

THE TOWN OF THE PAS

ZONING BY-LAW

BEING BY-LAW NO. 4121 OF

THE TOWN OF THE PAS

**COMMUNITY ECONOMIC DEVELOPMENT BRANCH
May 1995**

THE TOWN OF THE PAS

BY-LAW NO. 4121

BEING A BY-LAW to regulate the use and development of the land within the Town of The Pas.

WHEREAS Section 42(1) of The Planning Act, Chapter P80, R.S.M., 1987 provides that Zoning By-law may be enacted by the Council of a municipality;

AND WHEREAS pursuant to Section 24(4) of the said Planning Act, the Town of The Pas has by By-law adopted a Development Plan;

AND WHEREAS, Section 32(3) of the same Act provides that a Zoning By-law shall be amended to bring it into conformity with the Development Plan;

AND WHEREAS, By-Law No. 2427, being the Town of The Pas Zoning By-Law, and all its amendments are hereby repealed;

NOW THEREFORE, the Council of the Town of The Pas, in meeting duly assembled, enacts as follows:

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PART ONE - SCOPE

1. THE BY-LAW

- (1) This By-law shall be known and may be cited as "The Town of The Pas Zoning By-law."
- (2) This By-law shall be in full force and effect on the day it is given Third Reading by the Council of the Town of The Pas.
- (3) This By-law shall apply to all of the Town of The Pas.

2. INTENT

The regulations and provisions established by this By-law are deemed necessary in order to:

- (1) Implement the objectives and policies of the Town of The Pas Development Plan, By-law No. 2973;
- (2) To define and limit the powers and duties of the Council and the Development Officer; and
- (3) To regulate the following:
 - a) all buildings and structures erected hereafter;
 - b) all uses of buildings, structures and land established hereafter;
 - c) all alterations, demolitions or relocations of existing buildings and structures occurring hereafter;
 - d) all enlargements of existing buildings, structures or uses; and
 - e) all changes in the use or intensity of use of buildings, structures and land occurring hereafter.

3. RESPONSIBLE AUTHORITY

- (1) The authority responsible for the enactment of this By-law shall be the Council, in accordance with the provisions of The Act; and

- (2) Subject to the provisions of The Act, the regulations, restrictions and boundaries set forth in this By-law may from time to time be amended or repealed.

4. **INTERPRETATION AND APPLICATION**

In their interpretation and application, the provisions of this By-law shall be held to be the minimum requirements to satisfy the intent and purpose as set forth herein.

5. **RELATION TO OTHER BY-LAWS**

Whenever provisions of any By-law of the Town of The Pas or any other requirement of the Provincial or Federal Government impose overlapping regulations over the use of land or buildings or bulk requirements or contain any restrictions covering any of the same subject matter contained herein, the most restrictive or highest requirement shall govern.

6. **ENFORCEMENT**

The enforcement of this By-law, or any resolution or Order enacted by the Council under The Act or any regulation made thereunder shall be in accordance with PART VII of The Act.

7. **RULES OF INTERPRETATION**

The following rules of interpretation shall apply to the text of this By-law:

- (1) Words, phrases and terms defined herein shall be given the defined meaning.
- (2) Words, phrases and terms not defined herein but defined in The Act and in the Building, Electrical or Plumbing By-laws of the Town of The Pas shall be construed as defined in such Act and By-laws.
- (3) Words, phrases and terms neither defined herein nor in The Act, the Building, Electrical or Plumbing By-laws of the Town of The Pas shall be given their usual and customary meaning except where the context clearly indicates a different meaning.

- (4) Where any requirement of this By-law results in a fraction of a unit, a fraction of five tenths (5/10) or more shall be considered a whole unit and a fraction of less than five tenths (5/10) shall be disregarded.
- (5) The term "shall" is mandatory and not permissive; the word "may" is permissive and not mandatory.
- (6) Words used in the singular include the plural and words used in the plural include the singular.
- (7) Words used in the present tense include the future tense and words used in the future tense include the present tense.
- (8) The phrase "used for" includes "arranged for", "designed for", "maintained for" or "occupied for".
- (9) The words "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
- (10) 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", "either-or", the conjunction shall be interpreted as follows:
 - a) "And" indicates that all the connected items, conditions, provisions or events shall apply in any combination.
 - b) "Or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
 - c) "Either-or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
- (11) The words "include" "includes" or "including" shall not limit a term to the specified examples, but is intended to extend the meaning to all other instances or circumstances of like kind or character.

8. DIVISIONS OF BY-LAW

This By-law is divided into PARTS. A number-lettering system has been used throughout the By-Law as follows:

- (1) Each Part is designated by the written word "PART" in capitals followed by a written number in upper case, a hyphen and a title all in upper case letters.
- (2) Each Section is designated by a number followed by a period and has a heading in upper case letters which is underlined. The first word of the section begins with an upper case letter.
- (3) Each Subsection is designated by a number bracketed on both sides and the subsection begins with an upper case letter.
- (4) Each Paragraph is designated by a lower case letter bracketed on the right side only and the paragraph begins with an upper case letter.
- (5) Each Clause is designated by a Roman Numeral in lower case, is bracketed on the right side only and the clause begins with a lower case letter.
- (6) Each Point is designated by an upper case letter, is bracketed on the right side only and the point begins with a lower case letter.
- (7) This number-lettering system is illustrated as follows:

PART ONE	Part
1.	Section
1. (1)	Subsection
1. (1) a)	Paragraph
1. (1) a) i)	Clause
1. (1) a) i) A)	Point

PART TWO - DEFINITIONS

1. **ACCESSORY BUILDING STRUCTURE OR USE:** Means a building, structure or use which is subordinate to, and incidental to the permitted or approved principal building or use; and is located on the same site as the principal building, or use, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same site with the principal building, structure or use.
2. **ACT, THE PLANNING:** Means The Planning Act, being Chapter P80, R.S.M. 1987 and all amendments and regulations thereto.
3. **AGRICULTURAL IMPLEMENT SALES AND SERVICE:** Means an area for storing, selling, renting or light servicing of agricultural and/or construction equipment but does not include general engineering, reconditioning nor manufacturing.
4. **AGRICULTURAL INDUSTRIES:** Means industries that support agricultural activities including: seed cleaning plants, grain elevators, fertilizer plants, feed mills, abattoirs, auction marts and bulk fertilizer, but not anhydrous ammonia or bulk propane.
5. **AIRCRAFT LANDING AREA:** Means any area of land or water which is used or intended for use for the landing or take-off of aircraft and any appurtenant areas which are used or intended for use for buildings or other facilities or rights-of-way, including taxiways aircraft storage and tie-down areas, hangars and other related buildings and open spaces.
6. **ALTER OR ALTERATION:** Means a non-structural change or modification to an existing building, structure or use which does not increase the exterior dimensions of height and area.
7. **ALTERATIONS, STRUCTURAL:** Means the construction or reconstruction of supporting elements of a building or other structure.
8. **ARCADE:** Means a commercially operated place where four (4) or more arcade games are housed and open to be played by the public.

9. **ARCADE GAME:** Means a commercially operated game of luck and skill played on a stationary mechanical or electronic machine and includes pinball machines, video games, computer games and the like.
10. **AUTOMOBILE SERVICES:** Means a premises used for autobody repair, gas bars, laundry or car washes, sales areas, service stations, and wrecking yards. The following definitions of specific automotive uses shall exclude all other automotive uses listed.
- (1) **Autobody Repair:** Means a use conducted entirely within an enclosed building for the repair and painting of automobile and truck bodies, but shall not include mechanical repairs, servicing or automobile wrecking except when accessory to body repair, and shall not include the permanent storage of more than three (3) vehicles and said vehicles shall be in working condition and shall be regularly used in the repair operations.
 - (2) **Automobile Gas Bar:** Means a premises where vehicle fuel, lubricants and automotive accessory items are offered for sale but where no provision is made for the repair, maintenance and storage of vehicles. The selling of convenience store items is also permitted.
 - (3) **Automobile Laundry or Car Wash:** Means a building or portion thereof wherein facilities are provided for the washing, cleaning and polishing of motor vehicles.
 - (4) **Automobile Sales Area:** Means a premises used for the display, sale or rental of new or used automobiles, recreational vehicles, camper and travel trailers, boats, boat and utility trailers and the like, and where repairs are made they shall be done within a completely enclosed building, except minor incidental repairs of automobiles, recreational vehicles, camper and travel trailers, boats, boat and utility trailers and the like. Automobile sales shall not include mobile home or heavy machinery sales, rentals or repairs.
 - (5) **Automobile Service Station:** Means a premises used for the retail sale of parts, goods and products for the servicing, maintenance and operation of automobiles, small motors and recreational vehicles; and where automobiles, small motors and recreational vehicles may be serviced and repaired; and may include muffler shops, tune-up shops, lube and oil shops and the like and shall not include the permanent

storage of more than three (3) motor vehicles and such vehicles shall be in working condition and shall be regularly used in the operation of the service station.

- (6) **Automobile Wrecking:** Means the dismantling or wrecking of used motor vehicles, trucks, heavy machinery or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles, machinery or their parts.
11. **BASEMENT:** Means a portion of a building between a floor and ceiling, that is located partly underground but with more than half (1/2) of the floor to ceiling height thereof above the average grade of the adjoining ground.
12. **BUILDING:** Means a building as defined in The Act.
13. **BUILDING, HEIGHT OF:** Means the total number of storeys in a building or the vertical distance measured from grade to the highest point of the roof surface 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.
14. **BULK:** Means the following:
- (1) The size (including height and floor area), of buildings or structures; and
 - (2) The area of the site upon which a building is located, and the number of dwelling units or rooms within such building in relation to the area of the site; and
 - (3) The location of exterior walls of buildings in relation to site lines; to other walls of the same building; to legally required windows; or to other buildings; and
 - (4) All open areas relating to buildings or structures and their relationship thereto.
15. **CAMPING AND TENTING GROUNDS:** Means a parcel of land planned and improved to accommodate recreational vehicles, tents, tent trailers or other camping accommodations used as temporary dwellings for travel, recreational and vacation uses.
16. **CELLAR:** Means a portion of a building between a floor and a ceiling, that is located wholly or partly underground, but with more than half (1/2) of the floor to ceiling height below the

average grade of the adjoining ground and may only be occupied or let as a habitable room or dwelling unit with the written permission of a medical officer of health.

17. **CEMETERY:** Means land used or intended to be 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.
18. **CHILD CARE SERVICES:** Means the provision of care for remuneration or rewards to a child apart from his or her parents or guardians for a period in any one day exceeding three (3) hours but not exceeding fourteen (14) hours:
- (1) **Drop-in Babysitting Service:** Means the provision of supervision on a temporary basis being equal to the period of time while the child is with the babysitting service in a commercial or institutional building while the parents or guardians of the children undertake some form of short term activity such as shopping, entertainment, education or similar activities in close proximity to the place where the child is under supervision on a temporary basis.
 - (2) **Home Day Care:** Means the provision of child care services in a family dwelling unit in which the owner or tenant resides, or the provision of child care services in a place of worship or religious institution. The children being cared for shall not be over twelve (12) years of age and the number of children shall not exceed eight (8). Access to an outdoor recreation area is required. Home day care may include a nursery school of less than eight (8) children.
 - (3) **Group Day Care:** Means the provision of child care service to nine (9) or more children not over the age of twelve (12) in a provincially licensed facility with access to an outdoor recreation area. Group day care may include a nursery school.
19. **CHURCH:** Means a building or premises dedicated to religious worship and incidentally includes a church hall, church auditorium, Sunday School, parish hall, and day nursery operated by the church.
20. **CONDITIONAL USE:** Means the use of land or building as defined in The Act.

21. **CONDOMINIUM:** Means a condominium as established under the provisions of The Condominium Act.
22. **CONDOMINIUM BARE LAND UNIT:** Means a unit defined by delineation of its horizontal boundaries without reference to any buildings on a condominium plan.
23. **CONDOMINIUM UNIT:** Means a part of the land or building and is designated as a unit by the condominium plan, and is 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.
24. **DEVELOPMENT:** Means development as defined in The Act.
25. **DEVELOPMENT OFFICER:** Means the officer appointed by the Municipality in accordance with the provisions of The Act.
26. **DEVELOPMENT PERMIT:** Means a permit issued under the zoning by-law authorizing development.
27. **DRIVE-IN ESTABLISHMENT:** Means an establishment with facilities for attracting and servicing prospective customers travelling in motor vehicles, which are driven onto the site where the customer may or may not receive service in the vehicle.
28. **DWELLING:** Means a building or portion thereof designed for residential occupancy, including:
 - (1) **Single-Family Dwelling:** Means a detached building designed for and used by not more than one (1) family.
 - (2) **Two-Family Dwelling:** Means a detached or semi-detached building designed for and used by no more than two (2) families, each having exclusive occupancy of a dwelling unit.
 - (3) **Multiple-Family Dwelling:** Means a building containing three (3) or more dwelling units, each unit designed for and used by not more than one (1) family, each having exclusive occupancy of a dwelling unit.
29. **DWELLING UNIT:** Means two (2) or more rooms in a building used or intended to be used by one (1) family for living purposes with cooking, eating, sleeping and sanitary facilities.

