

Zoning Bylaw

RM of Swift Current No. 137

No. 7 - 2015

Table of Contents

1	INTRODUCTION	9
1.1	Authority.....	9
1.2	Title	9
1.3	Purpose.....	9
1.4	Scope	9
1.5	Severability	9
2	DEFINITIONS	10
3	ADMINISTRATION AND INTERPRETATION	37
3.1	Development Officer	37
3.2	Council.....	37
3.3	Application for a Development Permit.....	37
3.4	Concurrent Processing Of Development Permits, Building Permits and Other Requirements	38
3.5	Development Requiring a Permit, but Not Requiring a Fee	38
3.6	Development Not Requiring a Permit	38
3.7	Concept Plans (Comprehensive Development Review)	38
3.8	Development Permit Procedure	39
3.9	Discretionary Use Application Procedure	40
3.10	Interpretation.....	42
3.11	Refusal of Development Permit Application	42
3.12	Development Appeals Board, Right To Appeal	42
3.13	Development Permit Application Fees	42
3.14	Discretionary Use Application Fees	43
3.15	Fee for Zoning Amendment Application	43
3.16	Holding Zone Provisions	43
3.17	Planned Unit Development	43
3.18	Referral under The Public Health Act.....	44
3.19	Minor Variances.....	44
3.20	Non-Conforming Buildings, Uses and Parcels	45
3.21	Development Permit – Invalid	46
3.22	Cancellation	46
3.23	Stop-Work	46

3.24	Offences and Penalties	46
3.25	Inspection of Premises	46
3.26	Bylaw Compliance	46
3.27	Moving of Buildings	47
3.28	Demolition of Buildings	47
3.29	Temporary Development Permits	47
3.30	Registering an Interest	47
3.31	Development Agreements.....	47
3.32	Servicing Agreements	47
3.33	Performance Bonds	48
3.34	Liability Insurance.....	48
4	GENERAL REGULATIONS	49
4.1	Licenses, Permits and Compliance With Other Bylaws and Legislation	49
4.2	Principal Use Established.....	49
4.3	Modular Homes	49
4.4	Accessory Buildings, Uses and Structures	50
4.5	Uses Permitted In All Zoning Districts.....	50
4.6	Application of Overlay Districts.....	50
4.7	Restoration to a Safe Condition	51
4.8	Grading and Leveling of Parcels	51
4.9	Height of Buildings.....	51
4.10	Restrictions on Changes	51
4.11	Signage on Natural and Human Heritage Parcels	51
4.12	Heritage and Sensitive and Critical Wildlife Habitat	52
4.13	Fence and Hedge Heights.....	52
4.14	Landscape Buffers.....	52
4.15	Keeping Of Domestic Animals	53
4.16	Building and Parcel Maintenance	53
4.17	Prohibited and Noxious Uses	53
4.18	Disposal of Wastes.....	53
4.19	Parcel Development Regulations for Development Near Water Sources	54
4.20	Public Utilities and Municipal Services	54
4.21	Closings.....	54
4.22	Roadways	55
4.23	Frontage and Access/Approaches	55

4.24	Road Crossings.....	56
4.25	Heavy Haul Roads	56
4.26	Railway Crossings and Sight Distances	56
4.27	Sight Triangle	56
4.28	Development Along Pipelines and Gas Transmission Lines - New	56
4.29	Communication Towers	57
4.30	Uses or Objects Prohibited or Restricted In Yards	57
4.31	Vehicle Storage.....	58
4.32	Lighting	58
4.33	Signage	58
4.34	Zoning District Sign Regulations	61
4.35	Loading Requirements	62
4.36	Parking.....	62
5	DISCRETIONARY USE STANDARDS FOR DEVELOPMENT	63
5.1	Home-Based Businesses and Occupations	63
5.2	Agricultural Tourism Uses	63
5.3	Garden Suites	64
5.4	Residential Care Homes	65
5.5	Bed & Breakfast Homes	65
5.6	Salvage Yards (Auto Wreckers).....	66
5.7	Automotive Service Uses and Gas Pumps	66
5.8	Animal Kennels	66
5.9	Equestrian Facilities	67
5.10	Campgrounds.....	68
5.11	Temporary Work Camps.....	68
5.12	Domestic Wind Energy Systems	69
5.13	Commercial Wind Energy Systems	71
5.14	Communication Towers	72
5.15	Solid & Liquid Waste Disposal Facilities	73
5.16	Intermodal Freight Containers (Trailers, Box Cars, Sea and Rail)	74
6	ZONING DISTRICTS AND ZONING MAPS	75
6.1	Zoning Districts.....	75
6.2	Zoning District Maps	75
6.3	Boundaries of Zoning Districts	75

7	AGRICULTURAL RESOURCE DISTRICT (AR)	76
7.1	Permitted Uses	76
7.2	Discretionary Uses	76
7.3	Prohibited uses	77
7.4	Accessory Buildings and Uses	77
7.5	Subdivision and Parcel Regulations	78
7.6	Supplementary Development Standards for Agricultural Uses	79
7.7	Farmsteads	79
7.8	Temporary Uses	80
7.9	Non-farm Subdivision of Agricultural lands	81
7.10	Intensive Livestock Operations	82
7.11	Aggregate Extraction (Sand, Gravel, Topsoil)	85
7.12	Oil and Gas Development	87
7.13	Signage Regulations	87
7.14	Potash, Fertilizer and Ethanol Plant Development	87
7.15	Separation Distances between Mineral, Potash or Oil and Gas Development and Other Uses	88
8	AGRICULTURAL ACREAGE DISTRICT (AgA)	90
8.1	Permitted Uses	90
8.2	Discretionary Uses	90
8.3	Prohibited Uses	90
8.4	Accessory Buildings and Uses	91
8.5	Subdivision and Parcel Regulations	91
8.6	Signage	92
8.7	Fence and Hedge Heights	93
8.8	Outdoor Storage	93
9	COUNTRY RESIDENTIAL 1 DISTRICT (CR1)	94
9.1	Permitted Uses	94
9.2	Discretionary Uses	94
9.3	Prohibited Uses	94
9.4	Subdivision and Parcel Regulations	95
9.5	Supplementary Regulations or Special Provisions	96
9.6	Accessory Buildings and Uses	97
9.7	Legal Access	97
9.8	Swimming Pool and Landscape Ponds Regulations	97

9.9	Signage Regulations	98
10	COUNTRY RESIDENTIAL 2 DISTRICT (CR2)	99
10.1	Permitted Uses	99
10.2	Discretionary Uses	99
10.3	Prohibited Uses	99
10.4	Subdivision and Parcel Regulations	100
10.5	Supplementary Regulations or Special Provisions	101
10.6	Accessory Buildings and Uses.....	102
10.7	Legal Access	102
10.8	Keeping of Livestock	103
10.9	Swimming Pool and Landscape Ponds Regulations	103
10.10	Signage Regulations	103
11	HAMLET DISTRICT (H)	104
11.1	Permitted Uses	104
11.2	Discretionary Uses	104
11.3	Prohibited Uses	104
11.4	Subdivision and Parcel Regulations	105
11.5	Accessory Buildings and Uses.....	106
11.6	Fence and Hedge Heights.....	106
11.7	Outdoor Storage	106
11.8	Signage Regulations	107
12	RESIDENTIAL MOBILE HOME DISTRICT (RMH)	108
12.1	Permitted Uses	108
12.2	Discretionary Uses	108
12.3	Prohibited Uses	108
12.4	Mobile Home Park Parcel Development Regulations	109
12.5	Individual Mobile Home parcel Development Regulations	110
12.6	Community Centres.....	110
12.7	Accessory Buildings.....	110
12.8	Supplementary Regulations	111
12.9	Signage Regulations	111
13	HIGH PROFILE COMMERCIAL LIGHT INDUSTRIAL DISTRICT (HPC)	112
13.1	Permitted Uses	112
13.2	Discretionary Uses	112

13.3	Prohibited Uses	113
13.4	Subdivision and Parcel Regulations	113
13.5	Accessory Buildings and Uses.....	114
13.6	Supplementary Regulations or Special Provisions	115
13.7	Parking Requirements	115
13.8	Loading Requirements	116
13.9	Landscaping/ Buffer Strip Requirements	116
13.10	Outside Storage	116
13.11	Oilfield Supply and Service, Bulk Petroleum Storage and Agrichemical Storage Parcels	117
13.12	Signage Regulations	117
14	INDUSTRIAL DISTRICT (IND).....	118
14.1	Permitted Uses	118
14.2	Discretionary Uses	118
14.3	Prohibited Uses	119
14.4	Subdivision and Parcel Regulations	119
14.5	Accessory Buildings and Uses.....	120
14.6	Supplementary Regulations or Special Provisions	121
14.7	Loading Requirements	121
14.8	Parking Requirements	122
14.9	Landscaping/Buffer Strip Requirements	122
14.10	Outdoor Storage	122
14.11	Oilfield Supply and Service, Bulk Petroleum Storage and Agrichemical Storage Parcels	123
14.12	Performance Standards	123
14.13	Signage Regulations	124
15	AIRPORT COMMERCIAL DISTRICT (AC)	125
15.1	Permitted Uses	125
15.2	Discretionary Uses	125
15.3	Prohibited Uses	125
15.4	Accessory Buildings and Uses.....	126
15.5	Subdivision and Parcel Regulations	126
16	ENVIRONMENTALLY SENSITIVE LANDS OVERLAY (ES)	127
16.1	Areas Within the ES Overlay	127
16.2	Overlay Regulations	127

16.3	Permitted Uses	128
16.4	Discretionary Uses	128
16.5	Parcel Development Regulations for Slope Instability Areas	128
16.6	Parcel Development Regulations for Flood Hazard Cautionary Areas	129
17	HERITAGE RESOURCE OVERLAY (HR)	130
17.1	Defining the Boundary	130
17.2	Parcel Regulations in the Heritage Resources Overlay Area	130
18	AIRPORT FLIGHT PATH OVERLAY (AFP)	131
18.1	Defining the Boundary	131
18.2	Policies for the Airport Flight Path Overlay Area	131
18.3	Parcel Regulations in the Airport Flight Path Overlay Area	131
	REPEAL AND ADOPTION	133
	APPENDIX A: Zoning Map	134
	APPENDIX B: Development Permit Application Requirements	135
	APPENDIX C: Rural Municipality of Swift Current No. 137 Application for a Development Permit	137
	APPENDIX D: Notice of Decision for a Development Permit or Zoning Bylaw Amendment	139

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 Swift Current No. 137 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 Swift Current No. 137.

1.3 Purpose

1.3.1 The purpose of this Bylaw is to regulate development and to control the use of land in the Rural Municipality of Swift Current No. 137 in accordance with the Official Community Plan Bylaw 6-2015.

1.3.2 The intent of this Zoning Bylaw is to provide for the amenity of the area within The Rural Municipality of Swift Current No. 137 (hereinafter referred to as the Municipality) and for the health, safety, and general welfare of the inhabitants of the area:

To minimize land use conflicts;

To establish minimum standards to maintain the amenity of the Rural Municipality;

To ensure development is consistent with the physical limitations of the land;

To restrict development that places undue demand on the Rural Municipality for services; and

To provide for land use and development that is consistent with the goals, objectives and policies of the Rural Municipality of Swift Current Official Community Plan, Bylaw 6-2015.

1.4 Scope

This Bylaw applies to all land included within the boundaries of the Rural Municipality of Swift Current No. 137. All development within the limits of the Rural Municipality shall hereafter conform to the provisions of this Bylaw.

1.5 Severability

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

2 DEFINITIONS

Whenever the subsequent words or terms are used in the Official Community Plan, Bylaw No. 6-2013 and this Bylaw, they shall, have the following definition unless the context indicates otherwise.

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

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

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 Swift Current No.137.

AGGREGATE RESOURCE: raw materials including sand, gravel, clay, earth or mineralized rock found on or under a parcel.

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 HOLDING OR FARM: the cumulative total of all parcels which are:

- a) owned by a person, and
- b) used for agricultural operations and production, and
- c) are situated within the rural municipality,

and shall not include a parcel, the principal use of which is residential or non-agricultural.

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

- a) cultivating land;
- b) producing agricultural crops, including hay and forage;
- c) producing horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs, flowers, greenhouse crops and specialty crops;
- d) raising all classes of livestock, horses, poultry, fur-bearing animals, game birds and game animals, bees and fish;
- e) carrying on an intensive livestock operation;
- f) involved the primary processing of agricultural products which provide a primary source of livelihood and income to the parcel owner or operator;

- g) operating agricultural machinery and equipment, including irrigation pumps and noise-scare devices;
- h) conducting any process necessary to prepare a farm product for distribution from the farm gate;
- i) storing, handling and applying fertilizer, manure, organic wastes, soil amendments and pesticides, including both ground and aerial application;
- j) any other prescribed agricultural activity or process as defined by Council 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 parcel

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

AGRICULTURAL RESIDENCE: a dwelling unit accessory to the use of land intended for a combined residential and agricultural purpose.

AGRICULTURAL RESIDENTIAL DEVELOPMENT: the establishment of a residence on an agricultural holding in the absence of subdivision of where the residence remains directly appurtenant to the agricultural operation.

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

ALTERATION OR ALTERED (RENOVATION): with reference to a building, structure or parcel 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 parcel which is related in a subsidiary manner to the principal building, principal structure, or principal use of the same parcel.

ANIMAL CLINIC (See Clinics)

ANIMAL HOSPITAL (See Clinics)

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

Animal Type	Number of Animals = 1 Animal Unit
Poultry	
• Hens, cockerels, capons	100
• Chicks, broiler chickens	200
• Turkeys, geese, ducks	50
• Exotic birds	25
Hogs	3
• Boars and sows	4
• Gilts	6
• Feeder pigs	20
• Weanling pigs	
Sheep	
• Rams or ewes	7
• Lambs	14
Goats etc.	
• All (including llamas, alpacas etc.)	7
Cattle	
• Cows and bulls	1
• Feeder cattle	1.5
• Replacement heifers	2
• Calves	4
Horses	
• Colts and ponies	2
• Other horses	1
Other	
• Bison – cows or bulls	1
• Bison – calves	4
• Fallow, white tail or mule deer	8
• Fallow, white tail or mule deer fawns	32
• Elk	5
• Elk calves	20

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*.

ASPHALT PLANT (See Concrete Plant)

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

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

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

BED AND BREAKFAST: a dwelling unit, licensed as a tourist home under *The Public Accommodation Regulations, 1997*, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

BERM: a mound of earth, usually linear and rounded in shape.

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 parcel other than the parcel on which the sign is located.

BUFFER: a strip of land, vegetation or land use that provides visual screening and physically separates two or more different land uses.

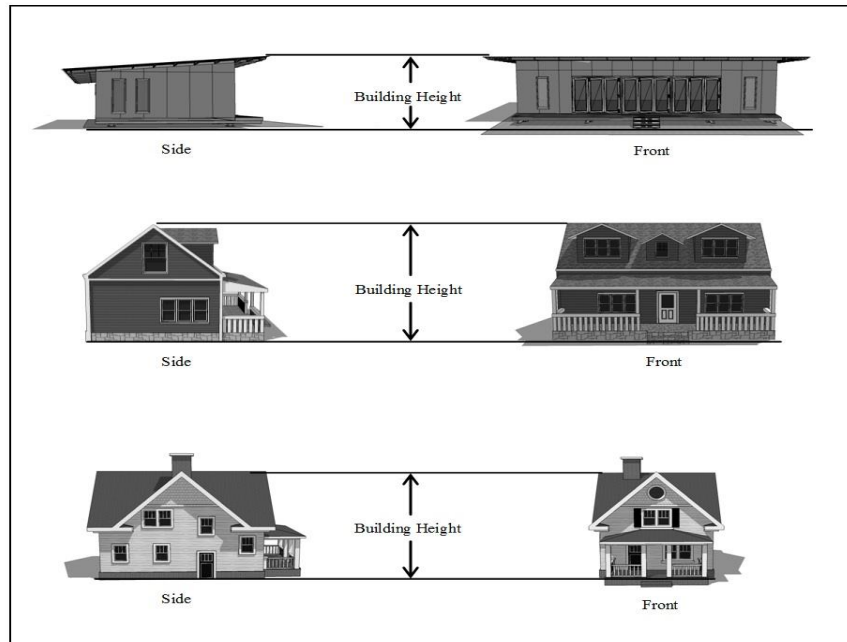
BUILDING: a structure used for the shelter or accommodation of persons, animals, or chattels and includes any structure covered by a roof supported by walls or columns.

BUILDING BYLAW: the Bylaw of the Rural Municipality of Swift Current No.67 regulating the erection, alteration, repair, occupancy, maintenance or demolition of buildings and structures.

BUILDING FLOOR AREA: the sum of the gross horizontal area of all floors of a building excluding the floor area used for or devoted to mechanical equipment, laundry, storage, swimming pools, and enclosed or underground parking facilities. All dimensions shall be measured between exterior faces of walls or supporting columns, or from the centre line of the walls or supporting columns separating two buildings. For the purpose of this Bylaw, the term 'storage' means the keeping or placing of trunks, luggage or similar articles in a place designed therefore, but shall exclude clothes closets, linen closets, broom cupboards, kitchen and bathroom cupboards of whatsoever nature.

BUILDING FRONT LINE: the line of the wall of the building or any projecting portion of the building and production thereof, excluding permitted obstructions, which faces the front parcel 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 Height Measurements

BUILDING PERMIT: a permit issued under the Building Bylaw of the Rural Municipality of Swift Current No.67 authorizing the construction of all or part of any building or structure.

BUILDING, PRINCIPAL: a building in which is conducted the main or primary use of the parcel on which the said building is situated.

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

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

BUSINESS GROUP shall mean a group of two or more businesses located on a lot where all buildings, parking, loading, street access, landscaping and all other features have been planned as an integrated development.

BYLAW: the Rural Municipality of Swift Current No. 137Zoning Bylaw.

CAMPGROUND: an area used for a range of overnight camping experiences, from tenting to serviced trailer parcels, including accessory facilities which support the use, such as administration offices and laundry, washroom and shower facilities, but not including the use or 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 OPERATIONS: a petroleum dispensing outlet without full-time attendants.

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

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.

CLINICS / HOSPITAL, ANIMAL

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

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

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.

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.

COMMERCIAL, SMALL SCALE: commercial or Industrial land uses maintaining a lineal frontage less than 90 metres (295.28 feet).

COMMUNICATION FACILITY [See (Tele) Communication Facility]

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.

COMPREHENSIVE DEVELOPMENT REVIEW (SEE CONCEPT PLAN)

CONCEPT PLAN (COMPREHENSIVE DEVELOPMENT REVIEW): a land use plan or other documentation for a specific local area that identifies social, environmental, health and economic issues, land-uses, densities, overall design, transportation, connectivity, hazard lands, servicing, along with other requirements of the Development Officer which the proposed development must address.

CONCRETE (ASPHALT) PLANT: an industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production's process or of finished products manufactured on the premises and the storage and maintenance of required equipment.

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

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

CONDOMINIUM, TOWNHOUSE: involves dividing a building into individually owned units with boundaries referenced to the walls, floors and ceilings. Each unit shall have its own entrance to the outside. Other parts of the building and the parcel containing the building are common property.

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

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

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

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

COUNCIL: the Council of the Rural Municipality of Swift Current No.67.

COUNTRY RESIDENCE: a dwelling or parcel whose owner's principal source of household income is derived from a source other than the principal agricultural use of that parcel.

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

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

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

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

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

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

DEVELOPMENT AGREEMENT: the legal agreement between a developer and the Municipality which specifies the all obligations and the terms and conditions for the approval of a development pursuant to section 172 of *The Planning and Development Act, 2007*.

DEVELOPMENT OFFICER: (an employee of the Municipality) a person appointed by the Council to act as a Development Officer to administer this Bylaw.

DEVELOPMENT PERMIT: a permit issued by the Municipality that authorizes development, but does not include a Building Permit.

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

DISCRETIONARY USE: a use of land or buildings or form of development that is prescribed as a discretionary use in the Zoning Bylaw; and requires the approval of Council pursuant to Section 56 of *The Planning and Development Act, 2007*.

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

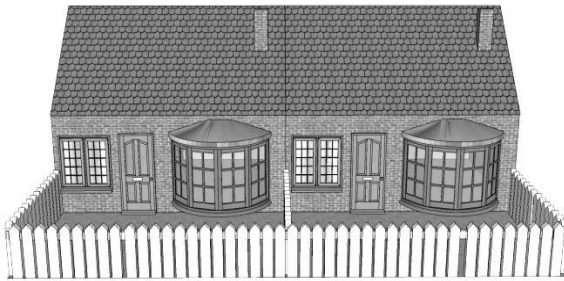
DWELLING: a building or part of a building designed exclusively for residential occupancy.

DWELLING, DUPLEX: a building that is divided into two (2) dwelling units, one upper and one lower, with separate entrances.

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

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

DWELLING, SEMI-DETACHED: a building divided into two (2) dwelling units by a common vertical wall extending from the base of the foundation to the roofline.



Semi Detached Dwelling

DWELLING, SINGLE-DETACHED: a building containing only one (1) dwelling unit, as herein defined, and occupied or intended to be occupied as a permanent residence, including a RTM when attached to a conventional foundation on the parcel, but not including a mobile or modular home as defined.

Single-Detached Dwelling



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



Town House Dwelling

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

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

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

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

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

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

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

FAIRGROUND: the use of land, buildings or structures where the temporary exhibition of music, art, goods, wares, vehicles and the like are displayed and made available for sale and may include a midway, place of amusement, rodeo or other similar activities.

FARM BUILDING: improvements such as barns, granaries, workshops etc., used in connection with the growing and sale of trees, shrubs, and sod or the raising or production of crops, livestock or poultry or in connection with fur production or bee keeping and situated on a parcel of land used for farm operation.

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

FARMSTEAD/FARM YARD: the buildings and adjacent essential grounds surrounding a farm.

FARM YARD PARCEL (See Essential Yard Parcel Features)

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

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

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

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

FLOOD, DESIGN:

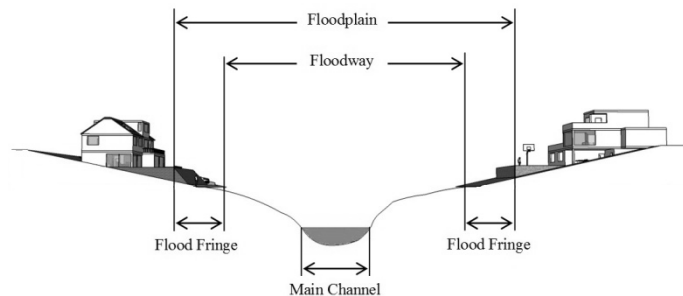
- a) a 1:500 year flood;
- b) a flood having a return period greater than 1:500 years;
- c) a recorded flood having a water surface elevation equal to or exceeding that of a 1:500 year flood.

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

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

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

FLOODWAY FRINGE: that part of the flood hazard area which is outside a floodway, but which would be covered by flood waters.



FREEBOARD ELEVATION: the elevation of the Estimated Peak Water Level plus an extra 0.50 metres (1.64 feet).

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

GAME FARM: land and facilities on which domestic game farm animals are held for commercial purposes. (See Harvest Preserve).

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

GARDEN SUITE: an additional dwelling unit that is separate from and secondary to the principal single detached dwelling on the residential lands; the unit is to be used by a relative (blood, marriage, or legal adoption) or caregiver of the resident of the principal single detached dwelling.

