



Discretionary Use Application Guide



Discretionary use means 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 Planning and Development Act 2007.

APPLICATION PROCESS

To obtain a discretionary use permit, the following steps are undertaken:

1. Applicants submit completed application with site plan, pay application fees, and provide supplementary information as required by the Development Officer (i.e. geotechnical report, market study, etc.)
2. The Development Officer will review the application for conformity with the Official Community Plan, Zoning Bylaw, and other applicable policies, then advise Council of the application.
3. Council may choose to refer the application to government agencies or interested groups, or require that the application be reviewed by planning, engineering, legal, or other professionals with the cost borne by the applicant.
4. The Development Officer will give notice by mail to the assessed owner of each abutting property and surrounding owners that an application has been received.
5. The Development Officer will set a date for the public hearing at which time the application will be considered by Council.
6. The Development Officer will provide notification of a public hearing and an opportunity for landowners and residents to provide written comment on the application.
7. The Development Officer will prepare a report regarding the application including recommendations for approval.
8. Council will consider the application, Development Officer report, and any written/verbal submissions from property owners.
9. Council may reject or approve the application with or without conditions.
10. The applicant will be notified of Council's decision by mail and if approved, the Development Officer will issue a development permit under the terms and development



standards specified by Council.

Discretionary use permits are valid for twelve months from the date of approval. If development has not commenced within that time, the approval is no longer valid.

DISCRETIONARY USE APPEAL

In the case where a discretionary use application is denied, applicants may not appeal the refusal, but may appeal conditions of an approval.

DISCRETIONARY USE CRITERIA

The following criteria must be considered in reviewing discretionary use applications:

- The development must conform with all relevant sections of the Official Community Plan and Zoning Bylaw.
- There must be a demand for the development in the general area, and a supply of land available capable of accommodating the development.
- The development must be capable of being economically serviced including roadways, water and sewer services, and other supportive utilities and community facilities.
- The development must not be detrimental to 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.

TERMS AND CONDITIONS

In approving a discretionary use application, Council may prescribe specific development standards necessary to achieve the following objectives:

- The proposed development site, 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.
- The development must provide adequate access and circulation for vehicle traffic generated and provide an adequate supply of on-site parking and loading spaces.
- The development must provide sufficient landscaping and screening, and wherever possible shall preserve existing

REFERENCE

Prior to applying for a Discretionary Use Permit, please review the following RM publications available from the municipal office or online at www.rmofmckillop220.com:

Official Community Plan – Bylaw No. 233/11
Zoning Bylaw – Bylaw No. 234/11
Zoning Bylaw Amendment – Bylaw No. 241/13
Zoning District Map
Building Bylaw – Bylaw No. 150/96
Resolution 420/2015

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