



**RURAL  
MUNICIPALITY OF  
GILBERT PLAINS**

**ZONING BY-LAW  
NO. 2004-06**

**THE RURAL MUNICIPALITY OF GILBERT PLAINS**  
**BY-LAW NO. 2004-06**

BEING a by-law of **The Rural Municipality of Gilbert Plains** to regulate the use and development of land.

WHEREAS, *Subsection 39(1) of The Planning Act* provides that the council of a municipality may enact a zoning by-law which generally conforms to a development plan adopted for the area;

AND WHEREAS, pursuant to the provisions of *Subsection 27(1) of The Act*, **The Mountainview Planning District** has, by by-law, adopted **The Mountainview Planning District Development Plan**;

AND WHEREAS, *Subsection 32(2) of The Act* provides that the council of a municipality shall enact a zoning by-law upon the adoption of a development plan;

NOW THEREFORE, the Council of The Rural Municipality of Gilbert Plains in meeting duly assembled, enacts as follows:

1. This by-law shall be known as the **Rural Municipality of Gilbert Plains Zoning By-law**.
2. The Zoning By-law, attached hereto and marked as SCHEDULE "A" is hereby adopted.
3. This By-law shall take force and effect on the date of third reading.

DONE AND PASSED in Council duly assembled at The Rural Municipality of Gilbert Plains, Manitoba this 9th of May, 2006 A.D.

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Reeve

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Chief Administrative Officer

READ A FIRST TIME THIS 27th day of April A.D. 2004

READ A SECOND TIME THIS 14th day of March A.D. 2006

READ A THIRD TIME THIS 14th day of March A.D. 2006

**RURAL MUNICIPALITY  
OF GILBERT PLAINS  
ZONING BY-LAW**

**BEING SCHEDULE "A"  
TO  
BY-LAW NO. 2004-06 OF**

**THE RURAL MUNICIPALITY  
OF GILBERT PLAINS**

Prepared for:

THE RURAL MUNICIPALITY OF GILBERT PLAINS

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April 2004

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## **PART 1: SCOPE**

- 1.1 This By-law shall be known as the **Rural Municipality of Gilbert Plains Zoning By-law**.
- 1.2 This By-law applies to all lands in The Rural Municipality of Gilbert Plains indicated on **Maps 1 and 2 of Appendix “A”** to this By-law.
- 1.3 This By-law regulates:
  - (a) the construction, erection, alteration, enlargement or placing of buildings and structures; and
  - (b) the establishment, alteration or enlargement of uses of land, buildings and structures.
- 1.4 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, and only after all required permits have been obtained by the owner. Legal non-conforming buildings, structures and uses that were lawfully in existence before this By-law or prior to any amendment to this By-law, may continue to exist in accordance with the provisions of *The Planning Act*.
- 1.5 Whenever a provision of another by-law of The Rural Municipality of Gilbert Plains or of 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 contradictory regulations with respect to uses, buildings or structures, the most restrictive or highest standard shall prevail.
- 1.6 Nothing in this By-law, or in a development permit, approval of a conditional use, variation order or other approval issued under this By-law or under *The Planning Act*, 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 GOVERNING USES, BUILDINGS AND STRUCTURES**

### **Regulation of Uses**

2.1 Subject to section 2.4 of this PART, no land, building or structure shall be constructed, enlarged, placed, used or occupied except for a use which:

is listed in the Use and Bulk Tables which apply to such land, building or structure as:

- a permitted use;
- a conditional use, subject to approval as such; or

is an accessory use.

Where land or a building or structure is used for more than one purpose, all provisions of this By-law relating to each use shall be satisfied. If there is a conflict, the higher or more stringent requirement shall apply.

There shall be a maximum of one dwelling unit per site or parcel of land, except for the following:

- (a) dwelling units which are required for employees or family members, who in the opinion of Council, will be actively involved in an agricultural operation,
- (b) two-family dwellings or multiple-family dwellings as provided for in this By-law, and
- (c) mobile homes in a mobile home park which has been approved by Council.

This By-law shall be interpreted so as not to interfere with the construction, erection and location of the facilities of a public utility. Office buildings, warehouses, maintenance or storage compounds operated by a public utility shall be subject to the provisions of this By-law.

2.5 Electric transmission lines and structures and pipelines of a public utility are deemed to be in compliance with this By-law if they are carried out, constructed and operated in accordance with federal and provincial law.

## Existing Uses, Buildings and Structures

- 2.6 An existing use, building or structure which is classified as a permitted use, building or structure in this By-law shall be allowed to continue to exist, and may be enlarged or expanded, may be changed to another permitted use, or may be replaced if destroyed.

All legally erected buildings and structures existing at the effective date of this By-law are deemed to conform to the bulk requirements of the zone in which the buildings or structures are situated; and

The enlargement, expansion, change in use, or replacement shall be subject to the issuance of a development permit, and shall conform with all requirements of this By-law.

- 2.7 An existing use, building or structure which is classified as a conditional use in this By-law or amendments thereto and which legally existed at the date of adoption or amendment of this By-law shall be deemed to be an approved conditional use, building or structure and shall be allowed to continue to exist, may be changed to a permitted use in the zone in which the use, building or structure is located, or may be replaced if destroyed, provided that the replacement does not increase the intensity of the previously existing use.

In these circumstances, the change in use or replacement shall be subject to the issuance of a development permit, and shall conform with all requirements of this By-law; and

Where an enlargement or expansion of such a use is proposed, it shall require the specific approval of Council, in accordance with PART 7.

- 2.8 An existing use, building or structure which is not classified as a permitted or conditional use, building or structure in this By-law and which legally existed at the date of adoption or amendment of this By-law shall be considered as a non-conforming use, building or structure, and shall be subject to the provisions of *The Planning Act* governing non-conformities.

A non-conforming use shall be allowed to continue to exist, and may be changed to a permitted use in the zone in which the use is located;

A non-conforming use shall not be intensified, and shall not be changed to a different non-conforming use;

A non-conforming use shall not be re-established if it is discontinued for a period in excess of one year. A change in ownership or tenancy of a non-conforming use shall not affect the status of the non-conforming use;

A non-conforming building or structure shall not be re-established if it is removed or destroyed by more than fifty percent (50%) of its replacement value above the foundation; and

Other provisions of *The Planning Act* govern non-conforming uses, buildings and structures, including a provision which enables Council to consider variation orders in accordance with the provisions of *The Planning Act*.

### **Conditional Uses**

- 2.9 The classification of uses as conditional uses is intended to provide for a special process of review and approval for certain types of development which, due to their inherent characteristics, may have potential adverse impacts on nearby properties or resources.

### **Accessory Uses**

- 2.10 No accessory use shall be established, and no accessory building or structure shall be constructed or erected, prior to the establishment of the use of land, building or structure to which it is accessory (except as provided under section 2.11 of this PART).
- 2.11 An accessory garage or storage building may be constructed or erected for the purpose of storage of materials and equipment for use during construction of the main building, provided that a development permit has been obtained for the main building.
- 2.12 An accessory use, building or structure may be accessory to a permitted or conditionally approved use. However, where conditional use approval is required, no accessory use, building or structure shall be constructed or located on the site prior to review and approval by Council of a conditional use application in accordance with PART 7 of this By-law and the requirements of *The Planning Act*.
- 2.13 A farm dwelling shall be permitted as an accessory use to a permitted or conditionally approved agricultural operation in the “**AG**” Agricultural General Zone.

### **Zones**

- 2.14 Uses of land in the municipality are regulated in accordance with the following zones:
- (a) “**AG**” Agricultural General Zone
- This zone provides for general agricultural uses including intensive livestock production, other small holdings and non-farm development compatible with farming operations;
- (b) “**GD**” General Development Zone
- This zone provides for a mixture of residential, commercial, industrial and recreational uses within the urban community of Ashville;

and those zones are established as shown on **Maps 1 and 2** of **Appendix “A”** of this By-law.

- 2.15 The permitted and conditional uses prescribed for sites within each zone are those set out in the Use and Bulk Tables of this By-law.

## **PART 3: GENERAL BULK REQUIREMENTS**

### **Application of Bulk Requirements**

- 3.1 No land, building or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, enlarged, relocated or placed, except in accordance with the minimum site area, minimum site width and yard requirements prescribed for the zone in which the use is situated as set out in the Use and Bulk Tables and the other requirements of this By-law.

### **Existing Substandard Parcels of Land**

- 3.2 Any site or parcel of land which was lawfully in existence at the date of adoption of this By-law, and which does not comply with the minimum site area and/or site width requirements for any zone as provided for in this By-law, may be used or developed for any permitted or conditional use within the zone, provided that:
- (a) The site or parcel of land did not form part of a larger contiguous land holding under the same ownership;
  - (b) All administrative requirements for the issuance of development permits and approval of conditional use and/or variation applications as provided for in *The Planning Act* and PART 7 of this By-law are complied with; and
  - (c) All required yards and separation distances as required by this By-law are complied with.

