RURAL MUNICIPALITY OF VICTORIA BEACH ZONING BY-LAW



By-law No.1651

Third Reading Version



HOW TO USE THIS ZONING BY-LAW

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

Step One: What zone is your property located in?

- Use the Zoning Map in Schedule A to determine the zoning for your property.
- Reference Part 3 Zones for a description of the intent of that particular zone.
- Look in the development plan section that applies to your property to confirm your proposal fits with the applicable policies in this document.

Step Two: What uses are permitted in your zone?

- Find the zone of your property in Part 3 Zones, Table 3.1.
- Uses identified as permitted uses and may be developed once you have received a development permit.
- Uses identified as conditional uses may or may not be acceptable in a zone depending on the particular circumstances of a proposed development. Conditional uses require a public hearing process and may have extra conditions imposed on the use to make it acceptable for the location.
- Uses marked with an asterisk (*) have use-specific requirements that are provided in Part 4 Use-Specific Standards.

Step Three: How and where can you develop properties in your zone?

- Find the zone of your property in the bulk regulation tables (Part 3 Zones, Table 3.2).
- The bulk tables provide information on allowable height of buildings and

structures, required yards, and other spatial requirements for a property.

• To understand the specific details of these requirements, you may need to reference the Part 2 General Regulations and Part 6 Definitions.

Step Four: What permits do you need?

• In most cases, you will need a development permit before you start any change in land use or any development (including construction of a building) on a property.



- Check Part 5 Administration to see if your planned development is exempt from needing a development permit. If so, you may proceed with development, as long as it meets the other requirements in this zoning by-law and other applicable by-laws.
- If you need a development permit, fill out a development permit application.
- You are responsible for finding out if any other provincial or federal regulation apply to your development, as well as any other required local permits, including building permits, plumbing permits, electrical permits, demolition permits, etc.



THE RURAL MUNICIPALITY OF VICTORIA BEACH BY-LAW NO. 1651

A by-law of the Rural Municipality of Victoria Beach to regulate the use and development of land.

WHEREAS, Section 68 of *The Planning Act* requires a municipality to adopt a zoning by-law that is generally consistent with the development plan by-law in effect in the municipality;

AND WHEREAS, under Part 4 Division 1 of *The Planning Act*, the Rural Municipality of Victoria Beach has, by by-law, adopted the *Victoria Beach Development Plan No. 1553*;

NOW THEREFORE, the Council of the Rural Municipality of Victoria Beach in meeting duly assembled, enacts as follows:

- 1. The Zoning By-law No. 1651 attached is hereby adopted
- 2. The by-law shall be known as the Rural Municipality of Victoria Beach Zoning By-law
- 3. The Rural Municipality of Victoria Beach Planning Scheme 1969, as amended, is repealed
- 4. This by-law shall come into force on from and after the date on which it received third reading by the Council.

DONE AND PASSED in Council duly assembled at the Rural Municipality of Victoria Beach, Manitoba, this 8th day of July 2025.

Mayor

Chief Administrative Officer

READ A FIRST TIME this 20th day of August 2024.

READ A SECOND TIME this 3rd day of June 2025.

READ A THIRD TIME this 8th day of July 2025.



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PART 1: Applicability and Scope

1.1 Title

This by-law shall be known as the Rural Municipality of Victoria Beach Zoning By-law.

1.2 Scope

This by-law applies to all lands in the Rural Municipality of Victoria Beach as indicated on Map 1 of Schedule A of this by-law.

1.3 Application

This by-law regulates:

- a) The construction, erection, alteration, enlargement or placing of buildings and structures;
- b) The establishment, alteration, or enlargement of uses of land, buildings and structures; and
- c) All forms of development, including the removal of existing trees, and other development not included above.

1.4 Use and Development of Land and Buildings Must Comply

Within the Rural Municipality of Victoria Beach, no land, building or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, enlarged or placed, except in accordance with this by-law.

1.5 Restrictions in Other By-laws or Federal and Provincial Laws

Whenever a provision of another by-law or a 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.

The Rural Municipality of Victoria Beach may require proof of compliance with federal or provincial regulations prior to issuance of the applicable permit or certificate.

1.6 Does Not Promote Nuisance

Nothing in this by-law or in a development permit, approval of a conditional use, variance order or other approval issued under this by-law shall be construed as authorization for the carrying out of any activity which is a nuisance due to noise, odour, emission, vibration or other cause.



PART 2: General Regulations

The following regulations shall apply to all use and development of land and buildings in the Rural Municipality of Victoria Beach, except where otherwise noted in this bylaw.

2.1 Regulation of Uses

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

- a) Is listed in the Table 3.1 as:
 - i) A permitted principal use;
 - ii) A permitted accessory use;
 - iii) A conditional use, subject to approval as such;
 - iv) A conditional accessory use, subject to approval as such.
- b) Is an accessory building or structure; or
- c) Is a temporary, building, structure or use.

2.2 Multiple Uses or Provisions

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.

2.3 Accessory Uses

No accessory use, building, or structure shall be constructed or erected, except those in compliance with the following regulations:

- a) Where the accessory building or structure is attached to a principal building or structure, it shall be subject to, and shall conform to, all regulations of this bylaw applicable to the principal building or structure;
- b) Where the accessory building or structure is detached from the principal building or structure, it shall be subject to, and shall conform to, all regulations of this by-law applicable to accessory buildings or structures;
- c) No accessory building or structure shall be constructed on any zoning site prior to the time of construction of the principal building to which it is accessory except where it is allowed by written agreement from the Rural Municipality of

Victoria Beach;

- d) No detached accessory building shall be located closer than 10 feet (3.05 m) to any principal building;
- e) Accessory buildings are permitted when accessory to a permitted use and conditional when accessory to a conditional use; and
- f) An accessory building or structure shall not be used as a dwelling, except where otherwise permitted in this by-law.
- g) No land, building, or structure shall be used or occupied for any accessory use after the use or uses to which it is accessory have been discontinued.
- h) Detached accessory buildings or structures shall not be located within a required yard, except a required rear yard or as provided for elsewhere herein.

2.4 Required Yard

- a) Required yards shall be free of buildings, except accessory buildings or structures, which must conform to the other requirements of this by-law.
- b) Open, unenclosed projections, whether vertical or horizontal, such as stairs, landings, porches, and unenclosed balconies, may extend into the required yards for not more than 50 per cent of the required yard depth, up to a maximum of ten feet (3.05 m), except for wheelchair ramps (or similar accessibility structures), which are not subject to the restrictions for required yards.
- c) No yard setback is required for stairs and/or landings providing access to the beach or shoreline. All applicable requirements for development within the riparian area still apply as per the *Development Plan*.
- d) Where a use is established on a site and a required yard is reduced below the minimum requirements of this by-law by virtue of the development of a public work, street or public utility, the affected required yard shall be deemed to conform to the requirements of this by-law.
- e) A through site may be required to meet the front yard setback of the zone in which it is located on both property lines fronting onto a street or waterbody at the discretion of the Development Officer.
- f) For purposes of interpreting the yard requirements contained within this Zoning By-law, the Lake Winnipeg side of the lot shall be deemed to be the front site line for all lots which front onto and are contiguous to Lake Winnipeg or which front onto and are contiguous to public reserve, right-of-way, or Crown land which fronts onto Lake Winnipeg.

2.5 Air Conditioning Units, Pool Equipment and Compressors

Air conditioning units, pool equipment and/or compressors shall be accessory structures in all zones and shall be subject to the following regulations:

- a) Shall be a minimum distance of 15.0 feet (4.57m) to an openable window of a habitable room on an adjoining lot.
- b) If located in a front yard, it must be screened with compact hedges or shrubs or other landscaping.
- c) Should be no closer than 5.0 feet (1.52m) to a side site line in all residential zones. In all other zones, it should be no closer than 10.0 feet (3.05m) to a side site line.

2.6 Height Exceptions

The provisions of this by-law shall not apply to limit the height of any ornamental dome, chimney, public utility, steeple, electrical apparatus or the mechanical operations of the building provided that no roof structure or any space above the height limit shall be permitted for the purpose of providing usable floor space.

2.7 Temporary Buildings, Structures, or Uses

Temporary buildings, structures or uses may be allowed on a non-permanent basis subject to the issuance of a development permit under the following conditions:

- a) A development permit for a temporary building, structure or use shall be subject to such terms and conditions as required by council; and
- b) Each development permit issued for a temporary building, structure or use shall be valid for a period of not more than 12 months and may not be renewed for more than two successive periods at the same location.

2.8 Demolition and Removal of Buildings or Structures

Where a development permit has been obtained for the demolition or removal of a building or structure, all demolition, removal of debris, filling of excavations or basements and re-grading of the site shall be undertaken within 90 days from the date of issuance of said permit.

This period may be extended at the discretion of the development officer, due to unusual circumstances such as weather conditions and road restrictions.

2.9 Road Access

No permanent building may be constructed or placed on a parcel which does not have

legal access to an existing public road.

2.10 Public Utility

This by-law shall be interpreted so as not to interfere with the construction, erection and location of a public utility's works, plant, pipes, cables, or equipment.

2.11 Outdoor Lighting

Outdoor lighting is only allowed if the following standards are met:

- a) Any outdoor lighting (other than those exempted in provision (c) below) must be located, arranged, or shielded so that no light is directed at any adjoining properties or interferes with the effectiveness of any traffic control device.
- b) The maximum permitted height of a light fixture is 30 feet (9.14 m).
- c) These standards do not apply to:
 - i. Federally and provincially-regulated buildings and structures (including the lighting required for airports and towers);
 - ii. The temporary use of lighting (for seasonal decorations for example).

