

NOTICE OF PUBLIC HEARING

ZONING BY-LAW AMENDMENT APPLICATION

RM of St. Andrews

Under authority of *The Planning Act*, the municipal Council will hold a public hearing at the time and location listed below to hear from those who wish to speak in support or objection, or to ask questions. For more info on how to register for the public hearing please contact the municipality at 204-7382264

**Wednesday
August 12th, 2026
5:30 PM**

**Selkirk Community Church
(6569 PTH #9)
RM of St. Andrews, MB**

Note: property owners are responsible for notifying "tenants"

APPLICATION INFORMATION

Application File: ZBA - BL 4438

Applicant: RM of St. Andrews

Property Location: RM of St. Andrews

Application Purpose:

The purpose of Zoning By-law No. 4438 is to establish a new municipality-wide Zoning By-law for the Rural Municipality of St. Andrews. The proposed By-law would regulate and control the use and development of land and buildings within the municipality and, if adopted, would replace the existing Zoning By-law No. 4066.



A copy of the above-noted proposal and supporting material is available on the Red River Planning District website at <https://www.redriverplanning.com/hearings.php> or by contacting the Red River Planning District in person during normal business hours Monday to Friday at 2978 Birds Hill Road, East St. Paul, by phone at 204 669-8880, or by email at info@rrpd.ca

Date: July 29, 2026

File: BL 4438
RM of St. Andrews Zoning By-Law

To: Council
R.M. of St. Andrews

From: Santan Singh, RPP, MCIP
Manager of Planning Services

Location: All lands in St. Andrews

Attachments:

Appendix A – Agency comments
Appendix B – Zoning By - law 4438

1. ISSUE:

The purpose of By-law No. 4438 is to adopt a new municipality-wide Zoning By-law for the Rural Municipality of St. Andrews. If adopted, the proposed by-law will replace the existing Zoning By-law No. 4066 (adopted in 2002) and establish updated land use regulations governing the use and development of land throughout the Municipality.

The proposed by-law has been prepared to update the Municipality's zoning regulations and to ensure they are generally consistent with the Red River Planning District Development Plan (By-law No. 272/19), adopted in 2020.

2. BACKGROUND AND TIMELINE

The Municipality's current Zoning By-law No. 4066 was adopted in 2002. Since that time, the Municipality's planning framework has evolved. The St. Andrews Airport Secondary Plan was adopted in 2012, the Lockport Secondary Plan was adopted in 2013, and the Red River Planning District Development Plan (By-law No. 272/19) was adopted on August 19, 2020. In addition, a South St. Andrews Secondary Plan was prepared in 2013 but has not been formally adopted.

Pursuant to Section 68 of *The Planning Act*, a municipal council must adopt a zoning by-law that is *generally consistent* with the applicable Development Plan and any Secondary Plan in effect within the municipality. As the current zoning by-law predates the Municipality's most recent planning documents, the proposed By-law No. 4438 represents a comprehensive update to the Municipality's land use regulations. The proposed by-law is intended to ensure consistency with the Red River Planning District Development Plan and the Municipality's adopted secondary plans while updating the Municipality's zoning regulations.

To undertake this review, the Rural Municipality of St. Andrews retained WSP Canada Inc. in 2025 to prepare a comprehensive replacement zoning by-law. The project included a review of the existing zoning by-law, preparation of a new municipality-wide zoning by-law, consultation with provincial agencies, stakeholder engagement, and refinement of the draft document.

As part of the project, WSP and the Municipality conducted two public open houses to obtain community input prior to the commencement of the formal by-law process. The open houses were held on April 15, 2026, at the St. Andrews Community Club and on April 29, 2026, at Petersfield Hall.

Based on the information available to RRPD, the project generally included the following steps:

- Background research and review of the existing Zoning By-law;
- Preparation of a draft municipality-wide Zoning By-law;
- Public engagement through community open houses;
- Circulation of the draft by-law to provincial agencies, the Municipality, and the Red River Planning District (RRPD) for review and comment; and
- Refinement of the draft by-law based on comments received.

RRPD was not involved in establishing the project's scope or methodology with WSP Canada Inc. and the municipality. Accordingly, RRPD's review is limited to evaluating the proposed by-law as circulated. During the preparation process, RRPD reviewed draft versions of the proposed by-law and provided technical comments to WSP on two separate occasions.

Council gave First Reading to By-law No. 4438 on June 23, 2026. In accordance with *The Planning Act*, the proposed by-law was circulated to provincial departments and neighbouring municipalities for review and comment. A Public Hearing has been scheduled for August 12, 2026, with notice published in the *Selkirk Record* on July 16 and July 23, 2026.

3. ANALYSIS

Section 68 of *The Planning Act* requires that a municipal zoning by-law be generally consistent with the applicable Development Plan and any Secondary Plan in effect within the municipality. The Development Plan itself identifies the zoning by-law as one of the primary legislative tools available under *The Planning Act* to implement its direction: Section 5.2 (Tools for Implementation) of the Development Plan describes the zoning by-law as the mechanism through which the Development Plan's objectives and policies are given effect at the municipal level as illustrated in figure 1.1 below. This reinforces that the role of the proposed By-law No. 4438 is not merely to avoid conflicting with the Development Plan, but to actively implement its stated direction for the Municipality. Rather than a standalone document, the proposed By-law No. 4438 sits at the municipal level of a planning hierarchy that runs from provincial legislation, through the Development Plan, down to municipal zoning — meaning each of its provisions is expected to trace back to direction set at those higher levels.

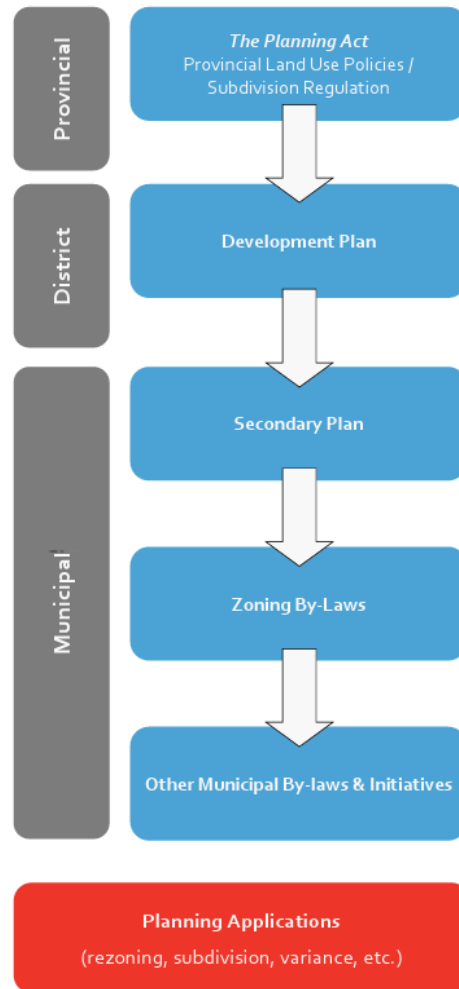


Figure 1: Planning Hierarchy in Manitoba

3.1 Consistency with the Development Plan By-Law 272/19

The Red River Planning District Development Plan By-law 272/19 establishes the long-term vision, objectives, and policy framework for land use and development within the Planning District. As the primary planning document, it provides direction for municipal zoning by-laws and any applicable secondary plans, ensuring that land use regulations implement the District's broader planning objectives.

The proposed Zoning By-law has been prepared to reflect this policy framework. Section 1.2.1(a) of the proposed by-law states that its regulations are intended to ensure general consistency with the Development Plan and any applicable Secondary Plans. This approach is reflected throughout the by-law, with zoning district purpose statements in Chapter 4 aligning with the Development Plan's land use designations. For example, the General Residential (RG) and Suburban Residential (RA) districts are intended to implement lands designated as Settlement Centre, the Rural Residential (RR) district corresponds to Rural Residential and General Development designations, and the Special Residential (SR) district applies to areas designated as Settlement Centre or Resort.

The proposed by-law also implements the Municipality's adopted secondary plans where applicable. The St. Andrews Airport Secondary Plan is implemented through the Airport Planned Overlay District (POD) established

under Section 6.2, which applies additional land use and development regulations to lands surrounding the St. Andrews Airport. The Lockport Secondary Plan is implemented through the application of zoning districts that correspond with the Development Plan's land use designations for the Lockport area.

RRPD has completed a high-level review of the proposed by-law against the applicable policies of the Red River Planning District Development Plan and the Municipality's adopted secondary plans. This review included confirming that the zoning district framework supports key Development Plan objectives, including directing growth to designated settlement centres and protecting agricultural lands through the Agricultural General (A80) and Agricultural Limited (A40) districts. Based on this review, RRPD notes that the proposed Zoning By-law is generally consistent with the applicable planning policy framework and satisfies the intent of Section 68 of *The Planning Act*.

3.2 Further Required Approvals

Approval of the new Zoning By-law establishes the Municipality's regulatory framework for land use and development but does not, in itself, authorize future development.

Depending on the nature and location of a proposed development, additional municipal approvals may be required. These may include, but are not limited to, development and building permits, conditional use approval, zoning by-law amendments, subdivision approval, and any other approvals required under *The Planning Act*, the Municipality's by-laws, or other applicable legislation.

4. CIRCULATION FOR COMMENTS

This Zoning By-law application has been circulated for comments as per *The Planning Act* to Provincial Departments and adjacent municipalities with instructions to forward any comments to the Red River Planning District prior to the public hearing, and, that no response by the date of the public hearing will be interpreted as having no concerns. The application has been circulated in order to afford Provincial Departments an opportunity to ensure that the application conforms to provincial policies, and to afford adjacent municipalities an opportunity to comment on any negative impacts that the application may have on their municipality. To date, our office has received comments from the following departments which are summarized as follows in TABLE 1 – AGENCY REMARKS.

Please note: complete copies of the comments are attached (SEE APPENDIX B).

TABLE 1– AGENCY REMARKS

PROVINCIAL DEPARTMENT MUNICIPALITY OR AGENCY	COMMENTS
Manitoba Infrastructure Highway Design Branch	No comments received at the time of this report
Manitoba Infrastructure Water Management, Planning and Standards	No comments received at the time of this report
Manitoba Conservation and Climate , Environmental Compliance and Enforcement	No comments received at the time of this report
Water and Drainage Control	No comments received at the time of this report
Historic Resources Branch	No comments received at the time of this report

 Manitoba Sport, Culture, Heritage and Tourism	
Manitoba Agriculture and Resource Development Agri-Ecosystems and Land Management Section	No comments received at the time of this report
Mines Branch	No comments received at the time of this report
Lands and Planning Branch Natural Resource Stewardship Division Department of Natural Resources and Indigenous Futures	No comments received at the time of this report
Manitoba Municipal Relations Community Planning Services	No comments received at the time of this report
R.M. of East St. Paul	No comments received at the time of this report
MB Hydro and Gas	No comments received at the time of this report
BellMTS	No comments received at the time of this report

5. RECOMMENDATIONS:

RRPD has reviewed the proposed Zoning By-law No. 4438 against the applicable planning policy framework established under *The Planning Act*. Based on this review, the proposed by-law is generally consistent with the Red River Planning District Development Plan (By-law No. 272/19) and the Municipality's adopted Secondary Plans.

Accordingly, the Red River Planning District recommends that Council give Second Reading to By-law No. 4438.

Following the Public Hearing, Council may proceed with Third Reading in accordance with the requirements of *The Planning Act*. Should sufficient objections be received pursuant to Section 73.1 of *The Planning Act*, Council must comply with the applicable objection and appeal provisions before Third Reading may be considered.

APPENDIX A: AGENCY COMMENTS

Santan Singh

From: Cara Nichols <planning@eaststpaul.com>
Sent: July 20, 2026 8:31 AM
To: Valentina Esman
Subject: RE: Municipality-wide zoning by-law RM of St. Andrews ZBA BL 4438

Hi Valentina,

Zoning By-law Amendment BL 4438 does not affect the RM of East St. Paul; therefore, I have no comments.



Cara Nichols B.Env.D, Architecture

Community Development Planner
Unit 1 - 3021 Birds Hill Road
East St. Paul, MB R2E 1A7
Office: (204) 668-8112 Fax: (204) 668-1987
Website: <http://www.eaststpaul.com/>

From: Valentina Esman <valentina@rrpd.ca>
Sent: Monday, July 6, 2026 3:54 PM
To: PPD-RegionalPlanning <regionalplanning@winnipeg.ca>; info@rmofalexander.com; Gimli, R.M. <gimli@rmgimli.com>; Sheila Mowat <cao@rmofbrokenhead.ca>; Rmldb@lacdubonnet.com; Colleen Draper <cdraper@rmofspringfield.ca>; 'eipd@mymts.net' <eipd@mymts.net>; info@sipd.ca; edo@weststpaul.com; Planning <planning@weststpaul.com>; sue@rmofstclements.com; Kayla Kozoway <kayla@rmofstclements.com>; Cara Nichols <planning@eaststpaul.com>; Chelsey McColl (accounts@dunnottar.ca) <accounts@dunnottar.ca>; braeden@rmofstandrews.com
Cc: +WPG112 - AGRLandUse <agrlanduse@gov.mb.ca>; +WPG569 - Conservation_Circulars <concirculars@gov.mb.ca>; +WPG574 - HRB Archaeology <hrb.archaeology@gov.mb.ca>; +SEL1081 - Selkirk CRP <selkirkcrp@gov.mb.ca>; +WPG969 - Roadside Development <roadsidedevelopment@gov.mb.ca>; +WPG1166 - MIT Water Review <mitwaterreview@gov.mb.ca>; +WPG1195 - Mines BR <mines_br@gov.mb.ca>; +WPG569 - Drainage <drainage@gov.mb.ca>; +WPG569 - Drinking Water - Subdivisions <drinkingwater.subdivisions@gov.mb.ca>; +WPG569 - EnvCEInterlake <envceinterlake@gov.mb.ca>; Teranet Manitoba - Surveys Planning <mb.surveysplanning@teranet.ca>; SM-HCSC <hcsc@hydro.mb.ca>; SM-Subdivision Circulars <subdivisioncirculars@hydro.mb.ca>; Bell MTS Subdivisions <subdivisions@bellmts.ca>; SHYMKO, Paul <paul.shymko@canadapost.postescanada.ca>; Tony Kreml <tony.kreml@7oaks.org>; Real Estate Canada <real_estatecanada@cpkcr.com>; Kelly McDonald <kmcdonald@lssd.ca>
Subject: Municipality-wide zoning by-law RM of St. Andrews ZBA BL 4438

Good day to All,

On June 23rd, 2026, the RM of St. Andrews Council gave First Reading to **Zoning By-law Amendment BL 4438**.

The purpose of Zoning By-law No. 4438 is to establish a *new municipality-wide Zoning By-law* for the Rural Municipality of St. Andrews. The proposed By-law would regulate and control the use and

development of land and buildings within the municipality and, if adopted, would replace the existing **Zoning By-law No. 4066.**

Attached to this email is a copy of the First Reading Report and the Zoning By-law Amendment By-law (as one package), First Reading Council resolution,

A Public Hearing is tentatively scheduled for **Wednesday, August 12th @ 5:30PM in Selkirk Community Church (6569 PTH #9)**(see the Notice attached)

Should you have any comments regarding this Zoning By-law Amendment, please reply to this email **and** CC selkirkCRP@gov.mb.ca by **August 3rd, 2026.**

No response by this date will be interpreted as your office having no concerns with this application. Please circulate to anyone in your office that may have comments regarding this file.

If you require any additional information, please feel free to contact me.

Thank you and have a great day,



Valentina Esman
Community Planner
Red River Planning District

2978 Birds Hill Rd. East St. Paul, MB R2E 1J5

Tel: 204-661-7606 Fax: 204-669-8882

www.redriverplanning.com

Planning and Development Services for the Municipalities of:

Dunnottar – East St. Paul – St. Andrews – St. Clements – West St. Paul

APPENDIX B: BL 4438

THE RURAL MUNICIPALITY OF ST. ANDREWS BY-LAW NO. 4438

BEING a By-law of the RM of St. Andrews, in the Province of Manitoba, to regulate and control the use and development of land and buildings within the Municipal limits of the RM of St. Andrews.

WHEREAS pursuant to section 45 of *The Planning Act*, the Red River Planning District has by By-law adopted the Red River Planning District Development Plan;

AND WHEREAS Section 68 of *The Planning Act* provides that a municipal Council must adopt a Zoning By-law that is generally consistent with the Red River Planning District Development Plan adopted for the area;

NOW THEREFORE Council of the RM of St. Andrews, in meeting duly assembled, enacts as follows:

- 1. The R.M. of St. Andrews Zoning By-law, attached hereto and marked “Schedule A” is hereby adopted; and
- 2. The R.M. of St. Andrews Zoning By-law shall take force and effect on the date of Third Reading of this By-law; and
- 3. The R.M. of St. Andrews Zoning By-law No. 4066, and all amendments thereto are hereby rescinded.

DONE AND PASSED in Council assembled in the Council Chambers of the RM of St. Andrews, in the Province of Manitoba, this ____ day of _____, A.D., 2026.

MAYOR

CAO

GIVEN First Reading this 23rd day of June, A.D., 2026.

GIVEN Second Reading this _____ day of _____, A.D., 2026.

GIVEN Third Reading this _____ day of _____, A.D., 2026.

2026



RM OF ST. ANDREWS

Zoning By-law

THE R.M. OF ST. ANDREWS BY-LAW NO. 4438

BEING a by-law of the R.M. of St. Andrews, in the Province of Manitoba, to regulate and control the use and development of land and buildings within the municipal limits of the R.M. of St. Andrews.

WHEREAS pursuant to Section 45 of *The Planning Act*, the Red River Planning District has by By-law adopted the Red River Planning District Development Plan;

AND WHEREAS Section 68 of *The Planning Act* provides that a municipal council must adopt a Zoning By-law that is generally consistent with the Red River Planning District Development Plan;

NOW THEREFORE Council of the R.M. of St. Andrews, in meeting duly assembled, enacts as follows:

1. The R.M. of St. Andrews Zoning By-law, attached hereto and marked "Schedule A" is hereby adopted; and
2. The R.M. of St. Andrews Zoning By-law shall take force and effect on the date of Third Reading of this By-law; and
3. The R.M. of St. Andrews Zoning By-law No. 4066, and all amendments thereto are hereby rescinded.

DONE AND PASSED in Council assembled in Council Chambers, in the R.M. of St. Andrews, Manitoba, this ____ day of _____, A.D. 2026.

Joy Sul
Mayor

Brent Olynyk
Chief Administrative Officer

Read a First time this 23rd day of June, A.D. 2026.

Read a Second time this ____ day of _____, A.D. 2026.

Read a Third time this ____ day of _____, A.D. 2026.

ZONING BY-LAW AMENDMENT LISTING

[illegible]

THE R.M. OF ST. ANDREWS
ZONING BY-LAW
BEING **SCHEDULE "A"**
ATTACHED TO BY-LAW NO. 4438
OF
THE R.M. OF ST. ANDREWS

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PART A: ADMINISTRATION

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Chapter 1: Introduction

1.1 Title

1.1.1 This by-law shall be known as the R.M. of St. Andrews Zoning By-law (By-law).

1.2 Purpose

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

- a. Ensure general conformance with the objectives and policies of the Red River Planning District Development Plan (Development Plan) and any applicable Secondary Plans;
- b. Outline the powers and duties of the Red River Planning District Board (Board), the R.M. of St. Andrews Council (Council), the Designated Officer and the landowners and/or developer as they relate to this By-law;
- c. Regulate the following:
 - (i) all buildings and structures erected hereafter;
 - (ii) all uses or changes in use of all buildings, structures and land established hereafter;
 - (iii) all structural alterations or relocations of existing buildings and structures occurring hereafter; and
 - (iv) all enlargements or additions to existing buildings, structures and uses.

1.3 Scope

1.3.1 This By-law controls and regulates the use and development of land in the R.M. of St. Andrews (St. Andrews).

1.3.2 This By-law applies to all lands in St. Andrews apart from:

- a. Public streets, public lanes, and public pathways; and
- b. Aviation-related uses on St. Andrews Airport lands.

1.4 Severability

1.4.1 If any part of this By-law, including anything shown on the Zoning Maps, is declared to be invalid for any reason by an authority of competent jurisdiction, that decision shall not affect the validity of the By-law as a whole, or any other part, section, or provision of this By-law.

1.5 Other Legislation

1.5.1 A person applying for, or in possession of, a valid Development Permit is not relieved from full responsibility for ascertaining and complying with or carrying out development in accordance with:

- a. The regulations of the Manitoba Building Code as well as applicable municipal or provincial building regulations;
- b. The Red River Planning District Development Plan;
- c. Any adopted Secondary Plans;
- d. Any other appropriate federal, provincial, or municipal legislation; and



- e. The conditions of any caveat, covenant, site plan, development agreement, variance order or conditional use order, easement, mineral, sand or gravel title, or other instrument affecting a building or land.
- 1.5.2 Development applications for lands located within 5 nautical miles (5.75 miles or 9.26 kilometres) of St. Andrews Airport may be subject to review by St. Andrews Airport, as determined by the Board and the Airport. The review shall ensure the proposed plans do not violate the Airport's obstacle limitation surfaces (including building height limitations, lighting impacts, etc.) and will be limited to issues pertaining to the jurisdiction of Transport Canada.
- 1.5.3 Whenever a provision of another by-law, law or regulation of the provincial or federal government contains a restriction governing the same subject matter contained in this By-law, or imposes inconsistent regulations with respect to uses, buildings, or structures, the most restrictive or highest standard shall prevail.
- 1.5.4 The Province of Manitoba and the Government of Canada are not bound or restricted by any regulation in this By-law. The said governments are encouraged, however, to permit only those developments that are consistent with the regulation of this By-law.

1.6 Effective Date

- 1.6.1 This By-law shall be in full force and effect when the Council of the R.M. of St. Andrews has given it third reading.



Chapter 2: Administration

2.1 Red River Planning District Board Responsibilities

2.1.1 The Board is responsible for the following:

- a. Administration and enforcement of this By-law;
- b. Acting as an appeal board for certain matters as outlined in The Planning Act (the Act);
- c. Administration and enforcement of the Act, where applicable;
- d. Establishment of planning advisory committees in accordance with the Act;
- e. Establishment of a schedule of application fees and permit charges for the following:
 - (i) Development and building permit fees;
 - (ii) Conditional use orders;
 - (iii) Development Plan amendments;
 - (iv) Subdivisions;
 - (v) Variance orders;
 - (vi) Zoning By-law amendments;
 - (vii) Zoning confirmation letters;
 - (viii) Zoning compliance certificate;
 - (ix) Zoning memorandum; and
 - (x) Other appropriate documents.

2.2 R.M. of St. Andrews Council Responsibilities

2.2.1 Subject to the provisions of the Act, the Council of the R.M. of St. Andrews is responsible for the following:

- a. Enactment of this By-law;
- b. Administration and enforcement of the Act, where applicable;
- c. Adoption or rejection of proposed amendments or the repeal of this By-law;
- d. Approval or rejection of conditional uses and variance orders, and/or revocation of existing conditional uses and variance orders.

2.3 The Designated Officer

2.3.1 The Designated Officer shall be appointed by the Board, on behalf of St. Andrews, as the person responsible for the administration of this By-law.

2.3.2 The Designated Officer shall be responsible for issuing zoning memoranda, enforcing building and land use regulations of the R.M. of St. Andrews, administering all land use and zoning by-laws, and is given decision-making power for minor variances in accordance with the provisions of the Act.

2.4 Duties of the Owner

2.4.1 Neither the granting of a Development Permit, the approval of a drawing and specifications, nor the inspections made by the 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 R.M. of St.



Andrews, the Manitoba Building Code, or any instruments registered on the property title.

2.4.2 Every owner must:

- a. Permit the Designated Officer to enter any building or premises at any reasonable time for the purpose of administering or enforcing this By-law and must not obstruct or interfere with the Designated Officer in the discharge of their duties under this By-law;
- b. Provide such documentation as may be required by the Designated Officer if, after the development application has been approved and the permit issued, changes are made to the approved documents filed; and
- c. Obtain, where applicable, from the appropriate authorities, permits or licenses relating to the buildings, grades, sewers or water supply systems, plumbing, signs, blasting, street access, occupancy, electrical, highways, and all other permits required in connection with the proposed work.

2.5 Amendments

- 2.5.1 Subject to the procedure required under the Act, an amendment to this By-law may be initiated by a resolution of the Board, Council, or by application of one or more owners of the property, or their agents, within the area proposed to be changed. An application to amend the zoning by-law must be filed with the Designated Officer and must be accompanied by a site plan, other data and such fees as may be determined by the Board and Council.
- 2.5.2 The Board shall give notice and Council shall hold a public hearing according to the Act, at which time it shall review all of the facts presented and any representation, make its findings and determination in writing, and transmit a copy thereof to all persons who made representations to the meeting.
- 2.5.3 If Council approves the application, it shall proceed with the adoption of the amendment in accordance with the provisions of the Act.

2.6 Conditional Uses

- 2.6.1 The development and execution of this By-law is based upon the division of St. Andrews into zoning districts, within which the use of land and of buildings and structures in relation to the land are substantially compatible. It is recognized, however, that there are certain uses deemed conditional uses which, because of their characteristics, cannot properly be classified in any particular zoning district(s) without consideration, in each case, of the impact of those uses upon neighbouring land and of the public need for the particular use at the particular location. Therefore, some uses may be deemed 'conditional' in the use table found in Table 9-1: Principal Use Table.
- 2.6.2 Approval of a conditional use proposal shall be based on the determination that the proposed use will be consistent with the intent and purposes of this By-law, will comply with all applicable requirements of this By-law, including applicable site development standards for specific uses set forth in [Chapter 8: Use-Specific Development Standards](#), and the following standards:
 - a. The proposed conditional use shall be consistent with the general principles and objectives of the Development Plan and shall promote the intent and purpose of this By-law and of the zoning district;
 - b. The conditional use shall not alter the character of that zoning district and adjacent uses. In determining whether this requirement has been met, consideration shall be given, but not limited, to:



- (i) The location and screening of vehicular circulation and parking areas in relation to surrounding development;
 - (ii) The location and screening of outdoor storage, outdoor activity or work areas, garbage and mechanical equipment in relation to surrounding development;
 - (iii) The hours of active operation of the proposed use. Approval of a conditional use may be restricted to operate within specified hours considered appropriate to ensure minimal negative impact on surrounding uses;
 - (iv) The bulk, placement, and materials of construction of the proposed use in relation to surrounding uses. Any proposed building shall be compatible with the predominant type of building in the applicable zoning district in terms of scale, character, location or proposed use; and
 - (v) Proposed landscaping and other site amenities. Additional landscaping over and above the requirements of this By-law may be required as a condition of approval.
 - c. The proposed conditional use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental or hazardous to persons or property or to the health and general welfare of the public. In determining whether this requirement will be met, consideration will be given to the impact of the proposed conditional use on the level of traffic, noise, vibration, smoke, fumes, odours, dust, glare, and artificial light;
 - d. The location of the proposed use shall minimize the impact of the vehicular traffic generated by it. In determining whether this requirement will be met, consideration will be given to the following:
 - (i) Proximity and access to major thoroughfares and other public streets;
 - (ii) Estimated traffic generated by the proposed use;
 - (iii) Proximity and relation to intersections;
 - (iv) Adequacy of driver sight distances;
 - (v) Location of and access to off-street parking;
 - (vi) Required vehicular turning movements; and
 - (vii) Provisions for pedestrian traffic safety and convenience.
 - e. The proposed conditional use shall be located so as to be adequately served by essential public facilities and services, such as streets, drainage systems, water and sewage facilities, police and fire protection, and schools, and/or shall include either an acceptable plan for immediate provision of such services, or evidence that such services will be available by the time the conditional use is established.
- 2.6.3 An application for a conditional use shall be processed and either approved or rejected in accordance with the provisions of the Act.
- 2.6.4 The application shall be filed with the Board and shall be accompanied by a site plan, other data, and such fees as may be determined by the Board and Council.
- 2.6.5 A development for which final approval was granted prior to the effective date of this By-law may be completed in accordance with the provisions of the previous R.M. of St. Andrews Zoning By-law No. 4066.
- 2.6.6 Where a use is classified as a conditional use under this By-law or amendments thereto and exists as a permitted or conditional use at the date of the adoption of this By-law or amendments thereto, it shall be considered as a legally existing conditional use.



