

CR2 – MEDIUM DENSITY COUNTRY RESIDENTIAL DISTRICT (Draft – Subject to Change)

Information from RM of Big River No. 555 Official Community Plan Bylaw 23-01-01 and Zoning Bylaw 23-01-02.

Permitted Use – Means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in the zoning bylaw.

Discretionary Use – A use or form of development specified in the zoning bylaw, which may be allowed following application to, and approval by Council; and which complies with the development standards and other regulations as may be required by Council and/or contained in the zoning bylaw.

Sewage Disposal Permit

- All development permit applications, permitted or discretionary use, must be accompanied by a copy of a valid sewage disposal permit issued by Public Health.

Single Detached Dwellings, Manufactured Dwellings and Modular Dwellings

- Single detached dwellings, manufactured dwellings and modular dwellings are a Permitted Use.
- Minimum floor area – 40 m².
- Minimum width of single detached dwellings, manufactured dwellings or modular dwellings – 6.7 m.
- Minimum setbacks:
 - Front yard – 8 m.
 - Side yard – 5 m.
 - Rear yard – 8 m.
- Manufactured dwellings must conform to CSA Standard No. Z240.2.1-1979 and amendments thereto.
- Modular dwellings must conform to CSA Standard A277.
- All manufactured dwellings and modular dwellings must be attached to a permanent foundation.
- The undercarriage of all manufactured dwellings and modular dwellings shall be required to be completely screened by way of the foundation, skirting, or material which is consistent with the exterior of the unit, and shall allow for the circulation of air beneath the unit.

Accessory Buildings

- Accessory buildings, including shipping containers and membrane covered structures, are a Permitted Use.
- Accessory uses, buildings and structures shall be subordinate to, and located on the same site as the principal building or use, and used in conjunction with that principal use, and shall include detached decks.
- No form of temporary or permanent residential development or human habitation, including but not limited to, habitable rooms, dwelling units, guest suites or bunk houses shall be permitted in any accessory building. Bunk houses and guest houses are prohibited in any residential zoning district. The approval of a proposed development of a single detached dwelling on a site which is intended to replace an existing dwelling will be issued on the condition that the existing dwelling is removed upon completion of the construction of the new dwelling in order to prevent the continuance of its use in the future for residential purposes as a guest house.
- Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building.
- Minimum setbacks:
 - Front yard – 8 m.
 - Side yard – 3 m.
 - Rear yard – 3 m.
- Maximum floor area – 223 m².

6.4 CR2 – MEDIUM DENSITY COUNTRY RESIDENTIAL DISTRICT

6.4.1 Intent

The objective of the **CR2** - Medium Density Country Residential District is to provide for medium density, multiple lot country residential development and other compatible development in specific areas with standards for such development which does not directly support agriculture.

6.4.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are laid out in Table 6-4.

6.4.3 Prohibited Uses

Uses prohibited in **CR2** - Medium Density Country Residential District are as follows:

6.4.4 Accessory Buildings

- (1) Accessory buildings and uses, except dwelling units, shall be permitted and are subject to Section 4.14.10.

6.4.5 Regulations

(1) *Site Requirements*

The minimum and maximum site size and yard requirements are shown in Table 6-4.

(2) *Keeping of Animals*

- (a) Large animals, which include only horses, cattle, pigs, sheep, goats, llamas and alpacas will be permitted in numbers not exceeding 2 animal units, on a site of at least 2 ha. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.
- (b) Animals shall not be pastured within 15 meters of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 meters of a property line.
- (c) The use of vacant residential sites for pasture of animals is prohibited.

6.4.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the **CR2** - Medium Density Country Residential District with regard to Section 3.7.2 Discretionary use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

(1) *Home Based Businesses*

- (a) Home based business are subject to Section 4.14.1 of this Bylaw.
- (b) No home based business in this district shall include auto body repair or repainting operations.
- (c) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district, except skid-steers, and small utility tractors with a dozer and / or loader, that may be stored on site for on-site maintenance only.

