RURAL MUNICIPALITY OF OAKVIEW

BY-LAW NO. 2026-15

BEING a by-law of Rural Municipality of Oakview to amend Rural Municipality of Oakview Zoning By-law No. 2019-3, as amended.

WHEREAS Section 80(1) of The Planning Act gives the council of a municipality the power to amend an adopted zoning by-law;

NOW THEREFORE, the Council of Rural Municipality of Oakview in meeting duly assembled, enacts as follows:

- Text and table amendments as listed in attached Schedule A.
- Map 2: Rapid City to be hereby amended per the listing and maps in attached Schedule B.

DONE AND PASSED by the Council of Rural Municipality of Oakview duly assembled in Rural Municipality of Oakview, in the Province of Manitoba this 28th day of September, A.D., 2026.

Reeve

Chief Administrative Officer

Read a first time this 27th day of July, A.D., 2026.

Read a second time this 28th day of September, A.D., 2026.

Read a third this 28th day of September, A.D., 2026.

Schedule "A": Text and Table Amendments of By-Law No. 2019-3 be amended as follows:

1. That Part 2 of By-Law No. 2019-3 be amended as follows:

(a) Deleting subsection 2.5. c) in its entirety and substituting therefore

"the area of land or buildings used or occupied for accessory uses on a site shall not exceed 60% of the area of the site inside the required side and rear yards".

(b) Replace Section 2.5 (e) with the following:

"e) i) Except as permitted by sentence ii), where any building (including structures) on a site is attached to a principal building on the site by a roof, an open or enclosed structure above grade, a floor or a foundation which is above grade, or any structure below or at grade allowing access between the buildings such as a parking garage, breezeway, or corridor, it is part of the principal building and is not considered an accessory building (including structures).

ii) Where a deck is two (2) inches or less from a building (including structures) it is considered under this zoning by-law to be classified as part of that building (including structure)."

(c) Replace Section 2.16 (h) with the following:

"h) i) Except as permitted by sentence ii), the minimum distance between the principal building (including principal structures) and any other building (including structures) shall be ten (10) feet.

ii) There is no required minimum distance between a principal building (including a principal structure) when the building (including structure) is:

1) a hot tub, not on a deck of the principal building, or

2) a fence."

2. That Part 3 of By-Law No. 2019-3 be amended as follows:

(a) Part 3 Table 3.2 Use & Site Requirements: "AG" Agricultural General Zone by:

1) Adding "Private Utilities (r)" under Conditional Uses immediately after "Place of Worship (p)" with Minimum Requirements below.

	Site Area (AC)	Site Width (FT)	Front Yard (FT)	Side Yard (FT)	Rear Yard (FT)
Private Utilities (r)	1	100	125	25	25

2) Add to Footnotes to Table 3.2 "(r) The site area, site width and minimum required yards can be adjusted to ensure a minimum radius area of the height of any towers / antennas from grade to the highest point will be within the property boundaries and to added as a condition to the Conditional Use Order."

3. That Part 5 of By-Law No. 2019-3 be amended as follows:

(b) Replace Section 5.5 with the following:

"5.5 When Development Permits Are Not Required

1. A Development Permit is **NOT** required for the following, but a building or plumbing permit may be required under the building by-law:

a) agricultural cropping of land;

b) agricultural projects classified under provincial water licensing for either drainage or water rights;

c) alterations or repairs to an existing building **EXCEPT FOR**:

i) alterations that change the footprint of the building,

ii) alterations that add height to a building resulting in a finished height that is over the maximum height requirements of this by-law, or

iii) alterations or repairs that are part of a Change in Use of the building.

d) open patios less than 8 inches above finished grade;

e) a detached accessory building/structure not exceeding one hundred and eight (108) SF in floor area;

f) the installation of the following landscaping structures:

i) commercial or residential fences,

ii) sidewalks and other at grade paths, and driveways,

iii) exterior steps that do not project beyond the roof line,

iv) trees, hedges, shrubs, planters, and gardens,

v) fountains containing less than 24" in water depth,

vi) flag poles, mounted weather monitoring devices, private communications aerials and antennas,

vii) clothes drying lines, composters and rain barrels,

viii) trellises and outdoor furniture,

ix) lighting, and

x) similar landscaping features that are developed in accordance with the provisions of this by-law;

g) private sewage disposal systems; and

h) the erection of certain accessory signs as listed in **PART 2** of this by-law.

2. Despite not requiring a **Development Permit**, all items in this section shall be subject to all other requirements of this by-law and all other application by-laws of the Municipality and/or Provincial or Federal Acts and Regulations."

