



R.M. of  
**McKillop** No. 220

## Zoning Bylaw

Bylaw No. 376/2019

**The Rural Municipality of McKillop No. 220**

**Bylaw No. 376/2019**

A Bylaw of the Rural Municipality of McKillop No. 220 to adopt a Zoning Bylaw.

The Council of the Rural Municipality of McKillop No. 220, in the Province of Saskatchewan, in an open meeting assembled enacts as follows:

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Rural Municipality of McKillop No. 220 hereby adopts the Rural Municipality of McKillop No. 220 Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Reeve and Administrator of the Rural Municipality of McKillop No. 220 are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. 234/11, the Rural Municipality of McKillop No. 220 Zoning Bylaw, and all amendments thereto, are hereby repealed.
- (4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a first time the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Read a second time the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Read a third time the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Adoption of Bylaw this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_

(Reeve)

SEAL

\_\_\_\_\_

(Administrator)

Certified a True Copy of the Bylaw adopted by Resolution of Council

On the \_\_\_\_\_ day of \_\_\_\_\_, of the year \_\_\_\_\_

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## 1.0 INTRODUCTION

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### 1.1 AUTHORITY

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Under the authority granted by *The Planning and Development Act, 2007* the Reeve and Council of the Rural Municipality of McKillop No. 220 in the Province of Saskatchewan, in open meeting, hereby enact as follows:

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### 1.2 TITLE

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This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Rural Municipality of McKillop No. 220.

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### 1.3 PURPOSE

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**1.3.1** The purpose of this Bylaw is to regulate development and to control the use of land in the Rural Municipality of McKillop No.220 in accordance with the Official Community Plan Bylaw No. 375/2019.

**1.3.2** The intent of this Bylaw is to provide for the amenity of the area within the Rural Municipality of McKillop No. 220 (hereinafter referred to as the RM) and for the health, safety, and general welfare of the inhabitants of the area:

- i.** To minimize land use conflicts;
  - ii.** To establish minimum standards to maintain the amenity of the Rural Municipality;
  - iii.** To ensure development is consistent with the physical limitations of the land;
  - iv.** To restrict development that places undue demand on the Rural Municipality for services; and
  - v.** To provide for land-use and development that is consistent with the goals and objectives of the Rural Municipality.
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### 1.4 SCOPE

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This Bylaw applies to all land included within the boundaries of the Rural Municipality of McKillop No. 220. All development within the limits of the Rural Municipality shall hereafter conform to the provisions of this Bylaw.

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## **1.5 SEVERABILITY**

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A decision of a Court that one or more of the provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this Bylaw.

## 2.0 DEFINITIONS

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Whenever the subsequent words or terms are used in the Official Community Plan, Bylaw No. 375/2019 and this Bylaw, they shall, have the following definition unless the context indicates otherwise.

**ABATTOIR:** a facility for butchering or slaughtering animals, and to dress, cut and inspect meats; refrigerate, cure, and manufacture by-products.

**ACCESSORY USE:** a building, structure or use of a specific site which is subordinate and exclusively devoted to the established principal building, principal structure, or principal use of the same site.

**ACT:** *The Planning and Development Act, 2007* Province of Saskatchewan, as amended from time to time.

**ADJACENT:** contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land; and any other land identified in this Bylaw as adjacent land for the purpose of notifications.

**ADMINISTRATOR:** the Administrator of the Rural Municipality of McKillop No.220.

**AGGREGATE RESOURCE:** raw materials including sand, gravel, clay as fill material, earth, ash, marl, stone, fill material, topsoil, peat, or mineralized rock found on or under a site.




**AGGREGATE EXTRACTION:** include the removal of sand, gravel, clay as fill material, earth, ash, marl, stone, fill material, topsoil, and peat or mineralized rock found on or under a site.

**AGRICULTURAL:** a use of land, buildings or structures for the purpose of animal husbandry, fallow, field crops, forestry, market gardening, pasturage, private greenhouses and includes the growing, packing, treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agricultural.

**AGRICULTURE (INTENSIVE):** an agricultural production system characterized by high inputs relative to land area enabling a substantial increase in production using methods geared toward making use of economies of scale to produce the highest output at the lowest cost.

**AGRICULTURAL ACCESSORY RESIDENCE:** A one-unit dwelling that is located on the same site as, and serves as an accessory to, an established and permitted principal agricultural land use.

**AGRICULTURAL HOLDING OR FARM:** the cumulative total of all sites which are:

-  Owned by a person;
-  Used for agricultural operations and production; and
-  Are situated within the Municipality, and shall not include a site, the principal use of which is residential or non-agricultural.

**AGRICULTURAL OPERATION:** a site, or sites, where the principal use of which is to derive produce directly from the following activities, but shall not be residential in use:

- cultivating land;
- producing agricultural crops, including hay and forage;
- raising all classes of livestock, horses, poultry, fur-bearing animals, game birds and game animals, bees and fish;
- involved the primary processing of agricultural products which provide a primary source of livelihood and income to the site owner or operator;
- operating agricultural machinery and equipment, including irrigation pumps and noise -scare devices;
- conducting any process necessary to prepare a farm product for distribution from the farm gate;
- storing, handling and applying fertilizer, manure, organic wastes, soil amendments and pesticides, including both ground and aerial application; and
- any other prescribed agricultural activity or process as defined by Council from time to time.

**AGRICULTURAL INDUSTRY:** those processing and distributing industries providing products or services directly associated with the agricultural business sector and without restricting the generality of the above may include:

- |   |   |
|---|---|
| ■ grain elevators;                                | ■ anhydrous ammonia storage and distribution;   |
| ■ feed mills;                                     | ■ bulk fuel plants;   |
| ■ abattoirs;                                      | ■ livestock holding stations; and   |
| ■ seed cleaning plants;                           | ■ retail sales of the goods produced or stored as part of the dominant use on the site. |
| ■ pelletizing plants;                             |   |
| ■ bulk fertilizer distribution plants;            |   |
| ■ bulk agricultural chemical distribution plants; |   |

**AGRICULTURAL TOURISM:** a tourism oriented commercial land use related to the retail sale of products or the provision of entertainment associated with an agricultural operation or a rural environment and without limiting the generality of the above includes historical and vacation farms, farm zoos, gift shops, restaurants, art galleries and cultural entertainment facilities.

**ALTERATION OR ALTERED:** with reference to a building, structure or site means a change from one major occupancy class or division to another, or a structural change such as an addition to the area or height, or the removal of part of a building, or any change to the structure such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change to or closing of any required means of egress or a change to the fixtures, equipment, cladding, trim, or any other items regulated by this Bylaw including parking and landscaping.







**ANIMAL CLINIC:** A building or part thereof used by a qualified veterinarian for the treatment of animal health needs where animals are kept on the premises but shall not include the keeping of animals in outdoor pens.

**ANIMAL HOSPITAL:** A building or part thereof used by a qualified veterinarian for the treatment of small, large domestic animals and livestock are kept on site for surgery or kept overnight in indoor or outdoor pens.

**ANIMAL KENNEL:** the temporary accommodation of dogs, cats or other domestic animals for commercial purposes.

**ANIMAL UNIT (A.U.):** the kind and number of animals calculated in accordance with the following table:

Table 1: Animal Unit Table

Animal Type		# of Animals = 1 Animal Unit
 <b>Poultry</b>	Hens, cockerels, capons	100
	Chicks, broiler chickens	200
	Turkeys, geese, ducks	50
	Exotic birds	25
 <b>Hogs</b>	Boars and sows	3
	Gilts	4
	Feeder pigs	6
	Weanling pigs	20
 <b>Sheep</b>	Rams or ewes	7
	Lambs	14
 <b>Goats</b>	All (including llamas, alpacas etc.)	7
 <b>Cattle</b>	Cows and bulls	1
	Feeder cattle	1.5
	Replacement heifers	2
	Calves	4
 <b>Horses</b>	Colts and ponies	2
	Other horses	1
<b>other</b>	Domesticated native ungulates (deer, elk, bison, etc.)	1

**APPLICANT:** a developer or person applying for a development permit under this Bylaw, or for a subdivision approval to an approving authority under the Act.

**AUCTION MART/MARKET:** means a building or structure or lands used for the storage of goods, materials and livestock which are to be sold on the premises by public auction and for the sale of the said goods, materials, and livestock by public auction and on an occasional basis.

**AUTO WRECKER:** See Salvage Yard

**BANK:** the rising ground bordering a water body that serves to confine the water to the channel or body (See Figure 1).



**BASEMENT:** That portion of a building between two floor levels, which is partly underground and has not more than one-half its height from the finished floor to finished ceiling, above finished grade.

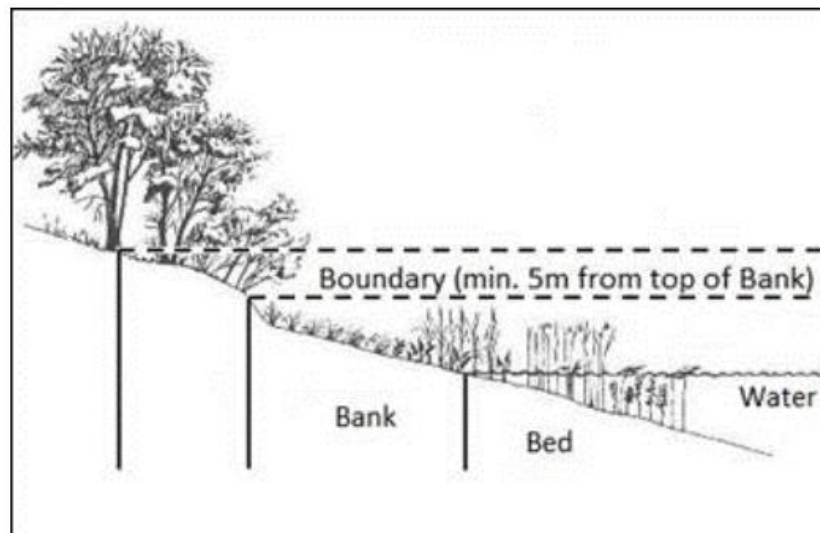
**BED:** the portion of a water body that is typically covered by water (See Figure 1).

**BED AND BREAKFAST:** a dwelling unit, licensed as a tourist home under *The Tourist Accommodation Regulations, 1969*, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

**BILLBOARD:** a private free-standing sign, including supporting structures, which advertises goods, products, services, organizations, or facilities that are available from, located on, or refer to, a site other than the site on which the sign is located.

**BOUNDARY:** the line or elevation contour surrounding a water body or watercourse where the aquatic vegetation and terrestrial plant species known to tolerate water saturated soils change entirely to terrestrial vegetation tolerating little or no soil saturation and includes a minimum surrounding area of 5 metres (16.5 feet) measured outward from the top of the bank (See Figure 1).

Figure 1: Shoreline Areas



**BUFFER:** a strip of land, vegetation or land use that physically separates two or more different land uses.

**BUILDING:** a structure used for the shelter or accommodation of persons, animals, or chattels and includes any structure covered by a roof supported by walls or columns.

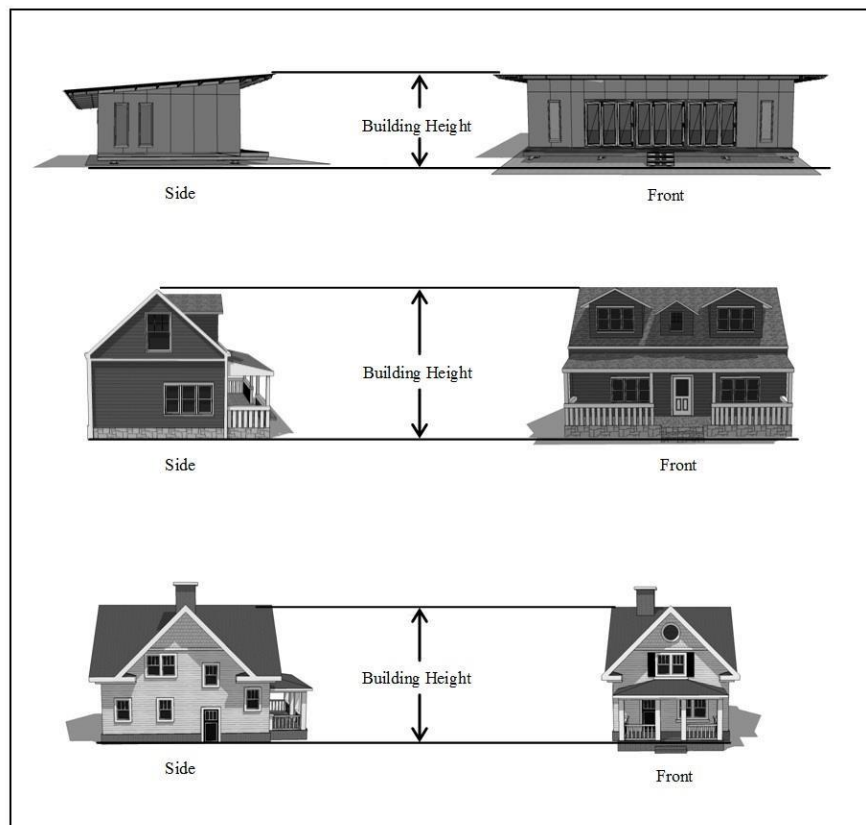
**BUILDING BYLAW:** the Bylaw of the Rural Municipality of McKillop No.220 regulating the erection, alteration, repair, occupancy, maintenance or demolition of buildings and structures.

**BUILDING FLOOR AREA:** the sum of the gross horizontal area of all floors of a building excluding the floor area used for or devoted to mechanical equipment, laundry, and storage. All dimensions shall be measured between exterior faces of walls or supporting columns, or from the centre line of the walls or supporting columns separating two adjoining buildings.

**BUILDING FRONT LINE:** the line of the wall of the building, or any projecting portion of the building, and production thereof excluding permitted obstructions which faces the front site line.

**BUILDING HEIGHT:** the vertical distance measured from the finished grade level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof (See Figure 2).

Figure 2: Building Height Measurements



**BUILDING PERMIT:** a permit, issued under the Building Bylaw of the Rural Municipality of McKillop No.220 authorizing the construction of all or part of any building or structure.

**BUILDING REAR LINE:** the line of the wall of the building or any projecting portion of the building and production thereof excluding permitted obstructions which faces the rear site line.

**BUILDING SIDE LINE:** the line of the wall of the building, or any projecting portion of the building and production thereof excluding permitted obstructions, which faces the side site line.

**BULK FUEL SALES AND STORAGE:** includes lands, buildings, and structures for the storage and distribution of fuels and oils including retail sales or key and card lock operations.

**BYLAW:** The Rural Municipality of McKillop No. 220's Zoning Bylaw.

**CAMPGROUND:** an area used for a range of overnight camping experiences, from tenting to serviced recreational vehicle sites, including accessory facilities which support the use, such as administration offices and laundry facilities, but not including the use of mobile homes or recreational vehicles on a permanent year-round basis.

**CANADA LAND INVENTORY (C.L.I.) SOIL CLASS RATING SYSTEM:** provides an indication of the agricultural capability of land. The classes indicate the degree of limitation imposed by the soil in its use for mechanized agriculture. The C.L.I. class for each parcel of land is determined by the dominant C.L.I. class for the parcel, usually a quarter-section of land. Soil classes range from 1 to 7, with Class 1 soils having no significant limitations and Class 7 having severe limitations in terms of its capacity for arable culture or permanent pasture.

**(PRIME)LANDS:** Canada Land Inventory (C.L.I) Soil Class Rating System

**Class 1:** Soils in this class have no significant limitations in use for crops.

**Class 2:** Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices.

**Class 3:** Soils in this class have moderately severe limitations that reduce the choice of crops or require special conservation practices.

**(MARGINAL) LANDS:** Canada Land Inventory (C.L.I) Soil Class Rating System

**Class 4:** Soils in this class have severe limitations that restrict the choice of crops, or require special conservation practices and very careful management, or both.

**Class 5:** Soils in this class have very severe limitations that restrict their capability to producing perennial forage crops, and improvement practices are feasible.

**Class 6:** Soils in this class are unsuited for cultivation but are capable of use for unimproved permanent pasture.

**Class 7:** Soils in this class have no capability for arable culture or permanent pasture.

**CANNABIS PRODUCTION FACILITY:** a federally licensed facility used for the purpose of cultivation, harvesting, production, processing, manufacturing, packaging, testing, storage or shipping of cannabis or goods and products derived from cannabis.

**CARDLOCK OPERATIONS:** Refer to Bulk Fuel Sales and Storage.

**CEMETERY:** land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried. "Cemetery" may include a structure for the purpose of the cremation of human remains and may include facilities for storing ashes or human remains that have been cremated or the interment of the dead in sealed crypts or compartments.

**CLEAN FILL:** uncontaminated non-water-soluble, non-decomposable, inert solids such as rock, soil, gravel, concrete, glass and/or clay or ceramic products. Clean fill shall not mean processed or unprocessed mixed construction and demolition debris, including, but not limited to,

wallboard, plastic, wood or metal or any substance deemed corrosive, combustible, noxious, reactive or radioactive.

**CLUSTER:** where design allows for the concentration of development in pockets to preserve ecological areas and other open space while providing lower servicing cost and alternative development (i.e. housing) patterns.

**COMMERCIAL:** the use of land, buildings, or structures for the purpose of buying and selling commodities and supplying professional and personal services for compensation.

**COMMERCIAL STORAGE:** a contained property, building or series of buildings comprising multiple storage bays or spaces intended for lease or rent by the general public for the purpose of indoor or outdoor storage of private goods.

**COMMUNICATION FACILITY:** Refer to Towers.

**COMMUNITY FACILITY:** a building or facility used for recreational, social, educational or cultural activities and which is owned by a municipal corporation, non-profit corporation or other non-profit organization.

**COMPREHENSIVE DEVELOPMENT PLAN:** a conceptual land use plan for a specific area that identifies social, environmental, health and economic issues which the proposed development must address and encourages the development of high quality residential, recreational, commercial, industrial, and resource development.

**CONCRETE AND ASPHALT PLANT:** a General Industrial - Type III land use used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production's process or of finished products manufactured on the premises and the storage and maintenance of required equipment.

**CONDOMINIUM:** as defined by *The Condominium Property Act, 1993*, means the land included in a condominium plan together with the buildings and units and the common property and common facilities belonging to them.

**CONDOMINIUM, BARE LAND (FREEHOLD):** involves dividing a parcel of land in a condominium plan into individually owned 'bare land units'. Each bare land unit is shown on a survey plan. The balance of the parcel around the units is common property.

**CONSERVATION:** the planning, management and implementation of an activity with the objective of protecting the essential physical, chemical and biological characteristics of the environment.

**CONTRACTORS YARD:** the yard of a contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business.

**CONVENIENCE STORE:** a General Commercial - Type I land use offering for sale primarily food products, beverages, tobacco, personal care items, hardware and printed matter and which primarily provides a convenient day to day service to residents in the vicinity.

**COTTAGE WINERY:** an establishment primarily engaged in manufacturing wines, brandy, and brandy spirits from grapes, berries and other agricultural produce, the majority of which is grown on site. This includes the bottling, storage and sale wines.

**COUNCIL:** the Council of the Rural Municipality of McKillop No.220.

**COUNTRY RESIDENTIAL DEVELOPMENT:** residential development contained within a severance from an agricultural holding where the essential land requirement is for a residential building site and space rather than for productive agricultural purposes.

**COUNTRY RESIDENTIAL DEVELOPMENT, MULTI-PARCEL:** involves high density rural residential development and may include cluster, multi-unit, linear developments or other suitable design concepts along roadways where the essential land requirement is for a residential building site and space, rather than for productive agricultural purposes.

**CREMATORIUM:** a building fitted with the proper appliances for the purposes of the cremation of human and animal remains and includes everything incidental or ancillary thereto.

**DAYCARE CENTRE:** Any kind of group daycare programs including eldercare or aged adults, nurseries for children of working parents, nursery schools for children under the minimum age for education in public schools' or parent cooperative nursery schools and programs covering after school care for school children provided such an establishment is approved by the provincial government and conducted in accordance with provincial requirements.

**DEMOLITION PERMIT:** a permit issued for the removal or dismantling of a building or structure within the Municipality's boundaries as prescribed under Section 13 of *The Uniform Building and Accessibility Standards Act*.

**DEVELOPMENT:** the carrying out of any building, engineering, mining or other operations in, on or over land or the making of any material change in the use of any building or land, the moving of any building or structure onto land, the moving of a mobile home or trailer coach onto land, and the opening or stripping of land for the purpose of removing therefrom sand, gravel or other aggregate resources.

**DEVELOPMENT AGREEMENT:** the legal agreement between a developer and the Municipality which specifies the all obligations and the terms and conditions for the approval of a development pursuant to Section 172 of the Act.

**DEVELOPMENT OFFICER:** an employee of the Municipality appointed by the Administrator to act as a Development Officer to administer this Bylaw.

**DEVELOPMENT PERMIT:** a permit issued by the Council of the Rural Municipality of McKillop No. 220 that authorizes development but does not include a building permit.

**DIRECTIONAL SIGNAGE:** signage located off site providing direction to and information about a specific enterprise or activity which does not contain general advertising.

**DISCRETIONARY USE:** a use of land or buildings or form of development that is prescribed as a discretionary use in the Zoning Bylaw; and requires the approval of Council pursuant to Section 56 of the Act.

**DOMESTIC GAME FARM:** land and facilities on which domestic game farm animals are raised to stock wildlife areas for hunting or where such animals are raised to be sold for food. Domestic Game Farms are regulated by *The Domestic Game Farm Animal Regulations*.

**DWELLING:** a building or part of a building designed exclusively for residential occupancy.

**DWELLING, MULTIPLE UNIT:** A building containing two or more dwelling units and shall include duplexes, condominiums, townhouses, row houses, and apartments as distinct from a rooming house, hotel, or motel (See Figure 3).

*Figure 3: Example of a Multiple Unit Dwelling*



**DWELLING, SINGLE-DETACHED:** A building comprised of one dwelling unit, as herein defined, and occupied or intended to be occupied as a seasonal or permanent residence, including a Ready to Move (RTM) and modular home as defined when attached to a foundation on the site, but not including a mobile home as defined (See Figure 4).

*Figure 4: Single-Detached Dwelling*



**DWELLING, SINGLE DETACHED ACCESSORY:** A single dwelling unit that is subordinate and accessory to a permitted permanent residence, including an RTM as defined when attached to a foundation on the site, but not including a mobile or modular home as defined.

**DWELLING GROUP:** A group of single-detached, semi-detached, or multiple unit dwellings clustered on one lot or site, built as one development.

**DWELLING UNIT:** a separate set of living quarters, whether occupied or not, usually containing sleeping facilities, sanitary facilities and a kitchen or kitchen components, but does not include boarding houses or rooming units. For the purposes of this definition, "kitchen components" include, but are not limited to, cabinets, refrigerators, sinks, stoves, ovens, microwave ovens or other cooking appliances and kitchen tables and chairs.

**ELEVATION:** the height of a point on the Earth's surface above sea level.

**ENVIRONMENTAL RESERVE:** lands that have been dedicated to the Municipality by the developer of a subdivision as part of the subdivision approval process. Environmental reserves are those lands that are considered undevelopable and may consist of a swamp, gully, ravine, coulee or natural drainage course, or may be lands that are subject to flooding or are considered unstable. Environmental reserve may also be a strip of land, which width is to be determined by a flood elevation study at the time of a subdivision (not less than 6.0 metres (19.69 feet) in width), abutting the bed and shore of any lake, river stream or other body of water for the purposes of preventing pollution or providing access to the bed and shore of the water body.

**ENVIRONMENTAL FARM PLAN:** are voluntary, confidential, self- assessment tools used by producers to raise awareness about environmental risks and opportunities on their operations. As part of their Environmental Farm Plan (EFP), producers develop their own action plans to identify management practices that can reduce environmental risk on their operations.

**EQUESTRIAN FACILITY (RIDING STABLES):** the use of lands, buildings, or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, with or without charge and with or without general public involvement but does not include the racing of horses.

**ESSENTIAL YARD SITE FEATURES:** features of an existing farmstead which are deemed necessary for inclusion within a subdivision plan including but not limited to dugouts, shelterbelt plantings and water wells.

**EXISTING:** in place or taking place, on the date of the adoption of this Bylaw.

**FAIRGROUND:** A Recreational Land Use where the temporary exhibition of music, art, goods, wares, vehicles and the like are displayed and made available for sale and may include a midway, place of amusement, rodeo or other similar activities.

**FARM BUILDING:** an accessory land use that includes but is not limited to improvements such as barns, granaries, and workshops, used in connection with permitted agricultural land use and situated on a parcel of land used for farm operation.

**FARMERS' MARKET:** an occasional or periodic sales activity held in an open area where groups or individual sellers offer new and used goods, crafts or produce for sale directly to the public but does not include a retail store, shopping centre or greenhouse.

**FARMSTEAD/FARMYARD:** the buildings and adjacent essential grounds surrounding a farm.



**FEEDLOT:** a fenced area where livestock are confined solely for the purpose of growing or finishing and are sustained by means other than grazing.

**FILL:** soil, rock, rubble, or other approved, non-polluting waste that is transported and placed on the existing, usually natural, surface of soil or rock, following the removal of vegetation cover, topsoil, and other organic material.

**FLOOD:** A temporary rise in the water level that results in the inundation of an area not ordinarily covered by water.

**FLOOD HAZARD:** An area that would be inundated by the design flood.

**FLOOD, DESIGN:** recorded flood having a water surface elevation equal to or exceeding that of a 1:500 - year flood

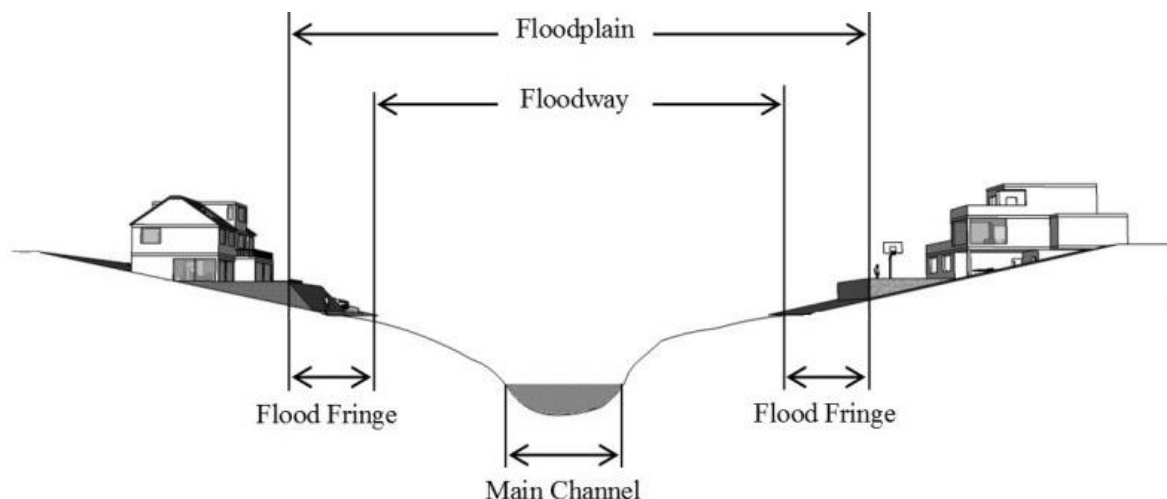
**FLOOD LEVEL, DESIGN:** the elevation of the design flood

**FLOOD PROOFING:** Any combination of structural and non-structural modifications to structures, buildings or land, which reduces or eliminates structural, building, development, land, servicing, environmental and building-contents flood damage, by using the freeboard elevation.

**FLOODWAY:** A water body or the channel of a water course, including adjoining lands, which are required to carry and discharge, or to contain, the design flood with a known hydraulic impact.

**FLOODWAY FRINGE:** That part of the flood hazard area which is outside a floodway, but which would be covered by flood waters (See Figure 5).

Figure 5: Floodway Fringe Diagram



**FLOOD FREEBOARD ELEVATION:** The elevation of the Estimated Peak Water Level or flood design plus an extra 0.50 metres (1.64 feet).



**FLOOR AREA:** the total area of all floors of a building or structure, excluding stairwells, elevator shafts, equipment rooms, interior vehicular parking, unloading areas and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

**FREE STANDING SIGN:** a sign, except a billboard, independently supported and visibly separated from a building or other structure and permanently fixed to the ground.




**GARAGE:** an Accessory Use that includes a building or part of a building used for or intended to be used for the storage of motor vehicles and wherein neither servicing nor repairing of such vehicles are carried on for remuneration.

**GAS BAR/STATION:** a General Commercial – Type I land use that includes a building or place used for, or intended for the provision of gasoline or diesel fuel and may or may not include a convenience store.

**GENERAL COMMERCIAL TYPE I:** those developments where activities and uses are primarily carried on within an enclosed building intended to provide for the merchandising of refined goods and services targeted for the travelling public and the surrounding community for financial gain. (i.e. restaurants, convenience stores, grocery stores, professional services, etc.)

**GENERAL COMMERCIAL TYPE II:** those developments where activities and uses are primarily carried on within an enclosed building intended to provide for the merchandising of refined goods and services and in addition may involve outside storage. Some minor manufacturing of goods may occur inside or outside. (i.e. lumber yard, recreational vehicle, agricultural implement, and automotive dealers, etc.)

**GENERAL INDUSTRIAL TYPE I:** those developments where activities and uses are primarily carried on within an enclosed building where no significant nuisance factor is created or apparent outside an enclosed building. Developments of this type shall not pose, in the opinion of a Development Officer, any significant risk of interfering with the amenity of adjacent sites because of the nature of the site, materials or processes and shall include but not be limited to the following activities:

-  the assembling of goods, products or equipment.
-  the limited processing of raw, value-added or finished materials.
-  the training of personnel in general industrial operations.

It may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial uses.

**GENERAL INDUSTRIAL TYPE II:** those developments in which all or a portion of the activities and uses are carried on outdoors, without any significant nuisance or environmental factors such as noise, appearance, or odour, extending beyond the boundaries of the site. Developments of this type shall not pose, in the opinion of a Development Officer, any significant risk of interfering with the amenity of adjacent sites because of the nature of the site, materials or processes and shall include but not be limited to the following activities:

- manufacturing, fabricating, processing, assembly, finishing, production or packaging of materials, goods or products.
- the storage or trans-shipping of materials, goods and equipment.
- the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts.

**GENERAL INDUSTRIAL TYPE III:** refers to certain industrial activities that maybe characterized as exhibiting a high potential for adversely affecting the safety, use, amenity or enjoyment of adjacent and nearby industrial and non-industrial sites due to their scale, appearance, noise, odor, emissions and hazard potential. Such activities are considered exclusionary when the only means of mitigating the associated negative effects on surrounding land uses is through spatial separation. Such uses would include but not be limited to the following:

- Landfill;
- Transformer Stations;
- Ethanol Plant;
- Uranium Refiners; or
- Concrete and Asphalt Plant;
- Anhydrous Ammonia Storage and Distribution Centres.

**GEOTECHNICAL ASSESSMENT:** an assessment or estimation by a qualified expert of the earth's subsurface and the quality and/or quantity of environmentally mitigative measures that would be necessary for development to occur.

**GOLF COURSE:** a public or private area operated for the purpose of playing golf, and includes a par 3 golf course, club house and recreational facilities, accessory driving ranges, and similar uses.

**GREENHOUSE:** an Accessory Use that includes a building with glass or clear plastic walls and roof for the cultivation and exhibition of plants under controlled conditions.

**GREENHOUSE (COMMERCIAL):** a General Commercial – Type I land use that includes a greenhouse with a retail aspect that caters to the general horticultural needs of the general public and includes outdoor storage of landscaping supplies.

**GREENWAYS:** a linear park which may accommodate pathways principally for foot traffic and/or bicycles. Typically, greenways are planned along creeks, streams or rivers and managed as natural environments, or bikeways along landscaped roads.

**GROSS SURFACE AREA:** the area of the rectangle or square within which the face of a sign can be completely contained, exclusive of any supporting structure or, where a sign has more than one face or the face of the sign is not flat, the rectangle within which the largest area of the face of the sign in profile can be completely contained exclusive of any supporting structure.

**GUEST SUITE:** An attached or detached accessory use to be used as summer sleeping accommodations only and which is located on the same lot as the principal dwelling.







**HALL:** See Community Facility

**HAMLET:** a small, rural, unincorporated community that includes a limited number of land uses, typically single-family dwellings and rural commercial, where infill, minor expansion and diversification of support services may occur.

**HAZARD LAND:** land which may be prone to flooding, slumping, landslides, or erosion or any other instability, or is a flood plain or watercourse.

**HAZARDOUS SUBSTANCE:** a substance that, because of its quality, concentration or physical, chemical or infectious characteristics, either individually or in combination with other substances on the site is an existing or potential threat to the physical environment, to human health or to other living organisms.

**HAZARDOUS USES:** a development which may generate any of the following characteristics:

-  Excessive noise, odor, dust, vibration,
-  Offensive emissions,
-  Involves dangerous or toxic materials, chemicals and wastes,
-  Air, water or soil pollution,
-  Land use incompatibility,
-  Reduced public safety, and may include auto-wrecking, fertilizer, asphalt, chemical and grain handling uses.

**HEIGHT OF THE SIGN:** the vertical distance measured from the highest point of the sign to grade level at the centre of the sign.

**HELI-STOP (LIMITED USE):** any landing area used for the taking off and the landing of private helicopters for the purpose of picking up and discharging passengers or cargo and is not open to use by any helicopter without permission having been obtained.

**HERITAGE PROPERTY:** Any property, whether by a work of nature or of man, that is of interest for its archaeological, historic, cultural environmental, aesthetic or scientific value, and includes a site where archaeological, historic, paleontological, cultural or scientific property is, or may reasonable be expected to be found, or as otherwise defined in *The Heritage Property Act* and regulations.

**HERITAGE RESOURCE:** the history, culture and historical resources of an area or community.

**HOME BASED BUSINESS:** an accessory use carried on as a business conducted for gain in whole or in part in a dwelling unit or an accessory building to a dwelling unit.

**HOME OCCUPATION:** an accessory use carried on as an occupation conducted for gain in a dwelling unit solely by the resident or residents.

**HORTICULTURE:** the culture or growing of garden plants. Horticulturists work in plant propagation, crop production, plant breeding and genetic engineering, plant biochemistry, plant physiology, and the storage, processing, and transportation of fruits, berries, nuts, vegetables, flowers, trees, shrubs, and turf.

**HOTEL/MOTEL:** A building or buildings or part thereof on the same site used to accommodate the traveling public for gain or profit, by supplying them with sleeping accommodation, with or without meals.

**INCIDENTAL ACCOMMODATION:** a temporary building or recreational vehicle (up to a maximum of four years) with the sole purpose of being incidental to the erection or alteration of a building for which a building permit has been granted;

**INCIDENTAL SIGNS:** are signs located on a development site which are intended for the direction of control of traffic, pedestrians or parking and which do not contain any advertising.

**INDUSTRIAL PARK:** an industrial park is an area of land set aside for industrial development. Industrial parks are usually located close to transport facilities, especially where more than one transport modality (inter-modal) coincides: highways, railroads, airports, and navigable rivers.

**INDUSTRIAL USE:** the use of land, buildings or structures for the manufacturing, assembling, processing, fabrication, warehousing or storage of goods and materials.

**INSTITUTIONAL USE:** a use of land, buildings or structures for a public or non-profit purpose and without limiting the generality of the foregoing, may include such uses as schools, places of worship, indoor recreation facilities, community centres, and government buildings.

**INTENSIVE HORTICULTURE:** an intensified system of cultivation from the concentrated raising of fruits, vegetables, flowers or other ornamental plants and related species for market, including but not limited to:

- sod farms;
- market gardens;
- greenhouses; and
- nurseries and other similar uses.



**INTENSIVE LIVESTOCK OPERATION:** the confining of any of the following animals, where the space per animal unit is less than 370 m<sup>2</sup> (3982.78 ft<sup>2</sup>):

- poultry;
- hogs;
- sheep;
- goats;
- cattle;
- horses;
- any other prescribed animals.

**INTERMODAL SHIPPING CONTAINER:** is Portable Storage Unit that consists of a standardized reusable steel box used for the safe, efficient and secure storage and movement of materials and products within a global containerized intermodal freight transport system.

**LANDFILL:** a specially engineered site for disposing of solid waste on land, constructed so that it will reduce hazard to public health and safety.

**LANDSCAPING:** the provision of horticultural and other related compatible features or materials designed to enhance the visual amenity of a site or to provide a visual screen consisting of any combination of the following elements:

-  Soft landscaping consisting of vegetation such as trees, shrubs, vines, hedges, flowers, grass and ground cover; and/or
-  Hard landscaping consisting of non-vegetative materials such as concrete, unit pavers, brick pavers or quarry tile, but does not include gravel, shale, or asphalt.

**LAND USE MAP:** a comprehensive document compiled by a local government that identifies goals and strategies for future development or preservation of land. In its projections, the map specifies certain areas for residential growth and others for agriculture, industry, commercial, recreation, and conservation.

**LAND USE ZONING DISTRICT:** divisions identified in the Zoning Bylaw establishing permitted and discretionary uses of land or buildings with attendant regulations.

**LEGAL ACCESS:** a lot or parcel shall be considered as having legal access for the purposes of development when the lot or parcel is adjacent to a municipally maintained road and meets the frontage requirements of appropriate Zoning District hosting the development.

**LIVESTOCK:** domesticated animals used primarily as beasts of burden or for the production of fur, hides, meat, milk, eggs or other product, or as breeding stock, but excluding companion animals.

**LOT:** a parcel of land of a subdivision, the plan of which has been filed or registered in the Land Titles Office.

**MANUFACTURING ESTABLISHMENT:** a General Industrial -Type II land use where a firm or business engaged in the mechanical or chemical transformation of materials or substances into new products occurs. This is included but not limited to the assembly of component parts, the manufacturing of products, and the blending of materials.

**(LIGHT) MANUFACTURING AND/OR ASSEMBLY:** a General Industrial -Type I land use that includes but is not limited to the manufacturing, processing, packaging or assembly of semi-finished or finished goods, products or equipment and includes the storage and transportation of such goods, products or equipment.

**MAUSOLEUM:** also considered as a Place of Worship, this use consists of a building or other structure used as a place for the interment of the dead in sealed crypts or compartments.

**MINIMUM DISTANCE SEPARATION:** in respect to intensive livestock operations and heavy industrial land uses, the minimum distance separation required in the Zoning Bylaw from non-complementary uses.

**MINISTER:** the Minister as defined in the Act.

**MINERAL AND RESOURCE DEVELOPMENT:** the extraction, processing, and storage of mineral and resource materials.

**MOBILE HOME:** a prefabricated trailer coach supported on a steel frame that complies with the Canadian Standards Association No. Z240 MH and may be used as a Dwelling, Single Unit. It has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system (See Figure 6).

*Figure 6: Mobile Home*



**MODULAR HOME:** a building that is manufactured in a factory as a whole or modular unit to be used as a Dwelling, Single Unit and is certified by the manufacturer that it complies with the Canadian Standards Association No. A277 and is placed on a permanent foundation (See Figure 7).

*Figure 7: Modular (Manufactured) Home*



**MUNICIPALITY:** the Rural Municipality of McKillop No. 220.

**MUNICIPAL RESERVE:** are dedicated lands:

- that are provided to a Municipality pursuant to the Act for public use; or
- that were dedicated as public reserve and transferred to a Municipality pursuant to the Act whether or not title to those lands has been issued in the name of the Municipality.

**MUNICIPAL ROAD:** A public road which is subject to the direction, control and management of the Municipality, and includes an internal subdivision road.

**MUSEUM:** an institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of historical interest.

**NATURAL AREAS:** an area relatively undisturbed by human activities and characterized by indigenous species including remnant or self-sustaining areas with native vegetation, water, or natural features.

**NATURAL RESOURCES:** the renewable resources of Saskatchewan and includes:

- fish within the meaning of The Fisheries Act;
- wildlife within the meaning of The Wildlife Act, 1998;
- forest products within the meaning of The Forest Resources Management Act;
- resource lands and provincial forest lands within the meaning of The Resource Lands Regulations, 1989;
- ecological reserves within the meaning of The Ecological Reserves Act; and
- other living components of ecosystems within resource lands, provincial forest lands and other lands managed by the department.

**NON-CONFORMING BUILDING:** a building:

- that is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and,
- that on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective does not, or when constructed will not, comply with the zoning Bylaw.

**NON-CONFORMING SITE:** a site, consisting of one or more contiguous parcels, that, on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

**NON-CONFORMING USE:** a lawful specific use:

- being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at

the date a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the land or building becomes effective; and

- ☞ that on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective does not, or in the case of a building under construction or with respect to which all required permits have been issued will not, comply with the Zoning Bylaw.

**OFFICE OR OFFICE BUILDING:** a General Commercial – Type I land use that includes but is not limited to a building or part of a building uses primarily for conducting the affairs of a business, profession, service, industry, or government in which no goods or commodities of business or trade are stored, trans-shipped, sold or processed.

**OFF-PREMISE IDENTIFICATION SIGNAGE:** a sign that is located separate and apart from the land on which the business or activity is located.

**OPEN SPACE:** passive and structured leisure and recreation areas that enhance the aesthetic quality and conserve the environment of the community. Urban and rural open space includes parks, recreation and tourism nodes, and natural areas.

**PARK MODEL TRAILER/UNIT:** A unit designed to facilitate occasional relocation, with living quarters for a temporary or seasonal use; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. It has a gross floor area not exceeding 50 m<sup>2</sup> (540 ft<sup>2</sup>). It complies with the Canadian Standards Association No. Z241 (See Figure 8).

