

3.9 “RR5” Rural Estate Residential Zoning District

The “RR5” - Rural Estate Residential Zoning District is hereby established in this by-law and provides for clusters of planned multi-lot rural estate residential development on medium sized rural acreages that are a minimum of 5 acres in size with 300 feet of frontage. These lots will generally rely on individual onsite water and wastewater infrastructure. The keeping of a maximum of 1.33 AU of livestock per 2 acres of site area to a maximum of (3.5) animal units cumulative across species on residential parcels may be allowed as a **conditional use** in this zone.

3.9.1 “RR5” Rural Estate Residential 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 3.5 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) Accessory Tent Like Structures

In the “RR5” - Rural Estate Residential Zone, an “accessory tent-like structure” as defined in **PART 6** of this by-law may be allowed a conditionally approved accessory building only when it is located on the same site as a single dwelling, modular, mobile home and in all cases it shall be located to the rear of the principal dwelling on the site. All accessory tent-like structures between one hundred and eight (108) square feet (10 sq/m) and two hundred and fifty (250) square feet (23.2sq/m) shall be subject to the issuance of a **Development Permit** and must meet all other requirements of the zoning by-law. Accessory tent-like structures exceeding two-hundred and fifty (250) square feet (23.2sq/m) shall be subject to the issuance of a **Development Permit** and **Building Permit** and must meet all other requirements of the zoning by-law.

ii) Accessory Animal Housing Facility

Where an accessory animal housing facility is proposed on a site with a single-unit dwelling, mobile or modular home as its principal use, the animal housing facility may be allowed as a conditionally approved accessory use in the “RR5” Rural Estate Residential Zone. In such circumstances, the maximum amount of livestock which may be kept on a rural residential site shall not exceed 1.33 Animal Units (AU) per two (2) acres of site area as calculated from **Table 4-1 of PART 4** of this by-law, to a maximum of three and a half (3.5) Animal Units (cumulative across species) and shall be subject to the following additional requirements:

- a) The animal housing facility and any manure stored onsite shall be separated a minimum distance of two hundred (200) feet (61m) away from all residences other than the owner's residence located on the same site as the animal housing facility and any manure stored onsite. In addition, any manure stored onsite shall be setback a minimum of fifty (50) feet (15.25m) from the side and rear limits of the property on which they are sited and shall also be stored to the rear of the dwelling on the site.

c) Prohibited Accessory Uses Buildings and Structures

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 3.5: USE & SITE REQUIREMENTS: “RR5” RURAL ESTATE RESIDENTIAL ZONE	MINIMUM REQUIREMENTS (a)(b)(c)(d) (f) (i)				
	SITE SIZE		REQUIRED YARDS		
	SITE AREA (Acres)	SITE WIDTH (feet)	FRONT YARD (feet) (b)	SIDE YARD (feet) (b)	REAR YARD (feet) (b)
PERMITTED USES					
Existing lawfully Established Uses in place on the date of the adoption of this by-law	(j)	(j)	(j)	(j)	(j)
General Store and Related Sales and/or Post Office	2	200	60	30	25
Historical Sites	1	100	60	30	25
Public Picnic Areas, Parks, Playgrounds, Tot-lots, Recreational Facilities (such as tennis courts, horseshoe pitches, lawn bowling courts, swimming pools and the like)	1	100	60	30	25
Public Utilities (c)	7,500 sq/ft	60	60	15	25
Single-Unit Dwellings (g) (h) (l) (m)	5	300	60	30	25
CONDITIONAL USES					
Group Day Care Facilities for Nine or More Children	2(k)	200	60	25	25
Mobile and Modular Homes (g) (h)	5	300	60	30	25
Residential Care Facilities for more than four children or more than two adults	5	300	60	25	25
ACCESSORY USES, BUILDINGS AND STRUCTURES					
Accessory Uses, Buildings, Structures (f) (See also PARTS 2 and 4 of this by-law for additional information).	-	-	(e)	15	15
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. ¹ 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 3.5: “RR5” Rural Estate Residential Zone:

- (a) (i) The maximum allowable height for all buildings and structures shall be 30 feet (two storeys), excepting personal telecommunications towers which shall be allowed as permitted accessory structures when located on single-unit dwellings, mobile or modular home sites subject to the siting and setback requirements of footnote (h) of **Table 3.5** herein.
- (ii) The minimum dwelling unit floor area for a single-unit farm and/or non-farm dwelling, mobile home and/or modular home shall be seven hundred (700) square feet (65.03sq/m).
- (b) (i) Where principal buildings and/or structures are adjacent to a Government Road Allowance under the jurisdiction of the municipality, the minimum front and side yard setbacks shall be one hundred and twenty-five (125) feet (38.1m).
- (ii) Where a site line is adjacent to a Provincial Trunk Highway or Provincial Road, the provincial authority having jurisdiction will have jurisdiction of all matters related to setback from the

highway, along with construction of access to the property and the planting of trees, and the provisions of this TABLE shall not apply to the required yard along the property boundary adjacent to the highway.