30. **FAMILY:** Means one or more persons related by blood, marriage, common-law relationship, or legal adoption, or a group of not more than three (3) persons occupying a dwelling unit and living as a single housekeeping unit.
31. **FINANCIAL SERVICES:** Means a building or part of a building in which people are employed to provide financial services such as banks and trust companies, credit agencies, investment companies, brokers and dealers of securities and accountants.
32. **FITNESS CENTER:** Means a building or part of a building in which a person's physical well-being is enhanced; including:
- (1) **Individual:** Means a premises where the personal needs of an individual can be accommodated, including health clubs and personal gyms.
 - (2) **Group:** Means a premises where instructional classes are provided to groups of people, including aerobic and martial arts studios.
33. **FLOOR AREA:** Means the total area of all of the floors of all buildings and structures on a site, measured from the exterior faces of the exterior walls or from the centerline of party walls. The floor area shall include basements when used for residential, commercial or industrial purposes. Space used for storage or the housing of mechanical or central heating equipment and accessory off-street parking and loading spaces are not included.
34. **GARAGE, PRIVATE:** Means an accessory building or portion of a principal building used by the occupants of the premises upon which it is located for the parking or temporary storage of private passenger motor vehicles.
35. **GRADE:** (as applying to the determination of building or structure height) Means the average level of finished ground adjoining a building or structure at all exterior walls, as determined by the Development Officer.
36. **HOME OCCUPATION:** Means a use which:
- (1) Is carried on in a dwelling unit or mobile home or its permitted accessory building;

- (2) Is carried on solely by the members of the family residing at the same dwelling unit or mobile home (no employees are allowed);
 - (3) Is accessory to the use of the dwelling unit or mobile home and does not exceed a maximum of 37 square meters (398 sq. ft.);
 - (4) Has no exterior display (such as signs of advertising), no exterior storage of materials, and no other exterior indication of the home occupation or variation of the residential character of the principal or accessory building except as provided for herein;
 - (5) Is not offensive or obnoxious or creates a nuisance and cause the emission of odor, dust, smoke, noise, gas fumes, cinders, vibrations, refuse matter or water carried waste at or beyond any site line; and
 - (6) Does not cause the generation of undue traffic and congestion in the neighbourhood.
37. **HOTEL OR MOTEL:** Means a building or part thereof wherein accommodation is provided for transient lodgers, in any individual room or apartment, with or without cooking facilities. Permitted accessory uses include but are not limited to, restaurants, licensed beverage rooms, banquet halls, ballrooms and meeting rooms.
38. **HOUSE, BOARDING, LODGING, OR ROOMING:** Means a building or portion thereof other than a hotel or motel without cooking facilities where lodging, or lodging and meals are provided for compensation and shall not exceed four (4) units, exclusive of the proprietor and his family.
39. **INDUSTRIAL SERVICE SHOP:** Means a use where heavy equipment and machinery, such as tractors, graders and farm machinery, are repaired and serviced and includes uses providing services to mineral and forest extraction operations.
40. **JUNK YARD:** Means a premises 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. A junk yard includes an automobile wrecking or dismantling yard but does not include uses established entirely within enclosed buildings.

41. **KENNEL:** Means any premises on which more than two (2) dogs and cats at least four (4) months of age are maintained, boarded, bred, trained, or cared for, in return for remuneration, or are kept for the purpose of sale.
42. **LANE:** Means a street not over thirty-three (33) feet in width.
43. **LOADING SPACE:** Means an off-street space or berth on the same 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 materials, and which has access to a street, lane, or other appropriate means of access.
44. **MANUFACTURING, GENERAL:** Means a use which mechanically transforms materials or substances into new products, including the assembly of component parts but does not include chemical manufacturing.
45. **MEDICAL BOARDING HOUSES:** Means a building or portion thereof, other than a hotel or motel, where lodging, or lodging and meals are provided for compensation for persons attending in The Town of The Pas for medical purposes. Meals may be provided only to those persons residing on the premises.
46. **MOBILE HOME:** Means a structure transportable in one or more sections, designed to be used as a dwelling unit, and meets the requirements of the Canadian Standards Association Z240 rating.
47. **MOBILE HOME PARK:** Means any premises which provides serviced spaces for residential use and designed for the accommodation of two or more mobile homes for lease or rent.
48. **MOBILE HOME SUBDIVISION:** Means a parcel of land subdivided to provide individual sites in accordance with the subdivision approval procedure under the Planning Act.
49. **NON-CONFORMITY:** Means a parcel of land or site, a building or structure, or a 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.
50. **OBNOXIOUS USE:** Means a use which, by its nature or operation creates a nuisance or is offensive by reason of 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.

51. **OPEN SPACE:** Means that required portion of a 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 space or loading space, but shall be usable for landscaping, drying yards, recreational space and other leisure activities normally carried on outdoors. To the extent prescribed in these regulations, balconies, roof and other like above grade level areas may also be considered as open space.
52. **PARCEL OF LAND:** Means a parcel as defined in The Act.
53. **PARKING SPACE:** Means an open area of land other than a street or lane or an area within a structure used for the parking of vehicles.
54. **PERFORMANCE STANDARDS:** Means a standard established to control noise, odour, smoke, toxic or noxious matter, vibration, fire and explosive hazards or glare or heat generated by, or inherent in, uses of land or buildings.
55. **PERSONAL SERVICES:** Means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual (one on one) and personal needs of persons and includes such establishments as barber shops, janitorial, catering, cleaning and garment services, photographic, and clothing rental.
56. **PUBLIC UTILITIES:** Means any system, works, plant, equipment or service which furnishes services and facilities available at approved rates to or for the use of the general public, including:
- (1) Communication, by way of telephone, telegraph, wireless or television;
 - (2) Public transportation, by bus or other vehicles;
 - (3) Production, transmission, delivery, or furnishings of water, gas and electricity to the public at large; and
 - (4) Collection and disposal of sewage, garbage and other waste.

57. **PREMISES:** Means an area of land, including a site, with or without buildings or structures.
58. **PROFESSIONAL SERVICES:** Means a building or part of a building in which persons are employed for the provision of professional services such as medical services (including clinics), dental, legal, real estate agents, insurance brokers and consultants.
59. **PLANNED UNIT DEVELOPMENT OR PLANNED BUILDING GROUP:** Means a planned unit development as defined in The Act.
60. **RECREATIONAL VEHICLE:** Means a vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.
61. **RECREATIONAL VEHICLE PARK:** Means any premises which is used or designed for temporary accommodation of two or more recreational vehicles whether or not a charge is made for such accommodation.
62. **RESIDENTIAL CARE FACILITY:** Means the use of a building or structure or portion thereof maintained for the express or implied purpose of providing residential care or transitional services to persons not related by blood or marriage to the operator, but does not include a facility which is licensed or designated by the Manitoba Health Services Commission. The facility shall comply with the Provincial Governments licensing requirements set out in the Social Services Administration Act Regulation 484/88R. It shall include:
- (1) **Care Home:** Means a premises where care or treatment of not more than four (4) persons is provide, not including the operators;
 - (2) **Neighbourhood Care Home:** Means a premises where care or treatment of more than four (4) but not more than eight (8) persons is provided, not including the operators;
 - (3) **District Care Home:** Means a premises where care or treatment of more than eight (8) but not more than twelve (12) persons is provided, not including the operators.
63. **RETAIL SERVICES:** Means a building or part of a building in which persons are employed in the sale of goods to customers and includes uses such as hardware, mail order, clothing, groceries,

office equipment, drug stores, convenience stores, appliances, electronics, books, gifts, second hand goods and may include incidental repairs.

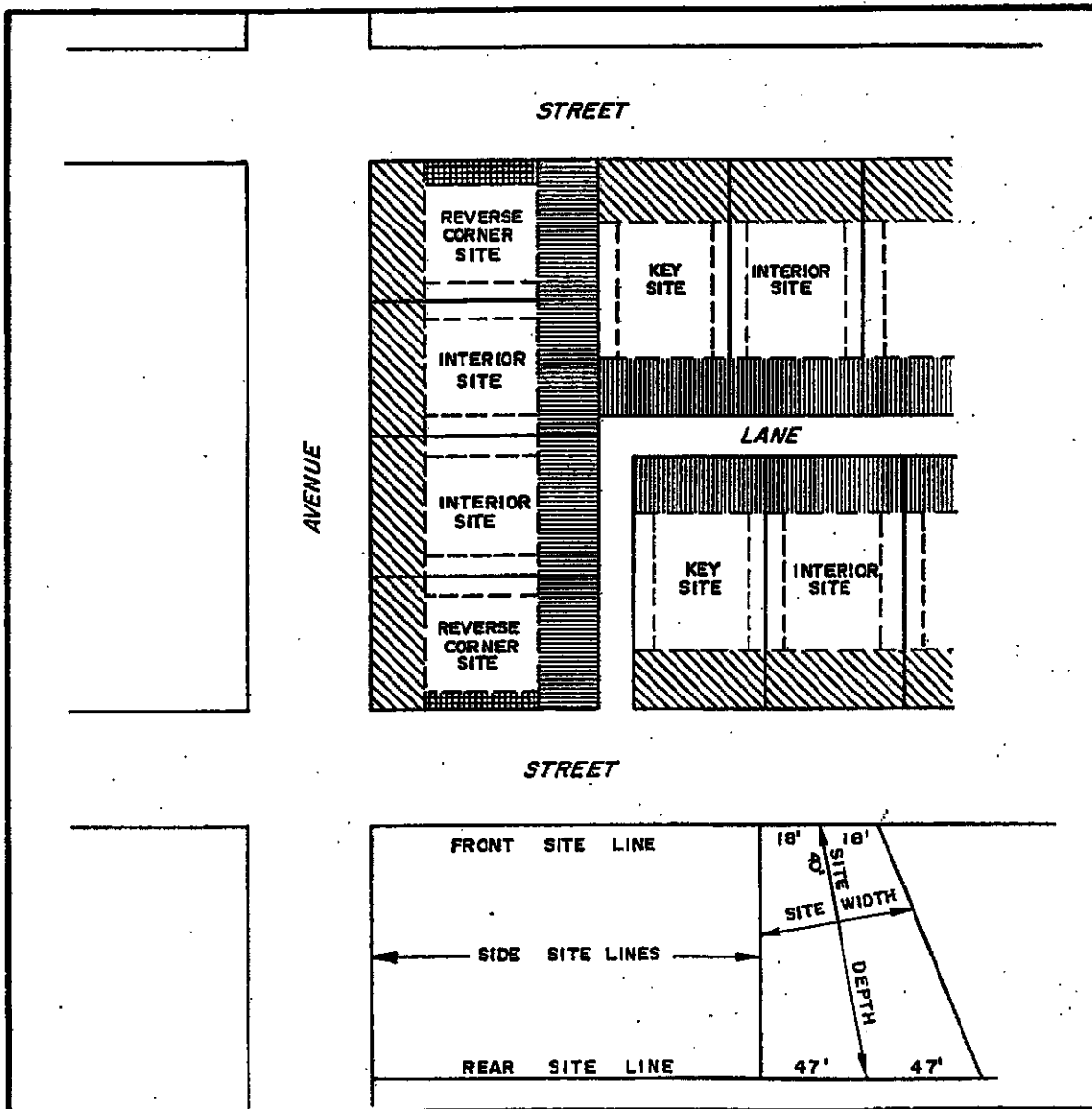
64. **SIGN:** Means any writing or picture that is a structure or any part thereof, or is attached to, painted on or in any other manner represented on or in a building or structure but shall not include show windows, including:
- (1) **Advertising Signs:** Means a sign directing attention to a business, commodity, service or entertainment undertaken elsewhere on the site where the sign is maintained.
 - (2) **Bulletin Board:** Means a permanent sign with movable letters and numbers not associated with a commercial enterprise but giving information relating to the activities of and on the same site as a church, community centre, school or other public uses.
 - (3) **Business Sign:** Means a sign directing attention to a business, conducted on the site where the sign is maintained.
 - (4) **Identification Sign:** Means a sign that identifies the owner, resident, business or the street address and which set forth no other advertisement or business information.
 - (5) **Mobile Sign:** Means a sign structure mounted on a trailer, vehicle, stand or similar support structure which is designed in such a manner that the sign can be readily relocated to another location, and which may include copy that can be changed through the use of removable characters or panels.
 - (6) **Temporary Sign:** Means a sign identifying temporary activities including construction project signs and real estate signs advertising and located on a specific premises.
65. **SIGN SURFACE AREA:** Means the area enclosing the limits of writing and picture excluding the necessary supports or uprights on which it is placed. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign unless the faces are less than three (3) feet apart in which case only the area of the larger face shall be used.

66. **SITE:** Means a parcel of land or a part thereof and, unless provided for elsewhere herein, that has frontage on a street and is of at least sufficient size to fulfil the minimum requirements for area, dimensions and yards.
67. **SITE COVERAGE:** Means that part of a site occupied by buildings, including accessory buildings, expressed as a percentage of the site area.
68. **SITE DIMENSIONS:** Means as follows:
- (1) **Site Depth:** Means the horizontal distance between the centre points in the front and rear site lines.
 - (2) **Site Width:** Means the horizontal distance between the side site lines, measured at right angles to the site depth at a point halfway between the front and rear site lines, or forty (40) feet from the front site line, whichever is the lesser.
69. **SITE LINES:** Means as follows:
- (1) **Front Site Line:** Means that boundary of a site which is along an existing or designated street.
 - (2) **Rear Site Line:** Means that boundary of a site which is most nearly parallel to the front site line.
 - (3) **Side Site Line:** Means any boundary of a site which is not a front or rear site line.
- Where an irregular shaped site cannot have its site lines defined by the foregoing definitions, the front, rear and side site lines shall be determined by the Development Officer.
70. **SITE TYPES:** Means as follows:
- (1) **Corner Site:** Means a site situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding 135 degrees.
 - (2) **Key Site:** Means the first site to the rear of a reverse corner site.
 - (3) **Reverse Corner Site:** Means a corner site where the side site line adjacent to the street is a continuation of the front site line of the first site to its rear (key site).

- (4) **Through site:** Means a site having a pair of opposite site lines along two more or less parallel streets. The front site line shall be determined by the Development Officer.
71. **STOREY:** Means the 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 cellar. A basement shall be counted as a storey for the purpose of height measurement if the vertical distance between the ceiling and the average finished level of the adjoining ground is more than six (6) feet.
72. **STOREY, FIRST:** Means the storey with its floor closest to grade and having its ceiling more than six feet above grade.
73. **STOREY, SECOND:** Means the storey located immediately above the first storey.
74. **STREET:** Means a street as defined in The Act.
75. **STRUCTURE:** Means anything constructed or erected which requires location on the ground or is attached to something having a location on the ground.
76. **TOWNHOUSE:** Means a one-family dwelling unit in a row of at least 3 such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire resistant walls. It shall include:
- (1) **Lotted Townhouses:** Means each dwelling unit is situated on an individual site, the limits of which are designated on a plan of subdivision registered in the Land Titles Office;
 - (2) **Unlotted Townhouses:** Means a number of dwelling units situated on an individual site, where the buildings are part of a planned unit development or a planned building group and site lines are not designated for each dwelling unit or building group.
77. **USE:** Means:
- (1) Any purpose for which a building or other structure or a parcel of land may be designed, arranged, intended, maintained, or occupied; or

- (2) 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.
78. **VARIANCE OR VARIATION:** Means a modification of the literal provisions of the By-law granted when strict enforcement of the By-law will cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.
79. **VETERINARY CLINIC:** Means a facility designed for the care and treatment of domestic animals, not including cows, horses and the like, under the supervision of a doctor of veterinary medicine. The boarding of animals is limited to short-term care incidental to the treatment of the animals.
80. **YARD, REQUIRED:** Means an open area, on the same site as a building or structure, which is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted herein. A required yard extends along a site line to a depth or width (measured from the site line) specified in the yard requirement for the zone in which it is located.
- (1) **Yard Required, Front:** Means a yard extending along the full length of the front site line between the side site lines.
- (2) **Yard Required, Rear:** Means a yard extending along the full length of the rear site line between the side site lines.
- (3) **Yard Required, Side:** Means a yard extending along the side site line from the required front yard to the required rear yard.

