

2015

Rural Municipality of Spiritwood No. 496

Zoning Bylaw

Bylaw No. 4/2015



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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 Spiritwood No. 496 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 Spiritwood No. 496.

1.3 PURPOSE

- .1** The purpose of this Bylaw is to regulate development and to control the use of land in the Rural Municipality of Spiritwood No. 496 in accordance with the RM of Spiritwood and Village of Leoville District Plan Bylaw No. 3/2015.
- .2** The intent of this Zoning Bylaw is to provide for the amenity of the area within the Rural Municipality of Spiritwood No. 496 (hereinafter referred to as the Rural Municipality or Municipality) 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 Spiritwood No. 496. 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 RM of Spiritwood and Village of Leoville District Plan and this Bylaw, they shall have the following definition unless the context states otherwise.

A

Abattoir (Slaughterhouse): a building for butchering. The abattoir houses facilities to slaughter animals; dress, cut and inspect meats; and 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.

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 Spiritwood No. 496.

Aggregate Resource: raw materials including sand, gravel, clay, earth or mineralized rock found on or under a site.

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

Agriculture (Intensive): an agricultural production system characterized by high inputs relative to land area enabling a substantial increase in production using methods geared

toward making use of economies of scale to produce the highest output at the lowest cost.

Agricultural 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 Holding: the basic unit of land considered capable of accommodating an agricultural operation. For the purpose of this Bylaw, it shall comprise 64.80 hectares (160 acres) or equivalent. Equivalent shall mean 64.80 hectares (160 acres) or such lesser amount as remains in an agricultural holding because of the original township survey, road widening, road right-of-way or railway plans, drainage ditch, pipeline or transmission line development or government action, natural features such as water courses or water bodies, or as a result of subdivision as permitted herein.

Agricultural Operation: an agricultural operation that is carried out on a farm, in the expectation of gain or reward, including:

- 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;
- 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) producing eggs, milk, honey and other animal products;

- 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 from time to time

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

- 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 Residence: a dwelling unit 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 Unit (A.U.) – the kind and number of animals calculated in accordance with the following table: (Amended Bylaw No. 2018-1)

Animal Type	# of Animals = 1 Animal Unit
Poultry	
• Hens, cockerels, capons	100
• Chicks, broiler chickens	200
• Turkeys, geese, ducks	50
• Exotic birds	25
Hogs	
• Boars and sows	3
• Gilts	4
• Feeder pigs	6
• Weanling pigs	20

Sheep	
• Rams and ewes	7
• Lambs	14
Goats, etc.	
• All (including llamas, alpacas, etc.)	7
Cattle	
• Cows and bulls	1
• Feeder cattle (>400 lbs)	1.5
• Replacement heifers	2
• Calves	4
Horses	
• Colts and ponies	2
• Other horses	1
Bison	
• Cows and bulls	1
• Calves	4
Fallow Deer	
• Fallow deer	8
• Fallow deer fawns	32
Domestic Indigenous	
• Elk	5
• Elk calves	20
• White-tailed deer	8
• White-tailed deer fawns	32
• Mule deer	8
• Mule deer fawns	32

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*.

Attic: That portion of a building situated wholly or in part within the roof and which is less than one-half story.

Auction Mart: 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.

Awning: A structure that is mechanical and fabricated from plastic, canvas or metal that is spread across a frame designed to be attached to a wall and hung above a doorway or window.

B

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.

Boarding House: a development, which can usually be a private dwelling, where rooms are rented out to individuals for either short or long term stay. A dwelling within the rooming house may contain either a kitchen area or washroom facilities, but may not contain both uses with the unit.

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 Spiritwood No. 496 regulating the erection, alteration, repair, occupancy or maintenance of buildings and structures.

Building Floor Area: the habitable horizontal area of a building above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centerline of firewalls, but not including garages and attics. (Bylaw 2023-1)

Building Front Line: the line of the wall of the building, or any projecting portion of the building, and production thereof excluding permitted obstructions which faces the front site line.

Building Height: the vertical distance measured from the grade level to the highest point of the roof surface. (*If a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof.*)

Building Permit: a permit, issued under the Building Bylaw of the Rural Municipality of Spiritwood No. 496 authorizing the construction of all or part of any building or structure.

Building Rear Line: the line of the wall of the building or any projecting portion of the building and production thereof excluding permitted obstructions which faces the rear site line.

Building Side Line: the line of the wall of the building, or any projecting portion of the building and production thereof excluding permitted obstructions, which faces the side site line.

Bulk Fuel Sales and Storage: lands, buildings, and structures for the storage and distribution

of fuels and oils including retail sales or key lock operations.

Bunk House/Temporary Guest Quarters: Accessory structure or part of an accessory structure with or without plumbing which is used as temporary sleeping quarters only.

Bylaw: means the Zoning Bylaw.

C

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.

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

Prime Lands: Canada Land Inventory (C.L.I) Soil Class Rating System

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

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

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

**Marginal Lands: Canada Land Inventory (C.L.I)
Soil Class Rating System**

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

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

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

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

Cardlock Operation: 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.

Clean Fill: uncontaminated, non- water soluble, non-decomposable, inert solids such as rock, soil, gravel, concrete, glass and/or clay or ceramic products. Clean fill shall not mean processed or unprocessed mixed construction and demolition debris, including, but not limited to, wallboard, plastic, wood or metal or any substance deemed corrosive, combustible, noxious, reactive or radioactive.

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

Commercial: the use of land, buildings, or structures for the purpose of buying and selling

commodities, and supplying professional and personal services for compensation.

Commercial 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: 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.

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.

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

Contractors Yard: the yard of a contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities

for the administration or management of the business and the stockpiling or storage of supplies used in the business.

Convenience Store: a store offering for sale primarily food products, beverages, tobacco, personal care items, hardware and printed matter and which primarily provide a convenient day to day service to residents in the vicinity.

Council: the Council of the Rural Municipality of Spiritwood No. 496.

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: is defined as 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.

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.

D

Demolition Permit: a permit issued for the removal or dismantling of a building or structure within The Rural Municipality of Spiritwood 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: an employee of The Municipality appointed by the Administrator to act as a Development Officer to administer this Bylaw.

Development Permit: a permit issued by the Council of the Rural Municipality of Spiritwood No. 496 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:

- a) Is prescribed as a discretionary use in the Zoning Bylaw; and
- b) Requires the approval of Council pursuant to Section 56 of *The Planning and Development Act, 2007*.

District Plan: The District Plan for the RM of Spiritwood and participating municipalities is known as the RM of Spiritwood and Village of Leoville District Plan, as outlined in Section 102 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 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.

E

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 meters 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.

Equestrian Facility: the use of lands, buildings, or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, 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.

F

Farm Building: improvements such as barns, granaries, 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.

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.

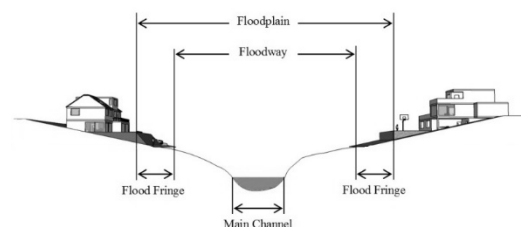
Fill: soil, rock, rubble, or other approved, non-polluting waste that is transported and placed on the existing, usually natural, surface of soil or rock, following the removal of vegetation cover, topsoil, and other organic material.

Flood: A temporary rise in the water level that results in the inundation of areas not ordinarily covered by water.

Flood way: The portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second.

Flood-proofed: A measure, or combination of structural and non-structural measures, incorporated into the design of a structure which reduces or eliminates the risk of flood damage to a defined elevation.

Flood Fringe: The portion of the floodplain where the waters in the 1:500 year flood are projected to be less than a depth of one metre or a velocity of one metre per second.



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.

Future Land Use Map: In its projections, the map specifies certain areas for residential growth and others for residential, industry, commercial and conservation. The Future Land Use Map for RM of Spiritwood is attached as Appendix "A" in the Official Community Plan.

G

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: A second, small, dwelling on the site of a primary, single-family dwelling that accommodates one or two family members of the owner/occupants of the primary residence and is intended to allow the family to live independently but with the support nearby of the extended family.

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.

General Industry 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 transshipping 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 Industry 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,
- b) processing, assembly, finishing, production or packaging of materials, goods or products.
- c) the storage or transshipping of materials, goods and equipment.
- d) 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 Industry 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.

Grain Storage Yard: a site or physical structure regularly used to store grain for producers, or to store grain acquired from producers without further manufacturing or processing.

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 catering to the general horticultural needs of the general public for financial gain and includes outdoor storage of landscaping supplies.

Greenhouse (Industrial): a greenhouse intended to serve intermediate industrial and retail markets with large quantities of horticultural supplies, not including consumer retail.

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.

Green 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.

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.

H

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.

Height of the Sign: the vertical distance measured from the highest point of the sign to grade level at the center of the sign.

Heritage Resource: the history, culture and historical resources of an area or community.

Highway Sign Corridor: A strip of land parallel and adjacent to a provincial highway, where private signs may be permitted to advertise goods and services of local area businesses and attractions, as provided by regulations of the Department of Highways entitled "*The Erection of Signs Adjacent to Provincial Highways Regulation, 1986*", as may be amended from time to time.

Home Based Business: an accessory use carried on as a business conducted for gain in whole or in part in a dwelling unit or an accessory building to a dwelling unit.

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

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

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

Incidental Signs: are signs located on a development site which are intended for the direction of control of traffic, pedestrians or

parking and which do not contain any advertising.

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

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

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

Intensive 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; and
- f) nurseries and other similar uses.

Intensive Livestock Operation (ILO): the operation or facilities for the permanent or temporary rearing (includes wintering of animals), confinement or feeding of poultry, hogs, sheep, goats, cattle, horses, or domesticated game animals in such numbers that the facility and portion of a site used for the operation:

- a) will contain 100 or more animal units, and

- b) provides less than 370 square metres (4,000 ft²) of space for each animal unit contained therein (11 animal units per acre). (Bylaw No. 2018-1)

K

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.

L

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 Zoning District: divisions identified in the Zoning Bylaw establishing permitted and discretionary uses of land or buildings with attendant regulations.

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

Livestock: domesticated animals raised primarily for the production of fur, hides, meat, milk, eggs or other product, or as breeding stock, but excluding companion animals. (Bylaw No. 2018-1)

Lot: a parcel of land of a subdivision, the plan of which has been filed or registered at Information Services Corporation (Land Titles Office).

M

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.

Market Garden: cultivated land, greenhouse or a combination of both used for the production of vegetables, fruits, flowers and trees which are sold directly to consumers onsite or at an off-site location such as a Farmers' Market.

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*.

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.

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.

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.

Municipality: the Rural Municipality of Spiritwood No. 496.

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 issued in the name of the Municipality;

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, including the use of innovative technology or advanced management practices in appropriate circumstances. (Bylaw 2018-1)

O

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, transshipped, sold or processed.

Official Community Plan: The Official Community Plan for the Rural Municipality is the RM of Spiritwood and Village of Leoville District Plan Bylaw No. 3/2015.

Off-Premise Identification Signage: a sign that is located separate and apart from the land on which the business or activity is located.

Oil and Gas-Related Commercial Uses: Shall mean a service to the oil and natural gas extraction industry such as drilling and oil well servicing operations, hauling services and storage facilities and other similar uses.

Open Space: (see Green Space).

P

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.

Pasture: a site that is used for the raising and feeding of livestock by grazing.

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 building or part of a building in which persons are employed in furnishing services and administering to customer's personal and or grooming needs, 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, manses, meeting rooms and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues and parish halls.

Principal 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.

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

Q

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.

R

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.

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 m².

Re-designation: Rezoning.

Recreational Use: a public or private facility or amenity, a joint-use site or a park or playground that serves the surrounding neighborhood or community.

Recreational (Commercial): a public or private facility or amenity, a joint-use site or a park or

playground that serves the surrounding neighborhood with an intent to produce financial gain.

Recreational Vehicle: a vehicle used for personal pleasure or travels by an individual or a family which may or may not be towed behind a principal vehicle. Notwithstanding the generality of the above may include:

- a) Motorhomes;
- b) Camper Trailers;
- c) Boats;
- d) Snowmobiles; and
- e) Motorcycles.

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 Spiritwood No. 496.

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 as the case may be; and 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.

Rooming House: rented residential premises where an individual shares a kitchen and a bathroom with others. A dwelling within the rooming house may contain either a kitchen area or washroom facilities, but may not contain both uses with the unit.

RTM (Ready to Move) Home: A residential dwelling that is constructed off- site in a yard or factory to National building code and transported as a single unit to a site for permanent installation on a permanent foundation including a basement.

S

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.

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.

Servicing Agreement: a legal contract that a municipal council may require with a subdivision applicant under Section 172 of *The Planning and Development Act, 2007*. With such an agreement, council accepts responsibility for maintaining services in a new subdivision in exchange for the developer installing the services needed for the subdivision.

Setback: the distance required to obtain the front yard, rear yard or side yard provisions of this Bylaw.

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: Any device, letter, symbol, emblem or picture, that is affixed to or represented directly or indirectly upon a building, structure, or a piece of land and that identifies or advertises any object, product, place, activity, person, organization, or business in such a way as to be visible to the public on any street, thoroughfare, or any other public place.

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

Signs, Traffic Control: a sign, signal, marking or any device placed or erected by the Municipality or Saskatchewan Department of Highways and Transportation.

Sign, Fascia: a sign fastened to, or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 0.5 meters from such building or structure.

Sign, Freestanding: sign, except a billboard, independently supported and visibly separated from a building or other structure and permanently fixed to the ground.

Sign, Height: The vertical distance measured from the highest point of the sign to grade level at the center of the sign.

Sign, Off-Premises: a sign which contains any message chosen by a person other than the person in control of the premises upon which the sign is located.

Sign, Projecting: A sign which is wholly or partially dependent upon a building for support and which projects more than 0.5 meters from such building.

Sign, Temporary: A sign which is not permanently installed or affixed in position, advertising a product or activity on a limited basis

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.

