

PART I

OPERATIVE AND INTERPRETATIVE CLAUSES

1.0 Title and Contents

1.1 Title

- 1) This By-law may be cited as the Rural Municipality (RM) of Armstrong Zoning By-law.

1.2 Intent and Purpose

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

- 1) To implement the objectives and policies of the *Fisher Armstrong Planning District Development Plan*.
- 2) To outline the powers and duties of Council, the Development Officer and the landowner and/or developer as they relate to this By-law.
- 3) To regulate the following:
 - a) all buildings and structures erected hereafter;
 - b) all uses or changes in use of all buildings, structures and land established hereafter;
 - c) all structural alterations or relocations of existing buildings and structures occurring hereafter; and
 - d) all enlargements or additions to existing buildings, structures and uses.

1.3 Contents of the By-law

The contents of this By-law include:

- 1) Part I, comprising of Section 1.0 to Section 7.0, outlines the Operative and Interpretive Clauses.
- 2) Part II, comprising of Section 8.0 to Section 15.0, outlines all of the Zoning District clauses.
- 3) Part III, comprising of Section 16.0 to Section 50.0, outlines General Administrative Clauses, General Development Regulations and Special Land Use Regulations.
- 4) Part IV comprises the Zoning District Maps.

1.4 Headings and Titles

- 1) Notwithstanding any other provision of this By-law or any other By-law passed by Council to the contrary, headings and titles within this By-law shall be deemed to form part of the text of this By-law.

1.5 Interpretation

- 1) The provisions of this By-law shall be interpreted to be the minimum regulations except where the abbreviation for, or word, *maximum* is used, in which case the maximum regulation shall apply.

1.6 Units of Measurement

- 1) For convenience, this By-law contains both metric and imperial measurements. In cases where a discrepancy occurs between the metric and imperial standards, the metric unit shall prevail.

1.7 Effective Date

- 1) This By-law shall be in full force and effect when the Council of the RM of Armstrong has given it Third Reading.

1.8 Control of Development

- 1) No development, other than that designated in Section 19.1, shall be undertaken in the RM of Armstrong unless an application has been approved and the development permit has been issued.

1.9 Relationship to Former By-laws

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

1.10 Validity

- 1) Should a court of competent jurisdiction declare any section or part of a section of this By-law invalid, the same shall not affect provisions of the By-law as a whole or any part thereof beyond that which is declared invalid.

2.0 Non-Conforming Buildings, Structures, Lots and Uses

- 1) When on or before the day on which this By-law or any By-law for the amendment of it comes into force, a development permit has been issued, and the enactment of the By-law would render the development in respect of which the permit was issued a non-conforming building, structure, lot, or use, the development permit continues in effect notwithstanding the enactment of the By-law.
- 2) Any lawful building or structure which does not conform to one or more of the applicable yard regulations of the Zoning District in which it is located, either on the effective date of this By-law or amendments thereto, shall be deemed to be a permitted building or structure and shall be used as if it conformed to all such regulations, in accordance with Section 2.0(5) hereof.
- 3) Any legal existing lot which does not conform to the minimum site area, site width, front yard or access regulations hereof for the Zoning District wherein it is located, shall be deemed to be a permitted lot and shall be used as if it conformed to all such regulations, in accordance with Section 2.0(5) hereof.
- 4) Any lawful use of a building, structure or lot, or portion thereof, which does not conform to one or more of the applicable use regulations of the Zoning District in which it is located, either on the effective date of this By-law or amendments thereto, shall be deemed to be a permitted use and shall be used as if it conformed to all such regulations, in accordance with Section 2.0(5) hereof.
- 5) A non-conforming use of land or a non-conforming use of a building may be continued, but if that use is discontinued for a period of twelve consecutive months or more, any future use of the land or building shall conform to the provisions of this By-law.
- 6) A non-conforming use of part of a lot shall not be extended or transferred in whole or in part to any other part of the lot and no additional buildings shall be erected upon the lot while the non-conforming use continues.
- 7) A non-conforming use of part of a building may be extended throughout the building. But the building, whether or not it is a non-conforming

- building shall not be enlarged or added to and no structural alterations shall be made thereto or therein.
- 8) A non-conforming building may continue to be used, but the building shall not be enlarged, added to, rebuilt or structurally altered except:
 - a) as may be necessary to make it a conforming building; or
 - b) as the Development Officer considers necessary for the routine maintenance of the building.
 - 9) Where a building or structure that does not conform to the provisions of this By-law or amendments thereto is destroyed or damaged to an extent that in the opinion of Council, is 50.00 percent or more of the replacement value of the building or structure above its foundation, the building or structure shall not be repaired or rebuilt except in conformity with the provisions of this By-law.
 - 10) The use of land or the use of a building is not affected by change of ownership, tenancy or occupancy of the land or building.
 - 11) Notwithstanding Section 2.0(1) to Section 2.0(10), as per *The Planning Act* a non-conformity may be altered by way of variation order by Council.

3.0 The Zoning District Maps

- 1) The Zoning District Maps are Part IV of this By-law, which divide the RM of Armstrong into Zoning Districts and specifies provisions applying to particular lands.

3.1 Zoning District Boundaries

Should uncertainty or dispute arise relative to the precise location of the boundary of any Zoning District, as depicted on the Zoning District Maps, the location shall be determined by the following:

- 1) Where a Zoning District boundary is shown as approximately following the centre of streets, lanes or other public thoroughfares, it shall be deemed to follow the centre line thereof.
- 2) Where a Zoning District boundary is shown as approximately following the boundary of a site, the site boundary shall be deemed to be the

- boundary of the Zoning District for that portion of the Zoning District boundary which approximates the site boundary.
- 3) Where a Zoning District boundary is shown approximately following municipal limits, it shall be deemed to be following municipal limits.
 - 4) Where a Zoning District boundary is shown as approximately following the centre of pipelines, railway lines, or utility easements, it shall be deemed to follow the centre line of the right-of-way thereof.
 - 5) Where a Zoning District boundary is shown as being parallel to or as an extension of features noted above, it shall be so construed.
 - 6) Where features on the ground are at variance with those shown on the Zoning District Map or in other circumstances not mentioned above, the Development Officer shall interpret the Zoning District boundaries. Any such decision may be appealed to Council.
 - 7) Where a Zoning District boundary is not located in conformity to the provisions of Section 3.1(1) to Section 3.1(6), and in effect divides or splits a registered parcel of land, the disposition of such boundary shall be determined by dimensions indicated on the Zoning District Maps or by measurements directly scaled from the Maps.

3.2 Right-of Way Boundaries

- 1) Notwithstanding anything contained in this By-law, no Zoning District shall be deemed to apply to any public roadway and any public roadway may be designed, constructed, widened, altered, redesigned and maintained in such manner as may be determined by Council.
- 2) Where any public roadway is closed pursuant to the provisions of *The Municipal Act*, as amended, the land contained therein shall there upon be deemed to carry the same Zoning District as the abutting land.
- 3) Notwithstanding Section 3.2(2), where such abutting lands are governed by different Zoning Districts, the centre line of the public right-of-way shall be deemed to be the Zoning District boundary.

4.0 Approval Required for Development

- 1) No person
 - a) shall commence, or cause or allow to be commenced, a development without a development permit which has been issued under the provisions of this By-law; or
 - b) shall carry on, or cause or allow to be carried on a development without a development permit which has been issued under the provisions of this By-law.

5.0 Other Legislation

5.1 Compliance

- 1) A person applying for, or in possession of, a valid development permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with:
 - a) the regulations of the *Manitoba Building Code* and the *National Building Code*;
 - b) the *Fisher Armstrong Planning District Development Plan*;
 - c) any other appropriate federal, provincial or municipal legislation; and
 - d) the conditions of any caveat, covenant, site plan, development agreement, variance or conditional use order, easement or other instrument affecting a building or land.
- 2) Whenever provisions contained in any appropriate federal, provincial or municipal legislation impose overlapping regulations, laws or policies over the use of land, buildings or structures, or contain any restrictions covering any of the same subject matter contained herein, the most restrictive or highest standard shall apply.
- 3) Whenever the provisions of a special agreement or development agreement entered into between the RM of Armstrong and a developer impose overlapping regulations over the use of land, buildings or structures, or contain any restrictions covering any of the same subject matter contained in this By-law, the most restrictive or highest standard shall govern.
- 4) The Province of Manitoba and the Government of Canada are not bound or restricted by any regulation of this By-law. The said governments are

encouraged, however, to permit only those developments that are consistent with the regulations of this By-law.

5.2 Public Utilities and Services

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

6.0 General Definitions

Terms and words in this By-law as defined in *The Planning Act* have the meaning expressed therein. Other terms and words, unless the context otherwise requires, are defined as follows:

- 1) **Abut or abutting** means immediately continuous to or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches upon another lot, site, or piece of land, and shares a property line or boundary line with it.
- 2) **Accessory** means, when used to describe a use or building, a use or building naturally or normally incidental, subordinate, and exclusively devoted to the principal use or building, and located on the same lot or site.
- 3) **Act** means *The Planning Act*, being Chapter P80 of the Continuing Consolidation of the Statutes of Manitoba, and amendments thereto.
- 4) **Alteration** means a change or modification to an existing building, structure or use which, unless otherwise provided for herein, does not increase the exterior dimensions with respect to height and area.
- 5) **Animal Unit (A.U.)** means the number of animals of a particular category of livestock that will excrete 73.00 kg. (160.93 lb.) of nitrogen in a twelve month period.
- 6) **Aquifer** means a water bearing geological formation that is capable of producing water to wells or springs in quantities that are economically useful.

