limited to single-unit dwellings only; and
    e. 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.

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

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

6.22 INDOOR/OUTDOOR EVENT SPACE

6.22.1 Every owner or operator shall:

1. Be responsible for obtaining where applicable, from the appropriate authorities, permits or licenses relating to the event.

6.22.2 An application for an indoor/outdoor event space shall be considered as a conditional use application, subject to the conditional use provisions of this by-law and *The Planning Act*.

6.22.3 In the AR zone, an Indoor/outdoor event space shall:

a. Only be established as an accessory or secondary use;
b. Only be established along roads with appropriate size and condition to handle generated traffic;
c. Have a maximum capacity of 150 guests;
d. Not convert productive agricultural lands for any purpose, including buildings, parking or outdoor gathering;
e. Limit and mitigate impacts to productive agricultural lands; and locate within the established shelterbelt, where possible.
f. Not disrupt normal agricultural practices in the area, such as spraying, harvesting, and animal keeping; and
g. Be a minimum of 200 feet from side property lines.

6.22.4 The Designated Officer, in reviewing such applications, may require additional information as may be necessary for review of the proposal including, but not limited to:

a. The location and use of each existing and proposed building or structure and the use (or uses) to be contained therein;
b. Floor plans and elevations of all proposed permanent buildings and structures;
c. The location of all driveways, passenger pick-up/drop-off areas, parking areas and loading areas;
d. The location of pedestrian pathways;
e. The type of surfacing to be used at various locations;
f. Landscaping and fencing details;
g. The location and type of lighting to be used;
h. Proposed signage; and
i. The location of all exterior refuse storage facilities.

6.22.5 No indoor/outdoor event space may obstruct any vehicular circulation route into or through the property.

6.22.6 A minimum of one (1) on site parking space shall be provided per five (5) guests, based on the maximum expected occupancy of the indoor/outdoor event space.

6.22.7 Accessible parking must be provided in accordance with Section 4.19 of this by-law.
6.22.8 Additional parking must be allocated for staff, vendors, and service providers:

1. A minimum of one (1) on site parking space shall be designated for employees.
2. A minimum of one (1) on site parking space shall be designated for vendors.

6.22.9 Notwithstanding the above, all activities taking place at an indoor/outdoor event space must comply with the applicable noise control by-laws within the Planning District.

6.23 IRRIGATION PONDS

6.23.1 Every owner or operator shall be responsible for obtaining, from the appropriate authorities, required licenses and permissions prior to the establishment of an irrigation pond.
6.23.2 Where approved through a conditional use, an owner or applicant for an irrigation pond may be required to enter into a development agreement with the Board to cover additional matters deemed necessary by the Designated Officer.

6.24 LIVESTOCK OPERATIONS

6.24.1 Notwithstanding any other provisions of this by-law, any livestock operation involving 300 or more animal units shall be a conditional use and is subject to a report prepared by the Technical Review Committee and submitted to the Board. The said report shall be made available to the public for a minimum of 30 days prior to the date of the Public Hearing as required in *The Planning Act*.
6.24.2 All livestock operations should meet the mutual separation distances as outlined in Appendix B based on the animal unit (AU) calculations and criteria outlined in Appendix A. Separation distances to designated areas will be measured to the boundaries of the designated areas as identified by the Designated Officer.
6.24.3 For the purposes of this section of the by-law, the calculation of AUs shall be cumulative across the species as determined by the Province of Manitoba. See Appendix A for additional information.
6.24.4 In addition to the standard development application submission provisions, applications for livestock operations shall:

1. Meet or exceed all applicable provincial or federal government environmental health regulations in force at the time of the permit application for the creation, expansion or modification or a livestock operation;
2. Obtain a development permit from the Carman Dufferin Grey Planning District prior to any development activity taking place on the site;
3. Meet or exceed any applicable site regulations for the site;
4. Have an adequate land base that is either owned or leased by the proponent to satisfy the proposed operation requirements; and
5. Ensure all manure storage and confinement facilities conform to all applicable provincial government regulations.

6.24.5 Only pre-existing livestock operations with more than 300 AUs may be allowed to expand as a conditional use in the AR zone as of By-law 12/2019 (adopted on May 31st, 2019).

6.25 METAL SHIPPING CONTAINERS

6.25.1 For the purposes of this by-law, the term metal shipping containers shall apply to all large, portable storage enclosures including tractor-trailers and similar units.

6.25.2 Metal shipping containers shall not be stacked unless approved by the Designated Officer.

6.25.3 Metal shipping containers are not permitted on sites less than 2 acres in area.

6.25.4 Notwithstanding the above, metal shipping containers not exceeding 20 feet in length are permitted on sites less than 2 acres in the GD zoning district.

6.25.5 If used for more than a total of 90 days per calendar year, a shipping container or other portable storage unit shall be considered an accessory use under this By-law and shall:

1. Meet the standards for accessory uses in this By-law;
2. Meet the dimensional requirements for accessory uses in the zone in which it is located;
3. Be located to the rear of the principal building;
4. Must be painted the same colour as the principal dwelling, or a complementary colour or feature a suitable material as determined by the Designated Officer;
5. Be placed on a secure and level foundation as determined by the Designated Officer;
6. For sites between 2 acres and 5 acres, there shall be no more than four (4) shipping containers; and
7. For sites greater than 5 acres, there shall be no more than six (6) shipping containers.

6.26 MOBILE HOME DWELLING

6.26.1 No mobile home shall be placed in any zone and used as a dwelling unless it meets all structural standards as determined by *The Buildings and Mobile Homes Act*, Chapter B93, C.C.S.M., as amended.

6.26.2 A mobile home dwelling shall:

1. Be connected to an approved sewage disposal system installed in accordance with regulations under *The Environment Act*;
2. Be connected to an approved electrical service outlet; and
3. Be placed on a permanent foundation and anchored to said foundation in urban centres.

6.26.3 Where sewer and water systems are available, mobile home dwellings shall be required to connect to said systems.

6.26.4 In the RL zoning district, mobile home dwellings shall have painted, durable skirting to screen the view of the foundation supports under the carriage of the mobile home within sixty (60) days of location on the site which it is situated.

6.27 MOBILE HOME PARK

6.27.1 All proposals to establish or expand a mobile home park shall require the approval of the Planning District Board. Scaled and dimensioned plans of the mobile home park shall be submitted to the Planning District Board for approval and shall show mobile home spaces, internal roads and walkways, buffers, storage and recreation areas, drainage, sewer and water services as required.

6.27.2 All mobile home parks shall provide:

1. A central open space area equivalent to two hundred (200) square feet per mobile home space or twenty-four hundred (2400) square feet, whichever is greater;
2. An all-weather surface internal roadway to serve all mobile homes with a minimum twenty-four (24) foot wide driving surface and forty (40) foot total width;
3. One (1) parking space on each mobile home space;
4. Storage of refuse and garbage in a sanitary manner at a location readily accessible to all mobile homes but not more than five hundred (500) feet from any mobile home;
5. Illumination of all roadways and walkways to standards approved by the Planning District Board; and
6. Clear marking of the boundaries of each mobile home space and identification of each space by a numbered sign.

6.27.3 Within the Town of Carman, Mobile Home Parks are additionally subject to the following:

1. The minimum site area for a mobile home park shall be 1 acre;
2. The minimum dwelling unit area for a mobile home shall be 400 sq. ft.;
3. There shall be no more than six (6) mobile home dwellings per acre;
4. The minimum area for a mobile home space shall be 4,500 sq. ft.;
5. The minimum width of each mobile home space shall be 45 ft.;
6. The minimum depth of each mobile home space shall be 100 ft.;
7. The minimum side to side clearance between mobile homes (including porches, carports and all projections) shall be 10 ft.;
8. The minimum end to end clearance between mobile homes shall be 30 ft;
9. The minimum distance from a mobile home to a roadway shall be 10 ft.

6.28 MULTIPLE-UNIT DWELLING

6.28.1 Where approved through a rezoning or a conditional use, an owner or applicant for a multi-unit dwelling may be required to enter into a development agreement to cover such matters as:

a. Maximum building sizes;
b. Maximum allowable density;
c. Design requirements including but not limited to, exterior finishes and materials;
d. Parking requirements;
e. Waste storage and removal requirements;
f. Emergency access requirements; and
g. Any other matter deemed necessary or relevant by the Board.

6.28.2 In the RL zone, multi-unit dwellings shall adhere to the dimensional standards of the RM zone.

6.29 OUTDOOR WOODSTOVES/BOILERS

6.29.1 Where permitted, outdoor woodstoves/boilers shall maintain a minimum separation distance of fifty (50) feet from any other structure or combustibles.

6.29.2 Where permitted, outdoor woodstoves/boilers shall be setback a minimum of fifty (50) feet from any property line.

6.29.3 In the case of greater setback requirements from insurance providers, the more restrictive setback requirement shall prevail.

6.30 PARKING AREA

6.30.1 All stand-alone parking areas must be screened in accordance with the provisions of Section 4.23 of this by-law.

6.31 PLANNED UNIT DEVELOPMENTS

6.31.1 An application for a Planned Unit Development shall be considered as a conditional use application and subject to the conditional use provisions of this By-law.

6.31.2 The uses and standards of a Planned Unit Development must be generally consistent with the desired character for the area as set out in the Carman Dufferin Grey Planning District Development Plan, any applicable secondary plan, or concept plan, and shall incorporate at least equivalent standards of amenity, open spaces, building separation, parking and other requirements and provisions of this By-law.

6.31.3 An application for a Planned Unit Development must be accompanied by a detailed site plan that includes the following:

a. Site boundary;
b. Heights and types of use of buildings and structures;
c. Floor plans and elevations of all proposed buildings and structures;

d. Location of internal roads and entrances to site;
e. Sidewalks and active transportation paths;
f. All public elements or facilities;
g. Fencing, lighting, landscaping;
h. Parking;
i. Lot grading and drainage;
j. Impact studies including, but not limited to, the following:
    i. Drainage Study;
    ii. Traffic Impact Study; and
    iii. Public Engagement Study.
k. All instances where the dimensional standards of the proposed buildings and structures do not comply with the requirements of this By-law; and
l. Any other information as required by the Board.