4. That Part 6 of By-Law No. 2019-3 be amended as follows:

(a) By adding the following in a new subsection **6.1 Abbreviations** immediately before the current "**6.1 Definitions in *The Planning Act***" and re-number the subsections that follow:

6.1 Abbreviations

Where the following abbreviations appear in this by-law, they have the meaning as set out below:

AC means acres

AU or A.U. means animal unit

FT means FT

M means metres

SF means square FT

SQM means square metres

(b) Subsection **6.2 Definitions in this By-law** by:

1) Adding the following definition after "Daycare":

Deck means a flat surface capable of supporting weight, like a floor, but typically constructed outdoors at least eight (8) inches from grade (ground) and with a dimension greater than five (5) FT if attached to the building in front of a door/exit. Otherwise, any sized flat surface that is over eight (8) inches from grade (ground) is considered a deck, whether attached to a building or not.

2) Adding the following definition after "Enlargement":

Exterior Landing means a flat surface capable of supporting weight, like a floor, but typically constructed outside a door/exit or within a flight of stairs with no horizontal dimension greater than five (5) FT.

3) Revised the definition of Multi-Unit Dwelling to include:

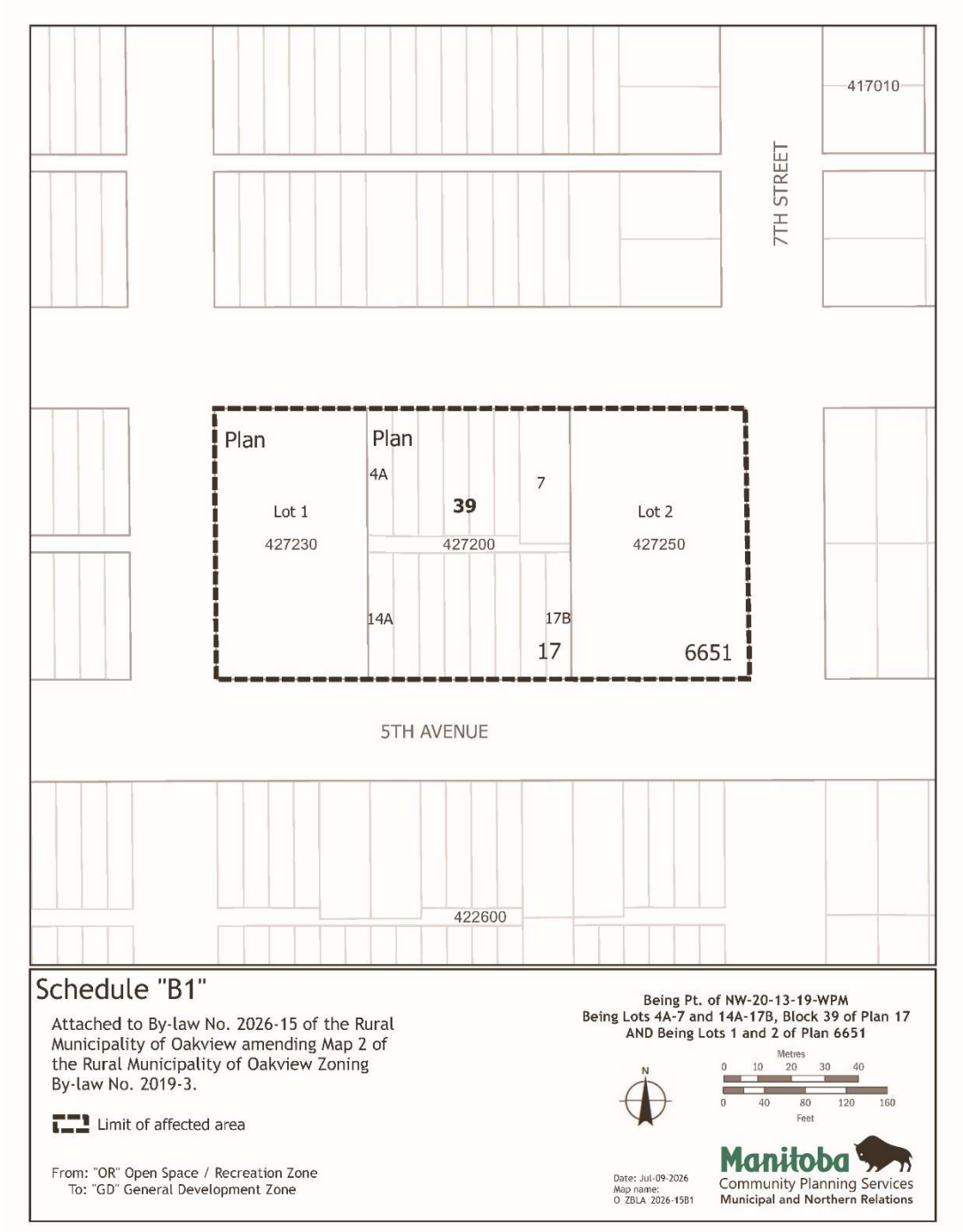
"or group of buildings on a single title" between "…building and "containing three (3) or more…"