- 2.6.7 Any change in a conditional use shall be subject to the appropriate provisions of this By-law and the Act.

2.7 Variances

- 2.7.1 A variance is an administrative exception to the By-law's land use regulations, generally to remedy a deficiency which would prevent the property from complying with the zoning regulation.
- 2.7.2 Any person may apply for a variance order, in accordance with the Act.
- 2.7.3 An application for a variance order and all required information and fees shall be made to the Designated Officer.
- 2.7.4 The Designated Officer may, in accordance with the provisions of the Act, grant or refuse, at their discretion, a minor variance not exceeding ten (10) percent, of any height, distance, area, size, intensity of use or parking space requirement of this By-law. Variances related to intensity of use or other non-numerical requirements of this by-law shall not be considered as minor variances.
- 2.7.5 Where subdivision according to Resource and Agriculture Policy 4.1.14 of the Red River Planning District Development Plan results in residual parcels being undersized in site area or site width, variation shall not be required.

2.8 Development Permits

- 2.8.1 No development, except otherwise expressly permitted in this By-law, shall be undertaken or permitted to exist in the R.M. of St. Andrews unless an application has been approved and a Development Permit has been issued. For the purposes of this By-law, building permits in the R.M. of St. Andrews are equivalent to a Development Permit.
- 2.8.2 A Development Permit is required for the relocation, removal or demolition of any building or structure.
- 2.8.3 Where a person makes application for a Development Permit, the Designated Officer shall, where the application does not conform to the By-law, any applicable Secondary Plan or the Development Plan, reject the Development Permit.
- 2.8.4 An application for a Development Permit shall be made on a form prescribed by the Designated Officer and must be accompanied by the applicable fees.
- 2.8.5 A Development Permit shall expire and the right of an owner under that permit shall terminate if the work authorized by the permit is not:
- a. Initiated within twelve (12) months from the date of issuance of the permit; and
 - b. Completed within five (5) years from the date of issuance of the permit (or a longer timeline where determined to be reasonable by the Designated Officer, in accordance with the Building By-law).
- Extensions of these time periods may be granted by the Designated Officer in accordance with the Building By-law.
- 2.8.6 The applicant for a Development Permit must supply all information requested by the Designated Officer to demonstrate compliance with this By-law and any other relevant by-laws of St. Andrews, including evidence of ownership and, where necessary as determined by the Designated Officer, a Building Location Certificate of the site showing the dimensions of the site, the position of all buildings or structures on the site, and the height of the buildings or structures.



- 2.8.7 At the discretion of the Designated Officer or Council, a Staking Certificate prepared by a Manitoba Land Surveyor may be requested prior to a foundation being poured.
- 2.8.8 A Development Permit for a temporary building or structure approved as such under this By-law shall expire on the date specified in the permit unless before that expiration date an extension is granted by the Designated Officer.
- 2.8.9 The issuance of a Development Permit in respect of a building or structure does not affect the obligation to obtain a building permit or any other permit required in connection with the proposed work.

2.9 Geotechnical Reports

- 2.9.1 A Geotechnical Report prepared by a certified professional geotechnical engineer is required for structures when construction is proposed within 350 ft (106.7 m) of a waterbody. The report shall assess the following geotechnical factors relevant to the proposed development:
 - a. Soil bearing capacity;
 - b. Excavation conditions;
 - c. Topographic constraints;
 - d. Bank erosion and stability;
 - e. Surface erosion; and
 - f. Any other geotechnical considerations relevant to the proposed development.
- 2.9.2 The Geotechnical Report shall confirm that the proposed development will not:
 - a. Impede surface or subsurface water flow;
 - b. De-stabilize land, including the waterway bed; or
 - c. Adversely alter waterway channels or bank stability.
- 2.9.3 The Designated Officer may exempt the requirement for a Geotechnical Report for the construction of Part 9 accessory structures or additions with a building area not exceeding 592 ft² (55 m²), in accordance with the Manitoba Building Code, unless:
 - a. A safety hazard may exist; or
 - b. The structure is located between the existing house and the bank.
- 2.9.4 If multiple accessory buildings are proposed, each accessory building of less than 592 ft² (55 m²), when aggregated, may require a Geotechnical Report if the cumulative effect of the buildings poses a risk to the site or surrounding environment. The Designated Officer may require a Geotechnical Report in such cases.
- 2.9.5 The Designated Officer may exempt the requirement for a Geotechnical Report if:
 - a. There is an existing roadway between the bank and the proposed development requiring a building permit, or;
 - b. If confirmed by a Geotechnical Engineer in writing that acceptable information on subsurface conditions already exists, the investigation may not require further physical subsurface exploration or testing.
- 2.9.6 If the shoreline is developed or altered, a Geotechnical Report will be required to assess the impact on the waterbody, soil stability, erosion risks, and other relevant factors to ensure the safety of the development.



2.10 Development Not Requiring a Development Permit

2.10.1 A Development Permit is not required under this By-law for the following developments:

- a. Private communication facilities or towers under 20 ft (6.10 m) in height;
- b. Permitted accessory structures less than 120 ft² (11.15 m²) in floor area;
- c. Temporary tents less than 901 ft² (83.71 m²) in covered area, used for special events only, and erected for not more than 14 consecutive days or 45 days per calendar year per site;
- d. Signs exempted by this By-law, as noted in provision 7.17.4;
- e. Light standards;
- f. Construction or maintenance of gates, fences, walls or other means of enclosure;
- g. Construction of unenclosed detached residential decks or patios 1.97 ft (0.6 m) or less in height above grade;
- h. Landscaping where the existing grade and natural surface drainage pattern is not materially altered;
- i. Altering, maintaining or repairing any building or structure, provided that the work does not include structural alterations and does not result in an increase in the number of dwelling units, as further described in the Building By-law;
- j. Installation of private driveways, roads, and utilities;
- k. The maintenance and repair of public works, services or utilities carried out by or on behalf of federal, provincial or municipal authorities;
- l. Stripping, site grading or excavation that is part of a development for which a Development Permit has been issued;
- m. Home Occupations, Businesses and Industries;
- n. Short Term Rentals; and
- o. Establishment of a Backyard Bee Keeping or Hobby Poultry use.

2.10.2 Temporary use of a building for election or census purposes is exempt from the requirements of this By-law, but a Building Permit shall be obtained to confirm compliance with the Manitoba Building Code.

2.10.3 Where a Development Permit is not required as per this sub-section, such work shall still comply with the applicable regulations of this By-law, the Manitoba Building Code, and other applicable by-laws and policies. For example, exempt accessory structures are still subject to Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses.

2.10.4 This sub-section does not relieve the applicant or landowner from obtaining approvals from other authorities or agencies. For example, private driveways and roads may require provincial approval.

2.10.5 Notwithstanding provision 2.10.3, temporary tents described in 2.10.1c are exempt from compliance with the dimensional standards of this By-law including but not limited to site coverage, height, and setback requirements.

2.11 Non-Conformance

2.11.1 Regulation of non-conformities shall be in accordance with this sub-section and the Act. Where the provisions of this sub-section conflict with those in the Act, the higher or more stringent requirement shall apply.



- 2.11.2 No use that lawfully exists on the effective date of this By-law is non-conforming solely because:
- When it was established, no conditional use approval was required and under this By-law conditional use approval is required;
 - It exists with less than the accessory off-street parking or loading spaces required by this By-law; or
 - It exists with a non-conforming accessory sign.
- 2.11.3 A building devoted to a non-conforming use may be structurally altered:
- To comply with a legal requirement;
 - To accommodate a conforming use;
 - To conform to the development standards of Chapter 7: General Development Standards; or
 - In the course of an enlargement, permitted in accordance with provision 2.11.5.
- 2.11.4 Subject to approval and issuance of a Development Permit, repairs or incidental alterations to a building occupied by a non-conforming use may be made as follows:
- To the exterior of the building; and
 - To those portions of the interior of the building occupied by the non-conforming use, or in connection with an expansion of the non-conforming use permitted in accordance with provision 2.11.5.
- 2.11.5 Subject to approval and issuance of a Development Permit, a non-conforming use may be enlarged if:
- It is a single-unit or two-unit dwelling and the enlargement conforms to the applicable district dimensional standards; or
 - The enlargement is required to comply with the provisions of this By-law related to off-street parking or loading spaces.
- 2.11.6 A non-conforming use of a structure or of a lot, or portion thereof, which is, or hereafter becomes, abandoned, vacant or unoccupied, and remains vacant and unoccupied for twelve consecutive months, must not be used after that time except in conformity with the By-law.
- 2.11.7 A use that is accessory to a non-conforming use may continue as long as the non-conforming use exists.
- 2.11.8 Repairs or incidental alterations may be made to a non-conforming structure subject to approval and issuance of a Development Permit, where necessary.
- 2.11.9 If a non-conforming building is damaged and repair or restoration costs are less than fifty (50) percent of the structure's assessed on the last revised assessment roll, repairs or restoration may occur if:
- The repairs and restoration do not introduce new non-conforming uses;
 - A building permit is obtained within 180 days of the date of damage; and
 - The restoration has actually begun within one year and is diligently pursued to completion.
- 2.11.10 The determination of the reduced structural valuation will be made by the Board, or, at the applicant's option, by an independent appraiser, certified by the Appraisal Institute of Canada.
- 2.11.11 The right to maintain a non-conforming structure and any non-conforming uses operating from that structure shall terminate when the structure is damaged, in any manner whatsoever, to the extent



that the cost of repairing such damage exceeds fifty (50) percent of the structure's assessed value on the last revised assessment roll.

2.11.12 No building or structure may be erected on a non-conforming lot unless the required yards for the zoning district in which the lot is located are provided, as set forth in Table 9-3: Dimensional Standards for Principal Uses and Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses.

2.11.13 A non-conforming sign shall be subject to all the provisions of this By-law relating to non-conformities, except as provided hereafter:

- 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;
 - (ii) An increase in the sign surface area; or
 - (iii) An increase in the degree of illumination.

2.12 Fees

2.12.1 The Board shall, by resolution, establish a development fee schedule for zoning amendments, conditional use orders, variance orders, zoning memorandums, development permits, building permits, demolition permits, certificates of non-conformity, and any other appropriate documents the Board and Council deems fit.

2.13 Enforcement

2.13.1 The enforcement of this By-law, or any Resolution or Order enacted by the Board and Council under the Act or any Regulation made thereunder, shall be in accordance with the Act and any relevant policy or By-law adopted by the Board or Council.

2.13.2 The Designated Officer may suspend or revoke a Development Permit where:

- a. The applicant fails to comply with the conditions of issuance of a permit; or
- b. Any person undertakes or causes or permits any development on a site contrary to the terms or conditions of a permit.

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

2.13.4 Any existing use or structure which was illegal under the provisions of any planning schemes or By-laws in force on the effective date of this By-law and amendments thereto shall not become or be made legal solely by reason of the adoption of this By-law or amendments thereto; and to the extent that, and in any matter that, said illegal use or structure remains illegal hereunder.



Chapter 3: Interpretation

3.1 Interpretation of Provisions and Standards

- 3.1.1 In their interpretation and application, the provisions and standards of this By-law shall be held to be the minimum requirements to satisfy the intent and purposes as set forth herein.

3.2 Illustrations

- 3.2.1 Drawings and illustrations form part of this By-law and are provided to assist in interpreting and understanding the By-law. Where any conflict or inconsistency arises between a drawing or illustration and the text of the By-law, the text shall govern.

3.3 Rules of Construction

- 3.3.1 The following rules apply to the text of this By-law:
- a. Words, phrases, and terms defined in this By-law shall be given their defined meaning;
 - b. Words, phrases and terms not defined herein, but defined in the Act and/or the Building By-law of St. Andrews, shall be construed as defined in such legislation and by-laws;
 - c. All other words, phrases, and terms not herein defined shall be given their usual and customary meaning except where the context clearly indicates a different meaning;
 - d. The word “includes” shall not limit a term to the specific examples provided but is intended to extend the meaning to all instances or circumstances of like kind or character;
 - e. The phrase “used for” includes “arranged for”, “designed for”, “maintained for”, or “occupied for”;
 - f. Where the words “must” or “shall” are used in this By-law, the provision is mandatory; the words “may” or “encourage” are enabling and not mandatory; the word “should” requires a reason why it cannot be done;
 - g. The word “person” includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity;
 - h. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and”, “or”, or “either-or”, the conjunction shall be interpreted as follows:
 - (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 combination; and
 - (iii) “either-or” indicates that the connected items, conditions, provisions, or events shall apply singly, but not in combination.
 - i. Unless specified, words used in the singular include the plural and words used in the plural include the singular;
 - j. Words used in the present tense include the future tense and words used in the future tense include the present tense;
 - k. The provisions of this by-law shall be interpreted to be the minimum regulations except where the word maximum or its abbreviation is used, in which case the maximum regulation



shall apply;

- l. Where any requirement of this By-law results in a fraction of one half or more is considered a whole unit and a fraction of less than one half is disregarded; and
- m. Where a specific zoning district is mentioned, the provision applies only to the specific zoning district, where a category of zoning districts are mentioned (e.g.: Agricultural, Residential, Commercial, Industrial, and/or Recreational and Hazard Lands), the provision applies to all zoning districts within the category.

3.4 Units of Measurement

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

3.5 Registered Plans

- 3.5.1 All plan references on the Zoning Maps pertain to registered plans filed in the Winnipeg Land Titles Office.

3.6 Zoning Maps

- 3.6.1 The location and the boundaries of the zoning districts are shown upon Zoning Maps attached hereto, marked as Chapter 9: Zoning Maps in this By-law. Said Zoning Maps form part of this By-law. All notations, references and other information shown thereon, together with any amendments made by amending By-laws from time to time and shown thereon, together with any amendments to boundaries in the case of any street, public lane or public works right of way as provided in section 3.7 Zoning District Boundaries and Right-of-Way Boundaries, shall be as much a part of this By-law as if the matters and information set forth by the said Zoning Maps were fully described herein.

3.7 Zoning District Boundaries and Right-of-Way Boundaries

- 3.7.1 Should uncertainty or dispute arise relative to the precise location of the boundary of any zoning district, as depicted on the Zoning Maps, the location shall follow the closest logical boundary, or a line that is parallel or an extension to such an existing feature, as determined by the Designated Officer, including:
 - a. The centre line of streets, lanes, or other public thoroughfares;
 - b. Existing site boundaries;
 - c. Municipal limits;
 - d. The centre of pipelines or utility easements; and
 - e. A topographic contour and/or top-of-bank line.
- 3.7.2 No zoning district shall apply to any public street and, should a public street be closed, it will then carry the same zoning as the abutting lands. Where different zoning districts regulate the abutting lands, the street centreline shall become the zoning district boundary.
- 3.7.3 Where the zoning of a single site or lot is split into more than one zoning district, each portion of the site or lot shall be developed and used in accordance with the provisions of the applicable zoning district.



3.8 Public Land Acquisition

3.8.1 The following provisions apply to lots created by public land acquisition:

- a. If a lot is separated from the street upon which it would otherwise front by a parcel acquired by St. Andrews or the Province for the purpose of street widening, the lot is deemed to have frontage on that street and a building or structure may be erected, or enlarged, altered or repaired and used on such lot provided that it conforms to all other requirements of this By-law;
- b. If a lot having a lesser width and/or area than that required by this By-law is created by expropriation or street-widening or other land acquisition from the owner of the lot by St. Andrews or the Province and the non-conformity is due to no other cause, the lot is deemed to comply with this By-law and a building or structure may be erected, altered or repaired and used on the lot provided that it conforms to all other requirements of this By-law; or
- c. If a building or structure having lesser yards than those required by this By-law is created by public land acquisition, the building or structure is deemed to comply with this By-law.

3.9 General Definitions

Abut or abutting means immediately contiguous to or touching and, when used with respect to a lot or site, means the lot or site touches upon another lot, site, right-of-way, or piece of land and shares a property line or boundary with it.

Accessory building, structure, or use means a building, structure, or use established or erected in conjunction with or subsequent to the establishment or erection of a principal building, structure, or use approved under this By-law, and is subordinate or incidental to, and located on the same lot as, a principal building, structure, or use.

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

Adjacent means properties or uses that abut one another or are separated by a street or other publicly dedicated right-of-way, canal, or railroad right-of-way.

Alteration, structural means the construction or reconstruction of supporting elements of a building or other structure, such as bearing walls, columns, joists, beams or girders.

Animal unit (AU) 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.

Applicant means, unless otherwise specified, a registered owner or an owner's authorized agent, who has filed an application subject to the provisions of this By-law.

Bare land condominium means a condominium, established under the provisions of *The Condominium Act*, upon which one or more units are defined by delineation of the horizontal boundaries of the unit without reference to any buildings.

Basement means a storey or storeys of a building located below the first storey.



Board means the Red River Planning District Board.

Buffer means an area of land that is intended to provide a means of separating two types of development that are generally incompatible. Typically buffers consist of tree planted areas which provide a visual barrier between two types of development, and which also serve as a measure of controlling the movement of other nuisances, such as dust.

Building area means the greatest horizontal area of a single above grade storey of a building within the outside surface of exterior walls or within the centre line of firewalls. The calculation for building area does not include more than one storey.

Conditional use means a use or development that may have unique or widely varying operating characteristics and may have potential operational or other impacts on adjacent properties or site development demands, specified as conditional in this By-law.

Council means the elected council of the R.M. of St. Andrews.

Designated officer means the employee delegated certain authorities by the Board or Council to carry out a power or responsibility in accordance with the regulations under the Act.

Development means:

- a. the construction of a building or structure;
- b. the installation of services and utilities on, over or under land;
- c. a change in the use or intensity of use of a building or land;
- d. the removal of soil or vegetation from land;
- e. the deposit or stockpiling of material on land; or
- f. the excavation of land.

Development application means any application in connection with a development or an approval, permit, order, by-law or amendment that allows or would allow a development and includes any appeal filed against a variance order or conditional use order related to any one or more of them.

Development Permit means a permit authorizing a development that is subject to a zoning by-law as defined by the Act, commonly referred to as a building permit when referencing the development of a building or structure.

Development Plan means the Red River Planning District Development Plan.

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.

Farm based commerce means a class of business operations that are accessory to a principal farming operation and located on the same site but not necessarily agricultural in nature. Farm based commerce may entail occupations or industries related and accessory to the farm only and are intended to diversify on-farm economic activity.

First storey means the uppermost storey having its floor level not more than 6.5 ft (2 m) above grade.

Floor area means the sum of the gross horizontal areas of all floors of a building, measured from the exterior faces of exterior walls, or from the centre line of partitions, except spaces in a basement,



cellar or penthouse used for mechanical or heating equipment, and except any space within the building used as a parking area or loading area.

Frontage means the total of all property line(s) of a lot abutting a public street.

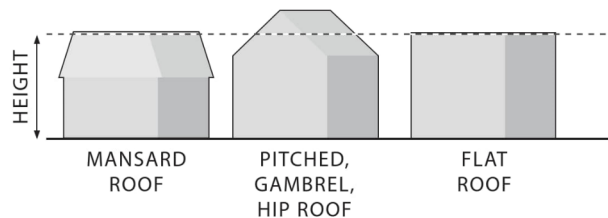
Grade means:

- a. For purposes of sign regulations, the elevation established by St. Andrews for the surface of the sidewalk or boulevard above which the sign is located and, for a sign completely within private property, the finished ground surface directly underneath the sign; and
- b. For other purposes, the average of the finished ground surface at the midpoint of each wall of a building. In the case of walls that are parallel to and within 5 ft (1.5 m) of a public sidewalk, the ground level must be measured at the sidewalk.

Hard surface means the use of asphalt, concrete, paving stones or other similar surfacing approved by St. Andrews but does not include gravel.

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;
- b. The average level between eaves and ridges in the case of a pitched, gambrel, 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 5 ft (1.5 m) above the maximum permitted building height of the zoning district; or
- c. The deck of a mansard roof.



Home based commerce means a business operation that is accessory to the principal dwelling on a site. Home based commerce may include such uses as home occupations, home businesses or home industries or other specialized operations.

Incidental means a building, feature or use established or erected in conjunction with or subsequent to the establishment or erection of a principal building, structure, or use approved under this By-law, and is incidental to, and located on the same zoning lot as, a principal or accessory use, and that has fewer impacts than an accessory use.

Lane, public means a thoroughfare not over 33 ft (10.1 m) in width in public ownership that affords only a secondary means of access to abutting property.

Light truck means a truck or similar vehicle with a single rear axle and single rear wheels weighing less than 15,000 lbs.

Livestock means animals such as cattle, horses, sheep, swine, or poultry not kept exclusively as pets, excluding bees.



Loading means an open area of land or an area within a structure, not including within a public right-of-way, used for the loading and unloading of materials, merchandise, or people from motor vehicles.

Loading space means that portion of a loading facility, excluding vehicle manoeuvring areas such as aisles and driveways that will accommodate one motor vehicle.

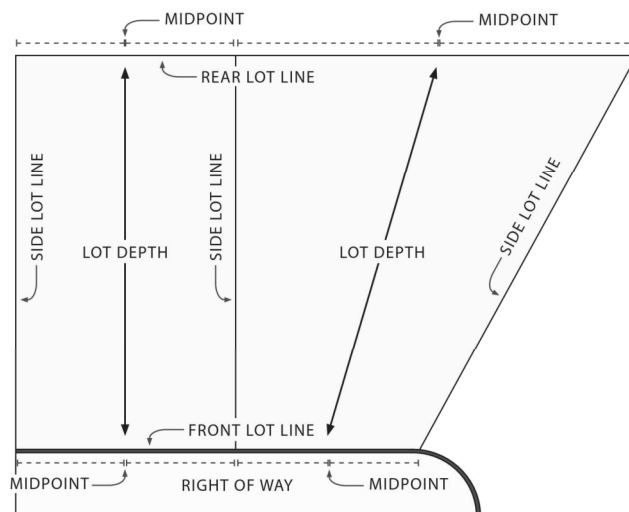
Lot means the aggregate of all land described in any manner in a certificate of title. At the discretion of the Designated Officer, contiguous parcels of land under common ownership may be considered one lot for the purposes of applying the requirements of this By-law.

Lot area means the amount of gross land area contained within the property lines of a lot.

Lot coverage means the combined area of all buildings or structures on the site as a percentage of the lot 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.

Lot, corner means a lot located at the intersection of two public streets, the interior angle of such intersection not exceeding 135.00 degrees.

Lot depth means the horizontal distance measured between the midpoint of the front lot line and the midpoint of the rear lot line.



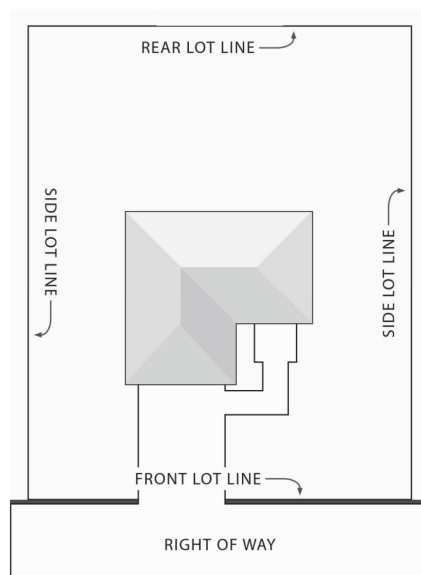
Lot line, front means the property line of a lot abutting a public street. In the case of a corner lot, the front lot line is the shorter of the lot lines abutting a public street. Where an irregular shaped lot cannot have its lot lines defined by this definition, they shall be determined by the Designated Officer.

Lot line, rear means either the lot line which is furthest from and opposite the front lot line, or, where there is no such lot line, the point of intersection of any side lot lines which is furthest from and opposite the front lot line. Where an irregular shaped lot cannot have its lot lines defined by this definition, they shall be determined by the Designated Officer.

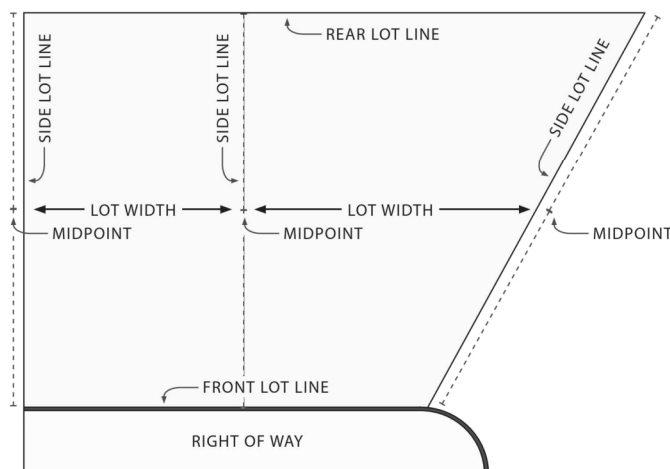
Lot line, side means the property line of a lot other than a front lot line or rear lot line. Where an



irregular shaped lot cannot have its lot lines defined by this definition, they shall be determined by the Designated Officer.



Lot width means the horizontal distance between the side lot lines of a site, measured at right angles to the lot depth at a point midway between the front and rear lot lines.



Non-conforming means any use, building, structure or sign, individually or in combination, which lawfully existed prior to the effective date of this By-law but does not conform to one or more of the applicable standards of the By-Law now in effect.

Owner means a person who is an owner of a freehold estate in St. Andrews and includes a person who is an owner jointly with another person, and a person who is registered under *The Condominium Act* as the owner, as defined in that Act, of a unit under that Act.



Parking aisle means that portion of a parking facility that provides vehicular access to a parking space, not directly from a driveway.

Parking area means the area on a lot devoted to vehicular parking and includes parking spaces and aisles, but not driveways.

Parking driveway means that portion of a parking facility that provides vehicular access from a public right-of-way to a parking space, or an aisle.

Parking space means that portion of a parking facility, excluding vehicle maneuvering areas such as aisles and driveways, which will accommodate one motor vehicle.

Permitted use means a use allowed in a zoning district without the need for special administrative review or approval, subject to the regulations contained in this By-law.

Principal building means the building or structure on a lot used to accommodate the principal permitted use, with such use possibly occurring in more than one building or structure.

Queuing space means an on-site vehicular queuing area that is separated from other vehicular traffic, parking aisles, and pedestrian circulation areas by barriers, markings or signs.

Ready-to-move (RTM) dwelling means a factory-constructed single-unit dwelling that is substantially completed at a manufacturing facility, transported to a site as a single unit, and installed on a permanent foundation, and which is constructed to comply with the Manitoba Building Code.

Runway means a defined rectangular area on a land aerodrome prepared for the landing and take-off of aircraft along its length.

Runway strip means a rectangular area extending 100 ft (30.1 m) on either side of the centreline of the runway and 200 ft (60.1 m) beyond the ends of the runway.

Separation distance means a horizontal distance between two uses measured above-grade from the nearest points of any structure or areas upon which the uses are located, clear of any projections.

Setback means a horizontal distance between a use or structure and a property boundary or other specified feature in which certain types of development and structures shall not occur. In relation to yard setbacks, refer to the definition of 'Yard'.

Site - see definition of 'lot'.

Storey means that portion of a building that 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. A storey includes any floor of a building having 40% or more of its height above the adjacent rough grade elevation.

Street, public means a public thoroughfare but does not include a public lane or public pathway.

Structure means anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground and includes, but is not limited to, buildings, walls, fences, signs, billboards, poster panels and light standards.

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

Unit area means floor area per dwelling unit, unless otherwise specified.



Variance order means the altering of any of the regulations found in this By-law in accordance with the Act.