- 7) **Attached**, when used in reference to a building, means a building otherwise complete in itself, which is dependent for structural support, or complete enclosure, upon a wall or walls shared in common with an adjacent building or buildings.
- 8) **Basement** means the portion of a building or structure which is wholly or partially below grade, having above grade no more than 1.83 m. (6.00 ft.) of its clean height which lies below the finished level of the floor directly above or being a minimum depth of 1.22 m. (4.00 ft.).
- 9) **Blank Walls** means exterior walls containing no windows, doors or other similar openings.
- 10) **Building** means any structure used or built for the shelter, accommodation or enclosure of persons, animals, material or equipment.
- 11) **Bulk Fuel Storage Tank** means a tank used for the bulk storage of petroleum products or other flammable liquids legally stored within a structure or establishment that is incidental to the primary use of the site.
- 12) **Composting** means a designed and managed system to facilitate the process of aerobic decomposition of organic matter by biological action.
- 13) **Conditional Use Order** means those uses of land, buildings or structures which may be permitted in a particular Zoning District but only at the discretion of Council in accordance with the *Act*.
- 14) **Condominium** means individual ownership of a unit in a multi-unit structure where expenses common to all parties are shared.
- 15) **Condominium Bare Land Unit** means a unit of land defined by delineation of its horizontal boundaries without reference to any buildings on a condominium plan.
- 16) **Condominium Unit** means a part of the land or building that is designated as a unit by the condominium plan, and is comprised of the space enclosed by its boundaries and all material parts of the land within this space at the time the condominium declaration and plan are registered.

- 17) **Confined Livestock Area** means an outdoor, non-grazing area where livestock are confined by fences or other structures, or topography, and includes a feedlot, paddock, corral, exercise yard and holding area.
- 18) **Construction or Constructed** means the physical location, erection, increase or decrease in size of any building or structure or ground including any excavation, building, drilling, digging, alteration, addition, extension, location, relocation, demolition, replacement and/or development.
- 19) **Conversion** means a change in use of land or a building or an act done in relation to land or a building that results, or is likely to result, in a change in the use of such land or building without involving major structural alterations.
- 20) **Council** means the Council of the Municipal Corporation of the RM of Armstrong.
- 21) **Cultivated Land** means land that is prepared and used for the growing of crops.
- 22) **Curb Cutting** means the cutting or lowering of a curb, sidewalk or boulevard, or any of them, to provide a driveway for vehicular and pedestrian access to a site.
- 23) **Development Officer** means the Development Officer as appointed by Council for the RM of Armstrong in accordance with the *Act*.
- 24) **Development Permit** means a permit issued by the RM of Armstrong authorizing development, and may include a building permit.
- 25) **Development Plan** means the *Fisher Armstrong Planning District Development Plan* adopted by By-law No. 3/02 and amendments thereto.
- 26) **Double Fronting Site** means a site which abuts two public roadways, which are parallel or nearly parallel in the vicinity of the site.
- 27) **Dwelling Unit** means one or more self-contained rooms provided with sleeping and cooking facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for a Household.

- 28) **Dwelling Unit Area** means the total floor area of the dwelling unit contained within the outside surface of the exterior walls. This calculation shall exclude basement or other areas that are below-grade.
- 29) **Earthen Storage Facility** means a structure built primarily from soil and may include a liner consisting of natural or manufactured materials that is constructed by excavating or forming dikes for retaining livestock manure.
- 30) **Elevation, Lot Grade** means either the elevation of the finished ground surface at any specific reference point, at any point on the slope between two specific reference points on a lot, or a combination thereof.
- 31) **Family** means one or more persons related by blood or marriage or common law marriage, or group of not more than three persons who may not be related by blood or marriage occupying a dwelling unit and living together as a single housekeeping unit.
- 32) **Farm Buildings or Structures** means a building or part thereof that does not contain a dwelling unit and which is associated with and located on land devoted to the practice of farming, and used for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds.
- 33) **Field Storage** means solid livestock manure that is stored in the open air other than in a manure storage facility.
- 34) **Flood Risk Area** means that land adjacent to a watercourse that is divided into two parts: the floodway and the floodway fringe. The floodway includes the area where the majority of floodwaters pass. The floodway fringe includes the area outside the floodway that may be subjected to periodic flooding or inundation of floodwaters.

- 35) **Frontage** means all that portion of a site fronting on a street and measured between side lot lines.

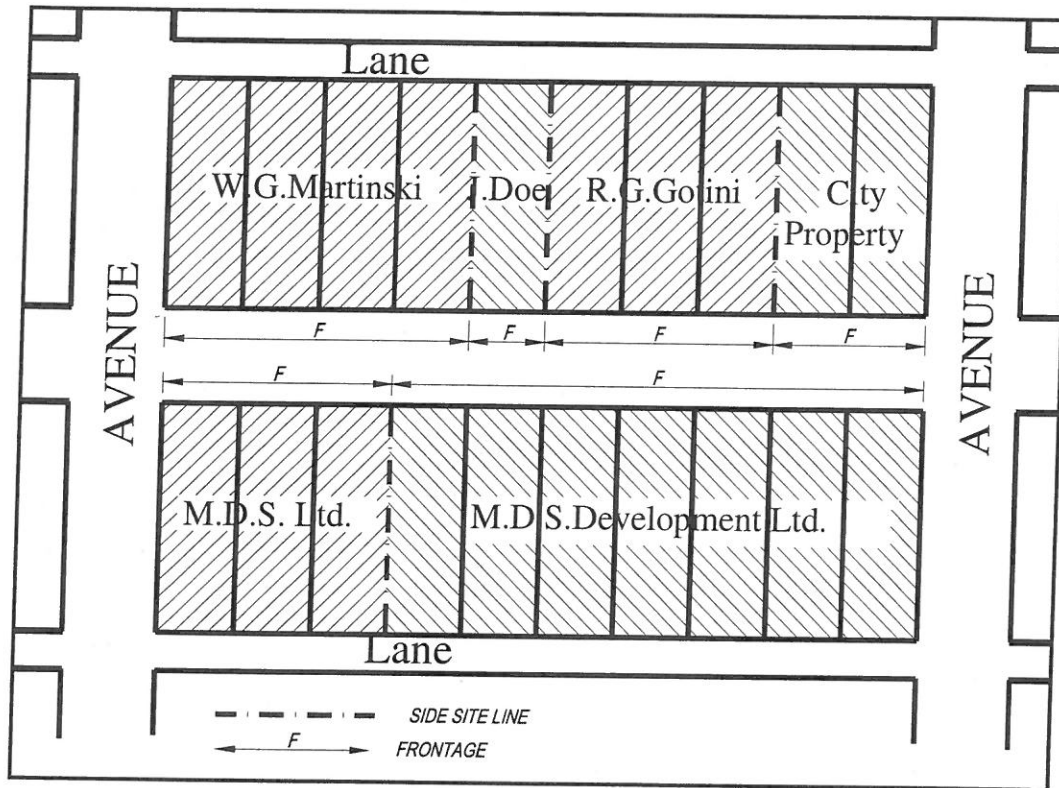


Figure 1. Frontage

- 36) **Garage** means an accessory building, or part of a principal building designed and used primarily for the storage of motor vehicles and includes a carport.

- 37) **Grade, Building Lot** means the lot grade elevation of the finished ground surface immediately adjacent to the foundation of a building.

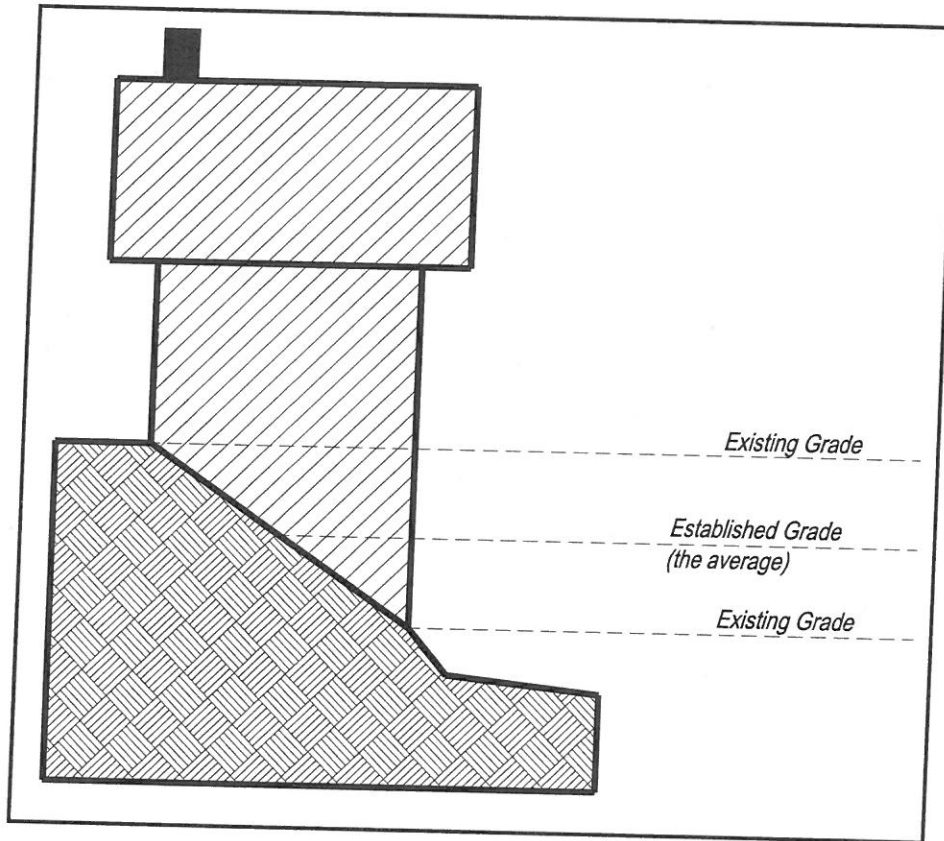


Figure 2. Established Grade of a Building

- 38) **Groundwater** means water below the surface of the ground.
- 39) **Habitable Room** means any room in a dwelling other than a Non-Habitable Room.