SITE TYPE, SITE DIMENSIONS, YARDS



-  — FRONT YARDS
-  — REAR YARDS
-  — CORNER SIDE YARDS
-  — INTERIOR SIDE YARDS

PART THREE - ADMINISTRATION

1. RESPONSIBILITIES OF COUNCIL

Subject to the provisions of The Act, the Council is responsible for:

- (1) Enacting this By-law;
- (2) Considering the adoption or rejection of proposed amendments or the repeal of this By-law;
- (3) Acting as a Variation Board;
- (4) Approving or rejecting conditional use applications, and revoking approved applications as provided for in The Act; and
- (5) Establishing a schedule of fees as provided for in Section 28 of this PART.

2. RESPONSIBILITIES OF THE OWNER

- (1) Neither the granting of a development permit nor the approval of the drawing and specifications nor the inspections made by the Development Officer shall in any way relieve the owner of the responsibility of complying with the requirements of this By-law or of any relevant By-laws of the Town of The Pas.
- (2) Every owner shall:
 - a) Be responsible for obtaining, where applicable from the appropriate authorities, permits or licenses relating to the buildings, grades, sewer or water supply systems, plumbing, signs, blasting, street, occupancy, electrical, highways, and all other permits required in connection with the proposed work.
 - b) Obtain the written approval of the Development Officer before doing any work at variance with the approved development permit.

- c) Permit the Development Officer to enter any building or 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 duties under this By-Law.

3. **RESPONSIBILITIES OF THE DEVELOPMENT OFFICER**

(1) Duties

The Town of The Pas shall appoint a Development Officer, who shall:

- a) issue development permits in accordance with the provisions of this By-law; and
- b) allow or refuse such minor variations to the requirements of this By-law as authorized by and in accordance with the provisions of The Act.

(2) Responsibilities

Subject to the provisions of The Act, the Development Officer is responsible for:

- a) Administering and enforcing the provisions of this By-law;
- b) Administering and enforcing the applicable provisions of The Act; and
- c) Taking no action on any application until all applicable fees and charges have been paid in full.

(3) Powers

The Development Officer may:

- a) Issue a development permit where the development of land, buildings or structures conforms to the adopted Development Plan, and the requirements of this By-Law and amendments thereto, subject to the provisions of subsection (4);
- b) Enter any buildings or premises at all reasonable hours in the performance of his duties with respect to this By-Law;

- c) Issue development permits for the temporary use of buildings, structures or land pursuant to the provisions of this By-law; and
- d) Issue zoning memoranda or such other documents necessary for the administration and enforcement of this By-Law.

(4) Approval of Permits

At the request of Council the Development Officer shall withhold approving or reject an application for a development permit:

- a) as provided for in The Act;
- b) which would result in a violation of this By-law or any other By-law of the Town of The Pas; or
- c) for any person who has failed to pay any fees due and owing to the Town of The Pas under this or any other By-law.

4. DEVELOPMENT PERMIT

- (1) No person shall erect, locate, relocate, repair, use or occupy any land, building or structure contrary to any development permit or the material furnished in support of the application.
- (2) An application for a development permit is required for the following:
 - a) The erection, construction, placement, relocation or demolition of any building, structure or mobile home, with the exception of those structures described in subsection (3);
 - b) The enlargement, structural alteration or conversion of any building, structure or use;
 - c) The use or change of use of any premises, buildings or structures;
 - d) The construction of accessory detached buildings and structures greater than one hundred (100) square feet in floor area;

- e) The construction of exterior decks and patios;
 - f) The installation of specialized machinery and equipment, such as air conditioning systems; and
 - g) Sand, gravel or mineral extraction operations.
- (3) An application for a development permit is not required for the following:
- a) The maintenance and restoration of building components, including repainting and similar operations;
 - b) Incidental alterations of buildings and structures;
 - c) The construction of sidewalks, exterior steps, fences, and similar features;
 - d) The installation of trees, hedges, shrubs, planters, fountains, flagpoles, railing, trellises, and similar landscaping features;
 - e) The erection of one identification sign not exceeding two (2) square feet in surface area per site; and
 - f) Temporary signs such as posters, legal notices and real estate or construction signs not exceeding sixteen (16) square feet in surface area.
 - g) The construction of accessory detached buildings and structures less than or equal to one hundred (100) square feet in floor area.
- (4) Although a development permit shall not be required for those items specified in subsection (3) this does not relieve the owner of the responsibility of ensuring that such items are installed in accordance with the provisions of this By-law and any other by-law of the Town of The Pas.
- (5) In addition to the requirements of any By-law of the Town of The Pas or any other provincial regulations, all applications for development permits shall:
- a) Be accompanied by a plan drawn to scale, showing the actual dimensions and shape of the site to be built

upon; the exact size and location on the site of buildings already existing, if any, and the location and dimensions of the proposed building, enlargement or structural alteration.

- b) Include such other information as may be required by the Council including existing or proposed building or structural alterations; existing or proposed use of the building and land; the number of families, dwelling units or rental units the building is designed to accommodate; conditions existing on the site; current copies of relevant titles, easements, and caveats; a surveyor's certificate prepared by a Manitoba Land Surveyor and such other matters as may be necessary to determine conformance with and provide for the enforcement of this By-Law; and

- (6) No person shall erect, locate, repair, use, or occupy any building, land or structure contrary to any development permit or the material furnished in support of the application.

5. AMENDMENTS

Subject to the procedure required under The Act, an amendment may be initiated by a resolution of intention by the Council, or by application of one or more owners of the property or their agents within the area proposed to be changed. An application to amend this by-law and all required information and fees as determined by Council shall be made to the Council.

6. DEVELOPMENT AGREEMENTS

Where an application is made for the amendment of this By-law, the Council may require the owner or the person entitled to be registered as owner of the land, building or structure to which the amendment shall apply, as a condition to its enactment, to enter into a development agreement with the Town of The Pas in respect of that land as well as contiguous land owned or leased by the applicant. The provisions of said agreement shall be in accordance with The Act.

7. CONDITIONAL USE

- (1) This By-law is based upon the division of the Town into zones where the use of land, buildings and structures is compatible. There are, however, certain uses, designated

Conditional Uses, which cannot properly be permitted in any zone without consideration, in each case, of the impact of those uses upon neighbouring land.

(2) Any owner may apply for a Conditional Use in accordance with this Section and with the provisions of The Act.

(3) Existing Conditional Use

a) Where a use is classified as a Conditional Use under this By-law or amendments thereto, and exists as a legal use at the date of the adoption of an amendment to this By-law it shall be considered as a legally existing Conditional Use.

b) Any change in a Conditional Use shall be subject to the provisions of this Section and the appropriate provisions of The Act.

8. VARIATIONS

(1) Any person may apply for a variation order, in accordance with the provisions of The Act.

(2) An application for a variation order and all required information and fees, as determined by the Variation Board, shall be made to the Development Officer.

9. NON-CONFORMITY

(1) Provisions Of The Act

Non-conforming uses, buildings and structures shall be regulated in accordance with and subject to the provisions of The Act, unless otherwise provided for herein.

(2) A non-conforming use means any lawful use of a building, structure or a parcel of land, or portion thereof, which does not conform to one or more of the applicable use regulations of the zone in which it is located, on the effective date of this By-law or amendments thereto.

(3) A non-conforming building or structure means any lawful building or structure which does not comply with one or more of the applicable bulk regulations of the zone in which it is located on the effective date of this By-law or amendments thereto.

- a) Pursuant to Section 53(1) of The Act, a structural alteration may be made to a non-conforming building or structure, provided that the said structural alteration conforms to the requirements of this By-law, or that such requirements are varied by a variation order.
 - b) Pursuant to Section 53(3) of The Act, where a building or structure is damaged or destroyed more than fifty (50%) percent of its replacement value above its foundation, the said building or structure shall not be repaired or rebuilt, except in conformance with this By-law or its amendments, or where such requirements are varied by a variation order.
- (4) A non-conforming site or parcel of land means any lawful site or parcel of land which does not comply with the site area, site width or site depth requirements on the effective date of this By-law, or amendments thereto, and was on record in the Land Titles Office and in separate ownership prior to the effective date of this By-law, or amendments thereto, and did not form part of a larger contiguous holding in the same ownership; and
- a) A building or structure may be erected on a non-conforming site or parcel of land provided that:
 - i) The required yards are provided as set forth in the bulk requirements of the zone in which the site or parcel of land is located; or
 - ii) A variation order for such yard requirements is granted.
- (5) A non-conforming sign means any lawful sign which does not comply with one or more of the applicable bulk regulations of the zone in which it is located on the effective date of this By-law or amendments thereto.
- a) A non-conforming sign shall be subject to all the provisions of this section relating to non-conformities, except as provided hereafter:
 - i) A change in the subject matter represented on a sign shall not be considered a change of use.

(6) Certificate and Fees

Any fees shall be paid to the Development Officer for the issuance of a certificate in accordance with Section 51(4) of The Act.

10. SITE REDUCED

A site area or site width or required yard reduced below the minimum requirements of this By-Law by virtue of a public works, street or public utility, as set out under PART VI SUBDIVISION CONTROL of the Planning Act or as approved by Council through the subdivision Approval process, shall be deemed to conform to the requirements of this By-Law.

11. AREA AND YARD REQUIREMENTS

Except as herein provided, the following provisions shall apply in all zones in ensure adequate site and yard requirements:

- (1) Where a site is occupied for an approved or permitted use in a zone and has no buildings or structures thereon, the required yards for the zone within which it is located shall be provided and maintained.
- (2) No building or structure shall be allowed on a corner site when such building or structure is to be oriented in such a manner as to reduce the front yard requirement on the street on which such corner site has its frontage at the time this zoning by-law become effective.
- (3) It shall be a continuing obligation of the owner to maintain the minimum site requirements, yards and other open spaces required herein for any use so long as it remains in existence.
- (4) No building or structure shall be enlarged or reconstructed and no site shall be reduced in area or created, if such enlargement, reconstruction, reduction or creation will result in the violation of any provisions of this By-law.
- (5) Yards and site dimensions provided for a building, structure or use existing on the effective date of this By-law or amendments thereto shall not be reduced if already equal to or less than the minimum requirements of this By-law.

- (6) No yard or other open space surrounding a building, structure or use in existence, or provided under the provisions of this By-law, shall be considered as providing a yard or open space for any other building, structure, use or site.

12. PLANNED UNIT DEVELOPMENT

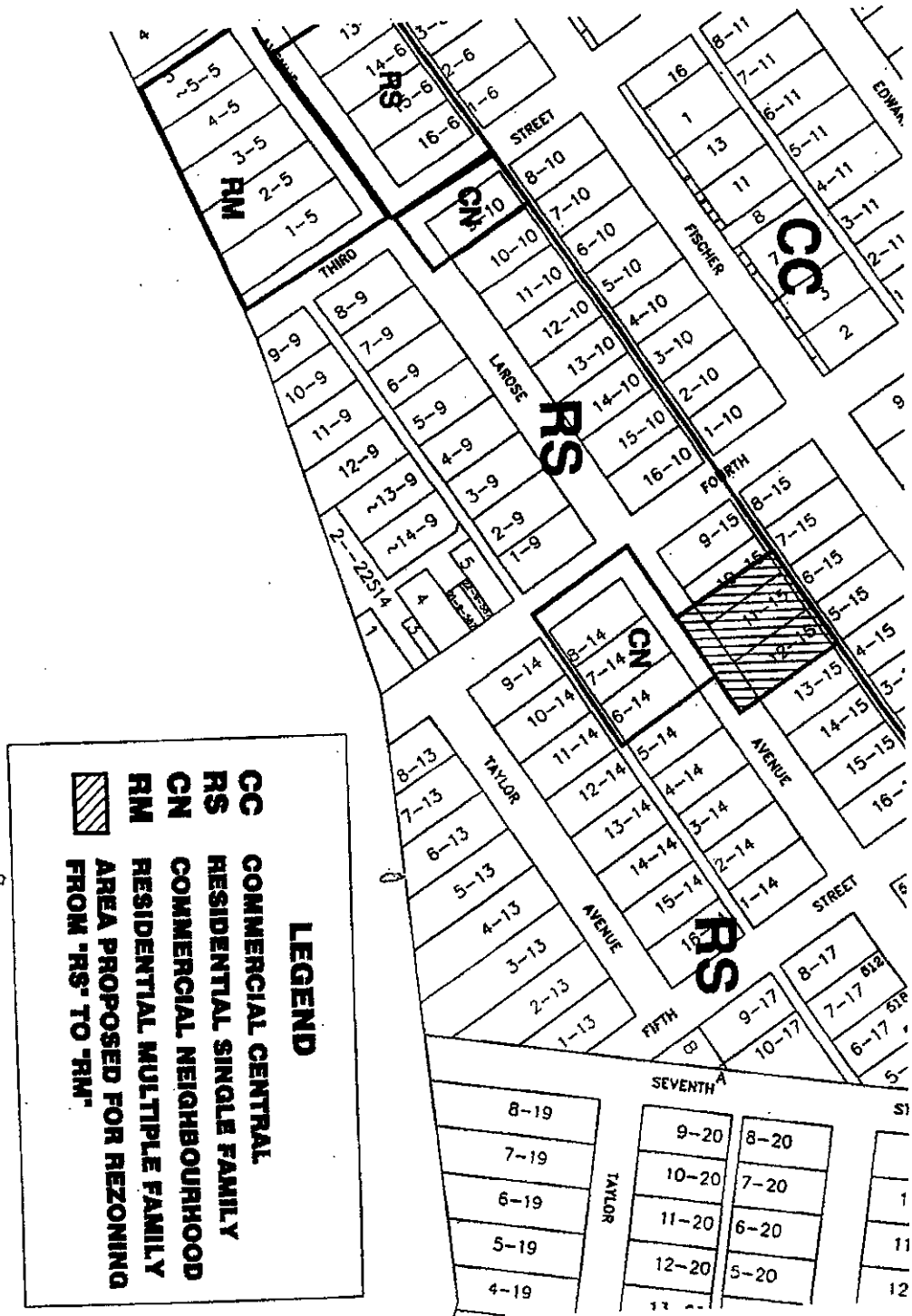
The "Planned Unit Development" designation is intended to permit greater flexibility of building locations on a given parcel than that permitted by the applicable bulk requirements.

- (1) Planned Unit Development shall be Conditional Uses in the Zones in which they are listed uses.
- (2) Required yards shall be maintained on the periphery of the parcel in accordance with the applicable minimum yard requirements.
- (3) Densities may be increased and the yards between buildings may be reduced below the required minimum provided that common spaces, landscaping and other features produce an overall development equal to developments existing in the Zone in which it is located.
- (4) Council shall consider the application for Conditional Use in light of the site plan submitted and features proposed to ensure a high standard of development.