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.

Sports 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.

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

Stockyard: an enclosed yard where livestock is kept temporarily.

Storage Compound: a development used exclusively for outdoor storage of goods and materials where such storage of goods and materials does not involve the erection of a structure. Typical uses include vehicle storage, material storage, or personal storage purposes.

Storage Facility: a building or structure used for storing goods or materials, equipment, vehicles, manufactured products, etc.

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.

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

T

(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 Garage: a temporary prefabricated shelter constructed with a metal or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic covered used primarily for the storage of vehicles or other equipment accessory to a residential use only.

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.

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.

U

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.

V

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.

W

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.

Waterbody: an area of topographical depression where water accumulates, such as a slough, dugout, wetland, marsh or lake. (Bylaw No. 2018-1)

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.

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.

Wind Energy Conversion System: A system composed of a wind turbine, tower and associated control electronics with a capacity of less than 100 kW for non-residential use or 10 kW for residential use. It will be considered an accessory use and is intended to provide on-site power for a principal use.

Wind Energy Conversion System, Private Use:

Means a system consisting of a wind turbine, tower, and associated control or conversion electronics for the purpose of providing electrical power to a lawful principal use. A system having a rated capacity of 10 kilowatts (kW) or less for residential use or 100 kW or less for non-residential uses shall be considered a private use system for the purposes of the regulations. These systems are considered accessory uses in all zoning districts.

Wind Energy Facilities: includes towers, generators (turbines) and all equipment, machinery and structures used for the collection, conversion and transmission of wind energy to electrical energy for industrial, commercial private or public uses.

Wind Turbine: The individual component of a Wind Energy Conversion System that converts kinetic energy from the wind into electrical energy, independent of the electrical conductors, electrical storage system, electrical metering, or electrical inverters.

Wind Turbine, Electrical: An individual component of a Wind Energy Conversion System which converts kinetic wind energy to electrical energy through electric currents.

Wind Turbine, Mechanical: An individual component of a Wind Energy Conversion System which converts kinetic wind energy to mechanical energy through motion.

Work Camp: A temporary Industrial or Construction camp established for the purpose of providing accommodation for employees, and without restricting the generality of the above, the camp is usually made up of a number of mobile units, clustered in such a fashion as to provide sleeping, eating and other basic living facilities.

Y

Yard: the open, unoccupied space on a lot between the property line and the nearest wall of a building.

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.

3. ADMINISTRATION AND INTERPRETATION

3.1 ADMINISTRATION/DEVELOPMENT OFFICER

- .1** The Administrator of the Rural Municipality of Spiritwood No. 496 shall be the Development Officer responsible for the administration of this Bylaw and in their absence by such other employee of the Municipality as the Council designates from time to time.
- .2** The Administrator shall:
 - a. Receive, record and review Development Permit applications and issue decisions in consultation with Council, particularly those decisions involving 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 in the separate Development Permit Fee Schedule Bylaw;
 - e. Perform other duties as determined by Council.
- .3** The Administrator shall be empowered to make a decision regarding a Development Permit application for a "Permitted Use".

3.2 COUNCIL

- .1** Council shall make all decisions regarding discretionary uses, development and servicing agreements, and Zoning Bylaw amendments.
- .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** Council shall act on discretionary uses, rezoning and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the RM of Spiritwood and Village of Leoville District Plan.

3.3 APPLICATION FOR A DEVELOPMENT PERMIT

- .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
 - b. Receive a Development Permit for the proposed development.
- .2** A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw and the RM Spiritwood and Village of Leoville District Plan.
- .3** Except where a particular development is specifically exempted by Section 3.4 of this Bylaw, no development or use shall commence without a Development Permit first being obtained.

3.4 DEVELOPMENT NOT REQUIRING A PERMIT

Development Permits are not required for the following:

- .1 Accessory buildings or structures under 9.3m² (100 ft²) where applied to a principal permitted use within an appropriate Zoning District established by this Bylaw.
- .2 The erection of any fence or retaining wall under 0.6096 metres (2 feet) as measured from undisturbed soil to height of wall, subject to the regulations listed within the specific zoning district.
- .3 Communications antennae for personal use.
- .4 The temporary placement of a recreational vehicle 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.
- .5 The temporary placement of recreational vehicle trailers, where permitted in the specific zoning district, and for which a special occasion permit has been approved.
- .6 The confinement of livestock, excluding any Intensive Livestock Operation (ILO) or intensive agriculture use during the winter months as part of a farm operation.
- .7 General agricultural operations as herein defined where listed as a permitted use; excluding any intensive form of agriculture or livestock raising, agricultural- commercial or industrial operations, or any retail aspect of on-site sale of goods or produce.
- .8 The use and placement of any grain bin and unlicensed (de-commissioned) rail or sea container for the purpose of private storage where permitted, and subject to the regulations listed within the specific zoning district and Section 4.25.
- .9 A three (3) sided livestock shelter, where permitted.
- .10 Signs subject to the provisions of Section 4.26
- .11 Public utilities: any operation for the purposes of inspecting, repairing, or renewing sewage systems, water mains, cables, pipes, wires, tracks or similar public works as required by a public utility, and the installation of service connections to property in the Municipality.
- .12 Municipal facilities, uses and buildings undertaken, erected, or operated by the Rural Municipality of Spiritwood No. 496.
- .13 Internal alterations to a building, provided that such alterations do not result in a change of use, intensity of use, an increase in the number of dwelling units within the building or maintenance and repairs that do not include structural alterations.
- .14 Seasonal boat docks and lifts where licensing is not required.
- .15 Landscaping.

3.5 INTERPRETATION

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

3.6 COMPREHENSIVE DEVELOPMENT REVIEW

- .1 A Comprehensive Development Review shall be completed prior to consideration of an application by Council by any person proposing to rezone land for multi-parcel (greater than 4 parcels) 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, commercial, and industrial developments. The scope and required detail of the comprehensive development review will be based on the scale and location of the proposed development, and address 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;
 - e. Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas;
 - f. Appropriate information specific to the particular land use (residential, commercial or industrial).
- .2 The comprehensive development review must be prepared in accordance with the overall goals and objectives of the RM of Spiritwood and Village of Leoville District 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.

3.7 DEVELOPMENT PERMIT PROCEDURE

- .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 Development Officer shall issue a Development Permit.
- .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, the District Planning Commission, 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 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.

- .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 RM of Spiritwood and Village of Leoville District Plan and this Bylaw.
- .5 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.
- .6 A Building Permit, where required, shall not be issued unless a Development Permit has been issued, or is issued concurrently.
- .7 A Development Permit is valid for a period of twelve months unless otherwise stipulated when the permit is issued.

3.8 DISCRETIONARY USE APPLICATION PROCEDURE

- .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 application will be examined by the Development Officer for conformance with the RM Spiritwood and Village of Leoville District Plan, this Bylaw, and any other applicable policies and regulations and shall advise the Council as soon as practical.
 - c. At least seven days before the application is to be considered by Council, the Development Officer will give notice by regular mail that the application has been filed to all assessed owners of property within one (1) mile of the boundary of the applicant's land and provide notification of an upcoming public hearing and an opportunity for them to provide written comment on the proposal. (Bylaw No. 2018-1)
 - d. Council may refer the application to whichever government agencies or interested groups including the District Planning Commission, 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.
 - e. Council shall consider the application together with the criteria of the discretionary use contained in Section 5, and in the specific Zoning District and any written or verbal submissions received by Council.
 - f. 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.
 - g. The applicant shall be notified of Council's decision by regular mail addressed to the applicant at the address shown on the application form.
- .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 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.
- .4 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.
- .5 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.
- .6 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.

3.9 GENERAL DISCRETIONARY USE EVALUATION CRITERIA

Council will apply the following general criteria, and where applicable, the specific criteria found in the respective Zoning District, in the assessment of the suitability of an application for a discretionary use or discretionary form of development.

- .1 The proposal must be in conformance with all relevant sections of the Official Community Plan and must demonstrate that it will maintain the character, density, and purpose of the zoning district, where necessary through the provision of buffer areas, separation and screening.
- .2 The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilizes and community facilities.
- .3 The proposal must demonstrate that it is not 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.
- .4 The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- .5 The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur.
- .6 Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise, etc. not in keeping with the character of the adjacent area.

- .7 Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.
- .8 All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.
- .9 Proposals for discretionary uses which may result in heavy truck traffic, particularly in commercial and industrial districts, should be located to ensure that such traffic takes access to or from major streets or designated truck routes.

3.10 REFUSAL OF A DEVELOPMENT PERMIT APPLICATION

- .1 An application for a Development Permit shall be refused if it does not comply with all Zoning Bylaw requirements.
- .2 The reasons for a Development Permit refusal shall be stated on the refused Development Permit application.
- .3 The applicant shall be notified of the right to appeal a decision to refuse an application to the local Development Appeals Board in accordance with the requirements of *The Planning and Development Act, 2007*.

3.11 DEVELOPMENT PERMIT APPLICATION FEES

- .1 An applicant seeking the approval of a Development Permit application shall pay the fees as set out in the separate Development Permit Fee Schedule Bylaw.
- .2 An applicant seeking a discretionary use approval shall pay the fees as set out in the separate Development Permit Fee Schedule Bylaw.
- .3 There shall be no Development Permit application fee for sign permits, licenses for home occupations or other forms of business licenses. (Bylaw No. 2019-3)

3.12 FEE FOR ZONING AMENDMENT APPLICATIONS

- .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 a professional review of the application and in carrying out a public hearing.

3.13 CONCURRENT PROCESSING OF DEVELOPMENT PERMITS, BUILDING PERMITS AND BUSINESS LICENSES

- .1 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.

3.14 REFERRAL UNDER THE PUBLIC HEALTH ACT

- .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*.
- .2 The Development Officer, in conjunction with the Regional Health Authority shall determine the suitability of a parcel proposed for subdivision to accommodate a private sewage treatment system with the subdivision review process. The review process indicates the level of assessment required and upon this determination provides the submittal requirements as well as identifies the qualifications required for the site assessor.
- .3 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.

3.15 DEVELOPMENT APPEALS BOARD

- .1 Council shall appoint a Development Appeals Board consisting of at least three members, to hear and determine appeals, in accordance with Section 213 to 227 inclusive, of *The Planning and Development Act 2007*.
- .2 **RIGHT OF APPEAL**
 - a. In addition to any other right of appeal provided by *The Planning and Development Act, 2007*, and any other Act, a person affected may appeal to the Board if there is:
 - i. Alleged misapplication of the Zoning Bylaw in the issuance of a development permit;
 - ii. A refusal to issue a development permit because it would contravene the zoning bylaw;
 - iii. An issuance of a written order from the Development Officer.
 - b. There is no appeal pursuant to the clause above if a development permit was refused on the basis that the use in the Zoning District for which the development permit was sought:
 - i. Is not a permitted use or a permitted intensity of use;
 - ii. Is a discretionary use or discretionary use of intensity that has not been approved by resolution by Council; or
 - iii. Is a prohibited use.
 - c. Appellants may appeal where they are of the opinion that development standards prescribed by Council with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw.
 - d. An appellant shall make the appeal pursuant to 3.16.2.a within 30 days after the date of the decision.
 - e. The Development Officer shall make available to all interested persons copies of the provisions of *The Planning and Development Act, 2007*, respecting decisions of the Development Officer and right of appeal.

3.16 MINOR VARIANCES

- .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, this also includes distance from a municipal right-of-way; and
 - ii. The 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*.
- .2 An application form for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by a fee as set out in the Development Permit Fee Schedule Bylaw.
- .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.
- .4 Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Bylaw.
- .5 Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.
- .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.
- .7 A decision to approve a minor variance, with or without terms and conditions, does not take effect:
 - a. In the case of a notice sent by regular mail, until 23 days from the date the notice was mailed; or
 - b. In the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.
- .8 If an assessed owner of a property having an adjoining property with the applicant's land objects to the minor variance in writing to the Development Officer within the prescribed 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.

.9 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.

.10 The Development Officer shall maintain a record of all minor variance applications.

3.17 NON-CONFORMING BUILDINGS, USES AND SITES

.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*.

.2 No enlargement, additions, or reconstruction of a non-conforming use, building or structure shall be undertaken, except in conformance with these provisions.

.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.

3.18 DEVELOPMENT PERMIT – INVALID

- .1 A Development Permit shall be automatically invalid and development shall cease, as the case may be:
- a. If the development is not commenced within the period for which the Permit is valid;
 - b. When development is undertaken in contravention of this bylaw, the Development Permit and specified development standards; or
 - c. When a written appeal notice is received by the Development Appeals Board secretary regarding the Development Permit.

3.19 CANCELLATION

- .1 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; or
 - c. When a developer requests a Development Permit modification.

3.20 STOP-WORK

- .1 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 an Interest Registered with ISC under this Bylaw.

3.21 BYLAW COMPLIANCE

- .1 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.

3.22 REGISTERING INTERESTS

- .1 As per Section 175 of *The Planning and Development Act, 2007* the Municipality may register an interest based on a development levy agreement or servicing agreement in the land registry against the affected title.
- .2 On registration of an interest based on a development levy agreement or servicing agreement, the rights and privileges in the development levy agreement:
 - a. Enure to the benefit of the municipality; and
 - b. Run with the land and are binding on the registered owner of the land the registered owner's heirs, executors, administrators, successor and assigns.

3.23 MOVING OF BUILDING

- .1 No building shall be moved within, 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 3.4 of this Bylaw.

3.24 TEMPORARY DEVELOPMENT PERMITS

- .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.
- .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, work camp, tool shed, scaffold, or other building or structure incidental to and necessary for construction work on the premises, but only for so long as such use, building, or structure is necessary for such construction work as has not been finished or abandoned.

3.25 DEVELOPMENT LEVY AGREEMENTS

- .1 Council may pass a development levy bylaw pursuant to Section 169 to 170 of *The Planning and Development Act, 2007*, to establish development levies to recover the capital costs of services and facilities.