Figure 8: Park Model Trailer



**PARKING LOT:** an open area, other than a street, used for the temporary parking of more than four vehicles and available for public use and the use of employees working on, or from, the site.

**PARKING SPACE:** a space within a building, parking lot or area used for the parking of one (1) vehicle, including convenient access to a public lane or road.

**PASTURE:** an Agricultural Operation land use site that is used for the raising and feeding of livestock by grazing.

**PERMANENT FOUNDATION:** the lower portion of a building; usually concrete, masonry, or an engineered wood basement which renders the structure fixed and immobile.



**PERMITTED USE:** the use of land, buildings, or other structures that shall be permitted in a Zoning District where all requirements of this Zoning Bylaw are met.

**PERSONAL SERVICE TRADE:** a General Commercial -Type I land use that does not include the provision of health related services, but limited to business associated with the grooming of persons or the maintenance or repair of personal wardrobe articles and accessories, such as:

- beauty salons and barber shops;
- shoe repair;
- self-serve laundry;
- tailor or seamstress;
- massage services; and
- tanning beds.

**PLACES OF WORSHIP:** a place used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues and parish halls.

**PORTABLE STORAGE UNIT:** a transportable storage structure that is designed and used for the storage of building materials, household goods, personal items and other materials for use on a temporary basis on a residential property. Such units are uniquely designed for their ease of loading to and from a transport vehicle. May also be known as an intermodal shipping container.

**PREGNANT MARES URINE (P.M.U.) FACILITY:** a facility design for the collection and processing of pregnant mare urine in relation to the production of Premarin.

**PRINCIPAL BUILDING, STRUCTURE OR USE:** The main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

**PRIMARY ACCESS:** the principal means of vehicular entry to or from a site or building but shall not include a lane.

**PUBLIC UTILITY:** a system, work, plant, equipment, or service, whether owned or operated by the Municipality, or by a corporation under Federal or Provincial statute, that furnishes any of the following services and facilities to, or for the use of, the inhabitants of the Municipality:

- Communication by way of telephone lines, optical cable, microwave, and cable television services;
- Delivery of water, natural gas, and electricity
- Public transportation by bus, rail, or other vehicle production, transmission;
- Collection and disposal of sewage, garbage, and other wastes; and Fire and Police Services.

**PUBLIC UTILITY (LINEAR):** linear or private utilities including, but not limited to, roads, communication lines, rail, power and natural gas lines and similar linear uses.

**PUBLIC UTILITY (SERVICE):** those non-linear utilities which may potentially conflict with other Land uses, including, but not limited to, airports, microwave or communication towers, wind towers, water reservoirs, sewage lagoons, landfills, gas compressor stations, large electrical transformer stations and similar, potentially conflicting service utilities.

**PUBLIC WORKS:** a facility as defined under the Act.

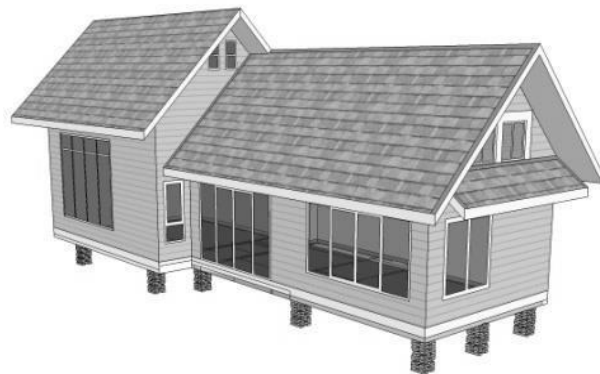
**QUARTER SECTION:** 64.8 ha (160 acres) or a lesser amount that remains due to the original township survey, road widening, road right-of-way or railway plans, drainage ditch, pipeline or transmission line development, or other public utility; or natural features such as water courses or water bodies.

**RACETRACK:** a place designed and equipped for the racing of motorized vehicles or horses and includes facilities for administration and management of the business.

**RAILWAY FREIGHT YARDS:** the use of land or building or structure or part thereof for activities directly associated with the operation of a railway. Without limiting the generality of the foregoing, such activities may include loading and off-loading freight, and maintenance and repair of railway cars.

**READY-TO-MOVE (RTM) DWELLING:** a Dwelling, Single Unit constructed off-site to National Building Code or Canadian Standards Association No. 277 standards to be moved onto a new conventional permanent building foundation (See Figure 9).

*Figure 9: RTM (Ready to Move) Dwelling*



**REAL ESTATE SIGNAGE:** signage directly associated with the sale of property in which it is located, and which maintains a gross surface area of less than 1 m<sup>2</sup> (10.77 ft<sup>2</sup>).

**RECREATIONAL USE:** a public or private facility or amenity, a joint-use site or a park or playground that serves the surrounding neighbourhood or community.

**RECREATION (INTEGRATED):** public or private recreational facilities located in or adjacent to a multi-parcel country residential subdivision for the purpose of providing recreational opportunities and services to a local population.

**RECREATIONAL (COMMERCIAL):** a public or private facility or amenity, a joint-use site or a park or playground the serves the surrounding neighbourhood with an intent to produce financial gain.

**RECREATIONAL VEHICLE:** a vehicle used for personal pleasure or travels by an individual or a family which may or may not be towed behind a principal vehicle. Notwithstanding the generality of the above a recreational vehicle includes motor homes, camper trailers, truck campers, 5<sup>th</sup> wheels and tent trailers (See Figure 10).

*Figure 10: Examples of Recreational Vehicles*



**RECYCLING AND COLLECTION DEPOT (COMMERCIAL):** a General Commercial -Type II land use where a building or series of buildings are intended to accommodate the collection, sorting, processing and temporary storage of recyclable materials including the collection and storage of oil, solvents or other hazardous materials, processing of recyclable material other than compaction and accommodates outdoor compaction or storage.

**REDESIGNATION:** Rezoning.

**REEVE:** the Reeve of the Rural Municipality of McKillop No. 220.

**RENEWABLE ENERGY TECHNOLOGY:** technology designed to capture energy from renewable resources (those which are naturally replenished), such as sunlight, wind, rain, tides, waves, and geothermal heat. This can include solar and wind energy, biomass and natural gas district energy systems, and geoexchange/geothermal systems.

**RESIDENTIAL:** the use of land, buildings, or structures for human habitation.

**RESIDENTIAL CARE HOME:** a facility which:

- Provides meals, lodging, supervisory personal or nursing care to persons who reside therein for a period of not less than thirty days; and

- is duly licensed by the Province of Saskatchewan or certified as approved by the Province of Saskatchewan under an Act which provides for such licensing or certification as the case may be,
- and may include only the principal residence of the operator or administrator.

**RESIDUAL PARCEL:** the remaining acreage resulting from and independent of the subdivision of an agricultural holding for non-agricultural purposes.

**RESTAURANT:** a General Commercial – Type I land use that includes a building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building. However, limited facilities may be permitted to provide for a take-out food function provided such facility is clearly secondary to the primary restaurant use.

**RIGHT-OF-WAY:** the right of way is the land set aside for use as a roadway or utility corridor. Rights of way are purchased prior to the construction of a new road or utility line, and usually enough extra land is purchased for the purpose of providing mitigative features. Sometimes, road rights of way are left vacant after the initial roadway facility is constructed to allow for future expansion.

**RIPARIAN:** the areas adjacent to any streams, rivers, lakes or wetlands.

**ROADS, FLANKING:** a roadway constructed to the side of a lot, parcel or site.

**SALVAGE YARD (WRECKING):** a General Industrial – Type II land use that includes a parcel of land where second-hand, discarded or scrap materials are bought, sold, exchanged, stored, processed or handled. Materials include scrap iron, structural steel, rags, rubber tires, discarded goods, equipment, appliances or machinery. The term also includes a site for collection, sorting, storing and processing of paper products, glass, plastics, aluminum or tin cans prior to shipment for remanufacture into new materials.

**SCALE OF DEVELOPMENT:** the total acreage intended to accommodate a multi-parcel country residential subdivision.

**SCHOOL:** a body of pupils that is organized as a unit for educational purposes under the jurisdiction of a board of education or of the Saskatchewan Ministry of Education and that comprises one or more instructional groups or classes, together with the principal and teaching staff and other employees assigned to such body of pupils, and includes the land, buildings or other premises and permanent improvements used by and in connection with that body of pupils.

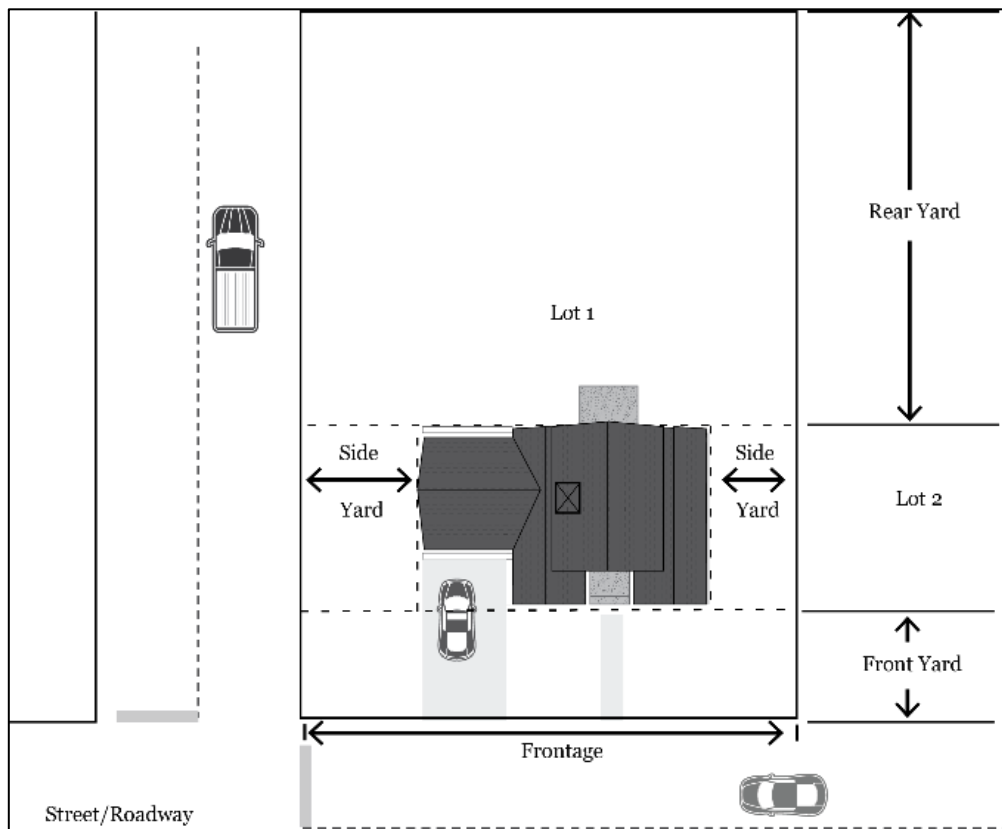
**SCREENING OR SCREENING DEVICE:** the use of vegetation, berms, fences, walls and similar structures to visually shield, block or obscure one development from another, or from the public.

**SECONDARY SUITE:** a self-contained dwelling unit which is an accessory use to and located within a principal use Dwelling, Single Detached.

**SERVICE STATION:** a General Commercial – Type I land use that includes a building or place used for, or intended to be developed primarily for supplying vehicles with gasoline, diesel fuel, grease, tires or other similar items and for the repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles, including painting, body work and major repairs.

**SETBACK:** the distance required to obtain the front yard, rear yard or side yard provisions of this Bylaw (See Figure 11).

Figure 11: Location and Measurement of Setbacks



**SHORELINE:** shall mean the land located between the edge of a water body or water course and the bank or high-water mark. The legally surveyed bank demarks where the character of the vegetation and soil changes by natural means due to the water body as determined by a Saskatchewan Land Surveyor under the Land Titles Act.

**SIGN:** a display board, screen, structure or material having characters, letters or illustrations applied thereto or displayed thereon, in any manner not inside a building and includes the posting or painting of an advertisement or notice on a building or structure.

**SIGN, FREE-STANDING:** a sign, except a billboard, independently supported and visibly separated from a building or other structure and permanently fixed to the ground.

**SIGN HEIGHT:** the vertical distance measured from the highest point of the sign to grade level at the centre of the sign.

**SIGNAGE, OFF-SITE IDENTIFICATION:** a sign that is located separate and apart from the land on which the business or activity is located.

**SIGNAGE, REAL ESTATE:** signage directly associated with the sale of property in which it is located, and which maintains a gross surface area of less than 1 m<sup>2</sup>.

**SIGNS, INCIDENTAL:** are signs located on a development site which are intended for the direction of control of traffic, pedestrians or parking and which do not contain any advertising.

**SITE:** an area of land, consisting of one or more lots consolidated under a single certificate of title, considered as a unit devoted to a certain use or occupied by a building or a permitted group of buildings, and the customary accessories and open spaces belonging to the same.

**SITE AREA:** the total horizontal area within the site lines of a site.

**SITE CORNER:** a site at the intersection of two or more public streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side site lines) contain an angle of not more than one hundred and thirty-five (135) degrees. In the case of a curved corner, the corner of the site shall be that point on the street at the point of intersection of the said tangents.

**SITE DEPTH:** the horizontal distance between the front site and rear site lines, but where the front and rear site lines are not parallel the site depth is the length of a line joining the midpoint of such site lines.

**SITE FRONTAGE:** the boundary that divides the site from the street or road. In the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site from the street. Site frontage for a non-rectangular site shall be defined as the mean of the measured front and rear site lines.

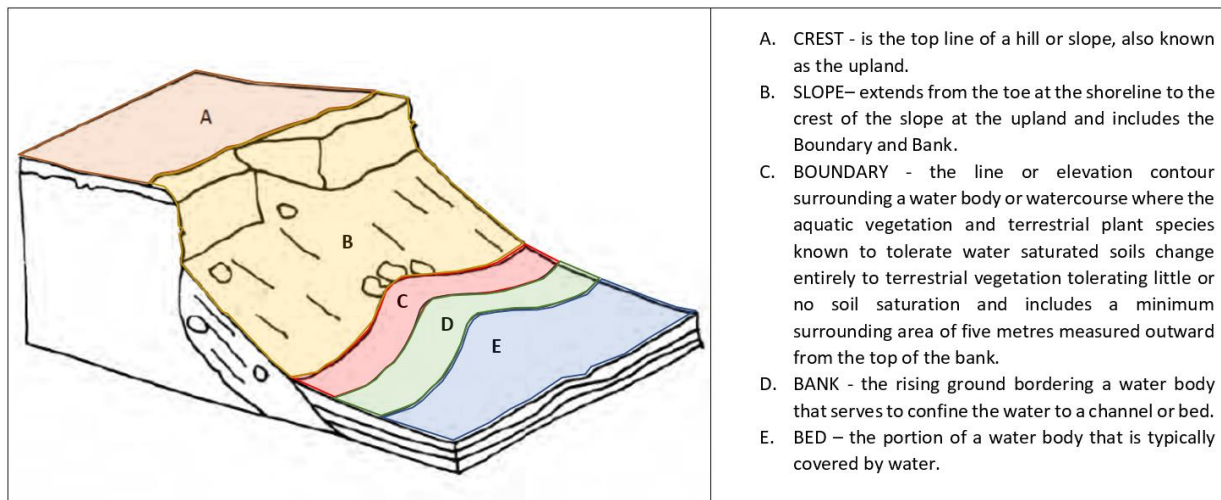
**SITE LINE:** any boundary of a site, rear or side.

**SITE WIDTH:** the horizontal distance between the side boundaries of the site measured at a distance from the front lot line equal to the minimum front yard required for the district in which the site is located.

**SLOPE:** extends from the toe at the shoreline to the crest of the slope at the upland and includes the Boundary and Bank (See Figure 12).

**SLOPE, CREST:** is the top line of a hill or slope, or in areas where the top of slope is indistinct, a threshold of 6° is used as a general guide (See Figure 12).

Figure 12: Description of Landforms around Last Mountain Lake



**SMALL SCALE AGRICULTURE:** is the production of crops and livestock on a small parcel of land without the use large farming implements typically used in large-scale commercial agriculture. This farming typically occurs on pieces of family land, on traditional lands, or small land holdings. It is usually characterized by intensive labour and can include limited use of agrochemicals and may supply to the local or surrounding markets. Unlike large-scale commercial agriculture, it plays a dual role of being a source of household food security as well as income from sale of surplus.

**SPORT FIELD:** a Recreational Use that includes open space set aside for the playing of sports and may include benches or bleachers for observers but where there is no charge made for spectators.

**STRUCTURE:** anything that is erected, built or constructed of parts joined together and supported by the soil or any other structure requiring a foundation to hold it erect, but not including pavement, curbs, walks or open-air surfaced areas.

**STAKEHOLDERS:** individuals, groups or organizations who have a specific interest or 'stake' in a particular need, issue situation or project and may include members of the local community (residents, businesses, workers, representatives such as Councilors or politicians); community groups (services, interest groups, cultural groups clubs, associations, churches, mosques, temples); or local, state and federal governments.

**STOCKYARD:** an enclosed yard where livestock is kept temporarily.

**STORAGE:** the keeping or placing of trunks, luggage or similar articles in a place designed therefore, but shall exclude clothes closets, linen closets, broom cupboards, kitchen and bathroom cupboards, and garages of whatsoever nature



**STOREY:** The space between the top of any floor and the top of the next floor above it' and if there is no floor above it, the portion between the top of the floor and the ceiling above it.

**STREET (ROAD):** a site owned by the Provincial Crown which provides the principal legal public vehicular access to abutting sites but shall not include an easement or lane.

**STRUCTURE:** a combination of materials constructed, located or erected for use, occupancy ornamentation, whether installed on, above or below the surface of land and water.

**SUBDIVISION:** a division of land and includes a division of a quarter section into legal subdivisions as described in the regulations made pursuant to *The Land Surveys Act, 2000*.

**TAVERN:** a General Commercial -Type I land use that includes an establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food, and where no live entertainment or dance floor is permitted. A brew pub may be considered a tavern if beverage alcohol is manufactured and consumed on site under a valid manufacturer's permit in accordance with the *Alcohol Control Regulations*.

**(TELE)COMMUNICATION FACILITY:** Refer to Tower

**TEMPORARY SIGN:** a sign which is not permanently installed or affixed in position, advertising a product or activity on a limited basis.

**TOWER:** any structure situated on a non-residential site used for the transmission or reception of radio, television or telecommunications, or for the storage of any substance of liquid, excluding those used exclusively for dispatch communications.

**TOWER HEIGHT:** the height above-ground of the fixed portion of the tower, excluding any wind turbine and rotors.

**TRAFFIC CONTROL SIGNAGE:** a sign, signal, marking or any device placed or erected by the Municipality or Saskatchewan Department of Highways and Transportation.

**TRAILER COACH:** See Recreational Vehicle

**TRUCKING FIRM ESTABLISHMENT:** A General Commercial – Type II land use that includes the use of land, buildings or structures for the purpose of storing, servicing, repairing, or loading trucks, transport trailers and/or buses, but does not include automobile service stations or transportation sales or rental outlets.

**USE:** the purpose or activity for which any land, building, structure, or premises, or part thereof is arranged, designed, or intended, or for which these may be occupied or maintained.



**VACATION FARM:** an Agricultural Tourism land use that includes an operating farm which may, on a day basis or for overnight purposes, offer a farm life experience to groups, families, or individuals and which may provide either or both of the following:

- rental accommodation in the farm dwelling or adjacent private cabins comprising one or more rooms furnished in such a way to enable the preparation of meals if full board is not provided;
- a tract of land on which one or more camping, tenting or parking sites is located, and the provision of electricity, potable water and toilet facilities to any of the persons, families, groups occupying any of such sites.

**VALUE-ADDED:** the increase in value generated by a company or individual through the additional processing or sale of raw materials along the production chain.

**VEHICLE:** a device in, on or by which a person or thing is or may be transported or drawn on a highway and includes special mobile machines and farm implements but does not include vehicles running only on rails or solely on railway company property.

**VERTICAL INTEGRATION:** the accommodation of multiple complementary activities which could be considered principal permitted uses under single or multiple ownership within one or more buildings on a single parcel where these uses are considered to provide additional processing and/or the sale of manufactured goods produced onsite.

**VETERINARY CLINICS:** Refer to Animal Clinic

**WAREHOUSE:** a General Industrial – Type I land use that includes a building used for the storage and distribution of wholesaling of goods and materials.

**WASTE DISPOSAL FACILITY, LIQUID:** a Public Utility land use that includes a facility to accommodate any waste which contains animal, aggregate or vegetable matter in solution or suspension, but does not include a septic system for a single residence or farmstead, or a manure storage area for an intensive livestock operation.

**WASTE DISPOSAL FACILITY, SOLID:** a Public Utility land use that includes a facility, not including a waste transfer station or a temporary storage facility, to accommodate discarded materials, substances or objects which originated from residential, commercial, institutional and industrial sources which are typically disposed of in municipal or private landfills, but not including dangerous goods, hazardous waste or biomedical waste.

**WHOLESALE:** the sale of commodities to retailers or jobbers and shall include the sale of commodities for the purpose of carrying on any trade or business.

**WATERBODY:** any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and includes but is not limited to, wetlands and aquifers.

**WATERCOURSE:** a river, stream, creek, gully, ravine, spring, coulee, valley floor, drainage ditch or any other channel having a bed and sides or banks in which water flows either permanently or intermittently.

**WATERSHED:** the land area from which surface runoff drains into a stream, channel, lake, reservoir, or other body of water; also called a drainage basin.

**WETLAND:** land having the water table at, near, or above the land surface or which is saturated for a long enough period to promote wetland or aquatic processes as indicated by hydric soils, hydrophytes ("water loving") vegetation, and various kinds of biological activity which are adapted to the wet environment.

**WIND ENERGY SYSTEM, (SMALL):** any wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of not more than 300 kW and is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale.

**WIND FARM:** a group of wind turbines in the same location used for the production of electric power. Individual turbines are generally interconnected with voltage power collection and transmission systems.

**WINDMILL:** A rotating machine which converts kinetic wind energy directly to mechanical energy for traditional agricultural purposes such as pumping water.

**WIND TURBINE/WIND POWER UNIT:** A rotating machine which converts kinetic wind energy into mechanical energy and then electrical energy primarily for private use.

**YARD:** the open, unoccupied space on a lot between the property line and the nearest wall of a building and any part of a site unoccupied and unobstructed by a principal building or structure, unless authorized in this Bylaw.

**YARD, FRONT:** that part of a site which is accessed from a public street or roadway and extends across the full width of a site between the front site line and the nearest main wall of a building or structure.

**YARD, REAR:** that part of a site which may be accessed from a back alley or lane and extends across the full width of a site between the rear site line and the nearest main wall of a building or structure.

**YARD, REQUIRED:** the minimum yard required by a provision of this Bylaw.

**YARD, SIDE:** the part of a site which extends from a front yard to the rear yard between the side line of a site and the nearest main wall of a building or structure.

## 3.0 ADMINISTRATION AND INTERPRETATION

### 3.1 APPLICATION FEES

Development application fees (i.e. discretionary use, bylaw amendments, rezoning, etc.) for the Municipality can be found within Bylaw No. 343/18 The RM of McKillop Development Fee Schedule, as updated from time to time.

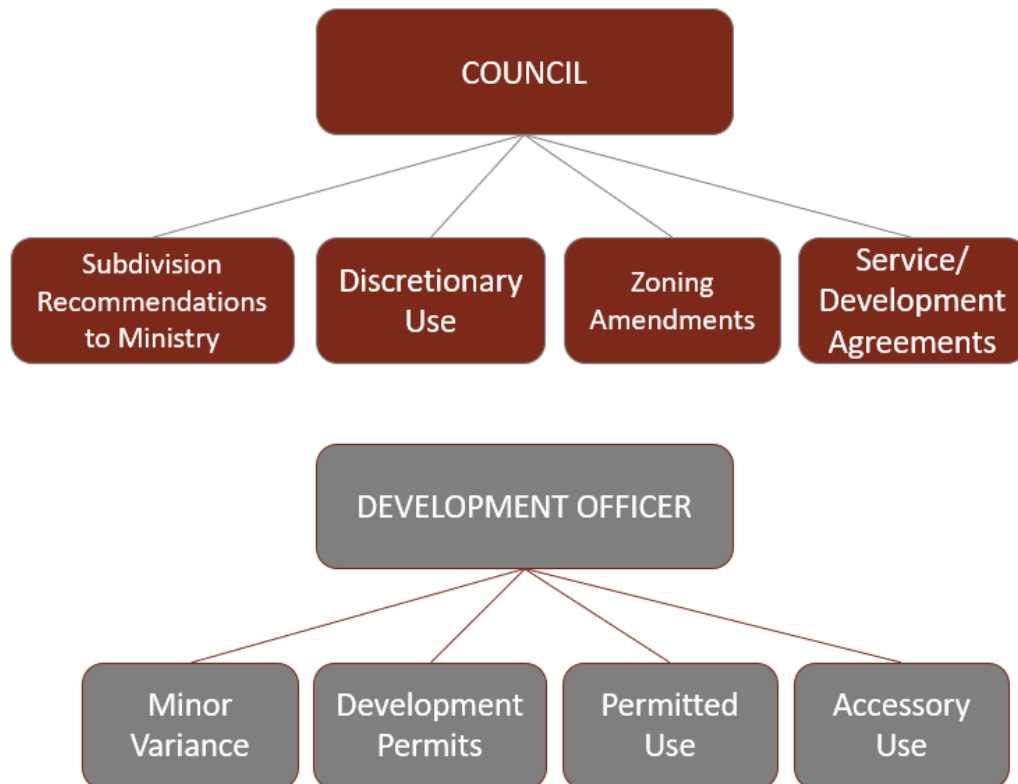
### 3.2 BYLAW COMPLIANCE

Errors and/or omissions by any person administering or required to comply with the provisions of this Bylaw do not relieve any person from liability for failure to comply with the provisions of this Bylaw.

### 3.3 COUNCIL

With respect to development, Council shall act on applications related to those listed in Figure 13 in accordance with the procedures established by the Act and the Official Community Plan and any other bylaws and policies for Municipality.

Figure 13: Roles and Responsibilities in Decision Making



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### **3.4 DEVELOPMENT OFFICER**

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**3.4.1** The Administrator of the Rural Municipality of McKillop No. 220 shall be the Development Officer responsible for the administration of this Bylaw unless related duties are delegated in accordance with *The Municipalities Act*, or in their absence by such other employee of the Municipality as the Council designates from time to time.

**3.4.2** The Development Officer shall:

- .1 Receive, record, and review development permit applications and issue recommendations to Council, particularly applications involving subdivision, discretionary uses, development permit conditions, and development and servicing agreements;
- .2 Inform the Chairman of the Board of an organized Hamlet that a development permit application has been received for a development within that organized Hamlet for their information and prior to the development permit being issued.
- .3 Maintain, for inspection by the public during office hours, a copy of this Bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;
- .4 Make available, for public inspection during office hours, a register of all development permits and subdivision applications and decisions;
- .5 Collect development fees in accordance to the Rural Municipality of McKillop No. 220 Fee Schedule Bylaw, as updated from time to time;
- .6 Prepare and forward a monthly report on development permit and subdivision applications to Council; and
- .7 Perform other duties as determined by Council.

**3.4.3** The Development Officer shall be empowered to make decisions with respect to a development permit application for a "Permitted Use" or "Minor Variance".

**3.4.4** Further to 3.4.2, the Development Officer shall receive, record, review, and forward recommendations to Council on applications listed in Figure 13.

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### **3.5 INTERPRETATION**

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**3.5.1** Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.

**3.5.2** All Bylaw requirements shall be based on the stated metric units. The imperial units shown in this Bylaw shall be approximate guidelines only.

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### 3.6 REFERRALS TO COUNCIL

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The Development Officer may refer any application to Council for a decision on the interpretation of this Bylaw or regarding special conditions provided for in this Bylaw; and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide further information necessary to render a decision.

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### 3.7 ZONING MAP

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- 3.7.1** The Zoning Districts referred to in Section 7.0 are illustrated and bound as shown on the Zoning Map.
- 3.7.2** The Zoning Map forms part of this Bylaw and shall be kept in an electronic form. The Zoning Map, in a portable document format (PDF), is incorporated as Schedule "A" to this Bylaw.
- 3.7.3** The Zoning Map shall be kept under the seal of the RM of McKillop No. 220 and signed by the Reeve and Administrator.
- 3.7.4** Copies of the Zoning Map or portions thereof in electronic form shall be available to the public in a format determined by the Development Officer upon payment of a fee representing the cost of reproduction.
- 3.7.5** Paper document copies of the Zoning Map may be used for the purpose of illustrating or referring to all or part of its contents. In the case of conflict between the contents of the paper document copy and the electronic form of the Zoning Map, the contents of the electronic form shall prevail.
- 3.7.6** The Zoning Map consists of 25 parts identified in Appendix A.

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### 3.8 HOLDING ZONE PROVISIONS

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- 3.8.1** Where on the Zoning Map the symbol for a zoning district has suffixed to it the holding symbol "H"; any lands so designated on the map shall be subject to a holding provision in accordance with Section 71 of the Act.
- 3.8.2** The purpose of the holding provisions shall be to enable Council to manage development and subdivision proposals in phases.
  - .1 The application and management of the holding provision shall be at Council's discretion;
  - .2 Council may rezone and manage development and subdivision in phases by designating portions of land with a holding symbol (e.g. "H"), in conjunction with any zone design (e.g. CR1-H).
  - .3 The holding provision and symbol shall mean that:
    - i.** Development shall be restrictively managed under the holding provision; and

- ii. Existing uses may continue, subject to the Official Community Plan and Zoning Bylaw development and subdivision standards.

**3.8.3** The holding designation may only be removed by amendment to the Zoning Bylaw. All bylaws removing the holding designation shall conform to the Official Community Plan and the provisions of the Act.

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## **3.9 DEVELOPMENT PERMITS**

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### **3.9.1 Applications**

- .1 Unless the proposed development or use is exempt from development permit requirements, before commencing any principal or accessory use development, including a public utility use, every developer shall:
  - i. Complete and submit a development permit application, and (refer to permit application form in Appendix C).
  - ii. Receive a development permit for the proposed development.
- .2 A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw and the Official Community Plan.
- .3 Except where a development is specifically exempted by Section 3.9.6 of this Bylaw, no development or use shall commence without a Development Permit first being obtained.
- .4 A Development Permit is valid for a period of forty-eight (48) months; or six (6) months from the date of issue if work has not commenced within that period.

### **3.9.2 Submission Requirements**

- .1 Unless otherwise specified in this bylaw, the following items are to be submitted to the Municipality with every application for a development permit:
  - i. A copy of a layout or site plan, showing the dimensions of the site, the site size, the location of any existing structures and all proposed development on the site;
  - ii. Access and egress considerations for the site;
  - iii. Site drainage plan;
  - iv. The method and location of on-site sewage disposal facilities; and
  - v. Any other information as may be deemed necessary by the Development Officer to assess the application.
- .2 The applicant must be the registered owner of the property, an agent of the owner who possesses the written permission of the property owner, or the intended owner of the property documented by an accepted Offer to Purchase or Agreement to Purchase.

### **3.9.3 Procedure**

- .1 Where an application for a development permit is made for a permitted or accessory use in conformity with this Bylaw, provincial legislation, and all other municipal bylaws, the Council shall hereby direct the Development Officer to issue a development permit.

- .2 Once a development permit application has been received and prior to a decision, the Development Officer may refer the application to government agencies or interested groups deemed appropriate to assess the application. The Development Officer may also require application review by planning, engineering, legal, or other professionals, with the cost of the review borne by the applicant.
- .3 A copy of all development permit applications involving the installation of water or sanitary services shall be approved by the Saskatchewan Health Authority before being considered for approval.
- .4 Upon approval of a permitted or accessory use, the Development Officer shall issue a development permit for the use at the location and under such terms and development standards specified by the Official Community Plan and this Bylaw.
- .5 A Development Officer may incorporate specific development standards in a development permit for a permitted use to ensure development and application conformity with municipal bylaws. The development standards shall be based on the provisions and requirements of the Zoning Bylaw or Official Community Plan.
- .6 The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal a decision to the Development Appeals Board on a permitted or accessory use application and any terms and conditions attached to an application.
- .7 Where the Development Officer determines that a development is being carried out in contravention of any condition of the Official Community Plan or any provision of this Bylaw, the Development Officer shall suspend or revoke the development permit and notify the permit holder that the permit is no longer valid.
- .8 Where the Municipality is satisfied that a development, where the permit has been suspended or revoked, will be carried out in conformity with the conditions of the permit and the requirements of this Bylaw, the Municipality may reinstate the development permit and notify the permit holder that the permit is valid.

#### **3.9.4 Development Requiring a Permit but Not Requiring a Fee**

The following developments shall require a development permit but shall not require a fee and shall conform to all other municipal bylaw requirements (e.g., building permits, setbacks, environmental and development standards):

- .1 Agricultural Resource District
  - i. Accessory farm buildings or structures 139.35 m<sup>2</sup> (1500 ft<sup>2</sup>) or less in floor area where applied to a principal agricultural use within an appropriate zoning district established by this Bylaw, except where such use is discretionary
  - ii. All landowners shall submit a site plan showing the location of proposed new accessory farm uses in relation to the boundaries of the affected yard site or quarter section and shall ensure all yard setbacks of the Zoning District are met.
- .2 Country Residential District
  - i. Accessory buildings or structures 13.94 m<sup>2</sup> (150 ft<sup>2</sup>) or less in floor area where applied to a principal permitted use within an appropriate zoning district established by this Bylaw, except where such use is discretionary.
  - ii. The erection of any single residence wind turbine.

- .3 Commercial District
  - i. Accessory buildings or structures 13.94 m<sup>2</sup> (150 ft<sup>2</sup>) or less in floor area where applied to a principal permitted use within an appropriate zoning district established by this Bylaw, except where such use is discretionary.
  - ii. A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a building permit has been granted.
- .4 Relocation of any residential or accessory building provided development standards are still met on the site.
  - i. Lakeshore/Recreational Resort/*Hamlet* Zoning Districts.
  - ii. Accessory buildings or structures 13.94 m<sup>2</sup> (150 ft<sup>2</sup>) or less in floor area where applied to a principal permitted use within an appropriate zoning district established by this Bylaw, except where such use is discretionary.
  - iii. The erection of any single residence wind turbine.
- .5 Official Uses: Uses and buildings undertaken, erected, or operated by the Municipality.
- .6 Official Temporary Uses: The use of all or part of a building as a temporary polling station, returning officer's headquarters, candidates' campaign offices and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census
- .7 Internal Alterations
  - i. Residential Buildings: Internal alterations to a residential building, provided that such alterations do not result in a change of use; impact the structural integrity of the building; or increase the number of dwelling units within the building or on the site;
  - ii. All other Buildings: Internal alterations to all other buildings, provided that such alterations do not result in a change of use or create dwelling units within the building or on the site;
- .8 Landscaping: Landscaped areas, driveways and parking lots, provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted.

### 3.9.5 Temporary Development Permit

- .1 The Development Officer may issue a Temporary Development Permit, with specified conditions for a specified period of time, to accommodate developments incidental to approved and permitted construction, temporary accommodation, or temporary gravel operations or asphalt plants.
- .2 A Temporary Development Permit may be issued to accommodate the temporary use of land, or for a temporary accommodation including, a construction camp, work camp, tool shed, scaffold, or other building or structure incidental to and necessary for construction work on the premises, but only for so long as such use, building, or structure is necessary for such construction work that has remained unfinished or has not been abandoned for a period longer than twelve (12) months.
- .3 Every temporary development permit or use shall be approved for a specified period, but in no case shall it exceed twenty-four (24) months.
- .4 Where a development permit for a temporary use is granted, the permit may be renewed at Council's discretion for another period of not more than twelve (12) months and not more than a maximum of five (5) consecutive years.



- .5 Upon the expiration of the period for which the temporary use was approved, the use shall be discontinued, and all temporary structures removed.
- .6 A temporary use may be approved in any zone, unless temporary use is prohibited elsewhere in this Zoning Bylaw.
- .7 Council may, at its discretion, revoke a temporary development permit should the use violate any of the permit conditions or development standards contained in this Bylaw, conflict with adjacent land uses, or cause a nuisance.
- .8 Permanent structures shall not be permitted in association with a temporary development permit.
- .9 Temporary uses include, but are not limited to the following:
  - i. Developments established or erected for special holidays
  - ii. Temporary asphalt and asphalt mixing plants
  - iii. Small temporary, seasonally or periodically used sand, gravel, gravel crushing and commercial topsoil stripping operations, including accessory equipment
  - iv. Incidental accommodation: where a permitted dwelling unit is being constructed, licensed contractors, homeowners or developers may be authorized to provide temporary accommodation, on or off site (e.g. campers, recreational vehicles, construction bunk houses), excluding a mobile home or park model trailer/unit.
  - v. Temporary Residence: Council may issue a development permit for a temporary residence where an existing residence is damaged or destroyed as a result of a disastrous situation (e.g. fire).
- .10 Except in the Agricultural Districts, buildings or structures shall not include a mobile home or park model trailer as a permitted temporary use.

### 3.9.6 Development Not Requiring a Development Permit

The following forms of development shall not require a development permit but shall conform to this Bylaw:

- i. Agricultural operations excluding residential development, intensive agriculture, and Intensive livestock;
- ii. The erection of any fence, wall, gate;
- iii. The erection of a single residence satellite dish, television antennae, or radio antennae; or
- iv. Disposal of clean fill on a site where the clean fill is generated by construction or demolition activity on that site, subject to compliance with all federal and provincial requirements.

### 3.9.7 Refusal of Application

- .1 A development permit application shall be refused if it does not comply with Zoning Bylaw requirements.
- .2 The reasons for a development permit refusal shall be stated on the refused development permit application.

- .3 Where an application for a development permit has been refused, the Municipality may refuse to accept another application for the same or a similar development on the same site, until six (6) months has passed from the date of the approving authority's decision.
- .4 Where an application for a development permit has been refused and appealed, the Municipality shall not accept another application for the same development until six (6) months has passed from the date of a refusal by either the local Development Appeals Board or the Saskatchewan Municipal Board.
- .5 The applicant shall be notified of the right to appeal a decision to refuse an application of the local Development Appeals Board in accordance with the requirements of the Act.

### **3.9.8 Invalid Permit**

- .1 A development permit shall be automatically invalid, and development shall cease, as the case may be:
  - i. If the proposed development is not commenced within the period for which the Permit is valid;
  - ii. If the proposed development is legally suspended, or discontinued, for a period of six (6) or more months, unless otherwise indicated by the Municipality;
  - iii. When development is undertaken in contravention of this bylaw, the development permit or specified development standards

### **3.9.9 Cancellation of Development Permit**

- .2 The Municipality may cancel a Development Permit, and when cancelled, development shall cease:
  - i. Where the Municipality is satisfied that a development permit was issued based on false or mistaken information;
  - ii. Where new information is identified pertaining to environmental protection, flood potential, or slope instability; or
  - iii. When a developer requests a development permit modification.

### **3.9.10 Stop-Work Order**

The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a development permit or condition, or a caveat under this Bylaw.

### **3.9.11 Reissuance of Development Permit**

A development permit may be re-issued in its original or a modified form where a new development permit application conforms to the provisions of this Bylaw.

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## **3.10 BUILDING PERMITS**

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- 3.10.1** A building permit, where required, shall not be issued for a development until a development permit has been issued as required.

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### **3.11 MINOR VARIANCES**

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**3.11.1** The Development Officer may vary the requirements of this Bylaw subject to the following requirements:

- .1 A minor variance may be granted for the following only:
- .2 Minimum required distance of a building from a lot line; and
- .3 The minimum required distance of a building from any other building on the lot.
- .4 The maximum amount of a minor variance shall be 10% variation from the Requirements of this Bylaw.
- .5 The development must conform to all other requirements of this Bylaw.
- .6 The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property.
- .7 No minor variance shall be granted for:
  - i. a form of development, or in connection with an agreement to rezone pursuant to Section 69 of The Planning and Development Act 2007 as updated from time to time; or
  - ii. if it would be inconsistent with any provincial land use policies or statements of provincial interest

**3.11.2** An application form for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee as set in the Rural Municipality of McKillop No. 220 Planning Fee Bylaw No. 343/18.

**3.11.3** Upon receipt of a minor variance application the Development Officer may:

- .1 Approve the minor variance;
- .2 Approve the minor variance and impose terms and conditions on the approval; or
- .3 Deny the minor variance.

**3.11.4** Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Bylaw.

**3.11.5** Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.

**3.11.6** Where a minor variance is approved, with or without terms, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.

**3.11.7** The written notice must:

- .1 Contain summary of the application;
- .2 Provide reasons for and an effective date of the decision;

- .3 Indicate that an adjoining assessed owner has 20 days to lodge a written objection with the Development Officer, which, if received, will result in the approval of the minor variance being revoked;
- .4 Where there is an objection, and the approval is revoked, the applicant shall be notified of the right to appeal to the Development Appeals Board; and
- .5 Be delivered by either registered mail or be personal service.

**3.11.8** A decision to approve a minor variance, with or without terms and conditions, does not take effect

- .1 In the case of notice being sent by registered mail, until 23 days from the date the notice was mailed; or
- .2 In the case of a notice being delivered by personal service, until 20 days from the date the notice was served.

**3.11.9** If an assessed owner of a property having an adjoining property with the applicant's land objects to the minor variance in writing to the Development Officer within the prescribed 20-day time period, the approval is deemed to be revoked and the Development officer shall notify the applicant in writing:

- .1 Of the revocation of the approval; and
- .2 Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.