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 COMMERCIAL TYPE II: those developments where activities and uses are primarily carried on within an enclosed building intended to provide for the merchandising of refined goods and services and in addition may involve outside storage. Some minor manufacturing of goods may occur inside or outside.

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 is 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 parcels because of the nature of the parcel, materials or processes and shall include but not be limited to the following activities:

- a) the assembling of goods, products or equipment;
- b) the limited processing of raw, value-added or finished materials;
- c) the storage or trans-shipping of materials, goods and equipment;
- d) the training of personnel in general industrial operations.

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

GENERAL 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 parcel. Developments of this type shall not pose, in the opinion of a Development Officer, any significant risk of interfering with the amenity of adjacent parcels because of the nature of the parcel, materials or processes and shall include but not be limited to the following activities:

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

GENERAL 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 parcels due to their scale, appearance, noise, odour, emissions and hazard potential. Such activities are considered exclusionary when the only means of mitigating the associated negative effects on surrounding land uses is through spatial separation. Such uses would include but not be limited to the following: landfill, ethanol plant, transformer stations, uranium refiners, anhydrous ammonia storage and distribution centres.

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

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

GREENHOUSE: a building with glass or clear plastic walls and roof for the cultivation and exhibition of plants under controlled conditions.

GREENHOUSE, COMMERCIAL: a greenhouse that includes a retail aspect 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.

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

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

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

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

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

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

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

- a) excessive noise, odour, dust, vibration;
- b) offensive emissions;
- c) involves dangerous or toxic materials, chemicals and wastes;
- d) air, water or soil pollution;
- e) land use incompatibility;
- f) reduced public safety, and may include auto-wrecking, fertilizer, asphalt, chemical and grain handling uses.

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

HERITAGE PROPERTY: any property, whether by a work of nature or of man, that is of interest for its archaeological, historic, cultural, environmental, aesthetic or scientific value, and includes a parcel where

archaeological, historic, paleontological, cultural or scientific property is, or may reasonably be expected to be found, or as otherwise defined in *The Heritage Property Act* and regulations.

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

HOME-BASED BUSINESS: an accessory use carried on by occupant(s) 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 parcel used to accommodate the traveling public for gain or profit, by supplying them with sleeping accommodation, with or without meals.

INCIDENTAL SIGNS (See Signs)

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

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

INNOVATIVE DEVELOPMENT: developments that include alternative design features.

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

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

- a) feed lots;
- b) livestock operation (hogs, chickens, etc.);
- c) sod farms;
- d) market gardens;
- e) greenhouses; and
- f) nurseries and other similar uses.

INTERMODAL FREIGHT CONTAINER: is a standardized reusable steel box used for the safe, efficient and secure storage and movement of materials and products within a global containerized intermodal freight transport system. "Intermodal" indicates that the container can be moved from one mode of transport to another (from ship, to rail, to truck) without unloading and reloading the contents of the container. Lengths of containers, which each have a unique ISO 6346 reporting mark, vary from 2.44 metres to 17.07 metres (8 feet to 56 feet) and heights from 2.44 metres to 2.90 metres (8 feet to 9 feet 6 inches).

INTERNAL SUBDIVISION ROAD: a road that is integral to the traffic circulation of a particular subdivision.

INTENSIVE LIVESTOCK OPERATION: the confining of any of the following animals, where the space per animal unit is less than 370 m² (3,982.78 ft²):

- a) poultry
- b) hogs
- c) sheep
- d) goats
- e) cattle
- f) horses
- g) any other prescribed animals.

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

KENNEL, BREEDING: the keeping of more than four dogs, cats or other domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

KENNEL, ENCLOSURE: an accessory building or enclosure intended to house one or more domestic animals.

LANDFILL: a specially engineered parcel 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 parcel 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 planters;
- b) hard landscaping consisting of non-vegetative materials such as concrete, curbing, unit pavers, brick pavers or quarry tile, but does not include gravel, shale, or asphalt.

LANDSCAPING ESTABLISHMENT: the yard of a landscaping contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business.

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

LAND USE ZONING DISTRICT: divisions identified in the Zoning Bylaw establishing Permitted and Discretionary Uses of land or buildings with attendant regulations.

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

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

LOT: a parcel of land of a subdivision, the plan of which has been filed or registered in ISC (Information Services Corporation).

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.

MANUFACTURING AND/OR ASSEMBLY, LIGHT: the manufacturing, processing, packaging or assembly of semi-finished or finished goods, products or equipment and includes the storage and transportation of such goods, products or equipment.

MARGINAL LANDS (SEE CANADA LAND INVENTORY (C.L.I.) SOIL CLASS RATING SYSTEM)

MARKET GARDEN (SEE INTENSIVE AGRICULTURE)

MAUSOLEUM: a building or other structure used as a place for the interment of the dead in sealed crypts or compartments.

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

MINISTER: the Minister as defined in *The Planning and Development Act, 2007*.

MOBILE HOME: A prefabricated trailer coach supported on a steel frame, typically surface mounted, 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, that may be used as a dwelling all year round. Generally mobile homes have a Length/Width ratio greater than 2.



Double-Wide Mobile Home

MOBILE HOME PARK: a parcel under single management for the placement of two or more mobile homes and shall include all accessory buildings necessary to the operation.

MODULAR HOME: a building that is manufactured in a factory as a whole or modular unit customarily assembled on-parcel to be used as one single dwelling unit and is certified by the manufacturer that it complies with the Canadian Standards Association standards, and is placed on a permanent foundation.



Modular (Manufactured) Home

MUNICIPALITY: the Rural Municipality of Swift Current No. 137.

MUNICIPAL RESERVE: are dedicated lands:

- a) that are provided to a Municipality pursuant to clause 189(a) of *The Planning and Development Act, 2007* for public use; or
- b) that were dedicated as public reserve and transferred to a Municipality pursuant to section 196, whether or not title to those lands has been issued in the name of the Municipality;

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

MUSEUM: an institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artefacts 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*;
- f) other living components of ecosystems within resource lands, provincial forest lands and other lands managed by the department.

NON-CONFORMING BUILDING: a building that:

- a) 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;
- b) 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 PARCEL: a parcel 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 parcel area or parcel dimensions do not conform to the standards of the Bylaw for that use.

NON-CONFORMING USE: a lawful specific use:

- a) being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the land or building becomes effective; and
- b) that on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective does not, or in the case of a building under construction or with respect to which all required permits have been issued will not, comply with the Zoning Bylaw.

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

OFFICE OR OFFICE BUILDING: a building or part of a building used primarily for conducting the affairs of a business, profession, service, industry, or government in which no goods or commodities of business or trade are stored, trans-shipped, sold or processed.

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

PARCEL: a parcel of land that is shown on an approved plan and registered in ISC (Information Services Corporation), 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.

PARCEL AREA: the total horizontal area within the parcel lines of a parcel.

PARCEL CORNER: a parcel 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 parcel lines) contain an angle of not more than one hundred and thirty-five degrees (135°). In the case of a curved corner, the corner of the parcel shall be that point on the street at the point of intersection of the said tangents.

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

PARCEL FRONTAGE: the boundary that divides the parcel from the street or road. In the case of a corner parcel, the front parcel line shall mean the boundary separating the narrowest street frontage of the parcel from the street. Parcel frontage for a non-rectangular parcel shall be defined as the mean of the measured front and rear parcel lines. Parcel frontage does not mean front yard.

PARCEL LINE: any boundary of a parcel, front, rear or side.

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

PARK MODEL TRAILER/UNIT: a unit designed to facilitate occasional relocation, with living quarters for a temporary or seasonal use; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. It has a gross floor area not exceeding 50 m² (540 ft²). CSA Number Z241.



Park Model Trailer 102



Park Model Recreational Unit

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

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

PASTURE: a parcel that is used for the raising and feeding of livestock by grazing.

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

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

PERSONAL SERVICE TRADE: a business associated with the grooming of persons or the maintenance or repair of personal wardrobe articles and accessories and may include:

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

but does not include the provision of health related services.

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

PLANNED UNIT DEVELOPMENT: a comprehensive development which may be composed of a mixture of residential, commercial, industrial; and mixed uses with recreational and open space incorporated into the design.

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

PRIME LANDS [SEE CANADA LAND INVENTORY (C.L.I.) SOIL CLASS RATING SYSTEM]

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

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

PROVINCE: Province of Saskatchewan.

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;
- d) collection and disposal of sewage, garbage, and other wastes;
- e) fire and police services.

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

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

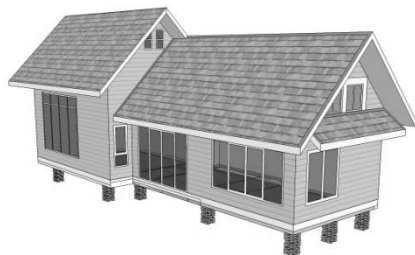
PUBLIC WORKS: a facility as defined under *The Planning and Development Act, 2007*.

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

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

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

READY-TO-MOVE (RTM) DWELLING: a new single detached conventional dwelling constructed off-plot to National Building Code standards to customarily be moved in one piece onto a new conventional permanent building foundation.



RTM (Ready to Move) Home

REAL ESTATE SIGNAGE (SEE SIGNAGE)

REDESIGNATION: rezoning.

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

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

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

RECREATIONAL VEHICLE: any vehicle designed, constructed or reconstructed to be used for personal pleasure or travels in such a manner as will permit occupancy as a dwelling or sleeping place for one or more persons, and constructed in such a way as to enable it to be used as a conveyance upon public streets or highways, and includes self-propelled and non-self-propelled vehicles. Recreational vehicles include motor homes, camper trailers, truck campers, 5th wheels and tent trailers.



Motor Home – Camping Trailer

RECYCLING AND COLLECTION DEPOT (Commercial): a building or series of buildings intended to accommodate the collection, sorting, processing and temporary storage of recyclable materials including: the collection and storage of oil, solvents or other hazardous materials, processing of recyclable material other than compaction, and accommodates outdoor compaction or storage.

REEVE: the Reeve of the Rural Municipality of Swift Current No.137.

RENOVATION (See Alteration)

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
- c) may include only the principal residence of the operator or administrator.

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

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

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

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

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

RTM (See Ready-To-Move Dwelling)

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 parcel for collection, sorting, storing and processing of paper products, glass, plastics, aluminium or tin cans prior to shipment for remanufacture into new materials.

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

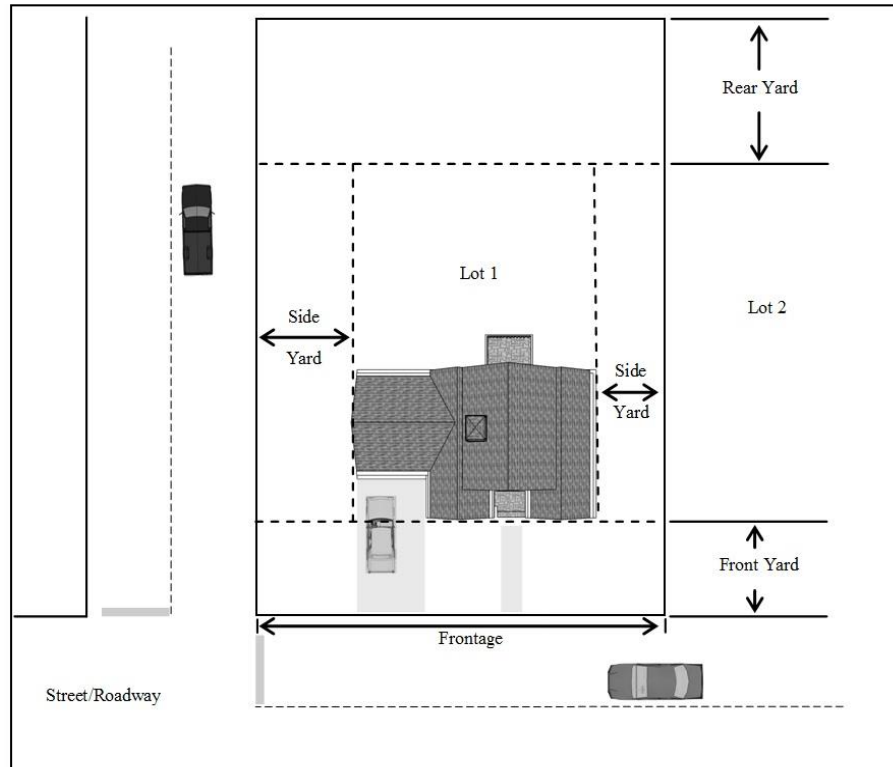
SCHOOL: a body of pupils that is organized as a unit for educational purposes under the jurisdiction of a board of education or of the Saskatchewan Ministry of Education and that comprises one or more instructional groups or classes, together with the principal and teaching staff and other employees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

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

SECONDARY SUITE: an additional dwelling unit located within a principal single detached dwelling.

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

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



Location and measurement of setbacks

SHOULD, SHALL OR MAY:

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

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

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

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

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

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

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

SIGNAGE, REAL ESTATE: signage directly associated with the sale of property in which it is located and which maintains a gross surface area of less than 1 m².

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

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

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.

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

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

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 section into legal subdivisions as described in the regulations made pursuant to *The Land Surveys Act, 2000*.

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

(TELE)COMMUNICATION FACILITY: a structure situated on a non-residential parcel that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.

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

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

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

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

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

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

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

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

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

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 on-parcel.

VETERINARY CLINICS (See Clinics)

WAREHOUSE: a building used for the storage and distribution or wholesaling of goods and materials.

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

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

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

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

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

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

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

WIND ENERGY SYSTEM (SMALL): any wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of not more than 300

kW, and is intended to provide electrical power for use on-parcel (either behind the metre or off-grid) and is not intended or used to produce power for resale.

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

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

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

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

YARD, FRONT: that part of a parcel which extends across the full width of a parcel between the front parcel line and the nearest main wall of a building or structure.

YARD, REAR: that part of a parcel which extends across the full width of a parcel between the rear parcel 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 parcel which extends from a front yard to the rear yard between the side line of a parcel and the nearest main wall of a building or structure.

METRIC CONVERSION TABLES

Distance (metres - feet)			
0.6 metres	2 ft	15 metres	49 ft
1.5 metres	5 ft	15.3 metres	50 ft
1.8 metres	6 ft	17.0 metres	55 ft
2.0 metres	7 ft	19.8 metres	65 ft
2.5 metres	8 ft	30 metres	98 ft
3.0 metres	10 ft	46 metres	150 ft
4.2 metres	14 ft	50 metres	164 ft
4.5 metres	15 ft	75 metres	246 ft
5.0 metres	16 ft	80 metres	262 ft
5.5 metres	18 ft	90 metres	295 ft
6.0 metres	20 ft	100 metres	328 ft
6.5 metres	21 ft	150 metres	492 ft
7.6 metres	25 ft	200 metres	656 ft
10 metres	33 ft	230 metres	755 ft
11 metres	36 ft	305 metres	1000 ft
12 metres	39 ft	467 metres	1532 ft

Distance (kilometres - miles)	
.5 km	.31 miles
.6 km	.37 miles
.8 km	.5 miles
1 km	.62 miles
1.6 km	1 mile
2.4 km	1.5 miles
3.2 km	2 miles

Area	
1.0 m ²	10.76ft ²
5.0 m ²	53.8 ft ²
9.3 m ²	100 ft ²
67 m ²	721 ft ²
100 m ²	1076.39 ft ²
178 m ²	1916 ft ²
370 m ²	.09 acre
4,000 ft ²	.09 acre
43,560 ft ²	1 acre
0.8 hectare	2 acres
1 hectare	2.47 acre
2 hectares	5 acres
8 hectares	20 acres
64.8 hectares	160 acres

3 ADMINISTRATION AND INTERPRETATION

3.1 Development Officer

The Development Officer of the Rural Municipality of Swift Current No. 137 shall be appointed by the Council of the Rural Municipality of Swift Current No. 137.

3.1.1 The Development Officer shall:

- a) Receive, record, and review Development Permit applications and issue decisions in consultation with Council, and particularly those involving subdivision, discretionary uses, Development Permit conditions, and development and servicing agreements;
- b) Maintain, for inspection by the public during office hours, a copy of this Bylaw, Zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;
- c) Make available, for public inspection during office hours, a register of all Development Permits and subdivision applications and decisions;
- d) Collect development fees, according to the fee schedule established by a separate Bylaw;
- e) Perform other duties as determined by Council.

3.1.2 The Development Officer shall be empowered to make a decision, in consultation with Council, regarding a Development Permit application for a "Permitted Use."

3.2 Council

3.2.1 Council shall make all decisions regarding discretionary uses, development and servicing agreements, and Official Community Plan and Zoning Bylaw amendments.

3.2.2 Council shall make a recommendation regarding all subdivision applications circulated to it by Saskatchewan Ministry of Government Relations, prior to a decision being made by the Minister.

3.2.3 Council shall act on discretionary use, rezoning, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the Official Community Plan and Zoning Bylaw.

3.3 Application for a Development Permit

3.3.1 Unless the proposed development or use is exempt from Development Permit requirements, before commencing any principal or accessory use development, including a public utility use, every developer shall:

- a) Complete and submit a Development Permit application, and (refer to Development Permit application form in Appendix A).
- b) Receive a Development Permit for the proposed development.

3.3.2 A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw and the Official Community Plan.

3.3.3 No development or use shall commence without a Development Permit first being obtained.

3.4 Concurrent Processing Of Development Permits, Building Permits and Other Requirements

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.

3.5 Development Requiring a Permit, but Not Requiring a Fee

The following developments will require a Development Permit but will not require a fee, and shall conform to all other Bylaw requirements (e.g., building permits, setbacks, environmental and development standards).

3.5.1 Hamlet, Country Residential and Mobile Home Zoning Districts:

- a) Buildings and structures under 13.3 m² (144 ft²) which are accessory to a principal residential use except where such dwelling is a discretionary use;
- b) The erection of any fence, wall, gate, television antennae, or radio antennae.

3.5.2 Commercial/Industrial Zoning Districts:

- a) Buildings and structures under 13.3 m² (144 ft²) which are accessory to a permitted, principal commercial use, except where such use is discretionary;
- b) The erection of any fence or gate;
- c) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a building permit has been granted.

3.5.3 Official Uses: Uses and buildings undertaken, erected, or operated by the Rural Municipality of Swift Current No. 137.

3.6 Development Not Requiring a Permit

3.6.1 Agricultural and Agricultural Acreage Zoning districts

Accessory non-farm buildings or structures under 13.3 m² (144 ft²) where applied to a principal permitted use within an appropriate Zoning District established by this Bylaw.

3.6.2 Internal Alterations

All Buildings: Internal alterations and maintenance to other buildings, including mechanical or electrical work, provided that the use, or intensity of use of the building, does not change, except for where National Building Code applies.

3.6.3 Landscaping

Landscaped areas, driveways and parking lots, provided the natural or designed drainage pattern of the parcel and adjacent parcels are not adversely impacted.

3.7 Concept Plans (Comprehensive Development Review)

- 3.7.1 A Concept Plan (Comprehensive Development Review) shall be completed prior to consideration of an application by Council by any person proposing to rezone, subdivide, or re-subdivide land for multi-parcel country residential, commercial or industrial purposes. The purpose of this review is to identify and address social, environmental, compatibility,

health and economic issues and to encourage high quality development. The scope and required detail of the Concept Plan 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;
- e) Sustainable development and environmental management practices regarding surface and groundwater resources, flooding and protection of significant natural areas; and
- f) Appropriate information specific to the particular land use (residential, commercial or industrial).

- 3.7.2 The Concept Plan (Comprehensive Development Review) must be prepared in accordance with the overall goals and objectives of the Official Community Plan. Council shall not consider any development application until all required information has been received. The responsibility for undertaking all administrative reviews, technical investigations and hosting public meetings as required shall be borne solely by the applicant.

3.8 Development Permit Procedure

- 3.8.1 Where an application for a Development Permit is made for a permitted or accessory use in conformity with this Bylaw, *The Planning and Development Act, 2007* and all other municipal Bylaws, the Council shall hereby direct the Development Officer to issue a Development Permit.
- 3.8.2 As soon as an application has been made for a Development Permit and prior to making a decision, the Development Officer may refer the application to whichever government agencies or interested groups Council may consider appropriate. The Development Officer may also require the application to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant.
- 3.8.3 A copy of all approved Development Permit applications, involving the installation of water and sanitary services, shall be sent to the local District Health Region.
- 3.8.4 Upon approval of a permitted or accessory use, the Development Officer shall issue a Development Permit for the use at the location and under such terms and development standards specified by the Official Community Plan and this Bylaw.
- 3.8.5 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.
- 3.8.6 A Development Officer may incorporate specific development standards in a Development Permit for a permitted use to ensure development and application conformity with the Zoning Bylaw. The development standards shall be based on the provisions in the General Regulations section and other defined requirements of the Zoning Bylaw or Official Community Plan.

- 3.8.7 A Building Permit, where required, shall not be issued unless a Development Permit has been issued, or is issued concurrently.
- 3.8.8 A Development Permit is valid for a period of twelve (12) months unless otherwise stipulated when the permit is issued.
- 3.8.9 Where the Development Officer determines that a development is being carried out in contravention of any condition of the Official Community Plan or any provision of this Bylaw, the Development Officer shall suspend or revoke the Development Permit and notify the permit holder that the permit is no longer in force.
- 3.8.10 Where the Municipality is satisfied that a development, the permit for which has been suspended or revoked, will be carried out in conformity with the conditions of the permit and the requirements of this Bylaw, the Municipality may reinstate the Development Permit and notify the permit holder that the permit is valid and in force.

3.9 Discretionary Use Application Procedure

- 3.9.1 The following procedures shall apply to discretionary use applications:
 - a) Applicants must file with the Development Officer the prescribed application form, a parcel plan, any other plans and supplementary information as required by the Development Officer and pay the required application and public hearing fees;
 - b) The Development Officer shall examine the application for conformance with the Official Community Plan, this Bylaw, and any other applicable policies and regulations and shall advise the Council as soon as practical;
 - c) Council may refer the application to whichever government agencies or interested groups, as Council may consider appropriate. Council also may require the application to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant;
 - d) The Development Officer will prepare a report concerning the application which may contain recommendations, including recommendations that conditions of approval be applied in accordance with Section 54 of *The Planning and Development Act, 2007*;
 - e) The Development Officer will set a date for the public hearing at which time the application will be considered by Council and if deemed necessary, provide notice to assessed owners of property indicating so, within the information packages provided as part of the notification process;
 - f) The Development Officer will give notice by regular mail that the application has been filed to the assessed owner of each abutting property and each assessed owner of property within a minimum of 75.0 metres and provide notification at least seven days in advance of the upcoming public hearing and an opportunity for them to provide written comment on the proposal;
 - g) Council shall consider the application together with the reports of the Development Officer and any written or verbal submissions received by Council;
 - h) 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 parcel;
 - i) The applicant shall be notified of Council's decision by regular mail addressed to the applicant at the address shown on the application form.