### **Open Space Along Rural Roadways**

- 3.3 Lands adjacent to rural roads shall be kept clear of features which would contribute to snow drifting problems on the roadway, or which would represent a safety hazard to motorists. Within areas which are zoned “AG” Agricultural General Zone, the following provisions shall apply to any required front yard, side yard or rear yard which is adjacent to an improved government road allowance, highway or other improved municipal road:
- (a) No building or structure shall be constructed or located within the required yard, except for snow fences, electric fences, barbed wire fences, chain link fences or wooden rail fences which are at least seventy-five percent (75%) open in character, all types of signs which are less than fifty (50) square feet in surface area, excluding advertising signs, and small shelters for children at school bus stops;
  - (b) No excavation such as a dugout or gravel pit shall be located within the required yard;
  - (c) No substantial planting, such as a shelterbelt or hedge shall be located within one hundred twenty-five (125) feet of a required yard adjacent to a rural road; and

- (d) No substantial stockpiling of materials, such as soil, gravel, bales or cordwood shall be located within one hundred twenty-five (125) feet of a required yard adjacent to a rural road.

### **Corner Vision Triangles**

3.4 In order to provide for a reasonable measure of traffic safety within the “**GD**” General Development Zone of the urban community of Ashville, it is considered important to provide for good visibility conditions at street intersections, by establishing special open space requirements as follows:

- (a) No building, structure, vehicular parking space, shelterbelt, hedge or stockpiling of materials exceeding a height of three (3) feet above grade shall be located within a triangular area of any site adjacent to an intersection of two public streets, with the sides of the triangular area being measured a distance of ten (10) feet along each property boundary from the point of intersection.

### **Projections into Yards**

3.5 Within all zones, the required yards are intended to provide open spaces around buildings and structures for purposes of amenity, privacy, fire protection, and maintenance operations along the walls of buildings. Required yards shall be maintained as open space areas on all sites, except as follows:

- (a) Open, unenclosed projections of a building, including eaves, awnings, stairs, landings, wing-walls, raised decks and balconies, may extend into a required yard up to fifty percent (50%) of the required yard depth to a maximum projection of five (5) feet, whichever is the lesser;
- (b) Enclosed projections of a building, including chimneys, alcoves, and bay windows may extend into a required yard up to fifty percent (50%) of the required yard depth to a maximum projection of five (5) feet, whichever is the lesser, provided that no more than ten (10) square feet of area within any required yard is occupied by these types of projection;
- (c) Landscaping features such as driveways, sidewalks, and patios at grade level, ornamental plantings, fences and other decorative features are permitted within any required yard, provided that the maximum height of a fence in any required front yard shall be three (3) feet, and the maximum height of a fence in any required side or rear yard shall be six (6) feet; and
- (d) Portable buildings not exceeding one hundred (100) square feet in floor area for the storage of domestic equipment may be located within any required interior side yard or required rear yard, provided that a separation distance of one (1) foot is maintained from the site line, and a separation distance of three (3) feet is maintained from any dwelling. Section 7.9 of PART 7 identifies uses, buildings and structures exempt from the requirement for a development permit.

### **Separation of Principal Building and Any Other Building**

- 3.6 The minimum distance between the principal building and any other building other than provided for in subsection 3.5(d) of this PART shall be ten (10) feet in the “**AG**” Zone and six (6) feet in the “**GD**” Zone.

### **Double Frontage Sites**

- 3.7 Within the “**GD**” General Development Zone, where a site has frontage along two more or less parallel streets, the following provisions shall apply:
- (a) Where the site depth is greater than two hundred (200) feet, both site lines which abut these streets shall be considered to be front site lines, and the adjacent yards shall both be considered to be required front yards; and
  - (b) Where the site depth is two hundred (200) feet or less, only one site line shall be considered to be the front site line, and this determination shall be made by the Development Officer, based on the arrangement of existing buildings in the immediate area.

### **Unconventional Sites**

- 3.8 Where a site is of such unique configuration that the required yards cannot be ascertained in accordance with the definitions of PART 9, the Development Officer may designate the location of the required yards. The location and required dimensions of such yards shall be consistent with the intent of the yards specified for the zone within which the site is located.

### **Landlocked Sites**

- 3.9 In unique circumstances, Council may permit development on a site which only has frontage on a private lane or road, provided the said lane or road is at least twenty (20) feet in width and intersects with a street, and is secured by means of a registered easement. For the purpose of establishing the position of the required yards, the Development Officer shall determine the front, side or rear site lines of a landlocked site.



## PART 4: USE AND BULK TABLES

**TABLE 4-1: “AG” AGRICULTURAL GENERAL ZONE - USE AND BULK TABLE**

| USES   | MINIMUM REQUIREMENTS |                   |                   |                         |                      |
|--|----------------------|-------------------|-------------------|-------------------------|----------------------|
|  | SITE SIZE            |                   | REQUIRED YARDS    |                         |                      |
|  | Site Area (acres)    | Site Width (feet) | Front Yard (feet) | Side Yard (feet) (a)(b) | Rear Yard (feet) (b) |
| <b>PERMITTED USES</b>  |                      |                   |                   |                         |                      |
| Advertising Signs, less than 50 sq. ft. in area  | -                    | -                 | 125(c)            | 25                      | 25                   |
| Agricultural Activities, General   | 80                   | 1,000             | 250               | 25                      | 25                   |
| Agricultural Activities, Specialized (d)   | 2                    | 200               | 250               | 25                      | 25                   |
| Dwellings, Farm and Non-farm (e)   | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Livestock Production Operations producing 300 Animal Units (AUs) or less (g) (See Part 5)  | 80 (h)               | 1,000             | 250               | 25                      | 25                   |
| Market Gardens, Nurseries or Greenhouses (i)   | 2                    | 200               | 250               | 25                      | 25                   |
| Public Utilities (See 2.4 and 2.5)   | Not Applicable       |                   |                   |                         |                      |
| <b>CONDITIONAL USES</b>  |                      |                   |                   |                         |                      |
| Advertising Signs, exceeding 50 sq. ft. in area (i)  | -                    | -                 | 250               | 25                      | 25                   |
| Agriculture Related Industries or Processing Establishments (i)  | 10                   | 400               | 250               | 25                      | 25                   |
| Aircraft Landing Areas (i)   | 10                   | 200               | 250               | 25                      | 25                   |
| Auction Marts (i)  | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Automobile Service Stations, including any accessory restaurants or convenience stores (i)   | 2                    | 200               | 250               | 25                      | 25                   |
| Campgrounds (i)  | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Cemeteries (i)   | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Community Halls (i)(j)   | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Earth Moving Contractors and Ready-Mix Concrete Suppliers (i)  | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Establishments for the storage, handling or processing of agricultural produce, in return for remuneration (i)(j)                                    | 2                    | 200               | 250               | 25                      | 25                   |
| Establishments for the sales, storage or distribution of agricultural supplies, equipment or structures (i)(j)                                       | 2(f)                 | 200               | 250(k)            | 25(k)                   | 25(k)                |
| Establishments for the sales, storage or distribution of chemical fertilizers, herbicides, pesticides, fungicides, insecticides and similar uses (i) |                      |                   |                   |                         |                      |
| - Anhydrous Ammonia  | 5                    | 300               | 250(k)            | 25(k)                   | 25(k)                |
| - Other  | 2                    | 200               | 250(k)            | 25(k)                   | 25(k)                |
| Establishments related to the harvesting of natural resources, such as forestry (i)  | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Exhibition Grounds (i)   | 2                    | 200               | 250               | 25                      | 25                   |
| Fur Farms (i)  | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Golf Courses (i)   | 40                   | 660               | 250               | 25                      | 25                   |
| Guest Houses, Outfitting Cabins, Lodges and similar uses   | 2                    | 200               | 250               | 25                      | 25                   |
| Kennels (i)(l)   | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Livestock Production Operations in excess of 300 Animal Units (AUs), irrespective of location (g) (See 5.2 to 5.12)                                  | 80(h)                | 1,000             | 250               | 25                      | 25                   |
| Manufacturing, Fabricating, Machining, Processing or Repair Establishments (i)(j)  | 2(f)                 | 200               | 250               | 25                      | 25                   |

**TABLE 4-1: “AG” AGRICULTURAL GENERAL ZONE - USE AND BULK TABLE**

| USES   | MINIMUM REQUIREMENTS |                   |                   |                         |                      |
|--|----------------------|-------------------|-------------------|-------------------------|----------------------|
|  | SITE SIZE            |                   | REQUIRED YARDS    |                         |                      |
|  | Site Area (acres)    | Site Width (feet) | Front Yard (feet) | Side Yard (feet) (a)(b) | Rear Yard (feet) (b) |
| Motor Vehicle or Agricultural Equipment Body Shops, Salvage or Wrecking Operations including sales (i) | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Museums or Historic Sites (i)  | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Public Works Compounds and Maintenance Buildings (i)   | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Recreation Facilities, including associated uses (i)   | 2                    | 200               | 250               | 25                      | 25                   |
| Religious Institutions (i)(j)  | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Riding Academies and Stables (i)   | 2                    | 200               | 250               | 25                      | 25                   |
| Sewage Lagoons (i)   | 2                    | 200               | 250               | 25                      | 25                   |
| Surface Mining Operations, including gravel pits (i)   | 2                    | 200               | 250               | 25                      | 25                   |
| Telecommunications Towers (i)  | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Trucking Establishments (i)(j)   | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Veterinary Clinics (i)   | 2(f)                 | 200               | 250               | 25                      | 25                   |
| Waste Disposal Sites (i)   | 2                    | 200               | 250               | 25                      | 25                   |
| <b>ACCESSORY USES, BUILDINGS AND STRUCTURES</b>  | -                    | -                 | 250               | 25                      | 25                   |

Where a side site line is adjacent to a Provincial Trunk Highway or Provincial Road, the setback requirements and changes thereto of the provincial highway authorities shall apply.