**3.11.10** If an application for a minor variance is refused or approved with terms or conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

**3.11.11** Council shall keep a record of all minor variances.

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## **3.12 DEVELOPMENT APPEALS BOARD**

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**3.12.1** The Act provides the right to appeal the Zoning Bylaw where a Development Officer:

- .1 Is alleged to have misapplied the Zoning Bylaw in issuing a development permit;
- .2 Refuses to issue a development permit because it would contravene the Zoning Bylaw; or
- .3 Issues an order, based on inspection, to the owner, operator, or occupant of land, buildings, or premises considered to contravene the Zoning Bylaw.

**3.12.2** Appellants also may appeal where they are of the opinion that development standards prescribed by the Municipality with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw and the Official Community Plan. This right of appeal extends thirty (30) days after the issuance or refusal of a development permit or order.

**3.12.3** Council shall appoint a Development Appeals Board in accordance with the Act.

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### 3.13 DISCRETIONARY USE APPLICATION

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#### 3.13.1 The following procedures shall apply to discretionary use applications:

- .1 Applicants will be required to pay the fees associated with a Discretionary Use Application in accordance with the fee schedule outlined in The Planning Fee Bylaw No. 343/18.
- .2 Applicants must file the prescribed application form with the Development Officer and include a site plan and any other plans and supplementary information as required by the Development Officer.
- .3 The Development Officer shall examine the application for conformance with the Official Community Plan, this Bylaw, and any other applicable policies and regulations and shall advise the Council as soon as practical.
- .4 Council may refer the application to whichever government agencies or interested groups, as Council may consider appropriate. Council also may require the application to be reviewed by planning, engineering, legal, or other professionals, with the costs borne by the applicant.
- .5 The Development Officer will give notice by regular mail that the application has been filed to the assessed owner of each abutting property and each assessed owner of property within:
  - i. In Agricultural Areas, within a 1.6 kilometre (1 mile) radius of the proposed development;
  - ii. In Country Residential areas within a 150 metres (492.13 feet) radius of the proposed development;
  - iii. In Lakeshore Residential, Resort Recreation and Hamlet areas within 75 metres (246 feet) radius of the proposed development.
- .6 Further to Part 55 of the Act, notice of application will be provided to ratepayers through the following:
  - i. Publication on the R.M. of McKillop website;
  - ii. Posting of notice at the R.M. of McKillop municipal office.
- .7 The Development Officer will also provide notification of an upcoming public hearing and an opportunity for landowners and residents to provide written comment on the proposal.
- .8 The Development Officer will prepare a report concerning the application which may contain recommendations that include conditions of approval be applied in accordance with Section 54 of the Act as updated from time to time.
- .9 The Development Officer will set a date for the public hearing at which time the application will be considered by Council and if deemed necessary, provide notice to assessed owners of property indicating so within the information packages provided as part of the notification process.
- .10 Council shall consider the application together with the reports of the Development Officer and any written or verbal submissions received by Council. Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site.
- .11 The applicant shall be notified of Council's decision by registered mail addressed to the applicant at the address shown on the application form.

**3.13.2** Discretionary uses, discretionary forms of development, and associated accessory uses shall conform to the development standards and applicable provisions of the Zoning District in which they are located.

**3.13.3** The following criteria must be considered in the review of discretionary use applications:

- .1 Conformance with all relevant sections of the Official Community Plan and Zoning Bylaw;
- .2 Demand for the proposed use in the general area, and a supply of land currently available in the area capable of accommodating the proposed use;
- .3 Ability in being economically serviced including roadways, water and sewer services, and other supportive utilities and community facilities;
- .4 The health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
- .5 Any plans and policies affecting the parcel;
- .6 The purpose statements in the applicable zoning district;
- .7 The appropriateness of the location and parcel for the proposed development
- .8 The compatibility and impact of the proposed development with respect to adjacent development in the area;
- .9 The merits of the proposed development based on sound planning practices; and
- .10 The impact on public amenities and services.

**3.13.4** In approving a discretionary use application, Council may prescribe specific development standards with respect to that use or form of development, provided those standards are necessary to secure the following objectives:

- .1 The proposal, including the nature of the proposed site, the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs, must be generally compatible with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the general area, including safeguards to prevent noise, glare, dust, or odour from affecting nearby properties.
- .2 The proposal must provide adequate access and circulation for the vehicle traffic generated, as well as providing an adequate supply of on-site parking and loading spaces.
- .3 The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.

**3.13.5** Council may approve a discretionary use application for a limited time period where it is considered important to monitor and re-evaluate the proposal and its conformance with the provisions of this Bylaw.

**3.13.6** Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a development permit for the discretionary use at the location and under such terms and development standards specified by Council in its resolution.

- 3.13.7** Council's approval of a discretionary use application is valid for a period of twenty-four (24) months from the date of the approval. If the proposed use or proposed form of development has not commenced within that time, the approval shall no longer be valid. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid.
- 3.13.8** The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal any terms and conditions attached to a discretionary use application to the Development Appeals Board.
- 3.13.9** If an approved discretionary use or form of development ceases to operate for a period of 24 months or more, the discretionary use approval shall no longer be valid. The Development Officer shall advise the owner and Council when a prior approval is no longer valid.

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### **3.14 ZONING BYLAW AMENDMENTS**

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- 3.14.1** An application decision shall not be made, and the amendment process shall not be initiated, until all information required by the Municipality has been provided and reviewed.
- 3.14.2** When an application is made to Council for an amendment to this Bylaw, the applicant making the request shall bear the actual cost of advertising such zoning amendment as permitted by the Act. The applicant will also be required to pay a fee as outlined in the Rural Municipality of McKillop No. 220 Planning Fee Bylaw No. 323/18.
- 3.14.3** Council may amend this Bylaw, either upon request or at any time upon its own initiative, in order to achieve the application of the Official Community Plan, Development Plan goals, objectives and policies, or to alter any zoning regulation or district while ensuring conformity with the Official Community Plan or to accommodate periodic amendments to the Act and Statements of Provincial Interests.
- 3.14.4** Every Bylaw amendment application shall include:
- .1 a completed application form OR a request in writing from the applicant;
  - .2 a copy of the certificate of title for the lands affected, copies of any registered interests or other document verifying that the applicant has a legal interest in the land, for at least the period of time necessary to process the application to a public hearing;
  - .3 where the applicant is an agent acting for the owner, a letter from the owner shall be provided verifying the agent's authority to make the application;
  - .4 a statement of the reasons for the request to amend the Bylaw;
  - .5 a payment for cost of advertising and other administrative costs, authorized by the Act, for processing the application; and

- .6 A properly scaled vicinity map indicating the site to be amended, its relationship to existing land uses within a 75 metres (246 feet) radius of the boundaries of the site and any prominent physical features, including roads and public utilities.

**3.14.5** The Municipality may request additional information, to evaluate and make a recommendation regarding the application, to effectively administer this Bylaw.

**3.14.6** The Municipality, at their sole discretion, may waive part of the application requirements, when doing so will not jeopardize the Official Community Plan policies or Zoning Bylaw requirements.

**3.14.7** Violations of this Bylaw will be enforced under the provisions of the Act.

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### **3.15 COMPREHENSIVE DEVELOPMENT PLANS (CDP)**

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**3.15.1** A CDP shall be completed prior to consideration of an application by Council by any person proposing to rezone, subdivide, or re-subdivide land for multi-parcel development in lakeshore, recreational, country residential, commercial, industrial or resource development purposes. The purpose of this review is to identify and address social, environmental, health and economic issues and to encourage the development of high quality residential, recreational, commercial, industrial, and resource development. The scope and required detail of the CDP will be based on the scale and location of the proposed development, and address such areas as the following:

- .1 Proposed land use(s) for various parts of the area;
- .2 The effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;
- .3 The location of, and access to, major transportation routes and utility corridors;
- .4 The provision of services respecting the planning for future infrastructure within the Municipality;
- .5 Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas;
- .6 Appropriate information specific to the particular land use (residential, commercial or industrial)
- .7 The CDP must be prepared in accordance with the overall goals and objectives of the Official Community Plan. Council shall not consider any development application until all required information has been received. The costs and responsibility for undertaking all technical investigations and hosting public meetings as required shall be borne solely by the applicant.

**3.15.2** The following submission requirements shall be included in the preparation of a CDP:

- .1 Identification of the purpose and objectives of the proposed development including an inventory of current land uses within the development review area and evidence of compliance with the Official Community Plan policies and Zoning Bylaw regulations.



- .2 Identification of plan area characteristics including:
  - i. Physical site characteristics, regional context, and the size and intensity of development proposed;
  - ii. An inventory of natural and heritage resources including screening of environmental, archaeological, and historically significant areas within and adjacent to the development;
  - iii. Identification of potential hazard lands within the plan area and the proposed methods of mitigating the hazards; and
  - iv. Identification of the potential impact of proposed development on existing infrastructure and adjacent land uses.
- .3 Identification of the concept for development including a thorough description and explanation, illustrations, and any technical and professional analysis required to identify:
  - i. Proposed land uses;
  - ii. The economic and social benefits and the impact on the development review area and the region providing evidence of positive community integration;
  - iii. The subdivision design including phasing, identification of natural and constructed open space amenities, and allocation of Municipal and Environmental Reserve;
  - iv. The identification of existing and required utility capacity including but not limited to power, natural gas, telecommunications, water supply, and onsite wastewater disposal systems;
  - v. Evidence that the carrying capacity of the soil within the plan area is sufficient to accommodate the proposed structures and wastewater created by the development, and that the anticipated effect on the regional surface and groundwater systems quantity and is minimized;
  - vi. Local hydrology, providing evidence that the design provides sufficient capacity to contain storm water and surface runoff locally to accommodate a 1:100-year storm event, with no significant increase in offsite flows resulting from development of the area;
  - vii. The proposed buffering from, or integration with, adjacent land uses;
  - viii. The impact of human activity and development on the natural environment and plans for the conservation, management and integration of existing natural features within the plan area;
  - ix. A transportation plan for the area identifying road requirements, major commuting routes and the potential impact of development on current roadway infrastructure; and
  - x. The local capacity of fire and protective services, schools and other supportive community and recreational facilities.

.4 The applicant shall provide evidence of significant and effective public consultation acknowledging and attempting to incorporate the findings within the development proposal wherever possible to ensure that the development is perceived as beneficial to the area. The information required as part of the review process includes but is not limited to:

- i. Submission of a consultation plan, identifying the program and timing of consultation;
- ii. Submission of a summary of findings, clearly identifying ideas and areas of support and challenges presented through the consultation process; and strategies to respond to challenges presented within the consultation, and how potential solutions may be incorporated within the proposal.

**3.15.3** Developers and applicants may be required to prepare and provide additional information, as requested by the Development Officer of Council, including:

- .1 Technical reports including, but not limited to, sewer and water services, expected traffic impacts and, where appropriate geotechnical, hydro geological impacts and flood risk studies;
- .2 Wildlife habitat studies;
- .3 Mineral extraction studies;
- .4 Heritage resource studies; and
- .5 Additional information, as required by the approving authority, to evaluate the proposal in conformity with this Bylaw.

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### **3.16 REFERRAL UNDER THE PUBLIC HEALTH ACT**

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**3.16.1** The Development Officer shall make available, in addition to plumbing permits and plan information, a copy of all approved Development Permit applications involving installation of water or sanitary services, should such information be requested by provincial officials under the Public Health Act and Regulations.

**3.16.2** The Development Officer, in conjunction with the Ministry of Government Relations and Saskatchewan Health Authority shall determine the suitability of a parcel proposed for subdivision to accommodate a private sewage treatment system with the subdivision review process. The review process indicates the level of assessment required and upon this determination provides the submittal requirements as well as identifies the qualifications required for the site assessor.

**3.16.3** All submissions required are the responsibility of the developer. The final review of a subdivision will not be completed prior to the receipt and evaluation of all required information by the Development Officer, the Saskatchewan Health Authority, and any other relevant agency deemed necessary by the Municipality.

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**3.17 NON-CONFORMING BUILDINGS, USES AND SITES**

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- 3.17.1** Any use of land or any building or structure lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with provisions of the Act.
- 3.17.2** No enlargement, additions, or reconstruction of a non-conforming use, building or structure shall be undertaken, except in conformance with provisions of the Act.
- 3.17.3** No existing use, building or structure shall be deemed to be nonconforming by reason only of the conversion of this Bylaw from the Metric System of Measurement to the Imperial System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.
- 3.17.4** No existing non-conforming site shall be deemed to be non-conforming by reason only of its dimensions or area failing to at least equal the standards prescribed for proposed sites in the zoning district in which the site is located.

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**3.18 OFFENCES AND PENALTIES**

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- 3.18.1** Any person who violates this Bylaw may be charged and liable on summary conviction to the penalties in the Act.

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**3.19 INSPECTION OF PREMISES**

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- 3.19.1** The Development Officer, or any official or employee of the Municipality acting under their direction, is hereby authorized to enter, at all reasonable hours, and with the consent of the owner, operator or occupant, upon any property or premises in or about which there is reason to believe that provisions of this Bylaw are not being complied with, and for the purpose of carrying out their duties under this Bylaw.

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**3.20 EXISTING BUILDINGS**

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**3.20.1** Moving of Buildings

No building shall be moved within or into or out of the area covered by this Bylaw without obtaining a Development Permit from the Development Officer, unless such building is exempt under Section 3.9.6 of this Bylaw.

**3.20.2** Demolition of Buildings

No building shall be demolished without first obtaining a Development Permit from the Development Officer, except those buildings in the Agricultural Districts which are exempt. Such permit shall not be issued unless a proposal for the interim or long-term use or redevelopment of the site is also submitted, and the proposed use complies with this Bylaw. A separate Development Permit will be required for any redevelopment of the site.

### **3.20.3 Replacement of Existing Buildings**

Where a property owner has made an application to construct a new dwelling, the purpose of which is to replace an existing dwelling, which is either occupied or unoccupied, the Development Officer may issue a conditional development permit (non-renewable) for the new dwelling subject to the following conditions:

- .1 The existing dwelling shall either be removed from the property or demolished, in which case any construction materials or debris shall be removed, clean fill used to fill excavations or depressions, and the site leveled and properly graded to the satisfaction of the Municipality, within six (6) months of the new dwelling being occupied; and
- .2 The applicant shall either deposit, post a bond, certified cheque or other irrevocable performance security, to be held by the Municipality until the requirements listed in 3.20.3(a) have been met. The performance security shall be no more than ten-thousand dollars (\$10,000.00) as determined by Council and shall not be returned to the applicant until all requirements have been complied with. The Municipality may cash or redeem the performance security to cover any costs associated with removal of the buildings or structures, including legal fees, resulting from the applicant failing to remove or demolish the building, or remediate the property within the specified time period. The balance of the deposit, if any, shall be refunded to the applicant.

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## **3.21 DEVELOPMENT AGREEMENTS**

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- 3.21.1** Council may request that a developer enter into a development agreement to ensure development conformity with the Official Community Plan, and this Bylaw, pursuant to the Act.

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## **3.22 SERVICING AGREEMENTS**

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- 3.22.1** Where a development proposal involves subdivision, Council may require a developer to enter into a servicing agreement to ensure appropriate servicing pursuant to the Act. Council may direct Administration to vary the agreement on a case-by-case basis, or not require it.

- 3.22.2** In accordance with the Act the agreement may provide for:

- .1 The undertaking and installation of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, graded, graveled or paved streets and lanes, connections to existing services, area grading and levelling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities, or other works that Council may require, including both on-site and off-site servicing;

- .2 The payment of levies and charges, in whole or in part, for the capital cost of providing, altering, expanding or upgrading sewage, water, drainage and other utility services, public highway facilities or park and recreation space and facilities located within or outside the proposed subdivision and that directly or indirectly serve the proposed subdivision.

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### **3.23 PERFORMANCE BONDS**

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- 3.23.1** Council may require a developer, including owners of property where an accessory dwelling is located, to post and maintain a performance bond to ensure developer performance and to protect the public interest.

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### **3.24 LIABILITY INSURANCE**

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- 3.24.1** Council may require developers to provide and maintain liability insurance to protect the Municipality, developer and public.

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### **3.25 INTEREST REGISTRATION**

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- 3.25.1** Council shall require that development and servicing agreements and other documents be registered on the title of affected lands against affected lands, to protect municipal and public interests at the full cost of the developer.

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### **3.26 BYLAW REVIEW**

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- 3.26.1** Council shall either review the Zoning Bylaw, or consolidate the Zoning Bylaw with all subsequent amendments, as follows;
- .1 When Council considers it necessary;
  - .2 Five (5) years from the effective date of the last consolidation of this Bylaw.

## 4.0 GENERAL PROVISIONS

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The following regulations shall apply to all Zoning Districts in this Bylaw.

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### 4.1 LICENSES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS & LEGISLATION

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- 4.1.1** In their interpretation and application, the provisions of this Bylaw shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and general welfare.
- 4.1.2** Nothing in this Bylaw shall exempt any person from complying with the requirements of the Building Bylaw or any other Bylaw in force within the Municipality, or law within the Province of Saskatchewan or Canada; or from obtaining any license, permission, permit, authority, or approval required by this or any other Bylaw of the Municipality or any law of the Province of Saskatchewan or Canada.
- 4.1.3** Where requirements in this Bylaw conflict with those of any other municipal, provincial, or federal requirements, the more stringent regulations shall prevail.
- 4.1.4** No person shall develop, subdivide, use, repair or occupy land, building and structures in a manner which contravenes this Bylaw or the Official Community Plan.
- 4.1.5** Compliance with the requirements of this Bylaw shall not exempt any person from the requirements of any federal, provincial or municipal legislation or complying with any easement, covenant agreements, caveat or contract affecting the development site.

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### 4.2 GENERAL DEVELOPMENT STANDARDS

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- 4.2.1** All development and subdivision proposals shall meet the requirements of the Act, the Statement of Provincial Interests, the Official Community Plan and this Zoning Bylaw.
- 4.2.2** General development standards and regulations shall apply to all zoning districts, to all subdivisions and to all permitted, discretionary and accessory developments, including public utility uses.
- 4.2.3** Applicants and developers shall, upon the request of Council be required to enter into development and servicing agreements with the Municipality:
- .1 To achieve conformity with the Official Community Plan and Zoning Bylaw;
  - .2 To protect the public interest and municipal costs;
  - .3 To ensure Bylaw, development, servicing, resource management and environmental compliance.

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### **4.3 PRINCIPAL USE ESTABLISHED**

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- 4.3.1** The principal use of the land in any Zoning District in this Bylaw must be established prior to any accessory buildings, structures, or uses being permitted, notwithstanding Section 4.3.2 or a garden shed with a maximum floor area of 13.94 m<sup>2</sup> (150 ft<sup>2</sup>).
- 4.3.2** A garage may be constructed as the sole building on a site for up to a maximum of five (5) years, after which the applicant must obtain an approved Development and Building Permit to construct a principal building on the site. The applicant will be required to deposit financial security with the Municipality until such time that the building permit for the principal dwelling has been issued.

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### **4.4 CANADA LAND INVENTORY RATINGS (“CLI”)**

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- 4.4.1** Council may make minor adjustments to the Canadian Land Inventory Soil Capability Map (Reference Map in Appendix “C” of the Official Community Plan), if in Council's opinion, an adjustment is necessary due to specific site conditions. In making such determinations, Council may consider farmland assessment records, technical reports from a qualified professional agrologist, a site inspection or any other information that Council deems necessary, to be supplied at the expense of the person requesting the adjustment.

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### **4.5 PROHIBITED DEVELOPMENT**

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- 4.5.1** Development which is not specified in this Bylaw as a permitted, discretionary or accessory use shall be prohibited.

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### **4.6 NEW SUBDIVISION SITES AND REMNANT SITES**

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- 4.6.1** Proposed subdivision sites and all proposed remnant sites shall conform to the requirements of this Bylaw.

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### **4.7 SITE SIZE ADJUSTMENTS**

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- 4.7.1** In all zones, all minimum site size requirements shall be as stated, except that the size of any remnant site shall be deemed to be conforming in any of the following instances;
- .1 Where roads, railways, pipelines and other linear public utilities, including their widening, are subdivided or registered as easements; or
  - .2 Where adjustments are required due to irregularities in the primary survey system.

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**4.8 ONE PRINCIPAL DEVELOPMENT OR USE PER SITE**

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- 4.8.1** Only one principal building, structure, or use per site shall be permitted unless otherwise stated in this Bylaw.
- 4.8.2** Council may, at its discretion, permit a Temporary Development Permit on a site where a principal development already exists in accordance with provisions set out in Section 3.9.5 on this Bylaw.
- 4.8.3** Notwithstanding anything contained in this Bylaw, where any land, building, or structure is used for more than one purpose, all provisions of this Bylaw relating to each use shall be complied with, but no dwelling shall be located within 3.05 metres (10 feet) of any other building on the site except to a building accessory to such dwelling.
- 4.8.4** Only one (1) principal building shall be permitted on any one site except for the following uses, which may, at Council's discretion, have more than one principal building to accommodate the use:
- .1 Public utility uses;
  - .2 A private institution;
  - .3 A multi-unit residential use;
  - .4 Recreational uses;
  - .5 Agricultural uses;
  - .6 Mineral and Resource Development;
  - .7 Commercial or industrial uses; and
  - .8 Uses allowed in a Contract Zoning agreement.

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**4.9 ACCESSORY BUILDINGS, USES AND STRUCTURES**

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- 4.9.1** Subject to all other requirements of this Bylaw, an accessory building, use or structure is permitted in any district when accessory to an established principal use which is a permitted or discretionary use on the same site.
- 4.9.2** Except for farm related buildings, accessory buildings, structures, or uses shall be limited to a maximum floor area of no larger than the lesser of 102.19 m<sup>2</sup> (1,100 ft<sup>2</sup>) or 85% of the floor area of the principal residence.
- 4.9.3** In Lake Shore Residential, Resort Recreation and Hamlet Districts, accessory buildings are not to exceed the height of the principal building, and in no case shall the accessory building exceed the height limits provided for accessory buildings or structures in the Zoning District in which it is located.



- 4.9.4** There are no restrictions on the total floor area for accessory building, structure or use in the Agricultural and Country Residential 1 District so as long as the proposed development does not contravene the maximum site coverage permitted in the respective zoning district.
- 4.9.5** A minimum of 15 metres (49 feet) is required for side or rear yard setback requirements for any accessory building, structure, or use in the Agricultural and Country Residential 1 Districts.
- 4.9.6** Notwithstanding Section 4.3.2, no accessory building, structure or use may be constructed, erected or moved on to any site prior to the time of construction of the principal building to which it is accessory.
- 4.9.7** Where a building on a site is attached to a principal building by a solid roof or by structural rafters, and where the solid roof or rafters extend at least one third of the length of the building wall that is common with the principal building, the building is deemed to be part of the principal building.
- 4.9.8** Accessory buildings, structures, or uses shall not be used as a dwelling unless otherwise permitted by this Bylaw (i.e. an additional agricultural dwelling).
- 4.9.9** Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building, unless otherwise specified in the District Specific Regulations for Accessory Buildings, Structures or Uses.
- 4.9.10** In all zoning districts an engineered fabric building may be permitted as an accessory building. A copy of engineered stamped plans will be required to be submitted with any application for this type of structure.

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#### **4.10 USES PERMITTED IN ALL ZONING DISTRICTS**

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- 4.10.1** Nothing in this Bylaw shall prevent the use of any land as a public street or public park.
- 4.10.2** Nothing in this Bylaw shall prevent the erection of any properly authorized traffic sign or signal, or any sign or notice of any local or other government department or authority.
- 4.10.3** Nothing in this Bylaw shall prevent the use of any land for the erection of buildings or structures, or the installation of other facilities, essential to the operation of public works provided that such use, building, or structure shall be in substantial compliance with the relevant provisions of this Bylaw and shall not adversely affect the character or amenity of the area in which the same is located.

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**4.11 RESTORATION TO A SAFE CONDITION**

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- 4.11.1** Notwithstanding the non-conforming uses, building and sites policies contained in the Act nothing in this Bylaw shall prevent the structural improvement or restoration to a safe condition of any building or structure, provided that such structural improvement or restoration shall not increase the height, area or volume so as to contravene the provisions of this Bylaw.

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**4.12 GRADING AND LEVELING OF SITES**

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- 4.12.1** Every development shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land. The Council or Development Officer for the Municipality shall require a drainage study at their discretion.
- 4.12.2** All excavations or filling shall be re-vegetated immediately after other construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion.
- .1 All vegetation and debris in an area to be re-graded or filled must be removed from the site prior to site grading and leveling.
  - .2 All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by the Municipality.
- 4.12.3** Where excavation or filling is proposed for any development in an area subject to flooding, the Municipality shall request comments of the Saskatchewan Water Security Agency prior to making a decision on the development permit application.

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**4.13 RESTRICTIONS ON CHANGES**

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- 4.13.1** The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected, and no land shall be severed from any site, if such change, erection or severance creates a situation that contravenes any of the provisions of this Bylaw applicable to each individual remaining building, accessory building, site, or lot.
- 4.13.2** Notwithstanding the provisions of clause 4.13.1, no person shall be deemed to have contravened any provision of this Bylaw if only part or parts of any site or lot has, or have, been conveyed to, or acquired by, the Municipality or the Province of Saskatchewan for a public work.

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**4.14 NATURAL AND HUMAN HERITAGE SITES**

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- 4.14.1** Small plaques, markers, and interpretation signs will be encouraged on properties that have significant natural or human heritage resources, with the approval of the owner, and where the signage is appropriate in scale, design, and placement with the site and surrounding area, and does not cause safety concerns or negatively impact the heritage value of the site.
- 4.14.2** Provincial and Municipal heritage properties subject to preservation agreements are subject to development review processes as defined by The Heritage Property Act. Provincial designations are afforded special protection, and any alterations and development must be reviewed and approved by the Heritage Programs of the Province of Saskatchewan.
- 4.14.3** The Municipality will require the developer to search and identify any known heritage sites within 500 metres (1640.42 feet) of any recorded heritage sensitive lands and to comply with all Province of Saskatchewan legislation. Archaeological, historic features and paleontological sensitive lands within the Municipality include:
- .1 Lands located within the same quarter-section as, or within 500 metres (1640.42 feet) of, a Site of a Special Nature as defined in The Heritage Property Act.
  - .2 Lands within 500 metres (1640.42 feet) of other previously recorded sites, unless they can be shown to be of low heritage significance.
- 4.14.4** Any substantive development that lies within these sensitive lands shall be referred to the Provincial Heritage Unit for a heritage review.
- 4.14.5** Should a Heritage Resource Impact Assessment be required, it is the responsibility of the developer to have it carried out by a qualified professional, registered to practice in Saskatchewan under an approved investigation permit. The study should establish:
- .1 The presence of heritage sites within the project areas;
  - .2 Suitable mitigation measures that could be implemented;
  - .3 The content, structure, and importance of those heritage sites; and
  - .4 The need for a scope of any mitigative follow-up.
- 4.14.6** Heritage resource development shall be a discretionary use in all zones and Heritage resource development shall be exempted from site and frontage area requirements.

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#### **4.15 FENCE AND HEDGE HEIGHTS**

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- 4.15.1** Notwithstanding the other provisions in this section, wire fences shall be exempt from the required yard setbacks of the Agricultural Resource and Country Residential Districts.
- 4.15.2** No solid fence or screening device shall exceed 1.22 metres (4 feet) in height if placed within a required front yard.
- 4.15.3** Notwithstanding 4.15.4, no fence or screening device in a Residential zone shall exceed 1.83 metres (6 feet) in height within a required side or rear yard.
- 4.15.4** Unless otherwise justified by the applicant and approved by Council, no fence in a Commercial or Industrial zone shall exceed 2.44 metres (8 feet).
- 4.15.5** On corner lots, that portion of a lot contiguous to a public road allowance shall be considered as a front yard area for the purpose of applying the regulations herein.
- 4.15.6** Screening devices shall not locate within a sight triangle as defined in Section 4.29 of this Bylaw.
- 4.15.7** Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences and hedges in all Country Residential, Lakeshore and Recreational Resort Districts.
- .1 No hedge, fence or other structure shall be erected past any property line.
  - .2 In a required front yard, to a height of more than 1.22 metre (4 feet) above grade level.
  - .3 In a required side or rear yard, to a height of more than 2.44 metres (8 feet) above grade level.
- 4.15.8** Screen fences shall be consistent and complement the quality of building design and materials of the primary building.

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#### **4.16 LANDSCAPE BUFFERS**

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- 4.16.1** Landscape buffers are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitating natural drainage. Landscape buffers, where required to separate uses from adjacent properties may require a minimum 1.52 metre (5 feet) vegetative landscape buffer, unless a fence is required for other reasons.
- 4.16.2** Residential Acreages may be required to establish a shelterbelt, or vegetative landscape buffer around the residential use to reduce land use conflicts and to recognize the need for a windbreak.
- 4.16.3** All trees/shrubs and tree/shrub planting required pursuant to this section shall be drought resistant and hardy to the region.

- 4.16.4** Under no circumstances shall Elm trees be brought into the Municipality including but not limited to mulch, cut-offs, plugs, transplants, saplings, and mature trees.
- 4.16.5** The Development Officer may require that site landscaping be provided in conjunction with and addressed as part of any development permit approval in any zoning district.

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#### **4.17 BUILDING AND SITE MAINTENANCE**

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- 4.17.1** All sites at all times shall be maintained clean and free from waste and debris.
- 4.17.2** Council may establish landscaping requirements for any permitted or discretionary non-residential use or development permit to achieve:
- .1 Maximum public safety;
  - .2 Zero nuisance; and
  - .3 Environmental quality.
- 4.17.3** Council, at their discretion, may establish specific landscaping requirements to include berms, natural vegetation, planted vegetation, landscaping, trees, shrubs, fences, private signs and similar amenities.
- 4.17.4** Council may require all sites along Highway and associated service roads, which are developed for non-agricultural purposes, to be landscaped in the front yard. These requirements are provided in Section 4.15 and 4.16 of this Bylaw with additional requirements listed in the individual zoning districts.
- 4.17.5** The outdoor storage or collection of goods and materials is prohibited in a front yard in any Country Residential or Residential District. Outdoor storage is permitted in a side or rear yard in a Country Residential or Residential District only when the goods or material being stored are clearly accessory and incidental to the principal use of the property.
- 4.17.6** The Development Officer may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, motor, building materials, waste materials and other similar uses, or where other landscaping and screening requirements would be appropriate as determined by the Development Officer. The use of landscaping may be required adjacent to exterior storage areas within industrial developments to provide a natural screening of activities that are visible from public roads.

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#### **4.18 SAFE BUILDING ELEVATION (SBE)**

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- 4.18.1** The Water Security Agency identifies a minimum Estimated Peak Water Level (EPWL) of 493.0 m for Last Mountain Lake. In order to obtain the Safe Building Elevation (SBE) the Ministry of Government Relations adds a 0.5 m buffer to the EPWL to account for differences in physiography, geology, site orientation and other conditions that are unique to each site.

The minimum SBE for developments along Last Mountain Lake in the RM of McKillop is 493.5 m; This shall be measured to the bottom of the floor joist or structure in any habitable space.

Elevations are to be referenced to the Geodetic Survey of Canada datum. If a disagreement about the SBE occurs the site(s) shall be reviewed by a qualified professional registered to practice in Saskatchewan who is willing to assume liability for recommending construction of habitable space below the minimum SBE. The cost of any such investigations are to be borne by the applicant and will not be borne by the Municipality.

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#### **4.19 HEIGHT OF BUILDINGS**

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- 4.19.1** Where a maximum height of buildings is specified in this Bylaw, the maximum height shall be measured from the average finished grade level to the highest point on the building exclusive of any chimney or antenna.

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#### **4.20 ROADWAYS**

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- 4.20.1** Council may establish regulations or other policies, apart from the Zoning Bylaw, to establish standards for road construction. Road standards may be established to provide service to specific forms of development which may be updated from time to time.
- 4.20.2** Council may, at their discretion, require applicants and developers to pay for any or all costs associated with road construction and short-term maintenance where the cost is directly associated with the development or subdivision.
- 4.20.3** Development adjacent to a provincial highway shall meet all requirements of the Saskatchewan Ministry of Highways and Infrastructure and may require that a traffic impact assessment be completed as part of the development permit application, with all related costs borne by the applicant.
- 4.20.4** Notwithstanding any regulations passed by the Province of Saskatchewan which apply to highways, this Bylaw may establish a higher standard than those required by the Province for developments adjacent to highways and intersections.

- 4.20.5** When any development is approved on land adjacent to an unconstructed road allowance and access is required from the said road allowance, the owner/applicant shall be responsible for all costs related to the construction of the road to the standards set out by the Development Officer.

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#### **4.21 FRONTAGE AND ACCESS**

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- 4.21.1** A development permit shall not be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on a graded all-weather registered road, or unless satisfactory arrangements have been made with the Council for the improvement or building of a road.
- 4.21.2** The requirement of a service road or internal subdivision roadway to provide access may be imposed as a condition of approval for any new development other than those deemed approved.
- 4.21.3** All site access from roads shall be to the satisfaction of Council with respect to location, design, and construction standards. Council shall take into account the physical capability and safety of the roads that are proposed to serve the development.

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#### **4.22 APPROACHES**

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- 4.22.1** All approaches to public roads require the approval of the Municipality. All approaches shall be constructed in accordance with the engineering standards of the Municipality.
- 4.22.2** The Council or the Development Officer shall decide upon all approach applications and, based on location, drainage, traffic flow, sight lines, road standards, and safety considerations, may approve or refuse an application for an approach.

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#### **4.23 DEVELOPMENT SETBACKS**

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- 4.23.1** The minimum specified front, side and rear yards shall be provided for each site, unless otherwise authorized in this Bylaw or at the discretion of Council. Development shall occur totally within the site lines and according to all front, side and rear yard requirements provided in the individual zoning districts.

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#### **4.24 PUBLIC UTILITIES AND MUNICIPAL SERVICES**

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Public utilities, as defined in this Bylaw, shall be a permitted use in all zones. Service public utilities, as defined in this Bylaw, shall be a discretionary use in all zones. Both types of utilities shall be subject to the following requirements:

- 4.24.1** Development permits shall be required, unless otherwise exempted in this Bylaw. Public utilities except solid waste disposal, liquid waste disposal and clean fill sites, unless otherwise specified by this Bylaw, shall be exempt from the provisions of every zoning district.
- 4.24.2** Public utility uses shall conform to the site size frontage and setback requirements of each zoning district if possible. Notwithstanding the foregoing, public utility uses may be exempted from all zoning standards by development officer approval.
- 4.24.3** All provincial and municipal zoning requirements, Official Community Plan and other municipal bylaw requirements shall be met.
- 4.24.4** Protective, emergency, municipal services and other public works and facilities may be established in all zoning districts.

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#### **4.25 PROHIBITED AND NOXIOUS USES**

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- 4.25.1** The keeping of livestock shall not be allowed except for permitted agricultural uses and where specifically addressed in the individual Zoning Districts.
- 4.25.2** Any use is prohibited which, by its nature or the materials used therein, is declared by The Public Health Act and Regulations to be a noxious trade, business, or manufacture.
- 4.25.3** Notwithstanding any use contained within a building, no land shall be used and no building or structure shall be erected, altered or used for any purpose that is noxious and, without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offence, or both:
- .1 By the creation of noise or vibration;
  - .2 By the emission of light and glare;
  - .3 By reason of the emission of gas, fumes, smoke, dust or objectionable odour;
  - .4 By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers, or parts of vehicles or trailers, machinery, or other such material; or
  - .5 By any combination of things in this subsection.

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#### **4.26 KEEPING OF DOMESTIC ANIMALS**

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- 4.26.1** The keeping of domestic animals is permitted in all districts, subject to relevant Bylaws and legislation governing noise and public health; however, animal kennels are permitted or discretionary uses within select zoning districts.



#### 4.27 PERMANENT ROAD CLOSURES

- 4.27.1** In the event a dedicated road, street, or lane shown on the Zoning Map forming part of this Bylaw is permanently closed, the property formerly in such road, street or lane shall be included within the zoning district of the adjoining property on either side of such closed road, street or lane. If a closed road, street or lane is the boundary between two or more different zoning districts, the new district boundaries shall be the former centre line of the closed road, street or lane.

#### 4.28 RAILWAY CROSSINGS AND SIGHT DISTANCES

- 4.28.1** Notwithstanding anything contained in this Bylaw, where any public road crosses a railway at the same grade, no building or structure shall be erected within 45.72 metres (150 feet) of the point of intersection of the centre line of both the railway and the public road.

#### 4.29 SIGHT TRIANGLE

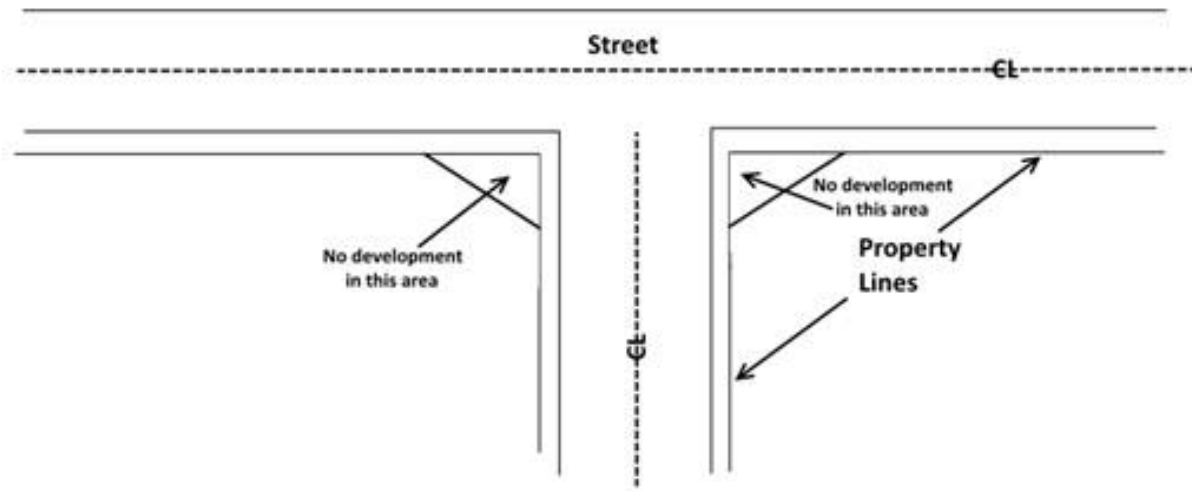
- 4.29.1** In all zones no building, structure, earth pile, vegetation, etc. shall obstruct the vision of drivers within the sight line triangles shown in the following table.
- 4.29.2** The sight line triangle area shall be calculated by connecting straight lines, which are measured from the intersection of centerlines of the various types of roads and railways, to points established along these centerlines, as indicated in the following table:

Table 2: Sight Triangle Distances

TYPE OF ROAD OR RAILWAY	DISTANCE ALONG CENTERLINE
Provincial Highways	230.13 metres (755 feet) *
Municipal Grid Roads	79.86 metres (262 feet)
Railway Lines	79.86 metres (262 feet)

*\*Provincial regulations superseded these recommended values and are based on road classification and traffic volumes associated with the intersection in question.*

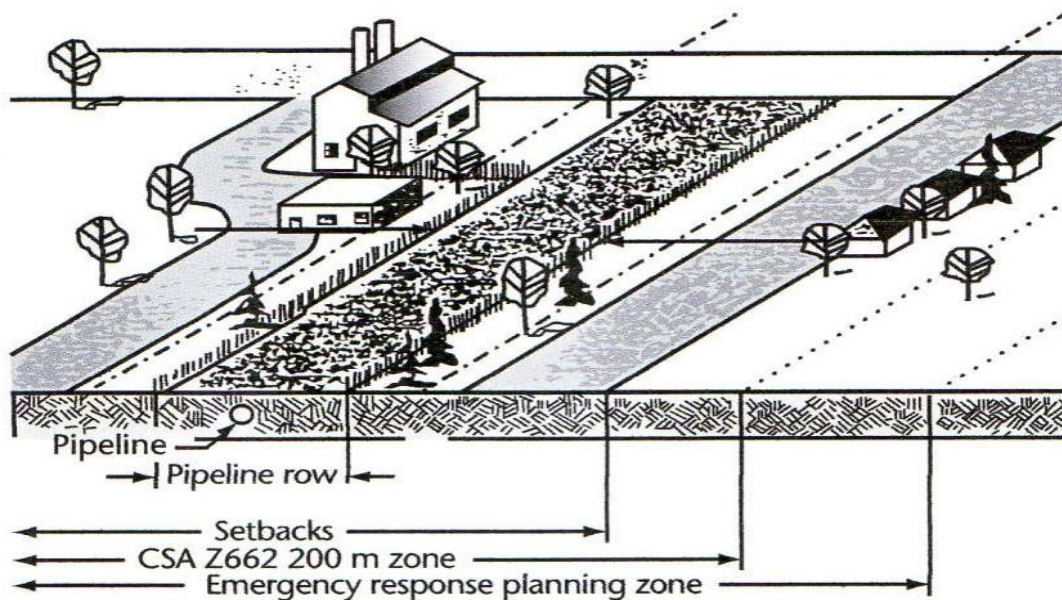
Figure 14: Sight Triangle



#### 4.30 DEVELOPMENT ALONG PIPELINES AND GAS TRANSMISSION LINES

- 4.30.1** Any development involving pipeline and /or power line transmission rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial Regulations or Acts and any regulations or directives established by crown corporations. Refer to "Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663", which may be amended from time to time.
- 4.30.2** Setbacks from the edge of the pipeline easement shall be 12.20 metres (40 feet) except for where provision has been made in the previous bylaw or in consultation with the operator of the pipeline, a lesser separation may be allowed.
- 4.30.3** The National Energy Board has designated a setback area of 30.48 metres (100 feet) on either side of a pipeline in which, subject to exceptions for such things as normal agricultural activities, anyone proposing to conduct a ground disturbance/excavation, must:
- .1 Ascertain whether a pipeline exists;
  - .2 Notify the pipeline company of the nature and schedule of the excavation; and
  - .3 Conduct the excavation in accordance with such regulations.
- 4.30.4** The following Figure provide the setbacks required by the Canadian Standards Association. Source: Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663:

Figure 15: Setbacks for Pipelines



#### 4.31 TOWERS

- 4.31.1** All towers shall be located on the same site as the intended signal user.
- 4.31.2** All towers shall be erected in rear-yards only.
- 4.31.3** The tower shall not be illuminated unless required by Transport Canada Regulations, and except for a manufacturer's logo, shall not exhibit or display any advertising.
- 4.31.4** A maximum total tower height of no more than 60.96 metres (200 feet) above grade level shall be permitted. Towers that are taller than 60.96 metres (200 feet) may be approved at the discretion of Council.
- 4.31.5** Guy-wire anchors shall be setback at least 0.92 metres (3.0 feet) from the property line.
- 4.31.6** All towers requiring a development permit shall be enclosed within a locked protective chain link fence of a minimum height of 1.83 metres (6.0 feet) and the design of the fence shall be included in the development permit application for Council's approval.
- 4.31.7** Council, at its discretion, may seek approval of this development from both internal and external referral agencies.
- 4.31.8** Council prefers that cellular telephone transmission towers be no closer than 100.59 metres (330 feet) to any Country Residential District.