2.12 Fences

Fences are permitted in all zones subject to the issuance of a development permit under the following conditions:

- a) Shall not include:
 - i. electric fences
 - ii. barbed wire fences
 - iii. scrap metal or industrial waste material.
- b) Shall not be higher than:
 - i. 3.5 feet (1.07 m) in a required front yard, and
 - ii. 6.0 feet (1.83 m) in a required side or rear yard

Measured from the highest part of the fence to the point where the fence post enters grade; and

c) Are permitted in all required yards and can be placed up to the property line, except when located on the street side of a corner or reversed corner lot where the fence shall not exceed a height of 3.5 feet (1.07 m), unless set back a distance

of fifteen (15) feet (4.57 m).

2.13 Hazard Lands, Flood Risk Areas, and Erosion or Slope Instability Areas Development on land in the vicinity of Lake Winnipeg shall comply with the Flooding, Erosion & Slope Stability and the Water & Shoreline policies set out in the *Development Plan*.

2.14 Riparian Areas

In the RM of Victoria Beach, riparian areas are generally comprised of public land on the banks of Lake Winnipeg that separate private lands from the lake and beach areas. Generally, in older subdivisions with the Municipality including existing lots within the VRR3 or RR3 Zones, these lands are often held as public reserves, a right-of-way or crown reserves depending on their specific location. These lands are zoned as "OS" Parks and Open Space. In areas where there isn't public land that separates private land from the lake and beach areas such as existing lots in the LR Zone, a riparian area may or may not exist based on how the land was originally granted. It is important for individual property owners to confirm how their property boundaries are defined per the land description on their title.

When new subdivisions are proposed on lands located adjacent to the Lake Winnipeg, riparian areas can be established when a Public Reserve is taken by the Municipality as part of a subdivision application as can be required by *The Planning Act*. When Public Reserves are established through the previously mentioned process, they should generally be configured to define a 100 ft (30m) Riparian Area measured from the ordinary high-water mark.

Development shall be permitted in riparian areas in accordance with the zone in which it is located provided it complies with the following conditions:

- a) Native vegetation shall generally be retained within all riparian areas. Developments that create minor disturbances to the native vegetative cover, such as buildings, stairs, decks, patios and pathways, may be permitted, provided that not more than 25% of the riparian area is affected.
- b) Without exception, a development permit shall be required for the erection, construction, enlargement and structural alteration, or placing of an accessory building or structure within a riparian area.

- c) A development permit shall also be required for the removal of native vegetation within the riparian area.
- d) Minimum side yards shall be maintained. In the instance where development extends onto Crown Land, a Public Reserve or waterbody, the side yard shall be measured from a projection of the lot lines for the property which the use is accessory to.
- e) Proposed development must not impose undue risk to people, property, or water quality, nor interfere with or unduly compromise the character, enjoyment, or sustainability of private or public property, and existing recreational uses and areas should be protected from potentially incompatible land uses that may threaten the ongoing viability of those areas, in accordance with the *Development Plan*. Geo-technical and/or environmental assessments, prepared at the developer's expense, may be required for any proposed development including but not limited to plans for erosion protection measures as per recommendation to Council from the Shoreline & Beach Management Advisory Committee.
- f) Private boathouses and/or boat launches shall not be permitted unless provided for herein.
- g) Except on lands zoned as "OS" Parks and Open Space, erosion protection measures in compliance with this section are permitted accessory uses.
- h) The bulk requirements of Table 3.2 do not apply to erosion protection measures.

For development permit applications within the riparian area, in addition to the application requirements set out in Sections 5.5 and 5.9, the Rural Municipality of Victoria Beach may require proof of issuance for permits required by provincial and federal authorities and a tree survey (prepared at the developer's expense) showing existing vegetation.

2.14 No Alteration of Wetlands

Development shall not result in alteration to permanent, semi- permanent provincially designated or coastal wetlands by the consolidation of wetlands or by ditching, filling,

pumping, subsurface drainage or other works or means, unless it is for the purpose of flood mitigation. Flood mitigation must maintain the natural boundaries of permanent, semi-permanent or coastal wetlands.

2.15 Vehicle Restricted Area

Boundaries and regulations pertaining to the Vehicle Restricted Area (VRA) are identified in By-law 1588 as amended and for the purposes of this by-law as shown in Figure 1.



Figure 1: Vehicle Restricted Area (VRA)

2.16 Parking

When new development is proposed, including a change of use of an existing development, or when any existing development is, in the opinion of the development officer, substantially enlarged or increased in capacity, then provision shall be made for off-street vehicular parking or garage spaces on private property in accordance with the regulations and standards contained in this section as follows:

Table 2-1 Minimum Parking Space	e Requirements
Use Class*	Number of Parking Spaces Required
Dwelling, Single-Unit, Two-Unit	1.0 / Dwelling Unit
Dwelling, Multi-Unit	1.2 / Dwelling Unit
Bed and Breakfast	1.0 / Sleeping Accommodation
Hotel and Motel	1.0 / Guest Room or Sleeping Unit
Eating and Drinking	1.0 / 4 seats or 1.0 per 100 sq. ft. of
Establishment	floor area, whichever is greater
Convenience and Retail Sales	1.0 / 200 sq. ft. of floor area
Stores All other Commercial	1.0 / 250 sq. ft. of floor area
Establishments	
Indoor Participant Recreation	1.0 / 5 seating spaces or 10 ft. of bench
Service, Place of Worship or	space. Where there are no fixed
Assembly	seats,
Outdoor Participant	1.0 for each 100 sq. ft. of floor area
Recreation Service, Community	devoted to the assembly room
Centre	floor area
Education Service	1.5 / classroom, plus 1 for each 100 sq. ft. of floor area devoted to public use
Government Service Child Care	1.0 / 550 sq. ft. of floor area
Service	1.0 for every 2 employees
Funeral Service	1.0 for every 5 seating places
• •	ted above, the parking requirement the Development Officer.

2.17 Accessible Parking Spaces

Out of the total number of required off-street parking spaces (not including Dwelling single-unit), the owner must provide a portion of those spaces so as to be accessible to persons with disabilities, in accordance with the following requirements:

Each accessible parking space:

a) Must be at least 11.5 ft. (3.5 m) wide;

- b) Must be located within 200.0 ft. (60.96 m) of major building entrances used by residents, employees, or the public; and
- c) Must include signage reserving the space for use by persons with disabilities.

At least one curb ramp must be located within 100.0 ft. (30.48 m) of the auto parking space closest to each entrance to a principal or accessory building that is not a service entrance.

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

The accessible parking space requirements are as follows:

2.18 Protection and Retention of Tree

- a) A permit from the Municipality shall be required for the removal of trees or shrubs in all zones, <u>except</u> in the following instances:
 - i. Seasonal or routine pruning and maintenance of trees;
 - ii. The removal of hazardous or dead trees ; and
 - iii. The removal of trees in whole or in part where a development permit has been issued for a new development on the same site and the removal of trees is implicit or explicit in that permit.
- b) Clear cutting of trees only for the purpose of tree removal shall not be permitted in all zones.

- c) Cutting of live trees within the "OS" Zone or within Municipal right-of-ways shall be prohibited, except by the Municipality.
- d) Tree conservation and replacement shall be considered in the review of development applications to minimize the impact the proposed development may have on the character and enjoyment of the general area. Proponents may be required to submit tree surveys, prepared at the expense of the developer, in support of the development review process as per the *RM of Victoria Beach Development Plan*.

2.19 Properties Must be Kept Free of Waste

Waste must not be allowed to accumulate upon a property. Without limiting the generality of the foregoing, the following items of waste must not be allowed to accumulate outdoors, or be deposited or stored, on private property:

- a) One or more large items of refuse, including appliances, indoor furniture, dilapidated outdoor furniture, mattresses, large auto parts and crates;
- b) Hazardous waste;
- c) Construction or demolition waste, including concrete, unwanted industrial, commercial or personal products, or any other waste materials; or
- d) Wrecked, dismantled, partially dismantled, inoperative, discarded, or abandoned trailers, machinery or vehicles or parts thereof.

PART 3: Zones

3.1 Establishing Zones

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

Zones	Abbreviation
Community Area	CA
Parks and Open Space	OS
Vehicle Restricted Residential 1	VRR1
Vehicle Restricted Residential 2	VRR2
Vehicle Restricted Residential 3	VRR3
Lakefront Residential	LR
Resort Residential 1	RR1
Resort Residential 2	RR2
Resort Residential 3	RR ₃

- 3.1.1. The CA Community Area Zone is intended to provide regulation for a centralized mix of civic, residential, commercial, institutional, and recreational uses within the Municipality.
- 3.1.2. The OS Parks and Open Space Zone is intended to provide regulation for public reserve and amenity/institutional areas, either in a natural state, or as developed park areas, trails, and are generally under public ownership.
- 3.1.3. The VRR1 Vehicle Restricted Residential 1 Zone is intended to provide regulation to preserve the historical character of residential uses located within the VRA as identified in Figure 1.
- 3.1.4. The VRR2 Vehicle Restricted Residential 2 Zone is intended to provide regulation to preserve the historical character of residential uses located within the VRA as identified in Figure 1.
- 3.1.5. The VRR3 Vehicle Restricted Residential 3 Zone is intended to provide regulation to preserve the historical character of residential uses on properties located adjacent

or in close proximity to Lake Winnipeg and generally separated from the water by public lands within the VRA as identified in Figure 1.