- 40) **Height** means, when used with reference to a building or structure, the vertical distance between the horizontal plane through grade and a horizontal plane through:
- a) the highest point of the roof in the case of a building with a flat roof or a roof having a slope of less than 20.00 degrees; and
 - b) the average level between eaves and ridges in the case of a pitched, gambrel, mansard or hipped roof, or a roof having a slope of more than 20.00 degrees; provided that in such cases the ridge line of the roof shall not extend more than 1.52 m. (5.00 ft.) above the maximum permitted building height of the Zoning District.

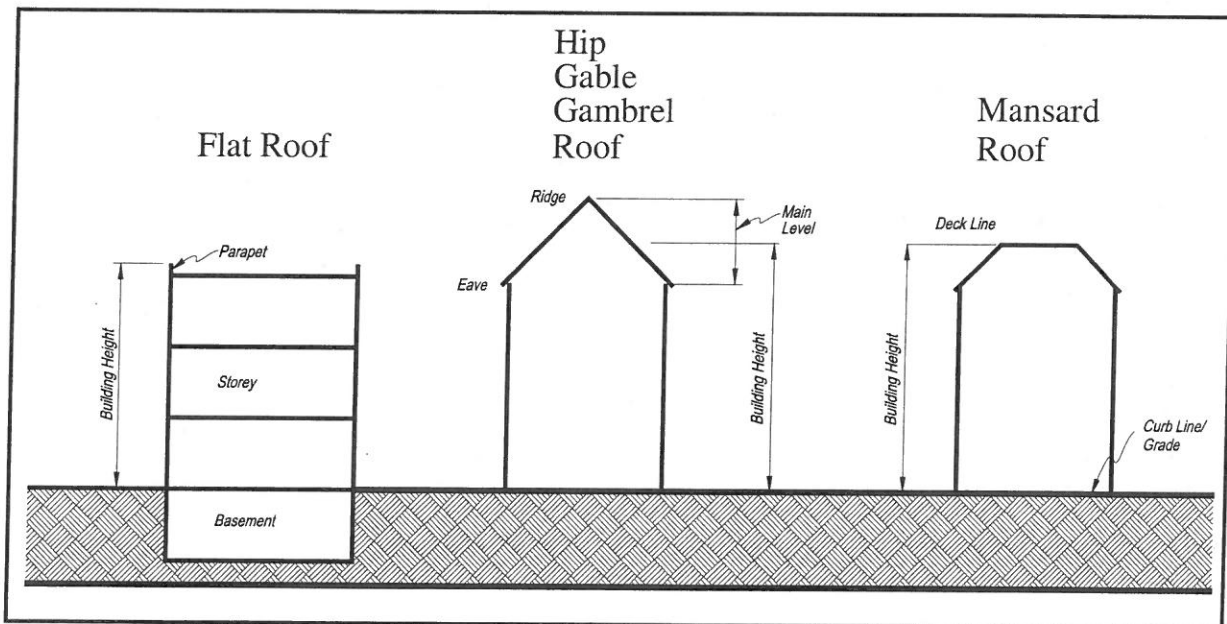


Figure 3. Height of Buildings

- 41) **Household** means one person or two or more persons voluntarily associated, plus any dependents, living together as an independent, self-governing single housekeeping unit.
- 42) **Institution** means a building or part of a building used for a non-commercial purpose by an organized body or society for promoting a particular object or cause, but does not include Private Clubs.

- 43) **Landscaping** means any combination of trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, paving, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property or to provide a screen between properties in order to mitigate objectionable features between them.
- 44) **Livestock** means farm animals kept for use, propagation or intended for profit and includes, but not limited to: dairy and cattle; swine, hogs, bison, goats, sheep and horses; hens, chickens, turkeys, turkey broilers, geese and ducks; and foxes, mink and rabbits.
- 45) **Loading Space** means an off-street space or berth on the same lot with a building, or contiguous with a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandize or materials, and which abuts upon a street, lane or other appropriate means of access.
- 46) **Lot, Corner** means a lot located at the intersection of two public roadways, the interior angle of such intersection not exceeding 135.00 degrees.
- 47) **Lot, Interior** means any site other than a corner lot or through lot.
- 48) **Lot, Reverse Corner** means a corner lot, the flanking street site line of which is a continuation of the front site line of the first site to its rear.

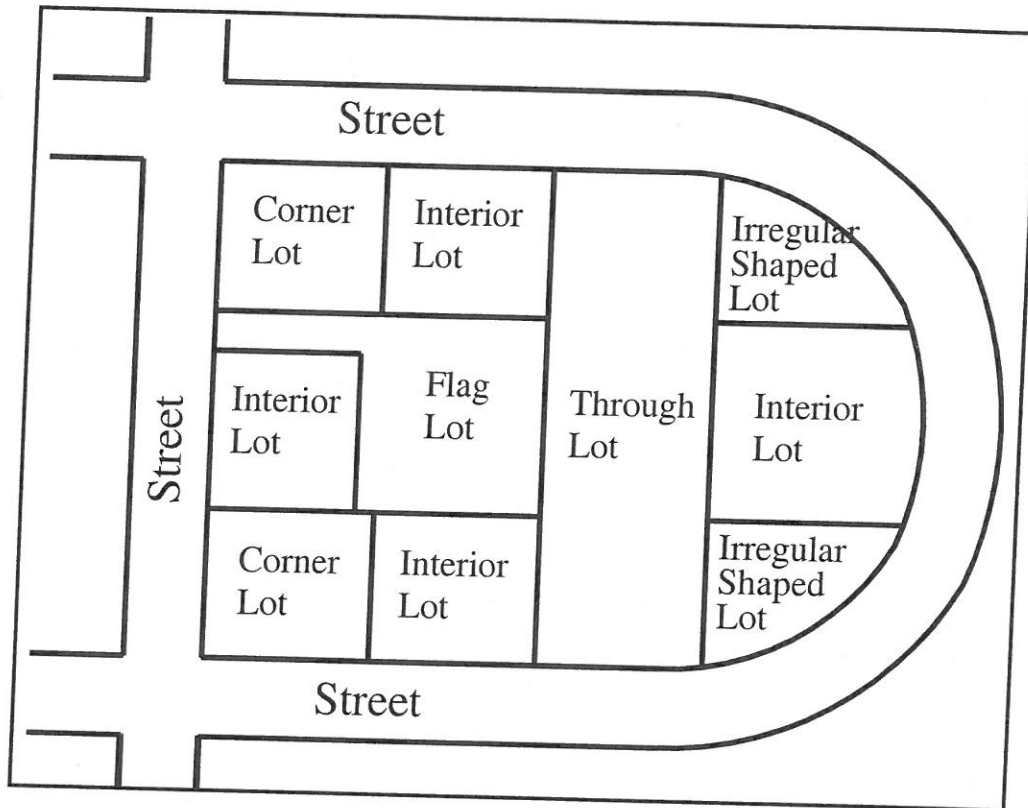


Figure 4. Lot Types

- 49) **Lot, Through** means a lot having a pair of opposite lot lines along two streets. On a through lot, both street lines shall be deemed front lot lines.
- 50) **Lot Line, Front** means the property line a lot abutting public roadway other than a lane. In the case of a Corner Lot, the Front Line is the shorter of the property lines abutting a public roadway.
- 51) **Lot Line, Rear** means either the property line of a lot which is furthest from and opposite the Front Lot Line, or, where there is no such property line, the point of intersection of any side lot lines which is furthest from and opposite the Front Lot Line.

- 52) **Lot Line, Side** means the property line of a lot other than a Front Lot Line or Rear Lot Line.