6.31.4 A residential Planned Unit Development may contain two or more principal buildings subject to the following criteria:

1. The minimum site area for a Planned Unit Development shall be one (1) acre;
2. Side, front and rear yards equal to the requirements of the zone in which the Planned Unit Development is located shall be maintained;
3. In no case shall buildings be located closer to each other than the sum of the required rear yards for adjoining walls; and
4. The density of the development shall not be increased by greater than ten (10) percent of the density permitted in that zone.

6.32 PRIVATE SWIMMING POOLS AND HOT TUBS

6.32.1 This section applies to private and semi-private swimming pools, hot tubs, and similar structures when accessory to a residential use.

6.32.2 Outdoor pools and hot tubs shall comply with yard requirements for accessory buildings, structures and uses as set forth in the relevant bulk requirements table. In no case, however, shall an outdoor pool or hot tub be located closer than five (5) feet to any side or rear site line.

6.32.3 All outdoor pools and hot tubs shall be completely enclosed with a fence or other suitable barrier constructed or erected in accordance with the regulations for swimming pools and other water recreational facilities of *The Public Health Act*.

6.32.4 Notwithstanding the provisions of Section 4.17, open decks and open stairways associated with outdoor pools or hot tubs may project to any side or rear site line.

6.32.5 Semi-private pools, when not located on a single-unit dwelling site nor used solely by the occupants of the dwelling or their guests, are subject to the regulations governing pools in the *Public Health Act*.

6.32.6 Nothing in this subsection shall relieve any such structure from complying with spatial, structural, electrical, plumbing, health and safety or operational requirements contained in regulations under *The Buildings and Mobile Homes Act*, *Public Health Act* or other applicable statutes.

6.33 SECONDARY SUITES

6.33.1 A secondary suite shall be subject to the following provisions:

1. No more than one (1) secondary suite shall be permitted within a principal residence;
2. No more than one (1) attached or one (1) detached secondary suite shall be permitted on any zoning site;
3. The principal dwelling must be an existing permanent structure;
4. Home occupations, businesses and industries are not permitted within a secondary suite;
5. All secondary suites shall comply with all building code standards;
6. All secondary suites shall be connected to municipal sanitary sewer and water connections, where such services are available, as determined by the Board; and
7. Outdoor amenity space shall be provided for each secondary suite as per the Manitoba Building Code.

6.33.2 An attached secondary suite (within a principal dwelling or constructed as an addition) shall also comply with the following provisions:

1. The area of an attached secondary suite shall not exceed 80% of the total habitable floor space (including basement) of the principal dwelling or 861 square feet whichever is the lesser, as per the Manitoba Building Code;
2. The secondary suite shall have a separate entrance, either from a common indoor landing or directly from the side or rear of the principal dwelling; and
3. The minimum ceiling height shall be provided in accordance with the Manitoba Building Code.

6.33.3 A detached secondary suite (standalone, above a detached garage or attached to a detached garage) shall also comply with the following provisions:

1. The area of a detached secondary suite shall not exceed more than 80% of the principal dwelling to a maximum of 861 square feet, as per the Manitoba Building Code;
2. A detached secondary suite must adhere to all dimensional standards that apply to the zone in which it is situated;
3. A detached secondary suite shall be separated from the principal dwelling a minimum of 10 feet; and
4. Secondary suites that are above or attached to a garage must have an entrance that is separate from the vehicle entrance.

6.34 SIGNS

6.34.1 No person shall erect a sign without first obtaining a permit from the Carman Dufferin Grey Planning District or the Province of Manitoba, unless otherwise specified herein, and no permit approval shall be issued unless all the sign regulations and yard requirements of this By-law are met.

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

1. Creates a nuisance, obstructs visibility, or in any way interferes with public safety;
2. Includes offensive language or imagery, profanity, or vulgar words of any kind;
3. Resembles an official traffic signal, as determined by the Designated Officer;
4. Displays lights resembling those used by protective and emergency services;
5. Allows a swinging motion or contains moving parts;
6. Is located on the roof of a building or structure;
7. Is painted on a fence or roof; or
8. Is located in a public right-of-way or sidewalk area.

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

1. Signs installed by the Carman Dufferin Grey Planning District for traffic control, parking, street and road naming or those signs required to be constructed or maintained by law or government order;
2. Temporary signs including garage sale signs, event signs, or election signs;
3. Non-illuminated directional signs not exceeding 5 square feet in area;
4. Window signs;
5. Memorial signs; or
6. Building commemoration signage.

6.34.4 The following signs do not require a permit:

1. Flags or emblems of a political, civic, educational or religious organization;
2. Historic or commemorative signs identifying a location of historical significance;
3. “No Trespassing” or “Private Property” signs not exceeding 2.5 square feet;
4. Construction signs when placed on construction sites;
5. Real estate signs;
6. Building identification signs for single- and two-unit dwellings and institutional uses; and
7. Any sign that cannot be seen from off the premises.

6.34.5 The following standards apply to any unlawful or abandoned signs:

1. For the purposes of this section, signs that are in disrepair, no longer applicable to the zoning site in which they are erected, or derelict shall be deemed abandoned;
2. Where the Designated Officer finds a sign to be abandoned, the Officer may, by written notice, order the landowner to remove the sign, or take such measures as are specified such that the sign no longer appears abandoned;
3. Where a sign contravenes the standards of this by-law, or has been erected without authorization from the Carman Dufferin Grey Planning District, the Board may, by notice in writing, order the owner of the sign to take such measures to ensure it complies with the standards of this by-law, or remove the sign; and
4. Failure to remove an abandoned or unlawful sign, or to comply with measures specified by the Designated Officer or the Board in an official notice, shall result in the removal of the sign by the Planning District at the expense and liability of the owner.

6.34.6 The following standards shall apply to all illuminated video screens or electronic messaging signs:

1. Any video screens or electronic messaging signs that feature animation, moving copy, reader boards, or movement shall not be permitted within 150 feet of a residential zoning district or within 300 feet of an existing residence, whichever is greater.
2. Video screens or electronic messaging boards are prohibited in the yards of commercial, institutional or industrial uses that abut a lot line of a Residential or General Development;
3. Flashing, scintillating, animated, rotating, electronic or video message boards are prohibited on mobile signs;
4. No video screens or electronic messaging boards may be located within 50 feet of a pedestrian crosswalk or controlled intersection;
5. Video screens or electronic messaging board signs must be positioned in such a way that any illumination does not project toward any surrounding residential uses;
6. Such signs may not carry live video or audible broadcasts, and shall only feature static imagery; and
7. The brightness of a video screen or electronic messaging board sign must be adjusted to the time of day or night, as well as ambient light conditions. A maximum luminaire of 13,000 nits between sunrise and sunset, and a maximum luminaire of 400 nits between sunset and sunrise shall be permitted.

6.34.7 For the purposes of this section, the following types and forms of signs are recognized in the Carman Dufferin Grey Planning District:

Table 6-1: Sign types

Sign Form	Sign Type	Example
Attached	Advertising	Billboards
	Identification	Awning, brand, fascia, marquee, projecting, projecting fascia
	Directional	Fascia, projecting
Free Standing	Advertising	Mobile, trailer, vehicular
	Identification	Pedestal, pole, pylon
	Directional	Pedestal, pole, pylon
	Temporary	Flags, inflatable, mobile, sandwich board, vehicle

6.34.8 Regardless of the zoning district, no on-site sign shall be constructed, erected, altered, enlarged, or placed except those that are permitted in accordance with Table 6-2 below:

Table 6-2: Permitted signs

			DIMENSIONS (MAXIMUM)	
USE GROUP	**PERMITTED SIGN TYPE**	**PERMITTED SIGN FORM**	**SURFACE AREA (SQ. FT.)**	**HEIGHT (FT.)**
Agricultural uses	Directional	Attached or free standing	12	35
	Identification – building or use	Attached or free standing	32	35
	Temporary	Free standing	50	35
Commercial and industrial uses	Directional	Free standing	20	35
	Identification – building or use	Attached or free standing	25% of the façade for each business to a maximum of 200 for single occupancy or 600 for multiple occupancy	35
	Temporary	Free standing	20	35
Institutional uses	Directional	Attached or free standing	12	35
	Identification – building or use	Attached or free standing	50, or 25 when abutting a residential or related use	35
Residential and related uses	Directional	Attached or free standing	4	6
	Identification – building or use	Attached or free standing	2	10

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

6.34.10 All temporary signs shall be removed within seven days of the date of the advertised event or at the discretion of the Designated Officer.

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

1. No billboard shall be located within 500 feet from another billboard sign on the same road and facing the same direction of traffic;
2. No billboard shall be located within 150 feet from the intersection of any road, rail or pedestrian corridor right-of-way intersection;
3. Applications for billboard signs shall include the same information required in this By-law for development and/or building permits;
4. The maximum height for a billboard sign shall be 30 feet. If the billboard is attached to a building or structure or freestanding within five (5) linear feet of a building or structure, the maximum height of the billboard sign is the height of the building wall or structure; and
5. The maximum surface area of a billboard sign shall be 200 square feet.

6.35 SOLAR PANELS

6.35.1 The provisions for Solar Panels within this by-law do not supersede any requirements of the Building Code or Manitoba Hydro regulations.

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

6.35.3 A roof or mounted solar panel shall not exceed the total area of the principal structure to which it is adhered.

6.35.4 A solar panel that is mounted on a roof may project a maximum of 6.5 feet from the surface of the roof and shall not exceed the outermost edge of the roof.

6.35.5 A solar panel that is mounted on a wall can project a maximum of 2 feet from the surface of the wall and shall be located a minimum of 8 feet above grade.

6.35.6 A solar panel that is freestanding shall comply with all accessory use provisions with respect to dimensional standards.

6.36 TEMPORARY ADDITIONAL DWELLINGS

6.36.1 A temporary additional dwelling shall be subject to the following regulations:

1. Only owner-occupiers of the principal dwelling are permitted to place a temporary additional dwelling;
2. No more than one (1) temporary additional dwelling shall be permitted on any zoning site;
3. The additional dwelling shall be temporary in nature. It shall be placed on a concrete pad and post foundation only, and is to be removed upon the cessation of the occupancy for which it is intended;

4. The additional dwelling unit shall comply with the front, side, and rear yard requirements applicable to the principal dwelling;
5. The unit shall meet all applicable codes for single-unit detached dwellings or mobile homes;
6. Hydro and water series for the additional unit shall, where feasible, be connected to existing facilities upon approval by local and provincial authorities;
7. Sewage disposal for the additional unit shall be provided in accordance with applicable provincial regulations;
8. A caveat shall be placed on the subject property by the Board at the applicant's expense, stating that the additional unit is temporary and must be removed upon cessation of the occupancy for which it was intended; and
9. The Board may impose any other reasonable conditions deemed necessary to protect adjoining properties and the public welfare.

