

# ***RM of Estevan No. 5***

## **Zoning Bylaw**

**Consolidated**

**BYLAW NO. 5-2014**

**Including Amending Bylaws:**

<b>Bylaw No.</b>	<b>Description</b>	<b>Date of Approval</b>
2017-06	Textual – General Housekeeping & Minor Corrections	July 13, 2017
2017-15	Textual – Development Along Creek banks and Hazard Lands	December 1, 2017
2017-17	Map C – Pcl K from CR to R1	January 2, 2018
2018-01	Map E – Ptn. NE 24-2-7-W2 from CR to AR	April 19, 2018
2019-05	General Map – Pcl A in NE & SE 7-3-9-W2 from AG to COM1	July 31, 2019
2019-06	Textual – Garden Suites	November 15, 2019
2019-08	Textual – 2km Coal Setback Relaxation	Partial Approval May 20, 2020
2019-12	Textual – Maximum Square Footage of an Accessory Building in CR District	November 15, 2019
2019-13	Textual – Cannabis Retail and Production	October 30, 2020
2020-02	Textual - Development Along Creek banks and Hazard Lands on LDA-C District	June 2, 2020
2020-07	Textual – 2km Coal Setback Relaxation	December 11, 2020
2020-10	General Map – Parcel M in SW 35-2-8-W2 from Ag to COM1	December 21, 2020
2021-01	Textual – Minimum Floor Area in RS District	April 23, 2021
2021-02	Textual – Shops & Garages as Principal Use and Non-Farm Residential Minimum Site Frontage in AG District	May 7, 2021
2021-04	Textual – Swimming Pool Regulations	July 14, 2021



2021-08	General Map – Pcl A in NE & SE 7-3-9-W2 from COM1 to AG	September 8, 2021
2021-12	Map B – Lot 15, Blk D NE 18-2-7-W2 from HPCI to IND1	October 8, 2021
2022-09	Textual – Development Along Creek Banks and Hazard Lands	June 22, 2022



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## **1 INTRODUCTION**

### **1.1 Authority**

Under the authority granted by The Planning and Development Act, 2007, the Reeve and Council of the Rural Municipality of Estevan No. 5 in the Province of Saskatchewan, in open meeting, hereby enact as follows:

### **1.2 Title**

This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Rural Municipality of Estevan No. 5.

### **1.3 Purpose**

1.3.1 The purpose of this Bylaw is to regulate development and to control the use of land in the Rural Municipality of Estevan No. 5 in accordance with the Official Community Plan Bylaw No. 4-2014.

1.3.2 The intent of this Zoning Bylaw is to provide for the amenity of the area within the Rural Municipality of Estevan No. 5 (hereinafter referred to as the RM) and for the health, safety, and general welfare of the inhabitants of the area:

- a) To minimize land use conflicts;
- b) To establish minimum standards to maintain the amenity of the Rural Municipality;
- c) To ensure development is consistent with the physical limitations of the land;
- d) To restrict development that places undue demand on the Rural Municipality for services; and
- e) To provide for land-use and development that is consistent with the goals and objectives of the Rural Municipality.

### **1.4 Scope**

This Bylaw applies to all land included within the boundaries of the Rural Municipality of Estevan No. 5. All development within the limits of the Rural Municipality shall hereafter conform to the provisions of this Bylaw.

### **1.5 Severability**

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 DEFINITIONS

Whenever the subsequent words or terms are used in the Official Community Plan, Bylaw No. 4-2014 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:** A building, structure or use of a specific site which is subordinate and exclusively devoted to the principal building, principal structure, or principal use of the same site.

**Accessory Building, Large:** An accessory structure exceeding a height of 4.5 metres (14.77 feet) or having a floor area of greater than 92.0 m<sup>2</sup> (990.32 ft<sup>2</sup>).

**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 Estevan No. 5.

**Aggregate Resource:** Raw materials including sand, gravel, clay, earth or mineralized rock found on or under a site. (Also see Mineral Resource)

**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, but does not include cannabis operations.

**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 Holding or Farm:** The cumulative total of all sites which are:

- a) Owned by a person; and
- b) Used for agricultural operations and production; and
- c) Are situated within the rural municipality; and
- d) Shall not include a site, the principal use of which is residential or non-agricultural

**Agricultural Operation:** A site, or sites, the principal use of which is to derive produce directly from the following activities, but shall not be residential in use:

- a) Cultivating land;
- b) Producing agricultural crops, including hay and forage;
- c) Producing horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs, flowers, greenhouse crops and specialty crops, excluding cannabis;
- d) Raising all classes of livestock, horses, poultry, fur-bearing animals, game birds and game animals, bees and fish;
- e) Carrying on an intensive livestock operation;



- f) Involved the primary processing of agricultural products which provide a primary source of livelihood and income to the site owner or operator;
- g) Operating agricultural machinery and equipment, including irrigation pumps and noise-scare devices;
- h) Conducting any process necessary to prepare a farm product for distribution from the farm gate;
- i) Storing, handling and applying fertilizer, manure, organic wastes, soil amendments and pesticides, including both ground and aerial application;
- j) Any other prescribed agricultural activity or process as defined by council.

**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:

- a) Grain elevators
- b) Feed mills
- c) Abattoirs
- d) Seed cleaning plants
- e) Pelletizing plants
- f) Bulk fertilizer distribution plants
- g) Bulk agricultural chemical distribution plants
- h) Anhydrous ammonia storage and distribution
- i) Bulk fuel plants
- j) Livestock holding stations
- k) Retail sales of the goods produced or stored as part of the dominant use on the site

**Agricultural Commercial:** A use related to the sale of products or machinery of an agricultural nature or the provision of services to the agricultural community, and without restricting the generality of the above may include livestock auction marts, farm implement dealerships, fruit stands, veterinary clinics and animal hospitals.

**Agricultural Residence:** A dwelling unit accessory to the use of land intended for a combined residential and agricultural purpose.

**Agricultural Residential Development:** The establishment of a residence on an agricultural holding in the absence of subdivision of where the residence remains directly appurtenant to the agricultural operation.

**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 such as parking and landscaping.

**Ancillary:** A building, structure or use of a specific site which is related in a subsidiary manner to the principal building, principal structure, or principal use of the same site.



**Animal Clinic:** A building or part thereof used by a qualified veterinarian for the treatment of animal health needs where animals are not kept on the premises for surgery or kept overnight.

**Animal Hospital:** The premises of a veterinary surgeon where small, large domestic animals and livestock are treated or kept involving surgery and the keeping of animals in outdoor or indoor pens.

**Animal Unit (A.U.):** The kind and number of animals calculated in accordance with the following table:

Animal Type	Number of Animals = 1 Animal Unit
<b>Poultry</b> <ul style="list-style-type: none"><li>Hens, cockerels, capons</li><li>Chicks, broiler chickens</li><li>Turkeys, geese, ducks</li><li>Exotic birds</li></ul>	100 200 50 25
<b>Hogs</b> <ul style="list-style-type: none"><li>Boars and sows</li><li>Gilts</li><li>Feeder pigs</li><li>Weanling pigs</li></ul>	3 4 6 20
<b>Sheep</b> <ul style="list-style-type: none"><li>Rams or ewes</li><li>Lambs</li></ul>	7 14
<b>Goats etc.</b> <ul style="list-style-type: none"><li>All (including llamas, alpacas etc.)</li></ul>	7
<b>Cattle</b> <ul style="list-style-type: none"><li>Cows and bulls</li><li>Feeder cattle</li><li>Replacement heifers</li><li>Calves</li></ul>	1 1.5 2 4
<b>Horses</b> <ul style="list-style-type: none"><li>Colts and ponies</li><li>Other horses</li></ul>	2 1
<b>Other</b> <ul style="list-style-type: none"><li>Domesticated native ungulates (deer, elk, bison, etc.)</li></ul>	1

**(Animal) Veterinary Clinics:** A place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization, but shall not include the keeping of animals in outdoor pen.

**Applicant:** A developer or person applying for a development permit under this Bylaw, for a subdivision approval to an approving authority under *The Planning and Development Act, 2007*.

**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:** An area where motor vehicles are disassembled, dismantled or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored or sold to the general public.

**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 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.

**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 Estevan No.5 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, storage, swimming pools, and enclosed or underground parking facilities. 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 buildings. For the purpose of this Bylaw, the term 'storage' means 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 of whatsoever nature.

**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:** as specified in section 4.18

**Building Permit:** A permit, issued under the Building Bylaw of the Rural Municipality of Estevan No.5 authorizing the construction of all or part of any building or structure.

**Building Principal:** A building in which is conducted the main or primary use of the site on which the said building is situated.

**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 lock operations.

**Bylaw:** The Rural Municipality of Estevan No. 5's Zoning Bylaw.



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

**Cannabis:** Means the cannabis plant, fresh cannabis, dried cannabis, cannabis oil, cannabis plant seeds, edible products that contain cannabis and any other substance defined as cannabis in the *Cannabis Act* (Canada) and the associated regulations, as amended from time to time and includes edible products that contain cannabis.

**Cannabis production facility:** a federally licensed operation, comprised of land, buildings and structures used for the purpose of growing, harvesting, producing, cultivating, testing, processing, researching, destroying, storing, packaging and shipping of cannabis and cannabis products destined for sale to consumers for recreational purposes, and the intra-industry sale of these products, including provincially authorized distributors.

**Cannabis retail operation\outlet:** A retail business operating from a storefront operation and authorized by *The Cannabis Control Act* (Saskatchewan) to sell any part of the cannabis plant, processed or unprocessed, including any derivative, concentrate, or edible product originating from the cannabis plant.

**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.

**Cardlock Operations:** A petroleum dispensing outlet without full-time attendants.

**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.

**City:** Refers to the City of Estevan

**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 (ie 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 Indoor Storage:** A building or series of buildings comprising multiple storage bays intended for lease or rent by the general public for the purpose of indoor storage of private goods.

**Community Facilities:** 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.



**Concept Plan (Comprehensive Development Review):** A land use concept plan for a specific local area that identifies social, environmental, health and economic issues which the proposed development must address.

**Concrete and Asphalt Plant:** An industrial facility 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 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.

**Condominium, Townhouse:** Involves dividing a building into individually owned units with boundaries referenced to the walls, floors and ceilings. Each unit shall have its own entrance to the outside. Other parts of the building and the parcel containing the building are 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 against.

**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 store 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 Estevan No.5.

**Country Residence:** A dwelling or site whose owner's principal source of household income is derived from a source other than the principal agricultural use of that site.

**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.

**(Multi-parcel) Country Residential Development:** 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 und 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 Rural Municipality of Estevan'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 Planning and Development Act, 2007*.

**Development Officer:** The Administrator shall be the Development Officer, or in his/her absence an employee of the Municipality appointed by the Administrator; or someone appointed by the Council to act as a Development Officer to administer this Bylaw.

**Development Permit:** A permit issued by the Council of the Rural Municipality of Estevan No.5 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 Planning and Development Act, 2007*.

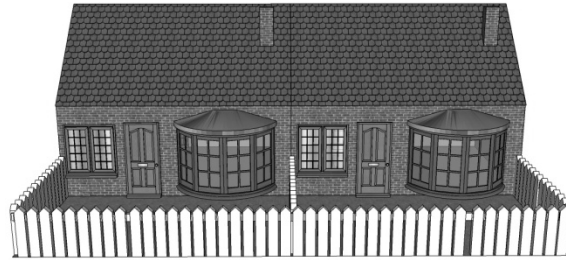
**Dormitory:** Sleeping quarters or entire buildings primarily providing sleeping and residential quarters for large numbers of people.

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

**Dwelling, Duplex:** A building divided that is divided into two dwelling units with separate entrances and separated by a party wall.

**Dwelling, Multiple Unit:** A building containing three or more dwelling units and shall include condominiums, townhouses, row houses, and apartments as distinct from a rooming house, hotel, or motel.

**Dwelling, Semi-Detached:** A building divided vertically into two (2) dwelling units by a common wall extending from the base of the foundation to the roofline.



Semi-Detached Dwelling

**Dwelling, Single-Detached:** A building containing only one dwelling unit, as herein defined, and occupied or intended to be occupied as a permanent residence, including a RTM when attached to a foundation on the site, but not including a mobile or modular home as defined.



Single-Detached Dwelling

**Dwelling, Town (Row) House:** A dwelling, designed as one cohesive building in terms of architectural design, which contains three (3) or more similar attached dwelling units each of which fronts on a street, has direct access to the outside at grade and is not wholly or partly above another dwelling.



Town House Dwelling

**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, 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 Plans:** Are voluntary, confidential, self-assessment tools used by producers to raise awareness about environmental risks and opportunities on their operations. As part of their 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:** The use of land, buildings or structures 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:** Improvements such as barns, granaries, workshops etc., used in connection with the growing and sale of trees, shrubs, and sod or the raising or production of crops, livestock or poultry or in connection with fur production or bee keeping 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.

**(Design) Flood:** The elevation of the design flood

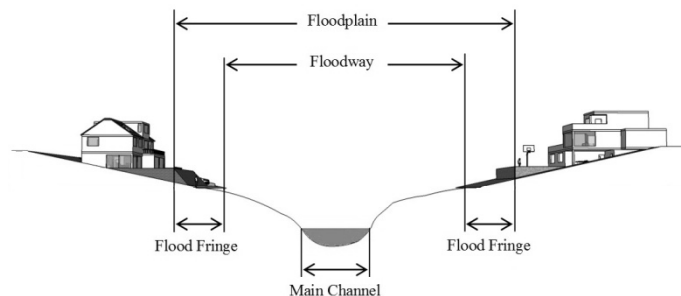
**(Design) Flood Level:**

- a) a 1:500 year flood;
- b) a flood having a return period greater than 1:500 years;
- c) a recorded flood having a water surface elevation equal to or exceeding that of a 1:500 year 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.



**Freeboard Elevation:** The elevation of the Estimated Peak Water Level 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 flows 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.

**Game Farm:** Land and facilities on which domestic game farm animals are held for commercial purposes. (See Harvest Preserve).

**Garage:** 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.

**Garden Suite:** An additional dwelling unit that is separate from and secondary to the principal single detached dwelling on the residential lands.

**Gas Bar:** 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. These are generally considered High Profile/Light Commercial Uses.

**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:

- a) The assembling of goods, products or equipment;
- b) The limited processing of raw, value-added or finished materials;
- c) The storage or trans-shipping of materials, goods and equipment;
- d) 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:

- a) Manufacturing, fabricating, processing, assembly, finishing, production or packaging of materials, goods or products.
- b) The storage or trans-shipping of materials, goods and equipment.
- c) 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 (Exclusionary Uses):** 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, odour, 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, Ethanol Plant, Transformer Stations, Uranium Refiners, 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:** A building with glass or clear plastic walls and roof for the cultivation and exhibition of plants under controlled conditions.

**Greenhouse (Commercial):** A greenhouse that includes a retail aspect and caters to the general horticultural needs of the general public for financial gain and may include outdoor storage of landscaping supplies, but does not include the growth of cannabis.

**Greenhouse (Industrial):** A Greenhouse intended to serve intermediate industrial and retail markets with large quantities of horticultural supplies, not including consumer retail, or the growth of cannabis.



**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.

**Hall:** A building or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and may include a banquet hall, private club or fraternal organization.

**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.

**Harvest Preserve:** An area of deeded private land fenced for the purpose of management, control, and harvesting of domestic game farm animals. Harvest preserves are regulated by *The Domestic Game Farm Animal Regulations*.

**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:

- a) Excessive noise, odour, dust, vibration;
- b) Offensive emissions;
- c) Involves dangerous or toxic materials, chemicals and wastes;
- d) Air, water or soil pollution;
- e) Land use incompatibility;
- f) 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.

**Helo-Stop (limited use):** Any landing are 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.

**High Profile Commercial:** a wide range of commercial, industrial and related activities located and concentrated primarily along Provincial Highways to provide high visibility for eco-responsible and architecturally planned developments. (See Commercial Type 1)

**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, excluding cannabis.

**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, turf or cannabis.

**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 Signs:** Are signs located on a development site which are intended for the direction or 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.

**Innovative Development:** Developments that include alternative design features.

**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 Agriculture:** An intensified system of tillage and animal husbandry from the concentrated raising of crops or the concentrated rearing or keeping, on a continuous basis, of livestock, poultry or other products for market and without restricting the generality of the above includes:

- a) Feed lots
- b) Livestock operation (hogs, chickens, etc.)
- c) Sod farms
- d) Market gardens
- e) Greenhouses
- f) 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>):

- a) Poultry; hogs; sheep; goats; cattle; horses; any other prescribed animals.



**Intensive Oil and Gas Developments:** Including, but not limited to Oil Batteries, Compressor Stations, Pipeline Pumping Stations, etc.

**Kennel, Boarding:** The temporary accommodation of dogs, cats or other domestic animals for commercial purposes.

**Kennel, Breeding:** The keeping of more than four dogs, cats or other domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

**Kennel, Enclosure:** An accessory building or enclosure intended to house one or more domestic animals.

**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:

- a) Soft landscaping consisting of vegetation such as trees, shrubs, vines, hedges, flowers, grass and ground cover; and/or
- b) 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.

**Landscaping Establishment:** The yard of a landscaping 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.

**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 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:** includes but is not limited to: all animals in the bovine, equine, swine, (including pot bellied pigs), sheep, goats, and poultry families.

**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 firm or business engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of components parts, the manufacturing of products and the blending of materials.

**(Light) Manufacturing and/or Assembly:** 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:** A building or other structure used as a place for the interment of the dead in sealed crypts or compartments.

**Medical cannabis production facility:** A facility, including land, buildings, and structures, and used solely for the purpose of growing, producing, manufacturing, processing, testing, packaging, and shipping of cannabis and cannabis products for medical purposes, as authorized by a license issued under the federal government's *Marijuana for Medical Purposes Regulations* (MMPR) or any subsequent legislation which may be enhanced.

**Mineral Resource:** As defined under Provincial Legislation and Regulations.

**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 Planning and Development Act, 2007*.

**Mixed Use:** Mixed uses are where one or more compatible uses are on one site or building. Or designated in a particular area, such as commercial and residential mixed with recreation.

**Mobile Home:** A trailer coach that may be used as a dwelling all year round; 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. CSA Number Z240 MH.



Double-Wide Mobile Home

**Mobile Home Park:** A site under single management for the placement of two or more mobile homes and shall include all accessory buildings necessary to the operation.

**Modular Home (RTM):** A building that is manufactured in a factory as a whole or modular unit to be used as one single dwelling unit and is certified by the manufacturer that it complies with the Canadian Standards Association Standard No. CSA-A277, and is placed on a permanent foundation.



Modular (Manufactured) Home

**Municipality:** The Rural Municipality of Estevan No. 5.

**Municipal Reserve:** Are dedicated lands:

- a) That are provided to a Municipality pursuant to clause 189(a) of *The Planning and Development Act, 2007* for public use; or



- b) That were dedicated as public reserve and transferred to a Municipality pursuant to section 196, 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:

- a) Fish within the meaning of *The Fisheries Act*;
- b) Wildlife within the meaning of *The Wildlife Act, 1998*;
- c) Forest products within the meaning of *The Forest Resources Management Act*;
- d) Resource lands and provincial forest lands within the meaning of *The Resource Lands Regulations, 1989*;
- e) Ecological reserves within the meaning of *The Ecological Reserves Act*; and
- f) Other living components of ecosystems within resource lands, provincial forest lands and other lands managed by the department.

**Non-Conforming Building:** A building:

- a) 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,
- b) 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:

- a) 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
- b) 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.

**Normally Accepted Agricultural Practices:** A practice that is conducted in a prudent and proper manner that is consistent with accepted customs and standards followed by similar agricultural operations under similar circumstances, in conformance with *The Agricultural Operations Act, 1995*. This includes the use of innovative technology or advanced management practices in appropriate circumstances conducted in conformity with any standards established pursuant to the regulations and meets acceptable standards for establishment and expansion.

**Office or Office Building:** 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>). CSA Number Z241.



Park Model Trailer 102



Park Model Recreational Unit

**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:** A 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 business associated with the grooming of persons or the maintenance or repair of personal wardrobe articles and accessories and may include:

- a) beauty salons and barber shops;
- b) shoe repair;
- c) self-serve laundry;
- d) tailor or seamstress;
- e) massage services; and
- f) tanning beds,

but, does not include the provision of health related services.



**Places of Worship:** A place used for worship and related religious, philanthropic or social activities and includes accessory rectories, manse, meeting rooms and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues and parish halls.

**Planned Unit Development:** A comprehensive development which may be composed of a mixture of residential, commercial, industrial; and mixed uses with recreational and open space incorporated into the design.

**Principle (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:

- a) Communication by way of telephone lines, optical cable, microwave, and cable television services;
- b) Delivery of water, natural gas, and electricity;
- c) Public transportation by bus, rail, or other vehicle production, transmission;
- d) Collection and disposal of sewage, garbage, and other wastes; and
- e) 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.

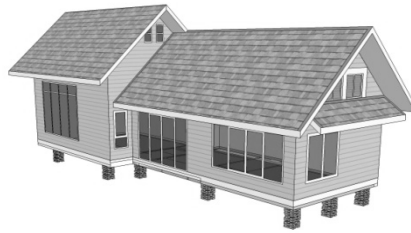
**Public Works:** A facility as defined under *The Planning and Development Act, 2007*.

**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 new single detached dwelling constructed off-site to National Building Code or CSA-277 standards to be moved onto a new permanent residential site building foundation.



RTM (Ready to Move) Home

**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>.

**Redesignation:** Rezoning.

**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 principle vehicle. Notwithstanding the generality of the above may include:

- a) Motor homes
- b) Camper Trailers
- c) Boats
- d) Snowmobiles
- e) Motorcycles



Motor Home — Camping Trailer

**Recycling and Collection Depot (commercial):** A building or series of buildings 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.

**Reeve:** The Reeve of the Rural Municipality of Estevan No.5.

**Residential:** The use of land, buildings, or structures for human habitation.



**Residential Care Home:** A facility which:

- a) Provides meals, lodging, supervisory personal or nursing care to persons who reside therein for a period of not less than thirty days; and
- b) 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; and
- c) May include only the principal residence of the operator or administrator.

**Residual Parcel:** The acreage remaining in agriculture resulting and independent of the subdivision of an agricultural holding for non-agricultural purposes.

**Restaurant:** 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 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.

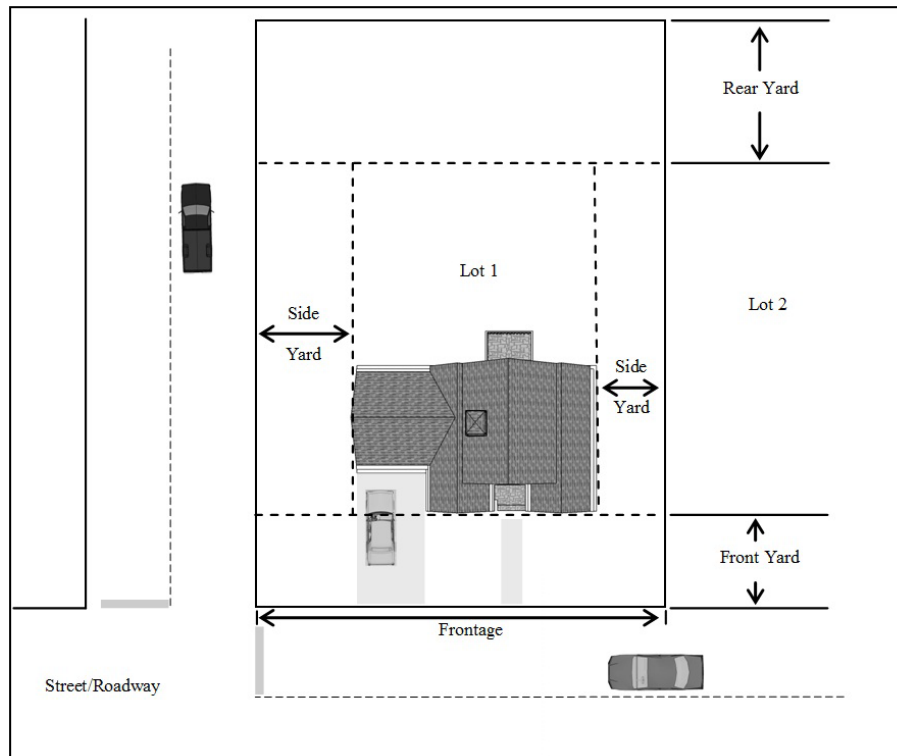
**School:** A body of pupils that is organized as a unit for educational purposes under the jurisdiction of a board of education or of the Saskatchewan Ministry of Education and that comprises one or more instructional groups or classes, together with the principal and teaching staff and other employees 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:** An additional dwelling unit located within a principal single detached dwelling.