- .2 As per Section 171 of *The Planning and Development Act, 2007*, if the Council deems it is necessary to do so, the Council or Development Officer may require the development permit applicant to enter into a development levy agreement with the Municipality respecting the payment of the development levies.

3.26 SERVICING AGREEMENTS

- .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.
- .2 In accordance with Section 172 to 176 inclusive of *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 levelling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities, or other works that Council may require, including both on-site and off-site servicing;
 - b. The payment of fees that the Council may establish as payment 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.

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

- .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.
- .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 Spiritwood No. 496 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 Spiritwood No. 496 or any law of the Province of Saskatchewan or Canada.
- .3 Where requirements in this Bylaw conflict with those of any other Municipal, Provincial, or Federal requirements, the Provincial or Federal requirements shall prevail.

4.2 PRINCIPAL USE ESTABLISHED

- .1 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.
- .2 Only one (1) principal building shall be permitted on any one site except for the following uses which may have more than one principal building to accommodate the use:
 - a. Public utility uses;
 - b. A private institution;
 - c. A multi-parcel residential use;
 - d. An Agricultural use;
 - e. Commercial or industrial uses;
 - f. Uses allowed in a Contract Zoning agreement.
- .3 Temporary Uses may be permitted on a site where a principal development already exists, at Council's discretion.
- .4 Council may, at its discretion, issue a Development Permit for additional principal developments, uses or businesses in Commercial and Industrial Zones.

4.3 MULTIPLE USES

- .1 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, though no dwelling shall be located within 3.0 meters (approximately 10 feet) of any other building on the site except to a building accessory to such dwelling. Accessory dwellings units attached behind, or located on top of a commercial use are exempt from this requirement.

4.4 USES PERMITTED IN ALL ZONING DISTRICTS

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

4.5 PUBLIC UTILITIES AND MUNICIPAL SERVICES

- .1 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.
- .2 Protective, emergency, municipal services and other public works and facilities may be established in all Zoning Districts.

4.6 ACCESSORY BUILDING USES AND STRUCTURES

- .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.
- .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. With the exception of the Agricultural Zoning District.
- .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 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 accessory dwelling.

4.7 GRADING AND LEVELING OF SITES

- .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.
- .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.
 - a. 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.
 - b. 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.

- .3 Council may require a Storm Water Management Plan to be submitted for all areas of the parcel of land disturbed during or as a result of a development.
- .4 Where excavation or filling is proposed for any development in a potential Flood Hazard Overlay District, the Municipality may request comments of the Saskatchewan Water Security Agency prior to making a decision on the Development Permit application.

4.8 HERITAGE PROPERTIES

- .1 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.

4.9 SIGNAGE ON NATURAL AND HUMAN HERITAGE SITES

- .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.

4.10 SENSITIVE AND CRITICAL WILDLIFE HABITAT

- .1 Where development is proposed in an area identified as containing to critical wildlife habitat or heritage sensitive areas, the Development Officer may require the applicant provide additional information as required by *The Wildlife Habitat Protection Act (WHPA)* and *The Heritage Property Act* or any other relevant Provincial Regulations.
- .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.
- .3 Council may specify development and subdivision requirements based on reports from qualified consultants or officials from the Provincial government.
- .4 All development and subdivision proposals on private and Crown Lands which are within a Critical Wildlife Management Area shall conform to:
 - a. *The Critical Wildlife Habitat Act (CWhA)* requirements;
 - b. *The Critical Wildlife Habitat Lands Disposition and Alteration Regulations* requirements;
 - c. Council specified wildlife development, management, conservation, mitigative and rehabilitation development standards to maximize long-term wildlife protection.

4.11 FENCE AND HEDGE HEIGHTS

- .1 Notwithstanding the other provisions in this section, barbed wire fences shall be exempt from the required yard setbacks of the Agricultural Resource district.
- .2 No fence or screening device shall exceed 2.4 meters (8 ft.) in height within a required side or rear yard in the residential zoning districts. Fence heights in other districts will be addressed in their respective Zoning District regulations.
- .3 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 Screening devices shall not locate within a sight triangle as defined in this Bylaw.
- .5 Screen fences shall be consistent and complement the quality of building design and materials of the primary building.

4.12 BUILDING AND SITE MAINTENANCE

- .1 All sites at all times shall be maintained clean and free from waste and debris.
- .2 For any non-residential use, Council may establish landscaping requirements for discretionary use or Development Permit to achieve maximum public safety, zero nuisance and environmental quality.

4.13 BUFFERS STRIPS

- .1 Buffer strips are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitating natural drainage. Buffer strips may be required to separate uses from adjacent properties, in which the approving authority will determine the size and width of the buffer.

4.14 DISPOSAL OF WASTES

- .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.
- .2 No development or use of land which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by Saskatchewan Health and the Saskatchewan Water Security Agency. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by the Ministries of Saskatchewan Agriculture, Saskatchewan Environment, Saskatchewan Health and the Saskatchewan Water Security Agency.

.3 Storage Facilities:

- 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 at a senior government's request.

4.15 KEEPING OF DOMESTIC ANIMALS

- .1 The keeping of domestic animals is permitted in all Districts, subject to relevant Bylaws and legislation governing noise and public health however, breeding kennels, and boarding kennels are discretionary uses within select Zoning Districts.

4.16 CLOSINGS

- .1 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.

4.17 ROADWAYS

- .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.
- .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.
- .3 Development adjacent to a Provincial highway shall meet all requirements of the Saskatchewan Ministry of Highways and Infrastructure.
- .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.
- .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.

4.18 FRONTAGE AND ACCESS

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 road, unless:

satisfactory arrangements have been made with the Municipality for the improvement, upgrade or building of the road; or

in the case of a seasonal development where the applicant can adequately identify to the Development Officer's satisfaction that the development will be used seasonally for overnight accommodations, the applicant shall enter into an agreement with the Municipality, of which an interest shall be registered against the title to the land."

4.19 APPROACHES

- .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.
- .2 Council, or any person designated by Council, 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.
- .3 Where an approach for a commercial, industrial, or residential lot within a multi-parcel subdivision accesses:
 - a. **A paved municipal road:** the approach shall be paved from the edge of the road surface 5.0 meters into the lot;
 - b. **A Provincial highway:** the Ministry of Highways and Transportation shall specify the details.

4.20 RAILWAY CROSSINGS AND SIGHT DISTANCES

- .1 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 46.0 meters of the point of the point of intersection of the centre line of both the railway and street.

4.21 BARELAND CONDOMINIUM DEVELOPMENTS

- .1 Bareland condominium developments shall comply with the minimum site area, coverage, width, height, and yard setbacks as stated in the residential zones.
- .2 One primary dwelling unit is permitted per bareland condominium lot. No individual detached accessory buildings are permitted.
- .3 Bareland condominium developments may include private open space and one accessory building for joint recreational or storage use by residents of the development shall be permitted, subject to all yard setback requirements of the Residential District in which it is located.

4.22 SIGHT TRIANGLE

- .1 No building, structure, earth pile, vegetation, etc. in any Zoning District shall obstruct the vision of drivers within the sight line triangles shown in the following table.
- .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:

Sight Triangle Distances

Type of Road or Railway	Distance Along Centerline
Provincial Highways	230 meters (755 ft.)
Municipal Grid Roads	80 meters (262.5 ft.)
Railway Lines	80 meters

4.23 USES OR OBJECTS PROHIBITED OR RESTRICTED IN YARDS

- .1 No person shall allow a motor vehicle, which has all or part of its super structure removed, is in a dilapidated or unsightly condition to remain, or be parked on any lot located within a Country Residential, Hamlet, or Lakeshore Residential District or on land used primarily for residential purposes. Refer to Section 4.24.
- .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.
- .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 A Development Permit for residential, recreational, commercial 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.

4.24 VEHICLE STORAGE

- .1 Notwithstanding anything contained in this Bylaw, 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 four (4) such vehicles may be stored on any site in a Country Residential District and not more than twelve (12) such vehicles shall be stored on any site in an Agricultural, Commercial or Industrial District, except in the case of permitted vehicle storage establishments or auto wreckers.
- .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 neighboring 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.

4.25 SHIPPING CONTAINERS (SEA CANS)

- .1 Shipping containers shall be considered as an accessory structure in every zoning district, unless a district otherwise provides for, or regulates the use.
- .2 Shipping containers shall be required to meet all the yard requirements and regulations of an accessory structure or building for the zoning district in which it is located.
- .3 Shipping containers shall not be used for any form of dwelling, human habitation, or sleeping accommodation, nor shall they be connected to any water or sewage system unless they are designed, signed & sealed by a professional.
- .4 Shipping containers shall not be used as a sign or billboard except in accordance with any regulations pertaining to signs within this bylaw.

4.26 GENERAL ZONING DISTRICT SIGN REGULATIONS

- .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.
- .2 The following general regulations shall pertain to temporary and permanent signage in all Zoning Districts unless otherwise stated:
 - a. All signs situated along a Provincial highway shall comply with Provincial highway regulations as amended from time to time;
 - b. A sign which is made from part of or is attached to, a fence is prohibited;
 - c. 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;
 - d. Signs which are deemed to be in disrepair shall be properly maintained or removed at the discretion of the Municipality;
 - e. 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;

- f. 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;
- g. No intermittent flashing signs shall be permitted in any Zoning District;
- h. 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;
- i. Freestanding Electronic Message Signs which advertise off-site products and services may be located on fairgrounds and on other lands in the AR District subject to the following:
 - i No more than one (1) electronic variable message sign is permitted per site.
 - ii The sign may not locate within 90.0 meters of any Residential District, the height may not exceed 15.0 meters and the size of any single face area must not exceed 38 m².
 - iii Signs identifying multi-parcel country residential developments may be permitted.
 - iv No permanent sign shall be placed on or over public property unless specifically permitted within this Bylaw.
 - v Where a sign will be located adjacent to a Provincial highway, *The Highways and Transportation Act* will govern placement requirements.

Signs along a Highway Sign Corridor

- .3** Signs located in a highway sign corridor shall be regulated entirely by the requirements of “*The Erection of Signs Adjacent to Provincial Highway Regulations, 1986*” or amendments there to, and subsection 4.26.2 shall not apply.

Signs other than in a Highway Sign Corridor

- .4** Any sign located in other than a highway sign corridor, may only advertise agricultural commercial uses, or home-based businesses, the principal use of an adjoining site of the principal products offered for sale on the adjoining site.
- .5** Temporary Signage maybe 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 meters (33 ft.) from another temporary or permanent sign, 3 meters from a site access point and 10 meters from an intersection;
 - d. Signage shall not exceed 1 m² in gross surface area and 1.2 meters (4 ft.) 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.

4.27 LIGHTING

- .6** 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.

- .7 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.
- .8 Public access areas shall be lit in keeping with the principals of Crime Prevention Through Environmental Design (CPTED) and require site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent buildings and roads of parking and walkways.

4.28 PARKING

- 4.28.1 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.
- 4.28.2 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.

Parking Requirements

Institutional Uses	One (1) parking space for every 9 m ² (97 ft ²) of gross floor area devoted to public use, or one parking space for each six (6) seats provided for patrons and 1 space per staff member.
Commercial Uses	One (1) parking space for every 18m ² of gross floor area; minimum five (5) spaces.
Industrial Uses	One and one-half (1.5) parking spaces for every 90m ² of gross floor area, but there shall not be less than one (1) parking space for every three (3) employees.
Recreational Uses	One (1) parking space for every 18m ² of gross floor area; minimum five (5) 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.

- 4.28.3 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. All parking facilities shall be maintained to the satisfaction of the Municipality by the owner of the property;

- c. Each parking space within a parking facility shall be a minimum of 2.5 meters wide and 6.0 meters in length except that parallel parking spaces shall be a minimum of 6.5 meters long;
- d. 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 calculated shall be provided; and
- e. One (1) barrier free parking space shall be provided for any required parking facility accommodating between 4 and 100 parking spaces.

4.28.4 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.

4.28.5 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.

4.29 LOADING REQUIREMENTS

4.29.1 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.

4.30 GROUNDWATER

4.30.1 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. Quality of the water;
- e. 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.

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

4.30.3 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.

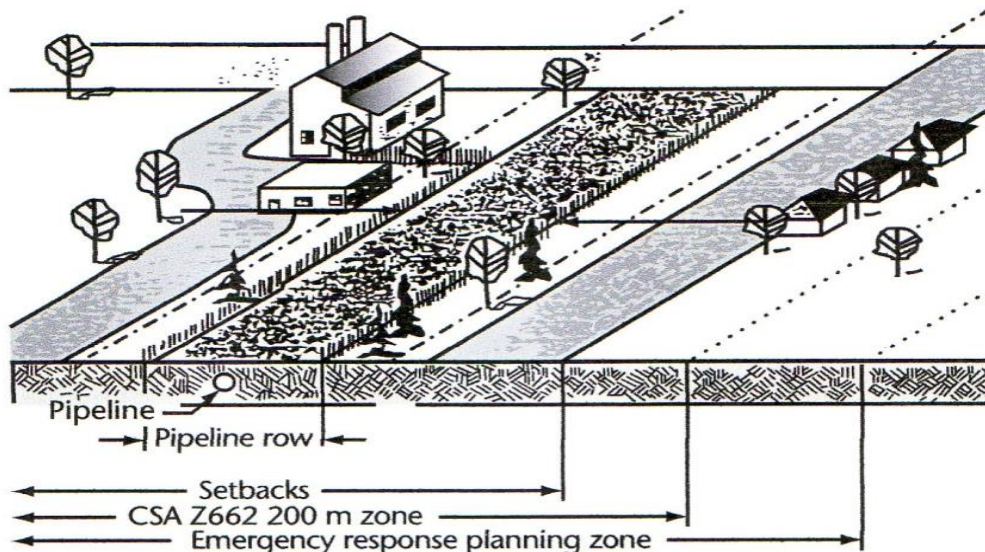
4.31 AIR QUALITY

- .1 No development shall cause or create air contaminants, odourous matter, visible emissions, vapour and gases, particulate emissions, toxic or hazardous emissions or smoke, which would exceed Federal, Provincial or municipal requirements.