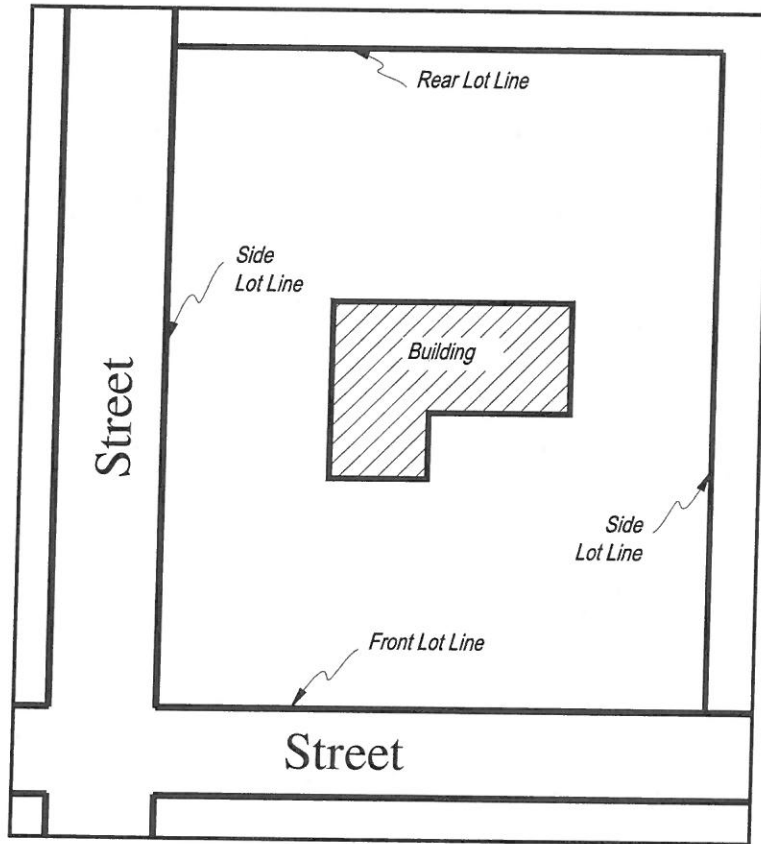


Figure 5. Lot Lines

- 53) **Manufactured Home Dwelling** means a factory built dwelling unit certified prior to the placement on the lot as having been built as a modular home in accordance with CSA building regulations, being placed on a permanent foundation, having its chassis or frame permanently removed, and arriving at the lot ready for occupancy apart from incidental operations and connections.
- 54) **Manure Storage Facility** means a structure, reservoir, earthen storage facility, molehill or tank for storing livestock manure, but does not include:
- a) field storage;
 - b) a vehicle or other mobile equipment used for transportation or application of livestock manure; or

- c) under-barn concrete storage pits used for short-term containment of livestock manure.
- 55) **Mobile Home Park** means a parcel or land under one ownership upon which mobile home spaces are provided and have been approved by Council.
- 56) **Mobile Home Subdivision** means a parcel of land subdivided to provide mobile home sites.
- 57) **Modular Home Dwelling** means a building assembly or system of building sub-assemblies manufactured in its entirety, or in substantial part, off-site and transported to the point of use for installation on-site, with or without other specified components, as a finished building or as part of a finished building in accordance with CSA building regulations. Modular homes need not have electrical, plumbing, heating, ventilation, insulation or other service systems, but when such systems are installed at the off-site manufacture or assembly point, they shall be deemed a part of such building or system of building assemblies. Modular homes do not include open frame construction which can be completely inspected on-site.
- 58) **Molehill** means a manure storage facility for dairy manure in which manure is mechanically forced through a pipe and becomes mounded.
- 59) **Motor Home** means a certified and licensed vehicular structure, as defined in the *Manitoba Highway Traffic Act* that is used as temporary accommodation for recreational purposes and being independent of municipal sewer, water and electrical services.
- 60) **Municipal Engineer** means the Municipal Engineer as appointed by Council for the RM of Armstrong.
- 61) **Municipality** means the Municipal Corporation of the RM of Armstrong.
- 62) **Non-Habitable Room** means a space in a dwelling providing a service function and not intended primarily for human occupancy, including bathrooms, entryways, corridors, or storage areas.
- 63) **Nuisance** means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

- 64) **Offensive or objectionable** means, when used with reference to signage, lighting or a development, a use which by its nature, or from the manner of carrying on the same, creates or is liable to create by reason of noise; vibration; smoke; dust or other particular matter; odour; toxic or non-toxic matter; radiation hazards; fire or explosive hazards; heat; glare; humidity of unsightly storage of goods, materials, salvage, junk, waste or other materials, a condition which in the opinion of Council may be or become hazardous or injurious as regards health or safety, or which adversely affects the amenities of the neighbourhood, or interferes with or may interfere with the normal enjoyment of any land, building or structure.
- 65) **Outdoor Storage** means the storage of merchandise, goods, inventory, materials or equipment or other items that are not intended for immediate sale, by locating them outside.
- 66) **Party Wall** means a wall forming part of a building and used for separation of adjoining buildings occupied, constructed or adapted to be occupied by different persons or businesses.
- 67) **Pollution** means the presence of foreign substances that adversely affect the natural constituents of the air, water or soil.
- 68) **Separation Distance** means a distance to be maintained between two uses, measured from the nearest points of any structure or areas upon which the uses are located.
- 69) **Separation Space** means open space around dwellings separating them from adjacent buildings or activities, and providing daylight, ventilation, and privacy.
- 70) **Setback** means the distance that a development or a specified portion of it must be set back from a property line.
- 71) **Site** means an area of land consisting of one or more abutting lots.
- 72) **Site Coverage** means the combined area of all buildings or structures on the site as a percentage of the site area, measured at the level of the lowest storey above the grade, including all enclosed and insulated decks, sunrooms, porches and verandas, but excluding seasonal non-insulated structures, open or covered, such as decks, screened porches or verandas,

patios at grade, steps, uncovered walks, wheelchair ramps, cornices, eaves and similar projections.

- 73) **Site Depth** means the average horizontal distance between the front and rear lot lines of the site.

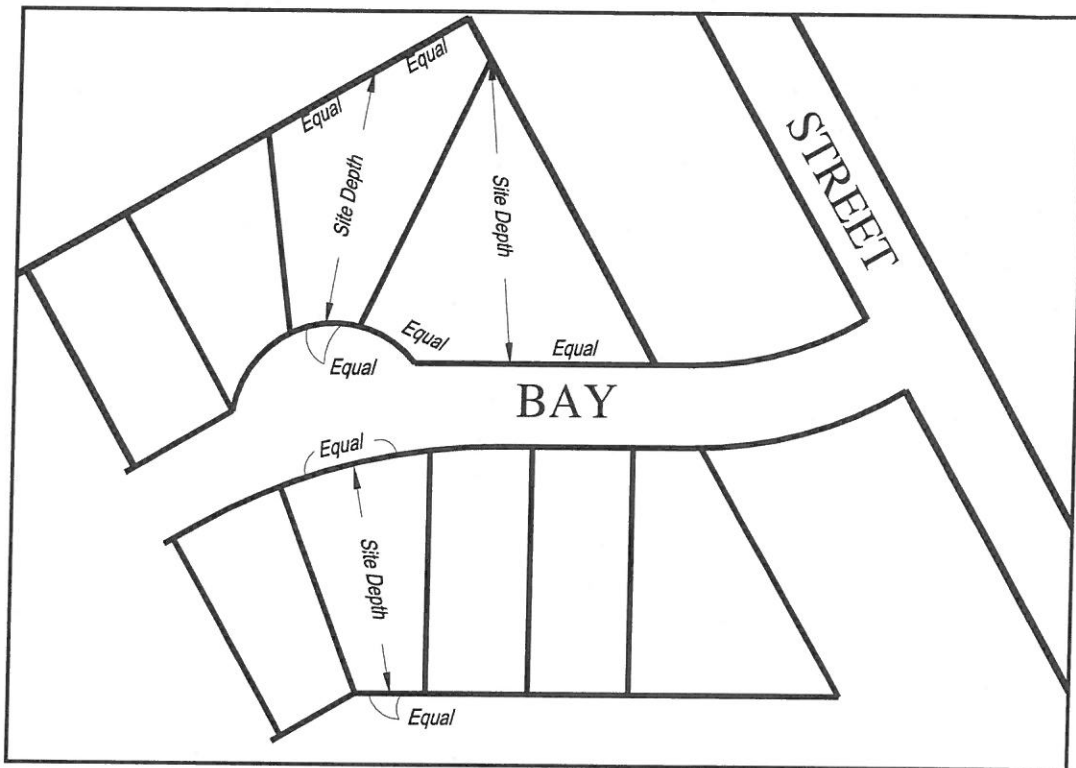


Figure 6. Site Depth

- 74) **Site Plan** means a map or series of maps drawn to scale showing some or all of the following information: proposed and existing buildings, structures, alterations and additions, roads, walkways, landscaping, parking areas, stacking spaces, loading spaces, vegetation, buffer strips, elevations, areas to be raised by fill, grade level, physical features of the site and other relevant information as may be required by the Development Officer or Council for any proposed development.
- 75) **Site Width** means the horizontal distance between the side lot lines of a lot, measured at right angles to the site depth at a point midway between the front and rear lot lines, or at 15.24 m. (50.00 ft.) from the front lot line, and the lesser of these distances is the site width.