**Service Station:** 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.



Location and measurement of setbacks

**Shipping Container:** A cargo container that is a prefabricated metal container or box constructed for the transportation of goods by ship, train, or highway tractor, ie: seacan.

#### Should, Shall or May:

**Shall** is an operative word which means the action is obligatory.

**Should** is an operative word which means that in order to achieve plan objectives, it is strongly advised that the action be taken.

**May** is an operative word meaning a choice is available, with no particular direction or guidance intended.

**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.

**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.

**Small Scale Commercial:** Commercial or Industrial land uses maintaining a lineal frontage less than 90 metres (295.28 feet).

**Small Wind Energy System:** 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 metre or off-grid) and is not intended or used to produce power for resale.

**Solar Farm:** An area of land designated for the purpose of producing photovoltaic electricity.

**Sport Field:** An 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 Councillors 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.

**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:** 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:** A structure situated on a non-residential site that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.

**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 used for the transmission or reception of radio, television, telecommunications, mechanical or electrical energy for industrial, commercial, private or public uses, or for the storage of any substance of liquid.

**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:** Any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked up.

**Trailer Court:** Any site on which two or more occupied trailer coaches are permitted to be harboured, whether or not a charge is made or paid, and includes any building or structure used or intended for use as a part of the equipment of such trailer court, but shall not include an industrial or construction camp, or a mobile home park.

**Trucking Firm Establishment:** 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 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:

- a) 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;
- b) 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.



**Vertical Integration:** The accommodation of multiple complimentary 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:** A place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization, but shall not include the keeping of animals in outdoor pens.

**Warehouse:** A building used for the storage and distribution of wholesaling of goods and materials.

**Waste Disposal Facility, Liquid:** 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 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 Turbine/Wind Power Unit:** A rotating machine which converts kinetic wind energy into mechanical energy and then electrical energy primarily for private use.

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

**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.

**Work Camp:** A multi-unit, permanent or temporary, workforce accommodations

**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 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 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.

**Metric to Imperial Conversions\***

Distance (metres - feet)			
0.6 metres	2 ft	17.0 metres	55 ft
2.0 metres	7 ft	19.8 metres	65 ft
2.5 metres	8 ft	30 metres	98 ft
3.0 metres	10 ft	46 metres	150 ft
4.2 metres	14 ft	50 metres	164 ft
4.5 metres	15 ft	60 metres	200 ft
5.0 metres	16 ft	75 metres	246 ft
5.5 metres	18 ft	80 metres	262 ft
6.0 metres	20 ft	90 metres	295 ft
6.5 metres	21 ft	100 metres	328 ft
7.5 metres	25 ft	150 metres	492 ft
8.0 metres	26 ft	200 metres	656 ft
10 metres	33 ft	230 metres	755 ft
12 metres	39 ft	305 metres	1000 ft
15 metres	49 ft	467 metres	1532 ft
Distance (kilometres - miles)		Area (hectares – acres)	
.5 km	.31 miles	0.8 hectare	2 acres
.6 km	.37 miles	1 hectare	2.5 acres
.8 km	.5 miles	2 hectares	5 acres
1 km	.62 miles	8 hectares	20 acres
1.6 km	1 mile	64.8 hectares	160 acres

**Metric to Imperial Conversions**

Area (m <sup>2</sup> to ft <sup>2</sup> )			
1.0 m <sup>2</sup>	10.76 ft <sup>2</sup>	100 m <sup>2</sup>	1076 ft <sup>2</sup>
0.5m <sup>2</sup>	5.4 ft <sup>2</sup>	150 m <sup>2</sup>	1615 ft <sup>2</sup>
5.0 m <sup>2</sup>	53.8 ft <sup>2</sup>	230 m <sup>2</sup>	2475 ft <sup>2</sup>
9.3 m <sup>2</sup>	100 ft <sup>2</sup>	450 m <sup>2</sup>	4844 ft <sup>2</sup>
37.2 m <sup>2</sup>	400 ft <sup>2</sup>	465 m <sup>2</sup>	5,005 ft <sup>2</sup>
45 m <sup>2</sup>	485 ft <sup>2</sup>	540m <sup>2</sup>	5812 ft <sup>2</sup>
50 m <sup>2</sup>	538 ft <sup>2</sup>	560 m <sup>2</sup>	6,000 ft <sup>2</sup>
56 m <sup>2</sup>	600 ft <sup>2</sup>	900 m <sup>2</sup>	9687 ft <sup>2</sup>
60 m <sup>2</sup>	646 ft <sup>2</sup>	930 m <sup>2</sup>	10,000 ft <sup>2</sup>
75 m <sup>2</sup>	807 ft <sup>2</sup>	4050 m <sup>2</sup>	1 acre or 43,600 ft <sup>2</sup>
78 m <sup>2</sup>	839 ft <sup>2</sup>	6070 m <sup>2</sup>	1.5 acres
83.6 m <sup>2</sup>	900 ft <sup>2</sup>		
92.96m <sup>2</sup>	1,000 ft <sup>2</sup>		

\*Conversions are approximate



### 3 ADMINISTRATION AND INTERPRETATION

#### 3.1 Development Officer

- 3.1.1 The Administrator of the Rural Municipality of Estevan No. 5 shall be the Development Officer responsible for the administration of this Bylaw, or in his/her absence an employee of the Municipality appointed by the Administrator; or someone appointed by the Council to act as a Development Officer to administer this Bylaw.
- 3.1.2 The Development Officer shall:
- a) Receive, record, and review development permit applications and issue decisions in consultation with Council, particularly those decisions involving subdivision, discretionary uses, development permit conditions, and development and servicing agreements;
  - b) 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;
  - c) Make available, for public inspection during office hours, a register of all development permits and subdivision applications and decisions;
  - d) Collect development fees, according to the fee schedule established by a separate Bylaw;
  - e) Perform other duties as determined by Council.
- 3.1.3 The Development Officer shall be empowered to make a decision, in consultation with Council, regarding a development permit application for a "Permitted Use."
- 3.1.4 The Development Officer shall receive, record, review and forward to Council:
- a) Development permit applications for discretionary uses;
  - b) Rezoning amendment applications
  - c) Subdivision applications;
  - d) Development and servicing agreements;
  - e) A monthly report;
  - f) Applications for minor variances.

#### 3.2 Council

- 3.2.1 Council shall make all decisions regarding discretionary uses, development and servicing agreements, and Zoning Bylaw amendments.
- 3.2.2 Council shall make a recommendation regarding all subdivision applications circulated to it by Saskatchewan Ministry of Government Relations, prior to a decision being made by the Minister.
- 3.2.3 Council shall act on discretionary use, rezoning, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the Official Community Plan.



### 3.3 Interpretation

- 3.3.1 Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.
- 3.3.2 All Bylaw requirements shall be based on the stated metric units. The imperial units shown in this Bylaw shall be approximate guidelines only.
- 3.3.3 No existing development or site shall be deemed non-conforming due to non-compliance with the metric units used in the Zoning Bylaw.

### 3.4 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.

### 3.5 Application for a Development Permit

- 3.5.1 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:
  - a) Complete and submit a development permit application, and (refer to permit application form in Appendix A);
  - b) Receive a development permit for the proposed development.
- 3.5.2 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.
- 3.5.3 Except where a particular development is specifically exempted by Section 3.6 of this Bylaw, no development or use shall commence without a Development Permit first being obtained.

### 3.6 Development Not Requiring a Permit

The following developments shall be exempt from development permit requirements, but shall conform to all other Bylaw requirements (e.g., building permits, setbacks, environmental and development standards):

- 3.6.1 Agricultural Resource District
  - a) Granaries and Bins;
  - b) Accessory farm buildings or structures under 46.5 m<sup>2</sup> (500 ft<sup>2</sup>) where applied to a principal agricultural use within an appropriate zoning district established by this Bylaw;
  - c) Accessory non-farm buildings or structures under 9.3m<sup>2</sup> (100 ft<sup>2</sup>) where applied to a principal permitted use within an appropriate zoning district established by this Bylaw;
  - d) The temporary placement of a trailer during the construction or alteration of a primary structure for a term not to exceed that provided by an active approved Building Permit issued for the project;



- e) To ensure that the required setbacks are in place, all landowners shall submit a site plan showing the location of proposed new accessory farm uses in relation to the boundaries of the affected parcel and provided all yard setbacks of the Zoning District are met.

3.6.2 Country Residential, Lakeshore and Hamlet Districts

- a) Accessory buildings or structures under 14m<sup>2</sup> (150 ft<sup>2</sup>) where applied to a principal permitted use within an appropriate zoning district established by this Bylaw;
- b) The erection of any fence, wall, gate, television antennae, or radio antennae;
- c) Relocation of any residential or accessory building provided development standards are still met on the site.

3.6.3 Commercial and Industrial Districts

- a) The erection of any fence or gate;
- b) 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.

3.6.4 Official Uses

- a) Uses and buildings undertaken, erected, or operated by the Rural Municipality of Estevan No. 5.

3.6.5 Official Temporary Uses

- a) 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.

3.6.6 Internal Alterations

- a) Residential Buildings - Internal alterations to a residential building, provided that such alterations do not result in a change of use or an increase in the number of dwelling units within the building or on the site;
- b) All other Buildings - Internal alterations and maintenance to other buildings, including mechanical or electrical work, provided that the use, or intensity of use of the building, does not change.

3.6.7 Landscaping

- a) Landscaped areas, driveways and parking lots, provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted.

### 3.7 Concept Plans (Comprehensive Development Plans)

- 3.7.1 A Concept Plan (comprehensive development plan) 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 country residential, commercial or industrial 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, and industrial developments. The scope and required detail of



the Concept Plan will be based on the scale and location of the proposed development, and address such areas as the following:

- a) Proposed land use(s) for various parts of the area;
- b) The effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;
- c) The location of, and access to, major transportation routes and utility corridors;
- d) The provision of services respecting the planning for future infrastructure within the Municipality (water, sewer, power, gas, etc.);
- e) Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas such as drainage plans;
- f) Appropriate information specific to the particular land use (residential, commercial or industrial).

- 3.7.2 The Concept Plan (Comprehensive Development Plan) 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 responsibility for undertaking all technical investigations and hosting public meetings as required shall be borne solely by the applicant.

### 3.8 Additional Information

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

- a) Technical reports including, but not limited to, sewer and water services, expected traffic impacts and, where appropriate, hydro geological impacts and flood risk studies;
- b) Wildlife habitat studies;
- c) Mineral extraction studies;
- d) Heritage resource studies;
- e) Additional information, as required by the approving authority, to evaluate the proposal in conformity with this bylaw.

### 3.9 Development Permit Procedure

- 3.9.1 Where an application for a development permit is made for a permitted or accessory use in conformity with this Bylaw, *The Planning and Development Act, 2007* and all other municipal Bylaws, the Council shall hereby direct the Development Officer to issue a development permit.
- 3.9.2 As soon as an application has been made for a development permit and prior to making a decision, the Development Officer may refer the application to whichever government agencies or interested groups Council may consider appropriate. The Development Officer may also require the application to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant.
- 3.9.3 A copy of all approved development permit applications, involving the installation of water and sanitary services, shall be sent to the local District Health Region.



- 3.9.4 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.
- 3.9.5 A Development Officer may incorporate specific development standards in a development permit for a permitted use to ensure development and application conformity with the Zoning Bylaw. The development standards shall be based on the provisions of the General Development Standards and other defined requirements of the Zoning Bylaw or Official Community Plan.
- 3.9.6 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.
- 3.9.7 A Building Permit, where required, shall not be issued unless a development permit has been issued, or is issued concurrently.
- 3.9.8 A Development Permit is valid for a period of twelve (12) months unless otherwise stipulated when the permit is issued.
- 3.9.9 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 in force.
- 3.9.10 Where the Municipality is satisfied that a development, the permit for which 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 and in force.

### **3.10 Discretionary Use Application Procedure**

- 3.10.1 The following procedures shall apply to discretionary use applications:
  - a) Applicants must file with the Development Officer the prescribed application form, a site plan, any other plans and supplementary information as required by the Development Officer and pay the required application and public hearing fees;
  - b) 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;
  - c) 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 cost of this review to be borne by the applicant;
  - d) 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. 1.6 kilometre (1 mile) radius of the area in which the subject site is located in the greater Municipality;



- ii. In Country-Residential areas and Industrial Parks, within a 150 metre (500') radius of the proposed development.
  - e) 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;
  - f) The Development Officer will prepare a report concerning the application which may contain recommendations, including recommendations that conditions of approval be applied in accordance with Section 54 of *The Planning and Development Act, 2007*;
  - g) 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;
  - h) Council shall consider the application together with the reports of the Development Officer and any written or verbal submissions received by Council;
  - i) 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;
  - j) The applicant shall be notified of Council's decision by regular mail addressed to the applicant at the address shown on the application form.
- 3.10.2 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.
- 3.10.3 The following criteria must be considered in the review of discretionary use applications:
- a) The proposal must be in conformance with all relevant sections of the Official Community Plan and Zoning Bylaw;
  - b) There must be a supply of land currently available in the area capable of accommodating the proposed use;
  - c) The proposal must be capable of being economically serviced including roadways and other supportive utilities and community facilities; and
  - d) The proposal 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.
- 3.10.4 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:
- a) 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;
  - b) 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;



- c) The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- 3.10.5 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.
- 3.10.6 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.
- 3.10.7 Council's approval of a discretionary use application is valid for a period of twelve (12) 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.
- 3.10.8 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.

### **3.11 Refusal of Development Permit Application**

- 3.11.1 An application for a development permits shall be refused if it does not comply with all Zoning Bylaw requirements.
- 3.11.2 The reasons for a development permit refusal shall be stated on the refused development permit application.
- 3.11.3 Where an application for a development permits has been refused, the Council (in the case of a proposed discretionary use), of the Development Officer (in all other cases), may refuse to accept another application for the same or a similar development on the same site, until six (6) months from the date of the approving authority's decision. The Development Officer shall not accept another application for the same development until six (6) months have passed from the date of a refusal by either the local Development Appeals Board or the Saskatchewan Municipal Board.
- 3.11.4 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 Planning and Development Act, 2007*.

### **3.12 Development Appeals Board, Right To Appeal**

- 3.12.1 Section 5 of *The Planning and Development Act, 2007*, provides the right to appeal the Zoning Bylaw where a Development Officer:
  - a) Is alleged to have misapplied the Zoning Bylaw in issuing a development permit;
  - b) Refuses to issue a development permit because it would contravene the Zoning Bylaw; or
  - c) 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 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 Section 213 to 227 inclusive, of *The Planning and Development Act, 2007*.
- 3.12.4 As per Section 221 of *The Planning and Development Act, 2007*; “the board hearing the appeal:
- a) Is bound by any official community plan in effect;
  - b) Must ensure that its decisions conform to the uses of land, intensity of use and density of development in the zoning bylaw;
  - c) Must ensure that its decisions are consistent with any provincial land use policies and statements of provincial interest; and
  - d) May, subject to clauses a) to c); confirm, revoke or vary the approval, decision, any development standard or condition, or order imposed by the approving authority, the council or the development officer, as the case may be, or make or substitute any approval, decision or condition that it considers advisable if, in its opinion, the action would not:
    - i. Grant to the applicant a special privilege inconsistent with the restrictions on the neighboring properties in the same zoning district;
    - ii. Amounts as a relaxation so as to defeat the intent of the zoning bylaw; or
    - iii. Injurious affect the neighboring properties.”

### **3.13 Development Permit Application Fee Schedule**

The Rural Municipality will adopt a Development Fee schedule as per *the Planning and Development Act, 2007* and will be available on the Rural Municipality’s website.

### **3.14 Bylaw Amendment Application**

An application decision shall not be made, and the amendment process shall not be initiated, until all required information has been provided and reviewed.

### **3.15 Zoning Bylaw Amendments**

- 3.15.1 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 Planning and Development Act, 2007*. Council also may require the applicant to pay all costs incurred in professional review of the application and in carrying out a public hearing.
- 3.15.2 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 Plan.



3.15.3 Every Bylaw amendment application shall include:

- a) a completed application form;
- b) 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;
- c) 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;
- d) a statement of the reasons for the request to amend the Bylaw;
- e) a payment for cost of advertising and other administrative costs, authorized by *The Planning and Development Act, 2007*, for processing the application.
- f) Vicinity Map: A properly dimensioned vicinity map indicating the site to be amended, its relationship to existing land uses within a 91 metres (300 ft.) radius of the boundaries of the site and any prominent physical features, including roads and public utilities.
- g) Additional Information: The Development Officer may request additional information, to evaluate and make a recommendation regarding the application, to effectively administer this Bylaw.
- h) Exemptions: The Council or Development Officer, 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.

### 3.16 Holding Zone Provisions

3.16.1 Where on the Zoning District 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 Planning and Development Act, 2007*.

3.16.2 The purpose of the holding provisions shall be to enable Council to manage development and subdivision proposals in phases.

- a) The application and management of the holding provision shall be at Council's discretion;
- b) 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 (i.e. R1-H);
- c) The holding provision and symbol shall mean that:
  - i) Development shall be restrictively managed under the holding provision;
  - ii) Existing uses may continue, subject to the Official Community Plan and Zoning bylaw development and subdivision standards.
- d) 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 Planning and Development Act, 2007*.



### **3.17 Concurrent Processing of Development Permits, Building Permits and Business Licenses**

A Building Permit, where required, shall not be issued unless a Development Permit has been issued, or is issued concurrently. Nothing in this Bylaw shall exempt any person from complying with a Building Bylaw, or any other Bylaw in force within The Municipality, or from obtaining any permission required by this, or any other Bylaw of The Municipality, the province or the federal government.

### **3.18 Referral Under The Public Health Act**

- 3.18.1 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 and sanitary services, should such information be requested by provincial officials under the *Public Health Act and Regulations*.
- 3.18.2 The Development Officer, in conjunction with the District Health Region 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.
- 3.18.3 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 District Health Region and any other relevant agency deemed necessary by the Municipality.

### **3.19 Minor Variances**

- 3.19.1 The Development Officer may vary the requirements of this Bylaw subject to the following requirements:
  - a) A minor variance may be granted for the following only:
    - i. Minimum required distance of a building from a lot line; and
    - ii. Minimum required distance of a building from any other building on the lot.
  - b) The maximum amount of a minor variance shall be 10% variation from the Requirements of this Bylaw;
  - c) The development must conform to all other requirements of this Bylaw;
  - d) The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property;
  - e) No minor variance shall be granted for a discretionary use or form of development, or in connection with an agreement to rezone pursuant to Section 60 of The Planning and Development Act 2007;
  - f) Minor variances shall be granted only in relation to residential properties.
- 3.19.2 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 Section 3.10.
- 3.19.3 Upon receipt of a minor variance application the Development Officer may:



- a) Approve the minor variance;
  - b) Approve the minor variance and impose terms and conditions on the approval; or
  - c) Deny the minor variance.
- 3.19.4 Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Bylaw.
- 3.19.5 Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.
- 3.19.6 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.
- 3.19.7 The written notice shall contain:
  - a) A summary of the application;
  - b) Reasons for and an effective date of the decision;
  - c) Notice 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; and
  - d) 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.
- 3.19.8 A decision to approve a minor variance, with or without terms and conditions, does not take effect until 23 days from the date the notice was provided.
- 3.19.9 If an assessed owner of a property having an adjoining property with the applicants 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:
  - a) Of the revocation of the approval; and
  - b) Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.
- 3.19.10 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.

### **3.20 Non-Conforming Buildings, Uses and Sites**

- 3.20.1 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 Section 88 to 93 inclusive, of *The Planning and Development Act, 2007*.
- 3.20.2 No enlargement, additions, or reconstruction of a non-conforming use, building or structure shall be undertaken, except in conformance with these provisions.
- 3.20.3 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.

- 3.20.4 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.

### **3.21 Development Permit – Invalid**

A development permit shall be automatically invalid and development shall cease, as the case may be:

- a) If the proposed development is not commenced within the period for which the Permit is valid;
- b) If the proposed development is legally suspended, or discontinued, for a period of six or more months, unless otherwise indicated by Council or the Development Officer; or
- c) When development is undertaken in contravention of this bylaw, the development permit and specified development standards, and/or
- d) When a written appeal notice is received by the Development Appeals Board secretary regarding the development permit.

### **3.22 Cancellation**

Council or the Development Officer may cancel a Development Permit, and when cancelled, development shall cease:

- a) Where the Development Officer or Council is satisfied that a development permit was issued based on false or mistaken information;
- b) Where new information is identified pertaining to environmental protection, flood potential, or slope instability; and/or
- c) When a developer requests a development permit modification.

### **3.23 Stop-Work**

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.

### **3.24 Permit Re-Issuance**

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.

### **3.25 Offences and Penalties**

Any person who violates this Bylaw may be charged and liable on summary conviction to the penalties in *The Planning and Development Act, 2007*.

### **3.26 Inspection of Premises**

The Development Officer, or any official or employee of the Municipality acting under their direction, is hereby authorized to enter, at all reasonable hours, 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.

### **3.27 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 3.6 of this Bylaw.

### **3.28 Demolition of Buildings**

No building shall be demolished without first obtaining a Development Permit from the Development Officer. 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 is in conformity with this Bylaw. A separate Development Permit is required for any redevelopment of the site.

### **3.29 Temporary Development Permits**

- 3.29.1 The Development Officer may issue a temporary Development Permit, with specified conditions for a specified period of time, to accommodate developments incidental to approved construction, temporary accommodation, or temporary gravel operations or asphalt plants.
- 3.29.2 Nothing in this Bylaw shall prevent the use of land, or the erection or use of any building or structure for a construction 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 as has not been finished or abandoned.
- 3.29.3 Every temporary development permit or use shall be approved for a specified period, but in no case shall it exceed twelve (12) months.
- 3.29.4 Where a development permit for a temporary use is granted for less than twelve (12) months, the permit may be renewed at Council's discretion for another period of not more than twelve (12) months.
- 3.29.5 Upon the expiration of the period for which the temporary use was approved, the use shall be discontinued and all temporary structures removed.
- 3.29.6 A temporary use may be approved for development in any zone, unless specified elsewhere in this Zoning Bylaw.
- 3.29.7 Council may, at its discretion, revoke a temporary development permit should the use violate any of the permit conditions, conflict with adjacent land uses or cause a nuisance. Permanent structures shall not be permitted in association with a temporary development permit.
- 3.29.8 Temporary uses include, but are not limited to the following:
  - a) Developments established or erected for special holidays;
  - b) Temporary asphalt and asphalt mixing plants;



- c) Agriculturally supportive commercial and industrial development including fertilizer operations and similar uses;
- d) Small temporary, seasonally or periodically used sand, gravel, gravel crushing and commercial topsoil stripping operations, including accessory equipment;
- e) Temporary accommodation: licensed contractors or developers may be authorized to erect a temporary accommodation, on or off site (e.g. campers, travel trailers, construction bunk houses), excluding a mobile home;
- f) 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).

3.29.9 Except in the Agricultural Districts, buildings or structures shall not include a mobile home or motor home as temporary uses.

### 3.30 Replacement of Existing Dwellings

3.30.1 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 for the new dwelling subject to the following conditions.

- 3.30.1.1 The existing dwelling shall either be removed from the property or demolished, in which case the clean fill shall be removed and the site leveled and properly graded, within six (6) months of when the new dwelling will be occupied.
- 3.30.1.2 The applicant shall either deposit, post a bond, certified cheque or other irrevocable performance security, to be held by the municipality until the requirements of Section 3.30.2 have been met. The performance security shall in an amount of two-thousand dollars (\$2,000.00), or lessor amount as determined by Council under special circumstances, and it 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 cost that the applicant has failed to remove or demolish within the specified time period. The balance of the deposit, if any, shall be refunded to the applicant.