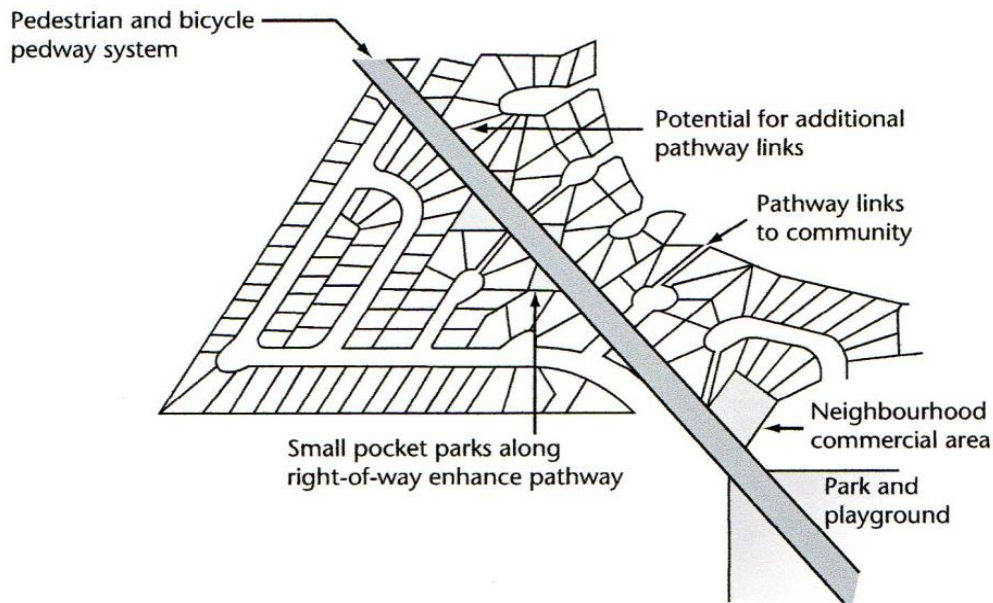
4.32 DEVELOPMENT ALONG PIPELINES AND GAS TRANSMISSION

- .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.
- .2 Setbacks from pipelines, for buildings or structures, shall be **12.0 meters** (39 ft.) except for where provisions have been made in the previous bylaw or in consultation with the operator of the pipeline, a lesser separation may be allowed.
- .3 The National Energy Board has designated a “no disturbance” review area of **30.0 meters** (98 ft.) 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:
 - a. Ascertain whether a pipeline exists;
 - b. Notify the pipeline company of the nature and schedule of the excavation; and
 - c. Conduct the excavation in accordance with such regulations.
- .4 The following Figures provide the setbacks required by the Canadian Standards Association.
Source: Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663.

Land Use Areas



Example Land Uses along a Pipeline Corridor



4.33 DEVELOPMENT ALONG CREEK BANKS AND HAZARD LANDS

- .1 For the purpose of this Bylaw, the area considered to present potential erosion and/or slope instability hazard includes, though is not limited to, the slopes of the lakes and any tributary creeks and gullies extending from the edge of the flood plain in the valley, to the ridge of the slope at the top, plus a setback of 100.0 meters.
- .2 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.
- .3 The top of a bank shall be that line where the gradient of the slope measured from the upland leading down to the water body or watercourse first exceeds 20%.
- .4 Development or subdivision proposed on or within 50.0 meters (164 ft.) of the crest of a slope greater than 15% shall require supporting evidence of slope stability by a professional engineer. 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.

- .5 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. 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.
- .6 The Development Officer may impose special conditions, such as though not limited to, engineered footings, drainage and /or septic systems in an effort to protect against erosion and/or stability of the bank.
- .7 Trees or vegetation shall not be cleared from any land within 20.0 meters (65 ft.) 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.
- .8 Unless a report by a registered professional engineer proves that it is safe to waive the building setbacks, the following setbacks shall apply for all developments along a coulee, ravine or valley with or without a permanent watercourse. 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.

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 meters	10 meters (39 ft.)
Greater than 3 meters and less than 15 meters	10 meters
Greater than 15 meters and less than 30 meters	15 meters (49 ft.)
Greater than 30 meters	20 meters (66 ft.)

5. DISCRETIONARY USE STANDARDS FOR DEVELOPMENT

5.1 TERMS AND CONDITIONS FOR DISCRETIONARY APPROVALS

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. In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards or criteria related to:

- Site drainage of storm water;
- The location of buildings with respect to buildings on adjacent properties;
- Access to, number and location of parking and loading facilities;
- Appropriate space for vehicle movement in order to reduce disruption of traffic flows on adjacent roadways;
- Control of noise, glare, dust and odor;
- Landscaping, screening and fencing to buffer adjacent properties;
- The size, shape, and arrangement of buildings, and the arrangement of buildings, and the placement and arrangement of lighting and signs;
- Prescribed specified time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and
- Intensity of use.

5.2 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:

- The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- The use shall be conducted entirely within the dwelling unit or an accessory building to the dwelling unit.
- There shall be no external advertising other than a sign of not more than 1.0 m² (10.7 ft²) erected in accordance with the Sign Regulations contained herein.
- In Country Residential, Lakeshore Residential or Hamlet Districts, there shall be no external storage of goods, materials or equipment associated with the applied use.
- The use shall not create or become a public nuisance.
- 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.
- The use shall not generate substantially more traffic and parking than is normal for the District in which the use is located.
- 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.
- The use shall be valid only for the period of time the property is occupied by the applicant for such use.

- 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.
- Council shall place any additional conditions for approval deemed necessary based upon a specific application.

5.3 RESIDENTIAL CARE HOME

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

- The use may be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- The use shall be conducted entirely within the dwelling unit and shall not have any exterior evidence of a secondary use.
- All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.
- There shall be no outside storage or exterior display of goods, materials, or equipment associated with the applied use.
- The use shall not generate substantially more traffic and parking than is normal for the District in which the use is located. Vehicle parking and access areas should not form a dominant element in the right of way. Required parking space shall be accommodated within the site or parcel.
- The use shall be valid for the period of time the property is occupied by the applicant for such use.

5.4 ACCESSORY AGRICULTURE 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:

- The Development Officer may issue a Development Permit for more than one (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 in agricultural operation, or accessory to an approved discretionary use where applicable within the Agriculture Resource District and the additional dwelling is located on a parcel containing a permitted agricultural operation.
- 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.
- Accessory dwellings shall only be located on sites where the accessory dwelling can be serviced by existing utilities.

5.5 AGRICULTURAL TOURISM USES

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 Agricultural Tourism use:

- Agricultural Tourism uses shall be ancillary to an agricultural farm operation or rural residence.
- 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.
- One sign located on site, advertising the Agricultural Tourism use is permitted subject to the Sign Regulations contained herein.
- Agricultural Tourism uses shall not:
 - Unduly interfere with the amenities or change the character of the neighborhood;
 - Materially interfere with or affect the use and enjoyment of adjacent properties;
 - Adversely impact upon the environment; or
 - Results in excessive demand on Municipal services, utilities, or public roadways.

5.6 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: Campgrounds shall have a minimum site area of 4.05 hectares (10 acres).

The operator of a campground shall provide the Development Officer with a detailed plan to scale 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.

- A campground shall have within its boundaries a buffer area abutting the boundary of not less than 15.24 meters (50 ft.) which shall contain no buildings.
- Each campsite shall have a minimum of not less than 150 square metres with its corners clearly marked.
- One sign located on site, advertising the campground is permitted subject to the Sign Regulations contained herein.
- No portion of any campsite shall be located within a roadway or required buffer area.
- Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- Each trailer coach shall be located at least 4.5 meters (14.8 ft.) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.
- The space provided for roadways within a campground shall be at least 7.5 meters (25 ft.) in width. No portion of any campsite, other use or structure shall be located in any roadway.
- A campground may include as accessory uses, a laundromat, change room/shower house, a maintenance (public works) building, or confectionary designed to meet the needs of the

occupants of the campsites, and one single detached dwelling for the accommodation of the operator.

- *The Public Health Act* shall be complied with in respect to all operations and development of the campground.
- Council may apply special conditions in the discretionary approval of a tourist campground limited the number of sites, limiting the length of the season of operation, or limited the maximum area devoted to the use.
- The seasonal campground shall be subject to site inspections by the Development Officer, whom may be assisted by additional personnel, such as but not limited to a professional engineer or a bylaw enforcement officer.
- There shall be a minimum of one parking spot within the boundaries of each campsite.
- There shall be a maximum of one (1) Recreational Vehicle within the boundaries of each campsite.
- The campground operator shall be responsible for the collection and disposal of solid waste (garbage) and liquid domestic waste (sewage), in accordance with Public Health Regulations.

5.7 BED AND BREAKFAST HOMES AND VACATION FARMS

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:

- Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as either a farmstead site or Country Residential acreage.
- No more than three (3) guest rooms shall be allowed in a bed and breakfast home.
- 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.
- The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner/occupied residence. No one other than the occupant and his/her immediate family members may be involved or employed in the operation of the bed and breakfast home.
- Vacation Farms shall be ancillary to an agricultural farm operation and located on the same site as the farmstead.
- Bed and breakfast homes and vacation farms shall be licensed pursuant to *The Public Health Act*, where tourist accommodations require public health approval.
- Only one sign, not exceeding 1.0 m² (10.7 ft²) advertising the vacation farm or bed and breakfast home and located on site is permitted.

5.8 GARDEN SUITES

A single Garden Suite may be placed in the back yard of a single-detached residential development under the following conditions:

- There is no secondary suite in the primary residence.
- 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.
- The owner(s) of the host residence must live on the site, and at least one resident of the primary dwelling and one resident of the Garden Suite shall be related by blood, marriage, or legal adoption.
- The occupant(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.
- The floor area of the Garden Suite dwelling shall not be less than 46.45 m² (500 ft²) and not greater than 111.48 m² (1,200 ft²). 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 a relative of the permanent resident.
- The maximum height of the Garden Suite shall not exceed 5.0 meters from grade level and shall have only one story.
- 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.
- Residents of the Garden Suite must have access to the rear yard amenities.
- 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 the Zoning Bylaw are met;
- A parking space shall be provided on site for the resident(s) of the Garden Suite dwelling.
- There shall be direct access to the Garden Suite dwelling by on-site driveway.

5.9 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:

- The maximum number of animals not normally attributed to the host site to be kept on-site shall be at the discretion of Council.
- No building or exterior exercise area(s), to be used to accommodate the animals shall be allowed within 300.0 meters (984 ft.) of any dwelling located on adjacent lots.
- All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council.
- Pens, rooms, exercise runs and holding stalls may be soundproofed to the satisfaction of Council.

- All dog facilities shall be visually screened from existing dwellings on adjoining lots.
- 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.
- A boarding use shall at no time unduly interfere with the character of the neighborhood or the general enjoyment of adjoining sites.
- There shall be no external advertising other than a sign of not more than 1.0 m² erected in accordance with the Sign Regulations contained herein.
- Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- Animal kennels shall be subject to relevant Bylaws and legislation governing noise and public health.
- 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.

5.10 SOLID AND 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:

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

- The above 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.

5.11 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:

- This includes salvage yards, auto wreckers, auto repair shops, body shops and similar uses, all salvage vehicles and materials, vehicles waiting repair, salvage or removal and similar uses.
- No vehicles or parts thereof shall be located in the front yard.
- 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:
 - Distance and careful location,
 - Natural or planted vegetation,
 - An earth berm,
 - An opaque fence,
 - A building,
 - Other appropriate methods approved by Council.
- 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.
- A Performance Bond may be required by Council to ensure the proposal meets the development standards.

5.12 WIND ENERGY 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 Wind Energy Facilities:

- All buildings and structures shall be set back at least 90 meters (295 ft.) from an intersection of any Municipal road allowance, or Provincial highway or such greater distance as required by the Department of Highways.
- The setback related to Municipal road allowances and the wind energy generator (turbine) shall be no less than the length of the blade plus 10.0 meters (33 ft.).
- The minimum site size for the allowance of any Wind Energy Facility shall be 2.0 hectares.
- The setback from the property line of a non-participating landowner to a wind energy generator (turbine) shall be no less than the length of the blade plus 10 meters (33 ft.), or a minimum of 38 meters (125 ft.), unless otherwise agreed to by the landowner, developer and the Municipality.
- The separation distance from an Agricultural, Country Residence or Hamlet dwelling to a wind energy generator (turbine) shall be a minimum distance of 550 meters (1805 ft.).

- The maximum total tower height shall be:
 - 6.0 meters (20 ft.) above grade level in Country Residential or Hamlet Residential Districts
 - 45.0 meters (148 ft.) above grade level in the Agricultural or Industrial Zoning District.
- Approaches for access roads to the wind energy facilities must be perpendicular to established road allowances.
- All infrastructure, roads and accesses required to facilitate the implementation of the wind energy facilities shall be proposed by the developer as part of the Development Permit application.
- Any proposed development within a municipal road allowance, i.e. underground lines or overhead poles/lines, must be proposed by the developer as part of the Development Permit application and adhere to the Rural Municipality road crossing policy.
- The developer is required to enter into a road use agreement with the Municipality for the construction period to ensure roads are maintained in condition agreeable by both parties.
- The wind energy generator (turbine) shall have no restrictions on colour or height.
- Substations are required to be fenced. All wind energy facilities shall be enclosed within a locked protective chain link fence of a minimum height of 1.85 meters (6 ft.) and the design shall be included in the Development Permit application.
- Development and Building Permit applications for Wind Energy Facilities shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety via a Saskatchewan professional engineer.
- Sites having potentially dangerous or hazardous developments shall have visible signs stating any potential dangers. No hazardous waste shall be stored on the site.
- Council, at its discretion, may seek approval of this development from both internal and external referral agencies.

