

Town of Beausejour Zoning By-law

By-law No. 1831-26

**The Town of Beausejour
By-law No. 1831-26**

BEING a By-law of the Town of Beausejour to regulate the use and development of land;

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

AND WHEREAS, *The Planning 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 Town of Beausejour, in meeting duly assembled, enacts as follows:

1. The Town of Beausejour Zoning By-law No. 1831-26, attached hereto is hereby adopted.
2. By-law No. 1753/18, as amended, is repealed.
3. This by-law shall take force and effect on the date of third reading.

DONE and **PASSED** in Council assembled at the Town of Beausejour, Manitoba, this 23rd day of June A.D. 2026.

Certified to be a true and
correct copy of an original
document, Dated June 24
20 26 of the Town of Beausejour.

Christine Hutlet
Administrator



Mayor Ray Schirle



CAO Christine Hutlet

Received 1st reading this 12th day of May A.D. 2026.

Received 2nd reading this 23rd day of June A.D. 2026.

Received 3rd reading this 23rd day of June A.D. 2026.

How to use this Zoning By-law

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

Step 1

What zone is your property located in?

- Use the **Zoning Map** to determine the zoning for your property.
- Look in the Development Plan and any Secondary Plan that applies to your property to confirm your proposal fits with the applicable policies in those documents.

Step 2

What uses are permitted in your zone?

- Reference Section 4 for the zone's intent and use permissions.
- Uses marked with the letter [P] are permitted uses and may be developed once you have received a development permit.
- Uses marked with the letter [C] are conditional uses that may or may not be acceptable in a zone depending on the particular circumstances of a proposed development. Conditional uses require a public hearing process and may have extra conditions imposed on the use to make it acceptable for the location.
- Uses marked with a [*] have use-specific requirements that are provided in Section 3.

Step 3

How and where can you develop properties in your zone?

- Find the **Bulk Table** for your zone (Section 4).
- The Bulk Table provides information on allowable height of buildings and structures, required setbacks, and other spatial requirements for a property.

- To understand the specific details of these requirements, you may need to reference the General Rules and Regulations (Section 2) and the Definitions (Section 5).

Step 4

What kind of permits do you need?

- In most cases, you will need a development permit before you start any change in land use or any development (including construction of a building) on a property.
- Check Section 1 to see if your planned development is exempt from needing a development permit. If so, you may proceed with development, as long as it meets the other requirements in this zoning by-law and other applicable by-laws.
- If you need a development permit, fill out a development permit application.
- You are responsible for finding out any other provincial or federal regulations applying to your development, as well as any other required local permits, including building permits, plumbing permits, electrical permits, demolition permits, etc.

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1 Administration

1.1 Title

- (1) This by-law shall be known as “The Town of Beausejour Zoning By-law” (by-law).

1.2 Scope

- (1) This by-law applies to all lands in the Town of Beausejour as indicated on the Zoning Map.

1.3 Application

- (1) This by-law regulates:
 - (a) the construction, erection, alteration, enlargement, and placement of buildings and structures;
 - (b) the establishment, alteration, and enlargement of land uses, buildings, and structures; and
 - (c) all other forms of development not included above.

1.4 Use and Development of Land and Buildings Must Comply

- (1) Within the Town of Beausejour, no land, building, or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, enlarged, or placed, except in accordance with this by-law.

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

- (1) Whenever a provision of another by-law or a law or regulation of the provincial or federal government contains a restriction governing the same subject matter contained in this by-law, or imposes inconsistent regulations with respect to uses, buildings, or structures, the most restrictive or highest standard shall prevail.
- (2) The Town of Beausejour may require proof of compliance with federal or provincial regulations prior to issuance of the applicable permit or certificate.

1.6 Does Not Promote Nuisance

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

1.7 Administration and Enforcement

- (1) In the administration and enforcement of this by-law, the Town of Beausejour shall have all of the powers of inspection, remedy, and enforcement provided under *The Planning Act* (the Act).

1.8 Development Permits and Other Permits

- (1) 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 required under the building by-law, or another law, by-law, or regulation, for such a building or structure.
- (2) No person shall use or occupy any land, building or structure, or erect, construct, enlarge, alter, or place any building or structure, except in accordance with an approved development permit (where required), and with this by-law.
- (3) A development permit may also include a building permit and occupancy permit.

1.9 When Development Permits Are Required

- (1) Except as otherwise provided for in this by-law, a development permit is required for any of the following:
 - (a) The erection, construction, enlargement, structural alteration, or placing of a building or structure (including fences and decks), either permanent or temporary;
 - (b) The establishment of a use of land or a building or structure;
 - (c) The relocation, removal, or demolition of any buildings or structures;

- (d) The change of a use of land, building, or structure; and
- (e) The alteration or enlargement of an approved conditional use.

1.10 When Development Permits Are Not Required

- (1) A development permit is not required for the following:
 - (a) Regular maintenance and repair, provided it does not include structural alterations;
 - (b) The erection, construction, enlargement, structural alteration, or placing of the following as accessory structures:
 - (i) Signs not requiring a permit as listed in Section 2.18;
 - (ii) Outdoor lighting;
 - (iii) Flagpoles;
 - (iv) Sheds and buildings for the storage of domestic equipment and supplies with a floor area of less than 108 sq.ft. (10.0 sq.m.);
 - (v) Children's playhouses;
 - (vi) Private communications facilities (aerials, dishes, or antennas);
 - (vii) Private driveways and patios at grade level; or
 - (viii) Landscaping where the existing grade and natural surface drainage pattern is not materially altered.
 - (c) Despite not requiring a development permit, all items in (b) shall be subject to the requirements of this by-law, including setback requirements, and of any government department, including the controlled areas adjacent to provincial trunk highways and provincial roads.

1.11 Applications for Development Permits

- (1) An application for a development permit:
 - (a) Shall be made by the owner or owners of the parcel in question, or by a person authorized in writing by them.

- (b) Shall be accompanied by plans drawn to scale showing the following:
 - (i) the shape and dimensions of the site to be used or built on;
 - (ii) the location and dimensions of existing buildings and structures and their distances from site boundaries;
 - (iii) the location and dimensions of any proposed building, structure, enlargement, or alteration, including separation distances from site boundaries;
 - (iv) the use or uses of each existing and proposed building and structure, or of the land, and the area to be occupied by each use;
 - (v) vehicular access, pedestrian access, and utility connections; and
 - (vi) any other information required by the Development Officer to determine compliance with, and to provide enforcement of, this by-law.
- (c) Shall be accompanied by the fee prescribed by the Brokenhead River Planning District Board or Town of Beausejour.

1.12 Existing Development Permits

- (1) Unless otherwise specified, development permits issued prior to the effective date of this by-law shall be considered valid for the purpose of this by-law provided all the conditions under which the permit was issued are complied with.

1.13 Development Permit Expiry

- (1) A development permit shall expire and the right of an owner under that permit shall terminate if the work authorized by the permit is not commenced within six (6) months from the date of issuance of the permit, or within any extensions of that time period granted by the Development Officer and is not reasonably continued without interruption after the end of such period.

1.14 The Development Officer

- (1) The Brokenhead River Planning District Board shall appoint a Development Officer, who on behalf of the Town of Beausejour may:
 - (a) Issue development permits and exercise the powers of administration, inspection, remedy, and enforcement provided in Part 12 of *The Planning Act*.
 - (b) Refuse to issue a development permit where:
 - (i) The development permit application, or any information accompanying the development permit application, is incorrect or incomplete; or
 - (ii) The proposed building, structure, or use does not, to the Development Officer's knowledge, comply with the Brokenhead River Planning District Development Plan, this Zoning By-law, the Building By-law, or with any other law.
 - (c) Revoke a development permit where the development permit was issued in error in accordance with *The Planning Act*.
 - (d) Receive and process applications for amendments to this by-law, conditional use orders, and variances.
 - (e) Issue zoning memoranda, certificates of non-conformity, and any other documents as may be necessary for the administration and enforcement of this by-law.
 - (f) Make a minor variance order, without the need for a public hearing, for any proposed change that varies:
 - (i) Any height, distance, size, or intensity of use requirement in the zoning by-law by the amount permitted by *The Planning Act*; or
 - (ii) The number of parking spaces required by the zoning by-law by no more than the amount permitted by *The Planning Act*.

1.15 Responsibilities of Council

- (1) Subject to the provisions of the Act, Council is responsible for:

- (a) Considering the adoption or rejection of proposed amendments or the repeal of this by-law;
- (b) Acting as a Variance Board; and
- (c) Considering the approval or rejection of conditional use applications and for revoking an authorized conditional use for violation of any additional conditions imposed by it.

1.16 Application for Amendments, Variances, and Conditional Uses

- (1) An application for a variance, conditional use, or an amendment to this by-law shall:
 - (a) Be accompanied by plans drawn to scale showing the following:
 - (i) The shape and dimensions of the parcel to be used or built on;
 - (ii) The location and dimensions of existing buildings and structures;
 - (iii) The location and dimensions of the proposed building, structure, enlargement, or alteration;
 - (iv) The use or uses of each existing and proposed building and structure, or of the land, and the area to be occupied by each use;
 - (b) Be accompanied by a fee prescribed by the Brokenhead River Planning District Board or Town of Beausejour; and
 - (c) Be processed and approved or rejected in accordance with the provisions of the Act.

1.17 Expiry of Approval

- (1) The approval of Council of a variance or conditional use shall expire and cease to have any effect if it is not acted upon within twelve (12) months of the date of decision, unless it is renewed prior to the expiry date at the discretion of Council for an additional period of twelve (12) months.

1.18 Subdivisions

- (1) Approval of a subdivision of land is subject to the provisions contained in *The Planning Act* and to the policies contained within the Brokenhead River Planning District Development Plan and amendments thereto. Parcels or lots resulting from said subdivision must conform with the site area and site width requirements of the zone in which they are located.
- (2) Notwithstanding the fact that a parcel of land may exceed the minimum site area and site width requirements, Council is not in any manner obligated to approve a subdivision of said parcel.

1.19 Development Agreement

- (1) Where an application is made for a subdivision, variance, conditional use, or amendment to this by-law, Council may require the owner to enter into a development agreement in accordance with the Act.

1.20 Duties of the Owner

- (1) Subject to the provisions of *The Planning Act*, the owner is responsible for:
 - (a) 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) Obtaining all necessary permits and approvals which may be required by the Board, Council, or any agencies or departments of the provincial or federal governments, prior to the commencement of construction, or the change of use of any land, building, or structure;
 - (c) Ensuring that all work is completed in accordance with the approved application and development permit;
 - (d) Obtaining the written approval of the Development Officer before doing any work that differs from the approved development permit; and

- (e) Permitting 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 their duties under this by-law.

1.21 Existing Uses, Buildings, and Structures

- (1) 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.
- (2) Where a use is classified as a conditional use under this by-law or amendments thereto and exists as a permitted or conditional use at the date of the adoption of this by-law or amendments thereto, it shall be considered as a legally existing conditional use.

1.22 Previous Violations

- (1) Unless otherwise specified, an existing building, structure, or use that was illegal under the provisions of any planning scheme or zoning by-law in force on the effective date of this by-law and amendments thereto shall not become or be made legal solely by reason of the adoption of this by-law. To the extent that, and in any manner that, said illegal building, structure, or use is in conflict with the requirements of this by-law, said building, structure, or use shall remain illegal hereunder.

1.23 Site Reduced

- (1) A site area or site width or required setback reduced below the minimum requirements of this by-law by virtue of a public works or street shall be deemed to conform to the requirements of this by-law.

1.24 Non-Conformities

- (1) A non-conforming use and a non-conforming building, structure, parcel of land, or sign shall be regulated in accordance with and subject to the provisions of the Act, unless otherwise specified:
 - (a) Any lawful building or structure which does not conform to one or more of the applicable setback requirements of the zone in which it is located, either on the effective date of this by-law or amendments thereto, shall be deemed to be a lawfully existing permitted building or structure and shall be used as if it conformed to all such requirements.
 - (b) Any expansion, addition, relocation, or reconstruction of a non-conforming use, building, or structure shall conform to the site requirements and parking and loading requirements of the zoning district in which it is located unless varied by a variance order pursuant to the provisions of the Act.
 - (c) Repairs or incidental alterations may be made to a non-conforming structure subject to approval and issuance of a development permit, where necessary.
 - (d) The use of land or the use of a building is not affected by change of ownership, tenancy, or occupancy of the land or building.
 - (e) Any owner may apply to the Development Officer for a Non-Conforming Certificate in accordance with the provisions of the Act.
 - (f) Pursuant to the provisions of the Act, where Council determines that a building or structure is damaged or destroyed fifty percent (50%) or more of its replacement value above its foundation, the said building or structure may only be replaced or rebuilt in compliance with this by-law or its amendments, or where such requirements are varied by a variance order.
 - (g) Pursuant to the provisions of the Act, a non-conforming parcel, meaning any lawful site existing at the adoption of this by-law which does not comply with the required site area and/or site width, may be occupied by any building, structure, or use provided that:

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

1.25 Public Works and Services

- (1) Nothing in this by law shall be so interpreted as to interfere with the construction, maintenance, and operation of the facilities of any public utility, as defined by this by-law, or public service such as police and fire protection, provided that the requirements of such public utility or public service is of a standard compatible with the adjacent area as determined by the Development Officer, and that any building or structure erected in any zone complies with the setback and area requirements applicable to the zone.
- (2) Nothing in this bylaw shall be interpreted as to interfere with the construction, erection and location of a public utility's pipes, cables, or equipment.
- (3) Nothing in this by-law shall be so interpreted as to interfere with the maintenance or erection of monuments, statuary, and similar structures.

1.26 Connecting to Municipal Services

- (1) All new principal buildings constructed on a site served by public sewer, water, or hydro distribution must be connected to such services unless the specific use of such building does not require such services.

1.27 Rules of Construction

- (1) The following rules of construction apply to the text of this by-law:
 - (a) Words, phrases, and terms are as defined within this by-law;
 - (b) Words, phrases, and terms not defined within this by-law shall be as defined in *The Planning Act, The Municipal Act, The Buildings and Mobile Homes Act*, any building or plumbing by-laws of the Town of Beausejour or Brokenhead River Planning District, and other appropriate provincial acts and regulations;
 - (c) Words, phrases, and terms neither defined in this by-law nor in an applicable building or plumbing by-law or other appropriate provincial acts and regulations shall be given their usual and customary meaning except where Council determines the context clearly indicates a different meaning;
 - (d) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and,” or “or,” the conjunction shall be interpreted as follows:
 - (i) “and” indicates that all the connected items, conditions, provisions or events shall apply in any combination; and
 - (ii) “or” indicates that the connected items, conditions, provisions or events may apply singly but not in combination.
 - (e) The word “includes” or “including” shall not limit a term to the specified examples, but is intended to extend the meaning to all instances or circumstances of like kind or character; and
 - (f) The phrases “used for” includes “arranged for,” “designed for,” “maintained for” or “occupied for.”

1.28 Interpretation

- (1) In their interpretation and application, the provisions of this section and the provisions of all zones established herein shall be held to be the minimum requirements to satisfy the intent and purposes set forth in each zone.
- (2) The general provisions applying to all zones are contained within Section 1: Administration, Section 2: General Rules and Regulations, Section 5: Definitions, and the Zoning Map.
- (3) Drawings and illustrations form part of this by-law and are provided to assist in interpreting and understanding the by-law. Where any conflict or inconsistency arises between a drawing or illustration and the text of the by-law, the text shall govern.
- (4) Tables form part of this by-law and provide regulatory standards, either to supplement the text or in place of text. Table headings, including column headings, row headings, and groupings of columns and rows, form part of this by-law and have legal effect. Table notes, located within the tables, indicate special situations that affect the application of standards to specific zoning districts and are also part of this by-law. Where any conflict or inconsistency arises between a table and the text of the by-law, the text shall govern.
- (5) The provisions of this by-law shall be interpreted to be the minimum regulations except where the abbreviation for, or word, maximum is used, in which case the maximum regulation shall apply.
- (6) The abbreviations noted within the text or on the Zoning Maps mean the following:
 - (a) "Blk." means Block;
 - (b) "Pcl." means Parcel;
 - (c) "Pt." means Part;
 - (d) "Rge." means Range;
 - (e) "R.M." means Rural Municipality;
 - (f) "Sec." means Section;

- (g) "Twp." means Township;
 - (h) "E.P.M." or "E" means East of the Principal Meridian;
 - (i) "PR" means Provincial Road;
 - (j) "PTH" means Provincial Trunk Highway;
 - (k) "max." means maximum;
 - (l) "min." means minimum;
 - (m) "in." means inches;
 - (n) "ft." means feet;
 - (o) "sq.ft." means square feet; and
 - (p) "sq.m." means square metres.
- (7) The zones established in Table 4-1: shall apply within the boundaries of the zones shown on the Zoning Map following these rules of interpretation:
- (a) Heavy lines represent zone boundaries. Where the zone boundary is broken by the name of a street it shall be construed that the boundary continues through the name of the street;
 - (b) Notwithstanding that streets, lanes, and public utility rights-of-way may be within the zone boundaries, the regulations contained in this by-law shall not be deemed to be applicable to said streets, lanes and public utility rights-of-way;
 - (c) Boundaries indicated as following the centrelines of streets, highways or lanes shall be construed as following such centrelines;
 - (d) Boundaries indicated as following lot, site, or property holding lines on a registered plan shall be construed as following such lot, site, or property holding lines;
 - (e) Boundaries indicated as following the limits of an incorporated municipality shall be construed as following the limits of said municipality;

- (f) Boundaries indicated as following the centrelines of railway lines, railway rights-of-way, or public utility right-of-way shall be construed to be midway between the main tracks or the centre of the rights-of-way, as the case may be;
- (g) If a street, lane, or government road allowance shown on the Zoning Map is lawfully closed, the land formerly comprising the street, lane, or government road allowance shall be included within the zone of the adjoining land. However, if the said street, lane, or government road allowance was a zoning boundary between two or more different zones, the new zoning boundary shall be the former centreline of the closed street, lane, or government road allowance, except where the closed road is being transferred to an adjoining owner, in which case the boundary shall follow the limit of the consolidated property;
- (h) Where the zoning of a single site or lot is split into more than one zoning district, each portion of the site or lot shall be developed and used in accordance with the provisions of the applicable zoning district; and
- (i) All plan references on the Zoning Maps pertain to registered plans filed in the Winnipeg Land Titles and Personal Property Office.

