



Town of The Pas
ZONING BY-LAW

TOWN OF THE PAS ZONING BY-LAW

April 2021

The Town of The Pas is located in the territory of Opaskwayak Cree Nation, within Treaty 5, and on the traditional lands of Ininiwak (Cree), Anishinaabe (Ojibwe), Oji-Cree, Dene, Dakota, and Métis peoples.

We acknowledge this land and water, the original peoples of this place, and the treaty that guides our ongoing relationship.

We commit to tending to this place and our treaty partnerships with care in the spirit of collaboration and reciprocity going forward.

HOW TO USE THIS ZONING BY-LAW

This zoning by-law regulates the use, size, height, and location of buildings on properties within the Town of The Pas. There is a simple four-step process to determine the uses and structures that are permitted on a specific piece of property.

Step One

What zone is your property located in?

- Use the Zoning Map in Schedule B to determine the zoning for your property.
- Reference Chapters 3 – 7 for a description of the intent of that zone.
- Look in the Development Plan to confirm your proposal fits with the applicable policies in those documents.

Step Two

What uses are permitted in your zone?

- Find the column with the zone of your property in the **Use Table**.
- Uses marked with the letter **P** are Permitted Uses and may be developed once you have received a Development Permit.
- Uses marked with the letter **C** are Conditional Uses that may or may not be acceptable in a zone depending on the particular circumstances of a proposed development. Conditional uses require a public hearing process and may have extra conditions imposed on the use to make it acceptable for the location.
- Uses may also have use-specific requirements that are provided in Chapter 8: Use-Specific Standards.

Step Three

How and where can you develop properties in your zone?

- Find the Bulk Table in the zone of your property
- The Bulk Table provides information on allowable height of buildings and structures, required yards, and other spatial requirements for a property.
- To understand the specific details of these requirements, you may need to reference the General Rules and Regulations (Chapter 2) and the Definitions (Chapter 10).

Step Four

What kind of permits do you need?

- In most cases, you will need a Development Permit before you start any change in land use or any development (including construction of a building) on a property.
- Check the Administration section (Chapter 9) to see if your planned development is exempt from needing a Development Permit. If so, you may proceed with development, as long as it meets the other requirements in this zoning by-law and other applicable by-laws.
- If you need a Development Permit, fill out a Development Permit Application.
- You are responsible for finding out any other Provincial or Federal regulations applying to your development, as well as any other required local permits, including Building Permits.

TABLE OF CONTENTS

1	SCOPE	6
1.1	THE BY-LAW	6
1.2	INTENT	6
1.3	INTERPRETATION AND APPLICATION.....	6
1.4	RELATION TO OTHER BY-LAWS	6
1.5	RULES OF INTERPRETATION	7
2	GENERAL REGULATIONS	8
2.1	REGULATION OF USES.....	8
2.2	CONDITIONAL USES	8
2.3	VARIANCES	8
2.4	NON-CONFORMITY	9
2.5	EXISTING USES PERMITTED	10
2.6	SITE REDUCED	10
2.7	AREA AND YARD REQUIREMENTS	10
2.8	MULTIPLE USES OR PROVISIONS.....	12
2.9	ACCESSORY BUILDINGS, USES AND STRUCTURES	12
2.10	ACCESSORY OFF-STREET PARKING	12
2.11	LOADING SPACES	16
2.12	HEIGHT EXCEPTIONS.....	17
2.13	PUBLIC UTILITIES, MONUMENTS, AND SERVICES.....	17
2.14	BUILDING REMOVAL	17
2.15	BUILDING GRADE AND SITE DRAINAGE.....	17
2.16	STREET, LANE OR ROAD FRONTAGE.....	18
2.17	FUTURE ROAD DEEMED EXISTING	18
2.18	DEVELOPMENT NEAR PROVINCIAL HIGHWAYS AND ROADS	18
2.19	MUNICIPAL SERVICE CONNECTION	18
2.20	PARTY WALLS.....	19
2.21	FLAG LOTS.....	19
2.22	HAZARD LANDS.....	19
2.23	FLOOD RISK AREAS.....	20
2.24	RIPARIAN AND WETLAND AREAS	20
2.25	MUTUAL SEPARATION DISTANCES FROM LIVESTOCK OPERATIONS	21
3	ZONES.....	22
3.1	ESTABLISHING ZONES	22
3.2	ZONING BOUNDARIES.....	22
3.3	PERMITTED AND CONDITIONAL USES.....	23
3.4	BULK REGULATIONS.....	23
4	RESIDENTIAL ZONES.....	24
4.1	INTENT OF ZONES	24
4.2	USE & BULK TABLES AND REQUIREMENTS.....	24
5	COMMERCIAL ZONES	35
5.1	INTENT OF ZONES	35
5.2	USE & BULK TABLES AND REQUIREMENTS.....	35

6	INDUSTRIAL ZONES	47
6.1	INTENT OF ZONES	47
6.2	USE & BULK TABLES AND REQUIREMENTS.....	47
7	PUBLIC / LIMITED DEVELOPMENT ZONES	55
7.1	INTENT OF ZONES	55
7.2	USE & BULK TABLES AND REQUIREMENTS.....	55
8	USE-SPECIFIC STANDARDS.....	64
8.1	ANIMAL CARE	64
8.2	RESIDENTIAL	64
8.3	RESIDENTIAL OTHER	67
8.4	ACCOMMODATION.....	68
8.5	AUTOMOTIVE	68
8.6	OFFICE AND RETAIL.....	69
8.7	PUBLIC OPEN SPACE.....	70
8.8	INDUSTRIAL OPERATIONS.....	71
8.9	INDUSTRIAL MAJOR	71
8.10	OTHER USES	71
9	ADMINISTRATION	84
9.1	RESPONSIBILITIES OF THE TOWN OF THE PAS.....	84
9.2	RESPONSIBILITIES OF A DESIGNATED OFFICER.....	84
9.3	RESPONSIBILITIES OF THE OWNER.....	85
9.4	DEVELOPMENT PERMIT INFORMATION	85
9.5	AMENDMENTS.....	87
9.6	DEVELOPMENT AGREEMENTS	87
10	DEFINITIONS	88
10.1	GENERAL DEFINITIONS	88
10.2	USE CLASS DEFINITIONS.....	99
11	SCHEDULE A: COMBINED USE TABLE.....	107
12	SCHEDULE B: ZONING MAPS	110

1 SCOPE

1.1 THE BY-LAW

- (a) This By-law shall be known and may be cited as “The Town of The Pas Zoning By-law.”
- (b) This By-law shall apply to all lands of the Town of The Pas as indicated on the maps in Schedule B of this by-law.

1.2 INTENT

The regulations and provisions established by this By-Law are deemed necessary in order to:

- (a) Implement the objectives and policies of the Kelsey Planning District Development Plan;
- (b) Define the powers and duties of the **Council** and **Designated Officers** in accordance with the Planning Act; and
- (c) Regulate the following:
 - i) all new buildings and structures;
 - ii) all **alterations**, demolitions or relocations of existing buildings and structures
 - iii) all enlargements of existing buildings, structures or uses; and
 - iv) all changes in the use or intensity of use of buildings, structures and land.

1.3 INTERPRETATION AND APPLICATION

In their interpretation and application, the provisions of this By-law shall be held to be the minimum requirements to satisfy the By-law’s intent and purpose.

1.4 RELATION TO OTHER BY-LAWS

Whenever provisions of any By-law of the Town of The Pas or any other requirement of the Provincial or Federal Government impose overlapping regulations over the use of land or buildings or bulk requirements or contain any restrictions covering any of the same subject matter contained in this Zoning By-law, the most restrictive or highest requirement shall govern.

1.5 RULES OF INTERPRETATION

The following rules of interpretation shall apply to the text of this By-law:

- (a) Words, phrases and terms defined in this Zoning By-Law shall be given the defined meaning.
- (b) Words, phrases and terms not defined in this Zoning By-Law but defined in The Act or in the Building, Electrical or Plumbing By-laws of the Town of The Pas shall be construed as defined in such Act and By-laws.
- (c) Words, phrases and terms neither defined in this Zoning By-Law nor in The Act, the Building, Electrical or Plumbing By-laws of the Town of The Pas shall be given their usual and customary meaning except where the context clearly indicates a different meaning.
- (d) Where any requirement of this By-law results in a fraction of a unit, a fraction of five tenths (5/10) or more shall be considered a whole unit and a fraction of less than five tenths (5/10) shall be disregarded.
- (e) The words “shall” and “must” are mandatory and not permissive; the word “may” is permissive and not mandatory.
- (f) Words used in the singular include the plural and words used in the plural include the singular.
- (g) Words used in the present tense include the future tense and words used in the future tense include the present tense.
- (h) The phrase “used for” includes “arranged for”, “designed for”, “maintained for” or “occupied for”.
- (i) The words “person” includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- (j) 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”, “either-or”, the conjunction shall be interpreted as follows:
 - i) “And” indicates that all the connected items, conditions, provisions or events shall apply in any combination.
 - ii) “Or” indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
 - iii) “Either-or” indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
- (k) The words “include” “includes” or “including” shall not limit a term to the specified examples, but is intended to extend the meaning to all other instances or circumstances of like kind or character.

2 GENERAL REGULATIONS

The following regulations shall apply to all use and development of land and buildings in the Town of the Pas, except where otherwise noted in this By-Law.

2.1 REGULATION OF USES

No land, building or structure shall be used or occupied except for a use which:

- (a) Is listed in this Zoning By-Law as:
 - i) A Permitted Use;
 - ii) A Conditional Use, subject to approval as such;
- (b) Is an **Accessory** Use to a Permitted or Conditional Principal Use; or
- (c) Is an Approved Temporary Use.

2.2 CONDITIONAL USES

2.2.1 Purpose of Conditional Uses

This By-law is based upon the division of the Town into zones where the use of the land, buildings and structures are compatible. There are, however, certain uses designated Conditional Uses, which cannot properly be permitted without consideration, in each case, of the impact of those uses upon neighboring land.

2.2.2 Applying for a Conditional Use

Any owner may apply for a Conditional Use in accordance with this Zoning By-Law and with the provisions of The Planning Act.

2.3 VARIANCES

2.3.1 Purpose of a Variance

This By-law applies general zoning regulations to the entire municipality. However, there may be locations where the standards in a zone impose an unreasonable limitation on the development or use of a site due to its particular characteristics, including parcels of land that are odd-shaped or have other physical characteristics that make complying with the requirements of the zoning by-law impractical or unreasonable.

2.3.2 Minor Variances

Section 9.2.1 of this Zoning By-Law outlines the process for minor variances, without the need for a public hearing, for proposed changes that vary the standards in this Zoning By-Law by no more than 15%.

2.3.3 Applying for a Variation Order

Any person who believes that a zoning by-law adversely affects his or her property rights may apply for an order varying specific provisions of the zoning by-law insofar as they apply to the affected property, in accordance with the Planning Act.

An application for a Variation Order, along with all required information and fees, shall be made to the Town of The Pas.

2.4 NON-CONFORMITY

2.4.1 Non-Conforming Uses, Buildings and Structures

- (a) If a building, a parcel of land, the use of land, or intensity of a use of land was lawfully existing before the adoption of this Zoning By-Law and now does not conform to the regulations in this Zoning By-Law, it is called a **lawfully existing non-conformity**.
- (b) As proof that a landowner has a **lawfully existing non-conformity**, the landowner may apply for a Certificate of Non-Conformity or Zoning Memorandum.
- (c) Under The Planning Act, **lawfully existing non-conformities** are considered legal and can continue indefinitely, provided the use is not intensified or changed to another non-conforming use.
- (d) If a landowner wants to *increase* the intensity of an existing non-conforming use or make repairs or additions on a non-conforming building, the landowner may apply for a variance.
- (e) The same rules apply to an owner of a parcel of land that does not conform to a new zoning by-law. The owner may continue to use the land for any use approved under the previous zoning by-law and construct or **alter** a building on the land as long as all other requirements (including height and required yards) are met.
- (f) Additional regulations for **lawfully existing non-conformities**—including rules for buildings that were under construction when a new zoning by-law was adopted or non-conforming buildings that get damaged—are found in The Planning Act.

2.4.2 Non-Conforming Signs

A non-conforming sign includes any sign which does not comply with one or more of the applicable bulk regulations of the zone in which it is located on the effective date of this By-law or its amendments.

A non-conforming sign shall be subject to all the provisions of this section relating to non-conformities, except:

- (a) A change in the subject matter represented on a sign shall not be considered a change of use; and
- (b) A non-conforming sign may be structurally altered, reconstructed, or replaced in the same location and position provided that such structural **alteration**, reconstruction, or replacement does not result in:
 - i) the creation of a new non-conformity or an increase in the degree of non-conformity; or
 - ii) an increase in the sign surface area; or
 - iii) an increase in the degree of illumination.

2.5 EXISTING USES PERMITTED

Existing uses legally established prior to the effective date of the adoption of this By-law or its amendments shall be considered permitted uses in the zones in which they are located. Expansion, rebuilding or structurally **altering** of said uses shall be limited to the site associated with them on said effective date. At such a time as the existing use ceases to exist on the site associated with it, the premises shall only be used for a use which may be permitted or approved in the zone in which it occurs. The sites and specific uses for each existing use shall be specified in each PART of this By-law dealing with the zone in which it occurs.

2.6 SITE REDUCED

A site area or site width or required yard reduced below the minimum requirements of this By-Law by virtue of public works, a street or public utility, as set out in The Planning Act or as approved by Council through the subdivision Approval process, shall be deemed to conform to the requirements of this By-Law.

2.7 AREA AND YARD REQUIREMENTS

2.7.1 Provisions

Except as provided elsewhere in this Zoning By-Law, the following provisions shall apply in all zones to ensure adequate site and yard requirements:

- (a) No building or structure shall be allowed on a corner site when such building or structure is to be oriented in such a manner as to reduce the front yard requirement on the street on which such corner site has its frontage at the time this zoning by-law becomes effective.

- (b) It shall be a continuing obligation of the owner to maintain the minimum site requirements, yards and other open spaces required in this Zoning By-Law for any use so long as it remains in existence.
- (c) No building or structure shall be enlarged or reconstructed and no site shall be reduced in area or created, if such enlargement, reconstruction, reduction or creation will result in the violation of any provisions of this By-law.
- (d) Yards and site dimensions provided for a building, structure or use existing on the effective date of this By-law or its amendments shall not be reduced if already equal to or less than the minimum requirements of this By-law.
- (e) No yard or other open space surrounding a building, structure or use in existence, or provided under the provisions of this By-law, shall be considered as providing a yard or open space for any other building, structure, use or site.

2.7.2 Projections into Required Yards

- (a) **Required yards** shall be free of buildings, except **accessory** buildings, which must conform to the other requirements of this bylaw.
- (b) The following are permitted in **required yards**:
 - i) Architectural features including chimneys, bay windows, steps, eaves and gutters;
 - ii) Decks without continuous railings, provided they are not higher than one (1) foot above grade;
 - iii) Landscape features including trees, walls, and lighting;
 - iv) Fences and signs, provided they follow the standards in this Zoning By-Law;
 - v) Parking and loading areas, sidewalks and driveways, provided they meet the other standards in this Zoning By-Law; and
 - vi) The outside storage of commercial or industrial materials, but not in any front yard, corner side yard or yard within or abutting a Residential Zone, the Public Institutional zone, or the Parks and Recreation Zone.
- (c) Open, unenclosed projections, whether vertical or horizontal, such as stairs, landings, porches and unenclosed balconies, may extend into the required yards for not more than 50 per cent of the required yard depth, up to a maximum of 10 feet (3 metres), except for wheelchair ramps (or similar accessibility structures), which are not subject to the restrictions for required yards.

- (d) Air conditioning units or air exchanges detached from the principal building may be placed in any yard but must be located a minimum distance of ten (10) feet from any site line.

2.8 MULTIPLE USES OR PROVISIONS

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

2.9 ACCESSORY BUILDINGS, USES AND STRUCTURES

- (a) Any use or building which is permitted or may be approved by virtue of this By-law includes any building, structure or use that is **accessory** to that building or use, subject to the fulfillment of all requirements contained in this By-law.
- (b) **Accessory** buildings, except as otherwise regulated in this By-law, shall be subject to the following regulations:
 - i) Where the accessory building is attached to a principal building, it shall be subject to, and shall conform to, all regulations of this By-law applicable to the principal building;
 - ii) In no instance shall an accessory building be located within a dedicated easement right-of-way.
 - iii) No accessory building shall be erected prior to erection of the principal building except where it is necessary for the storage of the tools and materials for use during construction of the principal building.

2.10 ACCESSORY OFF-STREET PARKING

2.10.1 Minimum Parking

- (a) Accessory off-street parking spaces shall be provided according to the minimum number of spaces as required in each zone (in Chapters 4 to 7), with the exceptions provided in section 2.10.2. There are no accessory off-street parking requirements for zones where tables are not included.
- (b) All accessory off-street parking spaces shall be located on the same site as the principal use, unless specifically permitted to locate elsewhere (such as a shared parking agreement that has been made on a nearby site).

- (c) When the calculation of the number of accessory off-street parking spaces required by this By-Law results in a fraction of a parking space, any fraction less than one-half of a parking space should be disregarded, but a fraction of one-half or more must be counted as one parking space.

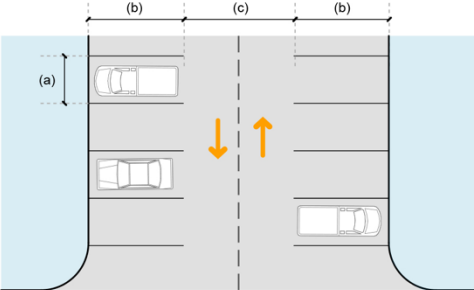
2.10.2 Parking Management Plan

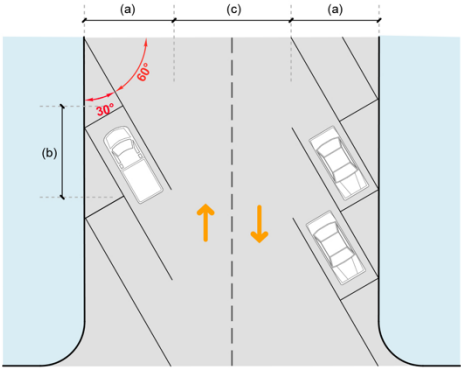
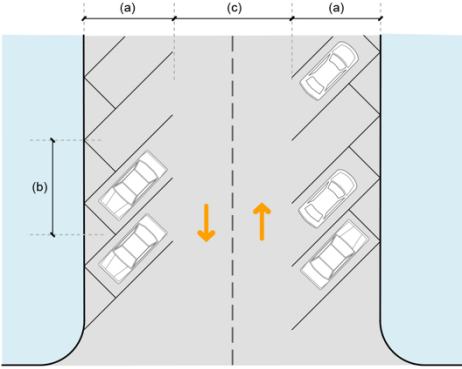
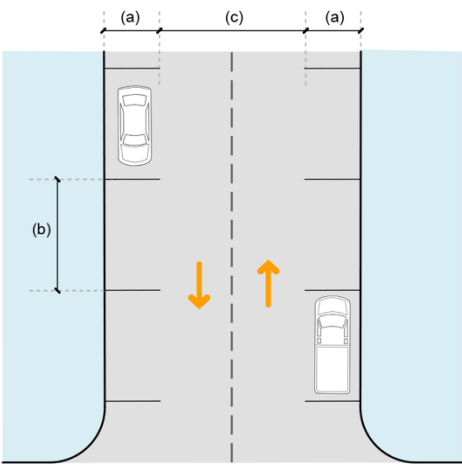
- (a) In an application for a Development Permit, Conditional Use, Variance, or other permit, an applicant may propose a parking management plan documenting that a lower amount of vehicle parking is adequate to meet the needs of the proposed site uses because of unique patterns of peak hour use, the proximity of other public parking areas, the provision of enhanced bike parking, or other factors, without the imposition of additional parking management tools.
- (b) If the Town of The Pas concludes that the proposed parking management plan will provide adequate parking to meet the needs of the proposed site uses and to prevent traffic or parking congestion on surrounding streets and public lanes, they may approve the parking management plan and reduce the amount of required off-street parking.

2.10.3 Parking Stall and Aisle Specifications

- (a) Off-street parking spaces shall meet the parking stall and aisle specifications in the Parking Stall and Aisle Specifications Table. If the proposed spaces are designed at an angle that is not in the table, use the specifications for the angle that is closest.
- (b) Each parking space shall have a vertical clearance of at least seven (7) feet from the floor or grade.

Parking Stall and Aisle Specifications Table

Angle	Configuration	Minimum Stall Dimensions		Minimum Aisle Width	
		Stall Width (a)	Stall Depth (b)	Two - Way (c)	One - Way (c)
90° (Head-In)		2.75 m (9 ft)	5.5 m (18 ft)	6.7 m (22 ft)	6.0 m (20 ft)

Angle	Configuration	Minimum Stall Dimensions		Minimum Aisle Width	
		Stall Width (a)	Stall Depth (b)	Two - Way (c)	One - Way (c)
60° (Angled)		2.75 m (9 ft)	5.5 m (18 ft)	7.3 m (24 ft)	5.5 m (18 ft)
45° (Angled)		2.75 m (9 ft)	5.5 m (18 ft)	7.3 m (24 ft)	3.7 m (12 ft)
0° (Parallel)		2.75 m (9 ft)	5.5 m (18 ft)	6.7 m (22 ft)	3.7 m (12 ft)

2.10.4 Off-Street Barrier-Free Parking Spaces

- (a) Off-street Barrier-Free parking spaces shall be provided according to the minimum number of spaces specified by the Required Off-Street Barrier-Free Parking Spaces Table.
- (b) Each barrier-free parking space shall have a minimum width of 3.5 meters (11.5 feet) and a minimum length of 7 meters (23 feet).
- (c) Barrier-free parking spaces shall be located within close proximity and access to the principal building entrance.
- (d) Barrier-free spaces must be clearly marked and reserved for the exclusive use of people with mobility issues.

Required Off-Street Barrier-Free Parking Spaces Table

<i>Number of Off-Street Parking Spaces on a Zoning Site</i>	<i>Minimum Number of Barrier-Free Parking Spaces</i>
0 – 5	0
6 – 25	1
26 – 50	2
51 – 75	3
76 – 100	4
101+	4 plus 1 for every 50 additional spaces, to a maximum of 10 spaces

2.10.5 Surface and Maintenance

- (a) An off-street parking area and its access driveways shall be surfaced and drained so that there will be no free flow of water onto public sidewalks or adjacent properties.
- (b) The surface for an off-street parking area in any zone may be constructed of asphalt, concrete, or permeable paving blocks.
- (c) The surface for an off-street parking area in the Residential Zones may also be constructed out of gravel, crushed rock or other aggregate material.

2.10.6 Landscaping and Buffering

If a **parking lot** or accessory parking area abuts a public street, the owner must screen the perimeter of the parking area from public view. The screening must be:

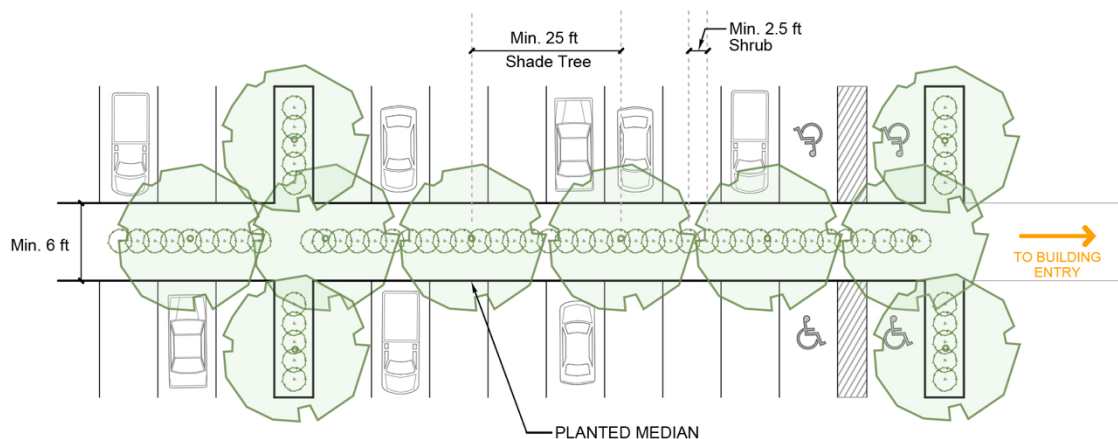
- (a) A wall, fence, or landscaped hedge a minimum of 1 meter (3 feet) high; OR

- (b) A planting bed a minimum of 2 metres (6 feet) wide, planted with a minimum of one shrub every 0.75 metres (2.5 feet) and one shade tree every 7.5 metres (25 feet).

2.10.7 Landscaping for Large Parking Areas

If a **parking lot** or accessory parking area is a size of 40 or more parking stalls, it must provide a planted median a minimum of 2 metres (6 feet) wide, planted with a minimum of one shrub every 0.75 metres (2.5 feet) and one shade tree every 7.5 metres (25 feet) between every block of 10 stalls (see figure below).

Landscaping For Large Parking Areas



2.11 LOADING SPACES

2.11.1 Required Loading Spaces

Loading spaces shall be provided according to the minimum number of spaces as required in each zone in Chapters 4 to 7. There are no loading requirements for zones where tables are not included.