6.36.2 In the event that the application for a temporary additional dwelling arises out of a farmstead subdivision where there are two existing dwellings, or one dwelling and one mobile home on site, the additional second dwelling may be used for the provision of care and clauses 1, 5, 6, 8, and 9 of this subsection apply.

6.37 TINY HOMES

6.37.1 Tiny Homes can be developed as single unit or as a cluster of several units on a single site. Due to the unique nature of this housing format care should be taken to demonstrate proposed Tiny Homes meet the overall aesthetic and character of the area in which they are proposed.

6.37.2 Tiny Homes are intended to be permanent, all-season dwellings and must meet all building code requirements.

6.37.3 A Tiny Home dwelling shall not be less than 300 square feet, and no greater than 500 square feet.

6.37.4 Tiny Homes shall be served by municipal water and wastewater services when available, or by on-site water and wastewater systems to the satisfaction of the municipal engineer or Designated Officer, and any relevant Provincial regulations.

6.37.5 An application for a Tiny Home Cluster shall be accompanied by the following:

a. A detailed site plan with landscaping, amenity space, parking and grading details;
b. Detailed house plans (interior and exterior) for each dwelling unit; and
c. Any other design drawings or application materials deemed necessary or relevant by the Board.

6.37.6 An application for a Tiny Home Cluster shall include normal development permit regulations as well as an impact study that outlines the following information:

a. Economic, social and environmental benefits to the community;
b. The effect on the general character of the area and adjacent areas;
c. The effect on the general environment including, but not necessarily limited to, drainage, groundwater and erosion;

d. The effect on Municipal services and the street system; and

e. Such additional information as required by the Board.

6.37.7 The minimum site area for a Tiny Home Cluster shall be two (2) acres.

6.37.8 There shall be no more than ten (10) Tiny Home sites per acre of land.

6.37.9 Tiny Home Clusters shall be regulated through a site plan agreement or development agreement which is caveated against the title at the Land Titles Office which may, at minimum, address the following:

a. Minimum dwelling size and maximum density;

b. Site plan details including minimum landscaping requirements, parking provision and amenity space requirements;

c. Exterior cladding and building materials; and

d. Other additional requirements deemed relevant by the Board.

6.38 WIND OR SOLAR FARMS

6.38.1 The minimum separation distance between a wind turbine within a wind farm and the nearest habitable building shall be 1,640 feet.

6.38.2 A wind turbine shall be setback no less than 1.5 times the total turbine height from the property line. This setback requirement shall be waived where the adjoining property will be used for wind turbine development and the turbines on both properties will be connected to the same array.

6.38.3 A wind turbine should not be provided with ratification lighting except for lighting that is required to meet federal or provincial regulations.

6.38.4 No wind turbine shall be located within 3,280 feet from any Wildlife Management Area.

6.38.5 Where approved, a conditional use for a wind or solar farm may require the landowner or the applicant to enter into a development agreement with the Board to cover such additional matters as deemed necessary by the Board.

6.39 WIND ENERGY GENERATING SYSTEMS

6.39.1 An accessory wind energy generating system must meet the following standards:

1. The unit must be setback at least 20 feet from the front building line, or in the case of a corner lot, at least 15 feet from the front and side lot line;
2. It is limited to a total turbine height of no more than 15 feet above the rooftop; and
3. It is safely and securely attached to the rooftop in compliance with applicable building codes.

6.40 WRECKING AND SALVAGE YARD AND JUNKYARD

6.40.1 Wrecking and salvage yards and junkyards must adhere to the following standards:

1. The site must be maintained in good condition, free of trash and debris.
2. The site must be screened by an opaque fence at least six (6) feet in height.
3. No materials or supplies shall be stored above the level of the screening fence.

7 LAND USE MAPS

7.1 ZONING DISTRICT MAPS

7.1.1 The zoning district maps provided herein form part of this by-law.

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

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

b. Existing site boundaries;

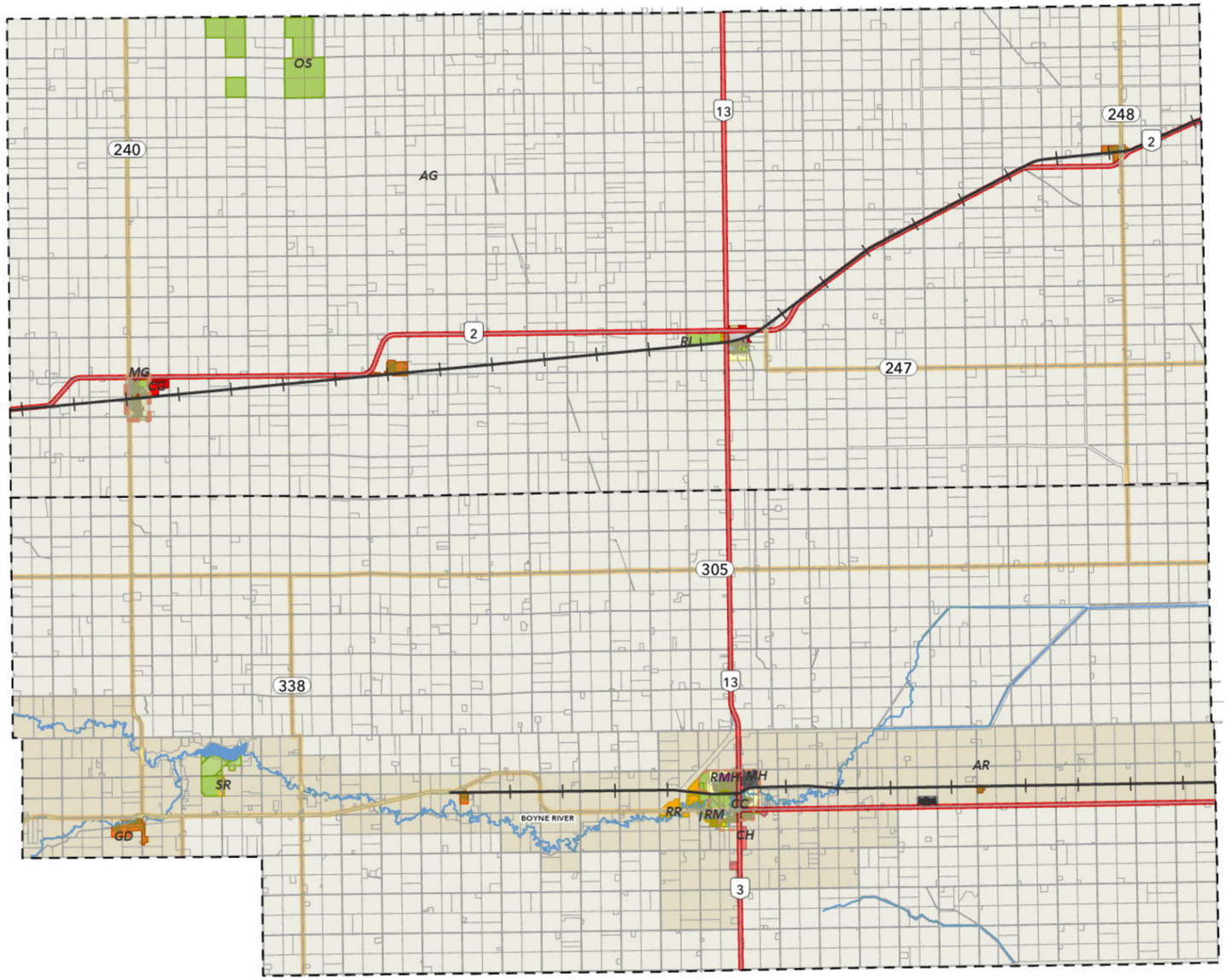
c. Municipal limits;

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

e. A topographic contour and/or embankment line.

7.1.3 No zoning district shall apply to any public road right-of-way and, should a public right-of-way be closed, it will then carry the same zoning as the abutting lands. Where different zoning districts regulate the abutting lands, the roadway centre line shall become the zoning district boundary.

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



CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 1A: Carman Dufferin Grey

Zones

- Agricultural General (AG)
- Agriculture Restricted (AR)
- Commercial Central (CC)
- Commercial General (CG)
- Commercial Highway (CH)
- General Development (GD)
- Institutional (I)
- Dufferin Industrial Park (ICA)
- Industrial General (MG)
- Industrial Heavy (MH)
- Open Space (OS)
- Residential Low Density (RL)

Other Features

- Residential Medium Density (RM)
- Residential Mobile Home (RML)
- Rural Residential (RR)
- Seasonal Residential (SR)
- Waterbodies
- Provincial Trunk Highway
- Provincial Road
- Rail Line
- Stephenfield Provincial Park