### 3.31 Development Agreements

Council may request a developer to enter into a development agreement to ensure development conformity with the Official Community Plan, and this Bylaw, pursuant to Section 171 to 176 inclusive, of *The Planning and Development Act, 2007*.

### 3.32 Servicing Agreements

3.32.1 Where a development proposal involves subdivision, Council may require a developer to enter into a servicing agreement to ensure appropriate servicing pursuant to *The Planning and Development Act, 2007*. Council may direct the Administration to vary the agreement on a case-by-case basis, or not require it.



3.32.2 In accordance with Sections 172 to 176 inclusive, *The Planning and Development Act, 2007*, the agreement may provide for:

- a) 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 leveling 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;
- b) 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.

### **3.33 Performance Bonds**

Council may require a developer, including host 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.

### **3.34 Liability Insurance**

Council may require developers to provide and maintain liability insurance to protect the municipality, developer and public.

### **3.35 Interest Registration**

Council may require that development and servicing agreements and other documents be registered against affected lands, to protect municipal and public interests.

### **3.36 Caveats**

Council may require that development and servicing agreements and other documents may be caveated on affected lands, to protect municipal and public interests.

### **3.37 Severability**

If any section of this Bylaw is deemed, by an appropriate authority, to be invalid, the remainder of the Bylaw shall continue in full legal force.

### **3.38 Bylaw Review**

Council shall either review the Zoning Bylaw, or consolidate the Zoning Bylaw with all subsequent amendments, as follows;

- a) When Council considers it necessary;
- b) Five (5) years from the effective date of the last consolidation of this Bylaw.



## 4 GENERAL REGULATIONS

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

### 4.1 Licenses, Permits and Compliance with Other Bylaws and Legislation

- 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 a building regulation Bylaw or any other Bylaw in force within the Rural Municipality of Estevan No.5, 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 Rural Municipality of Estevan No. 5 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, the Official Community Plan, approved development permits and permit conditions, subdivision approvals or *The Planning and Development Act*.
- 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 affect the development site.

### 4.2 General Development Standards

- 4.2.1 All development and subdivision proposals shall meet the requirements of *The Planning and Development Act, 2007*, the Official Community Plan and this Zoning Bylaw.
- 4.2.2 The 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 Subdivision Regulations- Development and Servicing Agreements: Applicants and developers shall, upon the request of Council be required to enter into development and servicing agreements with the Municipality:
  - a) To achieve conformity with the Official Community Plan and Zoning Bylaw;
  - b) To protect the public interest and municipal costs;
  - c) To ensure Bylaw, development, servicing, resource management and environmental compliance.

### 4.3 Principal Use Established

In any Zoning District in this Bylaw, the principal use of the land must be established prior to any accessory buildings, structures, or uses being permitted.



#### **4.4 Prohibited Development**

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

#### **4.5 New Subdivision Sites and Remnant Sites**

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

#### **4.6 Site Size Adjustments**

In all zones, all minimum site size requirements shall be as stated, except that the site size of the remnant shall be deemed to be conforming in any of the following instances:

- a) Where roads, railways, pipelines and other linear public utilities, including their widening, are subdivided or registered as easements; or
- b) Where adjustments are required due to irregularities in the primary survey system.

#### **4.7 One Principal Development or Use Per Site**

- 4.7.1 Only one principal development or use per site shall be permitted unless otherwise stated.
- 4.7.2 Temporary uses may be permitted on a site where a principal development already exists, at Council's discretion.
- 4.7.3 Council may, at its discretion, issue a development permit for additional principal developments, uses or businesses in Commercial and Industrial Zones.
- 4.7.4 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 3.0 metres (about 10 feet) of any other building on the site except to a building accessory to such dwelling.

#### **4.8 Number of Principal Buildings On A Site**

Only one (1) principal building shall be permitted on any one site except for the following uses may have more than one principal building to accommodate the use:

- a) Public utility uses;
- b) A private institution;
- c) A multi-unit residential use;
- d) Recreational uses;
- e) An agricultural use;
- f) Commercial or industrial uses;
- g) Uses allowed in a contract zoning agreement.

#### **4.9 Accessory Buildings, Uses and Structures**

- 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 permitted



or discretionary use in that same district, and for which a development permit has been issued.

- 4.9.2 No accessory building 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.
- 4.9.3 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.
- 4.9.4 Unless otherwise specified in this Bylaw, a residential use shall not be defined as an accessory use. Accessory structures shall not be used as a dwelling unless approved as an additional agricultural dwelling.

#### **4.10 Uses Permitted In All Zoning Districts**

- 4.10.1 Nothing in this Bylaw shall prevent the use of any land as a public street or public park or public utility sites.
- 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.

#### **4.11 Restoration to a Safe Condition**

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.

#### **4.12 Grading and Leveling Of Sites**

- 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.
- 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.
- 4.12.3 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.
- 4.12.4 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.
- 4.12.5 Where excavation or filling is proposed for any development in a flood hazard sub-district, the Municipality may request comments of the Water Security Agency prior to making a decision on the development permit application.



#### 4.13 Restrictions on Changes

- 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) of this subsection, 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.

#### 4.14 Natural and Human Heritage Sites

- 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 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:
- a) Lands located within the same quarter-section as, or within 500 metres of, a Site of a Special Nature as defined in *The Heritage Property Act*;
  - b) Lands within 500 metres 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 under an approved investigation permit. The study should establish:
- a) The presence of heritage sites within the project areas;
  - b) Suitable mitigation measures that could be implemented;
  - c) The content, structure, and importance of those heritage sites; and
  - d) 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.



#### **4.15 Fence and Hedge Heights**

- 4.15.1 Notwithstanding the other provisions in this section, barbed wire fences shall be exempt from the required yard setbacks of the Agricultural Resource zone.
- 4.15.2 No fence or screening device shall exceed 1.2 metres (4 feet) in height if placed within a required front yard.
- 4.15.3 No fence or screening device shall exceed 2.4 metres (8 feet) in height within a required side or rear yard. No fence in a Commercial or Industrial zone shall exceed 2.4 metres.
- 4.15.4 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.
- 4.15.5 Screening devices shall not locate within a sight triangle as defined in this Bylaw.
- 4.15.6 Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences and hedges in all Country Residential and Residential Districts.
  - 4.15.6.1 No hedge, fence or other structure shall be erected past any property line.
  - 4.15.6.2 In a required front yard, to a height of more than 1.0 metre above grade level.
  - 4.15.6.3 In a required rear yard, to a height of more than 2.0 metres above grade level.
  - 4.15.6.4 Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2 metres.
  - 4.15.6.5 No barbed wire or razor wire fences shall be allowed.
- 4.15.7 Screen fences shall be consistent and complement the quality of building design and materials of the primary building.

#### **4.16 Landscape Buffers**

- 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 1.0 metre (3 feet) vegetative landscape buffer, unless a fence is required for other reasons.
- 4.16.2 Residential Acreages shall 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 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.



#### **4.17 Building and Site Maintenance**

- 4.17.1 All sites at all times shall be maintained clean and free from waste and debris.
- 4.17.2 For any non-residential use, Council may establish landscaping requirements for any permitted or discretionary use or development permit to achieve:
  - a) Maximum public safety;
  - b) Zero nuisance;
  - c) Environmental quality.
- 4.17.3 Council 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 Highways and associated service roads, which are developed for non-agricultural purposes, to be landscaped in the front yard. These requirements are provided 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.

#### **4.18 Height of Buildings**

Where a maximum height of buildings is specified in any Zoning District, the maximum height shall be measured from average grade level to the highest point on the building exclusive of any chimney or antenna.

#### **4.19 Roadways**

- 4.19.1 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. Refer to RM policy document available online at RM website, which may be updated from time to time.
- 4.19.2 Council may 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.
- 4.19.3 Development adjacent to a provincial highway shall meet all requirements of the Saskatchewan Ministry of Highways and Infrastructure.



- 4.19.4 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.
- 4.19.5 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.

#### **4.20 Frontage and Access**

- 4.20.1 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.
- 4.20.2 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.
- 4.20.3 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.

#### **4.21 Approaches**

- 4.21.1 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.
- 4.21.2 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.
- 4.21.3 Where an approach for a commercial, industrial, or residential lot accesses onto a paved road or highway, the approach shall be paved from the edge of the road surface to 5.0 metres (15 feet) into the lot.

#### **4.22 Development Setbacks**

The minimum specified front, side and rear yards shall be provided for each site, unless otherwise authorized in this Bylaw. Development shall occur within the site lines and according to all front, side and rear yard requirements provided in the individual zoning districts. Notwithstanding this Section and prescribed Setback tables, Council may by resolution reduce setbacks where physical circumstance dictates and public safety can be assured.

#### **4.23 Public Utilities and Municipal Services**

- 4.23.1 Public utilities, as defined in this Bylaw, shall be a permitted use in all zones.
- 4.23.2 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.

- 4.23.3 Public utility uses shall conform to the site size frontage and setback requirements of each zoning district if possible. (Public Utilities are exempt in all Zoning Districts; however, good locational criteria is recommended.)
- 4.23.4 All provincial and municipal zoning requirements, Official Community Plan and other municipal bylaw requirements shall be met.
- 4.23.5 Protective, emergency, municipal services and other public works and facilities may be established in all zoning districts.

#### **4.24 Prohibited and Noxious Uses**

- 4.24.1 The keeping of livestock shall not be allowed except for permitted agricultural uses and where specifically addressed in the individual Zoning Districts.
- 4.24.2 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.
- 4.24.3 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:
  - a) By the creation of noise or vibration;
  - b) By the emission of light and glare;
  - c) By reason of the emission of gas, fumes, smoke, dust or objectionable odour;
  - d) 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;
  - e) By any combination of things in this subsection.

#### **4.25 Repealed**

#### **4.26 Closing of Streets**

In the event a dedicated street or lane shown on the Zoning District Map forming part of this Bylaw is closed, the property formerly in such street or lane shall be included within the zoning district of the adjoining property on either side of such closed street or lane. If a closed 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 street or lane.

#### **4.27 Railway Crossings and Sight Distances**

Notwithstanding anything contained in this Bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within 46 metres (about 150 feet) of the point of intersection of the centre line of both the railway and the street.

## 4.28 Sight Triangle

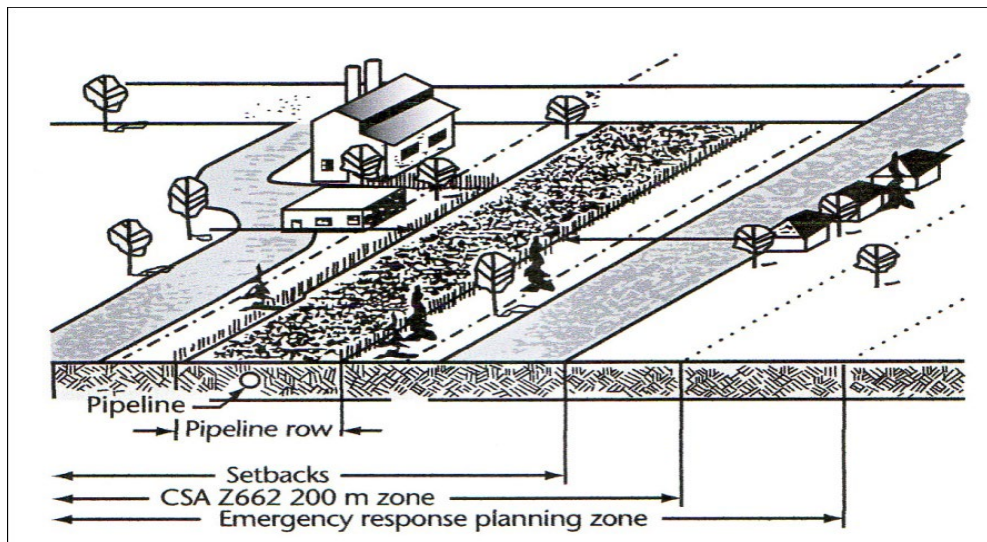
- 4.28.1 In all zones no building, structure, earth pile, vegetation, etc. shall obstruct the vision of drivers within the sight line triangles shown in the following table.
- 4.28.2 The sight line triangle area shall be calculated by connecting straight lines, which are measured from the intersection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

Figure 1: Sight Triangle Distances

Type of Road or Railway	Distance Along Centerline
Provincial Highways	230 metres (755 feet)
Municipal Grid Roads	80 metres (262 feet)
Railway Lines	80 metres (262 feet)

## 4.29 Development Along Pipelines and Gas Transmission Lines

- 4.29.1 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.
- 4.29.2 Setbacks from the edge of the pipeline easement shall be 12.0 metres 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.
- 4.29.3 The National Energy Board has designated a setback area of 30 metres 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:
- Ascertain whether a pipeline exists;
  - Notify the pipeline company of the nature and schedule of the excavation; and
  - Conduct the excavation in accordance with such regulations.
- 4.29.4 The following Figure provides the setbacks required by the Canadian Standards Association. Source: Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663.



#### 4.30 Communication Towers

- 4.30.1 The erection of Cellular telephone transmission towers shall not be permitted in, or closer than 33 metres (110 feet) to any Country Residential District.
- 4.30.2 Satellite dishes may be erected in Commercial or Industrial Districts for communications purposes or re-broadcasting of television signals.

#### 4.31 Swimming Pool Regulations

- 4.31.1 All swimming pools and the appurtenances thereto shall be constructed and located so as to have a yard not less than 1.5 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.
- 4.31.2 For the protection of the general public, all swimming pools shall be effectively fenced by an artificial enclosure not less than 1.8 metres (6 feet) in height. Any openings in the enclosure affording access to the pool proper shall have a gate containing an automatic or manual locking device affixed in such a manner so as to exclude small children.
- 4.31.1.1 As an alternative to installing a fence and gate to prevent unauthorized access to outdoor swimming pools, property owners will be permitted to use protective covers that:
- have been designed and constructed in conformance with ASTM F1346, *Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs*; and
  - are provided with lockable devices to prevent access to the water by unauthorized persons.
- 4.31.3 Artificial lights for the illumination of swimming pools shall be designed, constructed and maintained so that no direct ray shall cross any property line.
- 4.31.4 Any maintenance equipment including heating, filtering, disinfectant and re-circulation equipment shall not be located at any point within 1.5 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. No equipment shall be permitted, the use of which by reason of the emission of noise, vibrations, dust or odours would be considered obnoxious or dangerous to the health and safety of the public.

#### **4.32 Disposal of Wastes**

- 4.32.1 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.
- 4.32.2 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 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 Water Security Agency.

#### **4.33 Development Along Creek banks and Hazard Lands**

- 4.33.1 Subject to clause 4.33.1.1, where a development or subdivision is proposed on or within 50 metres (164 feet) of the crest of a slope greater than 15%, Council shall require the applicant to submit a report from a professional engineer indicating site suitability and if applicable, suggested mitigation measures for development.
  - 4.33.1.1 Where an accessory building or accessory structure is proposed in the AR, CR and LDA-C districts, a report from a professional engineer shall only be required if the proposed building or structure is within 15 meters of the crest of a slope greater than 15%. Clause 4.33.1 shall apply to all other buildings and structures in the AR, CR and LDA-C districts.
- 4.33.2 The Development Officer may impose required mitigation measures for construction and/or development.
- 4.33.3 Trees or vegetation shall not be cleared from any land within 20 metres (66 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.
- 4.33.4 Unless a report by a registered professional engineer finds the site suitable for development within the building setbacks listed below; 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 15%.

Figure 4: Minimum Building Setback from the Top of a Bank

Vertical Depth of Coulee, Ravine or Valley	Minimum Building or Structure Setback from the Top of the Bank
Less than 3 metres (about 10 feet)	10 metres (about 33 feet)
Greater than 3 metres (about 10 feet) and less than 15 metres (about 50 feet)	10 metres (about 33 feet)
Greater than 15 metres (about 50 feet) and less than 30 metres (about 100 feet)	15 metres (about 50 feet)
Greater than 30 metres (about 100 feet)	20 metres (about 66 feet)

#### 4.34 Uses or Objects Prohibited or Restricted In Yards

- 4.34.1 No person shall allow a motor vehicle, a motor vehicle which has all or part of its super structure removed, or a motor vehicle which is in a dilapidated or unsightly condition to remain or be parked on any lot located within a Country Residential district or mobile home park or on land used primarily for residential purposes.
- 4.34.2 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.
- 4.34.3 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.
- 4.34.4 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.

#### 4.35 Vehicle Storage

- 4.35.1 Notwithstanding anything contained in this Bylaw, specifically Section 4.34 above, no person shall use any site in any district for the parking or storage of any vehicle that is not in running order, except that not more than:
- Two inoperable vehicles may be stored on any site in a Country Residential District;
  - Twelve such vehicles may be stored on any site in an Agricultural, Commercial, or Industrial district, except in the case of a permitted vehicle storage establishment or auto wrecker.



- 4.35.2 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 or fences or a combination thereof. The screening, where required, shall also include any individual parts of a vehicle and any equipment or machinery involved with the storage of such vehicles.

#### 4.36 Lighting

- 4.36.1 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.
- 4.36.2 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 complimentary to the overall architecture.
- 4.36.3 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.

#### 4.37 Signage

- 4.37.1 A development permit is required for the erection, display, alteration, relocation or replacement of any temporary or permanent sign unless exempted as follows:
- a) Regular maintenance including painting and repairs due to deterioration;
  - b) Municipal and provincial agency signage;
  - c) Traffic Control signage;
  - d) Incidental signs containing traffic and pedestrian controls;
  - e) Signage intended to regulate hunting or trespassing on private property;
  - f) Agriculturally related signage including herbicide, insecticide or seed advertising promotional signage;
  - g) Real estate signage;
  - h) Residential name plates;
  - i) Works of art containing no advertising.
- 4.37.2 The following general regulations shall pertain to temporary and permanent signage in all zoning districts unless otherwise stated.
- 4.37.2.1 All signs situated along a provincial highway shall comply with provincial highway regulations as amended from time to time.
- 4.37.2.2 A sign which is made from part of or is attached to, a fence is prohibited.
- 4.37.2.3 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.



- 4.37.2.4 Signs which are deemed to be in disrepair shall be properly maintained or removed at the discretion of the Municipality.
- 4.37.2.5 A Development Officer may require that a sign be enhanced with landscaping or architectural features to improve aesthetics.
- 4.37.2.6 Offensive statements, words or pictures that do not conform to the amenities of the neighbourhood shall be prohibited.
- 4.37.2.7 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.
- 4.37.2.8 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.
- 4.37.2.9 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.
- 4.37.2.10 Signs identifying multi-parcel country residential developments may be permitted.
- 4.37.2.11 Incidental signage shall not exceed 0.5 m<sup>2</sup> (5.4 ft<sup>2</sup>) of gross surface area and shall not contain any advertising.
- 4.37.2.12 No permanent sign shall be placed on or over public property unless specifically permitted within this Bylaw.
- 4.37.2.13 Where a sign will be located adjacent to a provincial highway, *The Highways and Transportation Act* will govern placement requirements.
- 4.37.3 Temporary Signage may be placed in public right of ways for the purpose of advertising special events and will be limited to the following:
  - a) 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;
  - b) 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;
  - c) Signage will maintain a separation distance of 10 metres from another temporary or permanent sign, 3 metres from a site access point and 10 metres from an intersection;
  - d) Signage shall not exceed 1 m<sup>2</sup> (3.28 ft<sup>2</sup>) in gross surface area and 1.2 metres in height;
  - e) 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.



## 4.37.4 General Zoning District Sign Regulations

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:

<b>Agricultural Resource District</b>	<b>Large Scale Agricultural Resource Uses</b> <ul style="list-style-type: none"><li>• Free standing signs shall not exceed a gross surface area of 11m<sup>2</sup> (120 ft<sup>2</sup>) and a height of 8 metres (27 ft).</li><li>• One attached sign shall be permitted not exceeding 5.6 m<sup>2</sup> (60 ft<sup>2</sup>) in gross surface area.</li><li>• 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.</li></ul>
<b>Country Residential Districts</b>	<b>Home Businesses</b> <ul style="list-style-type: none"><li>• 1 per building frontage to a maximum gross surface area of 1 m<sup>2</sup> (10.76 ft<sup>2</sup>) for an approved Home Based Business or occupation.</li><li>• Maximum 2.5 metres (8 ft) in height.</li><li>• Illumination limited to 75 watts and shall not include electronic message boards.</li></ul>
<b>Institutional / Recreational Uses</b>	<ul style="list-style-type: none"><li>• Free standing signs shall not exceed a gross surface area of 5 m<sup>2</sup> (54 ft<sup>2</sup>) and a height of 2.5 metres (8 ft).</li><li>• One attached sign shall be permitted not exceeding 5.6 m<sup>2</sup> (60 ft<sup>2</sup>) in gross surface area.</li><li>• Signage shall maintain a separation distance of 12 metres (39 ft) for every square metre (10.76 ft<sup>2</sup>) of area of the larger of the two signs.</li></ul>
<b>Commercial and Industrial Districts</b>	<b>Small Scale Commercial</b> <ul style="list-style-type: none"><li>• 1 per building frontage to a maximum gross surface area of 1 m<sup>2</sup> (10.76 ft<sup>2</sup>) for an approved commercial use.</li><li>• Maximum 2.5 metres (8 ft) in height.</li><li>• Illumination limited to 75 watts and shall not include electronic message boards.</li></ul> <b>Commercial and Industrial</b> <ul style="list-style-type: none"><li>• Free standing signs shall not exceed a gross surface area of 14m<sup>2</sup> (150 ft<sup>2</sup>) and a height of 17 metres (55 ft).</li><li>• The cumulative area of attached signage permitted shall be calculated as 0.8 m<sup>2</sup> (8.6 ft<sup>2</sup>) per lineal metre (3.5 ft) of building frontage not exceeding 20 % of the total surface area of the wall in which it is attached and individual signs not to exceed 5.6 m<sup>2</sup> (60 ft<sup>2</sup>).</li><li>• Signage shall maintain a separation distance of 12 metres (39 ft) for every metres<sup>2</sup> of gross surface area of the larger of the two signs.</li></ul>



#### 4.38 Parking

- 4.38.1 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.
- 4.38.2 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.
- 4.38.3 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.
- 4.38.4 The parking facility shall be located on the same site as the use for which it is intended. It shall be developed such that:
- a) It is reasonably accessible to the use and vehicles it is intended to serve;
  - b) It meets the satisfaction of the Municipality regarding design;
  - c) It is appropriately landscaped to the satisfaction of the Municipality;
  - d) All parking facilities shall be maintained to the satisfaction of the Municipality by the owner of the property;
  - e) Each parking space within a parking facility shall be a minimum of 2.5 metres (8 feet) wide and 6 metres (20 feet) long except that parallel parking spaces shall be a minimum of 6.5 metres (21 feet) long;
  - f) 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 shall be provided, excepting the provisions specifically referred to in the previous subsection;
  - g) One (1) barrier free parking space shall be provided for any required parking facility accommodating between 4 and 100 parking spaces.
- 4.38.5 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.
- 4.38.6 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.

#### 4.39 Groundwater

- 4.39.1 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:
- a) Municipal servicing and costs;



- b) Existing and future groundwater requirements (based on a hydrological report from a qualified professional consultant);
- c) Potential contamination of the aquifer;
- d) The quality of the water;
- e) The quantity of the water
- f) The effects of the quantity and quality of water for adjacent developments;
- g) The effects of development on any underlying aquifer formations.

#### 4.39.2 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.

#### 4.39.3 Council may seek the assistance of Saskatchewan Environment (SE), the Water Security Agency (SWA) and Saskatchewan Health or other relevant agencies in making an assessment of any geotechnical information.

#### 4.39.4 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.

### 4.40 Waste Disposal

#### 4.40.1 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.

#### 4.40.2 Dumping of chemicals or other noxious materials into the sanitary sewer system is strictly prohibited and shall be considered an offence.

#### 4.40.3 Storage:

- a) 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;
- b) Abandoned, underground and surface storage facilities shall be removed to avoid pollution potential at Council's or a senior government's request.

### 4.41 Air Quality

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.