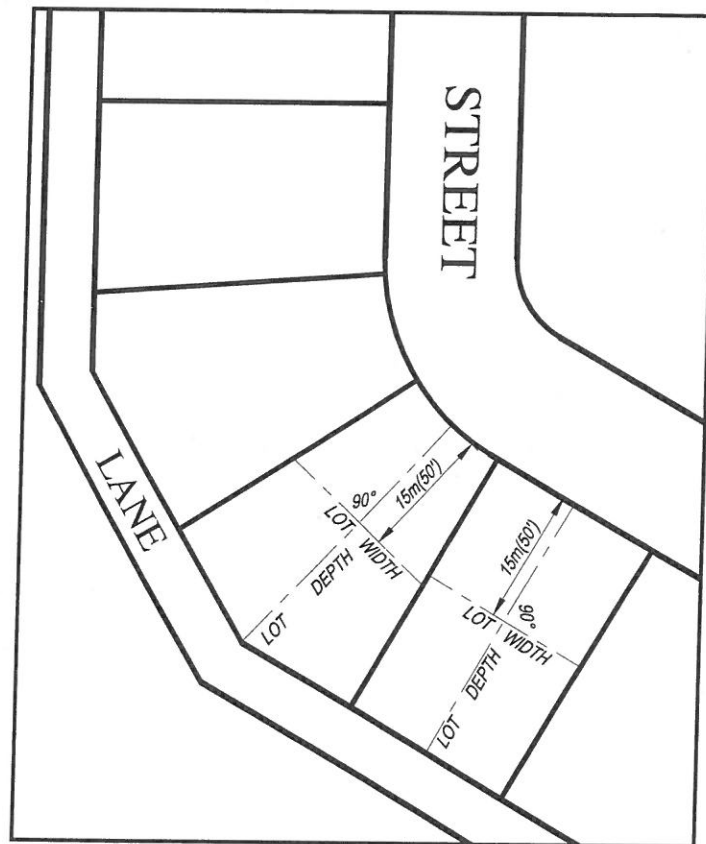


Figure 7. Site Width

- 76) **Sleeping Unit** means a Habitable Room, or a group of two or more Habitable Rooms, not equipped with self-contained cooking facilities, providing accommodation for not more than two persons.
- 77) **Slurry Tank Storage Facility** means an above ground tank for the storage of livestock liquid manure that may be constructed from pre-cast concrete panels, reinforced cast-in-place concrete, glass lined steel panels or spiral wound coated steel.
- 78) **Solid Livestock Manure** means livestock manure that is 20.00 percent or more solid matter and does not flow when piled.
- 79) **Storey** means that portion of a building which is situated between the top of any floor and the top of the floor next above it. If there is no floor above, the storey is the portion of the building which is situated between the top of any floor and the ceiling above it. If the top of the floor directly

above a basement is more than 1.83 m. (6.00 ft.) above grade, such basement shall be considered a storey for the purpose of this By-law.

- 80) **Storey, Half** means a storey under a gable, hip, or gambrel roof, the wall plates of which, on at least two opposite walls, are not more than 0.66 m. (2.17 ft.) above the floor of such storey.
- 81) **Street** means a public roadway having a right-of-way at least 10.06 m. (33.00 ft.) in width that affords the principal means of access to abutting land.
- 82) **Structure** means anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure.
- 83) **Temporary Buildings and Uses** means a development for which a development permit has been issued for a limited time only.
- 84) **Traffic Generation** means the volume of vehicular traffic generated over a prescribed area within a prescribed time frame, which can be directly attributed to a particular development or geographic area.
- 85) **Use** means the purpose or activity for which a piece of land or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.
- 86) **Variation Order** means the altering of any of the regulations found in this By-law in accordance with the *Act*.
- 87) **Watercourse** means a natural or made channel through which water flows, including but not limited to a lake, river, creek, spring, swamp, wetland and marsh.
- 88) **Yard** means required open space that is unoccupied by any building or structure and unobstructed from its lowest level to the sky, unless otherwise permitted in this By-law.
- 89) **Yard, Front** means a yard extending all the full length of the front site line between the side site lines. All front yard regulations found in this By-law shall be measured from the front property line.

- 90) **Yard, Rear** means a yard extending along the full length of the rear site line from the front yard to the rear yard.
- 91) **Yard, Side** means a yard extending along the side site line from the front yard to the rear yard.

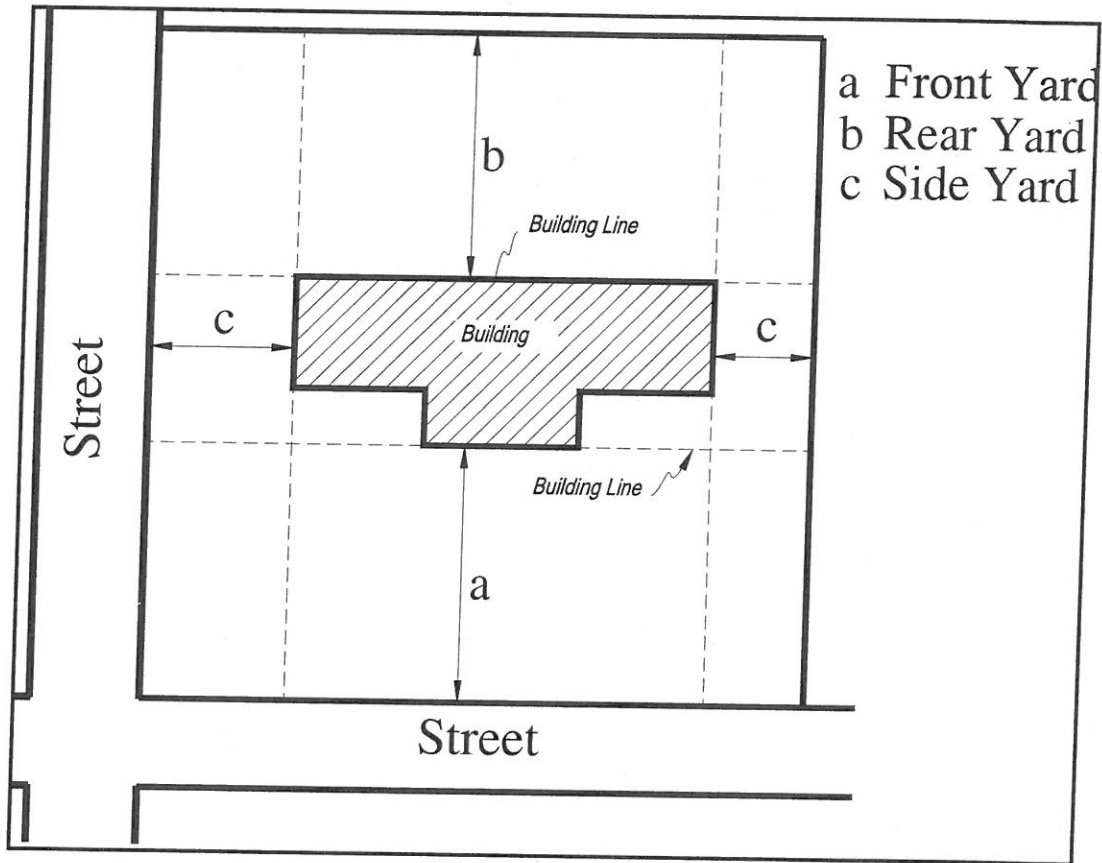


Figure 8. Yards

- 92) **Zoning District** means a Section contained in Part II of this By-law which regulates the use and development of land as depicted on the Zoning District Map comprising Part IV of this By-law.

6.2 Sign Definitions

Terms and works used in this By-law regarding the regulations of signs, unless the context otherwise requires, are defined as follows:

- 1) **Abandoned Sign** means any sign which no longer correctly identifies a business or the products and services offered on the premises where the sign is located, or any sign which is not in a readable state.
- 2) **Animated Sign** means any sign or portion of a sign having moving parts or electronically controlled colour changes which depict action or give motion to the sign.
- 3) **Awning Sign** means a non-illuminated sign painted or stencilled on the fabric surface of a shelter supported entirely from the exterior wall of a building and designed to be collapsible, retractable or capable of being folded against the wall or supporting building.
- 4) **Business Identification Sign** means a sign identifying the name, dealer, franchise, association, primary function, product or service of the commercial activity conducted on the premises, and may include local advertising and changeable copy.

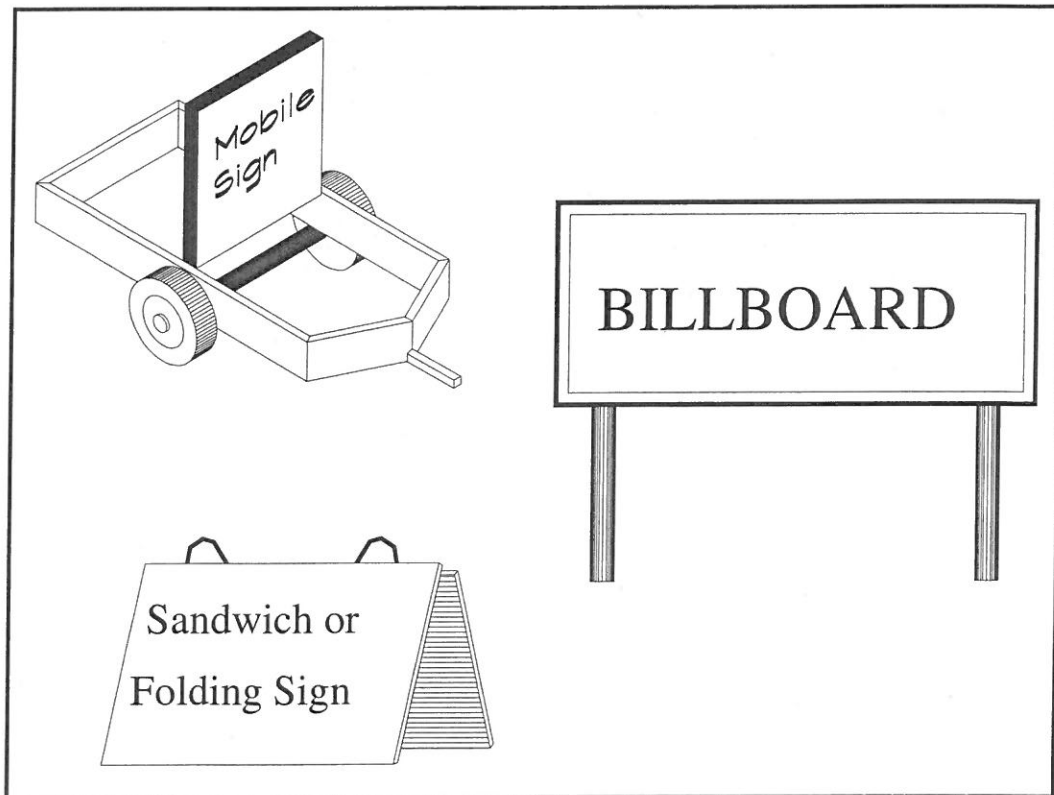


Figure 9. Types of Signs (Mobile, Sandwich, Billboard)