Except for cemeteries, where a side or rear site line is adjacent to a government road allowance or other municipal road, the minimum required side or rear yard shall be two hundred fifty (250) feet.

Where an advertising sign is adjacent to a Provincial Trunk Highway or Provincial Road, the setback requirements and changes thereto of the provincial highway authorities shall apply.

Apiaries shall be considered as a conditional use when proposed to be located within one (1) mile of a designated urban community identified on **MAP 1** of **Appendix “A”** of this By-law.

Residential subdivisions (farm and non-farm) in the “**AG**” Zone are allowed only in accordance with the Residential Development General Provisions of The Mountainview Planning District Development Plan.

The maximum site area shall be ten (10) acres, unless physical features of the site, such as natural drains, shelterbelts, etc. indicate that a slightly larger site would be appropriate.

New or expanding livestock production operations are deemed to be a conditional use when the total number of Animal Units (AUs), inclusive of all animal species, exceeds three hundred (300) Animal Units (AUs). Livestock production operations of less than three hundred (300) Animal Units (AUs), inclusive of all

animal species, that are in close proximity to dwellings, recreation areas and the designated urban community of Ashville as shown on **MAP 1 of Appendix "A"** of this By-law are regulated as outlined in section 5.9 of this By-law. Applications to establish new or expand existing livestock production operations as conditional uses must be made on the forms prescribed by Council and provide information required under PART 5 of this By-law. Each conditionally approved livestock production operation may be required to file an annual manure management plan with Manitoba Conservation and The Rural Municipality of Gilbert Plains at the request of Council.

Notwithstanding the minimum site area requirement specified in this TABLE, there shall be sufficient land available for livestock production operations to properly accommodate manure disposal, in accordance with the provisions of the *Manitoba Farm Practices Guidelines*.

Where the site of the proposed development is located within one thousand (1,000) feet of a Provincial Trunk Highway, or within one half (1/2) mile of a highway intersection, the proposal may be referred to Manitoba Transportation and Government Services for review and comment.

These types of uses may be allowed in the "**AG**" Agricultural General Zone only if Council is satisfied that no suitable site is available in an urban community, in accordance with the provisions of The Mountainview Planning District Development Plan.

For separation distances for hazardous materials, including but not necessarily limited to anhydrous ammonia storage facilities see sections 5.19 and 5.20 of PART 5.

- (l) Kennels as defined in PART 9 of this By-law shall be separated a distance of one half (1/2) mile from a dwelling, mobile or modular home unless confined within a building or structure.

**TABLE 4-2: “GD” GENERAL DEVELOPMENT ZONE – USE AND BULK TABLE**

| USES   | MINIMUM REQUIREMENTS (a) |                   |                       |                      |                      |
|--|--------------------------|-------------------|-----------------------|----------------------|----------------------|
|  | SITE SIZE                |                   | REQUIRED YARDS        |                      |                      |
|  | Site Area (sq. ft.)      | Site Width (feet) | Front Yard (b) (feet) | Side Yard (b) (feet) | Rear Yard (b) (feet) |
| <b>PERMITTED USES</b>  |                          |                   |                       |                      |                      |
| Accommodation Facilities, including Hotels   | 15,000                   | 100               | 25                    | 15                   | 25                   |
| Advertising Signs less than 50 sq. ft. in area   | -                        | -                 | 25                    | 15                   | 15                   |
| Bakeries   | 15,000(c)                | 100(c)            | 25(d)                 | 15(c)(d)             | 25(d)                |
| Boarding or Rooming Houses, with a maximum of 4 boarders   | 15,000(c)                | 100(c)            | 25                    | 15(c)                | 25                   |
| Campgrounds  | 20,000                   | 100               | 25                    | 15                   | 25                   |
| Cultural Facilities, including auditoriums, community clubs and halls, libraries, museums, theatres, and historic sites                                  | 15,000(c)                | 100(c)            | 25(d)                 | 15(c)(d)             | 25(d)                |
| Day Care Facilities, accommodating up to 8 children  | 15,000(c)                | 100(c)            | 25                    | 15(c)                | 25                   |
| <b>Dwellings, single-family</b>  | 15,000(c)                | 100(c)            | 25                    | 15(c)                | 25                   |
| <b>Dwellings, mobile home</b>  | 15,000(c)                | 100(c)            | 25                    | 15(c)                | 25                   |
| <b>Dwellings, modular home</b>   | 15,000(c)                | 100(c)            | 25                    | 15(c)                | 25                   |
| <b>Dwellings, two-family</b>   | 15,000(e)                | 100(e)            | 25                    | 15(e)                | 25                   |
| <b>Dwellings, multiple-family</b>  | (f)                      | 100               | 25                    | 15                   | 25                   |
| Emergency Services, including police and fire stations   | 15,000(c)                | 100(c)            | 25(d)                 | 15(c)(d)             | 25(d)                |
| Establishments for the provision of personal services, including offices, financial institutions, clinics, salons, day care facilities and funeral homes | 15,000(c)                | 100(c)            | 25(d)                 | 15(c)(d)             | 25(d)                |
| Establishments for the sale of goods or services, provided that all storage is within a fully enclosed building  | 15,000(c)                | 100(c)            | 25(d)                 | 15(c)(d)             | 25(d)                |
| Exhibition Grounds   | 20,000                   | 100               | 25                    | 15                   | 25                   |
| Food or Beverage Service Establishments  | 15,000(c)                | 100(c)            | 25(d)                 | 15(c)(d)             | 25(d)                |
| Institutional Buildings, including hospitals, schools, personal care homes and senior citizen homes  | 20,000                   | 100               | 25                    | 15                   | 25                   |
| Nurseries or Greenhouses   | 15,000                   | 100               | 25                    | 15                   | 25                   |
| Parks or Playgrounds   | 1,000                    | 20                | -                     | -                    | -                    |
| Public Parking Areas   | 5,000                    | 50                | -                     | -                    | -                    |
| <b>Public Utilities</b>  | 15,000(c)(g)             | 100(c)(g)         | 25(d)(g)              | 15(c)(d)(g)          | 25(d)(g)             |
| Recreation Facilities  | 15,000(c)                | 100(c)            | 25(d)                 | 15(c)(d)             | 25(d)                |
| Religious Institutions   | 15,000(c)                | 100(c)            | 25(d)                 | 15(c)(d)             | 25(d)                |
| <b>Residential Care Facilities</b> , providing service for up to 4 persons   | 15,000(c)                | 100(c)            | 25                    | 15(c)                | 25                   |
| <b>CONDITIONAL USES</b>  |                          |                   |                       |                      |                      |
| <b>Advertising Signs</b> exceeding 50 sq. ft. in area  | -                        | -                 | 25                    | 15                   | 15                   |
| Boarding or Rooming Houses, with more than 4 boarders  | 15,000                   | 100               | 25                    | 15                   | 25                   |

**TABLE 4-2: “GD” GENERAL DEVELOPMENT ZONE – USE AND BULK TABLE**

| USES  | MINIMUM REQUIREMENTS (a) |                   |                       |                      |                      |
|---|--------------------------|-------------------|-----------------------|----------------------|----------------------|
|   | SITE SIZE                |                   | REQUIRED YARDS        |                      |                      |
|   | Site Area (sq. ft.)      | Site Width (feet) | Front Yard (b) (feet) | Side Yard (b) (feet) | Rear Yard (b) (feet) |
| <b>Clubs</b> , Private or Public  | 15,000(c)                | 100(c)            | 25(d)                 | 15(c)(d)             | 25(d)                |
| Day Care Facilities accommodating 9 children or more  | 15,000                   | 100               | 25                    | 15                   | 25                   |
| Earth Moving Contractors and Ready-Mix Concrete Suppliers   | 15,000                   | 100               | 25                    | 15                   | 25                   |
| Establishments for the storage, handling or processing of agricultural produce, in return for remuneration                                  | 15,000                   | 100               | 25                    | 15(h)                | 25(h)                |
| Establishments for the sales, storage or distribution of agricultural supplies, equipment or structures, including bulk fuel establishments | 15,000                   | 100               | 25                    | 15(h)                | 25(h)                |
| Establishments for the sale of goods and services, where there is exterior storage of products  | 15,000                   | 100               | 25(d)                 | 15(d)                | 25(d)                |
| Manufacturing, Fabricating, Machining, Processing or Repair Establishments  | 15,000                   | 100               | 25(d)                 | 15(c)(d)             | 25(d)                |
| Motels  | 15,000                   | 100               | 25                    | 15                   | 25                   |
| Public Works Compounds and Maintenance Buildings  | 15,000                   | 100               | 25                    | 15                   | 25                   |
| <b>Residential Care Facilities</b> , providing service to 5 persons or more   | 15,000                   | 100               | 25                    | 15                   | 25                   |
| Sewage Lagoons  | 15,000                   | 100               | 25                    | 15                   | 25                   |
| Storage Buildings and Warehouses, for non-hazardous materials   | 15,000(c)                | 100(c)            | 25(d)                 | 15(c)(d)             | 25(d)                |
| Storage Facilities and Compounds, Exterior, non-hazardous materials   | 15,000                   | 100               | 25                    | 15                   | 25                   |
| Trucking Establishments   | 15,000                   | 100               | 25                    | 15                   | 25                   |
| Veterinary Clinics  | 15,000                   | 100               | 25                    | 15                   | 25                   |
| <b>ACCESSORY USES, BUILDINGS AND STRUCTURES</b>   | -                        | -                 | (i)                   | 5(j)(k)              | 5 (j)(k)             |

(a) In addition to the minimum requirements of this TABLE, the following requirements shall also apply:

Maximum allowable height for all principal buildings and structures shall be thirty (30) feet, except for grain storage structures, fuel and fertilizer storage tanks and church steeples,

Maximum allowable height for all accessory buildings and structures shall be fifteen (15) feet, if accessory to a residence, and eighteen (18) feet if accessory to a non-residential use, except for grain storage structures, fuel and fertilizer storage tanks , church steeples and telecommunications towers, and

Minimum dwelling unit area shall be six hundred (600) square feet for a residential building, and four hundred (400) square feet for an accessory residential suite within a commercial building.