- 3.9.2 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.
- 3.9.3 The following criteria must be considered in the review of discretionary use applications:
- a) The proposal must be in conformance with all relevant sections of the Official Community Plan and Zoning Bylaw;
 - b) There must be a demand for the proposed use in the general area, and a supply of land currently available in the area capable of accommodating the proposed use;
 - c) The proposal must be capable of being economically serviced including roadways, water and sewer services, and other supportive utilities and community facilities; and
 - d) The proposal must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
- 3.9.4 In approving a discretionary use application, Council may prescribe specific development standards with respect to that use or form of development, provided those standards are necessary to secure the following objectives:
- a) The proposal, including the nature of the proposed parcel, the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs, must be generally compatible with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the general area, including safeguards to prevent noise, glare, dust, or odour from affecting nearby properties;
 - b) The proposal must provide adequate access and circulation for the vehicle traffic generated, as well as providing an adequate supply of on-parcel parking and loading spaces; and
 - c) The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- 3.9.5 Council may approve a discretionary use application for a limited time period where it is considered important to monitor and re-evaluate the proposal and its conformance with the provisions of this Bylaw.
- 3.9.6 Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a Development Permit for the discretionary use at the location and under such terms and development standards specified by Council in its resolution.
- 3.9.7 Council's approval of a discretionary use application is valid for a period of twelve (12) months from the date of the approval. If the proposed use or proposed form of development has not commenced within that time, the approval shall no longer be valid. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid.
- 3.9.8 The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal any terms and conditions attached to a discretionary use application to the Development Appeals Board.

3.10 Interpretation

- 3.10.1 Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.
- 3.10.2 All Bylaw requirements shall be based on the stated metric units. The imperial units shown in this Bylaw shall be approximate guidelines only.

3.11 Refusal of Development Permit Application

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

3.12 Development Appeals Board, Right To Appeal

- 3.12.1 Section 67 of *The Planning and Development Act 2007*, provides the right to appeal the Zoning Bylaw where a Development Officer:
 - a) Is alleged to have misapplied the Zoning Bylaw in issuing a Development Permit;
 - b) Refuses to issue a Development Permit because it would contravene the Zoning Bylaw; or
 - c) Issues an order, based on inspection, to the owner, operator, or occupant of land, buildings, or premises considered to contravene the Zoning Bylaw.
- 3.12.2 Appellants also may appeal where they are of the opinion that development standards prescribed by the Municipality with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw and the Official Community Plan. This right of appeal extends thirty (30) days after the issuance or refusal of a Development Permit or order.

3.13 Development Permit Application Fees

- 3.13.1 An applicant seeking the approval of a Development Permit application shall pay an application fee in accordance with the Rural Municipality's Bylaw to Establish Development and Planning Fees. Separate fees may be charged for each type of permit (permitted use, discretionary use, accessory use, etc.).

- 3.13.2 There shall be no Development Permit application fee for accessory buildings to an agricultural use, licenses for home occupations or other forms or any provincial or federal requirements.
- 3.13.3 Development Permits are valid for one (1) year from the date of Permit.

3.14 Discretionary Use Application Fees

- 3.14.1 An applicant seeking a discretionary use approval shall pay the fees and related advertising costs in accordance with the Rural Municipality's Bylaw to Establish Development and Planning Fees.

3.15 Fee for Zoning Amendment Application

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 administrative or professional review of the application and in carrying out a public hearing as outlined in the Rural Municipality's Bylaw to Establish Development and Planning Fees.

3.16 Holding Zone Provisions

- 3.16.1 Where on the Zoning District Map the symbol for a zoning district has suffixed to it the holding symbol "H"; any lands so designated on the map shall be subject to a holding provision in accordance with Section 71 of *The Planning and Development Act, 2007*.
- 3.16.2 The purpose of the holding provisions shall be to enable Council to manage development and subdivision proposals in phases.
 - a) The application and management of the holding provision shall be at Council's discretion;
 - b) Council may rezone and manage development and subdivision in phases by designating portions of land with a holding symbol (e.g. "H"), in conjunction with any zone design (e.g. CR-H).
 - c) The holding provision and symbol shall mean that:
 - i. Development shall be restrictively managed under the holding provision;
 - ii. Existing uses may continue, subject to the Official Community Plan and Zoning bylaw development and subdivision standards.
 - d) The holding designation may only be removed by amendment to the Zoning Bylaw. All bylaws removing the holding designation shall conform to the Official Community Plan and the provisions of *The Planning and Development Act, 2007*.

3.17 Planned Unit Development

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

- 3.17.2 Planned Unit Development Contract Zoning shall be regulated through a Contract Zoning agreement which is registered as an Interest (caveated) on the title at Land Registry of Information Services Corporation (ISC).

3.18 Referral under The Public Health Act

- 3.18.1 The Development Officer shall make available, in addition to 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*.
- 3.18.2 The Development Officer, will not issue a Development Permit until the District Health Region has determined the suitability of a parcel proposed for subdivision to accommodate a private sewage treatment system during 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 parcel assessor.
- 3.18.3 All submissions required are the responsibility of the developer. The final review of a subdivision will not be completed prior to the receipt and evaluation of all required information by the Development Officer, the District Health Region and any other relevant agencies deemed necessary by the Municipality.

3.19 Minor Variances

- 3.19.1 The Development Officer may vary the requirements of this Bylaw subject to the following requirements:
- a) A minor variance may be granted for the following only;
 - i. Minimum required distance of a building from a lot line; and
 - ii. The minimum required distance of a building from any other building on the lot, provided that all other Fire Safety and Building Code regulations can be met.
 - 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*.
- 3.19.2 An application form for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee as set in the fee schedule set in the Bylaw to Establish Fees for Development Permit Applications Development Fees Bylaw.

- 3.19.3 Upon receipt of a minor variance application the Development Officer may:
- a) Approve the minor variance;
 - b) Approve the minor variance and impose terms and conditions on the approval; or
 - c) Deny the minor variance.
- 3.19.4 Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Bylaw.
- 3.19.5 Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.
- 3.19.6 Where a minor variance is approved, with or without terms, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.
- 3.19.7 The written notice shall contain:
- a) A summary of the application;
 - b) Reasons for and an effective date of the decision;
 - c) Notice that an adjoining assessed owner has twenty (20) days to lodge a written objection with the Development Officer, which, if received, will result in the approval of the minor variance being revoked; and
 - d) Where there is an objection and the approval is revoked, the applicant shall be notified of the right to appeal to the Development Appeals Board.
- 3.19.8 A decision to approve a minor variance, with or without terms and conditions, does not take effect until twenty-three (23) days from the date the notice was provided.
- 3.19.9 If an assessed owner of a property having an adjoining property with the applicant's land objects to the minor variance in writing to the Development Officer within the prescribed twenty (20) day time period, the approval is deemed to be revoked and the Development officer shall notify the applicant in writing:
- a) Of the revocation of the approval; and
 - b) Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.
- 3.19.10 If an application for a minor variance is refused, or approved with terms or conditions, the applicant may appeal to the Development Appeals Board within thirty (30) days of the date of that decision.

3.20 Non-Conforming Buildings, Uses and Parcels

- 3.20.1 Any use of land or any building or structure lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with provisions of Section 88 to 93 inclusive, of *The Planning and Development Act, 2007*.
- 3.20.2 No enlargement, additions, or reconstruction of a non-conforming use, building or structure shall be undertaken, except in conformance with these provisions.
- 3.20.3 No existing use, building or structure shall be deemed to be non-conforming by reason only of the conversion of this Bylaw from the Metric System of Measurement to the Imperial

System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.

- 3.20.4 No existing non-conforming parcel shall be deemed to be non-conforming by reason only of its dimensions or area failing to at least equal the standards prescribed for proposed parcels in the Zoning District in which the parcel is located.

3.21 Development Permit – Invalid

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

- a) If the development is not commenced within the period for which the Permit is valid;
- b) If the development is legally suspended, or discontinued, for a period of six(6) or more months, unless otherwise indicated by Council or the Development Officer;
- c) When development is undertaken in contravention of this Bylaw, the Development Permit and specified development standards.

3.22 Cancellation

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

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

3.23 Stop-Work

The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a Development Permit or condition, or an Interest is Registered (caveat) under this Bylaw.

3.24 Offences and Penalties

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

3.25 Inspection of Premises

The Development Officer, or any official or employee of the Municipality acting under their direction, is hereby authorized to enter, at all reasonable hours, upon any property or premises in or about which there is reason to believe that provisions of this Bylaw are not being complied with, and for the purpose of carrying out their duties under this Bylaw, in accordance with Section 242 of the *Planning and Development Act, 2007*.

3.26 Bylaw Compliance

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

3.27 Moving of Buildings

No building shall be moved within or into or out of the area covered by this Bylaw without obtaining a Development Permit from the Development Officer. An applicant shall pay the fee in accordance with the Bylaw to Establish Fees for Development Permit Applications.

3.28 Demolition of Buildings

No building shall be demolished without first obtaining a Demolition Permit from the Development Officer in accordance with any Bylaws respecting buildings. Such Permit shall not be issued unless a proposal for the interim or long-term use or redevelopment of the parcel is also submitted, and the proposed use is in conformity with this Bylaw. A separate Development Permit is required for any redevelopment of the parcel.

3.29 Temporary Development Permits

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. Nothing in this Bylaw shall prevent the use of land, or the erection or use of any building or structure for a non-residential construction or 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.

3.30 Registering an Interest

Council may require that development and servicing agreements and other documents such as restrictive covenants, be registered as an interest on affected lands, to protect municipal and public interests as provided under Section 175 of *The Planning and Development Act, 2007*.

3.31 Development Agreements

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

3.32 Servicing Agreements

- 3.32.1 Where a development proposal involves subdivision, Council may require by resolution, 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.
- 3.32.2 In accordance with Sections 172 to 176 inclusive, *The Planning and Development Act, 2007*, the agreement may provide for:
 - a) The undertaking and installation of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, signage, graded, graveled or paved streets and lanes, connections to existing services, area grading and leveling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities, or other works that Council may require, including both on-parcel and off-parcel servicing;

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

3.33 Performance Bonds

The Municipality may require a developer, including host owners of property where an accessory dwelling or Garden Suite is located or a Temporary Work Camp or other developments which may have an impact on servicing needs, to post and maintain a performance bond to ensure developer performance and to protect the public interest.

3.34 Liability Insurance

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

4 GENERAL REGULATIONS

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

4.1 Licenses, Permits and Compliance With Other Bylaws and Legislation

- 4.1.1 In their interpretation and application, the provisions of this Bylaw shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and general welfare.
- 4.1.2 Nothing in this Bylaw shall exempt any person from complying with the requirements of a Building Bylaw or any other Bylaw in force within the Rural Municipality of Swift Current No.137, 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 Swift Current No. 137 or any law of the Province of Saskatchewan or Canada.
- 4.1.3 Where requirements in this Bylaw conflict with those of any other municipal, provincial, or federal requirements, the more stringent regulations shall prevail.

4.2 Principal Use Established

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

- 4.2.1 Only one (1) principal building shall be permitted on any one parcel 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-unit residential use;
 - d) Recreational uses;
 - e) An agricultural use;
 - f) Business group;
 - g) Uses allowed in a “contract zoning” agreement.
- 4.2.2 Council may, at its discretion, issue a Development Permit for additional principal developments, uses or businesses in Commercial and Industrial Zones.
- 4.2.3 Temporary Uses may be permitted on a parcel where a principal development already exists, at Council’s discretion.
- 4.2.4 Notwithstanding anything contained in this Bylaw, where any land, building, or structure is used for more than one purpose, all provisions of this Bylaw relating to each use shall be complied with. No dwelling shall be located within 3.0 metres (or within acceptable setbacks for Fire Protection and Building Code provisions) of any other building on the parcel except to a building accessory to such dwelling.

4.3 Modular Homes

- 4.3.1 All modular/RTM homes must be newer than ten (10) years old:
 - a) All modular/RTM homes shall be placed on a permanent foundation;

- b) All modular/RTM homes shall have architectural features similar or complementary to adjacent and nearby homes.

4.3.2 All other requirements of this Bylaw apply.

4.4 Accessory Buildings, Uses and Structures

- 4.4.1 Subject to all other requirements of this Bylaw, an accessory building, use or structure is permitted in any Zoning District when accessory to an established principal use which is permitted or discretionary use in that same district, and for which a Development Permit has been issued.
- 4.4.2 No accessory building may be constructed, erected or moved on to any parcel prior to the time of construction of the principal building to which it is accessory.
- 4.4.3 Where a building on a parcel 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.
- 4.4.4 Unless otherwise specified in this Bylaw, a residential use shall not be defined as an accessory use. Accessory structures shall not be used as a dwelling unless approved as an additional agricultural dwelling.

4.5 Uses Permitted In All Zoning Districts

- 4.5.1 Nothing in this Bylaw shall prevent the use of any land as a public street or public park.
- 4.5.2 Nothing in this Bylaw shall prevent the erection of any properly authorized traffic sign or signal, or any sign or notice of any local or other government department or authority.
- 4.5.3 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 or utilities, provided that such use, building, or structure shall be in substantial compliance with the relevant provisions of this Bylaw and shall not adversely affect the character or amenity of the area in which the same is located.

4.6 Application of Overlay Districts

- 4.6.1 The Overlay Districts shall be in addition to all other Zoning Districts where they are applied so that any parcel of land lying in an Overlay District shall also lie in one or more of the other Districts provided for by this Bylaw. The effect is to create a new District which has the characteristics and limitations of the underlying Districts together with the characteristics and limitations of the Overlay District.
- 4.6.2 Unless specifically exempted, the regulations, standards and criteria of the Overlay District shall supplement and be applied in addition to but not instead of, any regulations, standards and criteria applicable to the underlying Zoning District.
- 4.6.3 In the event of conflict between the requirements of any Overlay District and those of the underlying Zoning District, the Overlay requirements shall apply.

4.7 Restoration to a Safe Condition

Nothing in this Bylaw shall prevent the structural improvement or restoration to a safe condition of any building or structure, provided that such structural improvement or restoration shall not increase the height, area or volume so as to contravene the provisions of this Bylaw.

4.8 Grading and Leveling of Parcels

- 4.8.1 Every development shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent properties, or the stability of the land.
- 4.8.2 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 parcel prior to parcel grading and leveling; and
 - 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 parcel approved by the Municipality.
- 4.8.3 Where excavation or filling is proposed for any development in a Flood-hazard area as illustrated on the Appendix Maps in the OCP, the Municipality may request comments of the Water Security Authority or relevant agency, prior to making a decision on the Development Permit application.

4.9 Height of Buildings

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

4.10 Restrictions on Changes

- 4.10.1 The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected, and no land shall be severed from any parcel, if such change, erection or severance creates a situation that contravenes any of the provisions of this Bylaw applicable to each individual remaining building, accessory building, parcel, or lot.
- 4.10.2 Notwithstanding the provisions of clause (4.10.1) of this subsection, no person shall be deemed to have contravened any provision of this Bylaw if only part or parts of any parcel or lot has, or have, been conveyed to, or acquired by, the Municipality or the Province of Saskatchewan for a public work.

4.11 Signage on Natural and Human Heritage Parcels

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 parcel and surrounding area, and does not cause safety concerns or negatively impact the heritage value of the parcel.

4.12 Heritage and Sensitive and Critical Wildlife Habitat

Where development is proposed in an area identified as containing critical wildlife habitat or heritage sensitive areas, (See the Environmentally Sensitive Lands) and Heritage Resource (HR) Mapping in OCP Appendices, 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.

4.13 Fence and Hedge Heights

- 4.13.1 Notwithstanding the other provisions in this section, barbed wire fences shall be exempt from the required yard setbacks in all Zoning Districts in accordance with any other municipal bylaw respecting municipal road setbacks. 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.
- 4.13.2 Screening devices shall not locate within a sight triangle as defined in this Bylaw. Screen fences shall be consistent and complement the quality of building design and materials of the primary building. Height Restriction [i.e. shall not exceed 2.4 metres (7.9 feet) in height].
- 4.13.3 Subject to traffic sight lines, the following imitations shall apply to fences, walls, chain-link fences and hedges in all Country Residential Districts.
 - 4.13.3.1 No hedge, fence or other structure shall be erected past any property line.
 - 4.13.3.2 No barbed wire or razor wire fences shall be allowed.

4.14 Landscape Buffers

- 4.14.1 Landscape buffers are intended to improve land use compatibility and environmental quality by recurring noise, lighting glare and other nuisances, or facilitating natural drainage.
- 4.14.2 The Development Officer may require or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials or other similar uses.
- 4.14.3 For any non-residential use, Council may establish landscaping requirements for any permitted or discretionary use or Development Permit to achieve:
 - a) Maximum public safety;
 - b) Zero nuisance;
 - c) Environmental quality.
- 4.14.4 Council may establish specific landscaping requirements to include berms, natural vegetation, planted vegetation, landscaping, trees, shrubs, fences, private signs and similar amenities.
- 4.14.5 Council may require all parcels along Highway No.'s 1, 4, 32, 363 and 379 and associated service roads, which are developed for non-agricultural purposes, to be landscaped in the front yard. These requirements are provided in the individual Zoning Districts.

- 4.14.6 Country Residential acreages shall be encouraged to establish a shelterbelt, or vegetative landscape buffer around the residential use to reduce land use conflicts with adjacent uses and activities and to recognize the need for a windbreak.
- 4.14.7 The Development Officer may require that parcel landscaping be provided in conjunction with, and addressed as part of any Development Permit approval in any Zoning District.

4.15 Keeping Of Domestic Animals

The keeping of domestic animals is permitted in all Zoning 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 Building and Parcel Maintenance

- 4.16.1 All parcels at all times shall be maintained clean and free from waste and debris in accordance with any noise or nuisance bylaw in the Municipality.
- 4.16.2 The outdoor storage or collection of goods and materials is prohibited in a front yard in any Commercial, Industrial, or Country Residential District. Outdoor storage is permitted in a side or rear yard in a Country Residential District only when the goods or material being stored are clearly accessory and incidental to the principal use of the property.
- 4.16.3 The Development Officer may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses, in a Commercial or Industrial District, or where other landscaping and screening requirements would be appropriate as determined by the Development Officer. The use of landscaping may be required adjacent to exterior storage areas within industrial developments to provide a natural screening of activities that are visible from public roads.

4.17 Prohibited and Noxious Uses

- 4.17.1 Any use is prohibited which, by its nature or the materials used therein, is declared by *The Public Health Act and Regulations* to be a noxious trade, business, or manufacture.
- 4.17.2 Notwithstanding any use contained within a building, no land shall be used and no building or structure shall be erected, altered or used for any purpose that is noxious and, without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offence, or both:
 - a) By the creation of noise or vibration;
 - b) By the emission of light and glare;
 - c) By reason of the emission of gas, fumes, smoke, dust or objectionable odour;
 - d) By reason of the unsightly storage of goods, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery, or other such material;
 - e) By any combination of things in this subsection.

4.18 Disposal of Wastes

- 4.18.1 Subject to all Acts and Regulations pertaining in any way to the storage, handling, and disposal of any waste material or used item, and except as permitted by these Acts and Regulations, no liquid, solid, or gaseous wastes shall be allowed to be discharged into any

stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into the air.

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

4.19 Parcel Development Regulations for Development Near Water Sources

- 4.19.1 If the proposed development will be within 150.0 metres (492.13 feet) of any public well or private or public dam which is licensed by the Saskatchewan Water Security Agency, or relevant agency, and identified in the OCP, Council may also require additional information from the applicant to ensure that the existing water supplies will not be jeopardized.
- 4.19.2 Council may require that before a permit may be issued, the applicant shall submit a report prepared by a professional who is competent to assess the suitability of the parcel for a development and that the development is suitable with respect to the required mitigation measures to develop in areas of high water table, near public wells, waste disposal parcels or a private or public dam which is licensed by the Saskatchewan Water Security Agency, or relevant agency, and identified in the OCP.
- 4.19.3 Notwithstanding any other portion of this bylaw, the development of new buildings and/or additions to building in the flood way of the 1:500 flood year elevation of any watercourse or water body is prohibited. In addition, development in the 1:500 year flood fringe is not allowed unless flood proofed up to an elevation of 0.5 metres (1.64) above the 1:500 year flood elevation to be determined by a qualified hydraulic engineer or as established by the Saskatchewan Water Security Agency.

4.20 Public Utilities and Municipal Services

- 4.20.1 Public utilities except solid waste disposal, liquid waste disposal and clean fill parcels, unless otherwise specified by this Bylaw, shall be exempt from the provisions of every Zoning District.
- 4.20.2 Protective, emergency, municipal services and other public works and facilities may be established in all Zoning Districts.

4.21 Closings

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 road or street.

4.22 Roadways

- 4.22.1 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.
- 4.22.2 Council may require applicants and developers to pay for any or all costs associated with road construction and short-term maintenance where the cost is directly associated with the development or subdivision.
- 4.22.3 Development adjacent to a provincial highway shall meet all setback requirements of the Saskatchewan Ministry of Highways and Infrastructure. Notwithstanding any regulations passed by the Province of Saskatchewan which apply to highways, this Bylaw may establish a higher standard than those required by the Province for developments adjacent to highways and intersections.
- 4.22.4 Notwithstanding the setback provisions contained in the Zoning District Schedules, Council may reduce the 46.0 metre (150 feet) setback for buildings and structures on municipal roadways where physical circumstances make it unrealistic to maintain the 46.0 metre setback.
- 4.22.5 The requirement of a service road or internal subdivision roadway to provide access may be required as a condition of approval for any new development.
- 4.22.6 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.

4.23 Frontage and Access/Approaches

- 4.23.1 A Development Permit shall not be issued unless the parcel intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on a graded all-weather registered road, or unless satisfactory arrangements have been made with the Council for the improvement or building of a road.
- 4.23.2 All parcel access from roads shall be to the satisfaction of Council with respect to location, design, and construction standards. Council shall take into account the physical capability and safety of the roads that are proposed to serve the development.
- 4.23.3 All approaches to public roads require the approval of the Municipality. All approaches shall be constructed in accordance with the engineering standards of the Municipality.
- 4.23.4 The Development Officer shall decide upon all approach applications and, based on location, drainage, traffic flow, sight lines, road standards, and safety considerations, may approve or refuse an application for an approach.
- 4.23.5 Where an approach for a Commercial, Industrial, or Country-Residential lot within a multi-parcel subdivision accesses onto a paved road or highway, the approach shall be paved from the edge of the road surface to 5.0 metres (16.40 feet) into the lot.

4.24 Road Crossings

The Municipality may apply special standards as outlined in *The Municipality Act*, or subsequent legislation, to protect the municipal interest when transportation, utility and pipeline facilities cross municipal roads or when seismic activity is proposed on roads or road allowances.

4.25 Heavy Haul Roads

The Municipality may use *The Municipalities Act* to ensure that any trucking activity cover the cost of road repair caused by their usage of a rural municipal road.