2.11.2 Loading Space Standards

Required off-street loading space shall meet the following minimum standards:

- (a) It shall have minimum dimensions of 30 feet long (9 metres), 12 feet wide (3.5 metres) and 14 feet vertical clearance (4.25 metres)
- (b) It shall have access to a lane or street,
- (c) It shall be provided on the same site as the principal building or use but not in the required front yard,
- (d) It shall be surfaced with asphalt, concrete, paving stones, or other surface approved by the Officer.

2.12 HEIGHT EXCEPTIONS

The provisions of this By-law shall not apply to limit the height of any ornamental dome, chimney, tower, electrical or telephone transmission line, television or radio mast, steeple, water storage tank, electrical apparatus or the mechanical operation of a building provided that no roof structure or any space above the height limit shall be permitted for the purpose of providing usable floor space.

2.13 PUBLIC UTILITIES, MONUMENTS, AND SERVICES

- (a) Nothing in the By-law shall be so interpreted as to interfere with the construction, maintenance and operation of the facilities of any public utility, public monument, or public service such as police and fire protection, provided that the requirements of such public utility or public service is of a standard compatible with the adjacent area as determined by a **Designated Officer**, and that any building or structure erected in any zone complies with the yard and area requirements applicable to the zone.
- (b) Bulk requirements do not apply to any public utility or public monument or associated equipment (such as poles, transformers, and switching boxes including Manitoba Hydro substations and transmission buildings).

2.14 BUILDING REMOVAL

2.14.1 Relocation of a Building or Structure

A Building Permit must be obtained for the relocation of a building or structure or part of a building or structure. No building or structure shall be moved in whole or in part to any other location unless every portion of the building or structure is made to conform to, or where a Variation Order is granted pertaining to, the regulations of this By-law applying to the zone in which it is located.

2.14.2 Demolition of a Building or Structure

A Building Permit must be obtained for the demolition of a building or structure. Upon completion of removal or demolition of a building or structure from a site, the old foundation shall be removed, any excavation shall be filled, the ground shall be leveled and the site shall be put in a safe and sanitary condition to the satisfaction of a **Designated Officer**.

2.15 BUILDING GRADE AND SITE DRAINAGE

2.15.1 Drainage for New Buildings

All new principal buildings shall have a grade and site drainage plan as approved by a **Designated Officer**.

2.15.2 Maintaining Grades for Drainage

The landowner shall establish and maintain lot grading for adequate drainage so that there will be no free flow of water onto public sidewalks or adjacent properties.

2.15.3 Lot Grading

No person shall proceed with any work that may **alter** or otherwise change the grading of a lot or property in any manner that may affect the existing or established storm water runoff from that or any adjacent property without first obtaining a Development Permit.

Permission is required from Manitoba Infrastructure to drain any water into the highway drainage system. If **development** leads to an increase in storm flows to the highway ditch system or an adverse impact, the cost of any revisions that may be required to the existing highway drainage system that are directly associated with development will be the responsibility of the developer.

2.16 STREET, LANE OR ROAD FRONTAGE

Where Council deems fit, it may permit a use of land and buildings to be constructed upon sites having frontage on a private lane or road provided that lane or road intersects with a street.

2.17 FUTURE ROAD DEEMED EXISTING

No building or structure shall be erected upon any land designated for a future road unless authorized by the Town of The Pas. Any development adjacent to a future road allowance shall comply with the requirements of the By-law as if the future road was already in existence.

2.18 DEVELOPMENT NEAR PROVINCIAL HIGHWAYS AND ROADS

All development within the **Controlled Area** of the declared portion of Provincial Trunk Highway 10 north of 1st Street West shall require a permit from the applicable provincial authority. The Town of The Pas is responsible for access and structure setbacks for the remaining portion of PTH 10 within municipal boundaries.

A permit is also required from the applicable provincial authority for any access proposed to a provincial road within the Town of The Pas. The Town of The Pas is responsible for structure setbacks adjacent to the provincial roads within municipal boundaries.

2.19 MUNICIPAL SERVICE CONNECTION

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

2.20 PARTY WALLS

- (a) A building divided into units of residential, commercial or industrial uses may be subdivided along vertical party walls to permit the sale of individual units.
- (b) The applicable side yard bulk requirements shall be considered fulfilled for those side site lines contained within the party walls.

2.21 FLAG LOTS

2.21.1 Existing or Permitted Flag Lots

Where **flag lots** have been created prior to the effective date of this By-law, or are permitted pursuant to subsection 2.21.2 below, the following standards apply:

- (a) The minimum width of the strip of land used to provide driveway access to the buildable portion of the flag lot shall be 20 feet (see illustration in the Definition section); and
- (b) Within the access strip, the owner must erect and maintain a property address sign meeting the other standards in this Zoning By-Law; and
- (c) The lands adjacent to the intersection of the access driveway and the right-of-way of the public street or lane must comply with the other standards in this Zoning By-Law.

2.21.2 Creation of New Flag Lots

The creation of new **flag lots** is prohibited unless:

- (a) The lands proposed for flag lot access are located in the Residential (RS), Residential Mobile Home (RS-MB), or Residential Clearwater Lake (RS-CL) zones;
- (b) The lands proposed for flag lot development are located more than 150 feet from the nearest existing or planned public street or lane; and
- (c) A **Designated Officer** determines that there is no feasible alternative way to provide access to such lands.

2.22 HAZARD LANDS

Development is prohibited on land that is subject to subsidence or erosion by water or is marshy or unstable, or is otherwise hazardous by virtue of its soil or topography, unless a geotechnical engineering report showing that the development may occur without creating any additional risks is submitted to the Town of The Pas at the time of application for a permit.

2.23 FLOOD RISK AREAS

Development is prohibited on land that is within 2 feet (0.61 metres) of the high-water mark of the **design flood**, a recorded flood exceeding the **design flood**, or a flood specified by the applicable provincial authority, unless an engineering report showing the development, with flood protection, may occur without creating any additional risks is submitted to the Town of The Pas at the time of application for a permit.

2.24 RIPARIAN AND WETLAND AREAS

2.24.1 Riparian Setbacks

No new development shall occur within:

- (a) A minimum setback of 50 feet (15 metres) upslope from the normal high-water mark of i) first and second order drains, and ii) artificially created retention ponds;
- (b) A minimum setback of 100 feet (30 metres) upslope from the normal high-water mark for all natural water bodies and waterways, including ephemeral streams;
- (c) A minimum setback of 200 feet (60 metres) upslope from the normal high-water mark of a water body or waterway identified as being socially, historically or culturally important, being designated under an enactment, or containing unique aquatic assemblages and species;

except if the development is permitted as an exception under Section 2.24.2. The natural vegetative cover must be retained or rehabilitated within these areas.

2.24.2 Exceptions to Riparian Setbacks

Notwithstanding the restrictions in Section 2.24.1,

- (a) Developments that create minor disturbances to the natural vegetative cover of riparian areas (such as docks, boathouses, and pathways) may be allowed within the riparian and wetland area, provided no more than 25% of the length of a lot's shoreline is affected.
- (b) For lands located adjacent to Clearwater Lake, an undisturbed native vegetation area of 75 feet (23 metres) upslope from the normal high-water mark of the lake is required.

2.24.3 No Alteration of Wetlands

Development shall not result in alteration to permanent, semi-permanent or coastal wetlands by the consolidation of wetlands or by ditching, filling, pumping, subsurface drainage or other works or means, unless it is for the purpose of flood mitigation. Flood mitigation must maintain the natural boundaries of permanent, semi-permanent or coastal wetlands.

2.25 MUTUAL SEPARATION DISTANCES FROM LIVESTOCK OPERATIONS

Although livestock operations are not permitted within the Town of The Pas, there could be instances where livestock operations in the RM of Kelsey would restrict development within The Pas. Development in the Town of The Pas must comply with the mutual separation distances to livestock operations as stipulated in the Kelsey Planning District Development Plan and based on the criteria outlined in the “Minimum Separation Distances for Siting Livestock Operations Table” as provided in the RM of Kelsey Zoning By-Law.

3 ZONES

3.1 ESTABLISHING ZONES

Uses of land in the municipality are regulated in accordance with the following zones:

ZONE GROUPS	ZONES	ABBR.
RESIDENTIAL ZONES (Chapter 4)	Residential	RS
	Residential Mixed	RM
	Residential - Mobile Home	RS-MB
	Residential - Clearwater Lake	RS-CL
COMMERCIAL ZONES (Chapter 5)	Commercial Neighbourhood	CN
	Commercial Central	CC
	Commercial Highway	CH
INDUSTRIAL ZONES (Chapter 6)	Industrial Light	ML
	Industrial Heavy	MH
PUBLIC / LIMITED DEVELOPMENT ZONES (Chapter 7)	Public Institutional	PI
	Parks and Recreation	PR
	Limited Development	LD

3.2 ZONING BOUNDARIES

The zones established above shall apply within the boundaries of the zones shown on the maps in Schedule B following these rules of interpretation:

3.2.1 Interpretation of Zone Boundaries

Boundaries indicated as approximately following:

- (a) the center lines of railways or railway or public utility rights-of-way;
- (b) the center lines of streets, highways or lanes;
- (c) lot or ownership lines;
- (d) municipal limits; or
- (e) the shorelines or center-lines of creeks

shall be construed as following those lines or limits.

3.2.2 Closed Streets, Lanes, Railways, or Right-of-Ways

If a street or lane or railway or public utility right-of-way shown on the Zoning Map is lawfully closed, the land formerly comprising the feature shall be included within the Zone of the land which surrounds it. If the said feature included a Zone boundary on its center line, then the new zone boundary shall be the former center line except in the case where a landowner acquires all of the closed features adjacent to other property where the designation that applied to the other property shall apply to all that portion of the acquired feature.

3.3 PERMITTED AND CONDITIONAL USES

3.3.1 Permitted and Conditional Use Tables

The permitted and conditional uses prescribed for parcels within each zone are those set out in the Use Tables. **Permitted** uses are indicated on this table with the letter **P**. **Conditional** uses are indicated on this table with the letter **C**.

3.3.2 Secondary Uses Only

Uses marked as **P*** or **C*** are allowed as **secondary uses** only and shall not be allowed as the principal use on a site.

3.3.3 Uses Not Permitted

Where a use is not listed and is not similar to, or **accessory** to, a permitted or conditional principal use, or a permitted or conditional secondary use, the use is not allowed in the zone.

3.4 BULK REGULATIONS

3.4.1 Bulk Requirements

No land, building, or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, enlarged, or placed, except in accordance with the bulk requirements described in the Bulk Regulations Tables or elsewhere in this by-law.

3.4.2 Multiple-Unit Principal Buildings

A multiple-unit principal building shall be considered one (1) building for the purposes of establishing yard requirements. The principal use category will be used to determine the yard requirements.

4 RESIDENTIAL ZONES

4.1 INTENT OF ZONES

(1) "RS" – Residential Zone

This zone is intended for mostly single-unit and two-unit residential dwellings within the Town of The Pas. This zone provides for a variety of housing types and affordability levels to accommodate a range of income levels, the ability to age in place and diverse market demands.

(2) "RM" - Residential Mixed Zone

This zone provides for the development of high-density residential buildings including triplexes, four-plexes, townhouses, garden apartments, and apartment buildings.

(3) "RS-MB" - Residential - Mobile Home Zone

This zone provides for the development of individual sites for purchase in a mobile home subdivision or for lease in a mobile home park.

(4) "RS-CL" - Residential – Clearwater Lake Zone

This zone provides for dwellings and compatible uses in the Clearwater Lake area.

4.2 USE & BULK TABLES AND REQUIREMENTS

4.2.1 Residential Use Table

RESIDENTIAL USE TABLE

	Uses	RS	RM	RS-MB	RS-CL	USE SPECIFIC STANDARD
	RESIDENTIAL BUILDINGS					
	Dwelling, Single-Unit	P	-	-	P	8.2.1
	Dwelling, Two-Unit	C	-	-	-	8.2.2
	Dwelling, Multiple-Unit	-	P	-	-	8.2.3
	Mobile Home	C	-	P	C	8.2.4
	Mobile Home Park	-	-	P	-	8.2.5
	Secondary Suite	P*	P*	-	-	8.2.6

	Uses	RS	RM	RS-MB	RS-CL	USE SPECIFIC STANDARD
	RESIDENTIAL OTHER					
	Assisted Living Facility	-	C	-	-	
	Care Home	P	P	-	-	8.3.1
	Child Care (Home)	P*	P*	-	-	8.3.2
	Child Care Facility or Micro-school	C	P	-	-	8.3.3
	Home-Based Business	P*	P*	P*	P*	8.3.4
	ACCOMMODATION					
	Boarding or Lodging	C*	P	-	C*	8.4.1
	OFFICE AND RETAIL					
	Restaurant	-	P	-	C	
	Retail (Small)	-	C	-	C	
	EDUCATIONAL					
	School	-	C	-	-	
	CIVIC BUILDINGS					
	Arts and Culture Establishment	-	P	-	-	
	Community Centre or Hall	-	C	-	-	
	Place of Worship	-	P	-	-	
	PUBLIC OPEN SPACE					
	Community Garden	P	P	P	P	8.7.3
	Park	P	P	P	P	8.7.4
	OTHER USES					
	Outdoor Pool or Hot Tub	P*	P*	P*	P*	8.10.1
	Planned Unit Development	C	C	C	C	8.10.3
	Portable Garage	P*	P*	P*	P*	8.10.4
	Private Communications Facility	P*	P*	P*	P*	8.10.5
	Shipping Container	C	C	C	C	8.10.6
	Sign	P*	P*	P*	P*	8.10.7
	Solar Collector	P*	P*	P*	P*	8.10.8
	Temporary Building or Use	P*	P*	P*	P*	8.10.9
	Wind Energy Generating System	-	-	-	C*	8.10.10

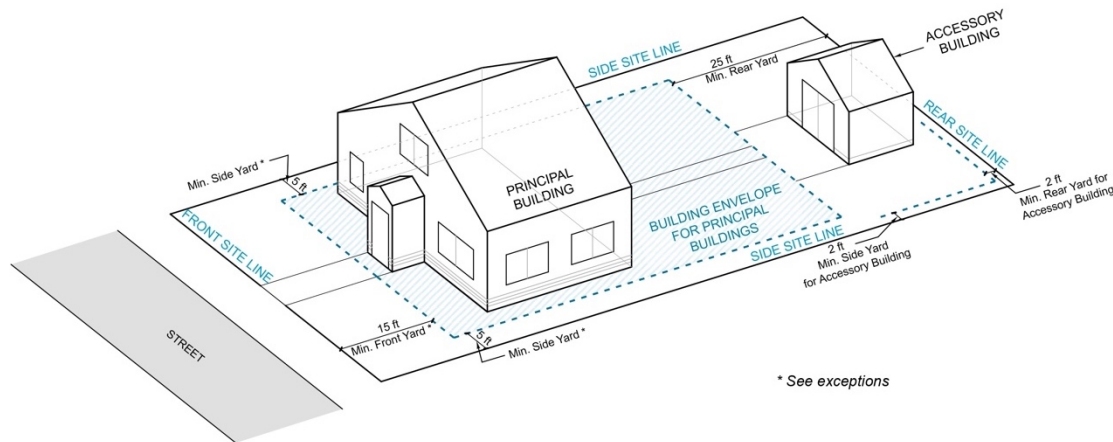
* Allowed as **Secondary Use** or **Accessory Use** only

4.2.2 Residential Bulk Standard Tables

The tables below set forth the bulk requirements for principal and **accessory** uses, buildings, and structures in the indicated zone. Exceptions to the standards used in most land use categories within each zone are listed in separate rows; all land uses within those land use categories (as identified on the Use Table) must comply with these standards where they differ from the bulk standards for the other land use categories in the zone.

Where a secondary use takes place on a site within a principal building, the standards from the Principal Uses and Buildings Table shall apply. Where a secondary use takes place within a building or structure on site other than the principal building, that building or structure shall conform to the standards for **accessory structures**.

RS – Residential Zone



Bulk Standard Table

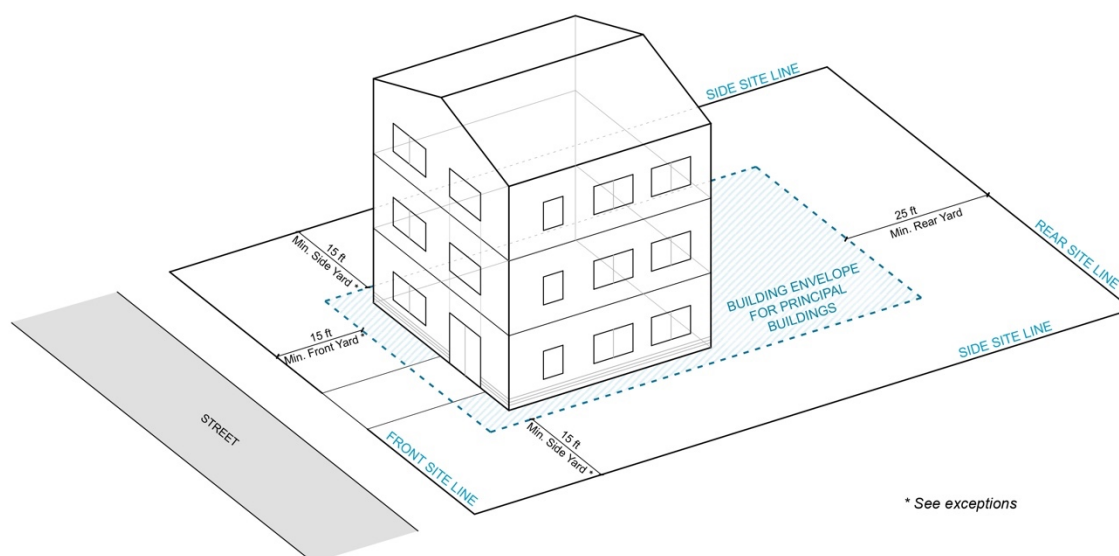
	Land Use Category	Min. Site Area (sq. ft)	Min. Site Width (ft)	Min. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard (ft)	Max. Height (ft)	Max. Site Coverage
RS	All Principal Uses & Structures	2,500	25	15 ^a	5 ^b	25	35 ft. (~2.5 storeys)	45%
	Accessory Structures	-	-	NP	2	2 ^c	12 ft.	12%

^a Standards for front yards in situations where a new principal building or an addition to a principal building is proposed within a street block where at least 80 percent of the lots have been developed with principal structures are provided in Section 4.2.3.

^b Where the width of a lot is 40 feet or less, the side yards may be reduced to 10% of the width of the lot but must not be less than 3 feet (or 2 feet on one side of the lot and 4 feet on the other side) for principal residential structures.

^c Garages or carports accessed by a public lane have different standards that are provided in Section 4.2.4.

RM – Residential Mixed Zone



Bulk Standard Table

	Land Use Category	Min. Site Area (sq. ft)	Min. Site Width (ft)	Min. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard (ft)	Max. Height (ft)	Max. Site Coverage
RM	Most Principal Uses & Structures	3,000 ^a	30	15 ^b	15 ^c	25	45 feet (~3 storeys)	60%
	Civic Buildings	20,000	100	20 ^b	10 ^c	10	45 feet	60%
	Educational	5 acres	-	-	-	-	-	-
	Accessory Structures	-	-	NP	2	2 ^d	12 ft.	12%

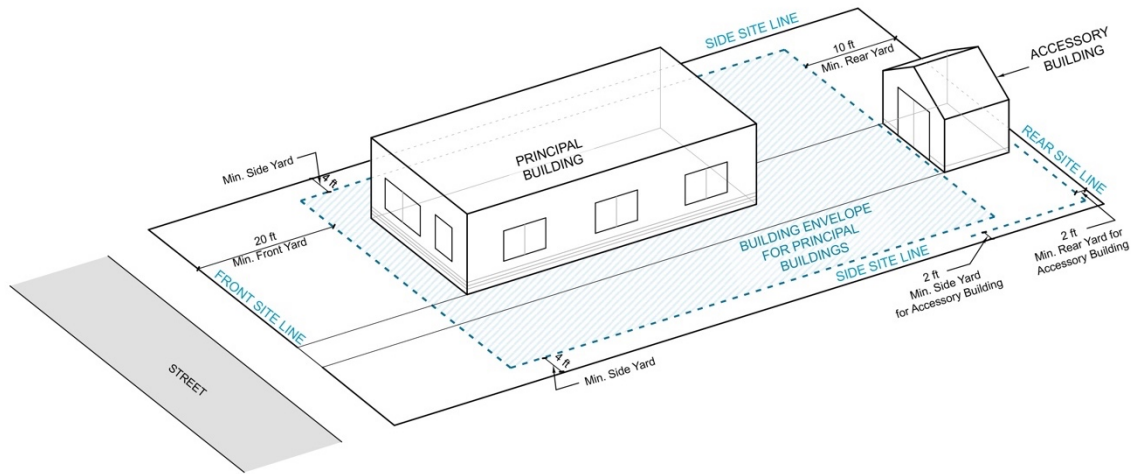
^a If an undeveloped parcel of land is located in the RM zone (or is proposed for rezoning to the RM zone), the undeveloped parcel must not be subdivided unless the site area is equal to or greater than 10,000 square feet.

^b Standards for front yards in situations where a new principal building or an addition to a principal building is proposed within a street block where at least 80 percent of the lots have been developed with principal structures are provided in Section 4.2.3.

^c Where the width of a lot is 40 feet or less, the side yards may be reduced to 10% of the width of the lot but must not be less than 3 feet (or 2 feet on one side of the lot and 4 feet on the other side) for principal residential structures.

^d Garages or carports accessed by a public lane have different standards that are provided in Section 4.2.4.

RS-MB – Residential Mobile Home Zone

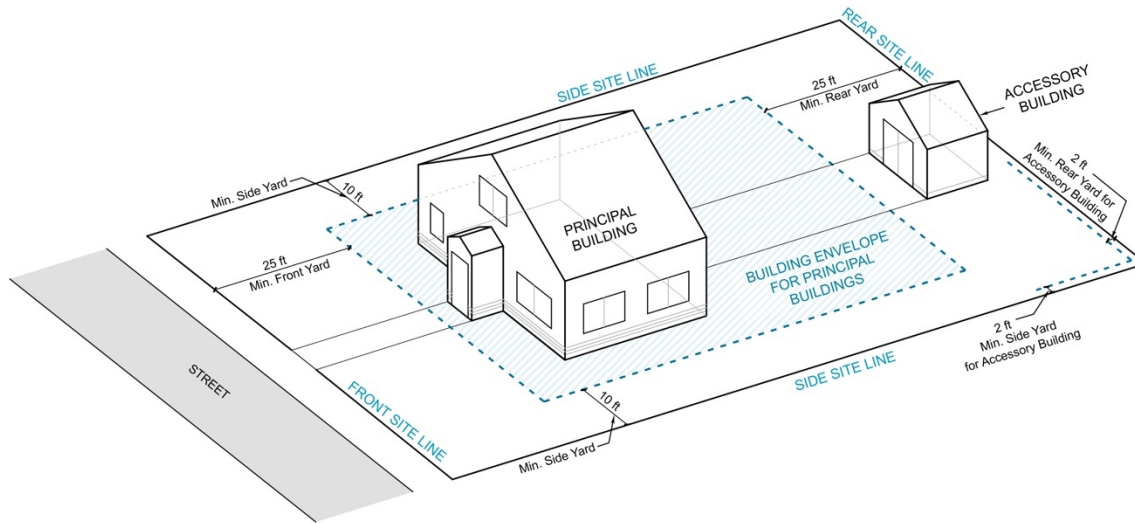


Bulk Standard Table

Zone	Land Use Category	Min. Site Area (sq. ft)	Min. Site Width (ft)	Min. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard (ft)	Max. Height (ft)	Max. Site Coverage
RS-MB	All Principal Uses & Structures	5,000	40	20	4	10	15 ft. (~1 storey)	40%
	Accessory Structures	-	-	NP	2	2 ^a	12 ft.	12%

^a Garages or carports accessed by a public lane have different standards that are provided in Section 4.2.4.

RS-CL – Residential - Clearwater Lake Zone



Bulk Standard Table

Zone	Land Use Category	Min. Site Area (sq. ft)	Min. Site Width (ft)	Min. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard (ft)	Max. Height (ft)	Max. Site Coverage
RS-CL	All Principal Uses & Structures	15,000	100	25	10	25	30 ft. (~2 storey)	40%
	Accessory Structures	-	-	NP	2	2 ^a	12 ft.	12%

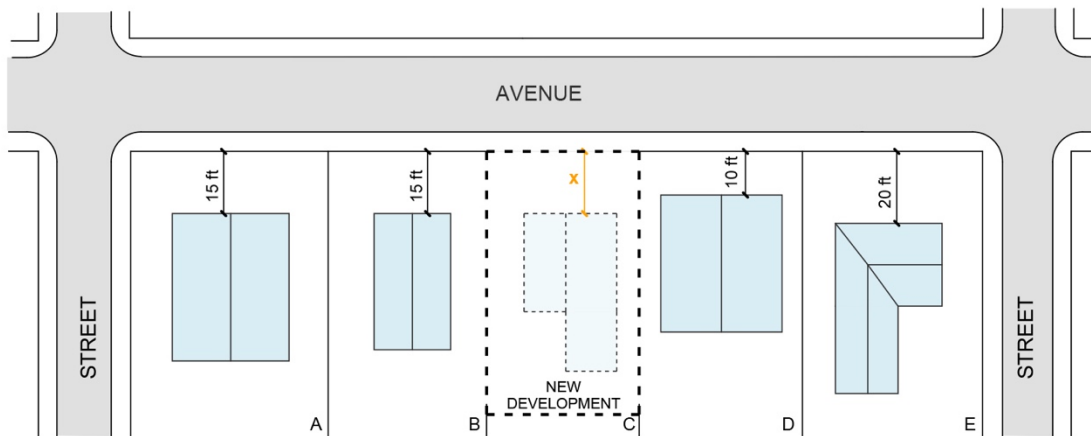
^a Garages or carports accessed by a public lane have different standards that are provided in Section 4.2.4.