2 General Rules and Regulations

- (1) The following regulations shall apply to all uses and development of land and buildings in the Town of Beausejour, except where otherwise noted in this by-law.
- (2) All development must comply with the Town of Beausejour's infrastructure standards and lot grading standards.

2.1 Regulation of Uses

- (1) No land, building, or structure shall be used or occupied except for a use which:
 - (a) Is listed in the use tables as:
 - (i) a permitted use; or
 - (ii) a conditional use, subject to approval as such;
 - (b) Is an accessory to a permitted or conditional use.
- (2) The permitted and conditional uses prescribed for parcels within each zone are those set out in the use tables. In the use tables:
 - (a) Permitted uses are indicated with the letter [P].
 - (b) Conditional uses are indicated with the letter [C].
 - (c) A superscript letter M [^M] indicates that the use may only be developed as part of a Mixed-Use Building.
- (3) No land, building, or structure shall be used or occupied, and no building or structure shall be constructed, erected, altered, enlarged, or placed, except in accordance with the bulk requirements described in the bulk tables or elsewhere in this by-law.
- (4) Regardless of whether a use is allowed as a permitted or a conditional use, and regardless of the zoning district in which the use is located, the additional standards for specific uses (in Section 3 of this by-law) must be met, except as otherwise provided in this by-law or by a Conditional Use or Variance Order.

2.2 Multiple Uses or Provisions

- (1) Where land, a building, or a structure is used for more than one purpose, all provisions of this by-law relating to each use must be satisfied. Where more than one provision in this by-law is applicable, the higher or more stringent requirement shall apply unless specified otherwise.
- (2) In the R1 and R2 Zones, a zoning site shall contain only one (1) principal building and its accessory buildings as permitted in Section 4, except where otherwise allowed in this by-law.

2.3 Accessory Buildings and Structures

- (1) No accessory building or structure shall be constructed or erected, except in compliance with the following regulations:
 - (a) Where the accessory building or structure is attached to a principal building or structure, it shall be subject to, and shall conform to, all regulations of this by-law applicable to the principal building or structure.
 - (b) Where the accessory building or structure is detached from the principal building or structure, it shall be subject to, and shall conform to, all regulations of this by-law applicable to accessory buildings or structures.
 - (c) No accessory building or structure shall be constructed on any site prior to the time of construction of the principal building to which it is accessory except where it is allowed by written agreement from the Town of Beausejour.
 - (d) Detached accessory buildings shall not be located in any front yard, except in the M Zone.
 - (e) No detached accessory building shall be located closer than 10 ft. (3.05 m.) to any other building.
 - (f) In no instance shall an accessory building be located within a dedicated easement or right-of-way except as provided for by said easement or right-of-way.

- (g) An accessory building or structure shall not be used as a dwelling, except where otherwise permitted in this by-law.

2.4 Area and Setback Requirements

- (1) Unless otherwise specified, the following regulations shall apply in all zones to ensure adequate site and setback requirements:
 - (a) Where a use is established on a site and a site area, site width, or required setback is reduced below the minimum requirements of this by-law by virtue of the development of a public work, street, or public utility, the affected site area, site width, or required setback shall be deemed to conform to the requirements of this by-law;
 - (b) For the purpose of side setback regulations, any semi-detached Two-, Three-, or Four-Unit Dwelling or Multi-Unit Dwelling separated by common party walls shall be considered as one (1) building occupying one (1) site;
 - (c) Any semi-detached Two-, Three-, or Four-Unit Dwelling, Multi-Unit Dwelling, or Strip Mall may be subdivided through the common party wall. Where this is done, the minimum side setback adjacent to the party wall is reduced to 0.0 ft. and the resulting site area and site width shall replace the requirements of the applicable Bulk Table;
 - (d) Unless otherwise approved, the lots created by subdividing any semi-detached Two-, Three-, or Four-Unit Dwelling or Multi-Unit Dwelling shall only have one Residential Dwelling permitted per lot;
 - (e) Where a site is occupied for a use permitted in a zone and has no building or structures thereon, the required setbacks for the zone within which it is located shall be provided and maintained, except in the case of sites located in the Parks and Recreation Zone;
 - (f) Setbacks provided for a building or structure, existing on the effective date of this zoning by-law or amendments thereto, shall not be reduced if already less than the minimum requirements of this by-law;

- (g) All setbacks and other open spaces required for any use shall be located on the same site as the use;
 - (h) In the instance of a through site, and at the discretion of the Development Officer, the site may require applicable front setbacks on both property lines fronting onto a street.
 - (i) It shall be a continuing obligation of the owner to maintain the minimum site area, site width, setbacks, and other requirements for any use as long as it remains in existence. Furthermore, the minimum site area, site width, setbacks, and other open spaces allocated to a use as per requirements of this by-law shall not by virtue of change of ownership, or for any other reason, be used to satisfy the minimum site area, site width, setbacks, and other open space requirements for any other use on another site; and
 - (j) No land shall hereafter be divided into sites, unless each site conforms to the requirements set forth in the bulk table of the zone in which the land is located.
- (2) Setbacks shall be measured:
- (a) from the exterior face of the foundation or concrete pad, if present; or
 - (b) from the outermost wall of the structure or feature if there is no foundation or concrete pad present, such as a cantilevered building feature or exterior stair.

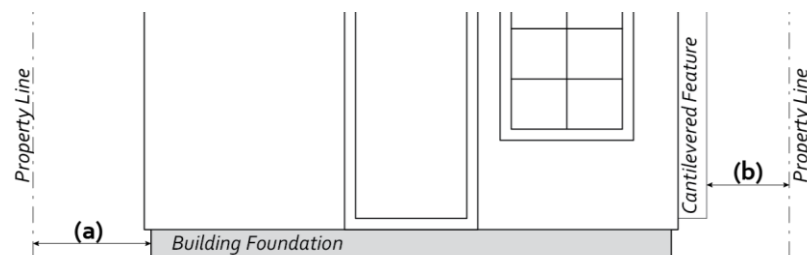


Figure 1: Measuring Setbacks

2.5 Setback Standards

- (1) No Residential Dwelling shall be located within 1,000 ft. (304.8 m.) of the outer toe of a municipal sewage lagoon.
- (2) No Residential Dwelling shall be located within 1,320 ft. (402.3 m.) of a waste disposal site.
- (3) No Residential Dwelling shall be located within 100 ft. (30.48 m.) from the edge of a railway right-of-way that is in active use.
- (4) No Residential Dwelling shall be located within 492 ft. (150 m.) from an active mine or quarry.
- (5) Notwithstanding the minimum setback requirements provided in the bulk tables, buildings, structures, fences, and plantings proposed within the controlled area adjacent to a provincial highway will be subject to statutory requirements in accordance with *The Transportation Infrastructure Act*.

2.6 Projections into Required Setbacks (Principal Buildings Only)

- (1) Every part of a required setback shall be open and unobstructed from the ground level to the sky, except for trees, shrubs, gardens, fences, sidewalks, and driveways, and:
 - (a) Architectural features, such as chimneys, bay windows, alcoves, canopies and awnings, eaves, and gutters may extend into a required front, side, or rear setback area a distance of not more than 3 ft. (0.91 m.) or 3 ft. (0.91 m.) from the property line, whichever is less;
 - (b) Open, unenclosed, and uncovered porches, decks, or terraces above grade may project into a required front or rear setback area for a distance not exceeding 6 ft. (1.83 m.) or 3 ft. (0.9 m.) from the property line, whichever is less;
 - (c) Open, unenclosed, and uncovered porches, decks, patios, or terraces at grade may extend to the side property line and may project into a required front or rear setback area for a distance not exceeding 6 ft. (1.83 m.) or 3 ft. (0.91 m.) from the property line, whichever is less;

- (d) Open, unenclosed stairways or balconies, not covered by a roof or canopy, may project into a required rear or front setback for a distance of not more than 4 ft. (1.22 m.);

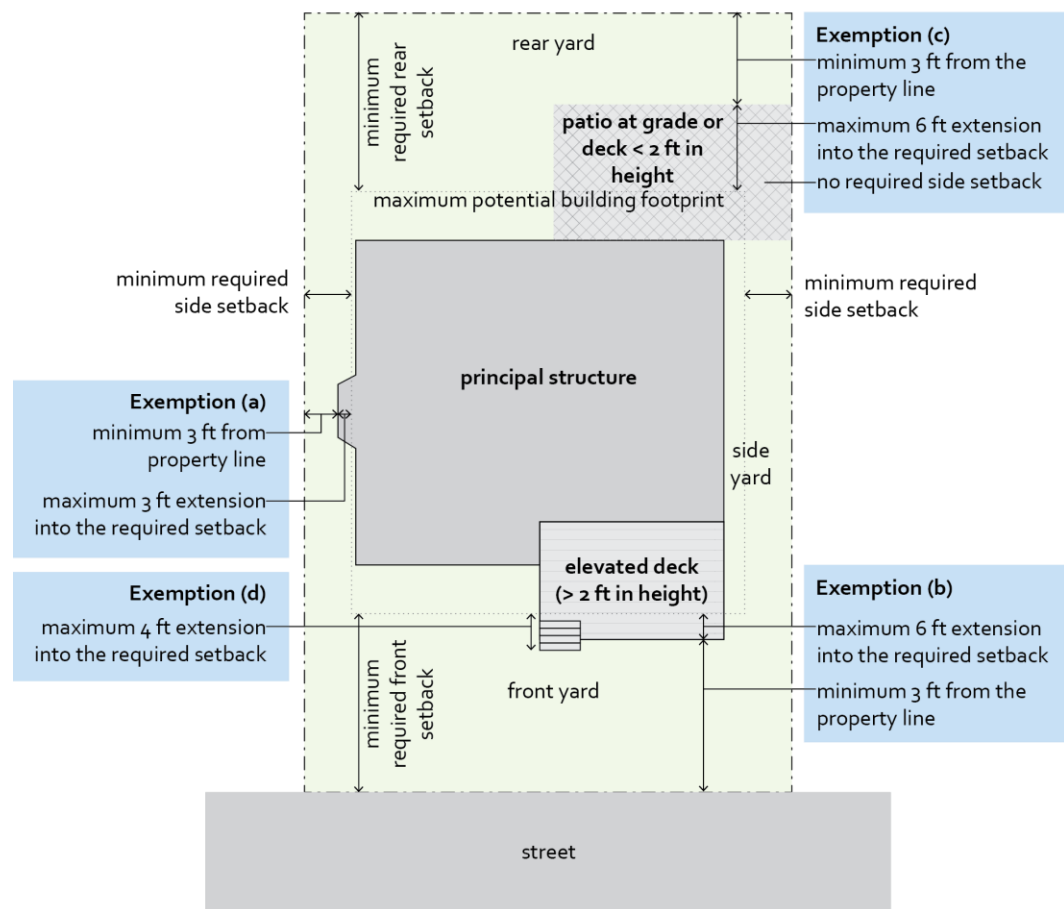


Figure 2: Permitted Projections into Required Setbacks

- (e) Name plates and signs shall be allowed in any required front, side, or rear setback, provided they comply with the requirements and regulations of this by-law (see also Section 2.18); and
- (f) Fences, hedges, and landscape architectural features are permitted in all required setbacks if maintained at a height of not more than 3.5 ft. (1.07 m.) in

the front yard and at a height of not more than 6 ft. (1.83 m.) in the rear and side yards.

2.7 Height Exceptions

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

2.8 Future Road Allowance Deemed Existing

- (1) No building or structure shall be erected upon any land acquired by the Town of Beausejour or any other federal or provincial government agency and which has been designated for a future road allowance. Any development adjacent to said road allowance shall comply with the requirements of this by-law as if the said future road allowance was already in existence.

2.9 Road Access

- (1) No permanent building may be constructed or placed on a site which does not have legal access to a developed public road that meets current municipal road service standards, otherwise a Development Agreement may be required.

2.10 Demolition and Removal of Buildings or Structures

- (1) Where a development permit has been obtained for the demolition or removal of a building or structure, all demolition, removal of debris, filling of excavations or basements, and re-grading of the site shall be undertaken within 90 days from the date of issuance of said permit. This period may be extended at the discretion of Council, due to unusual circumstances such as weather conditions or road restrictions.

2.11 Temporary Buildings

- (1) Temporary buildings, structures, and uses may be permitted subject to the issuance of a development permit under the following conditions:
 - (a) A development permit for a temporary building, structure, or use shall be subject to such terms and conditions as required by Council resolution; and
 - (b) Each development permit issued for a temporary building, structure, or use shall be valid for a period of not more than two (2) successive six (6) month periods at the same location.
 - (c) Payment of a refundable fee, in addition to any fee for Building and Development Permits, as prescribed by the Brokenhead River Planning District Board or Town of Beausejour.

2.12 Outdoor Lighting

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

2.13 Visibility Clearance at Intersections

- (1) On a corner lot in any residential zone, or other zone directly adjacent to a residential zone, nothing shall be erected, placed, planted, or allowed to grow in such a manner that would impede vision between a height of 3.5 ft. (1.07 m.) and 10

ft. (3.05 m.) above the curb level in the area bound by the lot lines of the corner lot and a line joining points along said lot lines 10 ft. (3.05 m.) from the corner of the lot.