4.26 Railway Crossings and Sight Distances

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

4.27 Sight Triangle

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

Table 1: Sight Triangle Distances

Type of Road or Railway	Distance Along Centreline
Provincial Highways	230 metres (754.60 feet)
Municipal Grid Roads or Railway Lines	91.45 metres (300 feet)

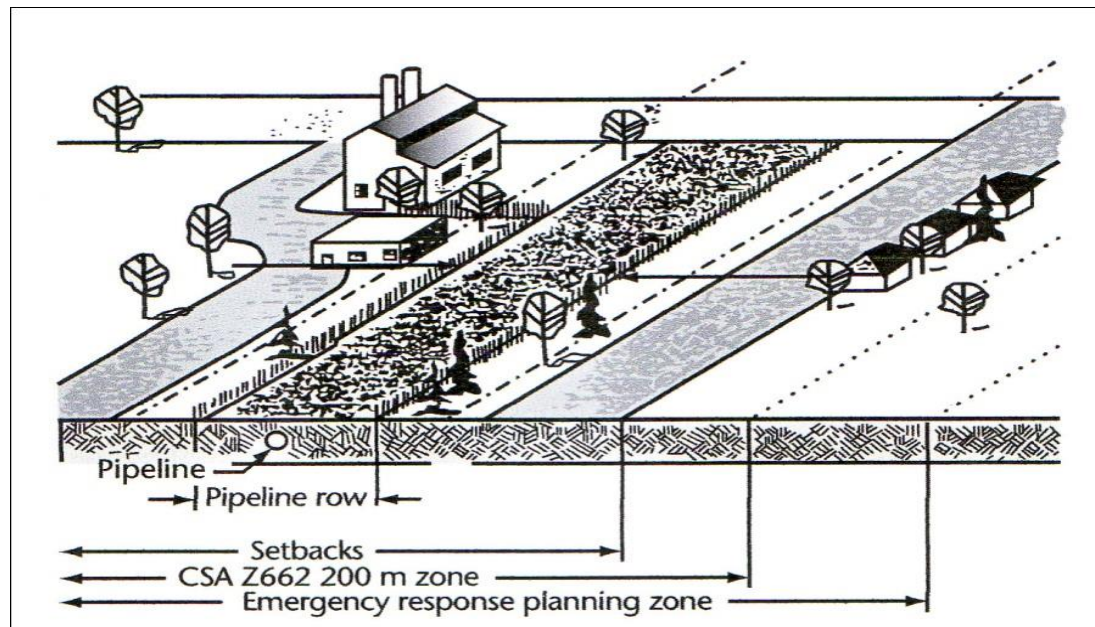
4.28 Development Along Pipelines and Gas Transmission Lines - New

- 4.28.1 Any development involving pipeline and /or power line transmission rights-of-way shall be parceled to comply with all relevant Federal and Provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial Regulations or Acts and any regulations or directives established by crown corporations. Refer to "Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663", which may be amended from time to time.
- 4.28.2 Setbacks from pipelines shall be **12.0 metres** except for where provision has been made in the previous bylaw or in consultation with the operator of the pipeline, a lesser separation may be allowed.
- 4.28.3 The National Energy Board has designated a review area of **30.0 metres** on either side of a pipeline in which, subject to exceptions for such things as normal agricultural activities, anyone proposing to conduct a ground disturbance/excavation must:
- Ascertain whether a pipeline exists;
 - Notify the pipeline company of the nature and schedule of the excavation; and

c) Conduct the excavation in accordance with such regulations.

- 4.28.4 The following figure provides the setbacks required by the Canadian Standards Association. Source: Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663.

Figure: Land Use Areas



4.29 Communication Towers

- 4.29.1 The erection of cellular telephone transmission towers shall not be permitted in, or closer than 100.0 metres to any Country Residential District or Hamlet.
- 4.29.2 Satellite dishes may be erected in Agricultural Resource, Commercial or Industrial Districts for communications purposes or re-broadcasting of television signals subject to any provisions in the Zoning District. Public Utilities are generally exempt from parcel size and setback provisions.

4.30 Uses or Objects Prohibited or Restricted In Yards

- 4.30.1 No development or use of land which requires the disposal of solid waste, liquid waste, gaseous waste or clean fill shall be permitted unless it has received all required federal and provincial approvals.
- 4.30.2 The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary requirements and permits must be met and obtained prior to issuance of a Development Permit.
- 4.30.3 A Development Permit for residential, commercial, recreational or industrial buildings shall not be permitted except in accordance with the recommended separation distances of the "Regulations Respecting Anhydrous Ammonia-Saskatchewan Regulations 361/77" which may be amended from time to time. Residences and buildings which are an integral part of the fertilizer operation are not subject to the foregoing buffer requirement.

4.31 Vehicle Storage

- 4.31.1 Notwithstanding anything contained in this Bylaw, no person shall use any parcel in any Zoning 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 parcel in an Agricultural, Commercial or Industrial District, except in the case of permitted vehicle storage establishments or auto wreckers.
- 4.31.2 Notwithstanding anything contained in this Bylaw, no person shall use any parcel in any district for the parking or storage of any vehicle that is not in running order, except that not more than two (2) such vehicles may be stored on any parcel in a Country Residential or Hamlet District or Agricultural Resource parcel of 8.10 hectares (20 acres) or less.
- 4.31.3 Where any outside storage of vehicles is proposed, the parcel shall be kept in a tidy and neat manner. The Municipality may require that the outside storage of vehicles be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof. The screening, where required, shall also include any individual parts of a vehicle and any equipment or machinery involved with the storage of such vehicles.

4.32 Lighting

- 4.32.1 All outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties; interfere with the use and enjoyment of neighbouring lands; or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.
- 4.32.2 Appropriate lighting of Commercial and Industrial development may be undertaken to provide security and to add visual interest. Lighting standards and fixtures shall be of consistent design and complimentary to the overall architecture.

4.33 Signage

- 4.33.1 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;
 - g) Real estate signage;
 - h) Residential name plates;
 - i) Works of art containing no advertising.
- 4.33.2 The following general regulations shall pertain to temporary and permanent signage in all Zoning Districts unless otherwise stated.
 - 4.33.2.1 All signs situated along a provincial highway shall comply with provincial highway regulations as amended from time to time.

- 4.33.2.2 Signs shall not be located in such a manner as to impede the view of any pedestrian or vehicular right of way, or railway crossing.
- 4.33.2.3 Signs which are deemed to be in disrepair shall be properly maintained or removed at the discretion of the Municipality.
- 4.33.2.4 A Development Officer may require that a sign be enhanced with landscaping or architectural features to improve aesthetics.
- 4.33.2.5 Offensive statements, words or pictures that do not conform to the amenities of the neighbourhood shall be prohibited.
- 4.33.2.6 Signs or sign structures shall not be located where they may interfere with, distract from, obstruct the view of, or be confused with any authorized traffic sign, signal or device.
- 4.33.2.7 Signs shall be constructed in a permanent manner, of materials suitable for the purpose and life of the sign and shall be maintained and mounted in a condition that is safe, neat, clean and not unsightly or dangerous.
- 4.33.2.8 Intermittent flashing signs, neon or LED lighting shall be discretionary in any Zoning District and all illuminated signs shall be designed to cast light downwards and located appropriately to prevent the creation of a hazardous situation related to vehicular traffic.
- 4.33.2.9 Signs identifying multi-parcel country residential developments may be permitted.
- 4.33.2.10 Incidental signage (e.g. temporary event) shall not exceed 0.5 m² (5.4 ft²) of gross surface area and shall not contain any advertising.
- 4.33.2.11 No permanent sign shall be placed on or over public property unless specifically permitted within this Bylaw.
- 4.33.3 Highway Corridor Signage
 - 4.33.3.1 Where a sign will be located adjacent to a Provincial highway, *The Highways and Transportation Act* will govern placement requirements; and
 - 4.33.3.2 Billboard and other off-parcel advertising signs are permitted in a highway sign corridor.
 - 4.33.3.3 Sign approval in the Signing Corridor is conditional on the mutual agreement of the Landowner, R.M. of Swift Current, and the Ministry of Highways.
 - 4.33.3.4 The Signing Corridor shall be established at the following locations:
 - a) North: NE and SE of Section 1, Township 16, Range 14, West of the 3rd Meridian (Immediately North of the Bypass);
 - b) South: Portion of the NE of Section 5, Township 15, Range 13, West of the 3rd Meridian. Portion; of the SE of Section 8, Township 15, Range 13, West of the 3rd Meridian.
 - c) East: Portion of the NE of Section 4, Township 16, Range 13, West of the 3rd Meridian (Immediately West of Railway Overpass) East: Portion of the SW of Section 4, Township 16, Range 13, West of the third Meridian;

- d) East: SE quarter of Section 10, Township 16, Range 13, West of the third Meridian.
- e) West: Portion of the NW of Section 23, Township 15, Range 15, West of the 3rd Meridian (Across from the Weight Scales);
- f) West: NW quarter of Section 25, Township 15, Range 15, West of the Third Meridian;
- g) West: SW quarter of Section 25, Township 15, Range 15, West of the Third Meridian;
- h) West: Portion of the NW quarter of Section 29, Township 15, Range 14, West of the Third Meridian (South of the No. 1 Highway).

4.33.4 Temporary Signage in Right of Ways - Temporary Signage may be placed in public right of ways for the purpose of advertising special events and will be limited to the following.

- 4.33.4.1 Temporary, portable and real-estate signs are permitted as long as the temporary condition exists for the property. They can be erected ten (10) days prior to the day of an event, and must be removed within 48 hours of the event's end.
- 4.33.4.2 Signage will maintain a separation distance of 10.0 metres from another temporary or permanent sign, 3.0 metres from a parcel access point and 10.0 metres from an intersection.
- 4.33.4.3 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.

4.34 Zoning District Sign Regulations

The specific Zoning District sign regulations shall apply in addition to, and take precedence over the following general sign regulations:

Table 2: Zoning District Sign Regulations

Agricultural Resource District	<ul style="list-style-type: none"> Free standing signs shall not exceed a gross surface area of 11m² (118.4 ft²) and a height of 7.5 metres. One attached sign shall be permitted not exceeding 5.6 m² (60.27ft²) in gross surface 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. <p>Recreational Uses</p> <ul style="list-style-type: none"> Free standing signs shall not exceed a gross surface area of 5 m² (53.82 ft²) and a height of 2.5 metres. One attached sign shall be permitted not exceeding 5.6 m² (60.27 ft²) in gross surface area. <p>Ag-Commercial and Home Based Businesses</p> <ul style="list-style-type: none"> 1 sign per building frontage to a maximum gross surface area of 1 m² (10.76 ft²) for an approved use. Maximum 2.5 metres in height. Illumination limited to 75 watts and shall not include electronic message boards.
Hamlet District	<ul style="list-style-type: none"> One permanent sign is permitted per parcel. The facial area of a sign shall not exceed 1.0 m² (10.75 ft²). In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public. Temporary signs not exceeding 1 m² (10.75 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.
Commercial and Industrial District	<ul style="list-style-type: none"> Free standing signs shall not exceed a gross surface area of 11m² and a height of 17.0 metres. One attached sign shall be permitted not exceeding 5.6 m² in gross surface area. Illumination limited to 75 watts and may/may not include electronic message boards. Where a building maintains direct exposure to more than one public right of way, a second attached sign shall be allowed.

4.35 Loading Requirements

Where the use of a building or parcel 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 parcel shall be provided on the parcel.

4.36 Parking

- 4.36.1 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.
- 4.36.2 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 parcel.
- 4.36.3 The parking facility shall be located on the same parcel as the use for which it is intended. It shall be developed such that:
 - a) It is reasonably accessible to the use and vehicles it is intended to serve;
 - b) It meets the satisfaction of the Municipality regarding design;
 - c) It is appropriately landscaped to the satisfaction of the Municipality;
 - d) All parking facilities shall be maintained to the satisfaction of the Municipality by the owner of the property;
 - e) Each parking space within a parking facility shall be a minimum of 3.0 metres (9.85 feet) wide and 6 metres (19.89 feet) long;
 - f) Where two or more uses are permitted on any one parcel or where two or more uses are to share common parking facilities, the off-street parking requirements for each use shall be calculated as if each is a separate use and the total number of off-street parking spaces so calculated shall be provided; and
 - g) One (1) barrier free (e.g. handicap) parking space shall be provided for any required parking facility accommodating between 4 and 100 parking spaces.
- 4.36.4 Any parking facility shall be developed to the satisfaction of the Municipality within one (1) year of the completion of the development for which the Development Permit was issued.
- 4.36.5 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.

5 DISCRETIONARY USE STANDARDS FOR DEVELOPMENT

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

5.1 Home-Based Businesses and Occupations

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Home-Based Business or Occupation.

- 5.1.1 The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- 5.1.2 The use shall be conducted entirely within the dwelling unit or an accessory building to the dwelling unit.
- 5.1.3 There shall be no external advertising other than a sign of not more than 1.0 m² (10.75 ft²) erected in accordance with the Sign Regulations contained herein.
- 5.1.4 In Country Residential Districts, there shall be no external storage of goods, materials or equipment associated with the applied use.
- 5.1.5 The use shall not create or become a public nuisance.
- 5.1.6 The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.
- 5.1.7 No use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the district in which the home-based business is located.
- 5.1.8 The use shall be valid only for the period of time the property is occupied by the applicant for such use.
- 5.1.9 All permits issued for home based businesses or occupations shall be subject to the condition that the Development Permit may be revoked at any time, if in the opinion of Council, the operation has not met the regulations and standards applicable to home-based businesses or occupations contained in the Bylaw, or the special standards applied by Council at the time of approval.
- 5.1.10 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

5.2 Agricultural Tourism Uses

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

- 5.2.1 Agricultural tourism uses shall display a high visual quality and shall be integrated into the rural environment by virtue of appropriate design, location and landscaping.
- 5.2.2 Agricultural tourism uses may only be approved where they would not:
 - a) unduly interfere with the surrounding character of the agricultural area;

- b) materially interfere with or affect the use and enjoyment of adjacent properties;
- c) adversely impact upon the environment; or
- d) result in excessive demand on municipal services, utilities or public roadway access;

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

5.3 Garden Suites

A single Garden Suite may be placed in the back yard of a single-detached residential development under the following conditions in an Agricultural Resource, Agricultural Acreage or Country Residential District.

- 5.3.1 The Garden Suite dwelling unit is a temporary use and shall be permitted for a five (5) 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.
- 5.3.2 The owner(s) of the host residence shall live on the parcel.
- 5.3.3 The occupant(s) of the Garden Suite should be able to benefit from the informal care and support of relatives or a caregiver in the primary residence, or provide care and support to relatives or a care-receiver in the primary residence.
- 5.3.4 The floor area of the Garden Suite dwelling shall not be less than 35 m² (375 ft²) and not greater than 90 m² (1000 ft²). The Garden Suite may be a single width mobile (in the Agricultural Resource or Agricultural Acreage Districts only) or modular home.
- 5.3.5 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 or caregiver of the permanent resident.
- 5.3.6 The maximum height of the Garden Suite shall not exceed 5.0 metres from grade level and shall have only one story.
- 5.3.7 Garden Suite dwellings shall only be located on parcels where the dwelling can be serviced by existing utilities and can be hooked up to the services of the host residence where possible.
- 5.3.8 Residents of the Garden Suite must have access to the rear yard amenities.
- 5.3.9 The accessory dwelling shall be placed so that all other setback requirement of this Zoning Bylaw are met.
- 5.3.10 A parking space shall be provided on-parcel for the resident(s) of the Garden Suite dwelling.
- 5.3.11 There shall be direct and separate access to the Garden Suite dwelling by on-parcel driveway, or by public roadway or alley.
- 5.3.12 Garden Suites may only be approved where they would not:
 - a) change the character of the neighbourhood;
 - b) adversely affect the natural environment;
 - c) result in any increase in demand on municipal services, or public utilities.

- 5.3.13 An applicant for a Garden Suite shall be required to sign an Agreement with the Municipality or post a Performance Bond to ensure that the Suite will comply with all Bylaw requirements.
- 5.3.14 The Municipality shall at its own cost, file a copy of a Discretionary Use approval as an Interest against the title of the land on which the Garden Suite has been allowed.

5.4 Residential Care Homes

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

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

5.5 Bed & Breakfast Homes

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

- 5.5.1 Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead parcel or country residence.
- 5.5.2 No more than three (3) guest rooms shall be allowed in a bed and breakfast home.
- 5.5.3 Only one sign, not exceeding 1.5 m² (16.15 ft²) advertising the vacation farm or bed and breakfast home and located on-parcel, is permitted.
- 5.5.4 The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.
- 5.5.5 The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner occupied residence. No one other than the occupant and his/her immediate family members may be involved or employed in the operation of the bed and breakfast home.

5.6 Salvage Yards (Auto Wreckers)

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Salvage Yard/Auto Wrecker or similar operation.

- 5.6.1 This includes salvage yards, auto wreckers, auto repair shop, body shops and similar uses, all salvage vehicles and materials, vehicles waiting repair, salvage or removal and similar uses.
- 5.6.2 No vehicles or parts thereof shall be located in the front yard.
- 5.6.3 All salvage yards shall be totally hidden from the view of the travelling public, provincial highways, any public road by utilizing distance and careful location, natural or planted vegetation, an earth berm, opaque fence, or other appropriate methods approved by Council.
- 5.6.4 All salvage or auto wrecking yards adjacent to a Country Residential or Hamlet District shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres and constructed of material suitable to conceal from view the materials stored on parcel. No materials shall be stacked above the height of the fence.
- 5.6.5 A Performance Bond may be required by Council to ensure the development meets the required development standards.

5.7 Automotive Service Uses and Gas Pumps

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

- 5.7.1 Gas pumps and islands shall be set back 6.0 metres (19.89 feet) from any parcel line.
- 5.7.2 Service Stations shall locate underground storage tanks in accordance with *The Fire Protection Act*.
- 5.7.3 Propane and natural gas pumps (retail or wholesale) shall be set back according to Provincial regulations.
- 5.7.4 Access/egress points shall not be continuous along a street and shall be separated by at least 10.0 metres.
- 5.7.5 Traffic circulation for auto-related services shall be accommodated on the parcel.
- 5.7.6 Vehicles and parts storage shall not be located in any yard abutting a road and must be screened from view by a solid fence. The location, height and screening materials must be first approved by the Development Officer.

5.8 Animal Kennels

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for an Animal Kennel.

- 5.8.1 The maximum number of animals not normally attributed to the host parcel to be kept on-parcel shall be at the discretion of Council.

- 5.8.2 No building or exterior exercise area(s) to be used to accommodate the animals shall be allowed within 300 metres of any dwelling located on adjacent lots.
- 5.8.3 All facilities, including buildings and exterior exercise areas, shall be parceled behind the principal building unless otherwise approved by Council.
- 5.8.4 Pens, rooms, exercise runs and holding stalls may be soundproofed to the satisfaction of Council.
- 5.8.5 All dog facilities shall be visually screened from existing dwellings on adjoining lots.
- 5.8.6 No animals shall be allowed outdoors between the hours of 9:00 p.m. to 7:00 a.m. daily. During this time period, all animals shall be kept indoors.
- 5.8.7 A boarding use shall at no time unduly interfere with the character of the neighbourhood or the general enjoyment of adjoining parcels.
- 5.8.8 Details of animal waste disposal shall be included in the application.
- 5.8.9 One sign located on-parcel advertising the kennel is permitted subject to the General Sign Regulations in Section 4.33.
- 5.8.10 Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- 5.8.11 Animal kennels shall be subject to relevant Bylaws and legislation governing noise and public health.
- 5.8.12 All permits issued shall be valid for a two (2) year period from the date of issuance and shall be subject to cancellation by the Municipality for due cause.
- 5.8.13 Failure to comply with any of the above regulations or the conditions of a Development Permit may result in the revoking of the permit by the Municipality.

5.9 Equestrian Facilities

The following additional considerations shall be made for all applications for an Equestrian Facility.

- 5.9.1 The Development Permit shall set the maximum number of horses that may be kept on the parcel.
- 5.9.2 An animal is kept, for purposes of this section, when it is on the parcel overnight.
- 5.9.3 That the number of animals allowed, as a condition of the permit, to participate in an event are in addition to the number that are allowed to be kept on the parcel.
- 5.9.4 The Development Permit shall set out conditions that address garbage and manure control, pasture management, water supply and sewage disposal, on-parcel stock trailer parking, participant and spectator parking.
- 5.9.5 The application shall include an animal waste and drainage plan for all areas of the parcel of land disturbed during or as a result of the development of the Equestrian Centre and supporting facilities.
- 5.9.6 The application shall include a traffic impact analysis that includes current and projected traffic for the next ten years in the vicinity. A condition of the Development Permit may

require there be a contribution towards upgrading of access roads should the road network require upgrading because of the impact of the facility.

5.10 Campgrounds

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

- 5.10.1 The operator of a campground shall provide the Development Officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach or tent camp-parcels with dimensions. The addition or rearrangement of camp-parcels, the construction or moving of buildings, and the material change in use of portions of land, or the filling or clearing of land shall require a Development Permit, and the operator shall submit for approval an amended plan incorporating the development.
- 5.10.2 *The Public Health Act* shall be complied with in respect to all operations and development of the campground. All water and waste disposal must meet all regulatory requirements and garbage removal and weed and pest control must be outlined in the development permit application.
- 5.10.3 A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 metres (14.77 feet) which shall contain no buildings.
- 5.10.4 The operator of a campground shall designate a camp-parcel for each trailer coach or tent party, which shall be less than 150 m² (1614.64 ft²) in area with its corners clearly marked.
- 5.10.5 One sign located on-parcel advertising the campground is permitted subject to the General Sign Regulations in Section 4.33.
- 5.10.6 No portion of any camp-parcel shall be located within a roadway or required buffer area.
- 5.10.7 Each camp-parcel shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- 5.10.8 Each trailer coach shall be located at least 4.5 metres (14.77 feet) from any other trailer coach, and each camp-parcel shall have dimensions sufficient to allow such location of trailer coaches.
- 5.10.9 The space provided for roadways within a campground shall be at least 7.5 metres (24.61 feet) in width. No portion of any camp-parcel, other use or structure shall be located in any roadway.
- 5.10.10 A campground may include as accessory uses a laundromat or confectionary designed to meet the needs of the occupants of the camp-parcels, and one single detached dwelling for the accommodation of the operator.

5.11 Temporary Work Camps

- 5.11.1 Temporary Work Camps are an accessory use to an industrial or resource development.
- 5.11.2 A Development Permit for a Work Camp may be issued for up to 1 (one) year, at which time an application must be made for the continuance of the use for 1 (one) additional year, after which time a new Development Permit approval is required.

- 5.11.3 An application for a Development Permit must provide the following information and a Concept Plan for the development:
- a) The location, type and purpose of the camp;
 - b) Adjacent land uses;
 - c) The method of supplying water and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the Saskatchewan Onparcel Waste Water Disposal Guide and in accordance with *The Saskatchewan Public Health Act*;
 - d) The number of persons proposed to live in the camp;
 - e) The method of providing garbage disposal and pest control in the camp;
 - f) The start date for development, date of occupancy by residents and removal date of the camp.
- 5.11.4 A Temporary Work Camp for accommodation purposes must be:
- a) Linked to a specific project for which a valid and current Development Permit has been issued and can only accommodate workers for this project;
 - b) Accommodate a minimum of twenty(20) persons and a maximum of three-hundred (300) persons;
 - c) Secured by the installation of appropriate fencing around the project accommodation and on-parcel security staff;
 - d) Provide adequate on-parcel parking for private vehicles;
 - e) Separated (buffered) from adjacent land uses.
- 5.11.5 The final review of an application 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.
- 5.11.6 The Work Camp buildings and structures must be removed from parcel when the project is completed.
- 5.11.7 The Developer must post a Performance Bond of sufficient amount to remove and/or reclaim the parcel to ensure that:
- a) The Work Camp accommodation remains on-parcel after the project is either completed or if work has stopped, to the extent that the need for the camp no longer exists; or
 - b) To reclaim the parcel if necessary after the Work Camp has been removed from the parcel.

5.12 Domestic Wind Energy Systems

- 5.12.1 The Developer shall submit a parcel plan that shows the legal land description, the size of the parcel, the location of the private wind energy system in relationship to the property lines and other structures or buildings, including roads, underground cabling, overhead lines, fencing and access.
- 5.12.2 Council will require the developer to consult with the adjacent property owners surrounding the proposed parcel prior to reviewing the Development Permit application.