SECTIONS OPERATIVE AND
1-7 INTERPRETIVE CLAUSES

- 5) **Canopy Sign** means a sign attached to, or forming part of, a permanent building projecting or fixed structural framework which extends outward from the exterior wall of a building and which may be roofed over or covered to provide protection over the entrance to a building.
- 6) **Copy** means the letters, graphics or characters which make up the message on sign face.
- 7) **Copy Area** means the total area within one or more rectangles which enclose the entire limits of the copy.
- 8) **Directional Sign** means an on-premise sign providing direction to pedestrian or vehicular traffic without advertising copy, except a business logogram. Directional signs include such signs as exit and parking signs.
- 9) **Electric Sign** means any sign containing electrical wiring or lights built into the sign face which are intended for connection to an electrical energy source.
- 10) **Fascia Sign** means any sign painted on or attached to an exterior building wall so that the sign does not extend more than 40.00 cm. (15.75 in.) out from the wall nor beyond the horizontal limits of the wall.
- 11) **Free Standing Sign** means any sign supported independently of a building and permanently fixed to the ground.
- 12) **General Advertising Sign** means a sign which directs attention to a business, activity, product, service or entertainment which cannot be considered as the principal products sold nor a principal business, activity, entertainment, or service provided on the premises where the sign is displayed, and general advertising has a similar meaning.
- 13) **Height (sign)** means the vertical distance measured from the finished ground surface directly under the sign to the highest point of the sign.
- 14) **Identification Sign** means a sign which contains only the name and address of a building, institution or person and the activity carried on in the building or institution, but does not include any other advertising copy.
- 15) **Illuminated Sign** means any sign having only steady illumination of the same intensity by artificial means, either from lighting directed on the sign

face or from a light source located within the sign which is transmitted through a transparent or translucent sign face.

- 16) **Mural Sign** means a non-illuminated sign painted on the exterior wall of a building which enhances the visual appearance of the building and does not include business identification or general advertising.

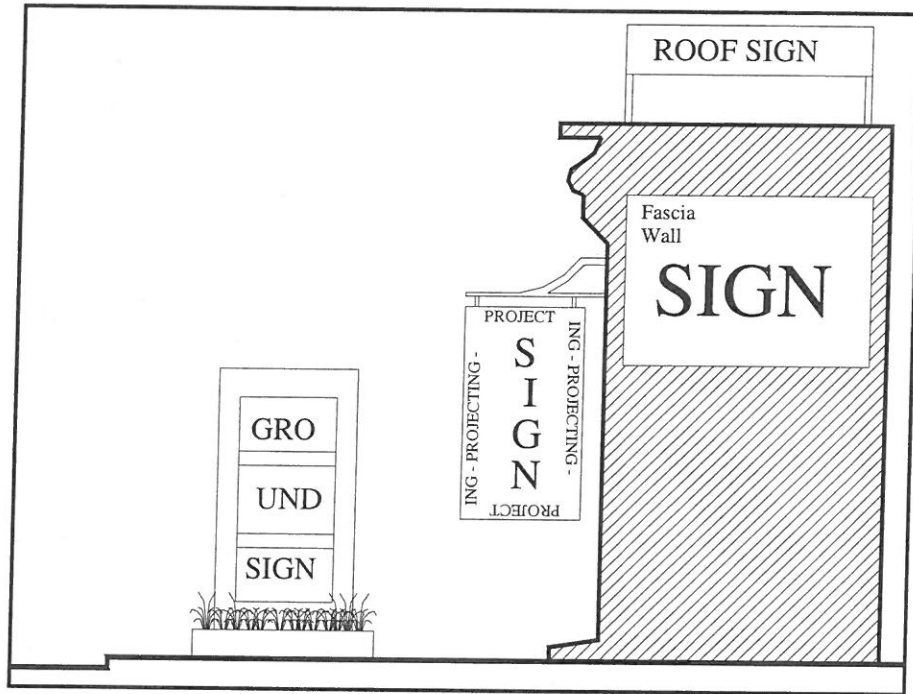


Figure 10. Types of Signs (Ground, Roof, Fascia, Projecting)

- 17) **Official Sign** means a sign required by, or erected pursuant to, the provisions of federal, provincial or municipal legislation.
- 18) **Portable Sign** means a sign greater than 0.50 sq. m. (5.38 sq. ft.) in area mounted on a trailer, stand or other support structure which is designed in such a manner than the sign can readily be relocated to provide advertising at another location or readily taken on and off a site, and may include copy that can be changed manually through the use of attachable characters, message panels or other means.
- 19) **Projecting Sign** means any sign, except a canopy sign, which is supported by an exterior building wall and projects outward from the building wall by more than 40.00 cm. (15.75 in.).

- 20) **Roof Sign** means any sign erected upon, against, or above a roof, or on top of or above, the parapet of a building.
- 21) **Sign** means any visual medium, including its structure and other component parts, illuminated or not illuminated, which is used or capable of being used, on a permanent or temporary basis, to identify or convey information, or to advertise or attract attention to a product, service, place, activity, person, institution or business. Without limiting the generality of the foregoing, signs shall include banners, placards, and painted messages.
- 22) **Sign Alteration** means any modification of a sign or supporting structure, excluding the routine maintenance or repainting of a sign or changing the copy on signs specifically designed for this purpose.
- 23) **Sign Area** means the entire area of the sign on which copy is intended to be placed. In the case of double-faced or multi-faced sign, only half of the area of each face of the sign used to display advertising copy shall be used in calculating the total sign area.
- 24) **Sign Structure** means any structure which supports a sign, including materials used to conceal or improve the visual appearance of the structural parts.
- 25) **Temporary Sign** means a sign which is not permanently anchored to a footing extending below grade or permanently affixed to, or painted on, a building and on which the copy has been painted or affixed in a permanent manner. The copy on the sign shall relate to an activity, use or event of limited time duration not exceeding six months. Temporary signs include such signs as political campaign signs, real estate signs, construction identification signs, signs identifying seasonal businesses, signs advertising specific community events, and signs providing temporary identification for developments awaiting installation of a permanent sign. For the purpose of this By-law, temporary signs shall include sandwich and folding signs but not portable signs.
- 26) **Warning Sign** means an on-premise sign providing a warning to the public, including such signs as *No Trespassing* or *Private Driveway* signs.

7.0 Use Class Definitions

- 1) The Use Classes group individual land uses into a specified number of classes, with common functional or physical impact characteristics.
- 2) The Use Classes of this Section are used to define the range of uses which are permitted or conditional within the various Zoning Districts of this By-law.
- 3) The typical uses which may be listed in the definitions are not intended to be exclusive or restrictive. Reference should be made to the definition of the Use Class in determining whether or not a use is included within a particular Use Class.
- 4) Where a specific use does not conform to the wording of any Use Class definition or generally conforms to the wording of two or more Use Class definitions, the Development Officer may deem that the use conforms to and is included in that Use Class which he/she considers to be the most appropriate in character and purpose. In such a case, this use shall be considered a Conditional Use, whether or not the Use Class is listed as Permitted or Conditional within the applicable Zoning District.

7.1 Residential Use Classes

- 1) **Communal Farm Dwelling** means a residence in connection with a farm operation carried out on the same or an adjacent parcel by a religious colony or other association by or on behalf of the occupants of the residence, and includes all associated cooking, eating, living, sleeping and sanitary facilities.
- 2) **Farmstead Dwelling** means any dwelling which is or has been accessory to a farm operation and is on a parcel of land that includes or has included associated agricultural buildings.
- 3) **Institutional Residence** means a premises which is intended for the training, treatment, rehabilitation, housing, care and/or supervision of seniors. This Use Class includes nursing homes, personal care homes, residential care homes, attached housing and rehabilitation homes.
- 4) **Mobile Home Dwelling** means a dwelling unit designed for transportation after fabrication, whether on its own wheels or on a flatbed or other trailer,

and which arrives at the site where it is to be occupied as a dwelling complete and ready for occupancy, being on the site on wheels, jacks or similar supports, or on a permanent foundation, and having been built in accordance with CSA building regulations. For the purpose of this By-law, the removal of the wheels or permanent or semi-permanent attachment of a foundation to a mobile home shall not change the classification.

- 5) **Multiple Family Dwelling** means a building containing three or more dwelling units served by common corridors and entrance. Each dwelling unit shall be designed for and used by one family.
- 6) **Semi-Detached Dwelling** means the whole of a building divided vertically into two separate dwelling units, each of which has an independent entrance.
- 7) **Single Family Dwelling** means a development consisting of a building containing only one dwelling, which is separate from any other dwelling or building. This Use Class includes a manufactured home dwelling and modular home dwelling, but not a mobile home dwelling.
- 8) **Two Family Dwelling** means an attached or semi-detached building designed for and used by not more than two families, each having exclusive occupancy of a dwelling unit.

7.2 Residential-Related Use Classes

- 1) **Bed and Breakfast Home** means a principal dwelling where sleeping accommodation with or without light meals is provided to members of the travelling public for remuneration.
- 2) **Guest Cottage Dwelling** means a secondary detached building located on the same site as the Single Family Dwelling which is intended to be used as an extension to the residential use of the Single Family Dwelling.
- 3) **Home Industry** means an industry carried out in a building accessory to a dwelling as a secondary use generally in keeping with the trade or calling of the occupant.
- 4) **Home Occupation** means an occupation, trade, profession or craft carried on, in or from a dwelling unit or its accessory building for consideration

and which is clearly incidental or accessory to the residential use of the dwelling unit.