Yard means the portion of a site that is unoccupied from any portion of a building or structure and unobstructed from the ground to the sky unless otherwise permitted in this By-law. Yards (also referred to as setbacks) are measured using the horizontal distance between any lot line and the closest wall of a building or structure along a line perpendicular to the lot line.

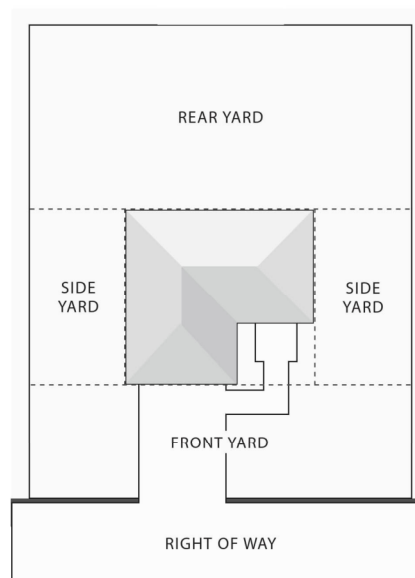
Yard, front means the portion of the lot abutting the front lot line extending across the full width of the site, situated between the front lot line and the nearest wall of the principal building, not including any projections.

Yard, rear means the portion of the lot abutting the rear lot line extending across the full width of the lot, situated between the rear lot line and the nearest wall of the principal building, not including any projections.

Yard, side means the portion of a lot abutting a side lot line extending from the front yard to the rear yard. The side yard is situated between the side lot line and the nearest wall of the principal building, not including any projections.

Yard, interior side means a side yard which is adjacent to another lot, or to a lane separating the side yard from another lot.

Yard, corner side means a side yard that abuts a public street, as seen on a corner lot.



Yard, required means the minimum distance that the development or a specific portion of a development, must be setback from a lot line. Required yards are specified in the dimensional standards for each zoning district.

Zoning district means a section contained in Chapter 4 of this By-law which regulates the use and development of land as depicted on the Zoning Map(s) in this By-law.



3.10 Use Class Definitions

3.10.1 Residential and Residential-Related Use Class Definitions:

Assisted living facility means a facility where meals, lodging, and continuing nursing care are provided for compensation, including nursing homes, retirement homes, and medical receiving homes, but excludes facilities providing medical diagnostic services or treatment by licensed physicians.

Dwelling, single-unit means a building or structure containing only one dwelling unit that is separate from any other dwelling or building. This includes ready-to-move (RTM) dwellings, but does not include manufactured homes or mobile homes. Also referred to as a single-detached dwelling.

Dwelling, two-unit means a single building or structure containing two separate dwelling units, separate from any other building. This includes duplexes and side-by-side dwellings. Also referred to as a semi-detached dwelling.

Dwelling, multi-unit means a building or structure containing three or more dwelling units, arranged in a vertical or horizontal manner, either served by separate entrances or common corridors and entrances. Typical uses include row housing, triplexes, apartment buildings and similar.

Dwelling, row housing means a type of multi-unit dwelling consisting of a building containing a row of three or more principal dwellings joined in whole or in part at the side only, with none of those dwellings being placed over another in whole or in part, and with each dwelling having separate, individual, and direct access to ground level.

Manufactured home means a factory-constructed dwelling, other than a mobile home or ready-to-move (RTM) home, that is constructed in a manufacturing facility in accordance with the Manitoba Building Code or applicable CSA standards, transported to a site, and installed on a permanent or temporary foundation.

Manufactured home community means a parcel of land upon which manufactured home and/or mobile home spaces are provided and may feature common elements including roads, access and supporting facilities.

Mobile home means a factory-constructed dwelling built in accordance with the CSA Z240 MH Series, designed to be transportable as a single unit on its own chassis, and intended for use as a permanent residence.

Neighbourhood rehabilitation home means a building or portion of a building used for the boarding or other residential accommodation plus mandatory supervision or treatment of persons who are from or discharged from any penal institution or who are receiving supervision or treatment for alcohol or other drug addictions, in which supervision or treatment is not provided to any persons not resident in the rehabilitation home.

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.



3.10.2 Agricultural Use Class Definitions:

Airstrip, private means land used for the purpose of landing, taking off, storing, of private aircraft.

Agricultural activities means a use of land for agricultural purposes. Examples include the production of crops, including grains, oil seeds, hay and forages, horticultural crops, and pasturage. This use does not include apiaries, livestock operations or natural resource developments.

Agricultural commercial means the use of land, structures or buildings for the purpose of buying, selling or processing, storage and supply of commodities and services that support agricultural operations.

Agricultural industrial means the use of land, structures or buildings for the manufacturing, servicing and dismantling of farm equipment, feed and grains mixing and storage, mixing, storage or sale of farm chemicals, including crop spraying operations.

Apiary means a place where bee colonies, hives, combs, or appliances are kept, but does not include Backyard Bee Keeping.

Aviary means a place for keeping birds for the purpose of raising, exhibiting, or selling them, but does not include Hobby Poultry.

Auction mart is defined as a facility, building, or land used specifically for the temporary holding and sale of goods, materials, or livestock via public auction.

Communal farm operation means a principal agricultural operation that has more than two (2) dwelling units and various accessory uses intended to support and diversify the livelihood of its residents. Accessory uses may include, but are not limited to, multi-unit dwellings, commercial or industrial operations, educational facilities, and places of worship.

Keeping of animals means a use where less than ten (10) animal units of livestock or other animals (excluding pets) are sheltered, bred, raised, or sold, but does not include Backyard Bee Keeping or Hobby Poultry.

Livestock operation means 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 associate manure collection facilities, but does not include:

- a. A livestock auction mart;
- b. A livestock sales yard where livestock are kept no longer than three days.
- c. An operation for the grading or packing of livestock or livestock products;
- d. An operation for the slaughter or processing of livestock;
- e. An agricultural fair; or
- f. An operation for transporting livestock or livestock products.

Produce sales, limited means limited to goods produced by market gardeners in nurseries or in greenhouses.

Specialized agriculture means an agricultural operation in which high value, lower volume, intensively managed agricultural products are produced on a smaller land holding than the



minimum size required for general agriculture.

3.10.3 Public and Institutional Use Class Definitions:

Cemetery means land used or dedicated to the interment of human or animal remains, including green/natural cemeteries, columbarium, mausoleums, mortuaries and associated maintenance facilities when operated in conjunction with, and within the boundaries of, such cemetery.

Day care centre means the provision of childcare services for nine (9) or more children in a provincially-licensed facility.

Educational facility means a place of instruction, whether private or public, offering courses, training or instruction, and includes administration offices required for the provision of such services. Includes, but is not limited to private or public schools, community colleges, technical and vocational schools and adult educational training centres.

Health services means a use primarily providing medical, surgical, or other services to individuals, including but not limited to the offices of a physician, dentist, or other health practitioners, medical and dental laboratories, out patient care facilities and miscellaneous types of medical supplies and services.

Park means a development of public land specifically designed or reserved for the general public for active or passive recreational use and including 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 dog parks, tot lots, band shells, picnic grounds, pedestrian/bicycle paths and pathways, landscaped buffers, arboretums, botanical gardens, playgrounds, toboggan slides, skateboard parks, swimming pools, wading pools, and water features.

Place of worship means facilities used primarily for non-profit purposes to provide assembly and meeting areas for religious activities. Examples include churches, temples, synagogues, mosques, chapels, and meeting houses.

Protection and emergency services means a development that is required for the public protection of persons and property from injury, harm, or damage together with the incidental storage of equipment and vehicles. Typical uses include police stations, fire stations, ambulance services, and ancillary training facilities.

3.10.4 Cultural and Entertainment Use Class Definitions:

Auditorium / concert hall / theatre / cinema means an establishment devoted to showing motion pictures or dramatic, dance, musical, or other live performances.

Camping ground means an area or tract of land on which accommodations for temporary occupancy are located or may be placed, including tents and recreational vehicle equipment.

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

Nature and wildlife reserves means a land used for the preservation, protection, and improvement of the natural environment, the primary purpose of which is to provide sanctuary, habitat, and



breeding grounds for native wild animals and plant life, and it often includes forest reserves.

Racetrack means a measured course where animals or machines are entered in competition against one another or against time, including tracks used only in the training of animals.

Recreational facility, indoor means an establishment designed and equipped for assembly occupancy uses for the conduct of sports, exercise, and/or leisure-time activities within a fully enclosed building, including community and recreation centres, sports training facilities, gyms and fitness clubs, arcade games, billiard and pool halls, bingo halls, bowling lanes, skating/roller rinks, go kart tracks, shooting ranges, and paintball arcades, and related amusements.

Recreational facility, outdoor means an establishment designed and equipped for the conduct of sports, exercise, and/or leisure-time activities outdoors, including but not limited to, golf course, driving range, gun club, limited service outfitters, amusement park, dog sledding, and may include associated gift shops and food or beverage facilities.

Special event facility means a premise whose primary purposes is to accommodate specific events, functions, celebrations, ceremonies, or similar activities for the benefit of someone other than the property owner that takes place on a periodic basis and involves the gathering of individuals assembled for the common purposes of attending the event.

3.10.5 Commercial Sales and Service Use Class Definitions

Animal hospital or veterinary clinic means an establishment providing inpatient and outpatient services for domestic animals which might involve indoor facilities only, or both indoor and outdoor facilities, depending on the zoning district in which they are located.

Cannabis retail means the use or part use of an enclosed building from which the retail sale of cannabis to the public is authorized.

Drinking establishment means an establishment or portion of an establishment, licensed by the Government of Manitoba, where the principal purpose of the establishment or portion is the sale of alcoholic beverages to the public for consumption on the premises and may include a micro-brewery, distillery or winery as an accessory use.

Funeral chapel, mortuary or crematorium 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 connected therewith before burial or cremation, and includes facilities containing a properly installed, certified furnace or other apparatus intended for use in the incineration of human or animal corpses.

Garden centre means the use of lands, buildings or structures or parts thereof for the purpose of buying or selling plants, lawn and garden equipment, furnishings and supplies. May also include the sale of materials associated with landscaping.

Greenhouse, plant or tree nursery means an establishment used for the growing, storage, display and sales of plants, trees and other garden and landscaping materials.

Hotel or motel means a building or portion of a building providing temporary accommodation in individual guest rooms or suites for a fee with or without provision for cooking in any individual guest room or suite.



Kennel or animal pound means an establishment in which dogs or cats are housed, groomed, boarded, trained, bred, or sold, on a daily or overnight basis, for commercial purposes. A kennel shall not include a veterinary clinic, or animal hospital.

Lumber and building supply means a facility selling lumber and building supply materials, including home improvement supplies.

Office means a building or a portion of a building used primarily for conducting the affairs of a business, profession, service, industry, government, or like activity, or that provides direct governmental services to the public, such as employment, public assistance, motor vehicle licensing and registration, and similar activities.

Personal services means establishments that provide services to the general public, and in which any retail sale of merchandise associated with the service provided is incidental to the provision of services, but not including a “body modification establishment”, “cheque-cashing facility”, “funeral chapel, mortuary or crematorium”, “medical/dental/optical/counselling clinic” or “adult service or entertainment establishment”.

Pet day care means a place or facility or business for grooming, training or care of pets, but where no animals are kept overnight.

Restaurant means an establishment primarily engaged in the preparation of food intended to be sold to the public for consumption on or off the premises. Restaurants may be licensed by the Government of Manitoba for the sale of alcohol; however, the sale of alcohol is incidental to the sale of food. This use class includes virtual kitchens and other food preparation facilities.

Retail sales means a use involved in the sale, lease, or rent of new or used products directly to the general public, or to individuals or households based on their membership in an association or club. This use includes facilities whose names indicate that they are warehouse or wholesale operations, but that in fact conduct more than incidental retail sales.

Stables, riding or boarding means a facility engaged in the training of horses or the operation of a horse riding academy or horse riding stables.

3.10.6 Private Motor Vehicle Related Use Class Definitions:

Auto / light truck / motorcycle, repair, service, sales and rental means the storage, display, sale, lease, rental, repair and/or maintenance of new or used vehicles, including automobiles, light trucks, motorcycles, and similar vehicles. Services may include engine, transmission, or differential repair or replacement; body work; upholstery work; painting; engine tune-ups; oil change and lubrication; brake repair shop; sale of new parts, tires, and other accessories; detailing and polishing, and associated repairs. This use does not include junk or salvage operations. Light trucks include those with a gross vehicle weight of 15,000 pounds or less.

Car wash means a facility for the cleaning of automobiles or other motor vehicles, whether operated by the public or by on-site employees.

Dispatch services means services provided for the dispatching of courier, delivery, cleaning, taxi or similar services and includes storage of associated vehicles. This use class includes micro-distribution facilities used primarily for the short term storage, sorting, and dispatch of goods to serve a local or neighbourhood scale delivery area.



Fuel sales means an establishment operated at a fixed location at which gasoline or any other motor vehicle engine fuel is offered for sale to the public. An electric vehicle charging station is not a fuel sales use.

Parking, non-accessory means a development providing vehicular parking which is not primarily intended for the use of residents, employees or clients of a particular development or is not on the same lot as the development it serves. Typical uses include surface parking lots and parking structures located above or below grade.

Towing and storage facility means a commercial establishment engaged in towing of vehicles or equipment from one location to another. Such facilities may also include an indoor storage component for such vehicles or equipment, but may not include junked, salvage, or permanently inoperable vehicles or equipment.

3.10.7 Transportation, Utility and Communications Use Class Definitions

Airport and associated 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, helicopter pads, and other related buildings and open spaces.

Docks means a structure extending from the shoreline into the water, used primarily for mooring boats and providing access to and from the water.

Marina means an area or structure used specifically in connection with the docking, storage, servicing and rental of boats and motors.

Public utility facility means utility buildings, plants or operations that may have employees located at the site. Examples include public works yards, water control works, reservoirs, and works used to provide services or commodities to the public by the Crown or St. Andrews, including but not limited to water and wastewater treatment facilities, pumping stations, transformer stations and gas regulator stations.

Wireless communication, building-mounted tower (non-federally regulated) means any structure attached to a building that supports one or more wireless analog or digital communication facilities, and that exceeds the height of the building by 24 ft (7.3 m) or more that is not under the jurisdiction of the federal government. Such a tower may have a variety of configurations, including a monopole, a lattice tower, or a guyed tower.

Wireless communication, freestanding tower (non-federally regulated) means any structure that is designed and constructed primarily for the purpose of supporting one or more wireless analog or digital communication facilities, that is located on the ground or anchored to the ground and exceeds 24 (7.3 m) in height that is not under the jurisdiction of the federal government. Such a tower may have a variety of configurations, including a monopole, a lattice tower, or a guyed tower.

3.10.8 Industrial Use Class Definitions

Airport industrial uses means an industrial use that is compatible with airport operations and often benefits from proximity to air cargo facilities.

Contractors establishment means a development used for the provision of construction services



which require on-site storage space for materials, equipment or vehicles normally associated with the contractor service. Any sales, display, manufacturing, office or technical service areas shall be accessory to the principal contractor service use only.

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 jewelry, toy and musical instrument manufacturing, gunsmiths, and pottery and sculpture studios. The use may also contain accessory retail sales.

Data processing centre means a building, dedicated space within a building, or a group of buildings or equipment used to house computer systems and associated infrastructure and components for the digital transactions required for processing data. This includes, but is not limited to cryptocurrency, digital currency processing, non-fungible tokens, and blockchain transactions.

Freight or truck yard means an area or building where cargo is stored and where trucks, including tractors and trailer units, load and unload cargo on a regular basis. The use may include facilities for the temporary storage of loads prior to shipment. The use also includes truck stops or fueling stations where diesel fuel is primarily sold.

Heavy industrial means a use of land that includes the assembly, fabrication, and/or processing of goods and materials using processes that have an impact on the surrounding use and enjoyment of other properties in terms of noise, smoke, fumes, odours, glare, or health or safety hazards, or that otherwise do not constitute “light industrial”, or any use where the area occupied by outside storage of goods and materials used in the assembly, fabrication, or processing exceeds twenty-five (25) percent of the floor area of buildings on the lot. Examples include, but are not limited to: battery, chemicals, machinery, and plastics manufacture; asphalt or concrete batching plant; packaging plant; slaughterhouse; rendering plant.

Landfill means a permanent facility, either publicly- or privately-owned, operated for the purpose of disposing of or composting solid waste including snow in winter months.

Light industrial means the assembly, fabrication, and/or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odours, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outside operations or storage of goods and materials used in the assembly, fabrication, or processing does not exceed twenty-five (25) percent of the floor area of buildings on the lot. Examples include, but are not limited to: electronic equipment assembly, cannabis manufacturing, and manufacturing and assembly from finished products.

Mini-warehouse, self-storage means an enclosed permanent facility that provides storage space to the general public on a for-hire basis. Mini-warehouses and self-storage areas may also include vehicle storage for recreational vehicles, boats, and other vehicles. No other business or service may be allowed to operate out of a rented storage space. This definition also applies to a use that provides portable containers for storage.

Quarry operation means the extraction of minerals, sand, gravel and ores from their natural occurrences on affected land and the distribution of extracted materials, including the excavation, processing or distribution of clay, gravel, stone and soils.



Recycling collection centre means a use that serves as a drop-off point for temporary storage for recoverable resources, such as newspapers, glassware, plastics, and metal cans. No on-site processing of such items is permitted.

Recycling plant means a facility in which recoverable resources such as newspapers, glassware, plastics, and metal cans are recycled, reprocessed, and treated to return such products to a condition in which they can again be used for production, or consolidated and packaged for transport from the facility. This facility is not a wrecking yard or a junkyard.

Truck service and repair means the use of land, buildings or structures for the purpose of repairing or servicing trucks, tractors and trailer units or cargo.

Warehouse means a permanent facility where raw materials or manufactured goods may be stored within an enclosed building before their export or distribution for sale.

Waste disposal facility means a fixed facility where solid waste from collection vehicles is consolidated and temporarily stored for subsequent transport to a permanent disposal site.

Wrecking or salvage yard means any lot upon which two or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of license or registration, have been placed for the purpose of obtaining parts for recycling or resale. Building materials, scrap metals, or any other similar types of salvage materials are included in this definition.

3.10.9 Accessory Use Definitions

Backyard bee keeping means the keeping of bees (apiculture) on a limited scale as an accessory use.

Bed and breakfast means a business operated as an accessory use to a single-unit dwelling, operated by a live-in owner, that provides temporary lodging (other than a Hotel or Motel or Short Term Rental) to guests for short periods of time, and that may also provide breakfast to guests.

Bus shelters means a structure intended to shelter bus patrons.

Day care, home means the provision of childcare services for a maximum of eight (8) children including the children of the licensed operator.

Drive-through means any use designed or operated to allow patrons, while outside on the premises in motor vehicles, to order, request, exchange, donate, or receive goods, wares, merchandise, products, foods, beverages, or services.

Exterior storage means keeping or storing goods, materials, container, vehicles or equipment external to a wholly enclosed building, but does not include required parking or goods being displayed for sale.

Farm diversification operation means a type of farm based commerce accessory to an active farming operation wherein non-agricultural manufacturing, processing, service, storage, wholesale, retail sales, and distribution uses may be utilized to diversify a farm's economic activity.

Greenhouse, private means a building for the growing of flowers, plants, shrubs, trees and similar vegetation.



Hobby poultry means an accessory use where poultry (excluding roosters) are sheltered, bred, raised and/or sold.

Home business means a type of home based commerce wherein most operations are within a dwelling, some external storage is permitted, and such use does not change the character or exterior of the dwelling.

Home occupation means a type of home based commerce wherein all operations are conducted within the dwelling and where such use does not change the character or exterior of the dwelling.

Home industry means a type of home based commerce wherein operations may be within or external to a dwelling and minimal changes to the character or exterior of a dwelling are expected.

Patio, detached, covered means a ground-level, paved outdoor area detached from a building and covered with a structure.

Ponds are privately-owned, artificially excavated, filled or partially filled bodies of water capable of containing water more than 24 in (610 mm) in depth, but do not include excavations immediately adjacent to a water course or drain. Fountains may be included as part of the design of a pond. Excavations intended for swimming shall be considered swimming pools.

Short term rental means the use of all or part of a dwelling unit or a separate building on the same parcel to provide sleeping accommodations for a rental period that is no more than 30 consecutive days in exchange for payment. This use class does not include Hotels, Motels, or Bed and Breakfasts.

Sign means any writing (including letter, word, or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol, logo, or trademark), flag (including banner, or pennant but not the flag of any nation or government), and anything designed or intended to, or having the effect of, announcing, identifying, directing attention to, or advertising any building or use. Notwithstanding anything else in this By-law, the following terms are defined for the purposes of the Sign provisions in this By-law:

Advertising/billboard sign means a third party, non-accessory sign that advertises goods, products, services, or facilities that are not available at the location where the sign is situated or that directs persons to a location different from that where the sign is located.

Construction sign means a temporary sign erected by an individual or a firm on the premises undergoing construction and upon which the sign user identifies a construction project and information relative thereto.

Directional sign means:

- a. A sign which directs the public to or denotes the name of any thoroughfare, route, educational institution, public building, historical site, or hospital;
- b. A sign which directs and regulates traffic;
- c. A sign which denotes any public or transportation facility; or
- d. A sign which gives direction to a private premises or its vehicular use area.

Fascia sign means a sign, or individual letters attached to, marked, or inscribed on, or erected or placed against a wall or other surface, whether forming part of a building or not, and having the exposed face of the sign on a plane approximately parallel to the plane of such wall or



other surface and projecting not more than 1.6 ft (0.5 m) from the face of such wall.

Freestanding sign means a sign supported by structures or supports that are placed on or anchored in the ground and that are independent from any building or other structure, including a sign that is attached to a fence.

Identification sign means a sign that identifies a business, owner, resident, or institution by name, logo or street address, and which sets forth no other advertisement.

Inflatable sign means an inflated three-dimensional device which may incorporate a sign and is anchored or affixed to a building or site, and is approved as a mobile sign.

Mobile sign means a sign which is mounted on a trailer, vehicle, stand or similar support structure which is designed in such a manner that the sign can be readily relocated to another location, and which may include copy that can be changed through the use of removable characters or panels.

Projecting sign means a sign, other than a fascia sign, the exposed face or faces of which are not necessarily parallel to a wall and which is attached to a building and extends as a projection of a line of that building or beyond the surface of that portion of the building to which it is attached.

Real estate sign means a temporary sign advertising real estate that is “for sale”, “for lease”, or “for rent”, or real estate that has been “sold”.

Window sign means a sign which is painted on, attached to, or installed on or near a window, for the purpose of being viewed from outside the premises.

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

Secondary suite means a self-contained accessory dwelling unit that has its own separate access, cooking, sleeping, and sanitary facilities which are separate from and not shared with those of the principal dwelling.

Attached means the secondary suite is wholly contained within the dwelling unit or added as an extension or addition to an already existing dwelling unit.

Detached means the secondary suite is independent of the primary dwelling unit or located above an already existing accessory building or structure, such as a garage or shed.

Storage container means a prefabricated unit not requiring any construction or assembly placed on a property for the purpose of storage and includes rail cars and semi trailers and similar type containers but does not have wheels.

Swimming pool means any pool capable of containing water more than 24 in (610 mm) in depth, and includes a hot tub.

Wind energy generating systems, on-site use means an on-site wind energy generating system designed to serve the electrical needs of the on-site user or consumer and not intended to



produce power for resale.



PART B: ZONING DISTRICTS

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Chapter 4: Zoning Districts

4.1 Zoning Districts

- 4.1.1 This section contains basic information pertaining to zoning districts, including statements of purpose and district-specific regulations.

4.2 Districts Established

- 4.2.1 For the purposes of applying this By-law, St. Andrews is divided into zoning districts found in Table 4-1: Summary List of Zoning Districts.
- 4.2.2 The descriptions of districts contained in this section are intended to assist in selecting the appropriate zoning district for different types of land use, and to assist in identifying the intended character of each district.
- 4.2.3 When there is a conflict between any statement in the district description and a requirement in other sections of the By-law, the requirements in other sections apply.

Table 4-1: Summary List of Zoning Districts

<i>District Symbol</i>	<i>District Name</i>	<i>Purpose</i>
Agricultural Districts		
A80	Agricultural General	Provides for a broad range of agricultural uses, including livestock operations, while restricting the potential for land fragmentation.
A40	Agricultural Limited	Provides for agricultural uses and activities, with limits placed on the size of livestock operations due to land use or environmental considerations.
AR	Agricultural Restricted	Provides for the accommodation of hobby and part-time farming operations and low density rural and non-farm residential uses.
Residential Districts		
RG	General Residential	Provides for the establishment of a wide range of residential uses on full municipal servicing, including piped municipal water and wastewater. Typically, this zone would be applied to areas designated as Settlement Centre in the Development Plan.



<i>District Symbol</i>	<i>District Name</i>	<i>Purpose</i>
RA	Suburban Residential	Provides for the establishment of single-unit and two-unit dwellings and related compatible uses. Conditional approval may also be given for multi-unit housing development such as duplexes, triplexes, fourplexes, town or row housing and low rise apartments. Typically, this zone would be applied to areas designated as Settlement Centre in the Development Plan.
RR	Rural Residential	Established to provide land use guidelines for those areas having existing large lot residential development. Typically, this zone would be applied to areas designated as Rural Residential or General Development in the Development Plan.
SR	Special Residential	Established to provide land use guidelines for those areas having existing large lot residential development that has been historically seasonal in nature. Uses, in addition to the seasonal residential component, include rural residential. Typically, this zone would be applied to areas designated as Settlement Centre or Resort in the Development Plan.
RM	Residential – Manufactured Home Community	Provides for areas for the placement of manufactured homes and/or mobile homes on spaces within a manufactured home community and associated service buildings.
Commercial Districts		
CG	General Commercial	Provides for appropriate land in the central business area for multi-functional uses such as retail business, multi-unit residential, recreational, social, cultural and administrative land uses.
CH	Commercial Highway	Provides for appropriate land to accommodate those businesses requiring large sites and to provide retail and personal services adjacent to major transportation routes or arterial streets to service the needs of the travelling public. Uses generally serve a broad regional clientele.
RT	Recreation Tourism	Provides a broad range of commercial recreational uses. Residential developments associated with recreational uses may also be permitted.
Industrial Districts		
M1	General Industrial	Provides for a limited range of low impact industrial uses predominantly within wholly enclosed buildings, including landscaped industrial parks, and accessory outside storage.
M2	Heavy Industrial	Provides for a wide range of industrial uses where a certain level of nuisance may occur, such as noise, odour, dust, vibration, aesthetics and heavy truck traffic.
AIP	Airport Industrial Park	Provides locations for airstrips, airports and ancillary uses necessary for or supportive to the primary use.



<i>District Symbol</i>	<i>District Name</i>	<i>Purpose</i>
Recreational and Hazard Lands Districts		
PR	Parks and Recreation	Accommodates public recreation uses such as picnic areas, public parks, playgrounds, sports fields, arenas, and curling rinks.
HL	Hazard Lands	Ensures that areas having inherent hazards due to subsidence or flooding are not developed for building purposes. Natural areas, crop production or extensive recreational uses will be the dominant use of such areas.



Chapter 5: District Use and Site Standards

5.1 Use and Site Requirements

- 5.1.1 No land shall be used or occupied, and no structure shall be erected, altered, used or occupied hereinafter for any use in the zoning district in which such land and structure is located other than a use listed in Table 9-1: Principal Use Table or Table 9-2: Accessory Use Table and in accordance with the Site Requirements as listed in Table 9-3: Dimensional Standards for Principal Uses and Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses, with the exception of uses lawfully established prior to the effective date of this By-law, unless otherwise stated in this By-law.

5.2 Use Table Symbols

- 5.2.1 In Table 9-1: Principal Use Table and Table 9-2: Accessory Use Table:
- “P” in a cell indicates that the use identified at the far left of that row is permitted in the zoning district identified at the top of that column;
 - “C” in a cell indicates that, in the zoning district identified at the top of that column, the use identified at the far left of the row is allowed only if reviewed and approved as a conditional use in accordance with the requirements and procedures of the Act;
 - “-” in a cell indicates the use identified in the far-left column of that row is not permitted within the zoning district identified at the top of that column; and
 - A section number in a cell within the column “Use Specific Standards” identifies a provision within this By-law which imposes an additional standard with which the use must comply except as authorized by this By-law or by a conditional use order or variance order.