- 4.31.9** Satellite dishes may be erected in Commercial or Industrial Districts for communications purposes or re-broadcasting of television signals.

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## **4.32 RENEWABLE ENERGY TECHNOLOGY**

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Renewable energy infrastructure installed on public or private land or buildings is permitted as a Discretionary Use in all Land Use Districts in the Municipality. This technology must be developed in a way that balances a range of community interests, and consideration must be given to how a given project may interact with a number of competing land uses over its entire lifecycle.

While development of renewable energy within communities is often desirable, it is important for communities to proactively outline specific guidelines and standards to manage this type of progress. Doing so, in a proactive and clear manner is likely to minimize potential land use and community conflicts, while providing clarity to project developers.

The following provides an overview of how the Municipality wishes to oversee renewable energy project developments, including:

- Solar energy systems
- Wind energy (large and small)
- Geo-exchange systems
- Biomass district energy systems

### **4.32.1 Solar Energy Systems**

**Desired Outcome:** The Municipality will work with applicants to facilitate the development of solar projects in the community but must work to ensure that projects are implemented safely, and in a manner that limits disturbances to views and adjacent landowners.

**Context:** Solar energy is a proven technology that can be easily implemented. Solar energy systems do not produce greenhouse gas emissions and have minimal environmental and socio-economic impacts. Additionally, the price of solar equipment has reduced significantly over the past decade and will likely continue to do so in the future. At current electricity rates, solar photo-voltaic (PV) can represent an attractive investment for residents and local businesses.

It is important for the Municipality to manage the uptake of this technology to maximize its potential benefits and minimize potential drawbacks. The following summarizes the Municipality's approach to managing various solar project configurations:

#### **.1 Roof Mounted Project**

**Location:** The Municipality, at Council's discretion, will permit roof mounted solar energy systems on all building roofs, in all land use zones, and will consider the following specific conditions in the review of the application:

- i. The system equipment shall be certified by appropriate regulatory and safety standards;
- ii. The system shall meet all electrical code and building permit requirements;
- iii. The system shall meet all SaskPower interconnection requirements;

- iv.** The system shall not present a nuisance beyond the boundaries of the subject site by reason of the production of noise, vibration, glare, or other similar substance or conditions;
- v.** The system shall not extend by more than 2 metres (6.56 feet) above the highest point on the host roof, unless otherwise approved by the Municipality;
- vi.** The system shall not interfere with or jeopardize viewscales of adjacent or surrounding properties;
- vii.** The system shall be designed and installed by a qualified professional; and
- viii.** A development permit must be issued by a Development Officer prior to construction.

.2 Ground and Pole Mounted Projects: Non-Residential, Apartment Complexes, Agricultural

Location: The Municipality, at Council's discretion, will permit ground and pole mounted solar energy systems in AR1, AR2, C1 and C2 Districts and will consider the following specific conditions in the review of the application:

- i.** All related equipment shall be certified by the appropriate regulatory and safety standards;
- ii.** All electrical code and permit requirements shall be met;
- iii.** The system shall meet all SaskPower interconnection requirements;
- iv.** The system shall not present a nuisance beyond the boundaries of the subject site by reason of the production of noise, vibration, glare, or other similar substance or conditions;
- v.** The system shall not exceed the building height on site, or the height regulations of the applicable land use zone;
- vi.** The system shall not interfere with or jeopardize viewscales of adjacent or surrounding properties;
- vii.** The system shall be designed and installed by a qualified professional; and
- viii.** A development permit must be issued by a Development Officer prior to construction.

.3 Ground and Pole Mounted Projects: Residential – not inclusive of Apartment Complexes

Location: The Municipality will, at Council's discretion, permit ground and pole mounted solar energy systems in residential areas of the Municipality (CR1, CR2, H, LS1, LS2, and RR Districts) and will consider the following specific conditions in the review of the application:

- i.** All related equipment shall be certified by the appropriate regulatory and safety standards;
- ii.** All electrical code and permit requirements shall be met;
- iii.** The system shall meet all SaskPower interconnection requirements;
- iv.** The system shall not exceed 4 metres (13.12 feet) in height and are not to be permitted in front yards;
- v.** The system shall not present a nuisance beyond the boundaries of the subject site by reason of the production of noise, vibration, glare, or other similar substance or conditions;
- vi.** The system shall not exceed the building height on site, or the height regulations of the applicable land use zone;
- vii.** The system shall not interfere with or jeopardize viewscales of adjacent or surrounding properties;

- viii. The system shall be designed and installed by a qualified professional; and
- ix. A development permit must be issued by a Development Officer prior to construction.

#### 4.32.2 Wind Energy Projects

**Context:** Wind projects, both large and small, can be costly to install and operate, and in some cases these systems can present environmental, social or community challenges. At the same time, wind energy systems can be incorporated within community settings in an unobtrusive manner to deliver many important and valued benefits. The following outlines how the Municipality will manage the development of wind energy projects.

##### .1 Large Wind Power Projects

Desired Outcome: The Municipality will consider the appropriateness of larger wind projects (i.e. all project that are greater than 100 kilowatts and 30 metres (98.4 feet) in height) on a case by case basis.

The following standards and requirements shall guide the development of large wind power projects in the Municipality:

- i. Location: The Municipality will, at Council's discretion, permit the development of larger wind projects in the following land use districts: AR1, AR2, C1 and C2 Districts, so long as the following conditions and design criteria are met. Large wind energy projects will be prohibited within residential zones, including the following land use districts: CR1, CR2, H, LS1, LS2, RR Districts.
- ii. The proponent must meet the following community engagement requirements:
  - a. *Notify and provide written project detail information to all landowners within a 800 metre (2624.67 feet) radius. Notification processes must follow the public notice requirements outlined in Section 55 of the Act;*
  - b. *Provide at least three open houses to provide opportunity for community education and input; and*
  - c. *Demonstrate free, prior and informed consent from local First Nation and Indigenous communities.*
- iii. Specific Conditions for Large Wind Power Projects:
  - a. A minimum setback of 1,000 metres (3280.84 feet) shall be applied to any a larger scale wind turbine from an external property line or the center line of any municipal road allowance, municipal grid road, main farm access road, or provincial highway. This setback shall not apply where the adjoining property is part of the wind power project. This minimum setback may be increased at Council's discretion to satisfy the maximum allowable noise levels outlined as part of these standards;
  - b. The operation of the wind turbine must not exceed a nighttime noise greater than 35 decibels, measured at the closest residential dwelling or permanently occupied building;
  - c. The system shall not present a nuisance beyond the boundaries of the subject site by reason of the production of noise, vibration, glare, dust or other similar substance or conditions;
  - d. *The project shall not have any artificial lights unless required by NAV Canada, Transport Canada or other applicable agencies;*
  - e. *All wind power generating equipment shall be certified by the appropriate regulatory and*

*safety standards;*

- f. All wind energy systems and towers shall be enclosed within a locked protective chain link fence of a minimum height of 1.83 metres (6.0 feet) and the design shall be included in the development permit application for Council's approval; and*
- g. Development and Building Permit applications for a wind power project shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety via a Saskatchewan Professional Engineer.*

**iv.** Supporting Project Documents/Studies/ Reports that are required from the proponent to demonstrate compliance with the above conditions include a(n):

- a. Environmental review / description to characterize potential impacts to the natural environment;
- b. Noise Impact Assessment to determine that the turbine meets the Municipality's wind turbine noise standard of 35 decibels for wind power projects;
- c. Shadow/Flicker Assessment to determine that no resident is negatively impacted from a project's shadowing and flickering;
- d. Written confirmation that the project will not require approvals from NAV Canada, Transport Canada and other Federal and Provincial agencies. If authorizations are required, these must be submitted prior to an application being made to the Municipality;
- e. Engineering study to ensure turbine and associated equipment is structurally sound and does not pose undue risk to the community;
- f. Site plan, drawn to scale by an engineer or surveyor who is licensed to practice in the Province of Saskatchewan. The site plan must show the location of the wind turbines and associated project components. The site plan must also detail the location of adjacent structures and land parcels, and public roads within 2 kilometres (1.24 miles) of a proposed turbine;
- g. Installation plans showing such things as concrete specifications and anchoring specifications shall be certified by a Saskatchewan Professional Engineer;
- h. A comprehensive project decommissioning plan;
- i. All studies and reports must be prepared by qualified professionals;*
- j. An open house report that summarizes the information collected; and*
- k. A development permit must be issued by the Development Officer prior to construction*

**.2 Small Wind Power Projects (up to 100 kW / 12 metres to 30 metres (39.4 feet to 98.4 feet) in Height)**

Desired Outcome: The Municipality will support small wind power projects under specific conditions and circumstances where concerns and impacts associated with a specific project proposal are minimized.

The Municipality will consider permitting small wind systems that have a total height greater than 12 metres (39.4 feet) but less than 30 metres (98.4 feet) under the following conditions:

- i.** Location: The Municipality will support the development of small wind projects that have a total height greater than 12 metres (39.4 feet) but less than 30 metres (98.4 feet) in the following land



use districts: AR1, AR2, CR1, C1, and C2 Districts, so long as specific conditions and design criteria are met. Small wind energy projects of this size will be prohibited within residential zones including the following land use zones: CR2, H, LS1, LS2 and RR Districts.

**ii. Community Engagement Requirements:**

The proponent must:

- a. *Notify and provide written project detail information to all landowners within a 500 metre (1640 feet) radius. Notification processes must follow the Public Notice requirements outlined in Section 55 of the Act; and*
- b. *Provide two open houses to provide opportunity for community education and input.*

**iii. Specific Conditions:**

- a. The wind turbine height (including rotor blade) shall be greater than 12 metres (39.4 feet) but shall not exceed 30 metres (98.4 feet);
- b. The maximum capacity of a small wind project shall not exceed 100 kilowatts (kW). The number of wind turbines erected per property parcel shall be at the discretion of the Approving Authority. However, the cumulative impact of the wind turbine project must meet all standards (capacities, setback requirements, and noise standards).
- c. The wind turbine shall be setback at least 150 metres (492 feet) from the nearest residential property.
- d. The wind turbine shall be setback from wetland or water body at a distance determined safe in the required environmental review associated with the project;
- e. The operation of the wind turbine shall not exceed a nighttime noise greater than 35 decibels, measured at the closest residential dwelling or permanently occupied building;
- f. The system shall not present a nuisance beyond the boundaries of the subject site by reason of the production of noise, vibration, glare, dust or other similar substance or conditions;
- g. The project shall not have any artificial lights unless required by NAV Canada, Transport Canada or other applicable agencies;
- h. All wind power generating equipment shall be certified by the appropriate regulatory and safety standards;
- i. All wind energy systems and towers shall be enclosed within a locked protective chain link fence of a minimum height of 1.83 metres (6.0 feet) and the design shall be included in the development permit application for Council's approval; and
- j. *The small wind energy system shall be finished in a non-reflective matte colour or to the satisfaction of Council.*

**iv. Supporting Project Documents/Studies/Reports that are required from the proponent to demonstrate compliance with the above conditions include a(n):**

- a. *Proof of an approved Electrical Permit has been obtained shall be provided to the Municipality;*
- b. *Development and Building Permit applications for a wind power project shall include either*



*a manufacturer's engineering certificate of structural safety or certification of structural safety via a Saskatchewan Professional Engineer;*

- c. Environmental review / description to characterize potential impacts to the natural environment;*
- d. Noise Impact Assessment and documentation to determine that the turbine meets the Municipality's wind turbine noise standard of 35 decibels;*
- e. Shadow/Flicker Assessment to determine that no resident is negatively impacted from a project's shadowing and flickering;*
- f. Written confirmation that the project will not require approvals from NAV Canada, Transport Canada and other Federal and Provincial agencies. If authorizations are required, these must be submitted prior to an application being made to the Municipality;*
- g. Engineering study to ensure turbine and associated equipment is structurally sound and does not pose undue risk to the community;*
- h. Site plan, drawn to scale by an engineer or surveyor who is licensed to practice in the Province of Saskatchewan. The site plan must show the location of the wind turbines and associated project components. The site plan must also detail the location of adjacent structures and land parcels, and public roads within 2 kilometres (1.24 miles) of a proposed turbine;*
- i. Installation plans showing such things as concrete specifications and anchoring specifications shall be certified by a Saskatchewan Professional Engineer;*
- j. All studies and reports must be prepared by qualified professionals;*
- k. A comprehensive project decommissioning plan;*
- l. An open house report that summarizes the information collected; and*
- m. A development permit must be issued by a Development Officer prior to construction.*

### **.3 Micro Wind Projects (12 metres (39.4 feet) and less)**

Desired Outcome: The Municipality will support micro wind power projects that are less than 12 metres (39.4 feet) in height under the following conditions:

- i.** Location: The Municipality will support the development of micro wind projects all land use districts, so long as the following conditions have been met.
- ii.** The proponent must meet the following community engagement requirements:
  - a.** Notify and provide written project detail information to all landowners within a 100 metre (382 feet) radius of the property boundaries. Notification processes must follow the standards and procedures outlined in Section 55 of the Act.

### **.4 Specific Conditions:**

- a.** The wind turbine height (including rotor blade) shall not exceed 12 metres (39.4 feet);

- b. *The wind turbine shall be setback a minimum of 36 metres (118 feet) from the nearest residential property, unless the residence forms part of the parcel under consideration;*
- c. *The operation of the wind turbine shall not exceed a nighttime noise greater than 35 decibels, as measured to the closest residential dwelling or other permanently occupied building;*
- d. *The system shall not present a nuisance beyond the boundaries of the subject site by reason of the production of noise, vibration, glare, dust or other similar substance or conditions;*
- e. *The project shall not have any artificial lights unless required by NAV Canada, Transport Canada or other applicable agencies;*
- f. *The small wind energy system shall be finished in a non-reflective matte colour or to the satisfaction of Council; and*
- g. *All wind energy systems and towers shall be enclosed within a locked protective chain link fence of a minimum height of 1.83 metres (6.0 feet) and the design shall be included in the development permit application for Council's approval.*

**iii.** Supporting Project Documents/Studies/ Reports that are required:

- a. Noise impact review or sufficient documentation to determine that noise guidelines can be achieved;
- b. Proof of an approved Electrical Permit has been obtained shall be provided to the Municipality;
- c. Development and Building Permit applications for a wind power project shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety via a Saskatchewan Professional Engineer;
- d. Shower/flicker assessment to determine that no resident is negatively impacted from a project's shadowing and flickering;
- e. Engineering study to ensure the turbine and associated equipment is structurally sound and does not pose undue risk to the community;
- f. Site plan drawn to scale by an engineer or surveyor who is licensed to practice in the Province of Saskatchewan. The site plan must show the location of the wind turbines and associated project components. The site plan must also detail the location of adjacent structures and land parcels, and public roads within 500 metres (1 640.42 feet) of a proposed turbine;
- g. *Installation plans showing such things as concrete specifications and anchoring specifications shall be certified by a Saskatchewan Professional Engineer;*
- h. *All studies must be prepared by a qualified professional; and*
- i. *A development permit must be issued by a Development Officer prior to construction.*

### **4.32.3 Geoexchange Systems**

Context: Geoexchange systems are seen as one of most environmentally benign ways to provide heating and cooling solutions to a home or building.

- .1 Desired Outcome: The Municipality looks to support and enable geoexchange energy projects so long as the system meets very specific standards.
- .2 Approach to Achieving Outcome: So long as the following conditions are met, the Municipality permits open and closed looped geoexchange systems in the following land use districts: AR1, AR2, CR1, CR2, C1 and C; and, at Council's discretion, shall permit open and closed loop geothermal systems in H, LS1, LS2 and RR Districts:
- .3 Specific Conditions to be adopt in the Zoning Bylaw:
  - i. The project is contained within the property, supported by a professionally produced site plan that illustrates the geoexchange field, along with existing and proposed underground services.
  - ii. Except in AR 1 and AR2 Districts, all building shall obtain the appropriate permits and approvals required prior to any construction;
  - iii. The system shall not present a nuisance beyond the boundaries of the subject site by reason of the production of noise, vibration, glare, dust or other similar substance or conditions;
  - iv. The project shall not have any artificial lights unless required by NAV Canada, Transport Canada or other applicable agencies;
  - v. For open loop geoexchange systems the following additional requirements must be met:  
 The applicant shall bear the costs of completing and submitting a groundwater investigation report detailing how the project may interact with local groundwater resources, and existing groundwater uses regionally.  
 The system shall have a setback of at least 25 metres (82 feet) from any potable water wells in the area.  
 There shall be no discharges to surface water bodies, septic systems or municipal systems. This shall be supported by a comprehensive discharge management plan that demonstrates there will be no risk presented to local groundwater resources.  
 The system is designed by a professional engineer who is licensed by the Canadian Geoexchange Coalition (CGC), with all related costs borne by the applicant.  
 The system shall receive all applicable provincial permits and environmental authorizations; and
  - vi. A development permit shall be issued by a Development Officer prior to construction.

#### 4.32.4 Biomass and Natural Gas District Energy Systems

Context: District energy systems refer to an energy distribution system that links multiple buildings to a central plant. The fuel source for these systems can be natural gas or renewable sources such as biomass or biogas. In some cases, the infrastructure is installed, and the plant is operated with natural gas or renewable fuels. The feasibility of these systems is more attractive in dense areas.

- .1 Desired Outcome: The Municipality will work to support biomass and district energy systems within the Municipality.
- .2 Approach to Achieving Outcome: The following conditions must be met prior to the issuance of a municipal approval / development permit.
- .3 Specific Conditions for Biomass and Natural Gas District Energy Systems:

- i. The proponent shall provide a detailed project overview and professionally prepared site plan to municipal staff at least 120 days prior to the requested issuance of an approval / development permit;
- ii. The project shall not result in an increased usage of fossil fuels and greenhouse gas emissions relative to business as usual.
- iii. All district energy system equipment shall be approved by the appropriate regulatory and safety standards.
- iv. The facility shall meet all local, provincial and federal air quality standards and regulations.
- v. The fuel used to support a system shall not be toxic, nor result in toxic emissions as defined by provincial and federal legislation.
- vi. The system shall not be noxious or injurious, or present a nuisance beyond the boundaries of the subject site by reason of the production of or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration, glare or other similar substance or conditions; and
- vii. A development permit shall be issued by a Development Officer prior to construction.

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#### **4.33 BED AND BREAKFAST HOME**

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- 4.33.1** A bed and breakfast home may be located in a single detached dwelling. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building or property.
- 4.33.2** Required parking spaces may be permitted in a required front yard.
- 4.33.3** Section 3.13 of this Bylaw shall apply to the review and approval of bed and breakfast homes.

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#### **4.34 HOME BASED BUSINESS AND OCCUPATIONS**

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- 4.34.1** The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- 4.34.2** The use shall be conducted entirely within the dwelling unit or an accessory building to the dwelling unit.
- 4.34.3** There shall be no external advertising other than a sign of not more than 0.93 m<sup>2</sup> (10 ft<sup>2</sup>) erected in accordance with the Sign Regulations contained herein.
- 4.34.4** In Hamlet, Lakeshore, Recreational Resort and Country Residential Districts, there shall be no external storage of goods, materials or equipment associated with the applied use.
- 4.34.5** The use shall not create or become a public nuisance.

- 4.34.6** No use shall cause an increase in the demand placed on one or more utilities (water, sewer, electricity, telephone, garbage, etc.) such that the combined total consumption for a dwelling and its home-based business substantially exceeds the average for residences in the area.
- 4.34.7** The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.
- 4.34.8** No use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the district in which the home-based business is located.
- 4.34.9** The use shall be valid only for the period of time the property is occupied by the applicant for such use.
- 4.34.10** All permits issued for home-based businesses or occupations shall be subject to the condition that the development permit may be revoked at any time, if in the opinion of Council, the operation has not met the regulations and standards applicable to home based businesses or occupations contained in the Bylaw, or the special standards applied by Council at the time of approval.
- 4.34.11** Council shall place any additional conditions for approval deemed necessary based upon a specific application.

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#### **4.35 DAYCARE CENTRE**

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- 4.35.1** Daycare centres may, at Council's discretion, be approved as an accessory use to a principal dwelling or as a principal use. In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- 4.35.2** Daycare centres shall provide at least 3.5 m<sup>2</sup> (37.6 ft<sup>2</sup>) of fenced on-site outdoor play space for each child present in the facility at any one time.
- 4.35.3** Required parking spaced may be located in a required front yard.
- 4.35.4** Additionally, Section 3.13 of this Bylaw shall apply to the review and approval of daycare centres which are listed as discretionary uses.

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#### **4.36 SWIMMING POOL REGULATIONS**

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- 4.36.1** In ground pools are prohibited within the bed, bank, boundary, and valley slope. Applicants shall be responsible for obtaining a geotechnical report from a professional engineer registered to practice in Saskatchewan and shall include conditions outlining the appropriate set back from the crest of the slope.

- 4.36.2** All swimming pools and the accessories thereto shall be constructed and located so as to have a yard not less than 1.52 metres (5 feet) in width on all sides except where the pool is attached to or part of a principal structure. No swimming pool shall be located in a required front or side yard setback.
- 4.36.3** For the protection of the general public, all swimming pools shall be effectively fenced by an artificial enclosure not less than 1.83 metres (6 feet) in height. Any openings in the enclosure affording access to the pool proper shall have a gate the same height as the fence containing an automatic or manual locking device affixed in such a manner so as to exclude small children.
- 4.36.4** Artificial lights for the illumination of swimming pools shall be designed, constructed and maintained so that no glare or direct light shall present a nuisance beyond the boundaries of the subject site.
- 4.36.5** Any maintenance equipment including heating, filtering, disinfectant and recirculation equipment shall not be located at any point within 1.52 metres (5 feet) from adjacent property lines and shall be effectively screened and enclosed so as to not adversely affect the character of surrounding properties.
- 4.36.6** Equipment shall not be noxious or injurious, or present a nuisance beyond the boundaries of the subject site by reason of the production of or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration, glare or other similar substance or conditions.

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#### **4.37 DISPOSAL OF WASTES**

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- 4.37.1** Subject to all Acts and Regulations pertaining in any way to the storage, handling, and disposal of any waste material or used item, and except as permitted by these Acts and Regulations, no liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into the air.
- 4.37.2** No development or use of land which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by Saskatchewan Health and the Saskatchewan Water Security Agency. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by Saskatchewan Agriculture and Food, Saskatchewan Environment, Saskatchewan Health and the Saskatchewan Water Security Agency.

#### 4.38 REQUIRED SETBACK DISTANCES FOR SOLID AND LIQUID WASTE DISPOSAL

**4.38.1** Required setback distances for Solid and Liquid Waste Disposal Facilities are outlined in Table 2:

Table 2: Required Separation Distance for Solid and Liquid Waste Disposal Facilities

OTHER USES	SOLID WASTE FACILITY	LIQUID WASTE FACILITY
Single residence, tourist accommodation	800 m	300 m
Intensive country residential subdivision or hamlet or urban municipality	1.6 km	600 m
Commercial or industrial use	300 m	300 m

(Distances are measured between the fence, berm or edge of the facility (as the case may be) and nearby development)

#### 4.39 USES OR OBJECTS PROHIBITED OR RESTRICTED IN YARDS

**4.39.1** No development or use of land which requires the disposal of solid waste, liquid waste, gaseous waste or clean fill shall be permitted unless it has received all required federal and provincial approvals.

**4.39.2** The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary requirements and permits must be met and obtained prior to issuance of a development permit.

**4.39.3** A development permit for residential, commercial, recreational or industrial buildings shall not be permitted except in accordance with the recommended separation distances of the "Regulations Respecting Anhydrous Ammonia-Saskatchewan Regulations 361/77" which may be amended from time to time. Residences and buildings which are an integral part of the fertilizer operation are not subject to the foregoing buffer requirement.

#### 4.40 VEHICLE STORAGE

**4.40.1** No person shall use any site in the Agriculture/Resource District for the parking or storage of more than six (6) vehicles that are not in running order, unless they are adequately screened or shielded from view of passers-by; and except in the case of a permitted or discretionary vehicle storage establishment or auto wrecker.

- 4.40.2** No person shall use any site in a Country Residential District for the parking or storage of more than two (2) vehicles that are visible and not in running order.
- 4.40.3** No person shall use any site in a Lake Shore, Resort Recreation or Hamlet District for the parking or storage of more than one (1) vehicles that is visible and not in running order.
- 4.40.4** Where any outside storage of vehicles is proposed, the site shall be kept in a tidy and neat manner. The Municipality may require that the outside storage of vehicles be screened from roadways or neighbouring properties by landscape features, fences, or a combination thereof. This requirement shall also include any individual parts of a vehicle and any equipment or machinery involved with the storage of such vehicles.

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#### **4.41 LIGHTING**

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- 4.41.1** All outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties; interfere with the use and enjoyment of neighbouring lands; or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.
- 4.41.2** Appropriate lighting of commercial and industrial development shall be undertaken to provide security and to add visual interest. Lighting standards and fixtures shall be of consistent design and complementary to the overall architecture.
- 4.41.3** Public access areas shall be lit in keeping with the principles of crime prevention through environmental design and require site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent buildings and roads of parking and walkways.

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#### **4.42 DEVELOPMENT ALONG CREEKBANKS AND HAZARD LANDS (ENVIRONMENTALLY SENSITIVE LAND)**

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- 4.42.1** Development or subdivision proposed on or within 10 metres (32.81 feet) of the crest of a slope greater than 15% shall require supporting evidence of slope stability by a professional engineer.
- 4.42.2** The Development Officer may impose special conditions, such as but not limited to, engineered footings, drainage and /or septic systems in an effort to protect against erosion and/or stability of the bank.
- 4.42.3** Trees or vegetation shall not be cleared from any land within 10 metres (32.81 feet) of any watercourse, water body, escarpment, or of the crest of a slope greater than 15%, where the removal could have a negative impact on the water body or bank stability.



- 4.42.4** Unless a report by a registered professional engineer proves that it is safe to waive the building setbacks the following setbacks shall apply for all developments along a coulee, ravine or valley with or without a permanent watercourse. The top of bank shall be that line where the gradient of the slope measured from the upland leading down to the water body or watercourse first exceeds 20 percent.

*Table 3: Minimum Building Setback from the Top of a Bank*

<b>VERTICAL DEPTH OF COULEE, RAVINE OR VALLEY</b>	<b>MINIMUM BUILDING OR STRUCTURE SETBACK FROM THE TOP OF THE BANK</b>
Less than 3 metres (9.85 feet)	10 metres (32.81 feet)
Greater than 3 metres (9.85 feet) and less than 15 metres (49.22 feet)	10 metres (32.81 feet)
Greater than 15 metres (49.22 feet) and less than 30 metres (98.43 feet)	15 metres (49.22 feet)
Greater than 30 metres (98.43 feet)	20 metres (65.62 feet)

- 4.42.5** Where a parcel of land borders on or contains a water body, the setback from the bank of the water body shall be determined by the Municipality but shall not be less than 10 metres (32.81 feet) from a water body of 8 hectares (19.77 acres) or more.

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#### **4.43 GROUNDWATER**

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- 4.43.1** Subdivision approval recommendation or development permit approval shall not be issued if, in the opinion of Council, the groundwater would be adversely affected with respect to the following:

- .1 municipal servicing and costs;
- .2 existing and future groundwater requirements (based on a hydrological report from a qualified professional consultant);
- .3 potential contamination of the aquifer;
- .4 the quality of the water;
- .5 the quantity of the water;
- .6 the effects of the quantity and quality of water for adjacent developments, and;
- .7 the effects of development on any underlying aquifer formations.

- 4.43.2** Geotechnical Information: Geotechnical reports, information and data shall be required upon request of the Council or the approving authority. All reports of this nature shall be prepared by a qualified professional and may be required to address the possibility of slumping or other land instability on the proposed site, recommended areas to be avoided by development or conditions under which appropriate development may be approved.
- 4.43.3** Council may seek the assistance of Ministry of Environment (SE), the Saskatchewan Water Security Agency (WSA) and Ministry of Health or other relevant agencies in assessing any geotechnical information.
- 4.43.4** Based upon a review of hydrogeological or geotechnical data, Council may determine whether the proposed development would adversely affect the groundwater resource, the stability of the land or create prohibitive municipal servicing costs. Council shall make a recommendation for subdivisions or development approval based on this determination.

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#### **4.44 WASTE DISPOSAL**

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- 4.44.1** All liquid, solid and gaseous wastes and all toxic and hazardous substances shall be disposed of, handled, transported and managed according to federal, provincial and municipal requirements.
- 4.44.2** Dumping of chemicals or other noxious materials into the sanitary sewer system is strictly prohibited and shall be considered an offence.
- 4.44.3** Storage:
- .1 New Facilities: All chemicals, substances and material storage shall be installed, stored, constructed and maintained in an environmentally safe manner and according to all federal, provincial and municipal requirements.
  - .2 Abandoned, underground and surface storage facilities shall be removed to avoid pollution potential at Council's or a senior government's request.

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#### **4.45 AIR QUALITY**

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- 4.45.1** No development shall cause or create air contaminants, odorous matter, visible emissions, vapour and gases, particulate emissions, toxic or hazardous emissions or smoke, which would exceed federal, provincial or municipal requirements.

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#### **4.46 HABITAT AND WILDLIFE CONSERVATION**

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- 4.46.1** Where development is proposed in an area identified as containing critical wildlife habitat the Development Officer may require the applicant provide additional information as required by The Wildlife Habitat Protection Act (WHPA) and any other relevant provincial regulations.
- 4.46.2** Habitat and wildlife conservation uses shall be permitted uses in all zoning districts. Council may prohibit development and recommend subdivision refusal where proposals may adversely affect long-term wildlife conservation.
- 4.46.3** Council may specify development and subdivision requirements based on reports from qualified consultants or officials from the provincial government.
- 4.46.4** All development and subdivision proposals on private and Crown Lands which are within a Wildlife Management Area shall conform to:
- .1 The Wild Life Habitat Protection Act (WHPA) requirements;
  - .2 Any related Ministry of Environment or responsible Federal or Provincial Agency or Ministry provisions and requirements;
  - .3 Council specified wildlife development, management, conservation, mitigative and rehabilitation development standards to maximize long-term wildlife protection.

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#### **4.47 SITE DEVELOPMENT NEAR WATER SOURCES**

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- 4.47.1** If the proposed development will be within 150.0 metres (492 feet) of any public well or private or public dam which is licensed by the Saskatchewan Water Security Agency (WSA), Council may also require additional information from the applicant to ensure that the existing water supplies will not be jeopardized.
- 4.47.2** Council may require that before a permit may be issued, the applicant shall submit a report prepared by a professional who is competent to assess the suitability of the site for a development and that the development is suitable with respect to the required mitigation measures to develop in areas of high water table, near public wells, waste disposal sites or a private or public dam which is licensed by the WSA, and identified in the OCP.

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#### **4.48 NATURAL HAZARD LANDS-UNSTABLE SLOPES**

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- 4.48.1** No new development shall be permitted in any readily eroded or unstable slope area if the proposed development will be affected by or increase the potential hazard presented by erosion or slope instability.

- 4.48.2** Wherever possible, removal of vegetation should be minimized to protect slope stability; however, in cases where vegetation is removed, the root systems should be protected and maintained.
- 4.48.3** For the purpose of this Bylaw, the area considered to present potential erosion and/or slope instability hazard includes but is not limited to the slopes of the Last Mountain Lake or any tributary creeks and gullies extending from the edge of the flood plain in the valley, to the ridge of the slope at the top, plus a setback as determined by a required geotechnical report for a proposed development.
- 4.48.4** Council may, at their discretion, require a surveyor to determine where this line or crest of valley is located at the developer's expense and development will be setback from that line at all points.
- 4.48.5** Any application for a Development Permit on any parcel of land that lies wholly or partially within a potential erosion or slope instability area must be accompanied by a detailed site analysis prepared by a professional geotechnical engineer registered to practice in the Province of Saskatchewan. The site analysis shall include the following:
- .1 Indicate topography, surface drainage, geological, and geotechnical conditions at the site of the proposed development;
  - .2 Indicate the geotechnical conditions of the general area as they relate to slope instability and erosion hazards;
  - .3 If the proposed development will be detrimentally affected by natural erosion or slope instability;
  - .4 If the proposed development will increase the potential for erosion or slope instability that may affect the proposed development, or any other property;
  - .5 Define the hazard that may affect the proposed development and other potentially affected property;
  - .6 Identify hazard mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and slope stability impacts, and;
  - .7 Identify and explain known and suspected residual hazards.
- 4.48.6** The responsibility for monitoring and responding to monitored findings shall be resolved before an approval is granted.
- 4.48.7** Any and all costs associated with a professional geotechnical analysis shall be borne by the applicant, unless otherwise agreed upon by Council.
- 4.48.8** A Development Permit shall not be issued unless the geotechnical report for the site indicates that the site is suitable for development or outlines suitable mitigating measures and documents residual hazard.

- 4.48.9** If such an evaluation is not done, or having been done, Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, Council shall not be required to approve the application for development.

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#### **4.49 CAUTIONARY FLOOD HAZARD LANDS**

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- 4.49.1** Notwithstanding any other portion of this bylaw, the development of new buildings and/or additions to building or structures in the flood way of the 1:500 flood year elevation of any watercourse or water body is prohibited. In addition, development in the 1:500-year flood fringe is not allowed unless flood proofed up to an elevation of 0.5 metres above the 1:500-year flood elevation, which are to be determined by a qualified hydraulic engineer or as established by the Saskatchewan Water Security Agency.
- 4.49.2** No person shall backfill, grade, deposit earth or other material, excavate, or store goods or materials on these lands nor plant any vegetation parallel to the water flow. Dirt deposits shall not jeopardize or compromise site drainage outside of the site boundaries
- 4.49.3** "Hazardous Substances and Waste Dangerous Goods" are prohibited, as defined by the *Hazardous Substances and Waste Dangerous Goods Control Regulations* of the *Environmental Management and Protection Act of Saskatchewan*.
- 4.49.4** Any existing buildings within the 1:500-year floodway shall be prohibited from being replaced or expanded; buildings within the flood fringe may be replaced or expanded subject to appropriate flood proofing measures being provided. For the purpose of this Bylaw, appropriate flood proofing measures shall mean:
- .1 That all buildings shall be designed to prevent structural damage by flood waters;
  - .2 The first floor of all buildings shall be constructed above the designated flood design elevation (estimated peak water level, plus the ½ metre freeboard); and
  - .3 All electrical and mechanical equipment within a building shall be located above the designated flood design elevation.
  - .4 Legal non-conforming status compliance shall be applied to any and all applications to renovate, replace or expand permitted or discretionary buildings, structures or uses.

## 5.0 SIGNAGE REGULATIONS

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### 5.1 SIGNAGE

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**5.1.1** A development permit is required for the erection, display, alteration, relocation or replacement of any temporary or permanent sign unless exempted as follows:

- .1 Regular maintenance including painting and repairs due to deterioration;
- .2 Municipal and provincial agency signage;
- .3 Traffic Control signage;
- .4 Incidental signs containing traffic and pedestrian controls;
- .5 Signage intended to regulate hunting or trespassing on private property;
- .6 Agriculturally related signage including herbicide, insecticide or seed advertising promotional signage;
- .7 Real estate signage;
- .8 neon beverage signs, on or in the window of a commercial establishment or vending machine;
- .9 Residential name plates;
- .10 Works of art containing no advertising.

**5.1.2** The following general regulations shall pertain to temporary and permanent signage in all zoning districts unless otherwise stated:

- .1 All signs situated along a provincial highway shall comply with provincial highway regulations as amended from time to time.
- .2 A sign which is made from part of or is attached to, a fence is prohibited.
- .3 Signs shall be constructed in a permanent manner, of materials suitable for the purpose and life of the sign and shall be maintained and mounted in a condition that is safe, neat, clean and not unsightly or dangerous.
- .4 Signs which are deemed to be in disrepair shall be properly maintained or removed at the discretion of the Municipality.
- .5 A Development Officer may require that a sign be enhanced with landscaping or architectural features to improve aesthetics.
- .6 Offensive statements, words or pictures that do not conform to the amenities of the neighbourhood shall be prohibited.
- .7 Signs or sign structures shall not be located where they may interfere with, distract from, obstruct the view of, or be confused with any authorized traffic sign, signal or device.

- .8 Signs shall not be located in such a manner as to impede the view of any pedestrian or vehicular right of way, or railway crossing.
- .9 No intermittent flashing signs, neon or LED lighting shall be permitted in any Zoning District where it poses a distraction or safety concern and all illuminated signs shall be designed to cast light downwards and located appropriately to prevent the creation of a hazardous situation related to pedestrian and vehicular traffic.
- .10 downwards and located appropriately to prevent the creation of a hazardous situation related to pedestrian and vehicular traffic.
- .11 No signs shall be permitted which move or assume any motion.
- .12 Signs identifying multi-parcel country residential developments may be permitted.
- .13 Incidental signage shall not exceed 0.47 m<sup>2</sup> (5.0 ft<sup>2</sup>) of gross surface area and shall not contain any advertising.
- .14 No permanent sign shall be placed on or over public property unless specifically permitted within this Bylaw.
- .15 Where a sign will be located adjacent to a provincial highway, The Highways and Transportation Act will govern placement requirements.

**5.1.3** Temporary Signage maybe placed in public right of ways for the purpose of advertising special events and will be limited to the following:

- .1 The lesser of 12 hours prior to the start of the special event and 12 hours after conclusion or for a continuous period of 72 hours for a private sale;
- .2 The lesser of 24 hours prior to the start of the special event and 24 after conclusion or for a continuous period of 96 hours for a non-profit organization;
- .3 Signage will maintain a separation distance of 9.15 metres (30 feet) from another temporary or permanent sign, 3.05 metres (10 feet) from a site access point and 9.15 metres (30 feet) from an intersection;
- .4 Signage shall not exceed 1 m<sup>2</sup> (3.28 ft<sup>2</sup>) in gross surface area and 1.22 metres (4 feet) in height;
- .5 Election signage is permitted as temporary signage and is permitted only if it is erected no earlier than 30 days prior to the date of the election, by-election, referendum or plebiscite and removed 24 hours following the close of voting stations.

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## 5.2 GENERAL ZONING DISTRICT SIGN REGULATIONS

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The specific zoning district sign regulations shall apply in addition to and take precedence over the following general sign regulations. Other than signage that does not require a permit, the following permanent signage requirements will apply:

### 5.2.1 Agricultural Resource District

#### *Large Scale Agricultural Resource Uses*

- .1 Free standing signs shall not exceed a gross surface area of 11.15m<sup>2</sup> (120ft<sup>2</sup>) and a height of 7.93 metres (26 feet).

- .2 One attached sign shall be permitted not exceeding 5.95 m<sup>2</sup> (64 ft<sup>2</sup>) in gross surface area.
- .3 Where a building maintains direct exposure to more than one public right of way, a second attached sign shall be allowable following the previous regulations.

### 5.2.2 Lakeshore/Country Residential/Recreational Resort Districts



#### *Home Businesses*

- .1 1 per building frontage to a maximum gross surface area of 0.93 m<sup>2</sup> (10ft<sup>2</sup>) for an approved Home Based Business or occupation.
- .2 Installed at a maximum height of 2.44 metres (8 feet).
- .3 Illumination limited to 1,100 lumens and shall not include electronic message boards.

### 5.2.3 Institutional / Recreational Uses



- .1 Free standing signs shall not exceed a gross surface area of 5.58 m<sup>2</sup> (60 ft<sup>2</sup>) and a height of 2.44 metres (8 feet).
- .2 One attached sign shall be permitted not exceeding 5.95 m<sup>2</sup> (64 ft<sup>2</sup>) in gross surface area.
- .3 Signage shall maintain a separation distance of 12.20 metres (40 feet) for every square metre (10.76 square feet) of area of the larger of the two signs.

### 5.2.4 Commercial and Industrial Districts



- .1 1 per building frontage to a maximum gross surface area of 0.93 m<sup>2</sup> (10 ft<sup>2</sup>) for an approved commercial use.
- .2 Installed at a maximum height of 3.66 metres (12 feet).
- .3 Illumination limited to 1,100 lumens and shall not include electronic message boards.
- .4 Commercial and Industrial
- .5 Free standing signs shall not exceed a gross surface area of 13.94 m<sup>2</sup> (150 ft<sup>2</sup>) and a height of 16.77 metres (55 feet).
- .6 The cumulative area of attached signage permitted shall be calculated as 0.84 m<sup>2</sup> (9 ft<sup>2</sup>)
- .7 (9 ft<sup>2</sup>) per lineal metre of building frontage not exceeding 20 % of the total surface area of the wall in which it is attached and individual signs shall exceed 5.58 m<sup>2</sup> (60 ft<sup>2</sup>).
- .8 Signage shall maintain a separation distance of 12.20 metres (40 feet) for every square metre (10.76 square feet) of gross surface area of the larger of the two signs.