13. ACCESSORY USES, BUILDINGS AND STRUCTURES

- (1) Any use or building which is permitted or may be approved by virtue of this By-law includes any building, structure or use accessory thereto subject to the fulfilment of all requirements contained herein.
- (2) Accessory buildings, except as otherwise regulated in this By-law, shall be subject to the following regulations:
 - a) Where the accessory building is attached to a principal building, it shall be subject to, and shall conform to, all regulations of this By-law applicable to the principal building;
 - b) No detached accessory building shall be located closer than six (6) feet to any principal building or any

TOWN OF THE PAS
 SCHEDULE "A" TO
 BY-LAW NO. 4315



LEGEND

 **RM** RESIDENTIAL MULTIPLE FAMILY AREA PROPOSED FOR REZONING FROM "RS" TO "RM"

CC COMMERCIAL CENTRAL

RS RESIDENTIAL SINGLE FAMILY

CN COMMERCIAL NEIGHBOURHOOD

RM RESIDENTIAL MULTIPLE FAMILY

Schedule "A" to By-Law No. 4315 of The Town of The Pas amending Map No. Two to and being part of Town of The Pas Zoning By-Law No. 4121, as amended.

XXXXXX Area Affected

other detached accessory building on the same site or any adjoining site.

- c) In no instance shall an accessory building be located within a dedicated easement right-of-way.
- d) No accessory building shall be erected prior to erection of the principal building except where it is necessary for the storage of the tools and materials for use during construction of the principal building.

14. SATELLITE DISH ANTENNAS

(1) No person shall erect or maintain any satellite dish antenna, unless the following requirements can be fulfilled:

- a) The satellite dish antenna shall be located to the rear of the front wall of the principal building on the site and to the rear of the front wall of any principal buildings on adjacent sites;
- b) No portion of the satellite dish antenna shall be permitted closer than two (2) feet (ten (10) feet in the case of the street side of a corner site) to any site line except that where it may obstruct the light or view from the window of a habitable room of a building located on an adjacent site, it shall not be located closer than four (4) feet to the side site line;
- c) Where a satellite dish antenna is structurally attached to a principal or accessory building, the vertical clearance between the exterior roof finish and the bottom extremity of the dish shall not exceed three (3) feet; and
- d) Where a satellite dish antenna is structurally attached to a mast, truss, or other similar freestanding structure, the clearance between grade and the bottom extremity of the dish shall not exceed the height of the principal building.

- (2) Where the owner can demonstrate to the satisfaction of Council that strict compliance with the requirements specified in subsection (1) would prevent effective reception of a satellite signal, these requirements may be varied by Council.

15. ACCESSORY OFF-STREET PARKING AND LOADING

- (1) All accessory off-street parking and loading areas and space shall be on the same site as the use served.
- (2) If the calculation of the required parking spaces result in a fraction, the required parking spaces shall be the next higher whole number.
- (3) The surface of the accessory off-street parking and loading areas and spaces and the access driveways thereto, in all RESIDENTIAL ZONES, shall be surfaced with gravel, asphalt or concrete and designed in such a manner that there will be no free flow of water onto either adjacent properties or public sidewalks.
- (4) When a building is enlarged or a use extended or changed, the accessory parking and loading requirements for the enlargement, extension, or new use shall be provided in accordance with the requirements of this section and those of the zone in which the building or use is located.
- (5) Each parking space shall have a vertical clearance of at least seven (7) feet from the floor or grade.
- (6) An accessory off-street parking space shall be ten (10) feet wide and twenty (20) feet long.

16. SIGNS

- (1) No signs or sign structures shall be erected at any location where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, or any high-way or street intersection or railroad grade crossing.
- (2) No rotating beam or beam shall be used in connection with any sign display; nor shall any flashing illumination resembling an emergency light be used for such purposes.

- (3) No flashing signs shall be permitted in any zone without the approval of the Council. In any event, no flashing sign shall be permitted within three hundred (300) feet on any residential zone or Provincial Roads and Provincial Trunk Highways. (see By-Law 4371 - LED signs)
- (4) All signs which: pg 37(b)
- a) are not affixed parallel to and adjoining a wall of a building or structure; or
 - b) are affixed to a structure attached to the ground (including a pole)
- and which, in the opinion of Council, may create an unsafe or dangerous condition for the passage of vehicles or pedestrians shall have a minimum vertical clearance of nine (9) feet above grade.
- (5) All signs and sign structures shall be kept in repair and in proper state of preservation. Signs which have become obsolete because of discontinuance of the business service or activity, and have not been removed or relocated within thirty (30) days following such condition, may be removed by the Town of The Pas at the owner's expense.
- (6) No sign or portion thereof shall extend beyond the limits of the site on which it is located.
- (7) The placing of advertising, business or identification signs within the control lines and circles of a Provincial Road or Provincial Trunk Highway shall require a permit from the appropriate authority.
- (8) Mobile business and advertising signs shall be permitted in Commercial, Industrial and Open Space/Recreation and Limited Development zones.
- a) Mobile signs shall not be permitted on public property unless otherwise approved by the Town of The Pas or its agents.
 - b) A mobile sign shall be allowed on a site for a period not exceeding ninety (90) consecutive days. No mobile sign shall be permitted thereafter until thirty (30) consecutive days has expired.

- c) One (1) mobile sign shall be permitted per site, except where a site is occupied by more than one use, then one mobile sign shall be permitted per each use up to a maximum of three (3) mobile signs provided the minimum distance between mobile signs is met.
 - d) Mobile signs shall have a maximum sign surface area of 60 square feet.
 - e) A mobile sign shall not be located within ten (10) feet measured from the nearest part of any exit, entrance, driveway or corner of property site lines.
 - f) A minimum distance of sixty five (65) feet between mobile signs shall be maintained at all times.
 - g) A mobile sign permit issued by the Town of The Pas is required before placing of any mobile sign.
- (9) The following signs shall not be subject to the provisions of this By-law except as otherwise stated herein:
- a) Signs posted by duly constituted public authorities in the performance of their public duties.
 - b) Flags or emblems of a political, civic, educational or religious organization.
 - c) Temporary signs as may be authorized by Council.
 - d) "No Trespassing" or identification signs not exceeding three (3) square feet.
 - e) Construction signs when placed on construction sites and not exceeding twenty-five (25) square feet.
 - f) Signs required for direction and convenience of the public including signs which identify rest rooms or parking entrance or exit, not exceeding five (5) square feet in area.
 - g) Real estate signs not exceeding ten (10) square feet which advertise the sale, rental or lease of a building, structure, site, or part thereof.

17. EXISTING USES PERMITTED

Existing uses legally established prior to the effective date of the adoption of this By-law or amendments hereto shall be considered permitted uses in the zones in which they are located. Expansion, rebuilding or structurally altering of said uses shall be limited to the site associated with them on said effective date. At such time as the existing use ceases to exist on the site associated with it the premises shall only be used for a use which may be permitted or approved in the zone in which it occurs. The sites and specific uses for each existing use shall be specified in each PART of this By-law dealing with the zone in which it occurs.

18. HEIGHT EXCEPTIONS

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 operation of a building provided that no roof structure or any space above the height limit shall be permitted for the purpose of providing usable floor space.

19. PUBLIC MONUMENTS

Nothing in this By-law be so interpreted as to interfere with the maintenance or erection of monuments, statuary, and similar structures.

20. PUBLIC UTILITIES AND SERVICES

Nothing in the 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 yard and area requirements applicable to the zone.

21. BUILDING REMOVAL

- (1) No building or structure shall be moved in whole or in part to any other location unless every portion of the building or structure is made to conform to, or where a variation order is granted pertaining to, the regulations of this By-law applying to the zone in which it is located.
- (2) Upon completion of removal or demolition of a building from a site, the old foundation shall be removed, any excavation shall be filled, the ground shall be levelled and the site shall be put in a safe and sanitary condition to the satisfaction of the Development Officer.

22. BUILDING GRADE AND SITE DRAINAGE

All new principal buildings shall have a grade and site drainage pattern as approved by the Development Officer.

23. STREET, LANE OR ROAD FRONTAGE

Where Council deems fit, it may permit a use of land and buildings to be constructed upon sites having frontage on a private lane or road provided that said lane or road intersects with a street.

24. FUTURE ROAD DEEMED EXISTING

No building or structure shall be erected upon any land designated for a future road. Any development adjacent to said future road shall comply with the requirements of the By-law as if the said future road was already in existence.

25. MUNICIPAL SERVICE CONNECTION

All principal buildings constructed on a site serviced by sewer, water or hydro distribution shall be connected to such services.

26. PARTY WALLS

- (1) A building divided into units of residential, commercial or industrial uses may be subdivided along vertical party walls to permit the sale of individual units.

- (2) The applicable side yard bulk requirements shall be considered fulfilled for those side site lines contained within the party walls.

27. LAND SUBJECT TO PERIODIC FLOODING OR EROSION

- (1) Development of those lands shall be subject to the approval of the Council, with or without conditions.
- (2) Any building, structure or use including those:
 - a) Designed for human habitation;
 - b) Associated with high flood damage potential;
 - c) Not connected with permitted open space uses;
 - d) Consistent with open space uses but that may materially affect flood stages; or
 - e) Used for storage of hazardous materials that are buoyant, flammable, explosive or may be injurious to human, animal or plant life;shall not be permitted by Council if they are potentially hazardous or may endanger life and property.
- (3) No development shall be permitted within a horizontal distance of 100 feet (one hundred) of the ordinary high water mark of a waterway.
- (4) The minimum setback requirement from waterways for activities which may have the effect of polluting the waters shall be determined by Council upon recommendation from the Water Resources Branch and the Environmental Operations Branch.
- (5) The Council may request the comments from the Water Resources Branch or the Environmental Operations Branch where development or the use of land may have a detrimental effect on the water quality of the waterways or could alter, obstruct or increase flood velocities or stages.

- (6) An applicant shall, upon the request of Council, submit evidence prepared by a licensed professional engineer of the Province of Manitoba to support the application for development. Such evidence may include bank stability, design of flood prevention works and evaluation of effects on flood stages and velocities.
- (7) Incidental alterations, enlargements, extensions to existing structures and uses may be permitted in compliance with this section.

28. FEE SCHEDULE

Council shall by By-law establish a fee schedule for zoning amendments, zoning memoranda, conditional use orders, non-conforming certificates, development permits, building permits and other appropriate documents.

29. ZONING MAP

- (1) The location and the boundaries of the zones listed in PARTS FOUR to SEVEN are shown on the Zoning Map. All notations, references and other information shown thereon, together with any amendments made by amending By-laws from time to time and shown thereon, together with any amendments to boundaries in the case of any street, lane or public utility right-of-way closing, shall be as much as part of this By-law as if the matters and information set forth by the Zoning Map were fully described herein.

a) Dimensions and Scale

The scale and all dimensions are in feet.

b) Registered Plans

All plan references pertain to registered plans filed in the Portage Land Titles Office.

c) Abbreviations

Abbreviations mean the following:

- i) "Blk." means Block.
- ii) "Pcl." means Parcel
- iii) "Pt." means Part
- iv) "Sec." means Section
- v) "Tp." and "Twp." mean Township
- vi) "R" and "Rge." mean Range
- vii) "W" and "W.P.M." means West of the Principle Meridian
- viii) "P.R." means Provincial Road
- ix) "P.T.H." means Provincial Trunk Highway

(2) Interpretation of Zone Boundaries

a) Boundaries indicated as approximately following:

- i) the centre lines of railways or railway or public utility rights-of-way;
- ii) the centre lines of streets, highways or lanes;
- iii) lot or ownership lines;
- iv) municipal limits;
- v) the shorelines or centre-lines of creeks.

shall be constructed as following those lines or limits.

- b)** If a street or lane or railway or public utility right-of-way shown on the Zoning Map is lawfully closed, the land formerly comprising the feature shall be included within the Zone of the land which surrounds it. If the said feature included a Zone boundary on its centre line, then the new zone boundary shall be the former centre line except in the case where a landowner acquires all of the closed feature adjacent to other property where the designation that applied to the other property shall apply to all that portion of the acquired feature.

PART FOUR - RESIDENTIAL ZONES

1. INTENT OF ZONES

(1) "RS" - Residential Single-Family Zone



This zone provides for development of low density, detached dwellings for individual families.

(2) "RT" - Residential Two-Family Zone

This zone provides for the development of moderate density, attached dwellings for two families in individual units which may or may not have separate title and also provides for single-family dwellings.

(3) "RM" - Residential Multiple-Family Zone

This zone provides for the development of high density residential buildings including triplexes, fourplexes, townhouses, garden apartments, and apartment buildings.

(4) "RMH" - Residential Mobile Home Zone

This zone provides for the development of individual sites for purchase in a mobile home subdivision or for lease in a mobile home park.

2. ACCESSORY BUILDINGS, STRUCTURES AND USES

In the Residential Zones the following buildings, structures, and uses are deemed to be accessory:

- (1) A children's playhouse, a garden house, private greenhouse, summer house and private swimming pool.
- (2) A private garage or carport, covered patio, toolhouse, shed and other similar buildings and structures for the storage of domestic equipment and supplies.
- (3) Accessory off-street parking as provided for in Section 8 of this PART.
- (4) A satellite dish antenna as regulated in Section 14 of PART THREE.

- (5) Buildings and structures for the operation, maintenance and administration of, or accessory to, park and recreation uses.
- (6) Signs, including only the following:
 - a) One (1) identification sign per site with a maximum surface area of seven (7) square feet.
 - b) One (1) bulletin board in conjunction with a church, school, community hall or park.
- (7) Home occupations (see section ³⁶~~34~~ of PART TWO)
 - a) A site plan must accompany the occupancy permit application indicating where materials and activities are to be located on the site.
 - Amended by By-Law #4173* → b) Any home occupation that operates as retail in nature (stock-in-trade), more than twenty (20) hours per week or outside normal business hours of 9 a.m. to 5 p.m., will be considered as a conditional use by Council. Such conditions that may be placed on an application include the following:
 - i) the maximum number of hours of operation;
 - ii) the permitted daily operating hours allowed;
 - iii) the provision of off-street parking etc.
- (8) In a Mobile Home Park the following accessory buildings and structures in addition to those listed above:
 - a) Service building;
 - b) Storage compound; and
 - c) Recreational facilities.

3. NUMBER OF PRINCIPAL BUILDINGS OR USES

- (1) Not more than one (1) of the following principal buildings or uses shall be permitted on one (1) parcel:
 - a) single-family dwelling

- b) two-family dwelling
- (2) Not more than one (1) mobile home shall be permitted on one (1) registered space.