5.3 Use Table Organization

- 5.3.1 In Table 9-1: Principal Use Table and Table 9-2: Accessory Use Table, land uses and activities are classified into general “use categories” and specific “use types” based on common functional or physical impact characteristics, such as the type and intensity of land use, the type of customers or residents, how goods or services are sold or delivered, and/or site-specific conditions. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts. This classification does not list every use or activity that may appropriately exist within the categories and specific uses may be listed in one category when they may reasonably be listed in one or more other categories. The use category titles are intended to operate as an indexing tool and do not form part of this By-law.
- 5.3.2 Where a specific use does not conform to the wording of any Use Class definition or conform to the wording of two or more Use Class definitions, the Designated Officer may deem that the use conforms to and is included under a Use Class definition that is considered the most appropriate in character and purpose.

5.4 Interpretation of Uses and Regulations

- 5.4.1 Any person may apply to the Designated Officer for an interpretation as to whether a proposed use falls within any of the use categories or use types described in this By-law and, if so, which one. If a use is not specifically listed in the tables or is deemed by the Designated Officer to be similar to a use



that is not permitted, that use is not permitted.

- 5.4.2 The authority to provide an interpretation does not include the authority to add a new permitted or conditional use.
- 5.4.3 A decision of the Designated Officer with respect to interpretation is final.
- 5.4.4 Where land, a building, or a structure is used for more than one purpose, all provisions of this By-law relating to each use must be satisfied. Where more than one provision in this By-law is applicable, the higher or more stringent requirement shall apply unless specified otherwise.

5.5 Dimensional Standards Table Interpretation

- 5.5.1 The following standards apply to all development under the jurisdiction of this By-law:
 - a. The owner has a continuing obligation to maintain the minimum required yards and other open spaces required in this By-law;
 - b. Yards and other open space required for a use must be located on the same lot as the use;
 - c. The owner may provide lots with larger lot areas, frontages, or yards than the minimum amounts required by Table 9-3: Dimensional Standards for Principal Uses and Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses, but may not exceed any maximum established, or any maximum imposed as a condition of any rezoning, variance or conditional use order;
 - d. In Table 9-3: Dimensional Standards for Principal Uses and Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses, each row indicates a zoning district and each column indicates a dimensional requirement for development. The principal building or accessory building must either comply with the dimensional standards, or with an alternative dimensional standard as authorized by another provision of this By-law, or by a variance order;
 - e. The contents of each cell set out the dimensional requirement. In the case of “maximum lot coverage” the requirement is expressed as a percentage of the total area of the lot. “-” means “not applicable”. Notes within Table 9-3: Dimensional Standards for Principal Uses and Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses have legal effect and indicate special situations that affect the application of dimensional standards to specific zoning districts. Development must comply with all dimensional standards applicable to the zoning district where the property is located.



Chapter 6: Overlay Zoning Districts

6.1 Planned Overlay Districts

- 6.1.1 The purpose of a Planned Overlay District (POD) is to provide a means to alter or specify allowed uses and/or development standards in otherwise appropriate zoning district, in unique or special circumstances, to achieve local planning objectives in specially designated areas. A POD is appropriate when additional zoning controls are required to address an area-wide (rather than site-specific) condition, or to implement an area-wide plan for the proposed district.
- 6.1.2 The permitted uses specified in the underlying zoning district are permitted and the conditional uses specified in the underlying zoning district are conditional unless the development regulations adopted in the POD state otherwise.
- 6.1.3 The regulations provided in the POD may be substituted for the specified regulations of the underlying zoning district. Where there is a conflict between the provisions of the POD and those of the underlying zoning district, the provisions of the POD shall govern.
- 6.1.4 All regulations in the By-law apply to development in the area covered by the adopted POD, unless specifically modified by the provisions of the POD.

6.2 Airport POD

- 6.2.1 The Airport POD is designed to guide and protect land use and development for the area surrounding the St. Andrews Airport, supporting the airport's continued growth as an economic generator and employment hub for the region, in accordance with the St. Andrews Airport Secondary Plan.
- 6.2.2 The Airport POD shall apply to lands identified as such in Chapter 9: Zoning Maps.
- 6.2.3 Notwithstanding other provisions of this By-law, in the Airport POD, the following uses are prohibited due to their potential to attract birds:
 - a. Agricultural crops, including barley, oats, wheat (particularly durum), corn, sunflower, clover, berries and apples;
 - b. Intensive livestock operations;
 - c. Outdoor drive-in theatres; and
 - d. Managed and/or supplemented natural habitats (e.g.: refuges or sanctuaries).
- 6.2.4 Notwithstanding other provisions of this By-law, in the Airport POD, the following uses may be approved only as conditional uses due to their potential to attract birds:
 - a. Restaurants and picnic areas;
 - b. Hay cutting, baling and storage;
 - c. Fair grounds and game farms; and
 - d. Sewage lagoon and large linear stormwater retention ponds.Mitigating measures must be implanted as a condition of approval.
- 6.2.5 Notwithstanding other provisions of this By-law, in the Airport POD, industrial and/or manufacturing processes that generate smoke, dust or steam and result in a reduction of visibility under certain micro-climates are prohibited.



6.2.6 Notwithstanding other provisions of this By-law, in the Airport POD:

- a. Residential uses may only be considered, as a conditional use, if they are part of an overall plan for development of St. Andrew's Airport lands developed and/or supported by the St. Andrew's Airport Inc.;
- b. Other than those described in provision 6.2.6a, residential uses shall be prohibited to locate in areas designated for residential or agricultural uses in the Development Plan;
- c. Existing residential uses in commercial and industrial areas are non-conforming; and
- d. Accessory residential uses to industrial uses may be considered as a conditional use.



PART C: DEVELOPMENT STANDARDS

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Chapter 7: General Development Standards

The following regulations shall apply to all zoning districts in this By-law.

7.1 Accessory Structures and Uses

- 7.1.1 No person may erect an accessory structure, including but not limited to parabolic antennas, pergolas, gazebos, and swimming pools, but excluding those related to public utilities, unless the accessory structure meets the use requirement in Table 9-2: Accessory Use Table, the dimensional standards in Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses and the permitted projections in sections 7.13 Permitted Projections into Required Yards and 7.14 Permitted Projections Through Maximum Height Limits.
- 7.1.2 Except for farm-related accessory buildings or structures, no accessory building or structure shall be constructed on any site prior to the time of construction of the principal building to which it is accessory, or prior to the establishment of the principal use of the land where no principal building is required.
- 7.1.3 Where a building or structure is attached to the principal building by a roof, an open or enclosed structure, a floor or a foundation, it is considered to be part of the principal building and is subject to the dimensional standards applicable to the principal building.
- 7.1.4 The minimum separation space between a detached accessory building, excluding detached decks, above ground pools and hot tubs, and the principal building on the lot must be 10 ft (3.048 m), clear of projections.
- 7.1.5 The minimum separation space between a detached accessory building and any other accessory building on the lot in a Residential zoning district must be 3 ft (0.91 m), clear of projections.
- 7.1.6 No accessory building or structure shall be used as a dwelling unit, except as provided for in this By-law.

7.2 Bare Land Condominiums

- 7.2.1 The provisions of this section only apply to bare land condominium developments established under *The Condominium Act*.
- 7.2.2 Bare land condominiums must be generally consistent with the desired character for the area as set out in the Development Plan, any applicable Secondary Plan and the uses and standards in the zoning districts adjacent to the site.
- 7.2.3 The density of development shall be generally consistent with the specified density permitted in the zoning district and any zoning districts adjacent to the site.
- 7.2.4 The entire bare land condominium development and not the individual condominium units shall be deemed the lot for the purpose of interpreting dimensional standards.
- 7.2.5 As an alternative to providing each single-unit lot with separate access to a public street, the owner of land in the RG or RA zoning districts may develop an auto court pursuant to the standards in provision 7.2.6 (see Figure 7-1: Illustration of Auto Court Layout) or a loop lane (see Figure 7-2: Illustration of Loop Lane Layout) pursuant to the standards in provision 7.2.7. All dimensional standards in Table 9-3: Dimensional Standards for Principal Uses and Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses continue to apply unless modified by the standards in provisions 7.2.6 through 7.2.7.

- 7.2.6 Single-unit dwellings may share a single driveway access to a public street through the use of an auto court layout that complies with the following conditions:
- The minimum width of the surface of an auto court must be 20 ft (6.1 m);
 - Shared driveways must be surfaced with concrete, asphalt, or paving stone, or a combination of those materials;
 - Individual driveways leading from the shared driveway to each dwelling unit must be at least 23 ft (7.0 m) long, as measured between the front of the garage or carport and the closest edge of the shared driveway;
 - The design of the auto court must permit a passenger vehicle to back out of an individual driveway and turn 90 degrees using the individual drive or intersecting street;
 - The auto court design must comply with all off-street parking requirements applicable to single-unit dwellings. In addition, each auto court design must provide one-half off-street parking space per dwelling unit, always rounding up to the next whole number, in a location other than a private driveway; and
 - The maintenance and repair of shared driveways is the responsibility of the owner unless such driveways are constructed to municipal street standards and St. Andrews accepts responsibility for maintenance and repair during the development approval process.

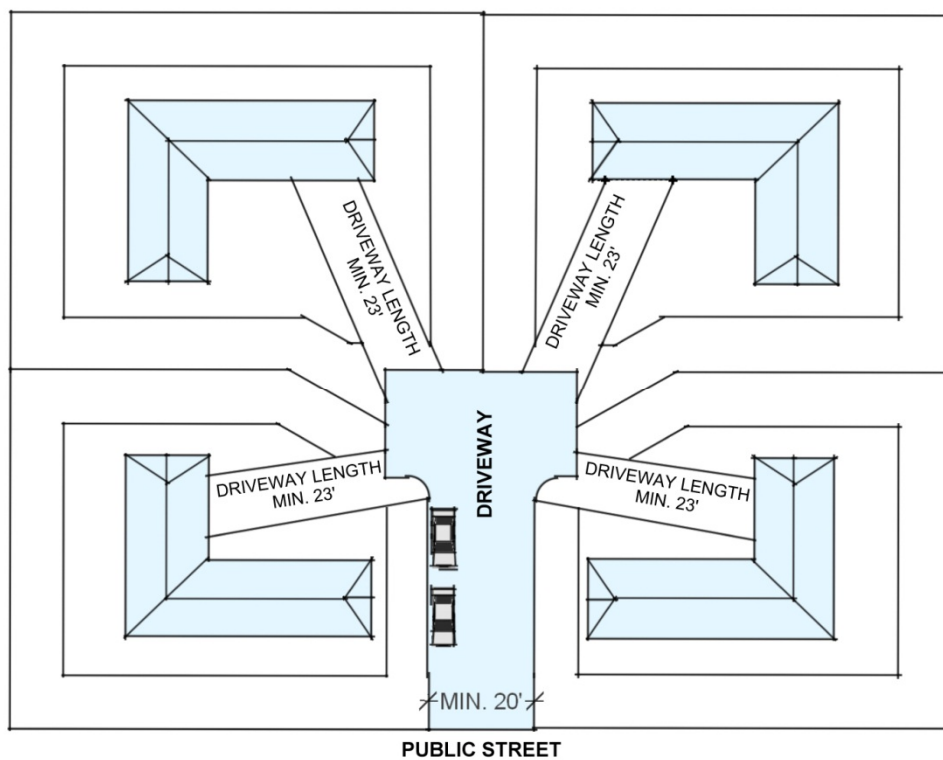


Figure 7-1: Illustration of Auto Court Layout

- 7.2.7 Single-unit dwellings may share access to a public street through the use of a loop lane layout that complies with the following conditions:
- The surface of the loop lane must be at least 20 ft (6.1 m) wide, and must be surfaced with concrete, asphalt, or paving stone, or a combination of those materials;
 - No portion of the loop lane may extend more than 250 ft (76.2 m) from the public street to



- which the loop lane gives access;
- The common area surrounded by the loop lane must be at least 60 ft (18.3 m) wide;
 - Individual driveways leading from the loop lane to each home must be at least 23 ft (7.0 m) long, as measured from the closest edge of the loop lane;
 - Traffic on the loop lane must be one-way only and must be adequately signed as a one-way drive;
 - Design of the loop lane must permit a passenger vehicle to back out of an individual driveway and turn 90 degrees using only the individual driveway, the loop lane, or the intersecting public street;
 - The loop lane design must comply with all off-street parking requirements applicable to single-unit dwellings. In addition, each loop lane court design must provide one-half off-street parking space per dwelling unit, always rounding up to the next whole number, in a location other than a private driveway; and
 - The maintenance and repair of the loop lane surface and the common area surrounded by the loop lane is the responsibility of the owner unless the loop lane is constructed to municipal street standards and St. Andrews accepts responsibility for maintenance and repair during the development approval process.

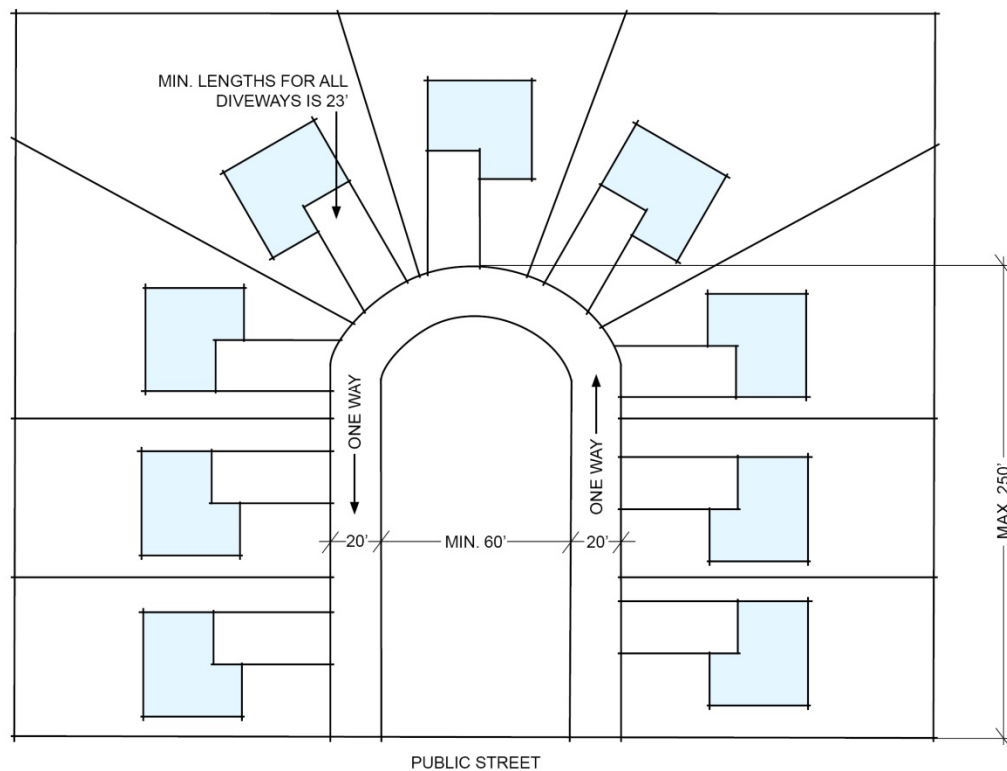


Figure 7-2: Illustration of Loop Lane Layout

7.3 Design Standards

- 7.3.1 For commercial uses that have interior side lot lines abutting residential uses, St. Andrews may require additional landscaping, appropriate siting or parking areas, fencing, and/or approaches to address any negative impacts the commercial use may have on the residential use related to



outside storage, lighting, noise, and/or dust.

7.4 Dwelling Units Per Lot

7.4.1 No person may erect, and the owner of property may not permit to be erected, more than one dwelling unit per lot, except for the following as provided for in this By-law:

- a. Two-unit dwellings and multi-unit dwellings;
- b. Manufactured home communities;
- c. Secondary suites;
- d. Staff dwellings as provided for in Table 9-2: Accessory Use Table;
- e. Planned Unit Developments; and
- f. Communal Farm Operations.

7.5 Fences and Screening

7.5.1 The owner may erect and maintain fences, hedges, trees, shrubs, arbours, trellises, and similar landscape features in all yards, provided that no electric fences or barbed wire fences are erected or maintained except as provided for in Table 7-1: Maximum Heights for Fences and Screening and the standards of this section are complied with. Compliance with this By-law does not relieve the owner of the responsibility of also complying with any instruments registered on the property title.

7.5.2 The height of a fence, hedge, arbours, trellises, and similar privacy screening or landscape features must comply with the standards set forth in Table 7-1: Maximum Heights for Fences and Screening.

Table 7-1: Maximum Heights for Fences and Screening

<i>Yard</i>	<i>Agricultural Districts</i>	<i>Residential Districts [a]</i>	<i>Commercial Districts and Recreational and Hazard Lands Districts</i>	<i>Industrial Districts [b]</i>
Front	Unlimited	4 ft (1.2 m)	4 ft (1.2 m)	8 ft (2.44 m)
Side	Unlimited	6.5 ft (2.0 m)	8 ft (2.44 m)	
Rear	Unlimited			
Notes:				
a) If accessory to a school or park, the maximum permitted height is 10 ft (3.0 m).				
b) 2 ft (0.6 m) of barbed wire may be added to the top of fences in the M1, M2 and AIP zoning districts and on municipally owned properties only, for a total height of 10 ft (3.0 m).				

Privacy screens shall extend no more than 6.5 ft (2.0 m) above the walking surface for which they serve.

7.5.3 No person may erect or maintain a fence or wall made of debris, junk, waste materials, or non-permanent materials such as chicken wire or snow fencing or use dangerous materials such as razor wire or other dangerous security fencing (aside from barbed wire in M1, M2 and AIP zoning districts and on municipally owned properties).

7.5.4 Permitted fencing materials shall include:

- a. Painted or pressure-treated wood;
- b. Concrete;
- c. Ornamental block
- d. Brick;



- e. Metal including chain link;
- f. Dense evergreen plant;
- g. Combination thereof; or
- h. Any other material, subject to illustration by a certified professional engineer or architect and approval by the Designated Officer.

The above fencing shall be uniformly painted and maintained.

7.5.5 Chain link fencing in the M1, M2, or AIP zoning districts shall include privacy slats on all sides, unless otherwise determined by the Designated Officer.

7.5.6 Landscape features shall be set back in accordance with *The Transportation Infrastructure Act*.

7.6 Flag Lots

7.6.1 The creation of new flag lots is prohibited unless:

- a. The lands proposed for flag lot access are located in an Agricultural zoning district or the RR zoning district;
- b. The buildable ('flag') portion of the lot (excluding the strip of land used to provide driveway access to the buildable portion of the flag lot (the 'pole')) are located more than 45.7 m (150.0 ft) from the nearest existing or planned public street or lane; and
- c. The Designated Officer determines that there is no feasible alternative way to provide access to such lands.

7.6.2 Site width shall be measured at the midpoint of opposite site lines of the buildable ('flag') portion of the lot;

7.6.3 For the purposes of calculating site area, only the buildable ('flag') portion of the lot shall be used; and

7.6.4 The minimum width of the strip of land used to provide driveway access to the buildable portion of the flag lot (the 'pole') shall be 15.24 m (50.00 ft).

7.7 Flood Prone or Hazard Prone Lands

7.7.1 Flood prone land are those lands which are subject to flooding at the 200-year flood level as specified by the responsible provincial department, with exceptions as listed below:

- a. Where levels exceed the 200-year flood level, the record flood level shall apply;
- b. Where land is protected by flood control works, the flood level specified by the responsible provincial department shall apply; and
- c. The flood protection level for land adjacent Lake Winnipeg is elevation 722 ft (220.066 m), Geodetic Survey of Canada.

7.7.2 Hazard prone lands shall include lands:

- a. Within a horizontal distance of 350 ft (106.68 m) of the normal high water mark of the Red River or Lake Winnipeg and their tributaries; and
- b. That are subject to subsidence or are low-lying, marshy or unstable, or are otherwise unsuitable or hazardous for a proposed purpose by virtue of soil or topography.

7.7.3 Development shall be directed away from all lands which would, within a 50-year period, be eroded or become unstable due to the action of water contained in an adjacent waterway or water body,



unless proven otherwise by a geotechnical report from an engineering investigation shows these limits may be reduced.

- 7.7.4 Additional Development Permit application requirements for flood prone and/or hazard prone lands include:
- a. Cross section through proposed building or structure of fill area;
 - b. Cross section through riverbank or the like, indicating geodetic elevations; and
 - c. Geotechnical engineering report stating that the proposed development will not:
 - (i) Impede surface or subsurface water flow;
 - (ii) De-stabilize land, including the waterway bed; or
 - (iii) Adversely alter waterway channels or bank stability.
- 7.7.5 A 328 ft (100 m) setback for new development along the shoreline of Lake Winnipeg is required.
- 7.7.6 Development within 32.8 ft (10 m) of man-made waterbodies shall be restricted.
- 7.7.7 A 100 ft (30 m) riparian buffer for development along the shoreline of Lake Winnipeg and Netley Marsh, along the stream bank of the Red River, and of the ordinary high water mark of other rivers, creeks and lakes.
- 7.7.8 Dumping or placement of material shall not be permitted within a horizontal distance of 350 ft (106.68 m) of the normal high water mark of the Red River or Lake Winnipeg.
- 7.7.9 Basements in flood prone lands shall:
- a. Not contain habitable space unless floor protection has been provided;
 - b. Not be used for storage of immovable materials or hazardous materials that are buoyant, explosive or toxic;
 - c. Not contain electrical circuit breaker panels;
 - d. Be provided with a sump pit; and
 - e. Have back-up valves in the sewer pipes or pipe leading to the holding tank, or disposal field.
- 7.7.10 Basement floor elevations in flood prone lands shall:
- a. Not be lower than 2 ft (0.6096 m) below flood protection level if the fill material is pervious, such as sand; or
 - b. Not be lower than 5.5 ft (1.6764 m) below flood protection level if the fill material is impervious, such as clay.
- 7.7.11 Permanent buildings or structures shall be protected from flooding by raising the building site to the flood protection level. Flood protection levels shall be 2 ft (0.6096 m) above the 200-year flood.
- 7.7.12 The following may be exempt from flood protection requirements subject to the owner entering into a development agreement with St. Andrews:
- a. Structural alterations to legally existing buildings or structures;
 - b. Buildings or structures accessory to legally existing buildings or structures; and
 - c. Additions to legally existing buildings or structures.
- 7.7.13 The level of surrounding fill at the building line shall not be less than the flood protection level and shall be included in the Geotechnical Report in accordance with 7.7.4c.
- 7.7.14 Where a development is permitted in flood prone areas, Council shall require a waiver agreement



be signed as a condition of approval, releasing St. Andrews of any liability of damages due to flooding.

7.8 Frontage on a Public Road

- 7.8.1 All development shall be on sites that have direct frontage on a street.
- 7.8.2 No Development Permits shall be issued for a dwelling that does not have frontage on an approved all weather road or road for a which a road construction development agreement had been entered into.

7.9 Ingress and Egress

- 7.9.1 Installation of access crossings onto municipal roadways are subject to St. Andrews' Private Approach By-Law No. 4384 and issuance of a private approach permit from St. Andrews.

7.10 Landscaping

- 7.10.1 A landscaping plan is required for all principal uses, other than single-unit dwellings, two-unit dwellings, mobile homes, manufactured homes, and Agricultural uses, and no landscaping work shall be commenced until the landscaping plan is approved by the Designated Officer.
- 7.10.2 A landscaping plan shall contain the following information for the site and adjacent boulevards:
 - a. All physical features, existing or proposed, including vegetation, berm contours, walls, fences, outdoor furniture and fixtures, surface utilities, garbage & recycling collection, and paving;
 - b. All shrubs and trees, whether existing or proposed, labelled by their common name, botanical name, and size; and
 - c. A description of the compatibility of all physical features, existing or proposed, with adjacent sites.
- 7.10.3 Notwithstanding provisions 7.10.1 and 7.10.2 above, the Designated Officer may consider an application if, in their opinion, the development is of such a nature as to enable a decision to be made on the application without all of the information.
- 7.10.4 The Red River Planning District shall provide any required landscaping plan to the municipality to verify compliance with any applicable development agreements or municipal policies or by-laws. As a condition of approval, the municipality may require that the applicant provide an irrevocable letter of credit in the amount of 100.00 percent of the estimated landscaping cost, the condition of the said irrevocable letter of credit being that if the landscaping is not completed in accordance with the approved landscaping plan within one growing season after completion of the development, then the amount required to complete the landscaping shall be paid to the municipality from the said irrevocable letter of credit.
- 7.10.5 All required yards and all open spaces, excluding parking areas, driveways, exterior storage, display and service areas, shall be landscaped in accordance with the landscaping plan.
- 7.10.6 All plant material required shall be hardy to the location on the site where they are planted. The horticultural standards of the Canadian Nursery Trades Association or an approved tree list provided by the municipality (where available) shall be used as a reference in selecting plants.
- 7.10.7 The owners shall maintain all landscaped areas free from refuse and debris and with a neat appearance and shall maintain plant materials, including lawns and naturalized landscaping, in a



healthy condition. The owner shall replace any plant material shown on an approved landscape plan that dies or becomes diseased and, in this case, the Designated Officer may allow or require alternative plant materials to be substituted.

7.11 Lighting

7.11.1 The owner of each lot containing a use other than a single-unit or two-unit residential dwelling must comply with the following standards. These standards do not apply to seasonal lighting used less than 60 days per calendar year.

- a. No owner may install or maintain a light source that is directed outward toward property boundaries or adjacent rights-of-way.
- b. All light sources must be shielded to prevent glare and spillover.
- c. Wall-mounted lights must have fully shielded luminaires to direct all light downward.
- d. Lighting of non-residential properties must be directed downward except for low voltage architectural, landscape and decorative lighting.
- e. Architectural, landscape, and decorative lighting may be directed upward to illuminate flags, statues, or any other objects but must use a narrowly directed light whose light source is not visible from adjacent residential properties or public streets.
- f. The owner must install all required lighting so as to maintain a minimum clear distance of 7 ft (2.1 m) above all pedestrian walkways, and such lighting must be installed so as not to cause a hazard to those using pedestrian walkways.
- g. No person may install or maintain strobe lights that are visible from another property, unless required by a governmental aviation authority.
- h. No person may install or maintain red, blue, or yellow rotating lights designed to imitate lighting on police, fire, or emergency vehicles that are visible from another property.

7.11.2 The owner may install and maintain parking area lighting only if it complies with the following provisions:

- a. Light fixtures must be located to provide a relatively uniform level of lighting and to avoid extreme contrasts between levels of lighting, except as necessary to prevent glare onto adjacent properties;
- b. Within any Residential zoning district, the maximum permitted height of light poles is 20 ft (6.1 m); and
- c. Within any Commercial or Industrial zoning district, the maximum permitted height of light poles is 25 ft (7.6 m) within 50 ft (15.3 m) of residential uses, and 35 ft (10.7 m) in all other areas.

7.11.3 The owner may install and maintain canopy and service area lighting only if it complies with the following standards:

- a. All canopy lighting must use recessed luminaire fixtures and must be designed and located so as to prevent glare onto adjacent properties;
- b. No light source in a canopy structure may extend downward further than the lowest edge of the canopy ceiling;
- c. Reflective material must not be installed on the underside of the canopy;
- d. As an alternative (or supplement) to recessed lighting, indirect lighting may be used where light is beamed upward and then reflected down from the underside of the canopy. When



this method is used, light fixtures must be shielded so that direct light is focused exclusively on the underside of the canopy and is not visible from any residential use adjacent to or across a street or public lane from the subject property, or from any public right of way; and

- e. Service area lighting fixtures must be designed and located so that the light source cannot be seen from adjacent streets or areas with residential uses. Wall mounted light fixtures must use cut off devices to contain direct lighting to the service area and must have a concealed light source.