- (b) Where the site line is adjacent to a Provincial Trunk Highway or Provincial Road, the setback requirements and changes thereto, of the provincial highway authorities shall apply.
- (c) Where the site is serviced by a municipal sewer system or a private holding tank approved by Manitoba Conservation, the minimum bulk requirements shall be as follows:
  - i) Minimum required site area - 5,000 square feet
  - ii) Minimum required site width - 50 feet
  - iii) Minimum required side yard - 5 feet except for the street side of a corner site, in which case the minimum required side yard shall be ten (10) feet, or where the side wall contains a window with an area in excess of twenty (20) square feet, or where the height of the building exceeds twenty (20) feet, in which case the minimum required side yard shall be ten (10) feet.
- (d) When located in the central business area of an urban community, the minimum required yard shall be five (5) feet
- (e) Where the site is serviced by a municipal sewer system or private holding tank approved by Manitoba Conservation, the minimum bulk requirements shall be as follows:
  - i) Minimum required site area – 7,200 square feet,
  - ii) Minimum required site width – 60 feet,
  - iii) Minimum required side yard – 5 feet except for the street side of a corner site, in which case the minimum required side yard shall be fifteen (15) feet, or where the side wall contains a window with an area in excess of twenty (20) square feet, or where the height of the building exceeds twenty (20) feet, in which case the minimum required side yard shall be fifteen (15) feet.
- (f) The minimum required site area for the first three (3) dwelling units shall be nine thousand (9,000) square feet, and the minimum required site area shall increase by an additional one thousand (1,000) square feet for each additional dwelling unit above three (3) units.
- (g) Where the proposed development consists of a building or structure less than one hundred (100) square feet in floor area, a smaller site may be approved, provided that the site is not adjacent to a required front yard of a residential site, and provided that a building or structure separation distance of seven (7) feet is maintained from all site lines.
- (h) Where the side or rear site line of a site coincides with the boundary of a railway right-of-way, the required yard shall be zero (0) feet for those structures which require railway service for loading or unloading.
- (i) The minimum required front yard for accessory buildings and structures shall be the same as the minimum required front yard for the principal building on the same site.

- (j) In the case of buildings or structures, which are accessory to residential uses, when located entirely to the rear of the principal building, the minimum required side yard and rear yard for accessory buildings and structures shall be three (3) feet.
- (k) Where an accessory building is used for the storage of a motor vehicle, the wall fronting on to a public lane which contains the vehicular access door shall be set back a minimum distance of ten (10) feet from a public lane.

## PART 5: RULES FOR SPECIFIC USES

### Home-based Businesses

- 5.1 Home-based businesses are governed by the following rules:
- (a) They shall be carried on in a dwelling unit or mobile home or its permitted accessory building;
  - (b) They shall be carried on principally by the members of the family residing at the same dwelling unit or mobile home;
  - (c) Persons employed or otherwise engaged in the business who do not reside in the dwelling may not exceed:
    - i) 10 persons in the “**AG**” Agricultural General Zone, and
    - ii) 5 persons in the “**GD**” General Development Zone;
  - (d) In the “**GD**” Zone, there can be no processing or outside storage of goods or materials, and in the “**AG**” Zone, the location of all exterior processing and storage shall be subject to Council approval;
  - (e) Not more than six hundred (600) square feet of all floor area may be devoted to the business in the “**GD**” Zone. In the “**AG**” Zone no floor area restrictions shall apply;
  - (f) One business sign, either freestanding or affixed to the wall of a principal or accessory building is permitted, not exceeding
    - i) in the “**AG**” Zone, thirty-two (32) square feet;
    - ii) in the “**GD**” Zone, ten (10) square feet in any location;
  - (g) They shall not generate undue traffic or congestion, or if located in the vicinity of a provincial highway, should not impair the safe and efficient operation of the highway;
  - (h) They shall not by reason of emission of odours, dust, smoke, noise, gas, fumes, cinders, light, vibrations, refuse matter or water carried wastes become offensive or obnoxious or create a nuisance beyond any site line;
  - (i) In the “**GD**” Zone, the residential character of the property shall be maintained; and
  - (j) A bed and breakfast is a permitted accessory use and is not subject to the floor area limitation set out in subsection 5.1(e) of this PART.



## Livestock Production Operations

- 5.2 The provisions of this PART shall apply to livestock production operations, which shall be deemed to include barns and similar types of buildings along with related manure storage facilities, and also to include feedlots and similar fenced areas where livestock are confined solely for the purpose of growing and finishing, and are sustained by means other than grazing, including winter or seasonal feedlots.
- 5.3 Where a livestock production operation is located within one half mile of one or more other livestock production operations, and where these operations are on separate land parcels, and where these operations share a common liquid manure storage facility, they shall be deemed to be one combined larger livestock production operation for the purposes of interpreting the number of Animal Units (AUs) and the associated requirements of the By-law.
- 5.4 Livestock production operations shall be setback from property lines in accordance with **TABLE 5-1**.

**TABLE 5-1: SETBACK DISTANCES FROM PROPERTY LINES  
(FEET)**

|                              |     |
|------------------------------|-----|
| To animal housing structures | 164 |
| To manure storage facility   | 328 |

- 5.5 To assist in the interpretation of this By-law, the total combined number of existing and proposed Animal Units (AUs) of a livestock production operation, cumulative across species, shall be determined in accordance with **TABLE 5-2**.
- 5.6 The provisions of this By-law are dependent upon a determination of the production capacity of a livestock production operation, which shall be based upon the intensity of use as measured by Animal Units determined in accordance with **TABLE 5-2** by multiplying the number of animals by the Animal Unit produced by one livestock.
- 5.7 No manure storage facility shall be constructed or located within three hundred twenty-eight (328) feet of surface water which is standing or flows either perennially or intermittently beyond the site of the facility.

**TABLE 5-2: ANIMAL UNIT SUMMARY TABLE**

|   |  | <b>AU Produced by One Livestock</b> | <b>Livestock Producing One AU</b> |
|---|--|-------------------------------------|-----------------------------------|
| <b>Dairy</b>  | Milking Cows, including associated livestock | 2.000                               | 0.5                               |
| <b>Beef</b>   | Beef Cows, including associated livestock    | 1.250                               | 0.8                               |
|   | Backgrounder                                 | 0.500                               | 2                                 |
|   | Summer pasture/replacement heifers           | 0.625                               | 1.6                               |
|   | Feeder cattle                                | 0.769                               | 1.3                               |
| <b>Hogs</b>   | Sows, farrow to finish                       | 1.250                               | 0.8                               |
|   | Sows, farrow to weanling                     | 0.313                               | 3.2                               |
|   | Sows, farrow to nursery                      | 0.250                               | 4                                 |
|   | Weanlings                                    | 0.033                               | 30                                |
|   | Growers/finishers                            | 0.143                               | 7                                 |
|   | Boars (artificial insemination operations)   | 0.200                               | 5                                 |
| <b>Chickens</b>   | Broilers                                     | 0.0050                              | 200                               |
|   | Roasters                                     | 0.0100                              | 100                               |
|   | Layers                                       | 0.0083                              | 120                               |
|   | Pullets                                      | 0.0033                              | 300                               |
|   | Broiler Breeder Pullets                      | 0.0033                              | 300                               |
|   | Broiler Breeder Hens                         | 0.0100                              | 100                               |
|   | <b>Turkeys</b>                               | Broilers                            | 0.010                             |
| Heavy Toms  |  | 0.020                               | 50                                |
| Heavy Hens  |  | 0.010                               | 100                               |
| <b>Horses (PMU)</b>   | Mares, including associated livestock        | 1.333                               | 0.75                              |
| <b>Sheep</b>  | Ewes, including associated livestock         | 0.200                               | 5                                 |
|   | Feeder Lambs                                 | 0.063                               | 16                                |
| <p>Current conversion factors from the Farm Practices Guidelines are provided by Manitoba Agriculture and Food. The regional agricultural engineer or livestock specialist of Manitoba Agriculture and Food may be consulted for other livestock or operations type and interpretation of this TABLE.</p> |  |                                     |                                   |

**NOTE:** To calculate the number of AUs for a particular operation, multiply the AUs produced by one livestock by the number of animals. For example, for 200 animal beef cows including associated livestock equals  $1.25 \times 200 = 250$  AUs.