- 5) **Temporary Additional Dwelling or Mobile Home** means a Dwelling Unit or Mobile Home Dwelling that is placed on the same site as a Single Family Dwelling for Occupancy by an elderly parent(s) or other family members requiring care and assistance on a temporary basis.

7.3 Commercial Use Classes

- 1) **Aircraft Landing Field** means any area of land or water is used or intended for a use for the landing or taking off of aircraft and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities, including taxiways, aircraft storage and hangars.
- 2) **Amusement Establishment** means a facility within any building, room or area having table games or electronic games played by patrons for entertainment. This Use Class includes arcades but does not include Carnivals or Indoor Participant Recreation Services.
- 3) **Animal Shelter and Veterinary Service** means a development used for the care and treatment of small animals where the veterinary services primarily involve outpatient care and minor medical procedures. All animals shall be kept in an enclosed building. This use class includes pet clinics and veterinary offices.
- 4) **Auctioneering Establishment** means a development specifically intended for the auctioning of goods and equipment, including temporary storage of such goods and equipment.
- 5) **Automotive and Equipment Repair Shop** means a development used for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles or the sale, installation or servicing of related accessories and parts. This Use Class includes transmission shops, muffler shops, tire shops, automotive glass shops, and upholstery shops. This Use Class does not include body repair and paint shops.
- 6) **Automotive and Recreational Vehicle Sales** means the retail sale or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, utility trailers, boats, travel trailers or similar light recreational vehicles or crafts, together with incidental maintenance services and sale

of parts. This Use Class includes automobile dealership, car rental agencies and motorcycle dealerships.

- 7) **Business Support Service** means a development used to provide support services to businesses which are characterized by one or more of the following features: the use of minor mechanical equipment for printing, duplicating, binding or photographic processing, the provision of office maintenance or custodial services, the provision of office security, and the sale, rental, repair or servicing of office equipment, furniture and machines. Typical uses include printing establishments, film processing establishments, janitorial firms and office equipment sales and repair establishments.
- 8) **Commercial School** means a development used for training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school. Typical uses include secretarial, business, hairdressing, beauty culture, dancing or music schools.
- 9) **Convenience Retail Store** means a development used for the retail sale of those goods required by area residents or employees on a day-to-day basis, from business premises which do not exceed 275.00 sq. m. (2,960.17 sq. ft.) in gross floor area. Typical uses include small food stores, drug stores, and variety stores, selling confectionary, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter.
- 10) **Convenience Vehicle Rentals** means a development used for the rental of new or used automobiles, light trucks and utility trailers. This Use Class includes those establishments which are not strictly office in nature, but include, as an integral part of the operation, minor vehicle servicing, storing, fuelling or car washing facilities.
- 11) **Custom Manufacturing Establishment** means a development used for small-scale on-site production of goods by hand manufacturing, primarily involving the use of hand tools. Typical uses include jewellery, toy and musical instrument manufacturing, gunsmiths, and pottery and sculpture studios.
- 12) **Drive-In Food Service** means a development used for eating and drinking which offer a limited menu produced in a manner that allows rapid customer service and include one or more of the following features: car

attendant services; drive-through food pickup services; or parking primarily intended for the on-site consumption of food within a motor vehicle.

- 13) **Eating and Drinking Establishment** means the sale to the public of prepared foods, for consumption within the premises or off the site. This includes licensed drinking establishments, restaurants, cafes, delicatessens, tearooms, banquet catering, lunchrooms, and take-out restaurants. This Use Class does not include drive-in food services which provide services to customers who remain in their vehicles, refreshment stands, take-out windows where service is provided to customers on the outside, or mobile catering food services.
- 14) **Equipment Rentals and Sales** means a development used for the rental of tools, appliances, recreation craft, office machines, furniture, light construction equipment, or similar items.
- 15) **Fleet Service** means a development using a fleet of vehicles for the deliver of people, goods or services, where such vehicles are not available for sale or long-term lease. This Use Class includes ambulance services, taxi services, bus line, messenger and courier services.
- 16) **Funeral Service** means a development used for the preparation of the dead for burial or cremation, and the holding of funeral services. This Use Class includes funeral homes, undertaking establishments and includes cremation and interment services.
- 17) **Gas Bar** means a development used for the retail sale of gasoline, other petroleum products, and incidental auto accessories. This Use Class does not include Service Stations.
- 18) **General Contractor Service** means a development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal Contractor Services Use only.

- 19) **General Retail Store** means a development used for the retail sale of groceries, beverages, household goods, furniture and appliances, hardware, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary and similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots are permitted within general retail stores. This Use Class includes Convenience Retail Stores but does not include developments used for the sale of gasoline, heavy agricultural or industrial equipment.
- 20) **General Storage** means a development used exclusively for temporary indoor or outdoor storage of goods, materials and merchandise. This Use Class does not include vehicle storage compounds, automobile wrecking yards, salvage yards, scrap metal yards, or the storage of hazardous goods or waste.
- 21) **Greenhouse, Plant and Tree Nursery** means a development used primarily for the raising, storage and sale of bedding, household and ornamental plants.
- 22) **Health Service** means a development used for the provision of physical and mental health services on an outpatient basis. Services may be of a preventive, diagnostic, treatment, therapeutic, rehabilitative or counselling nature. Typical uses include medical and dental offices, health clinics and counselling services.
- 23) **Hotel** means a development used for the provision of rooms or suites for temporary sleeping accommodation where the rooms have access from a common interior corridor and are not equipped with individual kitchen facilities. Hotels may include accessory Eating and Drinking Establishments, meeting rooms, and Personal Services Shops.
- 24) **Household Repair Service** means a development used for the provision of repair services to goods, equipment and appliances normally found within the home. This Use Class includes radio, television and appliance repair shops, furniture refinishing and upholstery shops.
- 25) **Limited Contractor Service** means a development used for the provision of electrical, plumbing, heating, painting and similar contractor services primarily to individual households and the accessory sale of goods

normally associated with the contractor services where all materials are kept within an enclosed building, there are no accessory manufacturing activities, and no more than two service vehicles.

- 26) **Mobile Catering Food Service** means a development using a fleet of three or more vehicles for the delivery and sale of food to the public.
- 27) **Motel** means a development used for the provision of rooms or suites for temporary lodging or light housekeeping, where each room or suite has its own exterior access. Motels may include accessory Eating and Drinking Establishments and Personal Service Shops.
- 28) **Non-Accessory Parking** means a development providing vehicular parking which is not primarily intended for the use of residents, employees or clients of a particular development. Typical uses include surface parking lots and parking structures located above or below grade.
- 29) **Outdoor Amusement Establishment** means a permanent development providing facilities for entertainment and amusement activities which primarily take place out-of-doors and where patrons are primarily participants. Typical uses include amusement parks, go-cart tracks and miniature golf establishments.
- 30) **Outfitter** means any land or premises equipped with cabins or cottages as seasonal dwellings used or maintained for accommodation of the public for outdoor recreational purposes relating to hunting, fishing and other similar pursuits.
- 31) **Personal Service Shop** means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This Use Class includes barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, and dry cleaning establishments and laundromats.
- 32) **Professional, Financial and Office Support Service** means a development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include the offices of lawyers, accountants, engineers, and architects; offices for real estate and insurance firms; clerical, secretarial,

employment, telephone answering, and similar office support services; and banks, credit unions, loan offices and similar financial uses.

- 33) **Rapid Drive-Through Vehicle Service** means a development providing rapid cleaning, lubrication, maintenance or repair services to motor vehicles, where the customer typically remains within his vehicle or waits on the premises. Typical uses include automatic or coin operated car washes, rapid lubrication shops, or speciality repair establishments.
- 34) **Recycling Depot** means a development used for the buying and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building. This does not include auto wreckers.
- 35) **Service Station** means the servicing, washing and repairing of vehicles; and the sale of gasoline, other petroleum products and a limited range of vehicle parts and accessories. Service stations may include eat and drinking establishments. Typical uses include truck stops and highway service stations.
- 36) **Spectator Entertainment Establishment** means a development providing facilities within an enclosed building specifically intended for live theatrical, musical or dance performances; or the showing of motion pictures. Typical uses include auditoria, cinemas, and theatres.
- 37) **Truck and Mobile Home Sales and/or Rentals** means a development used for the sale or rental of new or used trucks, motorhomes, mobile homes, and automobiles, together with incidental maintenance services and the sale of parts and accessories. Typical uses include truck dealerships, recreation vehicle sales and mobile home dealerships.
- 38) **Warehouse Sales** means a development used for the wholesale or retail sale of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This Use Class includes developments where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials.

7.4 Industrial Use Classes

- 1) **Bulk Storage Facility** means a place for the outdoor storage or tank storage of large quantities of raw materials or industrial related goods such

as liquids, gases, minerals, pipes, gravel, fertilizers, and grain. This Use Class does not include anhydrous ammonia facilities.