## 6.0 PARKING OR LOADING REQUIREMENTS

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### 6.1 PARKING

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- 6.1.1** All required parking and loading facilities are intended for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the principal building or use for which the parking and loading facilities are provided. Parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind.
- 6.1.2** Required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site.
- 6.1.3** Parking Schedules for the type of nature of use, building or structure and minimum required parking spaces are provided in each zoning district in this Zoning Bylaw.
- 6.1.4** The parking facility shall be located on the same site as the use for which it is intended. It shall be developed such that:
- .1 It is reasonably accessible to the use and vehicles it is intended to serve;
  - .2 It meets the satisfaction of the Municipality regarding design;
  - .3 It is appropriately landscaped to the satisfaction of the Municipality.
  - .4 All parking facilities shall be maintained to the satisfaction of the Municipality by the owner of the property.
  - .5 Each parking space within a parking facility shall be a minimum of 2.44 metres (8 feet) wide and 6.10 metres (20 feet) long except that parallel parking spaces shall be a minimum of 6.41 metres (21 feet) long.
  - .6 Where two or more uses are permitted on any one site or where two or more uses are to share common parking facilities, the off-street parking requirements for each use shall be calculated as if each is a separate use and the total number of off-street parking spaces so calculated shall be provided, excepting the provisions specifically referred to in the previous subsection.
  - .7 One (1) barrier free parking space shall be provided for any required parking facility accommodating between 4 and 100 parking spaces.
- 6.1.5** Any parking facility shall be developed to the satisfaction of the Municipality within one year of the completion of the development for which the development permit was issued.
- 6.1.6** When a building is enlarged or altered in such a manner as to cause an intensification or change of use, provisions shall be made for additional parking spaces as required by the previous subsection.

**6.1.7** Parking requirements for Country Residential and Recreational use are:

- .1 One (1) parking space for every 18.03m<sup>2</sup> (194ft<sup>2</sup>) of gross floor area; minimum five spaces. Where the use does not include measurable floor space within an acceptable principal building, parking requirements shall be determined by Council on a case to case basis based upon projected peak use and typical use parking requirements.

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**6.2 PARKING REQUIREMENTS**


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**6.2.1 Commercial Use:** One (1) parking space for every 18.0m<sup>2</sup> (193.76 ft<sup>2</sup>) of gross floor area; minimum five spaces.

**6.2.2 Industrial Use:** One and one-half (1 1/2) parking spaces for every 90.0m<sup>2</sup> (968.79 ft<sup>2</sup>) of gross floor area, but there shall not be less than one (1) parking space for every three (3) employees.

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**6.3 LOADING REQUIREMENTS**


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Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods, or merchandise, adequate space for such vehicles to stand for loading and unloading without restricting access to all parts of the site shall be provided on the site.

**6.3.1** On-Site Loading Spaces

**Width:** 5.5 metres (18.05 feet)

**Length:** 12.5 metres (41.02 feet)

**Height Clearance:** 4.5 metres (14.77 feet)

**6.3.2** Required Loading Spaces

- .1 **1 space:** Between 93 m<sup>2</sup> (1001.08 ft<sup>2</sup>) and 800 m<sup>2</sup> (8,611.42 ft<sup>2</sup>) of gross floor space
- .2 **2 spaces:** Between 800 m<sup>2</sup> (8611.42 ft<sup>2</sup>) and 5,500 m<sup>2</sup> (59,203.45 ft<sup>2</sup>) of gross floor space
- .3 **3 spaces:** Between 5,500 m<sup>2</sup> (59,203.45 ft<sup>2</sup>) and 10,000 m<sup>2</sup> (107,642.62 ft<sup>2</sup>) of gross floor space
- .4 **3 spaces plus one for each additional 4,000 m<sup>2</sup> (43,057.05 ft<sup>2</sup>) of gross floor area or fraction thereof:**  
Greater than 10,000 m<sup>2</sup> (107,642.62 ft<sup>2</sup>) of gross floor area

## 7.0 ZONING DISTRICTS AND ZONING MAPS

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### 7.1 ZONING DISTRICTS

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For the purpose of this Bylaw, the Rural Municipality of McKillop No. 220 is divided into several Zoning Districts that may be referred to by the appropriate symbols.



### 7.2 ZONING MAPS

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The map, bearing the statement "Zoning Map" referred to in Bylaw No. 376/2019 adopted by the Municipality, signed by the Reeve and Administrator under the seal of the Municipality and such map is hereby declared to be an integral part of this Bylaw.

### 7.3 BOUNDARIES OF ZONING DISTRICTS

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- 7.3.1** The boundaries of the Districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled, "Zoning Map".
- 7.3.2** Unless otherwise shown, the boundaries of zoning Districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the Municipality.
- 7.3.3** Where a boundary of a District crosses a parcel, the boundaries of the Districts shall be determined using the scale shown on the map.
- 7.3.4** Where the boundary of a District is also a parcel boundary and the parcel boundary moves by the process of subdivision, the District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Bylaw.

## AR1

## 8.0 AGRICULTURE/RESOURCE 1 DISTRICT

The purpose of the Agriculture/Resource 1 District (AR1) is to provide for and preserve large areas capable of accommodating a diversity of general agricultural operations including field and forage crops, irrigation, small intensive agricultural operations, related agricultural diversification activities and resource exploration and development.

In the Agriculture/Resource 1 District (AR1), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

## 8.1 PERMITTED USES

The Permitted Uses and Minimum Development Standards in the AR1 District are set out in the following chart:

AR1 District	Minimum Development Standards (in Metres)						
	Site Width	Site Area (Ha)	Front Yard	Side Yard	Rear Yard	Max. Height	Minimum Floor Area (m <sup>2</sup> )
<b>8.1 Permitted Uses</b> <sup>(12) (13)</sup>							
Agricultural Operation <sup>(1)</sup>	30	64.76 <sup>(14)(15)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Dwelling, Single-Detached <sup>(2)</sup>	30	64.76 <sup>(14)(15)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	74.3
Domestic Game Farm	30	64.76 <sup>(14)(15)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	
Oil and Gas Well, but Excluding Intensive Oil and Gas Development	30	0.8 <sup>(3)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Grain Elevator	30	-	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Institutional Use	30	0.8 <sup>(3)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	-
Places of Worship	30	0.8 <sup>(3)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	-
Cemetery, Mausoleum, or Crematorium	30	-	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Museum	30	0.8 <sup>(3)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	-
Equestrian Facility	30	0.8 <sup>(3)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	-
Historical and Archeological Site	30	0.8 <sup>(3)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Abattoir	30	0.8 <sup>(3)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Animal Hospital	30	0.8 <sup>(3)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	74.3
Animal Clinic	30	0.8 <sup>(3)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	74.3
Animal Kennel	30	4.05	45.72 <sup>(4) (12)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	74.3
Apiary, Hatchery, or Mushroom Farm	30	64.76 <sup>(14)(15)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Intensive Horticulture	30	64.76 <sup>(14)(15)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Mineral and Resource Development	30	64.76 <sup>(14)(15)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Habitat and Wildlife Conservation	30	0.8 <sup>(3)</sup>	30 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Community Facility	-	-	-	-	-	-	-
Public Utility	-	-	-	-	-	-	-
Portable Storage Unit	Refer to Section 8.4.5						
Home Based Business	Refer to Section 4.34						
Accessory Building, Use or Structure	Refer to Section 4.9						

## 8.2 DISCRETIONARY USES

The Discretionary Uses and Minimum Development Standards in the AR1 District are set out in the following chart:

AR1 District	Minimum Development Standards (in Metres)						
	Site Width	Site Area (Ha)	Front Yard	Side Yard	Rear Yard	Max. Height	Minimum Floor Area (m <sup>2</sup> )
<b>8.2 Discretionary Uses</b> <sup>(12) (13)</sup>							
Intensive Livestock Operation <sup>(1) (7)</sup>	30	2.03	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
P.M.U., Poultry Operation and Feedlot <sup>(1)</sup>	30	64.76 <sup>(14)(15)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Farmer's Market	30	2.03	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	74.3
Commercial Storage	30	0.8 <sup>(3)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	8	74.3
Cottage Winery	30	0.8 <sup>(3)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	8	74.3
Stock Yard	30	0.8 <sup>(3)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	74.3
Auction Mart/Market	30	2.03	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	74.3
Auto Wrecker	30	2.03	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	8	74.3
Grain Storage Sites Greater than 200,000 Bushels	30	-	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Dwelling, Single Detached Accessory <sup>(6)</sup>	30	64.76 <sup>(14)(15)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	74.3
Aggregate Resource Extraction, Storage and Processing	30	0.8 <sup>(3)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
General Industrial - Type III	30	0.8 <sup>(3)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	-
Bulk Fuel Sales and Storage	30	0.8	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	-
Oil and Gas Related Commercial and Related Use	30	0.8 <sup>(3)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Intensive Oil and Gas Development	30	0.8 <sup>(3)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Solid and Liquid Waste Disposal Facility <sup>(7)</sup>	30	-	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Agricultural Industry	30	64.76 <sup>(14)(15)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Agricultural Tourism	30	64.76 <sup>(14)(15)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Tower <sup>(8)</sup>	30	-	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	60.96	-
Private Airstrip	30	16.19	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Racetrack	30	15	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Recreational Use	30	0.8 <sup>(3)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	-	-
Cannabis Production Facility <sup>(16)</sup>	30	0.8 <sup>(3)</sup>	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	-
Heritage Resource Development	-	-	45.72 <sup>(4) (11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	-
Renewable Energy Technology <sup>(9)</sup>	Refer to Section 4.32						
Bed and Breakfast Home <sup>(10)</sup>	Refer to Section 4.33						
Daycare Centre	Refer to Section 4.35						

## 8.3 FOOTNOTES TO DEVELOPMENT STANDARDS

- .1 Agricultural operations excluding intensive livestock operations, P.M.U.'s, poultry operations, or feed lots.
- .2 One detached one-unit dwelling, RTM, modular or mobile home placed on a permanent foundation is permitted on each subdivided site.
- .3 Non-agricultural land uses shall be permitted on a site no less than 0.8 hectares and no larger than 8.0 hectares in size, unless otherwise permitted by this Bylaw.

- .4 In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, all buildings shall be setback a minimum of 45.72 metres (150 feet) from the center of the road.
- .5 All buildings shall have a minimum side and rear yard setback a minimum of 15.0 metres (49 feet); except where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.
- .6 One dwelling unit which is accessory to and located on the same site as the primary residence may be permitted at Council's discretion.
- .7 No dwelling shall be located with less than a minimum separation distance to an operation other than the residence of the operation as follows:
  - i.** 305 metres (1000.7 feet) from a honey processing plant;
  - ii.** 305 metres (1000.7 feet) to a non-refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan;
  - iii.** 600 metres (1968.5 feet) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan;
  - iv.** The separation distance to an intensive livestock operation as regulated by Section 7.5.7 of this Bylaw;
  - v.** 305 metres (1000.7 feet) from a licensed public or private liquid waste facility;
  - vi.** 457 metres (1500 feet) from a licensed public or private solid waste facility, and;
  - vii.** Council may reduce the minimum separation distance to the operations listed above, as a special standard where the applicant submits written agreement Council between the land owner of the dwelling and the owner of the operation agreeing to the reduces separation (Council shall maintain a register of all such agreements).
- .8 See Section 4.31 for further provisions related to towers.
- .9 Micro Wind Energy Projects and Geoexchange Systems are a permitted use in the AR1 District so long as the provisions outlined in Section 4.32.2.a are met and adhered to.
- .10 Bed and Breakfast homes where they form part of a permitted dwelling – single detached.
- .11 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent sites.
- .12 Notwithstanding Section 8.3.14, a maximum of 1 (one) site will be allowed per quarter section for any of agricultural, residential or commercial principal uses.
- .13 One additional site will be allowed per quarter section for agricultural, residential or commercial principal use where the site is physically separated from the remainder of the quarter section by a registered roadway or railway right-of-way with direct access to a developed public road.
  - i.** A site to be created by subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a developed road, including any road to be developed under a signed servicing agreement.

- ii. Any parcel which does not conform to the minimum site area requirement but existed in the Information Services Corporation (Land Titles Office) prior to the coming into force of this Bylaw shall be deemed conforming with regard to site area.
  - iii. Subdivision proposing to establish new non-farm, single parcel country residential sites in excess of 2 sites per quarter, shall be subject to rezoning to an appropriate Country Residential District and compliance with all relevant area, frontage and setback requirements of that zoning district.
  - iv. There shall be no minimum area required for a subdivision for cemeteries, crematoria, mausoleums, radio, television towers or related facilities.
- .14 The minimum site area constituting an agricultural operation or agricultural holding shall be 64.76 hectares (160 acres) or equivalent. Equivalent shall mean 64.76 ha (160 acres) or such lesser amount as remains in an agricultural holding because of the original township survey, road widening, road right-of-way or railway plans, drainage ditch, pipeline or transmission line development or government action, natural features such as water courses or water bodies, or as a result of subdivision as permitted herein.
- .15 A reduced agricultural site area below 64.76 hectares (160 acres), may be permitted at Council's discretion for the purpose of farmland consolidation, estate planning settlement, farm debt restructuring, as a result of a permitted or discretionary subdivision, due to topographical or physical limitations, or where legitimate discretionary agricultural activities require a lesser amount (i.e. apiaries, greenhouses). See Section 4.30 for further provisions relating to Towers.
- .16 A cannabis production facility shall not be located within 160 metres (525 feet) of a community centre, daycare centre, or residential zoning district.

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## 8.4 SUPPLEMENTARY PROVISIONS

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In addition to the development standards for permitted and discretionary land uses for the AR1 District, the following supplementary development provisions shall be considered and applied to the following land use considerations.

### 8.4.1 Accessory Building, Structure and Use

In addition to the general provisions found in Section 4.9, the following provisions apply to accessory buildings, structures and uses in the AR1 District:

- .1 Farm buildings and Grain systems such as grain handling equipment, silos, dryers, bins, barns, equipment sheds and other similar accessory uses specific to farming operations are, at the discretion of Council, exempt from the building height and setback requirements for this District.
- .2 Manure applications associated with livestock and agricultural composting are considered accessory to an agricultural operation where the spreading occurs on the parcels owned or leased by the producer; or where expressed written consent is provided by the owner. If spreading is to occur on another parcel, refer to Section 8.4.7 of this Bylaw.
- .3 Facilities for the direct sale of crops grown by the agricultural operation including orchards and market gardens shall be considered accessory to a farmstead or residence in the Agriculture/Resource District.

- .4 One dwelling unit which is accessory to the and located on the same site as primary residence may be permitted at the discretion of Council.
- .5 Bed and breakfast homes are permitted where they form a part of a permitted single detached dwelling.
- .6 Accessory buildings shall be setback a minimum of 6.0 metres (19.69 feet) from any site line unless otherwise prescribed by this Bylaw.

#### **8.4.2 Agricultural Tourism**

In addition to the general provisions found in Section 4.9, the following provisions apply to agricultural tourism uses in the AR1 District:

- .1 Agricultural tourism uses shall be accessory to an agricultural farm operation or dwelling permitted in the AR1 District.
- .2 Agricultural tourism uses shall display a high visual quality and shall be integrated into the rural environment by virtue of appropriate design, location and landscaping. Agricultural tourism uses may only be approved where they would not:
  - i. unduly interfere with the amenities or change the character of the neighborhood;
  - ii. materially interfere with or affect the use and enjoyment of adjacent properties;
  - iii. adversely impact upon the environment; or
  - iv. result in excessive demand on municipal services, utilities or public roadway access;

#### **8.4.3 Agricultural tourism uses shall comply with all provincial environmental and health regulations.**

#### **8.4.4 Animal Kennel**

In addition to the development standards for permitted uses in Section 8.1, the following additional considerations shall be made for all applications for an Animal Kennel in the AR1 District:

- .1 The maximum number of animals not normally attributed to the host site to be kept on-site shall be at the discretion of Council.
- .2 No building or exterior exercise area(s), to be used to accommodate the animals shall be allowed within 304.80 metres (1,000 feet) of any dwelling located on adjacent lots.
- .3 All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council.
- .4 Pens, rooms, exercise runs and holding stalls may be soundproofed to the satisfaction of Council.
- .5 All dog facilities shall be visually screened from existing dwellings on adjoining lots.
- .6 Details of animal wastes/sewage disposal shall be included in the application.



- .7 No animals shall be allowed outdoors between the hours of 9:00 p.m. to 7:00 a.m. daily. During this time period, all animals shall be kept indoors.
- .8 Animal kennels shall at no time unduly interfere with the character of the neighbourhood or the general enjoyment of adjoining sites.
- .9 There shall be no external advertising other than a sign of not more than 0.93 m<sup>2</sup> (10 ft<sup>2</sup>) erected in accordance with the Sign Regulations contained herein.
- .10 Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- .11 Animal kennels shall be subject to relevant Bylaws and legislation governing noise and public health.
- .12 All permits issued shall be valid for a two-year period from the date of issuance and shall be subject to cancellation by the Municipality for due cause.
- .13 Failure to comply with any of the above regulations or the conditions of a development permit may result in the revoking of the permit by the Municipality.

#### **8.4.5 Portable Storage Unit**

In addition to the development standards for permitted uses found in Section 8.1 of this Bylaw, Portable Storage Units may be accommodated for warehousing or storage purposes in the AR1 District under the following conditions:

- .1 Adherence to any permit or building bylaw or licensing requirement in effect in the Municipality;
- .2 Issuance of a Development Permit to the landowner, where the unit is located;
- .3 They are accessory to an approved and permitted principal building, structure or use;
- .4 All units must be properly anchored as per manufacturers or insurers specifications;
- .5 No unit shall be placed or located in a front or side yard;
- .6 The portable storage unit shall not exceed a gross floor area of 39.4 m<sup>2</sup> (424 ft<sup>2</sup>);
- .7 Units shall be located a minimum of 3.0 metres (9.84 feet) from the principal building, structure or use;
- .8 Unit shall be setback a minimum 1.5 metres (4.92 feet) from the side or rear property lines and all other structures on the property;
- .9 Units determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality;
- .10 Units must meet the National Building Code Standards where applicable;
- .11 Where the Municipality considers necessary, all affected parties may be required to enter into a development agreement to assure applicable development standards are adhered to.

#### **8.4.6 Equestrian Facility**

In addition to the development standards for permitted uses found in Section 8.1 of this Bylaw, the following additional considerations shall be made for all applications for an Equestrian Facility in the AR1 District:

- .1 The development permit shall set the maximum number of horses and cattle, if applicable, that may be kept on the site.
- .2 An animal is kept, for purposes of this section, when it is on the site overnight.
- .3 That the number of animals allowed as a condition of the permit to participate in an event are in addition to the number that are allowed to be kept on the site.
- .4 The development permit shall set out conditions that address garbage and manure control, pasture management, on site stock trailer parking, participant and spectator parking.
- .5 The application shall include a Storm Water Management Plan for all areas of the parcel of land disturbed during or as a result of the development of the Equestrian Facility and supporting facilities.
- .6 The application shall include a traffic impact analysis that includes current and projected traffic for the next ten years in the vicinity.
- .7 A condition of the development permit may require there be a contribution towards upgrading of access roads should the road network require upgrading because of the impact of the facility.
- .8 Details of water supply and sewage disposal shall be included with the application.
- .9 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

#### **8.4.7 Intensive Livestock Operation**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following considerations shall be made in addition for all applications for an Intensive Livestock Operation:

- .1 For the purpose of this section, an Intensive Livestock Operation (ILO) shall be defined as the rearing, sustaining, finishing or breeding by means other than grazing of more than 100 animal units of livestock or where the space per animal unit is less than 371.6 m<sup>2</sup> (4000 ft<sup>2</sup>), including buildings and structures directly related to the operation but not including a residence, seasonal feeding or bedding sites.
- .2 In addition to the general requirements for a discretionary use as provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for:
  - i. New ILOs;
  - ii. Expansion of Existing ILOs;
  - iii. Any temporary facility or part of a site; or
  - iv. The alteration of an animal species in an approved operation.
- .3 In addition to any requirements contained herein, all applications for an ILO shall conform to the regulations provided within The Agricultural Operations Act, 1995.

- .4 As a condition of approval, the Municipality shall specify the maximum number of animal units for which the approval is made, specify land which may or may not be used for the disposal or storage of manure from an ILO in order to minimize potential land use conflicts.
- .5 The applicant shall be responsible for submitting a site plan and narrative including the following:
  - i. The size and type of facility;
  - ii. A sketch plan showing the location of existing and proposed buildings and the distance from the development site to every residence within 1.6 km (1 mile);
  - iii. The number and type of animals including identification of any risks of disease;
  - iv. Manure storage and disposal strategies including identification of all parcels including their acreage intended to host the disposal; Identification of surface water and residential development on or adjacent to the parcels intended for hosting the disposal of manure;
  - v. Provide a copy of written agreements with landowners for all parcels intended to host the disposal of manure where the parcels are not controlled by the operator;
  - vi. Identification of the location of potentially affected surface and groundwater sources on and adjacent to the site including distance measurements to these watercourses;
  - vii. Identification of the reason for this site being selected including what characteristics exist that makes it suitable for hosting the operation. The Municipality may, at its discretion, require the submission of a soils and water test conducted by a qualified agricultural engineer to confirm that the site selected is capable of accommodating the activities proposed;
  - viii. Identification of socioeconomic benefits of the operation to the area as well as a brief discussion of the potential conflicts associated with the operation in addition to any mitigative actions to be taken to minimize these effects on adjacent land uses;
  - ix. Servicing requirements associated with the operation including but not limited to road upgrades and availability of adequate water sources;
  - x. Type, volume and frequency of traffic associated with the transportation of animals and food to and from the site.
- .6 When considering the operational/environmental aspects of an application, the Municipality shall refer all development permit applications to the Ministry of Agriculture for review and recommendation regarding waste storage, nutrient and mortality management.

- .7 ILOs shall refer to the following recommended minimum distance separations:

Table 4: Minimum Setback

TYPE OF DEVELOPMENT	300-499 ANIMAL UNITS	500-2000 ANIMAL UNITS	> 2000 ANIMAL UNITS
Single family dwelling not owned by the ILO operator	400 metres (1312.34 feet)	760 metres (2493.44 feet)	1225 metres (4019.03 feet)
Multi-Parcel Country Residential Acreages, Hamlets, Lake Shore Residential, tourist accommodation or Campground	760 metres (2493.44 feet)	1225 metres (2493.44 feet)	2400 metres (7874.02 feet)
Towns and Villages	1600 metres (5249.34 feet)	2400 metres (7874.02 feet)	3200 metres (10498.69 feet)

Note: Distances are measured between livestock facilities and any dwelling, hamlet, village or town development not owned by the ILO operator.

- .8 The Municipality may grant a reduction of the separation distance criteria where it can be proven that a proposal will not negatively impact adjacent land uses. The cost of any such studies shall be borne by the applicant. Prior to granting a reduction, the Municipality will consult with all agencies deemed appropriate and may require registered written agreement from all land owners directly affected by the reduction.
- .9 In determining proximity to a multi-parcel residential subdivision, village, town, or recreational use, separation distances shall be measured from the area of confinement of the animals to the property boundary of the closest developable parcel. Within an approved subdivision or development.
- .10 In determining proximity to a dwelling unit – single family located on agricultural property or within a single parcel country residential subdivision not owned by the Intensive Agricultural Operator, separation distances shall be measured from the area of confinement of the animals to the closest part or portion of dwelling unit.
- .11 ILOs existing at the time of the adoption of this Bylaw shall continue. However, any expansion of the operation or change of animal species or type of operation is required to obtain written approval from Council in accordance with the requirements and conditions of this Bylaw.
- .12 At Councils' discretion, the ILO operator may be required to enter into a road maintenance agreement to pay for the maintenance of roads required to provide access to the development.

#### 8.4.8 Manure Application from a Non-Intensive Livestock Operation

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all manure applications for non-intensive livestock operations.

- .1 All new or expanding non-intensive livestock operations (those which do not require an ILO permit from the Ministry of Saskatchewan Agriculture) including those which are under 300 animal units, are prohibited from applying manure within 300 metres (984.25 feet) of a neighboring dwelling (including the potable water supply of that dwelling) or inside an Environmentally Sensitive Overlay District. The prohibition in this subsection shall not apply in the case of an existing operation which qualifies under this Bylaw and the Act as a legal, nonconforming use.

- .2 If a willing neighbour and the owner of the farming operation agree in writing to the new location for the manure application within the 300 metres (984.25 feet) distance of the neighbor's dwelling, Council will consider the agreement as part of an application for a discretionary use permit with a condition exempting the operator from this setback requirement. Prior to making a decision on the proposed discretionary use permit, Council shall consider the proposal in relation to:

- i. the soil type;
- ii. local topography;
- iii. expected manure constituents and application rates,
- iv. the adequacy of the proposed separation to reduce odour and nuisance; and
- v. any other matter identified by Council.

The operator may also be asked to supply a report from a professional agrologist or engineer registered to practice in Saskatchewan commenting on the environment effects of the proposal; and may also be referred to the provincial agencies for comment.

- .3 Notwithstanding that the owner of a non-intensive livestock operation and a neighbour may sign an agreement to consent to manure application closer than 300 metres (984.25 feet) from the neighbour's dwelling, Council shall not be bound by that agreement in requiring a smaller separation distance.
- .4 Where such reduction is feasible, in Council's opinion, Council may only approve a lesser separation of up to 10% variance from the relevant separation in that subsection, where the applicant submits a copy of a signed agreement between the operator of the ILO and the neighbour. Where such agreements are made, Council shall be a party to the agreement and may use Section 236 of the Act to register the agreement as an interest on the title of the affected lands.

#### **8.4.9 Aggregate Extraction**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following provisions shall apply to all applications for Aggregate Extraction activities:

- .1 An application proposing a new aggregate extraction use or an expansion to an existing aggregate extraction operation shall be a discretionary use and comply with all appropriate Provincial and Federal regulations.
- .2 Land use incompatibility, nuisance and pollution shall be minimized;
- .3 Aggregate resources shall be carefully developed and conserved, where feasible;
- .4 Planned activities shall maximize public safety;
- .5 The environmental implications and consequences of the operation, including plans for site restoration shall be considered during the approval process.
- .6 All new or expanding aggregate extraction operations are prohibited from operating within 300 metres (984.25 feet) of a neighboring dwelling (including the potable water supply of that dwelling) or inside an Environmentally Sensitive Overlay District;
- .7 Aggregate extraction development and subdivision shall adhere to and require the following:

- i. An approved Development Permit from the Municipality;
  - ii. That the operator provides the Municipality with a damage deposit or performance bond that shall be negotiated and agreed upon prior to the approval of a Development Permit;
  - iii. A legal plan of survey in addition to a textual description of the permitted area; and
  - iv. A detailed operation and excavation plan as well as a complete restoration scheme outlining, in detail, the activities of exploration, development, production and restoration.
- .8 This plan shall:
- i. Identify the location and area of the site where the excavation is to take place;
  - ii. Identify the expected life expectancy of the deposit if applicable;
  - iii. Confirm the type and dimensions including average depth of the proposed excavation, and the effect on existing drainage patterns on and off the site;
  - iv. Identify the expected emission of outdoor noise and discharge of substances into the air;
  - v. Confirm the methods for preventing, controlling, or reducing erosion;
  - vi. Identify proposed access and hauling activities (including number of trucks, tonnage, and hours of hauling);
  - vii. Confirm the extraction, operation, and staging, including
  - viii. years, dates and hours of operation;
  - ix. plans to securely fence and gate any open excavation to restrict access by the general public; and
  - x. the location of required signage displaying "Caution: Open Excavation", to the satisfaction of the Development Officer.
  - xi. Provide an overview of the condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected. This shall include that all open excavations will be restored immediately following extraction activities; or once extraction activities have ceased for more than 12 consecutive months.
- .9 The Operator's proof of liability insurance;
- .10 The Operator's proof of damage deposit or performance bond;
- .11 An Affidavit of Execution in the case that the Operator is not a corporation and does not have a corporate seal. This is a document attesting the permit holder's signature when the permit is signed.
- .12 Council may, at their discretion, specify development conditions and subdivision referral recommendations in conjunction with provincial agencies regarding site development, modifications and location;
- .13 Council may, at their discretion, require the operator to enter into a Municipal Road Servicing Agreement to cover the costs related to maintenance and reconstruction of roads as a result of aggregate extraction activities.
- .14 Other requirements as determined by Council to achieve the goals and principles outlined in the Official Community Plan and to comply with Bylaw regulations and policies.

**8.4.10** Aggregate Resource extraction industries are permitted at Council's discretion as prescribed in AR2-Agricultural/Resource District in accordance with the following conditions:

- .1 The applicant shall ensure that dust and noise control measures are undertaken to prevent such items from becoming a nuisance to neighbouring landowners. The applicant shall conduct dust control procedures at the request of and to the satisfaction of the Municipality. Additionally, stockpiles shall be located in a position to act as a sound barrier. Also, the applicant shall attempt to minimize the noise created by machinery and equipment.
- .2 The applicant shall keep the area subject to the Development Permit in a clean and tidy condition free from rubbish and non-aggregate debris.
- .3 Access routes into extraction areas shall be located away from residential areas.
- .4 A disturbed area shall be reclaimed to a land capability equivalent to the pre-disturbance land capability (e.g. agricultural land) or a post-disturbance condition and land use (e.g. conversion to wetland) which are satisfactory to the Municipality. These conservation and reclamation procedures shall be in accordance with the *Guidelines for Environmental Protection during Development and Restoration of Sand and Gravel Pits, Saskatchewan Environment and Public Safety, 1983*.
- .5 Any Aggregate Resource extraction industry proposed to be located within 100.0 metres (328 feet) of any municipal road, provincial highway or major waterbodies or riparian areas, shall be permitted only where it would not adversely impact the environment, or materially interfere with or affect adjacent lands.
- .6 Aggregate Resource extraction industries shall have regard to adjacent land uses and no material is to be stored or piled on any road allowance or within 150.0 metres (492.13 feet) of the bank of any river or watercourse, and in conformance with the provisions set out in this Bylaw.
- .7 The general resource extraction operator and any person who hauls the aggregate may be required to enter into a road maintenance agreement.
- .8 The Municipality may require the developer to sign an agreement for road maintenance pursuant to *The Municipalities Act*, as a condition of the approval.
- .9 The Aggregate Resource extraction operator must report the amount of aggregate extracted by November 1 of each year or the end of the hauling season whichever comes first.

The Municipality may require the Aggregate Resource extraction operator to post a performance bond to guarantee adherence to the above noted agreements.

**8.4.11** Mineral and Resource Development

Mineral and Resource Development is a permitted land use so long as proposed development complies with the regulations outlined in Section 8.1 of this Bylaw in addition to the following development regulations:

- .1 Potash, Fertilizer and Ethanol Plant Development
  - i. Potash mining operations including, but not limited to, mine offices, maintenance and processing building, headframes, wells, pipelines and storage facilities will be accommodated as a Permitted use. Fertilizer plants or the development of an ethanol plant, whether in

association with potash mining or fertilizer operations or as an independent operation, will be accommodated as a permitted use.

- ii. Other related processing and service related development (tailing ponds, tailings piles, etc.) will be considered as accessory uses to mining operations and also accommodated as permitted use, if such uses are already regulated by Provincial or National Departments or Agencies. Other related processing and service related development which is not regulated by those Departments or Agencies shall be accommodated as discretionary uses.
- iii. Potash, Fertilizer and Ethanol Plant Development shall refer to the minimum separation distance requirements found in Table 5 below.
- iv. At the project planning phase, Potash, Fertilizer and Ethanol Plant Development Operators proposing to construct, operate or expand their facilities within the municipal boundaries are required to first meaningfully engage the local community to discuss the proposed plans with residents before moving forward with an environmental impact assessment.
- v. The Council may require that the Operator provide the Municipality with a damage deposit or performance bond that shall be negotiated and agreed upon prior to the approval of a Development Permit;
- vi. Council may require that the Operator provide payment in lieu of any construction, maintenance, and upgrades to municipal infrastructure required to facilitate and accommodate a mining and resource development project.
- vii. Council may, at their discretion, require the Operator to enter into a Municipal Road Servicing Agreement to cover the costs related to usage, construction, maintenance, and reconstruction of municipal roads as a result of mineral and resource development activities.

## .2 Oil and Gas Development

- i. Petroleum extraction development including wells, pipelines, compressor stations and storage facilities will be accommodated as a permitted use. Related processing and service related development (land farms for contaminated soil, oil storage batteries, etc.) will be accommodated as a permitted use, if such uses are already regulated by Provincial or National Departments or Agencies.
- ii. Other related intensive oil and gas developments, which is not regulated by those Departments or Agencies (e.g. processing and service related development) shall be accommodated as Discretionary uses.
- iii. Exploration and development of oil and gas shall be subject to all Federal and Provincial requirements, and such activity must comply with the objectives and policies outlined in the Official Community Plan.
- iv. Upon approval by the Municipality, the Owner of the pipeline shall provide the Municipality at least forty-eight (48) hours' notice of the Owner's intention to commence work. Written request must be made to the Municipality before construction begins and the Owner shall obtain the required municipal standards for construction for approaches and for pipelines (flow lines) crossing road allowances.
- v. Notwithstanding Section 3.8.5 of this Bylaw, temporary development permits may be issued specifying timelines and conditions for such uses of a temporary nature such as oil and gas, mineral seismic or exploratory activities, or other ecotourism/seasonal activities. In no way, should the issuance of these permits provide the approval of projects other than that which is outlined specifically in the permit. Council has the right to revoke said permits if any of the



conditions are not met. Temporary permits will not be issued if the use is not acceptable within the appropriate zoning designation or incompatible with the provisions of the Official Community Plan.

- vi. The Municipality may apply special standards as outlined in The Municipalities Act, 2005 to protect the municipal interest when transportation, utility and pipeline facilities cross Municipal roads, or when seismic activity is proposed on roads or road allowance.
- vii. To minimize conflict between mineral resource extraction, or oil and gas operations and surrounding land uses, the separation distances identified in Table 5 of this Bylaw shall be adhered to. These separation distances shall be used to ensure adequate separation distances between Mineral resource extraction, oil and gas operations and other uses which may conflict with this industry or land uses which should not be developed due to problems with air quality or proximity to pipelines (e.g. oil batteries).
- viii. Distances shall be measured between the boundaries of the mineral and resource development site and the boundaries of any dwelling, hamlet, or development, inclusive of source water not owned by the operator.
- ix. The separation distances may be altered by Council as a condition of a permitted or discretionary use permit where authorized by the Zoning Bylaw.
- x. Where the minimum separation would not be sufficient, but the potential land use conflict would be reduced to acceptable levels, or eliminated with a greater separation distance, Council may require a greater separation than shown. This would only apply where an unacceptable land use conflict would result between existing and future operations.

Table 5: Minimum Separation Distances Relating to Mineral and Resource Operations

LAND USES	OIL AND GAS DEVELOPMENT	POTASH, FERTILIZER OR ETHANOL DEVELOPMENT
Dwelling, Single Unit within the AR1, AR2, CR1 or CR2 Zoning Districts	1.0 kilometre (3280.84 feet) from sour gas wells 125 metres (410.11 feet) from other gas and oil wells	500 metres (1640.42 feet)
All types of Development within the LS, RR, and H Zoning Districts	1.0 kilometre (3280.84 feet) from sour gas wells 125 metres (410.11 feet) from other gas and oil wells	500 metres (1640.42 feet)
All Development within the C1 and C2 Zoning Districts	1.0 kilometre (3280.84 feet) from sour gas wells 125 metres (410.11 feet) from other gas and oil wells	500 metres (1640.42 feet)
Recreational Uses	1.0 kilometre (3280.84 feet) from sour gas wells 125 metres (410.11 feet) from other gas and oil wells	500 meters (1640.42 feet)

#### 8.4.12 Bed and Breakfast Home

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all applications for a Bed & Breakfast Home in the AR1 District:

- .1 Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead site or country residence.
- .2 No more than three (3) guest rooms shall be allowed in a bed and breakfast home.
- .3 One sign, not exceeding 0.47m<sup>2</sup> (5ft<sup>2</sup>) advertising the vacation farm or bed and breakfast home and located on site, is permitted.
- .4 The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.
- .5 The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner-occupied residence. No one other than the occupant and his/her immediate family members may be involved or employed in the operation of the bed and breakfast home.
- .6 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

#### **8.4.13 Outdoor Storage**

- .1 Vehicles that are not in running order shall comply with conditions set forth in Section 4.39
- .2 Outdoor storage shall be permitted in side and rear yards and shall be suitably screened from any municipal road allowance, municipal grid road, main farm access road, or provincial highway.

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## **8.5 SIGNS**

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**8.5.1** All developments shall comply with Section 5.0 of this Bylaw.

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## **8.6 LANDSCAPING**

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The following landscape provisions are required in the AR1 District, in addition to general provisions identified in Section 4.15 and 4.16 of this Bylaw:

- 8.6.1** In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, all shelterbelts, tree plantings, screening and fencing shall have a minimum setback requirement of no less than 4.5 metres (14.76 feet) from any site line and not block the vision of drivers both on site and within a sight triangle.
- 8.6.2** In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, portable structures, machinery and the storage of aggregate or mining and resource materials shall comply with the same setback requirement as for buildings, unless otherwise permitted by this Bylaw.

- 8.6.3** Any and all outdoor storage requires a landscaped strip of not less than 45.72 metres (150 feet) in depth is provided to the front property line to the satisfaction of the Development Officer.

AR2

## 9.0 AGRICULTURE/RESOURCE 2 DISTRICT

The Agriculture Resource 2 District is to provide for small parcel agricultural development that allows the opportunity to conduct small scale agriculture, including hobby farming, raising animals and poultry, commercial gardening, and produce grown or raised on the land holding.

In the Agriculture/Resource 2 District (AR2), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

### 9.1 PERMITTED USES

The Permitted Uses and Minimum Development Standards in the AR2 District are set out in the following chart:

AR2 District	Minimum Development Standards (in Metres)							
	Site Width	Site Area (Ha)	Front Yard	Side Yard	Rear Yard	Max. Building Height	Max. Site Coverage (%)	Minimum Floor Area (m <sup>2</sup> )
<b>9.1 Permitted Uses</b> <sup>(10)(11)</sup>								
Dwelling, Single-Detached <sup>(7)(13)</sup>	30	8.0 <sup>(1)(2)(3)</sup>	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15.24 <sup>(6)</sup>	11	60	74.3
Equestrian Facility	30	8.0 <sup>(1)(2)(3)</sup>	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15.24 <sup>(6)</sup>	11	60	-
Intensive Horticulture	30	8.0 <sup>(1)(2)(3)</sup>	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15.24 <sup>(6)</sup>	11	60	-
Apiary, Hatchery, or Mushroom Farm	30	8.0 <sup>(1)(2)(3)</sup>	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15.24 <sup>(6)</sup>	11	60	-
Animal Kennel	30	8.0 <sup>(1)(2)(3)</sup>	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15.24 <sup>(6)</sup>	11	60	74.3
Open Space	30	-	15 <sup>(5)</sup>	-	-	-	-	-
Habitat and Wildlife Conservation	30	0.8	30	15	15	-	-	-
Nature Trail	30	-	15 <sup>(5)</sup>	-	-	-	-	-
Public Utility, Building, Structure, Warehouse and Storage Yard	-	-	-	-	-	-	-	-
Portable Storage Unit	Refer to Section 9.4.4							
Accessory Building, Use or Structure	Refer to Section 4.9							
Home Based Business	Refer to Section 4.34							

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer.

## 9.2 DISCRETIONARY USES

The Discretionary Uses and Minimum Development Standards in the AR2 District are set out in the following chart:

AR2 District	Minimum Development Standards (in Metres)							
	Site Width	Site Area (Ha)	Front Yard	Side Yard	Rear Yard	Max. Building Height	Max. Site Coverage (%)	Minimum Floor Area (m²)
9.2 Discretionary Uses <sup>(10)(11)</sup>								
Residential Care Home <sup>(7)(13)</sup>	30	8 <sup>(1)(8)</sup>	15 <sup>(2)</sup>	15 <sup>(6)</sup>	15.24 <sup>(6)</sup>	11	60	74.3
Agricultural Tourism	30	8 <sup>(1)(8)</sup>	15 <sup>(2)</sup>	15 <sup>(6)</sup>	15.24 <sup>(6)</sup>	11	-	-
Institutional Use	30	8 <sup>(1)(8)</sup>	15 <sup>(2)</sup>	15 <sup>(6)</sup>	15.24 <sup>(6)</sup>	11	60	-
Recreational Use	30	8 <sup>(1)(8)</sup>	15 <sup>(2)</sup>	15 <sup>(6)</sup>	15.24 <sup>(6)</sup>	11	60	-
Community Facility	30	8 <sup>(1)(8)</sup>	15 <sup>(2)</sup>	15 <sup>(6)</sup>	15.24 <sup>(6)</sup>	11	60	74.3
Cottage Winery	30	8 <sup>(1)(8)</sup>	15 <sup>(2)</sup>	15 <sup>(6)</sup>	15.24 <sup>(6)</sup>	11	-	74.3
Cannabis Production Facility <sup>(14)</sup>	30	8 <sup>(1)(8)</sup>	15 <sup>(2)</sup>	15 <sup>(6)</sup>	15.24 <sup>(6)</sup>	11	60	74.3
Heritage Resource Development	-	-	45.72 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	-	-
Tower <sup>(13)</sup>	30	0.8 <sup>(4)</sup>	Refer to Section 4.31					
Bed and Breakfast Home <sup>(7)(8)(13)</sup>	Refer to Section 4.33							
Renewable Energy Technology <sup>(9)</sup>	Refer to Section 4.32							

## 9.3 FOOTNOTES TO DEVELOPMENT STANDARDS

- .1 The maximum site area for the AR2 District shall not exceed 64 hectares (158.15 acres) in total land holdings. Once this threshold has been surpassed, the landowner shall be required to apply to rezone the lands to AR1.
- .2 The minimum site area constituting a small-scale agricultural operation or agricultural holding shall be 8 hectares (19.76 acres).
- .3 Any small-scale agricultural site which does not conform to the minimum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation (ISC) prior to the coming into force of this Bylaw.
- .4 Non-agricultural land uses shall be permitted on a site no less than 0.8 hectares and no larger than 8.0 hectares in size, unless otherwise permitted by this Bylaw.
- .5 The front yard is measured from the property line of an internal subdivision road, except where the yard abuts a municipal road allowance, municipal grid road, main farm access road or provincial highway. Under these circumstances all buildings shall be setback a minimum of 45.72 metres (150 feet) from the center of the road.
- .6 All buildings shall maintain a side and rear yard setback of at least 15.0 metres (49.21 feet); except where a rear or side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.