5.13 ABOVE-GROUND FUEL STORAGE TANKS

- Above-ground fuel storage tanks which meet the standards of the National Fire Code and which have a maximum capacity of 50,000 liters may be permitted in association with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use.
- The total storage capacity for above-ground fuel storage tanks on any single service station or gas bar site shall not exceed:
 - 150,000 liters for flammable liquids (gasoline);
 - 100,000 liters for combustible liquids (diesel fuel); and
 - 100,000 liters of propane.
- Above-ground fuel storage tanks shall be:
 - for uses other than service stations and gas bars, located at least 3.0 meters from any property line or building, the 3.0 metre separation distance may be reduced to 1.0 meter for tanks with a capacity of 5,000 liters or less;
 - for service stations and gas bars, located at least 6.0 meters from any property line or building;

- separated from each other and be accessible for firefighting purposes to the satisfaction of the Development Officer; and
- at least 15 meters from the boundary of any site within a Residential District.
- For uses other than service stations and gas bars, the dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3.0 meters from any property line, at least 7.5 meters from any open flame or other ignition source, and at least 4.5 meters from any door or window.
- For service stations and gas bars, the dispensing equipment associated with above-ground fuel storage tanks shall be located at least 6.0 meters from any property line, at least 7.5 meters from any open flame or other ignition source, and at least 4.5 meters from any door or window.
- Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.
- At service stations and gas bars, above-ground fuel storage tanks which are located in view of a front or flanking street shall be landscaped or screened to the satisfaction of the Development Officer.
- The maximum height of an above-ground fuel storage tank shall be limited to the maximum permitted height of a free-standing sign in the Zoning District.
- Painted lettering or other forms of signage may be located on above-ground fuel storage tanks subject to the sign regulations in the Zoning District.

5.14 EQUESTRIAN FACILITIES

- Shall be subordinate and incidental to the principal use of the site as an owner occupied agricultural or country residence;
- The maximum number of animals not normally attributed to the host site to be kept on-site shall be determined at the discretion of Council;
- An animal is kept, for purposes of this section, when it is on the site overnight;
- The applicant may be required to submit a storm water management plan for all areas of the site of land disturbed during or as a result of the development of the principal and supporting facilities;
- The applicant may be required to submit a report to the Municipality identifying the potential traffic resulting from the proposed development;
- The applicant may be required to contribute towards upgrading access roads if the municipal roadway networks require upgrading because of the impact of the facility;
- Offsite parking shall not be allowed;
- Details concerning water supply and sewage disposal strategies shall be included with the application.
- Council shall place any additional conditions for approval deemed necessary based upon a specific application

5.15 AGRICULTURE COMMERCIAL

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 Agriculture Commercial use:

- Agriculture Commercial uses shall be ancillary to an agriculture farm operation or rural residence.
- Agriculture Commercial uses shall be integrated into the rural environment by virtue of appropriate design, location and landscaping.
- One sign located on site, advertising the agriculture commercial use is permitted subject to the sign regulations contained herein.
- The use shall not create or become a public nuisance.
- The applicant may be required to contribute towards upgrading access roads if the municipal roadway networks require upgrading because of the impact of the commercial use.
- Agriculture Commercial uses shall not:
 - Unduly interfere with the amenities or change the character of the neighborhood;
 - Materially interfere with or affect the use and enjoyment of adjacent properties;
 - Adversely impact upon the environment.
- Council shall place any additional conditions for approval deemed necessary based upon a specific application.

6. ZONING DISTRICTS AND ZONING MAP

6.1 ZONING DISTRICTS

For the purpose of this Bylaw, the Rural Municipality of Spiritwood No. 496 is divided into several Zoning Districts that may be referred to by the appropriate symbols.

District	Symbol	District	Symbol
Agricultural Resource	AR	Lakeshore Development	LD
Low Density Country Residential Acreage	CR1	Commercial/Industrial	C/I
Medium Density Country Residential Acreage	CR2	Sensitive Environment Overlay	SE
Hamlet Residential	H		

6.2 ZONING DISTRICT MAPS

- .1 The maps, bearing the statement “This is the Zoning District Map referred to in Bylaw No. 4/2015” adopted by the Rural Municipality of Spiritwood No. 496, signed by the Reeve and Administrator under the seal of the Rural Municipality shall be known as the “Zoning District” map, and such maps are hereby declared to be an integral part of this Bylaw.

6.3 BOUNDARIES OF ZONING DISTRICTS

- .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.
- .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.

6.4 HOLDING DESIGNATION

- .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*.
- .2 Any lands subject to a holding provision shall only be used for the following uses:
 - a. Those uses existing on the land when the “H” is applied; and
 - b. Public works.



7. AGRICULTURAL RESOURCE DISTRICT - 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, livestock and poultry raising ranching, grazing, bee keeping 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 not including intensive livestock operations or agriculture related commercial operations
- b. One single detached dwelling, RTM, modular or mobile home following the placement thereof on a permanent foundation, is permitted as an accessory uses to a principal agriculture use;
- c. Market Gardens and Tree Nurseries;
- d. Grain Storage Yards;
- e. Telecommunications Facilities;
- f. Wildlife Conservation and Management Areas;
- g. Harvest Preserves, Game Farms;
- h. Public works buildings and structures including offices, warehouses, storage yards;
- i. Oil and gas exploration or extraction wells and related facilities which are not proposed in an Environmentally Sensitive Overlay District;
- j. Oil and gas wells, but excluding intensive oil and gas developments;
- k. Pipelines and related facilities which are not proposed in an Environmentally Sensitive Overlay District;
- l. Natural resource developments including mineral and forest products processing and related development facilities;
- m. Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;

7.2 DISCRETIONARY USES

The following uses may be permitted in the AR – Agricultural Resource District only by resolution of Council and only in locations specified by Council. Discretionary use requirements can be found in Section 5.

- a. One Accessory Agricultural Residence (refer to section 5.4);
- b. Single Parcel Residential Subdivisions, as approved by the approving authority;
- c. Bed and Breakfast Homes and Vacation Farms (refer to section 5.7);
- d. Home Occupation or Home-Based Business (refer to section 5.2);
- e. Garden Suites (refer to section 5.8);
- f. Residential Care Homes (refer to section 5.3);
- g. Equestrian Facilities (refer to section 5.14);
- h. Kennels (boarding, breeding & enclosures) (refer to section 5.9);
- i. Agricultural Tourism (refer to section 5.5);

- j. Agricultural Industry;
- k. Agricultural Commercial (refer to section 5.15);
- l. Oil & Gas Related Commercial Uses;
- m. Aggregate Resource Extraction, Storage and Processing; (refer to section 7.9);
- n. Campgrounds (refer to section 5.6);
- o. Wind Energy Systems (refer to section 5.12);
- p. Institutional and Recreational Uses;
- q. Intensive Livestock Operations;
- r. Private Airstrips;
- s. Solid and Liquid Waste Disposal Facility (refer to section 5.10);
- t. Cemetery, Crematorium;
- u. Salvage Yards (refer to section 5.11);
- v. Storage Compounds;

7.3 ACCESSORY BUILDINGS AND USES

- .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, though only if the principal permitted use or discretionary use has been established.
- .2 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- .3 Manure applications associated with livestock and agricultural composting are considered accessory to an agricultural operation where the spreading occurs on land that is owned, leased, controlled or signed under agreement with another land owner and included in an approved nutrient management plan. (Bylaw No. 2018-1)
- .4 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 Resource District.

7.4 SUBDIVISION AND SITE REGULATIONS

Public works shall have no minimum or maximum site requirements

Permitted and Discretionary Uses

Minimum site area	Permitted uses other than traditional grain farm, ranching, agricultural operation or agricultural holding (refer to Section 7.6): 4.05 hectares (10 acres) Residential uses: 4.05 hectares (10 acres) Campgrounds: 4.05 hectares (10 acres) All other discretionary uses: 1 hectare (2.47 acres)
Maximum site area	Permitted Uses: None All Discretionary Uses: 8.09 hectares (20 acres) A larger residential site size may be accommodated at council’s discretion based on physical or topographical limitations of the site, or being land of

	marginal to no agriculture value.
Minimum site frontage	30 meters (98 ft.)
Minimum front yard	All buildings shall be set back a minimum of 30.5 meters (100 ft.) from the right-of-way boundary of any undeveloped road or municipal road allowance. Or such greater distance as required by the Ministry of Highways and Transportation.
Minimum rear yard	15 meters (49 ft.) or 25% of the depth of the site whichever is the lesser
Minimum side yard	15 meters (49 ft.) except where a side yard abuts a municipal road allowance or a Provincial highway, the front yard requirements shall apply.
Minimum setback for trees, shelterbelts and other	All shelterbelts and tree plantings shall be setback 3 meters (10 feet) from the site lines. Portable structures, machinery and the storage of aggregate materials shall comply with the same setback requirements as the principal building.
Fence Lines	Fence lines shall be setback 0.3 meter (1.0 ft.) from the site line that abuts any municipal right-of-way. For site lines that do not abut any municipal right of way, fence lines may be built right up to, but not on top of, the site line.

- .1 No dwelling shall be located with less than a minimum separation distance to an operation of other than the residence of the operation as follows:
 - .1 The separation distance to an Intensive Livestock Operation as regulated in Section 7.10;
 - .2 457 meters (1000 ft.) from a licensed public or private liquid waste disposal facility;
 - .3 457 meters (1500 ft.) from a licensed public or private solid waste disposal facility;
 - .4 305 meters (1000 ft.) from a honey processing facility;
 - .5 550 meters (1800 ft.) from a wind energy facility;
 - .6 Council may reduce the minimum separation distance to the operations listed above, as a special standard where the applicant submits a written agreement to Council between the land owner of the dwelling and the owner of the operation agreeing to the reduced separation (Council shall maintain a register of all such agreements);
 - .7 305 meters (1000 ft.) to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan; or
 - .8 600 meters (1968 ft.) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan.
- .2 No dwelling, other buildings or structures (including grain bins) shall be located within the approach surface for any airport or airstrip.

7.5 SIGNAGE

Large Scale Agricultural Uses	Free standing signs shall not exceed a gross surface area of 11m ² (118 ft ²) and no higher than 8.0 meters (26 ft.) in total height. One attached sign shall be permitted not exceeding 5.6 m ² (60 ft ²) in facial area. 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.
Institutional / Recreational Uses	Free standing signs shall not exceed a facial area of 5.0 m ² (54 ft ²) and a height of 2.5 meters (8.2 ft.). One attached sign shall be permitted not exceeding 5.6 m ² (60 ft ²) in facial area. Signage shall maintain a separation distance of 12.0 meters (39 ft.) for every square meter of area of the larger of the two signs.
Farm Related Commercial and Home Businesses	1 sign per building frontage to a maximum facial area of 1.0 m ² (10.7 ft ²) for an approved commercial use. Maximum 2.5 meters (8.2 ft.) in height. Illumination limited to 75 watts and shall not include electronic message boards.

7.6 SUPPLEMENTARY DEVELOPMENT STANDARDS

Agricultural Use

- .1 The minimum site area constituting a traditional grain farm, ranching agricultural operation, or agricultural holding shall be 64.80 ha (160 acres) or equivalent. Equivalent shall mean 64.80 ha (160 acres) or such lesser amount as remains in an agricultural holding because of the original township survey, road widening, road right-of-way or railway plans, drainage ditch, pipeline, or transmission line development or government action, natural features such as water courses or water bodies, or as a result of subdivision as permitted herein.
- .2 Removed (Bylaw No. 2023-1)
- .3 Removed (Bylaw No. 2023-1)
- .4 Any agricultural site which does not conform to the minimum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation (ISC) prior to the coming into force of this Bylaw.
- .5 A reduced agricultural site area below 64.5 hectares (160 acres), may be permitted at Council's discretion where it is demonstrated necessary for reasons that meet the criteria of the District Plan. Sites for agricultural uses with a reduced area are permitted, provided that no resulting parcel of land in the quarter section shall be less than 16.2 hectares (40 acres).

All Other Uses

- .6 Where a subdivision is proposed to establish an intensive livestock operation or aggregate extraction site and where it is demonstrated to Council's satisfaction that additional space is necessary, are exempt from the maximum site size allowable.

- .7 A reduced agricultural site area of less than 64.5 hectares (160 acres) may be permitted at Council's discretion where it is demonstrated necessary for reasons that meet the criteria of the District Plan. Sites for agricultural uses with a reduced area are permitted, provided that no resulting parcel of land in the quarter section shall be less than 16.2 hectares (40 acres)."Subdivision proposing to separate title for a farmstead existing prior to the coming into force of this Bylaw shall be considered.
9. Subdivision Density: A maximum of three (3) subdivisions (agricultural, residential or commercial/industrial) may be permitted per quarter section (160 acres) in the Agricultural Resource District. Such subdivisions shall not exceed the creation of more than four legal parcels, unless it is rezoned to an appropriate Zoning District and is consistent with District Plan Policies and Future Land Use Map." (Bylaw No. 16-2017)
10. Subdivision proposing to establish new non-farm, single parcel country residential sites beyond the three subdivisions shall be subject to rezoning to a Country Residential District and compliance with all relevant area, frontage and setback requirements of that Zoning District.
11. There shall be no minimum area required for a subdivision facilitating cemeteries, crematoria and mausoleums, radio, television towers, or related facilities.

7.7 HARVEST PRESERVES

- .1 In addition to the general requirements regarding discretionary use applications provided in Section 5 of this Bylaw, the following additional considerations shall be made for all applications for a harvest preserve:
 - a. Shall be ancillary to an agricultural farm operation or rural residence;
 - b. Shall be located a minimum of 1.6 kilometers from any other residential site;
 - c. Shall comply with all Federal and Provincial legislation and regulation;
 - d. Shall comply with the Agricultural Tourism Development requirements in Section 5.5; and
 - e. Council may apply special standards as a condition of discretionary approval limiting the size of operation, buildings used for the operation, and any other measures deemed necessary.

