

3.10 “GD” General Development Zoning District

The “GD” General Development Zoning District is hereby established in this by-law and is intended to provide for residential and related community development within the rural settlement centres of Kemnay and Beresford. The keeping of any livestock is **prohibited** in this zoning district.

The General Development Zone provides as permitted uses, those uses generally found in small communities that are compatible with residential uses as well as schools, recreation facilities and limited commercial and light industrial uses. Conditional uses in this zone represent uses that may be characterized by larger building scale, may generate increased traffic, have operating processes and/or storage needs, which require site specific assessment to ensure the right locational fit within the community.

3.10.1 Accessory Uses, Buildings and Structures

a) Permitted Accessory Uses, Buildings and Structures

- i) Accessory domestic 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 3.6 of this PART**, all accessory telecommunication tower structures shall be set back from all property lines and railway right-of-ways a minimum distance equal to its total height, measured from the ground to the uppermost point of its extension.
- iv) Home-based business activities 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 detached from or 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 3.6 of this PART**, all secondary suites shall satisfy all of the siting and setback requirements of **PART 3, TABLE 3.6** 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 may be allowed as a conditionally approved accessory structure / building only when it is located on the same site as the principal building or use of land to which it is accessory.

c) Prohibited Accessory Uses Buildings and Structures

- i) Accessory Shipping Containers

An “accessory shipping container” as defined in **PART 6** of this By-law are prohibited within the **“GD” General Development Zone**.

- ii) The Keeping of Livestock

The keeping of any livestock and/or the construction of buildings or other structures or enclosures for the purposes of any keeping livestock **shall not be allowed** within the **“GD” General Development 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 3.6: USE & SITE REQUIREMENTS: “GD” GENERAL DEVELOPMENT ZONE	MINIMUM REQUIREMENTS (a) (b) (n) (o) (l)				
	SITE SIZE		REQUIRED YARDS		
	SITE AREA (sq/ft)	SITE WIDTH (feet)	FRONT YARD (feet) (c)	SIDE YARD (feet)	REAR YARD (feet)
PERMITTED USES					
Advertising Signs (with a sign surface area up to 54 sq/ft in size)	-	-	25 (k)	15 (k)	15 (k)
Bakeries	5,000(b)	150	25	15	25
Clubs, Private or Public	1.0(b)	100	25	15	25
Cultural Facilities, including auditoriums, community clubs and halls, libraries, museums and theatres.	15,000(b)	100	25	15	25
Dwellings, single-dwelling	5,000(b)	50	25	6	25
Dwellings, mobile home	5,000(b)	50	25	6 (d)	25
Dwellings, modular home	5,000(b)	50	25	6	25
Dwellings, two-dwelling	7,500(b)	75	25	15	25
Dwellings, multiple-dwelling	(e)	100	25	15	25
Emergency Services, including police and fire stations	15,000(b)	100	25	15	25
Establishments for the provision of personal services, such as offices, financial institutions, clinics, salons, day care facilities and funeral homes.	15,000(b)	100	25	15	25
Establishments for the sale of goods or services, provided that all storage is within a fully enclosed building.	15,000(b)	50	25	15	25
Exhibition Grounds	20,000 (b)	100	25	15	25
Food or Beverage Service Establishments	5,000(b)	50	25	5	25
Institutional uses such as hospitals, schools, personal care homes and senior citizen homes	20,000(b)	100	25	15	25
Nurseries or Greenhouses	15,000(b)	100	25	15	25
Parks or Playgrounds	1,000(b)	20	-	-	-
Public Utilities (m)	5,000(b)	50	25(f)	5 (f)	25(f)
Recreation Facilities	15,000(b)	100	25	15	25
Place of Worship	15,000(b)	100	25	15	25
Residential care facilities, providing service to up to a maximum of (4) persons	10,000(e)	100	25	15	25
Storage Buildings and Warehouses for non-hazardous materials	15,000(b)	100	25	15	25
CONDITIONAL USES					
Accommodation Facilities such as Hotels and Motels	15,000(b)	100	25	15	25
Advertising Signs (with a sign surface area greater than 54 sq/ft in size)	-	-	25 (k)	15 (k)	15 (k)
Campgrounds	20,000(b)	100	25	15	25
Earth Moving Contractors and Concrete Suppliers	15,000(b)	100	25	15	25
Establishments for the commercial storage, handling or processing of agricultural produce	15,000(b)	100	25	15(g)	25(g)