4.2.3 Explanations and Exceptions – Principal Buildings and Structures

- (a) With the exceptions of a Planned Unit Development or a Mobile Home Park, no person may erect, and the owner of property may not permit to be erected, more than one principal building on any zoning lot or registered space in the Residential Zones.

- (b) Where a new residential principal building or an addition to a principal building is proposed within a street block where at least 80 percent of the lots have been developed with principal structures, and the front yard required by the Bulk Standard Tables in this zoning by-law is inconsistent with the majority of existing front yards for developed sites on the street block, the new structure must be developed with a front yard consistent with the average of the existing front yards within that block (see diagram). In the case of a corner lot, either the average of the setback for the two nearest properties on the same block or for all the properties facing the same street on the same block may be used for calculating the allowed setback.

Established Street Standards Diagram

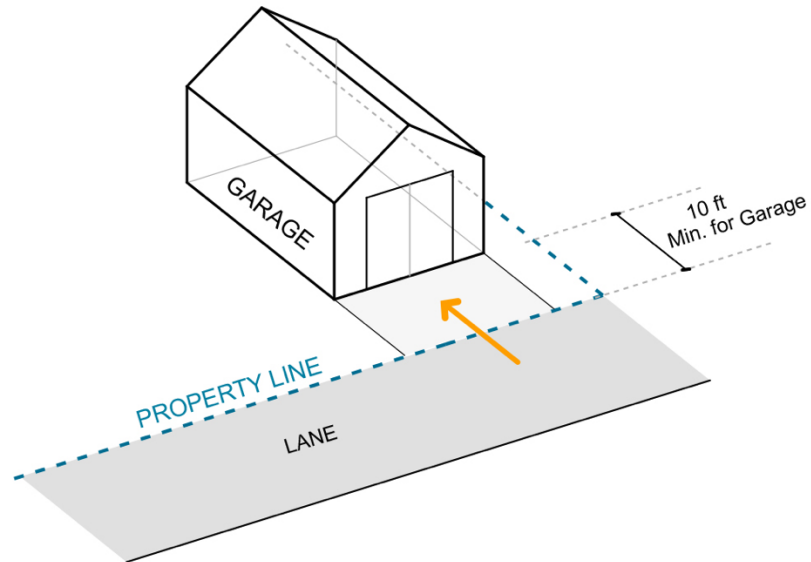


$x = \text{Average of Existing Front Yards } (15 \text{ ft} + 15 \text{ ft} + 10 \text{ ft} + 20 \text{ ft} / 4 = 15 \text{ ft})$

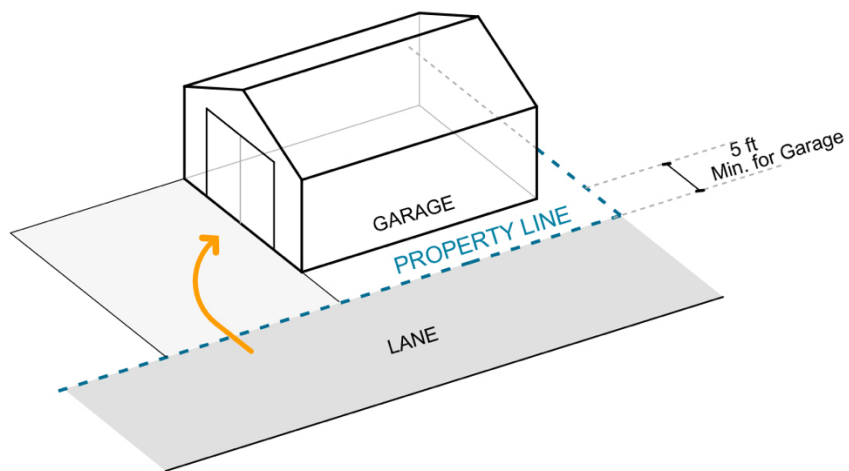
4.2.4 Explanations and Exceptions – Accessory Buildings and Structures

- (a) Where an **accessory** building is attached to a principal building, it shall be subject to, and shall conform to, all regulations of this by-law applicable to the principal building.
- (b) Detached **accessory** buildings and structures shall be located to the rear of the front wall of the principal building and to the rear of the front walls of any adjacent principal buildings, with the exception of those structures identified as permitted projections in Section 2.7.2.
- (c) No detached **accessory** building shall be located closer than six (6) feet to any principal building or any other detached **accessory** building on the same site or any adjoining site.
- (d) Required side yards and rear yards for **accessory** buildings shall be clear of all projections, including eaves.
- (e) Rear yards for **accessory** buildings intended for use wholly as a garage or in conjunction with a garage accessed by a public lane shall be as follows:

- i) When a vehicle enters the garage off of a public lane – the garage must be located a minimum of 10 ft. from the property line.



- ii) When a vehicle enters the garage by entering onto the property first, the garage must be located a minimum of 5 ft. from the property line.

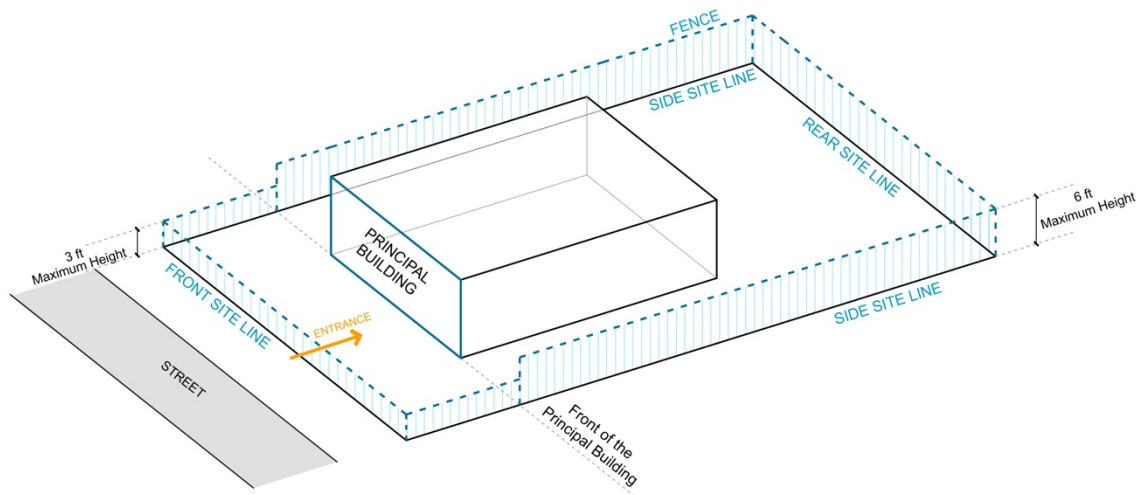


4.2.5 Fences

- (a) Fences are permitted accessory uses in all **required yards** and can be placed up to the property line.

- (b) Fence height is measured from the highest part of the fence to the point where the fence post enters grade. Where a fence is located on top of a retaining wall, the height to the fence shall include the height of the retaining wall measured from the finished grade.
- (c) Fences in Residential Zones shall **not**:
 - i) Be electrified.
 - ii) Contain barbed wire, scrap metal or industrial waste material.
 - iii) Be made of chain link if located in a front yard within the Residential zones.
- (d) In order to address safety concerns, the height of any fence, wall, retaining wall or shrubs which impedes the vision of pedestrians or drivers may be restricted.
- (e) No fence shall exceed the heights on the “Maximum Fence Height” table below unless it is located a minimum of 10 feet back from the site lines, in which case a Designated Officer may permit the property owner to erect a fence taller than the specified maximum height.

Maximum Fence Height: Residential Zones



	RS	RM	RS-MB	RS-CL
Portion of the Fence that Extends Beyond the Front of the Principal Building	3 ft (10 m)	3 ft (10 m)	3 ft (10 m)	3 ft (10 m)
Portion of the Fence that Does Not Extend Beyond the Front of the Principal Building	6 ft (2 m)	6 ft (2 m)	6 ft (2 m)	6 ft (2 m)

4.2.6 Parking Spaces Required

Accessory off-street parking spaces shall be provided according to the minimum number of spaces as calculated by the “Residential Zones – Required Parking Table” and following the standards provided in Section 2.10.

Residential Zones – Minimum Number of Required Parking Spaces Table

Use Category	<i>RS</i>	<i>RM</i>	<i>RS-MB</i>	<i>RS-CL</i>	Unit
RESIDENTIAL BUILDINGS	1	1	1	1	Per Dwelling Unit
RESIDENTIAL OTHER	1	1	1	1	Per Employee
ACCOMMODATION	1.5	0.75	-	1.5	Per Every 1 Suite / Dwelling Unit
OFFICE AND RETAIL	-	1	-	-	Per 500 sq. ft. of floor area
EDUCATIONAL	-	1	-	-	Per 500 sq. ft. of floor area
CIVIC BUILDINGS	-	1	-	-	Per every 4 persons that can be accommodated at one time

4.2.7 Loading Spaces Required

In Residential Zones, owners must provide and maintain, in accordance with the standards in Section 2.11, at least as many accessory off-street loading spaces as identified in the “Residential Zones – Minimum Number of Required Loading Spaces Table” below, based on the size of use, measured in floor area.

There are no requirements to provide loading spaces for uses in use categories not identified in the table.

Residential Zones – Minimum Number of Required Loading Spaces Table

Use Category	Floor Area			
	<i>Less than 10,000 sq. ft.</i>	<i>10,000 sq. ft. to 19,999 sq. ft.</i>	<i>20,000 sq. ft. to 199,999 sq. ft.</i>	<i>200,000 sq. ft. or more</i>
RESIDENTIAL OTHER	0	0	1	2*
OFFICE AND RETAIL	0	0	1	2*
EDUCATIONAL	0	1	1	2*
CIVIC BUILDINGS	0	1	1	2*
*+ 1 additional for each 200,000 sq. ft. above 200,000 sq. ft.				

5 COMMERCIAL ZONES

5.1 INTENT OF ZONES

(1) "CN" – Commercial Neighbourhood Zone

This zone provides for appropriate land, characteristically small in size, either within or abutting residential districts, for the retailing of commodities and personal services to satisfy the daily household or personal needs for person residing in adjacent residential areas.

(2) "CC" – Commercial Central Zone

This zone provides for appropriate land, in a central business area for multi-functional uses such as intensive retail, business, social, cultural and civic land uses to serve the local and regional area.

(3) "CH" – Commercial Highway Zone

This zone provides for appropriate land to accommodate those businesses and industrial uses that are compatible with each other requiring larger sites adjacent to major transportation routes to serve the needs of the regional area and travelling public.

5.2 USE & BULK TABLES AND REQUIREMENTS

5.2.1 Commercial Use Table

COMMERCIAL USE TABLE

	Uses	CN	CC	CH	USE SPECIFIC STANDARD
	ANIMAL CARE				
	Apiary (Beekeeping)	C*	C*	-	8.1.1
	Veterinary Clinic	P	P	P	
	RESIDENTIAL BUILDINGS				
	Dwelling, Multiple-Unit	C	P	-	8.2.3
	Secondary Suite	C*	P*	-	8.2.6
	RESIDENTIAL OTHER				
	Assisted Living Facility	C	C	-	
	Child Care Facility or Micro-school	-	C	-	8.3.3

	Uses	CN	CC	CH	USE SPECIFIC STANDARD
	Emergency Residential Shelter	-	C	-	
	Home-Based Business	P*	P*	-	8.3.4
	ACCOMMODATION				
	Boarding or Lodging	P*	P*	-	8.4.1
	Hotel or Motel	C	P	P	
	AUTOMOTIVE				
	Fleet Vehicle Service	-	C	P	
	Gas Station	C	C	P	8.5.1
	Towing and Storage Compound	-	-	C	
	Vehicle Sales and Service	-	C	P	8.5.2
	OFFICE AND RETAIL				
	Drinking or Lottery Establishment	C	P	P	
	Drive-Through Facility	-	C	P	8.6.1
	Fitness Centre	C	P	P	
	Indoor Amusement Centre	-	P	-	
	Office	P	P	P	
	Personal Services	C	P	P	
	Private Club	P	P	C	
	Restaurant	P	P	P	
	Retail (Small)	P	P	P	
	Retail (Large)	-	P	C	
	Retail Cannabis Store	-	C	C	8.6.2
	X-Rated Store	-	C	C	8.6.3
	EDUCATIONAL				
	College or Trade School	-	P	-	
	School	C	C	-	
	CIVIC BUILDINGS				
	Arts and Culture Establishment	P	P	-	
	Community Centre or Hall	C	P	-	
	Crematorium	-	-	C	
	Emergency Services Station	P	P	P	
	Funeral Home	-	C	P	
	Healthcare Facility	-	C	-	
	Place of Worship	P	P	-	

	Uses	CN	CC	CH	USE SPECIFIC STANDARD
	Public Works	-	C	P	
	Recreation Facility (Indoor)	-	C	-	
	PUBLIC OPEN SPACE				
	Community Garden	P	P	P	8.7.3
	Outdoor Event Space	-	-	C	
	Park	P	P	P	8.7.4
	INDUSTRIAL OPERATIONS				
	Building or Contracting Establishment	-	-	P	
	Manufacturing (General)	-	C	C	
	INDUSTRIAL MAJOR				
	Freight Terminal	-	-	C	
	INDUSTRIAL SALES AND SERVICE				
	Industrial Service Shop	-	-	P	
	Lumberyard	-	C	P	
	Warehouse	-	C	P	
	OTHER USES				
	Outdoor Pool or Hot Tub	P*	P*	P*	8.10.1
	Parking Lot	C	C	C	8.10.2
	Planned Unit Development	C	C	C	8.10.3
	Portable Garage	P*	-	P*	8.10.4
	Private Communications Facility	P*	P*	P*	8.10.5
	Shipping Container	C*	C*	P*	8.10.6
	Sign	P*	P*	P*	8.10.7
	Sign, Advertising	C*	C*	C*	8.10.7
	Solar Collector	P*	P*	P*	8.10.8
	Temporary Building or Use	P*	P*	P*	8.10.9
	Wind Energy Generating System	-	C*	P*	8.10.10

* Allowed as **Secondary Use** or **Accessory Use** only

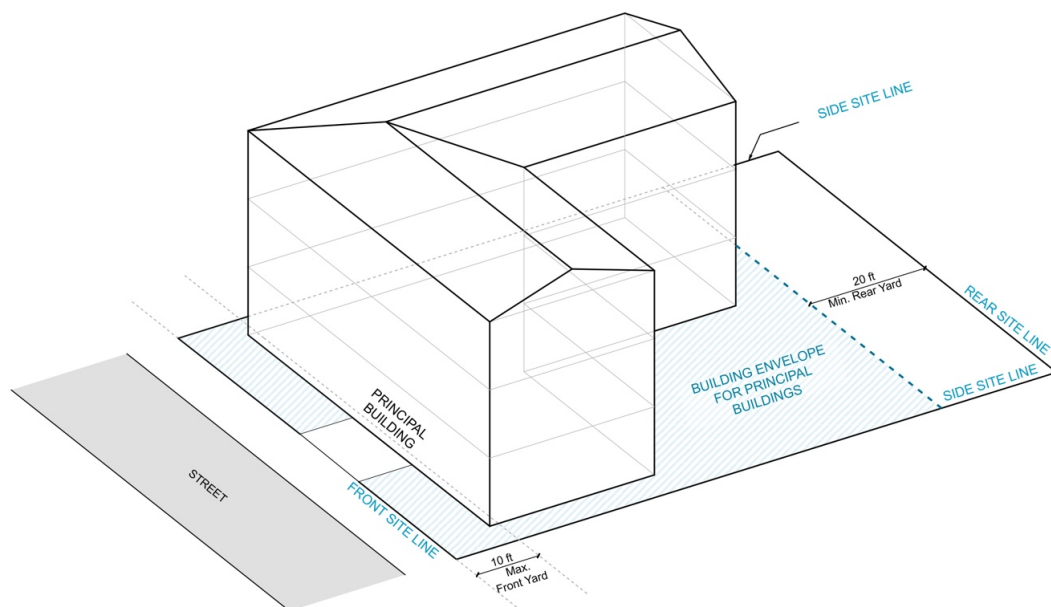
5.2.2 Commercial Bulk Standard Tables

The tables below set forth the bulk requirements for principal and **accessory** uses, buildings, and structures in the indicated zone. Exceptions to the standards used in most land use categories within each zone are listed in separate rows; all land uses within those land use categories (as identified on the Use Table) must comply with these standards where they differ from the bulk standards for the other land use categories in the zone.

Where a secondary use takes place on a site within a principal building, the standards from the Principal Uses and Buildings Table shall apply. Where a secondary use takes place within a building or structure on site other than the principal building, that building or structure shall conform to the standards for **accessory structures**.

“NP” indicates that a building or structure is not permitted within the corresponding **required yard**. A dash (-) indicates that a minimum or maximum restriction does not apply in the specific instance. A ditto (“) mark indicates that the restriction is the same as in the last row above to provide a minimum or maximum restriction, within that same column.

CN – Commercial Neighbourhood Zone



Bulk Standard Table

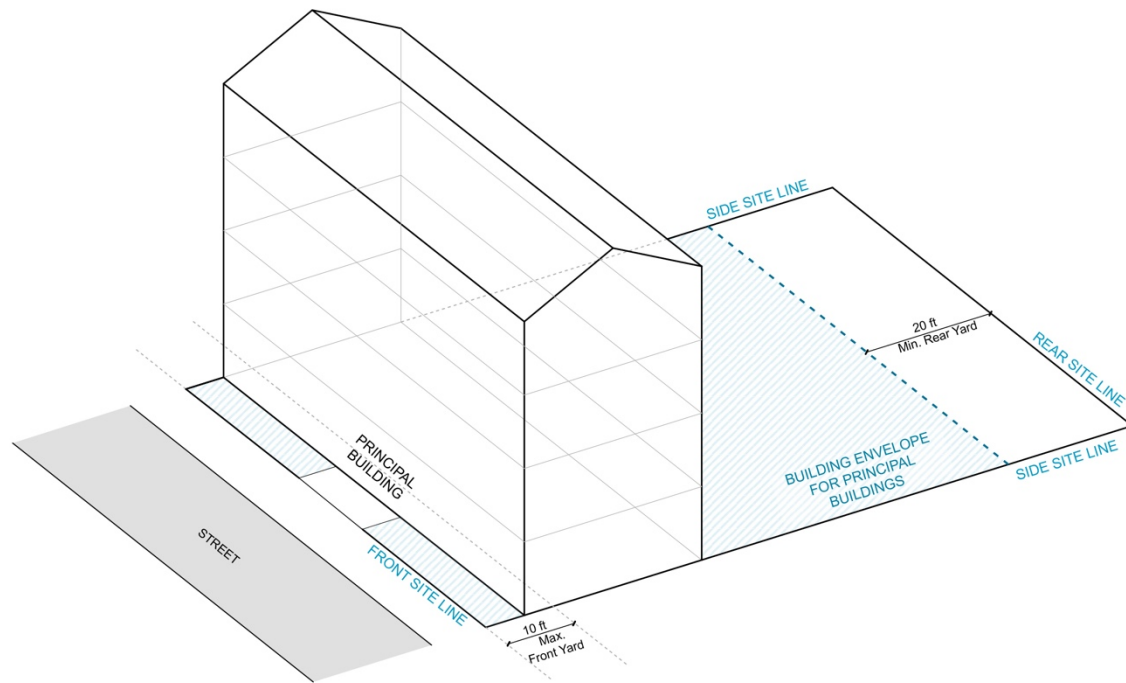
Zone	Land Use Category	Min. Site Area (sq. ft)	Min. Site Width (ft)	Min. Front Yard (ft)	Max. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard (ft)	Max. Height (ft)	Max. Site Coverage
CN	Most Principal Uses and Structures	2,500 ^a	25	0	10 ^b	0	20	45 feet (~3 storeys)	80%
	Civic Buildings	15,000	75	10	-	10	20	45 feet	80%
	Accessory Structures	-	-	NP	-	0	0	Less than Principal Building	20%

NOTES:

^a If an undeveloped parcel of land is located in the CN zone (or is proposed for rezoning to the CN zone), the undeveloped parcel must not be subdivided unless the site area is equal to or greater than 5,000 square feet.

^b Where a maximum front yard requirement applies, a minimum of 50 percent of the ground floor front façade of the principal structure must meet the maximum front yard requirement; other portions of the front façade may be located further from the street.

CC – Commercial Central Zone



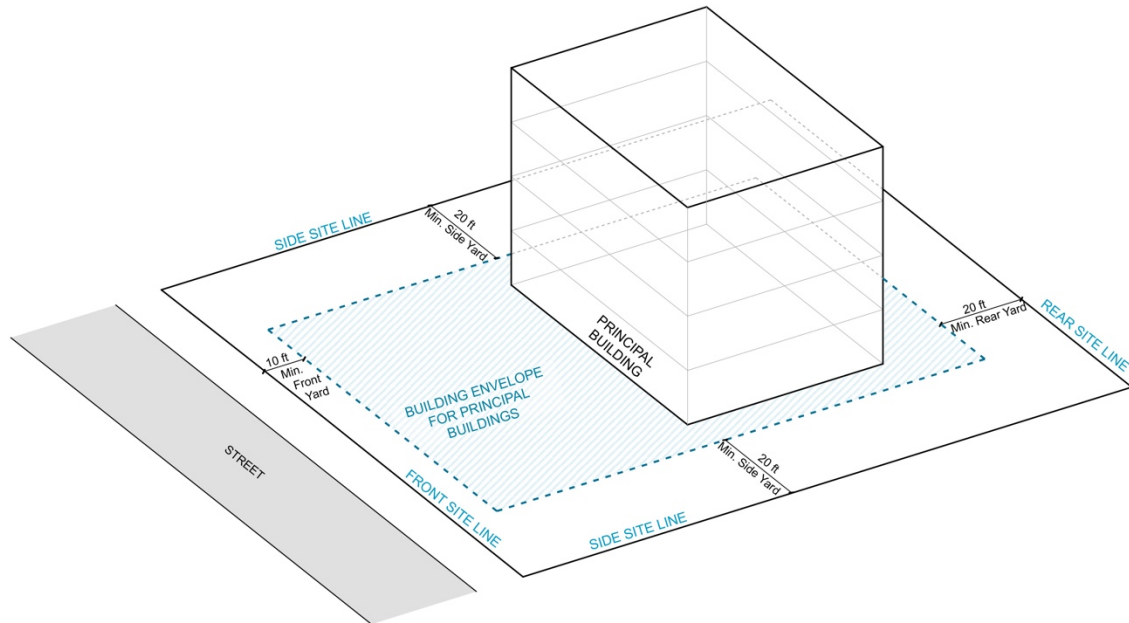
Bulk Standard Table

Zone	Land Use Category	Min. Site Area (sq. ft)	Min. Site Width (ft)	Min. Front Yard (ft)	Max. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard (ft)	Max. Height (ft)	Max. Site Coverage
CC	Most Principal Uses and Structures	2,500 ^a	25	0	10 ^b	0	20	60 ft. (~4 storeys)	80%
	Accommodation	20,000	100	10	-	20	20	60 ft.	80%
	Civic Buildings	10,000	100	0	-	0	20	60 ft.	80%
	Educational	10,000	75	30	-	20	20	60 ft.	80%
	Industrial Sales and Service	15,000	100	0	-	20	20	60 ft.	80%
	Accessory Structures	-	-	NP	NP	0	0	Less than Principal Building	20%

^a If an undeveloped parcel of land is located in the CC zone (or is proposed for rezoning to the CC zone), the undeveloped parcel must not be subdivided unless the site area is equal to or greater than 5,000 square feet.

^b Where a maximum front yard requirement applies, a minimum of 50 percent of the ground floor front façade of the principal structure must meet the maximum front yard requirement; other portions of the front façade may be located further from the street.