- 3.1.6. The LR Lakefront Residential Zone is intended to provide regulation for residential uses on properties that generally have ownership of the property up to the water's edge of Lake Winnipeg.
- 3.1.7. The **RR1 Resort Residential 1 Zone** is intended to provide regulation for residential uses on properties held as larger parcels within the Municipality.
- 3.1.8. The RR2 Resort Residential 2 Zone is intended to provide regulation for residential uses within the Municipality.
- 3.1.9. The RR3 Resort Residential 3 Zone is intended to provide regulation for residential uses on properties located adjacent to Lake Winnipeg within the Municipality.

3.2 Zoning Boundaries

The zones established above in Section 3.1 shall apply within the boundaries of the zones shown on the map in Schedule A following these rules of interpretation:

- Boundaries indicated as approximately following the centre- lines of streets, lanes, highways, rivers, or railway or public utility lines or rights-of-way shall follow such lines; and
- Boundaries indicated as approximately following parcel limits as shown on a registered plan or by reference to the Dominion Government Survey shall follow such limits.

3.3 Permitted and Conditional Uses

The permitted and conditional uses prescribed for parcels within each zone are those set out in the Table 3.1. Where a use is not listed and is not similar to, or accessory to, a permitted or conditional Principal Use, or a permitted or conditional accessory use, the use is not allowed in the zone. Permitted and Conditional Uses are described in the "How To Use This Zoning By-law" section at the beginning of this document.

3.4 Bulk Regulations

No land, building or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, enlarged, or placed, except in accordance with the bulk requirements described in the bulk regulation tables (Table 3.2) or elsewhere in this by-law.

	Table 3.1 Use Table											
	P = Permitted C = Conditional * = Use Specific Standards Applies											
Uses		Zones										
Commercial and Industrial Use Classes (Principal Uses)	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3	Use Specific Standards		
Animal Shelter and Veterinary Service	с											
Automobile Service Station	С											
Business Support Service	Ρ											
Contractor's Yard	C^1											
Custom Manufacturing Establishments	C ¹											
Drive-Through Facility	C^1											
Eating and Drinking Establishment	С											
Fishing Operation						С						
Garden Centre, Farmer's Market and Produce Stand	Ρ											

¹ – Outside of VRA

	Table 3.1 Use Table												
	P = Permitted C = Conditional * = Use Specific Standards Applies												
Uses					Z	ones							
Commercial and Industrial Use Classes (Principal Uses)	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3	Use Specific Standards			
General Contractor Service	C ¹												
Hotel/Motel	C ¹												
Non-Accessory Parking	с	С											
Office	Р												
Retail Sales and Service (General)	С												
Retail Sales and Service (Neighbourhood)	Р					С	С	С	С				
Storage (general or self-service)	С												
Trucking Operation	С												

¹ – Outside of VRA

	Table 3.1 Use Table												
	P = Permitted C = Conditional * = Use Specific Standards Applies												
Uses					Z	ones							
Natural Resource Use Classes (Principal Uses)	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3	Use Specific Standards			
Natural Area or Wildlife Habitat		Р											
Natural Resource Development		С											
Recreation and Assembly Use Classes (Principal Uses)	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3	Use Specific Standards			
Community Centre	Р	С	С	С	с	С	С	с	С				
Funeral Service	С												
Indoor Participant Recreation Service	с												
Outdoor Amusement Establishment		С											

	Table 3.1 Use Table												
	P = Permitted C = Conditional * = Use Specific Standards Applies												
Uses					Z	ones							
Recreation and Assembly Use Classes (Principal Uses)	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3	Use Specific Standards			
Outdoor Participant Recreation Service		C											
Place of Assembly	С												
Place of Worship	Р					С							
Private Camp						P*				4.12			
Residential Uses Classes (Principal Uses)	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3	Use Specific Standards			
Dwelling, Single- unit	Р		Р	Ρ	Р	Ρ	Ρ	Ρ	Р				
Dwelling, Two- unit	P * ¹									4.4			
Dwelling, Multi- unit	C * ¹									4.5			
Planned Unit Development						C*	C*	C*	C*	4.12			

¹ – Outside of VRA

	Table 3.1 Use Table												
	Γ	P = Per	mitted C =	Conditiona			dards Appl	ies					
Uses		Zones											
Service and Institutional Use Classes (Principal Uses)	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3	Use Specific Standards			
Cemetery	С	С				С							
Child Care Service (group)	Ρ												
Education Service	Р												
Emergency Services	Ρ	Ρ	Р	Р	Р	Ρ	Ρ	Р	Ρ				
Government Service	Ρ												
Health Service	Ρ												
Public Park	Ρ	Р	Р	Р	Р	Р	Р	Р	Р				
Public Trail	Ρ	Р	Р	Р	Р	Р	Р	Р	Р				
Public Utility	Р	Р	Р	Р	Р	Р	Р	Р	Р				
Solid Waste and Recycling Depot		С											

	Table 3.1 Use Table											
	1	P = Per	mitted C =	Conditiona			dards Appl	ies				
Uses		Zones										
Accessory Uses	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3	Use Specific Standards		
Accessory Building or Structure	Р	С	Р	Р	Р	Ρ	Р	Ρ	Ρ			
Bed and Breakfast	Р		C*	C*	C*	C*	C*	C*	C*	4.1		
Boat Launch						С						
CHILD CARE SERVICE (Home Day Care)	Р		С	С	С	С	С	С	с			
Carriage Suite or Coach Suite	Р					P*	C*	C*	C*	4.2		
Detached Sleeping Quarters	P *		P*	P*	P*	P*	P*	P*	P*	4-3		
Erosion Protection Measures (Public Property)		C*			C*				C*	See 2.14		
Erosion Protection Measures (Private Property)					P*	P*			P*	See 2.14		

	Table 3.1 Use Table													
	P = Permitted C = Conditional * = Use Specific Standards Applies													
Uses		Zones												
Accessory Uses	CA	OS	VRR1	VRR2	VRR3	LR	RR1	RR2	RR3	Use Specific Standards				
Garage	P *			P*	P*	P*	P*	P*	P*	4.6				
Garage (Portable)	P*		P*	P*	P*	P*	P*	P *	P*	4.7				
Home Based Business	P*		C*	C*	C*	C*	C*	C*	C*	4.8				
Hot Tub	P *		P *	P*	4-9									
Identification Sign	P*		P*	P*	P *	P*	P*	P*	P*	4.10				
Metal Shipping Container	C*	C*	C*	C*	C*	C*	C*	C*	C*	4.11				
Mobile Home														
Plant or Tree Nursery	Р	С				С	С	С	С					
Swimming Pool		C*				C*	C*	C*	C*	4.14				
			•	•	•		•		•					

Table 3.2 Bulk Standards Table

					MINIMU	JM STANDAR	D			MAXIN	IUM STANDARD
ZONE	USE TYPE	SITE AREA	SITE WIDTH	FRONT YARD SETBACK	SIDE Y	′ARD	REAR YARD	DWELLING AREA	BUILDING SEPARATION	HEIGHT	SITE COVERAGE
		(sq. ft)	(ft)	(ft)	(ft INTERIOR) CORNER	(ft)	(sq. ft)	(ft)	(ft)	(%/sq. ft)
C A	PRINCIPAL	15,000	150	30	15	20	25	500	-	28	
CA	ACCESSORY	-	-	60	5	10	5	-	10	20	40%
	PRINCIPAL	15,000	100	30	10	15	25	500	-	28	<i></i>
OS	ACCESSORY	-	-	60	5	10	5	-	10	16	25%
	PRINCIPAL	9500	75	30	10	15	25	500	-	19	<i></i>
VRR1	ACCESSORY	-	-	60	5	10	5	-	10	16	25%
) (DD)	PRINCIPAL	9500	75	30	10	15	25	500	-	19	25%
VRR2	ACCESSORY	-	-	60	5	10	5	-	10	16	
) (DD-	PRINCIPAL	9500	75	30	10	15	25	500	-	19	25%
VRR3	ACCESSORY	-	-	60	5	10	5	-	10	16	
LR	PRINCIPAL	15,000	100	30	10	20	25	500	-	28	0 /
LR	ACCESSORY	-	-	60	5	10	5	-	10	20	25%
DD-	PRINCIPAL	15,000	100	30	10	20	25	500	-	28	25%
RR1	ACCESSORY	-	-	60	5	10	5	-	10	20	-
DDo-	PRINCIPAL	10,000	75	30	10	15	25	500	-	28	a=04
RR2	ACCESSORY	-	-	60	5	10	5	-	10	20	25%
D Po	PRINCIPAL	10,000	75	30	10	15	25	500	-	28	25%
RR3	ACCESSORY	-	-	60	5	10	5	-	10	20	



PART 4: Use-Specific Standards

Regardless of whether a use is allowed as a permitted or a conditional use, and regardless of the zone in which the use is located, the following standards for specific uses must be met, except as otherwise provided in this by-law or by a conditional use or variance order:

4.1 Bed and Breakfast

Use		Zones									
Bed and Breakfast	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃		
	P*		С*	C*	С*	C*	C*	C*	C*		

P = Permitted as an Accessory Use

C = Conditional as an Accessory Use

- 4.1.1 A bed and breakfast shall only be allowed on a site in a zone in which it is a permitted or conditional accessory use if it meets all of the following regulations: A development permit is issued under this by-law;
 - a) The bed and breakfast shall be operated by a live-in owner as a secondary use only;
 - b) No more than three bedrooms shall be used for the bed and breakfast operation;
 - c) Outside of the restricted vehicle area one additional on-site parking spot shall be provided for each bedroom that is used for the bed and breakfast operation;
 - d) Signs shall follow the regulations for home-based businesses in the zone in which the bed and breakfast is located;
 - e) No in-room cooking facilities or catering; and
 - f) The bed and breakfast operation shall not change the principal residential character or external appearance of the dwelling.