Schedule “B”: Zoning Maps of By-Law No. 2019-3 be amended as follows:

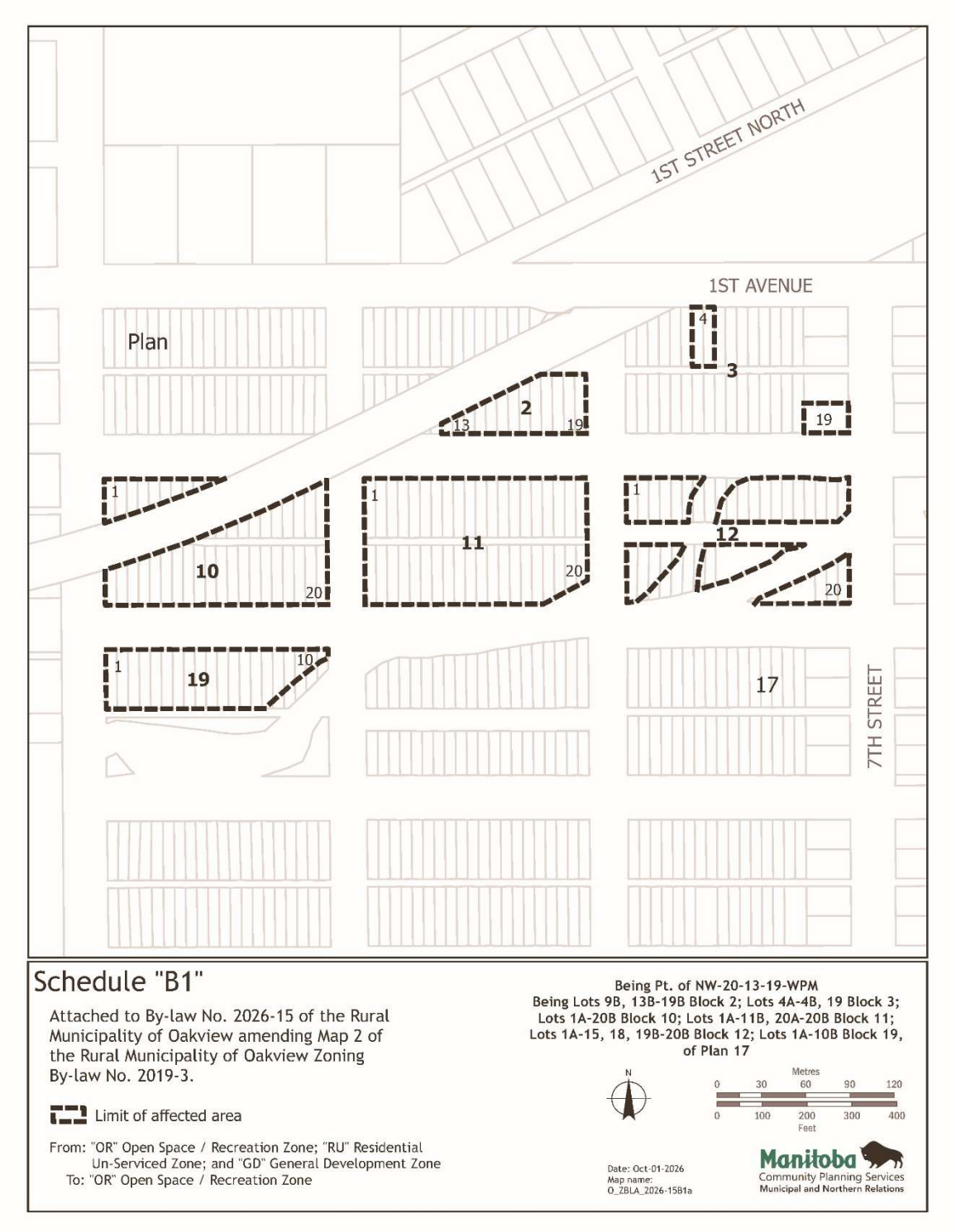
(a) **Map 2 – Rapid City**

As shown on the map attached hereto as Schedule “B1” forming part of this by-law, the properties to be rezoned:

Rolls #427230, 427200, 427250: FROM: “OR” Open Space / Recreation Zone TO: “GD” General Development Zone