CH – Commercial Highway Zone



Bulk Standard Table

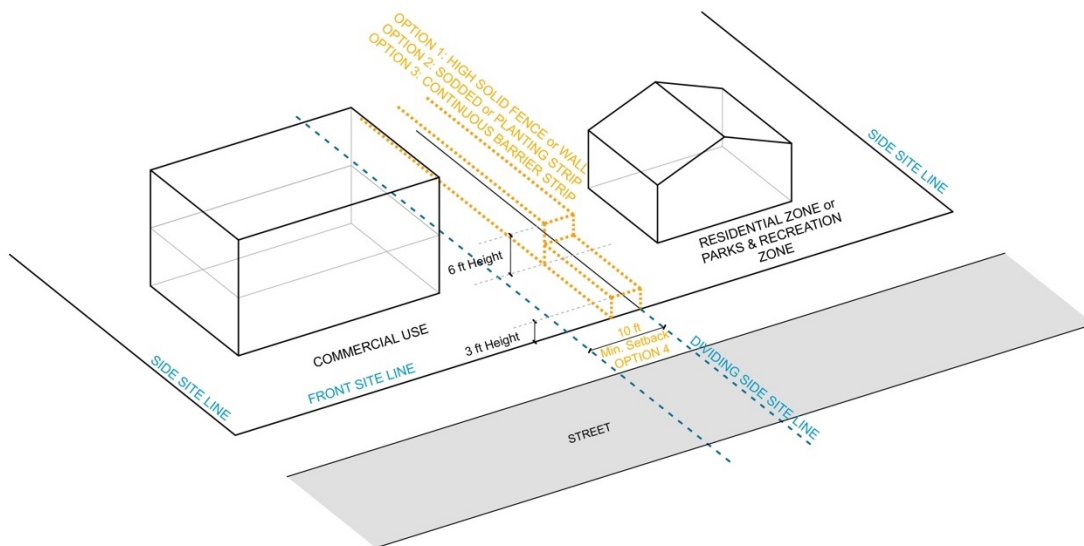
Zone	Land Use Category	Min. Site Area (sq. ft)	Min. Site Width (ft)	Min. Front Yard (ft)	Max. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard (ft)	Max. Height (ft)	Max. Site Coverage
CH	Most Principal Uses and Structures	20,000	100	10	-	20	20	60 ft. (~4 storeys)	60%
	Office and Retail	5,000	50	10	-	10	20	60 ft.	60%
	Industrial Sales and Service	15,000	100	30	-	20	20	60 ft.	60%
	Accessory Structures	-	-	NP	NP	0	0	Less than Principal Building	20%

5.2.3 Explanations and Exceptions – Principal Buildings and Structures

- More than one (1) principal building may be located on one (1) zoning site in the Commercial Zones, provided that the yard requirements for each building are fulfilled without overlap with other yards, with the exception of a Planned Unit Development.
- In the CC zone, the largest entryway into a principal building must be located on the front site line. For corner sites, the largest entryway into a principal building may be located on the side site line adjacent to a street.
- Where a commercial site line abuts a site in the Residential Zone (RS) or the Parks and Recreation Zone (PR):

- i) All such site lines shall be provided with a compact hedge, row of shrubbery or solid fence to the maximum fence height for the Commercial Zone established in Section 2.17, maintained at all times; or
- ii) Side site lines shall have the corresponding required side yard increased to a minimum of ten (10) feet if a compact hedge, row of shrubbery or a solid fence built to the maximum fence height established in Section 2.17 is not provided and maintained at all times; and
- iii) The side site line on the street side of a reverse corner site as mentioned above shall have the required side yard increased to twenty-five (25) feet.

Required Buffer Diagram



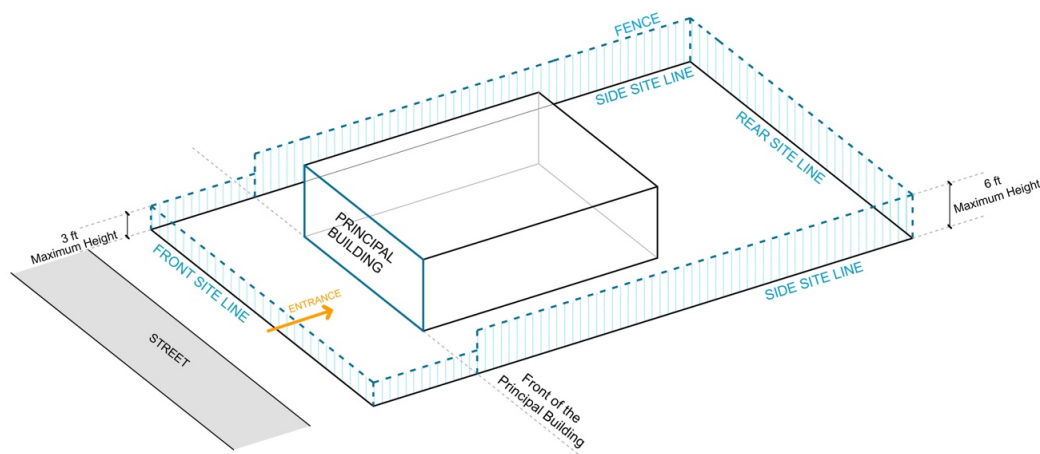
5.2.4 Explanations and Exceptions – Accessory Buildings and Structures

- (a) Where an **accessory** building is attached to a principal building, it shall be subject to, and shall conform to, all regulations of this By-law applicable to the principal building.
- (b) Detached **accessory** buildings and structures shall be located to the rear of the front wall of the principal building and to the rear of the front walls of any adjacent principal buildings, with the exception of those structures identified as permitted projections in Section 2.7.2.
- (c) No detached **accessory** building shall be located closer than six (6) feet to any principal building or any other detached **accessory** building on the same site or any adjoining site.

5.2.5 Fences

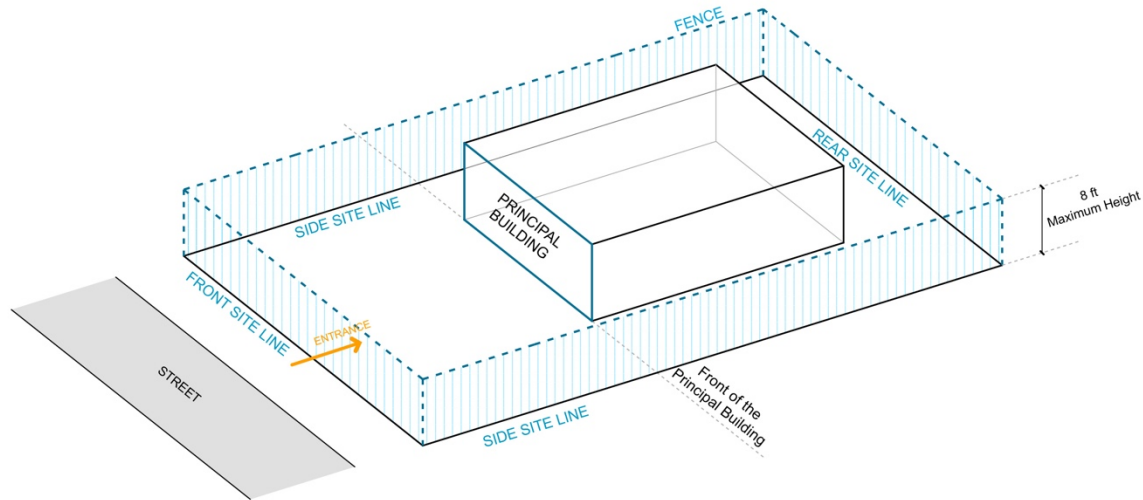
- (a) Fences are permitted accessory uses in all **required yards** and can be placed up to the property line.
- (b) Fence height is measured from the highest part of the fence to the point where the fence post enters grade.
- (c) Fences shall **not**:
 - i) Be electrified.
 - ii) Contain barbed wire, except as an accessory to a permitted industrial use in the Highway Commercial zone.
 - iii) Contain scrap metal or industrial waste material.
 - iv) Be made of chain link if located in a front yard within the Commercial zones.
- (d) In order to address safety concerns, the height of any fence, wall, retaining wall or shrubs which impedes the vision of pedestrians or drivers may be restricted.
- (e) No fence shall exceed the heights on the "Maximum Fence Height" table below unless it is located a minimum of 10 feet back from the site lines, in which case a Designated Officer may permit the property owner to erect a fence taller than the specified maximum height.

Maximum Fence Height: Commercial Neighbourhood and Commercial Central Zones



	CN	CC
Portion of the Fence that Extends Beyond the Front of the Principal Building	3 ft (10 m)	3 ft (10 m)
Portion of the Fence that Does Not Extend Beyond the Front of the Principal Building	6 ft (2 m)	6 ft (2 m)

Maximum Fence Height: Commercial Highway Zones



	CH
Portion of the Fence that Extends Beyond the Front of the Principal Building	8 ft (2.5m)
Portion of the Fence that Does Not Extend Beyond the Front of the Principal Building	8 ft (2.5m)

5.2.6 Parking Spaces Required

- (a) Accessory off-street parking spaces shall be provided according to the minimum number of spaces as calculated by the "Commercial Zones – Minimum Number of Required Parking Spaces Table" and following the standards provided in Section 2.10.
- (b) In the CN and CC zones, owners are required to provide the amounts of accessory off-street parking spaces shown in the "Commercial Zones – Minimum Number of Required Parking Spaces Table" only in the event of new construction, expansion, or redevelopment of the property, but not in the event of a change in use.
- (c) In the CN and CC zones, all accessory off-street parking shall be located to the rear of the front wall of the principal building.

Commercial Zones – Minimum Number of Required Parking Spaces Table

Use Category	CN	CC	CH	Unit
RESIDENTIAL BUILDINGS	1	1	-	Per Dwelling Unit
RESIDENTIAL OTHER	1	1	-	Per Employee
ACCOMMODATION	1	1	1	Per Every 1 Suite / Dwelling Unit
AUTOMOTIVE	1	1	1	Per 1500 sq. ft. of floor area but not less than 1 space
OFFICE AND RETAIL	0.5	0.5	1	Per 500 sq. ft. of floor area
EDUCATIONAL	1	1	-	Per classroom + 3 additional spaces
CIVIC BUILDINGS	1	1	1	Per every 4 persons that can be accommodated at one time
PUBLIC OPEN SPACE	1	1	1	Per every 4 persons that can be accommodated at one time. No requirements for parks, community gardens, and cemeteries.
INDUSTRIAL OPERATIONS	-	-	1	Per 400 sq. ft. of manufacturing floor area OR per every three (3) employees (whatever is greater)
INDUSTRIAL MAJOR	-	-	1	Per 400 sq. ft. of manufacturing floor area OR per every three (3) employees (whatever is greater)
INDUSTRIAL SALES AND SERVICE	-	1	1	Per 400 sq. ft. of manufacturing / sales floor area OR per every three (3) employees (whatever is greater)

5.2.7 Loading Spaces Required

In Commercial Zones, owners must provide and maintain, in accordance with the standards in Section 2.11, at least as many accessory off-street loading spaces as identified in the “Commercial Zones – Minimum Number of Required Loading Spaces Table” below, based on the size of use, measured in floor area.

There are no requirements to provide loading spaces for uses in use categories not identified in the table.

Commercial Zones – Minimum Number of Required Loading Spaces Table

Use Category	Floor Area					
	<i>Less than 10,000 sq. ft.</i>	<i>10,000 sq. ft. to 19,999 sq. ft.</i>	<i>20,000 sq. ft. to 59,999 sq. ft.</i>	<i>60,000 sq. ft. to 99,999 sq. ft.</i>	<i>100,000 sq. ft. to 199,999 sq. ft.</i>	<i>200,000 sq. ft. or more</i>
RESIDENTIAL OTHER	0	0	1	1	1	2*
OFFICE AND RETAIL	0	0	1	1	1	2*
EDUCATIONAL	0	1	1	1	1	2*
CIVIC BUILDINGS	0	1	1	1	1	2*
INDUSTRIAL OPERATIONS	1	1	2	3	4**	See previous
INDUSTRIAL MAJOR	1	1	2	3	4**	See previous
INDUSTRIAL SALES AND SERVICE	1	1	2	3	4**	See previous
*+ 1 additional for each 200,000 sq. ft. above 200,000 sq. ft. **+ 1 additional for each 50,000 sq. ft. above 100,000 sq. ft.						

6 INDUSTRIAL ZONES

6.1 INTENT OF ZONES

(1) "ML" – Industrial Light Zone

This zone provides land for the development of warehouse and other low impact industrial uses that are compatible with nearby residential or commercial uses. Industrial uses are permitted which carry on their operations in such a manner that no nuisance factor is created or emitted. Storage that is contained or screened outside may also be permitted.

(2) "MH" – Industrial Heavy Zone

The intent of this zone is to provide land for a limited range of industrial uses requiring restrictions as a result of a significant nuisance or hazard factor. Wherever possible, these uses shall be located as far as possible from residential districts and in such a way as to minimize the detrimental effect on other uses of land.

6.2 USE & BULK TABLES AND REQUIREMENTS

6.2.1 Industrial Use Table

INDUSTRIAL USE TABLE

	Uses	ML	MH	USE SPECIFIC STANDARD
	ANIMAL CARE			
	Veterinary Clinic	P	-	
	RESIDENTIAL BUILDINGS			
	Secondary Suite	C*	-	8.2.6
	RESIDENTIAL OTHER			
	Home-Based Business	P*	-	8.3.4
	AUTOMOTIVE			
	Gas Station	P	-	8.5.1
	Fleet Vehicle Service	P	C	
	Towing and Storage Compound	P	P	
	Vehicle Sales and Service	P	C	8.5.2
	Wrecking and Salvage Yard	-	C	
	OFFICE AND RETAIL			

	Uses	ML	MH	USE SPECIFIC STANDARD
	Drinking or Lottery Establishment	P	-	
	Indoor Amusement Centre	P	-	
	Retail (Small)	P*	C*	
	Retail (Large)	P*	C*	
	EDUCATIONAL			
	College or Trade School	C	-	
	CIVIC BUILDINGS			
	Crematorium	C	C	
	Emergency Services Station	P	-	
	Funeral Home	P	P	
	Public Works	P	C	
	PUBLIC OPEN SPACE			
	Community Garden	P	P	8.7.3
	Park	P	P	8.7.4
	INDUSTRIAL OPERATIONS			
	Agricultural Industry	C	P	
	Building or Contracting Establishment	P	P	
	Bulk Fuel, Oil and Propane Sales and Service	-	C	8.8.1
	Manufacturing (General)	P	P	
	INDUSTRIAL MAJOR			
	Aircraft Facility	-	C	
	Freight Terminal	C	C	
	Manufacturing (Chemical)	-	C	
	Sewage Treatment Site (Lagoon)	-	C	8.9.1
	Solid Waste Disposal Site	-	C	8.9.2
	INDUSTRIAL SALES AND SERVICE			
	Industrial Service Shop	P	P	
	Lumberyard	P	C	
	Warehouse	P	C	
	OTHER USES			
	Planned Unit Development	C	C	8.10.3
	Portable Garage	P*	P*	8.10.4
	Private Communications Facility	P*	P*	8.10.5
	Shipping Container	P*	P*	8.10.6
	Sign	P*	P*	8.10.7
	Sign, Advertising	C*	C*	8.10.7

	Uses	ML	MH	USE SPECIFIC STANDARD
	Solar Collector	P	P	8.10.8
	Temporary Building or Use	P*	P*	8.10.9
	Wind Energy Generating System	P*	P*	8.10.10

* Allowed as **Secondary Use** or **Accessory Use** only

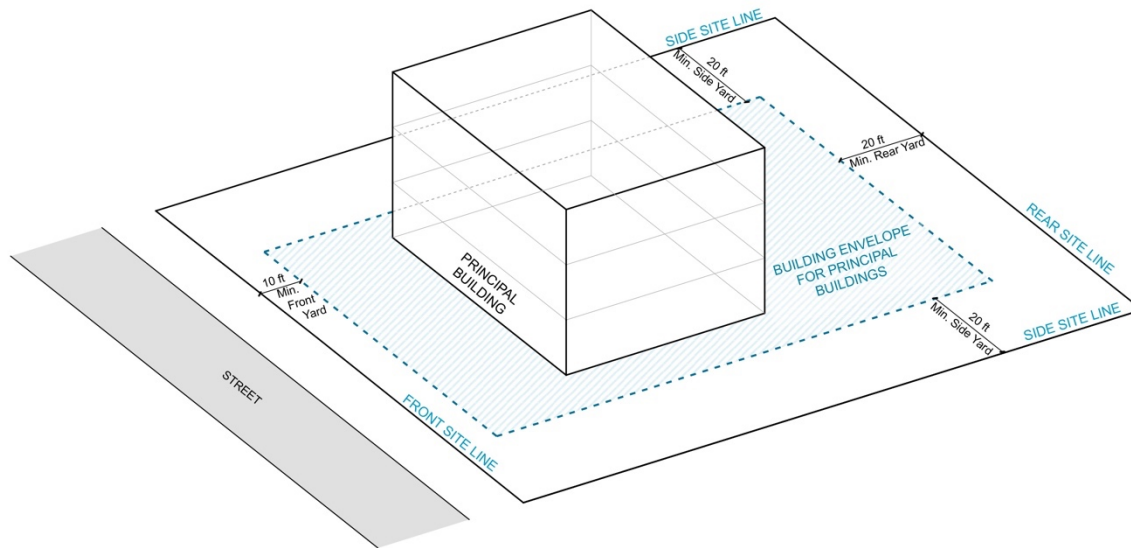
6.2.2 Industrial Bulk Standard Tables

The tables below set forth the bulk requirements for principal and **accessory** uses, buildings, and structures in the indicated zone. Exceptions to the standards used in most land use categories within each zone are listed in separate rows; all land uses within those land use categories (as identified on the Use Table) must comply with these standards where they differ from the bulk standards for the other land use categories in the zone.

Where a secondary use takes place on a site within a principal building, the standards from the Principal Uses and Buildings Table shall apply. Where a secondary use takes place within a building or structure on site other than the principal building, that building or structure shall conform to the standards for **accessory structures**.

“NP” indicates that a building or structure is not permitted within the corresponding **required yard**. A dash (-) indicates that a minimum or maximum restriction does not apply in the specific instance. A ditto (“) mark indicates that the restriction is the same as in the last row above to provide a minimum or maximum restriction, within that same column.

ML / MH – Industrial Light / Industrial Heavy Zones



Bulk Standard Table

Zone	Land Use Category	Min. Site Area (sq. ft)	Min. Site Width (ft)	Min. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard (ft)	Max. Height (ft)	Max. Site Coverage
ML	Most Principal Uses & Structures	20,000	100	10	20	20	3 storeys (45 ft.)	75%
	Office and Retail	10,000	100	30	20	20	"	"
	Industrial Major	80,000	200	30	20	20	"	"
MH	Most Principal Uses & Structures	20,000	100	10	20	20	3 storeys (45 ft.)	75%
	Office and Retail	10,000	100	30	20	20	"	"
	Industrial Major	80,000	200	30	20	20	"	"
	Accessory Structures	-	-	NP	0	0	Less than Principal Building	20%

6.2.3 Explanations and Exceptions – Principal Buildings and Structures

- (a) More than one (1) principal building may be located on one (1) zoning site in the Industrial Zones, provided that the yard requirements for each building are fulfilled without overlap with other yards, with the exception of a Planned Unit Development.

- (b) Where an industrial site line abuts a site in the Residential Zone (RS) or the Parks and Recreation Zone (PR):
 - i) All such site lines shall be provided with a compact hedge, row of shrubbery or solid fence built to the maximum fence height for the Industrial zone established in Section 2.17, maintained at all times;
 - ii) The side site line on the street side of a reverse corner site as mentioned above shall have the required side yard increased to twenty-five (25) feet.

6.2.4 Explanations and Exceptions – Accessory Buildings and Structures

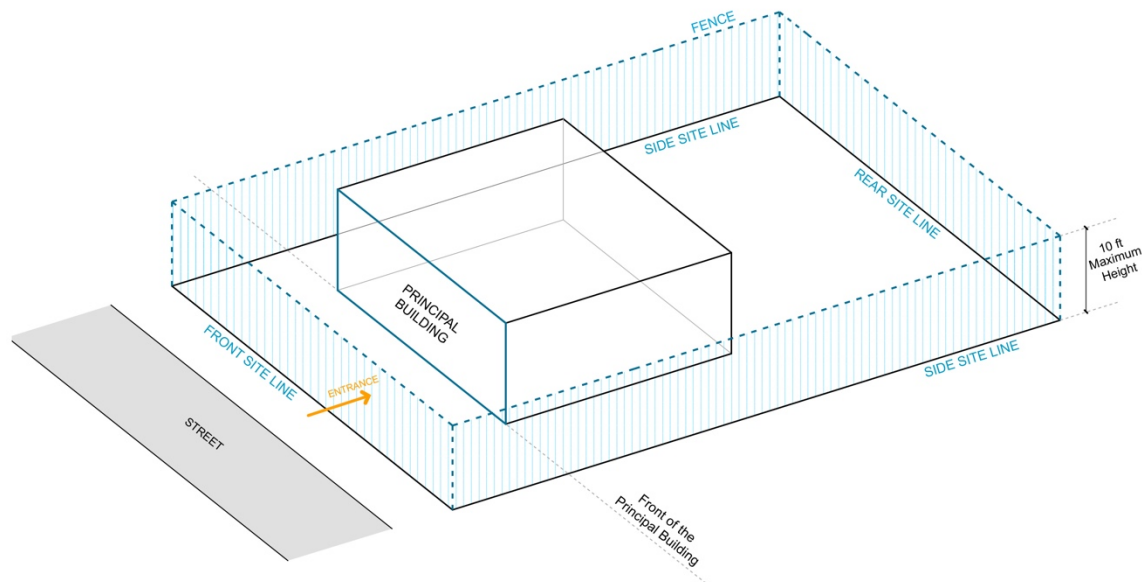
- (a) Where an **accessory** building is attached to a principal building, it shall be subject to, and shall conform to, all regulations of this By-law applicable to the principal building.
- (b) Detached **accessory** buildings and structures shall be located to the rear of the front wall of the principal building and to the rear of the front walls of any adjacent principal buildings, with the exception of those structures identified as permitted projections in Section 2.7.2.
- (c) No detached **accessory** building shall be located closer than six (6) feet to any principal building or any other detached **accessory** building on the same site or any adjoining site.

6.2.5 Fences

- (a) Fences are permitted accessory uses in all **required yards** and can be placed up to the property line.
- (b) Fence height is measured from the highest part of the fence to the point where the fence post enters grade. Where a fence is located on top of a retaining wall, the height to the fence shall include the height of the retaining wall measured from the finished grade.
- (c) Fences shall **not**:
 - i) Be electrified.
 - ii) Contain barbed wire, except as an accessory to a permitted industrial use in the Industrial Light or Industrial Heavy zones.
 - iii) Contain scrap metal or industrial waste material.
- (d) In order to address safety concerns, the height of any fence, wall, retaining wall or shrubs which impedes the vision of pedestrians or drivers may be restricted.

- (e) No fence shall exceed the heights on the “Maximum Fence Height” table below unless it is located a minimum of 10 feet back from the site lines, in which case a **Designated Officer** may permit the property owner to erect a fence taller than the specified maximum height.

Maximum Fence Height: Industrial, Public, and Limited Development Zones



	ML	MH
Portion of the Fence that Extends Beyond the Front of the Principal Building	10 ft (3m)	10 ft (3m)
Portion of the Fence that Does Not Extend Beyond the Front of the Principal Building	10 ft (3m)	10 ft (3m)

6.2.6 Parking Spaces Required

Accessory off-street parking spaces shall be provided according to the minimum number of spaces as calculated by the “Industrial Zones – Minimum Number of Required Parking Spaces Table” and following the standards provided in Section 2.10.

Industrial Zones – Minimum Number of Required Parking Spaces Table

Use Category	ML	MH	Unit
RESIDENTIAL BUILDINGS	1	-	Per Dwelling Unit
RESIDENTIAL OTHER	1	-	Per Employee
AUTOMOTIVE	1	1	Per 1500 sq. ft. of floor area but not less than 1 space
OFFICE AND RETAIL	1	1	Per 500 sq. ft. of floor area
EDUCATIONAL	1	-	Per classroom + 3 additional spaces
CIVIC BUILDINGS	1	1	Per every 4 persons that can be accommodated at one time
INDUSTRIAL OPERATIONS	1	1	Per 400 sq. ft. of manufacturing floor area OR per every three (3) employees (whatever is greater)
INDUSTRIAL MAJOR	1	1	Per 400 sq. ft. of manufacturing floor area OR per every three (3) employees (whatever is greater)
INDUSTRIAL SALES AND SERVICE	1	1	Per 400 sq. ft. of manufacturing / sales floor area OR per every three (3) employees (whatever is greater)

6.2.7 Loading Spaces Required

In Industrial Zones, owners must provide and maintain, in accordance with the standards in Section 2.11, at least as many accessory off-street loading spaces as identified in the “Industrial Zones – Minimum Number of Required Loading Spaces Table” below, based on the size of use, measured in floor area. There are no requirements to provide loading spaces for uses in use categories not identified in the table.

Industrial Zones – Minimum Number of Required Loading Spaces Table

Use Category	Floor Area					
	Less than 10,000 sq. ft.	10,000 sq. ft. to 19,999 sq. ft.	20,000 sq. ft. to 59,999 sq. ft.	60,000 sq. ft. to 99,999 sq. ft.	100,000 sq. ft. to 199,999 sq. ft.	200,000 sq. ft. or more
OFFICE AND RETAIL	0	0	1	1	1	2*
EDUCATIONAL	0	1	1	1	1	2*
CIVIC BUILDINGS	0	1	1	1	1	2*
INDUSTRIAL OPERATIONS	1	1	2	3	4**	See previous
INDUSTRIAL MAJOR	1	1	2	3	4**	See previous
INDUSTRIAL SALES AND SERVICE	1	1	2	3	4**	See previous
*+ 1 additional for each 200,000 sq. ft. above 200,000 sq. ft. **+ 1 additional for each 50,000 sq. ft. above 100,000 sq. ft.						

7 PUBLIC / LIMITED DEVELOPMENT ZONES

7.1 INTENT OF ZONES

(1) "LD" – Limited Development Zone

This zone is intended to preserve lands for future development by maintaining large parcel sizes and preventing uses that would limit future development.