4.2 Carriage Suite or Coach Suite

		Zones											
Use	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃				
Carriage Suite or Coach Suite						P *	C*	C*	C*				
P = Permitted as an Accessory Use C = Conditional as an Acce								ccesso	ry Use				

4.2.1 A Carriage or Coach Suite shall also comply with the following regulation:

- a) The area of the Carriage or Coach Suite shall be less than the principal dwelling and shall not exceed 92.9 sq m (1,000 sq ft);
- b) A detached garage with a Carriage or Coach Suite must adhere to all dimensional standards that apply to the zone in which it is situated, with the exception of building height, which for a Carriage or Coach Suite shall not exceed 28 ft. in height;
- c) A detached garage containing a Carriage or Coach Suite shall be separated from the principal dwelling a minimum of 3.05 m (10 ft) and a maximum of 15.24 m (50 ft);
- d) The exterior of the structure shall incorporate building materials, textures, and colours that are similar to those found on the principal dwelling; and
- e) Carriage and Coach suites must have an entrance that is separate from the vehicle entrance.

4.3 Detached Sleeping Quarters

Use		Zones										
Detached	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃			
Sleeping Quarters	Ρ*		Р*	Р*	Ρ*	Р*	Ρ*	Р*	Р*			
Use Specific Standard(s)												
Floor Area (ft.) (Max.)	240		240	240	240	360	360	360	360			
Height (ft.) (Max.)	16		16	16	16	20	20	20	20			

P = Permitted as an Accessory Use

C = Conditional as an Accessory Use

- 4.3.1 One detached building which provides accommodation for family members and guests shall be allowed as an accessory use to a cottage or dwelling provided it complies with the following regulations:
 - a) As an accessory use, it is used as an extension of the principal use and is not intended for exclusive occupancy by individuals living independent from the occupants of the cottage or dwelling;
 - b) It can only contain limited cooking facilities such as a mini fridge and a microwave and not more than one bathroom;
 - c) The combined site coverage for all living areas (Principal Use and Detached Sleeping Quarters) as well as all Accessory Uses shall not exceed 25% site coverage (see Table 3.2); and
 - d) Lofts may not exceed 50% of the floor area and shall not exceed 6 feet in height in the VRA.

4.4 Dwelling, Two-Unit

Use	Zones											
Use	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃			
Dwelling, Two- Unit	P *											

P = Permitted Use

4.4.1 Two-unit dwellings shall have no required yard on a side that shares a party wall with a building on an adjacent site.

4.5 Dwelling, Multi-Unit

	Zones										
Use	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃		
Dwelling, Multi- Unit	C*										

C = Conditional Use

4.5.1 Multi-unit dwellings shall have no required yard on a side that shares a party wall with a

building on an adjacent site. The minimum lot size for multi-unit dwellings shall increase by 1,000 sq. ft. for each unit over and above 4 units.

4.6 Garage

Use		Zones											
Garage	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃				
Garage	Р*			P*	P*	P*	P*	P*	P*				
Use Specific Standard(s)													
Floor Area (ft.) (Max.)	1000	720		576	576	1000	1000	1000	1000				
Height (ft.) (Max.)	20	16		16	16	20	20	20	20				

P = Permitted as an Accessory Use

4.6.1 A Garage shall also be subject to the following regulations:

- a) Detached and or attached garages or carports shall not be permitted in VRR1 Zone-
- b) Detached and or attached garages or carports shall not be permitted in the VRR3

Zone for properties located on First Avenue -; and

c) A garage shall not be used as a living space.

4.7 Garage (Portable)

Use		Zones									
Garage	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃		
(Portable)	P*		P*	Р*	P*	Р*	Р*	Р*	Р*		

P = Permitted as an Accessory Use

4.7.1 Portable garages shall also be subject to the following regulations:

a) They are permitted in the rear yard in the VRR1, VRR2, and VRR3 Zones.

- b) They are only permitted in the front yard in the VRR1, VRR2, and VRR3 Zones between October 1st and May 31st of each year.
- c) They shall be subject to:
 - i. A permit renewed annually (See Section 2.7);
 - ii. Yard setbacks as required for zone; and
 - iii. Being maintained in acceptable condition.

4.8 Home-Based Business

Use		Zones									
Home-Based	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃		
Business	Р*		C*	C*	C*	C*	C*	C*	C*		

P = Permitted as an Accessory Use

- 4.8.1 A Home-based business shall be allowed as an accessory use to a dwelling provided it complies with the following regulations:
 - a) Be conducted by a person or persons residing in the dwelling;
 - b) Have a valid business license or permit, if required by the authority having jurisdiction;
 - c) Not have processing or outside storage of goods;
 - d) Not have more than 30 per cent of the total floor area of buildings on the site devoted to the business;
 - e) Have a maximum of one business sign in compliance with Sign Regulations (Table 4.1); and
 - f) The home-based business shall not generate undue traffic or congestion, adversely affect the amenity and convenience of the neighbourhood, or create a nuisance, and if located in the vicinity of a provincial highway should not impair the safe and efficient operation of the highway.

4.9 Hot Tubs

Use		Zones											
Hot Tubs	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃				
	Р*		P*	P*	P*	Р*	Р*	Р*	Р*				

P = Permitted as an Accessory Use

- 4.9.1 Hot Tubs and similar structures with a water depth of greater than two (2) feet, may be allowed as an accessory use to a residential use, recreational, or commercial development provided that:
 - They meet the site requirements for accessory structures in the zone which they are located;
 - b) Are protected by a fence with lockable gates and a minimum height of 1.83 meters (six feet) to prevent unauthorized entry. The fence and gate must be constructed so as to prevent a child from crawling underneath;
 - c) If the hot tub is not secured by a fence, as described above, it must be secured by a lockable cover with sufficient strength to hold 200 pounds weight;
 - d) A development permit is issued under this by-law; and
 - e) Water must be obtained from an outside source and not unduly burden municipal water source.
- 4.9.2 Nothing in this subsection shall relieve any such structure from complying with the requirements under the *RM of Victoria Beach Building By-law* or applicable provincial regulations including *The Buildings and Mobile Homes Act* and *The Public Health Act*.

4.10 Identification Signs

Use		Zones											
Home-	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃				
Based Business	Р*		C*	C*	С*	C*	C*	C*	C*				

P = Permitted as an Accessory Use

C = Conditional as an Accessory Use

- 4.10.1 The following provisions shall apply to all signs erected or maintained within the Rural Municipality of Victoria Beach except wherein otherwise stated:
 - a) Signs and sign structures may be allowed as accessory uses in accordance with the Sign Regulations (Table 4.1), subject to the issuance of a development permit, except as provided in Section 4.10.1 (b) of this zoning by-law;
 - b) The following signs shall not require a development permit. However, they must still comply with any applicable standards in this by-law:
 - i. **Civic Signs** posted by duly constituted public authorities in the performance of their public duties;
 - ii. Flags or Emblems of a political, civic, educational or religious organization;
 - iii. Commemorative or Memorial Signs or tablets;
 - iv. **Temporary Signs** including real estate signs, construction signs, election signs, garage sale signs and similar;
 - V. Sidewalk Sign not exceeding 0.5 m² (5 ft²)) in surface area (for a single sign face);
 - vi. Awning Sign with signage originally incorporated in the design or awning material;
 - vii. Residential On-site;
 - viii. Identification Sign (including yard sign) or warning signs (such as "private property" signs and similar) not exceeding six square feet each in surface area; and
 - Direction Signs required for direction and convenience of the public, including signs identifying restrooms or parking entrances, not exceeding 0.5 m² (5 ft²)) in sign surface area.
 - c) Name plates and address signs shall be allowed in any required

front, side or rear yard provided they comply with the requirements and regulations of this by-law;

d) Billboards and other signs directing attention to a business, commodity or message offered elsewhere than upon the same zoning lot on which that sign is

located may only be allowed in zones where advertising signs are a permitted or conditional use. Such signs must also be constructed in accordance with the Sign Regulations (Table 4.1), and subject to the issuance of a development permit;

- e) No sign or sign structure shall be erected at any location where it may interfere with or obstruct the view of any street or intersection, or be confused with any authorized traffic sign, signal or device. No rotating beam, beacon or flashing illumination resembling an emergency light shall be used in connection with any sign display;
- f) No sign may contain flashing lights or digital images unless located within the CA Zone with an approved Development Permit;
- g) No sign or sign structure shall be erected or maintained on, over or above any land or right-of-way belonging to the Rural Municipality of Victoria Beach without a development permit;
- h) The placing of signs within the controlled area of a Provincial Road or Provincial Trunk Highway shall require a permit from the applicable provincial authority; and
- All signs and sign structures shall be kept in good repair and in a proper state of preservation. Signs which have become obsolete because of discontinuance of the operation or activity or are not maintained in good condition or repair shall be repaired, removed or relocated within 30 days following notice by the Development Officer.