7.12 Parking and Loading

7.12.1 The following regulations apply to the calculation of required parking spaces:

- a. Each owner must provide the amounts of accessory off-street parking spaces shown in Table 7-2: Required On-Site Parking Spaces for all principal and accessory uses unless the requirements in that table are modified by another provision of this By-law. Table 7-5: Loading Spaces Required identifies the required number of loading spaces.
- b. When the computation of the number of accessory off-street parking spaces required by this By-law results in a requirement of a fractional parking space, any fraction less than one-half of a parking space may be disregarded, but a fraction of one-half or more of a parking space must be counted as one parking space.
- c. Where principal uses from different sub-categories of uses listed in Table 9-1: Principal Use Table are located within a single building (for example: retail and service uses in a hotel or office building, or offices combined with warehousing uses), the number of parking spaces required is reduced to 80 percent of the aggregate of the accessory off street parking spaces required for each use established on the lot.
- d. An applicant may propose to the Designated Officer a parking management plan prepared by a professional traffic engineer or parking consultant, documenting that a lower amount of automobile parking is adequate to meet the needs of the proposed use or combination of uses and to prevent traffic or parking congestion on surrounding streets or public lanes. A parking management plan may consider such factors as unique patterns of peak hour use and the proximity of other public parking areas. At the Designated Officer's discretion, the amount of required off-street parking may be reduced in conformance with the approved parking management plan.
- e. Electric vehicle charging stations are permitted in all accessory parking areas and each on-site electric vehicle charging station, up to a maximum of two stations per lot, shall count as 1 traditional vehicle parking space when determining the amount of required parking required in Table 7-2: Required On-Site Parking Spaces.

Table 7-2: Required On-Site Parking Spaces

<i>Use Type</i>	<i>Required Number of Parking Spaces</i>	<i>Required Number of Queuing Spaces</i>	<i>Loading Space Category per Table 7-5</i>
Airstrip, private Agricultural activities Agricultural commercial Agricultural industrial Apiary Aviary	No off-street parking required	N/A	A



<i>Use Type</i>	<i>Required Number of Parking Spaces</i>	<i>Required Number of Queuing Spaces</i>	<i>Loading Space Category per Table 7-5</i>
Auction mart Backyard bee keeping Buildings or structures necessary for the operation and maintenance of primary uses Bus shelters Cemetery Communal farm operation Data processing centre Day care, home Docks Exterior storage Farm diversification operation Freight or truck yard Greenhouse, private Hobby poultry Keeping of animals Livestock operation Mini-warehouse/self-storage Nature and wildlife reserves Park Parking, non-accessory Parking, off-street Patio, detached, covered Planned unit development Ponds Produce sales, limited Production, processing, cleaning, servicing, sales, altering, testing or storage building or structures incidental to agricultural, commercial or industrial use Recreation building or structures, including playhouses, swing, gazebo, picnic structure Solar energy generating system, on- site use Signs Specialized agriculture Storage containers Stables Swimming pools, private Wind energy generating system, on- site use Wireless communication, building- mounted tower Wireless communication, freestanding tower Quarry operation			
Dwelling, single-unit Dwelling, two-unit	1 / dwelling unit	N/A	A



<i>Use Type</i>	<i>Required Number of Parking Spaces</i>	<i>Required Number of Queuing Spaces</i>	<i>Loading Space Category per Table 7-5</i>
Manufactured home Manufactured home community Mobile home Secondary suite Single-unit dwelling, accessory to non-residential principal use			
Home business Home occupation Home industry	1.5 / dwelling unit	N/A	A
Assisted living facility Neighbourhood rehabilitation home	1 / 5 dwelling units or beds	N/A	A
Dwelling, row housing	1 / dwelling unit plus 1 / 3 dwelling units for unassigned guest parking	N/A	A
Dwelling, multi-unit	1.5 / dwelling unit plus 10% unassigned for guest parking	N/A	A
Funeral chapel, mortuary, or crematorium Special event facility	1 / 100 ft ² (9.29 m ²)	N/A	B
Place of worship	1 / 215 ft ² (19.97 m ²) of assembly room space	N/A	B
Day care centre Educational facility	1.5 / classroom, plus 1.0 / 100 ft ² (9.29 m ²) of public area	See 8.7 for day care centre	A
Auditorium / concert hall / theatre / cinema Race track	1 / 500 ft ² (46.4 m ²), but no less than 2	N/A	B
Airport and associated facilities Airport industrial uses Contractor's establishment Heavy industrial Light industrial Lumber and building supply Truck service and repair	1 / 500 ft ² (46.4 m ²), but no less than 2	N/A	C
Camping ground Recreational facility, outdoor	1 / 4 persons at maximum occupancy load	N/A	C
Library / museum/ gallery	1 / 100 ft ² (9.29 m ²)	N/A	C
Recreational facility, indoor	1 / 250 ft ² (23.2 m ²), but no less than 4	N/A	B
Bed and breakfast Hotel or motel Short term rental	1 / guest room	N/A	A
Protection and emergency services	1 / 550 ft ² (51.1 m ²), but no less than 2	N/A	E
Health services	1 / 100 ft ² (9.29 m ²)	N/A	C
Animal hospital or veterinary clinic	1 / 500 ft ² (46.4 m ²)	Bank or lending	C



<i>Use Type</i>	<i>Required Number of Parking Spaces</i>	<i>Required Number of Queuing Spaces</i>	<i>Loading Space Category per Table 7-5</i>
Auto/light truck/motorcycle, repair, service, sales and rental Cannabis retail Custom manufacturing establishment Dispatch services Garden centre Kennel or animal pound Office Personal services Pet day care Retail sales		institution, cheque-cashing facility or automated teller machine (ATM) with drive-through facility: 3	
Car wash Fuel sales	1 / 330 ft ² (30.7 m ²), but no less than 1 space	Car wash – automatic: 3 Car wash – self-service: 2 / bay	D
Drinking establishment Drive-through Restaurant	Without drive-through facility: 1 / 100 ft ² (9.29 m ²) With drive-through facility: 1 / 150 ft ² (13.9 m ²)	Restaurant with drive-through: 6 Other use with accessory drive-through: 2	D
Landfill Public utility facility Recycling collection centre Recycling plant Towing and storage facility Waste disposal facility Wrecking or salvage yard	1 / 5,000 ft ² (464.5 m ²)	N/A	A
Greenhouse, plant or tree nursery Warehouse	1 / 1,000 ft ² (92.9 m ²)	N/A	C
Marina	2 / boat slip	N/A	A

7.12.2 The following development standards apply to all parking areas:

- The owner must provide all required accessory off-street parking spaces and parking aisles so that they meet the dimensions and standards shown in Table 7-3: Minimum Required Parking Space Dimensions, except for required accessible parking spaces, which must meet the standards of provision 7.12.5.
- An accessory off-street parking area must be provided with a parking aisle or driveway that has access to a public street or, where permitted by St. Andrews, to a public lane.
- Tandem parking is permitted for required parking spaces related to single-unit dwellings, two-unit dwellings, manufactured homes, mobile homes, secondary suites and home-based businesses. Required parking spaces for all other uses must be independently accessible from a parking aisle or driveway.
- All parking areas and driveways shall be drained so as to control the pooling of water and to prevent the flow of surface water onto adjacent lots or public sidewalks.



- e. All parking areas and driveways shall be located on a surface designed to support vehicular use and minimize the carrying of dirt or foreign matter onto the public roadway, such as hard surfacing or gravel. Grass, landscaped areas, or other unimproved surfaces are not permitted as parking areas or driveways.
- f. All parking areas must comply with the requirements of section 7.7.

Table 7-3: Minimum Required Parking Space Dimensions

Angle of Parking [a]	Minimum Dimensions of Parking Space	Minimum Parking Aisle Width	
		Two Way	One Way
75 to 90 degrees	9 ft (2.7 m) wide by 20 ft (6.1 m) long; 7 ft (2.1 m) high [b]	22 ft (6.7 m)	20 ft (6.1 m)
50 to 74 degrees			18 ft (5.5 m)
Less than 50 degrees			12 ft (3.7 m)
Parallel	9 ft (2.7 m) wide by 23 ft (7.0 m) long; by 7 ft (2.1 m) high [b and c].		12 ft (3.7 m)
Notes:			
a) The angle of parking must be measured between the centre line of the parking space and the centre line of the parking aisle or driveway. b) A maximum of 25 percent of the total number of parking spaces for non-residential uses, and a maximum 33 percent of the total number of parking spaces for multi-unit residential uses, may be reduced in length to 18 ft (5.5 m) and designated for small cars only. c) Width must be increased to 10 ft (3.0 m) if long dimension is immediately adjacent to a fence or wall.			

- 7.12.3 Except for uses that do not require on-site parking spaces, the owner must provide the greater of two lockable bicycle parking spaces, or one lockable bicycle parking space per twenty (20) required automobile parking spaces. Required bicycling parking must be located with convenient access to major building entrances.
- 7.12.4 Except for single-unit dwellings, two-unit dwellings, mobile homes, manufactured homes, secondary suites and home-based businesses, the owner must provide the number of accessible spaces shown in Table 7-4: Accessible Parking Spaces, based on the total minimum number of spaces required in Table 7-2: Required On-Site Parking Spaces. For clarity, any required accessible spaces shall be counted towards the number of total parking spaces required as per Table 7-2: Required On-Site Parking Spaces and shall not increase this number.

Table 7-4: Accessible Parking Spaces

Total Required Parking Spaces per Table 7-2	Minimum Number of Accessible Parking Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 and over	4 plus 1 for every 50 additional spaces, to a maximum of 10

- 7.12.5 Each accessible parking space must be in accordance with the following:
- a. A minimum of 8 ft (2.4 m) in width plus a 5 ft (1.5 m) wide adjacent access aisle. Two stalls may be served by one access aisle (see Figure 7-3: Illustration of Access Aisle Between Parking Spaces);

- b. A hard surfaced accessible route must be provided from the accessible parking to an accessible entrance. It must be at least 63 in. (1.6 m) wide. The width requirement applies to curb ramps, sidewalks and built-up curb ramps. Accessible ramps must be located adjacent to the access aisle, not in the parking stall;
- c. Must be hard surfaced, regardless of whether other parking is paved or unpaved;
- d. Must include signage reserving the space for use by persons with disabilities;
- e. Must be located within 200 ft (60.1 m) of major building entrances used by residents, employees, or the public; and
- f. At least one curb ramp must be located horizontally within 100 ft (30.1 m) of the auto parking space closest to each entrance to a principal or accessory building that is not a service entrance.

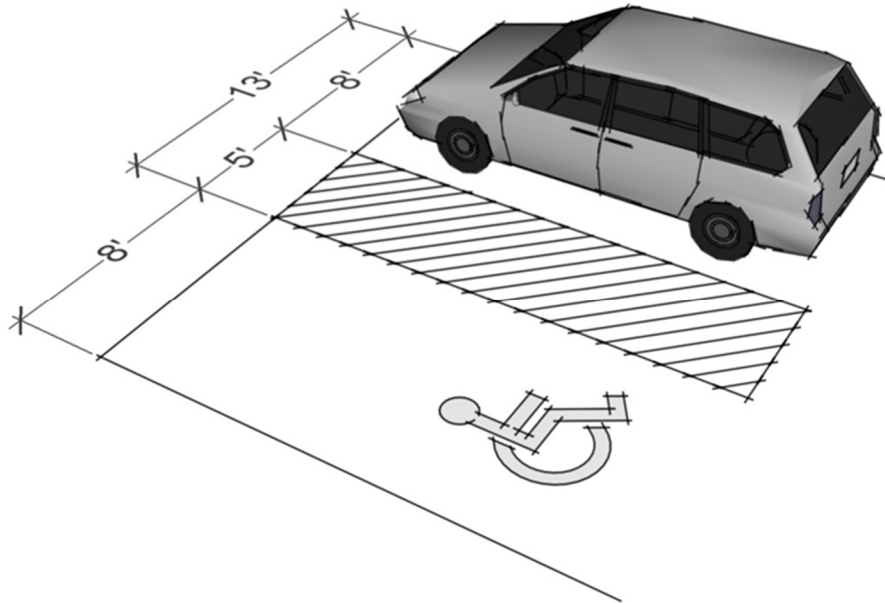


Figure 7-3: Illustration of Access Aisle Between Parking Spaces

7.12.6 No person shall erect, enlarge, or change the use of a lot without providing and maintaining a minimum number of on-site loading spaces in accordance with Table 7-5: Loading Spaces Required. The applicable letter for use assigned shall be in accordance with Table 7-2: Required On-Site Parking Spaces.

Table 7-5: Loading Spaces Required

Use	Floor Area	Number of Loading Spaces Required
A	n/a	0
B	Less than 10,000 ft ² (929.0 m ²)	0
	10,000 ft ² (929.0 m ²) to 199,999 ft ² (18,580.5 m ²)	1
	Each additional 200,000 ft ² (18,580.6 m ²)	+1 (up to 5 max.)



<i>Use</i>	<i>Floor Area</i>	<i>Number of Loading Spaces Required</i>
C	Less than 20,000 ft ² (1,858.1 m ²)	0
	20,000 ft ² (1,858.1 m ² to 199,999 ft ² (18,580.5 m ²))	1
	Each additional 200,000 ft ² (18,580.6 m ²)	+1 (up to 5 max.)
D	Less than 20,000 ft ² (1,858.1 m ²)	1
	20,000 ft ² (1,858.1 m ²) to 59,999 ft ² (5,574.1 m ²)	2
	60,000 ft ² (5,574.2 m ²) to 99,999 ft ² (9,290.2 m ²)	3
	Each additional 50,000 ft ² (4,645.2 m ²)	+1 (up to 5 max.)
Notes:		
a) Each required loading space must be a minimum of 12 ft (3.7 m) wide by 30 ft (9.14 m) long by 14 ft (4.3 m) in unobstructed height.		
b) The dimensions of the accessory on-site loading spaces must not include associated driveways or parking aisles.		

7.12.7 When required, on-site loading spaces must be located on the same site as the building containing the use and have access to a street or public lane.

7.13 Permitted Projections into Required Yards

7.13.1 Notwithstanding the required front, side, and rear yard requirements in Table 9-3: Dimensional Standards for Principal Uses and Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses, owners may permit the building elements, landscaping and site elements, and other features listed in the left column of Table 7-6: Permitted Projection Regulations to project into required front, side, and rear yards of properties falling within all zoning districts.

7.13.2 Projections that are not listed are not allowed unless otherwise specifically approved in writing by the Designated Officer, and where the obstruction or exception will have no greater impact on surrounding properties than those permitted.

7.13.3 Where maximum heights are stated in Table 9-3: Dimensional Standards for Principal Uses and Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses, those height limits apply to such elements and features when located in required yard areas. In addition, all elements and features located outside of required yard areas are subject to any applicable maximum heights stated elsewhere in this By-law.

Table 7-6: Permitted Projection Regulations

<i>Features</i>	<i>Projection and Setback Requirements</i>
Air conditioners	Permitted in side and rear yards to a maximum projection of 5 ft (1.5 m), minimum 4 ft (1.22 m) setback from property lines
Alcoves, bay windows, vestibules (limited to first storey), balcony or an enclosed fire escape, cantilevers, incidental building or architectural features, roofs with unsupported overhang over exterior entrances (may not be enclosed except by railings)	Permitted in all yards to a maximum projection of 5 ft (1.5 m), minimum 4 ft (1.22 m) setback from property lines



<i>Features</i>	<i>Projection and Setback Requirements</i>
All landscape and site elements including but not limited to arbours, trellises, trees, shrubs, bicycle racks, wheelchair ramps, open landings, terraces, outdoors patios and similar horticultural landscape features	Permitted in all yards, no minimum setback from property lines
Decks	Permitted in side and rear yards, minimum 15 ft (4.6 m) rear yard & 2 ft (0.6 m) side yard setback from property lines
Unsupported overhangs and eaves Window wells	Permitted in all yards, minimum 2 ft (0.6 m) side yard & 5 ft (1.5 m) front or rear yard setback from property lines (<i>eaves troughs shall not be included in determining the eave setback</i>)

7.14 Permitted Projections Through Maximum Height Limits

7.14.1 Notwithstanding the maximum height limits established in Table 9-3: Dimensional Standards for Principal Uses and Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses, building elements, site elements, and other features may project above maximum height limits as indicated in Table 7-7: Permitted Projections Through Maximum Height Limits.

Table 7-7: Permitted Projections Through Maximum Height Limits

<i>Features</i>	<i>Permitted Projections Through Maximum Height Limits</i>
Antennas (not under the jurisdiction of Industry Canada)	May not extend higher than 3.5 ft above the highest point on the roof of the principal building. Parabolic antennas attached to the roof of a building may not extend higher than 1.5 ft above the nearest point on the roof. Other antennas 30 ft above grade.
Guard railing and parapet	Must not exceed 5 ft (1.5 m) when measured from the roof.
Flag poles, lighting fixtures, lamp posts, and similar features	Must not exceed a maximum of 20 ft (6.1 m) in height in Residential districts. Must not exceed a maximum of 25 ft (7.6 m) within 50 ft (15.3 m) of residential uses in Commercial or Industrial zoning district or 35 ft (10.7 m) in all other areas.
Chimneys, flues, elevators, stair bulkheads, flagpoles, aerials, spires, and communication towers and facilities	In all Commercial and Industrial zoning districts the items shall not be considered as obstructions and therefore may exceed the maximum height limit.
Solar energy generating systems	As outlined in section 8.27 Solar Energy Generating Systems.
Silos	In all Agricultural zoning districts the items shall not be considered as obstructions and therefore may exceed the maximum height limit.
Wind energy generating systems	As outlined in section 8.31 Wind Energy Generating Systems.

7.14.2 Notwithstanding the above, limitations prescribed or practices recommended by Transport Canada with respect to height limitations in the vicinity of airfields shall prevail.



7.15 Public Works and Services

- 7.15.1 Nothing in this By-law shall be interpreted as to interfere with the construction, maintenance and operation of the facilities of any Public Utility Facility or Protection and Emergency Service, as defined in this By-law.
- 7.15.2 Nothing in this By-law shall be so interpreted as to interfere with the maintenance or erection of public monuments, statuary, and similar structures developed or approved by St. Andrews.

7.16 Setback Standards

- 7.16.1 No dwelling unit shall be located within 984.3 ft (300 m) of a municipal wastewater treatment pond (lagoon), as measured from the outer toe of the nearest dike.
- 7.16.2 No dwelling unit shall be located within 1,312.34 ft (400 m) of a municipal waste management facility (landfill).
- 7.16.3 A 100 ft (30 m) greenway buffer shall be established between residential development and a municipal wastewater treatment pond (lagoon) or municipal waste management facility (landfill).
- 7.16.4 Buildings, structures and plantings adjacent to public streets under provincial jurisdiction shall be setback in compliance with provincial requirements.
- 7.16.5 Storage facilities of potentially hazardous materials, including those in tanks and storage containers, shall be setback a minimum of 300 ft (91.4 m) from the lot line adjacent to a public street.
- 7.16.6 No permanent structure shall be established within 50 ft (15 m) of a rail line.
- 7.16.7 No building or structure shall be erected upon any land designated for a future road allowance as designated in the Development Plan or other document adopted by the Board and Council. Any development adjacent to said future road allowance must comply with the requirements of the By-law as if the said future road allowance was already in existence.
- 7.16.8 Notwithstanding Table 9-1: Principal Use Table, Residential and Residential-Related, Public and Institutional, and Cultural and Entertainment uses within 1,640.4 ft (500 m) of the property limits of an active mine or quarry site shall only be considered as conditional uses.
- 7.16.9 Notwithstanding Table 9-1: Principal Use Table, any use other than Agricultural Activities within 1,312.34 ft (400 m) of the ordinary high water mark of any wetland contained within a delineated significant waterfowl area shall only be considered as a conditional use.

7.17 Signs

- 7.17.1 No person shall erect a sign without first obtaining a Development Permit from the Designated Officer, unless otherwise specified herein, and no permit approval shall be issued unless all the sign regulations and yard requirements of this By-law have been satisfied.
- 7.17.2 No sign shall be erected, operated, used or maintained which:
- Creates a nuisance, obstructs visibility, or in any way interferes with public safety;
 - Due to its position, shape, colour, format or illumination, obstructs the view of, or may be confused with, an official traffic sign, signal or device, as determined by the Designated Officer or Council;
 - Display lights resembling the flashing lights usually associated with danger or those used by



- police, fire, ambulance, and other emergency vehicles;
- d. Allows a swinging motion or contains moving parts;
- e. Is located on the roof of a building or structure;
- f. Is painted on a fence or roof; or
- g. Is located in a public right-of-way or sidewalk area.

7.17.3 The following signs are not subject to this By-law, however, this does not relieve the owner or person in control of such signs from erecting and maintaining them in a safe and good condition:

- a. Signs installed by St. Andrews for traffic control, parking, street/road names and direction or those signs required to be constructed or maintained by law or governmental order;
- b. One temporary sign per site including garage sale signs, auction signs, or election signs;
- c. Non-illuminated directional signs, each sign not to exceed 5.38 ft² (0.5 m²) in sign area;
- d. Window signs, unless such signs occupy more than 30 percent of the window surface on any façade of the principal building, in which case they are treated as fascia signs; and
- e. Memorial signs or tablets of non-combustible material when built into or attached to the walls of a building or other structure provided such tablets bear only the name of the owner, the name and use of the building, the date of erection of the building or reading matter commemorating a person or event.

7.17.4 The following signs do not require a Development Permit;

- a. Signs posted by duly constituted public authorities in the performance of their public duties;
- b. Flags or emblems of a political, civic, educational or religious organization;
- c. Historic or commemorative signs identifying a location of historical significance;
- d. "No Trespassing" or "Private Property" or similar signs not exceeding 3.2 ft² (0.3 m²);
- e. Construction signs when placed on construction sites and not exceeding 25 ft² (2.3 m²);
- f. Signs required for direction and convenience of the public including signs which identify rest rooms or parking entrance or exits, not exceeding 5 ft² (0.46 m²);
- g. Real estate signs not exceeding 10 ft² (0.93 m²);
- h. For single- and two-unit dwellings, one building identification sign not exceeding 1.5 ft² (0.14 m²) in area;
- i. For institutional uses, one building identification sign not exceeding 50 ft² (4.65 m²) in area; and
- j. Any sign that cannot be seen from off the premises.

7.17.5 The following regulations shall apply to signs that are abandoned, in disrepair or unlawful:

- a. Where the Designated Officer finds a sign to be abandoned, the Designated Officer may, by notice in writing or by registered mail, order the registered owner, the person in possession of the site or building, or the person responsible for the abandoned sign to remove the sign within twenty days after receipt of the notice, or take such measures as are specified in the notice to alter or refurbish the sign so that it performs its purpose correctly;
- b. All signs shall be well maintained and shall remain in the general form as when they were applied for. Where the designated officer finds a sign to be in disrepair, or knocked over, the Designated Officer may, by notice in writing or by registered mail, order the registered owner, the person in possession of the site or building, or the person responsible for the sign in disrepair, to remove the sign within twenty days after receipt of the notice, or take



such measures as are specified in the notice to alter or refurbish the sign so that it performs its purpose correctly.

- c. Where a sign contravenes the regulations of this By-law, or has been erected without authorization or permit, Council may, by notice in writing, order the owner or the person responsible for the contravening sign to take such measures as are specified in the notice to alter the sign so that it complies with the regulations of this By-law, or remove the sign; and
- d. Failure to remove an abandoned, derelict or unlawful sign, or to comply with the measures specified in the notice by Council, shall result in the removal of the sign by St. Andrews with the owner or the person responsible for the contravening sign assuming liability for all removal costs.

7.17.6 Owners must maintain all signs such that they are not damaged or upended and with a neat appearance. Should a sign be inadequately maintained, the Designated Officer may by notice in writing or by registered mail, order the sign to be corrected.

7.17.7 The following sign types and forms identified in Table 7-8: Sign Types and Forms are recognized in this By-law:

Table 7-8: Sign Types and Forms

<i>Sign Type</i>	<i>Sign Form</i>	<i>Example</i>
Advertising	Free Standing	Billboards
	Temporary	Mobile, vehicular, trailer
Identification	Attached	Fascia, awning, band, marquee, projecting
	Free Standing	Pedestal, pylon, pole
Directional	Attached	Fascia, projecting
	Free Standing	Pedestal, pylon, pole
Temporary	Free Standing	Mobile, inflatable, flags, sandwich boards, vehicle

7.17.8 Regardless of the zoning district, no on-site sign shall be constructed, erected, altered, enlarged, or placed, except those that are permitted in accordance with Table 7-9: Accessory Sign Regulations.

Table 7-9: Accessory Sign Regulations

<i>Use Class</i>	<i>Type</i>	<i>Form</i>	<i>Surface Area Maximum</i>	<i>Height Maximum</i>
Residential or Residential-Related	Identification – Building or Use	Attached or Free Standing	2 ft ² (0.19 m ²) or 16 ft ² (1.49 m ²) for real estate signs	10 ft (3.05 m)
	Directional	Attached or Free Standing	4 ft ² (0.37 m ²)	6 ft (1.828 m)
Agricultural	Identification – Building or Use	Attached or Free Standing	32 ft ² (2.97 m ²)	35 ft (10.67 m)
	Temporary	Free Standing	50 ft ² (4.65 m ²)	
Public and Institutional and	Identification – Building or Use	Attached or Free Standing	50 ft ² (4.65 m ²) or 25 ft ² (2.32 m ²) if it abuts a	35 ft (10.67 m)



<i>Use Class</i>	<i>Type</i>	<i>Form</i>	<i>Surface Area Maximum</i>	<i>Height Maximum</i>
Cultural and Entertainment			Residential or Residential Related Use Class	
	Directional	Attached or Free Standing	12 ft ² (1.115 m ²)	
Commercial Sales and Service, Private Motor Vehicle Related, Transportation, Utility and Communications, and Industrial	Identification – Building or Use	Attached	200 ft ² (18.58 m ²) for single occupancy or 600 ft ² (55.74 m ²) for multiple occupancy	35 ft (10.67 m)
		Free Standing	200 ft ² (18.58 m ²) for single occupancy or 600 ft ² (55.74 m ²) for multiple occupancy	
	Directional	Attached or Free Standing	12 ft ² (1.115 m ²)	
	Temporary	Free Standing	50 ft ² (4.65 m ²)	

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

7.17.10 For the purposes of this section, each occupant in a multiple occupancy lot or building shall be considered on an individual basis.

7.17.11 The following regulations shall apply to mobile signs:

- a. There shall be no more than one mobile sign per lot, except that for a lot with multiple occupancy, where there can be a maximum of two mobile signs.

7.17.12 Notwithstanding the regulations pertaining to mobile signs, the following regulations shall apply to all other temporary signs:

- a. No temporary sign shall be located within 10 ft (3.05 m) to the nearest part of an entrance or exit; and
- b. All temporary signs shall be removed within seven days after the date of the advertised community event or at the discretion of the Designated Officer.

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

- a. No billboard shall be located within 492 ft (150 m) from another billboard sign on the same road and facing the same direction of traffic;
- b. No billboard shall be located within 150 ft (45.72 m) from the intersection of any road, rail or pedestrian corridor right-of-way intersection;
- c. Applications for billboard signs shall include the same information required in this By-law for development and/or building permits;



- d. The maximum height for a billboard sign shall be 30 ft (9.14 m). If the billboard is attached to a building or structure or free standing within five linear feet of a building or structure, the maximum height of the billboard sign is the height of the building wall or structure; and
- e. The maximum sign surface area of a billboard sign shall be 200 ft² (18.58 m²).