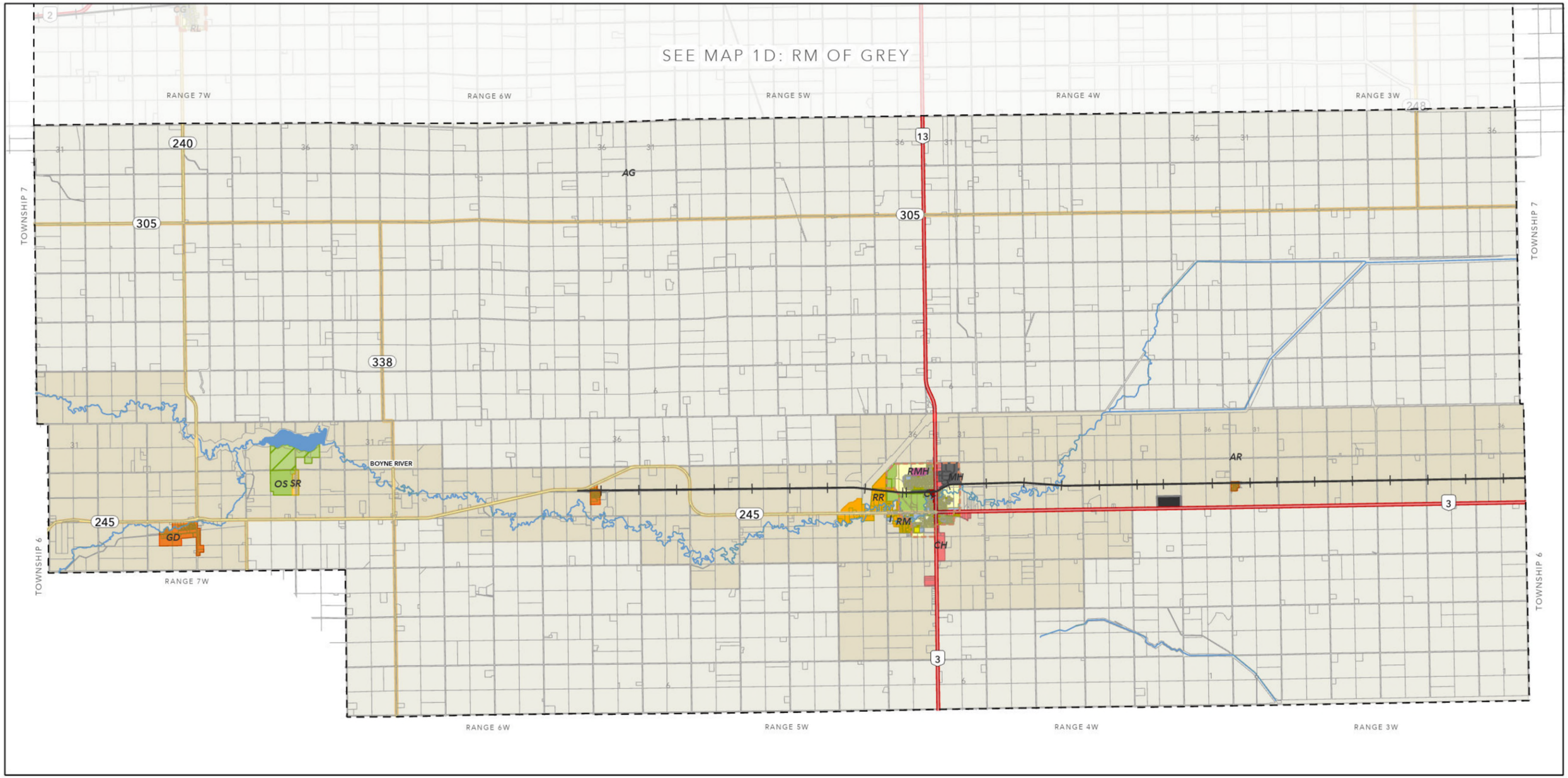
Landmark Planning & Design Inc.

Projection: NAD 1983 UTM ZONE 14N
Source: Province of Manitoba, ESRI, OSM
Date: April 21, 2026
Author: Landmark Planning & Design Inc.

N

0 1.5 3 Miles
0 3.25 6.5 Kilometers

CARMAN DUFFERIN GREY
PLANNING DISTRICT



CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 1B: Rural Municipality of Dufferin

Zones

- Agricultural General (AG)
- Agriculture Restricted (AR)
- Commercial Central (CC)
- Commercial General (CG)
- Commercial Highway (CH)
- General Development (GD)
- Institutional (I)
- Dufferin Industrial Park (ICA)
- Industrial General (MG)
- Industrial Heavy (MH)
- Open Space (OS)
- Residential Low Density (RL)
- Residential Medium Density (RM)
- Residential Mobile Home (RML)
- Rural Residential (RR)
- Seasonal Residential (SR)

Other Features

- Waterbodies
- Provincial Trunk Highway
- Provincial Road
- Rail Line
- Stephenfield Provincial Park

Landmark Planning & Design Inc.

Projection: NAD 1983 UTM ZONE 14N
Source: Province of Manitoba, ESRI, OSM
Date: April 21, 2026
Author: Landmark Planning & Design Inc.

N

0 0.75 1.5 Miles
0 1.75 3.5 Kilometers

CARMAN DUFFERIN GREY
PLANNING DISTRICT

CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 1C: Town of Carman & Neighbouring Areas

Zones

- Agricultural General (AG)
- Agriculture Restricted (AR)
- Commercial Central (CC)
- Commercial Highway (CH)
- Institutional (I)
- Industrial Heavy (MH)
- Open Space (OS)
- Residential Low Density (RL)
- Residential Medium Density (RM)
- Residential Mobile Home (RML)
- Rural Residential (RR)

Other Features

- Town of Carman Limits
- Provincial Trunk Highway
- Provincial Road
- Rail Line
- Waterbodies

Landmark Planning & Design Inc.

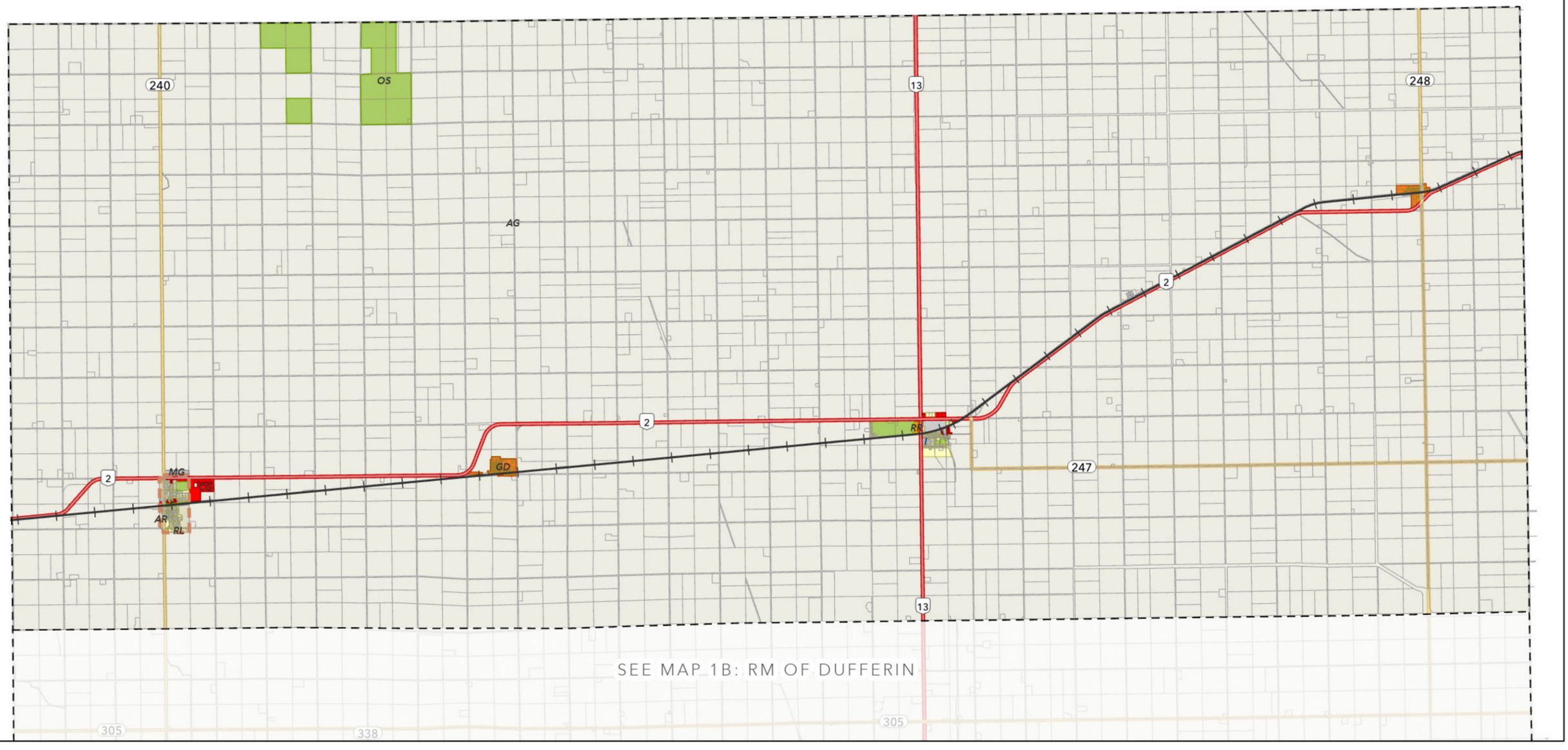
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Source: Province of Manitoba, ESRI, OSM
Date: April 21, 2026
Author: Landmark Planning & Design Inc.

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0 0.25 0.5 Kilometers

CARMAN DUFFERIN GREY
PLANNING DISTRICT



CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 1D: Rural Municipality of Grey

Zones

- Agricultural General (AG)
- Agriculture Restricted (AR)
- Commercial General (CG)
- General Development (GD)
- Institutional (I)
- Industrial General (MG)
- Open Space (OS)
- Residential Low Density (RL)
- Rural Residential (RR)