**Livestock Production Operations Deemed Conditional Uses**

5.8 Livestock production operations are deemed to be a conditional use when the size of the operation exceeds three hundred (300) Animal Units (AUs), irrespective of location.

**Livestock Production Operations in Proximity to Residences, Recreation Areas and Designated Areas**

5.9 The criteria outlined in **TABLE 5-3** shall apply to all new and expanding livestock production operations in proximity to residences, recreation areas and designated areas as well as siting of new rural residences in proximity to livestock production operations.

**TABLE 5-3: CRITERIA FOR SITING LIVESTOCK OPERATIONS**

| Animal Units (AUs) | Separation Distance (feet) |                  |                           |                  |
|--------------------|----------------------------|------------------|---------------------------|------------------|
|                    | From Single Residences (a) |                  | From Designated Areas (b) |                  |
|                    | To Earthen Storage         | To Buildings (c) | To Earthen Storage        | To Buildings (c) |
| 10-100             | 787                        | 394              | 3,150                     | 2,087            |
| 101-200            | 1,181                      | 590              | 4,724                     | 3,150            |
| 201-300            | 1,574                      | 787              | 6,299                     | 4,213            |
| 301-400            | 1,771                      | 886              | 7,087                     | 4,724            |
| 401-800            | 1,968                      | 984              | 7,874                     | 5,237            |
| 801-1,600          | 2,363                      | 1,181            | 9,449                     | 6,299            |
| 1,601-3,200        | 2,756                      | 1,378            | 11,023                    | 7,362            |
| 3,201-6,400        | 3,150                      | 1,574            | 12,599                    | 8,386            |
| 6,401-12,800       | 3,544                      | 1,771            | 14,173                    | 9,449            |
| >12,800            | 3,937                      | 1,968            | 15,748                    | 10,512           |

- (a) Single residences, excluding the residence of the owner/operator of the livestock operation.
- (b) “Designated Areas” means areas designated as a residential, seasonal residential or recreation area, the corporate limits of a town, village or city, or the limits of an unincorporated local urban district.
- (c) The distance to buildings includes barns and non-earthen manure storage such as above or below grade structures that may be covered or uncovered.

Notwithstanding the above criteria, livestock production operations within two (2) miles of designated areas will be subject to the policies of The Development Plan.

Livestock production operations of greater than nine (9) AUs in existence as of the date of the adoption of the Development Plan may be permitted to expand to 300 AUs as conditional uses.

New livestock production operations up to a maximum of one hundred (100) AUs not involving earthen manure storages will be permitted.

### **Application Requirements**

5.10 Where conditional use approval for a new or expanding livestock production operation is required, the application shall be accompanied by, in addition to the information required by section 7.12 of PART 7:

- (a) Plans, specifications and descriptions, for  
the livestock housing facilities including the manure handling system, the manure storage facilities including storage and odour control, and land application of manure;
- (b) A site plan showing the location of animal housing, manure storage and other related facilities and their distances from property boundaries; and
- (c) Type of existing and proposed livestock and number of Animal Units (AUs).

5.11 Council may require that an application to establish a livestock production operation or expand an existing livestock production operation within a groundwater sensitivity area, as identified in The Mountainview Planning District Development Plan, be accompanied by, in addition to, other information contained in this PART and section 7.12 of PART 7, the following information:

- (a) An engineering and hydro-geological assessment of soils, surface and groundwater site features; and
- (b) A description of mitigative measures to be undertaken to minimize the risk of soil and groundwater pollution.

5.12 Council may approve the livestock production operation subject to conditions as provided for in *The Planning Act*, and including (but not limited to) conditions having to do with:

- protection of a watercourse or other body of water;
- protection of groundwater;
- protection of soil;
- drainage of the site;
- the nature and frequency of testing of soil and water;
- prevention of offensive odours which would include lagoon covers;
- the location and amount of land available for disposal of manure;
- compatibility with neighbouring land uses;
- effect on municipal assets and services such as roads;
- requiring the operator to enter into an agreement respecting such matters;

requiring the operator to pay the municipality's reasonable expenses of testing, monitoring and enforcing such matters; and traffic generation.

### **Accessory Livestock Production Operations**

5.13 Livestock confinement facilities located on small rural holdings and accessory to a non-farm rural residence with a capacity of up to nine (9) Animal Units (AUs), cumulative across species, may be established subject to the following requirements:

- (a) The animal confinement facilities and manure storage areas shall be separated a distance of five hundred (500) feet from The Town of Gilbert Plains and the designated community of Ashville as shown on **Map 1, Appendix "A"**, and any existing recreation area and two hundred fifty (250) feet from any dwelling other than the dwelling of the operator on the same site; and
- (b) The site area is not less than five (5) acres.

The separation distance of two hundred fifty (250) feet shall also apply to siting of new rural residences in proximity to existing accessory livestock production operations. Notwithstanding subsection (b) above, additional lands may be required, particularly at the upper threshold levels of AUs to satisfy environmental requirements for the storage, handling and disposal of manure.

### **Special Limitations Governing Development of Farm Buildings, Structures and Dwellings**

5.14 No dwelling, mobile or modular home shall be constructed or located within one thousand five hundred (1,500) feet of the site of any municipal sewage lagoon or one thousand three hundred twelve (1,312) feet of a solid waste disposal site.

5.15 No dwelling, mobile or modular home shall be constructed or located within five hundred (500) feet of a commercial bulk fuel facility or a farm bulk chemical supply facility and one thousand (1,000) feet of an inland grain terminal and two thousand six hundred forty (2,640) feet of a stationary anhydrous ammonia tank.

5.16 No building, dwelling, mobile or modular home or farm building or structure shall be located within three hundred twenty-eight (328) feet of the edge of the right-of-way of any railway, unless the structure is required for railway operations, or requires railway service.

5.17 No building, dwelling, mobile or modular home or farm building or structure shall be constructed or located within an area which has been designated as a high or medium quality aggregate area by the Mines Branch, unless the site has been further reviewed by that Branch and a recommendation provided which would allow development to proceed. Where the proposed building is a dwelling, mobile or modular home, a separation distance of five hundred (500) feet shall be provided between the building location and any active mining area.

- 5.18 Any proposal to establish any building, structure, dwelling, mobile or modular home or farm building or structure which exceeds a building height of ten (10) feet, or to establish a shelterbelt or similar obstruction within the flight approaches of any aircraft landing area for a distance of one (1) mile, shall be deemed to be a conditional use, and shall be subject to the approval of Council.

### **Hazardous Materials Storage**

- 5.19 No bulk farm chemical supply warehouse, commercial bulk fuel facility or fertilizer storage facility shall be located within five hundred (500) feet of a building used for human occupancy or individual residence and no inland grain terminal shall be located within one thousand (1,000) feet of a building used for human occupancy or individual residence.
- 5.20 No stationary anhydrous ammonia storage tank shall be located within:
- (a) Two thousand six hundred forty (2,640) feet of The Town of Gilbert Plains, any “**GD**” General Development Zone, any existing recreation area and any building used for human occupancy or individual residence; and
  - (b) Three hundred twenty-eight (328) feet of a municipal road or provincial highway.

### **Variation of Separation Distances**

- 5.21 Minimum separation distances may be reduced through the application for a variation or variation order as prescribed in PART 7 of this By-law and *The Planning Act*.

## **PART 6: MISCELLANEOUS REGULATIONS**

### **Land Subject to Flooding**

No buildings or structures, except for fences, shall be built in areas in the vicinity of creeks or streams which, in the opinion of Council, are subject to flooding by a one hundred year flood, unless the owner provides sufficient information prepared by a qualified consultant, to demonstrate compliance with the provisions of The Mountainview Planning District Development Plan.

Where development is proposed in an area which, in the opinion of the Development Officer, may be subject to ponding due to snowmelt or heavy rainfall events, the owner may be required to provide additional flood proofing measures such as but not necessarily limited to the provision of sufficient fill around the building to provide an additional measure of protection from flood damage.

No permanent building shall be constructed or placed on land, which is subject to subsidence or erosion by water or is marshy or unstable, or is otherwise unsuitable or hazardous by virtue of its soil or topography, unless it is demonstrated to the satisfaction of Council that proper measures will be taken to mitigate the hazard to an acceptable level.

### **High Water Table Areas**

Groundwater conditions are highly variable throughout the municipality and in some areas the groundwater table may be very close to the surface. Sufficient measures should be included in the design of buildings to adequately protect basements from groundwater infiltration.

### **Site Reduced by Road Widening**

Where the site area or site width of a parcel of land has been reduced as a result of land acquired for the establishment or widening of a public road or drain, or for any other public work, the land which has been acquired shall be deemed to be part of the site for purposes of determining compliance with the minimum site area and site width requirements and required yards for existing buildings as specified by this By-law; however, where new buildings or structures are proposed, the required yards shall be determined by the location of actual site boundaries.

### **Building Removal**

Upon completion of removal or demolition of a building from a site, the old foundation shall be removed, any excavation shall be filled, the ground shall be leveled and the site shall be put in a safe condition to the satisfaction of the Development Officer.

### **Road Access**

No permanent building may be constructed or placed on a site, which does not have legal access to an improved public road except as provided for in section 3.9 of PART 3.