7.8 OIL AND GAS WELL ACTIVITIES

- .1 The Municipality may apply special standards as outlined in *The Municipalities Act, 2005*, to protect the municipal interest when transportation, utility, and pipeline facilities cross Municipal roads, or when seismic activity is proposed on roads or road allowance.
- .2 To minimize conflict between natural resource extraction, or oil and gas operations and surrounding land uses, no development shall be approved within 125 meters (410 feet) of an existing, proposed, abandoned, or reclaimed well or facility as defined by the *Oil and Gas Conservation Regulations, 2012*.
- .3 Permanent structures or other improvements (including all temporary structures) are to be placed at a minimum of 45.7 meters (150 ft.) from the center of the road and a minimum of 91.4 meters (300 ft.) from the center of the road at intersections.

7.9 AGGREGATE EXTRACTION

.1 In addition to the general requirements regarding discretionary use applications provided in Section 5 of this Bylaw, the following additional considerations shall be made for all applications for an Aggregate Extraction activity:

- a. For the purpose of this Section, Aggregate Extraction shall mean, excavation other than for construction, building or for purposes of creating an artificial body of water, including but not limited to, sand and gravel mining, topsoil stripping.
- b. An application proposing a new aggregate extraction use or an expansion to an existing aggregate extraction operation shall be a temporary and discretionary use and shall adhere to all appropriate Provincial and Federal regulations.
- c. In reviewing applications for aggregate resource extraction operations, the environmental implications of the operation including plans for site restoration shall be considered.
- d. The applicant shall submit plans and a narrative including:
 - i. The location and area of the site where the excavation is to take place;
 - ii. The expected life of the deposit if applicable;
 - iii. The type and dimensions including average depth of the proposed excavation, and the effect on existing drainage patterns on and off the site;
 - iv. Identification of the outdoor noise and the discharge of substances into the air;
 - v. The methods for preventing, controlling, or reducing erosion;
 - vi. proposed access and hauling activities (including number of trucks, tonnage, and hours of hauling);
 - vii. proposed extraction, operation, and staging (including years, dates and hours of operation);
 - viii. The condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected.
- e. Aggregate resource extraction industries are permitted in accordance with the following conditions:
 - i. The applicant shall ensure that dust and noise control measures are undertaken to prevent such items from becoming an annoyance to neighboring land owners. The applicant shall conduct dust control procedures at the request of and to the satisfaction of the Rural Municipality. In this regard, stock piles shall be located in a position to act as a sound barrier. Also, the applicant shall apply methods of minimizing the noise created from machinery and equipment.
 - ii. The applicant shall keep the area subject to the Development Permit in a clean and tidy condition free from rubbish and non-aggregate debris.
 - iii. Access routes into extraction areas shall be located away from residential areas.
 - iv. A disturbed area shall be reclaimed to a land capability equivalent to the pre-disturbance land capability (e.g. agricultural land) or a post-disturbance condition and land use (e.g. conversion to wetland) which are satisfactory to the Municipality. These

conservation and reclamation procedures shall be in accordance with Saskatchewan Environment Reclamation Guidelines for Sand and Gravel Operators.

- v. Any aggregate resource extraction industry proposed to be located within 100 meters (328 ft.) of any municipal road, Provincial Highway, creek or Lake shall be permitted. Only where it would not adversely impact the environment, or materially interfere with or affect adjacent lands.
- vi. Aggregate resource extraction industries shall have regard to adjacent land uses and no material is to be stored or piled on any road allowance or within 30.0 meters (98 ft.) of the bank of any watercourse.
- vii. The general resource extraction operator and any person who hauls the aggregate may be required to enter into a road maintenance agreement.
- viii. The aggregate resource extraction operator must report the amount of aggregate extracted by November 1 of each year or the end of the hauling season whichever comes first.
- ix. The Council may require the aggregate resource extraction operator to post a performance bond to guarantee adherence to the above noted agreements.

7.10 INTENSIVE LIVESTOCK OPERATION

1. 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:
 - b.
 - i. New ILOs;
 - ii. Expansion of Existing ILOs;
 - iii. Any temporary facility or part of a site; or
 - iv. The alteration of an animal species in an approved operation.
 - c. In addition to any requirements contained herein, all applications for an ILO shall conform to the regulations provided within *The Agricultural Operations Act, 1995*.
 - d. Identification of the reason for a 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 soils and water test conducted by a qualified agricultural engineer to confirm that the site selected is capable of accommodating the proposed activities.
 - e. 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.
 - f. Servicing requirements associated with the operation including, though not limited to, road upgrades and availability of adequate water sources.
 - g. Type, volume and frequency of traffic associated with the transportation of animals and food/feed to and from the site.

- h. 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.
- i. The applicant shall be responsible for submitting a site plan and a copy of the ILO permit from the Ministry of Agriculture where required under the *Agricultural Operations Act* that includes: (Bylaw No. 2018-1)
 - i. The size and type of facility;
 - ii. The location of existing and proposed building and the distance from the development site to every residence within 1.6 km (1 mile).
- j. The minimum separation distance between occupied dwellings riparian areas and the location where manure is to be spread is listed below. Distances are measured between edge of the manure application area and the edge of a nearest property boundary in meters. (Bylaw No. 2018-1)

Method of Manure Application	Injected	Incorporated within 24 hours	No Incorporation
Multi-Parcel Country Residential Acreages	200 meters (656 ft.)	400 meters (1,312 ft.)	800 meters (2,624 ft.)
Riparian Areas	10 meters (32 feet)	20 meters (65 feet)	30 meters (98 feet)

- k. 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.

Type of Development	100-299 Animal Units	300-499 Animal Units	501-1000 Animal Units	1001-2000 Animal Units	> 2000 Animal Units
Single family dwelling, tourist accommodation or campground	300 m	400 m	800 m	1200 m	1600 m
Multi-Parcel Residential & Lakeshore Development	400 m	800 m	1200 m	1600 m	2400 m

Urban Municipality	1600 m	2400 m	3200 m	3200 m	3200 m
Commercial/Industrial	300 m	400 m	500 m	800 m	1200 m

- l. ILOs shall refer to the following recommended minimum distance separations: (Bylaw 18/1)
- m. 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.
- n. In determining proximity to a multi-parcel residential subdivision, village, hamlet, 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.
- o. 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.
- p. 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.
- q. 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 SUPPLEMENTARY DISCRETIONARY USE STANDARDS

- .1 All discretionary use applications shall follow the general the discretionary use evaluation criteria as outlined in Section 3.9 and others that may be specified.
- .2 **Discretionary Commercial Uses:**
 - a. Where ancillary to a farm operation, or single detached dwelling, Council may prescribe specific development standards in the issuing of a development permit limiting the size of operation, buildings used for the operation, and number of non-resident employees. Any increase in the area of land for a commercial use, or the number of size of buildings used for the commercial operation, shall require a new discretionary approval by Council.
 - b. Council may specify specific development standards for the location, setback, or screening of any area devoted to the outdoor storage of machinery, vehicles, or vehicular parts in conjunction with a commercial operation including any salvage or vehicle storage.



8. LOW DENSITY COUNTRY RESIDENTIAL DISTRICT – CR1

The purpose of the Low Density Country Residential Acreage District (CR1) is to accommodate clusters of rural residential lifestyle choice where the essential land requirement is for a building site and space rather than for productive agricultural purposes.

In any Low Density Country Residential District (CR1), 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, 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. Public works, buildings, and structures, warehouses and storage yards.

8.2 DISCRETIONARY USES

The following uses may be permitted in the CR1 – Low Density Country Residential District only by resolution of Council and only in locations specified by Council. Discretionary use requirements can be found in Section 5.

- a. Garden Suites (refer to section 5.8);
- b. Residential Care Homes (refer to section 5.3);
- c. Equestrian facilities (refer to section 5.14);
- d. Home Based Business or Occupation (refer to section 5.2);
- e. Artisan or Craft Workshop;
- f. Child and Adult Care Homes;
- g. Bed and Breakfast Home (refer to section 5.7);
- h. Recreational Use;
- i. Institutional Use;
- j. Wind Energy Systems (refer to section 5.12);
- k. Animal Kennels (refer to section 5.9).

8.3 PROHIBITED USES

The following uses shall be strictly prohibited within Low Density Country Residential District (CR1):

- 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.
- c. The use and placement of recreational vehicle trailers for the purposes of permanent residency or accommodation.
- d. The use and placement of any unlicensed (de-commissioned) rail or sea container, truck, bus or coach body for the purpose of storage, advertising and/or private warehousing.
(Bylaw No. 3-2019)

8.4 ACCESSORY BUILDINGS AND USES

- .1 A permitted accessory use/building shall be defined as any buildings, structures or a use which is customarily accessory to the principal use of the site, but only if the principal permitted use or discretionary use has been established.
- .2 All accessory uses, buildings or structures require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

8.5 SUBDIVISION AND SITE REGULATIONS

Public works shall have no minimum or maximum site requirements

Permitted and Discretionary Uses

Minimum site area	Residential Uses: 0.81 hectares (2.0 acres) Institutional, Recreational, and Commercial: 1.0 hectares (2.47 acres)
Maximum site area	All Discretionary Uses: 4.05 hectares (10.0 acres)
Minimum front yard	All buildings shall be set back a minimum of 30.5 meters (100 ft.) from the right-of-way boundary of any undeveloped road or municipal road allowance. Or such greater distance as required by the Department of Highways and Transportation.
Minimum rear yard	6.0 meters (20 ft.) or 25% of the depth of the site whichever is the lesser.
Minimum side yard	3.1 meters (10 ft.) except where a side yard abuts a municipal road allowance or a Provincial highway, the front yard requirements shall apply.
Building Floor Area requirements	Principal buildings shall have a minimum floor area of 74.32m ² (800 ft ²).
Minimum setback for trees shelterbelts and other	All shelterbelts and tree plantings shall be setback 3 meters (10 feet) from the site lines. Portable structures, machinery and the storage of aggregate materials shall comply with the same setback requirements as the principal building.
Fence Lines	Fence lines shall be setback 0.3 meter (1.0 ft.) from the site line that abuts any municipal right-of-way. For site lines that do not abut any municipal right of way, fence lines may be built right up to, but not on top of, the site line.

8.6 SUPPLEMENTARY REGULATIONS OR SPECIAL PROVISIONS

- .1 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, and water bodies, there shall be no maximum site area.
 - a. Existing Country 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.
- .2 The maximum size of the subdivision area for an individual multi-parcel Country Residential development shall be 64.8 hectares (160 acres).
- .3 Parcels contained within the development, designated as undeveloped public open space in excess of the minimum required for municipal reserve by legislation shall be included in the calculation of the average lot size for a development.
- .4 Any parcel which does not conform to the minimum or maximum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation prior to the coming into force of this Bylaw.
5. Subdivision Density: To rezone into the CR1 – Low Density Country Residential District requires a minimum of **four (4)** residential subdivisions to a maximum of **nine (9)** residential subdivisions may be permitted per quarter section (160 acres) in the CR1 – Low Density Country Residential District and is consistent with District Plan Policies and Future Land Use Map.” (Bylaw No. 16-2017)
6. Institutional, general commercial, recreational land uses, as well as public utilities, shall have no minimum or maximum area requirement.

8.7 SIGNAGE

- .1 The following permanent signage requirements will apply:
 - a. One permanent sign is permitted per site. The facial area of a sign shall not exceed 1.0 m² (10.7 ft²);
 - 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 1.0 m² advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

8.8 OUTDOOR STORAGE

- .1 Outdoor storage is permitted in a side or rear yard in a Country Residential District only when the goods or materials being stored are clearly accessory and incidental to the principal use of the property.

- .2 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.
- .3 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.
- .4 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.
- .5 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

8.9 KEEPING OF LIVESTOCK

- .1 Animals shall not be pastured within 15 meters (49 ft.) of any dwelling not owned by the owner of the animals.
- .2 No buildings or structures intended to contain birds or animals shall be located within 30.5 meters (100 ft.) of a dwelling.
- .3 The keeping of livestock shall be permitted in any Country Residential District in accordance with the following schedule:

Parcel Size	Maximum Number of Animal Units Permitted
At least 2 hectares (4.9 acres)	2
At least 4 hectares (10 acres)	4
For each additional 1.2 hectares (3 acres)	1

8.10 SUPPLEMENTARY DISCRETIONARY USE STANDARDS

- .1 All discretionary use applications shall follow the general the discretionary use evaluation criteria as outlined in Section 3.9 and others that may be specified.
- .2 Specific Discretionary Use Evaluation Criteria for ***Community service uses, Institutional uses, and public and commercial recreational facilities:***
 - a. The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads.
 - b. Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
 - c. Vehicle car parking and access areas should not form a dominant element in the streetscape.

.3 Residential Care Homes:

- a. The development will be entirely consistent with the residential development on adjacent parcels.

9. MEDIUM DENSITY COUNTRY RESIDENTIAL DISTRICT – CR2

The purpose of the Medium Density Country Residential District (CR2) is to accommodate clusters of rural residential lifestyle choice where the essential land requirement is for a building site and space rather than for productive agricultural purposes.

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

9.1 PERMITTED USES

- 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. Public works, buildings, and structures, warehouses and storage yards.

9.2 DISCRETIONARY USES

The following uses may be permitted in the CR2 – Medium Density Country Residential District only by resolution of Council and only in locations specified by Council. Discretionary use requirements can be found in Section 5.

- a. Multi-parcel Country Residential Development;
- b. Bare Land Condominium Development;
- c. Garden Suites (refer to section 5.8);
- d. Residential Care Homes (refer to section 5.3);
- e. Equestrian facilities (refer to section 5.14);
- f. Home Based Business or Occupation (refer to section 5.2);
- g. Artisan or Craft Workshop;
- h. Child and Adult Care Homes;
- i. Personal Service Trade;
- j. Bed and Breakfast Home (refer to section 5.7);
- k. Recreational Use;
- l. Institutional Use;
- m. Animal Kennels (refer to section 5.9).

9.3 PROHIBITED USES

The following uses shall be strictly prohibited within Medium Density Country Residential District (CR2):

- 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.
- c. The use and placement of recreational vehicle trailers for the purposes of permanent residency or accommodation.