Other Features

- Provincial Trunk Highway
- Provincial Road
- Rail Line

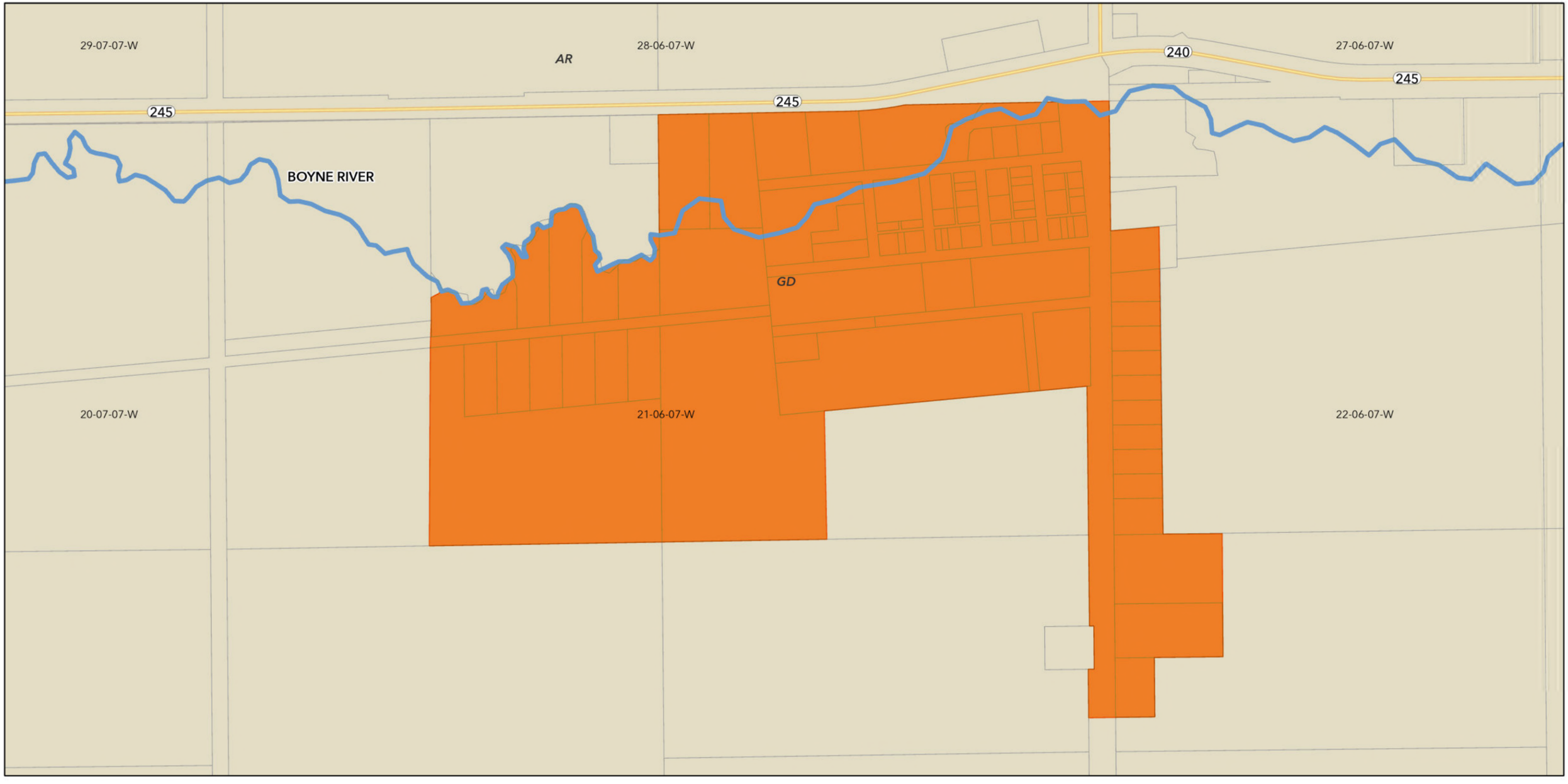
Landmark Planning & Design Inc.

Projection: NAD 1983 UTM ZONE 14N
Source: Province of Manitoba, ESRI, OSM
Date: April 21, 2026
Author: Landmark Planning & Design Inc.

N

0 0.75 1.5 Miles
0 1.75 3.5 Kilometers

CARMAN DUFFERIN GREY
PLANNING DISTRICT



CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 2: Roseisle

Legend

- Agriculture Restricted (AR)
- General Development (GD)
- Provincial Road
- Waterbodies

Landmark Planning & Design Inc.

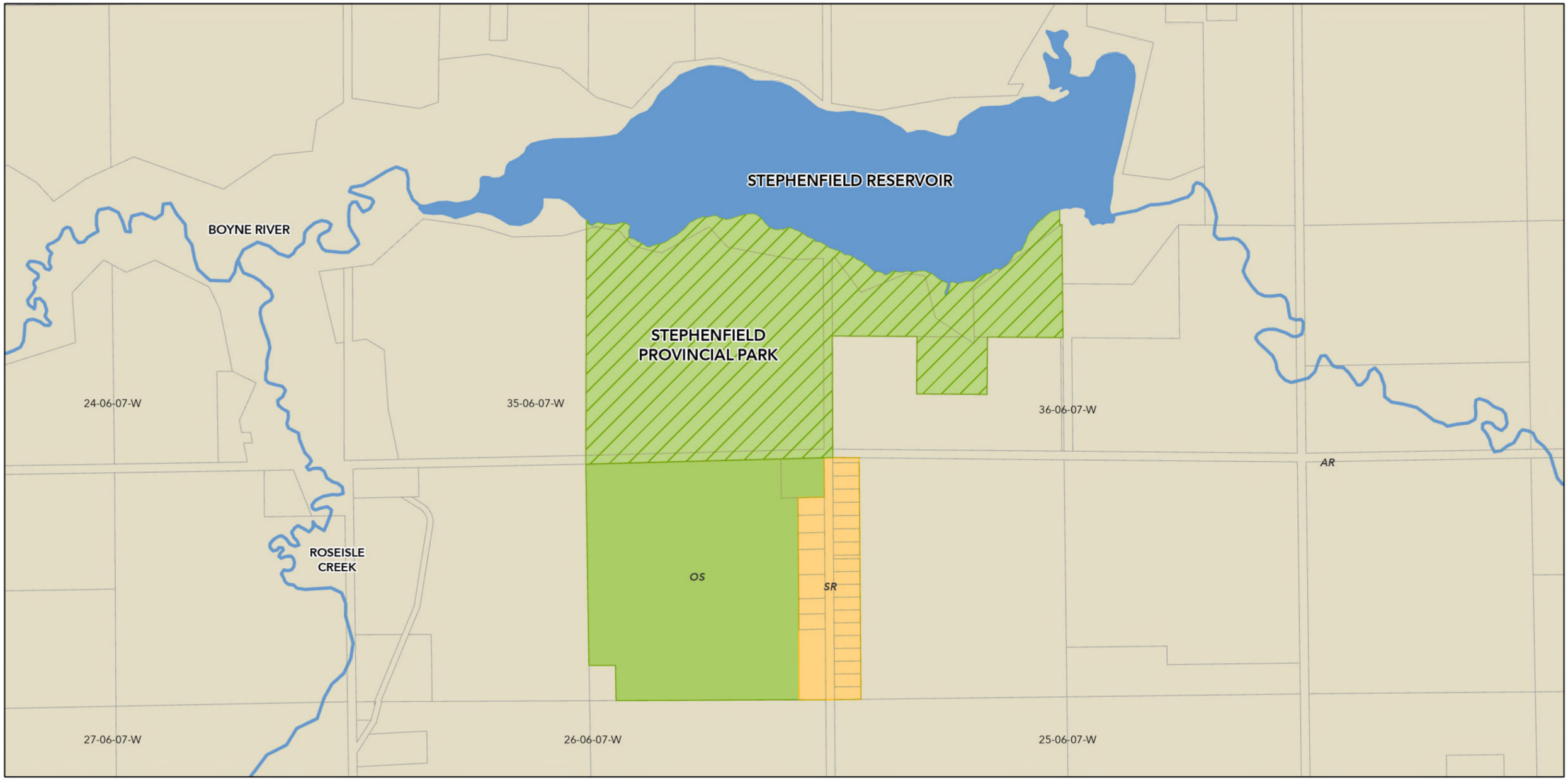
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Source: Province of Manitoba, ESRI, OSM
Date: April 21, 2026
Author: Landmark Planning & Design Inc.

N

0 0.05 0.1 Miles

0 0.1 0.2 Kilometers

CARMAN DUFFERIN GREY
PLANNING DISTRICT



CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 3: Stephenfield Reservoir

Legend

- Agriculture Restricted (AR)
- Open Space (OS)
- Seasonal Residential (SR)
- Stephenfield Provincial Park
- Waterbodies

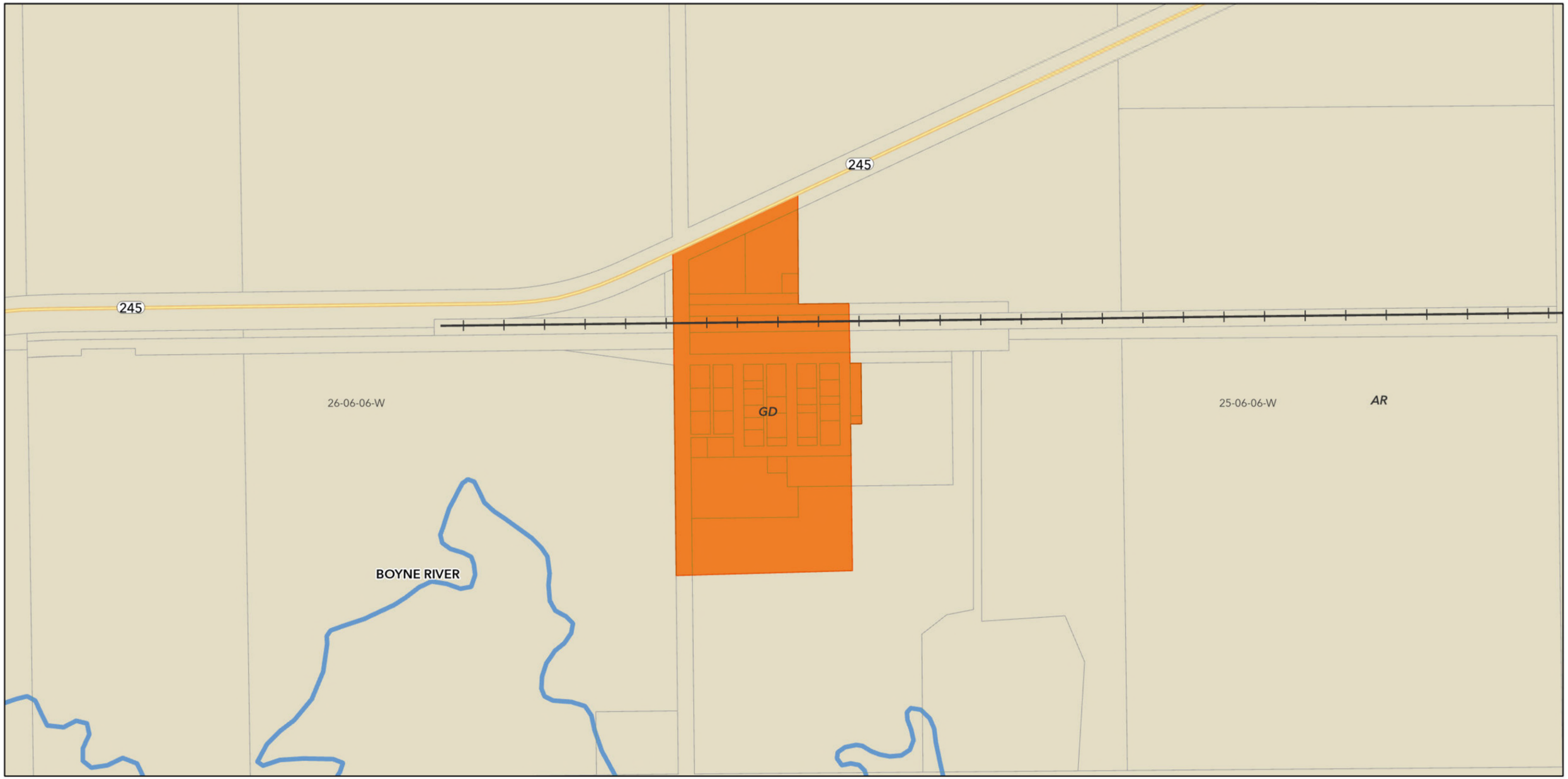
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Projection: NAD 1983 UTM ZONE 14N
Source: Province of Manitoba, ESRI, OSM
Date: April 21, 2026
Author: Landmark Planning & Design Inc.