7.17.14 Sign surface area is calculated as follows:

- a. Sign surface area includes the entire area of the smallest rectangle that encloses the extreme limits of any writing or symbol, background colour or material, and any embellishment of the supporting structure forming part of the display;
- b. Sign surface area includes the total area of all faces exhibited or intended for display, except where two faces are parallel and located back-to-back, in which case sign surface area includes the area of only one such face, and if the two parallel, back-to-back faces are not equal, then the sign surface area is the larger of such faces;
- c. Sign surface area does not include non-illuminated signs visible through windows in the building façade;
- d. A mobile sign that is not a flag, an inflatable sign, or a banner, is permitted to a maximum sign surface area of 85 ft² (7.9 m²). A mobile sign that is a flag, an inflatable sign, or a banner, is not subject to a maximum sign size limit.
- e. When a three-dimensional sign has no easily measurable faces, the sign surface area of said sign is half the sum of the total area of the four vertical faces of the smallest right-angled box encompassing the sign.

7.18 Subdivision of Attached Dwellings

7.18.1 A site containing more than one attached dwelling may be subdivided to provide individual sites to one or more of the attached dwelling units, provided that:

- a. Any new lot line shall be a straight line between the front and rear lot lines, located in such a way that the party wall of the two adjacent units shall form part of the new lot line. Where a lot line is unable to be straight due to the irregular shape of the site, the location of the new lot line shall be determined by the conditions of any subdivision approval and verified by the Designated Officer;
- b. Each lot created shall have frontage on a public street, except in the case of a bare land condominium development outlined in *The Condominium Act* where the common site elements containing roads shall be deemed to be a right-of-way for the purposes of this provision;
- c. In the case of an attached dwelling, each created site may only accommodate one dwelling unit and permitted accessory uses and structures;
- d. Each lot created must provide at least one parking space with access to this required parking space being directly from either a public lane or a street;
- e. No side yard is required along the newly created lot line which creates a party wall;
- f. Notwithstanding the minimum dimensional standards found in Table 9-1: Principal Use Table and Table 9-2: Accessory Use Table, any parcel created pursuant to this section shall have a minimum area of 2,000 ft² (185.8 m²) and a minimum frontage of 20 ft (6.1 m); and
- g. Each end unit in a grouping of attached dwellings must meet the minimum side yard or corner side yard requirement, as applicable, of a two-unit dwelling or row housing, in the same zoning district (see Figure 7-4: Illustration of Splitting a Lot Containing Attached

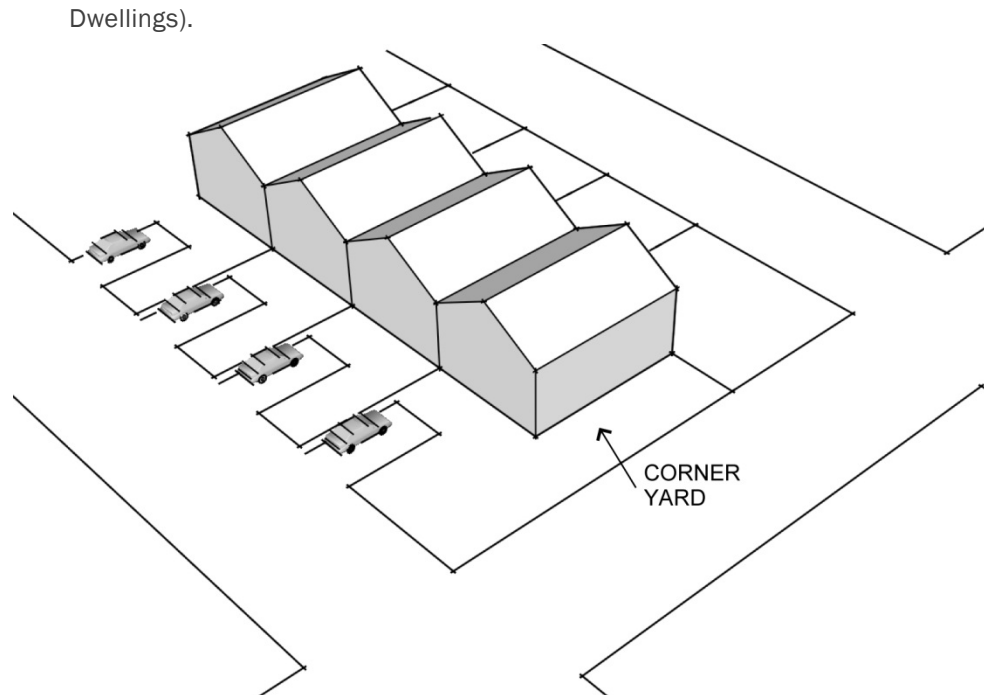


Figure 7-4: Illustration of Splitting a Lot Containing Attached Dwellings

7.19 Temporary Buildings and Uses

7.19.1 Temporary buildings and uses described in this sub-section are permitted in any zoning district subject to the issuance of a Development Permit.

7.19.2 The following provisions must be adhered to for the specific temporary uses listed.

- a. Temporary accommodation may be permitted for:
 - (i) A caretaker, watchman, farm workers or other workers employed on the same site;
 - (ii) The owner and family during the construction of a dwelling unit on the same site for a period of 12 months; and
 - (iii) The owner and family displaced due to flooding or other natural disasters, including fire.
- b. Temporary office space may be permitted for a contractor or developer on the same site for a period of 12 months.
- c. Farmers Markets
 - (i) Farmers' markets may operate occasionally and periodically between the dates of April 1 and October 31 annually.
- d. Temporary Construction Trailers
 - (i) Temporary construction trailers or buildings must be removed from the premises within 30 days after completion of construction.

7.19.3 A permit issued for a temporary use or temporary structure shall be subject to such terms and conditions as required by the Board or Council or the Designated Officer, in addition to the following general requirements, unless otherwise specified in this By-law:

- a. The temporary use or temporary structure must not be detrimental to property or



- improvements in the surrounding area or to the public health, safety, or general welfare;
- b. The temporary use or temporary structure must not have adverse impacts on nearby residential neighbourhoods;
- c. The temporary use must comply with all applicable general and specific regulations of this section unless otherwise expressly stated;
- d. The temporary use or temporary structure must not result in permanent alterations to the site;
- e. Unless otherwise stated in this By-law or in the terms of the permit, a temporary building or use must cease within 30 days after approval of the permit;
- f. The temporary use or temporary structure must not violate any applicable conditions of approval that apply to the permanent use on the site;
- g. If the property is undeveloped, it must contain sufficient land area to allow the temporary use or temporary structure to occur, as well as any parking and traffic movement that may be associated with the temporary use, without disturbing sensitive or protected resources such as floodplains;
- h. Tents and other temporary structures must be located so as not to interfere with the normal operations of any permanent use located on the property; and
- i. A temporary use is not permitted unless sufficient off-street parking is adequate to the anticipated parking needs associated with the temporary use.

7.20 Vehicle Parking and Storage

- 7.20.1 Excluding vehicles stored within an enclosed building, a maximum of six (6) registered vehicles accessory to a single-unit or two-unit dwelling may be parked on a lot located in a Residential zoning district. Of these six vehicles, the total may include no more than one (1) of each of the following:
- a. One travel trailer or one motor home or one cargo trailer (residential occupancy is prohibited);
 - b. One boat; and
 - c. One truck with a registered gross vehicle weight of less than 6,804 kg (15,000 lbs).
- 7.20.2 No commercial vehicle, loaded or unloaded, exceeding a maximum gross vehicle weight of 6,804.00 kg (15,000 lbs) or 40 feet in length shall be kept on a lot in a Residential zoning district.
- 7.20.3 The parking and storage of unregistered vehicles and/or dismantled or wrecked vehicles, other than those within an enclosed building, shall only be permitted in Residential zoning districts where authorized by municipal by-law.



Chapter 8: Use-Specific Development Standards

The following regulations apply to specific land uses due to their unique characteristics and impact on land and/or infrastructure.

8.1 Airstrip, Private

8.1.1 The following provisions do not apply to the St. Andrew's Airport.

8.1.2 No building or structure shall be erected within the following areas:

- a. A 200 ft (60.96 m) strip parallel to and on either side of the centerline of a runway; and
- b. 800 ft (243.8 m) from either end of a runway.

8.1.3 No building constructed around an airstrip shall exceed the following height restrictions:

- a. No building along the edge of a runway shall exceed a height of one ft (0.3048 m) vertical for every 5 ft (1.5 m) measured horizontally from the edge of the runway strip (see Figure 8-1: Illustration of Runway and Runway Strip); and
- b. No building located in the takeoff or approach paths to a runway shall exceed a height of one ft (0.3048 m) vertical for every 25 ft (7.6 m) measured horizontally from the ends of the runway strip and diverging 10 percent from the extension of the edges of the runway strip, (see Figure 8-1: Illustration of Runway and Runway Strip).

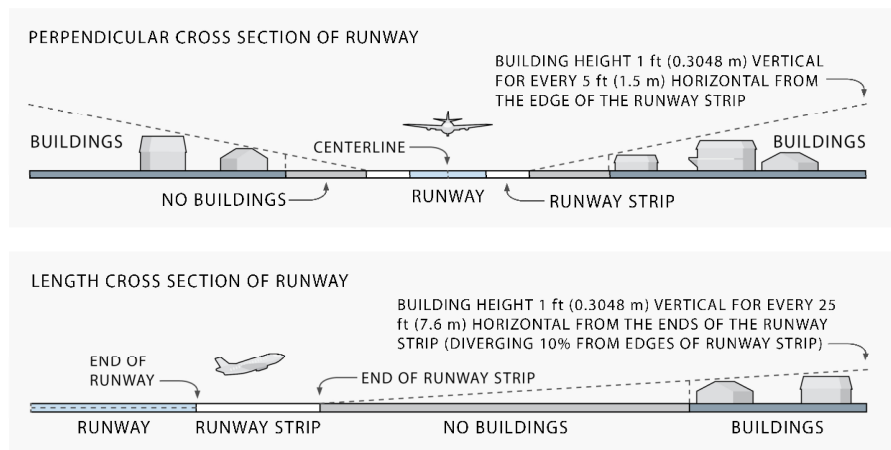


Figure 8-1: Illustration of Runway and Runway Strip

8.2 Agricultural Activities

8.2.1 No buildings permitted in the HL zoning district.

8.3 Auto/Light Truck/Motorcycle, Repair, Service, Sales and Rental

8.3.1 All major repair work on vehicles or equipment, including vehicle preparation must be conducted within an enclosed building meeting the requirements of this By-law.

8.4 Backyard Bee Keeping

8.4.1 Backyard bee keeping must comply with the requirements of The Bee Act and this By-law, but is



exempt from requiring a Development Permit as per provision 2.10.1.

8.4.2 Hives are limited to a maximum of:

- a. Two per site, on properties less than 2 acres; and
- b. Four per site on properties 2 acres or more.

8.4.3 Hives shall be located to the rear of the principal dwelling or structure.

8.4.4 Backyard bee keeping shall not be subject to the yard requirements outlined in Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses. However, no hives shall be located within 25.0 ft (7.5 m) of a lot line unless located in compliance with the following:

- a. the hive's base is set at a minimum height of 8 ft (2.5 m) above grade (i.e. on a rooftop or elevated deck); or
- b. it is located behind an opaque fence or screen planting 6 ft (2 m) in height, maintained to the satisfaction of the Designated Officer.

8.4.5 On-site water is to be provided and maintained for the keeping of bees so as not to require offsite water collection from neighbouring properties.

8.4.6 Every landowner who allows the keeping of bees on their property has the duty to ensure the maintenance of the beehives. The bees must be requeened if they swarm or show signs of aggressive behaviour.

8.5 Bus Shelters

8.5.1 Bus shelters may be permitted in any required front and side yard; however, they must not be located in any area that would hinder traffic visibility.

8.5.2 Shelters must be designed and maintained in an attractive and neat fashion.

8.5.3 For safety reasons only electrical heating is permitted.

8.6 Contractors Establishment

8.6.1 Contractors Establishments with exterior storage in the CG zoning district shall not be permitted.

8.6.2 Contractors Establishments shall require a principal building on the same lot as any exterior storage associated with the use.

8.7 Data Processing Centre

8.7.1 A noise impact assessment and/or a noise mitigation plan may be required, if deemed necessary by Council.

8.7.2 All Data Processing Centres shall be set back a minimum of 300 ft (91.4 m) from a property line adjacent to a Residential zoning district or property with residential use.

8.8 Day Care Centre

8.8.1 Each day care centre must provide a drop-off/pick-up area to ensure the safety of persons and to ensure that vehicles dropping off or picking up do not interfere with smooth traffic flow on adjacent public streets.

8.8.2 All day care centres require provincial licensing.



8.9 Day Care, Home

8.9.1 All home day cares must comply with the following additional requirements:

- a. The hours of operation must be limited to between 6:00 am and 7:00 pm;
- b. No other home-based businesses may be conducted within the premises;
- c. Limited to a maximum of eight (8) children;
- d. Limited to a single-unit dwelling; and
- e. Must provide a pick-up/drop-off area, which may be a driveway, sufficient to ensure the safety of people when entering and leaving the premises.

8.10 Drive-Through

8.10.1 Existing parking or loading spaces must not be utilized as part of a drive-through lane.

8.10.2 No drive-through facility may be located on a lot or site adjacent to a lot containing a residential use unless the drive-through facility is separated from the residential use by an intervening building, public lane, or public street.

8.10.3 No portion of a drive-through facility may be located in a required front yard, excluding drive-throughs in CG and CH zoning districts.

8.10.4 In addition to the minimum on-site parking spaces required in this By-law, if any, the owner of property containing any of the uses listed in Table 8-1: Drive Through Stacking Requirements must provide the number of vehicle stacking spaces indicated.

Table 8-1: Drive Through Stacking Requirements

<i>Use</i>	<i>Inbound Stacking Requirements</i>	<i>Outbound Stacking Requirements</i>
Automatic car wash	3	1
Self-serve car wash	2 per bay	1
Drive through oil change service	2 per bay	1
Bank or financial institution with an automated teller machine (ATM)	2	1
Restaurant with drive through	6 (3 before order box, 3 between order box and pickup window)	1
Other drive through	1	1

8.10.5 Stacking spaces shall be a minimum of 18 ft (5.49 m) long and 10 ft (3.05 m) wide. Stacking lanes shall provide sufficient space for turning and manoeuvring.

8.10.6 All stacking spaces shall be located so as to not block or interfere with the smooth flow of traffic to and from required on-site parking spaces or the driving aisles providing access to those spaces, or any adjacent street or lane through an approved access point.

8.11 Dwelling, Multi-Unit

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

- a. Maximum building sizes;
- b. Maximum allowable density;



- c. Design requirements including, but not limited to, exterior finishes and materials;
- d. Parking requirements;
- e. Waste storage and removal requirements;
- f. Emergency access requirements; and
- g. Any other matter deemed necessary or relevant by Council.

8.12 Exterior Storage

8.12.1 Exterior storage within Residential, Commercial, and Industrial zoning districts, and for Home industries in Agricultural zoning districts, shall meet the following requirements:

- a. Any permitted or conditional use requiring exterior storage shall be enclosed on all sides by a fence, a minimum of 6 ft (1.8288 m) to maximum of 8 ft (2.4384) high;
- b. A caveat may be filed against the title in order to ensure the fence is maintained to municipal standards. The maintenance plan may require the posting of a performance bond; and
- c. Permitted fencing materials shall be in accordance with section 7.5.

8.12.2 Agricultural activities and associated exterior storage of materials, equipment and machinery is exempt from provision 8.12.1.

8.12.3 No exterior storage shall be established on any site prior to construction of the principal building to which it is accessory. Exterior storage as a principal use is not permitted.

8.12.4 Exterior storage of structures that are for sale as part of the principal or accessory retail use on site shall not be treated as a principal structure under this By-law, provided they are moveable and not placed on a foundation.

8.13 Farm Diversification Operation

8.13.1 All farm diversification operations shall comply with the following regulations:

- a. Farm diversification operations must be operated by a resident of the dwelling unit, or in the case of a rental situation, permission must be received from the owner of the dwelling unit;
- b. Farm diversification operations shall only be located on a farmstead site and only be permitted as accessory to currently active agricultural operations;
- c. The farm diversification operation shall be valid so long as the principal use of the site is an active agricultural operation;
- d. Farm diversification operations shall comply with all environmental and public health standards of the Province of Manitoba. If Council determines that a proposed use may conflict with these standards, the application shall be referred to the appropriate provincial department or agency prior to issuing a Development Permit;
- e. A proposed farm diversification operation should not be permitted if, in the opinion of Council, such use would be more appropriately located in another zoning district having regard for potential traffic generation and interference with the agricultural character of the area;
- f. A Development Permit for a farm diversification operation shall include provisions satisfactory to St. Andrews for the following:
 - (i) Adequate space for the parking and/or storage of vehicles, equipment or materials;



- (ii) Garbage and debris to be kept out of public view;
 - (iii) Appropriate fencing, landscaping or other visual barriers; and
 - (iv) Hours of operation.
- g. Any increase in the operation as originally applied for or approved shall require a new approval, including additional staff, new accessory buildings or structures, etc.;
- h. Council may also apply special standards in the issuance of a Development Permit limiting the size of the operation including, but not limited to, the size and number of buildings used for the operation, the number of employees, or the requirement to mitigate negative impacts on neighbouring land uses; and
- i. A Development Permit for a farm diversification operation may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met.

8.14 Fuel Sales

- 8.14.1 Gas pumps and islands shall be set back 20 ft (6 m) from any lot line;
- 8.14.2 No displays or storage of merchandise, parts or refuse may be located closer than 20 ft (6 m) from the street or lane.
- 8.14.3 All trash and refuse must be stored in a building or within an area enclosed by a wall or a solid fence at least 6 ft (1.8 m) high.
- 8.14.4 Screening adequate to buffer adjacent residential uses from noise and light must be installed and maintained along property lines where the use abuts a residential area.

8.15 Hobby Poultry

- 8.15.1 Hobby poultry must comply with the requirements of this By-law, but is exempt from requiring a Development Permit as per provision 2.10.1.
- 8.15.2 Notwithstanding Table 9-2: Accessory Use Table, if a site area is below 2 acres, a conditional use is required.
- 8.15.3 No roosters may be kept as part of a hobby poultry use.
- 8.15.4 The maximum number of chickens permitted as part of a hobby poultry use is ten (10).
- 8.15.5 The coop and enclosure must meet the following standards:
 - a. shall be located to the rear of the principal dwelling and conform with setback requirements for accessory buildings in the applicable zoning district;
 - b. shall be positioned a minimum of 15 ft (4.6 m) from any neighbouring property line;
 - c. shall be properly cleaned and maintained to prevent odours from emanating onto abutting properties, to the satisfaction of the Designated Officer; and
 - d. the enclosure must be covered entirely on all sides and top by chicken-grade fencing.

8.16 Home Occupations, Businesses and Industries

- 8.16.1 All Home Occupations, Businesses and Industries shall comply with the following general regulations:
 - a. All Home Occupations, Businesses and Industries must be accessory to a privately owned



residential dwelling;

- b. All Home Occupations, Businesses and Industries shall require a business license from the municipality. As per provision 2.10.1, Home Occupations, Businesses and Industries do not require a Development Permit but shall still comply with the applicable regulations of this By-law. Subject to Table 9-2: Accessory Use Table, conditional use approval may be required;
- c. All Home Occupations, Businesses and Industries must be operated in accordance with all plans and documents approved as part of the conditional use application (where required) and the business license issued by the municipality. Any increase in intensity or substantial change in the operation of a Home Occupation, Business or Industry shall require a new conditional use (where required) and business license;
- d. Home Occupations, Businesses and Industries must be operated by a resident of the dwelling unit, or in the case of a rental situation, permission must be received from the owner of the dwelling unit;
- e. Conditional use approval for a Home Occupation, Business or Industry is not transferable to a new owner;
- f. Conditional use approval for a Home Occupation, Business or Industry shall not be granted if, in the opinion of Council, such a use would be more appropriately located in another zoning district having regard for, among other matters, the potential for traffic generation and potential interference with the residential character of the surrounding neighbourhood; and
- g. Conditional use approval for a Home Occupation, Business or Industry may be revoked at any time if, in the opinion of Council, the conditions under which the approval was originally issued are no longer met.

8.16.2 In addition to all standards applicable in the zoning district where the use is located, the following conditions apply to all Home Occupations. Any Home Occupation that is not able meet any one of the following conditions is considered a Home Business or Industry and is subject to subsequent provisions in this section.

- a. All work or activity of a home occupation must take place wholly within the principal dwelling unit on the site;
- b. A home occupation may not employ additional on-site employees;
- c. The area of the principal dwelling used for the home occupation shall not exceed 400 ft² (37.16 m²);
- d. Accessory sale of retail goods may be allowed;
- e. A home occupation may not have outdoor storage of any items related to the occupation, including materials, inventory, or equipment, unless such items are stored in an enclosed accessory building, but excluding personal passenger vehicles with business identification;
- f. There must be no exterior indication of the existence of the home occupation and no indoor display of the business visible from the outside, except one attached identification sign not exceeding 6 ft² (0.56 m²) in area, indicating the name of the occupant and/or home occupation; and
- g. Automotive or construction related business are prohibited.

8.16.3 In addition to all standards applicable in the zoning district where the use is located, the following conditions apply to all home businesses. Any home business that is not able meet any one of the following conditions is considered a home industry and is subject to subsequent provisions in this



section.

- a. All work or activity of a home business must take place within the principal dwelling, or an accessory building on the site;
- b. A home business may have a maximum number of two on-site employees;
- c. The cumulative area of the principal dwelling or accessory building used for the home business shall not exceed 1000 ft² (92.9 m²) in area;
- d. The principal and/or accessory in person sale of retail goods related to the home business is permitted;
- e. A home business may not have outdoor storage of any items related to the business, including materials, inventory, or equipment, unless such items are stored in an enclosed accessory building but excluding personal passenger vehicles with business identification
- f. A home business shall be permitted one attached identification sign not exceeding 6 ft² (0.56 m²) in area, indicating the name of the occupant and/or home business; and
- g. Automotive or construction related business are prohibited.

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

- a. All work or activity of a home industry must take place within an accessory building on the site;
- b. A home industry shall be permitted up to a maximum of five on-site employees;
- c. The cumulative area of the accessory building used for the home industry shall not exceed 3,000 ft² (278.71 m²) in area;
- d. The principal or accessory sale of retail goods or services associated with the home industry is permitted;
- e. A home industry may have outdoor storage of any items related to the business, including materials, inventory, or equipment, subject to the following:
 - (i) The storage shall be located to the rear of a line adjacent to and parallel with the front wall of the building;
 - (ii) The storage area shall be fenced or screened from public view to the satisfaction of Development Officer; and
 - (iii) The storage shall not project above the height of the fence or screening.
- f. There shall be no mechanical or electrical equipment used which creates noise, or visible and audible interference in radio or television reception in adjacent dwelling units;
- g. A home industry shall be permitted one identification sign not exceeding 8 ft² (0.75 m²) in area, indicating the name of the occupant and/or home business.

8.17 Keeping of Animals

8.17.1 Livestock or other animals (excluding pets) may be kept based on the following criteria:

- a. No livestock may be kept on lots less than 4 acres in area;
- b. On lots 4 acres up to 6 acres in area, up to 2 AU may be kept;
- c. On lots over 6 acres up to 8 acres in area, up to 3 AU may be kept;
- d. On lots over 8 acres up to 10 acres in area, up to 4 AU may be kept; and
- e. On lots over 10 acres in area, less than 10 AU may be kept. 10 AU or more is considered a



Livestock Operation use.

8.18 Livestock Operations

- 8.18.1 All livestock operations shall meet the mutual separation distances outlined based on the AU calculations. Separation distances to designated areas will be measured to the boundaries of the designated areas as identified by the Development Officer.

Table 8-2: Minimum Separation Distances for Siting Manure Storage Facilities, Animal Confinement Facilities and Feedlots

Size of Operation in Animal Units	Minimum Distance (m)			
	From a Residence		From a Designated Area	
	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-earthen Manure Storage Facility	To Earthen Manure Storage Facility or Feedlot	To Animal Confinement Facility or Non-earthen Manure Storage Facility
10 – 100	200	100	800	530
101 – 200	300	150	1200	800
201 – 300	400	200	1600	1070
301 – 400	450	225	1800	1200
401 – 800	500	250	2000	1330
<i>The minimum distance for sizes of livestock operations not noted shall be in accordance with the Provincial Planning Regulation</i>				

- 8.18.2 For the purposes of this section of the By-law, the calculation of AUs shall be cumulative across the species as determined by the Province of Manitoba.

Table 8-3: Animal Units by Category of Livestock

Category of Livestock	Animal Units Produced by One Animal	Factor to be Used to Determine Animal Units (number of animals to produce one animal unit)
Dairy		
Milking Cows (including associated livestock)	2	.50
Beef		
Beef Cows (including associated livestock)	1.25	.80
Backgrounder	0.5	2
Summer Pasture / replacement heifers	0.625	1.6
Feeder cattle	0.769	1.3
Pigs		
Sows, farrow to finish	1.25	.80
Sows, farrow to weanling	0.25	4
Sows, farrow to nursery	0.313	3.2
Weanlings	0.033	30
Growers / finishers	0.143	7
Boars (artificial insemination operations)	0.2	5



<i>Category of Livestock</i>	<i>Animal Units Produced by One Animal</i>	<i>Factor to be Used to Determine Animal Units (number of animals to produce one animal unit)</i>
Chickens		
Broilers	0.005	200
Roasters	0.01	100
Layers	0.0083	120
Pullets	0.0033	300
Broiler Breeder Pullets	0.0033	300
Broiler Breeder Hens	0.01	100
Horses		
Mares (including associated livestock)	1.333	.75
Sheep		
Ewes (including associated livestock)	0.2	5
Feeder lambs	0.063	15.9
<i>Other livestock or operation type – please inquire with Manitoba Agriculture</i>		

8.19 Manufactured Home Communities

8.19.1 All development or redevelopment in the RM zoning district must meet the following standards.

- a. All required off-street loading shall be located on the same zoning site as the use served.
- b. The maximum density of development shall be six manufactured homes and/or mobile homes per acre.
- c. The community shall be designed to accommodate units of different sizes including expandable and double width unit to avoid monotony.
- d. All accessory structures such as patios, porches, storage facilities must be designed to complement the appearance of the site.
- e. The undercarriage of each unit shall be screened from view by skirting that is designed to complement the appearance of the site.
- f. Every manufactured home and/or mobile homes site shall have access to and abut upon a private street and said private streets shall have clear and unobstructed access to a public street.
- g. No manufactured homes or mobile homes shall be located closer than 15 ft (4.572 m) away from any other manufactured home or mobile home.
- h. No less than 10 percent of the total area of any manufactured home community shall be devoted to common recreation areas and facilities, such as playgrounds, swimming pools, community buildings, paths for pedestrians and cyclists, and play areas for children. At least one principal recreation and community centre area shall contain not less than 5 percent of the total area of the community.
- i. All internal streets shall be well drained, lit, designed, and hard surfaced to municipal standards.
- j. All utility lines must be placed underground.
- k. Central water and sewage disposal facilities shall be provided to each manufactured home or mobile home site. Individual wells and disposal systems shall not be permitted.
- l. Commercial and service facilities such as a convenience store, laundry, storage buildings and coffee shops may be permitted provided they are intended to serve only persons within



the manufactured home community and are designed, improved, and located in harmony with the community and the surrounding area. Parking requirements for these uses shall comply with Table 7-2: Required On-Site Parking Spaces.

- m. In addition to providing one parking space per site, an additional visitor parking area must be provided at a ratio of one per five manufactured home and/or mobile home sites.

8.20 Marina

8.20.1 No accessory fuel sales are permitted in the Recreational and Hazard Lands zoning districts.

8.21 Park

8.21.1 Lots developed for a public park use are exempt from minimum required lot area and width requirements.

8.22 Planned Unit Developments

8.22.1 Planned unit developments must be generally consistent with the desired character for the area as set out in the Development Plan, any applicable Secondary Plan and the uses and standards in the zoning districts adjacent to the site.

8.22.2 Planned unit developments may be composed of a mixture of residential, institutional, commercial, open space, and recreation uses,

8.22.3 The minimum site area for a planned unit development shall be 5 acres.

8.22.4 For a planned unit development, the dimensional standards of the zoning district in which the planned unit development is located shall not apply. The design of a planned unit development should produce an environment of stable and desirable character and shall incorporate at least equivalent standards of amenity, parking areas and other requirements established in this By-law.