- 5.12.3 The Rural Municipality may seek approval of this development from both internal and external referral agencies.
- 5.12.4 Development and Building Permit applications for Wind Energy systems shall be accompanied by a manufacturer's engineering certificate of structural safety and certification of structural safety from a Saskatchewan Professional Engineer.
- 5.12.5 Installation plans (concrete specifications, anchoring specifications) shall be certified by a Saskatchewan Professional Engineer & must meet with R.M. approval.
- 5.12.6 An approved Electrical Permit from Sask. Power shall be obtained and provided to the Municipality for all wind energy systems.
- 5.12.7 All buildings and structures shall be set back at least 90.0 metres from an intersection of any Municipal road allowance, or Provincial highway or such greater distance as required by the Saskatchewan Ministry of Highways.
- 5.12.8 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.
- 5.12.9 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.
- 5.12.10 Setback distance for the Domestic Wind Energy System shall be a minimum distance of the height of the wind energy system plus 50.0 metres from the property line.
- 5.12.11 Approaches for access roads to the wind energy facilities must be perpendicular to established road allowances.
- 5.12.12 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 metres.
- 5.12.13 The minimum distance from an Agricultural, Country Residential dwelling or Hamlet shall be:
 - a) 500 metres (1,604 feet) for up to two towers, where the residence's owner is hosting the tower(s);
 - b) 1500 metres (4,921 feet) for up to two towers, where the residences owner is not hosting the tower(s) and from any neighboring residences;
 - c) 2,000 metres (6,561 feet) for all residences, where three or more towers are combined in a quarter section. This applies to residences on the subject lands and on neighboring properties.
- 5.12.14 The separation distance from a Commercial or Industrial principal use to a wind energy generator (turbine) shall be a minimum distance of 550 metres.
- 5.12.15 Upon request, where Council considers that a lesser separation distance than described above will not negatively impact the specific use or surrounding development, Council may consider a reduction of the required separation distance. Prior to granting a reduction, Council may consult with appropriate agencies.

- 5.12.16 Where Council considers a lesser separation distance than required above, the developer of the wind energy system may be required to enter into an agreement with the owner of any residence that does not meet the required distance and the Municipality consenting to the proposed development, as a condition of the approval. Council may require that an interest protecting the parties to the agreement be registered against the title of the residence and the titles of any other affected parcels.
- 5.12.17 The Municipality may require the developer to take mitigating measures to ensure the development produces minimal disturbances to the surrounding lands as per Saskatchewan Environment guidelines.
- 5.12.18 The proposed height of the domestic wind energy system shall be included in the Development Permit application. The maximum total tower height shall be:
- a) 45.0 metres above grade level in the Agricultural Resource Zoning District;
 - b) 6.0 metres in a Hamlet or Country Residential, Commercial or Industrial District;
 - c) A maximum of one domestic wind energy system per lot may be permitted;
 - d) For residential applications, wind energy components and towers shall be erected in rear yards only.
- 5.12.19 There shall be no sounds, light, glare, heat, dust or other emissions that detract from the amenity of the area other than those that are necessary for the operation of the system.
- 5.12.20 Parcels having potentially dangerous or hazardous developments shall have visible signs stating any potential dangers. No hazardous waste shall be stored on the parcel.
- 5.12.21 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 2.0 metres and the design shall be included in the Development Permit application.
- 5.12.22 Council may require the developer to take mitigating measures to ensure the development produces minimal environmental impacts to the surrounding lands.
- 5.12.23 A decommissioning plan shall be submitted with the development application.
- 5.12.24 Any changes to the original Development Permit shall require a new permit to be issued.

5.13 Commercial Wind Energy Systems

In addition to the regulations for Domestic (Privately Owned) Wind Energy Systems in 5.12, the following regulations shall apply.

- 5.13.1 Where a number of Wind Energy Systems are proposed to operate in close proximity to each other as a Wind Farm and the electrical power that is generated will be sold to a Public or Private Utility, the proposed development shall be deemed a Discretionary Use in the Agricultural Resource District.
- 5.13.2 The Developer shall submit a parcel plan that shows the legal land description, the size of the parcel, the location of the Commercial wind energy system in relationship to the property lines and other structures or buildings, including roads, underground cabling, overhead lines, fencing and access.

- 5.13.3 Council will require the developer to consult with the adjacent property owners within a 5.0 kilometre radius surrounding the proposal prior to reviewing the Development Permit application.
- 5.13.4 The minimum parcel size for the allowance of any wind energy system shall be 2.0 hectares.
- 5.13.5 Wind energy systems must be a minimum distance of 1.0 kilometre from any residence or group of residences.
- 5.13.6 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.
- 5.13.7 The developer shall undertake required consultations and/or studies to determine appropriate setback distances from environmentally sensitive areas, wetlands, or other protected or sensitive areas.
- 5.13.8 The Developer shall submit a parcel plan that shows the location of the wind energy systems including roads, underground cabling, fencing, overhead lines, drainage and access.
- 5.13.9 Landscaping shall be provided by the developer, where deemed necessary by Council, to maintain safety, protection and the character of the surrounding area.
- 5.13.10 Accessory outdoor storage shall be screened from adjacent residential dwellings and public highways and the location of the storage shall be shown on the sketch that forms part of the Development Permit application.
- 5.13.11 Development applications must be accompanied by a report of any public information meetings or other process conducted by the developer.
- 5.13.12 A post-construction reclamation plan as well as a decommissioning plan shall be submitted along with the development application.

5.14 Communication Towers

- 5.14.1 All towers with a height of 15.0 metres (50 feet) or more shall be considered at the discretion of Council and shall require a Development Permit.
- 5.14.2 All towers shall be located on the same parcel as the intended signal user.
- 5.14.3 All towers shall be erected in rear yards only.
- 5.14.4 The tower shall not be illuminated unless required by Transport Canada Regulations, and except for a manufacturer's logo, shall not exhibit or display any advertising.
- 5.14.5 The maximum total tower height shall be:
 - a) 6.0 metres above grade level in Hamlets and Country Residential Districts;
 - b) 46.0 metres above grade level in all other Districts.
- 5.14.6 Guy-wire anchors shall be setback at least 1.0 metres from the property line.
- 5.14.7 All towers that require a Development Permit shall be enclosed within a locked protective chain link fence of a minimum height of 2.0 metres and the design of the fence shall be included in the Development Permit application for Council's approval.

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

5.15 Solid & Liquid Waste Disposal Facilities

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Solid or Liquid Waste Disposal Facility. The following standards do not apply to liquid manure storage facilities and the application of manure on agricultural lands where this use is deemed consistent with all other relevant sections of this Bylaw.

- 5.15.1 Development and parcel maintenance shall be in accordance with provincial environmental and health regulations.
- 5.15.2 Any solid waste and/or liquid waste disposal facility shall be located 457.0 metres from any residence unless relaxation of this requirement is agreed to by affected parties.
- 5.15.3 A buffer strip containing trees, shrubs or a berm shall be located surrounding a disposal area.
- 5.15.4 Any solid or liquid waste disposal facility shall be fenced.
- 5.15.5 Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
- 5.15.6 Solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all-weather road.
- 5.15.7 The development of any new disposal parcels shall take into consideration direction of prevailing winds.
- 5.15.8 Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- 5.15.9 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.

Table 3: Minimum Separation Distances Relating to all Solid and Liquid Waste Disposal

Other Uses	Solid Waste Facility	Liquid Waste Facility
Single Residence, Tourist Accommodation	457 metres	457 metres
Multi-Parcel Country Residential subdivision or Hamlet or Urban Municipality	1.6 kilometres	600 metres
Commercial or Industrial Use	300 metres	300 metres

5.16 Intermodal Freight Containers (Trailers, Box Cars, Sea and Rail)

- 5.16.1 No person shall park or store on any part of a parcel, any unlicensed rail or sea container, truck, bus or coach body for the purpose of advertising within any Zoning District.
- 5.16.2 Intermodal Freight containers may be accommodated for warehousing or storage purposes in the Agricultural, Agricultural Acreage, High Profile Commercial and Industrial Districts under the following conditions:
- a) Containers that will be used as temporary storage (up to 18 months) must obtain a temporary development permit;
 - b) Containers that will be used as permanent storage (over 18 months) must obtain a development permit. The container must be properly anchored and be a minimum of 15.24 cm (6 inches) above the ground on either a non-porous surface such as concrete or asphalt or placed on a base of compacted gravel;
 - c) Must be painted similar to business so as to blend in with surrounding uses and well maintained;
 - d) Shall be located a minimum of 3.0 metres from the primary building and behind the rear wall of the primary building;
 - e) Containers determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Rural Municipality;
 - f) Only one intermodal freight container (no buses) will be allowed on a lot that has an occupied principle dwelling in the Agricultural Acreage District and should the principle dwelling become unoccupied, the intermodal freight container must be removed;
 - g) Must meet the National Building Code Standards as applicable.

6 ZONING DISTRICTS AND ZONING MAPS

6.1 Zoning Districts

For the purpose of this Bylaw, the Rural Municipality of Swift Current No. 137 is divided into several Zoning Districts that may be referred to by the appropriate symbols.

Symbol	Zoning Districts	Symbol	Overlays
AR	Agricultural Resource	ES	Environmentally Sensitive
AgA	Agricultural Acreage	HR	Heritage Resource
CR1	Country Residential 1 (High Density)	AFP	Airport Flight Path
CR2	Country Residential 2 (Low Density)		
H	Hamlet		
RMH	Residential Mobile Home		
HPC	High Profile Commercial Light Industrial		
IND	Industrial Industrial		
AC	Airport Commercial		

6.2 Zoning District Maps

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 7-2015" adopted by the Rural Municipality of Swift Current No.137, signed by the Reeve and Administrator under the seal of the Rural Municipality, shall be known as the "Zoning Districts" map, and such map is hereby declared to be an integral part of this Bylaw.

6.3 Boundaries of Zoning Districts

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

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 and natural resource extraction and related activities.



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

7.1 Permitted Uses

- a) Field crops, animal and poultry raising, ranching, grazing, and other similar uses customarily carried out in the field of general agriculture, including the sale on the agricultural holding of any produce grown or raised on the agricultural holding but excluding intensive livestock, P.M.U. and poultry operations, feed lots, hatcheries, and mushroom farms;
- b) One single detached dwelling, RTM, modular or mobile home on a quarter section or equivalent, following the placement thereof on a permanent foundation;
- c) Uses, buildings and structures accessory to the principal building or use;
- d) Small-scale facilities for the processing and direct sale of crops grown or products raised by the agricultural operation;
- e) Intensive Agricultural Activities i.e. tree and garden nurseries, market gardens, greenhouses, orchards, vegetable, horticultural or fruit gardens;
- f) Beehives and honey extraction facilities;
- g) Fish farming;
- h) Oil and gas wells, but excluding intensive oil and gas developments;
- i) Pipelines and related facilities;
- j) Mining operations including, but not limited to, mine offices, maintenance and processing buildings, head frames, wells, pipelines and storage facilities;
- k) Institutional uses and facilities;
- l) Intermodal freight containers;
- m) Public parks, community halls and recreational uses;
- n) Places of worship;
- o) Cemeteries;
- p) Historical and archaeological parcels;
- q) Wildlife and conservation management areas;
- r) Public utilities.

7.2 Discretionary Uses

7.2.1 The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 and with regard to the discretionary use criteria provided in Section 5 of this Bylaw:

- a) Intensive Livestock Operations (over 300 Animal Units);
- b) P.M.U. and poultry operations;
- c) Feedlots and hatcheries;
- d) Agricultural commercial;
- e) Home-based businesses and home occupations;

- f) Ag-related light manufacturing, assembly, or machine shops;
- g) Stand-alone grain storage parcels (greater than 250,000 bushels);
- h) Agricultural industry;
- i) Grain elevators and terminals;
- j) Aggregate resource extraction (sand and gravel), storage and processing;
- k) Contractor's yards;
- l) Trucking firm establishments;
- m) Clean fill parcels;
- n) Oil and gas related commercial and other similar uses;
- o) Petroleum extraction development, pipelines, compressor stations and storage facilities;
- p) One (1) agricultural accessory residence, including a mobile home;
- q) Non-farm residential on parcels less than a quarter(1/4) section;
- r) Agricultural tourism;
- s) Residential care homes;
- t) Bed and breakfast homes, where part of a single detached dwelling;
- u) Garden suites;
- v) RV parks and campgrounds;
- w) Temporary work camps;
- x) Communication towers;
- y) Private airstrip;
- z) Domestic and commercial wind energy systems;
- aa) Solid and liquid waste disposal facilities;
- bb) Kennels.

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

7.3 Prohibited uses

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

7.4 Accessory Buildings and Uses

- 7.4.1 A permitted accessory use/building shall be defined as any buildings, structures or a use which is customarily accessory to the principal use of the parcel, but only if the principal permitted use or discretionary use has been established.
- 7.4.2 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- 7.4.3 Manure applications associated with livestock and agricultural composting are considered accessory to an agricultural operation where the spreading occurs on the parcel in which it is produced or on other lands included in the Agricultural Operation.
- 7.4.4 Facilities for the direct sale of crops grown by the agricultural operation including orchards and market gardens shall be considered as an accessory use to a farmstead or agricultural residence in the Agricultural Resource District.

- 7.4.5 Large accessory buildings used for such uses as Ag-related light manufacturing, assembly or machine shops are a discretionary use and shall be located adjacent to a developed all-season road.
- 7.4.6 Intermodal Freight Containers are a permitted accessory use and shall comply with Section 5.16 of the General Regulations.

7.5 Subdivision and Parcel Regulations

Minimum parcel area	<p>Two subdivided parcels/quarter section.</p> <p>Agricultural: 16.19 hectares (40 acres)</p> <p>Resource Activity: no minimum</p> <p>Intensive Agricultural activities: 1.0 hectare</p> <p>Farm and Non-farm Residential: 1.0 hectare (2.47 acres) to a maximum of 4.05 hectares (10 acres) except that, at Council's Discretion, the maximum parcel area may be a greater area depending on existing physical circumstances such as highway cut off or shelter belt.</p> <p>All other discretionary uses: 1.0 hectare and a maximum of 4.05 ha (10 acres) exempting intensive livestock operations under 300 Animal Units which requires 16.19 hectares (40 acres).</p>
Minimum parcel frontage	30.0 metres (98.43 feet)
Minimum front yard	All buildings shall be set back a minimum of 46.0 metres from the centre line of any developed road, municipal road allowance or provincial highway and/or a minimum of 90.0 metres from the intersection of the centre lines of any municipal roads or provincial highway or such greater distance as required for e.g. Parcel triangle.
Minimum rear yard	All buildings shall be set back a minimum of 15.0 metres or 25% of the depth of the parcel whichever is the lesser
Minimum side yard	All buildings shall be set back a minimum of 15.0 metres 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, grain bags and other	All shelterbelts, tree plantings, portable structures, machinery and the storage of aggregate materials or grain bags shall comply with the same setback requirements as for buildings. Council may reduce setback by resolution if physical circumstances dictate.
Fence Lines	All fences shall be set back a minimum of 46.0 metres from the centre line of any developed road, municipal road allowance or provincial highway. Barbed wire fences where permitted are exempt.
Public Works and Facilities	There shall be no minimum parcel area required for cemeteries, radio or communication towers or related facilities.

- 7.5.1 Notwithstanding the setback provisions contained in the Zoning District Schedules, Council may reduce the 45.72 metres (150 feet) setback for buildings and structures on municipal roadways where physical circumstances make it unrealistic to maintain the 45.72 metres (150.0 feet) setback, however, no building, use or vegetation shall be located closer than 22.86 metres (75.0 feet) to the edge of the road allowance.
- 7.5.2 The Development Officer may require a greater setback for a Permitted or Discretionary Use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent parcels.
- 7.5.3 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:
- a) The separation distance to an Intensive Livestock Operation as regulated in Section 7.9;
 - b) 457 metres from a licensed public or private liquid waste disposal facility;
 - c) 457 metres from a licensed public or private solid waste disposal facility;
 - d) 305 metres from a honey processing facility;
 - e) 400 metres from an Aggregate Resource extraction operation;
 - f) 1.0 kilometre from sour gas wells and 75 metres from other gas and oil wells;
 - g) 500 metres from an Ethanol, Fertilizer or Potash development;
 - h) 305 metres to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan;
 - i) 600 metres to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan.

7.6 Supplementary Development Standards for Agricultural Uses

- 7.6.1 The minimum parcel area constituting an agricultural operation or agricultural holding shall be 64.8 hectares (160 acres) or equivalent. Equivalent shall mean 64.8 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.
- 7.6.2 Any existing agricultural parcel which does not conform to the minimum parcel area requirement shall be deemed conforming with regard to parcel area, provided that a registered title for the parcel existed at Information Services Corporation (ISC) prior to the coming into force of this Bylaw.
- 7.6.3 A reduced agricultural parcel area below 64.8 hectares(160 acres), may be permitted for the purpose of farmland consolidation, estate planning settlement, farm debt restructuring or as a result of a permitted or discretionary subdivision or due to topographical or physical limitations. This does not confer the right to further develop on these parcels. Development must comply with the provisions of the Zoning District.

7.7 Farmsteads

- 7.7.1 A maximum of one (1) farm-related, single detached dwelling will be permitted on agricultural parcels and farmsteads. A farmstead may contain the following where located on the same parcel:

- a) a residence for the operator of an agricultural use;
- b) a dormitory residence for employees or business partners of the operator engaged in the agricultural operation;
- c) facilities for the temporary holding of livestock raised in an operation, in lesser numbers than constitutes an ILO (unless approved as an ILO);
- d) buildings for permitted accessory and ancillary uses.

7.7.2 The Development Officer may issue a Development Permit for more than one (1) dwelling on a parcel if:

- a) it is an accessory agricultural residential dwelling to be occupied by a person or persons who are engaged on a full-time basis for at least six (6) months of each year in the agricultural operation;
- b) the additional dwelling is located on a parcel which is a permitted agricultural operation;
- c) accessory dwellings shall only be located on parcels where the accessory dwelling can be serviced by existing utilities. Development criteria regarding Garden Suites are provided in Section 5.3.;
- d) this provision does not permit the subdivision of this dwelling, unless it conforms to provisions of this Bylaw with respect to residential subdivision.

7.7.3 Notwithstanding the provisions of this Bylaw and the Official Community Plan, a mobile home may be permitted for a period of up to three (3) years on an existing farmstead or non-farm residential parcel within this Zoning District subject to a resolution of Council, provided that the following criteria is met.

- 7.7.3.1 Adherence to any permit or Building Bylaw or licensing requirement in effect in the Municipality;
- 7.7.3.2 Issuance of a Development Permit to the landowner where the said mobile home is located;
- 7.7.3.3 The entering into of a Development Agreement between all affected parties, where considered necessary, to assure applicable development standards are adhered to;
- 7.7.3.4 Compliance with any requirement of the Saskatchewan Ministry of Health or government agencies respecting water and waste connections, and disposal concerns.

7.7.4 Each mobile home shall comply with the Canadian Standards Association (CSA) document CAN/CSA - 240.2.1-M86 "Structural Requirements for Mobile Homes" and shall be anchored but, shall not be placed on a permanent foundation.

7.8 Temporary Uses

- 7.8.1 A Trailer Coach used for farm employees during the farming season shall be accommodated as a temporary/seasonal use on a permitted agricultural parcel.
- 7.8.2 In the case of an existing, currently habitable dwelling, which is being replaced by a new one, the existing dwelling, may, as a condition of the new Development Permit and any

related Development Agreement, be allowed to be occupied during construction, only until the new one is habitable. At that point, the existing dwelling must be demolished or moved off the parcel within thirty (30) days after occupancy of that dwelling.

7.8.3 Grain Storage Bags:

- a) shall not be used or stored in any required yard setbacks;
- b) shall not become a nuisance or impede visibility at the approach of an intersection or obstruct snow plowing or road maintenance activities.

7.9 Non-farm Subdivision of Agricultural lands

- 7.9.1 A maximum of two (2) parcels may be subdivided for any land use, commercial, industrial, or non-farm residential per quarter section 64.8 ha (160 acres) in the AR- Agricultural Resource District in addition to one farmstead. Such subdivisions shall not exceed the creation of more than two (2) legal residential parcels, unless rezoned to an appropriate zoning district.
- 7.9.2 When a parcel for an existing or proposed single detached dwelling is subdivided from the agricultural parcel or farmstead, the development or subdivision of such non-farm residential uses must meet the following:
 - 7.9.2.1 A parcel to be created by subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a developed road, including any road to be developed at the sole expense of the developer or under a signed servicing agreement.
 - 7.9.2.2 A farmstead which contains a residence proposed for subdivision as a separate parcel shall provide sufficient land area to provide for an on-parcel waste disposal system.
- 7.9.3 Subdivision proposing to establish more than two (2) new non-farm, single parcel residential parcels shall be subject to rezoning to a Country Residential District and compliance with all relevant area, frontage and setback requirements of that Zoning District.
- 7.9.4 The subdivision of parcels of agricultural land which are physically isolated from the majority of the quarter section by a road, rail-line or watercourse will be allowed. To preserve viable agricultural parcels, such parcels should be consolidated with other adjoining agricultural land.
- 7.9.5 All proposed non-farm residential subdivisions shall observe the minimum separation distances from intensive livestock operations and aggregated extraction operations, potash, oil and gas and ethanol plant developments as provided in Figures 5 and 7.
- 7.9.6 Any parcel which does not conform to the minimum parcel area requirement but existed in the Information Services Corporation (Land Titles Office) prior to the coming into force of this Bylaw shall be deemed conforming with regard to parcel area.
- 7.9.7 At the request of the current owner of the parcel proposed to be subdivided Council may increase the maximum parcel size requirement by no more than 100% where the change:

- a) is required to include additional land required for water supply or waste disposal systems which exist on or are proposed for the parcel;
 - b) is requested to include or facilitate any existing landscaping, buildings, structures or natural features on the proposed parcel;
 - c) would not unnecessarily reduce, or negatively affect the existing use, size, servicing, or access to the balance of the quarter section, or equivalent as defined in this Bylaw; and
 - d) would not negatively affect the existing use, servicing, or access to any neighbouring land which abuts the proposed new parcel.
- 7.9.8 Once a residential subdivision is registered, no further subdivision shall be permitted which creates an additional lot and/or increases the residential density of the existing lots. Council may, at its discretion, permit minor lot line adjustments, however, the adjustment shall not create an additional lot.

7.10 Intensive Livestock Operations

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for an Intensive Livestock Operation.