### **Service Connections**

Where a site is served by municipal piped sewer or water, no permanent principal building shall be constructed or placed unless it is connected to such services.

### **Public Monuments and Cairns**

Nothing in this By-law shall be so interpreted as to interfere with the establishment of public monuments and cairns.

### **Signs**

The following accessory signs are permitted in any zone without the issuance of a development permit:

- (a) One identification sign not exceeding four (4) square feet in surface area per residential dwelling (other than a multiple-family dwelling);
- (b) One identification sign not exceeding thirty-two (32) square feet in surface area per site for multiple-family dwellings, religious institutions and other non-residential buildings;
- (c) One business sign directing attention to a business not exceeding thirty-two (32) square feet in surface area for commercial or industrial sites;
- (d) Mobile or temporary signs not to exceed thirty-five (35) square feet in sign surface area per side for the purpose of advertising a social, community, family related event or directing attention to a business provided the sign is located on the same site as the event, is separated sixty (60) feet from a residential area, setback three (3) feet from site lines or fifteen (15) feet from corner site lines of intersecting streets and is permitted for a period of thirty (30) days which time may be extended by Council for an additional thirty (30) day period;
- (e) One bulletin board not exceeding sixteen (16) square feet in surface area per site for religious institutions, schools, community centres, etc.;
- (f) One temporary real estate or construction sign not exceeding sixteen (16) square feet in surface area per site;
- (g) Temporary posters, bulletins, legal notices and the like;
- (h) Directional signs for parking and loading; and
- (i) "No hunting" or "No trespassing" signs not to exceed ten (10) square feet in sign surface area.



No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign or obstruct the view of any highway or street intersection or railroad crossing and every sign shall conform with the requirements of this By-law and the provincial highway authority when located within the highway control areas adjacent to Provincial Trunk Highways and Provincial Roads.

All signs and their support structures shall be kept in good repair. Signs which have become obsolete because of the discontinuance of the business or service and have not been removed or relocated within thirty (30) days following such condition may be removed by the Municipality at the owner's expense.

### **Temporary Buildings and Uses**

Temporary buildings, structures and uses of land are permitted on a site in connection with road construction or construction and development on that or a nearby site, subject to the issuance of a development permit and only for the following purposes:

offices for the contractor or developer or project supervisor;

accommodation for a caretaker;

storage of materials and equipment; and

temporary accommodations, field offices and temporary concrete and asphalt plants necessary for road construction projects, provided that a minimum separation distance of one thousand three hundred twenty (1,320) feet is provided between an asphalt or concrete plant and the nearest habitable dwelling or residence.

A development permit for a temporary building or structure or use shall be valid for six (6) months and may not be renewed for more than two (2) successive six (6) month periods.

Notwithstanding section 3.5 of PART 3, a wheelchair ramp may extend into the required yard of a residence, subject to the issuance of a development permit.

## **PART 7: ADMINISTRATION**

### **Administration and Enforcement**

In the administration and enforcement of this By-law The Rural Municipality of Gilbert Plains authorizes and directs the Board of The Mountainview Planning District to proceed under PART 8.

### **Responsibilities of Council**

Subject to the provisions of *The Planning Act*, the Council is responsible for the enactment or repeal of this By-law in accordance with the provisions of *The Planning Act* and:

- (a) Considering the adoption or rejection of proposed amendments to this By-law;
- (b) Considering the approval or rejection of applications for conditional use and variations;
- (c) Considering the revocation of any approved conditional use as a result of any violation by the owner of any conditions specified by Council on the conditional use order; and
- (d) Establishing a schedule of fees as provided for in section 7.35 of this PART.

### **Responsibilities of the Board**

Subject to the provisions of *The Planning Act*, The Mountainview Planning District Board is responsible for:

Administering and enforcing the provisions of this By-law;

Administering and enforcing those provisions of *The Act*, where applicable;

In accordance with provisions of *The Planning Act* establishing a schedule of fees and charges for development permits. Until all applicable fees and charges have been paid in full, no action shall be taken on any application; and

Process applications to be submitted to Council for amendments, variations and conditional uses and the collection of fees as provided for herein.

### **Responsibilities of the Development Officer**

Subject to the provisions of *The Planning Act*, the Development Officer shall be the person appointed as such by the Board of The Mountainview Planning District who on behalf of The Rural Municipality of Gilbert Plains, shall:

- (a) Receive and review applications for development permits;
- (b) Issue development permits, and otherwise administer and enforce the provisions of this By-law and *The Planning Act*, where the proposed development of land, buildings or structures conforms with this By-law, other by-laws of The Rural Municipality of Gilbert Plains, and any applicable regulations of the provincial and federal governments.
- (c) Receive and process applications for amendments to this By-law, conditional use orders and variation orders;
- (d) Issue zoning memoranda and any other documents as may be necessary for the administration and enforcement of this By-law;
- (e) Allow or refuse minor variations (up to 10% of stated setback requirements) of this By-law as authorized by and in accordance with the provisions of *The Planning Act*; and
- (f) Exercise the powers of remedy and enforcement set out in PART 8 of this By-law.

At the direction of Council or the Board, the Development Officer shall withhold approval of an application for a development permit:

- (a) As provided for in *The Planning Act*; or
- (b) Which would result in a violation of this By-law, or any other by-law of The Rural Municipality of Gilbert Plains or The Mountainview Planning District Development Plan; or
- (c) To any person who has failed to pay any fees due and owing to The Rural Municipality of Gilbert Plains or The Mountainview Planning District Board under this By-law.

### **Responsibilities of the Owner**

- 7.6
- (a) The owner shall be responsible for the preparation of all application forms and drawings which are required to be submitted to the Development Officer in accordance with the provisions of this By-law and *The Planning Act*;
  - (b) The owner shall obtain all necessary permits and approvals which may be required by The Rural Municipality of Gilbert Plains, The Mountainview Planning District Board or any agencies or departments of the provincial government, prior to the commencement of construction, or the change of use of any land, building or structure;

- (c) The owner shall ensure that all work is completed in accordance with the approved application and development permit;
- (d) The owner shall obtain the written approval of the Development Officer before doing any work at variance with the approved development permit; and
- (e) The owner shall permit the Development Officer to enter any 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 duties under this By-law.

### **Development Permits**

7.7 A development permit is required for any of the following:

- (a) Subject to section 7.8 of this PART, the erection, construction, enlargement, structural alteration or placing of a building or structure;
- (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; and
- (d) The alteration or enlargement of an approved conditional use.

7.8 Every owner shall be required to obtain a development permit prior to the commencement of development, including the commencement of construction or relocation of any building or structure, except as provided for in section 7.9 of this PART. The issuance of a development permit in respect of a building or structure does not affect the obligation to obtain a building permit or other permit where they are required under the building by-law for such a building or structure, nor does it relieve the owner from the responsibility of obtaining any other permit or approval that may be required by any other administrative body, including business licenses, environmental approvals, highway access and structure location approval and similar approvals.

7.9 A development permit is not required for the following:

- (a) The erection, construction, enlargement, structural alteration or placing of the following as accessory structures:
  - i) fences,
  - ii) signs (not including advertising signs where they are conditional uses),
  - iii) lighting,
  - iv) flagpoles,
  - v) sheds and buildings for the storage of domestic equipment and supplies, except those with a floor area exceeding one hundred (100) square feet,
  - vi) communications aerials or antennas,

- vii) garden houses or children's playhouses,
- viii) water supply wells and private sewage disposal systems,
- ix) unenclosed patios, and
- x) temporary signs and notices including real estate signs; and

- (b) The maintenance, replacement, or restoration of building components and finishes, provided that the size of the building or structure is not materially increased, or the structural load carrying capacity of any component is not reduced.

7.10 Notwithstanding the development permit exemptions listed in section 7.9 of this PART, all such exempted activities shall be subject to all other requirements of this By-law and of any government department, including the highway control areas adjacent to provincial trunk highways and provincial roads.

7.11 An application for a development permit shall be made by the owner or owners of the site in question, or by a person authorized in writing by them.

7.12 An application for a development permit shall be accompanied by plans drawn to scale showing the following:

- (a) The shape and dimensions of the site to be used and built on;
- (b) The location and dimensions of existing buildings and structures and their distances from property lines;
- (c) The location and dimensions of the proposed building, structure, enlargement or alteration, including separation distances from site boundaries;
- (d) 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;
- (e) Vehicular access and utility connections;

and shall be accompanied by any other information required by the Development Officer to determine compliance with, and to provide enforcement of, this By-law.

7.13 An application for a development permit shall be accompanied by the fee prescribed by the Board of The Mountainview Planning District.

7.14 Despite apparent compliance with this By-law, the Development Officer may refuse to issue a development permit where the proposed building, structure or use does not, to the Development Officer's knowledge, comply with The Mountainview Planning District Development Plan, the municipal building by-law or with any other by-law.

7.15 No person shall use or occupy any land, building or structure, or erect, construct, enlarge, alter l.or place any building or structure, except in accordance with an approved development permit (where required), and with this By-law.

7.16 All proposed development shall be in accordance with the application and drawings submitted to and approved by the Development Officer. No work shall vary from the approved application and drawings without the prior written authorization of the Development Officer, and the owner shall ensure that all development is completed in accordance with the approved development permit.