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Establishments for the sales, storage or distribution of agricultural supplies, equipment or structures, including bulk fuel establishments	15,000(b)	100	25	15(g)	25(g)
Establishments for the sale of goods and services, where there is exterior storage of products	15,000(b)	100	25	15	25
Manufacturing, Fabricating, Machining, Processing or Repair Establishments	15,000(b)	100	25	15	25
Outside storage facilities and compounds for non-hazardous materials	15,000(b)	100	25	15	25
Public Parking Areas	5,000 (b)	50	5	3	5
Public Works Compounds and Buildings	15,000 (b)	100	25	15	25
Residential care facilities, providing service to (5) persons or more	15,000(e)	100	25	15	25
Trucking Establishments	15,000 (b)	100	25	15	25
Veterinary Clinics	15,000 (b)	100	25	15	25
ACCESSORY USES, BUILDINGS, STRUCTURES					
Accessory uses, buildings, structures (l)(m) (See also PARTS 2 and 4 of this by-law for additional information)	-	-	(h)	5(g)(i)	5 (g)(i)(j)
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 Forming Part of Table 3.6: “GD” - General Development Zone:

- (a) In addition to the minimum requirements for **TABLE 3.6**, the following requirements shall apply:
- (i) Maximum allowable height for all buildings and structures shall be 30 feet (two storeys), excepting grain storage structures, fuel and fertilizer storage tanks, church steeples and private (non-commercial) telecommunication towers.
 - (ii) The minimum dwelling unit area shall be seven hundred 700 sq/ft (65.03 sq/m) for a residential building, and 400 square feet (37.16 sq/m) an accessory residential suite within a commercial building.
- (b) (1) 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 department 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.

- (2) Regardless of the whether the site is serviced by a piped municipal sewer system, holding tank or individual onsite sewage disposal system (e.g. tile field), the minimum required side yard shall be twelve (12) feet in the case of the street side of a corner site.
- (3) Where a two (2) unit dwelling or a multi-unit dwelling serviced by a municipal sewer system or private holding tank is to be subdivided in a manner to create separate zoning sites for each dwelling unit, the minimum required side yard for interior side yards sharing a common party wall shall be reduced to zero (0) feet. For two-unit dwellings sharing a common party wall, the minimum site area required for each dwelling unit shall be reduced to 5,000 square feet and the minimum required site width shall be reduced to 50 feet.
- (c) The minimum front yard requirement for a site where there are existing buildings on either side of the site shall be the average of the front yards of the adjacent buildings provided the average is not greater than the minimum site requirements.
- (d) For mobile home sites, there shall be an open space at least 20 feet by 50 feet adjacent to the side of the mobile home containing either the entrance or the main living room window.
- (e) Where the site **is** serviced by a municipal piped wastewater system or a private holding tank approved by the provincial authority having jurisdiction, the minimum bulk requirements for sites with three (3) or more dwelling units or suites shall be as follows:
 - (i) Minimum required site area - 10,000 square feet for the first three dwelling units or suites with an additional 1,000 square feet for each additional dwelling unit or suite above the first three units/suites.
 - (ii) Minimum required site width - 100 feet
 - (iii) Minimum required side yard - 6 feet excepting the street side of a corner site which shall be (12 feet).
- (f) Where the proposed development consists of a building or structure less than 100 square feet in floor area, a smaller site may be approved by Council, provided that the site is not adjacent to a required front yard of a residential site, and provided that a separation distance of 7 feet is maintained from all site lines.
- (g) Where the side or rear site line of a site is adjacent to a railway right-of-way, the required yard shall be 0 feet for structures that require railway loading service.
- (h) 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.
- (i) In the case of buildings or structures that are accessory to residential uses, when located entirely to the rear of the principal building, the minimum required side yard and rear yard for accessory buildings and structures shall be 3 feet.
- (j) Where an accessory building is used for the storage of a motor vehicle, the wall that contains the vehicle access door shall be set back a minimum distance of 10 feet from a public lane.
- (k) 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.
- (l) The keeping of any livestock and/or the construction of buildings or other structures or enclosures for the purposes of any keeping livestock **shall be prohibited** within the **“GD” General Development Zone**.

- (m) 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.
- (n) 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.
- (o) 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.
- (p) Where a site line is adjacent to a Provincial Trunk Highway or Provincial Road, the provincial authority having jurisdiction shall determine the minimum setbacks from the highway, along with construction of access to the property and the planting of trees, and the provisions of **TABLE 3.6** shall not apply to the required yard along the property boundary adjacent to the highway.