- 7.10.1 For the purpose of this section, an Intensive Livestock Operation (ILO) shall be defined as the rearing, sustaining, finishing or breeding by means other than grazing of more than 300 animal units of livestock or where the space per animal unit is less than 370m² (4000 ft²), including buildings and structures directly related to the operation but not including a residence, seasonal feeding or bedding parcels.
- 7.10.2 In addition to the general requirements for a discretionary use as provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for:
- a) new ILOs;
 - b) expansion of existing ILOs;
 - c) any operation involving the raising of more than 300 animal units which are cattle, horses or domesticated ungulate animals on less than 160 acres of land;
 - d) any operation involving the raising of more than 50 animal units which are poultry, sheep, goats or hogs on less than 160 acres of land;
 - e) any temporary facility or part of a parcel; or
 - f) the alteration of an animal species in an approved operation.
- 7.10.3 In addition to any requirements contained herein, all applications for an ILO shall conform to the regulations provided within *The Agricultural Operations Act, 1995*.
- 7.10.4 As a condition of approval, the Municipality shall specify the maximum number of animal units for which the approval is made and specify land which may or may not be used for the disposal or storage of manure from an ILO in order to minimize potential land use conflicts.
- 7.10.5 The applicant shall be responsible for submitting a parcel plan and narrative including the following:
- a) The size and type of facility;

- b) A sketch plan showing the location of existing and proposed buildings and the distance from the development parcel to every residence within 1.6 km (1 mile);
 - c) The number and type of animals including identification of any risks of disease;
 - d) Manure storage and disposal strategies including identification of all parcels including their acreage intended to host the disposal;
 - e) Identification of surface water and residential development on or adjacent to the parcels intended for hosting the disposal of manure;
 - f) Provide a copy of written agreements with land owners for all parcels intended to host the disposal of manure where the parcels are not controlled by the operator;
 - g) Identification of the location of potentially affected surface and groundwater sources on and adjacent to the parcel including distance measurements to these watercourses;
 - h) Identification of the reason for this parcel being selected including what characteristics exist that makes it suitable for hosting the operation. The Municipality may, at its discretion, require the submission of a soils and water test conducted by a qualified agricultural engineer to confirm that the parcel selected is capable of accommodating the activities proposed;
 - i) Identification of socioeconomic benefits of the operation to the area as well as a brief discussion of the potential conflicts associated with the operation in addition to any mitigative actions to be taken to minimize these effects on adjacent land uses;
 - j) Servicing requirements associated with the operation including but not limited to road upgrades, utility provisioning and availability of adequate water sources;
 - k) Type, volume and frequency of traffic associated with the transportation related to the operation.
- 7.10.6 When considering the operational/environmental aspects of an application, the Rural Municipality shall refer all Development Permit applications to Saskatchewan Ministry of Agriculture for their review and recommendation regarding waste storage, nutrient and mortality management.
- 7.10.7 The Municipality may require the applicant to pay for the public advertisement of a proposal that will result in an intensive livestock operation and for the cost of a public hearing or information session on the proposal.
- 7.10.8 The Municipality may require an applicant to demonstrate that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation.
- 7.10.9 ILOs shall adhere to the following recommended minimum distance separations:

Table 4: ILO Separation Distances

Type of Development	10-49 Animal Units	50-299 Animal Units	300-499 Animal Units	500-2000 Animal Units	2000+ Animal Units
Single family dwelling not owned by the ILO operator	600 metres	800 metres	800 metres	1600 metres	2400 metres
Multi-Parcel Country Residential subdivision, hamlets	800 metres	800 metres	1600 metres	2400 metres	3200 metres
City of Swift Current	1600 metres	1600 metres	2400 metres	3200 metres	4800 metres

- 7.10.10 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. Such agreements must contain a provision that the parties to the agreement will register an interest on the titles of all affected lands owned by, or within the jurisdiction of, both parties.
- 7.10.11 In determining proximity to a multi-parcel residential subdivision, hamlet, village, city, or recreational use, separation distances shall be measured from the area of confinement of the animals to the property boundary of the closest developable parcel.
- 7.10.12 In determining proximity to a single family dwelling located on agricultural property or to a residence within a single parcel residential subdivision not owned by the Intensive Agricultural Operator, separation distances shall be measured from the area of confinement of the animals to the residential dwelling.
- 7.10.13 ILO's existing at the time of the adoption of this Bylaw shall continue with their current operation. Any expansion of the operation or change of animal species or type of operation is required to obtain written approval from the Municipality in accordance with the requirements and conditions of this Bylaw.
- 7.10.14 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.
- 7.10.15 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.

Table 6: Location Separation Criteria for Manure Spreading to Dwellings

Method of Manure Application	Injected	Incorporated within 24 hours	No incorporation
Residential Acreages and Riparian areas, Multi-Parcel Country Residential and Hamlets	200 metres	400 metres	800 metres
City of Swift Current	400 metres	800 metres	1600 metres

- 7.10.16 Crop land or improved pasture may be used for the disposal of wastes from an intensive livestock operation by spreading of manure, and such manure shall be incorporated into the soil within twenty-four (24) hours of spreading, unless such incorporation is prevented by adverse weather conditions, in which case incorporation shall take place as soon as practical thereafter.
- 7.10.17 The Rural Municipality may require or allow an applicant to utilize manure injection into the soil or other technology rather than conventional stockpiling and spreading. The Municipality may consult Saskatchewan Agriculture, regarding the suitability of such technology.

7.11 Aggregate Extraction (Sand, Gravel, Topsoil)

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 Aggregate Extraction activity.

- 7.11.1 For the purpose of this section, Aggregate Resource 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, or topsoil stripping.
- 7.11.2 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.
- 7.11.3 In reviewing applications for Aggregate Resource extraction operations, the environmental implications of the operation including plans for parcel restoration shall be considered.
- 7.11.4 An approval of an aggregate resource extraction activity shall be for a maximum period of two (2) years and may be renewed at the discretion of Council providing the requirements of this Bylaw continue to be met.
- 7.11.5 The applicant shall submit plans and a narrative including:
- The location and area of the parcel where the excavation is to take place;
 - The expected life of the deposit if applicable;
 - The type and dimensions including average depth of the proposed excavation, and the effect on existing drainage patterns on and off the parcel;
 - Identification of the outdoor noise and the discharge of substances into the air;
 - The methods for preventing, controlling, or reducing erosion;

- f) Proposed access and hauling activities (including number of trucks, tonnage, and hours of hauling);
 - g) Proposed extraction, operation, and staging (including years, dates and hours of operation);
 - h) The condition in which the parcel 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.
- 7.11.6 Aggregate Resource extraction industries are permitted in accordance with the following conditions:
- 7.11.6.1 The applicant shall ensure that dust and noise control measures are undertaken to prevent such items from becoming an annoyance to neighbouring 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 attempt to minimize the noise created by machinery and equipment.
 - 7.11.6.2 The applicant shall keep the area subject to the Development Permit in a clean and tidy condition free from rubbish and non-aggregate debris.
 - 7.11.6.3 Access routes into extraction areas shall be located away from residential areas.
 - 7.11.6.4 A disturbed area shall be reclaimed to a land capability equivalent to the pre-disturbance land capability (e.g. agricultural land) or a post-disturbance condition and land use (e.g. conversion to wetland) which are satisfactory to the Municipality. These conservation and reclamation procedures shall be in accordance with the *Guidelines for Environmental Protection During Development and Restoration of Sand and Gravel Pits, Saskatchewan Environment and Public Safety, 1983*.
 - 7.11.6.5 Any Aggregate Resource extraction industry proposed to be located within 100.0 metres of any municipal road, provincial highway or major waterbodies or riparian areas, shall be permitted only where it would not adversely impact the environment, or materially interfere with or affect adjacent lands.
 - 7.11.6.6 Aggregate Resource extraction industries shall have regard to adjacent land uses and no material is to be stored or piled on any road allowance or within 30.0 metres (98.43feet) of the bank of any river or watercourse, and in conformance with the provisions set out in Sec. 7.5 of this Bylaw.
 - 7.11.6.7 The general resource extraction operator and any person who hauls the aggregate may be required to enter into a road maintenance agreement. The Municipality may require the developer to sign an agreement for road maintenance pursuant to *The Municipalities Act, 2005* as a condition of the approval.
 - 7.11.6.8 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.

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

7.12 Oil and Gas Development

- 7.12.1 Petroleum extraction development including wells, pipelines, compressor stations and storage facilities will be accommodated as a permitted use. Related processing and service related development (land farms for contaminated soil, oil storage batteries, etc.) will be accommodated as a permitted use, if such uses are already regulated by Provincial or National Departments or Agencies.
- 7.12.2 Other related processing and service related development, which is not regulated by those Departments or Agencies shall be accommodated as Discretionary uses.
- 7.12.3 Exploration and development of oil and gas shall be subject to all Federal and Provincial requirements, and such activity must comply with the objectives and policies outlined in the Official Community Plan.
- 7.12.4 Upon approval by the Municipality, the owner of the pipeline shall provide the Municipality at least forty-eight (48) hours' notice of the owner's intention to commence work. Written request must be made to the Rural Municipality before construction begins and the owner shall obtain the required municipal standards for construction for approaches and for pipelines (flow lines) crossing road allowances.
- 7.12.5 Temporary Development Permits may be issued specifying time lines and conditions for such uses of a temporary nature such as oil and gas, mineral seismic or exploratory activities, or other ecotourism/seasonal activities. In no way should the issuance of these permits construe approval of projects other than that which is outlined specifically in the permit. Council has the right to revoke said permits if any of the conditions are not met. Temporary permits will not be issued if the use is not acceptable within the appropriate zoning designation or incompatible with the provisions of the Official Community Plan.
- 7.12.6 The Rural Municipality may apply special standards as outlined in *The Municipalities Act*, 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.
- 7.12.7 To minimize conflict between mineral resource extraction, or oil and gas operations and surrounding land uses, the separation distances provided in Section 7.5 shall be adhered to. These separation distances shall be used to ensure adequate separation distances between Mineral resource extraction, oil and gas operations and other uses which may conflict with this industry or land uses which should not be developed due to problems with air quality or proximity to pipelines (i.e. oil batteries).

7.13 Signage Regulations

All developments shall comply with Section 4.33 and 4.34 of the General Regulations.

7.14 Potash, Fertilizer and Ethanol Plant Development

- 7.14.1 Potash mining operations including, but not limited to, mine offices, maintenance and processing building, head frames, wells, pipelines and storage facilities will be

accommodated as a permitted use. Fertilizer plants or the development of an ethanol plant, whether in association with potash mining or fertilizer operations or as an independent operation, will be accommodated as a permitted use

- 7.14.2 Other related processing and service related development (tailing ponds, tailings piles, etc.) will be considered as accessory uses to mining operations and also accommodated as permitted use, if such uses are already regulated by Provincial or National Departments or Agencies. Other related processing and service related development which is not regulated by those Departments or Agencies shall be accommodated as discretionary uses.
- 7.14.3 The regulations contained in Section 7.5 shall be used to ensure adequate separation distances between potash, fertilizer and ethanol operations and other uses. Council shall determine which uses may conflict with this industry.

7.15 Separation Distances between Mineral, Potash or Oil and Gas Development and Other Uses

- 7.15.1 To minimize conflict between mineral extraction, ethanol, potash or oil and gas operations and surrounding land uses, the following separation distances shall be adhered to. However, the separation distances may be altered by Council as a condition of a permitted or discretionary use permit where authorized by the Zoning Bylaw.
- 7.15.2 The Municipality may grant a reduction of the separation distance criteria where it can be proven that a proposal will not negatively impact adjacent land uses. Prior to granting a reduction, the Municipality will consult with all agencies deemed appropriate and will require registered written agreement from all land owners directly affected by the reduction.
- 7.15.3 Council may approve a separation distance that is up to 10% less than the relevant separation distance shown, where the applicant submits a copy of a signed agreement between the owner of the potash or oil and gas operation, the owners of adjacent developments, and the Hamlet or Urban Municipality, agreeing to the reduced separation distance.
- 7.15.4 Such agreements must contain a provision that the parties to the agreement will then be registered as an interest agreement to the titles of all affected lands owned by, or within the jurisdiction of, both parties at Land Registry of Information Services Corporation (ISC).
- 7.15.5 Where the minimum separation would not be sufficient, but the potential land use conflict would be reduced to acceptable levels, or eliminated with a greater separation distance, Council may require a greater separation than shown. This would only apply where an unacceptable land use conflict would result between existing or future operations and developments as shown on the Future Land Use Map in the OCP.

Table 6: Minimum Separation Distances Relating to Potash, Fertilizer, Ethanol Development, Oil and/or Gas Operations

Land Uses	Oil and Gas Development	Fertilizer, Potash or Ethanol Development
Single dwelling or tourist accommodation	1.0 kilometre from sour gas wells 125.0 metres from other gas and oil wells	500 metres (0.5 kilometre)
Multi-Parcel Country residential subdivisions, Town, Village, or Hamlets	1.0 kilometre from sour gas wells 125.0 metres from other gas and oil wells	1.0 kilometre
Commercial uses	At Council's discretion	At Council's Discretion
Recreational uses	At Council's discretion	At Council's Discretion
Fertilizer, Potash or Ethanol Development	800 metres	n/a
Oil and Gas Development	n/a	800 metres

8 AGRICULTURAL ACREAGE DISTRICT (AgA)



The purpose of the Agricultural Acreage District (AgA) is to accommodate agricultural acreages in an urban or country residential setting in Rhineland, Schoenfeld, Cantuar and Beverley which provides a rural residential lifestyle choice.

8.1 Permitted Uses

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

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

8.2 Discretionary Uses

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

- a) Personal Service Trade;
- b) Bed and Breakfast Home;
- c) Residential Care Home;
- d) Home Based Business or Occupation;
- e) Institutional Use and Community Services;
- f) Recreational - sports fields, parks, playgrounds, curling rinks, skating rinks, tennis courts, and other similar uses;
- g) Lodges, social clubs, service clubs;
- h) Municipal offices, libraries, historic and cultural institutions,
- i) Places of Worship and Community Halls;
- j) Granaries;
- k) Intermodal freight container;
- l) Wind Power Towers and Turbines.

8.3 Prohibited Uses

The following uses shall be strictly prohibited within an Agricultural Acreage District (AgA):

- 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.

8.4 Accessory Buildings and Uses

- 8.4.1 A permitted accessory use/building shall be defined as any buildings, structures or a use which is customarily accessory to the principal use of the parcel, but only if the principal permitted use or discretionary use has been established.
- 8.4.2 All accessory uses, buildings or structures require the submission of an application for a development permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- 8.4.3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- 8.4.4 Intermodal Freight Containers are a discretionary accessory use and shall comply with Section 5.16 of the General Regulations.

8.5 Subdivision and Parcel Regulations

Minimum parcel area	<p>Residential: 0.31 hectare (3/4 acre)</p> <p>Institutional and Recreational: Minimum: 0.8 hectares (2 acres)</p> <p>In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum parcel area.</p> <p>Public utilities shall have no minimum or maximum area requirement</p>
Minimum parcel frontage	<p>18.0 metres (59.06 feet)</p> <p>Parcels for public utilities and institutional uses may be exempted from minimum frontage and parcel area requirements</p>
Minimum front yard	<p>Principal and accessory buildings shall be set back a minimum of 6.0 metres (19.69 feet) from the property line adjacent to a municipal road allowance</p>
Minimum rear yard	<p>Principal buildings shall be set back a minimum of 6.0 metres (19.69 feet) from the rear property line. Accessory buildings shall be set back a minimum of 1.5 metres (4.93 feet)</p>
Minimum side yard	<p>All buildings shall be set back a minimum of 1.5 metres (4.93 feet), except where a side yard abuts a Municipal road allowance or a Provincial highway, the front yard requirements shall apply</p>
Maximum building height	<p>Principal building shall have a maximum height of 10.0 metres (32.81 feet)</p>
Building Floor Area requirements	<p>Principal buildings shall have a minimum floor area of 74.32m² (800 ft²)</p>

Maximum Parcel Coverage	60%
Minimum setback for trees shelterbelts and other	All shelterbelts, tree plantings, portable structures, machinery and the storage of aggregate materials shall comply with the same setback requirement as for buildings

- 8.5.1 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent parcels.
- 8.5.2 Residential parcels may be exempted from these requirements:
- In the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as watercourses, water bodies there shall be no maximum parcel area. Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers;
 - In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum parcel area.
- 8.5.3 Re-development of former residential parcels 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 onparcel wastewater disposal system which meets all required parcel standards provided by the District Health Region, which is acceptable to Council and that meets *The Public Health Act and Regulations* requirements.
- 8.5.4 Where minimum front, side or rear yards are required in an Agricultural Acreage District the following yard encroachments shall be permitted.
- Uncovered and open balconies, terraces, verandas, decks, and patios having a maximum projection from the main wall of 1.8 metres (5.91 feet) into any required front or rear yard.
 - Window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 metres (1.97 feet) into any required yard.

8.6 Signage

- 8.6.1 One permanent sign is permitted per parcel. The facial area of a sign shall not exceed 1.0 m² (10.77 ft²).
- 8.6.2 In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling.
- 8.6.3 No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
- 8.6.4 Temporary signs not exceeding 1 m² (10.77 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

8.7 Fence and Hedge Heights

- 8.7.1 No hedge, fence or other structure shall be erected past any property line.
- 8.7.2 In a required front yard, to a height of more than 1.0 metre (3.29 feet) above grade level.
- 8.7.3 In a required rear yard, to a height of more than 2.0 metres (6.57 feet) above grade level.
- 8.7.4 Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 metres (6.57 feet).
- 8.7.5 No barbed wire, or razor wire fences shall be allowed.

8.8 Outdoor Storage

- 8.8.1 The outdoor storage or collection of goods and materials is prohibited in a front yard in any Agricultural Acreage District.
- 8.8.2 Outdoor storage is permitted in a side or rear yard in an Agricultural Acreage District only when the goods or material being stored are clearly accessory and incidental to the principal use of the property.
- 8.8.3 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- 8.8.4 No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material.
- 8.8.5 Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts.
- 8.8.6 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

9 COUNTRY RESIDENTIAL 1 DISTRICT (CR1)



The purpose of the Country Residential District (CR1) is to accommodate a high density rural acreage development where the essential land requirement is for a building parcel, open space and rural lifestyle option rather than for productive agricultural purposes.

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

9.1 Permitted Uses

- a) Single detached dwelling, RTM or modular home per parcel following the placement thereof on a permanent foundation;
- b) Uses, buildings and structures accessory to the principal building or use;
- c) Open spaces and parks;
- d) Public utilities.

9.2 Discretionary Uses

9.2.1 The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 and with regard to the discretionary use criteria provided in Section 5 of this Bylaw:

- a) Multi-parcel Country Residential development;
- b) Bare land condominium development;
- c) Residential care home;
- d) Home-based business or occupation;
- e) Artisan or craft workshop;
- f) Bed and breakfast homes, where part of a single detached dwelling;
- g) Garden suites;
- h) Domestic wind energy system;
- i) All discretionary uses deemed to be conforming at the time of the passage of this Bylaw.

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

9.3 Prohibited Uses

The following uses shall be strictly prohibited within any Country Residential 1 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) dugouts other than swimming pools as set out in Section 9.9;
- d) Roll off waste bins, except with approval and temporary permit from the rural municipality;
- e) Mobile homes.

9.4 Subdivision and Parcel Regulations

Minimum parcel area	0.40 hectares (1.0 acres)
Maximum parcel area	2.01 hectares (4.97 acres) or to be determined at Council's discretion based on topographical and physical parcel limitations
Minimum parcel frontage	30.0 metres (98.43 feet)
Bare land Condominium developments	Parcel areas to be evaluated on a case-by-case basis.
Minimum Front Yard	<p>All buildings where the front yard abuts the following roads shall be set back a minimum of:</p> <ul style="list-style-type: none"> • 60.0 metres (196.85 feet) from the centre line of a Provincial highway • 36.0 metres (118.11 feet) from the property line of a Highway Frontage Road • 46.0 metres (150.92 feet) from the centre line of a Municipal Road • 15.0 metres (49.22 feet) from the centre line of an Internal Subdivision Road <p>A minimum of 90.0 metres (295.28 feet) is required from the intersection of the centre lines of any municipal roads or provincial highway or such greater distance as required for e.g. parcel triangle.</p> <p>All shelterbelts, tree plantings, and fences shall comply with the same setback requirement as for buildings; except where the front yard abuts an internal subdivision road, the setback for trees shall be 3.0 metres (9.85 feet) from the property line of the road and 9.0 metres (29.53 feet) from the property line at an intersection.</p>
Minimum Side & Rear Yard	<p>All buildings</p> <ol style="list-style-type: none"> 1 where the side yard abuts the following roads buildings shall be set back a minimum of: <ul style="list-style-type: none"> • 55.0 metres (180.45 feet) from the centre line of a Provincial highway • 46.0 metres (150.92 feet) from the centre line of a Municipal Road • 30.0 metres (98.43 feet) from the centre line of an Internal Subdivision Road • 15.0 metres (49.22 feet) from the property line of a Highway Frontage Road 2 where the side yard does not abut a road buildings shall be set back a minimum of: <ul style="list-style-type: none"> • 6.0 metres (19.69 feet) from property line. 3 the rear yard setback shall be 6.0 metres (19.69 feet) from the property line.

	All shelterbelts, tree plantings, and fences shall comply with the same setback requirement as for buildings except: where the side yard abuts an internal subdivision road the setback for trees shall be 3.0 metres (9.85 feet) from the property line of the road and 9.0 metres (29.53 feet) from the property line at an intersection.
Minimum building floor area	Principal building – 111.48 m ² (1200.0 ft ²)
Maximum building height	10.67 metres (35 feet)
Public utilities, recreational, Institutional land uses	Exempted from minimum frontage and parcel area requirements.

9.5 Supplementary Regulations or Special Provisions

- 9.5.1 The final subdivision design and approved lot density of development in the CR Zoning District shall be determined by the carrying capacity of the lands proposed for development as identified within the submission of a Concept Plan. Further subdivision of existing CR developments will be reviewed on a case by case basis and the provisions are addressed in the Official Community Plan.
- 9.5.2 Each Country Residential (multi-parcel) subdivision shall be in a clustered form to facilitate servicing and shall not exceed all required parcel standards provided by the District Health Region for on-parcel wastewater disposal systems.
- 9.5.3 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent parcels.
- 9.5.4 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:
- the separation distance to an Intensive Livestock Operation as regulated in Section 7.10;
 - 457 metres from a licensed public or private liquid waste disposal facility;
 - 457 metres from a licensed public or private solid waste disposal facility;
 - 305 metres from a honey processing facility;
 - 400 metres from an Aggregate Resource extraction operation;
 - 1.0 kilometre from sour gas wells and 75 metres from other gas and oil wells;
 - 1.0 kilometre from an ethanol, fertilizer or potash development;
 - 305 metres to a non-refrigerated anhydrous ammonia facility or 600 metres to a refrigerated facility licensed by Province of Saskatchewan.
- 9.5.5 Country 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 or water bodies. In these cases there shall be no maximum parcel area.

- 9.5.6 Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers;
- 9.5.7 In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum parcel area.

9.6 Accessory Buildings and Uses

- 9.6.1 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 parcel, but only if the principal permitted use or discretionary use has been established.
- 9.6.2 All accessory uses, buildings or structures (i.e. detached garages) 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.
- 9.6.3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- 9.6.4 There shall be no more than two (2) accessory buildings with a total floor area not exceeding 731.52 m² (2400 ft²), located on Country Residential 1 (CR1) parcels. All workshop-related activities shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.
- 9.6.5 The maximum building height of an accessory building shall be no greater than the height of the principal residence.

9.7 Legal Access

- 9.7.1 Development of a residential dwelling, bed and breakfast home, or bare land condominium development is prohibited unless the parcel abuts a developed road. In the case of a bare land condominium development, only the outer portion of the land to be owned by the condominium corporation requires this legal access, not the separate bare land units.
- 9.7.2 For the purposes of this section "developed road" shall mean an existing graded all-weather road on a registered right-of-way, or a road for which a signed servicing agreement has been made by the developer with Council to provide for the construction of the road on a registered right-of-way to a standard approved by Council.
- 9.7.3 A subdivision shall not be recommended for approval by Council unless the proposed parcels and any un-subdivided remnant of the land being subdivided has frontage on a developed road, including any road which is required to be registered and developed as a public road under a signed servicing agreement.

9.8 Swimming Pool and Landscape Ponds Regulations

- 9.8.1 All swimming pools, maintenance equipment and appurtenances thereto shall be constructed and located so as to have a yard not less than 3.0 metres (9.85 feet) in width on all sides except where the pool is attached to or part of a principal structure. No swimming pool shall be located in a required front or side yard setback.