4. PROJECTIONS INTO REQUIRED YARDS

- (1) The following items may be located in a required yard, except that in no case may a wall, fence or planting create a wall-like effect higher than thirty (36) inches in the front yard or six (6) feet in any other yard:
 - a) trees, shrubs and gardens.
 - b) fences, walls and retaining walls.
 - c) flagpoles, signs and lighting fixtures.
 - d) sidewalks, driveways and parking spaces.
- (2) Air exchanges may be placed in any yard but must be located a minimum distance of ten (10) feet from any site line.
- (3) The following items may project into a required yard, so long as a minimum set-back from any site line of three (3) feet in the case of principal buildings and structures and two (2) feet in the case of accessory buildings and structures is maintained at all times.
 - a) open, unenclosed and uncovered porches, decks with railings higher than one (1) foot above grade, terraces, balconies, fire escapes and stairways.
 - b) architectural features including chimneys, bay windows, alcoves, canopies, awnings, eaves and gutters.
- (4) Decks without continuous railings can project into a side yard up to the site line provided they are not higher than one (1) foot above grade.

5. TWO-FAMILY DWELLING SUBDIVISIONS

Notwithstanding PART THREE Section 11, conditions of two-family dwelling subdivisions shall be as follows:

- (1) A two-family dwelling may only be subdivided along a vertical party wall to permit the sale of the individual units.
- (2) The applicable side yard bulk requirement shall be considered fulfilled for the side site line contained within the party wall.
- (3) The applicable site area and site width bulk requirements for two-family dwellings (including existing legal non-conforming sites) shall be considered fulfilled upon subdivision approval.

6. MULTIPLE-FAMILY DEVELOPMENT

A development application for a multiple-family dwelling shall be accompanied by plans drawn to scale showing the following:

- (1) The location of entrance and loading points to existing and proposed structures;
- (2) The location of all curb cuts, driveways, parking areas and loading areas, and the method of illumination;
- (3) The location and type of landscaping, walls, fences and screening; and
- (4) Typical floor plans and elevations for proposed buildings and structures.

7. MOBILE HOME PARK DEVELOPMENT

- (1) All mobile homes shall meet structural standards as determined by "Canadian Standards Association (CSA) Mobile Home Structural Standards" contained within the Z240 Series and all revisions thereto.
- (2) A mobile home park shall:
 - a) Contain a minimum of ten (10) mobile home spaces;

- b) Have a maximum density of ten (10) mobile home spaces per acre;
- c) Contain a common recreational area of 600 (six hundred) square feet for each ten (10) mobile home spaces or fraction thereof (buffers cannot be considered as part of the recreational area);
- d) Have internal roadways a minimum of forty (40) feet in width and surfaced with concrete or asphalt to a minimum roadway width of twenty-five (25) feet;
- e) Maintain a landscaped buffer a minimum of twenty (20) feet in width free and clear of all buildings and structures around the entire perimeter of the mobile home (accesses to the mobile home park may cross this buffer);
- f) Provide, for each mobile home space:
 - i) A sewer and water connection;
 - ii) An electrical service outlet; and
 - iii) A concrete base support for the mobile home.
- g) Provide street lighting to Council's specifications;
- h) Contain one administration/service building and secure storage compound; and
- i) Ensure that each mobile home is equipped with a durable skirting that screens the view of the undercarriage or foundation supports.

TOWN OF THE PAS

BY-LAW NO. 4173

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND BY-LAW 4121, AS AMENDED.

WHEREAS Section 42 (1) of The Planning Act, Chapter P 80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the amendment of a Zoning By-Law;

AND WHEREAS it is deemed expedient and necessary to amend The Town of The Pas Zoning By-Law No. 4121, as amended;

NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

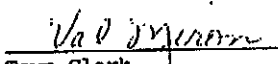
1. THAT Part Four - Residential Zone, Section 2, Subsection (7) Home Occupations, be amended by substituting (7) b) as follows:

"b) Any home occupation that operates more than 40 hours per week, will be considered as a conditional use by Council. Such conditions that may be placed on an application include the following:

- i) the maximum number of hours of operation;
- ii) the permitted daily operating hours allowed;
- iii) the provision of off-street parking etc."

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 14th DAY OF June A.D., 1996.

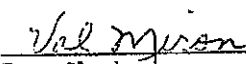

Mayor

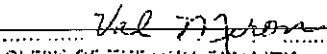

Town Clerk

Certified that By-Law No. 4173:

Received first reading on the 26 day of May A.D. 1996.
 Received second reading on the 17th day of June A.D. 1996.
 Received third reading on the 19th day of June A.D. 1996.

CERTIFIED TO BE A TRUE AND CORRECT COPY OF BY-LAW NO. 4173 OF THE TOWN OF THE PAS.


Town Clerk


CLERK OF THE MUNICIPALITY OF THE TOWN OF THE PAS

March 6 1997

TOWN OF THE PAS

BY-LAW NO. 4315

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND BY-LAW NO. 4121, AS AMENDED.

WHEREAS Section 47 (2) of The Planning Act, Chapter P80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the amendment of a Zoning By-Law;

AND WHEREAS it is deemed expedient and necessary to amend The Town of The Pas Zoning By-Law No. 4121, as amended;

NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. THAT Map No. Two attached to and being part of The Town of The Pas Zoning By-Law No. 4121 is hereby amended as follows:

In The Town of The Pas and being:

the SE 1/2 of Lot 10, all of Lots 11 and 12, Block 15, Plan 587 PLTO as shown cross-hatched thusly XXXXXX on the plan attached hereto as Schedule "A" to this by-law and presently zoned as "RS" Residential Single Family Zone, be rezoned "RM" Residential Multiple Family Zone.

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 15TH DAY OF MAY A.D. 2002.

Gary Hoyer
Mayor

Val Miron
Town Clerk

Certified that By-Law No. 4315:

Received first reading on the 20TH day of FEBRUARY A.D. 2002.

Received second reading on the 15TH day of MAY A.D. 2002.

Received third reading on the 15TH day of MAY A.D. 2002.

CERTIFIED TO BE A TRUE AND CORRECT
COPY OF BY-LAW NO. 4315 OF
TOWN OF THE PAS.

Val Miron
Town Clerk

Val Miron
TOWN CLERK OF THE MUNICIPALITY
OF THE TOWN OF THE PAS

Date May 13 2002

TOWN OF THE PAS

BY-LAW NO. 4417

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND ZONING BY-LAW NO. 4121,
AS AMENDED.

WHEREAS Section 47 (2) of The Planning Act, Chapter P80, of the
Continuing Consolidation of the Statutes of Manitoba, provides for the
amendment of a Zoning By-Law;

AND WHEREAS it is deemed expedient and necessary to amend The Town of
The Pas Zoning By-Law No. 4121, as amended;

NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED
ENACTS AS FOLLOWS:

1. THAT Map No. Two attached to and being part of Town of The Pas
Zoning By-Law No. 4121 be hereby amended as follows:

In The Town of The Pas and being:

Lot 2, Block 4, Special Plan 26878 and shown cross hatched thusly
///// on the map attached hereto as Schedule "A" to this by-law
and presently zoned as "RS" Residential Single Family Zone, be
rezoned "RM" Residential Multiple Family Zone.

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 17th DAY OF June A.D. 2009.

Mayor

Town Clerk

CERTIFIED THAT BY-LAW NO. 4417 WAS:

READ A FIRST TIME THIS 6th DAY OF
READ A SECOND TIME THIS 17th DAY OF
READ A THIRD TIME THIS 17th DAY OF

may A.D. 2009.
June A.D. 2009.
June A.D. 2009.

Town Clerk

CERTIFIED TO BE A TRUE AND CORRECT
COPY OF BY-LAW NO. 4417 OF
THE TOWN OF THE PAS.

Town Clerk

June 18/09

TOWN OF THE PAS
 SCHEDULE "A" TO
 BY-LAW NO. 4417



Schedule "A" to By-Law No. 4417 of The Town of The Pas amending Map No. Two attached to and being part of Town of The Pas Zoning By-Law No. 4121, as amended.

/////// Area Affected

TOWN OF THE PAS

BY-LAW NO. 4339

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND BY-LAW NO. 4121, AS AMENDED.

WHEREAS Section 47 (2) of The Planning Act, Chapter P80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the amendment of a Zoning By-Law;

AND WHEREAS it is deemed expedient and necessary to amend The Town of The Pas Zoning By-Law No. 4121, as amended;

NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

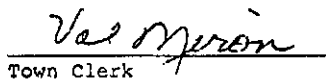
1. THAT Map No. Two attached to and being part of The Town of The Pas Zoning By-Law No. 4121 is hereby amended as follows:

In The Town of The Pas and being:

Lots 1, 2 and 3, Block 7-B, Plan S62 PLTO as shown cross-hatched thusly ~~XXXXXX~~ on the plan attached hereto as Schedule "A" to this by-law and presently zoned as "RS" Residential Single Family Zone, be rezoned "RM" Residential Multiple Family Zone.

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 3RD DAY OF SEPTEMBER A.D. 2003.


Mayor


Town Clerk

Certified that By-Law No. 4339:

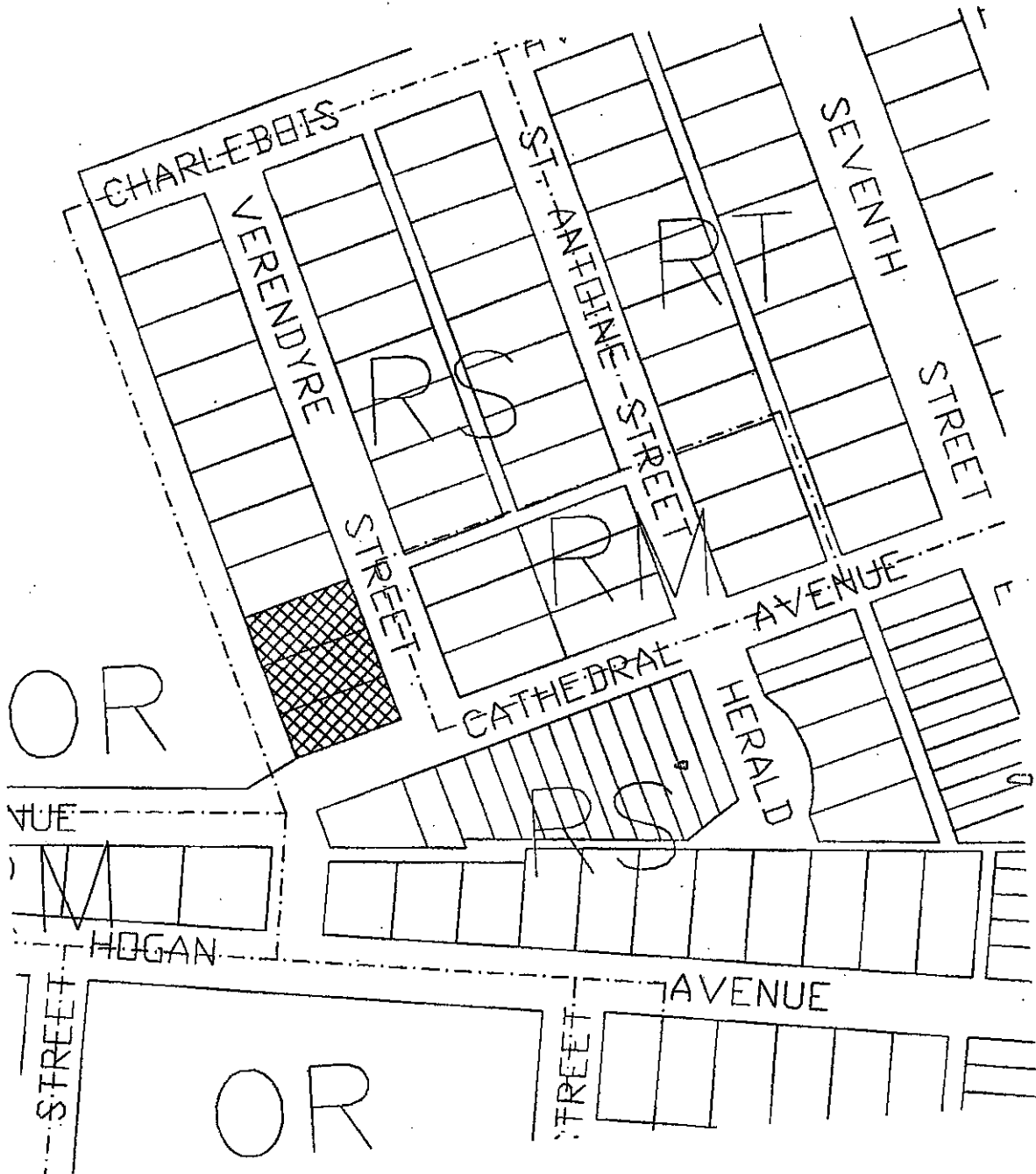
Received first reading on the 6TH day of August A.D. 2003.

Received second reading on the 3RD day of September A.D. 2003.

Received third reading on the 3RD day of September A.D. 2003.


Town Clerk

TOWN OF THE PAS
SCHEDULE "A" TO
BY-LAW NO. 4339



Schedule "A" to By-Law No. 4339 of The Town of The Pas amending Map No. Two to and being part of Town of The Pas Zoning By-Law No. 4121, as amended.

XXXXXX Area Affected

8. PARKING SPACES REQUIRED

USE	MINIMUM NUMBER OF PARKING SPACES REQUIRED
Boarding & Lodging Houses, including Medical Boarding Houses	1.5 per 2 dwelling units
Churches, Funeral Homes	1 per 5 seats in the principal seating area but no less than 10 spaces
Libraries	1 per 1000 sq. ft. of floor area
Mobile Homes Single-Family Dwellings Two-Family Dwellings	1 per dwelling unit
Mobile Home Park	1 unassigned visitor parking space per 5 dwelling units
Multiple-Family Dwellings	1.5 per dwelling unit (25% of which are unassigned visitor parking spaces)
Personal Care Home	1 per employee plus 1 unassigned visitor parking space per 7 residents
Residential Care Facility, Group Child Care Facilities	1 per employee
Schools	1 per classroom plus 3 additional spaces
Seniors Apartment	1 per 2 dwelling units

9. RESIDENTIAL USES AND BULK REQUIREMENTS TABLE

TABLE ONE "RESIDENTIAL USE AND BULK REQUIREMENTS"

(1) lists all uses that are:

- a) "P", Permitted;
- b) "C", Conditional.

in the RESIDENTIAL ZONES. All listed uses are subject to the provisions contained herein.

(2) sets forth the bulk requirements for uses in the RESIDENTIAL ZONE in which they are Permitted or Conditional Uses.