N

0 0.1 0.2 Miles
0 0.2 0.4 Kilometers

CARMAN DUFFERIN GREY
PLANNING DISTRICT



CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 4: Graysville

Legend

- Agriculture Restricted (AR)
- General Development (GD)
- Provincial Road
- Rail Line
- Waterbodies

Landmark Planning & Design Inc.

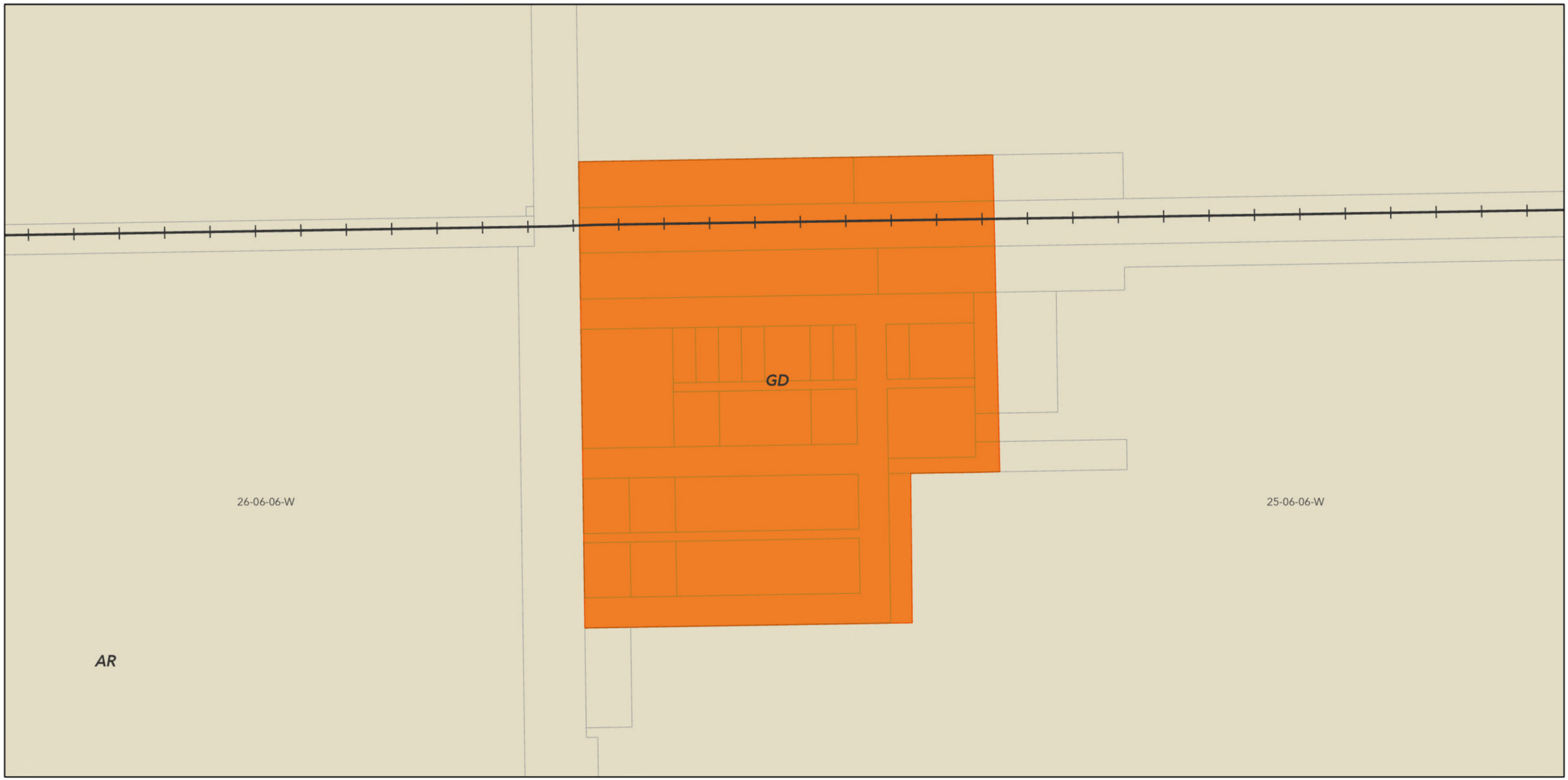
Projection: NAD 1983 UTM ZONE 14N
Source: Province of Manitoba, ESRI, OSM
Date: April 21, 2026
Author: Landmark Planning & Design Inc.

N

0 0.05 0.1 Miles

0 0.1 0.2 Kilometers

CARMAN DUFFERIN GREY
PLANNING DISTRICT



CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 5: Homewood

Legend

- Agriculture Restricted (AR)
- General Development (GD)
- Rail Line

Landmark Planning & Design Inc.

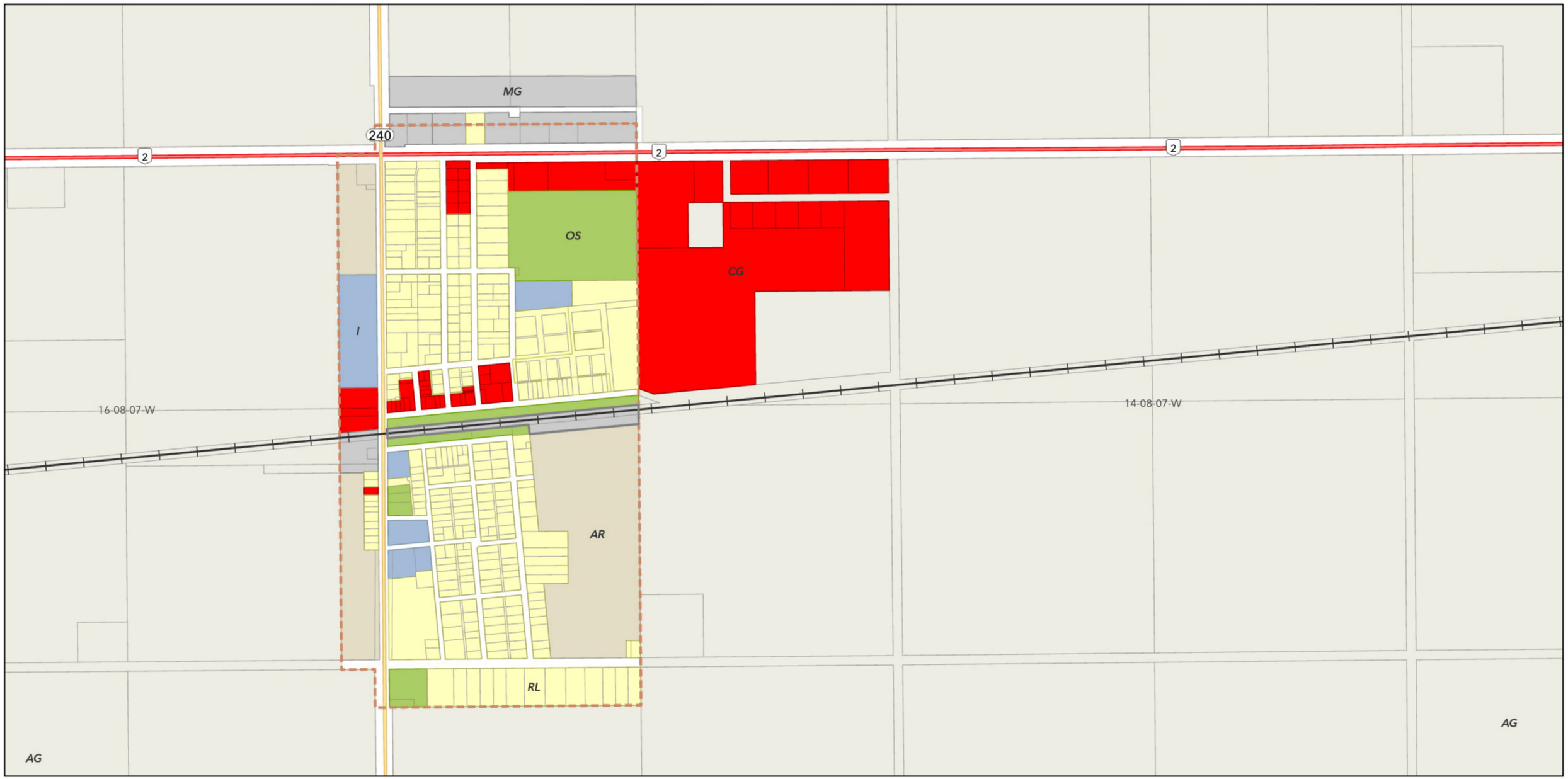
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Source: Province of Manitoba, ESRI, OSM
Date: April 21, 2026
Author: Landmark Planning & Design Inc.