#### 4.42 Critical Wildlife Habitat Management

- 4.42.1 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.
- 4.42.2 Critical 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.
- 4.42.3 Council may specify development and subdivision requirements based on reports from qualified consultants or officials from the provincial government.
- 4.42.4 All development and subdivision proposals on private and Crown Lands which are within a Wildlife Management Area shall conform to:
  - a) *The Wild Life Habitat Protection Act (WHPA)* requirements;
  - b) Any related Ministry of Environment or responsible Federal or Provincial Agency or Ministry provisions and requirements;
  - c) Council specified wildlife development, management, conservation, mitigative and rehabilitation development standards to maximize long-term wildlife protection.

#### 4.43 Trees and Other Vegetation

- 4.43.1 No lands shall be cleared of brush or other natural vegetation without a development permit. This includes both private and public lands and municipal road allowances.
- 4.43.2 Removal or clearing of brush and other natural vegetation, including forested areas, shall require a permit as follows:
  - a) Where the area of land being cleared is less than one acre in size, the use shall be permitted;
  - b) Where the area of land being cleared is greater than one acre in size, the use shall be discretionary.

#### 4.44 Natural Hazard Lands-Unstable Slopes

- 4.44.1 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.
- 4.44.2 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 watercourses, creeks or any other 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 of 100 metres.
- 4.44.3 Council may require a surveyor to determine where this line or crest of valley is located at the developer's expense and development will be set back from that line at all points.
- 4.44.4 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 geotechnical engineer registered in the Province of Saskatchewan. The site analysis shall indicate topography, surface drainage, geological, and geotechnical conditions at the site of the proposed development and related to the conditions of the general area as they relate to slope instability and erosion hazards.

- 4.44.5 The geotechnical engineer shall answer the following questions:
- a) Will the proposed development be detrimentally affected by natural erosion or slope instability?
  - b) Will the proposed development increase the potential for erosion or slope instability that may affect the proposed development, or any other property?
- 4.44.6 Unless the geotechnical engineer can answer “no” in response to both of the above questions, further analysis will be required. The required analysis must define the hazard as it may affect the proposed development and any other potentially affected property. The engineering report will 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 will identify and explain known and suspected residual hazards. The responsibility for monitoring and responding to monitored findings shall be resolved before approval is granted.
- 4.44.7 A Development Permit shall not be issued unless the report on the site, presented by the professional consultant, indicates that the site is suitable for development or outlines suitable mitigating measures and documents residual hazard.
- 4.44.8 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.

#### **4.45 Flood Prone Areas**

- 4.45.1 For all proposed development in Flood Prone Areas, the developer shall be responsible to obtain and determine the 1:500 year Estimated Peak Water Level to determine the Safe Building Elevation. The Water Security Agency will assist and provide when possible or the developer shall be responsible for the cost.
- 4.45.2 Development in the Flood Way is prohibited, including replacement or expansion of existing buildings.
- 4.45.3 No person shall use any land; erect, replace, expand, alter or use any building or structure within the Flood Fringe without a development permit. A Development Permit shall not be issued for any land use, or building or structure unless the site/development meets approved flood proofing measures to the 1:500 flood design elevation, plus 0.5 metres freeboard.
- 4.45.4 No person shall backfill, grade, deposit earth or other material, excavate, or store goods or materials on these Flood Prone Areas nor plan any vegetation parallel to the waterflow.



- 4.45.5 “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.
- 4.45.6 For the purpose of this Bylaw, appropriate flood proofing measures shall mean:
- a) That all buildings shall be designed to prevent structural damage by flood waters;
  - b) The first floor of all buildings shall be constructed above the designated flood design elevation, (the 1:500 flood design elevation, plus 0.5 metres freeboard); and
  - c) All electrical and mechanical equipment within a building shall be located above the designated flood design elevation.



## 5 DISCRETIONARY USE STANDARDS FOR DEVELOPMENT

This Section addresses special provisions and specific development standards that apply to the following developments. These standards apply in addition to any standards of the District.

### 5.1 Home Based Businesses and Occupations

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 Home Based Business or Occupation.

- 5.1.1 The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- 5.1.2 The use shall be conducted entirely within the dwelling unit or an accessory building to the dwelling unit.
- 5.1.3 There shall be no external advertising other than a sign of not more than 1.0 m<sup>2</sup> (10.75 ft<sup>2</sup>) erected in accordance with the Sign Regulations contained herein.
- 5.1.4 In Country Residential Districts, there shall be no external storage of goods, materials or equipment associated with the applied use.
- 5.1.5 The use shall not create or become a public nuisance.
- 5.1.6 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.
- 5.1.7 The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.
- 5.1.8 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.
- 5.1.9 The use shall be valid only for the period of time the property is occupied by the applicant for such use.
- 5.1.10 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.
- 5.1.11 Council shall place any additional conditions for approval deemed necessary based upon a specific application.



## 5.2 Garden Suites

A single Garden Suite may be placed in the back yard of a single-detached residential development in the AR-Agricultural Resource District and CR- Country-Residential Districts under the following conditions.

- 5.2.1 There is no secondary suite in the primary residence.
- 5.2.2 The Garden Suite dwelling unit is a temporary use and shall be permitted for a five-year term, which may be renewed at Council's discretion. The landowner shall enter into an agreement that the land shall not be considered for subdivision:
  - a) The owner(s) of the host residence live on the site.
  - b) ~~At least one resident of the primary dwelling and one resident of the Garden Suite shall be related by blood, marriage, or legal adoption.~~
- ~~5.2.3 Except for infant children (up to two years of age) of a resident of the Garden Suite dwelling, there shall be no more than two residents.~~
- ~~5.2.4 The occupants(s) of the Garden Suite should be able to benefit from the informal care and support of relatives in the primary residence, or provide care and support to family in the primary residence.~~
- 5.2.5 The floor area of the Garden Suite dwelling shall not be less than 35 m<sup>2</sup> (375 ft<sup>2</sup>) and not greater than 113 m<sup>2</sup> (1216 ft<sup>2</sup>). The Garden Suite may be a single width mobile home.
- 5.2.6 The Garden Suite shall not be located on a permanent foundation to allow the structure to be removed from the property when it is no longer required by the permanent resident.
- 5.2.7 The maximum height of the Garden Suite shall not exceed 5 metres (16.4 feet) from grade level and shall have only one story.
- 5.2.8 Garden Suite dwellings shall only be located on sites where the dwelling can be serviced by existing utilities and can be hooked up to the services of the host residence.
- 5.2.9 Residents of the Garden Suite must have access to the rear yard amenities.
- 5.2.10 The combined site coverage of the single detached dwelling and Garden Suite dwelling shall not exceed the maximum coverage permitted by this zoning bylaw, and the accessory dwelling shall be placed so that all other setback requirement of this zoning bylaw are met.
- 5.2.11 An attached garage of up to 768 square feet is permitted.
- 5.2.12 A parking space shall be provided on site for the resident(s) of the Garden Suite dwelling.
- 5.2.13 There shall be direct and separate access to the Garden Suite dwelling by an on-site driveway, or by public roadway or alley.

### 5.3 Secondary Suites

A single Secondary Suite may be allowed in under the following conditions.

- 5.3.1 Secondary suites may be constructed within a principal, single detached dwelling, or over a residential garage on a residential site. Only one secondary suite is permitted on each residential site.
- 5.3.2 Secondary suites must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building.
- 5.3.3 Secondary suites must contain cooking, eating, living, sleeping, and sanitary facilities.
- 5.3.4 Secondary suites may not exceed 60 m<sup>2</sup> or 35% of the total floor space, including basements, and may not have more than two bedrooms.

### 5.4 Day Care Centres and Pre-Schools

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 Day Care Centre or Pre-School in a Residential dwelling.

- 5.4.1 Day care centres and pre-schools may be approved as an accessory use or as a principal use.
- 5.4.2 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.
- 5.4.3 Day care centres or pre-schools for children, which are located in residential districts shall provide at least 3.25 m<sup>2</sup> (35ft<sup>2</sup>) of fenced on-site outdoor play space for each child present in the facility at any one time.
- 5.4.4 Required parking spaces may be located in a required front yard.

### 5.5 Residential Care Homes

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.

- 5.5.1 The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- 5.5.2 Required parking spaces may be located in a required front yard.
- 5.5.3 No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.
- 5.5.4 The use shall be conducted entirely within the dwelling unit and shall not have any exterior evidence of a secondary use.
- 5.5.5 There shall be no outside storage or exterior display of goods, materials or equipment associated with the applied use.



- 5.5.6 The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.

## 5.6 Salvage Yards (Auto Wreckers)

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 Salvage Yard/Auto wrecker or similar operation.

- 5.6.1 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.
- 5.6.2 No vehicles or parts thereof shall be located in the front yard.
- 5.6.3 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:
- a) Distance and careful location;
  - b) Natural or planted vegetation;
  - c) An earth berm;
  - d) An opaque fence;
  - e) A building;
  - f) Other appropriate methods approved by council.

## 5.7 Automotive Service Uses and Gas Pumps

Automotive service development and gas pumps and associated buildings, structure and vehicular movement shall conform to the following standards.

- 5.7.1 Gas pumps and islands shall be set back 6 metres (20 feet) from any site line.
- 5.7.2 Service Stations shall locate underground storage tanks in accordance with *The Fire Protection Act*.
- 5.7.3 Propane and natural gas pumps (retail or wholesale) shall be set back according to Provincial regulations.
- 5.7.4 Access/egress points shall not be continuous along a street and shall be at least 10 metres (32 feet) apart.
- 5.7.5 Off-site traffic circulation shall be accommodated on the site.
- 5.7.6 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.



## 5.8 Agricultural Tourism Uses

Agricultural tourism uses shall be accessory to an agricultural farm operation or other dwelling allowed in the Agricultural Resource Zone.

5.8.1 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:

- a) Unduly interfere with the amenities or change the character of the neighborhood;
- b) Materially interfere with or affect the use and enjoyment of adjacent properties;
- c) Adversely impact upon the environment; or
- d) Result in excessive demand on municipal services, utilities or public roadway access.

5.8.2 Agricultural tourism uses shall comply with all provincial environmental and health regulations.

## 5.9 Campgrounds

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 Campground.

5.9.1 The operator of a campground shall provide the Development Officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach 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.

5.9.2 A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 metres (15 feet) which shall contain no buildings.

5.9.3 The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 m<sup>2</sup> (1600 ft<sup>2</sup>) in area with its corners clearly marked.

5.9.4 One sign located on site, advertising the campground is permitted subject to the Sign Regulations contained herein.

5.9.5 No portion of any campsite shall be located within a roadway or required buffer area.

5.9.6 Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.

5.9.7 Each trailer coach shall be located at least 3 metres (10 feet) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.

5.9.8 The space provided for roadways within a campground shall be at least 7.5 metres (25 feet) in width. No portion of any campsite, other use or structure shall be located in any roadway.



- 5.9.9 A campground may include as accessory uses, such as, a laundromat, shower facilities or confectionary designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.
- 5.9.10 *The Public Health Act* shall be complied with in respect to all operations and development of the campground.

## **5.10 Bed & Breakfast Homes**

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.

- 5.10.1 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.
- 5.10.2 One sign, not exceeding 1.0 m<sup>2</sup> (10.76 ft<sup>2</sup>) advertising the vacation farm or bed and breakfast home and located on site, is permitted.
- 5.10.3 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.
- 5.10.4 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.
- 5.10.5 Council may place any additional conditions for approval deemed necessary based upon a specific application.

## **5.11 Animal Kennels**

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 an Animal Kennel.

- 5.11.1 The maximum number of animals not normally attributed to the host site to be kept on-site shall be at the discretion of Council.
- 5.11.2 No building or exterior exercise area(s), to be used to accommodate the animals shall be allowed within 300 metres (1000 feet) of any dwelling located on adjacent lots.
- 5.11.3 All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council.
- 5.11.4 Pens, rooms, exercise runs and holding stalls shall be soundproofed to the satisfaction of Council.
- 5.11.5 All dog facilities shall be visually screened from existing dwellings on adjoining lots.
- 5.11.6 Details of animal wastes/sewage disposal shall be included in the application.
- 5.11.7 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.



- 5.11.8 Boarding kennels shall at no time unduly interfere with the character of the neighbourhood or the general enjoyment of adjoining sites.
- 5.11.9 There shall be no external advertising other than a sign of not more than 1.0 m<sup>2</sup> (10.75 ft<sup>2</sup>) erected in accordance with the Sign Regulations contained herein.
- 5.11.10 Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- 5.11.11 Animal kennels shall be subject to relevant Bylaws and legislation governing noise and public health.
- 5.11.12 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.
- 5.11.13 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.

## **5.12 Equestrian Facilities (Riding Stables)**

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 an Equestrian Facility (Riding Stable).

- 5.12.1 The development permit shall set the maximum number of horses and cattle, if applicable, that may be kept on the site.
- 5.12.2 An animal is kept, for purposes of this section, when it is on the site overnight.
- 5.12.3 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.
- 5.12.4 The development permit shall set out conditions that address garbage and manure control, pasture management, on site stock trailer parking, participant and spectator parking.
- 5.12.5 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.
- 5.12.6 The application shall include a traffic impact analysis that includes current and projected traffic for the next ten years in the vicinity.
- 5.12.7 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.
- 5.12.8 Details of water supply and sewage disposal shall be included with the application.
- 5.12.9 Council shall place any additional conditions for approval deemed necessary based upon a specific application.



### 5.13 Solid & Liquid Waste Disposal Facilities

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. 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.

- 5.13.1 Development and site maintenance shall be in accordance with provincial environmental and health regulations.
- 5.13.2 Any solid waste disposal facility shall be located 457 metres (1500 feet.) from any residence unless relaxation of this requirement is agreed to by affected parties.
- 5.13.3 A buffer strip containing trees, shrubs or a berm shall be located surrounding a disposal area.
- 5.13.4 Any solid or liquid waste disposal facility shall be fenced.
- 5.13.5 Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
- 5.13.6 Solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all-weather road.
- 5.13.7 The development of any new disposal sites shall take into consideration direction of prevailing winds.
- 5.13.8 Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- 5.13.9 Where approval has been deemed appropriate, Council may consider the following requirements within a development permit:
  - a) Place a limitation on the years, months, weeks, days and/or hours of operation;
  - b) Requirement to provide and maintain sufficient dust control to the satisfaction of the Municipality;
  - c) Limitations to the height of the landfill development;
  - d) Specific requirements related to any stripping, filling, excavation and grading associated with a landfill development; and
  - e) Requiring development to adhere to any appropriate provincial health regulations.

### 5.14 Small Wind Energy Systems

Only one small wind energy system shall be permitted as an accessory use to the principal use, subject to the minimum site size requirement, in the applicable zoning districts:

- 5.14.1 The minimum site size for the allowance of any small energy system shall be 2.0 hectares (5.08) acres.
- 5.14.2 Maximum total wind tower height or total system height shall be:
  - a) metres above grade level in CR-1 Zones;
  - b) metres above grade level, in all other permitted zones.



5.14.3 Wind Tower base and System setbacks:

- a) from any property line 1.5 times tower/system height
- b) from on-site dwelling 1.5 times tower/system height
- c) from neighbouring dwellings < 10 Kw - 100 metres  
> 10 Kw - 300 metres

5.14.4 For residential applications, wind energy components and towers shall be erected in rear-yards only.

5.14.5 The bottom point of an operating rotor shall be above grade level to manufacturer's specification at minimum, but in no case nearer than 5 metres (16.25 feet) above grade level.

5.14.6 All wind energy systems and towers shall be enclosed within a locked protective chain link fence of a minimum height of 1.85 metres (6.0 feet) and the design shall be included in the development permit application for Council's approval.

5.14.7 Development and Building Permit applications for a small wind energy system shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety via a Saskatchewan Professional Engineer.

5.14.8 Installation plans (concrete specifications, anchoring specifications) shall be certified by a Saskatchewan Professional Engineer.

5.14.9 Proof of an approved Electrical Permit has been obtained shall be provided to the municipality in regards to small wind energy systems.

5.14.10 The small wind energy system shall be finished in a non-reflective matte colour or to the satisfaction of Council.

## 5.15 Towers

5.15.1 All towers with a height of 15 metres (49.2 feet) or more shall be considered at the discretion of Council and shall require a development permit.

5.15.2 All towers shall be located on the same site as the intended signal user.

5.15.3 All towers shall be erected in rear-yards only.

5.15.4 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.

5.15.5 The maximum total tower height shall be:

- a) 6.0 metres above grade level in CR-1 zones;
- b) 45.0 metres above grade level in all other permitted zones.

5.15.6 Guy-wire anchors shall be setback at least 1.0 metres (3.3 feet) from the property line.

5.15.7 Towers that require a development permit may require to be enclosed within a locked protective chain link fence, at Council's discretion.

5.15.8 Council, at its discretion, may seek approval of this development from both internal and external referral agencies.



## 5.16 Solar Farms

Solar Farm Development and Design Standards: Solar energy systems, solar farm development standards shall be:

### 5.16.1 Height

Systems, equipment and structures shall not exceed 25 feet in height when ground mounted. Roof mounted systems shall not exceed the maximum height for the applicable zoning district.

### 5.16.2 Setbacks

Active solar system structures must meet the setbacks of the zoning district.

### 5.16.3 Distribution lines

To the extent practical, all new distribution lines to any building, structure or utility connection may be located above ground.

### 5.16.4 Approved solar components

Electric solar system components must have a UL listing or equivalent.

### 5.16.5 Compliance with building code

All active solar systems shall meet all requirements of the National Building Code and Building Bylaw, and shall be inspected by the Municipality's building inspector.

### 5.16.6 Compliance with Applicable Electric Code

All photovoltaic systems shall comply with the applicable Electrical Code.

### 5.16.7 Utility notification

No grid tied photovoltaic system shall be installed until evidence has been given to the Municipality that the owner has been approved by the SaskPower to install the system. Off-grid systems shall be exempt from this requirement.

### 5.16.8 Abandonment

It is the responsibility of the parcel owner to remove all obsolete or unused systems within 12 months of cessation of operations. Reusable components are to be recycled whenever feasible.

### 5.16.9 A security fence will surround the perimeter of the solar farm.

### 5.16.10 Reasonable accessibility for emergency services vehicles shall be required.

### 5.16.11 No signage is allowed on the solar farm fencing except for a sign not to exceed 32 square feet displaying the facility name, address and emergency contact information.



## 5.17 Cannabis Retail Outlets

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 Cannabis Retail Outlet.

- 5.17.1 A retail outlet shall comply with all requirements of the federal and/or provincial cannabis legislation. Applicant's shall provide proof of all required approvals and operating licenses as part of the permit application or as a condition of permit approval.
- 5.17.2 A retail outlet shall, in no way, interfere with the amenities or change the character of the neighborhood nor shall it interfere with or affect the use and enjoyment of adjacent properties.
- 5.17.3 Subject to provincial and federal regulations, a retail outlet may, be ancillary to a cannabis production facility.
- 5.17.4 In the event of a discrepancy between the RM's regulations and those of the federal or provincial government, the more stringent regulation shall apply.
- 5.17.5 As a condition of development permit approval, Council may require additional security measures including but not limited to fencing, limited entrance to the building, etc.
- 5.17.6 Council shall consider the compatibility of all neighbouring land uses with the proposed cannabis retail outlet before issuing a decision.
- 5.17.7 Council may apply additional conditions or development standards deemed necessary, based on the application, to maintain the health, safety, and general welfare of the public.
- 5.17.8 Any change to the operation as approved shall require a new development permit.
- 5.17.9 Cannabis retail stores shall be set back a distance of 200 metres from the following:
  - a) High schools
  - b) Elementary schools
  - c) Parks/playgrounds
  - d) Public recreational facilities
  - e) Daycare centres
  - f) Community centres and youth centres
  - g) Places of worship
  - h) Other cannabis retail stores
- 5.17.10 Setbacks shall be measured from the property line of the proposed retail store site to the nearest property line of any of the above listed uses.



### **5.18 Cannabis Production Facilities (medical and non-medical)**

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 Cannabis Production Facility.

- 5.18.1 The building and site shall display a high visual quality and shall be integrated into the surrounding environment by virtue of appropriate design, location and landscaping.
- 5.18.2 A cannabis production facility shall comply with all federal and provincial regulations. Applicants shall provide proof of all required operating licenses as part of the permit application or as a condition of permit approval.
- 5.18.3 Any potential nuisances, including but not limited to, noise, odor, traffic, or dust, shall be disclosed to the RM. The proponent shall include a nuisance mitigation plan as part of the permit application.
- 5.18.4 Council shall consider the compatibility of all neighbouring land uses with the proposed cannabis production facility before issuing a decision.
- 5.18.5 All buildings and structures associated with the operation shall comply with the applicable building codes, regulations and related standards.
- 5.18.6 As a condition of development permit approval, Council may require additional security measures including but not limited to fencing, locking gate, limited site access, etc.
- 5.18.7 Any change to the operation as approved, including but not limited to an increase in size or intensity, the addition of new buildings or additions to existing buildings, shall require a new development permit.

## 6 ZONING DISTRICTS AND ZONING MAPS

### 6.1 Zoning Districts

For the purpose of this Bylaw, the Rural Municipality of Estevan No. 5 is divided into several Zoning Districts that may be referred to by the appropriate symbols.

Symbol	Zoning Districts	Symbol	Zoning Districts
AR	Agricultural/Resource	CS	Community Service
CR	Country Residential	HPCI	High Profile Commercial/Light Industrial
R1	High Density Residential	COM1	Commercial
RMG	Residential Mobile Home	IND1	Industrial
H	Hamlet	PUD-C	Planned Unit Development
HLL	Hamlet Large Lot	LD	Lakeshore Development
AP	Airport Overlay	LDA-C	Lakeshore Development Accessory Contract
LDAR	Lakeshore Development / Agricultural Resource Transition Overlay	RS	Recreational Storage

### 6.2 Zoning District Maps

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 5-2014 adopted by the Rural Municipality of Estevan No.5, signed by the Reeve and Administrator under the seal of the Rural Municipality, shall be known as the "Zoning District" map, and such map is hereby declared to be an integral part of this Bylaw.

### 6.3 Boundaries of Zoning Districts

- 6.3.1 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 District Map".
- 6.3.2 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.
- 6.3.3 Where a boundary of a District crosses a parcel, the boundaries of the Districts shall be determined by the use of the scale shown on the map.

## 7 AGRICULTURAL RESOURCE DISTRICT (AR)

**AR**

The purpose of the Agricultural Resource District (AR) 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 and related agricultural diversification activities.

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

### 7.1 Permitted Uses

- a) Field crops, animal and poultry raising, ranching, grazing, and other similar uses customarily carried out in the field of general agriculture, including the sale on the agricultural holding of any produce grown or raised on the agricultural holding; but **excluding** intensive livestock, P.M.U. and poultry operations, feed lots, apiaries, hatcheries, market gardens, mushroom farms, tree and garden nurseries and greenhouses;
- b) Oil and gas wells, but excluding intensive oil and gas developments;
- c) Mineral Extraction Operations;
- d) One detached one unit dwelling, RTM, modular or mobile home following the placement thereof on a permanent foundation;
- e) Accessory building/uses;
- f) Institutional uses and facilities;
- g) Places of Worship;
- ~~h) Cemeteries~~
- i) Historical and archaeological sites;
- j) Wildlife and conservation management areas;
- k) Public Utilities.
- l) Single Parcel Country- Residential dwellings;
- m) Home Occupation or Home Based Business;
- n) Garden Suites;
- o) Market Gardens;
- p) Agricultural Accessory Residence;
- q) Harvest Preserves;
- r) Swimming Pools;
- s) Solar Farms

### 7.2 Discretionary Uses

7.2.1 The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 of the General Administration of this Bylaw:

- a) Agricultural Industry;
- b) Agricultural Commercial;
- c) Intensive Livestock Operations (over 300 Animal Units);
- d) P.M.U. and poultry operations;
- e) Feedlots;
- f) Apiaries, hatcheries, mushroom farms;
- g) Tree and garden nurseries, and greenhouses;



- h) Agricultural Tourism;
- i) Bed and Breakfast homes, where part of a single detached dwelling;
- j) Recreational Uses;
- k) Aggregate Resource Extraction, Storage and Processing;
- l) Oil and gas related commercial and other similar uses;
- m) Machine shops and accessory structures;
- n) Solid and Liquid Waste Disposal Facility;
- o) Small Wind Energy Systems or Towers;
- p) Residential Care Homes;
- q) Campgrounds;
- r) Private Airstrips;
- s) Intensive Oil and Gas developments;
- t) Cemeteries;
- u) Licensed Cannabis Production Facilities (medical and non-medical);
- v) Shops and garages for storage as a principal use.