- d. The use and placement of any unlicensed (de-commissioned) rail or sea container, truck, bus or coach body for the purpose of storage, advertising and/or private warehousing.
(Bylaw No. 3-2019)

9.4 ACCESSORY BUILDINGS AND USES

- .1 A permitted accessory use/building shall be defined as any buildings, structures or a use which is customarily accessory to the principal use of the site, but only if the principal permitted use or discretionary use has been established.
- .2 All accessory uses, buildings or structures require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

9.5 SUBDIVISION AND SITE REGULATIONS

Public works shall have no minimum or maximum site requirements

Permitted and Discretionary Uses

Minimum site area	Residential: 0.81 hectares (2 acres) Institutional & Commercial: 900 m ² (9,688 ft ²)
Maximum site area	4 hectares (9.9 acres)
Minimum site frontage	30.5 meters (100 ft.)
Minimum front yard	All buildings shall be set back a minimum of 30.5 meters (100 ft.) from the right-of-way boundary of any undeveloped road or municipal road allowance. Or such greater distance as required by the Department of Highways and Transportation. Sites which front on an internal subdivision road which shall be set back a minimum of 15 meters (49 ft.) from the front site line.
Minimum rear yard	Principal buildings shall be set back a minimum of 6.0 meters (20 ft.) from the rear property line. Accessory buildings shall be set back a minimum of 5.0 meters (16 ft.).
Minimum side yard	All buildings shall be set back a minimum of 3 meters (10 ft.), except where a side yard abuts a Municipal road allowance or a Provincial highway, the front yard requirements shall apply.
Building Floor Area requirements	Principal buildings shall have a minimum floor area of 74.32m ² (800 ft ²) Accessory buildings shall have a maximum floor area no greater in size than 1.5 times the floor area of the principal building, with a maximum of 278.7 m ² (3,000 ft ²).

Minimum setback for trees shelterbelts and other	All shelterbelts and tree plantings shall be setback 3 meters (10 feet) from the site lines. Portable structures, machinery and the storage of aggregate materials shall comply with the same setback requirements as the principal building.
Fence Lines	Fence lines shall be setback 0.3 meter (1.0 ft.) from the site line that abuts any municipal right-of-way. For site lines that do not abut any municipal right of way, fence lines may be built right up to, but not on top of, the site line.

9.6 SUPPLEMENTARY REGULATIONS OR SPECIAL PROVISIONS

- .1 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, and water bodies, there shall be no maximum site area;
 - a. Existing Country 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.
- .2 The maximum size of the subdivision area for an individual multi-parcel Country Residential development shall be 64.8 hectares (160 acres).
- .3 Parcels contained within the development, designated as undeveloped public open space in excess of the minimum required for municipal reserve by legislation shall be included in the calculation of the average lot size for a development.
- .4 Any parcel which does not conform to the minimum or maximum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation prior to the coming into force of this Bylaw.
- .5 Subdivision Density: To rezone into the CR2 – Medium Density Country Residential District requires a minimum of **ten (10)** residential subdivisions to a maximum of **twenty (20)** residential subdivisions may be permitted per quarter section (160 acres) in the CR2 – Medium Density Country Residential District and is consistent with District Plan Policies and Future Land Use Map.” (Bylaw No. 16-2017)
- .6 Institutional, general commercial, recreational land uses, as well as public utilities, shall have no minimum or maximum area requirement.

9.7 SIGNAGE

- .1 The following permanent signage requirements will apply:
 - a. One permanent sign is permitted per site. The facial area of a sign shall not exceed 1.0 m² (10.7 ft²);
 - 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 1.0 m² advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

9.8 OUTDOOR STORAGE

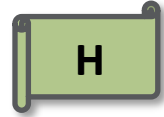
- .1 Outdoor storage is permitted in a side or rear yard in a Country Residential District only when the goods or materials being stored are clearly accessory and incidental to the principal use of the property.
- .2 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- .3 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.
- .4 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.
- .5 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

9.9 SUPPLEMENTARY DISCRETIONARY USE STANDARDS

- .1 All discretionary use applications shall follow the general the discretionary use evaluation criteria as outlined in Section 3.9 and others that may be specified.
- .2 Specific Discretionary Use Evaluation Criteria for ***Community service uses, Institutional uses, and public and commercial recreational facilities:***
 - d. The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads.
 - e. Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
 - f. Vehicle car parking and access areas should not form a dominant element in the streetscape.
- .3 ***Residential Care Homes:***
 - a. The development will be entirely consistent with the residential development on adjacent parcels.
- .4 ***Home-based Businesses:***
 - a. No home-based businesses in this district shall include auto body repair or repainting operations.

- b. No heavy construction or industrial equipment shall be stored on any site for a home-based business in this district.

10 HAMLET RESIDENTIAL DISTRICT – H



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

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:

10.1 PERMITTED USES

- a. One single-detached 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. Parks and Playgrounds;
- d. Artisan or Craft Workshop;
- e. Public works, buildings, and structures, warehouses and storage yards;
- f. Institutional Use and Community Services;
- g. Municipal offices, libraries, historic and cultural institutions;

10.2 DISCRETIONARY USES

The following uses may be permitted in the H – Hamlet Residential District only by resolution of Council and only in locations specified by Council. Discretionary use requirements can be found in Section 5.

- a. Residential Care Home (refer to section 5.3);
- b. Bed and Breakfast Home (refer to section 5.7);
- c. Convenience Store;
- d. Home Based Business or Occupation (refer to section 5.2);
- e. Personal Service Trade;
- f. Recreational - sports fields, swimming pools, curling rinks, skating rinks, tennis courts, and other similar uses;
- g. Lodges, social clubs, service clubs;
- h. Wind Energy Systems (refer to section 5.12);
- i. Places of Worship and Community Halls;
- j. Animal Kennels (refer to section 5.9).

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. All uses of buildings and land except those specifically noted as permitted or discretionary;
- c. The use and placement of recreational vehicle trailers for the purposes of permanent residency or accommodation.

- d. The use and placement of any unlicensed (de-commissioned) rail or sea container, truck, bus, or body coach for the purpose of storage, advertising or private warehousing.
(Bylaw No. 3-2019)

10.4 SUBDIVISION AND SITE REGULATIONS

Public works shall have no minimum or maximum site requirements

Permitted and Discretionary Uses

Minimum site area	Residential: 800m ² (8611 ft ²) Institutional & Commercial: 900 m ² (9,688 ft ²) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum site area.
Minimum site frontage	Commercial uses: 30.48 meters (100 ft.) All other uses: 18.0 meters (60 ft.) Sites for public utilities and institutional uses may be exempted from minimum frontage and site area requirements.
Minimum front yard	Principal and accessory buildings shall be set back a minimum of 6.0 meters (20 ft.) from the property line adjacent to a municipal road allowance. In the case where a front yard abuts a Provincial highway, the requirements of the Department of Highways and Transportation will apply.
Minimum rear yard	Principal buildings shall be set back a minimum of 6.0 meters (20 ft.) from the rear property line. Accessory buildings shall be set back a minimum of 5.0 meters (16 ft.).
Minimum side yard	All buildings shall be set back a minimum of 3 meters (10 ft.), except where a side yard abuts a municipal road allowance or a Provincial highway, the front yard requirements shall apply.
Building floor area requirements	Principal buildings shall have a minimum floor area of 27.87m ² (300 ft ²) Accessory buildings shall have a maximum floor area no greater in size than 1.5 times the floor area of the principal building.
Minimum setback for trees shelterbelts and other	All shelterbelts and tree plantings shall be setback 3 meters (10 feet) from the site lines. Portable structures, machinery and the storage of aggregate materials shall comply with the same setback requirements as the principal building.
Fence Lines	Fence lines shall be setback 0.3 meter (1.0 ft.) from the site line that abuts any municipal right-of-way. For site lines that do not abut any municipal right of way, fence lines may be built right up to, but not on top of, the site line.

- .1 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, and 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.
- .2 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.
- .3 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 of 1.8 meters (5.9 ft.) 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 meters (2 feet) into any required yard.

10.5 ACCESSORY BUILDINGS AND USES

- .1 A permitted accessory use/building shall be defined as any buildings, structures or a use which is customarily accessory to the principal use of the site, but only if the principal permitted use or discretionary use has been established.
- .2 All accessory uses, buildings, or structures require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

10.6 SIGNAGE

- .1 The following permanent signage requirements will apply:
 - a. One permanent sign is permitted per site. The facial area of a sign shall not exceed 1.0 m² (10.7 ft²);
 - 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 1.0 m² (10.7 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted;
- e. Recreational and Institutional Services have the ability to display one permanent sign of which the facial area of the sign does not exceed 4.0m² (43 ft²).

10.7 FENCE AND HEDGE HEIGHTS

- .1 No hedge, fence or other structure shall be erected past any property line.
 - a. In a required front yard, a height of more than 1.0 meter (3.3 ft.) above grade level.
 - b. In a required rear yard, a height of more than 2.0 meters (6.6 ft.) above grade level.
- .2 Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 meters (6.6 ft.).
- .3 No barbed wire or razor wire fences shall be allowed.

10.8 OUTDOOR STORAGE

- .1 The outdoor storage or collection of goods and materials is prohibited in a front yard in any Hamlet Residential District.
- .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.
- .3 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.
- .4 Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles, operating equipment, and machinery normally used for the maintenance of the residential property, vehicles, or vehicular parts.
- .5 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

10.9 SUPPLEMENTARY DISCRETIONARY USE STANDARDS

- .1 All discretionary use applications shall follow the general the discretionary use evaluation criteria as outlined in Section 3.9 and others that may be specified.
- .2 Specific Discretionary Use Evaluation Criteria for **Convenience Stores**:
 - a. Convenience stores should, where possible, be located on corner sites only.
 - b. The location of the convenience store will only be favorably considered where it can be determined that residential amenity will not be unreasonably compromised.
 - c. Vehicle car parking and access areas should not form a dominant element in the streetscape.

- d. Any new parking and loading areas should be landscaped to improve the visual appearance of the site.
- .3 Specific Discretionary Use Evaluation Criteria for *Community Service uses, schools, clubs, places of worship, public and commercial recreational facilities:***
- a. Schools, clubs and places of worship should, where possible, be located on corner sites to facilitate access.
 - b. Public elementary and secondary schools should, where possible, be located adjacent to public open spaces.
 - c. The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads.
 - d. Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
 - e. Vehicle car parking and access areas should not form a dominant element in the streetscape.
- .4 *Residential Care Homes:***
- a. The development will be entirely consistent with the residential development on adjacent parcels.
- .5 *Home-based Businesses:***
- a. No home-based businesses in this district shall include auto body repair or repainting operations.
 - b. No heavy construction or industrial equipment shall be stored on any site for a home-based business in this district.

11. LAKESHORE DEVELOPMENT DISTRICT – LD

The purpose of the Lakeshore Development District (LD) is to ensure compatibility between the built form and the natural environment of the region.

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

11.1 PERMITTED USES

- a. One single-detached dwelling, 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. Artisan or Craft Workshop;
- d. Recreational - parks, playgrounds, tennis courts, and other similar uses.

11.2 DISCRETIONARY USES

The following uses may be permitted in the LD – Lakeshore Development District only by resolution of Council and only in locations specified by Council. Discretionary use requirements can be found in Section 5.

- a. Commercial Recreation Facilities (i.e. rinks and marinas);
- b. Public sports fields and parks;
- c. Home Based Business or Occupation (refer to section 5.3);
- d. Community halls, museums and libraries;
- e. Residential Care Homes;
- f. Bed and Breakfast Home (refer to section 5.7);
- g. Multi-Unit residential dwellings;
- h. Tourist campgrounds for rental to tourists on a seasonal basis;
- i. Tourist cabins for rental on a seasonal basis;
- j. Bunk house/temporary sleeping quarters;
- k. Wind energy systems (refer to section 5.12);
- l. Commercial operations or activities;
- m. Animal Kennels (refer to section 5.9);
- n. Solid and Liquid Waste Disposal Facility (refer to section 5.10).

11.3 PROHIBITED USES

The following uses shall be strictly prohibited within a Lakeshore Development District (LD):

- 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. Off-road vehicles are restricted to established paths and trails on public lands;
- c. The keeping of livestock;
- d. The use and placement of any unlicensed (de-commissioned) rail or sea container, truck, bus or body coach for the purpose of storage, advertising and/or private warehousing.

- e. The use and placement of recreational vehicle trailers for the purposes of permanent residency or accommodation;
- f. Mobile Homes;
- g. All keeping of junked cars, abandoned vehicles and similar material;
- h. All uses of buildings and land except those specifically noted as permitted or discretionary.

11.4 SUBDIVISION AND SITE REGULATIONS

Public works shall have no minimum or maximum site requirements

Permitted and Discretionary Uses

Minimum site area	1,115 m ² (12,000 ft ²)
Minimum site frontage	20.0 metres (66 ft.)
Maximum site coverage	60%
Minimum Parking spaces	1
Minimum Front Yard	6.0 metres (20 ft.) (Bylaw No. 2018-1)
Minimum Rear Yard	3.0 metres (10 ft.) (Bylaw No. 2018-1)
Minimum Side Yard	3.0 meters (10 ft.) unless on a corner site, the side yard shall be 6.0 meters (20 ft.)
Building Floor Area Requirements	Principal buildings shall have a minimum floor area of 74.32m ² (800 ft ²) Accessory buildings shall have a maximum floor area no greater in size than 1.5 times the floor area of the principal building.
Fence Lines	Fence lines shall be setback 0.3 meter (1.0 ft.) from the site line that abuts any municipal right-of-way. For site lines that do not abut any municipal right of way, fence lines may be built right up to, but not on top of, the site line.

- .1 Institutional and Recreational: No minimum site area
- .2 In the case of a parcel that existed prior to the adoption of this Bylaw, there shall be no minimum site area.

11.5 ACCESSORY BUILDING AND USES

- .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, though only if the principal permitted use or discretionary use has been established.
- .2 All accessory uses, buildings or structures require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.