- .7 No dwelling shall be located with less than a minimum separation distance to an operation other than the residence of the operation as follows:
  - i.** 305 metres (1000.7 feet) from a honey processing plant;
  - ii.** 305 metres (1000.7 feet) to a non-refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan;
  - iii.** 600 metres (1968.5 feet) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan;
  - iv.** The separation distance to an intensive livestock operation as regulated by Section 7.5.7 of this Bylaw.
  - v.** 305 metres (1000.7 feet) from a licensed public or private liquid waste facility.
  - vi.** 457 metres (1500 feet) from a licensed public or private solid waste facility.
  - vii.** Council may reduce the minimum separation distance to the operations listed above, as a special standard where the applicant submits written agreement Council between the land owner of the dwelling and the owner of the operation agreeing to the reduces separation (Council shall maintain a register of all such agreements).
- .8 Bed and Breakfast homes where they form part of a permitted dwelling – single detached.
- .9 Micro Wind Energy Projects are a permitted use in the AR2 District so long as the provisions outlined in Section 4.32.2.a. are met and adhered to.
- .10 Notwithstanding Section 9.3.9 of this Bylaw, a maximum of 1 (one) site will be allowed per quarter section for any of agricultural, residential or commercial principal uses.
- .11 One additional site will be allowed per quarter section for agricultural, residential or commercial principal use where the site is physically separated from the remainder of the quarter section by a registered roadway or railway right-of-way with direct access to a developed public road.
  - i.** A site to be created by subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a developed road, including any road to be developed under a signed servicing agreement.
  - ii.** Any parcel which does not conform to the minimum site area requirement but existed in the Information Services Corporation (Land Titles Office) prior to the coming into force of this Bylaw shall be deemed conforming with regard to site area.
  - iii.** Subdivision proposing to establish new non-farm, single parcel country residential sites in excess of 2 sites per quarter, shall be subject to rezoning to an appropriate Country Residential District and compliance with all relevant area, frontage and setback requirements of that zoning district.
  - iv.** There shall be no minimum area required for a subdivision for cemeteries, crematoria, mausoleums, radio, television towers or related facilities.
- .12 See Section 4.31 for further provisions relating to Towers.
- .13 One single detached dwelling, RTM, modular or mobile home, or residential care home placed on a permanent foundation is permitted on each subdivided site.
- .14 A cannabis production facility shall not be located within 160 metres (525 feet) of a community facility, daycare centre, or residential zoning district.

## 9.4 SUPPLEMENTARY PROVISIONS

In addition to the development standards for permitted and discretionary land uses for the AR2 District, the following supplementary development provisions shall be considered and applied to the following land use considerations.

### 9.4.1 Accessory Building, Structure and Use

In addition to the general provisions found in Section 4.9, the following provisions apply to accessory buildings, structures and uses in the AR2 District:

- .1 Manure applications associated with livestock and agricultural composting are considered accessory to an agricultural operation where the spreading occurs on the parcel in which it is produced. If spreading is to occur on another parcel, refer to Section 8.4.7 of this Bylaw.
- .2 Facilities for the direct sale of crops grown by the agricultural operation including orchards and market gardens shall be considered accessory to a farmstead or residence in the Small-Scale Agriculture District.
- .3 One dwelling unit which is accessory to the and located on the same site as primary residence may be permitted at the discretion of Council.
- .4 Bed and breakfast homes are permitted where they form a part of a permitted single detached dwelling.
- .5 Accessory buildings shall be setback a minimum of 6.0 metres (19.69 feet) from any site line unless otherwise prescribed by this Bylaw.

### 9.4.2 Animal Kennel

In addition to the development standards for permitted uses in Section 9.1, the following additional considerations shall be made for all applications for an Animal Kennel in the AR2 District:

- .1 The maximum number of animals not normally attributed to the host site to be kept on-site shall be at the discretion of Council.
- .2 No building or exterior exercise area(s), to be used to accommodate the animals shall be allowed within 304.80 metres (1,000 feet) of any dwelling located on adjacent lots.
- .3 All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council.
- .4 Pens, rooms, exercise runs and holding stalls may be soundproofed to the satisfaction of Council.
- .5 All dog facilities shall be visually screened from existing dwellings on adjoining lots.
- .6 Details of animal wastes/sewage disposal shall be included in the application.
- .7 No animals shall be allowed outdoors between the hours of 9:00 p.m. to 7:00 a.m. daily. During this time period, all animals shall be kept indoors.

- .8 Animal kennels shall at no time unduly interfere with the character of the neighbourhood or the general enjoyment of adjoining sites.
- .9 There shall be no external advertising other than a sign of not more than 0.93 m<sup>2</sup> (10 ft<sup>2</sup>) erected in accordance with the Sign Regulations contained herein.
- .10 Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- .11 Animal kennels shall be subject to relevant Bylaws and legislation governing noise and public health.
- .12 All permits issued shall be valid for a two-year period from the date of issuance and shall be subject to cancellation by the Municipality for due cause.
- .13 Failure to comply with any of the above regulations or the conditions of a development permit may result in the revoking of the permit by the Municipality.

#### **9.4.3 Residential Care Home**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all applications for a Residential Care Home in an AR2 District:

- .1 The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- .2 Required parking spaces may be located in a required front yard.
- .3 No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.
- .4 The use shall be conducted entirely within the dwelling unit and shall not have any exterior evidence of a secondary use.
- .5 There shall be no outside storage or exterior display of goods, materials or equipment associated with the applied use.
- .6 The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.

#### **9.4.4 Portable Storage Unit**

In addition to the development standards for permitted uses found in Section 9.1 of this Bylaw, Portable Storage Units may be accommodated for warehousing or storage purposes in the AR2 District under the following conditions:

- .1 Adherence to any permit or building bylaw or licensing requirement in effect in the Municipality;
- .2 Issuance of a Development Permit to the landowner, where the unit is located;
- .3 They are accessory to an approved and permitted principal building, structure or use;
- .4 All units must be properly anchored as per manufacturers or insurers specifications;



- .5 No unit shall be placed or located in a front or side yard;
- .6 The portable storage unit shall not exceed a gross floor area of 39.4 m<sup>2</sup> (424 ft<sup>2</sup>);
- .7 Units shall be located a minimum of 3.0 metres (9.84 feet) from the principal building, structure or use;
- .8 Unit shall be setback a minimum 1.5 metres (4.92 feet) from the side or rear property lines and all other structures on the property;
- .9 Units determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality;
- .10 Units must meet the National Building Code Standards where applicable;
- .11 Where the Municipality considers necessary, all affected parties may be required to enter into a development agreement to assure applicable development standards are adhered to.

#### **9.4.5 Outdoor Storage**

- .1 Notwithstanding anything contained in this Bylaw, no person shall use any site in the Agriculture/Resource 2 District for the parking or storage of more than six (6) vehicles that are visible and not in running order, except in the case of a permitted or discretionary vehicle storage establishment or auto wrecker.
- .2 Outdoor storage shall be permitted in side and rear yards and shall be suitably screened from any municipal road allowance, municipal grid road, main farm access road, or provincial highway, and a landscaped strip of not less than 45.72 metres (150 feet) in depth is provided to the front property line to the satisfaction of the Development Officer.

#### **9.4.6 Bed and Breakfast Home**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all applications for a Bed & Breakfast Home in the AR2 District:

- .1 Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead site or country residence.
- .2 No more than three (3) guest rooms shall be allowed in a bed and breakfast home.
- .3 One sign, not exceeding 0.47m<sup>2</sup> (5ft<sup>2</sup>) advertising the vacation farm or bed and breakfast home and located on site, is permitted.
- .4 The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.
- .5 The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner-occupied residence. No one other than the occupant and his/her immediate family members may be involved or employed in the operation of the bed and breakfast home.
- .6 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

**9.4.7 Agricultural Tourism**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all applications for Agricultural Tourism in the AR2 District:

- .1 Agricultural Tourism uses shall be accessory to an agricultural farm operation or dwelling permitted in the AR2 District.
- .2 Agricultural Tourism uses shall display a high visual quality and shall be integrated into the rural environment by virtue of appropriate design, location and landscaping. Agricultural tourism uses may only be approved where they would not:
  - i. unduly interfere with the amenities or change the character of the neighborhood;
  - ii. materially interfere with or affect the use and enjoyment of adjacent properties;
  - iii. adversely impact upon the environment; or
  - iv. result in excessive demand on municipal services, utilities or public roadway access;
- .3 Agricultural Tourism uses shall comply with all provincial environmental and health regulations.

**9.4.8 Equestrian Facility**

In addition to the development standards for permitted uses found in Section 9.1 of this Bylaw, the following additional considerations shall be made for all applications for an Equestrian Facility in the AR2 District:

- .1 The development permit shall set the maximum number of horses and cattle, if applicable, that may be kept on the site.
- .2 An animal is kept, for purposes of this section, when it is on the site overnight.
- .3 That the number of animals allowed as a condition of the permit to participate in an event are in addition to the number that are allowed to be kept on the site.
- .4 The development permit shall set out conditions that address garbage and manure control, pasture management, on site stock trailer parking, participant and spectator parking.
- .5 The application shall include a Storm Water Management Plan for all areas of the parcel of land disturbed during or as a result of the development of the Equestrian Facility and supporting facilities.
- .6 The application shall include a traffic impact analysis that includes current and projected traffic for the next ten years in the vicinity.
- .7 A condition of the development permit may require there be a contribution towards upgrading of access roads should the road network require upgrading because of the impact of the facility.
- .8 Details of water supply and sewage disposal shall be included with the application.
- .9 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

**9.4.9 Keeping of Livestock**

- .1 In this district, the keeping of livestock shall be in conformity with livestock regulations adopted by the Municipality from time to time and for the purpose of this zoning district will adhere to Table 6;

*Table 6: Animal Units Based on Parcel Size*

<b>Parcel Size</b>	<b>Maximum Number of Animal Units (Excluding Poultry)</b>
8 ha (19.76 acres) to 16 ha (39.54 acres)	4
Greater than 16 ha (39.54 acres)	1 additional animal unit per 20 acres

- .2 In this district, the keeping of poultry shall be in conformity with livestock regulations adopted by the Municipality from time to time and for the purpose of this zoning district will adhere to Table 7:

*Table 7: Animal Units Based on Bird Species*

<b>Type of Bird</b>	<b>Maximum Number of Animal Units</b>
Ducks, Geese or Turkeys	30
Chickens and other Poultry	70

## **9.5 SIGNS**

All developments shall comply with Section 5 of this Bylaw.

## **9.6 LANDSCAPING**

The following landscape provisions are required in the AR2 District, in addition to general provisions identified in Section 4.15 and 4.16 of this Bylaw:

- 9.6.1** In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, all shelterbelts, tree plantings, screening and fencing shall have a minimum setback requirement of no less than 4.5 metres (14.76 feet) from any site line and not block the vision of drivers both on site and within a sight triangle.

- 9.6.2** In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, portable structures, machinery and the storage of aggregate or mining and resource materials shall comply with the same setback requirement as for buildings, unless otherwise permitted by this Bylaw.

## CR1

## 10.0 COUNTRY RESIDENTIAL 1 DISTRICT

The purpose of the Country Residential 1 District (CR1) is to accommodate a limited variety of dispersed, non-farm residential uses on separate sites, which are larger than those sites allowed in the CR2 district. These larger sites are designed and located to provide for the separation of residential activity from agricultural operations while maintaining a close link to the operations and a rural farm lifestyle. To implement the intent of this district, council shall ensure that new residences will only be allowed at a low density and on sites which avoid slump or flood-prone land and protect the natural environment, particularly the water resource. Such proposals must also not conflict with adjoining agricultural uses or be prohibitively difficult or costly to service.

In the Country Residential 1 District (CR1), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

## 10.1 PERMITTED USES

The Permitted Uses and Minimum Development Standards in the CR1 District are set out in the following chart:

CR1 District	Minimum Development Standards (in Metres)						
	Site Area (Ha)	Site Width	Front Yard	Side Yard	Rear Yard	Max. Building Height	Minimum Floor Area (m <sup>2</sup> )
<b>10.1 Permitted Uses</b> <sup>(3)(4)(5)(8)</sup>							
Dwelling, Single-Detached <sup>(9)(11)</sup>	2.0	30	45.72 <sup>(1)(10)</sup>	15 <sup>(2)(10)</sup>	15 <sup>(10)</sup>	11	111.48
Compatible Agricultural Use	2.0	30	45.72 <sup>(1)(10)</sup>	15 <sup>(2)(10)</sup>	15 <sup>(10)</sup>	11	111.48
Open Space	-	-	-	-	-	-	-
Habitat and Wildlife Conservation <sup>(6)</sup>	-	-	-	-	-	-	-
Nature Trail <sup>(6)</sup>	-	-	-	-	-	-	-
Public Utility, Building, Structure, Warehouse and Storage Yard <sup>(6)(7)</sup>	-	-	-	-	-	-	-
Accessory Building, Use or Structure	Refer to Section 4.9						

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer.

## 10.2 DISCRETIONARY USES

The Discretionary Uses and Minimum Development Standards in the CR1 District are set out in the following chart:

CR1 District	Minimum Development Standards (in Metres)						
	Site Area (Ha)	Site Width	Front Yard	Side Yard	Rear Yard	Max. Building Height	Minimum Floor Area (m <sup>2</sup> )
<b>10.2 Discretionary Uses</b> <sup>(3)(4)(5)(8)</sup>							
Residential Care Home <sup>(9)</sup>	0.5	30	45.72 <sup>(1)(10)</sup>	15 <sup>(2)(10)</sup>	15 <sup>(10)</sup>	7.5	74.3
Agricultural Tourism	0.8	30	45.72 <sup>(1)(10)</sup>	15 <sup>(2)(10)</sup>	15 <sup>(10)</sup>	11	-
Intensive Horticulture	4	30	45.72 <sup>(1)(10)</sup>	15 <sup>(2)(10)</sup>	15 <sup>(10)</sup>	7.5	-
Institutional Use <sup>(6)</sup>	0.5	30	45.72 <sup>(1)(10)</sup>	15 <sup>(2)(10)</sup>	15 <sup>(10)</sup>	11	74.3
Equestrian Facility	0.5	30	45.72 <sup>(1)(10)</sup>	15 <sup>(2)(10)</sup>	15 <sup>(10)</sup>	7.5	-
Animal or Breeding Kennel	0.5	30	45.72 <sup>(1)(10)</sup>	15 <sup>(2)(10)</sup>	15 <sup>(10)</sup>	7.5	74.3
Recreational Use <sup>(6)</sup>	0.8	-	45.72 <sup>(1)(10)</sup>	15 <sup>(2)(10)</sup>	15 <sup>(10)</sup>	11	-
Community Facility <sup>(6)</sup>	-	-	45.72 <sup>(1)(10)</sup>	15 <sup>(2)(10)</sup>	15 <sup>(10)</sup>	11	74.3
Heritage Resource Development	-	-	45.72 <sup>(4)(11)</sup>	15 <sup>(5)(11)</sup>	15 <sup>(5)(11)</sup>	11	-
Cottage Winery	0.5	30	45.72 <sup>(1)(10)</sup>	15 <sup>(2)(10)</sup>	15 <sup>(10)</sup>	11	74.3
Portable Storage Unit	Refer to Section 10.4.9						
Renewable Energy Technology	Refer to Section 4.32						
Bed and Breakfast Home	Refer to Section 4.33						
Home Based Business	Refer to Section 4.34						

## 10.3 FOOTNOTES TO DEVELOPMENT STANDARDS

- .1 The Site Front Yard is measured from the property line of an internal subdivision road, except where a yard abuts a municipal road allowance, municipal grid road, main farm access road or provincial highway. Under these circumstances, all buildings should be setback a minimum of 45.72 metres (150 feet) from the center of the road.
- .2 In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, all buildings shall be setback a minimum of 45.72 metres (150 feet) from the center of the road.
- .3 Parcels contained within the development, designated as undeveloped public open space in excess of the minimum required for municipal reserve by legislation shall be included in the calculation of the average lot size for a development.
- .4 Any parcel which does not conform to the minimum or maximum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation (Land Titles Office) prior to the coming into force of this Bylaw.

- .5 The final subdivision design and approved lot density of development in the CR1 Zoning District shall be determined by the carrying capacity of the lands proposed for development as identified within the submission of a Comprehensive Development Plan and shall not exceed all requisite standards provided by the District Health Region for onsite wastewater disposal systems.
- .6 Institutional, community services, recreational land uses as well as public utilities shall have no minimum or maximum area requirement.
- .7 Public Utilities are exempt from these requirements.
- .8 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent sites.
- .9 Residential parcels may be exempted from these requirements:
  - i. In the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as watercourses, water bodies there shall be no maximum site area. Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers;
  - ii. In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.
- .10 Re-subdivision of existing sites in this district shall be prohibited.
- .11 Maximum site area of 8 hectares.

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## 10.4 SUPPLEMENTARY PROVISIONS

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In addition to the development standards for permitted and discretionary land uses for the CR1 District, the following supplementary development provisions shall be considered and applied to the following land use considerations.

### 10.4.1 Accessory Building, Structure, or Use

In addition to the general provisions found in Section 4.9, the following provisions apply to accessory buildings, structures and uses in the CR1 District:

- .1 A permitted accessory use/building shall be defined as any building, structure or use which is customarily accessory to the principal use of the site.
- .2 All accessory uses, buildings (i.e. detached garages) or structures require the submission of an application for a development permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Detached accessory buildings shall have a minimum side yard setback of 5.0 metres (16.4 feet) measured from the property line; unless otherwise required by this Bylaw.
- .4 Notwithstanding 8.8.1.3, setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

- .5 The Building floor area for large accessory buildings (workshops) located on sites within the Country Residential 1 District (CR1) must not exceed 100 m<sup>2</sup> (1076.43 ft<sup>2</sup>); however, Council will consider larger buildings on a case by case basis, provided that setbacks, separation distances can be met. All workshop-related activities shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection. Design of accessory buildings shall be complementary to the residential surroundings.

#### **10.4.2 Animal Kennel**

In addition to the development standards for discretionary uses in Section 10.2, the following additional considerations shall be made for all applications for an Animal Kennel in the CR1 District:

- .1 The maximum number of animals not normally attributed to the host site to be kept on-site shall be at the discretion of Council.
- .2 No building or exterior exercise area(s), to be used to accommodate the animals shall be allowed within 304.80 metres (1,000 feet) of any dwelling located on adjacent lots.
- .3 All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council.
- .4 Pens, rooms, exercise runs and holding stalls may be soundproofed to the satisfaction of Council.
- .5 All dog facilities shall be visually screened from existing dwellings on adjoining lots.
- .6 Details of animal wastes/sewage disposal shall be included in the application.
- .7 No animals shall be allowed outdoors between the hours of 9:00 p.m. to 7:00 a.m. daily. During this time period, all animals shall be kept indoors.
- .8 Animal kennels shall at no time unduly interfere with the character of the neighbourhood or the general enjoyment of adjoining sites.
- .9 There shall be no external advertising other than a sign of not more than 0.93 m<sup>2</sup> (10 ft<sup>2</sup>) erected in accordance with the Sign Regulations contained herein.
- .10 Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- .11 Animal kennels shall be subject to relevant Bylaws and legislation governing noise and public health.
- .12 All permits issued shall be valid for a two-year period from the date of issuance and shall be subject to cancellation by the Municipality for due cause.
- .13 Failure to comply with any of the above regulations or the conditions of a development permit may result in the revoking of the permit by the Municipality.

#### **10.4.3 Equestrian facility**

In addition to the development standards for discretionary uses in Section 10.2 of this Bylaw, the following additional considerations shall be made for all applications for an Equestrian Facility in the CR1 District:



- .1 The development permit shall set the maximum number of horses and cattle, if applicable, that may be kept on the site.
- .2 An animal is kept, for purposes of this section, when it is on the site overnight.
- .3 That the number of animals allowed as a condition of the permit to participate in an event are in addition to the number that are allowed to be kept on the site.
- .4 The development permit shall set out conditions that address garbage and manure control, pasture management, on site stock trailer parking, participant and spectator parking.
- .5 The application shall include a Storm Water Management Plan for all areas of the parcel of land disturbed during or as a result of the development of the Equestrian Facility and supporting facilities.
- .6 The application shall include a traffic impact analysis that includes current and projected traffic for the next ten years in the vicinity.
- .7 A condition of the development permit may require there be a contribution towards upgrading of access roads should the road network require upgrading because of the impact of the facility.
- .8 Details of water supply and sewage disposal shall be included with the application.
- .9 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

#### 10.4.4 Keeping of Livestock

- .1 The keeping of livestock shall be permitted in the Country Residential 1 District in accordance with the following table:

*Table 8: Animal Units Based on Parcel Size*

<b>PARCEL SIZE</b>	<b>MAXIMUM NUMBER OF ANIMAL UNITS</b>
2.0 hectares (4.95 acres)	2
For every additional 1.0 hectares (2.48 acres)	2

- .2 Animals shall not be pastured within 15.25 metres (50 ft) of any dwelling or well not owned by the animal's owner, and no buildings or structures intended to contain birds or animals shall be located within 30.50 metres (100 ft) of an adjacent dwelling or property line.

#### 10.4.5 Temporary Use

- .1 Notwithstanding the provisions of this bylaw and the Official Community Plan, a recreational vehicle may be permitted for a period of up to four (4) years on an existing developed residential site within this zoning district, subject to a resolution of Council, provided that the following criteria is met:
  - i. Adherence to any permit or building bylaw or licensing requirement in effect in the Municipality;
  - ii. Issuance of a Development Permit to the landowner, where the said recreational vehicle is located, to be issued on an annual basis;
  - iii. The entering into of a development agreement between all affected parties, where considered necessary, to assure applicable development standards are adhered to.
  - iv. Compliance with any requirement of the Ministry of Health or government agencies respecting water and waste connections, and disposal concerns.

#### 10.4.6 Bed and Breakfast

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Bed & Breakfast Home in the CR1 District:

- .1 Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead site or country residence.
- .2 No more than three (3) guest rooms shall be allowed in a bed and breakfast home.
- .3 One sign, not exceeding 0.47m<sup>2</sup> (5ft<sup>2</sup>) advertising the vacation farm or bed and breakfast home and located on site, is permitted.
- .4 The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.
- .5 The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner-occupied residence. No one other than the occupant and his/her immediate family members may be involved or employed in the operation of the bed and breakfast home.
- .6 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

#### 10.4.7 Residential Care Home

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Residential Care Home in a CR1 District:

- .1 The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- .2 Required parking spaces may be located in a required front yard.

- .3 No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.
- .4 The use shall be conducted entirely within the dwelling unit and shall not have any exterior evidence of a secondary use.
- .5 There shall be no outside storage or exterior display of goods, materials or equipment associated with the applied use.
- .6 The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.

#### 10.4.8 Agricultural Tourism

Agricultural tourism uses shall be accessory to an agricultural farm operation or dwelling permitted in the CR1 District.

- .1 Agricultural tourism uses shall display a high visual quality and shall be integrated into the rural environment by virtue of appropriate design, location and landscaping. Agricultural tourism uses may only be approved where they would not:
  - i. unduly interfere with the amenities or change the character of the neighborhood;
  - ii. materially interfere with or affect the use and enjoyment of adjacent properties;
  - iii. adversely impact upon the environment; or
  - iv. result in excessive demand on municipal services, utilities or public roadway access;
- .2 Agricultural tourism uses shall comply with all provincial environmental and health regulations.

#### 10.4.9 Portable Storage Unit

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, Portable Storage Units may be accommodated for warehousing or storage purposes in the CR1 District under the following conditions:

- .1 The storage unit, incidental to construction of a building or structure with an active building permit are allowed, provided such storage unit shall be removed following completion or abandonment of such construction.
- .2 One portable storage unit may be placed on a residential lot with an active building permit;
- .3 Prior to placement of the portable storage unit on the lot, the property owner shall obtain a temporary development permit from the Development Officer. The temporary permit shall be limited to a time period set by the Municipality;
- .4 The portable storage unit shall not exceed a gross floor area of 39.4 m<sup>2</sup> (424 ft<sup>2</sup>);
- .5 The storage unit shall comply with any permit or building bylaw or licensing requirement in effect in the Municipality;
- .6 No unit shall be placed or located in a front or side yard;
- .7 Adherence to any permit or building bylaw or licensing requirement in effect in the Municipality;

- .8 Units shall be suitably screened from view from adjacent roadways and public lands by a solid fence, landscape materials, berm, vegetative plantings or any combination of the above at least 2.0 metres (6.57 feet) in height;
- .9 Units shall be located a minimum of 3.0 metres (9.84 feet) from the principal building, structure or use;
- .10 Unit shall be setback a minimum 1.5 metres (4.92 feet) from the side or rear property lines and all other structures on the property;
- .11 Units determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality;
- .12 Units must meet the National Building Code Standards where applicable;
- .13 Where the Municipality considers necessary, all affected parties may be required to enter into a development agreement to assure applicable development standards are adhered to.

#### **10.4.10 Outside Storage**

- .1 Notwithstanding anything contained in this Bylaw, no person shall use any site in the Country Residential 1 District for the parking or storage of more than two (2) vehicles that are visible and not in running order.

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### **10.5 SIGNS**

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All developments shall comply with Section 4.37 General Regulations.

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### **10.6 LANDSCAPING**

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The following landscape provisions are required in the CR1 District, in addition to general provisions identified in Section 4.15 and 4.16 of this Bylaw:

- 10.6.1** In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, all shelterbelts, tree plantings, screening and fencing shall have a minimum setback requirement of no less than 4.5 metres (14.76 feet) from any site line and not block the vision of drivers both on site and within a sight triangle.
- 10.6.2** No outside storage shall be permitted in a yard abutting a road.
- 10.6.3** Any and all outdoor storage requires a landscaped strip of not less than 45.72 metres (150 feet) in depth is provided to the front property line to the satisfaction of the Development Officer.
- 10.6.4** Outdoor storage shall be permitted in the side and rear yards and shall be suitably screened from any municipal road allowance, municipal grid road, main farm access road, or provincial highway to the satisfaction of the Development Officer.

## CR2

## 11.0 COUNTRY RESIDENTIAL 2 DISTRICT

The purpose of the Country Residential 2 District (CR2) is to accommodate larger parcel clustered rural residential development and subdivision proposals on a multi-site basis. New development may be accommodated in this district as defined in the Official Community Plan, or on lands with a C.L.I. rating of classes 4, 5, and 6.

In the Country Residential 2 District (CR2), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

### 11.1 PERMITTED USES

The Permitted Uses and Minimum Development Standards in the CR2 District are set out in the following chart:

CR2 District	Minimum Development Standards (in Metres)							
	Site Area (Ha)	Site Width	Front Yard	Side Yard	Rear Yard	Max. Building Height	Max. Site Coverage (%)	Minimum Floor Area (m <sup>2</sup> )
<b>11.1 Permitted Uses</b> <sup>(3)(4)(5)(8)</sup>								
Dwelling, Single-Detached <sup>(9)</sup>	0.8	30	15 <sup>(1)(10)</sup>	6 <sup>(2)(10)</sup>	15.24 <sup>(10)</sup>	11	60	111.48
Compatible Agricultural Use	0.8	30	15 <sup>(1)(10)</sup>	7 <sup>(2)(10)</sup>	15.24 <sup>(10)</sup>	11	60	111.48
Open Space	-	-	-	-	-	-	-	-
Habitat and Wildlife Conservation <sup>(6)</sup>	-	-	-	-	-	-	-	-
Nature Trail <sup>(6)</sup>	-	-	-	-	-	-	-	-
Public Utility, Building, Structure, Warehouse and Storage Yard <sup>(6)(7)</sup>	-	-	-	-	-	-	-	-
Accessory Building, Use or Structure	Refer to Section 4.9							

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer.

## 11.2 DISCRETIONARY USES

The Discretionary Uses and Minimum Development Standards in the CR2 District are set out in the following chart:

CR2 District	Minimum Development Standards (in Metres)							
	Site Area (Ha)	Site Width	Front Yard	Side Yard	Rear Yard	Max. Building Height	Max. Site Coverage (%)	Minimum Floor Area (m <sup>2</sup> )
<b>11.2 Discretionary Uses</b> <sup>(3)(4)(5)(8)</sup>								
Residential Care Home <sup>(9)</sup>	0.5	30	7.5 <sup>(1)(10)</sup>	3 <sup>(2)(10)</sup>	6 <sup>(10)</sup>	7.5	70	74.3
Agricultural Tourism	0.8	30	15 <sup>(1)(10)</sup>	3 <sup>(2)(10)</sup>	6 <sup>(10)</sup>	11	70	-
Intensive Horticulture	4	30	7.5 <sup>(1)(10)</sup>	3 <sup>(2)(10)</sup>	6 <sup>(10)</sup>	7.5	70	-
Institutional Use <sup>(6)</sup>	0.5	30	7.5 <sup>(1)(10)</sup>	3 <sup>(2)(10)</sup>	6 <sup>(10)</sup>	11	60	74.3
Equestrian Facility	0.5	30	7.5 <sup>(1)(10)</sup>	3 <sup>(2)(10)</sup>	6 <sup>(10)</sup>	7.5	70	-
Recreational Use <sup>(6)</sup>	0.8	-	7.5 <sup>(1)(10)</sup>	3 <sup>(2)(10)</sup>	6 <sup>(10)</sup>	11	60	-
Community Facility <sup>(6)</sup>	-	-	7.5 <sup>(1)(10)</sup>	3 <sup>(2)(10)</sup>	6 <sup>(10)</sup>	11	60	74.3
Cottage Winery	0.5	30	7.5 <sup>(1)(10)</sup>	3 <sup>(2)(10)</sup>	6 <sup>(10)</sup>	11	60	74.3
Heritage Resource Development	-	-	7.5 <sup>(1)(10)</sup>	3 <sup>(2)(10)</sup>	6 <sup>(10)</sup>	11	-	-
Portable Storage Unit	Refer to Section 11.4.9							
Renewable Energy Technology	Refer to Section 4.32							
Bed and Breakfast Home	Refer to Section 4.33							
Home Based Business	Refer to Section 4.34							

## 11.3 FOOTNOTES TO DEVELOPMENT STANDARDS

- .1 The Site Front Yard is measured from the property line of an internal subdivision road, except where a yard abuts a municipal road allowance, municipal grid road, main farm access road or provincial highway. Under these circumstances, all buildings should be setback a minimum of 45.72 metres (150 feet) from the center of the road.
- .2 In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, all buildings shall be setback a minimum of 45.72 metres (150 feet) from the center of the road.
- .3 Parcels contained within the development, designated as undeveloped public open space in excess of the minimum required for municipal reserve by legislation shall be included in the calculation of the average lot size for a development.
- .4 Any parcel which does not conform to the minimum or maximum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation (Land Titles Office) prior to the coming into force of this Bylaw.

- .5 The final subdivision design and approved lot density of development in the CR2 Zoning District shall be determined by the carrying capacity of the lands proposed for development as identified within the submission of a Comprehensive Development Plan and shall not exceed all requisite standards provided by the District Health Region for onsite wastewater disposal systems.
- .6 Institutional, community services, recreational land uses as well as public utilities shall have no minimum or maximum area requirement.
- .7 Public Utilities are exempt from these requirements.
- .8 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent sites.
- .9 Residential parcels may be exempted from these requirements:
  - i. In the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as watercourses, water bodies there shall be no maximum site area. Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers;
  - ii. In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.
- .10 Re-subdivision of existing sites in this district shall be prohibited.
- .11 Maximum site area of 4 hectares.

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#### **11.4 SUPPLEMENTARY PROVISIONS**

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In addition to the development standards for permitted and discretionary land uses for the CR2 District, the following supplementary development provisions shall be considered and applied to the following land use considerations.

##### **11.4.1 Accessory Building, Structure, or Use**

In addition to the general provisions found in Section 4.9, the following provisions apply to accessory buildings, structures and uses in the CR2 District:

- .1 A permitted accessory use/building shall be defined as any building, structure or use which is customarily accessory to the principal use of the site.
- .2 All accessory uses, buildings (i.e. detached garages) or structures require the submission of an application for a development permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Detached accessory buildings shall have a minimum side yard setback of 5.0 metres (16.4 feet) measured from the property line; unless otherwise required by this Bylaw.
- .4 Notwithstanding 8.8.1.3, setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

- .5 The Building floor area for large accessory buildings (workshops) located on Country Residential 2 (CR2) sites must not exceed 100m<sup>2</sup> (1076.43ft<sup>2</sup>), however Council will consider larger buildings on a case by case basis, provided that setbacks, separation distances can be met. All workshop-related activities shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection. Design of accessory buildings shall be complementary to the residential surroundings.

#### 11.4.2 Equestrian Facility

In addition to the development standards for permitted uses found in Section 10.1 of this Bylaw, the following additional considerations shall be made for all applications for an Equestrian Facility in the CR2 District:

- .1 The development permit shall set the maximum number of horses and cattle, if applicable, that may be kept on the site.
- .2 An animal is kept, for purposes of this section, when it is on the site overnight.
- .3 That the number of animals allowed as a condition of the permit to participate in an event are in addition to the number that are allowed to be kept on the site.
- .4 The development permit shall set out conditions that address garbage and manure control, pasture management, on site stock trailer parking, participant and spectator parking.
- .5 The application shall include a Storm Water Management Plan for all areas of the parcel of land disturbed during or as a result of the development of the Equestrian Facility and supporting facilities.
- .6 The application shall include a traffic impact analysis that includes current and projected traffic for the next ten years in the vicinity.
- .7 A condition of the development permit may require there be a contribution towards upgrading of access roads should the road network require upgrading because of the impact of the facility.
- .8 Details of water supply and sewage disposal shall be included with the application.
- .9 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

#### 11.4.3 Keeping of Livestock

- .1 The keeping of livestock shall be permitted in the Country Residential 2 District in accordance with the following table:

*Table 8: Animal Units Based on Parcel Size*

PARCEL SIZE	MAXIMUM NUMBER OF ANIMAL UNITS EXCLUDING PIGS
2.0 hectares (4.95 acres)	2
For every additional 1.0 hectares (2.48 acres)	1

- .2 Animals shall not be pastured within 15.25 metres (50 ft) of any dwelling or well not owned by the animal's owner, and no buildings or structures intended to contain birds or animals shall be located within 30.50 metres (100 ft) of an adjacent dwelling or property line.



#### 11.4.4 Temporary Use

- .1 Notwithstanding the provisions of this bylaw and the Official Community Plan, a recreational vehicle may be permitted for a period of up to four (4) year on an existing developed residential site within this zoning district, subject to a resolution of Council, provided that the following criteria is met:
  - i. Adherence to any permit or building bylaw or licensing requirement in effect in the Municipality;
  - ii. Issuance of a Development Permit to the landowner, where the said recreational vehicle is located, to be issued on an annual basis;
  - iii. The entering into of a development agreement between all affected parties, where considered necessary, to assure applicable development standards are adhered to.
  - iv. Compliance with any requirement of the Ministry of Health or government agencies respecting water and waste connections, and disposal concerns.

#### 11.4.5 Bed and Breakfast

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Bed & Breakfast Home in the CR2 District:

- .1 Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead site or country residence.
- .2 No more than three (3) guest rooms shall be allowed in a bed and breakfast home.
- .3 One sign, not exceeding 0.47m<sup>2</sup> (5ft<sup>2</sup>) advertising the vacation farm or bed and breakfast home and located on site, is permitted.
- .4 The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.
- .5 The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner-occupied residence. No one other than the occupant and his/her immediate family members may be involved or employed in the operation of the bed and breakfast home.
- .6 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

#### 11.4.6 Residential Care Home

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Residential Care Home in the CR2 District:

- .1 The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- .2 Required parking spaces may be located in a required front yard.

- .3 No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.
- .4 The use shall be conducted entirely within the dwelling unit and shall not have any exterior evidence of a secondary use.
- .5 There shall be no outside storage or exterior display of goods, materials or equipment associated with the applied use.
- .6 The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.

#### 11.4.7 Agricultural Tourism

Agricultural Tourism uses shall be accessory to an agricultural farm operation or dwelling permitted in the CR2 District.

- .7 Agricultural Tourism uses shall display a high visual quality and shall be integrated into the rural environment by virtue of appropriate design, location and landscaping. Agricultural Tourism uses may only be approved where they would not:
  - i. unduly interfere with the amenities or change the character of the neighborhood;
  - ii. materially interfere with or affect the use and enjoyment of adjacent properties;
  - iii. adversely impact upon the environment; or
  - iv. result in excessive demand on municipal services, utilities or public roadway access;
- .8 Agricultural Tourism uses shall comply with all provincial environmental and health regulations.

#### 11.4.8 Portable Storage Unit

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, Portable Storage Units may be accommodated for warehousing or storage purposes in the CR2 District under the following conditions:

- .1 One storage unit, incidental to construction of a building or structure with an active building permit are allowed, provided such storage unit shall be removed following completion or abandonment of such construction.
- .2 One portable storage unit may be placed on a residential lot with an active building permit;
- .3 Prior to placement of the portable storage unit on the lot, the property owner shall obtain a temporary development permit from the Development Officer. The temporary permit shall be limited to a time period set by the Municipality;
- .4 The portable storage unit shall not exceed a gross floor area of 39.4 m<sup>2</sup> (424 ft<sup>2</sup>);
- .5 The storage unit shall comply with any permit or building bylaw or licensing requirement in effect in the Municipality;
- .6 No unit shall be placed or located in a front or side yard;
- .7 Adherence to any permit or building bylaw or licensing requirement in effect in the Municipality;

- .8 Units shall be suitably screened from view from adjacent roadways and public lands by a solid fence, landscape materials, berm, vegetative plantings or any combination of the above at least 2.0 metres (6.57 feet) in height;
- .9 Units shall be located a minimum of 3.0 metres (9.84 feet) from the principal building, structure or use;
- .10 Unit shall be setback a minimum 1.5 metres (4.92 feet) from the side or rear property lines and all other structures on the property;
- .11 Units determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality;
- .12 Units must meet the National Building Code Standards where applicable;
- .13 Where the Municipality considers necessary, all affected parties may be required to enter into a development agreement to assure applicable development standards are adhered to.

#### **11.4.9 Outside Storage**

Notwithstanding anything contained in this Bylaw, no person shall use any site in the CR2 District for the parking or storage of more than two (2) vehicles that are visible and not in running order.

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### **11.5 SIGNS**

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All developments shall comply with Section 4.37 General Regulations.

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### **11.6 LANDSCAPING**

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The following landscape provisions are required in the CR2 District, in addition to general provisions identified in Section 4.15 and 4.16 of this Bylaw:

- 11.6.1** In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, all shelterbelts, tree plantings, screening and fencing shall have a minimum setback requirement of no less than 4.5 metres (14.76 feet) from any site line and not block the vision of drivers both on site and within a sight triangle.
- 11.6.2** No outside storage shall be permitted in a yard abutting a road.
- 11.6.3** Any and all outdoor storage requires a landscaped strip of not less than 45.72 metres (150 feet) in depth is provided to the front property line to the satisfaction of the Development Officer.
- 11.6.4** Outdoor storage shall be permitted in the side and rear yards and shall be suitably screened from any municipal road allowance, municipal grid road, main farm access road, or provincial highway to the satisfaction of the Development Officer.

## H

## 12.0 HAMLET DISTRICT (UHL'S BAY)

The purpose of the Hamlet District (H) is to accommodate the existing Hamlet of Uhl's Bay which provides for residential development and subdivision proposals on a multi-site basis. New development may be accommodated in this district as defined in the Official Community Plan, or on lands with a Canada Land Inventory (C.L.I.) rating of classes 4, 5, and 6.