Table 4.1: Sign Regulations											
Sign Type	Specifications	Allowed in Zones	Permit Required								
Address Sign	Quantity 1 per address Area max 3.0 sq. ft. Widthn/a Heightn/a Depthmax 3.0 in. Clearancemin 4.5 ft.	CA OS VRR1 VRR2 VRR3 LR RR1 RR1 RR2 RR3	No								

Table 4.1: Sign Regulations									
Sign Type	Specifications	Allowed in Zones	Permit Required						
Awning Sign	Quantity 1 per window Arean/a Widthmax equal to facade Depthmin 4.0 ft. Clearancemin 8.0 ft. Valance Heightmax 10ft. Dist. from Curbmin 2.0 ft.	CA OS	No						
Fascia or Wall Sign	Quantity 1 per business Area 1.5 sq. ft. per lin. ft. facade Width max 90% width of facade Depth max 7.0 in. Clearance min 7.0 in.	CA OS	No						
Freestanding or Ground	Quantity 1 per site Area (Single occupancy) max 100 sq. ft. Area (Multi. Occupancy) max 8.0 ft. Height (ground) max 8.0 ft. Height (Freestanding) max. 25.0 ft. Depth max 12.0 in. Clearance (Ground) n/a Clearance (Freestanding) min 6.0 ft.	CA OS	Yes						
Alleys and Racquet Clubs	Quantity 1 per business Arean/a Widthentrance plus 2 ft. per side Depthmin 4.0 ft.; max 10 ft. Clearancemin 8.0 ft. Dist. from Curbmin 3.0 ft.	CA	Yes						
	Table 4.1: Sign Regulations								
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Sign Type	Specifications	Allowed in Zones	Permit Required						
Outdoor Display Case	Quantity 1 per business Area max 6.0 sq. ft. Width max 3.5 ft. Height max 3.5 ft. Depth max 5.0 in. Clearance min 4.0 ft.	CA OS	No						
Portable or Mobile Sign	Quantity 1 per site Area max 48.0 sq. ft. Widthn/a Height max 10.0 ft. Depthn/a Clearancen/a	CA OS	Yes						
Projecting Sign	Quantity 1 per business Areamax 4.0 ft. Width4.0 ft. Depthmax 4.0 ft. Clearancemin 8.0 ft.	CA OS	Yes						
Sidewalk Sign	Quantity1 per business Areamax 5.0 sq. ft. Width	CA OS	No						

	Table 4.1: Sign Regulations								
Sign Type	Specifications	Allowed in Zones	Permit Required						
Window Sign	Quantity	CA OS	No						
Yard Sign	Quantity	CA OS VRR1	No						

4.11 Metal Shipping Container

Use	Zones								
Metal	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃
Shipping Container	C*	C*	C*	C*	C*	C*	C*	C*	C*

C = Conditional as an Accessory Use

- 4.11.1 For the purposes of this By-law, the term metal shipping containers shall apply to all large, portable storage enclosures including tractor-trailers and similar units.
- 4.11.2 Metal shipping containers shall not be stacked unless approved by the Development Officer.

- 4.11.3 If used for more than a total of 90 days per calendar year, a shipping container or other portable storage unit shall be considered an accessory use under this By-law and shall:
 - a) Meet the standards for accessory uses in this By-law;
 - b) Meet the dimensional requirements for accessory uses in the zone in which it is located;
 - c) Be located to the rear of the principal building;
 - d) Must be painted the same colour as the principal dwelling;
 - e) Be placed on a secure and level foundation as determined by the Development Officer;
 - f) For sites less than 1 ha (2.27 ac) there shall be no more than one (1) shipping containers;
 - g) For sites between 1 ha (2.27 ac) and 2 ha (4.94 ac) there shall be no more than two (2) shipping containers; and
 - h) For sites greater than 2 ha (4.94 ac) there shall be no more than three (3) shipping containers.
- 4.11.4 If used for less than 90 days per calendar year, the shipping container shall be considered a temporary use and shall:
 - a) Be located to the rear of the principal building wherever possible; and
 - b) Meet the requirements for temporary uses and structures as identified in this By-law.
- 4.11.5 Metal shipping containers shall not remain on a site for more than 24 months.
- 4.11.6 A Development Permit is required.

4.12 Planned Unit Developments

Use	Zones								
	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃
Development	C*					C*	C*	C*	C*

C = Conditional Use

4.12.1 A Planned Unit Development:

- a) May only be established on a zoning site or proposed development area larger than 4 acres in size;
- b) The uses and standards of a planned unit development must be
- c) generally consistent with the desired character for the area as set out in the development plan or the uses and standards in the zones adjacent to the site.
- d) An application for a planned unit development shall be considered
- e) as a conditional use application subject to the conditional use provisions of this by-law and the Act.
- f) An application for a planned unit development must be accompanied by a detailed site plan including:
 - i. Location of the site boundaries;
 - ii. Planned location of buildings and structures;
 - iii. Planned location of roads;
 - iv. Planned location of sidewalks and active transportation paths;
 - v. Planned location of vehicle parking;
 - vi. Planned location of systems supplying electrical power, water, and sewage disposal; and
 - vii. A list of all instances on the site where the bulk standards of the proposed buildings and structures do not comply with the requirements of the zoning by-law.

4.13 Private Camp

Use		Zones							
	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃
Private Camp						Р*			Р*

P = Permitted Use

4.13.1 A Private Camp shall be a permitted use on lands described as Lots 1/3 Plan 3920 and Lot 13 Plan 14268.

4.14 Swimming Pool

Use	Zones								
Swimming	CA	OS	VRR1	VRR2	VRR ₃	LR	RR1	RR2	RR ₃
Pool	P*					Р*	Р*	C*	C*

P = Permitted as an Accessory Use

C = Conditional as an Accessory Use

- 4.13.1 **Swimming Pools** and similar structures with a water depth of greater than two (2) feet, may be allowed as an accessory use to a residential use, recreational, or commercial development provided that:
 - a) They meet the site requirements for accessory structures in the zone which they are located;
 - b) A swimming pool area is protected by a fence with lockable gates and a minimum height of 1.83 meters (six feet) to prevent unauthorized entry. The fence and gate must be constructed so as to prevent a child from crawling underneath;
 - c) A development permit is issued under this by-law; and
 - d) Water must be obtained from an outside source and not unduly burden municipal water source.

Nothing in this Section shall relieve any such structure from complying with the requirements under the *RM of Victoria Beach Building By-law* or applicable provincial regulations including *The Buildings and Mobile Homes Act* and *The Public Health Act*.



PART 5: Administration

This by-law shall be administered in accordance with the provisions of *The Planning Act* and this PART.

5.1 Administration and Enforcement

In the administration and enforcement of this by-law, the Rural Municipality of Victoria Beach shall have all of the powers of inspection, remedy and enforcement provided under Part 12 of *The Planning Act* including the ability to impose fines for offences related to this by-law.

5.2 When Development Permits Are Required

A development permit is required for any of the following, except as otherwise provided for in this by-law:

- a) The erection, construction, enlargement, structural alteration or placing of a building or structure, either permanent or temporary;
- b) The establishment of a use of land or a building or structure;
- c) The change of a use of land or a building or structure from the existing use to a use which is not a permitted use;
- d) The alteration or enlargement of an approved conditional use; and
- e) Notwithstanding Section 5.4 (below), development permits shall be required for the erection, construction, enlargement and structural alteration, or placing of a building or structure, and/or the removal of natural vegetation within a riparian area.

5.3 Development Permits and Other Permits

The issuance of a development permit in respect of building or structure does not affect the obligation to obtain a building permit or other permit where required under the building by-law, or another law, by-law or regulation, for such a building or structure.

5.4 When Development Permits Are Not Required

A development permit is not required for the following:

- a) Alterations, incidental.
- b) The erection, construction, enlargement, structural alteration or placing of the

following as an accessory building or structure

- i) identification signs as listed in Section 4.5(b) Standards for Identification Signs;
- ii) outdoor lighting;
- iii) flagpoles;
- iv) private sewage disposal systems;
- v) private communications facilities;
- vi) unenclosed patios or decks less than 1 ft. above grade level.

Despite not requiring a development permit, all items in this provision shall be subject to requirements of this by-law. Please note: As per policy 4.14 Riparian Area Development, a development permit must be obtained for any buildings or structures proposed within a riparian area.

5.5 Applications for Development Permits

An application for a development permit:

- a) Shall be made by the owner or owners of the parcel in question, or by a person authorized in writing by them.
- b) Shall be accompanied by plans drawn to scale showing the following:
 - i) The shape and dimensions of the parcel to be used or built on;
 - ii) The location and dimensions of existing buildings and structures;
 - iii) The location and dimensions of any proposed building, structure, enlargement or alteration; and
 - iv) The use or uses of each existing and proposed building and structure, or of the land, and the area to be occupied by each use.
- c) Shall be accompanied by the fee prescribed by the Municipality.

5.6 Approval of Development Permits

A development Permit shall be approved as follows:

a) Within the 6o-day period from the date of the application, the Development Officer shall consider the application and may approve an application for a permit, if it is the opinion that the proposed building, structure or use of land conforms to the provisions of *The Planning Act*, the *RM of Victoria Beach Development Plan*, any applicable secondary plan, and this by-law.