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

### **7.3 Accessory Buildings and Uses**

- 7.3.1 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.
- 7.3.2 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- 7.3.3 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 Agricultural District.
- 7.3.4 Shipping Container (Sea Cans) shall be considered an accessory building, and shall:
  - a) Be limited to one on a Country Residential Site in Agricultural Resource District;
  - b) Be colour coordinated with the primary building (residence);
  - c) Be set in the rear of the property;
  - d) Be a maximum of 40 feet in length.

## 7.4 Subdivision and Site Regulations

Notwithstanding the requirement for Ministry of Highways approval for developments adjacent to a Provincial Highway or proposed Highway:

### 7.4.1 Agriculture Resources District

<b>Minimum site frontage</b>	30 metres (100 ft)
<b>Minimum front yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 ft) from the centre line of a Provincial highway 36 metres (120 ft) from a Highway frontage road property line 46 metres (150 ft) from the centre line of any municipal road A minimum of 90 metres (295 ft) is required from the intersection of the centre lines of any municipal roads or provincial highway or such greater distance as required for e.g. sight triangle
<b>Minimum side yard</b>	60 metres (200 ft) from the centerline of a provincial highway 36 metres (120 ft) from a Highway frontage road property line 46 metres (150 ft) from the centerline of a municipal road
<b>Minimum setback for trees, shelterbelts and fences</b>	55 metres (180 ft) from the centre line of a Provincial Highway Trees and Shelterbelts may not be located less than 46 metres (150 ft) from the centerline of a municipal road

### 7.4.2 Non-Farm Residential

<b>Minimum site area</b>	Minimum of <del>2.0 hectares (5 acres)</del> 1 hectare (2.5 acres) The site sizes may be reduced subject to physical circumstances of site
<b>Minimum site frontage</b>	<del>46 metres</del> 30 metres
<b>Minimum Floor Area</b>	Principal buildings 93.0 square metres (1,000 ft <sup>2</sup> ) Accessory buildings shall have a maximum floor area of 560 square metres (6,000 square feet), except where a larger building will not adversely affect neighbouring properties, meets setbacks and separation distances
<b>Maximum building height</b>	Dwellings: 11 metres (36 ft) Accessory Buildings and garages(detached): 6.5 metres
<b>Minimum front yard setback</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 ft) from the centre line of a Provincial highway 36 metres (120 ft) from a Highway frontage road property line 46 metres (150 ft) from the centre line of any municipal road 31 metres (100 ft) from the property line of an internal subdivision road A minimum of 90 metres (295 ft) is required from the intersection of the centre lines of any municipal roads or provincial highway or such greater distance as required, e.g. sight triangle
<b>Minimum rear yard</b>	All buildings shall be set back a minimum of: 60 metres (200 ft) from the centre line of a Provincial highway 36 metres (120 ft) from a Highway frontage road property line 46 metres (150 ft) from the centre line of any municipal road 31 metres (100 ft) from the property line of an internal subdivision road Dwellings: 15 metres (50 ft) Detached accessory buildings: 5 metres (16 ft)



<b>Minimum side yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 ft) from the centre line of a Provincial highway 36 metres (120 ft) from a Highway frontage road property line 46 metres (150 ft) from the centre line of any municipal road 30 metres (100 ft) from the property line of an internal subdivision road. Side Yard if abutting no highway or road: 15 metres (50 ft) for a Dwelling, 8 metres (26 ft) for Accessory buildings, 0.3 metres (1 ft) for trees/shrubs
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- 7.4.3 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.
- 7.4.4 There shall be no minimum area required for a subdivision facilitating Public Utilities, grain elevators, cemeteries, crematoria and mausoleums, radio, television towers or related facilities.
- 7.4.5 No dwelling shall be located with less than a minimum separation distance to an operation other than the residence of the operation as follows:
- The separation distance from an intensive livestock operation (ILO) as regulated in subsection 7.10.
  - 457 metres from a licensed public or private liquid or solid waste disposal facility.
  - 305 metres from a honey processing facility.
  - 2 km (1.2 miles) from Coal Mining subject to the Federal and Provincial regulatory frameworks, which may be amended from time to time.
  - Subject to provincial requirements/consultation, Council may consider approving a lesser separation distance to the operations in subsection a), b), c) and d) where the applicant establishes that the lesser separation distance will not negatively affect surrounding land uses and where appropriate fencing, screening, landscaping, berming, building or site orientation, or other similar measures are provided to the satisfaction of Council.
  - Oil and Gas operations will be subject to the Federal and Provincial regulatory frameworks, which may be amended from time to time.
  - 305 metres to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan.
  - 600 metres from a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan.

## 7.5 Keeping of Livestock

- 7.5.1 The keeping of livestock shall be permitted on non-farm residential sites in the Agricultural District (AR) in accordance with the following schedule:

Parcel Size	Maximum Number of Animal Units Permitted excluding poultry and pigs
1 ha – 2 ha (2.5 acres – 5 acres)	2 Animal Units
Greater than 2 hectares (5 acres)	One additional Animal Unit /acre (0.8ha)



- 7.5.2 Animals shall not be pastured within 15 metres (50 feet) of any dwelling or water well not owned by the owner of the animals, and no buildings or structures intended to contain birds or animals shall be located within 30 metres (100 ft) of an adjacent dwelling or property line.

## 7.6 Parking Requirements

<b>Recreational Use</b>	<p>One (1) parking space for every 18m<sup>2</sup> (194 ft<sup>2</sup>) of gross floor area; minimum five spaces.</p> <p>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.</p>
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## 7.7 Supplementary Development Standards, Uses other than Agriculture

- 7.7.1 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, and has access to a developed road, including any road to be developed under a signed servicing agreement.
- 7.7.2 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.
- 7.7.3 Subdivision proposing to establish new non-farm, single parcel country residential sites shall be limited to five (5) sites per Quarter-section or equivalent, thereafter subdivision for such sites will be subject to rezoning to a suitable Country Residential District and compliance with all relevant area, frontage and setback requirements of that zoning district.
- 7.7.4 No outside storage shall be permitted in a yard abutting a road. 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
- 7.7.5 Temporary Uses:
- Notwithstanding the provisions of this bylaw and the Official Community Plan, a mobile home or trailer coach may be permitted for a period of up to one (1) year on an existing non-farm or farmstead residential site within this zoning district, subject to a resolution of Council, provided that the following criteria is met:
- Adherence to any permit or building bylaw or licensing requirement in effect in the Municipality;
  - Issuance of a Development Permit to the landowner, where the said trailer is located, to be issued on an annual basis;
  - The entering into of a development agreement between all affected parties, where considered necessary, to assure applicable development standards are adhered to;
  - Compliance with any requirement of the Ministry of Health or government agencies respecting water and waste connections, and disposal concerns.

## 7.8 Accessory Agricultural Residence

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 an Accessory Residence:

- 7.8.1 The Development Officer may issue a development permit for more than 1 dwelling on a parcel if it is an accessory agricultural residential dwelling to be occupied by a person or persons who are engaged on a full-time basis for at least 6 months of each year in an agricultural operation or accessory to an approved discretionary use where applicable within the Agricultural Resource zoning district and the additional dwelling is located on a parcel containing a permitted agricultural operation.
- 7.8.2 A development permit for an accessory residence when accessory to an approved discretionary use, and located on a parcel containing the agricultural operation, shall be considered at the discretion of Council. If approved, the development permit shall be valid for a period up to five years after which time the Council may at its discretion seek renewal of the permit on a five (5) year basis provided that the dwelling complies with the provisions of this Bylaw. The residence shall not be placed on a permanent foundation to allow the structure to be removed from the property when it is no longer required by a relative of the permanent resident.
- 7.8.3 The applicant shall be responsible to renew the permit every five years.
- 7.8.4 All accessory dwellings shall be located within one farm yard on the farm and not in different locations on the farm and shall only be located on sites where the accessory dwelling can be serviced by existing utilities.

## 7.9 Wind Turbines

A private wind turbine may be considered for a discretionary use for the purpose of generating on-site power and shall be subject to the following development standards:

- a) A development permit shall be required before construction and erection commences;
- b) Application for a development permit shall include design plans for the wind turbine unit, an erection plan for the unit and detailed site plans regarding placement of the proposed unit(s);
- c) Application for a development permit shall include engineering plans for the base supporting unit and an engineering noise assessment for the specific wind turbine;
- d) Maximum allowable sound pressure noise levels (measured in Decibels, dBA, for a wind turbine unit(s)) shall be less than or equal to 55 dBA between 10 pm and 7 am where measured at 45 metres from the unit(s);
- e) Setbacks from regional parks, environmentally sensitive areas, raptor nests, herons, burrowing owl sites and other protected areas shall be defined through a site specific study as part of the provincial and federal environmental screening process;
- f) The location of the wind turbine shall be set back from all property lines a minimum of two times the height of the proposed structure to provide for possible collapse, ice sluffing from the blades and any failure and the flying of the rotating blades;
- g) In general, only one (1) wind turbine unit will be considered per site, however, Council reserves the right to consider a second unit if the combined effects of two units will meet the



development standards and the peace and quiet of adjacent land uses shall not be disturbed by dust, noise, vibration flutter or other similar nuisances generated by the use.

## 7.10 Intensive Livestock Operations

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 an Intensive Livestock Operation (ILO):

- 7.10.1 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 300 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.
- 7.10.2 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:
  - a) New ILOs;
  - b) Expansion of Existing ILOs;
  - c) Any temporary facility or part of a site; or
  - d) The alteration of an animal species in an approved operation.
- 7.10.3 In addition to any requirements contained herein, all applications for an ILO shall conform to the regulations provided within *The Agricultural Operations Act, 1995*.
- 7.10.4 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.
- 7.10.5 The applicant shall be responsible for submitting a site plan and narrative including the following:
  - a) The size and type of facility;
  - b) A sketch plan showing the location of existing and proposed buildings and the distance from the development site to every residence within 5 km (3 miles);
  - c) The number and type of animals including identification of any risks of disease;
  - d) Manure storage and disposal strategies including identification of all parcels including their acreage intended to host the disposal;
  - e) Identification of surface water and residential development on or adjacent to the parcels intended for hosting the disposal of manure;
  - f) Provide a copy of written agreements with land owners for all parcels intended to host the disposal of manure where the parcels are not controlled by the operator;
  - g) Identification of the location of potentially affected surface and groundwater sources on and adjacent to the site including distance measurements to these watercourses;
  - h) 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;



- i) 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;
  - j) Servicing requirements associated with the operation including but not limited to road upgrades and availability of adequate water sources;
  - k) Type, volume and frequency of traffic associated with the transportation of animals and food to and from the site.
- 7.10.6 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.
- 7.10.7 ILOs shall refer to the following recommended minimum distance separations:

Type of Development	300 - 499 Animal Units	500 - 2000 Animal Units	> 2000 Animal Units
Non-residential developments	395 metres	760 metres	1216 metres
Hamlets, Towns, Residential Acreages, Dwellings, Over-night Accommodation, work camp, or campground	1520 metres	2400 metres	3040 metres

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

- 7.10.8 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. Prior to granting a reduction, the Municipality will consult with all agencies deemed appropriate and will require registered written agreement from all land owners directly affected by the reduction.
- 7.10.9 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.
- 7.10.10 In determining proximity to a single family dwelling 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 dwelling.
- 7.10.11 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.
- 7.10.12 The 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.

### **7.11 Manure Application — Non-Intensive Livestock**

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, Agricultural Operators and adjacent residents may enter into an agreement for land spreading, provided it meets all regulatory requirements of the relevant agencies and a signed agreement is registered on said lands and a copy provided to the municipality.

### **7.12 Mineral and Aggregate Extraction**

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 Mineral or Aggregate Extraction, Topsoil Stripping and Grading Operations.

7.12.1 Mineral Extraction shall include the removal of mineral deposits (e.g. Coal or Potash), sand and gravel resources or top-soil. All mineral extraction development and subdivision shall meet the following requirements:

- a) All appropriate Provincial and Federal regulations;
- b) Council specified requirements regarding mineral resource development and conservation.

7.12.2 Mineral Extraction Development Criteria are contained in the Mineral Extraction Policy in the OCP or any provincial regulatory document. Mineral extraction development and subdivision may be required to meet criteria such as: In reviewing applications for aggregate resource extraction operations the environmental implications of the operation including plans for site restoration shall be considered.

7.12.3 The applicant shall submit plans and a narrative including:

- a) Mineral resources shall be carefully developed and conserved, where feasible;
- b) The preclusion of mineral resource extraction and development shall be avoided;
- c) Land use incompatibility, nuisance and pollution shall be minimized;
- d) Efficient servicing, haul routes and public safety shall be maximized;
- e) Developers shall, upon the request of Council, undertake a mineral extraction study, prior to development approval, to determine specific development requirements and standards;
- f) Council may specify development conditions and subdivision referral recommendations in conjunction with provincial agencies regarding site development, modifications and location;
- g) Others as determined by Council to achieve the Official Community Plan and Bylaw conformity.

### **7.13 Signage Regulations**

All developments shall comply with Section 4.37 General Regulations.

## 8 COUNTRY RESIDENTIAL DISTRICT (CR)

**CR**

The purpose of the Country Residential District is to accommodate 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.

In any Country Residential District - CR, 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

- a) One single detached dwelling, RTM or modular home following the placement thereof on a permanent foundation;
- b) Multiple Site Country Residential Development;
- c) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- d) Conservation uses;
- e) Open space passive recreation activities;
- f) Nature trails;
- g) Public utilities, buildings, and structures.

### 8.2 Discretionary Uses

- 8.2.1 The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 of the General Administration of this Bylaw:
  - a) Home Occupations or Home-Based Business;
  - b) Artisan or Craft Workshop;
  - c) Residential Care Home;
  - d) Day Care Centre;
  - e) Bed and Breakfast Homes;
  - f) Institutional Uses;
  - g) Places of Worship;
  - h) Garden Suite;
  - i) Multi-unit residential,
- 8.2.2 No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer.

### 8.3 Prohibited Uses

The following uses shall be strictly prohibited within Country Residential District (CR):

- a) All uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions;
- b) Agricultural production (extensive);
- c) All uses of buildings and land except those specifically noted as permitted or discretionary;
- d) The keeping of junked cars, abandoned vehicles and similar material;



- e) Animal kennels;
- f) Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material;
- g) Wind turbines/wind power units and wind mills.

## 8.4 Accessory Buildings and Uses

- 8.4.1 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.
- 8.4.2 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.
- 8.4.3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- 8.4.4 The building floor area for large accessory buildings (workshops) located on Country Residential (CR) sites may not exceed 372m<sup>2</sup> (4000 ft<sup>2</sup>). 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.
- 8.4.5 Shipping Container (Sea Cans) shall be considered an accessory building, and shall:
  - a) Be limited to one on a Country Residential Site;
  - b) Be colour coordinated with the primary building (residence);
  - c) Be set in the rear of the property;
  - d) Be a maximum of 40 feet in length.

## 8.5 Subdivision and Site Regulations

- 8.5.1 Notwithstanding the requirement for Ministry of Highways approval for developments adjacent to a Provincial Highway or proposed Highway:

<b>Site Area</b>	1.00 hectares (2.54 acres) to 2 hectares (5 acres); may be larger due to physical circumstances.
<b>Minimum site frontage</b>	31 metres (100 ft)
<b>Minimum Floor Area</b>	Principal buildings shall have a minimum floor area of 102m <sup>2</sup> (1100 ft <sup>2</sup> ).
<b>Maximum building height</b>	Dwellings: 11 metres (36 feet) Accessory buildings: 8.7 metres (28.5 feet)
<b>Minimum front yard setback</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200ft) from the centre line of a Provincial highway



	<p>36 metres (120ft) from a Highway frontage road property line</p> <p>46 metres (150ft) from the centre line of any municipal road</p> <p><del>31 metres (100ft)</del> 15 metres (50ft) from the property line of an internal subdivision road</p> <p>A minimum of 90 metres (295ft) is required from the intersection of the centre lines of any municipal roads or provincial highway or such greater distance as required for e.g. Sight triangle</p>
<b>Minimum side yard</b>	<p>60 metres (200ft) from the centre line of a Provincial Highway</p> <p>36 metres (120ft) from Highway frontage road property line</p> <p>46 metres (150ft) from the center line of a municipal road</p> <p>15 metres (50ft) from the property line of an internal subdivision road</p> <p>Side Yard if abutting no highway or road: 15 metres (50ft) for a Dwelling, 8 metres (26ft) for Accessory buildings, 0.3 metres (1 ft) for trees/shrubs</p>
<b>Minimum setback for trees, shelterbelts and fences</b>	<p>55 metres (180ft) from the centre line of a Provincial Highway</p> <p>5 metres (16ft) from Highway frontage road property line</p> <p>46 metres (150ft) from the center line of a municipal road</p> <p>8 metres (26ft) from the property line of an internal subdivision road</p>

- 8.5.2 Public Utilities are exempt from these requirements.
- 8.5.3 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.
- 8.5.4 Residential parcels may be exempted from these requirements:
- 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;
  - In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.



## 8.6 Keeping of Livestock

- 8.6.1 The keeping of livestock shall be permitted in the Country Residential District (CR) in accordance with the following schedule:

Parcel Size	Maximum Number of Animal Units Permitted excluding poultry and pigs
1 ha – 2 ha (2.5 acres – 5 acres)	2 Animal Units
Greater than 2 hectares (5 acres)	One additional Animal Unit /acre (0.8ha)

- 8.6.2 Animals shall not be pastured within 15 metres (50 feet) of any dwelling or well not owned by the owner of the animals, and no buildings or structures intended to contain birds or animals shall be located within 30 metres (100 feet) of an adjacent dwelling or property line.

## 8.7 Supplementary Regulations or Special Provisions

- 8.7.1 The maximum size of the subdivision area for an individual multi-parcel country residential development shall be 64.8 hectares (160 acres).
- 8.7.2 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.
- 8.7.3 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.
- 8.7.4 The final subdivision design and approved lot density of development in the CR Zoning District shall be determined by the carrying capacity of the lands proposed for development as identified within the submission of a Concept Plan and shall not exceed all requisite standards provided by the District Health Region for onsite wastewater disposal systems.
- 8.7.5 Institutional, community service, recreational land uses as well as public utilities shall have no minimum or maximum area requirement. Parking requirements are:

<b>Recreational Use</b>	One (1) parking space for every 18m <sup>2</sup> (194 ft <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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- 8.7.6 No outside storage shall be permitted in a yard abutting a road. 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.
- 8.7.7 Temporary Uses

Notwithstanding the provisions of this bylaw and the Official Community plan, a mobile



home or trailer coach may be permitted for a period of up to one (1) year while a permanent house is being constructed on a residential site within this zoning district, subject to a resolution of Council, provided that the following criteria is met:

- 8.7.7.1 Adherence to any permit or building bylaw or licensing requirement in effect in the Municipality;
- 8.7.7.2 Issuance of a Development Permit to the landowner, where the said trailer is located, to be issued on this one time basis and must be removed when the permanent residence is completed and an Occupancy Permit is granted;
- 8.7.7.3 The entering into of a development agreement between all affected parties, where considered necessary, to assure applicable development standards are adhered to;
- 8.7.7.4 Compliance with any requirement of the Ministry of Health or government agencies respecting water and waste connections, and disposal concerns.

## **8.8 Signage Regulations**

All developments shall comply with Section 4.37 General Regulations.

## 9 HIGH DENSITY COUNTRY RESIDENTIAL DISTRICT (R1)

**R1**

The purpose of the High Density R1 District shall be to accommodate high density concentrated residential development and subdivision in area that are designated under the OCP as meeting criteria for a higher level of development. All development of this density will require central water and sewer services.

No person shall within a High Density Residential District (R1) use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

### 9.1 Permitted Uses

One single detached dwelling, RTM or modular home following the placement thereof on a permanent foundation:

- a) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- b) Playgrounds;
- c) Public works, buildings and structures excluding warehouses, storage yards and waste management or sewage facilities.

### 9.2 Discretionary Uses

9.2.1 The following uses may be permitted in the High Density Residential District (R1) but only by resolution of Council and only in locations specified in such resolution of Council.

- a) Mobile Homes;
- b) Swimming Pools;
- c) Secondary Suites in single detached dwellings only;
- d) Home Occupations and Home-Based Business;
- e) Daycare Centres;
- f) Residential Care Homes;
- g) Bed and Breakfast homes;
- h) Multi-unit Residential.

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

### 9.3 Prohibited Uses

The following uses shall be strictly prohibited within Residential District 1 (R1):

- a) All uses of buildings and land except those specifically noted as permitted or discretionary;
- b) The keeping of junked cars, abandoned vehicles and similar material on Residential sites;
- c) The keeping of livestock;
- d) Animal kennels;
- e) Communication Towers;
- f) Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material;
- g) Shipping containers (ie: sea cans);
- h) Wind turbines/wind power units and wind mills.

## 9.4 Site Development Regulations

Notwithstanding the requirement for Ministry of Highways approval for developments adjacent to a Provincial Highway or proposed Highway:

### 9.4.1 Single Detached Dwelling

<b>Site area</b>	0 – 1.42 ha (0-3.5 acres)
<b>Minimum floor area</b>	102 m <sup>2</sup> (1100 ft <sup>2</sup> )
<b>Maximum floor area detached garages</b>	Detached Garages: 120.86 m <sup>2</sup> (1300 ft <sup>2</sup> ) Other Accessory Buildings: 47m <sup>2</sup>
<b>Minimum site frontage</b>	24.5 metres
<b>Maximum height</b>	Dwellings: 11 metres Accessory Buildings(detached): 5 metres
<b>Maximum site coverage</b>	40% and 50 % on corner lots
<b>Minimum front yard</b>	15 metres
<b>Minimum rear yard</b>	Dwellings: 5 metres Accessory(detached): 1.5 metres Trees: 0.3 metres
<b>Minimum side yard</b>	6.1 metres Side Yard if abutting no highway or road: 3 metres for a Dwelling, 0.92 metres for Accessory buildings, 0.3 metres for trees/shrubs
<b>Parking Spaces</b>	2 per dwelling unit
<b>Minimum setback for trees, shelterbelts, other</b>	3 metres from the property line of an internal subdivision road

### 9.4.2 Mobile Home

<b>Minimum site area</b>	372 m <sup>2</sup>
<b>Minimum floor area</b>	75 m <sup>2</sup>
<b>Maximum floor area detached garages</b>	Detached Garages: 186 m <sup>2</sup> Other Accessory Buildings: 47m <sup>2</sup>
<b>Minimum site frontage</b>	12 metres
<b>Minimum front yard</b>	7.6 metres
<b>Minimum rear yard</b>	7.6 metres or 25% of the site depth, whichever is greater



<b>Minimum side yard</b>	3.0 metres
<b>Parking Spaces</b>	2
<b>Minimum setback for trees, shelterbelts and other</b>	55 metres from the centre line of a Provincial Highway 5 metres from Highway frontage road property line 46 metres from the center line of a municipal road 3 metres from the property line of an internal subdivision road

## 9.5 Accessory Buildings

All accessory buildings shall be set back a minimum of 1.2 metres from the principal building. All other required setbacks are provided in the table above.

## 9.6 Accessory Uses

- 9.6.1 Any buildings, structures, or uses, which are accessory to the principle use of the site, but only after the principle use or discretionary use has been established.
- 9.6.2 One accessory garage for two (2) motor or recreational vehicles.
- 9.6.3 Two (2) detached sheds or buildings accessory to the principal dwelling unit on the site.
- 9.6.4 All accessory buildings shall not exceed 186 m<sup>2</sup> (2000 ft<sup>2</sup>) in area and shall not exceed 6.0 metres (20 feet) in height.
- 9.6.5 All activities related to artisan studios, craft 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.
- 9.6.6 Shipping containers are prohibited except for temporary storage during the construction phase of a residence. All outdoor storage sheds shall be architecturally compatible to the residence

## 9.7 Front Yard Reduction

Notwithstanding the minimum depth of front yard required by this Bylaw, where a site is situated between two sites each of which contains a principal building which projects beyond the standard required front yard depth, the front yard required on said site may be reduced to an average of the two established front yards on the adjacent sites; but not be less than 4.5 metres (about 15 feet) in a Residential district unless otherwise permitted in this Bylaw.