In any Hamlet District (H), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

## 12.1 PERMITTED USES

The Permitted Uses and Minimum Development Standards in the H District are set out in the following chart:

H District	Minimum Development Standards (in Metres)							
	Site Width	Site Area (m <sup>2</sup> )	Front Yard	Side Yard	Rear Yard	Max. Building Height	Max. Site Coverage (%)	Minimum Floor Area (m <sup>2</sup> )
<b>12.1 Permitted Uses</b>								
Dwelling, Single-Detached	15	464	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	11	60	74.3
General Commercial - Type I	15	464	-	1.5 <sup>(2)</sup>	3	11	60	74.3
Museum	15	464	-	1.5 <sup>(2)</sup>	3	11	60	-
Community Facility	15	8,000	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	11	60	74.3
Public Utility <sup>(6)</sup>	-	-	-	-	-	-	-	-
Habitat and Wildlife Conservation	-	-	-	-	-	-	-	-
Nature Trail	-	-	-	-	-	-	-	-
Open Space	-	-	-	-	-	-	-	-
Accessory Building, Use or Structure	Refer to Section 4.9							

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer

## 12.2 DISCRETIONARY USES

The Discretionary Uses and Minimum Development Standards in the H District are set out in the following chart:

H District	Minimum Development Standards (in Metres)							
	Site Width	Site Area (m <sup>2</sup> )	Front Yard	Side Yard	Rear Yard	Max. Building Height	Max. Site Coverage (%)	Minimum Floor Area (m <sup>2</sup> )
<b>12.2 Discretionary Uses</b>								
Park Model Recreation Unit	15	464	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	3.4	60	27.8
Mobile Home <sup>(3)</sup>	15	464	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	3.4	60	65
Guest Suite	15	464	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	11 <sup>(5)</sup>	60	37.2 <sup>(4)</sup>
Residential Care Home	15	8,000	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	11	60	46.4
Animal Clinic	15	464	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	11	60	55.7
Day Care Center	15	8,000	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	7.5	60	74.3
Contractor's Yard	15	8,000	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	4	60	-
Greenhouses and Nursery	15	8,000	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	8	60	-
Farmer's Market	15	8,000	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	8	60	-
Institutional Use	15	8,000	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	11	60	74.3
Place of Worship	15	8,000	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	11	60	-
Cemetery	15	464	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	-	60	-
General Commercial - Type I	15	8,000	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	8	60	46.4
Heritage Resource Development	-	-	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	11	60	-
Recreational Use	15	8,000	6 <sup>(1)</sup>	1.5 <sup>(2)</sup>	3	-	60	-
Portable Storage Unit	Refer to Section 12.4.8							
Renewable Energy Technology	Refer to Section 4.32							
Bed and Breakfast Home	Refer to Section 4.33							
Home Based Business	Refer to Section 4.34							

## 12.3 FOOTNOTES TO DEVELOPMENT STANDARDS

- .1 The Front Yard is measured from the property line of an internal subdivision road or any municipal road right of way.
- .2 Rear Yards for interior sites shall be no less than 3.0 metres (9.84 feet) or as required by a flood elevation report for the identified lot.
- .3 Mobile homes, at Council's discretion, may be permitted in the Hamlet District so long as they are not older than 10 years old upon application for a development permit.
- .4 A guest suite shall not exceed 50.0 m<sup>2</sup> (538 ft<sup>2</sup>) and may not have more than two bedrooms.
- .5 The maximum height of a guest suite shall not exceed the height of the principal building. The maximum height of a guest suite provides for a garage below the living space of the suite. Guest suites shall be comprised of a maximum of one floor of living space.
- .6 Public Utilities are exempt from the development standards related to this District.

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## 12.4 SUPPLEMENTARY PROVISIONS

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In addition to the development standards for permitted and discretionary land uses for the H District, the following supplementary development provisions shall be considered and applied to the following land use considerations.

### 12.4.1 Accessory Building, Structure, and Use

In addition to the general provisions found in Section 4.9, the following provisions apply to accessory buildings, structures and uses in the H District:

- .1 A permitted accessory use/building shall be defined as any building, structure or use which is customarily accessory to the principal use of the site.
- .2 All accessory uses, buildings (i.e. detached garages) or structures require the submission of an application for a development permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- .4 Accessory storage sheds under 13.94 m<sup>2</sup> (150 ft<sup>2</sup>) shall not accommodate laundry and washroom facilities.
- .5 The Building floor area for large accessory buildings (workshops) located on Hamlet (H) sites must not exceed 100 m<sup>2</sup> (1076.43 ft<sup>2</sup>), however Council will consider larger buildings on a case by case basis, provided that setbacks, separation distances can be met. All workshop-related activities shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection. Design of accessory buildings shall be complementary to the residential surroundings.

### 12.4.2 Building Height

In the absence of architectural controls, building heights shall not have a negative impact on the natural vista of the lake or on neighbouring property owner's views. If there is any dispute on the matter Council shall have the deciding authority.

### 12.4.3 Safe Building Elevation (SBE)

The minimum SBE for developments along Last Mountain Lake in the RM of McKillop is 493.5 m; therefore, all developments in the Lake Shore Development District shall be constructed at or above the SBE. The Province necessitates flood protection requirements include that the bottom of floor joists and all electrical, furnace and water heaters are constructed above the minimum SBE.

Refer to Section 4.18 for more information on SBE.

#### 12.4.4 Bed and Breakfast Home

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Bed & Breakfast Home in the H District:

- .1 Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead site or country residence.
- .2 No more than three (3) guest rooms shall be allowed in a bed and breakfast home.
- .3 One sign, not exceeding 0.47m<sup>2</sup> (5ft<sup>2</sup>) advertising the vacation farm or bed and breakfast home and located on site, is permitted.
- .4 The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.
- .5 The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner-occupied residence. No one other than the occupant and his/her immediate family members may be involved or employed in the operation of the bed and breakfast home.
- .6 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

#### 12.4.5 Guest Suite

At Council's Discretion, a single guest suite may be allowed as an accessory to a primary residence in the Hamlet District under the following conditions:

- .1 A guest suite may be constructed within an approved accessory attached or detached garage.
- .2 Only one guest suite shall be permitted on each residential site.
- .3 A guest suite may only be located on a site containing an existing dwelling.
- .4 Guest suite must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building or from the entrance to the detached garage.
- .5 A parcel containing a guest suite may also accommodate a home occupation described in Section 4.34.
- .6 One onsite parking space shall be provided for the guest suite, in addition to the number of parking spots required for the principal building.
- .7 Guest suite exteriors shall relate to the house exterior by utilizing similar design elements, colours and finish materials.
- .8 A guest suite shall not be used as tourist homes or rentals.
- .9 Guest suites must contain living, sleeping, and sanitary facilities.
- .10 All guest suite shall comply with the National Building Codes of Canada and Provincial Fire Codes.

- .11 Suites shall be designed for the exclusive use of guests of the dwelling owner and not for year-round or permanent occupation.
- .12 They may contain a toilet facility which is separate from the principal dwelling on the same lot, but this facility must be connected to the sewage disposal system of that principal dwelling, only after the connection has been first approved by the Health District and the local community utility.
- .13 Suites shall not contain any cooking facilities.
- .14 Suites shall not be allowed to have any garage as an accessory use.

#### **12.4.6 Residential Care Home**

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Residential Care Home in a H District:

- .1 The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- .2 Required parking spaces may be located in a required front yard.
- .3 No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.
- .4 The use shall be conducted entirely within the dwelling unit and shall not have any exterior evidence of a secondary use.
- .5 There shall be no outside storage or exterior display of goods, materials or equipment associated with the applied use.
- .6 The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.

#### **12.4.7 Temporary Use**

Notwithstanding the provisions of this bylaw and the Official Community plan, a recreational vehicle may be permitted for a period of up to five (5) years within this zoning district, subject to a resolution of Council, provided that the following criteria is met:

- .1 Adherence to any permit or building bylaw or licensing requirement in effect in the Municipality
- .2 Issuance of a Development Permit to the landowner, where the said recreational vehicle is located, to be issued on an annual basis.
- .3 The entering into of a development agreement between all affected parties, where considered necessary, to assure applicable development standards are adhered to.
- .4 Compliance with any requirement of the Ministry of Health or government agencies respecting water and waste connections, and disposal concerns.

#### **12.4.8 Portable Storage Unit**



In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, Portable Storage Units may be accommodated for warehousing or storage purposes in the H District under the following conditions:

- .1 Adherence to any permit or building bylaw or licensing requirement in effect in the Municipality.
- .2 One portable storage unit, incidental to construction of a building or structure with an active building permit is allowed, provided such storage unit shall be removed following completion or abandonment of such construction.
- .3 One portable storage unit may be placed on a residential lot with an active building permit;
- .4 Prior to placement of the portable storage unit on the lot, the property owner shall obtain a temporary development permit from the Development Officer. The temporary permit shall be limited to a time period set by the Municipality;
- .5 The portable storage unit shall not exceed a gross floor area of 39.4 m<sup>2</sup> (424 ft<sup>2</sup>);
- .6 The storage unit shall comply with any permit or building bylaw or licensing requirement in effect in the Municipality;
- .7 No unit shall be placed or located in a front or side yard;
- .8 Units shall be suitably screened from view from adjacent roadways and public lands by a solid fence, landscape materials, berm, vegetative plantings or any combination of the above at least 2.0 metres (6.57 feet) in height;
- .9 Notwithstanding 8.21.9 and .10, Units shall comply with the same setback requirements as accessory buildings, uses or structures.
- .10 Units shall be located a minimum of 3.0 metres (9.84 feet) from the principal building, structure or use;
- .11 Units shall be setback a minimum 1.5 metres (4.92 feet) from all other structures on the property;
- .12 Units determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality;
- .13 Units must meet the National Building Code Standards where applicable;
- .14 Where the Municipality considers necessary, all affected parties may be required to enter into a development agreement to assure applicable development standards are adhered to.

#### **12.4.9 Outdoor Storage**

- .1 The outdoor storage or collection of goods and materials is prohibited in a front yard in any Hamlet District.
- .2 Outdoor storage is permitted in a side or rear yard in a Hamlet District only when the goods or material being stored are clearly accessory and incidental to the principal use of the property.
- .3 All machinery and the storage of aggregate materials shall comply with the same setback requirements as for buildings.

- .4 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- .5 Notwithstanding anything contained in this Bylaw, no person shall use any site in the Hamlet District for the parking or storage of more than one (1) vehicle that is visible and not in running order.
- .6 No yard shall be used for the storage or collection of hazardous material.
- .7 Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts.
- .8 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

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## **12.5 SIGNS**

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All developments shall comply with Section 5.0 of this Bylaw.

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## **12.6 LANDSCAPING**

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The following landscape provisions are required in the H District, in addition to general provisions identified in Section 4.15 and 4.16 of this Bylaw:

- 12.6.1** In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, all shelterbelts, tree plantings, screening and fencing shall have a minimum setback requirement of no less than 4.5 metres (14.76 feet) from any site line and not block the vision of drivers both on site and within a sight triangle.
- 12.6.2** Any and all outdoor storage requires a landscaped strip of not less than 6.0 metres (19.69 feet) in depth is provided to the front property line to the satisfaction of the Development Officer.
- 12.6.3** Outdoor storage shall be permitted in the side and rear yards and shall be suitably screened from any municipal road allowance, municipal grid road, main farm access road, or provincial highway to the satisfaction of the Development Officer.
- 12.6.4** All shelterbelts and tree plantings shall comply with the same setback requirement as for buildings.
- 12.6.5** No hedge, fence or other structure shall be erected past any property line.
  - .1 In a required front yard, to a height of more than 1.0 metre (3.29 feet) above grade level.
  - .2 In a required rear or side yard, to a height of more than 2.0 metres (6.57 feet) above grade level.
- 12.6.6** Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 metres (6.57 feet).

**12.6.7** No barbed wire or razor wire fences shall be allowed in the H District.

LS1

## 13.0 LAKESHORE RESIDENTIAL 1 DISTRICT

The purpose of the Lakeshore Residential District (LS1) is to accommodate residential lakeshore development and subdivision proposals on a multi-site basis. New development may be accommodated in this district as defined in the Official Community Plan.

In the Lakeshore Residential 1 District (LS1), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

### 13.1 PERMITTED USES

The Permitted Uses and Minimum Development Standards in the LS1 District are set out in the following chart:

LS1 District	Minimum Development Standards (in Metres)									
	Site Width	Site Depth	Site Area (m <sup>2</sup> )	Front Yard	Side Yard	Rear Yard Interior Site	Rear Yard Corner Site	Max. Building Height	Max. Site Coverage (%)	Minimum Floor Area (m <sup>2</sup> )
<b>13.1 Permitted Uses</b>										
Dwelling, Single-Detached	15	30.9	900	6 <sup>(1)(9)</sup>	1.5	3 <sup>(2)(9)</sup>	4.5 <sup>(3)(9)</sup>	11 <sup>(4)</sup>	60	74.3
Ready-to-Move Dwelling (RTM)	15	30.9	900	6 <sup>(1)(9)</sup>	1.5	3 <sup>(2)(9)</sup>	4.5 <sup>(3)(9)</sup>	11 <sup>(4)</sup>	60	74.3
Modular Home	15	30.9	900	6 <sup>(1)(9)</sup>	1.5	3 <sup>(2)(9)</sup>	4.5 <sup>(3)(9)</sup>	11 <sup>(4)</sup>	60	74.3
Park, Playground, or Day-Use Picnic Area	-	-	-	-	-	-	-	-	-	-
Public Works Building or Structure	-	-	-	6	1.5	-	-	11 <sup>(4)</sup>	60	-
Community Facility	15	30.9	464	-	-	7.5	4.5 <sup>(3)(9)</sup>	11 <sup>(4)</sup>	60	74.3
Habitat and Wildlife Conservation	-	-	-	-	-	-	-	-	-	-
Accessory Building, Use or Structure <sup>(10)</sup>	Refer to Section 4.9									

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer.

### 13.2 DISCRETIONARY USES

The Discretionary Uses and Minimum Development Standards in the LS1 District are set out in the following chart:

LS1 District	Minimum Development Standards (in Metres)									
	Site Width	Site Depth	Site Area (m <sub>2</sub> )	Front Yard	Side Yard	Rear Yard Interior Site	Rear Yard Corner Site	Max. Building Height	Max. Site Coverage (%)	Minimum Floor Area (m <sup>2</sup> )
<b>13.2 Discretionary Uses</b>										
Guest Suite	15	30.9	464	7 <sup>(1)(9)</sup>	3	3 <sup>(2)</sup>	4.5 <sup>(3)</sup>	11 <sup>(4)(5)</sup>	60	18.5 <sup>(6)</sup>
Commercial Recreation Use	15	30.9	464	6 <sup>(1)(9)</sup>	1.5	3 <sup>(2)</sup>	4.5 <sup>(3)</sup>	11 <sup>(4)</sup>	60	74.3
Park Model Trailer Unit	15	30.9	464	6 <sup>(1)(9)</sup>	1.5	3 <sup>(2)</sup>	4.5 <sup>(3)</sup>	3.4	60	-
Incidental Accommodation <sup>(7)(8)</sup>	15	30.9	464	6 <sup>(1)(9)</sup>	1.5	3 <sup>(2)</sup>	4.5 <sup>(3)</sup>	11 <sup>(4)</sup>	60	-
Heritage Resource Development	-	-	-	6 <sup>(1)(9)</sup>	1.5	3 <sup>(2)</sup>	4.5 <sup>(3)</sup>	11 <sup>(4)</sup>	-	-
Bed and Breakfast Home	Refer to Section 4.33									
Home Based Business	Refer to Section 4.34									
Renewable Energy Technology	Refer to Section 4.32									

### 13.3 FOOTNOTES TO DEVELOPMENT STANDARDS

- .1 The Front Yard is measured from the property line of an internal subdivision road or any municipal road right of way.
- .2 Rear Yards for interior sites shall be no less than 3.0 metres (9.84 feet) or as required by a flood elevation report for the identified lakeshore lot.
- .3 Rear yards for corner sites shall be no less than 4.5 metres (14.76 feet) or as required by a flood elevation report for the identified lakeshore lot.
- .4 Maximum Building Height shall not limit or negatively affect the sight lines of lake view or non-lakefront lots insofar as is practical.
- .5 The maximum height of a guest suite shall not exceed the height of the principal building.
- .6 A guest suite shall not exceed 50.0 m<sup>2</sup> (538 ft<sup>2</sup>) and may not have more than two bedrooms.
- .7 Incidental Accommodation can include a temporary building or recreational vehicle (up to a maximum of four (4) years) with the sole purpose of being incidental to the erection or alteration of a principal dwelling for which a building permit has been granted.
- .8 Recreational Vehicles may be permitted as a temporary use at the discretion of Council. Council may permit this use for up to five (5) years under the following conditions:
  - i. After five years a development permit must be applied for, and obtained, to construct a principal building on the site.
  - ii. The recreational vehicle shall not connect to private sewage works.
  - iii. A deck will be permitted with a minimum size of 10 m<sup>2</sup> (107.63 ft<sup>2</sup>).
  - iv. There shall be no accessory use on the property.
  - v. Recreational Vehicles that precede the approval of the enactment of this bylaw will be given up to a maximum of five (5) years to remove the camper and construct or move on a principal dwelling.

- .9 The front yard for lake front parcels shall be measured from the property line closest to the lake shore and shall be no less than 6.0 metres (19.69 feet) or as required by a flood elevation report for the identified lakeshore lot, and rear yard shall be measured from the property line adjacent to the roadway.
- .10 The front yard requirement for a boathouse from the property line closest to the lake shore shall be no less than 3.0 metres (9.84 feet) or as required by a flood elevation report for the identified lakeshore lot.

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### 13.4 SUPPLEMENTARY PROVISIONS

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In addition to the development standards for permitted and discretionary land uses for the LS1 District, the following supplementary development provisions shall be considered and applied to the following land use considerations.

#### 13.4.1 Accessory Building, Structure, and Use

In addition to the general provisions found in Section 4.9, the following provisions apply to accessory buildings, structures and uses in the LS1 District:

- .1 A permitted accessory use/building shall be defined as any building, structure, or use, which is customarily accessory to the principal use of the site.
- .2 Garages may be constructed up to five (5) years prior to the issuance of a development permit for the principle dwelling.
- .3 One accessory garage for motor or recreational vehicles.
- .4 Two (2) detached sheds or buildings accessory to the principal dwelling unit shall be permitted on the site.
- .5 Motor Homes, recreational vehicles and park model trailers shall not be permitted as accessory uses; unless the use is consistent with the definition of incidental accommodation and has been permitted by Council to be placed on the site. Units found in violation of this policy shall be removed from the site by the RM with all costs and liabilities shall be borne by the landowner.
- .6 In rare circumstances and at Council's discretion, accessory storage sheds will be permitted to accommodate vault or composting toilets.
- .7 A 2-storey accessory building (i.e. boathouse) may not exceed the height of the residence.
- .8 All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.
- .9 The Building floor area for large accessory buildings (workshops) located in a Lakeshore District (LS) site may not exceed the size of the residence, however Council will consider larger buildings on a case by case basis, provided that setbacks, separation distances can be met. All workshop-related activities shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection. Design of accessory buildings shall be complementary to the residential surroundings.

**13.4.2 Guest Suite**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all applications for a Guest Suite in the LS1 District:

- .1 A guest suite may be constructed within an approved accessory attached or detached garage.
- .2 Only one suite shall be permitted on each residential site.
- .3 A guest suite may only be located on a site containing an existing dwelling.
- .4 Guest suite must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building or from the entrance to the detached garage.
- .5 A parcel containing a guest suite may also accommodate a home occupation described in Section 4.34.
- .6 One onsite parking space shall be provided for the guest suite, in addition to the number of parking spots required for the principal building.
- .7 Guest suite exteriors shall relate to the house exterior by utilizing similar design elements, colours and finish materials.
- .8 A guest suite shall not be used as tourist homes or rentals.
- .9 Guest suites must contain living, sleeping, and sanitary facilities.
- .10 All guest suite shall comply with the National Building Codes of Canada and Provincial Fire Codes.
- .11 Suites shall be designed for the exclusive use of guests of the dwelling owner and not for year-round or permanent occupation.
- .12 They may contain a toilet facility which is separate from the principal dwelling on the same lot, but this facility must be connected to the sewage disposal system of that principal dwelling, only after the connection has been first approved by the Health District and the local community utility.
- .13 Suites shall not contain any cooking facilities.
- .14 Suites shall not be allowed to have any garage as an accessory use.

**13.4.3 Bed and Breakfast Home**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all applications for a Bed & Breakfast in the LS1 District:

- .1 Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead site or country residence.
- .2 No more than three (3) guest rooms shall be allowed in a bed and breakfast home.

- .3 One sign, not exceeding 0.47m<sup>2</sup> (5ft<sup>2</sup>) advertising the vacation farm or bed and breakfast home and located on site, is permitted.
- .4 The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.
- .5 The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner-occupied residence. No one other than the occupant and his/her immediate family members may be involved or employed in the operation of the bed and breakfast home.
- .6 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

#### **13.4.4 Building Height**

In the absence of architectural controls, building heights shall not have a negative impact on the natural vista of the lake or on neighbouring property owner's views. If there is any dispute on the matter Council shall have the deciding authority.

#### **13.4.5 Off-Season Storage**

- .1 No storage shall be undertaken in the front yard, except for developed lake shore lots.
- .2 Storage on vacant lots shall be limited an area of 102.19 m<sup>2</sup> (1,100 ft<sup>2</sup>), shall not be undertaken in the front, side, or rear setbacks.

#### **13.4.6 Portable Storage Unit**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, Portable Storage Units may be accommodated for warehousing or storage purposes in the LS1 District under the following conditions:

- .1 One portable storage unit, incidental to construction of a building or structure with an active building permit is allowed, provided such storage unit shall be removed following completion or abandonment of such construction.
- .2 One portable storage unit may be placed on a residential lot with an active building permit;
- .3 Prior to placement of the portable storage unit on the lot, the property owner shall obtain a temporary development permit from the Development Officer. The temporary permit shall be limited to a time period set by the Municipality;
- .4 The portable storage unit shall not exceed a gross floor area of 39.4 m<sup>2</sup> (424 ft<sup>2</sup>);
- .5 The storage unit shall comply with any permit or building bylaw or licensing requirement in effect in the Municipality;
- .6 No unit shall be placed or located in a front or side yard;
- .7 Units shall be located a minimum of 3.0 metres (9.84 feet) from the principal building, structure or use;



- .8 Unit shall be setback a minimum 1.5 metres (4.92 feet) from the side or rear property lines and all other structures on the property;
- .9 Units determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality;
- .10 Units must meet the National Building Code Standards where applicable;
- .11 Where the Municipality considers necessary, all affected parties may be required to enter into a development agreement to assure applicable development standards are adhered to.

#### **13.4.7 Outside Storage**

- .1 The temporary storing of seasonal buildings or recreational equipment or vehicles on vacant lots shall be limited an area of 102.19 m<sup>2</sup> (1,100 ft<sup>2</sup>), shall not be undertaken in the front, side, or rear setbacks.
- .2 No yard shall be used for the storage or collection of hazardous material.
- .3 Intermodal Shipping containers are prohibited from all properties within the LS1 District except under the conditions outlined in Section 13.4.6 of this Bylaw.
- .4 Notwithstanding anything contained in this Bylaw, no person shall use any site in the LS1 District for the parking or storage of more than one (1) vehicle that is visible and not in running order.
- .5 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.
- .6 Outside storage shall be permitted in side and rear yards.
- .7 Notwithstanding Section 4.39, Council may require special standards for the location, setback, or screening of any area devoted to the outdoor storage of vehicles in operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts.

#### **13.4.8 Safe Building Elevation**

- .1 The minimum SBE for developments along Last Mountain Lake in the RM of McKillop is 493.5 m; therefore, all developments in the Lake Shore Development District shall be constructed at or above the SBE. The Province necessitates flood protection requirements include that the bottom of floor joists and all electrical, furnace and water heaters are constructed above the minimum SBE.

Refer to Section 4.18 for more information on safe building elevations.

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### **13.5 SIGNS**

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All developments shall comply with Section 5.0 of this Bylaw.

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### **13.6 LANDSCAPING**

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The following landscape provisions are required in the LS1 District, in addition to general provisions identified in Section 4.15 and 4.16 of this Bylaw:

- 13.6.1** No barbed wire or razor wire fences shall be allowed in the Lake Shore Development District.
- 13.6.2** In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, all shelterbelts, tree plantings, screening and fencing shall have a minimum setback requirement of no less than 6.0 metres (19.69 feet) from any site line and not block the vision of drivers both on site and within a sight triangle.
- 13.6.3** Any and all outdoor storage requires a landscaped strip of not less than 6.0 metres (19.69 feet) in depth is provided to the front property line to the satisfaction of the Development Officer.
- 13.6.4** Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 metres (6.57 feet).

LS2

## 14.0 LAKESHORE SMALL LOT RESIDENTIAL 2 DISTRICT

The purpose of the Lakeshore Small Lot Residential District (LS2) is to accommodate higher density residential lakeshore development and subdivision proposals on a multi-site basis. New development may be accommodated in this district as defined in the Official Community Plan.

In the Lakeshore Residential 2 District (LS2), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

### 14.1 PERMITTED USES

The Permitted Uses and Minimum Development Standards in the LS2 District are set out in the following chart:

LS2 District	Minimum Development Standards (in Metres)									
	Site Width	Site Depth	Site Area (m <sup>2</sup> )	Front Yard	Side Yard	Rear Yard Interior Site	Rear Yard Corner Site	Max. Building Height	Max. Site Coverage (%)	Minimum Floor Area (m <sup>2</sup> )
<b>14.1 Permitted Uses</b>										
Dwelling, Single Detached	15	30.9	400	4 <sup>(1)(11)</sup>	1.5	3 <sup>(2)(11)</sup>	4.5 <sup>(3)(11)</sup>	11 <sup>(4)</sup>	60	46.4
Ready-to-Move Dwelling (RTM)	15	30.9	400	4 <sup>(1)(11)</sup>	1.5	3 <sup>(2)(11)</sup>	4.5 <sup>(3)(11)</sup>	11 <sup>(4)</sup>	60	46.4
Modular Home	15	30.9	400	4 <sup>(1)(11)</sup>	1.5	3 <sup>(2)(11)</sup>	4.5 <sup>(3)(11)</sup>	11 <sup>(4)</sup>	60	46.4
Park, Playground, or Day-Use Picnic Area	-	-	-	-	-	-	-	-	-	-
Public Works Building or Structure	-	-	-	4 <sup>(1)(11)</sup>	1.5	-	-	11 <sup>(4)</sup>	60	-
Community Facility	-	-	-	-	-	7.5	4.5 <sup>(3)(11)</sup>	11 <sup>(4)</sup>	60	74.3
Habitat and Wildlife Conservation	-	-	-	-	-	-	-	-	-	-
Accessory Building, Use or Structure <sup>(12)</sup>	Refer to Section 4.9									

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer.

## 14.2 DISCRETIONARY USES

The Discretionary Uses and Minimum Development Standards in the LS2 District are set out in the following chart:

LS2 District	Minimum Development Standards (in Metres)									
	Site Width	Site Depth	Site Area (m <sup>2</sup> )	Front Yard	Side Yard	Rear Yard Interior Site	Rear Yard Corner Site	Max. Building Height	Max. Site Coverage (%)	Minimum Floor Area (m <sup>2</sup> )
<b>14.2 Discretionary Uses</b>										
Guest Suite	15	30.9	400	4 <sup>(1)(11)</sup>	3.0	3 <sup>(2)(11)</sup>	4.5 <sup>(3)(11)</sup>	11 <sup>(4)(6)</sup>	60	18.5 <sup>(5)</sup>
Commercial Recreation Use	15	30.9	400	4 <sup>(1)(11)</sup>	1.5	3 <sup>(2)(11)</sup>	4.5 <sup>(3)(11)</sup>	11 <sup>(4)</sup>	60	46.4
Park Model Trailer Unit	15	30.9	400	4 <sup>(1)(11)</sup>	1.5	3 <sup>(2)(11)</sup>	4.5 <sup>(3)(11)</sup>	3.4	60	-
Incidental Accommodation <sup>(7)(8)</sup>	15	30.9	400	4 <sup>(1)(11)</sup>	1.5	3 <sup>(2)(11)</sup>	4.5 <sup>(3)(11)</sup>	11 <sup>(4)</sup>	60	-
Residential Leasehold <sup>(9)(10)</sup>	-	-	-	4 <sup>(1)(11)</sup>	1.5	3 <sup>(2)(11)</sup>	4.5 <sup>(3)(11)</sup>	11 <sup>(4)</sup>	60	46.4
Heritage Resource Development	-	-	-	4 <sup>(1)(11)</sup>	1.5	3 <sup>(2)(11)</sup>	4.5 <sup>(3)(11)</sup>	11 <sup>(4)</sup>	-	-
Bed and Breakfast Home	Refer to Section 4.33									
Home Based Business	Refer to Section 4.34									
Renewable Energy Technology	Refer to Section 4.32									

## 14.3 FOOTNOTES TO DEVELOPMENT STANDARDS

- .1 The Front Yard is measured from the property line of an internal subdivision road or any municipal road right of way.
- .2 Rear Yards for interior sites shall be no less than 3.0 metres (9.84 feet) or as required by a flood elevation report for the identified lakeshore lot.
- .3 Rear yards for corner sites shall be no less than 4.5 metres (14.76 feet) or as required by a flood elevation report for the identified lakeshore lot.
- .4 Maximum Building Height shall not limit or negatively affect the sight lines of lake view or non-lakefront lots insofar as is practical.
- .5 A guest suite shall not exceed 50.0 m<sup>2</sup> (538 ft<sup>2</sup>) and may not have more than two bedrooms.
- .6 The maximum height of a guest suite shall not exceed the height of the principal building.
- .7 Incidental Accommodation can include a temporary building or recreational vehicle (up to a maximum of four (4) years) with the sole purpose of being incidental to the erection or alteration of a principal dwelling for which a building permit has been granted.
- .8 Recreational Vehicles may be permitted as a temporary use at the discretion of Council. Council may permit this use for up to five (5) years under the following conditions:
  - i. After five years a development permit must be applied for, and obtained, to construct a principal building on the site.
  - ii. The recreational vehicle shall not connect to private sewage works.
  - iii. A deck will be permitted with a minimum size of 10 m<sup>2</sup> (107.63 ft<sup>2</sup>).
  - iv. There shall be no accessory use on the property.

- v. Recreational Vehicles that precede the approval of the enactment of this bylaw will be given up to a maximum of five (5) years to remove the camper and construct or move on a principal dwelling.
- .9 Residential Leasehold shall apply to the five (5) existing single detached dwellings located on leased, unsubdivided land (locally referred to H. Flavel Beach) on the SW 26-22-23-W2, and the twenty-three (23) existing single detached dwellings located on leased, unsubdivided land (locally referred to Belmont Beach) on part of the SE 34-22-23-W2. No additional Residential Leasehold sites shall be approved.
- .10 Residential Leaseholds are restricted to the number of leaseholds that are currently developed.
- .11 The front yard for lake front parcels shall be measured from the property line adjacent to the lake shore and shall be no less than 6.0 metres (19.69 feet) or as required by a flood elevation report for the identified lakeshore lot, and rear yard shall be measured from the property line adjacent to the roadway.
- .12 The front yard requirement for a boathouse from the property line closest to the lake shore shall be no less than 3.0 metres (9.84 feet) or as required by a flood elevation report for the identified lakeshore lot.

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#### 14.4 SUPPLEMENTARY PROVISIONS

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In addition to the development standards for permitted and discretionary land uses for the LS2 District, the following supplementary development provisions shall be considered and applied to the following land use considerations.

##### 14.4.1 Accessory Buildings, Structures, and Uses

In addition to the general provisions found in Section 4.9, the following provisions apply to accessory buildings, structures and uses in the LS2 District:

- .1 A permitted accessory use/building shall be defined as any building, structure, or use, which is customarily accessory to the principal use of the site.
- .2 Garages may be constructed up to five (5) years prior to the issuance of a development permit for the principle dwelling.
- .3 One accessory garage for motor or recreational vehicles.
- .4 Two (2) detached sheds or buildings accessory to the principal dwelling unit shall be permitted on the site.
- .5 Recreational Vehicles and park model trailers shall not be permitted as accessory uses; unless the use is consistent with the definition of incidental accommodation and has been permitted by Council to be placed on the site. Units found in violation of this policy shall be subject to enforcement under Section 242 of the Act.
- .6 In rare circumstances and at Council's discretion, accessory storage sheds will be permitted to accommodate vault or composting toilets.
- .7 A 2-storey accessory building (i.e. boathouse) may not exceed the height of the residence.

- .8 All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.
- .9 The Building floor area for large accessory buildings (workshops) located in a Lakeshore District (LS) site may not exceed the size of the residence, however Council will consider larger buildings on a case by case basis, provided that setbacks, separation distances can be met. All workshop-related activities shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection. Design of accessory buildings shall be complementary to the residential surroundings.

#### **14.4.2 Guest Suite**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all applications for a Guest Suite in the LS2 District:

- .1 A guest suite may be constructed within an approved accessory attached or detached garage.
- .2 Only one suite shall be permitted on each residential site.
- .3 A guest suite may only be located on a site containing an existing dwelling.
- .4 Guest suite must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building or from the entrance to the detached garage.
- .5 A parcel containing a guest suite may also accommodate a home occupation described in Section 4.34.
- .6 One onsite parking space shall be provided for each guest suite, in addition to the number of parking spots required for the principal building.
- .7 Guest suite exteriors shall relate to the house exterior by utilizing similar design elements, colours and finish materials.
- .8 A guest suite shall not be used as tourist homes or rentals.
- .9 Guest suites must contain living, sleeping, and sanitary facilities.
- .10 All guest suite shall comply with the National Building Codes of Canada and Provincial Fire Codes.
- .11 Suites shall be designed for the exclusive use of guests of the dwelling owner and not for year-round or permanent occupation.
- .12 They may contain a toilet facility which is separate from the principal dwelling on the same lot, but this facility must be connected to the sewage disposal system of that principal dwelling, only after the connection has been first approved by the Health District and the local community utility.
- .13 Suites shall not contain any cooking facilities.
- .14 Suites shall not be allowed to have any garage as an accessory use

#### **14.4.3 Bed and Breakfast Home**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all applications for a Bed & Breakfast in the LS2 District:

- .1 Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead site or country residence.
- .2 No more than three (3) guest rooms shall be allowed in a bed and breakfast home.
- .3 One sign, not exceeding 0.47m<sup>2</sup> (5ft<sup>2</sup>) advertising the vacation farm or bed and breakfast home and located on site, is permitted.
- .4 The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.
- .5 The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner-occupied residence. No one other than the occupant and his/her immediate family members may be involved or employed in the operation of the bed and breakfast home.
- .6 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

#### **14.4.4 Building Height**

In the absence of architectural controls, building heights shall not have a negative impact on the natural vista of the lake or on neighbouring property owner's views. If there is any dispute on the matter Council shall have the deciding authority.

#### **14.4.5 Off-Season Storage**

- .7 No storage shall be undertaken in the front yard, except for developed lake shore lots.
- .8 Storage on vacant lots shall be limited an area of 102.19 m<sup>2</sup> (1,100 ft<sup>2</sup>), shall not be undertaken in the front, side, or rear setback.

#### **14.4.6 Portable Storage unit**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, Portable Storage Units may be accommodated for warehousing or storage purposes in the LS2 District under the following conditions:

- .1 One portable storage unit, incidental to construction of a building or structure with an active building permit is allowed, provided such storage unit shall be removed following completion or abandonment of such construction.
- .2 One portable storage unit may be placed on a residential lot with an active building permit;
- .3 Prior to placement of the portable storage unit on the lot, the property owner shall obtain a temporary development permit from the Development Officer. The temporary permit shall be limited to a time period set by the Municipality;

- .4 The portable storage unit shall not exceed a gross floor area of 39.4 m<sup>2</sup> (424 ft<sup>2</sup>);
- .5 The storage unit shall comply with any permit or building bylaw or licensing requirement in effect in the Municipality;
- .6 No unit shall be placed or located in a front or side yard;
- .7 Units shall be located a minimum of 3.0 metres (9.84 feet) from the principal building, structure or use;
- .8 Unit shall be setback a minimum 1.5 metres (4.92 feet) from the side or rear property lines and all other structures on the property;
- .9 Units determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality;
- .10 Units must meet the National Building Code Standards where applicable;
- .11 Where the Municipality considers necessary, all affected parties may be required to enter into a development agreement to assure applicable development standards are adhered to.

#### **14.4.7 Outside Storage**

- .1 The temporary storing of seasonal buildings or recreational equipment or vehicles on vacant lots shall be limited an area of 102.19 m<sup>2</sup> (1,100 ft<sup>2</sup>), shall not be undertaken in the front, side, or rear setback.
- .2 No yard shall be used for the storage or collection of hazardous material.
- .3 Intermodal Shipping containers are prohibited from all properties within the LS2 District except under the conditions outlined in Section 14.4.6 of this Bylaw.
- .4 Notwithstanding anything contained in this Bylaw, no person shall use any site in the LS2 District for the parking or storage of more than one (1) vehicle that is visible and not in running order.
- .5 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.
- .6 Outside storage shall be permitted in side and rear yards.

#### **14.4.8 Safe Building Elevation**

The minimum SBE for developments along Last Mountain Lake in the RM of McKillop is 493.5 m; therefore, all developments in the Lake Shore Development District shall be constructed at or above the SBE. The Province necessitates flood protection requirements include that the bottom of floor joists and all electrical, furnace and water heaters are constructed above the minimum SBE.

Refer to Section 4.18 for more information on safe building elevations.

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### **14.5 SIGNS**

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All developments shall comply with Section 5.0 of this Bylaw.



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## **14.6 LANDSCAPING**

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The following landscape provisions are required in the LS2 District, in addition to general provisions identified in Section 4.15 and 4.16 of this Bylaw:

- 14.6.1** No barbed wire or razor wire fences shall be allowed in a Lake Shore Development District.
- 14.6.2** In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, all shelterbelts, tree plantings, screening and fencing shall have a minimum setback requirement of no less than 6.0 metres (19.69 feet) from any site line and not block the vision of drivers both on site and within a sight triangle.
- 14.6.3** Any and all outdoor storage requires a landscaped strip of not less than 6.0 metres (19.69 feet) in depth is provided to the front property line to the satisfaction of the Development Officer.
- 14.6.4** Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 metres (6.57 feet).

RR

## 15.0 RECREATIONAL RESORT DISTRICT (SUN DALE)

The purpose of the Recreational Resort District (RR) is to accommodate Sun Dale Resort, a planned residential resort development on multi-site basis or single site additions to the resort style development.

In the Recreational Resort District (RR), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

### 15.1 PERMITTED USES

The Permitted Uses and Minimum Development Standards in the RR District are set out in the following chart:

RR District	Minimum Development Standards (in Metres)									
	Site Width	Site Depth	Site Area (m <sup>2</sup> )	Front Yard	Side Yard	Rear Yard Interior Site	Rear Yard Corner Site	Max. Building Height	Max. Site Coverage (%)	Minimum Floor Area (m <sup>2</sup> )
<b>15.1 Permitted Uses</b>										
Dwelling, Single-Detached	22.8 <sup>(1)</sup>	30.9	334	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	11 <sup>(5)</sup>	60	75
Dwelling Group (Single Detached only)	22.8 <sup>(1)</sup>	30.9	600	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	11 <sup>(5)</sup>	60	75
Ready-to-Move Dwelling (RTM)	22.8 <sup>(1)</sup>	30.9	334	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	11 <sup>(5)</sup>	60	75
Park, Playground, Day-Use Picnic area	-	-	-	-	-	-	-	-	-	-
Public Works Building or Structure	-	-	-	-	-	-	-	11 <sup>(5)</sup>	60	75
Municipal Office or Facility	22.8 <sup>(1)</sup>	30.9	334	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	11 <sup>(5)</sup>	60	75
Community Facility	22.8 <sup>(1)</sup>	30.9	600	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	11 <sup>(5)</sup>	60	75
Habitat and Wildlife Conservation	-	-	-	-	-	-	-	-	-	-
Accessory Building, Use or Structure	Refer to Section 4.9									

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer.

## 15.2 DISCRETIONARY USES

The Discretionary Uses and Minimum Development Standards in the RR District are set out in the following chart:

RR District	Minimum Development Standards (in Metres)									
	Site Width	Site Depth	Site Area (m <sup>2</sup> )	Front Yard	Side Yard	Rear Yard Interior Site	Rear Yard Corner Site	Max. Building Height	Max. Site Coverage (%)	Minimum Floor Area (m <sup>2</sup> )
<b>15.2 Discretionary Uses</b>										
Residential Care Home	22.8 <sup>(1)</sup>	30.9	704.5	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	11 <sup>(5)</sup>	60	74.3
Guest Suite	22.8 <sup>(1)</sup>	30.9	704.5	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	11 <sup>(5)(7)</sup>	60	18.5 <sup>(6)</sup>
Dwelling, Multiple Unit <sup>(9)</sup>	22.8 <sup>(1)</sup>	30.9	704.5	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	11 <sup>(5)</sup>	60	75
Park Model Trailer Unit	22.8 <sup>(1)</sup>	30.9	464	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	3.4	60	27.4
Condominium <sup>(9)(10)</sup>	22.8 <sup>(1)</sup>	30.9	704.5	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	11 <sup>(5)</sup>	60	75
Incidental Accommodation <sup>(8)</sup>	22.8 <sup>(1)</sup>	30.9	464	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	11 <sup>(5)</sup>	60	-
Farmer's Market	22.8 <sup>(1)</sup>	30.9	704.5	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	7.5 <sup>(5)</sup>	60	-
Hotel/Motel	22.8 <sup>(1)</sup>	30.9	704.5	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	11 <sup>(5)</sup>	60	75
General Commercial - Type I	22.8 <sup>(1)</sup>	30.9	704.5	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	11 <sup>(5)</sup>	60	75
Medical Clinic, Wellness Clinic or Health Spa	22.8 <sup>(1)</sup>	30.9	704.5	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	7.5 <sup>(5)</sup>	60	75
Campground	22.8 <sup>(1)</sup>	30.9	704.5	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	6 <sup>(5)</sup>	60	-
Golf Course	22.8 <sup>(1)</sup>	30.9	10 Ha.	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	7.5 <sup>(5)</sup>	60	75
Heritage Resource Development	-	-	-	6 <sup>(2)</sup>	2	6 <sup>(3)</sup>	4.5 <sup>(4)</sup>	-	-	-
Public or Private Utility excluding wind turbines for private electrical generation and solid and liquid waste disposal sites	-	-	-	-	-	-	-	-	-	-
Bed and Breakfast Home	Refer to Section 4.33									
Renewable Energy Technology	Refer to Section 4.32									
Home Based Business	Refer to Section 4.34									
Day Care Centre	Refer to Section 4.35									

## 15.3 FOOTNOTES TO DEVELOPMENT STANDARDS

- .1 In the case of an irregularly shaped lot, the site width shall be no less than 11.0 metres (36.09 feet) wide.
- .2 The front yard is measured from the property line of an internal subdivision road or any municipal road right of way.
- .3 Rear Yards for interior sites shall be no less than 3.0 metres (9.84 feet) or as required by a flood elevation report for the identified lakeshore lot.
- .4 Rear yards for corner sites shall be no less than 4.5 metres (14.76 feet) or as required by a flood elevation report for the identified lakeshore lot.
- .5 Maximum Building Height shall not limit or negatively affect the sight lines of lake view or non-lakefront lots insofar as is possible.
- .6 A guest suite shall not exceed 50.0 m<sup>2</sup> (538 ft<sup>2</sup>) and may not have more than two bedrooms.