7.17 The Development Officer may revoke a development permit

Where any information accompanying the development application is incorrect or incomplete and an existing or proposed building, structure or use is thereafter found to be in contravention of this By-law, the building by-law, or any other by-law; or

Where the development permit was issued in error.

### **Application for Amendment**

7.18 An application for an amendment to this By-law, including a change to the maps, shall be made to the Development Officer by the owner or owners of the land in question, or by a person authorized in writing by them.

7.19 An application for amendment shall be accompanied by plans drawn to scale showing the following:

The shape and dimensions of the land affected;

The location and dimensions of existing buildings and structures;

The location and dimensions of any proposed building, structure, enlargement or alteration;

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;

and shall include any other information required by the Development Officer to determine compliance with, and to provide for enforcement of, this By-law.

7.20 An application for an amendment shall be accompanied by the fee prescribed by Council.

7.21 Following such consultation, review and report (if any) as the Council deems necessary, the application shall be submitted to Council, which shall decide whether or not to start the procedures for enactment of an amendment.

7.22 On receipt of an application for amendment, Council may, prior to the hearing date prescribed under *The Planning Act*, refer the application to Manitoba Intergovernmental Affairs & Trade or any other department or agency for its review and comment.

### **Applications for Variances and Conditional Uses**

- 7.23 An application for a variation or conditional use shall be made to the Development Officer by the owner or owners of the site, or by a person authorized in writing by them.
- 7.24 An application for a variation or approval of a conditional use shall be accompanied by the plans and information described in section 7.12 of this PART, and in the case of a livestock production operation, by the information described in PART 5 of this By-law.
- 7.25 An application for a variation or approval of a conditional use shall be accompanied by the fee prescribed by the Board or Council.
- 7.26 Where an application for a variation or conditional use has been submitted, a public hearing shall be held by the Council, to receive representations from any person with respect to the proposal, and notice of the public hearing shall be given as required by *The Planning Act*.
- 7.27 On receipt of an application for a variation or approval of a conditional use in proper form, the municipality may, prior to the hearing date prescribed under *The Planning Act*, refer the application to Manitoba Intergovernmental Affairs & Trade or any other department or authority for its review and comment.
- 7.28 Council shall either approve or deny the variation or conditional use, and may establish conditions of approval appropriate to the circumstances, in accordance with the provisions of *The Planning Act*.
- 7.29 Council may subsequently revoke any approved conditional use as a consequence of any violation of conditions specified at the time of approval.
- 7.30 The validity of a conditional use or variation shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of the approval by Council unless the approval is renewed prior to the expiry, at the discretion of Council, for an additional period not exceeding twelve (12) months.
- 7.31 Except as provided for in section 2.7 of PART 2, any change in the circumstances of a conditional use shall be subject to the provisions of sections 7.23 through 7.30 of this PART and the provisions of *The Planning Act*.

### **Development Agreements**

- 7.32 In accordance with the provisions of *The Planning Act*, where an application is made for the amendment of this Zoning 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 will apply, as a condition to its enactment, to enter into a development agreement with The Rural Municipality of Gilbert Plains in respect of that land as well as contiguous land owned or leased by the applicant.
- 7.33 Where an application is made for the subdivision of land, Council may require the owner or the person entitled to be registered as owner of the land to enter into a development agreement with The Rural Municipality of Gilbert Plains, in accordance with the provisions of *The Planning Act*.

- 7.34 A development agreement may contain provisions with respect to the responsibilities for the provision of various services and other improvements, such as water and sewer piping, lot grading and drainage, street construction, and other matters as provided for in *The Planning Act*.

**Fee Schedule**

- 7.35 The fees shall be as established by Council for any amendment, conditional use order, variation order, zoning memorandum or non-conforming use certificate to this By-law.
- 7.36 The Board shall by by-law establish a fee schedule for development permits and other charges to be paid by any person for services rendered by any employee of the Board.



## **PART 8: ENFORCEMENT**

### **Entry for Inspection and Other Purposes**

The Development Officer may, after giving reasonable notice to the owner or occupier of land or a building or other structure to be entered:

- (a) Enter the land, building or structure at any reasonable time for the purpose of inspection, enforcement and or action authorized by this By-law or *The Planning Act*;
- (b) Request that anything be produced to assist in inspection, remedy, enforcement or authorized action; and
- (c) Make copies of anything related to the inspection, remedy, enforcement, or authorized action.

The Development Officer must display or produce on request identification showing his or her official capacity.

In an emergency or in extraordinary circumstances, the Development Officer need not give reasonable notice or enter at a reasonable time and may do the things referred to in subsections 8.1(a) and (c) of this PART without the consent of the owner or occupant.

### **Order to Remedy Contravention**

If the Development Officer finds that a person is contravening this By-law or *The Planning Act*, the Development Officer may by written order require the person responsible for the contravention to remedy it if, in the opinion of the Development Officer, the circumstances so require.

The order may:

- (a) Direct a person to stop doing something, or to change the way in which the person is doing it;
- (b) Direct a person to take any action necessary to remedy the contravention, including the removal or demolition of a building or structure (or part of one) that has been constructed, erected or placed in contravention and, if necessary to prevent a reoccurrence of the contravention;
- (c) State a time within which the person must comply with the directions; and
- (d) State that if the person does not comply with the directions within the time stated, the municipality will take the action or measure at the expense of the person.

### **Review by the Board**

A person who receives an order under section 8.4 of this PART may request the Board of The Mountainview Planning District to review the order, by written notice given within fourteen (14) days after the date the order is received.

After giving the person a reasonable opportunity to be heard, the Board may confirm, vary, substitute or cancel the order or decision.

## PART 9: INTERPRETATION

### Footnotes

9.1 The footnotes are part of this By-law.

### Permitted Uses

9.2 Where a use appears in the Use and Bulk Tables as a permitted use, it shall not be construed to include any use which appears as a conditional use for the same zone.

### Definitions

9.3 Terms not defined in this By-law which are defined in *The Planning Act*, have the meaning provided in *The Act*.

9.4 Terms defined in section 9.5 of this PART which appear in the **Use and Bulk Tables** in this By-law are shown in bold therein.

9.5 Where the following terms appear in this By-law they have the meaning provided as follows:

**accessory** – where used to describe a use, building or structure, means that the use, building or structure 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, but a use shown as a conditional use in the Use and Bulk Tables cannot be accessory to a use shown as a permitted use for the same zone.

**advertising sign** – means a sign directing attention to a business, commodity, service, entertainment or other matter, not conducted, sold, offered or carried out on the same site (or on an adjacent site under the same ownership) where the sign is maintained.

**aircraft landing area** – includes all open spaces, buildings and structures used in connection with the landing or take-off of aircraft.

**bed and breakfast** – means a building or portion thereof, other than a hotel or motel, where lodging, or lodging and meals are provided for compensation, exclusive of the proprietor and his family.

**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 of** - means the vertical distance measured from grade to the highest point of the roof surface of a flat roof, to the deck of a mansard roof, and to the average height level between eaves and ridge for a gable, hip or gambrel roof.

**bulk** – means the size of buildings or structures (based on floor area and height), the site area and site width upon which a use, building or structure is located, the location of exterior walls of a building in relation to site lines, and all open spaces required along site lines.

**club** – refers to a building owned or leased by a non-profit corporation or association, the use of which is restricted to members and their guests.

**dwelling** – means a building or portion thereof designed for residential occupancy in accordance with the provisions *The Manitoba Buildings and Mobile Homes Act*.

**dwelling unit** – means one or more rooms in a building designed for one or more persons as a single housekeeping unit with cooking, sleeping and sanitary facilities.

**dwelling, farm** – means a single-family dwelling, mobile or modular home, which is the principal residence of the owner or operator of a permitted or conditionally approved agricultural activity, and which is located on the same site as the agricultural activity.

**dwelling, non-farm** – means a single-family dwelling, mobile or modular home on a site used for residential purposes, regardless of the owner's occupation, and found in the "AG" Agricultural General Zone.

**dwelling, single-family** – means a detached building designed for and used by only one family.

**dwelling, two-family** – means a detached or semi-detached building designed for and used by two (2) families, with each family having exclusive occupancy of a dwelling unit.

**dwelling, multiple-family** – means a building containing three or more dwelling units, with each unit designed for and used by one family, with each family having exclusive occupancy of a dwelling unit.

**family** – means one or more persons related by blood, adoption, marriage or common-law marriage, or a group of no more than seven (7) persons which includes unrelated persons, living together as a single housekeeping unit.

**farm building** – means any building or structure used primarily for agricultural activities, but does not include a dwelling.

**general agricultural activities** – means a use of land for agricultural purposes, including production of field crops, apiculture, floriculture, horticulture and the necessary accessory uses for packing, storing or treating the produce, but does not include the following:

- (a) livestock production operations;

- (b) storage, handling or processing of agricultural products for the general public in return for remuneration, or
- (c) sales or servicing (in return for remuneration) of agricultural equipment or agricultural buildings.

**guest house** – means a fully furnished and equipped dwelling for rental purposes to hunting parties, snowmobilers, family reunions, family vacations or just an overnight stay providing country living.

**hundred year flood** – means a flood that can be expected to occur, on average, once in one hundred (100) years, or specifically a flood that has a one percent (1%) chance of being equaled or exceeded in any year.