## 9.8 Frontage for Irregular Sites

The minimum site frontage on sites having a curved front site line shall be measured by a line equal to the minimum site frontage in that particular Zoning District but located back from and parallel to the midpoint of the chord of the front site line. For the purpose of this sub-section, the chord of the front site line is a straight line joining the two points where the side site lines intersect the front site line.



## **9.9 Permitted Activities in Required Yards**

- 9.9.1 Mechanical equipment such as air condition units, pool filtering and heating equipment, water sifters and similar mechanical equipment may occupy the required rear and side yards, within 1.5 metres of the property line, if totally screened from abutting streets by fences, walls or landscaping and if such mechanical equipment does not restrict required access as determined by Council of the Development Officer.
- 9.9.2 The following may be constructed within any required rear yard:
- a) Accessory non-commercial greenhouses, accessory sheds, tool rooms, or other similar buildings or structures for domestic or garden storage, children's play equipment, recreational equipment, and satellite dishes;
  - b) Fish ponds, ornaments, flagpoles and permitted signs or the like, may be constructed in any required yard.

## **9.10 Permitted Yard Encroachments**

- 9.10.1 Where minimum front, side or rear yards are required in a High Density Residential zoning district, the following yard encroachments shall be permitted:
- a) Uncovered and open balconies, terraces, verandas, decks, and patios having a maximum projection from the main wall of 1.8 metres (6 feet) into any required front or rear yard;
  - b) Window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 metres (2 feet) into any required yard.

## **9.11 Signage Regulations**

All developments shall comply with Section 4.37.

## 10 HAMLET RESIDENTIAL DISTRICT (H)

**H**

The purpose of the Hamlet Residential District (H) is to accommodate existing Hamlets which provide a residential lifestyle choice.

### 10.1 Permitted Uses

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

- a) One detached one unit dwelling, RTM, modular or mobile home following the placement thereof on a permanent foundation;
- b) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- c) Playgrounds and swimming pools;
- d) Home Based Business or Occupation;
- e) Artisan or Craft Workshop;
- f) Public works, buildings, and structures.

### 10.2 Discretionary Uses

The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 of the General Administration of this Bylaw:

- a) Personal Service Trade;
- b) Bed and Breakfast Home;
- c) Residential Care Home;
- d) Institutional Use and Community Services;
- e) Recreational - sports fields, parks, playgrounds, curling rinks, skating rinks, tennis courts, and other similar uses;
- f) Lodges, social clubs, service clubs;
- g) Municipal offices, libraries, historic and cultural institutions;
- h) Places of Worship and Community Halls;
- i) Animal Kennels;
- j) Wind Power Towers and Turbines;
- k) General Type I Commercial and Industrial.

### 10.3 Prohibited Uses

The following uses shall be strictly prohibited within a Hamlet Residential District (H):

- a) All uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions;
- b) The keeping of livestock;
- c) All uses of buildings and land except those specifically noted as permitted or discretionary.

## 10.4 Accessory Buildings and Uses

- 10.4.1 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.
- 10.4.2 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.
- 10.4.3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

## 10.5 Subdivision and Site Regulations

- 10.5.1 Notwithstanding the requirement for Ministry of Highways approval for developments adjacent to a Provincial Highway or proposed Highway:

<b>Minimum site frontage</b>	15 metres (50 feet) * Sites for public utilities and institutional uses may be exempted from minimum frontage and site area requirements
<b>Minimum front yard</b>	Principal and accessory buildings shall be set back a minimum of 6.0 metres from the property line adjacent to a municipal road allowance
<b>Minimum rear yard</b>	Principal buildings shall be set back a minimum of 6.0 metres from the rear property line. Accessory buildings shall be set back a minimum of 1.5 metres
<b>Minimum side yard</b>	All buildings shall be set back a minimum of 1.5 metres, except where a side yard abuts a Municipal road allowance or a Provincial highway, the front yard requirements shall apply. Fences are exempted
<b>Maximum building height</b>	Dwellings: 11 metres (36 feet) Accessory Buildings: 5 metres (16 feet)
<b>Building Floor Area requirements</b>	Principal buildings shall have a minimum floor area of 75 m <sup>2</sup> (800 ft <sup>2</sup> ) Accessory buildings shall have a maximum floor area no greater in size than 1.5 times the floor area of the principal building
<b>Minimum setback for trees shelterbelts and other</b>	All shelterbelts, tree plantings, portable structures, fences, machinery and the storage of aggregate materials shall comply with the same setback requirement as for buildings

- 10.5.2 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.
- 10.5.3 Residential parcels may be exempted from these requirements:
- 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;

- b) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.

10.5.4 Re-development of former residential sites shall be determined by the availability of potable water and wastewater treatment carrying capacity of the lands proposed for development. The developer shall ensure that there is an available water supply, access to an existing sewage disposal facility, or an onsite wastewater disposal system which meets all requisite standards provided by the District Health Region, which is acceptable to Council and that meets *The Public Health Act and Regulations* requirements.

10.5.5 Where minimum front, side, or rear yards are required in a Hamlet Residential District the following yard encroachments shall be permitted:

- a) Uncovered and open balconies, terraces, verandas, decks, and patios having a maximum projection from the main wall of 1.8 metres (6 feet) into any required front or rear yard;
- b) Window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 metres (2 feet) into any required yard.

## 10.6 Signage

The following permanent signage requirements will apply:

- a) One permanent sign is permitted per site. The facial area of a sign shall not exceed 1 m<sup>2</sup> (10 ft<sup>2</sup>);
- b) In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling;
- c) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- d) Temporary signs not exceeding 1 m<sup>2</sup> (10 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

## 10.7 Fences and Hedges

10.7.1 No fence, hedge, or other structure shall be erected past any property line.

10.7.2 In a required front yard, to a height of more than 1 metre (3 feet) above grade level.

10.7.3 In a required rear yard, to a height of more than 2 metres (6 feet) above grade level.

10.7.4 Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2 metres (6 feet).

10.7.5 No barbed wire or razor wire fences shall be allowed.



## 10.8 Outdoor Storage

- 10.8.1 The outdoor storage or collection of goods and materials is prohibited in a front yard in any Hamlet Residential District.
- 10.8.2 Outdoor storage is permitted in a side or rear yard in a Hamlet Residential District only when the goods or material being stored are clearly accessory and incidental to the principal use of the property.
- 10.8.3 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.
- 10.8.4 No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material.
- 10.8.5 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.
- 10.8.6 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.

## 11 HAMLET LARGE LOT RESIDENTIAL (HLL)

**HLL**

The purpose of the Hamlet Large Lot Residential District (HLL) is to accommodate growth of existing Hamlets which provide a residential lifestyle choice.

### 11.1 Permitted Uses

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

- a) One detached one unit dwelling, RTM, modular or mobile home following the placement thereof on a permanent foundation;
- b) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- c) Playgrounds and swimming pools;
- d) Home Based Business or Occupation;
- e) Artisan or Craft Workshop;
- f) Public works, buildings, and structures, warehouses and storage yards.

### 11.2 Discretionary Uses

The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 of the General Administration of this Bylaw:

- a) Personal Service Trade;
- b) Bed and Breakfast Home;
- c) Residential Care Home;
- d) Institutional Use and Community Services;
- e) Recreational - sports fields, parks, playgrounds, curling rinks, skating rinks, tennis courts, and other similar uses;
- f) Lodges, social clubs, service clubs;
- g) Municipal offices, libraries, historic and cultural institutions;
- h) Places of Worship and Community Halls;
- i) Animal Kennels;
- j) Wind Power Towers and Turbines;
- k) General Type I Commercial and Industrial;
- l) Multi-Unit Residential;
- m) Hotels/Motels.

### 11.3 Prohibited Uses

The following uses shall be strictly prohibited within a Hamlet Large Lot Residential District (HLL):

- a) All uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions;
- b) The keeping of livestock;
- c) All uses of buildings and land except those specifically noted as permitted or discretionary.



## 11.4 Accessory Buildings and Uses

- 11.4.1 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.
- 11.4.2 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.
- 11.4.3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

## 11.5 Subdivision and Site Regulations

- 11.5.1 Notwithstanding the requirement for Ministry of Highways approval for developments adjacent to a Provincial Highway or proposed Highway:

<b>Minimum site area</b>	Residential: 1 hectare (2.5 acres) Institutional and Recreational: Minimum: 0.8 hectares (2 acres) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum site area Public utilities shall have no minimum or maximum area requirement
<b>Minimum site frontage</b>	15 metres (50 ft) Sites for public utilities and institutional uses may be exempted from minimum frontage and site area requirements
<b>Minimum front yard</b>	Principal and accessory buildings shall be set back a minimum of 6 m (20') from the property line adjacent to a municipal road allowance
<b>Minimum rear yard</b>	Principal buildings shall be set back a minimum of 6 m (20') from the rear property line. Accessory buildings shall be set back a minimum of 1.5 metres (5 ft)
<b>Minimum side yard</b>	All buildings shall be set back a minimum of 1.5 m (5'), except where a side yard abuts a Municipal road allowance or a Provincial highway, the front yard requirements shall apply
<b>Maximum building height</b>	11 metres Primary 6.5 metres Accessory
<b>Building floor area requirements</b>	Principal buildings shall have a minimum floor area of 75 m <sup>2</sup> (800 ft <sup>2</sup> ) Accessory buildings shall have a maximum floor area no greater in size than 1.5 times the floor area of the principal building
<b>Minimum setback for trees shelterbelts and other</b>	All shelterbelts, tree plantings, portable structures, fences, machinery and the storage of aggregate materials shall comply with the same setback requirement as for buildings

- 11.5.2 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.



11.5.3 Residential parcels may be exempted from these requirements:

- a) 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;
- b) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.

11.5.4 Re-development of former residential sites shall be determined by the availability of potable water and wastewater treatment carrying capacity of the lands proposed for development. The developer shall ensure that there is an available water supply, access to an existing sewage disposal facility, or an onsite wastewater disposal system which meets all requisite standards provided by the District Health Region, which is acceptable to Council and that meets *The Public Health Act and Regulations* requirements.

11.5.5 Where minimum front, side, or rear yards are required in a Hamlet Large Lot Residential District the following yard encroachments shall be permitted.

- a) Uncovered and open balconies, terraces, verandas, decks, and patios having a maximum projection from the main wall of 1.8 metres (6 feet) into any required front or rear yard.
- b) Window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 metres (2 feet) into any required yard.

## 11.6 Signage

The following permanent signage requirements will apply:

- a) One permanent sign is permitted per site. The facial area of a sign shall not exceed 1 m<sup>2</sup> (10 ft<sup>2</sup>);
- b) In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling;
- c) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- d) Temporary signs not exceeding 1 m<sup>2</sup> (10 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

## 11.7 Fences and Hedges

- a) No fence, hedge, or other structure shall be erected past any property line.
- b) In a required front yard, to a height of more than 1 metre (3 feet) above grade level.
- c) In a required rear yard, to a height of more than 2 metres (6 feet) above grade level.
- d) Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2 metres (6 feet).
- e) No barbed wire, or razor wire fences shall be allowed.



## 11.8 Outdoor Storage

- 11.8.1 The outdoor storage or collection of goods and materials is prohibited in a front yard in any Hamlet Residential District.
- 11.8.2 Outdoor storage is permitted in a side or rear yard in a Hamlet Residential District only when the goods or material being stored are clearly accessory and incidental to the principal use of the property.
- 11.8.3 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.
- 11.8.4 No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material.
- 11.8.5 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.
- 11.8.6 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.
- 11.8.7 All outdoor storage sheds shall be architecturally compatible to the residence.

## 12 LAKESHORE DEVELOPMENT DISTRICT (LD)

**LD**

No person shall within a Lakeshore Development District - LD use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

### 12.1 Permitted Uses

- a) One single detached dwelling, Ready-to-Move (RTM), or Modular home;
- b) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- c) Playgrounds, parks, sports fields;
- d) Public works buildings and structures excluding offices, warehouses, and storage yards;
- e) Community halls.

### 12.2 Discretionary Uses

12.2.1 The following uses may be permitted in the LD - Lakeshore Development District only by resolution of Council and only in locations specified by Council:

- a) Home Occupations;
- b) One Accessory Dwelling Unit;
- c) Swimming Pools;
- d) Bed and Breakfast homes;

### 12.3 Prohibited Uses

- a) Salvage or vehicle storage yard;
- b) Off-Road vehicles are restricted to established paths and trails on public lands;
- c) The keeping of livestock;
- d) Storage Containers (Sea Cans);
- e) Fabric covered storage sheds or garages.

### 12.4 Accessory Uses

- 12.4.1 Any buildings, structures, or uses, which are accessory to the principle use of the site, but only after the principle use or discretionary use has been established.
- 12.4.2 Two (2) detached sheds accessory to the principal dwelling unit on the site.

### 12.5 Site Development Regulations, Lakeshore District

- 12.5.1 Notwithstanding the requirement for Ministry of Highways approval for developments adjacent to a Provincial Highway or proposed Highway:



## Single Detached Dwellings

<b>Minimum site area</b>	Residential/ Institutional/Commercial – 450 m <sup>2</sup> (4,840ft <sup>2</sup> ) All other uses – no minimum
<b>Minimum site frontage</b>	Residential/ Institutional/Commercial – 15 m (50 ft) All other uses – no minimum
<b>Floor Area</b>	Residential- minimum of 93 m <sup>2</sup> (1,000 ft <sup>2</sup> ) Sheds - maximum 18.6 m <sup>2</sup> (200 ft <sup>2</sup> )
<b>Maximum building height</b>	11 metres (36 ft)
<b>Minimum front yard setback</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 ft) from the centre line of a Provincial highway 36 metres (120 ft) from a Highway frontage road property line 46 metres(150 ft) from the centre line of any municipal road 6.1 metres (20 ft) from an internal subdivision road or lesser amount if permitted by Council under special circumstances A minimum of 90 metres (295 ft) is required from the intersection of the centre lines of any municipal roads or provincial highway or such greater distance as required for e.g. Site triangle
<b>Minimum rear yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 ft)from the centre line of a Provincial highway 36 metres (120 ft) from a Highway frontage road property line 46 metres (150 ft) from the centre line of any municipal road. 6.1 metres (20 feet) from the property line of an internal subdivision road Dwellings: 6 metres (20 feet) Detached accessory buildings: 1.5 metres (5 feet)
<b>Minimum side yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 ft) from the centre line of a Provincial highway 36 metres (120 ft) from a Highway frontage road property line. 46 metres (150 ft) from the centre line of any municipal road 1.5 metres (5 ft) from the property line of an internal subdivision road or property line 1 metres (3 ft) Accessory Buildings, garages and sheds 0.3 metres (1 ft) for trees/shrubs

## 12.6 Signage

- 12.6.1 One permanent sign is permitted per site.
- 12.6.2 In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling, affixed to the dwelling or accessory building or free standing on the property at least 3 metres (10 feet) in from any lot line.
- 12.6.3 The facial area of a sign shall not exceed 1 m<sup>2</sup> (10 ft<sup>2</sup>).
- 12.6.4 No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.



- 12.6.5 Temporary signs not exceeding 1 m<sup>2</sup> (10 ft<sup>2</sup>); advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

## **12.7 Fence and Hedges**

- 12.7.1 No hedge, fence or other structure shall be erected past any property line.
- 12.7.2 No fence or similar structure shall be erected in a required front yard to a height of more than 1 metre (3 feet) above grade level.
- 12.7.3 No fence or similar structure shall be erected in a rear yard on a lakeside site to a height of more than 1 metre (3 feet) above grade level.
- 12.7.4 No fence or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 2 metres (6 feet).
- 12.7.5 No barbed wire or razor wire fences shall be allowed in this District.

## **12.8 Off-Season Storage**

- 12.8.1 The storage of one fishing shack or trailer shall be in a proper manner so as not to create a nuisance or view obstruction to adjacent property owners. No storage shall be undertaken in the front yard.
- 12.8.2 Empty lots are restricted from the temporary storing of seasonal buildings or recreational equipment or vehicles.

## **12.9 Outside Storage**

- 12.9.1 No outdoor storage shall be permitted in the required front yard of any residential site.
- 12.9.2 No yard shall be used for the storage or collection of hazardous material.
- 12.9.3 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.
- 12.9.4 No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard.
- 12.9.5 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.
- 12.9.6 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.
- 12.9.7 Shipping containers are prohibited except for temporary storage during the construction phase of a residence.
- 12.9.8 All outdoor storage sheds shall be architecturally compatible to the residence.



## 13 LAKESHORE DEVELOPMENT ACCESORY CONTRACT DISTRICT (LDA-C)

**LDA-C**

This Zone is specifically developed to address the unique situation created by Sask Power leases for accessory buildings on their own lease lot. This “Contract Zoning Agreement and District” will be binding on the Lessor and Lessee as long as this Contract is in place. Should the Sask Power Corporation, change the conditions of the lease, the Zoning will revert to Lakeshore District and all the Accessory Buildings will become non-conforming.

No person shall within a Lakeshore Development Accessory District- LDA-C use any land or erect, alter or use any building or structure, except in accordance with the following provisions and respective Leasehold Agreement with Sask Power for “Accessory Buildings”:

### 13.1 Permitted Uses

- a) Uses, buildings and structures accessory to the foregoing permitted uses in the Lakeshore District (LD) which may include sheds, boat storage or similar existing uses;
- b) Playgrounds, parks, sports fields;
- c) Public works buildings and structures excluding offices, warehouses, and storage yards.

### 13.2 Discretionary Uses

No Uses are allowed other than those uses permitted under Lease with SaskPower or regulating body.

### 13.3 Prohibited Uses

- a) Dwelling units of any kind;
- b) Storage Containers (Sea Cans);
- c) Fabric covered storage sheds or garages.

### 13.4 Site Development Regulations, Lakeshore District

Notwithstanding the requirement for Ministry of Highways approval for developments adjacent to a Provincial Highway or proposed Highway:

#### 13.4.1 Accessory Buildings

<b>Minimum site area</b>	No minimum except where prescribed by Sask Power Lease
<b>Minimum site frontage</b>	No minimum except where prescribed by Sask Power Lease
<b>Floor Area</b>	Accessory garages - maximum 121 m <sup>2</sup> (1300 ft <sup>2</sup> ) Sheds - maximum 18.6 m <sup>2</sup> (200 ft <sup>2</sup> )
<b>Maximum building height</b>	Accessory Buildings and garages (detached): 5.0 m (16 ft)



<b>Minimum front yard setback</b>	<b>All buildings shall be set back a minimum of:</b> 46 metres (150') from the centre line of any municipal road where possible. <b>Council may permit reduced setback due to unique physical circumstances of the existing leasehold development.</b> 6.1 metres (20') from the property line of an internal subdivision road where possible. <b>Council may permit reduced setback due to unique physical circumstances of the existing leasehold development.</b>
<b>Minimum rear yard</b>	1.22 metres (4.0 feet)
<b>Minimum side yard</b>	1.22 metres (4.0 feet)

### 13.5 Signage

- 13.5.1 One permanent sign is permitted per site.
- 13.5.2 The facial area of a sign shall not exceed 1 m<sup>2</sup> (10 ft<sup>2</sup>).
- 13.5.3 No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
- 13.5.4 Temporary signs not exceeding 1 m<sup>2</sup> (10 ft<sup>2</sup>); advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

### 13.6 Fence and Hedges

- 13.6.1 No hedge, fence or other structure shall be erected nor grow beyond any property line.
- 13.6.2 Bushes and trees shall be planted a minimum of 6.0 metres (20 feet) away from a shared property line
- 13.6.3 No fence or similar structure shall be erected in a required front yard to a height of more than 1 metre (3 feet) above grade level.
- 13.6.4 No fence or similar structure shall be erected in a rear yard on a lakeside site to a height of more than 1 metre (3 feet) above grade level.
- 13.6.5 No fence or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 2 metres (7 feet).
- 13.6.6 No barbed wire or razor wire fences shall be allowed in this District.

### 13.7 Off-Season Storage

- 13.7.1 The storage of one Recreational vehicle (including fishing shacks) or utility trailer shall be in a proper manner so as not to create a nuisance or view obstruction to adjacent property owners. No storage shall be undertaken in the front yard.
- 13.7.2 Lots shall not be unsightly.



### 13.8 Outside Storage

- 13.8.1 No outdoor storage shall be permitted in the required front yard of any residential site.
- 13.8.2 No yard shall be used for the storage or collection of hazardous material.
- 13.8.3 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.
- 13.8.4 No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard.
- 13.8.5 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.
- 13.8.6 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.
- 13.8.7 Lots shall not be unsightly.

## 14 RECREATIONAL STORAGE CONTRACT DISTRICT (RS)

**RS**

The purpose of this zone is to accommodate the unique and innovative development proposed by the Developer, which will enhance the value, and aesthetics of neighbouring lands and will accommodate the development of desirable amenities that would otherwise not be possible by the RM's current development standards.

This Zone is specifically developed to address the unique proposed condominium development adjacent to the Hidden Valley Golf and RV Resort. This Zone will be binding on the Condominium Unit Owners and the Condominium Corporation as long as the area is zoned RS Zoning District. No person shall within the Recreational Storage Zoning District use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

### 14.1 Permitted Uses

- a) Recreational facilities;
- b) Recreational Vehicle storage;
- c) Enclosed storage;
- d) Open space passive recreation activities;
- e) Seasonal recreational occupation;
- f) Golf course related recreational and storage facilities; and
- g) On site water and sewer holding tanks.
- h) Golf course or campground related or complementary commercial
- i) Campground related activities and facilities

### 14.2 Prohibited Uses

The following uses shall be strictly prohibited with the RS zoning district:

- ~~a) All uses of buildings and land except those specifically noted as permitted;~~
- b) All uses of land, buildings or process that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas fumes, noise, vibration, or other similar substances or conditions;
- c) The burning of coal;
- d) All uses of buildings and land except those specifically noted as permitted or discretionary;
- e) Notwithstanding subclause (b), the burning of firewood for heat or recreational enjoyment shall be permitted within units so long as the fire remains in a pit or enclosed container and does not cause material damage to any other property;
- f) The storage of any "Hazardous Substances" or "Waste Dangerous Goods" is prohibited, as those terms are defined by *The Environmental Management and Protection Act, 2002* (Saskatchewan);



- ~~g) Permanent occupation of Recreational Vehicles;~~
- h) Residential dwelling units;
- i) Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic vinyl or other sheet material;
- ~~j) The operation of any business, commercial, or industrial venture other than the long term storage of Recreational Vehicles;~~
- k) The keeping of poultry, birds, livestock, or animals of any kind, except for supervised domesticated cats and dogs which shall not free range nor run at will. No owner shall have swine, bovine, or avian of any kind.
- l) Storage containers (sea cans)
- m) The keeping of junked cars, abandoned vehicles, and similar material

### 14.3 Site Development Regulations and Specifications

Minimum site area	No minimum
Minimum site frontage	No minimum
Maximum number of buildings	1 storage unit and 2 accessory buildings per condominium unit
Minimum floor area – Storage Unit	<del>139.355m<sup>2</sup> (1,500 ft.<sup>2</sup>)</del> 46.45m <sup>2</sup> (500 ft. <sup>2</sup> )
Maximum floor area – Accessory Buildings	9.29m <sup>2</sup> (100 ft. <sup>2</sup> )
Maximum floor area	65% of area of the condominium unit
Minimum front yard setback	<b>All buildings shall be set back a minimum of:</b> a) 7.62m (25 ft.) from the property line of any road maintained by the R.M. of Estevan; and b) 4.572 m (15 ft.) from the property line of an internal common property road
Minimum rear yard	1.5 m (4.92 ft.)
Minimum side yard	1.5 m (4.92 ft.)
Parking spaces	1 parking space or parking unit per condominium unit which may be included within the boundaries of the condominium unit

### 14.4 Fences and Hedges

- 14.4.1 No hedge, fence or other structure shall be erected nor grow beyond the property line.



- 14.4.2 Bushes and trees shall be planted a minimum of 1 metre (3.2 feet) away from a shared property line.