**TABLE ONE
RESIDENTIAL USES AND BULK REQUIREMENTS**

Permitted = Conditional Uses =	P C	ZONES	SITE AREA sq.ft	SITE WIDTH ft	FRONT YARD ft	SIDE ^a YARD ft	REAR YARD ft
Accessory Buildings, Uses & Structures	P	ALL	N/A	N/A	b	2 ^c	10 ^d
Boarding & Lodging Houses	P	RM	10,000	100	15	15	20
	C	RS, RT					
Child Care Services							
Home Day Care	P	RS, RT	5,000	50	25	7	20
Group Day Care	P	RM	4,000	40	25	5	20
	C	RS, RT	7,500	100	25	7	20
Churches, Church Halls, Sunday Schools	P	ALL	20,000	100	20	10	10
Dwellings ^e							
Single-Family	P	RS, RT	5,000	50	25	5	25
Two-Family	P	RT,	6,600	75	25	6	25
Multiple-Family	P	RM	10,000 ^f	100	15	15	25
Mobile Homes	P	RMH	5,000	40	20	4	10
Existing Uses	P	ALL	See PART THREE Section 17				
Funeral Parlors	C	RM	10,000	100	20	10	25
Libraries	P	ALL	10,000	100	20	10	25
Parks, Playgrounds, Tot Lots	P	ALL	3,000	20	10	10	10
Personal Care Homes & Senior Citizen Homes	P	RM	10,000 ^f	100	15	15	25
	C	RS, RT					
Public Utilities	P	ALL	g				
Residential Care Facilities							
Four or fewer	P	ALL	5,000	50	25	7	20
Five to eight	C	RM, RT	7,500	75	25	7	20
More than eight	C	RM	10,000	100	15	15	25
Schools	P	ALL	5 acres	N/A			
Planned Building Group	C	ALL	h				

10. EXPLANATIONS AND EXCEPTIONS

(1) The following explanations and exceptions apply to TABLE ONE "RESIDENTIAL USES AND BULK REQUIREMENTS":

- a) Corner side yards and side yards which accommodate an accessory off-street parking space shall be a minimum of ten (10) feet in width.
- b) Detached accessory buildings and structures shall be located to the rear of the front wall of the principal building and to the rear of the front walls of any adjacent principal buildings. *also see page 28 13 (2) b)*
- c) Side yards for accessory buildings shall be 2 feet clear of all projections (i.e. eaves).
- d) Rear yards for accessory buildings intended for use wholly as a garage or in conjunction with a garage accessed by a public lane shall be as follows:
 - i) When the building is located at a 45° angle or less to the public lane. 5 ft.
 - ii) When the building is located at an angle greater than 45° to the public lane. 10 ft.

All other types of accessory buildings accessed by a public lane shall have a rear yard of 2 feet clear of all projections.

e) The following development requirements apply:

BUILDING	MAXIMUM SITE COVERAGE	MAXIMUM HEIGHT	MINIMUM DWELLING UNIT FLOOR AREA
Single-Family	40%	2 storeys	960 sq. ft.
Two-Family	60%	2 storeys	600 sq. ft.
Multiple-Family	60%	45 feet	480 sq. ft.
Mobile Home	40%	N/A	800 sq. ft.
Accessory	12%	12 feet	N/A

f) The minimum site area shall be ten thousand (10,000) square feet for the first four (4) units and an additional one thousand (1,000) square feet for each unit thereafter.

g) **Public Utilities**

• Bulk requirements do not apply to the transmission facilities (wires or pipes) or the associated equipment such as poles, transformers and switching boxes including Manitoba Hydro substations and Manitoba Telephone System transmission buildings since all this apparatus may require only very small parcels or none at all (easements). This does not apply to offices, equipment and vehicle storage and parking or workshops.

h) **Planned Building Group**

Unitary site plans drawn to scale shall accompany the development permit application for developments planned as an entity. Council may require additional information from the applicant as may be necessary for review of the proposal.

BY-LAW NO. 4232

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND BY-LAW NO. 4121, AS AMENDED.

WHEREAS Section 42 (1) of The Planning Act, Chapter P 80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the amendment of a Zoning By-Law;

AND WHEREAS it is deemed expedient and necessary to amend The Town of The Pas Zoning By-Law No. 4121, as amended;

NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. THAT Table One - RESIDENTIAL USES AND BULK REQUIREMENTS be amended by adding thereto the following:

1.	Conditional Uses = C	ZONES	SITE AREA sq.ft	SITE WIDTH ft	FRONT YARD ft	SIDE YARD ft	REAR YARD ft
	Parking, Public ⁽¹⁾	C	ALL	5,000	50	0	0 20

2. THAT TABLE ONE - 10. EXPLANATIONS AND EXCEPTIONS be amended by adding thereto the following:

- "(i) (A) All such site lines shall be provided with a compact hedge, row of shrubbery or solid fence six (6) feet in height, maintained at all times or;
- (B) Side or rear site lines shall have the corresponding required side yard increased to a minimum of ten (10) feet if a compact edge, row of shrubbery or a solid fence six (6) feet in height is not provided and maintained at all times; and
- (C) The side site line on the street side of a reverse corner site as mentioned above shall have the required side yard increased to twenty five (25) feet."

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 20th DAY OF AUGUST A.D. 1997.

Graig Hoppe
Mayor

Val Myron
Town Clerk

Certified that By-Law No. 4232:

Received first reading on the 16th day of July A.D. 1997
 Received second reading on the 20th day of August A.D. 1997.
 Received third reading on the 20th day of August A.D. 1997.

CERTIFIED TO BE A TRUE AND CORRECT
 COPY OF BY-LAW NO. 4232 OF
 THE TOWN OF THE PAS

Val Myron
Town Clerk

Val Myron
CLERK OF THE MUNICIPALITY
 OF THE TOWN OF THE PAS

PART FIVE - COMMERCIAL ZONES

1. INTENT OF ZONES

(1) "CN" Commercial Neighbourhood Zone

This zone provides for appropriate land, characteristically small in size, either within or abutting residential districts, for the retailing of commodities and personal services to satisfy the daily household or personal needs for persons residing in adjacent residential areas.

(2) "CC" Commercial Central Zone

This zone provides for appropriate land in a central business area for multi-functional uses such as intensive retail, business, social, cultural and administrative land uses to serve the local and regional area.

(3) "CI" Commercial Industrial Zone

This zone provides for appropriate land to accommodate those businesses and industrial uses that are compatible with each other requiring larger sites adjacent to major transportation routes to serve the needs of the regional area and travelling public.

2. ACCESSORY BUILDINGS, STRUCTURES AND USES

In the Commercial Zone the following buildings, structures, and uses are deemed to be accessory:

- (1) An accessory dwelling unit (including those buildings and structures accessory to a residence as provided for in PART FOUR Section 2) as regulated in Section 6 of this PART.
- (2) The cleaning, servicing, altering, testing, repair or storage of goods or a building or structure so used, normally incidental to and conducted by the same owner as the principal use.
- (3) Accessory off-street parking and loading spaces as required and regulated in Section 5 of this PART.

(4) Signs, including:

- a) Advertising, business and identification signs;
- b) A maximum of two (2) signs per business; and
- c) Maximum sign surface area per business of 64 square feet;
- d) one additional sign permitted for a multiple-tenant building with a maximum sign surface area of 32 square feet.

(5) A satellite dish antenna as regulated in Section 14 of PART THREE.

3. MULTIPLE BUILDINGS AND USES

- (1) More than one (1) principal building may be located on one (1) parcel provided that the yard requirements for each building are fulfilled without overlap with other yards.
- (2) A multiple-unit building shall be considered one (1) building for the purposes of establishing yard requirements.
- (3) A Planned Building Group as approved by Council need not fulfil Subsection (1) above.

4. DEVELOPMENT IN REQUIRED YARDS

The following developments are permitted in the required yards:

- (1) Architectural features including chimneys, steps, eaves and decks;
- (2) Landscape features including trees, fences, walls, lighting and signs;
- (3) Parking and loading areas, sidewalks and driveways;
- (4) Outside storage of materials, but not in any front yard, corner side yard or yard abutting a Residential or Open Space Recreational Zone; and
- (5) The restrictions in Subsection (4) above does not apply to the display of farm machinery, automobiles, trucks or trailers or to lawnmowers, snowmobiles, and the like.

5. PARKING AND LOADING REQUIREMENTS

- (1) All required permanent accessory off-street parking and loading spaces shall be located on the same site as the use served, unless a variation order is approved for parking spaces located elsewhere.
- (2) When a building or structure is enlarged or a use is changed, the accessory off-street parking spaces shall be provided for the enlargement, change, or new use, in accordance with the provisions of this section.
- (3) For all permitted or conditional uses in the Commercial Zone, a minimum of one off-street loading space shall be provided for each site.
- (4) Every parking or loading space shall be a minimum width of ten (10) feet and shall be a minimum length of twenty (20) feet.
- (5) The following minimum requirements shall apply:

USE	MINIMUM NUMBER OF PARKING SPACES REQUIRED
Accessory Dwelling Unit	1 per dwelling unit
Automobile Laundry or Carwash	5 spaces plus 1 space per bay
Financial, Retail, Personal, Professional & Government Services	1 per 500 sq. feet of floor area
Fitness Centers	5 spaces
<div style="text-align: right; padding-right: 20px;">Individual</div>	5 spaces
<div style="text-align: right; padding-right: 20px;">Group</div>	10 spaces or 1 space per 100 sq. ft. of floor area whichever is greater
Hotels & Motels	1 per individual suite plus spaces for other accessory uses as required
Malls, Shopping Centers, Arena & Stadiums, Banquet Halls & Auditoriums, Churches & Church Halls	1 per 250 sq. feet of floor area

USE	MINIMUM NUMBER OF PARKING SPACES REQUIRED
Restaurants	10 spaces or one (1) space for every 50 sq. feet of patron seating area whichever is greater.
All other Permitted & Conditional Uses in the "CC" Commercial Central & "CN" Commercial Neighbourhood zones	1 per 1,500 square feet of floor area but not less than one (1) space
All other Permitted & Conditional Uses in the "CM" Commercial Industrial zones	One (1) per 3,000 square feet of floor area but not less than two (2) spaces

6. ACCESSORY DWELLING UNIT

- (1) Dwelling Units may be established as accessory uses to a principal commercial building.
- (2) Dwelling Units are to be located to the rear or above the principal commercial use.
- (3) An attached dwelling unit shall be a minimum of 480 square feet in floor area.

7. COMMERCIAL USES AND BULK REQUIREMENTS TABLE

TABLE TWO "COMMERCIAL USES AND BULK REQUIREMENTS":

- (1) lists all uses that are:
 - a) "P", Permitted; and
 - b) "C", Conditional;
 in the COMMERCIAL ZONES. All listed uses are subject to the provision contained herein.
- (2) sets forth the bulk requirements for uses in the COMMERCIAL ZONES in which they are Permitted or Conditional Uses.

**TABLE TWO
COMMERCIAL USES AND BULK REQUIREMENTS**

Permitted Uses = Conditional Uses =	P C	ZONES	SITE ^a AREA sq. ft.	SITE WIDTH ft.	FRONT ^b YARD ft.	SIDE ^b YARD ft.	REAR ^b YARD ft.
Accessory Buildings, Uses and Structures	P	ALL	N/A	N/A	c	2	7
Advertising Signs, free standing	P C	CM CC,CN					
Arena & Stadiums	C	CC	80,000	200	45	30	45
Automobile Gas Bar	P	CC,CM	10,000	75	30	20	20
Automobile Laundry or Car Wash Automobile Repair Automobile Service Station	P	CM,CC	15,000	100	30	20	20
Automobile Sales Area	P C	CM CC	40,000	200	30	30	20
Automobile Wrecking	P	CM					
Banquet Halls & Auditoriums	P	CC	15,000	100	30	20	20
Bus Station	P	CC,CM	20,000				
Child Care - Group	C	CC	15,000	75	10	10	20
Churches & Church Halls	P	CN,CC					
Dairies & Creameries	P	CM	20,000	80	25	10	20
Dry Cleaners	P C	CC,CM CN	10,000	75	10	10	20
Existing Uses	P	ALL					

Permitted Uses = Conditional Uses =	P C	ZONES	SITE ^a AREA sq.ft	SITE WIDTH ft	FRONT ^b YARD ft	SIDE ^b YARD ft	REAR ^b YARD ft
Fire & Police Stations	P	ALL	5,000	50	30	10	20
Fitness Centers Individual Group	P	CC	5,000	50	30	20	20
	C	CN					
	P	CC,CM	10,000	75			
	C	CN					
Funeral Parlours	P	CM	10,000	75	25	10	10
	C	CC					
Government Services	P	ALL	5,000	50	0	0	20
Hotels & Motels	P	CM, CC	20,000	100	10	20	20
Industrial Service Shop	P	CM					
Junk Yards	C	CM					
Laundromats	P	CC	5,000	50	25	10	20
	C	CN					
Libraries & Museums	P	CC	15,000	75	10	10	20
Lodges & Private Clubs	P	CC	5,000	50	10	10	20
	C	CM					
Lumber Yards & Contractors	P	CM	20,000	200	30	20	20
	C	CC					
	Maintenance Yards	P					
Malls & Shopping Centers ^d	P	CC	10,000	50	10	10	20
	C	CN					

The Pas Zoning By-law

Permitted Uses = Conditional Uses =	P C	ZONES	SITE ^a AREA sq.ft	SITE WIDTH ft	FRONT ^b YARD ft	SIDE ^b YARD ft	REAR ^b YARD ft
Moving & Storage	P	CM	40,000	150	30	20	20
Parks & Playgrounds	P	ALL	5,000	50	0	0	20
Parking, Public	P	CC					
Plumbing, Sheet Metal	P	CM	10,000	75	25	10	20
Public Utilities	P	ALL	e				
Radio & Television Facilities	P	CM	5,000	50	10	0 ^f	20
	C	CC					
Recreation Facilities -	P	CC					
Restaurants, Including Drive Through Facilities	P	CC, CM					
R.T.M. Manufacturing	P	CM	20,000	200	30	20	20
Services							
Financial	P	CC	5,000	50	0	0	20
Personal	P	CC					
	C	CN					
Professional	P	CC					
Retail	P	CC					
	C	CN					

By-law # 4264 Multiple Family C CC 10,000 (1st 4 units) 100 15 15 25
 # 4259 Commercial Schools P CC 10,000 75 30 20 20
 4377 Homeless Shelter C CC 12,000 50 3 5 25

Permitted Uses = Conditional Uses =	P C	ZONES	SITE ^a AREA sq. ft.	SITE WIDTH ft.	FRONT ^b YARD ft.	SIDE ^b YARD ft.	REAR ^b YARD ft.
Snowmobile, Motor- cycle Sales & Services, Sign Painting	P	CM	10,000	75	25	10	20
Trades							
Carpentry							
Electrical							
Mechanical/Welding							
Theatres & Cinemas, excluding Drive-In	P	CC	10,000	100	0	0	20
Theatres, Drive-In	C	CM	40,000	100	30	20	20
Trucking Terminals	P	CM	80,000	200	30	20	20
Upholstery Shop	P	CM	5,000	50	20	10	20
Veterinary Clinics & Taxidermy							
Warehouses	P	CM	20,000	100	20	10	20
	C	CC					

8. **EXPLANATIONS AND EXCEPTIONS**

(1) The following explanations and exceptions apply to the COMMERCIAL BULK REQUIREMENTS TABLE TWO:

- a) The maximum site area coverage including the principal and all accessory buildings and structures in "CC" Commercial Central zone shall be seventy five percent (75%); and in "CN" Commercial Neighbourhood and "CM" Commercial Industrial zones shall be sixty percent (60%).