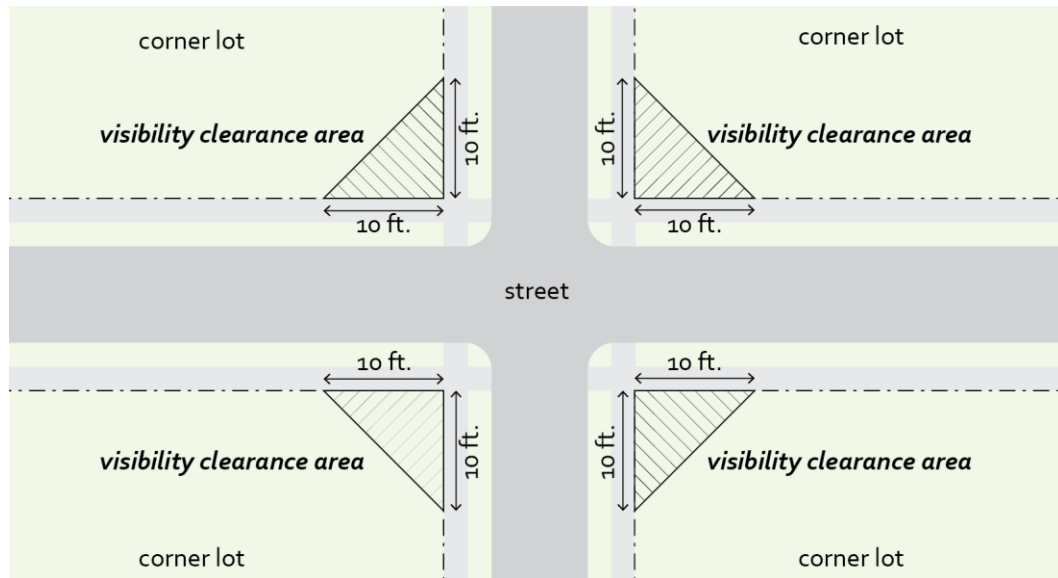


Figure 3: Visibility Clearance Areas

2.14 Parking

- (1) When any new development is proposed, including a change of use of an existing development, or when any existing development is, in the opinion of the Development Officer, substantially enlarged or increased in capacity, then provision shall be made for off-street vehicular parking or garage spaces in accordance with the regulations and standards contained in this section and Table 2-1:

Table 2-1 Minimum Parking Space Requirements

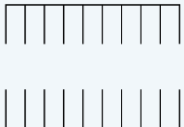
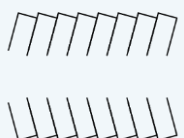
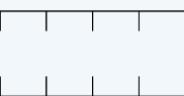
Use Category & Class		Number of Parking Spaces Required
Residential		
Single-Unit Dwelling Two-Unit Dwelling Three-Unit Dwelling Four-Unit Dwelling Mobile Home Dwelling		1.5 / Residential Dwelling
Multi-Unit Dwelling		1.5 / Residential Dwelling, plus 1 visitor parking space for every 10 required parking spaces
Bed & Breakfast		1.0 / guest room
Residential Care Facility		0.5 / Residential Dwelling or bed
Commercial		
Eating & Drinking Establishment		0.25 / seat or 1.0 / 100 sq.ft. (9.29 sq.m.) of floor area, whichever is greater
Retail Store Convenience Store		1.0 / 200 sq.ft. (18.6 sq.m.) of floor area
Office or studio use		1.0 / 550 sq.ft. (51.1 sq.m.) of floor area
Hotel		1.25 / guest room
All other commercial uses		1.0 / 250 sq.ft. (23.2 sq.m.) of floor area
Industrial		
All industrial uses		1.0 / 1,000 sq.ft. (92.9 sq.m.) of floor area
Community, Recreation & Entertainment		
Assembly use		0.2 / fixed seat or 1 / 100 sq.ft. of assembly space where there is no fixed seating
Health or medical use		1.25 / bed/patient chair
School		1.5 / classroom + 0.2 / fixed seat or 1 / 100 sq.ft. of assembly space where there is no fixed seating for assembly use areas

Use Category & Class	Number of Parking Spaces Required
All other uses	1.0 / 550 sq.ft. (51.1 sq.m.) of floor area
(2) Where a proposed use is not listed above, the parking requirement shall be determined by the Development Officer.	
(3) In the Central Commercial Zone, the minimum parking requirement shall be fifty (50) percent of the parking spaces required by Table 2-1.	
(4) Parking associated with residential uses where parking spaces are provided on a driveway or in a private garage are permitted at the discretion of the Development Officer.	
(5) The following regulations shall apply to all parking areas, other than those provided for in clause (3) above, as required by this by-law: (a) In the case of a multiple use site, the Development Officer shall calculate the parking required for each individual use and the total shall be deemed to be the required parking for the site, unless the applicant can demonstrate to the satisfaction of Council, through a variance application, that the complementary use of the parking facilities would warrant a reduction in the parking requirements; (b) Parking areas shall be provided with at least one entrance and one exit for vehicles, and driveways and aisles for the removal of a vehicle without the necessity of moving any other vehicle; (c) The area shall be drained and maintained with a stable surface which is treated so as to prevent the rising of dust or loose particles. It may be constructed of crushed stone, slag, gravel, concrete, asphalt, or other approved material. A drainage plan for the parking area may be required; (d) Where lighting facilities are provided for a parking area, such lights shall be shielded and directed so as to reflect away from any adjoining residential area; (e) Where a parking area is situated along a site line which adjoins the R1, R2, R3, RMHP, CC, I, or PR Zones and is not separated by any street, lane, or	

watercourse, a 6 ft. high privacy fence of a design acceptable to Council shall be provided;

- (f) No sign shall be erected except:
 - (i) signs for the direction of traffic within the parking area; and
 - (ii) directional signs of not more than 5 sq.ft. (0.46 sq.m.) in area at each access point.
- (6) The layout and design of the parking area shall be as follows:
 - (a) The layout and design of the parking area shall be in accordance with Table 2-1 and Table 2-2;
 - (b) The length of each parking space shall be exclusive of access driveways, aisles, ramps and columns, and office or work areas;
 - (c) Where access to a parking space is directly from a lane, the width of the lane adjacent may be computed as part of the aisle width required for said parking space;
 - (d) The angle of parking shall be measured between the centerline of the parking space and the centerline of the aisle;
 - (e) The off-street parking area shall include an access drive with a minimum width of 10 ft. (3.05 m.), to a street or lane;
 - (f) Except as provided for in paragraph (c), an aisle or driveway shall not mean a street or lane; and
 - (g) Design of parking areas and access drives need to address safe pedestrian circulation routes, emergency vehicle access, efficiency in the parking layout, accessibility, lighting, aesthetic appearance, service vehicle access, and snow removal.

Table 2-2: Parking Area Layout

Configuration	Minimum Stall Width	Minimum Stall Length	Minimum Two-Way Aisle Width	Minimum One-Way Aisle Width
76° to 90° 	10.0 ft. (3.0 m.)	22.0 ft. (6.7 m.)	24.0 ft. (7.3 m.)	24.0 ft. (7.3 m.)
61° to 75° 	10.0 ft. (3.0 m.)	22.0 ft. (6.7 m.)	24.0 ft. (7.3 m.)	18.0 ft. (5.5 m.)
46° to 60° 	10.0 ft. (3.0 m.)	22.0 ft. (6.7 m.)	24.0 ft. (7.3 m.)	13.0 ft. (4.0 m.)
31° to 45° 	10.0 ft. (3.0 m.)	22.0 ft. (6.7 m.)	24.0 ft. (7.3 m.)	12.0 ft. (3.7 m.)
Parallel 	10.0 ft. (3.0 m.)	24.0 ft. (7.3 m.)	24.0 ft. (7.3 m.)	12.0 ft. (3.7 m.)

2.15 Accessible Parking Spaces

- (1) Out of the total number of required off-street parking spaces, a portion of those spaces must be accessible to persons with disabilities, in accordance with the following requirements:
 - (a) Each accessible parking space:
 - (i) must be at least 11.5 ft. (3.5 m.) wide;
 - (ii) must be located within 196.9 ft. (60.0 m.) of major building entrances used by residents, employees, or the public; and
 - (iii) must include signage reserving the space for use by persons with disabilities.
 - (b) At least one curb ramp must be located within 100.0 ft. (30.48 m.) of the parking space closest to each entrance to a principal or accessory building that is not a service entrance; and
 - (c) Out of the total number of required off-street parking spaces, a minimum number of accessible parking spaces must be provided in accordance with Table 2-3:

Table 2-3: Accessible Parking Space Requirements

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

2.16 Loading Requirements

- (1) For all buildings and uses involving regular and frequent receiving, shipping, loading, or unloading of persons, animals, goods, wares, merchandise, or raw materials, the owner or operator of the buildings or uses shall provide and maintain on the site adequate loading and unloading spaces as follows:
 - (a) Each loading or unloading space shall be at least 30 ft. (9.14 m.) long, 12 ft. (3.66 m.) wide and have a vertical clearance of at least 14 ft. (4.27 m.);
 - (b) Access to loading or unloading areas shall be by means of a driveway at least 20 ft. (6.10 m.) wide contained on site in which the spaces are located and leading to a street or lane located within the zone in which the use is located;
 - (c) Loading and unloading areas shall be maintained with a stable surface which is treated so as to prevent the raising of dust or loose particles;
 - (d) Off-street loading spaces shall not be permitted in a required corner side yard; and
 - (e) The number of loading spaces shall be provided in accordance with Table 2-4:

Table 2-4: Minimum Loading Spaces

Area of Building	Minimum Loading Space
Less than 5,000 sq.ft.	1 space
Exceeding 5,000 sq.ft. but not more than 15,000 sq.ft.	2 spaces
Exceeding 15,000 sq.ft.	3 spaces

2.17 Entrances and Exits for Parking Areas

- (1) Access to off-street parking areas shall be only by way of entrances and exits provided in accordance with Table 2-5:

Table 2-5: Parking Area Entrance and Exit Requirements

Dimension	Minimum	Maximum
Width of separated entrances and exits	20.0 ft. (6.1 m.)	40 ft. (12.2 m.)
Width of a combined entrance and exit	25.0 ft. (7.6 m.)	60 ft. (18.3 m.)
Distance between any part of an entrance, exit, and the intersection of street site lines or the intersection of a street site line and a side site line on a public lane	30.0 ft. (9.1 m.)	N/A
Distance between separated entrances and exits	30.0 ft. (9.1 m.)	N/A

2.18 Signage

- (1) The following provisions shall apply to all signs erected or maintained within the Town of Beausejour, unless otherwise specified:
- (a) Signs and sign structures may be allowed as accessory uses in accordance with Table 2-6, subject to the issuance of a Development Permit as required;
 - (b) All sign types shown in Table 2-6 are permitted in non-residential zones, subject to the provisions of this by-law;
 - (c) In residential zones, the following sign types are permitted:
 - (i) Signs described in Section 2.18(2);
 - (ii) Signs associated with a Home-Based Business, subject to the provisions in Section 3.1; and
 - (iii) Signs associated with an approved non-residential use, subject to the associated provisions in Table 2-6.

- (d) Development Permits are required for all sign types shown in Table 2-6;
- (e) All signs shall comply with the minimum setback requirements for accessory structures in the zone in which they are to be located or erected, except in the CC Zone where signs may project up to the front site line and exterior side site line;
- (f) Signs other than Billboards must direct attention to a business, commodity, or message offered on the same zoning site on which that sign is located;
- (g) No sign or sign structure shall be erected at any location where it may interfere with or obstruct the view of any street, intersection, or railroad grade crossing, or be confused with any authorized traffic sign, signal, or device. No rotating beam, beacon, or flashing illumination resembling an emergency light shall be used in connection with any sign display;
- (h) Signs with LED lights may only be allowed by the Development Officer.
- (i) Signs with flashing lights or digital images may only be allowed with Council resolution. All signs with flashing lights or digital images are prohibited within 100 ft. (30 m.) of residential zones;
- (j) No sign or structure shall be erected or maintained on, over or above any land or right-of-way belonging to the Town of Beausejour without a Development Permit;
- (k) No sign shall interfere with pedestrian circulation;
- (l) The placing of signs within the controlled area of a provincial road or provincial trunk highway shall require a permit from the applicable provincial authority; and
- (m) All signs and structures shall be kept in good repair and in a proper state of preservation. Signs which have become obsolete because of discontinuance of the operation or activity or are not maintained in good condition or repair shall be repaired, removed, or relocated within 30 days following notice by the Development Officer.

- (2) The following signs shall not require a Development Permit. However, they must still comply with any applicable standards in this by-law:
- (a) Signs posted by duly constituted public authorities in the performance of their public duties;
 - (b) Flags, banners, or emblems of a political, civic, educational, or religious organization;
 - (c) Commemorative or memorial signs or tablets;
 - (d) Temporary signs including real estate signs, construction signs, sandwich boards, election signs, garage sale signs, and similar;
 - (e) Replacement of awning signs or awning material;
 - (f) Residential on-site identification signs or warning signs (such as "Private Property" signs and similar) not exceeding 3 sq.ft. (0.28 sq.m.) in surface area;
 - (g) Signs required for direction and convenience of the public, including signs identifying restrooms or parking entrances, not exceeding 5 sq.ft. (0.46 sq.m.) in sign surface area; and
 - (h) Addressing and building identification signs.

Table 2-6 Sign Regulations – Dimensional Standards

Sign Type	Max. Quantity	Max. Area	Max. Width	Max. Height
Awning	1 / window	n/a	100% of façade	4 ft.
Fascia / Wall	1 / business	25% of façade	100% of façade	4 ft.
Freestanding	1 / site	n/a	12 ft.	40 ft.
Ground	1 / site	n/a	4 ft.	8 ft.
Marquee	1 / business	n/a	Width of entry + 2 ft. per side	n/a
Portable / Mobile	1 / site	48 sq.ft.		10 ft.

Sign Type	Max. Quantity	Max. Area	Max. Width	Max. Height
Projecting	1 / business	4 sq.ft.	4 ft.	4 ft.

2.19 Fences

- (1) A fence within the R₁, R₂, R₃, RMH, CC, CG, I or PR Zones:
 - (a) shall not include electric fences or barbed wire fences;
 - (b) as measured from the highest part of the fence to the point where the fence post enters grade, shall not be higher than:
 - (i) 3.5 ft. (1.1 m.) in a required front yard, and
 - (ii) 6.0 ft. (1.8 m.) in a required side or rear yard
 - (c) are permitted in all required setbacks and can be placed up to the property line.
- (2) A fence within the CH or M Zones:
 - (a) may include electric fences;
 - (b) may include barbed wire in the top 2.0 ft. (0.6 m.) of the fence, above the height of 6.0 ft. (1.8 m.);
 - (c) as measured from the highest part of the fence to the point where the fence post enters grade, shall not be higher than 8.0 ft. (2.4 m.);
 - (d) shall not obstruct traffic sight lines; and
 - (e) are permitted in all required setbacks and can be placed up to the property line.

2.20 Landscaping

- (1) A landscaping plan may be required for developments in the R₃, CC, CG, CH, M, and I Zones.
- (2) Where a landscaping plan is required, no landscaping work shall be commenced unless the landscaping plan is approved by the Development Officer.
- (3) A landscaping plan shall contain the following information for the site:

- (a) All physical features, existing or proposed, including vegetation, berm contours, walls, fences, outdoor furniture and fixtures, surface utilities and paving; and
 - (b) All shrubs and trees, whether existing or proposed, labelled by their common name and size.
- (4) Landscaping should be integrated with the building architectural style, parking and stormwater management areas proposed on the property.
 - (5) Species must be hardy, drought- and salt-tolerant, and resistant to the stresses of compacted soils and weather exposure.
 - (6) Snow storage areas must be located so that piled snow does not damage plant material.
 - (7) Plant materials should not obstruct views. Dense plant material between 3 ft. (0.91 m.) and 8 ft. (2.44 m.) from the ground must be avoided in critical areas for pedestrian and vehicular safety. Plant materials cannot obstruct views to the street at access drives.
 - (8) The applicant shall be responsible for landscaping and maintenance. Council may require landscaping be completed within two years after construction of the principal building or structure is completed. A letter of credit as insurance may be required to ensure landscaping is completed.
 - (9) A minimum of 100 sq.ft. (9.29 sq.m.) per unit of open space must be provided for multi-family residential developments (excluding two-family dwellings).
 - (10) All side and rear yard site lines in the CC, CG, CH, or M Zones which abut the R1, R2, R3, RMH, or PR Zones must be screened by a fence, hedge or evergreen trees which will extend a minimum of 6 ft. (1.83 m.) in height. Where chain link fencing is used, it shall be bordered by trees or hedges that, when planted, are expected to reach a height of not less than the height of the fence.

3 Use-Specific Standards

3.1 Home-Based Businesses

3.1.1 Minor Home-Based Businesses

(1) Minor Home-Based Businesses are permitted in the following zones:

Table 3-1: Minor Home-Based Business Permissions

R1	R2	R3	RMH	CC	CG	CH	M	I	PR
P	P	P	P	P					

P = Permitted C = Conditional

(2) Minor Home-Based Businesses, including Home-Based Child Care Services, are governed by the conditions imposed by the jurisdiction having authority and the following standards:

- (a) Minor Home-Based Businesses may only be established as an accessory use;
- (b) Minor Home-Based Businesses must be operated entirely within or from a Residential Dwelling;
- (c) Minor Home-Based Businesses shall be conducted by a person or persons residing in the Residential Dwelling;
- (d) Minor Home-Based Businesses shall have a maximum of one on-site employee who does not reside in the Residential Dwelling;
- (e) There shall be no outdoor processing or storage of goods or materials;
- (f) Not more than thirty (30) percent of the total floor area of the Residential Dwelling shall be devoted to the business;
- (g) One business sign, either freestanding or affixed to the wall of a principal or accessory building, is permitted, not exceeding 2 sq.ft. (0.19 sq.m.);
- (h) The maximum number of on-site clients at one time shall be two, or five in the case of instructional services;

- (i) The sale of retail goods shall only be permitted when such goods are produced on-site or directly associated with a service being provided on-site;
- (j) The Home-Based Business shall not generate undue traffic or congestion, adversely affect the amenity and convenience of the neighbourhood, or create a nuisance, and if located in the vicinity of a provincial highway should not impair the safe and efficient operation of the highway;
- (k) A permit to establish a Home-Based Business is required. Application must be made to the Development Officer and include information detailing the proposed business and an indication of where any materials, equipment, or vehicles associated with the office are to be stored; and
- (l) A permit for a Home-Based Business is not transferable to a new property owner.