N

0 0.02 0.04 Miles

0 0.04 0.07 Kilometers

CARMAN DUFFERIN GREY
PLANNING DISTRICT



CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 6: St. Claude

Zones

- Agricultural General (AG)
- Agriculture Restricted (AR)
- Commercial General (CG)
- Institutional (I)
- Industrial General (MG)
- Open Space (OS)
- Residential Low Density (RL)

Other Features

- St. Claude Boundary
- Provincial Trunk Highway
- Provincial Road
- Rail Line
- Waterbodies

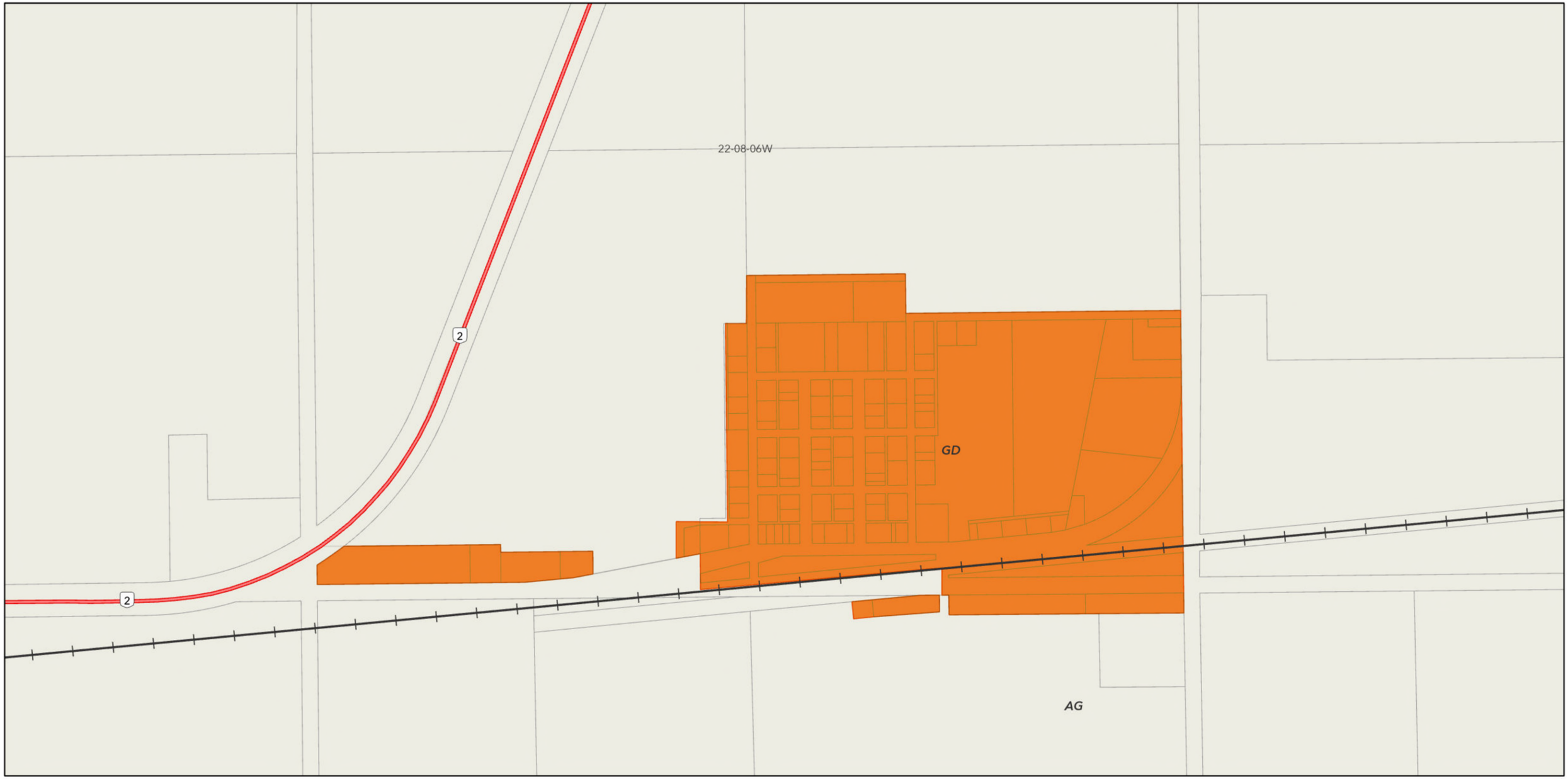
Landmark Planning & Design Inc.

Projection: NAD 1983 UTM ZONE 14N
Source: Province of Manitoba, ESRI, OSM
Date: April 21, 2026
Author: Landmark Planning & Design Inc.

N

0 0.07 0.15 Miles
0 0.17 0.35 Kilome

CARMAN DUFFERIN GREY
PLANNING DISTRICT



CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 7: Haywood

Legend

- Agricultural General (AG)
- General Development (GD)
- Provincial Trunk Highway
- Rail Line

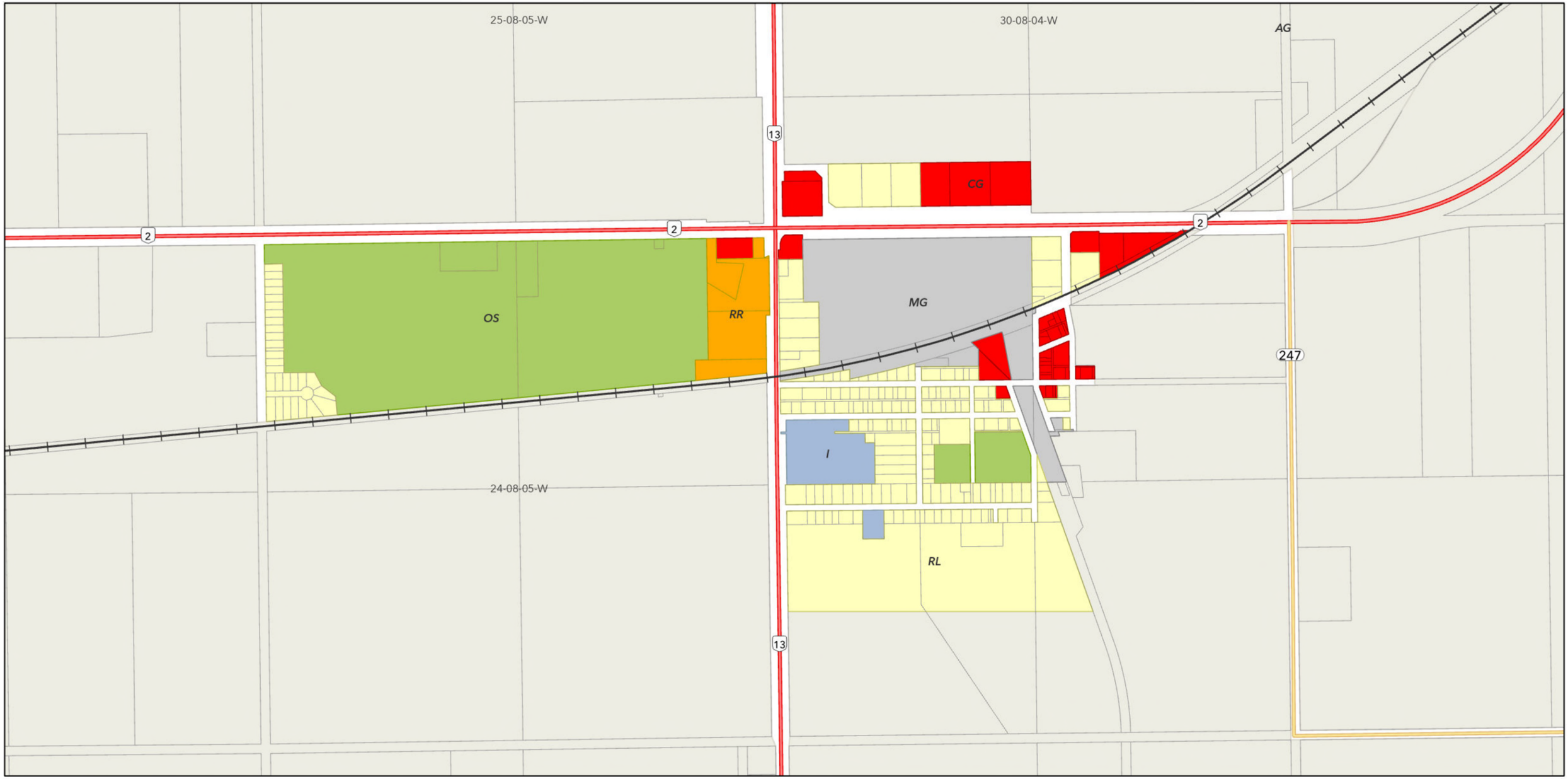
Landmark Planning & Design Inc.

Projection: NAD 1983 UTM ZONE 14N
Source: Province of Manitoba, ESRI, OSM
Date: April 21, 2026
Author: Landmark Planning & Design Inc.

N

0 0.05 0.1 Miles
0 0.1 0.2 Kilometers

CARMAN DUFFERIN GREY
PLANNING DISTRICT



CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 8: Elm Creek

Zones

- Agricultural General (AG)
- Commercial General (CG)
- Institutional (I)
- Industrial General (MG)
- Open Space (OS)
- Residential Low Density (RL)
- Rural Residential (RR)