#### **14.5 Outside Storage**

- 14.5.1 No outdoor storage shall be permitted in the front yard of any condominium unit.
- 14.5.2 Lots shall not be unsightly.

#### **14.6 Construction Regulations**

No development or use of land shall be permitted where the proposal will adversely affect domestic or municipal water supplies.

## 15 RESIDENTIAL MOBILE HOME DISTRICT (RMH)

**RMH**

The purpose of the Residential Mobile Home District shall be to accommodate mobile home park development in a concentrated manner.

No person shall within any Residential Mobile Home District (RMH) use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

### 15.1 Permitted Uses

- a) Mobile home parks in existence at the passing of this bylaw;
- b) New Mobile Home Parks;
- c) One modular or mobile home following the placement thereof on a permanent foundation (newer than 1995);
- d) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- e) Playgrounds and passive parks;
- f) Public works buildings and structures excluding offices, warehouses, and storage yard.

### 15.2 Discretionary Uses

15.2.1 The following uses may be permitted in the Residential Mobile Home District (RMH) but only in locations specified in such resolution of Council.

- a) Swimming Pools;
- b) Community Centres;
- c) Daycare Centres;
- d) Home Occupations;
- e) Confectionary and laundry facilities.

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

### 15.3 Prohibited Uses

The following uses shall be strictly prohibited within the Residential Mobile Home District (RMH):

- a) The keeping of junked cars, abandoned vehicles and similar material on Residential sites;
- b) The keeping of livestock;
- c) Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material;
- d) Wind turbines/wind power units and wind mill.

## 15.4 Development Regulations, RMH District

Notwithstanding the requirement for Ministry of Highways approval for developments adjacent to a Provincial Highway or proposed Highway:

### 15.4.1 Mobile Home Park Site Development Regulations

<b>Minimum site area</b>	2 hectares (5 acres)
<b>Minimum site frontage</b>	12.2 metres (40 feet)
<b>Minimum front yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 feet) from the centre line of a Provincial highway 36 metres (120 feet) from a Highway frontage road property line 46 metres (150 feet) from the centre line of any municipal road
<b>Minimum rear yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 feet) from the centre line of a Provincial highway 36 metres (120 feet) from a Highway frontage road property line 46 metres (150 feet) from the centre line of any municipal road
<b>Minimum side yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 feet) from the centre line of a Provincial highway 36 metres (120 feet) from a Highway frontage road property line 46 metres (150 feet) from the centre line of any municipal road Side Yard if abutting no highway or road: 15 metres (50 feet) for a Dwelling, 7.5 metres (25 feet) for Accessory buildings, 0.3 metres (1 foot) for trees/shrubs
<b>Minimum setback for trees, shelterbelts and other</b>	60 metres (200 feet) from the centre line of a Provincial Highway 36 metres (120 feet) from Highway frontage road property line 46 metres (150 feet) from the center line of a municipal road 30 metres (100 feet) from the property line of an internal subdivision road

### 15.4.2 Individual Mobile Home Site Development Regulations

<b>Minimum site area</b>	372 m <sup>2</sup> (4,000 feet <sup>2</sup> )
<b>Minimum floor area</b>	75 m <sup>2</sup> (800 feet <sup>2</sup> )
<b>Maximum floor area detached garages</b>	Detached Garages: 56 metres <sup>2</sup> (600 feet <sup>2</sup> ) Storage Sheds: 18.6 metres <sup>2</sup> (200 feet <sup>2</sup> )
<b>Maximum Height</b>	Dwellings: 11 metres (36 feet) Accessory Buildings: 5 metres (16 feet)
<b>Minimum site frontage</b>	12.2 metres (40 feet)
<b>Minimum front yard</b>	7.6 metres (25 feet)
<b>Minimum rear yard</b>	7.5 metres (25 feet)
<b>Minimum side yard</b>	3 metres (10 feet)
<b>Parking Spaces</b>	2



## 15.5 Community Centres

<b>Minimum site area</b>	372 m <sup>2</sup> (4,000 feet <sup>2</sup> )
<b>Minimum site frontage</b>	No minimum
<b>Minimum front yard</b>	7.6 metres (25 feet)
<b>Minimum rear yard</b>	7.6 metres (25 feet)
<b>Minimum side yard</b>	3 metres (10 feet)

## 15.6 Accessory Buildings

- 15.6.1 All accessory buildings shall be set back a minimum of 1.2 metres (4 feet) from the principal building. All other required setbacks are provided in the table above.
- 15.6.2 Maximum of two detached storage sheds per site, each max of 18.6 m<sup>2</sup> (200 feet<sup>2</sup>).
- 15.6.3 All outdoor storage sheds shall be architecturally compatible to the residence.
- 15.6.4 All workshop 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.

## 15.7 Supplementary Regulations

- 15.7.1 Each mobile home shall be sited as per building code regulations.
- 15.7.2 All mobile homes shall be equipped with a skirting within thirty (30) days of being placed on the site.
- 15.7.3 An accessible, removable service panel shall be provided in the skirting.

## 15.8 Signage Regulations

All developments shall comply with Section 4.37.

## 16 COMMUNITY SERVICE DISTRICT (CS)

CS

The purpose of the Community Service District is to provide areas for a wide range of community service related activities including social, recreational, institutional, parks and public services.

No person shall, within any Community Service District (CS), use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

### 16.1 Permitted Use

- a) Elementary, high schools and other educational facilities;
- b) Lodges, social clubs, service clubs;
- c) Municipal offices, libraries, historic and cultural institutions, community halls;
- d) Places of Worship;
- e) Health facilities and Special Care Homes;
- f) Public works buildings and structures excluding storage yards, and warehouses;
- g) Communication Towers;
- h) Accessory buildings, structures and uses located on the same site with the main use;
- i) Recreational Uses - sports fields, parks, playgrounds, curling rinks, skating rinks, tennis courts, lawn bowling greens, swimming pools, and other similar uses. More than one recreational use may be permitted per site;
- j) Buildings, structures, or uses secondary or subordinate to, and located on the same site as, the principal use, shall be considered accessory uses, and may include commercial uses;
- k) Natural and nature-like open areas;
- l) Pedestrian trails and bicycle pathways;
- m) Scenic lookout and interpretation facilities, rest stops, and other public trail facilities;
- n) Public works such as drainage ditches, culverts, and other drainage works, and shall include water reservoirs and sewage treatment facilities.

### 16.2 Discretionary Uses

16.2.1 The following uses may be permitted in the Community Service District but only by resolution of Council and only in locations specified in such resolution of Council:

- a) Golf courses, auto race tracks, horse race tracks, or other very large or very intensive use facilities

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



## 16.3 Site Development Regulations

### 16.3.1 Permitted uses

<b>Minimum site area</b>	450 m <sup>2</sup> (4,844 feet <sup>2</sup> )
<b>Minimum site frontage</b>	15 metres (50 feet)
<b>Minimum front yard</b>	6 metres (20 feet)
<b>Minimum rear yard</b>	6 metres (20 feet) except where the rear of the site abuts any Residential District without an intervening street or lane, a rear yard of at least 7.5 metres (25 feet) shall be provided
<b>Minimum side yard</b>	Not less than half the height of the building or 3.0 metres , whichever is more

### 16.3.2 Elementary and secondary schools

<b>Minimum site area</b>	No minimum requirement
<b>Minimum site frontage</b>	60 metres (200 feet)
<b>Maximum site coverage</b>	75%
<b>Minimum front yard</b>	15 metres (50 feet)
<b>Minimum rear yard</b>	7.5 metres shall be provided (25 feet)
<b>Minimum side yard</b>	7.5 metres (25 feet)

### 16.3.3 Skating, curling rinks and public swimming pools

<b>Minimum site area</b>	1208 m <sup>2</sup> (13,000 feet <sup>2</sup> )
<b>Minimum site frontage</b>	20 metres (66 feet)
<b>Minimum front yard</b>	7.5 metres (25 feet)
<b>Minimum rear yard</b>	7.5 metres (25 feet)
<b>Minimum side yard</b>	1.5 metres (5 feet) except on a corner site abutting a street then 3.6 metres (12 feet)

## 16.4 Accessory Buildings and Uses

- 16.4.1 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.



- 16.4.2 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.
- 16.4.3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building. All accessory buildings shall be set back a minimum of 1.2 metres from the principal building.
- 16.4.4 All activities related to 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.

## 16.5 Parking

Off-street parking requirements shall be provided in accordance with the following:

<b>Elementary school</b>	1 parking space for each staff member
<b>High school</b>	1 parking space for each staff member, plus 5 parking spaces for each classroom
<b>Churches and Places of Assembly</b>	1 parking space for each 50 m <sup>2</sup> (538 feet <sup>2</sup> ) of floor area
<b>Special care homes</b>	1 parking space for each bed.
<b>Institutional buildings, private clubs and lodges</b>	1 parking space for each 50 m <sup>2</sup> (538 feet <sup>2</sup> ) of floor area
<b>Recreational buildings, sports facilities and fields</b>	1 parking space for each of every ten patrons or seats.

## 16.6 Landscaping

- a) A landscaped strip of not less than 3.0 metres (10 feet) in width throughout lying parallel and abutting the front site line shall be provided on every site.
- b) On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
- c) Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres (5 feet) through which shall not be used for any purpose except landscaping.

## 16.7 Signage Regulations

All developments shall comply with Section 4.37 General Regulations.

## 17 HIGH PROFILE COMMERCIAL / LIGHT INDUSTRIAL DISTRICT (HPCI)

**HPCI**

The purpose of the High Profile Commercial/Industrial District (HPCI) is to facilitate a wide range of commercial, industrial and related activities located and concentrated primarily along Provincial Highways to provide high visibility for eco-responsible and architecturally planned developments.

In any High Profile Commercial/Industrial District (HPCI), 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

Buildings, structures and uses accessory to, and located on the same site as, the principal building or use:

- a) Agricultural Commercial;
- b) General Commercial Type I;
- c) General Industrial Type I;
- d) Industrial malls containing a combination of permitted uses;
- e) Institutional uses;
- f) Commercial recreational uses;
- g) Commercial Greenhouses and Garden Centres;
- h) Sale, rental, leasing and associated servicing of automobiles, trucks, motorcycles and recreational vehicles, industrial equipment and agricultural implements;
- i) Retail stores;
- j) Strip Mall developments;
- k) Farmers Markets;
- l) Business Support Services;
- m) Tourist facilities;
- n) Personal Service Trades and Health Clubs;
- o) Business and Professional Office Buildings;
- p) Research laboratories;
- q) Police, Ambulance stations;
- r) Telecommunication facilities;
- s) Lumber and building supply establishment;
- t) Indoor repair, rental, servicing, storage, wholesale of any commodity and/or retail sales of any goods, materials and/or commodities excluding any hazardous materials;
- u) Commercial Cardlock operations;
- v) Service Stations, Car Wash or Gas Bar;
- w) Restaurants, confectioneries including drive-in/thru, coffee shops;
- x) Licensed premises for the sale and/or consumption of alcoholic beverages;
- y) Hotels or Motels, including a dwelling for caretakers, owners or managers of this use;
- z) Commercial Storage establishments;
- aa) Small Scale Repair Services;
- bb) Commercial recycling depots;
- cc) Conservation Areas, hiking trails;



- dd) Passive parks and playgrounds;
- ee) Linear Utilities: Public works, buildings, and structures, warehouses and storage yards.

## 17.2 Discretionary Uses

17.2.1 The following uses shall be considered by Council subject to the completion of the discretionary process as outlined in Section 3 of the General Administration of this Bylaw:

- a) General Industry Type II;
- b) Agricultural Industry;
- c) Large Scale Retail and Wholesale Activities;
- d) Warehousing Depots and Storage Yards;
- e) Construction and other industrial contractors' offices, workshops and yards;
- f) Campgrounds including Recreational Vehicle Parks;
- g) Residential or agricultural building assembly area;
- h) Trucking Firm Establishment;
- i) Bulk Fuel sales and storage;
- j) Places of Worship;
- k) Community Centres;
- l) Day Care Centres;
- m) Sound Stage Production facility;
- n) Catering and Banquet Facilities;
- o) Museum and Galleries;
- p) Amusement Parks
- q) Fairgrounds;
- r) RTM and Mobile Home Manufacturers;
- s) RTM and Mobile Home Sale;
- t) Recreational Vehicle Storage Yards;
- u) Crematoria;
- v) Welding/Machine Shops;
- w) Sand and Gravel Storage or handling operations;
- x) Semi-Trailer and Container parking/storage;
- y) Oilfield supply and services;
- z) Small Wind Energy Systems;
- aa) Animal hospitals or clinics and offices of veterinary surgeons;
- bb) Animal kennels;
- cc) Stockyards and Auction Marts;
- dd) Residential Units For Owner Occupied Business or Pre-existing Residential Uses;
- ee) Work Camps.
- ff) Licenced Cannabis Production Facilities (medical and non-medical)
- gg) Cannabis Retail Operation

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



### 17.3 Prohibited Uses

The following uses shall be strictly prohibited within a High Profile Commercial/Industrial District (HPCI):

- a) All uses of land, buildings or processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions;
- b) Residential Dwelling units (Stand-alone);
- c) All uses of buildings and land except those specifically noted as permitted or discretionary;
- d) Outside storage other than the storage and display of goods deemed essential to facilitate a permitted or approved discretionary use, or to accommodate employee and client parking;
- e) Junk yards and auto wreckers;
- f) Meat Processing Plants/Abattoirs;
- g) Grain Elevators, Seed Cleaning plants, feed mills and flour mills;
- h) Fertilizer sales and storage;
- i) Cement manufacturing;
- j) Service Utilities including Solid and Liquid Waste Disposal Facility (this does not include public utilities, dealt with under section 5.23).

### 17.4 Accessory Buildings and Uses

- 17.4.1 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.
- 17.4.2 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.
- 17.4.3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

## 17.5 Site Development Regulations

- 17.5.1 Notwithstanding the requirement for Ministry of Highways approval for developments adjacent to a Provincial Highway or proposed Highway:

<b>Minimum site area</b>	1 hectare (2.5 acres) excepting public utilities and those commercial sites which existed prior to the passage of this Bylaw, which will be deemed to be conforming sites
<b>Maximum site area</b>	Commercial Uses: 4 ha (10 acres) Industrial Uses: 8 ha (20 acres)
<b>Minimum site frontage</b>	30 metres (100 feet)
<b>Minimum front yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 feet) from the centre line of a Provincial highway 36 metres (120 feet) from a Highway frontage road property line 46 metres (150 feet) from the centre line of any municipal road 30 metres (100 feet) from the centre line an internal subdivision road/street
<b>Minimum rear yard</b>	Buildings: 4.5 metres (15 feet) Trees/shrubs: 1 metre (3 feet)
<b>Minimum side yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 feet) from the centre line of a Provincial highway 36 metres (120 feet) from a Highway frontage road property line 46 metres (150 feet) from the centre line of any municipal road Side Yard if abutting no highway or road: 5 metres (16 feet) for buildings and 0.3 metres (1 foot) for trees/shrubs
<b>Minimum setback for trees, shelterbelts and other</b>	60 metres (200 feet) from the centre line of a Provincial Highway 36 metres (120 feet) from Highway frontage road property line 30 metres (100 feet) from Internal Subdivision road 46 metres (150 feet) from the center line of a municipal road

- 17.5.2 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.

## 17.6 Supplementary Regulations or Special Provisions

- 17.6.1 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 the Information Services Corporation (Land Titles Office) prior to the coming into force of this Bylaw.



- 17.6.2 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.
- 17.6.3 All permitted and discretionary uses shall be conducted entirely within principal or accessory buildings, with the exception of employee or client parking, which may be located outside.
- 17.6.4 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.
- 17.6.5 All areas to be used for vehicular traffic shall be designed and constructed to the satisfaction of Council.

## 17.7 Loading requirements

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.

### 17.7.1 Off-Street Loading Spaces

<b>Width</b>	5.5 metres (18 feet)
<b>Length</b>	12 metres (40 feet)
<b>Height Clearance</b>	4.2 metres (14 feet)

### 17.7.2 Required Loading Spaces

<b>Between 93m<sup>2</sup> and 800m<sup>2</sup> of gross floor space</b>	1 space
<b>Between 800m<sup>2</sup> and 5,500 m<sup>2</sup> of gross floor space</b>	2 spaces
<b>Between 5,501m<sup>2</sup> and 10,000m<sup>2</sup> of gross floor space</b>	3 spaces
<b>Greater than 10,000m<sup>2</sup> of gross floor area</b>	3 spaces plus one for each additional 4,000m <sup>2</sup> of gross floor area or fraction thereof

## 17.8 Parking Requirements

<b>Commercial Use</b>	One (1) parking space for every 18m <sup>2</sup> (194 feet <sup>2</sup> ) of gross floor area; minimum five spaces
<b>Industrial Use</b>	One and one-half (1.5) parking spaces for every 90m <sup>2</sup> (969 feet <sup>2</sup> ) of gross floor area, but there shall not be less than one (1) parking space for every three (3) employees
<b>Institutional buildings, Places of Assembly</b>	1 parking space for each 50 m <sup>2</sup> (538 feet <sup>2</sup> ) of floor area
<b>Recreational buildings, sports facilities and fields</b>	1 parking space for each of every ten patrons or seats

## 17.9 Landscaping Requirements

- 17.9.1 In addition the requirements contained within Section 4.16 of the General Regulations, the following additional conditions shall be met for developments within a High Profile Commercial/Industrial District (HPCI):
- 17.9.2 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:
- A landscaped strip of not less than 6.0 metres in depth through 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.
  - On corner lots, in addition to the landscaping required in the front yard, a landscaped strip of not less than 3.0 metres in width throughout lying parallel to and abutting the flanking road shall be provided.
  - Where a site abuts any Country Residential or High Density 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 in depth throughout, which shall not be used for any purpose except landscaping.
  - Entire portion of any site not used for buildings, parking, loading, aisles, driveways or similar uses shall be landscaped.
  - A space to be used exclusively for garbage storage and pickup, having minimum dimension of 2.7 metres (8' 10") by 6 metres (20') shall be provided on each site to the satisfaction of the Development Officer.
  - Wherever possible, existing trees should remain.

### 17.10 Outdoor Storage

- 17.10.1 Outdoor storage is permitted in 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.
- 17.10.2 All outdoor commercial displays shall be a minimum of 5 metres from any site line and not block the vision of drivers both on site and within a sight triangle.
- 17.10.3 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.
- 17.10.4 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 two metres in height.
- 17.10.5 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 its operations. No vehicles, materials or equipment shall be in a state of disrepair.

### 17.11 Performance Standards

- 17.11.1 An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:
  - a) Noise - emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
  - b) Smoke - no process involving the use of solid fuel is permitted;
  - c) Dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted;
  - d) Odor - the emission of any odorous gas or other odorous matter is prohibited;
  - e) Toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
  - f) Glare or heat - no industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot;
  - g) 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;
  - h) 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.
- 17.11.2 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.

### 17.12 Signage Regulations

All developments shall comply with Section 4.37 General Regulations.

## 18 GENERAL COMMERCIAL DISTRICT (COM1)

**COM1**

The purpose of the General Commercial District 1 (COM1) is to accommodate Commercial 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 General Commercial District 1 (COM1), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

### 18.1 Permitted Uses

- a) Buildings, structures and uses accessory to, and located on the same site as, the principal building or use;
- b) General Commercial Type I;
- c) Telecommunication Facilities;
- d) Warehousing, storage and wholesale vending of good produced on site;
- e) Restaurants, confectioneries including drive-in/thru, coffee shops and other similar retail food services;
- f) Business support services;
- g) Commercial Recreational Use;
- h) Commercial Greenhouses and Garden Centres;
- i) Commercial Indoor Storage;
- j) Service Station, Gas bar or Car Wash;
- k) Small scale repair services;
- l) Open Space passive recreation activities;
- m) Natural Area, trails and lookout sites;
- n) Conservation areas;
- o) Existing oil and gas and mineral and gravel development which received necessary regulatory approvals prior to the passage of the bylaw;
- p) Market Gardens, Tree Nurseries;
- q) Linear Utilities and Public utilities;
- r) Public works, buildings, and structures, warehouses and storage yards.

### 18.2 Discretionary Uses

18.2.1 The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 of the General Administration of this Bylaw:

- a) General Industrial Type I;
- b) Agricultural Commercial;
- c) Agricultural Industry;
- d) Animal Kennels;
- e) Stockyards and Auction Marts;
- f) Animal hospitals or clinics and offices of veterinary surgeons;
- g) Golf courses and related recreational facilities;



- h) Institutional Uses;
- i) Day Care Centres;
- j) Place of Worship, Community Halls;
- k) Hotels and Motels;
- l) Crematoria;
- m) Equestrian Facility;
- n) Small Wind Energy Systems or Towers;
- o) Service utilities including Solid and Liquid Waste Disposal Facility.
- p) Licenced Cannabis Production Facilities (medical and non-medical)
- q) Cannabis Retail Operation

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

### 18.3 Prohibited Uses

The following uses shall be strictly prohibited within a General Commercial District (COM1):

- a) All uses of land, buildings or processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions;
- b) "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;
- c) Residential Dwelling units;
- d) All uses of buildings and land except those specifically noted as permitted or discretionary;
- e) Outside storage other than the storage and display of goods deemed essential to facilitate a permitted or approved discretionary use, or to accommodate employee and client parking.
- f) Junk yards and auto wreckers;
- g) Meat Processing Plants/Abattoirs;
- h) Grain Elevators, Seed Cleaning plants, feed mills and flour mills;
- i) Fertilizer sales and storage;
- j) Cement manufacturing;
- k) Aggregate material storage or handling operations.

### 18.4 Accessory Buildings and Uses

18.4.1 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.

18.4.2 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.

18.4.3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

## 18.5 Site Development Regulations

Notwithstanding the requirement for Ministry of Highways approval for developments adjacent to a Provincial Highway or proposed Highway:

<b>Minimum site area</b>	1 hectare (2.5 acres) excepting public utilities. Those uses existing prior to passage of the bylaw will be considered conforming. In addition the minimum site size may be reduced based on physical circumstances unique to the site
<b>Maximum site area</b>	8 hectares (20 acres)
<b>Minimum site frontage</b>	46 metres
<b>Minimum floor area</b>	Principal buildings shall have a minimum floor area of 74.32m <sup>2</sup> (800 feet <sup>2</sup> ) Accessory buildings shall have a maximum floor area no greater in size than 1.5 times the floor area of the principal building
<b>Minimum front yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 feet) from the centre line of a Provincial highway 36 metres (120 feet) from a Highway frontage road property line 46 metres (150 feet) from the centre line of any municipal road 30 metres (100 feet) from an internal subdivision road/street
<b>Minimum rear yard</b>	Buildings: 6 metres (20 feet) Trees: 3 metres (10 feet)
<b>Minimum side yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 feet) from the centre line of a Provincial highway 36 metres (120 feet) from a Highway frontage road property line 46 metres (150 feet) from the centre line of any municipal road Side Yard if abutting no highway or road: 6 metres (20 feet) for buildings and 0.3 metres (1 foot) for trees/shrubs
<b>Minimum setback for trees shelterbelts and fences</b>	60 metres (200 feet) from the centre line of a Provincial Highway 36 metres (120 feet) from Highway frontage road property line or Internal Subdivision road 46 metres (150 feet) from the center line of a municipal road

## 18.6 Supplementary Regulations or Special Provisions

- 18.6.1 Recreational land uses and Public utilities shall have no minimum or maximum area requirement.
- 18.6.2 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.
- 18.6.3 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 Health Region and/or Sask Environment.



## 18.7 Parking Requirements

<b>Commercial Use</b>	One (1) parking space for every 18m <sup>2</sup> (194 feet <sup>2</sup> ) of gross floor area; minimum five spaces.
<b>Industrial Use</b>	One and one-half (1 ½) parking spaces for every 90m <sup>2</sup> (969 feet <sup>2</sup> ) of gross floor area, but there shall not be less than one (1) parking space for every three (3) employees

## 18.8 Loading requirements

18.8.1 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.