- 9.8.2 For the protection of the general public, all swimming pools shall be effectively fenced by an artificial enclosure not less than 1.9 metres (6.24 feet) in height. Any openings in the enclosure affording access to the pool proper shall have a gate of equal height containing an automatic or manual locking device affixed in such a manner so as to exclude small children.
- 9.8.3 Landscape or Fish Ponds that exceed 1.0 metre (3.28 feet) depth shall comply with Swimming Pool Regulations for safety reasons.

9.9 Signage Regulations

All developments shall comply with Section 4.33 and 4.34 of the General Regulations.

10 COUNTRY RESIDENTIAL 2 DISTRICT (CR2)



The purpose of the Country Residential District (CR2) is to accommodate a low density rural acreage development where the essential land requirement is for a building parcel, open space and rural lifestyle option rather than for productive agricultural purposes.

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

10.1 Permitted Uses

- a) Single detached dwelling, RTM or modular home per parcel following the placement thereof on a permanent foundation;
- b) Uses, buildings and structures accessory to the principal building or use;
- c) Open spaces and parks;
- d) Public utilities.

10.2 Discretionary Uses

10.2.1 The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 and with regard to the discretionary use criteria provided in Section 5 of this Bylaw.

- a) Multi-parcel Country Residential development;
- b) Bare land condominium development;
- c) Residential care home;
- d) Home-based business or occupation;
- e) Artisan or craft workshop;
- f) Bed and breakfast homes, where part of a single detached dwelling;
- g) Garden suites;
- h) Equestrian facilities;
- i) Domestic wind energy system;
- j) All discretionary uses deemed to be conforming at the time of the passage of this Bylaw.

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

10.3 Prohibited Uses

The following uses shall be strictly prohibited within any 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) Dugouts other than swimming pools as set out in Section 10.10.
- d) Roll off waste bins, except with approval and temporary permit from the rural municipality.
- e) Mobile homes

10.4 Subdivision and Parcel Regulations

Minimum parcel area	2.02 hectares (5.0 acres)
Maximum parcel area	4.04 hectares (10 acres) or to be determined at Council's discretion based on topographical and physical parcel limitations.
Minimum parcel frontage	60.0 metres (196 feet)
Bare land Condominium developments	Parcel areas to be evaluated on a case-by-case basis.
Minimum Front Yard	<p>All buildings where the front yard abuts the following roads shall be set back a minimum of:</p> <ul style="list-style-type: none"> • 60.0 metres (196.85 feet) from the centre line of a Provincial highway • 36.0 metres (118.11 feet) from the property line of a Highway Frontage Road • 46.0 metres (150.92 feet) from the centre line of a Municipal Road • 15.0 metres (49.22 feet) from the centre line of an Internal Subdivision Road <p>A minimum of 90.0 metres (295.28 feet) is required from the intersection of the centre lines of any municipal roads or provincial highway or such greater distance as required for e.g. parcel triangle.</p> <p>All shelterbelts, tree plantings, and fences shall comply with the same setback requirement as for buildings; except where the front yard abuts an internal subdivision road, the setback for trees shall be 3.0 metres (9.85 feet) from the property line of the road and 9.0 metres (29.53 feet) from the property line at an intersection.</p>
Minimum Side & Rear Yard	<p>All buildings</p> <ol style="list-style-type: none"> 1. where the side yard abuts the following roads shall be set back a minimum of: <ul style="list-style-type: none"> • 55.0 metres (180.45 feet) from the centre line of a Provincial highway; • 46.0 metres (150.92 feet) from the centre line of a Municipal Road; • 30.0 metres (98.43 feet) from the centre line of an Internal Subdivision

	<ul style="list-style-type: none"> 15.0 metres (49.22 feet) from the property line of a Highway Frontage Road <p>2. where the side yard does not abut a road shall be set back a minimum of:</p> <ul style="list-style-type: none"> 6.0 metres (19.69 feet) from property line. <p>3. the rear yard setback shall be 6.0 metres (19.69 feet) from the property line.</p> <p>All shelterbelts, tree plantings, and fences shall comply with the same setback requirement as for buildings except: where the side yard abuts an internal subdivision road the setback for trees shall be 3.0 metres (9.85 feet) from the property line of the road and 9.0 metres (29.53 feet) from the property line at an intersection.</p>
Minimum building floor area	Principal building – 111.48 m ² (1200.0 ft ²)
Maximum building height	10.67 metres (35 feet)
Public utilities, recreational, Institutional land uses	Exempted from minimum frontage and parcel area requirements.

10.5 Supplementary Regulations or Special Provisions

- 10.5.1 The final subdivision design and approved lot density of development in the CR Zoning District shall be determined by the carrying capacity of the lands proposed for development as identified within the submission of a Concept Plan. Further subdivision of existing CR developments will be reviewed on a case by case basis and the provisions are addressed in the Official Community Plan.
- 10.5.2 Each Country Residential (multi-parcel) subdivision shall be in a clustered form to facilitate servicing and shall not exceed all required parcel standards provided by the Sun Country or local District Health Region for on-parcel wastewater disposal systems.
- 10.5.3 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent parcels.
- 10.5.4 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:
- the separation distance to an Intensive Livestock Operation as regulated in Section 7.10;
 - 457 metres from a licensed public or private liquid waste disposal facility;
 - 457 metres from a licensed public or private solid waste disposal facility;

- d) 305 metres from a honey processing facility;
- e) 400 metres from an Aggregate Resource extraction operation;
- f) 1.0 kilometre from sour gas wells and 75 metres from other gas and oil wells;
- g) 1.0 kilometre from an ethanol, fertilizer or potash development;
- h) 305 metres to a non-refrigerated anhydrous ammonia facility or 600 metres to a refrigerated facility licensed by Province of Saskatchewan.

10.5.5 Country 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 or water bodies. In these cases there shall be no maximum parcel area.

10.5.6 Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers;

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

10.6 Accessory Buildings and Uses

10.6.1 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 parcel, but only if the principal permitted use or discretionary use has been established.

10.6.2 All accessory uses, buildings or structures (i.e. detached garages) require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.

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

10.6.4 There shall be no more than two (2) accessory buildings with a total floor area not exceeding 731.52 m² (2400 ft²), located on Country Residential 2 (CR2) parcels. All workshop-related activities shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

10.6.5 The maximum building height of an accessory building shall be no greater than the height of the principle residence.

10.7 Legal Access

10.7.1 Development of a residential dwelling, bed and breakfast home, or bare land condominium development is prohibited unless the parcel abuts a developed road. In the case of a bare land condominium development, only the outer portion of the land to be owned by the condominium corporation requires this legal access, not the separate bare land units.

10.7.2 For the purposes of this section "developed road" shall mean an existing graded all-weather road on a registered right-of-way, or a road for which a signed servicing agreement has been made by the developer with Council to provide for the construction of the road on a registered right-of-way to a standard approved by Council.

- 10.7.3 A subdivision shall not be recommended for approval by Council unless the proposed parcels and any un-subdivided remnant of the land being subdivided has frontage on a developed road, including any road which is required to be registered and developed as a public road under a signed servicing agreement.

10.8 Keeping of Livestock

- 10.8.1 The keeping of livestock shall be permitted in any Country Residential 2 District (CR2) in accordance with the following schedule:

Parcel Size	Maximum Number of Horses Permitted
4.05 hectares (10 acres)	Two (2) Horses

- 10.8.2 Animals shall not be pastured within 15.0 metres (49.22 feet) of any dwelling or well not owned by the owner of the animals. No buildings or structures intended to contain birds or animals shall be located within 30.0 metres (98.43 feet) of a dwelling, property line or well for potable water.

10.9 Swimming Pool and Landscape Ponds Regulations

- 10.9.1 All swimming pools, maintenance equipment and appurtenances thereto shall be constructed and located so as to have a yard not less than 3.0 metres (9.85 feet) in width on all sides except where the pool is attached to or part of a principal structure. No swimming pool shall be located in a required front or side yard setback.
- 10.9.2 For the protection of the general public, all swimming pools shall be effectively fenced by an artificial enclosure not less than 1.9 metres (6.24 feet) in height. Any openings in the enclosure affording access to the pool proper shall have a gate containing an automatic or manual locking device affixed in such a manner so as to exclude small children.
- 10.9.3 Landscape or Fish Ponds that exceed 1.0 metre (3.28 feet) depth shall comply with Swimming Pool Regulations for safety reasons.

10.10 Signage Regulations

All developments shall comply with Section 4.33 and 4.34 of the General Regulations.

11 HAMLET DISTRICT (H)

The purpose of the Hamlet District (H) is to accommodate the existing Hamlet of Wymark which provides an alternative residential lifestyle choice.

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



11.1 Permitted Uses

- a) Single detached, RTM or Modular one unit dwelling;
- b) Semi-detached or duplex dwellings;
- c) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same parcel with the main use;
- d) Playgrounds and parks;
- e) Places of worship and community halls;
- f) Public utilities.

11.2 Discretionary Uses

The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 and with regard to the discretionary use criteria provided in Section 5 of this Bylaw.

- a) Personal service trade (i.e. hair stylist);
- b) Small scale commercial activities (i.e. landscape business);
- c) Bed and breakfast home;
- d) Recreational (i.e. sports fields, rinks, tennis courts, and other similar uses);
- e) Lodges, social clubs, service clubs;
- f) Home-based business or occupation;
- g) Artisan or craft workshop;
- h) Public utilities warehouses and storage yards.

11.3 Prohibited Uses

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

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

11.4 Subdivision and Parcel Regulations

Minimum parcel area	<p>Single Detached Dwellings: 464.5 m² (4994.62 ft²)</p> <p>Institutional and Recreational: Minimum: 0.4 hectares (1 acre)</p> <p>Public utilities shall have no minimum or maximum area requirement.</p> <p>Other Uses to be determined on specific land use needs</p> <p>In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum parcel area</p>
Minimum parcel frontage	<p>Single Detached Dwellings: 15.0 metres (49.22 feet)</p> <p>Commercial Uses: 7.5 metres (24.61 feet)</p> <p>Discretionary Uses: 30.0 metres (98.43 feet)</p> <p>Other Uses: 15.0 metres (49.22 feet)</p>
Minimum front yard	All buildings shall be set back a minimum of 6.0 metres (19.69 feet) from the property line
Minimum side yard	All buildings shall be set back a minimum of 1.5 metres (4.93 feet) from the property line
Minimum rear yard	All buildings shall be set back a minimum of 0.61 metres (2.00 feet) from the property line
Maximum building height	Principal buildings: 10.0 metres (32.81 feet) Accessory buildings: 7.6 metres (24.94 feet) as measured from the finished grade to the bottom of the eave of the building e.g. not including the eaves of the building
Public Utilities and Institutional Uses	Exempted from minimum frontage and parcel area requirements

- 11.4.1 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent parcels.
- 11.4.2 Re-development of former residential parcels 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 on-parcel wastewater disposal system which meets all required parcel standards provided by the District Health Region, and that meets *The Public Health Act and Regulations* requirements.
- 11.4.3 Where minimum front, side or rear yards are required in a Hamlet District the following yard encroachments shall be permitted:
- uncovered and open balconies, terraces, verandas, decks, and patios having a maximum projection from the main wall of 1.8 metres (5.91 feet) into any required front or rear yard;
 - window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 metres (1.97 feet) into any required yard.

11.5 Accessory Buildings and Uses

- 11.5.1 A permitted accessory use/building shall be defined as any building, structure or a use which is customarily accessory to the principal use of the parcel, but only if the principal permitted use or discretionary use has been established.
- 11.5.2 All accessory uses, buildings or structures require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- 11.5.3 General performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- 11.5.4 Permitted accessory buildings located on a single parcel in this District shall not exceed a floor area of 67.0 m² (721.21 ft²).
- 11.5.5 The building floor area for discretionary large accessory buildings (workshops) may not exceed 178.0 m² (1920 ft²) except at Council's discretion where a larger building will not adversely affect neighboring properties and meets required setbacks and separation distances.
- 11.5.6 All workshop-related activities shall be conducted within an enclosed building.
- 11.5.7 No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

11.6 Fence and Hedge Heights

- 11.6.1 No hedge, fence or other structure shall be:
 - a) erected past any property line;
 - b) 2.0 metres (6.57 feet) for the portion of the fence that does not extend beyond the foremost portion of the principle building on the parcel; and
 - c) 1.0 metres (3.29 feet) for the portion of the fence that extends beyond the foremost portion of the principal building on the parcel.
- 11.6.2 Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 metres (6.57 feet).
- 11.6.3 No barbed wire or razor wire fences shall be allowed.

11.7 Outdoor Storage

- 11.7.1 The outdoor storage or collection of goods and materials is prohibited in a front yard in any Hamlet District.
- 11.7.2 Outdoor storage is permitted in a side or rear yard in a Hamlet District only when the goods or material being stored are clearly accessory and incidental to the principal use of the property.
- 11.7.3 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- 11.7.4 No wrecked, partially dismantled vehicles or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material.

- 11.7.5 Council may require special standards for the location, setback or screening of any area devoted to the outdoor storage of vehicles including equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts.
- 11.7.6 Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

11.8 Signage Regulations

All developments shall comply with Section 4.33 and 4.34 of the General Regulations.

12 RESIDENTIAL MOBILE HOME DISTRICT (RMH)

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



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

12.1 Permitted Uses

- a) Mobile home parks in existence at the passing of this bylaw;
- b) One modular or mobile home not older than 10 years old following the placement thereof on a permanent foundation;
- c) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same parcel with the main use;
- d) Playgrounds and passive parks;
- e) Public works buildings and structures excluding offices, warehouses, and storage yard.

12.2 Discretionary Uses

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

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

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

12.3 Prohibited Uses

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

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

12.4 Mobile Home Park Parcel Development Regulations

Minimum parcel area	2 hectares (5 acres)
Minimum parcel frontage	30.0 metres (98.43 feet)
Minimum front yard	<p>All buildings shall be set back a minimum of:</p> <p>60.0 metres (196.85 feet) from the centre line of a Provincial highway</p> <p>36.0 metres (118.11 feet) from a Highway frontage road property line</p> <p>46.0 metres (150.92 feet) from the centre line of any municipal road</p>
Minimum rear yard	<p>All buildings shall be set back a minimum of:</p> <p>60.0 metres (196.85 feet) from the centre line of a Provincial highway</p> <p>36.0 metres (118.11 feet) from a Highway frontage road property line</p> <p>46.0 metres (150.92 feet) from the centre line of any municipal road</p>
Minimum side yard	<p>All buildings shall be set back a minimum of:</p> <p>60.0 metres (196.85 feet) from the centre line of a Provincial highway</p> <p>36.0 metres (118.11 feet) from a Highway frontage road property line</p> <p>46.0 metres (150.92 feet) from the centre line of any municipal road</p> <p>Side Yard if abutting no highway or road: 15.0 metres (49.22 feet) for a Dwelling, 8.0 metres (26.25 feet) for Accessory buildings, 3 metres (9.84 feet) for trees/shrubs</p>
Minimum setback for trees, shelterbelts and other	<p>55.0 metres (180.45 feet) from the centre line of a Provincial Highway</p> <p>46.0 metres (150.92 feet) from the center line of a municipal road</p> <p>9.15 Metres (30 feet) from intersection of two (2) internal roads</p>

12.5 Individual Mobile Home parcel Development Regulations

Minimum parcel area	Existing parcels - 372.0 m ² (4,004.31 ft ²), New parcels – 464.50 m ² (5,000.00 ft ²)
Minimum parcel frontage	Existing parcels - 12.2 metres (40.0 feet), New parcels – 15.3 metres (50.0 feet)
Minimum front yard	6.1 metres (20.0 feet)
Minimum rear yard	7.6 metres (24.94 feet)
Minimum side yard	3.0 metres (9.85 feet)
Minimum floor area	75.0 m ² (807.32 ft ²)
Maximum floor area detached garages	Detached Garages: 93.0 m ² (1001.08 ft ²)
Maximum Height	Dwellings: 9.0 metres (29.53 feet)
Parking Spaces	2

12.6 Community Centres

Minimum parcel area	372 m ²
Minimum parcel frontage	No minimum
Minimum front yard	7.6 metres
Minimum rear yard	7.6 metres or 25% of the parcel depth, whichever is greater
Minimum side yard	3.0 metres

12.7 Accessory Buildings

- 12.7.1 All accessory buildings shall be set back a minimum of 1.2 metres from the principal building. All other required setbacks are provided in the table above.
- 12.7.2 An accessory building or structure which specifically includes but is not limited to a porch, a canopy, an addition, a home fuel tank covering and mobile home skirting all of which shall be designed and clad in keeping with the original mobile home.
- 12.7.3 All accessory buildings shall not exceed 93.0 m² (1001.08 ft²) in area and shall not exceed 5.0 metres (16.41 feet) in height.
- 12.7.4 All workshop activities shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

12.8 Supplementary Regulations

- 12.8.1 Each mobile home shall be placed on concrete footings or a gravel base under the blocking
- 12.8.2 All mobile homes shall be equipped with a skirting within thirty (30) days of being placed on the parcel.
- 12.8.3 An accessible, removable service panel shall be provided in the skirting.

12.9 Signage Regulations

All developments shall comply with Section 4.33 and 4.34 of the General Regulations.

13 HIGH PROFILE COMMERCIAL LIGHT INDUSTRIAL DISTRICT (HPC)

The purpose of the High Profile Commercial Light Industrial District (HPC) is to accommodate Highway-related Commercial and Light Industrial activities located primarily along provincial highways and municipal roadways.

In the High Profile Commercial Light Industrial District (HPC), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions.



13.1 Permitted Uses

- a) Uses, buildings and structures accessory to the principal building or use;
- b) Offices and professional office buildings;
- c) General Commercial Type I;
- d) Agricultural commercial;
- e) Service station, car wash or gas bar;
- f) Market gardens, tree nurseries;
- g) Lumber and building supply uses;
- h) Home improvement centres;
- i) Sales, rental, leasing and associated servicing of automobiles, trucks, motorcycles, recreational vehicles, industrial equipment and agricultural implements;
- j) Small scale repair services;
- k) Greenhouses or landscape nursery stock farms (including sales of plants, trees, shrubs and plant supplies such as fertilizers and related products);
- l) Tourist facilities;
- m) Self-storage facilities;
- n) Energy and communication service depots;
- o) Intensive recreation uses (e.g. arenas, sports stadium) and similar uses;
- p) Public works, buildings, and structures, warehouses and storage yards, excluding solid and liquid waste disposal facilities.

13.2 Discretionary Uses

13.2.1 The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 and with regard to the discretionary use criteria provided in Section 5 of this Bylaw.

- a) Bulk fuel sales and storage;
- b) Bulk agricultural chemical distribution facilities;
- c) General Industry Type I;
- d) General Commercial Type II;
- e) Animal kennels and domestic animal boarding facilities;
- f) Veterinary clinics;
- g) Trucking firm establishments;
- h) Hotels or motels;
- i) Auctioneering establishments;
- j) Feed pelleting plants and feed mills;
- k) Seed cleaning plants;

- l) Domestic wind energy systems;
- m) Communication towers;
- n) Campgrounds;
- o) Contractor's yard;
- p) Aggregate Storage;
- q) Business group.

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

13.3 Prohibited Uses

The following uses shall be strictly prohibited within the *High Profile Commercial Light Industrial District (HPC)*:

- a) All uses of buildings and land except those specifically noted as permitted or discretionary;
- b) 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;
- c) Any structure to be used as a dwelling unit including RV, and camper trailers;
- d) "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*.

13.4 Subdivision and Parcel Regulations

Minimum parcel area	1000m ² (0.25 acre), except Business Group 1000m ² (0.25 acres) per unit
Minimum parcel frontage	30.0 metres (98.43 feet)
Minimum Front Yard	<p>All buildings where the front yard abuts the following roads shall be set back a minimum of:</p> <ul style="list-style-type: none"> • 55.0 metres (180.45 feet) from the centre line of a Provincial highway • 46.0 metres (150.92 feet) from the centre line of a Municipal Road • 15.0 metres (49.22 feet) from the property line of a Highway Frontage Road • 15.0 metres (49.22 feet) from the property line of an Internal Subdivision Road <p>A minimum of 90.0 metres (295.28 feet) is required from the intersection of the centre lines of any municipal roads or provincial highway or such greater distance as required for e.g. parcel triangle</p> <p>All shelterbelts, tree plantings, and other shall comply with the same setback requirement as for buildings; except where the front yard abuts an internal subdivision road the setback for trees shall be 3.0 metres (9.85 feet) from the property line</p>

Minimum Side Yard	<p>All buildings</p> <ol style="list-style-type: none"> where the side yard abuts the following roads shall be set back a minimum of: <ul style="list-style-type: none"> 55.0 metres (180.45 feet) from the centre line of a Provincial highway; 46.0 metres (150.92 feet) from the centre line of a Municipal Road; 15.0 metres (49.22 feet) from the property line of a Highway Frontage Road; 10.0 metres (32.81 feet) from the property line of an Internal Subdivision Road. where the side yard does not abut a road shall be set back a minimum of: <ul style="list-style-type: none"> 6.0 metres (19.69 feet) from property line. <p>All shelterbelts, tree plantings, and other shall comply with the same setback requirement as for buildings except:</p> <ol style="list-style-type: none"> where the side yard abuts an internal subdivision road the setback for trees shall be 5.0 metres (16.41 feet) from the property line of the road; and where the side yard does not abut a road the setback shall be 3.0 metres (9.85 feet) from the property line.
Minimum rear yard	<p>Buildings</p> <p>Same setbacks as Side Yard except where the side yard does not abut a road shall be set back a minimum of 6.0 metres (19.69 feet) from property line.</p> <p>All shelterbelts, tree plantings, and other where the side yard does not abut a road the setback shall be 3.0 metres (9.85 feet) from the property line.</p>
Portable structures, machinery and the storage of aggregate materials	<p>Shall comply with the same setback requirement as for buildings.</p>
Public utilities, recreational, Institutional land uses	<p>Exempted from minimum frontage and parcel area requirements.</p>

13.5 Accessory Buildings and Uses

- 13.5.1 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 parcel, but only if the principal permitted use or discretionary use has been established.

- 13.5.2 All accessory uses, buildings or structures require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- 13.5.3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- 13.5.4 Intermodal Freight Containers are a discretionary accessory use and shall comply with Section 5.16 of the General Regulations.

13.6 Supplementary Regulations or Special Provisions

- 13.6.1 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent parcels.
- 13.6.2 Any existing parcel which does not conform to the minimum or maximum parcel area requirement shall be deemed conforming with regard to parcel area, provided that a registered title for the parcel existed at Information Services Corporation (Land Titles Office) prior to the coming into force of this Bylaw.
- 13.6.3 Commercial 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 or water bodies. In these cases, there shall be no maximum parcel area.
- 13.6.4 No development or use of land shall be permitted where the proposal will adversely affect domestic or municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the local District Health Region and/or Saskatchewan Ministry of Environment.
- 13.6.5 Notwithstanding any other requirements contained in this Bylaw, Service Stations shall locate underground storage tanks in accordance with *The Fire Protection Act*.
- 13.6.6 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 Zoning District; however, each use shall obtain a separate Development Permit.
- 13.6.7 All areas to be used for vehicular traffic shall be designed and constructed to the satisfaction of Council.

13.7 Parking Requirements

Commercial Use	One (1) parking space for every 18m ² (193.76 ft ²) of gross floor area; minimum five spaces.
Industrial Use	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.