3.1.2 Major Home-Based Businesses

- (1) Major Home-Based Businesses are permitted in the following zones:

Table 3-2: Major Home-Based Business Permissions

R1	R2	R3	RMH	CC	CG	CH	M	I	PR
C	C								

P = Permitted C = Conditional

- (2) Major Home-Based Businesses are governed by the conditions imposed by the jurisdiction having authority and the following standards:
- (a) Major Home-Based Businesses may only be established as an accessory use, accessory to a Single-Unit Dwelling;
 - (b) Major Home-Based Businesses may be operated within or from a Single-Unit Dwelling or an approved accessory building;
 - (c) Major Home-Based Businesses shall be conducted by a person or persons residing in the Single-Unit Dwelling;

- (d) Major Home-Based Businesses shall have a maximum of three on-site employees who do not reside in the Single-Unit Dwelling;
- (e) Outdoor storage of goods and materials related to the Major Home-Based Business must be located in the rear yard, enclosed by a 6.0 ft. (1.8 m.) high privacy fence, and must not project above any fence or screen;
- (f) If operated within or from a Single-Unit Dwelling, not more than thirty (30) percent of the total floor area of the Residential Dwelling shall be devoted to the business;
- (g) If operated within or from an accessory building, the maximum floor area of the Major Home-Based Business shall not be more than 1,000 sq.ft (92.9 sq.m.);
- (h) One business sign, either freestanding or affixed to the wall of a principal or accessory building, is permitted, not exceeding 2 sq.ft. (0.19 sq.m.);
- (i) The maximum number of on-site clients at one time shall be two, or five in the case of instructional services;
- (j) The sale of retail goods shall only be permitted when such goods are produced on-site or directly associated with a service being provided on-site;
- (k) The Home-Based Business shall not generate undue traffic or congestion, adversely affect the amenity and convenience of the neighbourhood, or create a nuisance, and if located in the vicinity of a provincial highway should not impair the safe and efficient operation of the highway;
- (l) A permit to establish a Home-Based Business is required. Application must be made to the Development Officer and include information detailing the proposed business and an indication of where any materials, equipment, or vehicles associated with the office are to be stored; and
- (m) A permit for a Home-Based Business is not transferable to a new property owner.

3.2 Bed & Breakfasts

(1) Bed & Breakfasts are permitted in the following zones:

Table 3-3: Bed & Breakfast Permissions

R1	R2	R3	RMH	CC	CG	CH	M	I	PR
C	C								

P = Permitted C = Conditional

(2) Bed & Breakfasts are governed by the conditions imposed by the jurisdiction having authority and the following standards:

- (a) Bed & Breakfasts shall be operated by a live-in owner and may only be established as accessory use;
- (b) Bed & Breakfasts shall only be established as part of a Single-Unit Dwelling;
- (c) There will be no exterior sign, display, or advertisement larger than 4.0 sq.ft. (0.37 sq.m.) in area, and such signs shall not be illuminated and must be compatible with the character of the area;
- (d) The Bed & Breakfast shall not generate vehicular traffic or parking in excess of what is normally characteristic of the area;
- (e) The Bed & Breakfast shall have a maximum of four accommodation units, and shall not change the principal residential character or external appearance of the dwelling;
- (f) Meals shall be limited to the occupants of the dwelling and resident guests with no cooking facilities allowed in the guest rooms;
- (g) Catering to social functions is not permitted on site;
- (h) In addition to the parking required for the primary use, one additional on-site parking space shall be provided for each accommodation unit; and
- (i) Approved smoke detectors shall be required:
 - (i) in every sleeping room;

- (ii) in the common corridor of every storey or floor level, even if no sleeping accommodation is provided on that storey or floor level; and
- (iii) to be electronically hard-wired to each other in cases where major renovations are to take place.
- (j) The Bed & Breakfast must comply with all applicable provincial legislation and codes.

3.3 Secondary Suites

- (1) Secondary Suites are permitted in the following zones:

Table 3-4 Secondary Suite Permissions

R1	R2	R3	RMH	CC	CG	CH	M	I	PR
C	C								

P = Permitted C = Conditional

- (2) Secondary Suites are governed by the conditions imposed by the jurisdiction having authority and the following standards:
- (a) Not more than one (1) Secondary Suite shall be permitted on a single zoning site;
 - (b) Secondary Suites may only be established within or on the same site as a principal Single-Unit Dwelling;
 - (c) The principal dwelling must be an existing permanent structure;
 - (d) The principal dwelling must be occupied by the owner of the property;
 - (e) A minimum of one (1) off-street parking space must be provided for the Secondary Suite, in addition to the parking required for the principal building;
 - (f) The maximum floor area of the Secondary Suite shall not exceed 860 sq.ft. (80 sq.m.) or 40% of the total habitable floor space of the principal Single-Unit Dwelling (whichever is the lesser);
 - (g) A building permit must be obtained for the development of a Secondary Suite, and the development must conform to the Manitoba Building Code; and

- (h) Notwithstanding the bulk requirements for accessory buildings established in Section 4, the maximum height of a Detached Secondary Suite is 20 ft. (6.1 m.).

3.4 Portable Garages

- (1) The installation of a portable garage shall be allowed as an accessory use only if the following standards are met:
 - (a) A portable garage must meet all requirements for accessory buildings, including setbacks and height;
 - (b) A portable garage must be placed on a driveway or parking space;
 - (c) A portable garage must be kept in good condition. Any rip in the fabric must be repaired; and
 - (d) A maximum of one (1) portable garage is allowed per site.

3.5 Swimming Pools and Hot Tubs

- (1) Swimming pools, hot tubs, and similar structures with a water depth of greater than 2 ft. (0.61 m.), shall only be allowed as a permitted accessory use to a residential, community, recreational, or commercial use provided that:
 - (a) They meet the siting requirements of accessory structures for the zone in which they are located;
 - (b) The pool area is protected by a fence or barrier with lockable gates and a minimum height of five (5) ft. (1.52m) to prevent unauthorized entry. The fence and gate must be constructed so as to prevent a child from climbing over or crawling underneath;
 - (c) Hot tubs shall have a lockable cover; and
 - (d) A development permit is issued under this by-law.
- (2) Nothing in this subsection shall relieve any such structure from complying with the requirements under the Building By-law or applicable provincial regulations including *The Buildings and Mobile Homes Act* and *The Public Health Act*.

3.6 Dangerous Goods or Agrichemical Storage Facility

- (1) Dangerous goods or Agrichemical Facilities shall be located at a minimum distance of 3,280 ft. (1,000.0 m.) from the site lines of the following zones: R1, R2, R3, RMHP, I, and CC, unless there is written consent from neighbouring property owners. Neighbouring landowner consent shall not be interpreted as superseding or modifying any setback or siting requirement imposed under provincial legislation.

3.7 Mobile Home Parks

3.7.1 Development Permits

- (1) A development permit is required for a Mobile Home Park. The application shall include the following:
 - (a) The name and address of the applicant(s);
 - (b) The location, legal description of the property, and the size of the proposed Mobile Home Park;
 - (c) Detailed, scaled drawings of the proposed Mobile Home Park, with appropriate measurements, numbers and annotations, depicting the following:
 - (i) All mobile home spaces (appropriately numbered), playgrounds, open space, service, and utility areas;
 - (ii) All proposed roadways and/or driveways, including the type of road surface and the location and means of vehicular and pedestrian access;
 - (iii) The size, shape, and number of mobile home sites;
 - (iv) The type of pad and on-site parking surface;
 - (v) The drainage facilities for surface water in the area;
 - (vi) The location of all proposed sanitary facilities, garbage storage, and service buildings;
 - (vii) The proposed design and method for on-site water distribution and sewage collection and for connection to the municipal systems;

- (viii) The design and location of hydro, telephone, and gas lines, and street lighting;
- (ix) The fire protection for the area;
- (x) The relationship of each mobile home site to adjoining buildings and to the limits of the property within which the mobile home site is located; and
- (xi) The intended use of each mobile home.

3.7.2 Mobile Home Requirements

- (1) Mobile Homes require a development permit. No Mobile Home located in the Town of Beausejour shall receive a development permit unless it complies with the following regulations:
 - (a) Mobile Homes are only permitted in the RMH Zone.
 - (b) No mobile home shall be placed in the Town of Beausejour and used as a dwelling unless it meets all structural standards as determined by the *Buildings and Mobile Homes Act*, Chapter B93, as amended, Manitoba Building Code, and Canadian Standards Association (C.S.A.) Mobile Home Structural Standards contained within CAN/CSA-Z240 MH and revisions thereto.
 - (c) A Mobile Home, when located permanently within a Mobile Home Park, shall;
 - (i) Be connected to municipal sewer and water services when such services are available on the site;
 - (ii) Be provided with skirting extending from the bottom of the mobile home to the ground having adequate ventilation and a readily accessible, removable panel giving access to service connections; and
 - (iii) Be connected to the hydro system with an approved electrical service outlet. All utilities shall be underground.
 - (d) All structures and/or buildings such as porches, additions, carports, private garages, skirting and storage facilities shall be painted or pre-finished and maintained, and in the opinion of Council, will complement the main structure.

3.7.3 Mobile Home Park Requirements

- (1) In addition to the requirements specified in Section 4.5, the following site requirements in Table 3-5: Mobile Home Park Dimensional Standards, shall also apply within mobile home parks:

Table 3-5: Mobile Home Park Dimensional Standards

Criteria	Standard
Minimum site area of mobile home space	4,000 sq.ft. (371.6 sq.m.)
Minimum site width of mobile home space	40 ft. (12.19 m.)
Minimum side to side clearance between mobile homes (including additions and attachments), between mobile homes and accessory buildings, and from the boundary of the Mobile Home Park	10 ft. (3.05 m.)
Minimum end to end clearance between mobile homes	15 ft. (4.57 m.)
Minimum front setback for mobile home (measured from front site line)	10 ft. (3.05 m.)
Minimum Mobile Home Dwelling unit area	600 sq.ft. (55.7 sq.m.)
Maximum number of accessory buildings	2 per mobile home space
Maximum total size of all accessory buildings	600 sq.ft. (55.7 sq.m.)
Minimum width of road right-of-way	40 ft. (12.19 m.)
Minimum width of roadway surface	24 ft. (7.32 m.)
Maximum number of mobile homes per site	1

- (2) Design and maintenance of the Mobile Home Park must also provide for the following:
- (a) That portion of the Mobile Home Park not occupied by Mobile Home pads, Mobile Home additions, common use and storage buildings, roads, walkways,

driveways, car parking areas and any other developed facilities shall be sodded or seeded with grass and landscaped with suitable trees and shrubbery;

- (b) Service buildings shall be centrally located, and not be further than 300 ft. (91.44 m.) from any dependent Mobile Home, and shall be provided with adequate light, heat, and ventilation. All service buildings shall be approved prior to construction;
- (c) All accessory structures such as patios, porches, additions and skirting shall meet the requirements of the Building By-law and shall be so designed and erected as to harmonize with the Mobile Home;
- (d) Each Mobile Home space shall be clearly marked by corner posts or other satisfactory means and identified by a numbered sign;
- (e) Mobile Home Park management shall provide for the storage of refuse, garbage, and debris in a sanitary manner in a location readily accessible to all Mobile Homes;
- (f) Tanks for the storage of fuel oil and propane shall be concealed from view by screening or other appropriate measures;
- (g) Only temporary parking is allowed on roadways;
- (h) All roadways within the Mobile Home Park shall be hard surfaced and properly maintained;
- (i) All roadways within the Mobile Home Park shall be properly illuminated by lighting units approved by Council;
- (j) A separate open area for a children's playground or sports field shall be provided on the basis of 200 sq.ft. (18.6 sq.m.) per Mobile Home space or a minimum of 2,400 sq.ft. (223.0 sq.m.), whichever is greater; and
- (k) Identification names shall be given to the Mobile Home Park and the internal roads within the Mobile Home Park and be posted at suitable locations on the site.

3.7.4 Existing Mobile Home Park Developments

- (1) Mobile Home Parks lawfully existing at the effective date of this by-law shall have non-conforming rights in accordance with *The Planning Act*.
- (2) A Mobile Home Park lawfully existing at the effective date of this by-law may be redesigned or altered without the necessity of a variance order, even though the full requirements of this by-law have not been complied with, provided that the non-conformity is being decreased and that the total number of Mobile Home spaces is not being increased;
- (3) Where a lawfully existing Mobile Home Park is being extended or expanded beyond the current boundaries of said park, the requirements of this by-law shall be adhered to insofar as it affects the expanded or newly extended area.

3.8 Shipping Container Storage

- (1) Shipping Container Storage is permitted in the following zones:

Table 3-6: Shipping Container Storage Permissions

R1	R2	R3	RMH	CC	CG	CH	M	I	PR
				C	C	C	P	C	C
							P = Permitted	C = Conditional	

- (2) Shipping Container Storage is governed by the conditions imposed by the jurisdiction having authority and the following standards:
 - (a) Shipping Container Storage shall only be established as an accessory use on a site.
 - (b) Shipping Container Storage must meet the bulk requirements for accessory buildings, including setbacks, height restrictions, and site coverage;
 - (c) A maximum of one (1) Shipping Container is permitted in the CC, CG, CH, I, and PR Zones; and
 - (d) A maximum of three (3) Shipping Containers are permitted in the M Zone.

3.9 Short-Term Rentals

(1) Short-Term Rentals are permitted in the following zones:

Table 3-7: Short-Term Rental Permissions

R1	R2	R3	RMH	CC	CG	CH	M	I	PR
C	C	C	C	C					

P = Permitted C = Conditional

(2) Short-Term Rentals are governed by the conditions imposed by the jurisdiction having authority and the following standards:

- (a) Short-Term Rentals shall only be permitted as an accessory use to a principal dwelling.
- (b) No cooking facilities shall be allowed in bedrooms used for the Short-Term Rental.
- (c) The Short-Term Rental shall have a maximum of one accommodation unit per Residential Dwelling;
- (d) The Short-Term Rental shall not change the residential character or external appearance of the principal dwelling.
- (e) Short-Term Rentals shall require a development permit.
- (f) Short-Term Rentals shall abide by any licensing requirements or other provisions established by the Town of Beausejour.

3.10 Mixed-Use Buildings

(1) Mixed-Use Buildings are permitted in the following zones:

Table 3-8: Mixed-Use Building Permissions

R1	R2	R3	RMH	CC	CG	CH	M	I	PR
		C		P	P	C			

P = Permitted C = Conditional

(2) Mixed-Use Buildings are governed by the conditions imposed by the jurisdiction having authority and the following standards:

- In the CC, CG, and CH Zones, a minimum of 75% of the ground floor shall be commercial and/or community uses.
- In the R3 Zone, a minimum of 75% of the building floor area shall be for residential use.
- Only those commercial and community uses that are permitted in the applicable zone may be established within a Mixed-Use Building.

3.11 Chicken Keeping

(1) Chicken Keeping is permitted in the following zones:

Table 3-9: Chicken Keeping Permissions

R1	R2	R3	RMH	CC	CG	CH	M	I	PR
C	C								

P = Permitted C = Conditional

(2) Chicken Keeping governed by the conditions imposed by the jurisdiction having authority and the following standards:

- There may be up to 6 hens per lot.
- No roosters, ducks, turkeys, other fowl, or livestock are permitted.
- Chicken Keeping may only established if accessory to a Single-Unit Dwelling.

- (d) Eggs, meat, and manure cannot be used for commercial purposes.
- (e) Backyard slaughtering is not permitted.
- (f) Chicken enclosures are required, which must be:
 - (i) Located in rear yard;
 - (ii) Located at ground level;
 - (iii) 1 metre from property lines;
 - (iv) 3 metres from any dwelling's door or window on the subject property and all neighbouring properties;
 - (v) A minimum of 4 sq. ft. in area per hen;
 - (vi) A maximum of 100 sq. ft. in area;
 - (vii) A maximum 6.5 ft. in height; and
 - (viii) Roofed.

4 Zoning Districts

4.1 Districts Established

- (1) The zoning districts, district names, and abbreviations shown in Table 4-1:, and the locations and boundaries of the zoning districts shown on the Zoning Map, are hereby established.

Table 4-1: Zoning Districts Established

Zoning District	Intent
Residential Zones	
R1 - Residential Lower Density Zone	Provides for lower density residential dwellings and small-scale neighbourhood amenities.
R2 – Residential Mixed Density Zone	Provides for the development of moderate density residential and small-scale neighbourhood amenities.
R3 – Residential Medium Density Zone	Provides for the development of medium density residential, as well as a mix of neighbourhood oriented commercial and institutional uses.
RMH - Residential Mobile Home Park Zone	Provides for the development of a mobile home park.
Commercial Zones	
CC - Central Commercial Zone	Provides for the compact, mixed-use development of retail, business, service, administrative, and medium density residential uses along Park Avenue.
CG – General Commercial Zone	Provides for medium scale commercial development, away from the commercial core.
CH – Highway Commercial Zone	Provides for larger scale commercial development that serves the travelling public and/or requires access from a major road or highway.
Industrial Zones	
M - Industrial Zone	Provides for the development of construction, manufacturing, processing, distribution, and warehouse uses.

Community Zones

I – Institutional Zone	Provides for the development of governmental, educational, and institutional uses.
PR – Parks & Recreation Zone	Provides for the development of public recreation facilities and parkland.