(2) "PI" – Public Institutional Zone

This zone is intended to provide for the development of educational, institutional, and public recreational uses.

(3) "PR" – Parks and Recreation Zone

This zone is intended to provide lands for parks, outdoor public recreation, and other open space uses.

7.2 USE & BULK TABLES AND REQUIREMENTS

7.2.1 Public / Limited Development Use Table

PUBLIC / LIMITED DEVELOPMENT USE TABLE

	Uses	LD	PI	PR	USE SPECIFIC STANDARD
	AGRICULTURAL				
	Agriculture, General	P	-	-	
	ANIMAL CARE				
	Animal Shelter or Kennel	C	-	-	
	Apiary (Beekeeping)	-	C*	C*	8.1.1
	RESIDENTIAL BUILDINGS				
	Dwelling, Single-Unit	-	P*	-	8.2.1
	Dwelling, Two-Unit	-	P*	-	8.2.2
	Dwelling, Multiple-Unit	-	P*	-	8.2.3
	RESIDENTIAL OTHER				
	Assisted Living Facility	-	P	-	
	Care Home	-	P	-	8.3.1
	Emergency Residential Shelter	-	P	-	
	Home-Based Business	-	P*	-	8.3.4
	OFFICE AND RETAIL				
	Drinking or Lottery Establishment	-	P	-	

	Uses	LD	PI	PR	USE SPECIFIC STANDARD
	Restaurant	-	P	-	
	EDUCATIONAL				
	College or Trade School	-	P	-	
	School	-	P	-	
	CIVIC BUILDINGS				
	Arts and Culture Establishment	-	P	P	
	Community Centre or Hall	-	P	C	
	Emergency Services Station	-	P	-	
	Funeral Home	-	P	-	
	Healthcare Facility	-	C	-	
	Place of Worship	-	P	-	
	Public Works	P	P	-	
	Recreation Facility (Indoor)	-	C	P	
	PUBLIC OPEN SPACE				
	Campground	C	-	C	8.7.1
	Cemetery	C	C	C	8.7.2
	Community Garden	P	P	P	8.7.3
	Outdoor Event Space	C	P	P	
	Park	P	P	P	8.7.4
	Recreation Facility (Outdoor)	C	P	P	
	INDUSTRIAL MAJOR				
	Aircraft Facility	C	-	-	
	OTHER USES				
	Outdoor Pool or Hot Tub	-	P*	P*	8.10.1
	Parking Lot	-	P	-	8.10.2
	Planned Unit Development	-	C	-	8.10.3
	Portable Garage	P*	P*	P*	8.10.4
	Private Communications Facility	P*	P*	P*	8.10.5
	Shipping Container	P*	P*	P*	8.10.6
	Sign	P*	P*	P*	8.10.7
	Sign, Advertising	C	C*	-	8.10.7
	Solar Collector	P*	P	P*	8.10.8
	Temporary Building or Use	P*	P*	P*	8.10.9
	Wind Energy Generating System	-	P*	P*	8.10.10

* Allowed as **Secondary Use** or **Accessory Use** only

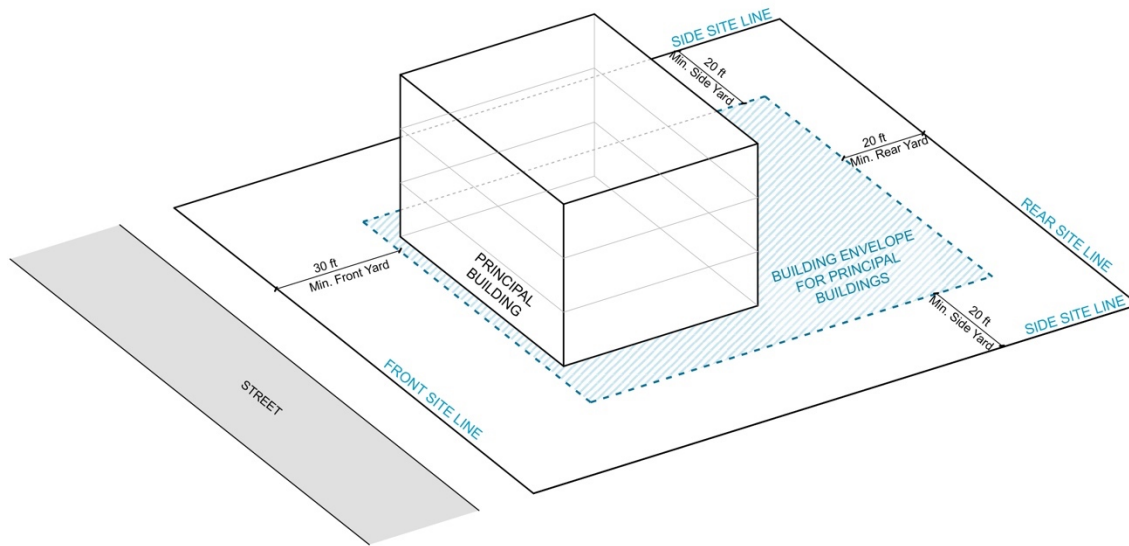
7.2.2 Public / Limited Development Bulk Standard Tables

The tables below set forth the bulk requirements for principal and **accessory** uses, buildings, and structures in the indicated zone. Exceptions to the standards used in most land use categories within each zone are listed in separate rows; all land uses within those land use categories (as identified on the Use Table) must comply with these standards where they differ from the bulk standards for the other land use categories in the zone.

Where a secondary use takes place on a site within a principal building, the standards from the Principal Uses and Buildings Table shall apply. Where a secondary use takes place within a building or structure on site other than the principal building, that building or structure shall conform to the standards for **accessory structures**.

“NP” indicates that a building or structure is not permitted within the corresponding **required yard**. A dash (-) indicates that a minimum or maximum restriction does not apply in the specific instance. A ditto (“) mark indicates that the restriction is the same as in the last row above to provide a minimum or maximum restriction, within that same column.

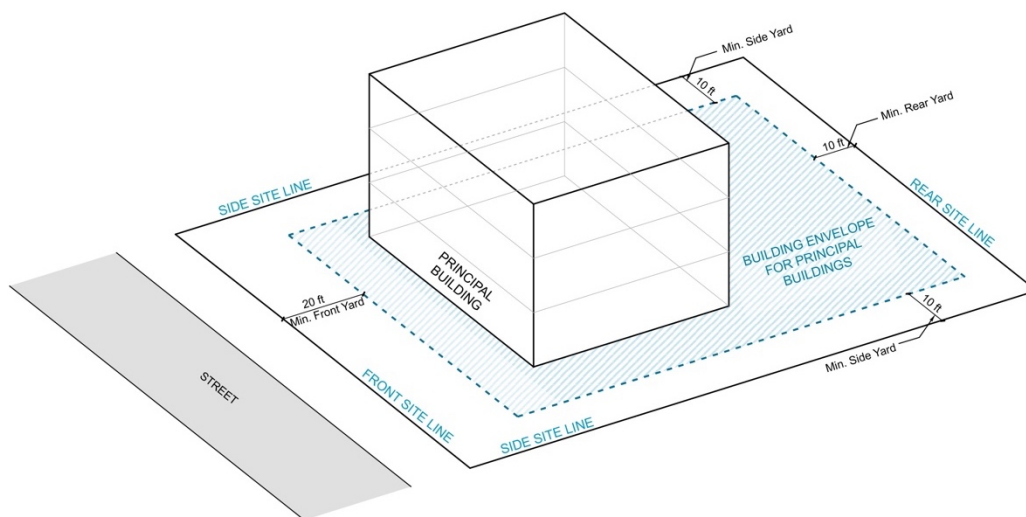
LD / PR - Limited Development and Parks and Recreation Zones



Bulk Standard Table

Zone	Land Use Category	Min. Site Area (sq. ft)	Min. Site Width (ft)	Min. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard (ft)	Max. Height (ft)	Max. Site Coverage
LD	Most Principal Buildings & Structures	5 acres	250	30	20	20	45 ft. (~3 storeys)	75%
	Animal Care	80,000	200	30	20	20	"	75%
	Civic Buildings	10,000	75	20	10	10	"	75%
	Public Open Space	40,000	150	30	20	20	"	75%
PR	Most Principal Buildings & Structures	40,000	150	30	20	20	45 ft. (~3 storeys)	75%
	Civic Buildings	25,000	100	20	10	10	"	75%
	Accessory Structures	-	-	NP	0	0	Less than Principal Building	20%

PI – Public Institutional Zone



Bulk Standard Table

Zone	Land Use Category	Min. Site Area (sq. ft)	Min. Site Width (ft)	Min. Front Yard (ft)	Min. Side Yard (ft)	Min. Rear Yard (ft)	Max. Height (ft)	Max. Site Coverage
PI	Most Principal Buildings & Structures	25,000	100	20	10	10	45 ft. (~3 storeys)	75%
	Residential Buildings	10,000	50	0	5	25	"	75%
	Educational	5 acres	-	-	-	-	"	75%
	Public Open Space	40,000	150	30	20	20	"	75%
	Accessory Structures	-	-	NP	0	0	Less than Principal Building	20%

7.2.3 Explanations and Exceptions – Principal Buildings and Structures

- (a) More than one (1) principal building may be located on one (1) zoning site in the Public / Limited Development Zones, provided that the yard requirements for each building are fulfilled without overlap with other yards, with the exception of a Planned Unit Development.

7.2.4 Explanations and Exceptions – Accessory Buildings and Structures

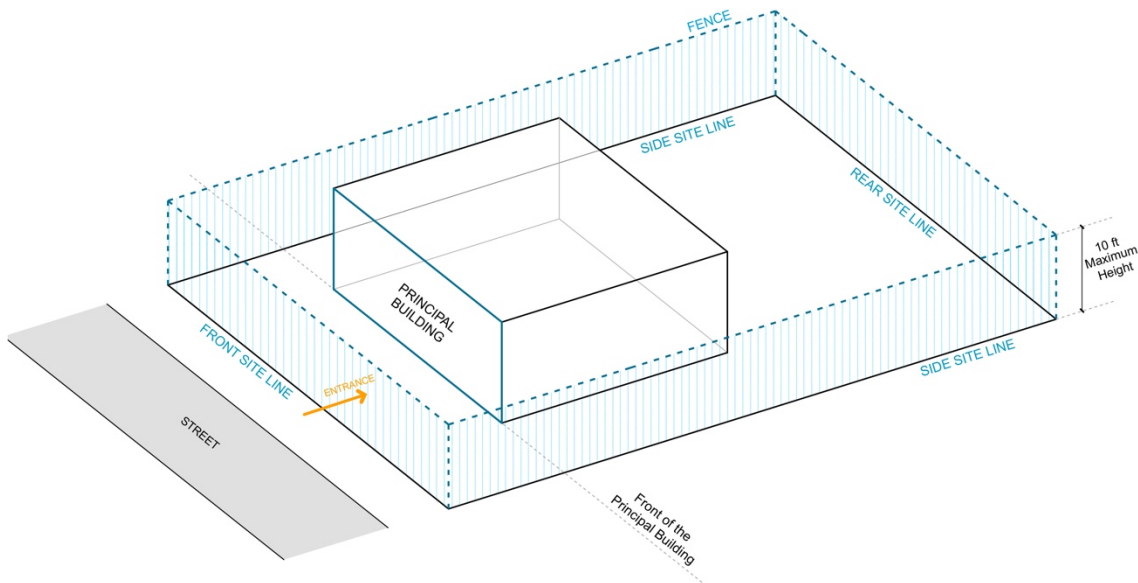
- (a) Where an **accessory** building is attached to a principal building, it shall be subject to, and shall conform to, all regulations of this By-law applicable to the principal building.

- (b) Detached **accessory** buildings and structures shall be located to the rear of the front wall of the principal building and to the rear of the front walls of any adjacent principal buildings, with the exception of those structures identified as permitted projections in Section 2.7.2.
- (c) No detached **accessory** building shall be located closer than six (6) feet to any principal building or any other detached **accessory** building on the same site or any adjoining site.

7.2.5 Fences

- (a) Fences are permitted accessory uses in all **required yards** and can be placed up to the property line.
- (b) Fence height is measured from the highest part of the fence to the point where the fence post enters grade. Where a fence is located on top of a retaining wall, the height to the fence shall include the height of the retaining wall measured from the finished grade.
- (c) Fences shall **not**:
 - i) Be electrified.
 - ii) Contain barbed wire.
 - iii) Contain scrap metal or industrial waste material.
- (d) In order to address safety concerns, the height of any fence, wall, retaining wall or shrubs which impedes the vision of pedestrians or drivers may be restricted.
- (e) No fence shall exceed the heights on the “Maximum Fence Height” table below unless it is located a minimum of 10 feet back from the site lines, in which case a Designated Officer may permit the property owner to erect a fence taller than the specified maximum height.

Maximum Fence Height: Public and Limited Development Zones



	LD	PI	PR
Portion of the Fence that Extends Beyond the Front of the Principal Building	10 ft (3m)	10 ft (3m)	10 ft (3m)
Portion of the Fence that Does Not Extend Beyond the Front of the Principal Building	10 ft (3m)	10 ft (3m)	10 ft (3m)

7.2.6 Parking Spaces Required

Accessory off-street parking spaces shall be provided according to the minimum number of spaces as calculated by the “Public / Limited Development Zones – Minimum Number of Required Parking Spaces Table” and following the standards provided in Section 2.10.

Public / Limited Development Zones – Minimum Number of Required Parking Spaces Table

Use Category	LD	PI	PR	Unit
RESIDENTIAL BUILDINGS	-	1	-	Per Dwelling Unit
RESIDENTIAL OTHER	-	1	-	Per Employee
OFFICE AND RETAIL	-	1	-	Per 500 sq. ft. of floor area
EDUCATIONAL	-	1	-	Per classroom + 3 additional spaces
CIVIC BUILDINGS	1	1	1	Per every 4 persons that can be accommodated at one time
PUBLIC OPEN SPACE	1	1	1	Per every 4 persons that can be accommodated at one time. No requirements for parks, community gardens, and cemeteries.
INDUSTRIAL MAJOR	1	-	-	Per 400 sq. ft. of manufacturing floor area OR per every three (3) employees (whatever is greater)

7.2.7 Loading Spaces Required

In Public / Limited Development Zones, owners must provide and maintain, in accordance with the standards in Section 2.11, at least as many accessory off-street loading spaces as identified in the “Public / Limited Development Zones – Minimum Number of Required Loading Spaces Table” below, based on the size of use, measured in floor area. There are no requirements to provide loading spaces for uses in use categories not identified in the table.

Public / Limited Development Zones – Minimum Number of Required Loading Spaces Table

Use Category	Floor Area					
	Less than 10,000 sq. ft.	10,000 sq. ft. to 19,999 sq. ft.	20,000 sq. ft. to 59,999 sq. ft.	60,000 sq. ft. to 99,999 sq. ft.	100,000 sq. ft. to 199,999 sq. ft.	200,000 sq. ft. or more
RESIDENTIAL OTHER	0	0	1	1	1	2*
OFFICE AND RETAIL	0	0	1	1	1	2*
EDUCATIONAL	0	1	1	1	1	2*
CIVIC BUILDINGS	0	1	1	1	1	2*
INDUSTRIAL MAJOR	1	1	2	3	4**	See previous
*+ 1 additional for each 200,000 sq. ft. above 200,000 sq. ft.						
**+ 1 additional for each 50,000 sq. ft. above 100,000 sq. ft.						

8 USE-SPECIFIC STANDARDS

Regardless of whether a use is allowed as a permitted or a conditional use, and regardless of the regular standards for the zoning district in which the use is located, the following standards for specific uses must be met, except as otherwise provided by a Conditional Use or Variation Order:

8.1 ANIMAL CARE

8.1.1 Apiary (Beekeeping)

An apiary must meet all of the following standards:

- (a) In the Public Institutional and Parks and Recreation zones, no beehive shall be located within 25 feet (7.5 meters) of a site line unless located in compliance with the following:
 - i) The hive's base is set at 8 feet (2.5 meters) or greater above finished grade; or
 - ii) The hive is located behind a solid fence or hedge 6 feet (2 meters) in height located parallel to an adjacent property line and extending a minimum of 20 feet (6 meters) horizontally behind the hive in either direction.
- (b) In the Commercial Neighbourhood and Commercial Central zones, hives shall only be allowed on the rooftop of a building more than 33 feet (10 meters) in height.

8.2 RESIDENTIAL

8.2.1 Dwelling, Single-Unit

- (a) The minimum floor area for a Single-Unit Dwelling shall be nine hundred and sixty (960) square feet.

8.2.2 Dwelling, Two-Unit

- (a) The minimum site area for a Two-Unit Dwelling shall be six thousand six hundred (6,600) square feet.
- (b) The minimum floor area per dwelling unit in a Two-Unit Dwelling shall be six hundred (600) square feet.
- (c) The applicable side yard bulk requirement shall be considered fulfilled for the side site line contained within a party wall.

- (d) The applicable site area and site width bulk requirements for Two-Unit Dwellings (including existing legal non-conforming sites) shall be considered fulfilled upon subdivision approval.

8.2.3 Dwelling, Multiple-Unit

- (a) The minimum site area for a Multiple-Unit Dwelling shall be ten thousand (10,000) square feet for the first four (4) units and an additional one thousand (1,000) square feet for each unit thereafter.
- (b) The minimum floor area per dwelling unit in a Multiple-Unit Dwelling shall be four hundred and eighty (480) square feet.
- (c) In addition to the other minimum parking requirements provided in this Zoning By-Law, Multiple-Unit Dwellings shall provide an additional number of unassigned visitor parking spaces equal to 25% of the total number of dwelling units.
- (d) A development permit for a multiple-family dwelling shall be accompanied by plans drawn to scale showing the following:
 - a) The location of entrance and loading points to existing and proposed structures;
 - b) The location of all curb cuts, driveways, walkways, parking areas and loading areas, and the method of illumination;
 - c) The location and type of landscaping, walls, fences and screening; and
 - d) Typical floor plans and elevations for proposed buildings and structures.

8.2.4 Mobile Home

Mobile homes require a development permit. No mobile home located in the RM of Kelsey shall receive a development permit unless it complies with the following regulations:

- (a) All mobile homes must meet the structural standards in [The Buildings and Mobile Homes Act](#);
- (b) A mobile home, when located permanently on a site, shall:
 - i) Be connected to municipal sewer and water services when such services are available on the site;
 - ii) Be placed and anchored on a permanent foundation;
 - iii) Have skirting that screens the view of the foundation supports or wheels.

8.2.5 Mobile Home Park

- (a) A mobile home park shall:
 - i) Contain a minimum of ten (10) mobile home spaces;
 - ii) Have a maximum density of ten (10) mobile home spaces per acre;
 - iii) Contain a common recreational area of 600 square feet for each ten (10) mobile home spaces or fraction thereof (buffers cannot be considered as part of the recreational area);
 - iv) Have internal roadways a minimum of forty (40) feet in width and surfaced with concrete or asphalt to a minimum roadway width of twenty-five (25) feet;
 - v) Maintain a landscaped buffer a minimum of twenty (20) feet in width free and clear of all buildings and structures around the entire perimeter of the mobile home (accesses to the mobile home park may cross this buffer);
 - vi) Provide, for each mobile home space: a sewer and water connection; an electrical service outlet; and concrete base support for the mobile home.
 - vii) Provide street lighting according to the specifications in the Development Agreement;
 - viii) Provide clear identification of each dwelling space and its boundaries;
 - ix) Contain one administration / service building and secure storage compound and;
 - x) Ensure that each mobile home is equipped with a durable skirting that screens the view of the undercarriage or foundation supports.
 - xi) In addition to other minimum parking requirements outlined in this Zoning By-Law, provide 1 unassigned visitor parking space per 5 dwelling units.
- (b) An application for a mobile home park must be accompanied with a detailed site plan, including:
 - i) Location of the site boundaries;
 - ii) Foundations, pads, or mobile home sites;
 - iii) **Accessory** buildings;
 - iv) Internal roads;

- v) Sidewalks and active transportation paths;
 - vi) Vehicle parking;
 - vii) Systems supplying electrical power, water, and sewage disposal.
- (c) More than one mobile home may be permitted on an approved mobile home park site.

8.2.6 Secondary Suite

A Secondary Suite shall only be allowed on a site if it complies with the following regulations:

- (a) Not more than 1 secondary suite shall be permitted on a single zoning site.
- (b) The maximum floor area of the secondary suite shall not exceed 860 square feet (80 square meters) or 40% of the total habitable floor space of the principal building (whichever is the lesser).
- (c) Detached secondary suites must follow the setback standards for accessory buildings and structures in the Bulk Standard Table for the appropriate zone.
- (d) A secondary suite established on a zoning site in the Commercial or Industrial Zones, such as a live-work unit, shall only be located above the principal use on that site and must be a minimum of 480 sq. ft. in floor area.
- (e) A secondary suite shall not be utilized as a home business or a care home.

8.3 RESIDENTIAL OTHER

8.3.1 Care Home

- (a) A care home is permitted to provide residence to a maximum of four (4) persons, not including the operators.
- (b) Care, treatment, or supervision must not be provided to any persons not resident in the care home.
- (c) A care home shall be designed so that it does not affect the residential character of the neighbourhood.

8.3.2 Child Care (Home)

A Child Care (Home) shall only be allowed on a site if it complies with the following regulations:

- (a) The number of children being cared for by one person shall not exceed four (4) children under the age of twelve (12).
- (b) No more than eight (8) children may be cared for at one time.

- (c) Access to an outdoor recreation area is required.

8.3.3 Child Care Facility or Micro-school

A Child Care Facility or Micro-school shall only be allowed on a site if it complies with the following regulations:

- (a) The minimum site area for a Child Care Facility or Micro-school shall be ten thousand (10,000) square feet.
- (b) Access to an outdoor recreation area is required.

8.3.4 Home-Based Business

A Home-based Businesses must:

- (a) Be conducted by a person or persons residing in the dwelling on the same zoning site;
- (b) Not have more than 4 people employed or otherwise engaged in the business who do not reside in the dwelling;
- (c) Not have processing or outside storage of goods;
- (d) Not have more than 30% of the total floor area of buildings on the site devoted to the business; and
- (e) Have a maximum of 1 business sign, either freestanding or affixed to the wall of a principal or **accessory** building, not exceeding 10 square feet.

In addition, a permit may be required from Manitoba Infrastructure to intensify the use of an existing access to a provincial road within the Town of The Pas as well as the declared portion of PTH 10 within the Town (north of 1st Street W.).

8.4 ACCOMMODATION

8.4.1 Boarding or Lodging

A boarding or lodging facility shall only be allowed on a site in a zone in which it is a Permitted or Conditional Use if it meets all of the following requirements:

- (a) No more than four (4) bedrooms shall be used for the boarding or lodging operation; and
- (b) Signs shall follow the regulations for home-based businesses in the zone in which the boarding or lodging operation is located.

8.5 AUTOMOTIVE

8.5.1 Gas Station

- (a) Notwithstanding the standard bulk requirements, gas stations shall have a required front, side and rear yard of fifteen (15) feet.

- (b) Gasoline pumps may be located in the front yard of a site (i.e. in front of the principal building).

8.5.2 Vehicle Sales and Service

- (a) Repairs made in a Vehicle Sales and Service facility shall be done within a completely enclosed building, except for minor incidental repairs.

8.6 OFFICE AND RETAIL

8.6.1 Drive-Through Facility

- (a) In addition to any required accessory off-street parking spaces, the owner of a **drive-through facility** must provide the number of automobile queuing spaces indicated in the "Vehicle Queuing Space Minimum Requirements Table", based on the corresponding type of use.
- (b) The owner must provide the required spaces so that no queuing space blocks or interferes with the smooth flow of traffic to and from i) required off-street parking spaces or ii) the driving aisles providing access to those spaces, or iii) any adjacent street or public lane through an approved access point.
- (c) Each required queuing space must have minimum dimensions of 16 feet in length and 8 feet in width.

Vehicle Queuing Space Minimum Requirements Table

Use	Minimum Queuing Spaces	Measured From
<i>Car Wash - Automatic</i>	3	2 before the entrance to wash, plus 1 between vehicle exit from each bay and the point of access to the public street.
<i>Car Wash – Self-service</i>	2 per bay	1 before the entrance to each bay, plus 1 between vehicle exit from each bay and the point of access to the public street
<i>Bank or ATM Drive-through</i>	3	Teller window or ATM machine
<i>Restaurant with Drive-through</i>	6	3 before order box 3 between order box and pick-up window
<i>Other use with accessory Drive-through facility</i>	2	Pick-up window or entrance to each bay

8.6.2 Retail Cannabis Store

A retail cannabis store must meet the following standards:

- (a) A retail cannabis store must comply with all Federal and Provincial regulations.
- (b) A retail cannabis store shall not be located closer than 1,000 feet (300 meters) from the site lines of a school or another retail cannabis store.

8.6.3 X-Rated Store

An X-Rated store must meet the following standards:

- (a) An X-Rated store must comply with all Federal and Provincial regulations.
- (b) An X-Rated store shall not be located closer than 1,000 feet (300 meters) from the site lines of a school or another X-Rated store.

8.7 PUBLIC OPEN SPACE

8.7.1 Campground

A campground must meet the following standards:

- (a) More than one camp space or recreational vehicle (RV) may be permitted on a zoning site in a campground RV park;
- (b) A campground must provide a roadway with an all-weather surface that serves all dwellings and sites;
- (c) A campground must provide storage of refuse in a sanitary manner; and
- (d) A campground must provide clear numbered identification of each camping space.