Other Features

- Provincial Trunk Highway
- Provincial Road
- Rail Line

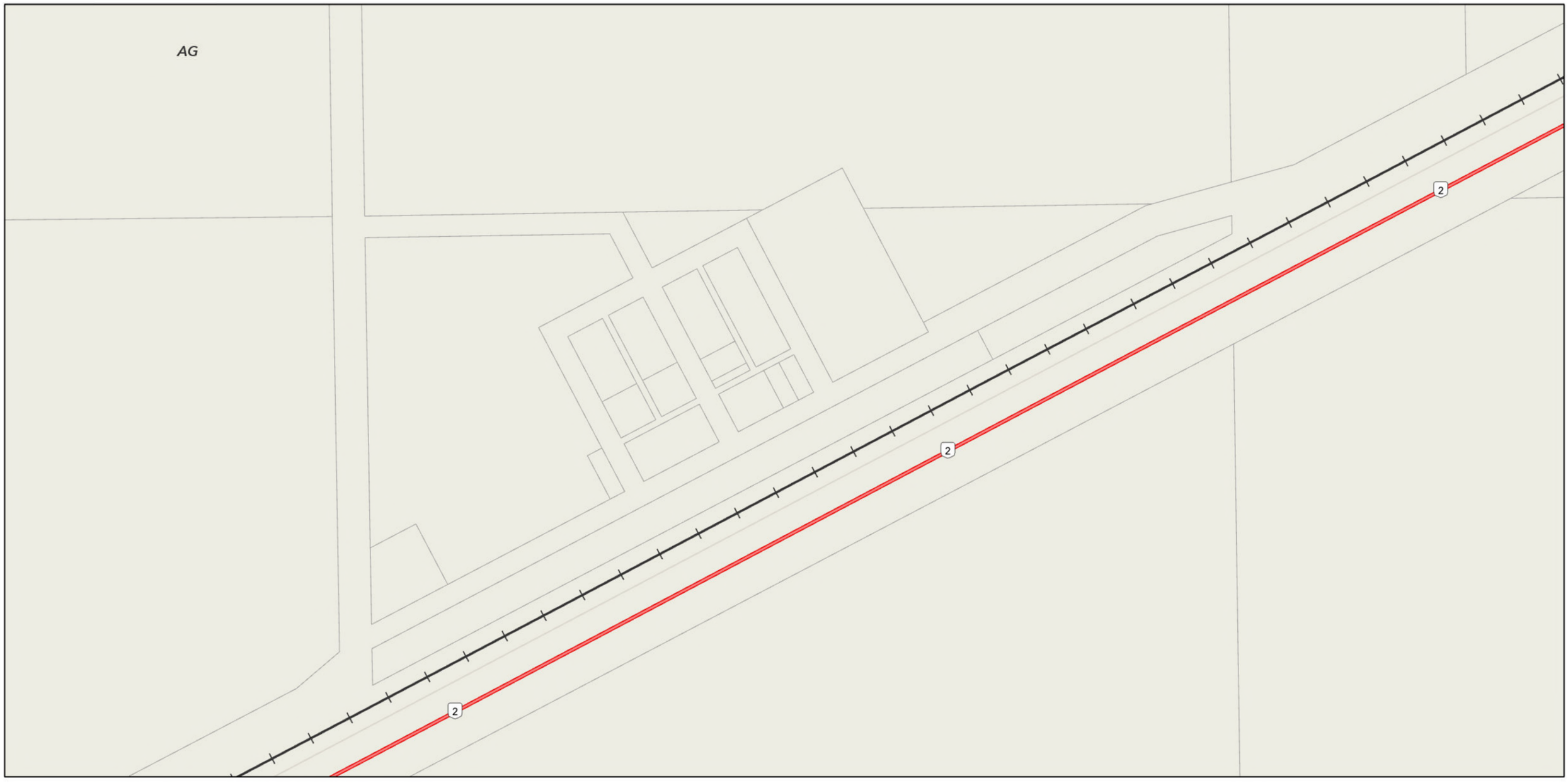
Landmark Planning & Design Inc.

Projection: NAD 1983 UTM ZONE 14N
Source: Province of Manitoba, ESRI, OSM
Date: April 24, 2026
Author: Landmark Planning & Design Inc.

N

0 0.07 0.15 Miles
0 0.17 0.35 Kilome

CARMAN DUFFERIN GREY
PLANNING DISTRICT



CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 9: Culross

Legend

- Agricultural General (AG)
- Provincial Trunk Highway
- Rail Line

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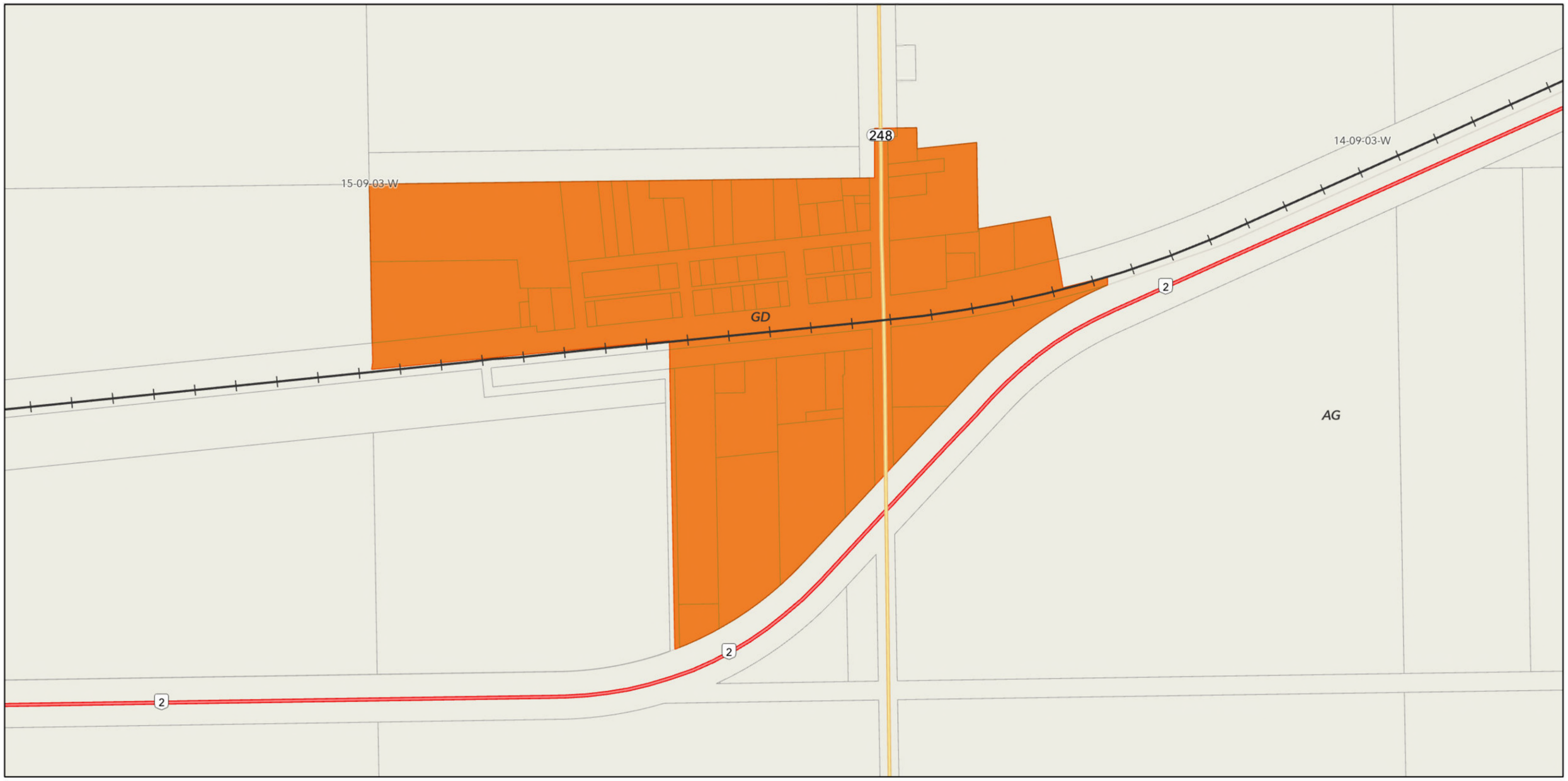
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Source: Province of Manitoba, ESRI, OSM
Date: April 21, 2026
Author: Landmark Planning & Design Inc.

N

0 0.03 0.05 Miles

0 0.05 0.1 Kilometers

CARMAN DUFFERIN GREY
PLANNING DISTRICT



CARMAN DUFFERIN GREY PLANNING DISTRICT

ZONING BY-LAW

MAP 10: Fannystelle

Legend

- Agricultural General (AG)
- General Development (GD)
- Provincial Trunk Highway
- Provincial Road
- Rail Line

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Projection: NAD 1983 UTM ZONE 14N
Source: Province of Manitoba, ESRI, OSM
Date: April 21, 2026
Author: Landmark Planning & Design Inc.

N

0 0.04 0.09 Miles
0 0.07 0.15 Kilometers

CARMAN DUFFERIN GREY
PLANNING DISTRICT

Animal Unit Calculations

APPENDIX A

Animal Units By Category Of Livestock

Column 1 Category of Livestock	Column 2 Animal Units Produced by One Livestock	Column 3 Factor to be used to Determine Animal Units (Number of livestock to produce one animal unit)
Dairy		
Milking Cows (including associated livestock)	2	0.5
Beef		
Beef Cows (including associated livestock)	1.25	0.8
Backgrounder	0.5	2
Summer pasture / replacement heifers	0.625	1.6
Feeder Cattle	0.769	1.3
Hogs		
Sows, farrow to finish	1.25	0.8
Sows, farrow to weanling	0.25	4
Sows, farrow to nursery	0.313	3.2
Weanlings	0.033	30
Growers / finishers	0.143	7
Boars (artificial insemination operations)	0.2	5
Chickens		
Broilers	0.005	200
Roasters	0.01	100
Layers	0.0083	120
Pullets	0.0033	300
Broiler Breeder Pullets	0.0033	300
Broiler Breeder Hens	0.01	100
Turkeys		

Broilers	0.01	100
Heavy Toms	0.02	50
Heavy Hens	0.01	100
Horses		
Mares (including associated livestock)	1.333	0.75
Sheep		
Ewes (including associated livestock)	.02	5
Feeder Lambs	0.063	16

Separation Distances

APPENDIX B

Minimum Separation Distances For Siting Livestock Operations

Size of Livestock Operation in Animal Units	Separation Distance in Metres (Feet) from a Residence		Separation Distance in Metres (Feet) from a Designated Area	
	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-earthen Manure Storage Facility	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-earthen Manure Storage Facility
10 - 100	200 (656)	100 (328)	800 (2,625)	530 (1,739)
101 – 200	300 (984)	150 (492)	1,200 (3,937)	800 (2,625)
201 – 300	400 (1,312)	200 (656)	1,600 (5,249)	1,070 (3,511)
301 – 400	450 (1,476)	225 (738)	1,800 (5,906)	1,200 (3,937)
401 – 800	500 (1,640)	250 (820)	2,000 (6,561)	1,330 (4,364)
801 – 1,600	600 (1,986).	300 (984)	2,400 (7,874)	1,600 (5,249)
1,601 – 3,200	700 (2,297)	350 (1,148)	2,800 (9,186)	1,870 (6,135)
3,201 – 6,400	800 (2,625)	400 (1,312)	3,200 (10,499)	2,130 (6,988)
6,401 – 12,800	900 (2,953)	450 (1,476)	3,600 (11,811)	2,400 (7,874)
> 12,800	1,000 (3,281)	500 (1,640)	4,000 (13,123)	2,670 (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 grazing area; or

f. 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.