- b) Every owner shall:
 - i) permit the Development Officer to enter any building or premises at any reasonable time for the purpose of administering or enforcing this by-law, and shall not molest, obstruct or interfere with the Development Officer in the discharge of his or her duties under this by-law;
 - ii) obtain written approval from the Development Officer prior to doing any work at variance with that for which a development permit was issued; and
 - iii) where applicable, be responsible for obtaining from the appropriate authorities, any required permits or licenses relating to blasting, electrical, grades, highways, occupancy, plumbing, private onsite wastewater management systems, sewers or water supply systems, signs, streets, water rights, wells, environmental approvals, and other government department approvals.

5.7 Building to be Moved

New and used buildings to be moved into the RM of Victoria Beach shall comply with the following:

- a) No building or structure shall be moved in whole or in part to any other location unless every portion of the building or structure is made to conform to all the regulations of this by-law applying to the zone in which it is located.
- b) Prior to transportation and placement on an engineer-approved foundation, the used building or structure shall require inspection by a structural engineer. A stamped confirmation confirming the building's structural integrity shall be provided to the Development Officer as part of the Conditional Use application.
- c) All used buildings being moved into the R.M. of Victoria Beach will require an approved conditional use order, which may include conditions addressing required interior/exterior renovation as deemed necessary by Council.

5.8 The Development Officer

Council shall appoint a Development Officer, who on behalf of the Rural Municipality of Victoria Beach may:

- a) Issue development permits and exercise the powers of administration, inspection, remedy and enforcement provided in Part 12 of *The Planning Act*.
- b) Refuse to issue a development permit where:
 - The development permit application, or any information accompanying the development permit application, is incorrect or incomplete; or
 - ii) The proposed building, structure or use does not, to the designated officer's knowledge, comply with this zoning by- law, the building bylaw or with any other law.
- c) Revoke a development permit where the development permit was issued in error.
- d) Issue zoning memoranda, certificates of non-conformity, and other documents as may be necessary for the administration and enforcement of this by-law.
- e) Make a minor variance order, without the need for a public hearing, for any proposed change that varies:
 - i) Any height, distance, area, size or intensity of use requirement in the zoning by-law by no more than 15%, and 10% within the VRA.
 - ii) The number of parking spaces required by the zoning by-law by no more than 15%, and 10% within the VRA.

5.9 Application for Amendments, Variances and Conditional Uses

An application for a variance, or conditional use, or an amendment to this by-law must be in the proper form and must be accompanied by the fee prescribed by Council. The application must also be accompanied by:

- a) Plans drawn to scale showing the shape and dimensions of the affected property;
- Plans drawn to scale showing the location and dimensions of existing buildings and structures;
- c) Plans drawn to scale showing the location and dimensions of the proposed building, structure, enlargement or alteration;
- d) A description of the use or uses of each existing and proposed building or

structure, or of the land;

 e) A description of the reason why the variance, conditional use, or amendment to this by-law is being requested; and Any other information required by the designated officer to determine compliance with, and to provide for enforcement of, this by-law.

5.10 Conditional Uses

- a) Approval of a conditional use shall expire or cease to have any effect if it is not acted upon within 12 months from the date it was made, unless it is renewed before the expiry date at the discretion of Council for an additional period not exceeding 12 months. A second period of not longer than 12 months if an application is received before the expiry of the first extension.
- b) A use that is listed as a conditional use within this by-law, but that lawfully existed prior to the effective date of this by-law, shall be considered a lawfully existing conditional use, and except as regulated by this by-law, shall have non-conforming rights in accordance with The Planning Act.
- c) Changes to an existing conditional use, such as enlargement, expansion or extension to occupy a greater floor area or site area upon which said use is located, shall require conditional use approval.
- d) In the case of aggregate extraction operations, existing pits may be expanded within the site, provided that no new pits are established and provided that said operation was a legally existing conditional use at the effective date of this by-law. The aggregate extraction operation shall otherwise conform to the requirements of the zone in which it is located.

5.11 Variance Orders

a) A building, structure or use established by a variance order prior to the effective date of this by-law shall, subject to the provisions of the variance order, be deemed to conform to this by-law.

A variance order shall expire or cease to have any effect if it is not acted upon within 12 months from the date it was made, unless it is renewed before the expiration date at the discretion of Council for an additional period not exceeding 12 months.

5.12 Zoning Memoranda

A zoning memorandum may be issued upon application of any person having an interest in land, land use, a building or structure within the area affected by this bylaw, stating whether or not the land, building, structure and use appears to conform with this by-law, in accordance with The Planning Act. A request for a zoning memorandum must be accompanied by a Building Location Certificate prepared by a Manitoba Land Surveyor.

5.13 Development Agreements

Where an application is made for an amendment to this by-law, Council may require the owner or the person entitled to be registered as owner of the land, building or structure to which the amendment shall apply, as a condition to its enactment to enter into a development agreement with the RM of Victoria Beach in respect to that land as well as contiguous land owned or leased by the applicant. Also, as a condition of subdividing land, approving a conditional use, approving a variation order, or other development as permitted under *The Act*, Council may require the applicant to enter into a development agreement in respect of the affected property and any contiguous land owned or leased by the owner.

5.14 Non-Conformities

A non-conforming use and a non-conforming building, structure, parcel of land or sign shall be regulated in accordance with and subject to the provisions of the *Act*, unless otherwise provided for herein:

- a) Any lawful building or structure which does not conform to one or more of the applicable yard requirements of the zone in which is it located, either on the effective date of this by-law or amendments thereto, shall be deemed to be a lawfully existing permitted building or structure and shall be used as if it conformed to all such requirements.
- b) Any expansion, addition, relocation or reconstruction of a non- conforming use or a non-conforming building or structure shall conform to the site requirements and parking and loading requirements of the zone in which it is located unless varied by a variance order pursuant to the provisions of the *Act*.
- c) Repairs or incidental alterations may be made to a non- conforming structure subject to approval and issuance of a development permit, where necessary.
- d) The use of land or the use of a building is not affected by change of ownership, tenancy or occupancy of the land or building.

- e) Any owner may apply to the Development Officer for a Non- Conforming Certificate in accordance with the provisions of the *Act*.
- f) Pursuant to the provisions of the Act, where Council determines that a building or structure is damaged or destroyed fifty percent (50%) or more of its replacement value above its foundation, the said building or structure may be replaced or rebuilt, but only in compliance with this by-law or its amendments, or where such requirements are varied by a variance order.
- g) In the instance where significant damage occurs to a building or structure by fire or natural causes, excluding intentional demolition, such that the owner wishes to rebuild, Variations to the applicable sections of this by-law may be considered provided the following conditions are met:
 - i) The new building can only be of the same size or less than the destroyed structure.
 - ii) The rebuilt building is located on the same pad site as the destroyed building.
 - iii) The elevation of the property must be brought up to at least 719.5 feet above sea level.
 - iv) In all other aspects, the new building must meet the current Building Code Bylaw.
 - v) If the rebuilt building is to be located within the Erosion Hazard Limit as per the *RM of Victoria Beach Development Plan*, then a geotechnical study will be required to confirm that the existing bank is stable enough to safely support the newly built structure.
- h) Pursuant to the provisions of the *Act*, a non-conforming parcel, meaning any lawful site existing at the adoption of this by-law which does not comply with the site area and/or site width herein, may be occupied by any building, structure or use provided:
 - That the building, structure or use is listed as a permitted or conditional use within the zone in which said use is located;
 - ii) That all other requirements of the zone in which the parcel is located, such as yards, building height, and floor area, are met; and/or

- iii) Variance orders have been obtained to alter requirements within the particular zone.
- i) Notwithstanding the provision of this subsection, a variance order shall not be required where a non-conforming use, building, structure, sign or parcel is being altered so that the non-conformity is not increased even though the resulting alteration does not fully comply with the requirements set forth herein.
- j) A non-conforming use of a structure or of a parcel of land, or portion thereof, which is, or hereafter becomes, abandoned, vacant or unoccupied, and remains vacant and unoccupied for twelve (12) consecutive months must not be used after that time except in conformity with the Zoning By-law.
- k) A use that is accessory to a non-conforming use may continue as long as the non-conforming use exists.



6.1 Definitions in this By-law

Where the following terms appear in this bylaw, they have the meaning provided as follows:

ACCESSORY BUILDING OR STRUCTURE means a building or structure that is naturally and normally incidental, subordinate in purpose or area, or both, and exclusively devoted to the use, building, or structure to which it is accessory. A use shown as a conditional use in Table 3.1 cannot be accessory to a use shown as a permitted use for the same zone.

Accessory Use means a use incidental to, subordinate to and exclusively devoted to the principal use and which operates together with the principal use on the same site.

Address Sign means a sign, generally applied to a building wall that displays a building's address.

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

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

- i. An addition, alteration, removal, reconstruction or replacement on the nonstructural exterior of a residential building;
- ii. An addition, alteration, removal, reconstruction or replacement of any unroofed driveway, sidewalk, patio or any accessory building floor;
- iii. Alteration of non-load bearing interior partitions in all types of buildings;
- iv. Replacement of, or changes in, the capacity of utility pipes, ducts or conduits;
- Replacement and placement of necessary roofing materials, awnings, eaves, overhangs and related structures, provided the area and height of the roof are not increased;
- vi. The addition and replacement of interior structures such as furnaces, fuel tanks, water heaters, fireplaces or wood stoves; and
- vii. Replacement of exterior building facades.