- b) i) Where a commercial site line abuts a Residential or Open Space Recreational Zone:
- A) All such site lines shall be provided with a compact hedge, row of shrubbery or solid fence six (6) feet in height, maintained at all times; or
 - B) Side or rear site lines shall have the corresponding required side yard increased to a minimum of ten (10) feet if a compact edge, row of shrubbery or a solid fence six (6) feet in height is not provided and maintained at all times; and
 - C) The side site line on the street side of a reverse corner site as mentioned above shall have the required side yard increased to twenty five (25) feet.
- ii) See Subsection 4 (4) and (5) of this PART re: Development in Required Yards.
- iii) Buildings structures and hedges adjacent to Provincial Roads and Trunk Highways are subject to the Highway Protection and Highways Department Acts.
- iv) Gasoline pumps shall have a required front, side and rear yard of fifteen (15) feet. Bulk propane tanks shall have a required setback from all buildings and lot lines as regulated and required by the Departments of Labour and Environment.
- c) Detached accessory buildings and structures (with the exception of gasoline pumps) shall be located to the rear of the front wall of the principal building and to the rear of the front walls of any adjacent buildings.

d) Malls and shopping centers in the "CN" Commercial Neighbourhood zone shall not exceed 5,000 square feet in total floor area.

e) **Public Utilities**

Bulk requirements do not apply to the transmission facilities (wires or pipes) or the associated equipment such as poles, transformers and switching boxes including Manitoba Hydro Substations and Manitoba Telephone System transmission buildings since all of this apparatus may require only very small parcels or none at all (easements). This does not apply to offices, equipment or vehicle storage, parking or workshops.

f) Restaurants, including drive through facilities in "CM" Commercial Industrial Zones require a side yard of 10 feet.

g) BL # 4263

h) ... 4264 (same wording as e) under ...
... multiple ...

PART FIVE – COMMERCIAL ZONE

BY-LAW AMENDMENTS

AFFECTING THIS ZONE

BY-LAW NO. 4264

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND BY-LAW NO. 4121, AS AMENDED.

WHEREAS Section 47 (2) of The Planning Act, Chapter P 80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the amendment of a Zoning By-Law;

AND WHEREAS it is deemed expedient and necessary to amend The Town of The Pas Zoning By-Law No. 4121, as amended;

NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

- 1. THAT PART FIVE - COMMERCIAL ZONES, SECTION 5. - PARKING AND LOADING REQUIREMENTS, subsection (5) be amended by adding thereto the following:

USE	MINIMUM NUMBER OF PARKING SPACES REQUIRED
Multiple-Family Dwellings	1.5 per dwelling unit (25% of which are unassigned visitor parking spaces)

- 2. THAT TABLE TWO - COMMERCIAL USE AND BULK REQUIREMENTS be amended by adding thereto the following:

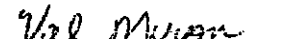
Conditional Uses - C	ZONES	SITE AREA sq. ft.	SITE WIDTH ft.	FRONT YARD ft.	SIDE YARD ft.	REAR YARD ft.
Multiple-Family Dwellings	C CC	10,000 ^h	100	15	15	25

- 3. THAT PART FIVE - COMMERCIAL ZONES, SECTION 8. - EXPLANATIONS AND EXCEPTIONS be amended by adding thereto the following:

h) The minimum site area shall be ten thousand (10,000) square feet for the first four (4) units and an additional one thousand (1,000) square feet for each unit thereafter.

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 21st DAY OF APRIL A.D. 1999.

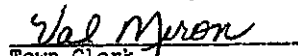

Mayor

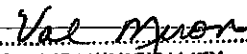

Town Clerk

Certified that By-Law No. 4264:

Received first reading on the 17th day of MARCH A.D. 1999
 Received second reading on the 21st day of APRIL A.D. 1999.
 Received third reading on the 21st day of APRIL A.D. 1999.

CERTIFIED TO BE A TRUE AND CORRECT
 COPY OF BY-LAW NO. 4264 OF
 THE TOWN OF THE PAS.


Town Clerk


 CLERK OF THE MUNICIPALITY
 OF THE TOWN OF THE PAS

Date

TOWN OF THE PAS

BY-LAW NO. 4377

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND BY-LAW NO. 4121, AS AMENDED.

WHEREAS Section 80 of The Planning Act, Chapter P 80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the amendment of a Zoning By-Law;

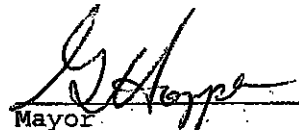
AND WHEREAS it is deemed expedient and necessary to amend The Town of The Pas Zoning By-Law No. 4121, as amended;

NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. THAT TABLE TWO - COMMERCIAL USE AND BULK REQUIREMENTS be amended by adding thereto the following:

Conditional Uses = C	ZONES	SITE AREA sq. ft	SITE WIDTH ft	FRONT YARD ft	SIDE YARD ft	REAR YARD ft
Homeless Shelter	C CC	10,000	50	0	5	25

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 15TH DAY OF MARCH A.D. 2006.


Mayor

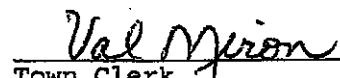

Town Clerk

Certified that By-Law No. 4377:

Received first reading on the 1ST day of FEBRUARY A.D. 2006.

Received second reading on the 15TH day of MARCH A.D. 2006.

Received third reading on the 15TH day of MARCH A.D. 2006.


Town Clerk

TOWN OF THE PAS

BY-LAW NO. 4233

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND BY-LAW NO. 4121, AS AMENDED.

WHEREAS Section 42 (1) of The Planning Act, Chapter P 80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the amendment of a Zoning By-Law;

AND WHEREAS it is deemed expedient and necessary to amend The Town of The Pas Zoning By-Law No. 4121, as amended;

NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

- 1. THAT TABLE TWO - COMMERCIAL USE AND BULK REQUIREMENTS be amended by adding thereto the following:

Conditional Uses - C	ZONES	SITE AREA sq. ft.	SITE WIDTH ft.	FRONT YARD ft.	SIDE YARD ft.	REAR YARD ft.
Shopping Centers ^d	C CM	10,000	50	10	10	20

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 20TH DAY OF AUGUST A.D. 1997.

Gary Hoppen
Mayor

Val Myron
Town Clerk

Certified that By-Law No. 4233:
Received first reading on the 16th day of July A.D. 1997
Received second reading on the 20th day of August A.D. 1997.
Received third reading on the 20th day of August A.D. 1997.

CERTIFIED TO BE A TRUE AND CORRECT COPY OF BY-LAW NO. 4233 OF THE TOWN OF THE PAS.
Val Myron
CLERK OF THE MUNICIPALITY OF THE TOWN OF THE PAS

Val Myron
Town Clerk

Date

TOWN OF THE PAS

BY-LAW NO. 4257

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND BY-LAW NO. 4121, AS AMENDED.

WHEREAS Section ⁴² 45 (1) of The Planning Act, Chapter P 80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the amendment of a Zoning By-Law;

AND WHEREAS it is deemed expedient and necessary to amend The Town of The Pas Zoning By-Law No. 4121, as amended;

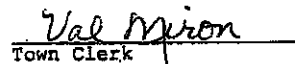
NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. THAT TABLE TWO - COMMERCIAL USE AND BULK REQUIREMENTS be amended by adding thereto the following:

Permitted Uses = P	ZONES	SITE AREA sq.ft	SITE WIDTH ft	FRONT YARD ft	SIDE YARD ft	REAR YARD ft
Commercial Schools.	P CC	10,000	75	30	20	20

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 21ST DAY OF OCTOBER A.D. 1998.


Mayor

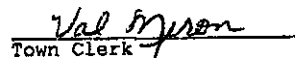

Town Clerk

Certified that By-Law No. 4257:

Received first reading on the 2nd day of September A.D. 1998

Received second reading on the 21st day of OCTOBER A.D. 1998.

Received third reading on the 21st day of OCTOBER A.D. 1998.


Town Clerk

TOWN OF THE PAS

BY-LAW NO. 4263

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND BY-LAW NO. 4121, AS AMENDED.

WHEREAS Section 47 (2) of The Planning Act, Chapter P 80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the amendment of a Zoning By-Law;

AND WHEREAS it is deemed expedient and necessary to amend The Town of The Pas Zoning By-Law No. 4121, as amended;

NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. THAT TABLE TWO - COMMERCIAL USE AND BULK REQUIREMENTS be amended by adding thereto the following:

Permitted Uses = P	ZONES	SITE AREA sq. ft.	SITE WIDTH ft.	FRONT YARD ft.	SIDE YARD ft.	REAR YARD ft.
Services						
Financial						
Personal	P	5,000	50	0 9	0 9	20
Professional						
Retail						

- g) Services, including Financial, Personal, Professional and Retail in "CM" Commercial Industrial Zones require a side yard of 10 feet.

DONE AND PASSED IN COUNCIL ASSEMBLED THIS *21st* DAY OF *April* A.D. 1999.


Mayor


Town Clerk

Certified that By-Law No. 4263:

Received first reading on the *17th* day of

MARCH

A.D. 1999

Received second reading on the *21st* day of

APRIL

A.D. 1999.

BY-LAW NO. 4264

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND BY-LAW NO. 4121, AS AMENDED.

WHEREAS Section 47 (2) of The Planning Act, Chapter P 80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the amendment of a Zoning By-Law;

AND WHEREAS it is deemed expedient and necessary to amend The Town of The Pas Zoning By-Law No. 4121, as amended;

NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. THAT PART FIVE - COMMERCIAL ZONES, SECTION 5. - PARKING AND LOADING REQUIREMENTS, subsection (5) be amended by adding thereto the following:

USE	MINIMUM NUMBER OF PARKING SPACES REQUIRED
Multiple-Family Dwellings	1.5 per dwelling unit (25% of which are unassigned visitor parking spaces)

2. THAT TABLE TWO - COMMERCIAL USE AND BULK REQUIREMENTS be amended by adding thereto the following:


Conditional Uses = C	ZONES	SITE AREA sq. ft.	SITE WIDTH ft.	FRONT YARD ft.	SIDE YARD ft.	REAR YARD ft.
Multiple-Family Dwellings	C CC	10,000 ^h	100	15	15	25

3. THAT PART FIVE - COMMERCIAL ZONES, SECTION 8. - EXPLANATIONS AND EXCEPTIONS be amended by adding thereto the following:

h) The minimum site area shall be ten thousand (10,000) square feet for the first four (4) units and an additional one thousand (1,000) square feet for each unit thereafter.

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 21ST DAY OF APRIL A.D. 1999.

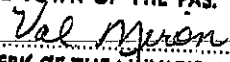

Mayor


Town Clerk

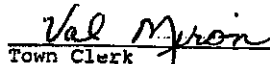
Certified that By-Law No. 4264:

Received first reading on the 17 TH day of	MARCH	A.D. 1999
Received second reading on the 21 ST day of	APRIL	A.D. 1999.
Received third reading on the 21 ST day of	APRIL	A.D. 1999.

CERTIFIED TO BE A TRUE AND CORRECT COPY OF BY-LAW NO. 4264 OF THE TOWN OF THE PAS.


CLERK OF THE MUNICIPALITY OF THE TOWN OF THE PAS

Date May 3, 1999


Town Clerk

TOWN OF THE PAS

BY-LAW NO. 4377

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND BY-LAW NO. 4121, AS AMENDED.

WHEREAS Section 80 of The Planning Act, Chapter P 80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the amendment of a Zoning By-Law;

AND WHEREAS it is deemed expedient and necessary to amend The Town of The Pas Zoning By-Law No. 4121, as amended;


NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. THAT TABLE TWO - COMMERCIAL USE AND BULK REQUIREMENTS be amended by adding thereto the following:

Conditional Uses = C	ZONES	SITE AREA sq.ft	SITE WIDTH ft	FRONT YARD ft	SIDE YARD ft	REAR YARD ft
Homeless Shelter	C CC	10,000	50	0	5	25


DONE AND PASSED IN COUNCIL ASSEMBLED THIS 15TH DAY OF MARCH A.D. 2006.


Mayor


Town Clerk

Certified that By-Law No. 4377:

Received first reading on the 1ST day of FEBRUARY A.D. 2006.
Received second reading on the 1ST day of MARCH A.D. 2006.
Received third reading on the 1ST day of MARCH A.D. 2006.


Town Clerk

Handwritten notes and signatures at the bottom of the page.

TOWN OF THE PAS

BY-LAW NO. 4340

BEING A BY-LAW OF THE TOWN OF THE PAS TO AMEND BY-LAW NO. 4121, AS AMENDED.

WHEREAS Section 47 (2) of The Planning Act, Chapter P 80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the amendment of a Zoning By-Law;

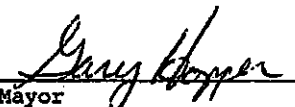
AND WHEREAS it is deemed expedient and necessary to amend The Town of The Pas Zoning By-Law No. 4121, as amended;

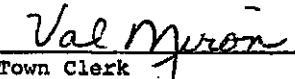
NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

1. THAT TABLE TWO - COMMERCIAL USE AND BULK REQUIREMENTS be amended by adding thereto the following:

Permitted Uses - P	ZONES	SITE AREA sq. ft.	SITE WIDTH ft.	FRONT YARD ft.	SIDE YARD ft.	REAR YARD ft.
Laundromats	P CM	5,000	50	25	10	20

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 17th DAY OF November A.D. 2003.


Mayor

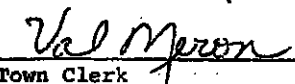

Town Clerk

Certified that By-Law No. 4340:

Received first reading on the 15th day of October A.D. 2003

Received second reading on the 19th day of November A.D. 2003.