8.7.2 Cemetery

- (a) Minimum parking requirements shall not apply to cemeteries.

8.7.3 Community Garden

Community gardens must meet all of the following standards:

- (a) **Accessory** buildings for community gardens must meet the **accessory** building bulk requirements for the zone in which they are located;
- (b) Compost must be maintained in a way that limits nuisance odors to adjacent properties. Compost piles or structures must be located a minimum of 3 feet (1 meter) away from any site line;
- (c) On-site sales are limited to sales of plants or produce generated on site.
- (d) Minimum parking requirements shall not apply to community gardens.

8.7.4 Park

- (a) Zone requirements for Site Area, Site Width, Front Yard, Side Yard and Rear Yard shall not apply to a Park; however, any **accessory** building or structure on the parcel shall comply with the zone's bulk standards for **accessory** buildings or structures.
- (b) Minimum parking requirements shall not apply to a Park.

8.8 INDUSTRIAL OPERATIONS

8.8.1 Bulk Fuel, Oil and Propane Sales and Service

- (a) Bulk Fuel, Oil and Propane Sales and Service buildings and structures shall be located at a minimum distance of 165 feet (50 metres) from the site lines of residential and commercial zones.
- (b) Set back each bulk propane tank from all buildings and site lines a distance in accordance with all Federal and Provincial regulations, including *The Fires Prevention and Emergency Response Act*.

8.9 INDUSTRIAL MAJOR

8.9.1 Sewage Treatment Site (Lagoon)

- (a) A mutual separation distance of 1,000 feet (300 meters) shall be maintained between a dwelling and a sewage treatment site or lagoon.

8.9.2 Solid Waste Disposal Site

- (a) A mutual separation distance of 1,320 feet (400 meters) shall be maintained between a dwelling and a waste disposal site.

8.10 OTHER USES

8.10.1 Outdoor Pool or Hot Tub

Private swimming pools, hot tubs, and similar structures with a water depth of greater than two (2) feet, shall be allowed as a permitted **accessory** use to a residential use, recreational, or commercial development provided that:

- (a) They meet the siting requirements of **accessory** structures for the zone in which they are located;
- (b) The pool area is protected by a fence with lockable gates and a minimum height of 6 feet (1.83 meters) to prevent unauthorized entry. The fence and gate must be constructed so as to prevent a child from crawling underneath;

- (c) A Development Permit is issued under this By-law; and
- (d) Nothing in this subsection shall relieve any such structure from complying with the requirements under other building by-laws or applicable provincial regulations including The Buildings and Mobile Homes Act and The Public Health Act.

8.10.2 Parking Lot

- (a) A parking lot may only be established on a zoning site in compliance with the standards for parking spaces in this By-Law.

8.10.3 Planned Unit Development

- (a) A Planned Unit Development may only be established on a zoning site or proposed development area larger than 1 hectare (2.47 acres) in size.
- (b) The uses and standards of a Planned Unit Development may be proposed by a developer but must be generally consistent with the desired character for the area as set out in the Development Plan and the uses and standards in the zones adjacent to the site.
- (c) An application for a planned unit development shall be considered as a Conditional Use application, subject to the conditional use provisions of this By-Law and The Act.
- (d) An application for a planned unit development must be accompanied with a detailed site plan, including:
 - i) Location of the site boundaries;
 - ii) Planned location, height, and types of use of buildings and structures;
 - iii) Planned location of internal roads and entrances to site;
 - iv) Planned location of sidewalks and paths;
 - v) Planned locations of communal facilities and spaces;
 - vi) Planned locations of fencing, lighting, trees, shrubs, groundcover and plantings;
 - vii) Planned location of vehicle parking;
 - viii) Planned location of systems supplying electrical power, water, and collection of sewage and waste;
 - ix) Lot grading;
 - x) A list of all instances on the site where the bulk standards of the proposed buildings and structures do not comply with the requirements of this zoning by-law; and
 - xi) Other information as required by Council.

8.10.4 Portable Garage

A **portable garage** may be allowed as an Accessory Use provided the portable garage:

- (a) Is not allowed within the required front yard of a site;
- (b) Meets the requirements for accessory building side and rear yard requirements;
- (c) Does not exceed the height restrictions for accessory buildings in the zone in which it is located;
- (d) Is placed on a driveway or parking space;
- (e) Is kept in good condition. Any rip in the fabric must be repaired; and
- (f) Is the only one (1) **portable garage** on a site.

8.10.5 Private Communications Facility

Private communications facilities include satellite dishes, antennas, and towers. A **private communications facility** may be allowed as an accessory use in accordance with the minimum yard requirements for accessory structures in the zone in which it is to be located or erected, with the following exceptions:

- (a) A **private communications facility** is not subject to the height requirements for accessory structures;
- (b) A private communications facility shall be located to the rear of the front wall of the principal building on the site and to the rear of the front wall of any principal buildings on adjacent sites;
- (c) No portion of a private communications facility shall be permitted closer than two (2) feet to any site line except:
- (d) In the case of the street side of a corner site, the setback from a site line shall be ten (10) feet;
- (e) Where a structure may obstruct the light or view from the window of a habitable room of a building located on an adjacent site, it shall not be located closer than four (4) feet to the side site line.
- (f) Where a device such as a satellite dish is structurally attached to a mast, truss, or other similar freestanding structure, the clearance between grade and the bottom extremity of the device shall not exceed the height of the principal building.
- (g) Where the owner can demonstrate to the satisfaction of a Designated Officer that strict compliance with the requirements specified in this Subsection would prevent effective reception of a satellite signal, these requirements may be varied by Council.

8.10.6 Shipping Container

A **shipping container** must adhere to the following standards:

- (a) A shipping container used for storage must meet the requirements for accessory buildings in the zone in which it is located. Shipping containers, when stacked, must not exceed the maximum height for accessory buildings for the zone;
- (b) A shipping container used as a dwelling must meet the requirements for dwelling units in the zone in which it is located (as well as the requirements necessary to receive a building permit); and
- (c) A shipping container may be used for temporary storage or emergency purposes, provided it meets the requirements for temporary buildings and structures in this By-law.
- (d) A shipping container may be used for purposes other than those described above (e.g. commercial uses) if it meets the other requirements for that use in this zoning by-law as well as the requirements necessary to receive a building permit.

8.10.7 Sign


The following provisions shall apply to all signs erected or maintained within the Town of The Pas, except where otherwise stated:

- (a) Signs and sign structures may be allowed as accessory uses in accordance with the Sign Requirements Tables, subject to the issuance of a Sign Permit, with the exception of signs listed in 8.10.7 (b). To obtain a Sign Permit, a person must fill out an *Application for a Structure, Sign, Landscaping, or Driveway Permit* as provided by the Town of The Pas.
- (b) The following signs do not require a Permit (however, they must still comply with any applicable standards in this By-Law):
 - i) Signs posted by duly constituted public authorities in the performance of their public duties;
 - ii) Flags or emblems of a political, civic, educational or religious organization;
 - iii) Commemorative or memorial signs or tablets;
 - iv) Construction signs when placed on construction sites and not exceeding 25 square feet (2.3 m²);
 - v) Temporary signs including real estate signs, election signs, garage sale signs and similar not exceeding 10 square feet (0.9 m²);
 - vi) **Mobile signs (small)** not exceeding 5 square feet (0.5 m²) in surface area (for a single sign face);


- vii) **Awning signs** with signage originally incorporated in the design or awning material;
 - viii) Residential on-site identification signs or warning signs (such as "Private Property" signs and similar) not exceeding 3 square feet each in surface area; and
 - ix) Signs required for direction and convenience of the public, including signs identifying restrooms or parking entrances, not exceeding 5 square feet (0.5 m²) in sign surface area.
- (c) All signs shall comply with the minimum yard requirements for **accessory** structures in the zone in which they are to be located or erected;
 - (d) There shall be a maximum of two (2) signs per business, unless otherwise specified in the Sign Requirements Table. If a building has more than one (1) sign, there shall be a maximum sign surface area of 64 square feet per business;
 - (e) Billboards and other signs directing attention to a business, commodity or message offered elsewhere than upon the same zoning lot on which that sign is located may only be allowed in zones where **Advertising Sign** is a Permitted or Conditional Use. Such signage requires the permission of the owner of the land where the sign is to be located and must be constructed in accordance with the Sign Requirements Table, and subject to the issuance of a permit;
 - (f) No sign or sign structure shall be erected at any location where it may interfere with or obstruct the view of any street, intersection or railroad grade crossing, or be confused with any authorized traffic sign, signal or device. No rotating beam, beacon or flashing illumination resembling an emergency light shall be used in connection with any sign display;
 - (g) No sign may contain flashing lights or digital images unless specifically allowed in the Sign Requirements Table.
 - (h) No sign or sign structure shall be erected or maintained on, over or above any land or right-of-way belonging to the Town of The Pas without a permit;
 - (i) The placing of signs near a Provincial Road or Provincial Trunk Highway shall comply with the requirements for Development Near Highways and Roads (Section 2.18 of this by-law); and
 - (j) All signs and sign structures shall be kept in good repair and in a proper state of preservation. Signs which have become obsolete because of discontinuance of the operation or activity or are not maintained in good condition or repair shall be repaired, removed or relocated by the Town of the Pas at the owner's expense within 30 days following notice by a **Designated Officer**.


Sign Requirements Table

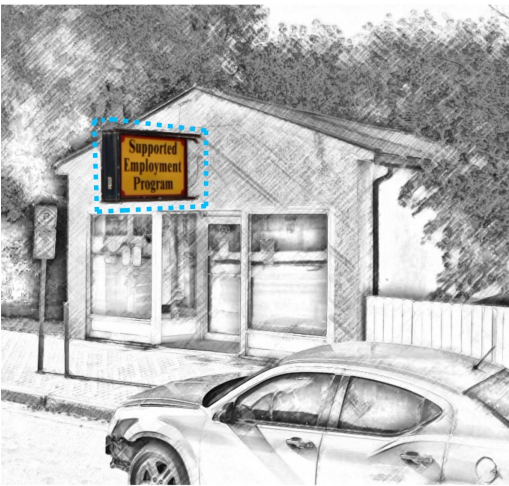
Fascia (small)		
Permitted in Zones	Residential	RS
	Residential Mixed	RM
	Commercial Neighbourhood	CN
	Commercial Central	CC
	Commercial Highway	CH
	Industrial Light	ML
	Industrial Heavy	MH
	Parks and Recreation	PR
Maximum Area	5 sq. ft. (0.5 m ²) max. area for a single face	
Additional Conditions	A sign in the Residential Zones may only be illuminated during business hours.	





Fascia (large) or Marquee		
Permitted in Zones	Commercial Neighbourhood	CN
	Commercial Central	CC
	Commercial Highway	CH
	Industrial Light	ML
	Industrial Heavy	MH
	Public Institutional	PI
	Parks and Recreation	PR
Maximum Area	10% of the area of the wall to which sign is affixed	
Additional Conditions	Illumination and flashing lights are permitted, following the standards for signs.	





Projecting (small)			
Permitted in Zones	Commercial Neighbourhood	CN	
	Commercial Central	CC	
	Residential Mixed	RM	
	Parks and Recreation	PR	
Maximum Area	5 sq. ft. (0.5 m ²) max. area for a single face		
Additional Conditions	Must not project more than 5 ft (1.5 m) from the wall to which the sign is affixed.		

Projecting (large)			
Permitted in Zones	Commercial Central	CC	
	Commercial Highway	CH	
	Industrial Light	ML	
	Industrial Heavy	MH	
	Public Institutional	PI	
Maximum Area	21.5 sq. ft. (2 m ²) maximum area for a single face		
Additional Conditions	<p>Must not project more than 6.5 ft. (2m) from the wall to which the sign is affixed.</p> <p>Illumination and flashing lights are permitted, following the standards for signs.</p>		


Free-Standing (small)			
Permitted in Zones	Residential Mixed	RM	
	Commercial Central	CC	
	Commercial Highway	CH	
	Industrial Light	ML	
	Industrial Heavy	MH	
	Public Institutional	PI	
	Parks and Recreation	PR	
Maximum Area	Maximum Height (from grade): 6.5 ft. (2 m)		
Additional Conditions	Not permitted for home-based businesses.		


Free-Standing (large)			
Permitted in Zones	Commercial Highway	CH	
	Commercial Central	CC	
	Industrial Light	ML	
	Industrial Heavy	MH	
Maximum Area	118 sq. ft. (11 m ²) maximum area for a single face. Maximum Height (from grade): 34 ft. (10.5 m).		
Additional Conditions	Illumination and flashing lights are permitted, following standards. Not permitted in a required yard abutting Residential Zones. Minimum setback from a property line must be 33% the height of the sign.		

Awning			
Permitted in Zones	Commercial Neighbourhood	CN	
	Commercial Central	CC	
	Commercial Highway	CH	
	Industrial Light	ML	
	Industrial Heavy	MH	
	Public Institutional	PI	
	Parks and Recreation	PR	
Maximum Area	10% of the area of the wall to which awning is affixed.		

Mobile (small)			
Permitted in Zones	Residential Mixed	RM	
	Commercial Neighbourhood	CN	
	Commercial Central	CC	
	Commercial Highway	CH	
	Public Institutional	PI	
	Parks and Recreation	PR	
Maximum Area	Maximum Height (from grade): 4.5 ft. (1.4 m).		
Additional Conditions	<p>Must not include any flashing lights.</p> <p>One sign may be placed within public right-of-way immediately adjacent to the principal building during regular hours of operation.</p>		

Mobile (large)		
Permitted in Zones	Commercial Highway	CH
	Commercial Central	CC
	Industrial Light	ML
	Industrial Heavy	MH
Maximum Area	48 sq. ft. (4.5 m ²) maximum area for a single face. Maximum height (from grade): 10 ft. (3 m).	
Additional Conditions	Must not be a permanent fixture. Must not include any flashing lights. Maximum of one sign per property. Only allowed to occupy a parking space where there is no practical alternative. A minimum distance of 65 ft. (20 m) between mobile signs shall be maintained.	

Digital			
Permitted in Zones	Commercial Central	CC	
	Commercial Highway	CH	
	Industrial Light	ML	
	Public Institutional	PI	
Maximum Area	75 sq. ft. (7 m ²) maximum area for a single face.		
Additional Conditions	<p>Not permitted in a required yard abutting Residential Zones.</p> <p>Images must have a minimum hold time of 6 seconds.</p>		

Inflatable			
Permitted in Zones	Commercial Highway	CH	
	Industrial Light	ML	
	Public Institutional	PI	
	Parks and Recreation	PR	
Maximum Area	16.5 feet (5 meters) maximum height from grade		
Additional Conditions	<p>Only 1 inflatable sign shall be permitted per site.</p> <p>Only allowed as a temporary sign that may be displayed for no more than 15 days within a 6-month period.</p>		

8.10.8 Solar Collector

A Solar Collector must meet the following standards:

- (a) In the Town of The Pas, a solar collector will only be allowed as a secondary use (e.g. a **rooftop solar collector**), with the exception of the Industrial Light, Industrial Heavy, and Public Institution zones, where solar collectors may be a principal use or a secondary use.
- (b) Any solar collector not connected to a building shall adhere to the same setbacks and height restrictions for secondary/**accessory** buildings in the zone in which the installation is situated.
- (c) A roof or wall-mounted solar collector shall not exceed, in size, the total square footage of the principal structure.
- (d) A solar collector that is mounted on a roof may project a maximum of 6.5 feet (1.5 meters) from the surface of the roof and must not extend beyond the outermost edge of the roof.
- (e) A solar collector that is mounted on a wall may project a maximum of 2 feet (0.6 metres) from the surface of that wall and must be located a minimum of 8 feet (2.4 meters) above grade.

8.10.9 Temporary Building or Use

- (a) A development permit for a temporary building, structure or use shall be subject to such terms and conditions as required by Council;
- (b) Temporary buildings, structures or uses for construction materials and equipment, both incidental and necessary to construction on the same zoning site, may be permitted on a temporary basis subject to the issuance of a development permit. Temporary buildings used for this purpose shall not exceed one thousand (1000) square feet in area and one (1) storey or fifteen (15) feet in height;
- (c) Each development permit issued for a temporary building, structure or use shall be valid for a period of not more than six (6) months and may not be renewed for more than two successive periods at the same location;
- (d) In all cases, temporary buildings and structures:
 - (i) Shall not be used for human habitation, except as temporary accommodation for a caretaker or watchman or construction workers; and
 - (ii) Shall not be detrimental to the public health, safety, convenience and general welfare.

8.10.10 Wind Energy Generating System

A Wind Energy Generating System must meet all of the following standards:

- (a) It is set back at least 20 feet (6 meters) from the front building line, or, in the case of corner lots, at least 15 feet (4.5 meters) from the front and side site lines.
- (b) It is limited to a total turbine height of no more than 15 feet (4.5 meters) above the rooftop
- (c) It is safely and securely attached to the rooftop in compliance with the National and Provincial Building Codes.
- (d) In The Pas, a wind energy generating system tower designed and build solely to provide electricity for commercial sale and distribution to the electricity grid shall not be permitted.

9 ADMINISTRATION

9.1 RESPONSIBILITIES OF THE TOWN OF THE PAS

9.1.1 Administration and Enforcement

The Town of The Pas shall have the responsibility for the administration and enforcement of the zoning by-law of the Town of The Pas, having been designated with this authority through the operational by-laws of the Kelsey Planning District.

9.1.2 Fee Schedule

The Town of The Pas shall, by by-law, establish a fee schedule for Zoning Amendments, Zoning Memoranda, Variation Orders, Conditional Use Orders, Non-conforming Certificates, Development Permits, Building Permits and other appropriate documents.

9.2 RESPONSIBILITIES OF A DESIGNATED OFFICER

9.2.1 Roles of a Designated Officer

A **Designated Officer** shall have the authority to:

- (a) Issue development permits and exercise the powers of administration, inspection, remedy and enforcement provided in Part 12 of *The Planning Act*.
- (b) Refuse to issue a development permit where
 - i) The development permit application, or any information accompanying the development permit application, is incorrect or incomplete;
 - ii) The proposed building, structure or use does not, to the **Designated Officer's** knowledge, comply with this zoning by-law or with any other law.
- (c) Revoke a development permit where the development permit was issued in error.
- (d) Make a minor Variation Order, without the need for a public hearing, for any proposed change that varies:
 - i) Any height, distance, area, size or intensity of use requirement in the zoning by-law by no more than 15%; or
 - ii) The number of parking spaces required by the zoning by-law by no more than 15%.

9.3 RESPONSIBILITIES OF THE OWNER

9.3.1 Complying with By-Laws

Neither the granting of a development permit nor the approval of the drawing and specifications nor the inspections made by a **Designated Officer** shall in any way relieve the owner of the responsibility of complying with the requirements of this By-law or of any relevant By-laws of the Town of The Pas.

9.3.2 Other Responsibilities

Every owner shall:

- (a) Be responsible for obtaining, where applicable from the appropriate authorities, permits or licenses relating to the buildings, grades, sewer or water supply systems, plumbing, signs, blasting, street, occupancy, electrical, highways, and all other permits required in connection with the proposed work.
- (b) Permit a **Designated 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 a **Designated Officer** in the discharge of duties under this By-Law.

9.4 DEVELOPMENT PERMIT INFORMATION

9.4.1 When a Development Permit is Required

Unless specifically exempted elsewhere in this by-law, an application for a development permit is required for the following:

- (a) The erection, construction, placement, relocation or demolition of any building, structure or mobile home;
- (b) The enlargement, structural **alteration** or conversion of any building, structure or use;
- (c) The use or change of use of any premises, buildings or structures;
- (d) The construction of **accessory** detached buildings and structures greater than one hundred (100) square feet in floor area;
- (e) The construction of exterior decks and patios; or
- (f) Sand, gravel or mineral extraction operations.

9.4.2 When a Development Permit is Not Required

An application for a development permit is not required for the following:

- (a) The maintenance and restoration of building components, including repainting and similar operations;
- (b) Incidental **alterations** of buildings and structures;
- (c) The construction of sidewalks, exterior steps, fences, and similar features;
- (d) The installation of trees, hedges, shrubs, planters, fountains, flagpoles, railing, trellises, and similar landscaping features, unless any of these features, alone or in combination, serve the purpose of a fence.
- (e) The erection of one identification sign not exceeding two (2) square feet in surface area per site; and
- (f) Temporary signs such as posters, legal notices and real estate or construction signs not exceeding sixteen (16) square feet in surface area.
- (g) The construction of **accessory** detached buildings and structures less than or equal to one hundred (100) square feet in floor area.

However, although a development permit shall not be required for those items specified in this subsection, this does not relieve the owner of the responsibility of ensuring that such items are installed in accordance with the provisions of this By-law and any other by-law of the Town of The Pas. Therefore, other applications from the Town of the Pas may still be required (such as those for Structure, Landscaping or Driveway Permits, etc.).

9.4.3 Development Permit Application Materials

In addition to the requirements of any By-law of the Town of The Pas or any other Provincial or Federal regulations, all applications for development permits shall:

- (a) Be accompanied by a plan drawn to scale, showing the actual dimensions and shape of the site to be built upon; the exact size and location on the site of buildings already existing, if any, and the location and dimensions of the proposed building, enlargement or structural **alteration**.
- (b) Include such other information as may be required by the Council including existing or proposed building or structural **alterations**; existing or proposed use of the building and land; the number of dwelling units or rental units the building is designed to accommodate; conditions existing on the site; current copies of relevant titles, easements, and caveats; a surveyor's certificate prepared by a Manitoba Land Surveyor and such other matters as may be necessary to determine conformance with and provide for the enforcement of this By-Law.

9.4.4 Compliance with Development Permits

No person shall erect, locate, relocate, repair, use or occupy any land, building or structure contrary to any development permit or the material furnished in support of the application.

9.5 AMENDMENTS

Subject to the procedure required under The Act, an amendment may be initiated by a resolution of intention by the Council, or by application of one or more owners of an affected property or their agents. An application to amend this by-law and all required information and fees shall be made under The Planning Act.

9.6 DEVELOPMENT AGREEMENTS

Where an application is made for the amendment of this By-law, the Council may require the owner or the person entitled to be registered as owner of the land, building or structure to which the amendment shall apply, as a condition to its enactment, to enter into a development agreement with the Town of The Pas. The provisions of said agreement shall be in accordance with The Planning Act.

10 DEFINITIONS

10.1 GENERAL DEFINITIONS

ACCESSORY BUILDING STRUCTURE OR USE: Means a building, structure or use which is subordinate to, and incidental to the permitted or approved principal building or use; and is located on the same site as the principal building, or use, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same site with the principal building, structure or use.

ACT, THE OR THE PLANNING ACT: Means The Planning Act, C.C.S.M. c. P80 and all amendments and regulations thereto.

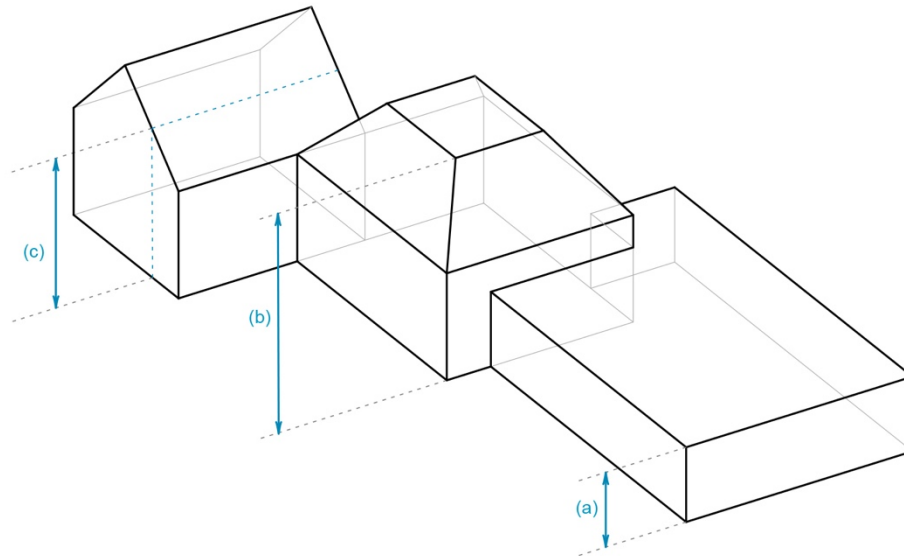
ALTER OR ALTERATION: Means a non-structural change or modification to an existing building, structure or use which does not increase the exterior dimensions of height and area.

ALTERATIONS, STRUCTURAL: Means the construction or reconstruction of supporting elements of a building or other such as bearing walls, columns, joists, beams or girders. For the purpose of this by-law structural alteration shall not include the following alterations:

- (a) an addition on the exterior of a building, such as an open deck or port;
- (b) the alteration of interior non-load bearing components;
- (c) the replacement of, or change in, utility pipes, ducts or conduits;
- (d) adding or enlarging windows or doors; when the opening is not enlarged;
- (e) replacement of building facades;
- (f) strengthening the load bearing capacity, in not more than ten (10) percent of the total floor area to permit a specialized unit of machinery or equipment; and
- (g) other non-structural maintenance, repair or renovation.

BUILDING: Means a building as defined in The Act.