6.4.7 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 8 meters is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 5 meters.
- (2) Residential sites that lawfully existed prior to the passing of this bylaw that do not meet the minimum site width requirements outlined in Table 6-4, shall be deemed to be compliant with the minimum site width requirement in this bylaw.

6.4.8 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.17 of this Bylaw.

6.4.9 Outside Storage

Outside storage, including garbage storage, is subject to Section 4.16 of this Bylaw.

6.4.10 Temporary Accommodation

A manufactured dwelling or recreational vehicle may be permitted for a period of up to one year on an existing farm dwelling or residential site, while a permanent dwelling unit, for which a valid development permit has been issued, is being actively constructed on the site. In the case where a development permit has not been issued, no manufactured dwelling or recreational vehicle may be used for habitation.

Rural Municipality of Big River No. 555 Zoning Bylaw

Table 6-4: CR2 - MEDIUM DENSITY COUNTRY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS for the Rural Municipality of Big River No. 555										
Use		Development Standards								
		Permitted or Discretionary	Subject to Sections	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)
Residential Uses										
(1)	Manufactured dwelling ⁽¹⁾	P	4.14.25	0.8	3.99	30	8	5	8	40
(2)	Modular dwelling ⁽¹⁾	P	4.14.26	0.8	3.99	30	8	5	8	40
(3)	Single detached dwellings as a principal use ⁽¹⁾	P		0.8	3.99	30	8	5	8	40
(4)	Garage and garden suites	D	3.7.4(24)	Same as principal use						
(5)	Short term rental accommodations	D	3.7.4(25)	Same as principal use						
Commercial Uses										
(1)	Bed and breakfast homes	D	4.14.5	0.8	3.99	30	8	5	8	40
(2)	Daycare centers	D		0.8	3.99	30	8	5	8	40
(3)	Home based businesses	D	4.14.1	0.8	3.99	30	8	5	8	40
(4)	Personal care homes	D	4.14.6	0.8	3.99	30	8	5	8	40
(5)	Residential care facilities	D	4.14.6	0.8	3.99	30	8	5	8	40
Municipal, Recreational, Institutional and Other Uses										
(1)	Community halls	P		0.4	--	30	8	5	8	--
(2)	Historical and archaeological sites	P		--	--	--	--	5	--	--
(3)	Libraries	P		0.4	--	30	8	5	8	--
(4)	Municipal facilities	P		--	--	--	--	5	--	--
(5)	Parks and playgrounds	P		--	--	--	--	5	--	--
(6)	Places of worship	P		0.4	--	30	8	5	8	--
(7)	Public museums	P		0.4	--	30	8	5	8	--
(8)	Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--	5	--	--
(9)	Recreation facilities	D	3.7.4 (3)	0.4	--	30	8	5	8	--
(10)	Schools and educational facilities	D	3.7.4 (3)	0.4	--	30	8	5	8	--
(11)	Wildlife and ecological conservation areas	P		--	--	--	--	5	--	--

Use Designations:

(P) - Permitted Use

Means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval by Council; and which complies with the development standards and other regulations as may be required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-4 and the CR2 - Medium Density Country Residential District:

- (1) shall be a minimum width of 6.7 meters

4.14.10 Accessory Uses, Buildings and Structures

- (1) Accessory uses, buildings and structures shall be subordinate to, and located on the same site as the principal building or use, and used in conjunction with that principal use, and shall include detached decks.
- (2) No form of temporary or permanent residential development or human habitation, including but not limited to, habitable rooms, dwelling units, guest suites or bunk houses shall be permitted in any accessory building. Bunk houses and guest houses as defined herein are prohibited in any residential zoning district. The approval of a proposed development of a single detached dwellings on a site which is intended to replace an existing dwelling will be issued on the condition that the existing dwelling is removed upon completion of the construction of the new dwelling in order to prevent the continuance of its use in the future for residential purposes as a guest house.