Table 4-2: Principal Use Permissions Table

Principal Use Table

Principal Use Table	R1	R2	R3	RMH	CC	CG	CH	M	I	PR	Use-Specific Standard
	P= Permitted C= Conditional M = Must be within a Mixed-Use Building										
COMMERCIAL USES											
Automobile, Recreation Vehicle, or Farm Implement Sales/Rentals							P	P			
Automobile & Recreation Vehicle Servicing & Repair						C	P	P			
Broadcasting & Motion Picture Studio					C	C	P	P			
Business Support Services					P	P	P	P			
Cannabis Retail Store					C	C	C	C			
Convenience Store			C ^M		P	P	P	C ^M			
Domestic Animal Breeding & Boarding							C	P			
Eating & Drinking Establishment			C ^M		P	P	P				
Farmers’ Market & Produce Stand						P	P	C			
Garden Centre, Greenhouse, & Nursery							P	P			
Gas Bar						P	P	P			
Hotel					P	P	P				
Household Repair Service					P	P	P	P			
Non-Accessory Parking					C	C					
Personal Service			C ^M		P	P	C				
Professional, Financial & Office Support Service			C ^M		P	P	C	C			
Retail Sales, Major					C	P	P	P			
Retail Sales, Minor			C ^M		P	P	P				
Strip Mall					C	C	C	C			
Truck Stop							P	P			
Veterinary Service, Domestic							P	P			
Veterinary Service, Livestock							C	C			

Principal Use Table

R1	R2	R3	RMH	CC	CG	CH	M	I	PR	Use-Specific Standard
P= Permitted C= Conditional M = Must be within a Mixed-Use Building										

COMMUNITY USES

Animal Shelter							P	C	C	
Athletic Field or Play Area										P
Child Care Service, Community			P ^M		C	P	P		P	
Club, Private, Non-Profit & Recreational					C	C			P	C
Community Centre					C				P	C
Community Garden	C	C	P	P	P	P	C	C	P	P
Emergency Service					P	P	P	P	P	
Extended Medical Treatment Service									P	
Funeral Service						C	P	C	P	
Government Service					P	P	P	P	P	
Health Service			C ^M		P	P	C		P	
Hospital									P	
Place of Assembly					C	P	C		C	
Public Library & Cultural Exhibit			C ^M		C	P	P		P	
Public Park	P	P	P	P	P	P			P	P
Public Utility	P	P	P	P	P	P	P	P	P	P
Religious Assembly									P	
Research Institution					C	C	C	P	P	
School, Grade							C		P	
School, Nursery			C ^M		C	P	C		P	
School, Vocational or Post-Secondary						C	P	P	P	
Social Service Centre					P	P	P		P	

Principal Use Table

R1	R2	R3	RMH	CC	CG	CH	M	I	PR	Use-Specific Standard
P= Permitted			C= Conditional			M = Must be within a Mixed-Use Building				

INDUSTRIAL USES											
Agrichemical Facility								C			3.6
Agricultural Processing Facility								P			
Asphalt Plant								P			
Auctioneering Establishment							C	P			
Automobile Compound								C			
Bulk Storage							C	C			3.6
Cannabis Standard Processing								C			
Communications Facility, Major	P	P	P	P	P	P	P	P	P	P	
Concrete Batch Plant								P			
Contractor Service /Yard							P	P			
Custom Manufacturing Establishment					C	C	P	P			
General Storage								P			
Manufacturing & Processing, General								C			
Manufacturing & Processing, Light								P			
Micro-Brewery / Distillery / Winery					C	C	P	P			
Recycling Depot							C	P			
Salvage Operation /Yard								C			
Self-Service Storage Facility							P	P			
Server Farm								C			
Trucking Operation							P	P			
Warehouse Sales							P	P			

Principal Use Table

Principal Use Table	R1	R2	R3	RMH	CC	CG	CH	M	I	PR	Use-Specific Standard
	P= Permitted				C= Conditional		M = Must be within a Mixed-Use Building				
	RECREATION & ENTERTAINMENT USES										
Auditorium, Cinema & Theatre					C	P	P		P		
Campground							C		C	P	
Indoor Participant Recreation Service			C ^M		C	P	P		C	P	
Outdoor Participant Recreation Service							C		C	P	
RESIDENTIAL USES											
Dwelling, Four-Unit		C	P								
Dwelling, Mobile Home				P							
Dwelling, Multi-Unit			P		C						
Dwelling, Single-Unit	P	P									
Dwelling, Three-Unit		C	P								
Dwelling, Two-Unit	C	P	P								
Group Home	C	C	C								
Mixed-Use Building			C		P	P	C				3.10
Residential Care Facility			C		C	C			P		
RESIDENTIAL-RELATED USES											
Mobile Home Park				P							3.7

Table 4-3 : Accessory Use Permissions Table

Accessory Use Table

Accessory Use Table	R1	R2	R3	RMH	CC	CG	CH	M	I	PR	Use-Specific Standard
	P= Permitted C= Conditional M = Must be within a Mixed-Use Building										
	COMMERCIAL USES										
Automobile, Recreation Vehicle, or Farm Implement Sales/Rentals							C	P			
Cannabis Retail Store					C	C	C	C			
Domestic Animal Breeding & Boarding	C	C									3.1
Drive-Through Facility						C	P				
Eating & Drinking Establishment					C	C	P	C	C		
Farmers’ Market & Produce Stand	C	C			P	P	P	C	C	C	
Garden Centre, Greenhouse & Nursery					P	P	P	C			
Outdoor Eating & Drinking Area					C	C	C				
Professional, Financial & Office Support Service					P	P	P	P			
Retail Sales, Major					C	C	C	C			
Retail Sales, Minor					P	P	P	P			
COMMUNITY USES											
Athletic Field or Play Area									P	P	
Cemetery									P		
Child Care Service, Home-Based	P	P	P	P							3.1
Child Care Service, Community					C	C	C		C		
Community Garden	C	C	P	P	P	P	C	C	P	P	
Place of Assembly									C		
School, Nursery									C	C	
School, Vocational or Post-Secondary									C	C	

Accessory Use Table

Accessory Use Table	R1	R2	R3	RMH	CC	CG	CH	M	I	PR	Use-Specific Standard
	P= Permitted C= Conditional M = Must be within a Mixed-Use Building										
INDUSTRIAL USES											
Billboard							C	C			
Communications Facility, Major	P	P	P	P	P	P	P	P	P	P	
Outdoor Storage							P	P			
Shipping Container Storage					C	C	C	P	C	C	3.8
Solar Collector	P	P	P	P	P	P	P	P	P	P	
RESIDENTIAL USES											
Dwelling, Accessory						C	C	C	C		
Secondary Suite, Attached	C	C									3.3
Secondary Suite, Detached	C	C									3.3
RESIDENTIAL-RELATED USES											
Bed & Breakfast	C	C									3.2
Chicken Keeping	C	C									3.11
Communications Facility, Minor	C	C	C								
Home-Based Business, Major	C	C									3.1
Home-Based Business, Minor	P	P	P	P	P						3.1
Short-Term Rental	C	C	C	C	C						3.9

4.2 R1 – Residential Lower Density Zone

- (1) The R1 - Residential Lower Density Zone provides for lower density residential dwellings and small-scale neighbourhood amenities.
- (2) In the R1 Zone, land shall be used and developed in accordance with Table 4-4:

Table 4-4: R1 Zone Bulk Standards

Use Class	Min. Site Area (sq.ft.)	Min. Site Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback ¹ (ft.)	Min. Rear Setback (ft.)	Max. Height (ft.)	Max. Site Coverage (%)
Communications Facility, Major	n/a	n/a	25	5	15	n/a	n/a
Community Uses	n/a	n/a	25	5	15	n/a	n/a
Dwelling, Single-Unit	5,000	50	25	5	15	30	40
Dwelling, Two-Unit	7,500	75	25	5	15	30	60
Group Home	5,000	50	25	5	15	30	40
Accessory buildings and structures	n/a	n/a	30	5	2	15	15 ²

Notes

1. The minimum side yard on the street side of a corner site shall be 15 ft.
2. Site coverage is cumulative for all accessory buildings and structures.

- (3) In the R1 Zone, the minimum size of a principal Residential Dwelling shall be 800 sq.ft.
- (4) In addition to those provided for in Table 4-3, the following accessory uses, structures, and buildings, consistent with the intent of the R1 Zone, are also permitted:
- (a) A children's playhouse, garden house, gazebo, private greenhouse, conservatory, swimming pool or hot tub,
 - (b) Decks, patios, wheelchair ramps, statuary, light fixtures, fences, and walls,
 - (c) A private garage, carport, covered patio, shed, or similar building,

- (d) Accessory off-street parking areas, and
- (e) Other accessory uses and structures consistent with those permitted in the R1 Zone at the discretion of the Development Officer.

4.3 R2 – Residential Mixed Density Zone

(1) The R2 - Residential Mixed Density Zone provides for the development of moderate density residential, as well as a wider mix of neighbourhood oriented commercial and institutional uses.

(2) In the R2 Zone, land shall be used and developed in accordance with Table 4-5:

Table 4-5 R2 Zone Bulk Standards

Use Class	Min. Site Area (sq.ft.)	Min. Site Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback ¹ (ft.)	Min. Rear Setback (ft.)	Max. Height (ft.)	Max. Site Coverage (%)
Communications Facility, Major	n/a	n/a	25	5	15	n/a	n/a
Community Uses	n/a	n/a	25	5	15	n/a	n/a
Dwelling, Four-Unit	7,500	75	25	10	15	35	60
Dwelling, Single-Unit	5,000	50	25	5	15	30	40
Dwelling, Three-Unit	7,500	75	25	10	15	35	60
Dwelling, Two-Unit	6,000	60	25	5	15	30	60
Group Home	5,000	50	25	5	15	30	40
Accessory buildings and structures	n/a	n/a	30	5	2	15	15 ²

Notes

1. The minimum side yard on the street side of a corner site shall be 15 ft.
2. Site coverage is cumulative for all accessory buildings and structures.

(3) In the R2 Zone, the minimum size of a principal Residential Dwelling shall be 800 sq.ft.

(4) In addition to those provided for in Table 4-3, the following accessory uses, structures, and buildings, consistent with the intent of the R2 Zone, are also permitted:

- (a) A children's playhouse, garden house, gazebo, private greenhouse, conservatory, swimming pool or hot tub,
- (b) Decks, patios, wheelchair ramps, statuary, light fixtures, fences, and walls,
- (c) A private garage, carport, covered patio, shed, or similar building,
- (d) Accessory off-street parking areas,
- (e) Refuse and garbage area separate from required parking areas, buffers and open spaces for multi-unit dwellings, and other permitted or approved uses.
- (f) Other accessory uses and structures consistent with those permitted in the R2 Zone at the discretion of the Development Officer.

4.4 R3 – Residential Medium Density Zone

(1) The R3 - Residential Medium Density Zone provides for the development of medium density residential, as well as a mix of neighbourhood oriented commercial and institutional uses.

(2) In the R3 Zone, land shall be used and developed in accordance with Table 4-6:

Table 4-6: R3 Zone Bulk Standards

Use Class	Min. Site Area (sq.ft.)	Min. Site Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback ¹ (ft.)	Min. Rear Setback (ft.)	Max. Height (ft.)	Max. Site Coverage (%)
Commercial and Community Uses, unless specified below	<i>See standards for Mixed-Use Buildings</i>						
Communications Facility, Major	n/a	n/a	25	5	15	n/a	n/a
Community Garden	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Public Library & Cultural Exhibit	10,000	100	15	15	25	40	60
Dwelling, Four-Unit	7,500	75	25	10	15	35	60
Dwelling, Multi-Unit	10,000	100	30	15	25	40	60
Dwelling, Three-Unit	7,500	75	25	10	15	35	60
Dwelling, Two-Unit	6,000	60	25	5	15	30	60
Group Home	5,000	50	25	5	15	40	40
Indoor Participant Recreation Service	<i>See standards for Mixed-Use Buildings</i>						
Mixed-Use Building	10,000	100	15	15	25	40	60
Residential Care Facility	10,000	100	15	15	25	40	60
Accessory buildings and structures	n/a	n/a	30	5	2	15	15 ²

Use Class	Min. Site Area (sq.ft.)	Min. Site Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback ¹ (ft.)	Min. Rear Setback (ft.)	Max. Height (ft.)	Max. Site Coverage (%)
Notes 1. The minimum side yard on the street side of a corner site shall be 15 ft. 2. Site coverage is cumulative for all accessory buildings and structures.							

- (3) In the R₃ Zone, the minimum size of each Residential Dwelling shall be 600 sq.ft.
- (4) Off-street parking areas associated with Multi-Unit Dwellings and Mixed Use Buildings shall be fenced and/or screened, subject to the approval of the Development Officer or Council.
- (5) In addition to those provided for in Table 4-3, the following accessory uses, structures, and buildings, consistent with the intent of the R₃ Zone, are also permitted:
- (a) A children's playhouse, garden house, gazebo, private greenhouse, conservatory, swimming pool or hot tub,
 - (b) Decks, patios, wheelchair ramps, statuary, light fixtures, fences, and walls,
 - (c) A private garage, carport, covered patio, shed, or similar building,
 - (d) Accessory off-street parking areas,
 - (e) Refuse and garbage area separate from required parking areas, buffers, and open spaces for multi-unit dwellings, and other permitted or approved uses, and screened with a 6.0 ft. (1.8 m.) privacy fence. The location and size of the area within the zoning site shall be subject to the approval of the jurisdiction having authority, and
 - (f) Other accessory uses and structures consistent with those permitted in the R₃ Zone at the discretion of the Development Officer.

4.5 RMH – Residential Mobile Home Park Zone

- (1) The RMH - Residential Mobile Home Park Zone provides for the development of a mobile home park.
- (2) In the RMH Zone, land shall be used and developed in accordance with Table 4-7:

Table 4-7: RMH Zone Bulk Standards

Use Class	Min. Site Area (sq.ft.)	Min. Site Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback ¹ (ft.)	Min. Rear Setback (ft.)	Max. Height (ft.)	Max. Site Coverage (%)
Dwelling, Mobile Home	<i>See Section 3.7 Mobile Home Parks</i>						
Mobile Home Park	43,560	200	20	5	10	n/a	n/a
Other Principal Uses	n/a	n/a	30	5	25	n/a	n/a
Accessory buildings and structures	n/a	n/a	30	5	2	15	15 ²
Notes 1. The minimum side yard on the street side of a corner site shall be 15 ft. 2. Site coverage is cumulative for all accessory buildings and structures.							

- (3) In addition to those provided for in Table 4-3, the following accessory uses, structures, and buildings, consistent with the intent of the RMH Zone, are also permitted:
- (a) A children's playhouse, garden house, gazebo, private greenhouse, conservatory, swimming pool or hot tub,
 - (b) Decks, patios, wheelchair ramps, statuary, light fixtures, fences, and walls,
 - (c) A private garage, carport, covered patio, shed, or similar building,
 - (d) Accessory off-street parking areas,
 - (e) Refuse and garbage area separate from required parking areas, buffers, and open spaces and other permitted or approved uses, and screened with a 6.0 ft. (1.8 m.) privacy fence. The location and size of the area within the Mobile Home Park shall be subject to the jurisdiction having authority, and

- (f) Other accessory uses and structures consistent with those permitted in the RMH Zone at the discretion of the Development Officer.

4.6 CC – Central Commercial Zone

- (1) The CC - Central Commercial Zone provides for the compact, mixed-use development of retail, business, service, administrative, and medium density residential uses along Park Avenue.
- (2) In the CC Zone, land shall be used and developed in accordance with Table 4-8:

Table 4-8: CC Zone Bulk Standards

Use Class	Min. Site Area (sq.ft.)	Min. Site Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback (ft.)	Min. Rear Setback (ft.)	Max. Height (ft.)	Max. Site Coverage (%)
Commercial, Community, and Recreation & Entertainment Uses, unless specified below	2,500	25	0 ¹	5	20	40	80
Community Centre	5,000	50	20	5	20	40	80
Community Garden	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Hotel	10,000	100	20	15	20	40	80
Public Library & Cultural Exhibit	5,000	50	20	5	20	40	80
Public Park	n/a	n/a	0	0	0	n/a	n/a
Public Utility	n/a	n/a	30	5	25	n/a	n/a
Strip Mall	10,000	100	20	15	20	40	80
Industrial Uses, unless specified below	5,000	50	20	5	20	40	80
Communications Facility, Major	n/a	n/a	30	5	25	n/a	n/a
Residential Uses	10,000	100	15	15	25	40	60

Use Class	Min. Site Area (sq.ft.)	Min. Site Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback (ft.)	Min. Rear Setback (ft.)	Max. Height (ft.)	Max. Site Coverage (%)
Accessory buildings and structures	n/a	n/a	30	5	2	15	15 ²
Notes 1. Where a consistent building alignment exists along a block, buildings should provide a front yard setback consistent with the average setback on that block to respect this alignment. 2. Site coverage is cumulative for all accessory buildings and structures.							