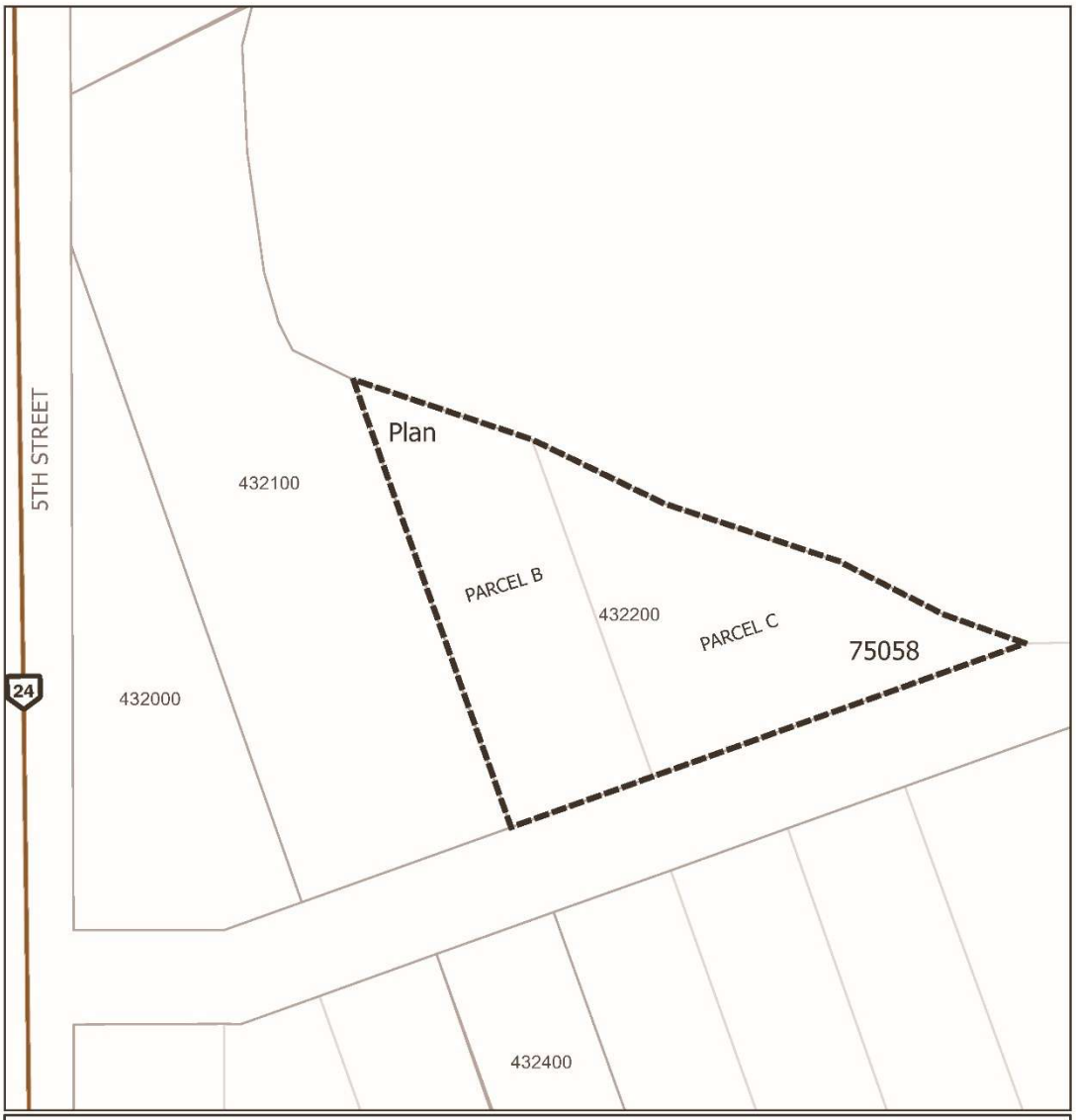
Roll #426700, 426200: FROM: Multiple zones of “OR” Open Space / Recreation Zone, “RU” Residential Un- Serviced Zone and “GD” General Development Zone TO: “OR” Open Space / Recreation Zone



(b) **Map 2 – Rapid City**

As shown on the map attached hereto as Schedule "B2" forming part of this by-law, the properties to be rezoned:

Rolls #432200: FROM: dual zones of "OR" Open Space / Recreation Zone and "RU" Residential Un-Serviced Zone TO: "RU" Residential Un-Serviced Zone



Schedule "B2"

Attached to By-law No. 2026-15 of the Rural Municipality of Oakview amending Map 2 of the Rural Municipality of Oakview Zoning By-law No. 2019-3.

Limit of affected area

From: "OR" Open Space / Recreation Zone AND "RU" Residential Un-Serviced Zone
To: "RU" Residential Un-Serviced Zone

Being Pt. of NW-20-13-19-WPM
Being Parcels B-C of Plan 75058

N

Metres
0 8.5 17 25.5 34
0 25 50 75 100
Feet

Date: Jul-09-2026
Map name:
O_ZBLA_2026-15B2

Manitoba
Community Planning Services
Municipal and Northern Relations