### 18.8.2 Off-Street Loading Spaces

<b>Width</b>	5.5 metres (18 feet)
<b>Length</b>	12 metres (40 feet)
<b>Height Clearance</b>	4.2 metres (14 feet)

### 18.8.3 Required Loading Spaces

<b>Between 93m<sup>2</sup> and 800m<sup>2</sup> of gross floor space</b>	1 space
<b>Between 800m<sup>2</sup> and 5,500 m<sup>2</sup> of gross floor space</b>	2 spaces
<b>Between 5,501m<sup>2</sup> and 10,000m<sup>2</sup> of gross floor space</b>	3 spaces
<b>Greater than 10,000m<sup>2</sup> of gross floor area</b>	3 spaces plus one for each additional 4,000m of gross floor area or fraction thereof.

## 18.9 Landscaping Requirements

18.9.1 In addition the requirements contained within Section 4.16 of the General Regulations, the following additional conditions shall be met for developments within a General Commercial District (COM1).

18.9.2 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:



- a) A landscaped strip of not less than 6 metres (20') in depth through 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;
- b) On corner lots, in addition to the landscaping required in the front yard, a landscaped strip of not less than 3 metres (10') in width throughout lying parallel to and abutting the flanking road shall be provided;
- c) Where a site abuts any Country Residential or High Density Residential district without an intervening road, there shall be a strip of land adjacent to the abutting site line of not less than 3 metres (10') in depth throughout, which shall not be used for any purpose except landscaping;
- d) Entire portion of any site not used for buildings, parking, loading, aisles, driveways or similar uses shall be landscaped;
- e) A space to be used exclusively for garbage storage and pickup, having minimum dimension of 2.7 metres (8'10") by 6 metres (20') shall be provided on each site to the satisfaction of the Development Officer;
- f) Wherever possible, existing trees should remain.

### 18.10 Outdoor Storage

- 18.10.1 Outdoor storage is permitted in 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.
- 18.10.2 All outdoor commercial displays shall be a minimum of 5 metres (16') from any site line and not block the vision of drivers both on site and within a sight triangle.
- 18.10.3 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.
- 18.10.4 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 metres (7') in height.
- 18.10.5 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 its operations. No vehicles, materials or equipment shall be in a state of disrepair.

### 18.11 Signage Regulations

All developments shall comply with Section 4.37 General Regulations.

## 19 GENERAL INDUSTRIAL DISTRICT (IND1)

**IND1**

The purpose of the General Industrial District (IND1) is to provide areas for Industrial activities which have moderated potential for conflict with adjacent land uses and are not dependent on exposure to high traffic areas. This District encourages manufacturing, processing of raw materials, wholesale activities where the requirement is for space rather than productive agricultural capability.

No person shall within the General Industrial District (IND1) use any land, or erect, alter, or use any building or structure except in accordance with the following provisions.

### 19.1 Permitted Uses

Buildings, structures, and uses accessory to, and located on the same site as, the principal building or use

- a) General Industrial Type I and II;
- b) Agricultural Commercial;
- c) Agricultural Industry;
- d) Business and/or professional offices;
- e) Industrial malls/parks containing a combination of permitted uses;
- f) Large Scale Retail and Wholesale activities;
- g) Farm and Industrial machinery, equipment and vehicle sales and service;
- h) Residential or agricultural building assembly areas;
- i) Auto body shops;
- j) Commercial Greenhouses;
- k) Industrial Greenhouses;
- l) Service Utilities;
- m) Construction and other industrial trades yards, plants, and/or offices;
- n) Farm and Industrial machinery equipment and vehicle sales and service;
- o) Residential or agricultural building assembly area;
- p) Oilfield supply and services;
- q) Lumber and building supply establishment;
- r) Construction and other industrial contractors' offices, workshops and yards;
- s) Welding/Machine shops;
- t) Construction and Sale of RTM and/or Mobile homes;
- u) Indoor repair, rental, servicing, storage, wholesale of any commodity and/or retail sales of any goods, materials and/or commodities excluding hazardous materials;
- v) Service stations;
- w) Commercial Cardlock operations;
- x) Trucking operations;
- y) Commercial Recycling Depots;
- z) Public works buildings and structures excluding offices, warehouses, storage;
- aa) Yards, and waste management or sewage facilities;
- bb) Public works, buildings, and structures, warehouses and storage yards.



## 19.2 Discretionary Uses

19.2.1 The following uses may be permitted in the General Industrial District (IND1) but only by resolution of Council and only in locations specified in such resolution of Council:

- a) General Industrial Type III;
- b) Warehousing and supply depots;
- c) Major Outdoor Storage Facilities;
- d) Bulk petroleum sales and storage;
- e) Restaurants;
- f) Stockyards and auction marts;
- g) Railway Freight Yard;
- h) Junk yards and auto wreckers;
- i) Restaurants including drive-in/thru;
- j) Meat Processing Plants/Abattoirs;
- k) Helicopter Aerial Landing Pad;
- l) Feedlots and Stockyards;
- m) Motor vehicle, recreational vehicle, and/or mobile home sales and servicing and/or storage compound;
- n) Equipment Storage Areas;
- o) Semi-Trailer and Container parking/storage;
- p) Chemical Processing;
- q) Grain Elevators, Seed Cleaning plants;
- r) Fertilizer sales and storage;
- s) Cement manufacturing;
- t) Animal Kennels;
- u) Mushroom Farm;
- v) Animal hospitals or clinics and offices of veterinary surgeons;
- w) Asphalt Plants;
- x) Steel mills, blast furnaces, smelters and foundaries;
- y) Distillers, brewers and millers;
- z) Gas manufacturing, bulk storage or the filling of bulk gas cylinders;
- aa) Sawmills and Planing Mills;
- bb) Aggregate material storage, handling or processing operations;
- cc) Solid and Liquid Waste Disposal Facility;
- dd) Commercial Recreation;
- ee) Fairgrounds, Amusement Parks;
- ff) Hiking Trails.
- gg) Licenced Cannabis Production Facilities (medical and non-medical)

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

### 19.3 Prohibited Uses

The following uses shall be strictly prohibited within a General Industrial District (IND1):

- a) All uses of land, buildings or processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions;
- b) “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;
- c) Residential Dwelling units;
- d) Hotels and Motels;
- e) Places of Worship and Community Centres;
- f) Institutional Uses;
- g) Passive Parks and Playgrounds;
- h) All uses of buildings and land except those specifically noted as permitted or discretionary;
- i) Outside storage other than the storage and display of goods deemed essential to facilitate a permitted or approved discretionary use, or to accommodate employee and client parking.

### 19.4 Site Development Regulations

Notwithstanding the requirement for Ministry of Highways approval for developments adjacent to a Provincial Highway or proposed Highway:

<b>Minimum site area</b>	1 hectare (2.5 acres) excepting public utilities. Those uses existing prior to passage of the bylaw will be considered conforming. In addition the minimum site size may be reduced based on physical circumstances unique to the site
<b>Maximum site area</b>	8 hectares (20 acres)
<b>Minimum site frontage</b>	46 metres (150 feet)
<b>Minimum front yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 feet) from the centre line of a Provincial highway 36 metres (120 feet) from a Highway frontage road property line 46 metres (150 feet) from the centre line of any municipal road 30 metres (100 feet) from c/l an internal subdivision road/street
<b>Minimum rear yard</b>	Buildings: 4.9 metres (16 feet) Trees/shrubs: 3 metres (10 feet)
<b>Minimum side yard</b>	<b>All buildings shall be set back a minimum of:</b> 60 metres (200 feet) from the centre line of a Provincial highway 36 metres (120 feet) from a Highway frontage road property line 46 metres (150 feet) from the centre line of any municipal road Side Yard if abutting no highway or road: 4.9 metres (16 feet) for buildings and 0.3 metres (1 foot) for trees/shrubs

**Minimum setback for  
trees shelterbelts and  
other**

60 metres (200 feet) from the centre line of a Provincial Highway  
36 metres (120 feet) from Highway frontage road property line  
46 metres (150 feet) from the center line of a municipal road  
30 metres (100 feet) from c/l of an Internal Subdivision road

**19.5 Accessory Buildings and Uses**

- 19.5.1 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.
- 19.5.2 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.
- 19.5.3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

**19.6 Supplementary Regulations or Special Provisions**

- 19.6.1 There shall be no minimum site development requirements for public works buildings.
- 19.6.2 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.
- 19.6.3 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 Health Region and/or Sask Environment.

**19.7 Loading requirements**

- 19.7.1 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.
- 19.7.2 Off-Street Loading Spaces

<b>Width</b>	5.5 metres (18 feet)
<b>Length</b>	12 metres (40 feet)
<b>Height Clearance</b>	4.2 metres (14 feet)



## 19.7.3 Required Loading Spaces

Between 93m <sup>2</sup> and 800m <sup>2</sup> of gross floor space	1 space
Between 800m <sup>2</sup> and 5,500 m <sup>2</sup> of gross floor space	2 spaces
Between 5,501m <sup>2</sup> and 10,000m <sup>2</sup> of gross floor space	3 spaces
Greater than 10,000m <sup>2</sup> of gross floor area	3 spaces plus one for each additional 4,000m of gross floor area or fraction thereof.

## 19.8 Parking Requirements

Commercial Use	One (1) parking space for every 18m <sup>2</sup> (194 feet <sup>2</sup> ) of gross floor area; minimum five spaces
Industrial Use	One and one-half (1 ½) parking spaces for every 90m <sup>2</sup> (969 feet <sup>2</sup> ) of gross floor area, but there shall not be less than one (1) parking space for every three (3) employees

## 19.9 Landscaping Requirements

- 19.9.1 In addition the requirements contained within Section 4.16 of the General Regulations, the following additional conditions shall be met for developments within a General Industrial District (IND1):
- 19.9.2 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:
- A landscaped strip of not less than 6.0 metres in depth through 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;
  - On corner lots, in addition to the landscaping required in the front yard, a landscaped strip of not less than 3.0 metres in width throughout lying parallel to and abutting the flanking road shall be provided;
  - Where a site abuts any Country Residential or 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 in depth throughout, which shall not be used for any purpose except landscaping;
  - Entire portion of any site not used for buildings, parking, loading, aisles, driveways or similar uses shall be landscaped;
  - A space to be used exclusively for garbage storage and pickup, having minimum dimension of 2.7 metres (8'10") by 6.0 metres (20') shall be provided on each site to the satisfaction of the Development Officer;



- f) Wherever possible, existing trees should remain.

## 19.10 Outdoor Storage

- 19.10.1 Outdoor storage is permitted in side and rear yards.
- 19.10.2 All outdoor commercial displays shall be a minimum of 5 metres from any site line and not block the vision of drivers both on site and within a sight triangle.
- 19.10.3 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.
- 19.10.4 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 its operations. No vehicles, materials or equipment shall be in a state of disrepair.
- 19.10.5 All outside storage shall be fenced and where the area abuts a residential area. All junk yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres (7 feet) and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.
- 19.10.6 All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.
- 19.10.7 Access to lots shall be located to ensure that heavy truck traffic are directed to designated truck routes.

## 19.11 Performance Standards

- 19.11.1 An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:
  - a) Noise - emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
  - b) Smoke - no process involving the use of solid fuel is permitted;
  - c) Dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted;
  - d) Odor - the emission of any odorous gas or other odorous matter is prohibited;
  - e) Toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
  - f) Glare or heat - no industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot;
  - g) 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;
  - h) 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.



- 19.11.2 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.

## **19.12 Signage Regulations**

All developments shall comply with Section 4.37 General Regulations.

## **19.13 Exclusionary Activities**

- 19.13.1 Certain industrial activities may be characterized as exhibiting a high potential for adversely affecting the safety, use, amenity or enjoyment of adjacent and nearby industrial and non-industrial sites to their scale, appearance, noise, odour, 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.
- 19.13.2 Notwithstanding all other relevant regulations contained in this Bylaw, developments that are deemed as exclusionary by the Development officer shall adhere to the following additional requirements:
- a. The proponent shall provide evidence that all provincial regulations related to the proposed development have been met, including any requirements associated with The Environmental Management and Protection Act, 2002.*
  - b. The establishment of a landfill or communal sewage treatment facility shall be required to meet the recommended setback distances prescribed within The Subdivision Regulations, 1984.*

## cc) CITY OF ESTEVAN AIRPORT OVERLAY DISTRICT (AP)

**AP**

The purpose of the City of Estevan Jaw Airport Overlay District (AP) is to recognize the operational requirements of the Estevan Airport and the related safety considerations and development of compatible uses as per the recommendations of the City of Estevan Airport Authority and the Official Community Plan. **The area is shown on the Zoning Bylaw Map as AP.**

No person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

### a. Permitted Uses

- a) Existing field crops, animal and poultry raising, ranching, grazing, and other similar uses customarily carried out in the field of general agriculture, including the sale on the agricultural holding of any produce grown or raised on the agricultural holding but **excluding** intensive livestock, P.M.U. and poultry operations, feed lots, apiaries, hatcheries, market gardens, mushroom farms, tree and garden nurseries and greenhouses;
- b) Accessory Building/Uses;
- c) Hangers and related storage facilities;
- d) Commercial warehouses related to Airport businesses;
- e) Aviation related commercial and light industrial uses;
- f) Aviation related manufacturing and repair facilities;
- g) Airport Terminal facilities;
- h) Public utilities and related buildings, structures, warehouses and storage yards.

### b. Discretionary Uses

- i. The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 of the General Administration of this Bylaw:
  - a) Aviation related residential development-hangar homes;
  - b) Recreation facilities;
  - c) Type 1 and II Commercial and Industrial uses not listed in the Permitted Use Section;
  - d) Home Base business where accessory to residential hangar homes.
- ii. No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer.

### c. Prohibited Uses

The following uses shall be strictly prohibited within the Airport Overlay District (AP):

- a) All uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions;
- b) All uses of buildings and land except those specifically noted as permitted or discretionary.

**d. Accessory Buildings and Uses**

- i. 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.
- ii. 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.
- iii. Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

**e. Subdivision and Site Regulations**

<b>Minimum site area</b>	As Recommended in the Airport Development Plan
<b>Maximum site area</b>	As Recommended in the Airport Development Plan
<b>Minimum site frontage</b>	As Recommended in the Airport Development Plan
<b>Minimum front yard setback</b>	As Recommended in the Airport Development Plan
<b>Minimum rear yard</b>	As Recommended in the Airport Development Plan
<b>Minimum side yard</b>	As Recommended in the Airport Development Plan
<b>Maximum building height</b>	10 metres, excepting communication and navigation structures
<b>Maximum building floor area for large accessory buildings</b>	As recommended in the Airport Development Plan
<b>Minimum setback for trees shelterbelts and other</b>	46 metres from Municipal roads and Provincial Highways
<b>Fence Lines</b>	No setback where required for safety and security reasons

- i. 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.

## dd) LAKESHORE DEVELOPMENT/AGRICULTURAL RESOURCE TRANSITION OVERLAY DISTRICT (LDAR)

**LDAR**

The purpose of the Lakeshore Development/Agricultural Overlay District is to ensure that compatible development occurs adjacent to the Lakeshore Development Zoning District to provide a **transition** from Cottage residential to Agricultural resource land uses. **The area is shown on the Zoning Bylaw Map as Lakeshore Development/Agricultural Resource Transition Overlay District.**

No person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

### a. Permitted Uses

- a) Existing field crops, animal and poultry raising, ranching, grazing, and other similar uses customarily carried out in the field of general agriculture, including the sale on the agricultural holding of any produce grown or raised on the agricultural holding but **excluding** intensive livestock, P.M.U. and poultry operations, feed lots, apiaries, hatcheries, market gardens, mushroom farms, tree and garden nurseries and greenhouses;
- b) Accessory Building/Uses required for agricultural land uses;
- c) Public utilities and related buildings, structures and storage yards;
- d) Institutional uses and facilities;
- e) Cemeteries;
- f) Historical and archeological sites;
- g) Wildlife and conservation management areas;
- h) One detached residence as per Agricultural – Resource District.

### b. Discretionary Uses

- i. The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 of the General Administration of this Bylaw:
  - a) Recreation facilities;
  - b) Home base and home occupation businesses where accessory to residential use;
  - c) Intensive agricultural activities (e.g. tree and garden nurseries, market gardens, greenhouses, orchards, vegetable, horticultural or fruit gardens;
  - d) Campgrounds;
  - e) Personal care homes.
- ii. No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer.

### c. Prohibited Uses

The following uses shall be strictly prohibited within the Lakeshore Development/Agricultural Resource Transition Overlay District.

- a) All uses of land, buildings or activities or processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or



emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions;

- b) All uses of buildings and land except those specifically noted as permitted or discretionary.

**d. Accessory Buildings and Uses**

- i. 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.
- ii. 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.
- iii. Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building

**e. Subdivision and Site Regulations**

<b>Minimum site area</b>	As per Agricultural – Residential District
<b>Maximum site area</b>	As per Agricultural – Residential District
<b>Minimum site frontage</b>	As per Agricultural – Residential District
<b>Minimum front yard setback</b>	As per Agricultural – Residential District
<b>Minimum rear yard</b>	As per Agricultural – Residential District
<b>Minimum side yard</b>	As per Agricultural – Residential District
<b>Maximum building height</b>	As per Agricultural – Residential District
<b>Maximum building floor area for large accessory buildings</b>	As per Agricultural – Residential District
<b>Minimum setback for trees shelterbelts and other</b>	46 metres from Municipal roads and Provincial Highways
<b>Fence Lines</b>	As per Agricultural – Residential District

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.

## ee) **PLANNED UNIT DEVELOPMENT CONTRACT ZONING EXAMPLE (PUD –C)**

**PUD-**

Planned Unit Development Contracts (PUD-C) may be used to accommodate a mixture of residential types, institutional, commercial, open space and recreation uses may be permitted in Residential, Commercial and Light Industrial zones subject to the following regulations:

### **a. Site Plan**

An overall site plan shall be prepared showing landscaping design as well as the physical layouts of all structures and roads.

### **b. Exemptions to Zone Requirements**

Specific zone regulations shall not apply to Planned Unit Developments. Uses permitted within a PUD include: residential, commercial, light industrial recreation and open space. However, the project shall produce an environment of stable and desirable character, and shall incorporate at least equivalent standards of building separation, parking, height and other requirements and provisions of this Bylaw.

### **c. Minimum Site Area**

The minimum site area shall be 1 acre.

### **d. Required Open Space**

A minimum of 25% of the land area must be common open space or for common recreational space.

### **e. Allowable Density**

The density of development shall not be increased from the normal density per gross acre permitted in that zone.

### **f. Title Registration**

Planned Unit Developments shall be regulated through a site plan agreement or development agreement which is caveated against the title at Land Registry of ISC.



## REPEAL AND ADOPTION

The existing Zoning Bylaw and all subsequent amendments are hereby repealed, notwithstanding that all Contract Zoning Agreements entered into under the provisions of the existing Bylaw carried forward under this Bylaw and remain in force and are recognized under Bylaw No.6-2014.

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 of Government Relations.

Read a first time this 11<sup>th</sup> day of December 2014.

Read a second time this 28<sup>th</sup> day of January 2015.

Read a third time and adopted this 12<sup>th</sup> day of October, 2016.

\_\_\_\_\_  
Reeve

SEAL

\_\_\_\_\_  
Rural Municipal Administrator



## APPENDIX A: DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

Every development permit application shall include:

1. Application Form

A completed application form.

2. Site Plan

Two copies of a proposed development site plan showing, with labels, the following existing and proposed information (as the case may be):

- ☐ a) A scale and north arrow;
- ☐ b) A legal description of the site;
- ☐ c) Mailing address of owner or owner's representative;
- ☐ d) Site lines;
- ☐ e) Bylaw site line setbacks;
- ☐ f) Front, rear, and side yard requirements;
- ☐ g) 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;
- ☐ h) The location of any buildings, structures, easements, and dimensioned to the site lines;
- ☐ i) The location and size of trees and other vegetation, especially natural vegetation, street trees, and mature growth;
- ☐ j) Retaining walls;
- ☐ k) Proposed on-site and off-site services;
- ☐ l) Landscaping and other physical site features;
- ☐ m) A dimensioned layout of parking areas, entrances, and exits;
- ☐ n) Abutting roads and streets, including service roads and alleys;
- ☐ o) An outline, to scale, of adjacent buildings on adjoining sites;
- ☐ p) The use of adjacent buildings and any windows overlooking the new proposal;
- ☐ q) Fencing or other suitable screening;
- ☐ r) Garbage and outdoor storage areas;
- ☐ s) Other, as required by the development officer or council to effectively administer this bylaw.

3. Building Plan

A plan showing, with labels, the elevations, floor plan, and a perspective drawing of the proposed development.

4. Landscape Plan

A landscape plan showing, with labels, the following:

- ☐ a) The existing topography;
- ☐ b) The vegetation to be retained and/or removed;
- ☐ c) The type and layout of;
  - i. hard (e.g., structures) and soft (e.g., vegetation) landscaping,
  - ii. the open space system, screening, berms, slopes,
  - iii. other, as required, to effectively administer this Bylaw,



- ☐ d) The types, sizes and numbers of vegetation materials;
- ☐ e) Areas to be damaged or altered by construction activities and proposed methods of restoration;
- ☐ f) 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
- ☐ g) Historical and archaeological heritage resources and management areas (a Heritage Resource Assessment as prescribed under *The Heritage Property Act* may be required).

5. Vicinity Map

A vicinity map showing, with labels, the location of the proposed development in relation to the following features within two miles:

- a) Nearby municipal roads, highways and railways;
- b) 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;
- c) Critical wildlife habitat and management areas;
- d) Mineral extraction resources and management areas; and,
- e) Other as required, to effectively administer this Bylaw.

6. Certificate of Title

A copy of the Certificate of Title, indicating ownership and all encumbrances.

7. 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.

Proof of current valid interest may include:

- ☐ a) Proof of ownership;
- ☐ b) An agreement for sale;
- ☐ c) An offer or option to purchase;
- ☐ d) A letter of purchase;
- ☐ e) A lease for a period of more than 10 years;
- ☐ f) Other, as determined and accepted by Council, or the Development Officer.

8. Site Description

- ☐ a) 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;
- ☐ b) A metes and bounds description prepared by the Information Services Corporation, which is accompanied by an accurate sketch;
- ☐ c) Photographic Information;
- ☐ d) Photographs showing the site in its existing state.



## APPENDIX B: RM of Estevan No. 5 - Application for a Development Permit

### 1. Applicant:

- a) Name: \_\_\_\_\_
- b) Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_
- c) Telephone Number: \_\_\_\_\_ Cell phone: \_\_\_\_\_ Email: \_\_\_\_\_

### 2. Registered Owner as above, or:

- a) Name: \_\_\_\_\_
- b) Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_
- c) Telephone Number: \_\_\_\_\_ Cell phone: \_\_\_\_\_ Email: \_\_\_\_\_

### 3. Property: Legal Description:

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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**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:**

- a) A scale and north arrow;
- b) A legal description of the site;
- c) Mailing address of owner or owner's representative;
- d) Site lines;
- e) Bylaw site line setbacks;
- f) Front, rear, and side yard requirements;
- g) 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;
- h) The location of any buildings, structures, easements, and dimensioned to the site lines;
- i) The location and size of trees and other vegetation, especially natural vegetation, street trees, and mature growth;
- j) Proposed on-site and off-site services;
- k) Landscaping and other physical site features;
- l) A dimensioned layout of parking areas, entrances, and exits;
- m) Abutting roads and streets, including service roads and alleys;
- n) An outline, to scale, of adjacent buildings on adjoining sites;
- o) The use of adjacent buildings and any windows overlooking the new proposal;
- p) Fencing or other suitable screening;
- q) Garbage and outdoor storage areas;
- r) Other, as required by the development officer or council to effectively administer this bylaw.

**10. Mobile Homes: C.S.A.Z240 Approval Number (from Black and Silver Sticker)**

Mobile Home date of Manufacture: \_\_\_\_\_

**11. 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 Estevan No.5 from and against any claims,  
demands, liabilities, costs and damages elated to the development undertaken pursuant to this application.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_



## APPENDIX C: RM of Estevan No. 5

### Notice of Decision for a Development Permit or Zoning Bylaw Amendment

To: \_\_\_\_\_  
(Applicant) (Address)

This is to advise you that your application for a:

- ☐ Permitted Use or Form of Development
- ☐ Discretionary Use or Form of Development
- ☐ 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 59 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.
- ☐ 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**

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Development Officer

**Note:**

**This Permit expires 12 months from the date of issue.**

**A Building Permit is also required for a building construction.**