

3.11 "RS" – Residential Serviced Zoning District

The **"RS" Residential Serviced Zoning District** is hereby established in this by-law and is intended to provide areas in urban settlement centres to accommodate fully serviced (i.e. municipal piped water and wastewater) single dwelling unit and two dwelling unit residential and related development in urban settlements the municipality. This zone provides for a variety of housing types and affordability levels to accommodate a range of income levels, the ability to age in place and serve diverse market demands. The keeping of any livestock in the **"RS" zone** is prohibited.

3.11.1 "RS" Residential Serviced Zoning District Accessory Uses, Buildings and Structures

a) Permitted Accessory Uses, Buildings and Structures

i) Accessory Domestic Structures

Accessory structures such as but not limited to decks, patios, statuary, flagpoles, private garages, garden sheds, gazebos, swimming pools and other similar features.

ii) Accessory Signs as provided for in **PART 2** of this By-law.

iii) Accessory Telecommunications Towers

An accessory telecommunication tower used to support ancillary devices such as but not limited to citizens' band radio, television or internet service which is located on the same site and in direct support of either a permitted or conditionally approved use shall be treated as a permitted accessory structure. Notwithstanding the siting and setback requirements of **Table 3.7 of this PART**, all accessory telecommunication tower structures shall be set back from all property lines of the site on which it is located a minimum distance equal to its total height, measured from the ground to the uppermost point of its extension.

iv) Home-Based Businesses

Shall be developed in accordance with the requirements of **PART 4** of this by-law.

b) Conditional Accessory Uses, Buildings and Structures

i) Secondary Suite

Not more than one "secondary suite" as defined in **PART 6** of this by-law may be developed as a conditionally approved accessory use and only when it is located on the same zoning site and is located within and/or forming part of either an existing or newly proposed permitted "single-unit dwelling". Notwithstanding the siting and setback requirements for "accessory uses" as provided for in **Table 3.7 of this PART**, all secondary suites shall satisfy all of the siting and setback requirements of **PART 3, Table 3.7** herein applicable to the principal dwelling within which the secondary suite is to be developed and all secondary suites shall not exceed 49% of the total habitable floor space of the principal dwelling in which it is developed. In all cases, where a secondary suite is being proposed, the principal dwelling in which the secondary suite is being proposed shall be occupied by the owner of the property. It shall be the responsibility of the proponent to consult with the provincial authority having jurisdiction prior to construction to determine the suitability of the site for the secondary suite and determine the need for any provincial permits, approvals or licenses as may be required associated with new or expanded or modified on-site wastewater collection and drinking water systems and/or the provision of hydro services.

- ii) Pole type structures / buildings
As defined in **PART 6** of this by-law are a Conditional Use in the **“RS” – Residential Serviced Zone**.

- c) **Prohibited Accessory Uses Buildings and Structures**

- i) Accessory Shipping Containers
Accessory shipping containers as defined in **PART 6** of this by-law are prohibited in the **“RS” – Residential Serviced Zone**.

NOTE: For information related to projections into required yards, on-site parking and loading and fencing, refer to **PART 2** of this By-law.

TABLE 3.7: USE & SITE REQUIREMENTS: “RS” RESIDENTIAL SERVICED ZONE	MINIMUM REQUIREMENTS (a) (b) (h) (l) (m)				
	SITE SIZE		REQUIRED YARDS		
	SITE AREA (Acres)	SITE WIDTH (feet)	FRONT YARD (feet) (b)	SIDE YARD (feet) (b)	REAR YARD (feet) (b)
PERMITTED USES					
Child Care Services	15,000	75	25	8 (c)	25
Dwellings (e): Single-Unit Dwellings	5,000	50	25	6(c)(d)	25
Parks and Playgrounds	5,000	50	15	8 (c)	25
Place of Worship	15,000	100	25	8 (c)	25
Public Utilities	5,000	50	15	8 (c)	25
Schools	1 acre	200	25	15	25
CONDITIONAL USES					
Boarding, Rooming and Lodging Houses	15,000	100	25	8 (c)	25
Community Centers and Clubs	15,000	100	25	8 (c)	25
Dwellings: - Mobile and Modular Homes	6,000	50	25	6 (c) (d)	25
- Two Unit Dwellings	8, 000 (f)	80	25	8 (c) (d)	25
- Multi-Unit Dwellings	10,000 (g)	100	15	15	25
Emergency Services Including Fire, Police and Ambulance Stations	15,000	100	25	8 (c)	25
Libraries and Museums	15,000	100	25	8 (c)	25
Residential Care Facilities	15,000	100	25	8 (c)	25
ACCESSORY USES, BUILDINGS, STRUCTURES					
Accessory uses, Buildings and Structures (i) (See also PARTS 2 and 4 of this By-law).	-	-	(j)	3	2 (i)
NOTES: ¹ For information concerning the treatment of lawfully established <u>existing uses, buildings and structures</u> in existence prior to the adoption of this by-law, please refer to PART 2: Uses of this by-law. ² Provisions of PART 2 General Rules and Regulations Applicable in All Zoning Districts and PART 4: Additional Requirements for Specific Permitted, Conditional and Accessory Uses in Different Zones of this by-law shall also apply in this zone. In the event of a conflict between the provisions of PART 2 or PART 4 and the use and site requirements of this table, the highest or most restrictive requirement shall prevail and shall be satisfied.					