**kennel** – means premises upon which more than five (5) dogs or ten (10) cats, not including animals less than four (4) months of age, are boarded, bred, trained or cared for in return for remuneration or are kept for the purpose of sale.

**livestock production operation** – means an agricultural operation where animals are fed in buildings or pens, or in outdoor non-grazing areas confined by fences, other structures or topography, but does not include:

- a livestock auction mart,
- an agricultural fair, or
- a livestock sales yard where livestock are kept no longer than three (3) days.

**mobile home** – means a portable dwelling unit which is designed or used for residential occupancy, built upon or having a frame or chassis to which wheels may be attached by which it may be moved upon a highway, whether or not such structure actually has at any time such wheels attached, or is jacked up or skirted and which conforms to *The Buildings and Mobile Homes Act*.

**modular home** – means a pre-fabricated portable dwelling unit similar to but distinct from a mobile home, in that a modular home does not have a chassis designed to accommodate wheels. Modular homes are designed to be transported to a site on a flatbed truck and may be folded, collapsed, or telescoped when in tow, and which may be extended on the site for additional interior space. Modular homes are distinct from ready-to-move dwellings in that they are not designed or constructed to the same building code requirements.

**property line** – means the limits of all contiguous lands described in a certificate of title.

**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.

**residential care facility** – means a building in which residential accommodation, plus supervision, care or treatment, is provided by a person or persons employed for that purpose.

**site** – means an area of land which:

- (a) is occupied or intended to be occupied by a principal use or by a use of a building or group of buildings, together with accessory buildings and structures as are provided for herein, along with required yards;
- (b) has frontage on a street which has a minimum right-of-way width of fifty (50) feet, or has any lawful means of access satisfactory to Council, or as otherwise provided for herein; and
- (c) is of sufficient size to provide for the minimum requirements of this By-law for a permitted or conditional use in a zone where the use is located.

**site area** – means the computed area contained within the site lines.

**site, corner** – means a site situated at the intersection of two (2) streets.

**site depth** – means the horizontal distance between the centre points in the front and rear site lines.

**site, interior** – means a site other than a corner site.

**site lines** –

**front site line** – means:

- (a) the boundary of a site along a street or highway; and
- (b) for a corner site, the continuation of the front site line of the abutting interior site.

**rear site line** – means:

- (a) that boundary of a site which is most nearly parallel to the front site line; and
- (b) where the side site lines intersect, a line ten (10) feet in length within the site, parallel to and at the maximum distance from the front site line.

**side site line** – means any boundary of a site which is not a front or rear site line.

Where it is not possible to determine site lines according to these definitions, they shall be determined by the Development Officer.

**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 at forty (40) feet from the front site lines, whichever is less.

**specialized agricultural activities** – means agricultural activities such as apiculture, floriculture, horticulture and activities of a like nature which do not

require large acreages of land, and which in the opinion of Council, provide a major component of household income.

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

**surface water** – means any body of flowing or standing water, whether naturally or artificially created including, but not limited to, a lake, river, creek, spring, swamp, wetland and marsh, but not including a dugout on the property of an agricultural operation. For the purpose of the definition “surface water”, where the By-law requires a use, building or structure to be set back a certain distance from the surface water, that distance shall be measured from the high water mark of the surface water or from the nearest and highest bank of the surface water, whichever is further from the surface water.

**use** – means any purpose for which a building, structure or site may be designed, arranged, intended, maintained or occupied; or any activity, occupation, business, or operation carried on, or intended to be carried on, in a building, structure or on a site.

**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 that portion of a site adjacent to a site line which is required to be an unobstructed open space, except as otherwise permitted herein. A required yard extends along a site line to a depth or width (measured perpendicularly from the site line) specified in the yard requirement for the zone in which such site is located.

- (a) **yard, required, front** – means a yard extending along the full length of the front site line between the side site lines;
- (b) **yard, required, rear** – means a yard extending along the full length of the rear site line between the side site lines;
- (c) **yard, required, side** – means a yard extending along the side site line from the required front yard to the required rear yard;
- (d) **yard, required, corner side** – means a side yard which is adjacent to a street; and
- (e) **yard, required, interior side** – means a side yard which is adjacent to another site, or to a lane separating such side yard from another site.

## Zoning Boundaries

- 9.6 The following rules of interpretation shall apply to the boundaries of the zones shown on the zoning maps comprising **Appendix “A”** of this By-law:
- (a) boundaries indicated as approximately following the centre-lines of streets, lanes, highways, rivers, or railway or public utility lines or rights-of-way shall be construed to follow such centrelines; and
  - (b) boundaries indicated as approximately following site limits as shown on a registered plan or by reference to the *Dominion Government Survey* shall be construed to follow such site limits.
- 9.7 If a street, lane or government road allowance is lawfully closed, then the land formerly comprising the street, lane or government road allowance shall be included within the zone of the land which surrounds it. If the said street, lane or government road allowance was a zone boundary between two or more different zones, then the new zone boundary shall be the former centreline of the closed street, lane or government road allowance.



# **APPENDIX “A”**

## **ZONING MAPS**

**Attached to**

**BY-LAW NO. 2004-06**

**of**

**THE RURAL  
MUNICIPALITY OF  
GILBERT PLAINS**

# **APPENDIX “B”**

## **METRIC CONVERSION TABLE**

**APPENDIX "B"**  
**METRIC CONVERSION TABLE**

| <b>FEET</b> | <b>METRES</b> | <b>SQ. FEET</b> | <b>SQ. METRES</b> |
|-------------|---------------|-----------------|-------------------|
| 1.0         | 0.3           | 4               | 0.37              |
| 3.0         | 0.9           | 10              | 0.93              |
| 5.0         | 1.5           | 16              | 1.49              |
| 6.0         | 1.8           | 20              | 1.86              |
| 7.0         | 2.1           | 32              | 2.97              |
| 10.0        | 3.0           | 35              | 3.25              |
| 12.0        | 3.7           | 50              | 4.65              |
| 15.0        | 4.6           | 100             | 9.3               |
| 18.0        | 5.5           | 400             | 37.2              |
| 20.0        | 6.1           | 600             | 55.7              |
| 25.0        | 7.6           | 1000            | 92.9              |
| 30.0        | 9.1           | 5000            | 464.5             |
| 40.0        | 12.2          | 7200            | 668.9             |
| 50.0        | 15.2          | 9000            | 836.1             |
| 60.0        | 18.3          | 15000           | 1393.5            |
| 100.0       | 30.5          | 20000           | 1858.0            |
| 125.0       | 38.1          |                 |                   |
| 164.0       | 50.0          |                 |                   |
| 200.0       | 61.0          |                 |                   |
| 250.0       | 76.2          |                 |                   |
| 300.0       | 91.4          |                 |                   |
| 328.0       | 100.0         |                 |                   |
| 394.0       | 120.1         |                 |                   |
| 400.0       | 121.9         |                 |                   |
| 492.0       | 150.0         |                 |                   |
| 500.0       | 152.4         |                 |                   |
| 590.0       | 179.8         |                 |                   |
| 660.0       | 201.2         |                 |                   |
| 787.0       | 239.9         |                 |                   |
| 886.0       | 270.1         |                 |                   |
| 984.0       | 299.9         |                 |                   |
| 1000.0      | 304.8         |                 |                   |
| 1181.0      | 360.0         |                 |                   |
| 1312.0      | 400.0         |                 |                   |
| 1320.0      | 402.3         |                 |                   |
| 1378.0      | 420.0         |                 |                   |
| 1500.0      | 457.2         |                 |                   |
| 1574.0      | 479.8         |                 |                   |
| 1771.0      | 539.8         |                 |                   |
| 1968.0      | 599.8         |                 |                   |
| 2087.0      | 636.1         |                 |                   |
| 2363.0      | 720.2         |                 |                   |
| 2640.0      | 804.7         |                 |                   |
| 2756.0      | 840.0         |                 |                   |
| 3150.0      | 960.1         |                 |                   |
| 3544.0      | 1080.2        |                 |                   |
| 3937.0      | 1200.0        |                 |                   |
| 4213.0      | 1284.1        |                 |                   |
| 4724.0      | 1439.9        |                 |                   |
| 5237.0      | 1596.2        |                 |                   |
| 6299.0      | 1919.9        |                 |                   |
| 7087.0      | 2160.1        |                 |                   |
| 7362.0      | 2243.9        |                 |                   |
|             |               | <b>ACRES</b>    | <b>HECTARES</b>   |
|             |               | 2               | 0.8               |
|             |               | 5               | 2.0               |
|             |               | 10              | 4.0               |
|             |               | 40              | 16.2              |
|             |               | 80              | 32.4              |
|             |               | <b>MILES</b>    | <b>KILOMETRES</b> |
|             |               | 0.5             | 0.8               |
|             |               | 1.0             | 1.6               |
|             |               | 2.0             | 3.2               |

**APPENDIX "B"**  
**METRIC CONVERSION TABLE ...**

| <b>FEET</b> | <b>METRES</b> |
|-------------|---------------|
| 7874.0      | 2400.0        |
| 8386.0      | 2556.1        |
| 9449.0      | 2880.1        |
| 10512.0     | 3204.1        |
| 11023.0     | 3359.8        |
| 12599.0     | 3840.2        |
| 14173.0     | 4319.9        |
| 15748.0     | 4800.0        |