Alterations, Structural means any change, which prolongs the life of the supporting members of a building or structure, which includes, but is not limited to, bearing walls, columns, beams or girders.

ANIMAL SHELTER AND VETERINARY SERVICE means a development used for the care and treatment of small animals where the veterinary services primarily involve outpatient care and minor medical procedures. All animals shall be kept in an enclosed building. This use class includes pet clinics and veterinary offices.

Apex means the highest point of a sign as measured from the point on the ground where its structure is located, or, if no sign structure is present, from the point on the ground directly below the sign itself.

AUTOMOBILE SERVICE STATION means a building or portion thereof and land used for the servicing, washing and repairing of vehicles; and the sale of gasoline, other petroleum products and a limited range of vehicle parts and accessories. Service stations may include eating and drinking establishments. Typical uses include car washes, truck stops and highway service stations.

Awning Sign means lettering applied directly on the valance or other vertical portion of an awning.

BED AND BREAKFAST means a home-based business operated within a principal dwelling where sleeping accommodation with or without light meals is provided to members of the travelling public for remuneration. See Section 4.2 for use specific standards for bed and breakfast establishments.

Building has the meaning provided in *The Planning Act*, except that it does not include a well, pipeline, excavation, cut, fill, or transmission line.

Building Height means the vertical distance measured from grade to the highest point of the roof surface.

Business Sign means a sign directing attention to a business, commodity, service or entertainment conducted, sold or offered upon the same zoning site where the sign is maintained.

BUSINESS SUPPORT SERVICE means a development used to provide support services to businesses which are characterized by one or more of the following features: the use of mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; and the sale, rental, repair or servicing of office equipment, furniture and machines. Typical uses include printing establishments, film processing establishments, janitorial firms and office equipment sales and repair establishments.

Carriage Suite/Coach Suite means a self-contained accessory dwelling/secondary suite unit located over an accessory building such a garage. A secondary suite contains a single housekeeping unit and has its own separate access, cooking, sleeping and sanitary facilities which are separate from and not shared with those of the principal building.

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

CHILD CARE SERVICE (Group) means the provision of child care service to nine (9) or more children not over the age of twelve (12) in a provincially licensed facility with access to an outdoor recreation area.

CHILD CARE SERVICE (Home Day Care) means the provision of child care services in a dwelling unit, in which the owner or tenant resides, or churches or parish halls, to children, including the children of the owner or tenant. The number of children shall not exceed eight (8) and shall have access to an outdoor recreation area.

COMMUNITY CENTRE means a building or structure that provides facilities for indoor recreational activities and other community facilities such as meeting rooms or a library for use by the general public.

CONTRACTOR'S YARD means a yard of any building trade or contractor where equipment and material is stored or where a contractor performs shop or assembly work.

Controlled Area means the area between the limited access highway or freeway and the control line in relation thereto (*this definition is from <u>The Highways Protection Act</u>).*

Control Line is defined in <u>The Highways Protection Act</u>. In the majority of cases (some exceptions exist), existing statutory control areas in relation to highway classifications are shown in the table below:

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

Dimensions (Transportation Planning Resource Guide, p. 15)

CUSTOM MANUFACTURING ESTABLISHMENTS means development used for small scale on-site production of goods by hand manufacturing. Typical Uses include furniture, jewelry, toy, clothing/shoe and musical instrument manufacturing, gunsmiths, carpentry and upholstery shops, and pottery and sculpture studios.

DETACHED SLEEPING QUARTERS means an accessory detached building located on the same site as a cottage or dwelling which provides incidental accommodation for family members and guests.

DRIVE-THROUGH FACILITY means a facility designed to provide goods or services to the persons in standing (as opposed to parked) motor vehicles, including but not limited to a drive-through restaurant or bank.

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

DWELLING, SINGLE-UNIT means a building, located on a single site, containing one dwelling.

DWELLING, TWO-UNIT means a building, located on a single site, containing two dwellings (for example, a duplex or a side-by-side).

DWELLING, MULTI-UNIT means a building, located on a single site, containing three or more dwellings (for example, row houses, town houses, or apartment buildings).

EATING AND DRINKING ESTABLISHMENT means the sale to the public of prepared foods, for consumption within the premises or off the site. This includes licensed drinking establishments, restaurants, cafés, delicatessens, tea rooms, banquet catering, lunch rooms and take-out restaurants. This does not include drive-through facilities which provide services to customers who remain in their vehicles, refreshment stands, take-out windows where service is provided to customers on the outside, or

mobile catering food services.

EDUCATION SERVICE means a development which is privately or publicly supported or subsidized involving public assembly for educational, training or instructing purposes, and includes administration offices required for the provision of such services on either the same site or elsewhere on the same zoning site. This use class includes public and private schools, community colleges, technical and vocational schools and associated administrative offices and dormitories, which may also be established as accessory uses.

EMERGENCY SERVICES means a development which is required for the public protection of persons and property from injury, harm, or damage together with the incidental storage of emergency development which is necessary for the local distribution of utility services. Typical uses in this class include police stations, fire stations and ancillary training facilities.

Erosion Protection Measures means beach enhancements, slope stability projects, or the construction of engineered structures to mitigate shoreline erosion and damage from coastal hazards.

Erosion Hazard Limit means the sum of the stable slope allowance plus the erosion allowance of 50 times the average annual recession rate, or a minimum erosion allowance of 33 feet (10m) if sufficient data is not available as per the *RM of Victoria Beach Development Plan*.

Fascia or Wall Sign means any sign attached against the surface of, or against or within a recess in the wall, a column or other perpendicular portion of a building in a position essentially parallel to said wall, column or other perpendicular position. A fascia sign shall also mean any sign attached to the walls of two or more buildings and spanning the spaces between the said buildings.

FISHING OPERATION means an establishment involved in the harvest and processing of marine life, for the purpose of retail or wholesale trade, and shall include all buildings, and structures associated with such operation.

FUNERAL SERVICE means a development used for the preparation of the dead for burial or cremation, and the holding of funeral services. This use class includes funeral homes, undertaking establishments and includes cremation and interment services.

GARAGE means a permanent structure intended for the storage of goods or materials. A Private garage does not include a temporary structure consisting of a metal or steel frame covered by such material as canvas, plastic, polyethylene, various types of fabric or similar materials.

GARAGE (Portable) means a building or structure made of canvas, polyethylene, reinforced polyethylene, Kevlar, nylon, or similar material.

GARDEN CENTRE, FARMERS' MARKET AND PRODUCE STAND means the outside display and sale of garden equipment and supplies, plants, seeds, vegetable and fruit produce, food items produced by vendors, and similar items. This use may also include greenhouse facilities and a plant or tree nursery.

GENERAL CONTRACTOR SERVICE means a development used for the provision of building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, road construction, sewer or similar services of a construction nature which require on-site storage space for materials, construction equipment or vehicles normally associated with the contractor service. Any sales, display, office or technical support service areas shall be accessory to the principal contractor services use only.

GOVERNMENT SERVICE means a development providing municipal, provincial or federal government services directly to the public. Typical uses include government offices, taxation offices, courthouses, postal distribution offices, employment offices and social services offices.

Grade means the average level of finished ground adjoining a building or structure at all exterior walls as determined by the Designated Officer.

Grading means the shaping or sloping of land.

Hazardous Materials are dangerous goods that include radioactive, flammable, explosive, corrosive, oxidizing, asphyxiating, bio-hazardous, toxic, pathogenic, or allergenic materials. Also included are physical conditions such as compressed gases and liquids or hot materials. For the purpose of this by-law typical household fuels are not included as hazardous materials.

HEALTH SERVICE means a development used for the provision of physical and mental health services on an out-patient basis. Services may be preventative, diagnostic, treatment, therapeutic, rehabilitative or counselling nature. Typical uses include medical and dental offices, health clinics, and counselling services.

HOME-BASED BUSINESS means a business activity which includes manufacturing, sales, a commercial or professional operation, business service, trade, practice, office or use which is conducted by an occupant of the dwelling, in or from the dwelling unit and or its permitted accessory building or structure, is intended as a profit making operation, and is clearly incidental to, accessory to, or secondary to the residential use of the dwelling unit.

HOTEL/MOTEL means a building or part thereof wherein accommodation is provided for transient lodgers, in an individual room or apartment, with or without cooking facilities. Permitted accessory uses may include, but are not limited to, restaurants, licensed beverage rooms, banquet halls, ballrooms and meeting rooms.

Household Repair Service means a development used for the repair of goods, equipment and appliances normally found within the home. This use class includes radio, television and appliance repair shops, furniture refinishing and upholstery shops.

IDENTIFICATION SIGN means either a sign or nameplate that identifies

the business, owner, resident or the street address and which sets forth no other advertisement.

INDOOR PARTICIPANT RECREATION SERVICE means a development providing facilities within an enclosed building for sports and active recreation where patrons are predominately participants. Typical uses include athletic clubs; health and fitness clubs; curling, roller skating and hockey rinks; swimming pools; archery or shooting ranges; bowling alleys and racquet clubs.

Marquee Sign means a sign attached to a marquee, canopy or awning projecting from and supported by a building.

METAL SHIPPING CONTAINER means a prefabricated metal structure design for use as a storage enclosure, and which may be permanent or temporary in nature.

MOBILE HOME means a portable dwelling unit that is designed to be used as a living quarters that is:

- a) Capable of being transported on its own chassis and running gear by towing or other means;
- b) Placed on the chassis or body of a motor vehicle; or
- c) Forms part of a motor vehicle.