- (3) In the CC Zone, the minimum size of a Residential Dwelling shall be 600 sq.ft.
- (4) The following provisions shall apply for all sites located within the CC Zone:
- (a) A minimum of forty (40) percent of the width of the front wall of a principal building on a site must be clear glass;
 - (b) Blank walls exceeding 20 ft. in height are prohibited on any side of a principal building adjacent to a public sidewalk;
 - (c) The primary entry into a principal building must be located adjacent to a street;
 - (d) Any off-street parking, garbage collection, loading, and storage areas shall be located behind the principal building or in a way that is not visible from adjacent sidewalks. Areas visible from residential zones or from a public roadway other than a lane, shall be fenced or have screen planting. The location, length, thickness, and height of such fence or screen planting shall be in accordance with an approved landscaping plan.
- (5) Off-street parking areas associated with Multi-Unit Dwellings and Mixed Use Buildings shall be fenced and/or screened, subject to the approval of the Development Officer or Council.
- (6) Refuse and garbage areas must be separate from required parking areas, buffers, and open spaces and other permitted or approved uses, and screened with a 6.0 ft. (1.8 m.) privacy fence. The location and size of the area within the zoning site shall be subject to the approval of the Development Officer or Council.
- (7) The following design guidelines apply in the CC Zone:

- (a) Deviating from the front yard alignment on a block may be considered to provide active use spaces such as sidewalk cafés, patios, landscaped spaces, or retailer displays;
 - (b) Landscaped spaces, streetscapes, and architectural features should be retained and all commercial developments shall be designed to convey an image of cohesive appearance and architectural character. Design should be consistent with adjacent heritage buildings, where applicable and practical;
 - (c) Buildings shall be constructed and finished with durable materials to maintain the initial appearance of the development throughout the life of the project;
 - (d) The design of a structure and its massing on the site should enhance solar exposure for the project and minimize shadow impacts on neighbouring properties;
 - (e) Extensions and new development which significantly reduces the sunlight available to the main habitable rooms of an existing residential property or private garden area will not be permitted; and
 - (f) The Development Officer or Council may require that the appearance of walls exposed to public view from beyond the site be improved where the appearance of such walls is inconsistent with the finishing standards of the surrounding development. On corner units, architectural materials should be consistent on both exposed elevations.
- (8) In the CC Zone, accessory uses, buildings, and structures include the following:
- (a) The production, processing, cleaning, servicing, altering, testing, repair or storage of merchandise normally incidental to a business and personal service and mercantile occupancies if conducted by the same ownership as the principal use and contained within a completely enclosed building,
 - (b) Decks and patios,
 - (c) Wheelchair ramps, statuary, light fixtures, fences, and walls,
 - (d) A garage, shed, or similar building,
 - (e) Accessory off-street parking areas, and

- (f) Other accessory uses and structures consistent with those permitted in the CC Zone at the discretion of the Development Officer.

4.7 CG – General Commercial Zone

- (1) The CG – General Commercial Zone provides for medium scale commercial development, away from the commercial core.
- (2) In the CG Zone, land shall be used and developed in accordance with Table 4-9:

Table 4-9: CG Zone Bulk Standards

Use Class	Min. Site Area (sq.ft.)	Min. Site Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback (ft.)	Min. Rear Setback (ft.)	Max. Height (ft.)	Max. Site Coverage (%)
Non-Residential Uses, unless specified below	5,000	50	20	5	20	40	60
Communications Facility, Major	n/a	n/a	30	5	25	n/a	n/a
Community Garden	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Hotel	10,000	100	20	15	20	40	60
Strip Mall	10,000	100	20	15	20	40	60
Public Park	n/a	n/a	0	0	0	n/a	n/a
Public Utility	n/a	n/a	30	5	25	n/a	n/a
Residential Uses	10,000	100	20	5	20	40	60
Accessory buildings and structures	n/a	n/a	30	5	2	15	15 ¹

Notes

1. Site coverage is cumulative for all accessory buildings and structures.

- (3) In the CG Zone, the minimum size of a Residential Dwelling shall be 600 sq.ft.
- (4) Off-street parking areas associated with Mixed Use Buildings shall be fenced and/or screened, subject to the approval of the Development Officer or Council.
- (5) Refuse and garbage areas must be separate from required parking areas, buffers, and open spaces and other permitted or approved uses, and screened with a 6.0 ft.

- (1.8 m.) privacy fence. The location and size of the area within the zoning site shall be subject to the approval of the Development Officer or Council.
- (6) In the CG Zone, accessory uses, buildings, and structures include the following:
- (a) The production, processing, cleaning, servicing, altering, testing, repair or storage of merchandise normally incidental to a business and personal service and mercantile occupancies if conducted by the same ownership as the principal use and contained within a completely enclosed building,
 - (b) Decks and patios,
 - (c) Wheelchair ramps, statuary, light fixtures, fences, and walls,
 - (d) A garage, shed, or similar building,
 - (e) Accessory off-street parking areas, and
 - (f) Other accessory uses and structures consistent with those permitted in the CG Zone at the discretion of the Development Officer.

4.8 CH – Highway Commercial Zone

- (1) The CH – Highway Commercial Zone provides for larger scale commercial development that serves the travelling public and/or requires access from a major road or highway.
- (2) In the CH Zone, land shall be used and developed in accordance with Table 4-10:

Table 4-10: CH Zone Bulk Standards

Use Class	Min. Site Area (sq.ft.)	Min. Site Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback (ft.)	Min. Rear Setback (ft.)	Max. Height (ft.)	Max. Site Coverage (%)
Non-Residential Uses, unless specified below	10,000	75	20	15	15	40	40
Communications Facility, Major	n/a	n/a	30	5	25	n/a	n/a
Community Garden	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Public Park	n/a	n/a	0	0	0	n/a	n/a
Public Utility	n/a	n/a	30	5	25	n/a	n/a
Residential Uses	10,000	100	20	5	20	40	60
Accessory buildings and structures	n/a	n/a	30	5	2	15	15 ¹

Notes

1. Site coverage is cumulative for all accessory buildings and structures.

- (3) In the CH Zone, the minimum size of a Residential Dwelling shall be 600 sq.ft.
- (4) Off-street parking areas associated with Mixed Use Buildings shall be fenced and/or screened, subject to the approval of the Development Officer or Council.
- (5) Refuse and garbage areas must be separate from required parking areas, buffers, and open spaces and other permitted or approved uses, and screened with a 6.0 ft. (1.8 m.) privacy fence. The location and size of the area within the zoning site shall be subject to the approval of the Development Officer or Council.

- (6) In the CH Zone, accessory uses, buildings, and structures include the following:
- (a) The production, processing, cleaning, servicing, altering, testing, repair or storage of merchandise normally incidental to a business and personal service and mercantile occupancies if conducted by the same ownership as the principal use and contained within a completely enclosed building,
 - (b) Decks and patios,
 - (c) Wheelchair ramps, statuary, light fixtures, fences, and walls,
 - (d) A garage, shed, or similar building,
 - (e) Accessory off-street parking areas, and
 - (f) Other accessory uses and structures consistent with those permitted in the CH Zone at the discretion of the Development Officer.

4.9 M – Industrial Zone

- (1) The M - Industrial Zone provides for the development of construction, manufacturing, processing, distribution, and warehouse uses.
- (2) In the M Zone, land shall be used and developed in accordance with Table 4-11:

Table 4-11: M Zone Bulk Standards

Use Class	Min. Site Area (sq.ft.)	Min. Site Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback (ft.)	Min. Rear Setback (ft.)	Max. Height (ft.)	Max. Site Coverage (%)
All Uses, unless specified below	25,000	100	20	10	15	40	60
Communications Facility, Major	n/a	n/a	20	10	25	n/a	n/a
Community Garden	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Public Utility	n/a	n/a	20	10	25	n/a	n/a
Accessory buildings and structures	n/a	n/a	20	5	2	15	15 ¹

Notes

1. Site coverage is cumulative for all accessory buildings and structures.

- (3) In the M Zone, any operation producing intense glare or heat shall be performed within a completely enclosed building in such a manner as not to be perceptible at or beyond any site line. Exposed sources of light shall be shielded so as not to create a nuisance across any site line.
- (4) The storage, use, or manufacture of flammable materials, solid or otherwise, shall be in accordance with the regulations of the National Fire Code.
- (5) No use that may be noxious or offensive by reason of the emission or production of odour, dust, refuse matter, wastes, vapour, smoke, gas, vibration, or noise shall be permitted in any zone unless the use is permitted in the subject zone or measures satisfactory to Council are undertaken to mitigate or eliminate such effects.
- (6) In the M Zone, an accessory use, building, or structure includes the following:

- (a) The production, processing, cleaning, servicing, altering, testing, repair or storage of merchandise normally incidental to the principal use,
- (b) Interior storage of goods used in or produced by manufacturing activities on the same zoning site with such activities unless such storage is excluded by the zoning regulations,
- (c) Decks, patios, wheelchair ramps, statuary, light fixtures, fences, and walls,
- (d) Refuse and garbage area separate from required parking areas, buffers, and open spaces.
- (e) Other accessory uses and structures consistent with those permitted in the M Zone at the discretion of the Development Officer.

4.10 I – Institutional Zone

- (1) The I – Institutional Zone provides for the development of governmental, educational, and institutional uses.
- (2) In the I Zone, land shall be used and developed in accordance with Table 4-12:

Table 4-12: I Zone Bulk Standards

Use Class	Min. Site Area (sq.ft.)	Min. Site Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback (ft.)	Min. Rear Setback (ft.)	Max. Height (ft.)	Max. Site Coverage (%)
All Uses, unless specified below	10,000	100	30	15	15	40	60
Communications Facility, Major	n/a	n/a	30	10	25	n/a	n/a
Community Garden	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Public Park	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Public Utility	n/a	n/a	30	5	25	n/a	n/a
Accessory buildings and structures	n/a	n/a	30	5	2	15	15 ¹

Notes

1. Site coverage is cumulative for all accessory buildings and structures.

- (3) Refuse and garbage areas must be separate from required parking areas, buffers, and open spaces and other permitted or approved uses, and screened with a 6.0 ft. (1.8 m.) privacy fence. The location and size of the area within the zoning site shall be subject to the approval of the Development Officer or Council.
- (4) In the I Zone, an accessory use, building, or structure includes the following:
- (a) Decks, patios, wheelchair ramps, statuary, light fixtures, fences, and walls,
 - (b) A garage, shed, or storage building incidental to a permitted or conditional use, and

- (c) Other accessory uses and structures consistent with those permitted in the I Zone at the discretion of the Development Officer.

4.11 PR – Parks & Recreation Zone

- (1) The PR – Parks & Recreation Zone provides for the development of public recreation facilities and parkland.
- (2) In the PR Zone, land shall be used and developed in accordance with Table 4-13:

Table 4-13: PR Zone Bulk Standards

Use Class	Min. Site Area (sq.ft.)	Min. Site Width (ft.)	Min. Front Setback (ft.)	Min. Side Setback (ft.)	Min. Rear Setback (ft.)	Max. Height (ft.)	Max. Site Coverage (%)
All Uses, unless specified below	10,000	100	20	15	15	40	60
Communications Facility, Major	n/a	n/a	30	5	25	n/a	n/a
Community Garden	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Public Park	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Public Utility	n/a	n/a	30	5	25	n/a	n/a
Accessory buildings and structures	n/a	n/a	30	5	2	15	15 ¹

Notes

1. Site coverage is cumulative for all accessory buildings and structures.

- (3) Refuse and garbage areas must be separate from required parking areas, buffers, and open spaces and other permitted or approved uses, and screened with a 6.0 ft. (1.8 m.) privacy fence. The location and size of the area within the zoning site shall be subject to the approval of the Development Officer or Council.
- (4) In the PR Zone, an accessory use, building, or structure includes the following:
- (a) Decks, patios, wheelchair ramps, statuary, light fixtures, fences, and walls,
 - (b) A garage, shed, or storage building incidental to a permitted or conditional use, and

- (c) Other accessory uses and structures consistent with those permitted in the PR Zone at the discretion of the Development Officer.

5 Definitions

5.1 Technical Definitions

Abut or Abutting means immediately continuous to or physically touching, and when used with respect to a lot or site, means that the lot or site physically touches upon another lot, site, or piece of land, and shares a property line or boundary with it.

Accessibility means the ability of persons with disabilities to enter and use facilities without having to avoid significant obstacles.

Accessory Building or Structure means a detached building or structure which is subordinate to or incidental to the principal building, structure, or use on the same site. This excludes accessory off-street parking facilities as are permitted to locate elsewhere than on the same site with the principal building, structure, or use served.

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

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

Aggregate means a quarry mineral that is used solely for construction purposes or as a constituent of concrete other than in the manufacture of cement and includes sand, gravel, clay, crushed stone, and crushed rock.

Alter or Alteration means a change or modification to an existing building, structure, or use which, unless otherwise provided for herein, does not increase the exterior dimensions with respect to height and area.

Awning, Canopy, or Marquee means any roof-like structure providing shelter or shade over an entranceway or window.

Basement or Cellar means a portion of a building between a floor and a ceiling that is located partly underground.

Blank Walls means exterior walls containing no windows, doors, or other similar openings.

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

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

Building, Principal means a structure on a zoning site used to accommodate the main use.

Carport means an attached building open on two sides for the shelter of privately-owned automobiles.

Common Element means all property within a condominium except the condominium units.

Conditional Use means a usage of land or a building that may be permitted under a zoning by-law subject to approval of a conditional use order. Conditional uses are uses that may have unique or varying operating characteristics, may have potential operational or other impacts on adjacent properties, or may have unusual site development demands.

Condominium means a condominium as established under *The Condominium Act*.

Condominium, Bare Land Unit means a unit of land defined by delineation of its horizontal boundaries without reference to any buildings on a condominium plan. A "bare land unit" shall be considered a "site" as defined in this by-law.

For the purposes of this by-law, those "common elements" in a bare land unit condominium plan, which are ordinarily used for the passage of vehicles or pedestrians, including roads, road allowances, streets, lanes, bridges, but not including walkways intended solely for pedestrian use, nor areas for parking of vehicles, shall be considered:

- a) a "street" where such thoroughfare is over thirty-three (33) ft. in width, and
- b) a "lane" where such thoroughfare is not over thirty-three (33) ft. in width.

For the purposes of determining front, rear, and side yards and site lines for each respective site as shown in a plan, the common element shall be considered a "street" as defined in this zoning by-law.

Condominium Unit means a part of the land or building designated as a unit by the condominium plan and comprised of the space enclosed by its boundaries and all the material parts of the land within this space at the time the condominium declaration and plan are registered.

Council means the elected council for the Town of Beausejour.

Density means the total number of Residential Dwellings divided by the total area of land to be developed, expressed in gross acres.

Development means the construction of a building or the installation of services and utilities on, over, or under land, a change in the use or intensity of use of a building or land, the removal of soil or vegetation from land, the deposit or stockpiling of material on land, and the excavation of land.

Development Officer means the officer appointed by the Board of the Brokenhead River Planning District in accordance with the provisions of the Act.

Development Plan means the Brokenhead River Planning District Development Plan adopted by By-law 181-23 and amendments thereto.

Enlargement means an addition to the floor area of an existing building or structure, or an increase in that portion of a parcel of land occupied by an existing use.

Floor Area (as applied to bulk regulations) means the sum of the gross horizontal areas of the floors of all buildings and structures on the zoning site, measured from the exterior faces of the exterior walls or from the centreline of party walls. In particular, the floor area of a building or buildings shall include:

- a) Basements when used for residential, commercial, or industrial purposes, but not including spaces used for storage or the housing of mechanical or central heating equipment, and accessory off street parking spaces;
- b) Floor space used for mechanical equipment (with structural headroom of 6 ft. (1.83 m.) or more) except equipment, open or enclosed, located on the roof;
- c) Elevator shafts and stairwells at each storey except shaft and stair bulkheads and exterior unroofed steps or stairs; and

- d) Penthouses, mezzanines, attics where there is structural headroom of 7 ft. (2.13 m.) or more.

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

Height means the total number of storeys in a building or the vertical distance measured from grade to the highest point of the roof structure if a flat roof, to the deck of a mansard roof, and to the mean height level between eaves and ridge for gable, hip, or gambrel roof.

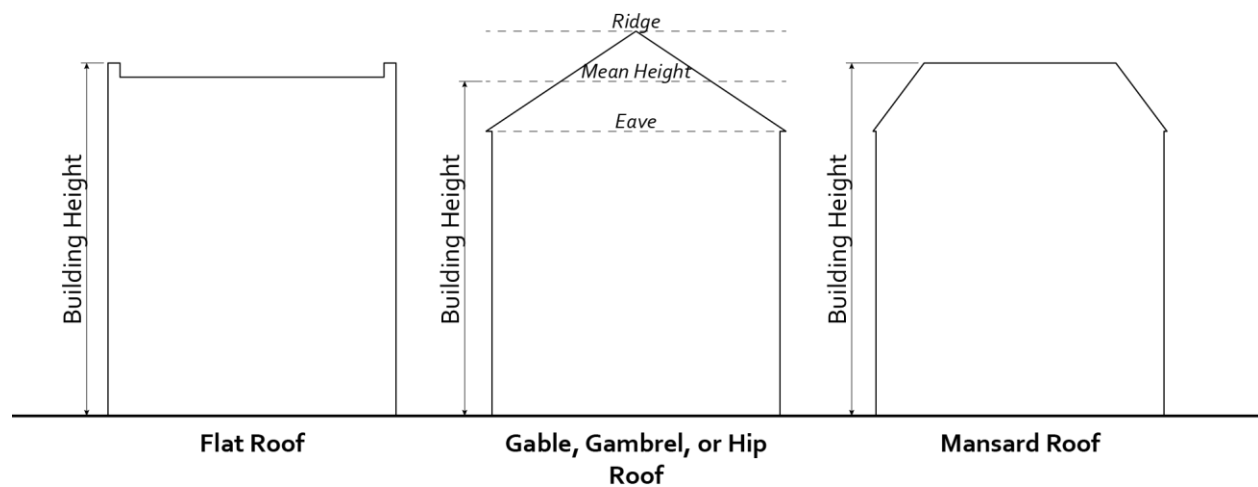


Figure 4: Building Height by Roof Type

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

Lane means a street 33 ft. (10.06 m.) or less in width.