8.22.5 The density of development shall be generally consistent with the specified density permitted in the zoning district and any zoning districts adjacent to the site.

8.22.6 An application for a planned unit development as a conditional use shall be accompanied by the following information prepared and submitted by the applicant:

- a. The requirements normally required for the issuance of a Development Permit as noted in this By-law;
- b. The location and use of each existing and proposed building or structure and the use or uses to be contained therein, including providing the separation distances between buildings and structures;
- c. The location of all doors and windows, and the type thereof;
- d. The location of all exterior refuse storage facilities and the screening thereof;
- e. The location of all exterior storage facilities and the screening thereof;
- f. The location of all driveways, parking areas, loading areas and the illumination facilities included therein;
- g. The location of all pedestrian walks and open space areas;
- h. The location, type and height of all proposed walls, fences and landscaping;
- i. The types of surfacing to be used throughout the site;
- j. Floor plans and elevations of all proposed buildings and structures;



- k. The total number of dwelling units and the gross floor area; and
- l. Impact studies or plans as deemed necessary by the Board or Council, including, but not limited to:
 - (i) Drainage plans prepared by a qualified engineer licensed to operate in Manitoba;
 - (ii) Landscaping plans; and
 - (iii) Traffic impact studies prepared by a qualified traffic engineer licensed operate in Manitoba.
- m. A concise statement as to the general benefits of the development to the community as a whole, the effect on the general area and the effect on the natural environment; and
- n. Any additional information the Board or Council may require as may be necessary for the review of the application.

8.22.7 A minimum of 60% of the land area must be common open space or for common recreational use.

8.22.8 The minimum permitted size for lots within a planned unit development shall be 6,000 ft² (557.4 m²).

8.22.9 Planned unit developments shall be regulated through a site plan agreement or development agreement which is registered as a caveat against the title at the Land Titles Office.

8.23 Ponds

8.23.1 The following requirements shall apply to privately-owned ponds:

- a. The edge of the pond shall be rip rapped and have 6:1 slope; or
- b. The pond or excavation shall be enclosed with a 5 ft (1.52 m) fence.

8.23.2 Pond or excavation fencing or rip rap requirements shall not apply to publicly-owned ponds, those along a natural water course or licensed drain, or within the A80 and A40 zoning districts.

8.23.3 Pond dimensions will be limited to a maximum total area of 10 percent site coverage.

8.24 Public Utility Facility

8.24.1 Public utility facilities are exempt from compliance with the dimensional standards outlined in Table 9-3: Dimensional Standards for Principal Uses.

8.25 Secondary Suites

8.25.1 Secondary suites must comply with requirements of the National Building Code and Manitoba Amendments.

8.25.2 No more than one secondary suite shall be permitted on a lot.

8.25.3 Secondary suites are only permitted accessory to a single-unit dwelling.

8.25.4 The exterior of the Secondary Suite should incorporate building materials, textures, and colours that are similar to those found on the principal building.

8.25.5 A minimum of one on-site parking space must be provided in addition to parking required for the single-unit dwelling.

8.25.6 A mobile home shall not be used as a secondary suite.

8.25.7 The maximum floor area of a Secondary Suite that is within or attached to a principal dwelling shall



not exceed 40 percent of the total habitable floor space of the principal dwelling or 1,000 ft² (92.9 m²) including any finished basement space, whichever is the lesser.

- 8.25.8 The maximum floor area of a detached Secondary Suite shall be no greater than 1,200 ft² (111.48 m²) or shall not exceed the maximum lot coverage for accessory structures, whichever is the lesser, and comply with the other dimensional standards of Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses.

8.26 Short Term Rentals

- 8.26.1 All Short Term Rentals shall require a business license from the municipality. As per provision 2.10.1, Short Term Rentals do not require a Development Permit but shall still comply with the applicable regulations of this By-law.
- 8.26.2 The premises in which a Short Term Rental occurs must comply with all applicable provincial standards and building codes.
- 8.26.3 An operator of a Short Term Rental must disclose that fact to their home insurance provider and obtain adequate damage and liability coverage and must provide proof of coverage to the Designated Officer on request.
- 8.26.4 The maximum number of overnight adult guests permitted in a Short Term Rental shall be two per legal bedroom as per the Canadian National Occupancy Standard.
- 8.26.5 An advertisement for a Short Term Rental must disclose the maximum permitted guest occupancy and the number of off-street parking spaces available and confirm that a business license has been obtained from the municipality.

8.27 Solar Energy Generating Systems

- 8.27.1 Any solar collector not connected to a building shall adhere to the same dimensional standards for accessory buildings in the zoning district in which the installation is situated.
- 8.27.2 A roof or mounted solar energy generating system shall not exceed the total area of the principal structure to which it is adhered.
- 8.27.3 A solar energy generating system that is mounted on a roof may project a maximum of 6.5 ft (1.5 m) from the surface of the roof and shall not exceed the outermost edge of the roof.
- 8.27.4 A solar energy generating system that is mounted on a wall can project a maximum of 2 ft (0.6 m) from the surface of the wall and shall be located a minimum of 8 ft (2.4 m) above grade.
- 8.27.5 A solar energy generating system that is ground mounted shall comply with all accessory use provisions with respect to dimensional standards.

8.28 Special Event Facility

- 8.28.1 Applications for a special event facility shall include the following information:
- a. A site plan showing:
 - (i) General vehicle access routes;
 - (ii) Emergency and protective service vehicle access routes;
 - (iii) Parking (location, sizes, number of stalls);
 - (iv) Pathways (if applicable);



- (v) Buildings and structures;
 - (vi) Exterior site lighting; and
 - (vii) Landscaping.
 - b. Sound and/or sight barriers or buffers (description or illustration);
 - c. Signage;
 - d. Site maintenance information (waste management, etc.);
 - e. Security information;
 - f. Dates and hours of operation;
 - g. Emergency and protective service arrangements;
 - h. Liability insurance information; and
 - i. Other matters deemed necessary by the Designated Officer and/or Council.
- 8.28.2 Applications shall be circulated to all relevant provincial departments or agencies for review and comment.
- 8.28.3 Where approved, a special event facility shall require the landowner or applicant to enter into a Development Agreement with the municipality to cover such matters outlined above, or other matters deemed necessary by Council.
- 8.28.4 Off-site parking may be considered as part of the conditional use and defined as part of the Development Agreement but should not take cultivated land out of production.
- 8.28.5 It is the intent that special event facilities in Agricultural zoning districts shall serve the rural community, be in keeping with the area and not negatively impact agricultural operations in the area.

8.29 Storage Containers

- 8.29.1 Notwithstanding Table 9-2: Accessory Use Table, a storage container may be permitted as a temporary use in any zoning district, subject to sub-section 7.19 Temporary Buildings and Uses.

8.30 Swimming Pools

- 8.30.1 A private swimming pool that is located outdoors shall be enclosed with a fence, or other suitable barrier, with a minimum height of 5 ft (1.52 m) constructed in accordance with requirements outlined in the Building By-law and the Manitoba Building Code.
- 8.30.2 An outdoor hot tub or swim spa may be exempted from the enclosure requirement if equipped with a cover, as outlined in the Building By-law.
- 8.30.3 Yard, setback, and separation distance requirements applicable to a swimming pool shall be measured from the water's edge. A deck adjacent to and/or providing access to a swimming pool shall be subject to any requirements applicable to a deck.

8.31 Wind Energy Generating Systems

- 8.31.1 An accessory wind energy generating system must meet the following standards:
- a. The unit must be set back at least 20 ft (6 m) from the front building line, or, in the case of a corner lot, at least 15 ft (4.5 m) from the front and side lot line;
 - b. It is limited to a total turbine height of no more than 15 ft (4.5 m) above the rooftop; and



- c. It is safely and securely attached to the rooftop in compliance with applicable building codes.

8.32 Wireless Communication Towers

- 8.32.1 The Federation of Canadian Municipalities (FCM)/Canadian Wireless Telecommunications Association (CwTA) Antenna System Siting Protocol (Protocol) must be addressed for any new cell towers or similar wireless technology infrastructure to be established in St. Andrews.
- 8.32.2 Under the federal *Radiocommunication Act*, the Minister of Industry has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and licence the location of antenna systems is made only by Industry Canada.
- 8.32.3 St. Andrews' location preferences are as follows:
 - a. Preferred locations are those that:
 - (i) maximize distance from Residential zoning districts;
 - (ii) are as near as possible to similarly-scaled structures; and
 - (iii) respect public views and vistas of important features.
 - b. Discouraged locations include:
 - (i) ecologically significant natural lands and natural areas and habitats to be protected from incompatible or potentially incompatible uses, such as the Hazard Lands zoning district; and
 - (ii) lands in proximity to St. Andrew's Airport where the proposed infrastructure would interfere with airport operations.
- 8.32.4 St. Andrews' design preferences are as follows:
 - a. Communication towers should be setback from all existing dwellings by a minimum distance equal to the height of the proposed tower.

8.33 Wrecking or Salvage Yard

- 8.33.1 Wrecking or Salvage Yards must comply with the following standards:
 - a. The site must be maintained in good condition, free of weeds, dust, trash, and debris;
 - b. The site must be screened by a solid fence at least 6 ft (1.8 m) in height; and
 - c. No materials or supplies shall be stored above the level of the screening fence.



PART D: ZONING MAPS

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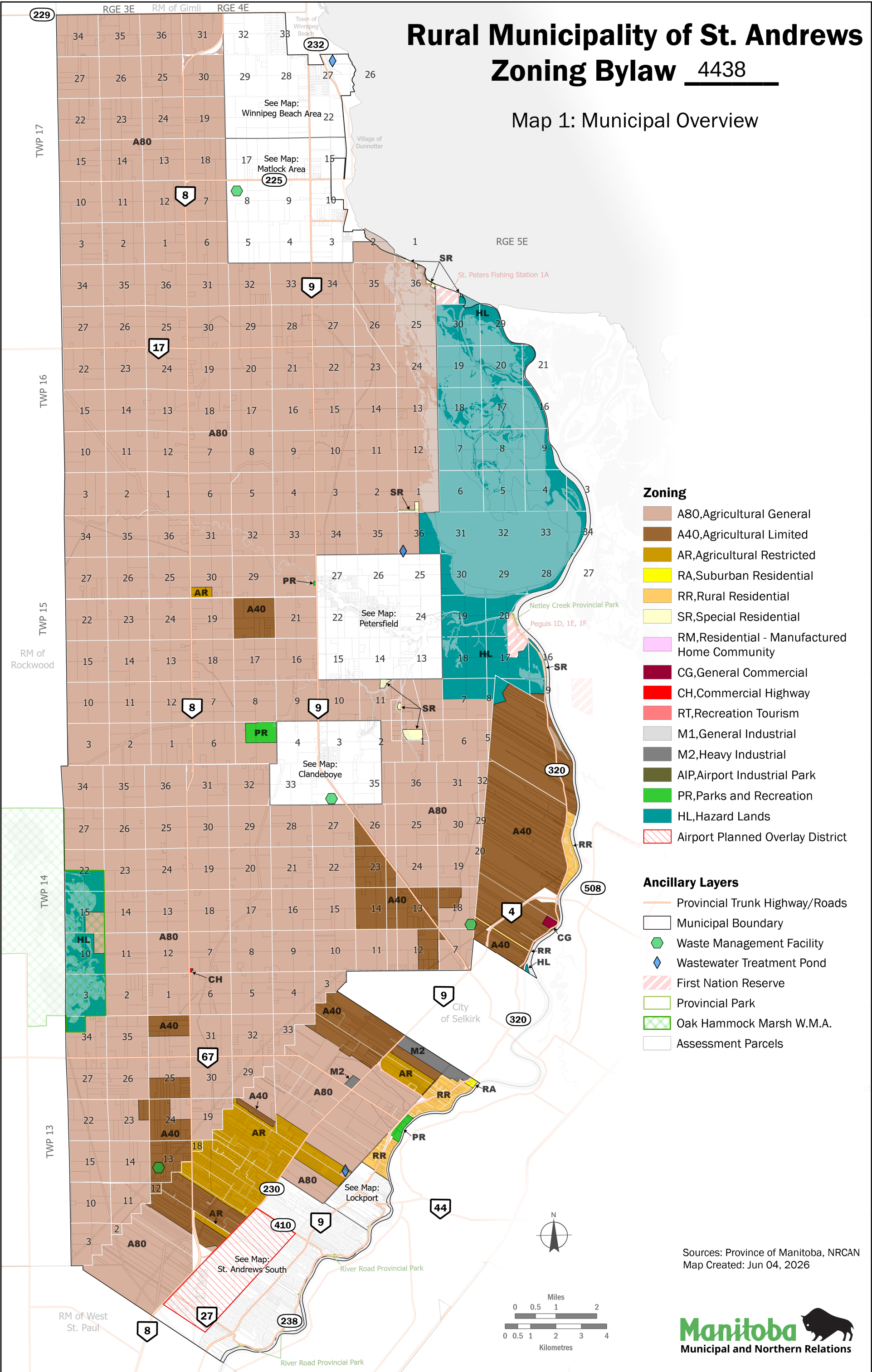


Chapter 9: Zoning Maps

Rural Municipality of St. Andrews

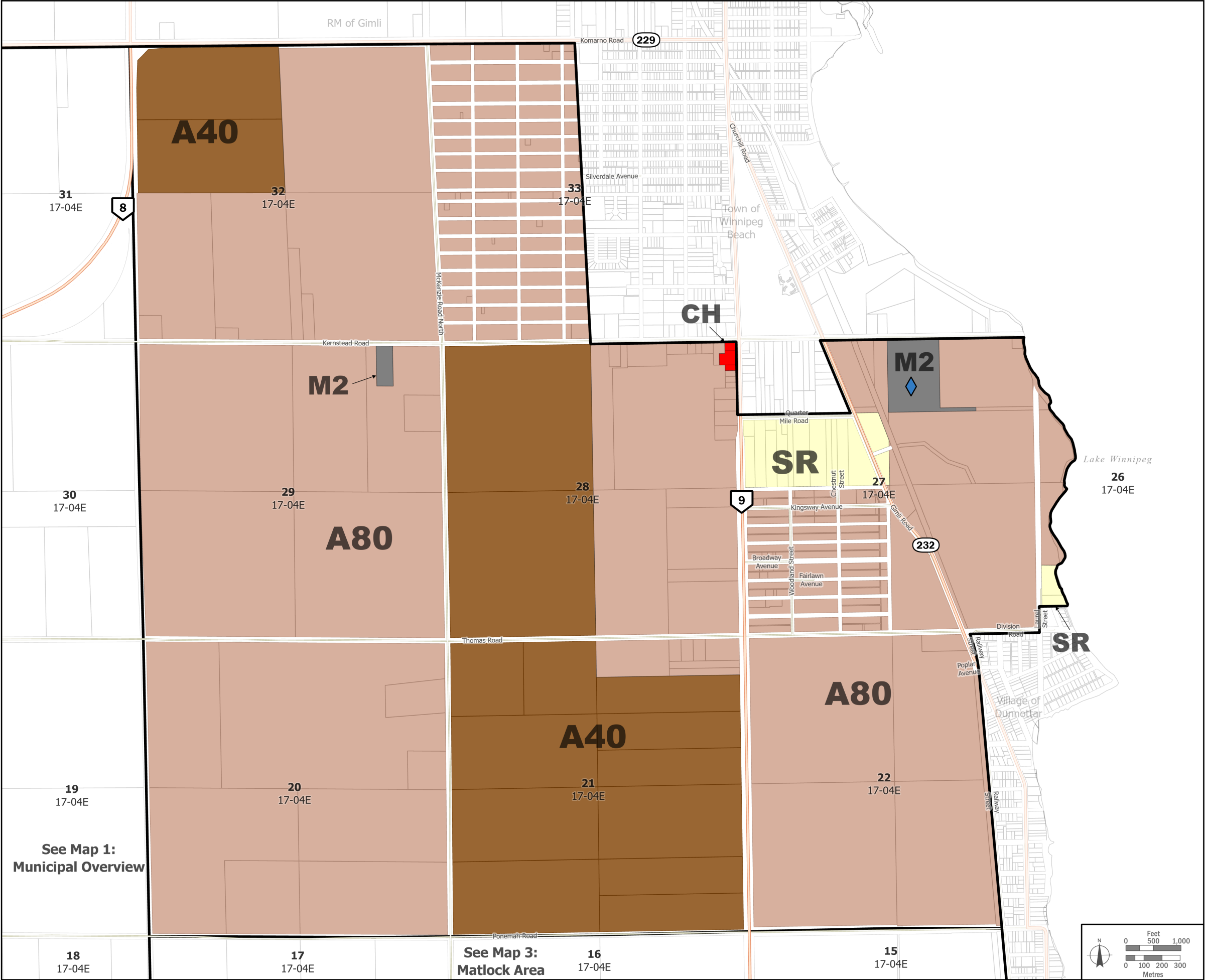
Zoning Bylaw 4438

Map 1: Municipal Overview



Rural Municipality of St. Andrews Zoning Bylaw 4438

Map 2: Winnipeg Beach Area

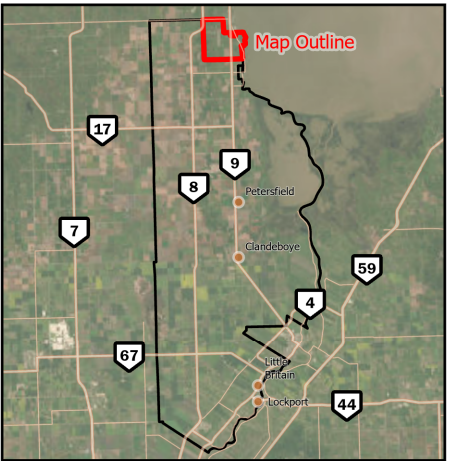


Zoning

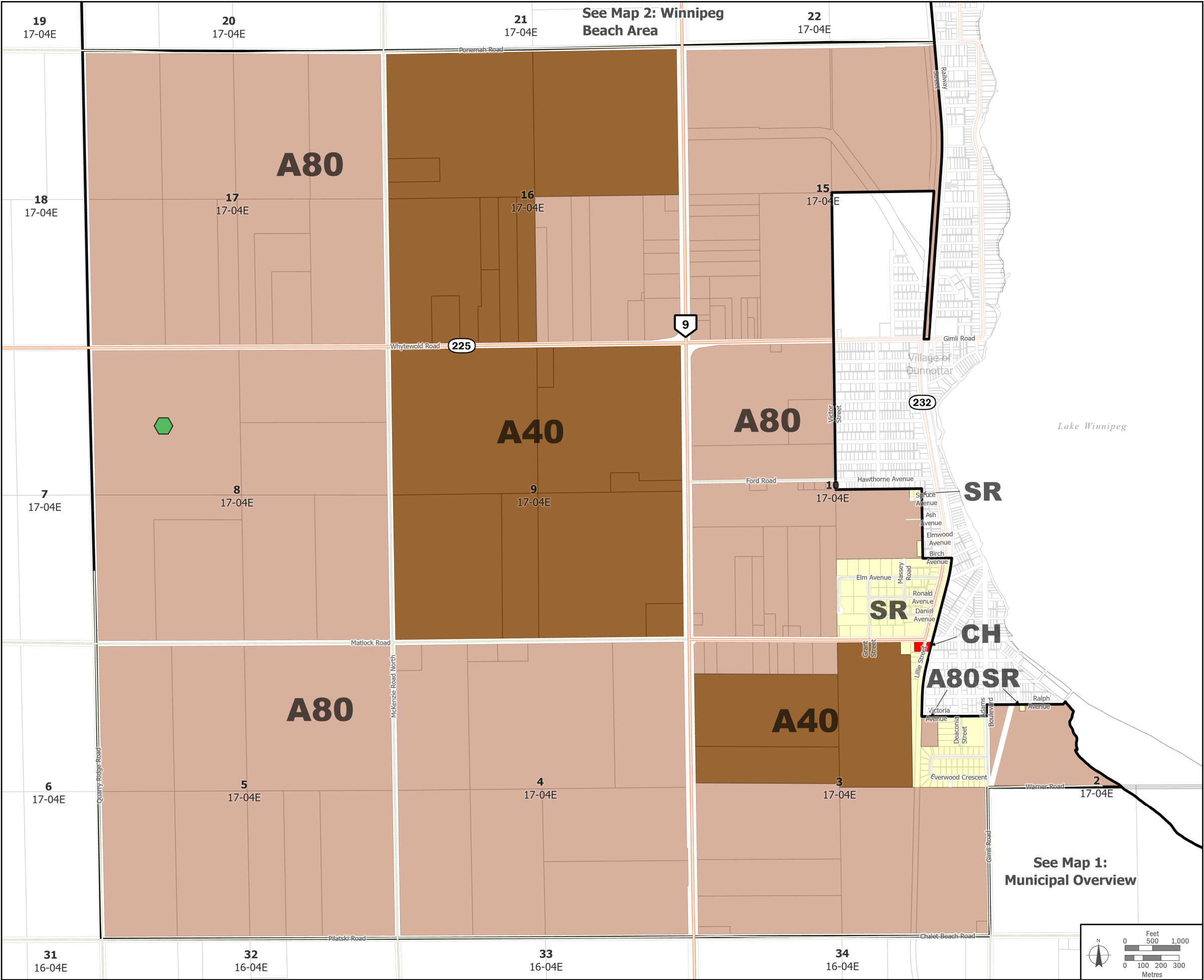
- A80, Agricultural General
- A40, Agricultural Limited
- SR, Special Residential
- CH, Commercial Highway
- M2, Heavy Industrial

Ancillary Layers

- Provincial Trunk Highway/Roads
- St. Andrews Roads
- Wastewater Treatment Pond
- Municipal Boundary
- Assessment Parcels



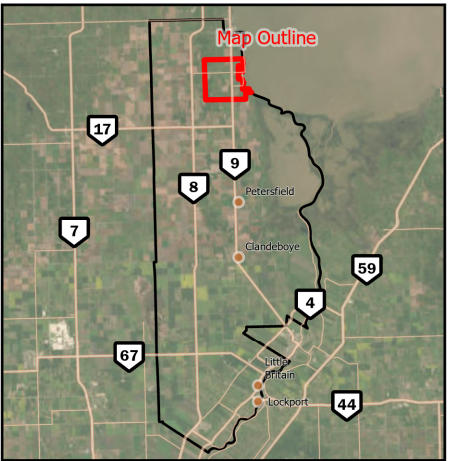
Sources: Province of Manitoba, NRCAN
Map Created: Jun 04, 2026



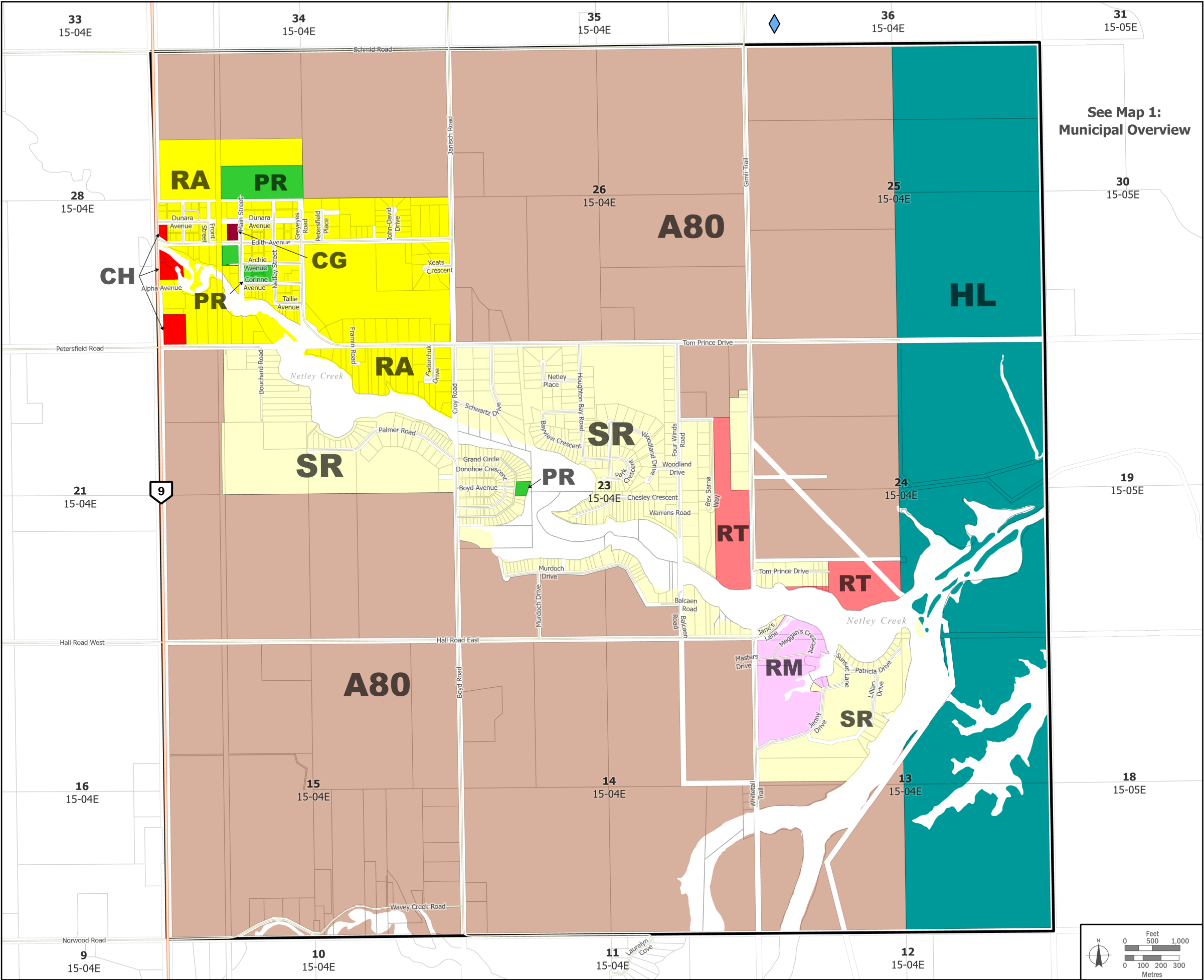
Rural Municipality of St. Andrews Zoning Bylaw 4438

Map 3: Matlock Area

- Zoning**
- A80,Agricultural General
 - A40,Agricultural Limited
 - SR,Special Residential
 - CH,Commercial Highway
- Ancillary Layers**
- Provincial Trunk Highway/Roads
 - St. Andrews Roads
 - Waste Management Facility
 - Municipal Boundary
 - Assessment Parcels