This use does not include recreational vehicles, travel trailers or similar vehicles used for recreational purposes.

NATURAL AREA OR WILDLIFE HABITAT means land designated as public reserve that will generally be retained in its natural state in an effort to conserve and protect environmentally significant lands and ecosystems.

NATURAL RESOURCE DEVELOPMENT means a development for the on- site removal, extraction, and primary processing of raw material found on or under the site, or accessible from the site. Typical uses in this class include forestry, gravel pits,

sandpits, clay pits, and stripping of topsoil. This use class does not include the processing of raw materials transported to the site.

NON-ACCESSORY PARKING means development providing vehicular parking which is not primarily intended for the use of residents, employees or clients of a particular development. Typical uses include surface parking lots and parking structures located above or below grade.

OFFICE means the use of a building or a portion of a building for the provision of services to a business, an organization, or to the public. It does not include the manufacturing of any product or the retail sales of goods.

Ordinary High Water Mark means the level at which the water in a waterbody or waterway has been held for a period sufficient to leave a mark on the vegetation and/or soil along the bank; the line identified in a plan or survey as "O.H.W.M." or "Ordinary High Water Mark", or the line on a plan of survey delineating the bed of a waterbody or waterway.

OUTDOOR AMUSEMENT ESTABLISHMENT means a commercial development providing facilities for entertainment and amusement activities which primarily takes place out of doors and where patrons are primarily participants. Typical uses include amusement parks, go-cart tracks, racetracks, moto-cross and all-terrain vehicle tracks, miniature golf, outdoor concert facilities, exhibition and fair grounds and similar uses.

Outdoor Display Case means a sign consisting of a lockable metal or wood framed cabinet with a transparent window or windows, mounted onto a building wall or freestanding support. It allows the contents, such as menus or maps, to be maintained and kept current.

OUTDOOR PARTICIPANT RECREATION SERVICE means a development providing facilities which are available to the public at large for sports and active recreation conducted outdoors. Typical uses include golf courses, driving range, shooting ranges, ski hills, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities (including docks, wharves and marinas) outdoor swimming or wading pools, bowling greens, riding stables and trails.

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

Personal Service means a building or part of a building in which persons are employed in furnishing services and otherwise administering to personal needs and the repair and maintenance of personal effects, including such establishments as barber shops,

beauty salons, shoe repair shops, tailor and dressmaking shops, pet grooming (not including kennels), dry cleaning establishments and laundromats.

PLACE OF ASSEMBLY means a public or privately owned auditorium, hall or similar facility developed for the purpose of accommodating groups of persons for meetings, exhibitions, shows, trade fairs, public meetings, banquets, conferences and similar activities.

PLACE OF WORSHIP means a building primarily used for religious purposes. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents and monasteries. Accessory uses can include associated schools, day-care facilities, parish halls, cemeteries and like uses.

PLANNED UNIT DEVELOPMENT means a land development project planned as an entity in accordance with a unitary site plan.

PLANT OR TREE NURSERY means a development used primarily for the raising, storage and sale of bedding, household and ornamental plants.

Portable or Mobile Sign means a sign with or without a structural frame and intended for a limited period of display, but shall have no red, green or amber lights thereon, and with no blinking or scintillating lights when the sign faces a residential area.

Principal Use means the primary or predominant activity on any lot or within any building or structure.

Principal Building means a structure on a site used to accommodate the principal use.

PRIVATE CAMP means an area of land planned and improved to accommodate supervised children and/or teenagers as well as retreats for adults, with the primary purpose of educational, athletic, religious and/or cultural development. Accessory uses may include sleeping cabins, mess halls, office buildings, worship buildings, recreational halls and the like.

Projecting Sign means any sign other than a fascia sign, which is attached to a building and extends beyond the exterior wall of the said building beyond the surface of that portion of the building to which it is attached.

PUBLIC PARK means a development of public land specifically designed or reserved for the general public for active or passive recreational use and includes all natural and man-made landscaping, facilities and playing fields, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include tot lots, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, and athletic fields.

PUBLIC TRAIL means land dedicated as public reserve which is used as part of an integrated trail system or as a means of access to areas of community importance such as beaches.

PUBLIC UTILITY means a system furnishing water, sewage collection, electricity, telecommunication services, gas or similar services to properties by means of pipes, lines and other equipment located on or under public roads and other rights-of-way.

Recreational Vehicle or Travel Trailer (including motor homes, tent trailers, and similar recreational vehicles) means a self-propelled vehicle or vehicles without a motive power designed to be drawn by a motor vehicle to be used as a transient living accommodation, facility for travel, recreation, business, trade, vacation and construction work, which is designed for frequent moves, but not for long term residential occupation. Travel trailers are capable of being licensed under *The Highway Traffic Act*.

RETAIL AND SERVICE (GENERAL) means a building or portion of a building where the commercial use occurs in a space with a ground floor area equal to or greater than 5,000 sq. ft. (465 m²)

RETAIL AND SERVICE (NEIGHBOURHOOD) means a building or portion of a building where small-scale neighbourhood oriented commercial use occurs in a space with a ground floor area less than 5,000 square feet (465 m²). Uses include convenience retail stores, health services, household repair services, personal service shops, or professional, financial or office support services which would not significantly alter the residential character of the surrounding neighbourhood. Specialty food services and eating establishments may also be allowed if less than 1,000 sq. ft. (92.9 m²)

Riparian area means an area of land on the banks of or near a water body that, due to the influence of water, is capable of naturally supporting an ecosystem that is distinct from the ecosystem of the adjacent upland areas.

Short Term Rental means all or part of a dwelling unit used to provide accommodations for any rental period less than twenty eight (28) consecutive nights.

Sidewalk Sign or **Sandwich Board** means a moveable freestanding sign that is typically double-sided, placed at the entrance to a business to attract pedestrians.

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

Site, Corner means a site situated at the intersection of two streets.

Site, Interior means a site other than a corner site or a through site.

Site, Through means a site having a pair of opposite site lines along two more-or-less parallel streets.

Site Area means the computed amount of gross land area contained within the site lines.

Site Coverage means the combined area of all buildings, structures, and paved surfaces on the site as a percentage of the site area, measured at the level of the lowest storey above the grade including all enclosed and insulated decks, sunrooms, porches and verandas, seasonal non-insulated structures, open or covered, such as decks, screen porches or veranda, patios at grade, steps, uncovered walks, wheelchair ramps, cornices, eaves and similar projections.

Site Line means one of the boundaries of a site, which include:

Site Line, Front means that boundary of a site along an existing or designated street. For a through site or corner site, the site lines along both streets shall be deemed front site lines. Where an irregular shaped site cannot have its site lines defined by this definition, the front site line shall be determined by the designated officer.

Site Line, Rear means that boundary of a site which is most nearly parallel to the front site line. Where an irregular shaped site cannot have its site lines defined by this definition, the rear site line shall be determined by the designated officer.

Site Line, Side means any boundary of a site which is not a front or rear site line.

Site Width means the horizontal distance between the side site lines, measured at right angles to the site depth at a point midway between the front and rear site lines, or 40 feet from the front site line, whichever is the lesser.

SOLID WASTE AND RECYCLING DEPOT means a development used for the collection and temporary storage of household solid waste and recycling materials. This does not include auto wreckers.

STORAGE FACILITY:

General means a development used exclusively for temporary indoor or outdoor storage of goods, materials and merchandise. This use class does not include vehicle storage compounds, automobile wrecking yards, salvage yards,

scrap metal yards or the storage of hazardous goods or waste.

Self-Service means a building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for self-service storage of personal property.

Storey means that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it, but does not include a cellar.

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

SWIMMING POOL or HOT TUB means an above or below ground structure filled with water, to a depth of greater than two (2) feet, to enable swimming or other leisure activities.

Temporary Building, Structure or Use means a building, structure or use that is temporary in nature and subject to General Regulation 2.8.

Temporary Sign means a sign which is not permanently anchored to a footing extending below grade or permanently affixed to, or painted on, a building and on which the copy has been painted or affixed in a permanent manner. The copy on the sign shall relate to an activity, use or event of a limited time duration not exceeding six months. Temporary signs include political campaign signs, real estate signs, construction identification signs, signs involving seasonal businesses, and signs advertising specific community events. For the purpose of this by-law, temporary signs shall not include portable signs.

TRUCKING OPERATION means the use of land, buildings or structures for the purpose of storing, repairing, servicing or loading trucks, transportation trailers and/or buses. The use class includes automotive repair, eating and drinking areas, gas bar, retail sales and service stations as accessory uses.

Window Sign means a sign placed or painted on the interior of a shopfront window or the window of a business door.

Yard means an open area between the exterior wall of a building and the boundaries of the site on which it is located.

Yard, Required means the Yard measured from a site line towards the interior of the site within which no building or any part of a building may be located, except as provided



Yard Sign means a permanent freestanding sign in a yard, including a supporting post or posts.

VICTORIA BEACH **MAP1-VICTORIA BEACH**



Resort Residential 1 – RR1 Resort Residential 2 – RR2 Resort Residential 3 – RR3

- Lakefront Residential LR
- Community Area CA
 - Vehicle Restricted Residential 1-VRR1
- Vehicle Restricted Residential 2–VRR2
- Vehicle Restricted Residential 3-VRR3

Projection: NAD UTM ZONE 14N Date: May 20, 2025 Author: Landmark Planning & Design Inc.

METERS

Landmark Planning & Design Inc.