- (iii) Buildings and structures shall have a minimum front, side and/or rear yard of 125 feet when the yard is adjacent to a Government Road Allowance under the jurisdiction of the municipality, with the exception of incidental accessory structures such as fences, signs, private wells and sewage disposal systems.
- (c) 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.
- (d) 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.
- (e) 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.
- (f) Where the rear site line of a single dwelling, mobile or modular home site is along a shoreline of a lake or other water body, the minimum rear yard shall be zero (0) for accessory docks and/or boathouses only.
- (g) Where an area is developed or expanded for residential purposes (i.e. single-unit dwellings, modular or mobile homes), no parcel shall be created or thereafter further re-subdivided for residential purposes unless each parcel intended for residential development conforms to the minimum site area and width requirements as set forth in **Table 3.5 of this PART**.
- (h) Where an animal housing facility is proposed on a site with a single-unit dwelling, mobile or modular home as its principal use, the animal housing facility may be allowed as a conditionally approved accessory use in the **“RR5” Rural Estate Residential Zone**. In such circumstances, the maximum amount of livestock which may be kept on a rural residential site shall not exceed 1.33 Animal Units (AU) per two (2) acres of site area as calculated from **Table 6-1 of PART 6** of this by-law, to a maximum of three and a half (3.5) Animal Units (cumulative across species) and shall be subject to the following additional requirements:
 - 1) a) The animal housing facility and any manure stored onsite shall be separated a minimum distance of two hundred (200) feet (61m) away from all residences other than the owner’s residence located on the same site as the animal housing facility and any manure stored onsite. In addition, any manure stored onsite shall be setback a minimum of fifty (50) feet (15.25m) from the side and rear limits of the property on which they are sited and shall also stored to the rear of the dwelling on the site.
- (i) 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.
- (j) The minimum use and site requirements for lawfully established existing uses that were in place before this by-law came into effect shall be the siting and setbacks that existed for the given use on the date this by-law came into effect.

- (k) Notwithstanding the minimum site area requirement as specified in TABLE 4-1, Council may require a larger site area requirement at locations where, in the opinion of Council, adverse terrain conditions or topography present significant problems for development and use of the site.

Preservation of Natural Vegetation

- (l) Where areas containing significant treed acreage have been subdivided for rural residential uses in the **"RR5" Rural Residential Zone**, at least eighty (80) percent of the site shall remain under existing vegetative cover. Up to two (2) acres or twenty (20) percent of the site, whichever is the lesser, may be cleared for development of building sites, access driveways, and private recreation space, unless otherwise approved by Council.
- a) Development Permit applications within the **"RR5" Zone** shall be accompanied by a separate drawing illustrating areas which are proposed to be cleared and areas which are to remain under existing vegetative cover, along with an indication of the total acreage to be cleared.
 - b) Where land is being developed for fence lines or similar features, the existing vegetative ground cover shall remain in an undisturbed condition, and trees and shrubs may be cut off above ground level to a width of twelve (12) feet from the fence line.
 - c) Where an excessive amount of existing vegetation has been removed from any particular area, or where significant areas of natural soil (excluding gardens) remain exposed for extended periods of time, Council may obtain expert opinion and take the necessary action to cause the situation to be corrected, and may seek to recover any costs incurred from the owner.

Riparian Area Protection

- (m) Where a rural residential subdivision is proposed near a watercourse, the following provisions shall apply:
- (i) All development activities (include residence siting, onsite wastewater management systems, access roads, trails, etc.) shall be sited as far back from the water course as possible, with effective erosion control measures implemented to minimize sedimentation and runoff from entering the watercourse, both during construction, and after the site has been developed;
 - (ii) Mature woody vegetation and shrubbery, not affected by subdivision design, shall remain in place to promote bank stability and to reduce erosion risk; and
 - (iii) Existing vegetation along the watercourse should remain in place to filter runoff, promote water quality, protect the aquatic ecosystem, and provide cover habitat for wildlife.