(3) *Time of Construction:*

Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building.

(4) *Height of Accessory Buildings and Structures:*

(a) Residential Districts:

- (i) Detached accessory buildings and structures in any lakeshore residential district: not greater than the height of the principal building, except for garage suites, which in any case have a maximum height of 7.5 meters.
- (ii) Detached accessory buildings and structures in any park model or manufactured dwelling district shall not exceed a height of 5 meters, and in no case shall they be two storeys in height.
- (iii) Detached accessory buildings and structures in any country residential development district: No height restrictions.

(b) Agricultural, Commercial and Industrial Districts:

- (i) Detached accessory buildings and structures in any agriculture district, forest district, commercial district or industrial district: No height restrictions.

(5) *Number of Permitted Accessory Buildings:*

The floor area of all principal and accessory buildings and structures on a site shall not exceed the maximum site coverage, where required.

(a) Residential Districts:

- (i) Detached accessory buildings and structures in any country residential development district - no restrictions.
- (ii) Detached accessory buildings and structures in any other residential district: (3) three, except for sites that include one or more consolidated lots under one title, where the maximum is (4) four.
- (iii) A greenhouse, less than 10 m² in area, shall not be included in the number of accessory buildings noted in subsection (ii) above.

(b) Agricultural, Commercial and Industrial Districts:

- (i) Detached accessory buildings and structures in any agriculture district, forest district, commercial district or industrial district - no restrictions.

(c) Where this bylaw specifies the maximum building floor area for accessory buildings, that area shall mean the combined building floor area of all accessory buildings and structures, including detached decks, on site.

(6) *Location of Accessory Buildings:*

(a) Park Model Residential District and Manufactured Dwelling Residential District – detached accessory buildings and structures are subject to the following regulations:

- (i) *Front Yard:* minimum – 6 meters, except for lakeshore sites, the minimum shall be 1.5 meters.
- (ii) *Rear Yard:* minimum – 1.5 meters, except for lakeshore sites, the minimum shall be 6 meters.
- (iii) *Side Yard:* minimum – 1.5 meters.
- (iv) *Building Floor Area:* maximum – 135 m².

(1) Council may at its discretion approve a private garage, greater than 135 m², to a maximum of 10% of the site area, where:

- (a) the abutting landowners are notified and comments are obtained; and
- (b) consideration is given to the location of the building on the site relative to the neighboring properties.

- (b) Lakeshore Residential Districts – detached accessory buildings and structures are subject to the following regulations:
- (i) *Front Yard*: minimum – 6 meters, except for lakeshore sites, the minimum shall be 1.5 meters.
 - (ii) *Rear Yard*: minimum – 1.5 meters, except for lakeshore sites, the minimum shall be 6 meters.
 - (iii) *Side Yard*: minimum – 1.5 meters.
 - (iv) *Building Floor Area*: maximum of 223 m²
 - (1) Council may at its discretion approve a private garage, greater than 223 m², to a maximum of 10% of the site area, where:
 - (a) the abutting landowners are notified and comments are obtained; and
 - (b) consideration is given to the location of the building on the site relative to the neighboring properties.
- (c) Country Residential Districts – detached accessory buildings and structures in any country residential district are subject to the following regulations:
- (i) *Front Yard*: minimum – 8 meters
 - (ii) *Rear Yard*: minimum – 3 meters
 - (iii) *Side Yard*: minimum – 3 meters
 - (iv) *Building Floor Area*: maximum of 223 m²
 - (1) Council may at its discretion approve a private garage, greater than 223 m², to a maximum of 10% of the site area, where:
 - (a) the abutting landowners are notified and comments are obtained; and
 - (b) consideration is given to the location of the building on the site relative to the neighboring properties.
- (d) Agricultural, Forest, Commercial and Industrial Districts:

Detached accessory buildings and structures in any agricultural or commercial district are subject to the following regulations:

- (i) *Front Yard*: minimum - same as principal use
- (ii) *Rear Yard*: minimum – same as principal use, except campgrounds, outfitter base camps, and tourist camps where the minimum shall be 4.5 meters.
- (iii) *Side Yard*: minimum – same as principal use, except campgrounds and tourist camps where the minimum shall be 4.5 meters.