Footnotes for Table 3.7: “RS” Residential Serviced Zone:

In addition to the minimum requirements for **TABLE 3.7** (above), the following requirements shall apply:

- (a) (i) The maximum allowable height for all buildings and structures shall be 30 feet (two storeys) except for church steeples and similar architectural components of permitted or conditionally approved public buildings and private tele-communication towers which are accessory to a residential use.
- (b) Where a proposed use requires wastewater disposal facilities and the site is **NOT** serviced by a piped municipal sewer system or a private holding tank approved by the provincial authority having jurisdiction, the minimum bulk requirements shall be adjusted as follows:
 - (i) Minimum required site area shall be two (2) acres;
 - (ii) Minimum required site width shall be two hundred (200) feet;
 - (iii) Minimum required side yard shall be thirty (30) feet.

- (c) In the case of a corner lot, the minimum required side yard setback shall be increased to 12 feet free of all projections other than eaves and gutters.
- (d) Where an interior lot used for residential purposes is not adjacent to a lane, one of the side yards shall be a minimum of 10 feet free of all projections other than eaves and gutters in order to accommodate the required parking space or to provide for vehicular access to the rear of the site. This requirement shall not apply where a garage or carport is attached to the principal building.
- (e) The minimum dwelling unit floor area for a single-unit dwelling shall be seven hundred 700 sq/ft (65.03 sq/m) with an additional four hundred (400) sq/ft (37.16 sq/m) for the second and each additional dwelling unit therein.
- (f)
 - (i) For the purpose of interpreting the requirements of **Table 3.7** herein, a semi-detached two-unit dwelling, a row house or a multi-unit dwelling having common party walls shall be considered as being one (1) building occupying one (1) site.
 - (ii) Notwithstanding clause (i) of this footnote (above), in the case of semi-detached two-unit dwellings, each dwelling unit may occupy a separate site, provided each site is a minimum of 4,000 sq/ft in area and has a minimum site width of fifty (50) feet. In such circumstances, the side yard required along the shared common party wall shall be reduced zero (0) feet and all other provisions of **Table 3.7 of this PART** shall also apply.
- (g) The minimum site area required for multi-unit dwellings shall be 10,000 sq/ft. for the first three (3) units and shall increase by a minimum of 1,000 sq/ft. for each additional dwelling unit thereafter.
- (h) Under authority of applicable provincial Act, where any structure or development is proposed under, below or at ground level within the controlled areas of the provincial highway system, permits must be obtained from provincial authority having jurisdiction.
- (i) Where an accessory building is used for storage of a motor vehicle, the wall which contains the vehicle access door shall be set back a minimum distance of ten (10) feet from a public lane.
- (j) The minimum required front yard for accessory buildings and structures shall be the same as the minimum required front yard for the principal building on the same site.
- (k) Bulk requirements do not apply to transmission facilities (wires or pipes) or the associated equipment such as poles, transformers and switching boxes including Manitoba Hydro Substations and similar infrastructure since all of this apparatus may require only very small parcels or none at all (easements). This does not apply, however, to offices, equipment or vehicle storage, parking or workshops, where and if these uses are permitted or approved.
- (l) Where a proposed development involves the construction of “water control works” or “drainage works” as identified under the Water Rights Act, it shall be the responsibility of the proponent to contact the provincial authority having jurisdiction to obtain any required licenses or approvals prior to the commencement of development.
- (m) All required yards specified for any use shall be located on the same site as the use, and shall be maintained as open space except as provided elsewhere in this By-law.