BUILDING, HEIGHT OF: Means the vertical distance measured from grade to the highest point of the roof surface if a flat roof, to the deck of a mansard roof, and to the mean height level between eaves and ridge for gable, hip or gambrel roof (see illustration). If one structure includes multiple roof types, the overall height for the structure is determined based on the highest of the various measurements. Building height is measured in feet; the approximate number of storeys is included for illustration purposes only.



Height (a) indicates measurement for flat or shanty roof

Height (b) indicates measurement for a mansard roof

Height (c) indicates measurement for a gable or hipped roof at the mean level between the ridge and eave

OVERALL HEIGHT for the structure is determined based on the highest of the various measurements (in this case, height b)

BUILDING, PRINCIPAL: Means a building in which is conducted the main or primary use of the site on which it is situated.

BULK: Means the following:

- (1) The size (including height and floor area), of buildings or structures; and
- (2) The area of the site upon which a building is located, and the number of dwelling units or rooms within such building in relation to the area of the site; and
- (3) The location of exterior walls of buildings in relation to site lines; to other walls of the same building; to legally required windows; or to other buildings; and
- (4) All open areas relating to buildings or structures and their relationship thereto.

CONDITIONAL USE: Means the use of land or building as defined in The Act.

CONTROLLED AREA is defined in the [Transportation Infrastructure Act](#). In the majority of cases (some exceptions exist), existing statutory control areas in relation to highway classifications are shown in the table below.

CONTROL LINES	
Classification	Distance From Right of Way Edge
Limited Access Highway	38.1 or 76.2 metres
All Others	38.1 metres
CONTROL CIRCLES	
All Highways	Distance From Intersection Centre
	457.2/304.8/152.4 metres (control circle radii will vary)

COUNCIL: Means the Council of the Town of the Pas.

DENSITY: Means the total number of dwelling units divided by the total area of land to be developed, expressed in gross acres.

DESIGN FLOOD means a flood magnitude on a water body that, on average, is expected to occur once during a one-hundred-year period.

DESIGNATED OFFICER: Means an officer appointed by a Planning District or Municipality in accordance with the provisions of The Act.

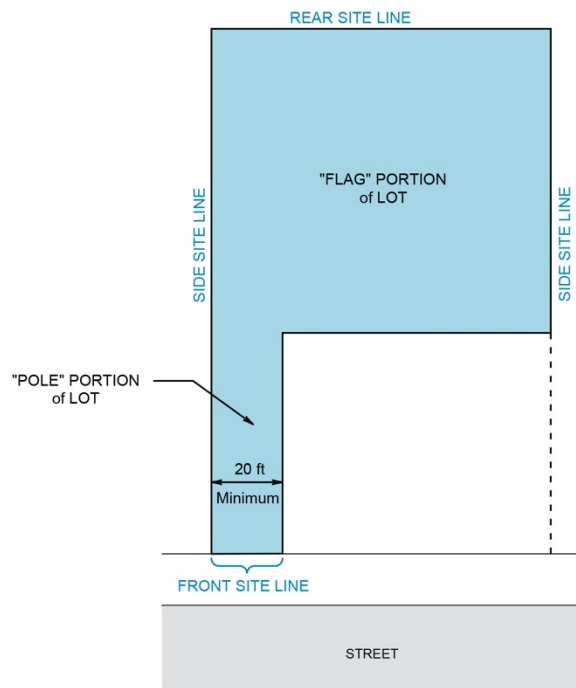
DEVELOPMENT: Means development as defined in The Act.

DEVELOPMENT PERMIT: Means a permit issued under the zoning by-law authorizing development.

DEVELOPMENT PLAN: Means the Kelsey Planning District Development Plan as adopted by By-law.

DWELLING UNIT: Means one or more rooms used or intended to be used as a single housekeeping unit with cooking, sleeping and sanitary facilities.

FLAG LOT: Means a lot with two distinct parts: 1. The “flag,” which is the only building site; and is located behind another lot; and 2. The “pole,” which connects the flag to the street; provides the only street frontage for the lot; and at any point is less than the minimum lot width for the zone.



FLOOR AREA: Means the total area of all of the floors of a building or structure, measured from the exterior faces of the exterior walls (or from the centerline of party walls). The total floor area includes the square footage of mezzanines, lofts and basements with a headroom height of at least 7.5 feet (2.2 meters). The floor area of a principal building shall not include non-enclosed roofed-over areas (such as exterior covered porches) nor the floor area of accessory buildings or structures (such as a car garage), even if those structures are attached to the principal building.

GRADE: (as applying to the determination of building or structure height) Means the average level of finished ground adjoining a building or structure at all exterior walls, as determined by a Designated Officer.

LOADING SPACE: Means an off-street space or berth on the same 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.

NON-CONFORMING BUILDING STRUCTURE: Means any lawful building or structure which does not comply with one or more of the applicable site requirements on the effective date of this By-law or its amendments.

NON-CONFORMING SIGN: Means any lawful sign which does not comply with one or more of the applicable site requirements on the effective date of this By-law or its amendments.

NON-CONFORMING SITE OR PARCEL OF LAND: Means any lawful site or parcel of land which does not comply with the site area, site width or site depth on the effective date of this By-law, or amendments thereto, and was on record in the Land Titles Office and in separate ownership prior to the effective date of this By-law, or amendments thereto, and did not form part of a larger contiguous holding in the same ownership.

NON-CONFORMING USE: Means any lawful use of a building, structure or a parcel of land, or portion thereof, which does not conform to one or more of the applicable use requirements of the zone in which it is located, either on the effective date of this By-law or amendments thereto.

NON-CONFORMITY: Means a parcel of land or site, a building or structure, or a use which lawfully existed prior to the effective date of this By-law or amendments thereto, but does not conform to the provisions contained within this By-law or amendments thereto.

PARCEL OF LAND means the aggregate of all land described in any manner in a certificate of title.

PARKING SPACE: Means an open area of land other than a street or lane or an area within a structure used for the parking of vehicles.

PARTY WALL: Means a wall jointly owned and jointly used by two parties under easement agreement or by right in law, and erected at or upon a line separating two parcels of land each of which is, or is capable of being, a separate real estate entity

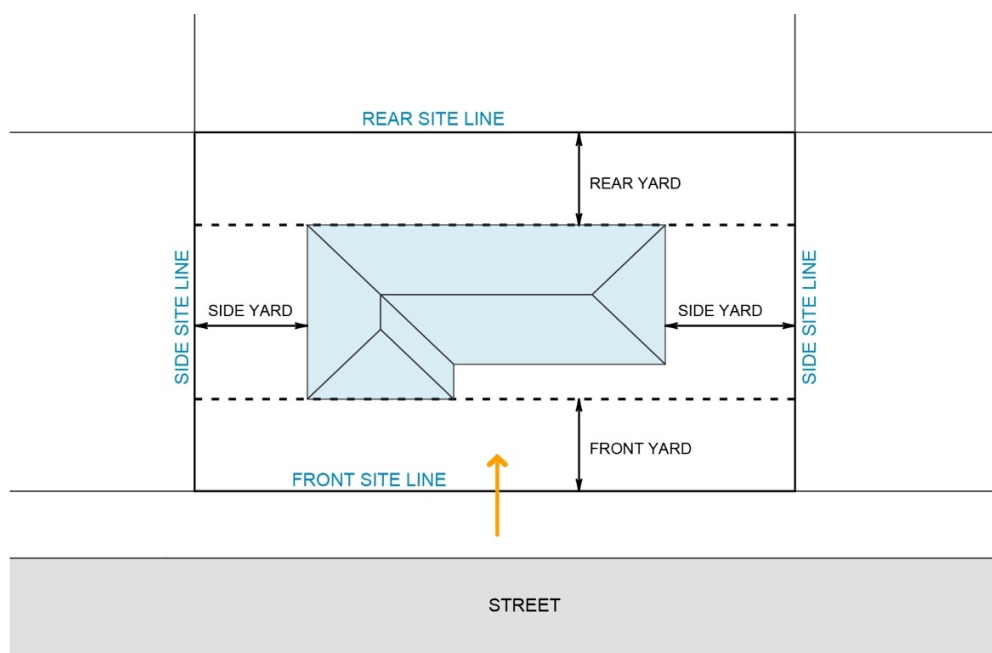
PREMISES: Means an area of land, including a site, with or without buildings or structures.

PUBLIC UTILITIES: Means any system, works, plant, equipment or service which furnishes services and facilities available at approved rates to or for the use of the general public, including:

- 1) Communication, by way of telephone, telegraph, wireless or television:
- 2) Public transportation, by bus or other vehicles;
- 3) Production, transmission, delivery, or furnishings of water, gas and electricity to the public at large; and
- 4) Collection and disposal of sewage, garbage and other waste.

REQUIRED YARD: Means an open area, on the same site as a building or structure, which is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted herein. A required yard extends along a site line to a depth or width (measured from the site line) specified in the yard requirement for the zone in which it is located.

- 1) **REQUIRED YARD, FRONT:** Means a yard extending along the full length of the front site line between the side site lines.
- 2) **REQUIRED YARD, REAR:** Means a yard extending along the full length of the rear site line between the side site lines.
- 3) **REQUIRED YARD, SIDE:** Means a yard extending along the side site line from the required front yard to the required rear yard (see illustration below).



SECONDARY USE OR STRUCTURE means a use or structure that takes place on the same site as a principal use or structure that is not naturally and normally carried out as part of that principal use (e.g. a daycare in an office building).

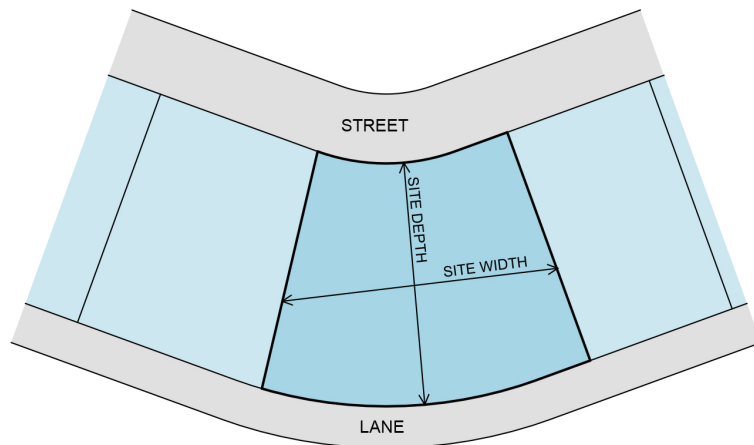
SITE means a whole lot or block in a registered plan of subdivision, or the aggregate of all contiguous land described in a certificate of title or in more than one certificate of title provided they are in the same ownership.

SITE COVERAGE: Means the percentage of the total site area covered by buildings and structures. It is calculated by dividing the square footage of building cover by the square footage of the lot, except that the following structures are not counted or purposes of determining lot coverage:

- (a) Areas covered by open swimming pools and hot tubs;
- (b) Open decks, landings and stairs less than 4 feet above grade;
- (c) Accessory structures with a cumulative lot coverage under 108 square feet in total area; and
- (d) Any permitted projections.

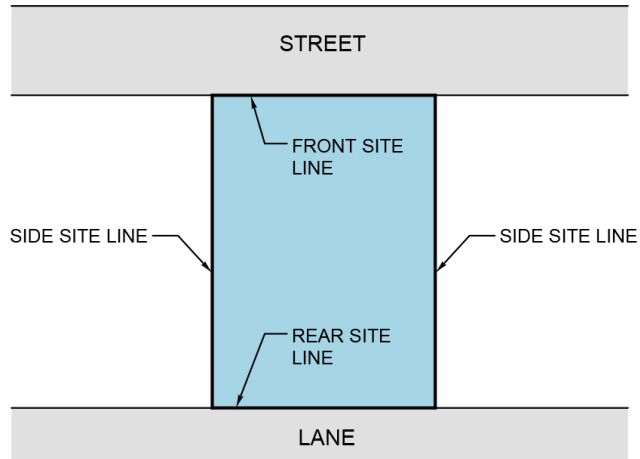
SITE AREA: Means the computed area contained within the **site lines**.

SITE DIMENSIONS: Means as follows:



- 1) **SITE DEPTH:** Means the horizontal distance between the center points in the front and rear site lines, with the following exceptions:
 - a. In the case of a **through site**, the site depth is between the centre points between the two front lot lines with the maximum horizontal separation.
 - b. In the case of a **flag lot**, the site depth is measured as one-half of the cumulative horizontal lengths of all of the site side lines.
- 2) **SITE WIDTH:** Means the horizontal distance between the side site lines, measured at right angles to the site depth line at a point halfway between the front and rear site lines, or forty (40) feet from the front site line, whichever is the lesser.

SITE LINES: Means as follows:



1) **FRONT SITE LINE** means:

- a. In the case of an **interior site**, that boundary which is along an existing or designated street; or
- b. In the case of a **through site**, all site boundaries which abut public streets from which vehicular access is permitted (this will usually result in two front site lines); or
- c. In the case of a **corner site**, that frontage which is the continuation of the front site line of an abutting interior site or, if none, those frontages which, as front site lines, accord with the intent and purpose of yard requirements under this By-Law, as determined by a Designated Officer; or
- d. In the case of a lakefront site, that boundary which abuts the lake, with the exception of the lots abutting Clearwater Lake, where the front site line shall be determined as all site boundaries which abut public streets.

2) **REAR SITE LINE** means:

- a. That boundary of a site which is most nearly parallel to the front site line; or
- b. Any site boundary which is in whole or in part the rear site line of an abutting site and as a rear site line accords with the intent and purpose of yard requirements or development standards under this By-law; or
- c. In the case of a site where the side site lines intersect, the rear site line is deemed to be a line ten (10) feet in length, located within the site, parallel to and at the maximum distance from the front site line.

3) **SIDE SITE LINE:** Means any boundary of a site which intersects with a front site line and is not a front or rear site line.

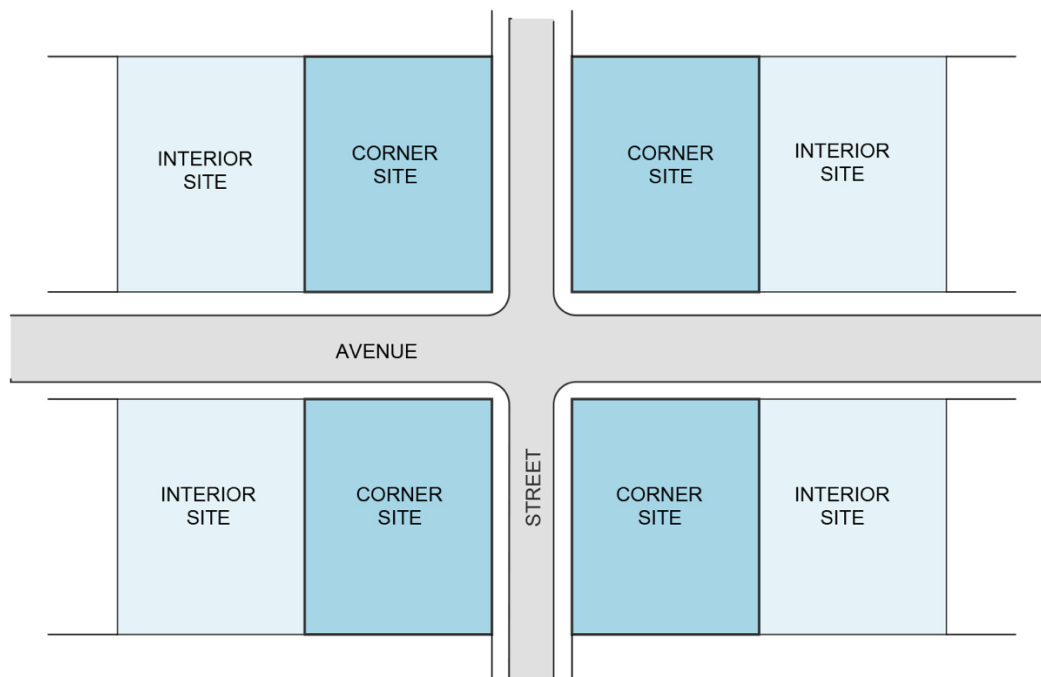
Where an irregular shaped site cannot have its site lines defined by the foregoing definitions, the front, rear and side site lines shall be determined by a Designated Officer.

SITE REQUIREMENTS: Means the following:

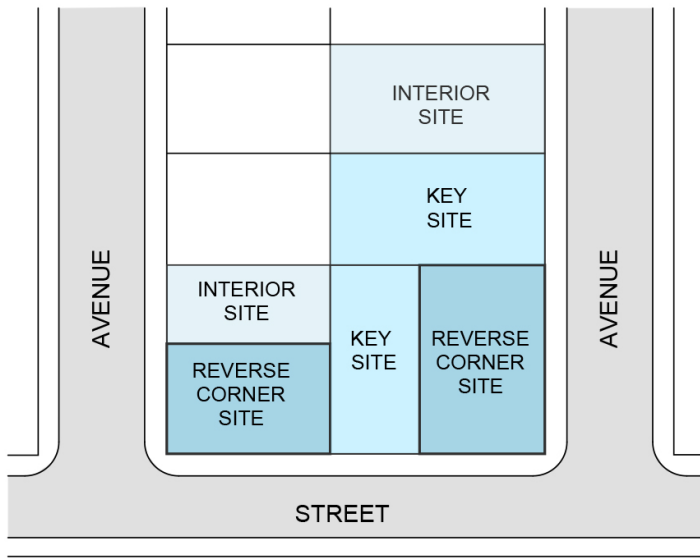
- 1) The size (including height of building and floor area), of buildings or structures;
- 2) The area of the zoning site upon which a building is located, and the number of dwelling units or rooms within such building in relation to the area of the zoning site;
- 3) The location of exterior walls of buildings in relation to site lines, to other walls of the same building, to legally required windows, or to other buildings; and
- 4) All open areas relating to buildings or structures and their relationships thereto.

SITE TYPES: Means as follows:

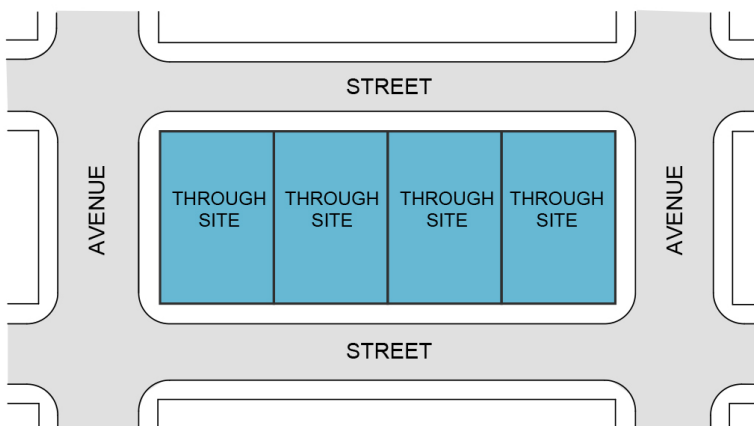
- 1) **CORNER SITE:** Means a site situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.



- 2) **CORNER SITE, REVERSE:** Means a corner site where the side site line adjacent to the street is a continuation of the front site line of the first site to its rear (key site).



- 3) **INTERIOR SITE:** Means a site that has frontage on only a single public street.
- 4) **KEY SITE:** Means the first site to the rear of a reverse corner site.
- 5) **THROUGH SITE:** Means a site having a pair of opposite site lines along two more or less parallel streets. The front site line shall be determined by a Designated Officer.



STOREY: Means the portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it, but does not include a cellar. A basement shall be counted as a storey for the purpose of height measurement if the vertical distance between the ceiling and the average finished level of the adjoining ground is more than six (6) feet.

STREET: Means public thoroughfare but does not include a public lane.

STRUCTURE: Means anything constructed or erected which requires location on the ground or is attached to something having a location on the ground.

USE: Means:

- 1) Any purpose for which a building or other structure or a parcel of land may be designed, arranged, intended, maintained, or occupied; or
- 2) Any activity, occupation, business, or operation carried on, or intended to be carried on, in a building or other structure or on a parcel of land.

VARIANCE OR VARIATION: Means a modification of the literal provisions of the By-law granted when strict enforcement of the By-law will cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.

10.2 USE CLASS DEFINITIONS

Advertising Sign – see Sign, Advertising.

Agricultural Industries means industries that support agricultural activities including: seed cleaning plants, grain elevators, fertilizer plants, feed mills, food processing, abattoirs, auction marts and bulk fertilizer, but not anhydrous ammonia or bulk propane.

Agriculture, General means an agricultural, horticultural or silvicultural operation that is conducted in order to produce agricultural products on a commercial basis, and includes the production of crops, including grains, oil seeds, hay and forages, and horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs and greenhouse crops; the processing necessary to prepare an agricultural product for distribution from the farm gate; the operation of agricultural machinery and equipment, including the tillage of land and the application of fertilizers, manure, soil amendments and pesticides (whether by ground or aerial application); and the storage, use or disposal of organic wastes for agricultural purposes but does not include a livestock operation or apiary.

Aircraft Facilities means land or water which is used or intended for the landing or take-off of aircraft and any associated areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including taxi-ways, aircraft storage and tie-down areas, hangars, helipads, and other related buildings and open spaces.

Animal Shelter or Kennel means any premises on which more than two (2) dogs and cats at least four (4) months of age are maintained, boarded, bred, trained or cared for in return for remuneration, or are kept for the purpose of sale.

Apiary means any place where bees are kept.

Arts and Cultural Establishment means a facility used for display, storage, restoration or events related to art, literature, music, history or science. This term refers to uses such as art galleries, theatres, dance studios, libraries, museums, archives and interpretive centres.

Assisted Living Facility means a facility where meals, lodging, and continued medical care or treatment may be provided for compensation. This includes, but is not limited to, nursing homes, retirement homes, healing homes, and medical receiving homes. Smaller facilities may meet the criteria as **care homes**.

Boarding or Lodging means a building or portion of a building without cooking facilities where lodging, or lodging and meals are provided for compensation to a limited number of boarders. It includes uses such as bed and breakfasts and vacation rentals, but does not include a hotel or motel.

Building or Contracting Establishment means a premises used for the purposes of undertaking or managing activities engaged in maintaining and building new structures, or works, additions or renovations and typically includes the offices of general building

contractors, general contractors, specialized trades and building maintenance services such as window cleaning and extermination services and may include a showroom and/or display area open to the general public. Also included is the prefabrication of building equipment and materials and contractors' offices, but does not include the storage of waste materials.

Campground means a parcel of land planned and improved to accommodate recreational vehicles (RVs), tents, tent trailers or other camping accommodations used as temporary dwellings for travel, recreational and vacation uses.

Care Home means the use of a building (usually a house) to provide a small number of persons with residential care or transitional services. Larger residential care facilities are considered to be **assisted living facilities**.

Cemetery means land used or intended to be used for the burial of the dead, and may include columbaria, crematoria, mausoleums, and mortuaries, when operated in conjunction with and within the boundaries of such cemetery.

Child Care (Home) means the provision of child care services as a secondary use in part of a building, including, but not limited to, a dwelling unit in which the owner or tenant resides or a place of worship.

Child Care Facility or Micro-school means the provision of child care or educational service in a building or part of a building specifically intended for that purpose, including a provincially licensed childcare facility, a nursery school, Montessori school or similar building.

College or Trade School means an establishment providing technical instruction, business training, and/or post-secondary academic instruction.

Community Centre or Hall means a meeting place or drop-in centre for community activities, public organizations, or recreational groups.

Community Garden means an area managed by a non-profit organization, a community-based entity or a public entity where members of the community may grow plants for beautification, education, recreation, community distribution or personal use.

Condominium means a condominium as established under the provisions of The Condominium Act.

Crematorium means a facility containing a certified furnace or similar device intended for use in the incineration of human or animal corpses.

Drinking or Lottery Establishment means a building or portion of a building, which is licensed by the Government of Manitoba, where the principal purpose is either the sale of alcoholic beverages to the public for consumption on the premises or lottery gaming, including, but not limited to, VLTs, bingos, and charitable gaming.

Drive-Through Facility means a facility designed to provide goods or services to the persons driving in motor vehicles, including, but not limited, to a drive-through restaurant or bank.

Dwelling means one or more rooms used or intended to be used as a single housekeeping unit with cooking, sleeping and sanitary facilities.

Dwelling, Multiple-Unit means a building, located on a single site, containing three (3) or more dwellings (for example, a row house, town house, apartment building, or condominium).

Dwelling, Single-Unit means a building, located on a single site, containing one dwelling.

Dwelling, Two-Unit means a building, located on a single site, containing two dwellings (for example, a duplex or a side-by-side).

Emergency Residential Shelter means a building where emergency temporary lodging is provided to persons who are homeless or in need of immediate housing, and where on-site supervision is provided whenever such shelter is occupied.

Emergency Service Station means a facility used for emergency service administration and vehicle parking, including police and fire stations, ambulance dispatch, and emergency services headquarters.

Fitness Centre means a premise where physical fitness equipment and/or instructional classes are provided for individuals or groups of people, including but not limited to aerobic and martial arts studios.

Fleet Vehicle Service means a facility for the distribution, storage, loading and repair of fleet vehicles, with or without associated dispatch services and offices. Typical uses include, but are not limited to, taxi services, courier, delivery, and express services, cleaning services, and security services.

Freight Terminal means a processing node for freight. It includes, but is not limited to, airports, railroad terminals, and trucking terminals.

Funeral Home means a facility for the storage of deceased human bodies prior to burial or cremation, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies before burial or cremation.