(7) *Accessory dwelling units shall only be permitted to accommodate:*

- (a) no more than two farm dwellings as residences for the operators, or for employees and/or partners engaged in farm operation, intensive livestock operation, or intensive agricultural operation, subject to Section 3.5.2.2 of the Official Community Plan.
- (b) a business dwelling as a residence for an operator, manager, an employee and/or partner engaged in a commercial or industrial use in a commercial, industrial or agricultural zoning district, subject to the following provisions:
 - (i) the dwelling unit must be physically attached to the primary building where commercial or industrial operations are underway;
 - (ii) the business dwelling shall have a main entrance separate from that of the commercial or industrial establishment; and,
 - (iii) an emergency exit must be provided in addition to the main entrance.

(8) *Swimming Pools:*

Private swimming pools, both above ground and in-ground, both open and covered, shall be permitted in any zone where residential uses are permitted, subject to the following conditions:

- (a) *Open Pools:*
 - (i) Open pools shall be enclosed within a fence a minimum of 1.8 meters in height located not less than 1.2 meters from the pool.
 - (ii) Open pools shall not be constructed closer than 1.5 meters to any site line plus additional horizontal distance equal to the height of the top edge of the pool above finished grade at the site line(s). For the purpose of the foregoing, the distance to the site line shall be measured from the nearest inside edge of the pool.
 - (iii) No part of an open pool including an associated apron or platform shall be constructed closer to a street line than the front yard requirements for

a principal building in the zoning district within which it is located.

- (b) Covered pools shall conform with the building accessory requirements relevant to the zoning district in which they are located.

(9) *Shipping Containers:*

- (a) Shipping containers and shall be prohibited in all districts except the A, F, CR1, CR2, CR3, C2 and M1 districts.
- (b) Shipping container, permitted under subsection (a), shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable zoning district.
- (c) Shipping containers, permitted under subsection (a), shall:
 - (i) be properly anchored and maintained in good repair;
- (d) Notwithstanding (a) and (c), and at Council's discretion, one shipping container may be temporarily placed on a site in any District for a period of up to 6 months, where a valid building permit has been issued for a new building or building renovation. The Development Officer may renew this permit for an additional 6 month period. After 6 months, or 12 months where approved by the Development Officer, the shipping container must be removed from the site.

(10) *Membrane Covered Structures:*

- (a) Membrane covered structures shall be permitted as an accessory use in the A, F, CR1, CR2, CR3, C1, C2, LR1, LR2, RMH, RPM and M1 districts.
- (c) Development applications for membrane covered structures must include a drawing stamped by a Professional Engineer to ensure the structure will meet the requirements of the National Building Code and shall be installed securely anchored to the ground.
- (d) In any Zoning District, a membrane covered structure may obtain approval as a temporary use, for a period not to exceed seven (7) days in a calendar year.

(11) *Decks*

- (a) All decks shall require the issuance of a Development Permit prior to construction.
- (b) Decks 0.6 meters or less above grade level shall not be required to obtain a building permit.

(12) *Sheds in AG and F Districts*

One shed may be constructed on an undeveloped site in the AG or F District subject to:

- (a) The shed being no greater than 20 m² in floor area and no greater than 4.0 meters in height.
- (b) The shed shall not be constructed on a permanent foundation.
- (c) The shed shall not be connected to electricity or natural gas.
- (d) An approach from the municipal road to the property is the responsibility of the land owner and must exist prior to the placement or construction of the shed.