

### 3.14 “CH” Commercial Highway Zoning District

The “CH” Commercial Highway Zoning District is hereby established in this by-law and is intended to accommodate a range of commercial and related uses that serve the needs of the travelling public that are most appropriately located on major highways outside of the core / downtown areas of urban settlement centres. The keeping of any livestock in the “CH” zone is prohibited.

#### 3.14.1 “CH” Commercial Highway Zoning District Accessory Uses, Buildings and Structures

##### a) Permitted Accessory Uses, Buildings and Structures

###### i) Accessory Dwelling Unit

In the “CH” zone, one (1) attached or detached accessory dwelling unit and its associated accessory buildings may be developed as a permitted accessory use on the same parcel as the principal use commercial use of the property. The accessory dwelling unit must in all cases satisfy all of the siting and setback requirements applicable to the principal use of the property and meet all other requirements of this by-law, the Manitoba Building Code and Manitoba Fire Code (where applicable). The minimum dwelling unit floor area for the accessory dwelling unit shall be seven hundred 700 sq/ft (65.03sq/m).

###### 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 3.9 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 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 “CH” Zone, an “accessory tent-like structure” as defined in **PART 6** of this by-law may be developed as a conditionally approved accessory building only when it is located on the same site as the use to which it is accessory. All accessory tent-like structures between one hundred and eight (108) square feet and two-hundred and fifty (250) square feet 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 shall be subject to the issuance of a **Development Permit** and **Building Permit** and must meet all other requirements of the zoning by-law.

##### 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 “CH” Commercial Highway 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.

| <b>TABLE 3.9: USE &amp; SITE REQUIREMENTS:<br/>“CH” COMMERCIAL HIGHWAY ZONE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>MINIMUM REQUIREMENTS (a) (b) (c) (d) (h) (i)</b> |                         |                                  |                                 |                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-------------------------|----------------------------------|---------------------------------|-----------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>SITE SIZE</b>                                    |                         | <b>REQUIRED YARDS</b>            |                                 |                             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Area<br/>(sq/ft)</b>                             | <b>Width<br/>(feet)</b> | <b>Front<br/>Yard<br/>(feet)</b> | <b>Side<br/>Yard<br/>(feet)</b> | <b>Rear Yard<br/>(feet)</b> |
| <b>PERMITTED USES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                     |                         |                                  |                                 |                             |
| Advertising Signs (with a sign surface area up to 54 sq/ft in size)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | -                                                   | -                       | 25 (d)                           | 15 (d)                          | 15 (d)                      |
| Automobile, Boat and Trailer Sales and Service                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 40,000                                              | 150                     | 125                              | 15                              | 15                          |
| Automobile Service Stations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 40,000                                              | 150                     | 125                              | 15                              | 15                          |
| Business & Personal Services Establishments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 20,000                                              | 100                     | 125                              | 15                              | 15                          |
| Bus Stations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 20,000                                              | 100                     | 125                              | 15                              | 15                          |
| Camping and Tenting Grounds                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 40,000                                              | 150                     | 125                              | 15                              | 15                          |
| Convenience Stores                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 20,000                                              | 100                     | 125                              | 15                              | 15                          |
| Farm Implement Sales and Service                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 40,000                                              | 150                     | 125                              | 15                              | 15                          |
| Fire and Police Stations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 20,000                                              | 100                     | 125                              | 15                              | 15                          |
| Hospitals                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 1 acre                                              | 200                     | 125                              | 15                              | 15                          |
| Motels or Hotels                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 40,000                                              | 150                     | 125                              | 15                              | 15                          |
| Libraries and Museums                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 20,000                                              | 100                     | 125                              | 15                              | 15                          |
| Parks and Playgrounds                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 15,000                                              | 75                      | 125                              | 15                              | 10                          |
| Public Utilities (g)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 15,000                                              | 75                      | 125                              | 15                              | 10                          |
| Restaurants and Drive-In Eating Establishments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 20,000                                              | 100                     | 125                              | 15                              | 15                          |
| Truck Terminals                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 40,000                                              | 150                     | 125                              | 15                              | 15                          |
| <b>CONDITIONAL USES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                     |                         |                                  |                                 |                             |
| Advertising Signs (with a sign surface area greater than 54 sq/ft in size)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | -                                                   | -                       | 25 (d)                           | 15 (d)                          | 15 (d)                      |
| Cannabis Retail Establishment (j)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 10,000                                              | 100                     | 25                               | 15                              | 10                          |
| Lumber Yards (with indoor and exterior storage)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 15,000                                              | 75                      | 125                              | 15                              | 10                          |
| Recreation Facilities (Bowling Alleys, Cinemas, etc)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 15,000                                              | 75                      | 125                              | 15                              | 10                          |
| <b>ACCESSORY USES, BUILDINGS, STRUCTURES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                     |                         |                                  |                                 |                             |
| Accessory uses, Buildings and Structures<br>(See also PARTS 2 and 4 of this By-law).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | -                                                   | -                       | (f)                              | 3                               | 2 (e)                       |
| <b>NOTES:</b><br><sup>1</sup> For information concerning the treatment of lawfully established existing uses, buildings and structures in existence prior to the adoption of this by-law, please refer to <b>PART 2: General Rules and Regulations Applicable in All Zoning Districts</b> of this by-law.<br><br><sup>2</sup> Provisions of <b>PART 2: General Rules and Regulations Applicable in All Zoning Districts</b> and <b>PART 4: Additional Requirements for Specific Permitted, Conditional and Accessory Uses in Different Zones</b> 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 3.9: “CH” Commercial Highway Zone:**

In addition to the minimum requirements for **TABLE 3.9** (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 architectural components of permitted or conditionally approved public buildings and accessory telecommunication towers.

- (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) (i) In the **“CH” zone**, more than one principal commercial building or commercial use of land or some combination thereof may be permitted on a single parcel of land. Where any building or parcel is used for more than (1) purpose, all of the requirements of this by-law pertaining to each building or use shall be satisfied. In the event of a conflict between requirements pertaining to each use or building, the higher or more stringent requirement shall prevail and shall be satisfied.
- (d) Under authority of all applicable provincial Acts, where any structure or development are 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.
- (e) 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.
- (f) 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.
- (g) 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.
- (h) 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.
- (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) All newly siting cannabis retail establishments shall be setback a minimum of 300 feet (91.4 metres) from the limits of lands zoned “I” Institutional Zone.