Sources: Province of Manitoba, NRCAN
Map Created: Jun 04, 2026



Rural Municipality of St. Andrews Zoning Bylaw 4438

Map 4: Petersfield

See Map 1:
Municipal Overview

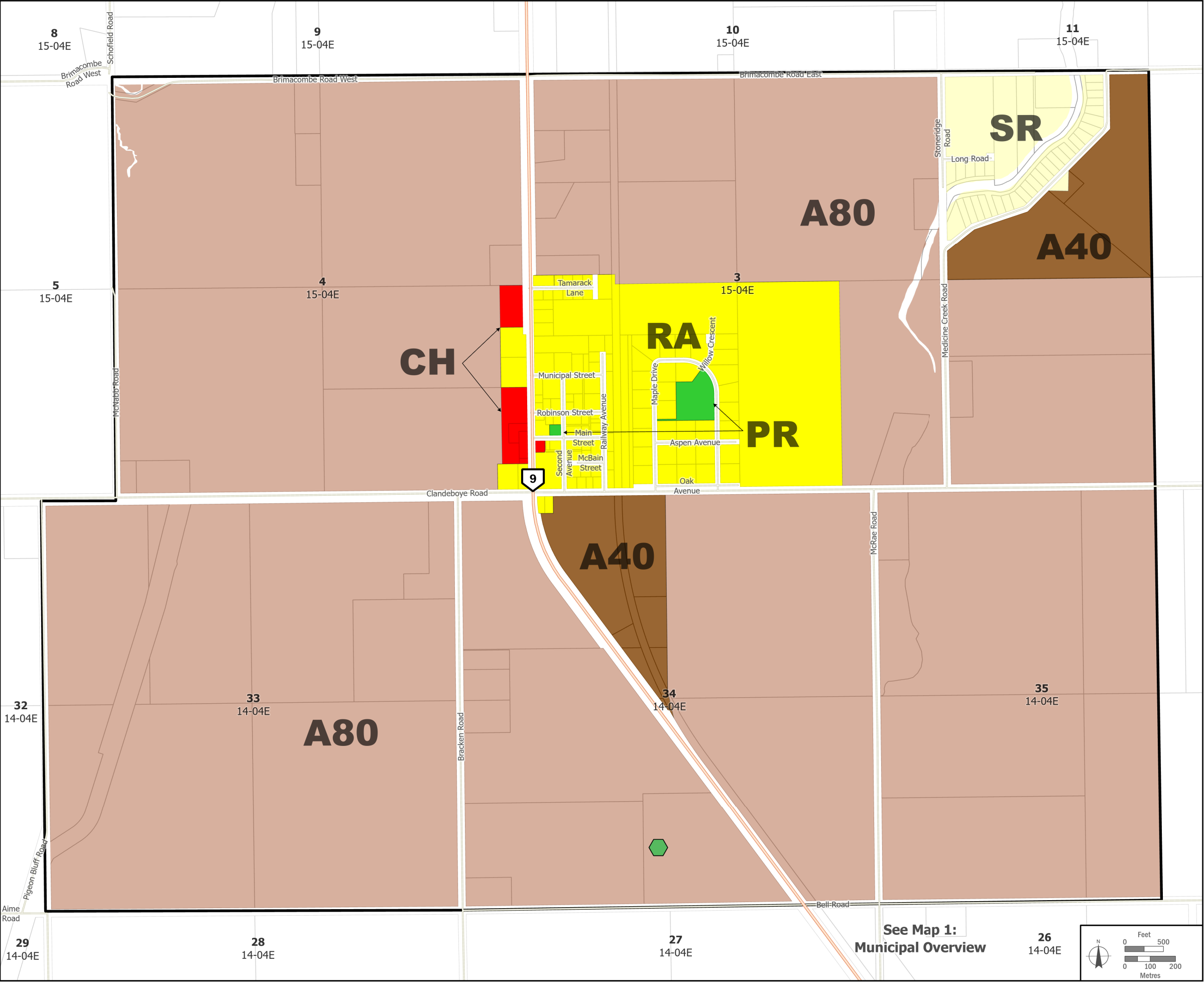
- Zoning**
- A80, Agricultural General
 - RA, Suburban Residential
 - SR, Special Residential
 - RM, Residential - Manufactured Home Community
 - CG, General Commercial
 - CH, Commercial Highway
 - RT, Recreation Tourism
 - PR, Parks and Recreation
 - HL, Hazard Lands
- Ancillary Layers**
- Provincial Trunk Highway/Roads
 - St. Andrews Roads
 - Wastewater Treatment Pond
 - Municipal Boundary
 - Assessment Parcels



Sources: Province of Manitoba, NRCAN
Map Created: Jun 04, 2026

Rural Municipality of St. Andrews Zoning Bylaw 4438

Map 5: Clandeboye

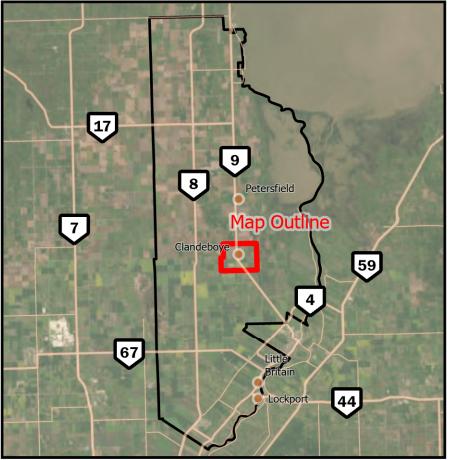


Zoning

- A80, Agricultural General
- A40, Agricultural Limited
- RA, Suburban Residential
- SR, Special Residential
- CH, Commercial Highway
- PR, Parks and Recreation

Ancillary Layers

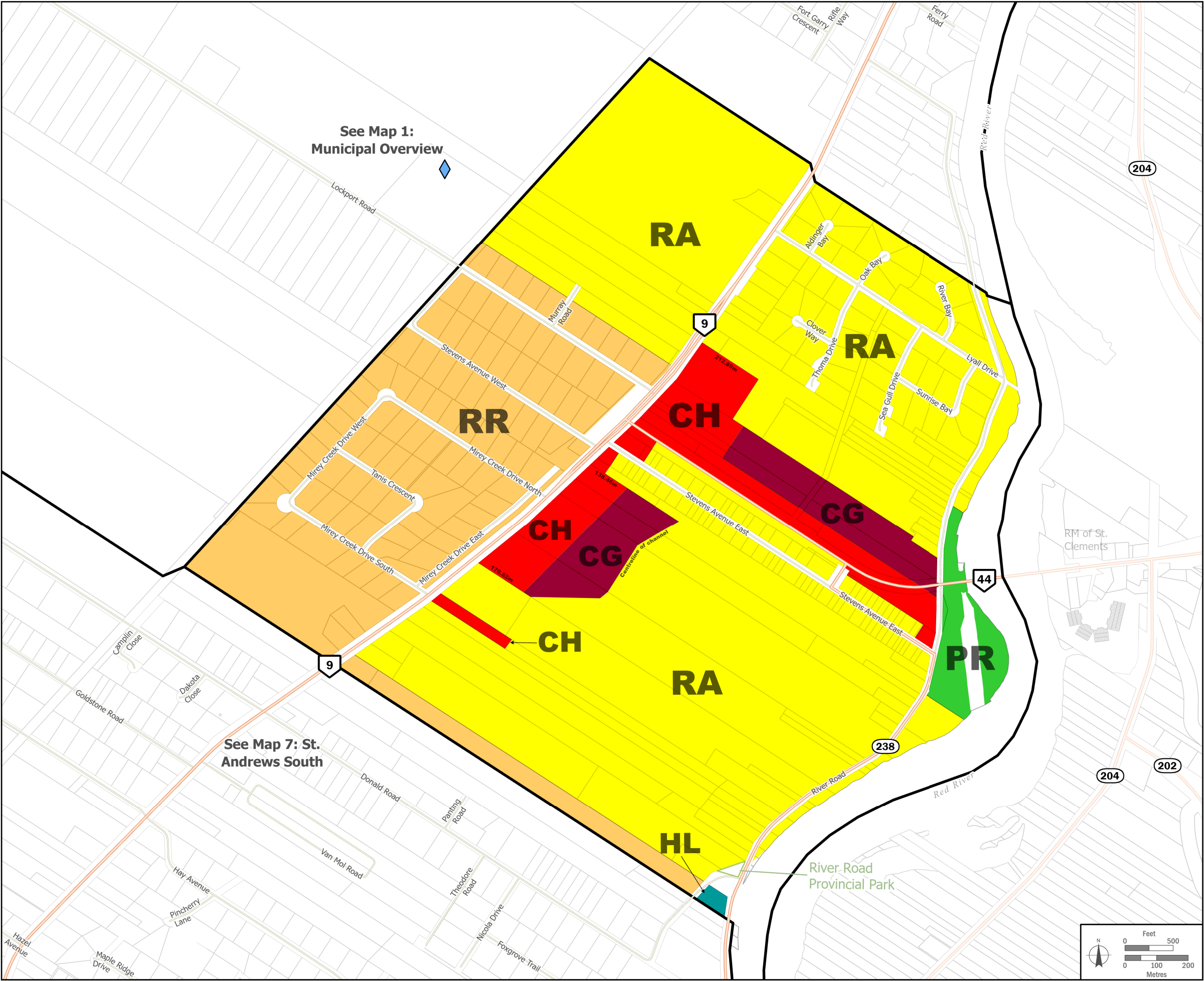
- Provincial Trunk Highway/Roads
- St. Andrews Roads
- Waste Management Facility
- Municipal Boundary
- Assessment Parcels



Sources: Province of Manitoba, NRCAN
Map Created: Jun 04, 2026

Rural Municipality of St. Andrews Zoning Bylaw 4438

Map 6: Lockport

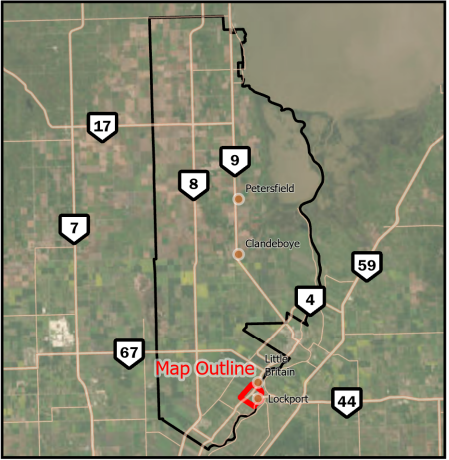


Zoning

- RA, Suburban Residential
- RR, Rural Residential
- CG, General Commercial
- CH, Commercial Highway
- PR, Parks and Recreation
- HL, Hazard Lands

Ancillary Layers

- Provincial Trunk Highway/Roads
- St. Andrews Roads
- Wastewater Treatment Pond
- Municipal Boundary
- Provincial Park
- Assessment Parcels

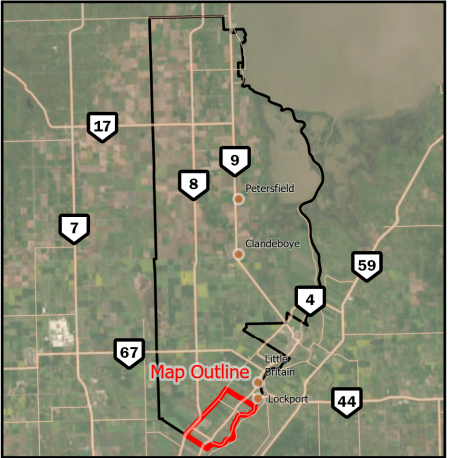
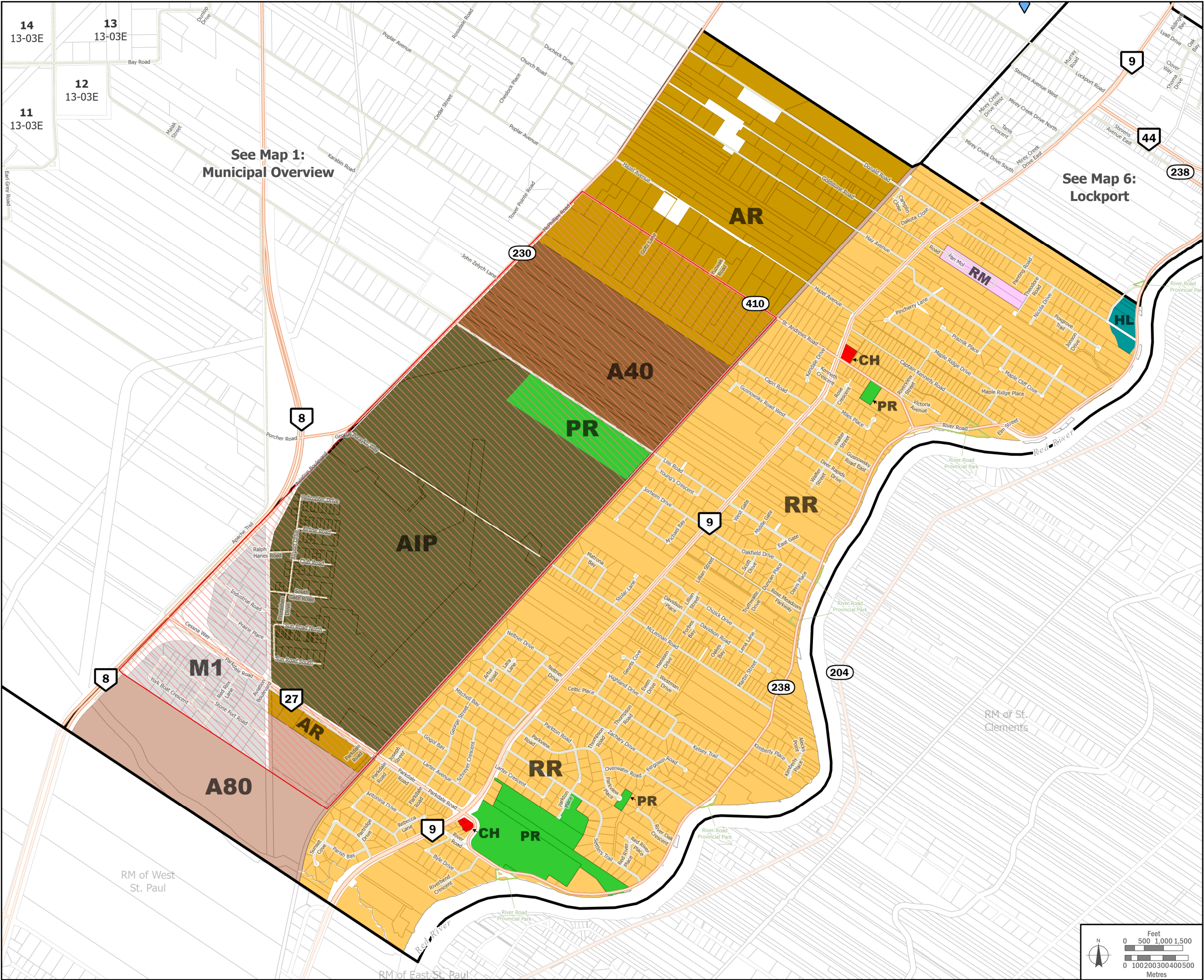


Sources: Province of Manitoba, NRCAN
Map Created: Jun 04, 2026

Rural Municipality of St. Andrews Zoning Bylaw 4438

Map 7: St. Andrews South

- Zoning**
- A80,Agricultural General
 - A40,Agricultural Limited
 - AR,Agricultural Restricted
 - RR,Rural Residential
 - RM,Residential - Manufactured Home Community
 - CH,Commercial Highway
 - M1,General Industrial
 - AIP,Airport Industrial Park
 - PR,Parks and Recreation
 - HL,Hazard Lands
 - Airport Planned Overlay District
- Ancillary Layers**
- Provincial Trunk Highway/Roads
 - St. Andrews Roads
 - Wastewater Treatment Pond
 - Municipal Boundary
 - Provincial Park
 - Assessment Parcels



Sources: Province of Manitoba, NRCAN
Map Created: Jun 04, 2026

Table 9-1: Principal Use Table

[illegible]

Zoning District Use Category / Type	A80	A40	AR	RG	RA	RR	SR	RM	CG	CH	RT	M1	M2	AIP	PR	HL	Use Specific Standards
Livestock operation, 200 AU and over	C	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	8.18
Produce sales, limited	P	P	P	C	C	C	C	-	-	-	-	-	-	-	-	-	-
Specialized agriculture	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Public and Institutional																	
Cemetery	P	P	C	C	C	C	C	-	-	-	-	-	-	-	-	-	-
Day care centre	C	C	C	C	C	C	-	C	C	C	C	C	-	C	-	-	8.7
Educational facility	C	C	C	P	P	P	-	-	P	P	-	P	-	P	P	-	-
Health services	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-
Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	8.21
Place of worship	C	C	C	P	P	P	P	P	P	P	P	-	-	-	-	-	-
Protection and emergency services	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	7.15
Cultural and Entertainment																	
Auditorium / concert hall / theatre / cinema	-	-	C	C	C	P	C	P	P	P	P	-	-	-	-	-	-
Camping ground	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-
Library / museum / gallery	-	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	-
Nature and wildlife reserves	P	P	P	-	-	-	-	-	-	-	-	-	-	-	P	P	-
Race track	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-
Recreational facility, indoor	-	-	-	-	-	C	C	C	P	C	P	-	-	-	P	C	-
Recreational facility, outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-
Special event facility	-	C	-	-	-	-	-	-	C	C	C	-	-	-	C	C	8.28
Commercial Sales and Service																	
Animal hospital or veterinary clinic	P	P	C	-	-	-	-	-	-	P	-	P	P	-	-	-	-
Cannabis retail	-	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	-
Drinking establishment	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-
Funeral chapel, mortuary or crematorium	-	-	-	-	-	-	-	-	C	C	-	C	C	C	-	-	-
Garden centre	P	P	P	-	-	-	-	-	P	P	P	P	P	-	-	-	-
Greenhouse, plant or tree nursery	P	P	P	-	-	-	-	-	P	P	P	-	-	-	-	-	-
Hotel or motel	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-

Zoning District Use Category / Type	A80	A40	AR	RG	RA	RR	SR	RM	CG	CH	RT	M1	M2	AIP	PR	HL	Use Specific Standards
Kennel or animal pound	C	C	C	-	-	-	-	-	-	C	-	-	-	-	-	-	-
Lumber and building supply	-	-	-	-	-	-	-	-	P	P	-	P	P	-	-	-	-
Office	-	-	-	-	-	-	-	-	P	P	-	P	P	P	-	-	-
Personal services (unless otherwise listed)	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-
Pet day care	C	C	C	-	-	-	-	-	P	P	-	-	-	-	-	-	-
Restaurant	-	-	-	C	C	C	C	C	P	P	P	P	P	P	-	-	-
Retail sales (unless otherwise listed)	-	-	-	C	C	C	C	C	P	P	P	-	-	-	-	-	-
Stables, riding or boarding	P	P	C	-	-	-	-	-	-	-	P	-	-	-	-	-	-
Private Motor Vehicle Related																	
Auto / light truck / motorcycle, repair, service, sales and rental	-	-	-	-	-	-	-	-	P	P	C	P	P	-	-	-	8.3
Car wash	-	-	-	-	-	-	-	-	P	P	C	P	P	-	-	-	-
Dispatch services	-	-	-	-	-	-	-	-	C	P	C	P	P	P	-	-	-
Fuel sales	-	-	-	-	-	-	-	-	P	P	C	P	P	-	-	-	8.14
Parking, non-accessory	-	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	7.12
Towing and storage facility	-	-	-	-	-	-	-	-	P	P	-	P	P	-	-	-	-
Transportation, Utility and Communications																	
Airport and associated facilities	-	-	-	-	-	-	-	-	-	-	-	C	C	P	-	-	-
Docks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-
Marina	-	-	-	-	-	-	-	-	-	-	P	-	-	-	C	C	8.20
Public utility facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	7.15; 8.24
Wireless communication, building-mounted tower (non-federally regulated)	C	C	-	-	-	-	-	-	C	C	C	C	C	C	-	-	8.32
Wireless communication, freestanding tower (non-federally regulated)	C	C	-	-	-	-	-	-	C	C	C	C	C	C	-	-	8.32
Industrial																	
Airport industrial uses	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-
Contractor's establishment	P	P	C	-	-	-	-	-	P	P	-	P	P	-	-	-	8.6
Custom manufacturing establishment	-	-	-	C	C	C	C	C	P	P	P	P	P	-	-	-	-

[illegible]

Table 9-3: Dimensional Standards for Principal Uses

Zoning District	Minimum Lot Area (ft² [m²]) (unless noted)	Minimum Lot Width (ft [m])	Required Yards				Maximum Lot Coverage (%)	Minimum Unit Area (ft² [m²])	Maximum Height Building (ft [m])
			Minimum Front Yard (ft [m])	Minimum Rear Yard (ft [m])	Minimum Interior Side Yard (ft [m])	Minimum Corner Side Yard (ft [m])			
Agricultural Districts									
A80	80 acres	300 [91.44]	50 [15.24]	25 [7.6]	15 [4.6]	25 [7.6]	-	800 [74.32]	-
A40	40 acres	300 [91.44]	50 [15.24]	25 [7.6]	15 [4.6]	25 [7.6]	-	800 [74.32]	-
A80 and A40 a	2 acres	300 [91.44]	50 [15.24]	25 [7.6]	15 [4.6]	25 [7.6]	-	800 [74.32]	-
AR	4 acres	198 [60.35]	50 [15.24]	25 [7.6]	15 [4.6]	25 [7.6]	-	800 [74.32]	35 [10.67]
Residential Districts									
RG, single-unit, two-unit	5,000 [464.52]	50 [15.24]	20 [6.1]	15 [4.6]	10 [3.0]	15 [4.6]	50	1,000 [92.90]	35 [10.67]
RA, single-unit, two-unit	6,500 [609.89]	65 [19.8]	20 [6.1]	15 [4.6]	10 [3.0]	15 [4.6]	50	800 [74.32]	35 [10.67]
RG and RA, row housing	3,000 [278.71]	30 [9.2]	20 [6.1]	15 [4.6]	10 [3.0]	15 [4.6]	50	-	35 [10.67]
RG and RA, other multi-unit	10,000 [929.0]	100 [30.5]	30 [9.2]	20 [6.1]	15 [4.6]	15 [4.6]	60	-	35 [10.67]
RR	60,000 [5,574.18] b	198 [60.35]	50 [15.24]	25 [7.6]	15 [4.6]	25 [7.6]	40	800 [74.32]	35 [10.67]
SR	60,000 [5,574.18] c	100 [30.5]	30 [9.2]	25 [7.6]	10 [3.0]	15 [4.6]	40	800 [74.32]	35 [10.67]
RM (d)	5 acres	200 [60.96]	50 [15.24]	25 [7.6]	15 [4.57]	25 [7.6]	45	-	35 [10.67]
Commercial Districts (e)									
CG	40,000	150 [45.72]	30 [9.2]	20 [6.1]	15 [4.6]	30 [9.2]	60	-	30 [9.2]
CH	40,000	150 [45.72]	50 [15.24]	25 [7.6]	25 [7.6]	30 [9.2]	50	-	30 [9.2]
RT	60,000 [5,574.18]	200 [60.96]	50 [15.24]	25 [7.6]	50 [15.24]	30 [9.2]	40	-	30 [9.2]
Industrial Districts									
M1	30,000 [2787.1]	100 [30.5]	50 [15.24]	25 [7.6]	10 [3.0]	25 [7.6]	60 f	-	45 [13.72]
M2	60,000 [5,574.18]	200 [60.96]	50 [15.24]	25 [7.6]	25 [7.6]	50 [15.24]	80 g	-	45 [13.72]
AIP (h)	-	-	-	-	-	-	-	-	-
Recreational and Hazard Lands Districts									
PR	60,000 [5,574.18]	200 [60.96]	50 [15.24]	25 [7.6]	15 [4.6]	15 [4.6]	40	-	35 [10.67]
HL	-	-	50 [15.24]	25 [7.6]	15 [4.6]	15 [4.6]	40	-	35 [10.67]

Zoning District	Minimum Lot Area (ft² [m²]) (unless noted)	Minimum Lot Width (ft [m])	Required Yards				Maximum Lot Coverage (%)	Minimum Unit Area (ft² [m²])	Maximum Height Building (ft [m])
			Minimum Front Yard (ft [m])	Minimum Rear Yard (ft [m])	Minimum Interior Side Yard (ft [m])	Minimum Corner Side Yard (ft [m])			
Additional Standards									
Dimensional standards in this table may be altered by other provisions in this by-law, including but not limited to sections 1.5 Other Legislation, 7.7 Flood Prone or Hazard Prone Lands, 7.13 Permitted Projections into Required Yards, 7.14 Permitted Projections Through Maximum Height Limits, 7.16 Setback Standards, 7.18 Subdivision of Attached Dwellings, and 8.22 Planned Unit Developments.									
Notes:									
a)	For lots created for non-farm uses as permitted in the Development Plan.								
b)	The minimum site width and site area for dwellings, manufactured homes, or mobile homes serviced by an approved central sewer system or by an approved pump out holding tank septic disposal system may be 125 ft and 34,848 ft², respectively.								
c)	The minimum site area for dwellings, manufactured homes, or mobile homes serviced by an approved central sewer system or by an approved pump out holding tank septic disposal system may be 15,000 ft².								
d)	For dimensional standards required for spaces within manufactured home communities, see section 8.19 Manufactured Home Communities.								
e)	Principal residential dwellings located in Commercial zoning districts are subject to the applicable requirements of the RG zoning district.								
f)	Exterior storage maximum lot coverage is 25 percent.								
g)	Exterior storage maximum lot coverage is 80 percent.								
h)	Bulk requirements will be regulated by St. Andrews Airport Inc. and require approval from St. Andrews Airport Inc. prior to issuing a Development Permit.								

Table 9-4: Dimensional Standards for Accessory Buildings, Structures and Uses

Zoning District	Required Yards				Maximum Lot Coverage (%)	Maximum Building Area (ft² [m²])	Maximum Height Building (ft [m])
	Minimum Front Yard (ft [m])	Minimum Rear Yard (ft [m])	Minimum Interior Side Yard (ft [m])	Minimum Corner Side Yard (ft [m])			
Agricultural Districts							
A80	c	25 [7.6]	15 [4.6]	25 [7.6]	5 a	-	-
A40	50 [15.24]	25 [7.6]	15 [4.6]	25 [7.6]	-	-	-
AR	50 [15.24]	25 [7.6]	15 [4.6]	25 [7.6]	-	-	20 [6.1]
Residential Districts							
RG	50 [15.24]	10 [3.0]	5 [1.52]	5 [1.52]	25	600 [55.74] b	15 [4.6]
RA	50 [15.24]	10 [3.0]	5 [1.52]	5 [1.52]	25	1,000 [92.90] b	15 [4.6]
RR	75 [22.86]	10 [3.0]	5 [1.52]	30 [9.14]	25	1,500 [139.35] b	20 [6.1]
SR	75 75 [22.86] c	10 [3.0] d	5 [1.52]	15 [4.6]	25	1,500 [139.35] b	20 [6.1]
RM	50 [15.24]	25 [7.6]	15 [4.6]	25 [7.6]	45	-	35 [10.67]
Commercial Districts (e)							
CG	40 [12.19]	10 [3.0]	5 [1.52]	15 [4.6]	10	-	15 [4.6]
CH	40 [12.19]	10 [3.0]	5 [1.52]	15 [4.6]	10	-	15 [4.6]
RT	40 [12.19]	10 [3.0]	5 [1.52]	15 [4.6]	10	-	15 [4.6]
Industrial Districts							
M1	40 [12.19]	15 [4.6]	5 [1.52]	15 [4.6]	-	-	45 [13.72]
M2	40 [12.19]	15 [4.6]	5 [1.52]	15 [4.6]	-	-	45 [13.72]
AIP	40 [12.19]	15 [4.6]	5 [1.52]	15 [4.6]	-	-	45 [13.72]
Recreational and Hazard Lands Districts							
PR	50 [15.24]	10 [3.0]	15 [4.6]	15 [4.6]	10	-	15 [4.6]
HL	25 [7.6]	10 [3.0]	15 [4.6]	15 [4.6]	10	-	15 [4.6]
Additional Standards							
Accessory buildings, structures, and uses must comply with section 7.1 Accessory Structures and Uses.							
Dimensional standards in this table may be altered by other provisions in this by-law, including but not limited to sections 1.5 Other Legislation, 7.7 Flood Prone or Hazard Prone Lands, 7.13 Permitted Projections into Required Yards, 7.14 Permitted Projections Through Maximum Height Limits, 7.16 Setback Standards, 7.18 Subdivision of Attached Dwellings, and 8.22 Planned Unit Developments.							
Notes:							
a)	Excluding swimming pools, ponds, decks, playhouses, swings, gazebos and picnic shelters.						
b)	A maximum combined building area for all accessory buildings on a site excluding swimming pools, ponds, decks, playhouses, swings, gazebos and picnic shelters.						
c)	The minimum front yard requirement for accessory uses, building or structures on sites with the rear site line abutting a river, creek or stream shall be 15 ft.						
d)	The minimum rear yard requirement for sites abutting a public lane at the rear of the site shall be 5 ft.						
e)	Buildings, structures, and uses accessory to residential uses located in Commercial zoning districts must meet the requirements of the RG zoning district.						