- 2) **General Industrial** means development used principally for one or more of the following activities: the assembling of semi-finished or finished goods, products or equipment; the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses; or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible with adjacent land uses; the storage or transshipping of materials, goods and equipment; and the distribution and sale of materials, goods and equipment to institutions or industrial and commercial businesses.
- 3) **Industrial Vehicle and Equipment Sales and/or Rentals** means a development used for the sale or rental of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, manufacturing, assembly and processing operations and agricultural production.
- 4) **Light Industrial** means processing and manufacturing uses, provided that they do not create unusual fire, explosion or safety hazards, noise in excess of average intensity of street and traffic noise in the area in question; they do not emit smoke, dust, dirt, toxic or offensive odours or gas and there is no production of heat or glare perceptible from any residential adjacent property. Typical uses include automotive body repair and paint shops, commercial manufacturing and research facilities.
- 5) **Portable Asphalt Plant** means a temporary facility with equipment designed to heat, dry and mix aggregate with asphalt to produce asphalt paving material and includes stockpiling and storage of bulk materials used in the process.
- 6) **Storage Compound** means a development used exclusively for temporary outdoor storage of goods and materials where such storage of goods and materials does not involve the erection of permanent structures or the material alteration of the existing state of the land. Typical uses include vehicle storage compounds, automobile wrecking yards and salvage yards.
- 7) **Water Bottling Plant** means a development in which water from a spring, artesian well, drilled well or any other natural source is bottled and packaged for shipment or sale for human consumption.

- 8) **Wayside Pit and Quarry** means a temporary pit or quarry opened and used by a public road authority solely for the purpose of a project such as a road construction contract that is not located on the road right-of-way.

7.5 Agricultural and Natural Resource Development

- 1) **Abattoir** means a building, structure, or part thereof, used for the slaughtering of animals and related activities.
- 2) **Agri-Business** means a commercial establishment that provides goods or services to the agricultural sector. Typical uses include farm equipment and machinery repair shops, bulk fuel stations, feed and fertilizer supply operations, livestock auction marts and commercial seed cleaning plants.
- 3) **Agricultural Activities** means a use of land for agricultural purposes. Typical uses include farming, pasturage, agriculture, apiculture, floriculture and horticulture. This Use Class does not include livestock production operations.
- 4) **Agricultural Crop Protection Warehouse** means a facility used to store, blend and/or distribute chemicals used for crop protection and production. Products can include herbicides, insecticides, fungicides, rodenticide, and fertilizers. This Use Class does not include anhydrous ammonia facilities.
- 5) **Agricultural Implement Sales and Service** means a building and open space area used for display, sale and rental of new or used farm implements that includes repair work.
- 6) **Agricultural Product Storage** means the temporary storage of any agricultural product for future use, delivery or processing as per *Environment Act* regulations.
- 7) **Agriculture Support Industry** means an industry, commercial service or retail business in which the major product or service being bought, sold or processed is intended mainly for, from or by farmers. Typical uses include aerial spraying companies, grain storage including grain elevators, feed mills and seed plants. This Use Class does not include bulk fertilizer or anhydrous ammonia plants.

- 8) **Anhydrous Ammonia Facility** means an area for the storage of anhydrous ammonia that is commonly used as a fertilizer.
- 9) **Equestrian Establishment** means a facility engaged in the training of horses and the operation of a horse riding academy or horse riding stables.
- 10) **Farm Produce Outlet** means a building or structure where farm produce is sold in season.
- 11) **Feedlot** means a fenced area where livestock are confined solely for the purpose of growing or finishing, and are sustained by means other than grazing.
- 12) **Forestry Use** means the general raising and harvesting of wood and without limiting the generality of the foregoing, shall include the raising and cutting of wood, pulpwood, lumber and other forestry products.
- 13) **Game Farm** means a development where elk are held in captivity, pursuant to the *Livestock Industry Diversification Act*.
- 14) **Livestock Production Operation** means an operation where livestock are confined, fed or raised, but does not include:
 - a) an operation for the slaughter or processing of livestock;
 - b) an operation for the grading or packing of livestock or livestock products; and
 - c) an operation for transporting livestock or livestock products.
- 15) **Mineral Exploration** means the activity of searching for new mineral deposits.
- 16) **Natural Resource Development** means a development for the on-site removal, extraction, and primary processing of raw material found on or under the site, or accessible from the site. Typical uses in this class include gravel pits, sandpits, and stripping of topsoil. This Use Class does not include the processing of raw materials transported to the site.
- 17) **Non-Commercial Farm** means a development for small scale, non-commercial agricultural pursuits ancillary to rural residential uses. This Use Class shall be developed so that it will not unduly interfere with the general enjoyment of adjacent property. Animals shall be kept for the use or enjoyment of the householder only.

- 18) **Small Animal Breeding and Boarding Establishment** means a development used for the breeding, boarding or training of small animals normally considered as household pets. Typical uses are kennels and pet boarding establishments.
- 19) **Specialized Agriculture** means the use of land for apiculture, floriculture, horticulture including market gardening, orchards and tree farming, and similar agricultural activities.
- 20) **Wildlife and Conservation Reserve** means land that has been designated by Provincial legislation for the protection and conservation of wildlife.

7.6 Basic Service Use Classes

- 1) **Cemetery** means a development of a parcel of land, primarily a landscaped open space for the entombment of the deceased, and may include the following accessory developments: crematories, cinerarium, columbarium, and mausoleums. Typical uses in this class include memorial parks, burial grounds and gardens of remembrance.
- 2) **Extended Medical Treatment Service** means a development providing room, board, and surgical or other medical treatment for the sick, injured or infirm including outpatient services and accessory staff residences. Typical uses include hospitals, sanatoriums, nursing homes, convalescent homes, and auxiliary hospitals.
- 3) **Government Service** means a development providing municipal, provincial or federal government services directly to the public. Typical uses include government offices, taxation offices, courthouses, postal distribution offices, manpower and employment offices, and social service offices.
- 4) **Protective and Emergency Service** means a development which is required for the public protection of persons and property from injury, harm or damage together with the incidental storage of emergency development which is necessary for the local distribution of utility services. Typical uses in this class include police stations, fire stations and ancillary training facilities.

- 5) **Public Utility** means any system, works, plant, pipeline, equipment or services and facilities available at approved rates to the public, including but not limited to:
- a) for the transmission of telegraph, telephone, wireless, radio or television;
 - b) for the conveyance of persons or goods over a railway, street railway, or tramway, or by motor bus or truck; or
 - c) for the production, transmission, delivery or furnishing of gas, whether natural or manufactured or other fluid petroleum products, water, heat, light or power;
- either directly or indirectly, to or for the public and includes all such carried on by or for the owner or a municipality or the Government of Manitoba, and includes any system, works, plant, pipeline, equipment, service or system of sewage collection or disposal declared to be a public utility pursuant to the terms of *The Public Utility Board Act*. Typical uses include public utility buildings, sanitary landfill sites, sewage treatment plants, sewage lagoons, garbage transfer and compacting stations and waste recycling plants.
- 6) **Utility Service** means any system, works, plant, pipeline, equipment or services and facilities available at approved rates to the public, and includes all such carried on by or for the owner or a municipality or the Government of Manitoba. Typical uses include sanitary landfill sites, sewage treatment plants, sewage lagoons, garbage transfer and compacting stations and waste recycling plants.

7.7 Community, Educational, Recreational and Cultural Service Use Classes

- 1) **Child Care Service** means a development licensed by the Province to provide daytime personal care and education to children, but does not include overnight accommodation. Typical uses include day care centres, day nurseries, kindergartens, nursery schools and play schools.
- 2) **Community Recreation Service** means a development for recreational, social or multi purpose use without fixed seats and primarily intended for local community purposes. Typical uses include community halls and community centres.
- 3) **Community Service Club** means a non-profit corporation chartered by *The Canada Corporation Act* or *The Manitoba Corporation Act*, or an association consisting of persons who are bona fide members paying

annual dues, which owns or leases land, a building, or a portion thereof, the use of such premises being restricted primarily to meeting, community and related activities.

- 4) **Indoor Participant Recreation Service** means a development providing facilities within an enclosed building for sports and active recreation where patrons are predominately participants. Typical uses include athletic clubs; health and fitness clubs; curling, roller-skating and hockey rinks; swimming pools; rifle and pistol ranges, bowling alleys and racquet clubs.
- 5) **Outdoor Participant Recreation Service** means a development providing facilities which are available at the public at large for sports and active recreation conducted outdoors. Typical uses include golf courses, driving range, ski hills, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables and fitness trails.
- 6) **Private Club** means a development used for the meeting, social or recreational activities of members of a non-profit philanthropic, social service, athletic, business or fraternal organization, without on-site residences. Private Clubs may include rooms for eating, drinking and assembly.
- 7) **Private Education Service** means a development for instruction and education which is not maintained at public expense and which may or may not offer courses of study equivalent to those offered in a public school or private instruction as a home occupation. This Use Class includes dormitory and accessory buildings.
- 8) **Public Education Service** means a development which is publicly supported or subsidized involving public assembly for educational, training or instructing purposes, and includes administration offices required for the provision of such services on the same site. This Use Class includes public schools, community colleges, and technical and vocational schools, and their administrative offices.
- 9) **Public Library and Cultural Exhibit** means a development for the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public use; or a development for the collection, preservation and public exhibition of

works or objects of historical, scientific or artistic value. Typical uses include libraries, museums and art galleries.

- 10) **Public Park** means a development of public land specifically designed or reserved for the general public for active or passive recreational use and includes all natural and man-made landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, amphitheatres, and athletic fields.
- 11) **Religious Assembly** means a place of worship and related activities. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries.
- 12) **Tourist Campsite** means a development of land which has been planned and improved for the seasonal short term use of motor homes, tents, campers and similar recreational vehicles and is not used as year round storage, or accommodation for residential use. Typical uses include recreational vehicle parks, campsites and tenting grounds.