- .7 The maximum height of a guest suite shall not exceed the height of the principal building.
- .8 Incidental Accommodation can include a temporary building or recreational vehicle (up to a maximum of four (4) years) with the sole purpose of being incidental to the erection or alteration of a building for which a building permit has been granted.
- .9 A Multiple Unit Dwelling shall be limited to a maximum 10 dwelling units.
- .10 Condominiums (inclusive of bareland condominiums) are subject to entering into a contract zoning agreement with the Municipality that outlines and addresses any site-specific conditions, considerations and requirements Council may have. No condominium shall proceed without an approved Contract zoning agreement in place.

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## 15.4 SUPPLEMENTARY PROVISIONS

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In addition to the development standards for permitted and discretionary land uses for the RR District, the following supplementary development provisions shall be considered and applied to the following land use considerations.

### 15.4.1 Accessory Building, Structure, and Use

In addition to the general provisions found in Section 4.9, the following provisions apply to accessory buildings, structures and uses in the RR District:

- .1 A permitted accessory use/building shall be defined as any building, structure, or use, which is customarily accessory to the principal use of the site.
- .2 One accessory garage for two (2) motor or recreational vehicles, or a boathouse.
- .3 Two (2) detached sheds or buildings accessory to the principal dwelling unit on the site.
- .4 A 2-storey boathouse or 2-storey accessory building may not exceed 6.71 metres (22 feet) on height measured from the lowest point of the perimeter of the building to the ridge of the roof.
- .5 All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.
- .6 Sundecks shall have 1.0 metre (3.28 feet) rear and side yard setbacks and 3 metres (9.85 feet) front yard setbacks.
- .7 The Building floor area for large accessory buildings (workshops) located on Recreational Resort (RR) sites must not exceed 102m<sup>2</sup> (1097.96ft<sup>2</sup>), however Council will consider larger buildings on a case by case basis, provided that setbacks, separation distances can be met. All workshop-related activities shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.
- .8 Swimming pools on parcels for single unit dwellings and single unit bare-land condominium dwellings, subject to a geotechnical review and ongoing monitoring for leakage by the property owner.

### 15.4.2 Building Height

In the absence of architectural controls, building heights shall not have a negative impact on the natural vista of the lake or on neighbouring property owner's views. If there is any dispute on the matter Council shall have the deciding authority.

#### **15.4.3 Safe Building Elevation**

The minimum SBE for developments along Last Mountain Lake in the RM of McKillop is 493.5 m; therefore, all developments in the Lake Shore Development District shall be constructed at or above the SBE. The Province necessitates flood protection requirements include that the bottom of floor joists and all electrical, furnace and water heaters are constructed above the minimum SBE.

Refer to Section 4.18 for more information on safe building elevations.

#### **15.4.4 Bed and Breakfast Home**

In addition to the general requirements regarding discretionary use applications provided in Section 3.3 of this Bylaw, the following additional considerations shall be made for all applications for a Bed & Breakfast in the RR District:

- .1 Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead site or country residence.
- .2 No more than three (3) guest rooms shall be allowed in a bed and breakfast home.
- .3 One sign, not exceeding 0.47m<sup>2</sup> (5ft<sup>2</sup>) advertising the vacation farm or bed and breakfast home and located on site, is permitted.
- .4 The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.
- .5 The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner-occupied residence. No one other than the occupant and his/her immediate family members may be involved or employed in the operation of the bed and breakfast home.
- .6 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

#### **15.4.5 Guest Suite**

In addition to the general requirements regarding discretionary use applications provided in Section 3.3 of this Bylaw, the following additional considerations shall be made for all applications for a guest suite in the RR District:

- .1 A single guest suite may be allowed as an accessory to a primary residence.
- .2 A guest suite may be constructed within an approved accessory building attached or detached garage.
- .3 Only one guest suite shall be permitted on each residential site.

- .4 A guest suite may only be located on a site containing an existing dwelling.
- .5 Guest suite must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building or from the entrance to the detached garage.
- .6 A parcel containing a guest suite may also accommodate a home occupation described in Section 4.34.
- .7 One onsite parking space shall be provided for each guest suite, in addition to the number of parking spots required for the principal building.
- .8 Guest suite exteriors shall relate to the house exterior by utilizing similar design elements, colours and finish materials.
- .9 A guest suite shall not be used as tourist homes or rentals.
- .10 Guest suites must contain living, sleeping, and sanitary facilities.
- .11 All guest suite shall comply with the National Building Codes of Canada and Provincial Fire Codes.
- .12 Suites shall be designed for the exclusive use of guests of the dwelling owner and not for year-round or permanent occupation.
- .13 They may contain a toilet facility which is separate from the principal dwelling on the same lot, but this facility must be connected to the sewage disposal system of that principal dwelling, only after the connection has been first approved by the Health District and the local community utility.
- .14 Suites shall not contain any cooking facilities.
- .15 Suites shall have a maximum floor area of 50.0 m<sup>2</sup> (538.22 ft<sup>2</sup>).
- .16 Suites shall not be allowed to have any garage as an accessory use.

#### **15.4.6 Residential Care Home**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all applications for a Residential Care Home in a RR District:

- .1 The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- .2 Required parking spaces may be located in a required front yard.
- .3 No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.
- .4 The use shall be conducted entirely within the dwelling unit and shall not have any exterior evidence of a secondary use.
- .5 There shall be no outside storage or exterior display of goods, materials or equipment associated with the applied use.
- .6 The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.

**15.4.7 Campground**

In addition to the general requirements regarding discretionary use found in Section 3.13 of this Bylaw, the following considerations shall be made for all applications for a Campground in the RR District:

- .1 The operator of a campground shall provide the Development Officer with a plan of the campground, prepared by a surveyor, identifying any buildings, uses of land and the location of all roadways and recreational vehicle or tent campsites with dimensions. The addition or rearrangement of campsites, the construction or moving of buildings, and the material change in use of portions of land, or the filling or clearing of land shall require a development permit, and the operator shall submit for approval an amended plan incorporating the development.
- .2 A campground shall have within its boundaries a landscape buffer area abutting the boundary of not less than 4.58 metres (15 feet) which shall contain no buildings.
- .3 The operator of a campground shall designate a campsite for each recreational vehicle or tent party, which shall not be less than 150.97 m<sup>2</sup> (1625 ft<sup>2</sup>) in area with its corners clearly marked.
- .4 One sign located on site, advertising the campground is permitted subject to the Sign Regulations contained herein.
- .5 No portion of any campsite shall be located within a roadway or required buffer area.
- .6 Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- .7 Each recreational vehicle shall be located at least 4.58 metres (15 feet) from any other recreational vehicle, and each campsite shall have dimensions sufficient to allow such location of recreational vehicles.
- .8 The space provided for roadways within a campground shall be at least 7.62 metres (25 feet) in width. No portion of any campsite, other use or structure shall be located in any roadway.
- .9 A campground may include as accessory uses, a Laundromat or confectionary designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.
- .10 The Public Health Act shall be complied with in respect to all operations and development of the campground.
- .11 Any campground development must address a required potable water supply for all users of the campground and sewage disposal capacity for the pump out and hauling of sewage to a licensed sewage lagoon.

**15.4.8 Portable Storage Unit**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, Portable Storage Units may be accommodated for warehousing or storage purposes in the RR District under the following conditions:

- .1 One portable storage unit, incidental to construction of a building or structure with an active building permit is allowed, provided such storage unit shall be removed following completion or abandonment of such construction.

- .2 One portable storage unit may be placed on a residential lot with an active building permit;
- .3 Prior to placement of the portable storage unit on the lot, the property owner shall obtain a temporary development permit from the Development Officer. The temporary permit shall be limited to a time period set by the Municipality;
- .4 The portable storage unit shall not exceed a gross floor area of 39.4 m<sup>2</sup> (424 ft<sup>2</sup>);
- .5 The storage unit shall comply with any permit or building bylaw or licensing requirement in effect in the Municipality;
- .6 No unit shall be placed or located in a front or side yard;
- .7 Units shall be located a minimum of 3.0 metres (9.84 feet) from the principal building, structure or use;
- .8 Unit shall be setback a minimum 1.5 metres (4.92 feet) from the side or rear property lines and all other structures on the property;
- .9 Units determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality;
- .10 Units must meet the National Building Code Standards where applicable;
- .11 Where the Municipality considers necessary, all affected parties may be required to enter into a development agreement to assure applicable development standards are adhered to.

#### **15.4.9 Outside Storage**

- .1 No outdoor storage shall be permitted in the required front yard of any permitted residential site.
- .2 Empty lots are restricted from the temporary storing of seasonal buildings or recreational equipment or vehicles.
- .3 No yard shall be used for the storage or collection of hazardous material.
- .4 Notwithstanding anything contained in this Bylaw, no person shall use any site in the Country Residential 1 District for the parking or storage of more than one (1) vehicle that is visible and not in running order.
- .5 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.
- .6 Outside storage shall be permitted in side and rear yards and shall be suitably screened from any municipal road allowance, municipal grid road, main farm access road, or provincial highway, and a landscaped strip of not less than 6.0 metres (19.69 feet) in depth is provided to the front property line to the satisfaction of the Development Officer.
- .7 Notwithstanding Section 4.39, Council may require special standards for the location, setback, or screening of any area devoted to the outdoor storage of vehicles in operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts.



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## **15.5 SIGNS**

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All developments shall comply with Section 5.0 of this Bylaw.

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## **15.6 LANDSCAPING**

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The following landscape provisions are required in the RR District, in addition to general provisions identified in Section 4.15 and 4.16 of this Bylaw:

- 15.6.1** No barbed wire or razor wire fences shall be allowed in the Recreational Resort District.
- 15.6.2** In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway, all shelterbelts, tree plantings, screening and fencing shall have a minimum setback requirement of no less than 6.0 metres (19.69 feet) from any site line and not block the vision of drivers both on site and within a sight triangle.
- 15.6.3** Any and all outdoor storage requires a landscaped strip of not less than 6.0 metres (19.69 feet) in depth is provided to the front property line to the satisfaction of the Development Officer.
- 15.6.4** Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 1.83 metres (6.0 feet).

## C1

## 16.0 COMMERCIAL/LIGHT INDUSTRIAL DISTRICT

The purpose of the Commercial/Light Industrial District (C1) is to accommodate commercial and light industrial activities where potential conflict with adjacent land uses is minimal. A location adjacent to main roads is important as the activities in this district are less land intensive and are dependent on effective site exposure to facilitate their activities.

In the Commercial/Light Industrial District (C1), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

## 16.1 PERMITTED USES

The Permitted Uses and Minimum Development Standards in the C1 District are set out in the following chart:

C1 District	Minimum Development Standards (in Metres)						
	Site Width	Site Area (Ha)	Front Yard	Side Yard	Rear Yard	Max. Building Height	Max. Site Coverage (%)
<b>16.1 Permitted Uses</b> <sup>(4)(5)</sup>							
General Commercial Type I	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	60
General Industrial Type I	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	60
Tourist Facility	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	8	60
Recreational Use	-	-	-	-	-	-	-
Community Facility	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	70
Daycare Centre	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	60
Tower	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	-	50
Service Station, Car/Truck Wash, or Gas Bar	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	8	60
Hotel/Motel	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	60
Restaurant	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	8	60
Animal Clinic	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	8	60
Commercial Storage	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	8	60
Bulk Fuel Sales and Storage	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	-	60
Small Scale Repair or Welding Service	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	60
Commercial Greenhouse	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	8	70
Public Utility	-	-	-	-	-	-	-
Habitat and Wildlife Conservation	-	-	-	-	-	-	-
Accessory Building, Use or Structure	Refer to Section 4.9						

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer.

## 16.2 DISCRETIONARY USES

The Discretionary Uses and Minimum Development Standards in the C1 District are set out in the following chart:

C1 District	Minimum Development Standards (in Metres)						
	Site Width	Site Area (Ha)	Front Yard	Side Yard	Rear Yard	Max. Building Height	Max. Site Coverage (%)
<b>16.2 Discretionary Uses</b> <sup>(4)(5)</sup>							
General Commercial Type II	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	60
General Industrial Type II	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	60
Auction Mart/Market	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	60
Agricultural Industry	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	-	70
Contractor's Yard	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	4	70
Animal Hospital	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	8	60
Animal Kennel	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	8	60
Solid and Liquid Waste Disposal Facility	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	-	80
Abattoir	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	8	60
Light Manufacturing and/or Assembly	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	60
Campground	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	4	70
Heritage Resource Development	-	-	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	-	-
Portable Storage Unit	Refer to Section 16.4.5						
Renewable Energy Technology	Refer to Section 4.32						

## 16.3 FOOTNOTES TO DEVELOPMENT STANDARDS

- .1 The front yard of any site shall be measured from the property line of an internal subdivision road, except where a yard abuts a municipal road allowance, municipal grid road, main farm access road or provincial highway. Under these circumstances, all buildings should be setback a minimum of 45.72 metres (150 feet) from the center of the road.
- .2 Side yards shall be no less than 8.0 metres (26.25 feet) except where a side yard abuts a municipal road allowance or provincial highway, where the front yard requirements shall apply.
- .3 Rear Yards shall be no less than 8.0 metres (26.25 feet), or 25% of the depth of the site, whichever is lesser.
- .4 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent sites.
- .5 No development or use of land shall be permitted where the proposal will adversely affect domestic or municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the Saskatchewan Health Authority and/or the Ministry of Environment.

## 16.4 SUPPLEMENTARY PROVISIONS

In addition to the development standards for permitted and discretionary land uses for the C1 District, the following supplementary development provisions shall be considered and applied to the following land use considerations.

### 16.4.1 Accessory Building, Structure, or Use

In addition to the general provisions found in Section 4.9, the following provisions apply to accessory buildings, structures and uses in the C1 District:

- .1 A permitted accessory use/building shall be defined as any building, structure or use which is customarily accessory to the principal use of the site, but only if the principal permitted use or discretionary use has been established.
- .2 All accessory uses, buildings or structures require the submission of an application for a development permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

### 16.4.2 Solid and Liquid Waste Disposal Facility

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all applications for a Solid or Liquid Waste Disposal Facility in the C1 District. Note, the following standards do not apply to liquid manure storage facilities and the application of manure on agricultural lands where this use is deemed consistent with all other relevant sections of this Bylaw.

- .1 Development and site maintenance shall be in accordance with provincial environmental and health regulations.
- .2 Any solid waste disposal facility shall be located 457 m (1500 ft) from any residence unless relaxation of this requirement is agreed to by affected parties.
- .3 A buffer strip containing trees, shrubs or a berm shall be located surrounding a disposal area.
- .4 Any solid or liquid waste disposal facility shall be fenced.
- .5 Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
- .6 Solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all-weather road.
- .7 The development of any new disposal sites shall take into consideration direction of prevailing winds.
- .8 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

- .9 Where approval has been deemed appropriate, Council may consider the following requirements within a development permit:
  - i. Place a limitation on the years, months, weeks, days and/or hours of operation;
  - ii. Requirement to provide and maintain sufficient dust control to the satisfaction of the Municipality
  - iii. Limitations to the height of the landfill development;
  - iv. Specific requirements related to any stripping, filling, excavation and grading associated with a landfill development; and
  - v. Requiring development to adhere to any appropriate provincial health regulations.

#### 16.4.3 Campground

In addition to the general discretionary use requirements found in Section 3.13, the following considerations shall be made for all applications for a Campground in the C1 District:

- .1 The operator of a campground shall provide the Development Officer with a plan of the campground, prepared by a surveyor, identifying any buildings, uses of land and the location of all roadways and recreational vehicle or tent campsites with dimensions. The addition or rearrangement of campsites, the construction or moving of buildings, and the material change in use of portions of land, or the filling or clearing of land shall require a development permit, and the operator shall submit for approval an amended plan incorporating the development.
- .2 A campground shall have within its boundaries a landscape buffer area abutting the boundary of not less than 4.58 metres (15 feet) which shall contain no buildings.
- .3 The operator of a campground shall designate a campsite for each recreational vehicle or tent party, which shall not be less than 150.97 m<sup>2</sup> (1625 ft<sup>2</sup>) in area with its corners clearly marked.
- .4 One sign located on site, advertising the campground is permitted subject to the Sign Regulations contained herein.
- .5 No portion of any campsite shall be located within a roadway or required buffer area.
- .6 Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- .7 Each recreational vehicle shall be located at least 4.58 metres (15 feet) from any other recreational vehicle, and each campsite shall have dimensions sufficient to allow such location of recreational vehicles.
- .8 The space provided for roadways within a campground shall be at least 7.62 metres (25 feet) in width. No portion of any campsite, other use or structure shall be located in any roadway.
- .9 A campground may include as accessory uses, a Laundromat or confectionary designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.
- .10 The Public Health Act shall be complied with in respect to all operations and development of the campground.

- .11 Any campground development must address a required potable water supply for all users of the campground and sewage disposal capacity for the pump out and hauling of sewage to a licensed sewage lagoon.

#### **16.4.4 Outdoor Storage**

- .1 Outdoor storage is permitted in the side and rear yards except when they abut a municipal road or highway. Outside storage located in a side or rear yard shall be screened by landscaping or vegetation so as not to be visible from the road.
- .2 All outdoor commercial displays shall be a minimum of 5.0 metres (16.41 feet) from any site line and not block the vision of drivers both on site and within a sight triangle.
- .3 Open air operations, storage and display of goods or material are prohibited in any front yard. The storage and display of goods shall be permitted in a front yard where it is deemed essential to facilitate a permitted or approved discretionary use.
- .4 All outdoor storage must be screened from view from adjacent roadways and public lands by a solid fence, landscape materials, berm, vegetative plantings or any combination of the above at least 2.0 metres (6.57 feet) in height.
- .5 Commercial vehicles and equipment associated with a permitted use may be stored on-site provided the area used for storage of these vehicles does not exceed the area of the building used by the business to carry out operations. No vehicles, materials or equipment shall be in a state of disrepair.

#### **16.4.5 Portable Storage Unit**

In addition to the general discretionary use requirements found in Section 3.13, the following considerations shall be made for all applications for a Portable Storage Units in the C1 District:

- .1 Portable Storage Units may be accommodated for warehousing or storage purposes;
- .2 Units are accessory to an approved and permitted principal building, structure or use;
- .3 All units must be properly anchored as per manufacturers or insurers specifications;
- .4 No unit shall be placed or located in a side or rear setback;
- .5 Units shall be located a minimum of 3.0 metres (9.84 feet) from the principal building, structure or use;
- .6 Unit shall be setback a minimum of 3.0 metres (9.84 feet) from the front property line and 1.5 metres (4.92 feet) from the side or rear property lines and all other structures on the property.
- .7 Units determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality;
- .8 Units must meet the National Building Code Standards where applicable.

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### **16.5 SIGNAGE REGULATIONS**

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All developments shall comply with Section 5.0 of this Bylaw.

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## 16.6 LANDSCAPING REQUIREMENTS

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The following landscape provisions are required in the C1 District, in addition to general provisions identified in Section 4.15 and 4.16 of this Bylaw:

- 16.6.1** Prior to issuing a development permit for an undeveloped lot in this District, the applicant shall be required to supply a landscape plan with a schedule of completion, which is satisfactory to Council, including but not limited to the following:
- 16.6.2** A landscaped Buffer of not less than 6.0 metres (19.69 feet) in depth throughout lying parallel to and abutting the front site line shall be provided on every site and shall be used for no purpose except landscaping and necessary driveway access to the site.
- 16.6.3** On corner lots, in addition to the landscaping required in the front yard, a landscaped strip of not less than 3.0 metres (9.85 feet) in width throughout lying parallel to and abutting the flanking road shall be provided.
- 16.6.4** Where a site abuts any residential parcel without an intervening road, there shall be a strip of land adjacent to the abutting site line of not less than 3.0 metres (9.84 feet) in depth throughout, which shall not be used for any purpose except landscaping.
- 16.6.5** Entire portion of any site not used for buildings, parking, loading, aisles, driveways or similar uses shall be landscaped.
- 16.6.6** A space to be used exclusively for garbage storage and pickup, having minimum dimension of 3.0 metres by 6.0 metres (9.85 feet by 19.69 feet) shall be provided on each site to the satisfaction of the Development Officer.
- 16.6.7** Wherever possible, existing trees should remain.

C2

## 17.0 HIGHWAY COMMERCIAL/INDUSTRIAL DISTRICT

The purpose of the Highway Commercial/ Industrial District (C2) is to facilitate a diverse range of commercial and industrial activities located primarily along provincial highways.

In the Highway Commercial/Industrial (C2) District, no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

### 17.1 PERMITTED USES

The Permitted Uses and Minimum Development Standards in the C2 District are set out in the following chart:

C2 District	Minimum Development Standards (in Metres)						
	Site Width	Site Area (Ha)	Front Yard	Side Yard	Rear Yard	Max. Building Height	Max. Site Coverage (%)
<b>17.1 Permitted Uses</b> (4)(5)(6)(7)(8)							
General Commercial Type I (9)(10)	30	0.4	45 (1)	8 (2)	8 (2)	11	60
General Commercial Type II (10)	30	0.4	45 (1)	8 (2)	8 (2)	11	60
General Industrial Type I (10)	30	0.4	45 (1)	8 (2)	8 (2)	11	60
Tourist Facility (10)	30	0.4	45 (1)	8 (2)	8 (2)	8	60
Institutional Facility (10)	30	0.4	45 (1)	8 (2)	8 (2)	11	60
Recreational Use	30	0.4	45 (1)	8 (2)	8 (2)	11	60
Tower (11)	30	0.4	45 (1)	8 (2)	8 (2)	-	50
Auction Mart/Market	30	0.4	45 (1)	8 (2)	8 (2)	11	60
Abattoir	30	0.4	45 (1)	8 (2)	8 (2)	11	60
Agricultural Industry	30	0.4	45 (1)	8 (2)	8 (2)	-	70
Animal Hospital	30	0.4	45 (1)	8 (2)	8 (2)	8	60
Animal Clinic	30	0.4	45 (1)	8 (2)	8 (2)	8	60
Breeding Kennel	30	0.4	45 (1)	8 (2)	8 (2)	8	60
Commercial Storage	30	0.4	45 (1)	8 (2)	8 (2)	8	60
Crematorium	30	0.4	45 (1)	8 (2)	8 (2)	11	60
Hotel/Motel	30	0.4	45 (1)	8 (2)	8 (2)	11	60
Research Laboratory	30	0.4	45 (1)	8 (2)	8 (2)	11	60
Auctioneering Establishment	30	0.4	45 (1)	8 (2)	8 (2)	11	60
Commercial Greenhouse	30	0.4	45 (1)	8 (2)	8 (2)	11	60
Public Utility	30	-	45 (1)	8 (2)	8 (2)	-	-
Bulk Fuel Sales and Storage (10)	30	0.4	45 (1)	8 (2)	8 (2)	11	60
Sale, rental, leasing and associated servicing of automobiles, trucks, motorcycles and recreational vehicles, industrial equipment and agricultural implements	30	0.4	45 (1)	8 (2)	8 (2)	8	60
Habitat and Wildlife Conservation	-	-	-	-	-	-	-
Accessory Building, Use or Structure	Refer to Section 4.9						

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer.



## 17.2 DISCRETIONARY USES

The Discretionary Uses and Minimum Development Standards in the C2 District are set out in the following chart:

C2 District	Minimum Development Standards (in Metres)						
	Site Width	Site Area (Ha)	Front Yard	Side Yard	Rear Yard	Max. Building Height	Max. Site Coverage (%)
<b>17.2 Discretionary Uses</b> <sup>(4)(5)(6)(7)(8)</sup>							
General Industrial Type II <sup>(10)</sup>	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	60
General Industrial Type III <sup>(10)</sup>	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	60
Contractor's Yard	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	4	60
Industrial Park	60	0.8	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	50
Salvage Yard	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	8	50
Racetrack	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	8	60
Railway Freight Yard <sup>(10)</sup>	60	0.8	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	11	50
Aggregate Resource Storage and Processing <sup>(10)</sup>	30	45.72 <sup>(4)</sup>	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	-	60
Animal Kennel	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	8	60
Heritage Resource Development	-	-	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	-	-
Solid and Liquid Waste Disposal Facility	30	0.4	45 <sup>(1)</sup>	8 <sup>(2)</sup>	8 <sup>(2)</sup>	-	-
Portable Storage Unit	Refer to Section 17.4.2						
Renewable Energy Technology	Refer to Section 4.32						

## 17.3 FOOTNOTES TO DEVELOPMENT STANDARDS

- .1 The front yard of any site shall be measured from the property line of an internal subdivision road, except where a yard abuts a municipal road allowance, municipal grid road, main farm access road or provincial highway. Under these circumstances, all buildings should be setback a minimum of 45.72 metres (150 feet) from the center of the road.
- .2 Side yards shall be no less than 8.0 metres (26.25 feet) except where a side yard abuts a municipal road allowance or provincial highway, where the front yard requirements shall apply.
- .3 Rear Yards shall be no less than 8.0 metres (26.25 feet), or 25% of the depth of the site, whichever is lesser.
- .4 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent sites.
- .5 No development or use of land shall be permitted where the proposal will adversely affect domestic or municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the Saskatchewan Health Authority and/or the Ministry of Environment.

- .6 Any parcel which does not conform to the minimum or maximum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation (Land Titles Office) prior to the coming into force of this Bylaw.
- .7 The Development Officer may allow a building to be occupied by a combination of one or more of the permitted or discretionary uses listed within this District; however, each use shall obtain a separate development permit.
- .8 All areas to be used for vehicular traffic shall be designed and constructed to the satisfaction of Council.
- .9 Notwithstanding any other requirements contained in this Bylaw, Service Stations shall locate underground storage tanks in accordance with The Fire Protection Act.
- .10 Where the use of the building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate dedicated and clearly defined space for such vehicles to stand for unloading or loading shall be provided on site.
- .11 Refer to Section 4.31 for additional provisions related to Towers.

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## 17.4 SUPPLEMENTARY PROVISIONS

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In addition to the development standards for permitted and discretionary land uses for the C2 District, the following supplementary development provisions shall be considered and applied to the following land use considerations.

### 17.4.1 Accessory Building, Structure, and Use

In addition to the general provisions found in Section 4.9, the following provisions apply to accessory buildings, structures and uses in the C2 District:

- .1 A permitted accessory use/building shall be defined as any buildings, structures or a use which is customarily accessory to the principal use of the site, but only if the principal permitted use or discretionary use has been established.
- .2 All accessory uses, buildings or structures require the submission of an application for a development permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

### 17.4.2 Portable Storage Unit

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all applications for a Portable Storage Units in a C2 District.

- .1 Intermodal Shipping Containers may be used as portable storage in this District;
- .2 Units shall be accessory to an approved and permitted principal building, structure or use;

- .3 All units must be properly anchored as per manufactures or insurers specifications;
- .4 No unit shall be placed or located in a side or rear setback;
- .5 Units shall be located a minimum of 3.0 metres (9.84 feet) from the principal building, structure or use;
- .6 Units determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality;
- .7 Units must meet the National Building Code Standards where applicable.

#### **17.4.3 Salvage Yard (Auto Wrecker)**

In addition to the general requirements regarding discretionary use applications provided in Section 3.13 of this Bylaw, the following additional considerations shall be made for all applications for a Salvage Yard/Auto wrecker or similar operation in a C2 District.

- .1 This includes salvage yards, auto wreckers, auto repair shop, body shops and similar uses, all salvage vehicles and materials, vehicles waiting repair, salvage or removal and similar uses.
- .2 No salvage vehicles or parts thereof shall be located in the front yard.
- .3 All salvage yards shall be totally hidden from the view of the travelling public, provincial highways, any public road and adjacent residential development by utilizing any of the following measures:
  - i. distance and careful location,
  - ii. natural or planted vegetation,
  - iii. an earth berm,
  - iv. an opaque fence,
  - v. a building,
  - vi. other appropriate methods approved by Council.

#### **17.4.4 Service Station, Car/Truck Wash or Gas Station**

Automotive service development and gas pumps and associated buildings, structures and uses shall conform to the following standards in the C2 District:

- .1 Gas pumps and islands shall be setback 6.10 metres (20 feet) from any site line
- .2 Service Stations shall locate underground storage tanks in accordance with The Fire Protection Act.
- .3 Propane and natural gas pumps (retail or wholesale) shall be setback according to Provincial regulations
- .4 Access/egress points shall not be continuous along a street and shall be at least 9.76 metres (32 feet) apart
- .5 Traffic circulation shall be accommodated on the site as best possible
- .6 Property owners are solely responsible for any contamination of soil, water or resources resulting from their business activities and the costs and delivery of any remediation or clean-up activities that may be required.

- .7 Vehicles and parts storage shall not locate in any yard abutting a road and must be screened from view by a solid fence with the location, height and materials being first approved by the development officer.

#### **17.4.5 Solid or Liquid Waste Disposal Facility**

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Solid or Liquid Waste Disposal Facility in the C2 District. The following standards do not apply to liquid manure storage facilities and the application of manure on agricultural lands where this use is deemed consistent with all other relevant sections of this Bylaw.

- .1 Development and site maintenance shall be in accordance with provincial environmental and health regulations.
- .2 Any solid waste disposal facility shall be located 457 m (1500 ft) from any residence unless relaxation of this requirement is agreed to by affected parties.
- .3 A buffer strip containing trees, shrubs or a berm shall be located surrounding a disposal area.
- .4 Any solid or liquid waste disposal facility shall be fenced.
- .5 Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
- .6 Solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all-weather road.
- .7 The development of any new disposal sites shall take into consideration direction of prevailing winds.
- .8 Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- .9 Where approval has been deemed appropriate, Council may consider the following requirements within a development permit:
  - i. Place a limitation on the years, months, weeks, days and/or hours of operation;
  - ii. Requirement to provide and maintain sufficient dust control to the satisfaction of the Municipality
  - iii. Limitations to the height of the landfill development;
  - iv. Specific requirements related to any stripping, filling, excavation and grading associated with a landfill development; and
  - v. Requiring development to adhere to any appropriate provincial health regulations.

#### **17.4.6 Outdoor Storage**

- .1 Outdoor storage is permitted in the side and rear yards.
- .2 The storage and display of goods shall be permitted in a front yard where it is deemed essential to facilitate a permitted or approved discretionary use.

- .3 All outdoor storage must be screened from view from adjacent roadways and public lands by a solid fence, landscape materials, berm, vegetative plantings or any combination of the above at least 2 metres (6.56 feet) in height.
- .4 Commercial vehicles and equipment associated with a permitted use may be stored onsite provided the area used for storage of these vehicles does not exceed the area of the building used by the business to carry out its operations. No vehicles, materials or equipment shall be in a state of disrepair.

#### **17.4.7 Performance Standard**

An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:

- .1 Noise: Emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
- .2 Smoke: No process involving the use of solid fuel is permitted;
- .3 Dust or ash: No process involving the emission of dust, fly ash or other particulate matter is permitted;
- .4 Odor: The emission of any odorous gas or other odorous matter is prohibited;
- .5 Toxic gases: The emission of any toxic gases or other toxic substances is prohibited;
- .6 Glare or heat: No industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot;
- .7 External storage: External storage of goods or material is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the authority having jurisdiction. No storage shall be permitted in the front yard;
- .8 Industrial wastes: Waste which does not conform to the standards established from time to time by Rural Municipal Bylaws shall not be discharged into any municipal lagoons.
- .9 The onus of proving to the authority having jurisdiction and Council's satisfaction that a proposed development does and will comply with these requirements rests with the developer.

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### **17.5 SIGNAGE REGULATIONS**

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All developments shall comply with Section 5.0 of this Bylaw.

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### **17.6 LANDSCAPING**

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The following landscape provisions are required in the C2 District, in addition to general provisions identified in Section 4.15 and 4.16 of this Bylaw:

- 17.6.1** Prior to issuing a development permit for an undeveloped lot in this district, the applicant shall be required to supply a landscape plan which is satisfactory to Council, and wherever possible, existing trees should remain.

- 17.6.2** Where a site abuts any country residential district without an intervening road, there shall be a strip of land adjacent to the abutting site line of not less than 3.0 metres (9.84 feet) in depth throughout, which shall not be used for any purpose except landscaping.

## REPEAL AND ADOPTION

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Bylaw No 234/11 as amended shall be repealed upon Bylaw 376/2019, the Zoning Bylaw, coming into force and effect.

This Bylaw is adopted pursuant to Section 46 and 75 of *The Planning and Development Act, 2007*, and shall come into force on the date of final approval by the Minister.

Read a First time this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

Read a Second time this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

Read a Third time and adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Reeve

SEAL

\_\_\_\_\_  
Rural Municipal Administrator

\_\_\_\_\_  
Minister of Government Relations

SEAL

\_\_\_\_\_  
Ministerial Approval Date

## APPENDIX “A” ZONING MAPS

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## APPENDIX “B” DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

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Every development permit application shall include:

### APPLICATION FORM

A completed application form.

### SITE PLAN

Two copies of a proposed development site plan showing, with labels, the following existing and proposed information (as the case may be):

1. a scale and north arrow,
2. a legal description of the site,
3. mailing address of owner or owner's representative,
4. site lines,
5. Bylaw site line setbacks,
6. front, rear, and side yard requirements,
7. site topography and special site conditions (which may require a contour map), including ponds, streams, other drainage runs, culverts, ditches, and any other drainage features,
8. the location of any buildings, structures, easements, and dimensioned to the site lines,
9. the location and size of trees and other vegetation, especially natural vegetation, street trees, and mature growth,
10. retaining walls,
11. proposed on-site and off-site services,
12. landscaping and other physical site features,
13. a dimensioned layout of parking areas, entrances, and exits,
14. abutting roads and streets, including service roads and alleys,
15. an outline, to scale, of adjacent buildings on adjoining sites,
16. the use of adjacent buildings and any windows overlooking the new proposal,
17. fencing or other suitable screening,
18. garbage and outdoor storage areas, and
19. other, as required by the Development Officer/Council to effectively administer this Bylaw.

### BUILDING PLAN

A plan showing, with labels, the elevations, floor plan, and a perspective drawing of the proposed development.

### LANDSCAPE PLAN

A landscape plan showing, with labels, the following:

1. the existing topography,
2. the vegetation to be retained and/or removed,
3. areas to be damaged or altered by construction activities and proposed methods of restoration;

4. the type and layout of:
  - a. hard (e.g., structures) and soft (e.g., vegetation) landscaping,
  - b. the open space system, screening, berms, slopes,
  - c. other, as required, to effectively administer this Bylaw,
5. the types, sizes and numbers of vegetation materials;
6. a schedule of site stripping and grading, construction, and site restoration, including methods to be employed to reduce or eliminate erosion by wind, water, or by other means; and
7. historical and archaeological heritage resources and management areas (a Heritage Resource Assessment as prescribed under The Heritage Property Act may be required).

#### **VICINITY MAP**

A vicinity map showing, with labels, the location of the proposed development in relation to the following features within two miles:

1. Nearby municipal roads, highways and railways,
2. Significant physical features, environmentally sensitive areas, and more or less pristine natural areas or features, especially undisturbed grassland, wooded ravines, and water feature or stream courses,
3. Critical wildlife habitat and management areas,
4. Mineral extraction resources and management areas, and
5. Other as required, to effectively administer this Bylaw.

#### **CERTIFICATE OF TITLE**

A copy of the Certificate of Title, indicating ownership and all encumbrances.

#### **VALID INTEREST**

Development permit applicants shall be required to provide information, to the Development Officer's or Council's satisfaction, that they have a current, valid interest in the land proposed for development.

1. Proof of current valid interest may include:
  - proof of ownership
  - an agreement for sale
  - an offer or option to purchase
  - a letter of purchase
  - a lease for a period of more than 10 years
  - other, as determined and accepted by Council, or the Development Officer.

#### **SITE DESCRIPTION**

1. A proposed plan of subdivision prepared by a Saskatchewan Land Surveyor or Professional Community Planner and signed by the registered site owner or appointed agent;
2. A metes and bounds description prepared by the Information Services Corporation, which is accompanied by an accurate sketch;
3. Photographic Information
4. Photographs showing the site in its existing state.

APPENDIX "C" APPLICATION FOR A DEVELOPMENT PERMIT

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1. Applicant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

2. Registered Owner: as above, or:

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

3. Property: Legal Description

Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ W2M

Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Reg. Plan No. \_\_\_\_\_

4. Lot Size:

Dimensions \_\_\_\_\_ Area \_\_\_\_\_

5. Existing Land Use:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. Proposed Land Use/Description of Proposed Development:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**7. Proposed date of Commencement:** \_\_\_\_\_

**Proposed date of Completion:** \_\_\_\_\_

**8. Other Information:**

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**9. For new construction provide a detailed site plan,** drawn to scale on a separate sheet showing, with labels, the following existing and proposed information:

- i.** a scale and north arrow,
- ii.** a legal description of the site;
- iii.** mailing address of owner or owner's representative;
- iv.** site lines;
- v.** Bylaw site line setbacks;
- vi.** front, rear, and side yard requirements;
- vii.** site topography and special site conditions (which may require a contour map), including ponds, streams, other drainage runs, culverts, ditches, and any other drainage features;
- viii.** the location of any buildings, structures, easements, and dimensioned to the site lines;
- ix.** the location and size of trees and other vegetation, especially natural vegetation, street trees, and mature growth;
- x.** proposed on-site and off-site services;
- xi.** landscaping and other physical site features;
- xii.** a dimensioned layout of parking areas, entrances, and exits;
- xiii.** abutting roads and streets, including service roads and alleys;
- xiv.** an outline, to scale, of adjacent buildings on adjoining sites;
- xv.** the use of adjacent buildings and any windows overlooking the new proposal;
- xvi.** fencing or other suitable screening;
- xvii.** garbage and outdoor storage areas; and
- xviii.** other, as required by the Development Officer or Council to effectively administer this Bylaw.

- 10. Mobile Homes:** C.S.A.Z240 Approval Number
- 11. Modular/RTM:** C.S.A. Z277 Approval Number
- 12. Park Model Home:** C.S.A. Z241 Approval Number
- 13. Modular date of Manufacture:** \_\_\_\_\_
- 14. Declaration of Applicant:**

I, \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_  
in the Province of Saskatchewan, do Solemnly declare that the above statements contained  
within the application are true, and I make this solemn declaration conscientiously believing it to  
be true, and knowing that it is of the same force and effect as if made under oath, and by virtue  
of "*The Canada Evidence Act.*"

I agree to indemnify and hold harmless the Rural Municipality of McKillop from and against any  
claims, demands, liabilities, costs and damages elated to the development undertaken pursuant  
to this application.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

## APPENDIX "D" NOTICE OF DECISION FOR A DEVELOPMENT PERMIT OR ZONING BYLAW AMENDMENT

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To: \_\_\_\_\_  
Applicant Address

This is to advise you that your application for a:

- \_\_\_ Permitted Use or Form of Development, or
- \_\_\_ Discretionary Use or Form of Development, or
- \_\_\_ Request for a Zoning Bylaw Amendment

Has Been:

- \_\_\_ Approved.
- \_\_\_ Approved subject to conditions or Development Standards, as listed in the attached schedule
- \_\_\_ Refused for the following reason:

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**If your application has been approved with or without conditions, this form is considered to be the Development Permit granted pursuant to the Zoning Bylaw.**

**Right of Appeal** - Please be advised that under Section 219 of *The Planning and Development Act, 2007*:

\_\_\_ **you may Not appeal the refusal** of your application for a use or form of development that is not permitted within the zoning district of the application.

\_\_\_ **you may NOT appeal the refusal** of your application for a discretionary use or form of development.

\_\_\_ **you may NOT appeal the refusal** of your application for an amendment to the zoning Bylaw.

\_\_\_ **you MAY APPEAL those standards** that you consider excessive in the approval of the discretionary use of form of development; or

\_\_\_ **you MAY APPEAL the refusal** of your application if you feel that the Development Officer has misapplied the Zoning Bylaws in the issuing of this permit.

Your Appeal must be submitted in writing within 30 days of the date of this notice to:

**Secretary, Development Appeals Board  
Rural Municipality of McKillop No. 220  
P.O. Box 220 Bulyea, SK  
S0G 0L0**

Date: \_\_\_\_\_

Development Officer: \_\_\_\_\_

**NOTE:**

This Development Permit expires 12 months from the date of issue.

A Building Permit is also required in addition to a Development Permit for a building construction.