Received third reading on the 19th day of November A.D. 2003.


Town Clerk

PART SIX - INDUSTRIAL ZONES

1. INTENT OF ZONES

(1) "ML" Industrial Light Zone

This zone provides land for the development of warehouse and other low impact industrial uses that are compatible with nearby residential or commercial uses. Industrial uses are permitted which carry on their operations in such a manner that no nuisance factor is created or emitted. Contained or screened outside storage may be permitted.

(2) "MH" Industrial Heavy Zone

This zone provides for a wide range of industrial uses where certain obnoxious elements must be accepted as characteristic of the use. Wherever possible, these uses should be located as far as possible from residential districts and in such a way as to minimize and detrimental effect on other uses of land.

(3) "MR" Industrial Restricted Zone

The intent of this zone is to provide land for a limited range of industrial uses such as bulk fuel and oil facilities or uses requiring restriction as a result of a significant nuisance or hazard factor.

2. ACCESSORY BUILDINGS, STRUCTURES AND USES

In the Industrial Zones the following buildings, structures, and uses are deemed to be accessory:

- (1)** An accessory dwelling unit (including those buildings and structures accessory to a residence as provided for in PART FOUR Section 2) as regulated in Section 6 of this PART.
- (2)** The production, processing, cleaning, servicing, altering, testing, repair or storage of goods or a building or structure so used, normally incidental to and conducted by the same owner as the principal use.
- (3)** A retail or commercial use which is incidental to a permitted or approved industrial use.

- (4) Accessory off-street parking and loading spaces as required and regulated in Section 5 of this PART.
- (5) Signs, including:
 - a) Advertising, business and identification signs;
 - b) A maximum of two (2) signs per business;
 - c) Maximum sign surface area per business of 64 square feet; and
 - d) one additional sign permitted for a multiple-tenant building with a maximum sign surface area of 32 square feet.
- (6) A satellite dish antenna as regulated in Section 14 of PART THREE.

3. MULTIPLE BUILDINGS AND USES

- (1) More than one (1) principal building may be located on one (1) parcel provided that the yard requirements for each building are fulfilled without overlap with other yards.
- (2) A multiple-unit building shall be considered one (1) building for the purposes of establishing yard requirements.
- (3) A Planned Building Group as approved by Council need not fulfil Section (a) above.

4. DEVELOPMENT IN REQUIRED YARDS

The following developments are permitted in the required yards:

- (1) Architectural features including chimneys, steps, eaves and decks;
- (2) Landscape features including trees, fences, walls, lighting and signs;
- (3) Parking and loading areas, sidewalks and driveways;
- (4) Outside storage of materials, but not in any front yard, corner side yard or yard abutting a Residential or Open Space Recreational Zone. Where outside storage of material is

permitted, the storage shall not project above the height of a wall or fence; and

- (5) The restrictions in Subsection (4) above do not apply to the display of farm machinery, automobiles, trucks or trailers or to lawnmowers, snowmobiles, and the like.

5. PARKING AND LOADING REQUIREMENTS

- (1) All required permanent accessory off-street parking and loading spaces shall be located on the same site as the use served, unless a variation order is approved for parking spaces located elsewhere.
- (2) When a building or structure is enlarged or a use is changed, the accessory off-street parking spaces shall be provided for the enlargement, change, or new use, in accordance with the provisions of this section.
- (3) For all permitted or conditional uses in the Industrial Zones, a minimum of one off-street loading space shall be provided for each site.
- (4) Every parking or loading space shall be a minimum width of ten (10) feet and shall be a minimum length of twenty (20) feet.
- (5) The following minimum requirements shall apply:

USE	MINIMUM NUMBER OF PARKING SPACES REQUIRED
Accessory Dwelling Unit	1 per dwelling unit
Automobile Laundry or Car Wash	5 spaces plus 1 space per bay
Other Industrial Uses	The greater of one (1) parking space per 400 square feet of manufacturing floor area or one (1) parking space per three (3) employees.

6. ACCESSORY DWELLING UNIT

- (1) Dwelling Units may be established as accessory uses to a principal industrial building.
- (2) Dwelling Units are to be located to the rear or above the principal industrial use.
- (3) An attached dwelling unit shall be a minimum of 480 square feet in floor area.

7. BULK FUEL, PROPANE AND FERTILIZER

Bulk propane, fertilizer and bulk oil storage buildings and structures shall not locate within one hundred and twenty five (125) feet of an established dwelling unit (other than the owner's or operator's) or as recommended by the Department of Labour.

8. INDUSTRIAL USES AND BULK REQUIREMENTS TABLE

TABLE THREE "INDUSTRIAL USES AND BULK REQUIREMENTS",

- (1) lists all uses that are:
 - a) "P", Permitted;
 - b) "C", Conditional; andin the INDUSTRIAL ZONES. All listed uses are subject to the provision contained herein.
- (2) sets forth the bulk requirements for uses in the INDUSTRIAL ZONES in which they are Permitted or Conditional Uses.

**TABLE THREE
INDUSTRIAL USES AND BULK REQUIREMENTS**

Permitted Uses = Conditional Uses =	P C	ZONES	SITE ^a AREA sq. ft.	SITE WIDTH ft.	FRONT ^b YARD ft.	SIDE ^b YARD ft.	REAR ^b YARD ft.
Accessory Buildings, Uses and Structures Advertising Signs, free standing	P	ALL	N/A	N/A	c	2	7
Agricultural Industries	P	MH	20,000	120	30	30	20
	C	ML					
Automobile Gas Bar	P	ML	10,000	100	30	20	20
Automobile Laundry or Car Wash Automobile Repair Automobile Service Station	P	ML	15,000	100	30	20	20
	C	MH					
Automobile Sales Area	P	ML	40,000	200	30	30	20
Automobile Wrecking	P	MH					
	C	ML					
Bulk Fuel and Propane Storage and Sales	P	MR	20,000	100	30	20	20
	C	MH					
Bus Station	P	ML					
Asphalt Manufacturing and Refining	P	MR	40,000	150	30	20	20
Chemical Manufacturing and Paint Storage; Paint or Varnish Manufacturing and the like	P	MR					
	C	MH					
Cleaning Plants	P	ML	5,000	50	30	10	20
	C	MH					
Existing Uses	P	ALL	See PART THREE Section 17				
Fire and Police Stations	P	ML	5,000	50	30	10	20
Dairies and Creameries Funeral Parlours	P	ML	10,000	75	10	10	10

Permitted Uses — Conditional Uses —	P C	ZONES	SITE ^a AREA sq. ft.	SITE WIDTH ft.	FRONT ^b YARD ft.	SIDE ^b YARD ft.	REAR ^b YARD ft.
Food Processing Plants	P	MH	20,000	100	10	20	20
	C	ML					
Industrial Service Shops	P	ML	20,000	100	10	20	20
	C	MH					
Junk Yards	P	MH	20,000	100	10	20	20
	C	ML					
Lumber Yards and Contractors	P	ML	20,000	200	30	20	20
	C	MH					
Maintenance Yards	P	ML	20,000	200	30	20	20
	C	MH					
Manufacturing, General	P	MH	20,000	200	30	20	20
	C	ML					
Moving and Storage	P	ML	40,000	150	30	20	20
Parks and Playgrounds	P	ALL	5,000	50	0	0	20
Plumbing, Sheet Metal	P	ML, MH	10,000	75	25	10	20
Public Utilities	P	ML	d				
Radio and Television Facilities	P	ML	5,000	50	10	0	20
Snowmobile, Motorcycle Sales and Services							
Trades Carpentry Electrical Mechanical/Welding	P	ML, MH	10,000	75	25	10	20
Trucking Terminals	P	ML	80,000	200	30	20	20
	C	MH					
Veterinary Clinics	P	ML	5,000	200	20	10	20
Warehouses	P	ML	20,000	100	20	10	20
	C	MH, MR					

9. EXPLANATIONS AND EXCEPTIONS

(1) The following explanations and exceptions apply to the INDUSTRIAL BULK REQUIREMENTS TABLE TWO:

- a) The maximum site area coverage including the principal and all accessory buildings and structures shall be seventy five percent (75%).
- b) i) Where an industrial site line abuts a Residential or Open Space Recreational Zone:
 - A) All such site lines shall be provided with a compact hedge, row of shrubbery or solid fence six (6) feet in height, maintained at all times; or
 - B) The side site line on the street side of a reverse corner site of a site as mentioned above shall have the required side yard increased to twenty five (25) feet.
- ii) See Subsection 4 (4) and (5) of this PART re: Development in Required Yards.
- iii) Buildings structures and hedges adjacent to Provincial Roads and Trunk Highways are subject to the Highway Protection and Highways Department Acts.
- iv) Gasoline pumps shall have a required front, side and rear yard of fifteen (15) feet. Bulk propane tanks shall have a required setback from all buildings and lot lines as regulated and required by the Departments of Labour and Environment.

c) Detached accessory buildings and structures (with the exception of gasoline pumps) shall be located to the rear of the front wall of the principal building and to the rear of the front walls of any adjacent buildings.

d) **Public Utilities**

Bulk requirements do not apply to the transmission facilities (wires or pipes) or the associated equipment such as poles, transformers and switching boxes including Manitoba Hydro Substations and Manitoba Telephone System transmission buildings since all of this apparatus may require only very small parcels or none at all (easements). This does not apply to offices, equipment or vehicle storage, parking or workshops.

PART SEVEN - OPEN SPACE/RECREATION AND LIMITED DEVELOPMENT ZONES

1. INTENT OF ZONES

(1) "OR" Open Space/Recreational Zone

This zone is intended to provide for the development of educational, institutional, public recreational and public open space uses.

(2) "LD" Limited Development Zone

This zone is intended to preserve lands for future development by maintaining large parcel sizes and preventing land uses that would limit future development.

2. ACCESSORY BUILDINGS, STRUCTURES AND USES

In the Open Space/Recreational and Limited Development Zones the following buildings, structures, and uses are deemed to be accessory:

- (1) Buildings and structures used for operations, maintenance and administration;**
- (2) Accessory off-street parking and loading area;**
- (3) Signs, including:**
 - a) One (1) identification sign, not exceeding one hundred (100) square feet in sign surface area;**
 - b) One (1) bulletin board; and**
 - c) Directional signs, not exceeding thirty (30) square feet in sign surface area.**

3. PARKING AND LOADING REQUIREMENTS

- (1) All required permanent accessory off-street parking areas shall be located on the same site as the use served.**
- (2) Each parking and loading space shall be a minimum width of ten (10) feet and length of twenty (20) feet.**

- (3) When a building or structure is enlarged or a use changed, the accessory off-street parking spaces shall be provided for the enlargement, change or new use, in accordance with the provisions of this Section.
- (4) For all permitted or conditional uses, in the Open Space/Recreational and Limited Development Zones, a minimum of one off-street loading space shall be provided for each site.
- (5) The following minimum requirements shall apply:

USE	MINIMUM NUMBER OF PARKING SPACES REQUIRED
Arena and Stadiums, Recreation Centers, Museums, Swimming Pools, Auditoriums, Banquet Halls, Church Halls, & Exhibition and Fair Grounds	1 per 4 persons that can be accommodated at any one time.
Hospitals	Three per 4 beds.
Schools	1 per classroom plus 3 additional spaces
Personal Care Homes	1 per employee and 1 unassigned visitor parking per 7 residents.
Churches	1 per 5 seats

4. OPEN SPACE/RECREATIONAL AND LIMITED DEVELOPMENT USES AND BULK REQUIREMENTS TABLE

TABLE FOUR "OPEN SPACE/RECREATIONAL AND LIMITED DEVELOPMENT USES AND BULK REQUIREMENTS",

- (1) lists all uses that are:
 - a) "P", Permitted; or
 - b) "C", Conditional

in the OPEN SPACE/RECREATIONAL AND LIMITED DEVELOPMENT ZONES. All listed uses are subject to the provisions contained herein.

- (2) sets forth the bulk requirements for uses in the OPEN SPACE/RECREATIONAL AND LIMITED DEVELOPMENT ZONES.

**TABLE FOUR
OPEN SPACE/RECREATIONAL AND LIMITED DEVELOPMENT USES AND BULK REQUIREMENTS**

Permitted – Conditional Uses =	P C	ZONES	SITE AREA sq.ft	SITE WIDTH ft	FRONT YARD ft	SIDE YARD ft	REAR YARD ft
Accessory Buildings, Uses and Structures	P	OR, LD	N/A	N/A	a	5	5
Museums and Historic Sites	P	OR	25,000	100	20	10	10
Parks and Playgrounds	P	OR, LD					
Auditoriums, Churches and Related Facilities	C	OR					
Swimming Pools	C	OR					
Arena and Stadiums, Recreation Centers and Related Facilities	C	OR	40,000	150	30	20	20
Sport and Athletic Fields without Permanent Buildings	C	OR, LD					
Cemeteries	P	LD					
Camping and Tenting	C	OR, LD					
Exhibition and Fair Grounds	C	OR, LD					
Hospitals and Personal Care Homes	C	OR	2 acres	200	30	20	20
Public Utilities	P	OR, LD					
Schools	P	OR	5 acres	N/A			
Kennels and Stables	C	LD	80,000	200	30	20	20
General Agriculture	P	LD	5 acres	250	30	20	20
R.T.M. Manufacturing	C	LD	20,000	200	30	20	20

Permitted = Conditional Uses =	P C	ZONES	SITE AREA sq.ft	SITE WIDTH ft	FRONT YARD ft	SIDE YARD ft	REAR YARD ft
Radio and Television Towers	P	OR, LD	10,000	75	20	10	10
Aircraft Landing Areas and Facilities	C	LD	10 acres	250	30	20	20
Waste Disposal Grounds	C	LD	5 acres				
Conservation Areas	P	OR, LD	c				
Temporary Buildings and Uses	P	OR, LD	d See Res 253-00 expires Oct 3/01 (Sept 20/00)				

5. EXPLANATIONS AND EXCEPTIONS

(1) The following explanations and exceptions apply to the OPEN SPACE/RECREATIONAL USES AND BULK REQUIREMENTS TABLE THREE:

a) Detached accessory buildings and structures shall be located to the rear of the front wall of the principal building and to the rear of the front walls of any adjacent principal buildings.

b) Public Utilities

Bulk requirements do not apply to the transmission facilities (wires or pipes) or the associated equipment such as poles, transformers and switching boxes including Manitoba Hydro Substations and Manitoba Telephone System transmission buildings since all of this apparatus may require only very small parcels or none at all (easements). This does not apply to offices, equipment or vehicle storage, parking or workshops.

c) As determined by Council.

d) The temporary nature of the buildings and uses, along with bulk requirements, shall be determined by Council.