Gas Station means a facility where vehicle fuel, lubricants and accessory items (including convenience store items) are offered for sale but where no provision is made for the repair, maintenance and storage of vehicles.

Healthcare Facility means a building or structure used to provide care to patients that require medical care. This includes, but is not limited to, hospitals, healthcare centres, and medical clinics. Healthcare facilities are not generally intended for residential purposes and thus do not include assisted living facilities or care homes.

Home-Based Business means an occupation, trade, business or activity that is carried out as a secondary use on the same site as a dwelling.

Hotel or Motel means a building or part thereof within accommodation is provided for transient lodgers, in any individual room or apartment, with or without cooking facilities.

Indoor Amusement Centre means an indoor facility which provides amusement opportunities including, but not limited to, arcade games, rides, miniature golf, and bowling alleys.

Industrial, Heavy means a use of land that includes the assembly, fabrication, storage, or processing of goods and materials that may have impacts in terms of noise, fumes, odours, or safety hazards outside of the structures in which the use takes place.

Industrial, Light means a use of land that includes the assembly, fabrication, storage, or processing of goods and materials that do not create noise, fumes, odours, safety hazards outside of the structures in which the use takes place.

Industrial Service Shop means a use where heavy equipment and machinery, such as tractors, graders and farm machinery, are repaired and serviced and includes uses providing services to mineral and forest extraction operations.

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

Manufacturing, Chemical means facility where industrial chemicals are manufactured and/or stored. It includes, but is not limited to, paint storage and paint and varnish manufacturing but does not include uses covered as Agricultural Industries.

Manufacturing, General means a use which mechanically transforms materials or substances into new or reused products, including the assembly of component parts but does not include Chemical Manufacturing or Agricultural Industries.

Mobile Home means a portable dwelling unit that is designated to be used as a living quarters or as accommodation for travel, recreation, or vacation purposes and that a) is capable of being transported on its own chassis and running gear by towing or other means, or b) is placed on the chassis or body of a motor vehicle, or c) forms part of a motor vehicle.

Office means a building or part of a building in which persons are employed for the provision of professional or other services to the public such as legal services, real estate

services, financial services, insurance brokers, consultants, and other uses, but does not include personal services or retail.

Outdoor Event Space means an open-air space with temporary or permanent structures where people gather for events. It includes, but is not limited to, exhibition and fair grounds, farmers market grounds, drive-in theatres, and ceremonial grounds.

Parking Lot means a parcel of land used exclusively for vehicular parking and is available for use whether free, for compensation or as an accommodation for clients, customers, employees or visitors.

Personal Services means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual (one on one) and personal needs of persons and includes, but is not limited to, such establishments as medical, dental, barber shops, janitorial, catering, cleaning and garment services, and photography studios.

Place of Worship means a building primarily used for religious purposes. It may include, but is not limited to, a church, chapel, mosque, synagogue, or temple.

Planned Unit Development means a land development project planned as an entity in accordance with a unitary site plan, which permits flexibility in siting of buildings, mix of uses and housing types, usable open spaces and the preservation of significant natural features.

Portable Garage means a temporary structure intended to store goods or materials that may consist of metal or steel frame and is covered by such material as canvas, plastic, polyethylene, various types of fabric or similar materials.

Private Communications Facility means outdoor equipment and structure required for the purposes of transmitting or receiving television, radio, microwave, radar, laser, or similar communications signals. These facilities may include, but are not limited to: antennae, aerials, receiving dishes, transmission beacons, masts, and towers.

Public Utility means a system furnishing water, sewage collection, electricity, telecommunication services, gas or similar services to properties by means of pipes, lines and other equipment located on or under public roads and other rights-of-way. It does not include wind or solar energy generating systems.

Public Works means any publicly owned or occupied building, structure, system, plant or equipment for the purpose of providing services to the public, including, but not limited to:

- (a) public transportation facilities (such as bus stations);
- (b) communication systems;
- (c) office buildings; and
- (d) maintenance buildings.

It does not include public utilities, solid waste disposal sites, or sewage treatment sites.

Recreation Facility (Indoor) means a building which provides areas for recreation and spectating, including, but not limited to, arenas, stadiums, public swimming pools, and indoor sports fields.

Recreation Facility (Outdoor) means an open-air area which provides opportunities for recreation, including, but not limited to, sports fields, skateparks, outdoor swimming pools and splash parks.

Restaurant means an establishment where food is prepared and offered to the public for consumption within the building or structure or to be taken off the premises and includes, but is not limited to, caterers, cafeterias, and restaurants. It does not include Drive-Through Facilities.

Retail means the use of a building or portion of a building where goods, wares, merchandise, or similar items are offered for sale directly to the public.

Retail (Small) means a building or portion of a building where the retail use occurs in a space with a ground floor area less than 5,000 square feet (465 square meters). It includes, but is not limited to, corner stores, shops, and small box stores.

Retail (Large) means a building or portion of a building where the retail use occurs in a space with a ground floor area equal to or greater than 5,000 square feet (465 square meters). It includes, but is not limited to, big box stores, malls, shopping centres, and wholesale centres.

Retail Cannabis Store means the premises specified in a retail cannabis licence where the retail sale of cannabis is authorized.

Secondary Suite means a second dwelling unit detached from, attached to or within a principal building, that provides basic requirements for living, sleeping, cooking, and sanitation. It includes, but is not limited to, basement suites, coach houses, garden suites, and live-work units.

Sewage Treatment Site (Lagoon) means a facility where wastewater or sewage is treated. It includes, but is not limited to, wastewater treatment plants, tanks, and lagoons.

Sign means any writing, illustration, or emblem, which directs attention to a building, use, business, commodity, service, or entertainment.

Sign, Advertising means a sign directing attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the same site where the sign is located. An advertising sign is not an accessory use on a property and is therefore treated differently than other signs advertising a business on the same property.

Sign, Fascia means a sign or individual letters attached to or inscribed on a wall or other surface and having the exposed face of the sign on a plane approximately parallel to the plane of such wall or other surface. May include a sign attached to a marquee.

Sign, Projecting means a sign attached to a building, which extends perpendicularly beyond the surface of that portion of the building to which it is attached.

Sign, Free-Standing means a sign supported by one or more poles, braces or anchors that are placed permanently in the ground and that are independent from any building or other structure. Free-standing signs may include (but are not limited to) billboard signs and signs that are attached to fences.

Sign, Awning means a sign that is incorporated into the material of an awning.

Sign, Mobile means a sign which is mounted on a trailer, stand, or other support structure which is designed in such a manner that the sign can be readily taken down or relocated, and which may include copy that can be changed through the use of removable characters, panels, or by electronic means.

Sign, Digital means a sign that uses electronic screens, light emitting diodes, or similar technology. Digital signs may include (but are not limited to) digital reader boards or digital static copy screens.

Sign, Inflatable means a three-dimensional device that is designed to be filled with air or gas, which may or may not incorporate writing, illustrations, or emblems.

Solar Collector means a panel or other solar energy device with the primary purpose of gathering, storing, and distributing solar energy for electricity generation, space heating, space cooling, or water heating. Rooftop Solar Collectors are a type of Solar Collector.

Solar Collector, Rooftop means a roof-mounted solar collector and associated equipment for converting solar energy to power.

Solid Waste Disposal Site means a landfill, recycling facility, or other area where solid waste is disposed of, stored, or buried.

Towing and Storage Compound means an indoor or outdoor facility where motor vehicles are taken and stored temporarily until they reclaimed by their owners. A towing and storage compound may include an impoundment lot or a lot used for temporary vehicle storage but does not include a wrecking and salvage yard.

Vehicle Sales & Services means a site used for the display, repair, sale or rental of new or used automobiles, recreational vehicles, snowmobiles, ATVs, camper and travel trailers, boats, boat and utility trailers and the like, but not including mobile home or heavy machinery sales, rentals or repairs.

Veterinary Clinic means a facility designed for the care and treatment of domestic animals, not including cows, horse and the like, under the supervision of a doctor of veterinary medicine. The boarding of animals is limited to short-term care incidental to the treatment of the animals.

Warehouse means a large building in which goods, raw materials, or commodities are stored or sold wholesale.

Wind Energy Generation System (On-Site Use) means any device or group of devices such as a wind charger, windmill or wind turbine that converts wind energy to electrical energy and intended to primarily serve the electrical needs of the on-site user or consumer (either behind the meter or off-grid) rather than to produce power for resale. Rooftop wind energy generation systems are a type of wind energy generation system.

Wrecking and Salvage Yard means a site where motor vehicles of any kind are kept for the purpose of obtaining parts or scrap materials for resale or recycling.

X-Rated Store means any store that offers for purchase or rental merchandise restricted to persons over 18 years of age, including, but not limited to, sexually oriented films or printed material.

11 SCHEDULE A: COMBINED USE TABLE

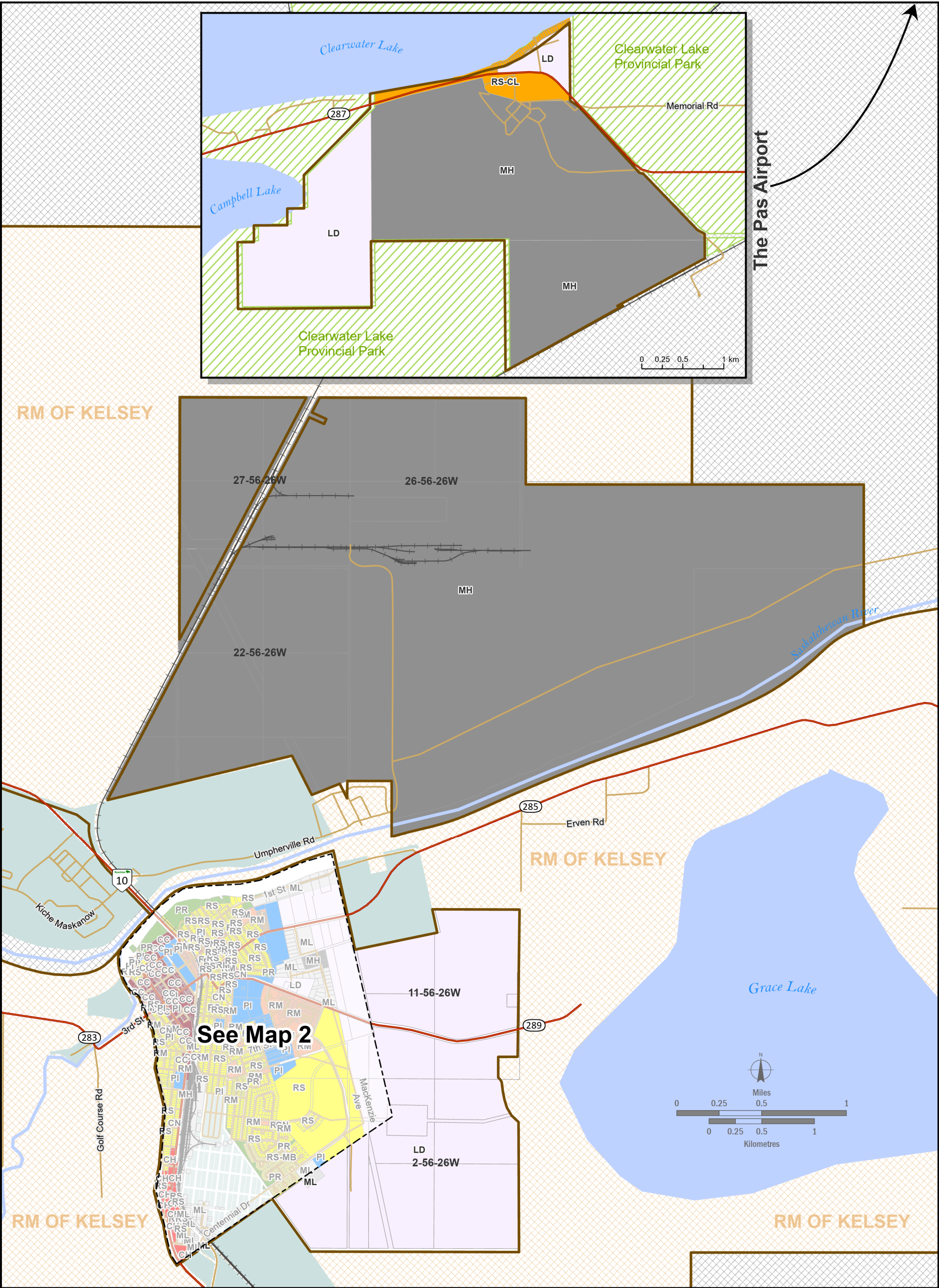
Combined Use Table

Uses	RS	RM	RS-MB	RS-CL	CN	CC	CH	ML	MH	LD	PI	PR	USS
AGRICULTURAL													
Agriculture, General	-	-	-	-	-	-	-	-	-	P	-	-	
ANIMAL CARE													
Animal Shelter or Kennel	-	-	-	-	-	-	-	-	-	C	-	-	
Apiary (Beekeeping)	-	-	-	-	C*	C*	-	-	-	-	C*	C*	8.1.1
Veterinary Clinic	-	-	-	-	P	P	P	P	-	-	-	-	
RESIDENTIAL BUILDINGS													
Dwelling, Single-Unit	P	-	-	P	-	-	-	-	-	-	P*	-	8.2.1
Dwelling, Two-Unit	C	-	-	-	-	-	-	-	-	-	P*	-	8.2.2
Dwelling, Multiple-Unit	-	P	-	-	C	P	-	-	-	-	P*	-	8.2.3
Mobile Home	C	-	P	C	-	-	-	-	-	-	-	-	8.2.4
Mobile Home Park	-	-	P	-	-	-	-	-	-	-	-	-	8.2.5
Secondary Suite	P*	P*	-	-	C*	P*	-	C*	-	-	-	-	8.2.6
RESIDENTIAL OTHER													
Assisted Living Facility	-	C	-	-	C	C	-	-	-	-	P	-	
Care Home	P	P	-	-	-	-	-	-	-	-	P	-	8.3.1
Child Care (Home)	P*	P*	-	-	-	-	-	-	-	-	-	-	8.3.2
Child Care Facility or Micro-school	C	P	-	-	-	C	-	-	-	-	-	-	8.3.3
Emergency Residential Shelter	-	-	-	-	-	C	-	-	-	-	P	-	
Home-Based Business	P*	P*	P*	P*	P*	P*	-	P*	-	-	P*	-	8.3.4
ACCOMMODATION													
Boarding or Lodging	C*	P	-	C*	P*	P*	-	-	-	-	-	-	8.4.1
Hotel or Motel	-	-	-	-	C	P	P	-	-	-	-	-	
AUTOMOTIVE													
Fleet Vehicle Service	-	-	-	-	-	C	P	P	C	-	-	-	
Gas Station	-	-	-	-	C	C	P	P	-	-	-	-	8.5.1
Towing and Storage Compound	-	-	-	-	-	-	C	P	P	-	-	-	
Vehicle Sales and Service	-	-	-	-	-	C	P	P	C	-	-	-	8.5.2
Wrecking and Salvage Yard	-	-	-	-	-	-	-	-	C	-	-	-	
OFFICE AND RETAIL													
Drinking or Lottery Establishment	-	-	-	-	C	P	P	P	-	-	P	-	
Drive-Through Facility	-	-	-	-	-	C	P	-	-	-	-	-	8.6.1
Fitness Centre	-	-	-	-	C	P	P	-	-	-	-	-	
Indoor Amusement Centre	-	-	-	-	-	P	-	P	-	-	-	-	
Office	-	-	-	-	P	P	P	-	-	-	-	-	
Personal Services	-	-	-	-	C	P	P	-	-	-	-	-	
Private Club	-	-	-	-	P	P	C	-	-	-	-	-	
Restaurant	-	P	-	C	P	P	P	-	-	-	P	-	
Retail (Small)	-	C	-	C	P	P	P	P*	C*	-	-	-	
Retail (Large)	-	-	-	-	-	P	C	P*	C*	-	-	-	
Retail Cannabis Store	-	-	-	-	-	C	C	-	-	-	-	-	8.6.2
X-Rated Store	-	-	-	-	-	C	C	-	-	-	-	-	8.6.3
EDUCATIONAL													
College or Trade School	-	-	-	-	-	P	-	C	-	-	P	-	
School	-	C	-	-	C	C	-	-	-	-	P	-	
CIVIC BUILDINGS													

Uses	RS	RM	RS-MB	RS-CL	CN	CC	CH	ML	MH	LD	PI	PR	USS
Arts and Culture Establishment	-	P	-	-	P	P	-	-	-	-	P	P	
Community Centre or Hall	-	C	-	-	C	P	-	-	-	-	P	C	
Crematorium	-	-	-	-	-	-	C	C	C	-	-	-	
Emergency Services Station	-	-	-	-	P	P	P	P	-	-	P	-	
Funeral Home	-	-	-	-	-	C	P	P	P	-	P	-	
Healthcare Facility	-	-	-	-	-	C	-	-	-	-	C	-	
Place of Worship	-	P	-	-	P	P	-	-	-	-	P	-	
Public Works	-	-	-	-	-	C	P	P	C	P	P	-	
Recreation Facility (Indoor)	-	-	-	-	-	C	-	-	-	-	C	P	
PUBLIC OPEN SPACE													
Campground	-	-	-	-	-	-	-	-	-	C	-	C	8.7.1
Cemetery	-	-	-	-	-	-	-	-	-	C	C	C	8.7.2
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	8.7.3
Outdoor Event Space	-	-	-	-	-	-	C	-	-	C	P	P	
Park	P	P	P	P	P	P	P	P	P	P	P	P	8.7.4
Recreation Facility (Outdoor)	-	-	-	-	-	-	-	-	-	C	P	P	
INDUSTRIAL OPERATIONS													
Agricultural Industry	-	-	-	-	-	-	-	C	P	-	-	-	
Building or Contracting Establishment	-	-	-	-	-	-	P	P	P	-	-	-	
Bulk Fuel, Oil and Propane Sales and Service	-	-	-	-	-	-	-	-	C	-	-	-	8.8.1
Manufacturing (General)	-	-	-	-	-	C	C	P	P	-	-	-	
INDUSTRIAL MAJOR													
Aircraft Facility	-	-	-	-	-	-	-	-	C	C	-	-	
Freight Terminal	-	-	-	-	-	-	C	C	C	-	-	-	
Manufacturing (Chemical)	-	-	-	-	-	-	-	-	C	-	-	-	
Sewage Treatment Site (Lagoon)	-	-	-	-	-	-	-	-	C	-	-	-	8.9.1
Solid Waste Disposal Site	-	-	-	-	-	-	-	-	C	-	-	-	8.9.2
INDUSTRIAL SALES AND SERVICE													
Industrial Service Shop	-	-	-	-	-	-	P	P	P	-	-	-	
Lumberyard	-	-	-	-	-	C	P	P	C	-	-	-	
Warehouse	-	-	-	-	-	C	P	P	C	-	-	-	
OTHER USES													
Outdoor Pool or Hot Tub	P*	P*	P*	P*	P*	P*	P*	-	-	-	P*	P*	8.10.1
Parking Lot	-	-	-	-	C	C	C	-	-	-	P	-	8.10.2
Planned Unit Development	C	C	C	C	C	C	C	C	C	-	C	-	8.10.3
Portable Garage	P*	P*	P*	P*	P*	-	P*	P*	P*	P*	P*	P*	8.10.4
Private Communications Facility	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	8.10.5
Shipping Container	C	C	C	C	C*	C*	P*	P*	P*	P*	P*	P*	8.10.6
Sign	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	8.10.7
Sign, Advertising	-	-	-	-	C*	C*	C*	C*	C*	C	C*	-	8.10.7
Solar Collector	P*	P*	P*	P*	P*	P*	P*	P	P	P*	P	P*	8.10.8
Temporary Building or Use	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	8.10.9
Wind Energy Generating System	-	-	-	C*	-	C*	P*	P*	P*	-	P*	P*	8.10.10

*Allowed as **Secondary Use** or **Accessory Use** only

12 SCHEDULE B: ZONING MAPS



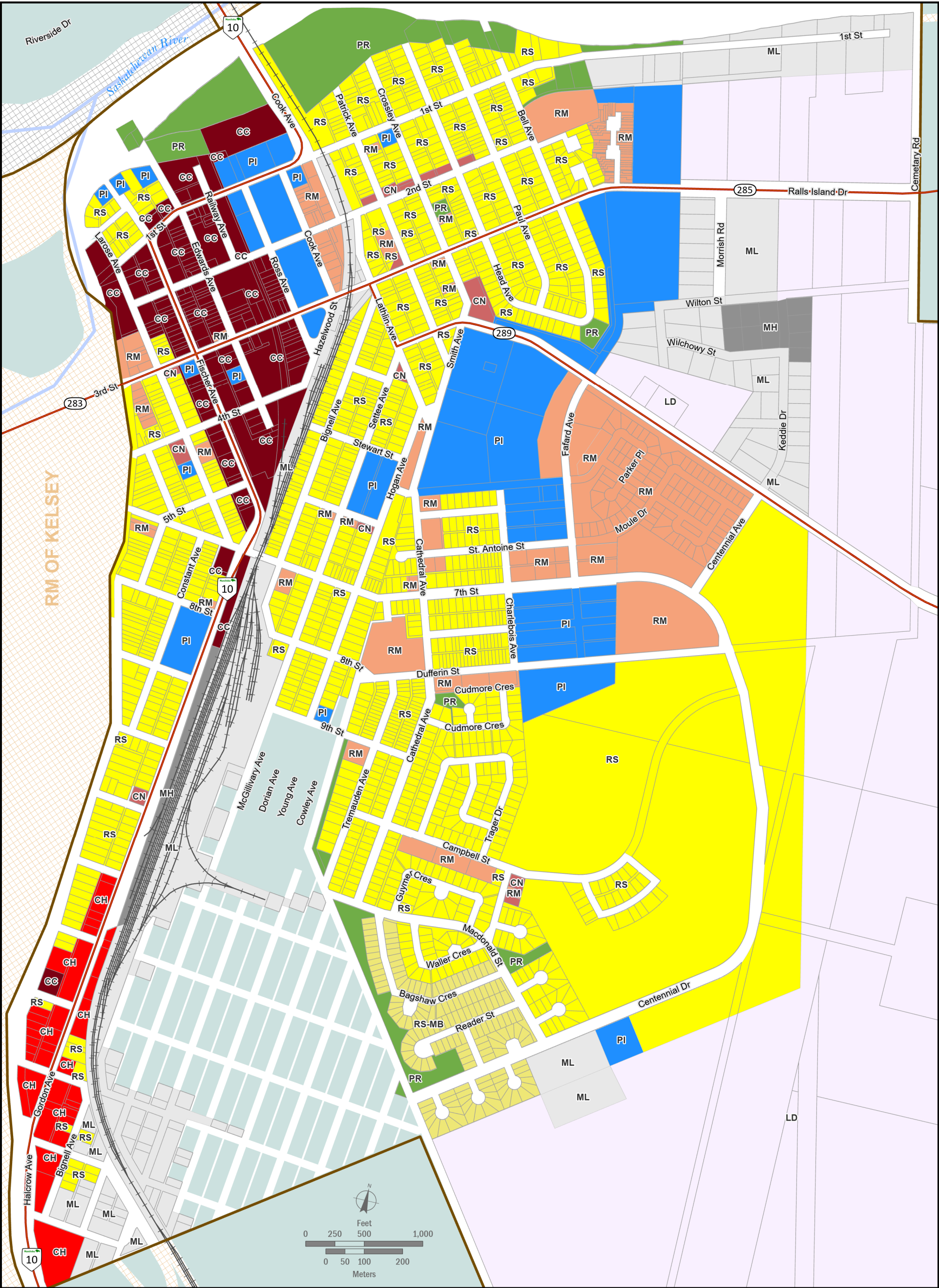
Zones

- | | |
|-----------------------------------|---|
| CC, Commercial Central Zone | PR, Parks and Recreation Zone |
| CH, Commercial Highway Zone | RS, Residential Zone |
| CN, Commercial Neighbourhood Zone | RS-CL, Residential - Clearwater Lake Zone |
| MH, Industrial Heavy Zone | RM, Residential Mixed Zone |
| ML, Industrial Light Zone | RS-MB, Residential - Mobile Home Zone |
| LD, Limited Development Zone | PI, Public Institutional Zone |

Other Features

- | | |
|-----------------------|-------------------------|
| RM of Kelsey | Water Body |
| Municipal Boundary | Provincial Highway/Road |
| Assessment Parcel | Local Road |
| First Nations Reserve | Railway |
| Provincial Park | |

Town of The Pas
Zoning By-Law
No. 4599
Map 1



Zones

- | | |
|-----------------------------------|---------------------------------------|
| CC, Commercial Central Zone | PR, Parks and Recreation Zone |
| CH, Commercial Highway Zone | RS, Residential Zone |
| CN, Commercial Neighbourhood Zone | RM, Residential Mixed Zone |
| MH, Industrial Heavy Zone | RS-MB, Residential - Mobile Home Zone |
| ML, Industrial Light Zone | PI, Public Institutional Zone |
| LD, Limited Development Zone | |

Other Features

- | | |
|-----------------------|-------------------------|
| RM of Kelsey | Provincial Park |
| Municipal Boundary | Water Body |
| Assessment Parcel | Provincial Highway/Road |
| First Nations Reserve | Railway |

Town of The Pas
Zoning By-Law
No. 4599

Map 2