- .3 Any buildings, structures, or uses, which are accessory to the principle use of the site, though only after the principle use or discretionary use has been established. Accessory buildings are limited to:
 - a. Accessory buildings shall have a maximum floor area no greater than 1.5 times the floor area of the principal building.
 - b. Two other (2) detached sheds or buildings accessory to the principle dwelling unit on the site. All other accessory buildings shall not exceed 27.8 m² (300 ft²).
- .4 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- .5 The maximum floor area for a bunk house/temporary sleeping quarters shall be 55.7 m² (600 ft²).
- .6 The maximum height for a 2-storey boathouse or 2-storey accessory building is 6.7 meters (22 ft.) measured from the lowest point of the perimeter of the building to the ridge of the roof.
- .7 All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.
- .8 All portable structures shall comply with the same setback requirements as for buildings.

11.6 SIGNAGE

- .1 The following permanent signage requirements will apply:
 - a. One permanent sign is permitted per site. The facial area of a sign shall not exceed 1.0 m² (10.7 ft²);
 - 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 1.0 m² (10.7 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

11.7 FENCE AND HEDGE HEIGHTS

- .1 No hedge, fence or other structure shall be erected past any property line.
 - a. In a required front yard, a height of no more than 1.0 meter (3.3 ft.) above grade level.
 - b. In a required rear yard, a height of no more than 2.0 meters (6.6 ft.) above grade level.
- .2 Except permitted accessory buildings, no fence, or other structure shall be erected to a height of more than 2.0 meters (6.6 ft.).
- .3 No barbed wire or razor wire fences shall be allowed.

11.8 OFF-SEASON STORAGE

- .1 The storage of one fishing shack or trailer shall be placed in a proper manner so as not to create a nuisance or view obstruction to adjacent property owners.
- .2 Empty lots are restricted from the temporary storing of seasonal buildings or recreational equipment vehicles.

11.9 OUTSIDE STORAGE

- .1 No outdoor storage shall be permitted in the required front yard or any residential site.
- .2 No yard shall be used for the storage or collection of hazardous material.
- .3 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage.
- .4 No wrecked, partially dismantled, or inoperable vehicle or machinery shall be stored or displayed in any required yard.
- .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.
- .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.
- .7 Outdoor storage is permitted in a side or rear yard in a Lakeshore Residential District only when the goods or material being stored are clearly accessory and incidental to the principal use of the property.

11.10 REMOVAL OF TREES

- .1 Access ways shall not be cleared greater than 3 meters (10 ft.) in width.
- .2 Existing trees and vegetation shall be retained where possible and incorporated into site planning. A variety of native trees and vegetation is encouraged to minimize maintenance and water use. (Bylaw 2020-2)

11.11 SUPPLEMENTARY DISCRETIONARY USE STANDARDS

- .1 All discretionary use applications shall follow the general the discretionary use evaluation criteria as outlined in Section 3.9 and others that may be specified.
- .2 Specific Discretionary Use Evaluation Criteria for ***Community Service uses, schools, clubs, places of worship, public and commercial recreational facilities:***
 - a. Schools, clubs and places of worship should, where possible, be located on corner sites to facilitate access.

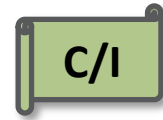
- b. Public elementary and secondary schools should, where possible, be located adjacent to public open spaces.
- c. The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads.
- d. Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
- e. Vehicle car parking and access areas should not form a dominant element in the streetscape.

.3 Residential Care Homes:

- a. The development will be entirely consistent with the residential development on adjacent parcels.

.4 Home-based Businesses:

- a. No home-based businesses in this district shall include auto body repair or repainting operations.
- b. No heavy construction or industrial equipment shall be stored on any site for a home-based business in this district.



12 COMMERCIAL/INDUSTRIAL DISTRICT – C/I

The purpose of the Commercial/Industrial District (C/I) is to facilitate a diverse range of commercial and industrial activities located primarily along municipal roadways, and Provincial highways.

In any Commercial/Industrial District (C/I), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:

12.1 PERMITTED USES

- a. Accessory Building/Uses;
- b. Offices and Professional Office Buildings;
- c. General Commercial Type I;
- d. General Industry Type I;
- e. Research Laboratories;
- f. Service Stations, Car Wash or Gas Bar;
- g. Cardlock Operations;
- h. Hotels or Motels;
- i. Trucking Firm Establishment;
- j. Contractor's Yard;
- k. Sale, rental, leasing and associated servicing of automobiles, trucks, motorcycles and recreational vehicles excluding industrial equipment and agricultural implements;
- l. Small Scale Repair Services;
- m. Wind Energy Systems;
- n. Recycling and collection depot.

12.2 DISCRETIONARY USES

The following uses may be permitted in the C/I – Commercial/Industrial District only by resolution of Council and only in locations specified by Council. Discretionary use requirements can be found in Section 5.

- a. General Industry Type II;
- b. Gas, oil well and related facilities;
- c. General Industry Type III;
- d. Stock yard or auction mart;
- e. Bulk Fuel sales and Storage (refer to section 5.13);
- f. Veterinary Clinics;
- g. Mobile Storage: sea can containers;
- h. Solid and Liquid Waste Disposal Facility (refer to section 5.10);
- i. Salvage Yards (Auto Wreckers) (refer to section 5.11).

12.3 PROHIBITED USES

The following uses shall be strictly prohibited within Commercial/Industrial District (C/I):

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

12.4 ACCESSORY BUILDINGS AND USES

- .1 A permitted accessory use/building shall be defined as any buildings, structures, or uses which are customarily accessory to the principal use of the site, though only if the principal permitted use or discretionary use has been established.
- .2 All accessory uses, buildings or structures require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

12.5 SUBDIVISION AND SITE REGULATIONS

Public works shall have no minimum or maximum site requirements

Permitted and Discretionary Uses

Minimum site area	Motels: 1,337 m ² (18,000 ft ²) Other uses: 1,115 m ² (12,000 ft ²)
Minimum site frontage	30 meters (100 ft.)
Maximum height	17 meters (55 ft.)
Minimum front yard	All buildings shall be set back a minimum of 30.5 meters (100 ft.) from the right-of-way boundary of any undeveloped road or municipal road allowance. Or such greater distance as required by the Department of Highways and Transportation. Sites which front on an internal subdivision road shall be set back a minimum 15 meters (49 ft.) from the front site line.
Minimum rear yard	15.0 meters (49 ft.) or 25% of the depth of the site whichever is the lesser
Minimum side yard	15.0 meters (49 ft.) except where a side yard abuts a municipal road allowance or a Provincial highway, the front yard requirements shall apply.
Minimum setback for trees, shelterbelts and other	All shelterbelts and tree plantings shall be setback 3 meters (10 feet) from the site lines. Portable structures, machinery and the storage of aggregate materials shall comply with the same setback requirements as the principal building.
Fence Lines	Fence lines shall be setback 0.3 meter (1.0 ft.) from the site line that abuts any municipal right-of-way. For site lines that do not abut any municipal right of way, fence lines may be built right up to, but not on top of, the site line.

12.6 SUPPLEMENTARY REGULATIONS OR SPECIAL PROVISIONS

- .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 existing at Information Services Corporation prior to coming into force of this Bylaw.
- .2 Notwithstanding any other requirements contained in this Bylaw, Service Stations shall locate underground storage tanks in accordance with *The Fire Protection Act*.
- .3 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.
- .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.

12.7 SIGNAGE

- .1 Signs and billboards shall be prohibited in the C/I Commercial /Industrial District except for signs advertising the principal use of the premises or the principal products offered for sale on the premises. Permitted signs shall be subject to the following requirements:
 - a. One permanent sign is permitted per site. Free standing signs shall not exceed a facial area of 14.0 m² and a height of 17.0 meters (56 ft.);
 - b. No sign shall be located in any manner that may jeopardize public safety;
 - c. Temporary signs not exceeding 1.0 m² (10.7 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted;
 - d. Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community and charity activities, or events are permitted.

12.8 LANDSCAPING

- .1 In addition the requirements contained within Section 4.13 of the General Regulations, the following additional conditions shall be met for developments within an Commercial/Industrial District (C/I):
 - a. Prior to issuing a Development Permit for an undeveloped lot in this District, the applicant shall be required to supply a landscape plan which is satisfactory to Council, and wherever possible, existing trees should remain.
 - b. Where a site abuts any Hamlet, Village or Country Residential District without an intervening road, there shall be a strip of land adjacent to the abutting site line of not less than 3.0 meters (10 ft.) in depth throughout, which shall not be used for any purpose except landscaping.

12.9 OUTDOOR STORAGE

- .1 Outdoor storage is permitted in side and rear yards.
- .2 The storage and display of goods shall be permitted in a front yard where it is deemed essential to facilitate a permitted or approved discretionary use.
- .3 All outdoor storage must be screened from the view of adjacent roadways and public lands by a solid fence, landscape materials, berm, vegetative plantings or any combination of the above at least 2.0 meters (6.5 ft.) in height.
- .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.

12.10 PERFORMANCE STANDARDS

- .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. Odour - the emission of any odourous gas or other odourous 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 RM Bylaws shall not be discharged into any RM sewers;
 - i. 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.

12.11 SUPPLEMENTARY DISCRETIONARY USE STANDARDS

- .1 All discretionary use applications shall follow the general the discretionary use evaluation criteria as outlined in Section 3.9 and others that may be specified.
- .2 Specific Discretionary Use Evaluation Criteria for ***Junk and salvage yards and auto wreckers:***

- a. Junk and salvage yards and auto wreckers shall be enclosed by an opaque or solid perimeter fence at least 2.0 meters in height, and not more than five meters in height, with no material piled higher than the height of the perimeter fence.
 - b. The perimeter fence shall not be located in the required front yard. The required front yard shall be used for no other purpose than landscaping and necessary access driveways to the site.
- .3 Specific Discretionary Use Evaluation Criteria for *Livestock auction facilities, meat packing plants, and stockyards*:**
- a. Shall be located at least 300 meter from all residential and community service districts.
- .4 Specific Discretionary Use Evaluation Criteria for *Light Manufacturing*:**
- a. All materials and goods used in conjunction with light manufacturing plants shall be stored within an enclosed building, or within an area hidden from view by screening.
 - b. All manufacturing and assembly operations in conjunction with a light manufacturing plant shall be conducted within an enclosed building.
- .5 Specific Discretionary Use Evaluation Criteria for *Abattoirs*:**
- a. Shall be located at least 91.4 meters from residential areas, schools, hospitals, motels and restaurants.
- .6 Specific Discretionary Use Evaluation Criteria for *Bulk petroleum tanks*:**
- a. Shall be located at least 91.4 meters from residential areas, schools, hospitals, and motels.
 - b. Hazardous substance storage areas shall be constructed in accordance with *The Environmental Management Protection Act, 2002* and *The Hazardous Substances and Waste Dangerous Goods Regulations*.

13. ECOLOGICAL SENSITIVE OVERLAY DISTRICT – ES



The intent of this Overlay Area is to acknowledge and protect natural, environmental features and systems within the municipality.

13.1 DEFINING THE BOUNDARY

- .1 The Ecological Sensitive Overlay District corresponds to buffer areas surrounding major environmentally sensitive water bodies within the RM of Spiritwood No. 496.

13.2 SITE REGULATIONS IN THE ECOLOGICAL SENSITIVE OVERLAY AREA

- .1 Within this area, any new development will respect the protection of rare and endangered species, preservation wildlife corridors, and retention of natural vegetation and minimal loss of habitat.
- .2 With the exception of single-unit residential development, for a proposed development located within the Environment Sensitive Overlay, Council shall require the developer to have an environmental assessment carried out by a qualified professional. The site analysis shall identify potential impacts and mitigative measures of the proposed development on the ES.
- .3 Council requires that mitigative measures identified in the report shall become a condition of the Development Permit and that the developer adopts mitigative measures to ensure the environmental protection objectives are met.

14. FLOOD HAZARD OVERLAY (FH)

The intent of this Overlay Area is to restrict development in areas that are considered hazardous for development in order to minimize property damage due to flooding. The following regulations are intended to apply supplementary standards for development in areas designated as flood hazard zones.

14.1 DEFINING THE AREA

- .1 For all proposed development in this cautionary area, the developer shall be required to contact Saskatchewan Water Security Agency or a professional engineer to determine the proper flood way and flood fringe of the 1:500 year flood elevation.

14.2 SITE REGULATIONS IN THE FLOOD HAZARD LAND AREAS

- .1 Development of new buildings and additions to buildings in the flood way of the 1:500 year flood elevation of any watercourse or water body shall be prohibited.
- .2 If the development of new buildings or additions is approved in the flood fringe, flood-proofing to an elevation of 0.5 meters above the 1:500 year flood event will be required.
- .3 Placement of off-site fill in the flood fringe should be limited to that required for flood-proofing or flood risk management, in order to minimize displacement.
- .4 “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.

14.3 FLOOD PROOFING REGULATIONS

- .1 A development permit shall not be issued for any land use, erection, alteration or use of any building or structure within the Flood Hazard Overlay area unless the site/development meets approved flood proofing measures to an elevation of 0.5 meters above the 1:500 year flood event.
- .2 Existing structures within the flood way are considered to be legally non-confirming buildings under the *Planning and Development Act, 2007*. Any existing buildings may be replaced or expanded subject to appropriate flood proofing measures being provided.
- .3 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; and
 - c. All electrical and mechanical equipment within a building shall be located above the designated flood design elevation.



15. SLOPE HAZARD OVERLAY

The Intent of this Overlay Area is to restrict development in areas that are considered hazardous for development for reasons of excessive soil erodability and/or ground instability. The following regulations are intended to apply supplementary standards for development in areas designated as having potential for instable soil conditions due to erosion or excessive slopes.

15.1 DEFINING THE AREA

- .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.
- .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 and its 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 meters.
- .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.

15.2 SITE REGULATIONS IN THE EROSION AND SLOPE HAZARD AREA

- .1** Any application for a development permit on any parcel of land that lies wholly or partially within an area designated in the Slope Hazard Overlay (SH) 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.
- .2** The geotechnical engineer shall answer the following questions:
 - a) Will the proposed development be detrimentally affected by natural erosion or slope instability?

16. ZONING DISTRICT MAPS