Livestock means animals or poultry not kept exclusively as pets, excluding bees.

Loading Space means an off-street space on the same zoning site with a building, or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or material and which has access to a street or lane or other appropriate means of access.

Mobile Home Site means a zoning site within a residential mobile home park for the placement of a mobile home or factory-built house.

Non-Conformity means a parcel of land, building, structure or use which lawfully existed prior to the effective date of this by-law or amendments thereto but does not conform to the provisions contained within this by-law or amendments thereto.

Noxious or Offensive Use means a use which, from its nature or operation, creates a nuisance or is offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, oil or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste, or other material.

Nuisance means any condition, matter, thing or activity, which causes undue annoyance or offence to a reasonable individual of ordinary sensitivity occupying adjacent or nearby properties or dwellings.

Occupancy Permit means authorization issued in writing pursuant to the applicable zoning regulations, to occupy any building or part thereof in the Town.

Open Space means that required portion of a zoning site at ground level, unless otherwise stated, unoccupied by principal or accessory buildings and available to all occupants of the building. The open space shall be unobstructed to the sky and shall not be used for service driveways or accessory off street parking or loading spaces, unless otherwise specified, but shall be useable for landscaping, recreational space, and other leisure activities normally carried on outdoors. Balconies, roof, and other like above-grade-level areas may also be considered as open space.

Owner means a person who is the owner of a freehold estate in the property, and includes:

- a) A person who is an owner with another person as joint tenant or tenant in common of a freehold estate;

- b) A person who is registered under *The Condominium Act* as the owner, as defined in that Act, of a unit under that Act; and
- c) A real owner, as defined in subsection 1(1) of *The Municipal Assessment Act*.

Parcel of Land means the aggregate of all land described in any manner in a certificate of title.

Parking Space means a space on a parking area or zoning site for the temporary parking or storage of a vehicle.

Parking, Surface Lot means an unenclosed area where motor vehicles may be stored for purposes of temporary, daily, or overnight off-street parking as a principal use.

Party Wall means a wall jointly owned and jointly used by two (2) parties under easement agreement or by right in law and erected at or upon a line separating two (2) parcels of land each of which is, or is capable of being, a separate real-estate entity.

Permitted Use means the use of land, building, or structure provided in this zoning by-law for which a development permit shall be issued upon the application having been made, if the use meets all the requirements of this by-law.

Premises means an area of land with or without buildings.

Repair means the renewal or reconstruction of any part of an existing building or structure for the purpose of its maintenance or restoration.

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

Separation Distance means a distance to be maintained between two buildings or structures, measured from the nearest points of any structure or areas in which the uses are carried on.

Separation Space means open space around dwellings separating them from adjacent buildings or activities, and providing daylight, ventilation, and privacy.

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

Setback, Corner Side means a side setback which adjoins a street.

Setback, Front means a setback extending along the full length of the front site line between the side site lines.

Setback, Rear means a setback extending along the full length of the rear site line between the side site lines.

Setback, Side means a setback extending along the side site line from the required front setback to the required rear setback.

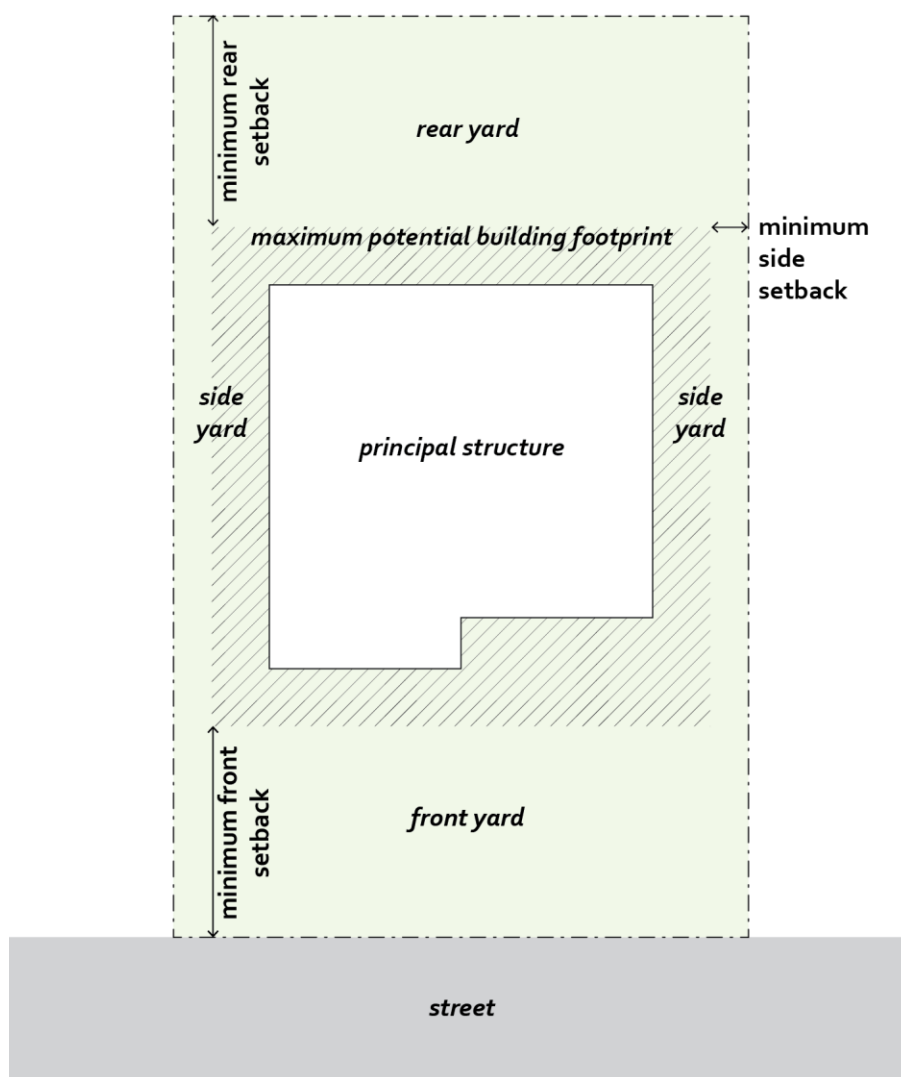


Figure 5: Setback Requirements

Sign means any writing (including letter, word, or numeral), pictorial representation (including illustration or decoration), emblem (including device, logo, symbol, or trademark), flag (including banner or pennant), or any other figure of similar character which:

- a) is a structure or any part thereof, or is attached to, painted on or in any other manner represented on or in a building or other structure;
- b) is used to identify, direct attention to, or advertise; and
- c) is visible from outside a building but shall not include display windows as such.

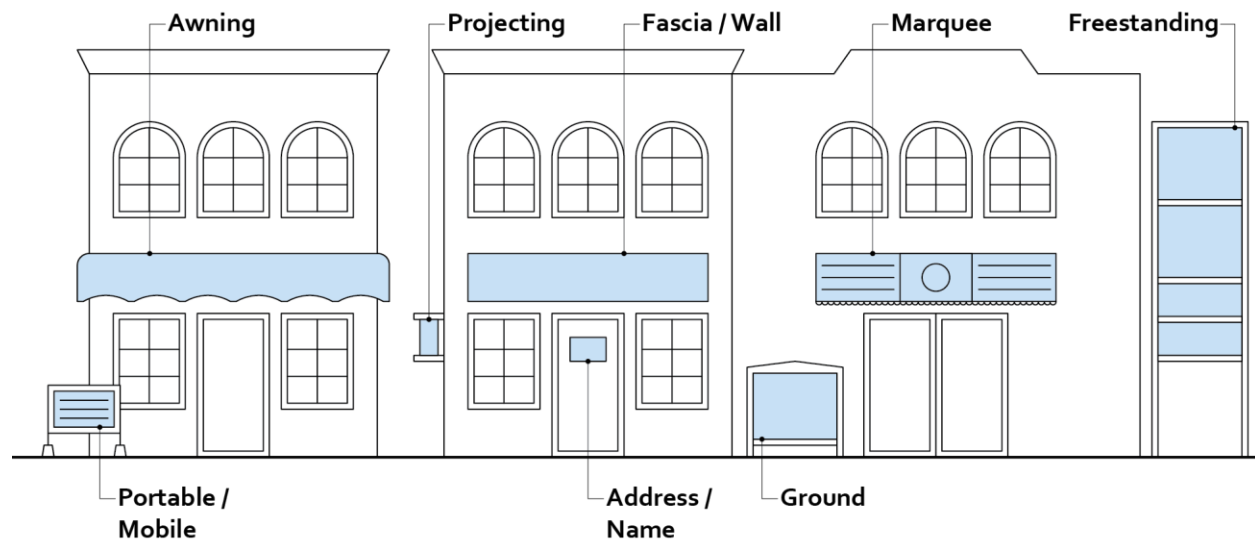


Figure 6: Signage Types

Site means:

- a) a whole lot or block on a registered plan of subdivision; or
- b) the aggregate of all contiguous land described in a certificate of title or in more than one certificate of title provided they are in the same ownership.

Site, Corner means a site situated at the intersection of two (2) streets.

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

Site, Through means a site having a pair of opposite site lines along two (2) more-or-less parallel streets.

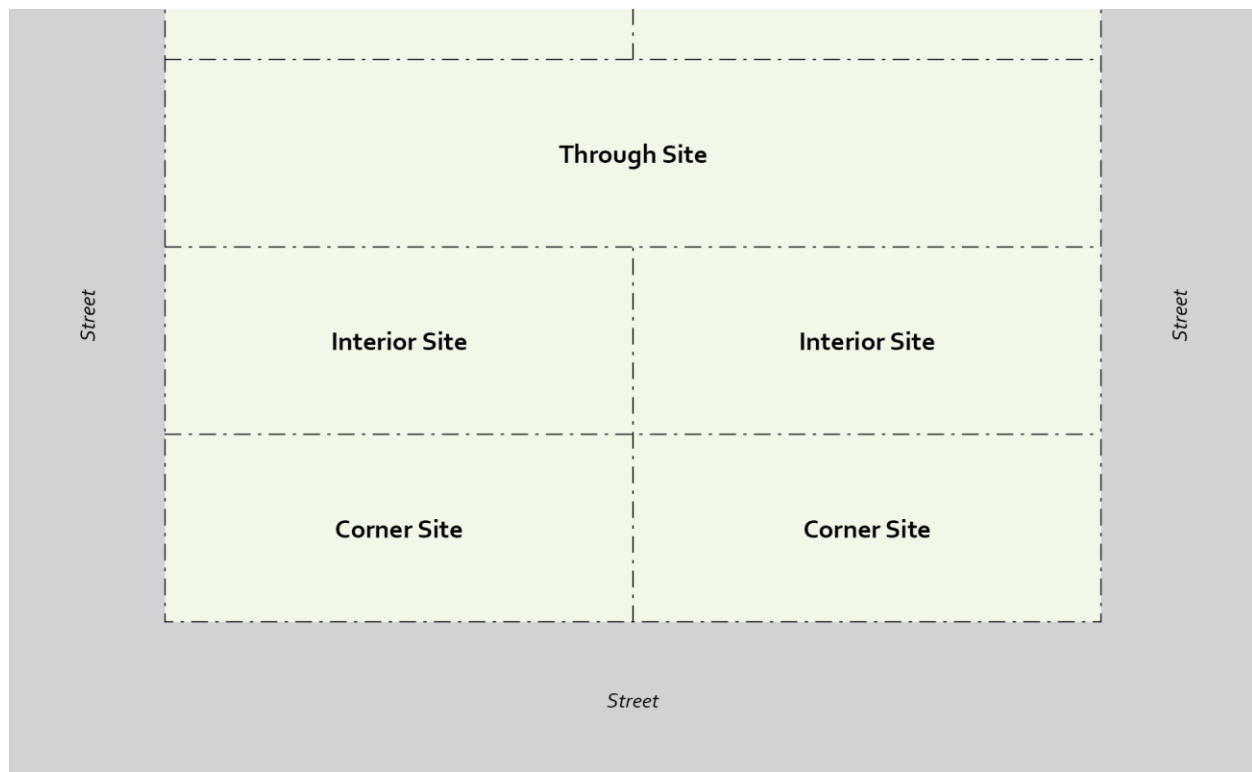


Figure 7: Types of Sites

Site, Zoning means an area of land which:

- a) is occupied, or intended to be occupied, by a main building or a group of such buildings and accessory buildings, or utilized for the principal use or uses thereto, together with such open spaces as are required under the provision of this by-law, has frontage on a street; and
- b) in the case of a non-conforming site existing on the date of adoption of this by-law, has any lawful means of access satisfactory to Council; and
- c) is of sufficient size to provide 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 Coverage means that part or percentage of the site occupied by buildings, including accessory buildings. Structures, which are below the finished site grade, including sewage lagoons, water reservoirs, parking structures below grade and similar structures, shall not be included in site coverage.

Site Depth means the horizontal distance between the centre points in the front and rear site lines.

Site Frontage means all that portion of a zoning site on a street and measured between side site lines.

Site Line, Front means that boundary of a site which is along an existing or designated street. For a corner site or through site, the Development Officer may select the front site line except where an interior site abuts the corner site, then the front site line shall be that line which is the continuation of the front site line of the interior site.

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

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

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

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

Street means a public road or highway having a minimum width of 33 ft. (10.06 m.) and intended for vehicular use. Parks, easements, rights-of-way, squares, and walkways are not considered to be streets for purposes of interpreting this by-law.

Structure means anything constructed or erected with a fixed location on or below the ground or attached to something having a fixed location on the ground and includes buildings, walls, fences, signs, billboards, poster panels, light standards, and similar items.

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, drainage ditch, roadside ditch, reservoir, swamp, wetland, and marsh, including ice on any of them, but not including a dugout on the property of an agricultural operation.

Use means:

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

Variance means an administrative exception to the by-law's land use regulations, by which a landowner who believes that the zoning by-law adversely affects his or her property rights may apply for an order varying specific provisions of the zoning by-law insofar as they apply to the affected property.

Watercourse means the channel or bed on which surface water flows or stands, whether continuously or intermittently, but does not include a dugout, reservoir, intermittent slough, drainage ditch, or intermittent stream that is completely surrounded by private land controlled by the owner and that has no outflow going beyond the private land.

Zoning District means an area for which this by-law regulates the use and development of land, as depicted on the Zoning Map.

5.2 Use Class Definitions

Agrichemical Facility means a facility used to store, blend and/or distribute chemicals used for crop protection and production. Products can include herbicides, insecticides, fungicides, rodenticide, and fertilizers. This does not include Bulk Storage.

Agricultural Processing Facility means a development that transforms, packages, sorts, or grades livestock, livestock products, agricultural commodities, or plant or plant products, excluding forest products, into goods that are used for intermediate or final consumption, including goods for non-food use.

Animal Shelter means a development used for the interim care and boarding of domestic animals normally considered as household pets, until such a time that the animal is adopted to a permanent home.

Asphalt Plant means a facility where aggregate materials and asphalt are heated and mixed to produce a paving mix and includes stockpiling and storage of bulk materials used in the process.

Athletic Field or Play Area means an outdoor private or public facility for sports, athletics, and play. Typical uses include soccer, baseball, and football playing fields, skateboard parks, basketball and tennis courts, swimming pools, running tracks, lawn bowling greens, playgrounds and play structures, and similar types of facilities.

Auctioneering Establishment means a development used for the auctioning of goods and equipment, including the temporary storage of such goods and equipment. This does not include flea markets or livestock auction marts.

Auditorium, Cinema & Theatre means a development providing facilities within an enclosed building specifically intended for live theatre, music, comedy, or dance performances or the showing of motion pictures.

Automobile & Recreation Vehicle Servicing & Repair means a building used to the service, repair, wash, and/or paint automobiles. This may include uses such as car washes, detailing services, mechanics, and auto-body shops.

Automobile Compound means a building or site used to store automobiles.

Automobile, Recreation Vehicle, or Farm Implement Sales/Rentals means a development used for the display, sale, or rental of new or used automobiles, trailers, recreation vehicles, heavy equipment, or farm implements. This may also include indoor facilities for the repair and service of automobiles, trailers, recreation vehicles, and/or farm implements.

Bed & Breakfast means a Home-Based Business operated within a Single-Unit Dwelling where sleeping accommodations, with or without light meals, are provided for remuneration.

Billboard means a sign displaying copy that directs attention to a business, activity, product, or service that is not sold or provided on-site. This use includes attached and free-standing sign forms.

Broadcasting & Motion Picture Studio means a development used for the production and/or broadcasting of audio and visual programming typically associated with radio, podcasts, television, motion pictures, and videos.

Bulk Storage means the storage of chemicals, petroleum products, or other flammable liquids in above-ground containers for subsequent resale to distributors or retail dealers or outlets.

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

Campground means a development that is used for the seasonal short-term use of motor homes, tents, campers and similar recreational vehicles and is not used as year-round storage, or accommodation for residential use. Typical uses include recreational vehicle parks, campsites, and tenting grounds.

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

Cannabis Standard Processing means the large-scale manufacturing, packaging, and labelling of cannabis products destined for sale to consumers, and the intra-industry sale of these products, including to provincially authorized distributors, as well as associated activities.

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

Chicken Keeping means the raising of hens for personal use, food production, companionship, and/or pest control, but does not include slaughtering or commercial sales.

Child Care Service, Community means a development involving care, educational activities, and supervision of children in the daytime and evening, licensed by the Government of Manitoba under *The Community Child Care Standards Act*. Typical uses include pre-school and daycare facilities, but do not include overnight accommodations.

Child Care Service, Home-Based means the provision of childcare services within a Residential Dwelling by a full-time resident, being incidental and accessory to its use as a residence, and does not include overnight accommodations. The operation must meet all applicable provincial legislation and regulations.

Club, Private, Non-Profit & Recreational means a non-profit corporation chartered by *The Canadian Business Corporation Act* or *The Manitoba Corporation Act*, or an association consisting of persons who are bona fide members paying annual dues, which owns or leases a building or portion thereof; and the use of such premises being restricted to members and their guests for fraternal, recreational, sport, and similar activities.

Communications Facility, Major means any federally regulated outdoor equipment and structures required for the purposes of transmitting or receiving television, radio, microwave, radar, laser, or similar communications signals, typically used in a commercial setting. These facilities may include, but are not limited to antennae, aerials, receiving dishes, transmission beacons, masts, and towers.

Communications Facility, Minor means outdoor antennae, masts, and towers used for the purposes of transmitting or receiving for television, radio, microwave, radar, laser, or similar communications signals in a residential setting.

Community Centre means a building or structure that provides facilities for indoor recreation, meeting, assembly.

Community Garden means an outdoor development that is managed by a non-profit organization, community-based entity, or a public entity and used by the public to grow plants for beautification, education, recreation, community distribution, or personal consumption and use.

Concrete Batch Plant means a facility where water, cement, and fine and coarse aggregates are mixed to form wet concrete, either in a mixer truck or a central mix drum and transferred to a truck for transport.

Contractor Service / Yard means a development used to provide any building trade or contractor service, such as building construction, landscaping, concrete, electrical, excavation, drilling, heating, plumbing, paving, or road construction. This may include office space, equipment and material storage, and assembly / repair work.

Convenience Store means a small-scale Retail Store which sells a variety of goods such as packaged food, confectionary, beverages, pharmaceutical and personal care items, and printed publications.

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

Domestic Animal Breeding & Boarding means a development used for the breeding, short-term boarding, or training of four or more animals normally considered as household pets. Typical uses are kennels and pet boarding establishments.

Drive-Through Facility means any use designed or operated to allow patrons, while outside on the premises in motor vehicles, to order, request, exchange, donate, or receive goods, wares, merchandise, products, foods, beverages or services, including but not limited to a drive-through restaurant, coffee shop, or Automated Teller Machine (ATM)/bank.

Dwelling, Accessory means a Residential Dwelling that is incidental and complementary to a non-residential principal use, which may include a Mobile Home Dwelling.

Dwelling, Four-Unit means a building containing four principal Residential Dwellings divided along party walls and/or ceilings, with shared or independent entrances.

Dwelling, Mobile Home means a Residential Dwelling designed for transportation after fabrication, whether on its own wheels or on a flatbed or other trailer, and which arrives at the site where it is to be occupied as a Dwelling Unit complete and ready for occupancy, being on the site of wheels, jacks or similar supports, or on a permanent foundation, and having been built in accordance with CSA building regulations and *The Buildings and Mobile Homes Act*.

Dwelling, Multi-Unit means a building, located on a single site, containing three or more principal Residential Dwellings, such as Three-Unit Dwellings, Four-Unit Dwellings, and apartments.

Dwelling, Single-Unit means a building, located on a single site, containing one Residential Dwelling which is separate from any other dwelling or building. This does not include a Mobile Home Dwelling.

Dwelling, Three-Unit means a building containing three principal Residential Dwellings divided along party walls and/or ceilings, with shared or independent entrances.

Dwelling, Two-Unit means a building containing two principal Residential Dwellings divided along a party wall or ceiling, with each dwelling having its own independent entrance.

Eating & Drinking Establishment means the sale to the public of prepared foods for consumption within the premises or off-site. This includes licensed drinking establishments, restaurants, cafés, delicatessens, tea rooms, banquet catering, lunchrooms, and take-out restaurants.

Emergency Service means a development which is required for the public protection of persons and property from injury, harm, or damage together with the incidental storage of emergency equipment. Typical uses in this class include police stations, fire stations, paramedic stations, and ancillary training facilities.

Extended Medical Treatment Service means a development providing room, board, and medical treatment for the sick, injured, or infirm, including outpatient services. Typical uses include hospitals, sanatoriums, nursing homes, convalescent homes, and auxiliary hospitals.

Farmers' Market & Produce Stand means a development where vegetable and fruit produce, food items, crafts, and similar items are sold.

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

Garden Centre, Greenhouse, & Nursery means a development used to grow and sell plants, trees, seeds, and related gardening equipment and supplies.

Gas Bar means a development used for the retail sale of gasoline, other petroleum products and incidental auto accessories. This does not include Automobile Servicing & Repair.

General Storage means a development used exclusively for indoor storage of goods, materials, and merchandise. This use class does not include Automobile Compounds, automobile wrecking yards, salvage yards, scrap metal yards, or the storage of hazardous goods or waste.

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

Group Home means a residence that is licensed or funded under an Act of the Parliament of Canada or the Province of Manitoba for the accommodation of less than five (5) persons, exclusive of staff or receiving family, living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social, or physical condition, or legal status, require a group living arrangement for their well-being.

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

Home-Based Business, Major means an occupation, trade, profession, or craft which is operated within or from a Single-Unit Dwelling or an associated accessory building, and may include outdoor storage

Home-Based Business, Minor means an occupation, trade, profession, or craft which is operated entirely within or from a Residential Dwelling

Hospital means a development involving outpatient and inpatient medical treatment and may include overnight stays. Treatment includes diagnostic, laboratory, surgical, counselling, and rehabilitation of patients.

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

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

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

Manufacturing & Processing, General means a use of land that includes the assembly, fabrication, or processing of goods and materials that may have impacts in terms of noise, fumes, odours, or safety hazards outside of the structures in which the use takes place. Uses may require significant outdoor storage. This use class includes milling plants, concrete and asphalt plants, foundries, chemical plants, and extractive uses.

Manufacturing & Processing, Light means a use of land that includes the assembly, fabrication, or process of goods and materials that have minimal impacts in terms of noise, fumes, odours, or safety hazards outside of the structures in which the use takes place. Uses shall not require significant outdoor storage. Typical uses include commercial manufacturing establishments and research facilities. This use class does not include milling plants, concrete and asphalt plants, foundries, chemical plants, and extractive uses.

Micro-Brewery / Distillery / Winery: means a development that is used for the manufacturing of beer, wine, spirits, or other alcoholic beverages. This use may include the sale of alcoholic beverages manufactured on-site, as well as the preparation and sale of food to the public for consumption within the premises and/or on ancillary outdoor patios; the retail sales of alcoholic beverages manufactured on-site for consumption off-site; and the storage, packaging, bottling, canning, and shipping of products manufactured within the premises.

Mixed-Use Building means a building containing at least one Residential Dwelling and one commercial and/or community use that is permitted in the zoning district in which the site is located, and wherein the ground floor is primarily used for commercial and/or community purposes, and the residential portion of the building has an independent entrance from the outside.

Mobile Home Park means any premises which is designed for residential use and for the accommodation of two or more Mobile Home Dwellings, whether or not a charge is made for such accommodation.

Non-Accessory Parking means development providing vehicular parking which is not primarily intended for the use of residents, employees, or clients of a development on the same site. Typical uses include surface parking lots and parking structures located above or below grade.

Outdoor Eating & Drinking Area means a permanent or seasonal outdoor area such as a patio, accessory to an Eating & Drinking Establishment, where patrons consume food and/or drinks prepared on-site.

Outdoor Participant Recreation Service means a development providing outdoor facilities where patrons are primarily participants. Typical uses include golf courses, driving ranges, ski hills, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, riding stables, trails, amusement parks, go-cart tracks, racetracks, moto-cross and all-terrain vehicle tracks, miniature golf, and similar uses.

Outdoor Storage means a development used for outdoor storage of goods, materials, and merchandise related and accessory to a business on the same site. This use class does not

include Automobile Compounds, automobile wrecking yards, salvage yards, scrap metal yards, or the storage of hazardous goods or waste.

Personal Service means a development used to attend to personal needs and the repair and maintenance of personal effects, including barber shops, beauty salons, shoe repair shops, tailor and dressmaking shops, pet grooming (not including kennels), dry cleaning establishments, and laundromats.

Place of Assembly means a hall or similar facility developed for large scale exhibitions, shows, trade fairs, public meetings, banquets, conferences, and similar activities.

Professional, Financial & Office Support Service means a development primarily used for the provision of professional, management, administrative, consulting, and financial services. Typical uses include the offices of lawyers, accountants, engineers, designers, and architects; offices for real estate and insurance firms; clerical, secretarial, employment, telephone answering, and similar office support services; and banks, credit unions, loan offices, and similar financial uses.

Public Library & Cultural Exhibit means a development for the collection of literary, artistic, musical, and similar reference materials in the form of books, manuscripts, recordings, and films for public use; or a development for the collection, preservation, and public exhibition of works or objects of historical, scientific, or artistic value. Typical uses include libraries, museums, and art galleries.

Public Park means a development of public land specifically designed or reserved for the general public for active or passive recreation/leisure use and includes all natural and man-made landscaping, facilities, playing fields, buildings, and other structures that are consistent with the general purposes of public parkland, whether or not such facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include tot lots, band shells, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds, water features, amphitheatres, and athletic fields.

Public Utility means any system, plant, pipeline, equipment, building, or facility intended to provide, either directly or indirectly, utility services to the general public under provincial or municipal regulation. Typical uses include water, gas, and hydro facilities and services, waste

disposal sites, sewage treatment plants and lagoons, composting sites, water treatment plants, lift stations, waste recycling plants, waste transfer stations, communication facilities including telephone, wireless, television, and like uses.

Recycling Depot means a development used for the buying and temporary storage of bottles, cans, newspapers, and similar household goods for reuse where all storage is contained within an enclosed building. This use does not include a Salvage Operation /Yard.

Religious Assembly means a place of worship and related activities. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries. Accessory uses can include associated Schools, Child Care Service, parish halls, and Cemeteries.

Research Institution means a facility established in accordance with government regulations and engaged in scientific research, product design, development and testing, and limited manufacturing necessary for the production of prototypes.

Residential Care Facility means a development providing lodging, meals, care, and supervision to more than five (5) persons. This Use Class includes nursing homes, personal care homes, residential care homes, rehabilitation homes, and similar uses.

Retail Sales, Major mean developments, over 5,000 sq. ft. in area, used for the retail sale of items such as groceries, baked goods, meats, beverages, household goods, clothing and shoes, furniture and appliances, hardware, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationery, and similar goods from within an enclosed building. Associated services and repair including postal services, film processing, and similar uses are included. This use class does not include developments used for the sale of gasoline, automobiles, heavy agricultural or industrial equipment, cannabis, or pawn shops, adult entertainment establishments, or adult sales stores.

Retail Sales, Minor mean developments, up to 5,000 sq. ft. in area, used for the retail sale of items such as groceries, baked goods, meats, beverages, household goods, clothing and shoes, furniture and appliances, hardware, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationery, and similar goods from within an enclosed building. Associated services and repair including postal

services, film processing, and similar uses are included. This use class does not include developments used for the sale of gasoline, automobiles, heavy agricultural or industrial equipment, cannabis, or pawn shops, adult entertainment establishments, or adult sales stores.

Salvage Operation /Yard means an open area where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including, but not limited to metals, paper, rags, rubber tires, and bottles. This use class includes an automobile wrecking or dismantling yard, and such uses established entirely within an enclosed building.

School, Grade means an accredited public or private facility that provides education, training, or instruction for children between kindergarten and grade twelve, as well as associated administrative offices and dormitories, which may be established as accessory uses.

School, Nursery means an accredited facility that provides education or instruction for pre-kindergarten age children, as well as associated administrative offices which may be established as accessory uses.

School, Vocational or Post-Secondary means an accredited public or private facility that provides education, training, or instruction for secondary or post-secondary school students, such as community colleges, and technical and vocational schools, as well as associated administrative offices and dormitories, which may be established as accessory uses.

Secondary Suite, Attached means a self-contained accessory Residential Dwelling located within or attached to a Single-Unit Dwelling. A Secondary Suite has its own access, cooking, sleeping, and sanitary facilities which are separate from and not shared with those of the principal Residential Dwelling.

Secondary Suite, Detached means a self-contained accessory Residential Dwelling that is separate from, but located on the same site as, a Single-Unit Dwelling. A Detached Secondary Suite has its own access, cooking, sleeping, and sanitary facilities which are separate from and not shared with those of the principal Residential Dwelling. This use does not include Two-Unit Dwellings, Mobile Home Dwellings, Multi-Unit Dwellings, or Group Homes.

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

Server Farm means a development used to house computers, data storage systems, and computing infrastructure. This use includes cryptocurrency mining facilities.

Shipping Container Storage means the use of shipping containers to store goods and materials on a temporary basis.

Short-Term Rental means the whole or part of a Residential Dwelling that is used to provide overnight accommodation to the traveling public for a period less than thirty consecutive nights and is the principal residence of the owner / operator.

Social Service Centre means a development providing social or welfare services to those in need, for no fee or compensation, or at a fee recognized as being significantly less than charged by for-profit organizations. Typical uses include information and referral services, counselling, aid through the provision of food or clothing, life skill and personal development programs, and general drop-in or activity space.

Solar Collector means an accessory structure comprised of a panel or other solar energy device with the purpose of gathering, storing, and distributing solar energy, primarily intended to serve the electrical needs of the on-site user and not intended to produce power for commercial sale and distribution to the electricity grid. Typical forms include roof-top solar collectors.

Strip Mall means a group of commercial establishments planned, developed, and managed as an integrated unit. These can include, but are not limited to, groups of Retail Sales, Personal Services, Professional, Financial & Office Support Services, Eating & Drinking Establishments, and similar commercial uses utilizing common facilities such as parking, access, circulation, landscaping, signage, and loading areas. Each business use must comply with requirements respecting permitted and conditional uses for the affected zone.

Truck Stop means a development comprised of an Automobile Servicing & Repair, Gas Bar, Convenience Store, and/or Eating and Drinking Establishments.

Trucking Operation means the use of land, buildings, or structures for the purpose of storing or loading trucks, transportation trailers, and/or buses.

Veterinary Service, Domestic means a development used for the care and treatment of animals that are common household pets, where the veterinary services primarily involve out-patient care and minor medical procedures. This use class includes pet clinics and veterinary offices but does not include Livestock Veterinary Services.

Veterinary Service, Livestock means a development used for the care and treatment of animals that are commonly associated with agricultural activities and livestock operations, where the veterinary services primarily involve out-patient care and minor medical procedures.

Warehouse Sales means a development used for the wholesale or retail sale of bulky goods from within an enclosed building where the size and nature of the goods being sold typically require large floor areas for direct display to the purchaser or consumer. This use class includes developments where principal goods being sold are such bulky items as furniture, carpet, major appliances, and building materials.

6 Zoning Map

TOWN OF BEAUSEJOUR
ZONING BY-LAW 1831-26

Zoning Districts

- R1 - Residential Lower Density
- R2 - Residential Mixed Density
- R3 - Residential Medium Density
- RMH - Residential Mobile Home Park
- CC - Central Commercial
- CG - General Commercial
- CH - Highway Commercial
- M - Industrial
- I - Institutional
- PR - Parks & Recreation

Other Features

- Town Boundary
- Assessment Parcel
- Non Assessment Parcel Land
- Waterbody