13.8 Loading Requirements

Where the use of a building or parcel 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 parcel shall be provided on the parcel.

13.8.1 Off-Street Loading Spaces

Width	5.5 metres (18.05 feet)
Length	12.0 metres (39.37 feet)
Height Clearance	4.2 metres (13.78 feet)

13.8.2 Required Loading Spaces

Between 93m² and 800m² of gross floor space	1 space
Between 800m² and 5,500 m² of gross floor space	2 spaces
Between 5,501m² and 10,000m² of gross floor space	3 spaces
Greater than 10,000m² of gross floor area	3 spaces plus one for each additional 4,000 m ² (43057.05 ft ²) of gross floor area or fraction thereof

13.9 Landscaping/ Buffer Strip Requirements

In addition the requirements contained within Section 4.13 of the General Regulations, the following additional conditions shall be met for developments within a High Profile Commercial Light Industrial District (HPC):

- 13.9.1 Where a Commercial parcel abuts any Country Residential District, City, Village or Hamlet, without an intervening road, there shall be a strip of land adjacent to the abutting parcel line of not less than 3.0 metres (9.85 feet) in depth throughout, which shall not be used for any purpose except landscaping.

13.10 Outside Storage

- 13.10.1 Outdoor storage is permitted in side and rear yards.
- 13.10.2 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.
- 13.10.3 All outdoor commercial displays shall be a minimum of 5.0 metres (16.41 feet) from any parcel line and not block the vision of drivers both on-parcel and within a sight triangle.

- 13.10.4 All outdoor storage must be screened from view from adjacent roadways and public lands by a solid fence, landscape materials, berm, vegetative plantings or any combination of the above at least 2.0 metres (6.57 feet) in height.
- 13.10.5 Commercial vehicles and equipment associated with a permitted use may be stored on-parcel 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.

13.11 Oilfield Supply and Service, Bulk Petroleum Storage and Agrichemical Storage Parcels

- 13.11.1 All operations shall comply with all regulations of the Saskatchewan Ministry of Environment and other appropriate governmental departments or agencies responsible for regulating public safety with regard to their development and operation.
- 13.11.2 Bulk petroleum storage tanks are to be located in accordance with the National Fire Code of Canada, 1990, as amended from time to time.
- 13.11.3 Agrichemical sales and storage facilities are to be constructed and operated in compliance with The Agrichemical Warehouse Standards Association's Warehousing Audit Protocols and User Guide, as amended from time to time.

13.12 Signage Regulations

All developments shall comply with Section 4.33 and 4.34 of the General Regulations.

14 INDUSTRIAL DISTRICT (IND)

The purpose of the Industrial District (IND) is to facilitate the development of light, and heavy industrial activities located primarily along provincial highways and municipal roadways.



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

14.1 Permitted Uses

- a) General Industry Type I;
- b) General Industry Type II;
- c) Agricultural industry;
- d) Uses and buildings accessory to the principal building or use;
- e) Agricultural commercial;
- f) Seed processing and cleaning activities;
- g) Feed mills and feed pellet plants;
- h) Trucking firm establishments;
- i) Storage yards;
- j) Contractor's yard;
- k) Aggregate storage;
- l) Concrete and asphalt plants;
- m) Energy and communication service depots and facilities;
- n) Warehouses, supply depots and similar uses;
- o) Public utilities.

14.2 Discretionary Uses

14.2.1 The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 and with regard to the discretionary use criteria provided in Section 5 of this Bylaw.

- a) General Industry Type III;
- b) General Commercial I and II;
- c) Ethanol plants;
- d) Fertilizer plants;
- e) Agricultural supply depots;
- f) Agricultural industrial;
- g) Oilfield equipment parking lot and staging area;
- h) Grain storage terminals and elevators;
- i) Bulk petroleum sales and storage;
- j) Bulk agricultural chemical distribution facilities;
- k) Petroleum or mineral processing facilities;
- l) Metallic or non-metallic mineral (i.e. potash) mines or extraction facilities including pumping stations;
- m) Service stations, car wash or gas bar;
- n) Sales, rental, leasing and associated servicing of farm machinery, automobiles, trucks, motorcycles, recreational vehicles, industrial equipment and agricultural implements;

- o) Restaurants;
- p) Intermodal storage containers;
- q) Asphalt or cement plants;
- r) Salvage yards and machine wrecker operations;
- s) Domestic (private) wind energy systems;
- t) Communication towers;
- u) Auctioneering establishments;
- v) Livestock holding stations;
- w) Anhydrous ammonia storage and distribution;
- x) Bulk propane storage and distribution;
- y) Abattoirs, poultry eviscerating and processing/packing plants;
- z) Solid and liquid waste disposal facility.

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

14.3 Prohibited Uses

The following uses shall be strictly prohibited within an Industrial District (IND):

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

14.4 Subdivision and Parcel Regulations

Minimum parcel area	0.41 hectares (1.0 acres)
Minimum parcel frontage	30.0 metres (98.34 feet)
Minimum Front Yard	<p>All buildings where the front yard abuts the following roads shall be set back a minimum of:</p> <ul style="list-style-type: none"> • 55.0 metres (180.45 feet) from the centre line of a Provincial highway • 46.0 metres (150.92 feet) from the centre line of a Municipal Road • 15.0 metres (49.22 feet) from the property line of a Highway Frontage Road • 15.0 metres (49.22 feet) from the property line of an Internal Subdivision Road <p>A minimum of 90.0 metres (295.28 feet) is required from the intersection of the centre lines of any municipal roads or provincial highway or such greater distance as required for e.g. parcel triangle.</p> <p>All shelterbelts, tree plantings, and other shall comply with the same setback requirement as for buildings; except where the front yard abuts an internal subdivision road the setback for trees shall be 5.0 metres (16.41 feet) from the property line.</p>

Minimum Side Yard	<p>All buildings</p> <ol style="list-style-type: none"> where the side yard abuts the following roads shall be set back a minimum of: <ul style="list-style-type: none"> 55.0 metres (180.45 feet) from the centre line of a Provincial highway; 46.0 metres (150.92 feet) from the centre line of a Municipal Road; 15.0 metres (49.22 feet) from the property line of a Highway Frontage Road; 10.0 metres (32.81 feet) from the property line of an Internal Subdivision Road; where the side yard does not abut a road shall be set back a minimum of: 8.0 metres (26.25 feet) from property line. <p>All shelterbelts, tree plantings, and other shall comply with the same setback requirement as for buildings except:</p> <ol style="list-style-type: none"> where the side yard abuts an internal subdivision road the setback for trees shall be 5.0 metres (16.41 feet) from the property line of the road; and where the side yard does not abut a road the setback shall be 3.0 metres (9.85 feet) from the property line.
Minimum rear yard	<p>Buildings</p> <p>Same setbacks as Side Yard except where the side yard does not abut a road shall be set back a minimum of 6.0 metres (19.69 feet) from property line.</p> <p>All shelterbelts, tree plantings, and other where the side yard does not abut a road the setback shall be 3.0 metres (9.85) from the property line.</p>
Portable structures, machinery and the storage of aggregate materials	Shall comply with the same setback requirement as for buildings.
Public utilities or recreational land uses	Exempted from minimum frontage and parcel area requirements.

14.5 Accessory Buildings and Uses

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

- 14.5.3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- 14.5.4 Intermodal Freight Containers are a discretionary accessory use and shall comply with Section 5.16 of the General Regulations.

14.6 Supplementary Regulations or Special Provisions

- 14.6.1 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent parcels.
- 14.6.2 Any parcel which does not conform to the minimum or maximum parcel area requirement shall be deemed conforming with regard to parcel area, provided that a registered title for the parcel existed at Information Services Corporation (Land Titles Office) prior to the coming into force of this Bylaw.
- 14.6.3 Industrial 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 or water bodies. In these cases, there shall be no maximum parcel area. Existing industrial parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers.
- 14.6.4 No development or use of land shall be permitted where the proposal will adversely affect domestic or municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the local District Health Region and/or Saskatchewan Ministry of Environment.
- 14.6.5 Notwithstanding any other requirements contained in this Bylaw, Service Stations shall locate underground storage tanks in accordance with *The Fire Protection Act*.
- 14.6.6 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 Zoning District; however each use shall obtain a separate Development Permit.
- 14.6.7 All areas to be used for vehicular traffic shall be designed and constructed to the satisfaction of Council.

14.7 Loading Requirements

Where the use of a building or parcel 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 parcel shall be provided on the parcel.

- 14.7.1 On-Parcel Loading Spaces

Width	5.5 metres (18.05 feet)
Length	12.0 metres (39.37 feet)
Height Clearance	4.2 metres (13.78 feet)

14.7.2 Required Loading Spaces

Between 93m ² and 800m ² of gross floor space	1 space
Between 800m ² and 5,500 m ² of gross floor space	2 spaces
Between 5,501m ² and 10,000m ² of gross floor space	3 spaces
Greater than 10,000m ² of gross floor area	3 spaces plus one for each additional 4,000 m ² (43057.05 ft ²) of gross floor area or fraction thereof

14.8 Parking Requirements

Commercial Use	One (1) parking space for every 18m ² (193.76 ft ²) of gross floor area; minimum five spaces
Industrial Use	One space for every 100m ² (1,076.43 ft ²) of gross floor area. One and one-half (1.5) parking spaces for every 90m ² (968.79 ft ²) of gross floor area, but there shall not be less than one (1) parking space for every three (3) employees

14.9 Landscaping/Buffer Strip Requirements

In addition the requirements contained within Section 4.13 of the General Regulations, the following additional conditions shall be met for developments within an Industrial District:

- 14.9.1 Where an Industrial parcel abuts any Country Residential District, City, Village or Hamlet, without an intervening road, there shall be a strip of land adjacent to the abutting parcel line of not less than 3.0 metres (9.85 feet) in depth throughout, which shall not be used for any purpose except landscaping.

14.10 Outdoor Storage

- 14.10.1 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 Municipality. No storage shall be permitted in the front yard.
- 14.10.2 Outdoor storage is permitted in side and rear yards.
- 14.10.3 Open air operations, storage and display of goods or material are prohibited in any front yard. The storage and display of goods shall be permitted in a front yard where it is deemed essential to facilitate a permitted or approved discretionary use.

- 14.10.4 All outside storage shall be fenced and where the area abuts a City, Village, Hamlet, or Country Residential District without an intervening street or lane, the storage area shall be screened with a solid fence or hedge at least 2.0 metres (6.57 feet) in height.
- 14.10.5 A space to be used exclusively for garbage storage and pickup, having minimum dimension of 3.0 metres (9.85 feet) by 6.0 metres (19.69 feet) shall be provided on each parcel to the satisfaction of the Development Officer.
- 14.10.6 All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened.
- 14.10.7 Industrial vehicles and equipment associated with a permitted use may be stored on-parcel.
- 14.10.8 Access to lots shall be located to ensure that heavy truck traffic is directed to designated truck routes.
- 14.10.9 By resolution of Council, aggregate storage may be required to be screened or other appropriate measures taken to ensure the safety and security of parcel.

14.11 Oilfield Supply and Service, Bulk Petroleum Storage and Agrichemical Storage Parcels

- 14.11.1 All operations shall comply with all regulations of Saskatchewan Ministry of Environment and other appropriate governmental departments or agencies responsible for regulating public safety with regard to their development and operation.
- 14.11.2 Bulk petroleum storage tanks are to be located in accordance with the National Fire Code of Canada, 1990, as amended from time to time.
- 14.11.3 Agrichemical sales and storage facilities are to be constructed and operated in compliance with The Agrichemical Warehouse Standards Association's Warehousing Audit Protocols and User Guide, as amended from time to time.

14.12 Performance Standards

An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards.

- a) Noise - emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
- b) Smoke - no process involving the use of solid fuel is permitted;
- c) Dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted;
- d) Odor - the emission of any odorous gas or other odorous matter is prohibited;
- e) Toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
- f) Glare or heat - no industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot;
- g) Industrial wastes - waste which does not conform to the standards established from time to time by Rural Municipal Bylaws shall not be discharged into any municipal lagoons; and
- h) 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.

14.13 Signage Regulations

All developments shall comply with Section 4.33 and 4.34 of the General Regulations.

15 AIRPORT COMMERCIAL DISTRICT (AC)



The purpose of the Airport Commercial District (AC) is to recognize the operational requirements of the Swift Current Airport and the related safety considerations and development of compatible uses as per the recommendations of the Swift Current Municipal Airport Development Plan, the Official Community Plan and Transport Canada regulations and standards pertaining to a certified aerodrome.

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

15.1 Permitted Uses

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

15.2 Discretionary Uses

- 15.2.1 The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 of the General Administration of this Bylaw:
 - a) Recreation facilities;
 - b) Type 1 and II Commercial and Industrial uses not listed in the Permitted Use Section.
- 15.2.2 No person shall initiate any permitted, discretionary or accessory use prior to obtaining a development permit from the Development Officer.

15.3 Prohibited Uses

The following uses shall be strictly prohibited within the Airport Commercial District (AC):

- 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.

15.4 Accessory Buildings and Uses

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

15.5 Subdivision and Parcel Regulations

Minimum parcel area	As Recommended in the SC Airport Development Plan
Maximum parcel area	As Recommended in the SC Airport Development Plan
Minimum parcel frontage	As Recommended in the SC Airport Development Plan
Minimum front yard setback	As Recommended in the SC Airport Development Plan
Minimum rear yard	As Recommended in the SC Airport Development Plan
Minimum side yard	As Recommended in the SC Airport Development Plan
Maximum building height	13.0 metres (42.66 feet), excepting communication and navigation structures
Maximum building floor area for large accessory buildings	As recommended in the SC Airport Development Plan
Minimum setback for trees shelterbelts and other	4.06 metres (150.92 feet) from Municipal roads and Provincial Highways
Fence Lines	No setback

- 15.5.1 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent parcels.

16 ENVIRONMENTALLY SENSITIVE LANDS OVERLAY (ES)

The intent of this Environmentally Sensitive Lands Overlay is to restrict development in areas that are considered Environmentally Sensitive. The following regulations are intended to apply supplementary standards for development in areas designated as having potential environmental sensitivities or natural hazards conditions (unstable slopes, flooding) in order:



- a) To restrict development in identified and potentially environmentally sensitive areas.
- b) To restrict development in areas that are considered hazardous for development in order to minimize property damage due to flooding.
- c) To restrict development in areas that are considered hazardous for development for reasons of excessive soil erodibility and/or ground instability.

16.1 Areas Within the ES Overlay

- a) All land within the Environmentally Sensitive Overlay and shown on Reference Maps in Appendices any other maps included in the OCP which be amended from time to time to reflect flood hazard, and also identified on the Zoning Map;
- b) All land within 150 metres (492.13 feet) of any public, commercial or industrial wells;
- c) All land within 457 metres (1,499.35 feet) of any waste disposal parcels;
- d) All land within 457 metres (1,499.35 feet) of any of the municipal, commercial or industrial sewage lagoons, and the existing ILO Lagoon.

16.2 Overlay Regulations

- 16.2.1 All the regulations of the District, which underlies the ES overlay, shall be used by Council as a guideline in establishing conditions, which may be applied to location-sensitive Development Permits for the specific use being requested.
- 16.2.2 Where a proposed development of a new use and any required access driveway is located within 150.0 metres of an area defined as Environmentally Sensitive land in the OCP or as an Environmentally Sensitive (ES) overlay on the Zoning Map, Council may require the applicant to submit sufficient topographic or other information to determine if the development will be within 50.0 metres of any slopes that may be unstable, or within any river or stream flood plain, or other land that may be subject to flooding.
- 16.2.3 Identified actions for hazard avoidance, prevention, mitigation or remedy for any development proposed in an ES Overlay may be incorporated as special conditions of a Development Permit. Where such special conditions conflict with any other regulation of this Bylaw, the special conditions shall take precedence. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the adverse effects or may result in excessive costs for the Municipality.
- 16.2.4 No person shall within an Environmentally Sensitive Lands Overlay or, as identified on reference maps, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions.

16.3 Permitted Uses

- a) Agricultural uses, but not including buildings and structures accessory thereto; and does not include irrigation works or Intensive Livestock Operations;
- b) Recreational uses;
- c) Wildlife habitats and sanctuaries.

16.4 Discretionary Uses

The following uses may be permitted only by resolution of Council and only in locations specified by Council:

- a) One detached one unit dwelling, RTM or modular home following the placement thereof on a permanent foundation, and buildings accessory thereto subject to appropriate parcel development regulations (slope instability or flood proofing);
- b) Home occupations;
- c) Large accessory buildings.

16.5 Parcel Development Regulations for Slope Instability Areas

- 16.5.1 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.
- 16.5.2 For the purpose of this Bylaw, the area considered presenting potential erosion and/or slope instability hazard includes but is not limited to the slopes of Swift Current Creek and any tributary creeks and gullies. 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.
- 16.5.3 Any application for a Development Permit on any parcel of land that lies wholly or partially within an area identified in the "Environmentally Sensitive Lands Overlay Area" must be accompanied by a detailed parcel analysis prepared by a geotechnical engineer registered in the Province of Saskatchewan. The parcel analysis shall indicate topography, surface drainage, geological, and geotechnical conditions at the parcel of the proposed development and related to the conditions of the general area as they relate to slope instability and erosion hazards.
- 16.5.4 The geotechnical engineer shall answer the following questions:
 - a) Will the proposed development be detrimentally affected by natural erosion or slope instability?
 - b) Will the proposed development increase the potential for erosion or slope instability that may affect the proposed development, or any other property?
- 16.5.5 Unless the geotechnical engineer can answer "no" in response to both of the above questions, further analysis will be required. The required analysis must define the hazard as it may affect the proposed development and any other potentially affected property. The engineering report will identify hazard mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and slope stability impacts, and will identify and explain known and suspected residual hazards.

The responsibility for monitoring and responding to monitored findings shall be resolved before approval is granted.

- 16.5.6 A Development Permit shall not be issued unless the report on the parcel, presented by the professional consultant, indicates that the parcel is suitable for development or outlines suitable mitigating measures and documents residual hazard.
- 16.5.7 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.
- 16.5.8 Where a parcel of land borders on or contains a water body, the setback from the bank of the water body shall be determined by the Municipality but shall not be less than 30.0 metres from a water body of 8 hectares or more.

16.6 Parcel Development Regulations for Flood Hazard Cautionary Areas

- 16.6.1 For all proposed development in this cautionary area, the developer shall be responsible to obtain and determine the 1:500 year Estimated Peak Water Level to determine the Safe Building Elevation. The Saskatchewan Water Security Agency will assist and provide comment when possible. The developer shall be responsible for the cost of providing this information.
- 16.6.2 If Saskatchewan Water Security Agency is unable to provide the require information, developers will be required to provide professional, certified environmental, geotechnical and/or hydrological reports to address development hazards and may require a preliminary analysis by a professional engineer or environmental scientist to identify which hazards may exist in the area of a proposed development. Council may refuse to authorize development of structures on such land or may authorize such developments only in accordance with recommended preventative mitigation measures which eliminate the risk or reduce the risk to an acceptable level and remedial measures.
- 16.6.3 Notwithstanding any other portion of this bylaw, the development of new buildings and/or additions to building in the flood way of the 1:500 flood year elevation of any watercourse or water body is prohibited. In addition, development in the 1:500 year flood fringe is not allowed unless flood proofed up to an elevation of 0.5 metres above the 1:500 year flood elevation to be determined by a qualified hydraulic engineer or as established by the Saskatchewan Water Security Agency.
- 16.6.4 No person shall backfill, grade, deposit earth or other material, excavate, or store goods or materials on these lands nor plant any vegetation parallel to the water flow.
- 16.6.5 “Hazardous Substances and Waste Dangerous Goods” are prohibited, as defined by the Hazardous Substances and Waste Dangerous Goods Control Regulations of the *Environmental Management and Protection Act of Saskatchewan*.

17 HERITAGE RESOURCE OVERLAY (HR)



The Intent of the Heritage Resource Overlay is to ensure the protection of significant heritage resources located on land proposed for development. The following regulations are intended to apply supplementary standards for development in areas designated as having significant heritage resource potential.

17.1 Defining the Boundary

Archaeological, historic features and paleontological sensitive lands within the Rural Municipality include:

- a) Lands located within the same quarter-section as, or within 500 metres of, a Parcel of a Special Nature as defined in *The Heritage Property Act*.
- b) Lands within 500 metres of other previously recorded parcels, unless they can be shown to be of low heritage significance.
- c) All known heritage parcels, based on archaeological records, shown on the www.tpcs.gov.sk.ca web parcel and available "Developer's Online Screening Tool" and any Reference Maps in Appendix "C" of the Official Community Plan.

17.2 Parcel Regulations in the Heritage Resources Overlay Area

- 17.2.1 The Municipality will require the developer to search and identify any known heritage parcels within 500 metres of any recorded heritage sensitive lands and to comply with all Province of Saskatchewan legislation.
- 17.2.2 Any substantive development that lies within these sensitive lands shall be referred to the Provincial Heritage Unit for a heritage review.
- 17.2.3 Should a Heritage Resource Impact Assessment be required, it is the responsibility of the developer to have it carried out by a qualified professional under an approved investigation permit. The study should establish:
 - a) The presence of heritage parcels within the project areas;
 - b) Suitable mitigation measures that could be implemented;
 - c) The content, structure, and importance of those heritage parcels; and
 - d) The need for a scope of any mitigative follow-up.
- 17.2.4 If such an assessment is not done or having been done, Council may defer the issuance of a Development Permit until such time as all mitigation requirements have been met.
- 17.2.5 Heritage resource development shall be a discretionary use in all zones. Heritage resource development shall be exempted from parcel and frontage area requirements.

18 AIRPORT FLIGHT PATH OVERLAY (AFP)



The Intent of the Airport Flight Path Overlay (AFP) is to ensure the protection of future development and expansion of the Swift Current Airport. The following regulations are intended to apply supplementary standards for development in areas adjacent to and that may have a significant impact on the future potential of the airport.

18.1 Defining the Boundary

Airport Flight Path and restricted development lands within the Rural Municipality include:

- a) Lands located within a 2 Kilometre (1.25 miles) area surrounding the airport for building permits or subdivision of single parcels or single storey buildings or homes;
- b) Lands located within 4 Kilometres (2.49 miles) and up to 15 Kilometres (9.32 miles) area surrounding the airport for building permits or subdivision of multi-lot parcels or multi-story buildings or homes.

18.2 Policies for the Airport Flight Path Overlay Area

- 18.2.1 The improvement of the City of Swift Current Regional Airport as a regional transportation link, and its potential economic benefits are supported by the Rural Municipality. .
- 18.2.2 The Plan outlines several policy directions to promote and preserve the Airport and the RM Council has endorsed the recommendations and that Plan will be used in conjunction with the OCP to manage this area.
- 18.2.3 The approach to the Airport shall be protected from incompatible or potentially incompatible land uses that may adversely impact their operation and/or endanger public safety. The Rural Municipality will cooperate with the administration/flying club/ local airport authority to ensure a sufficient buffer zone to control noise sensitive development around the airstrip.
- 18.2.4 The encroachment of incompatible, sensitive land uses near the airport/strip shall be prohibited in order to provide for long-term airport safety and noise mitigation.
- 18.2.5 The Rural Municipality will strive to protect the City of Swift Current Regional Airport from uses that may generate excessive amounts of smoke or dust create electrical interference or may attract birds. These uses are not to be located within the take-off and approach zones of the airstrip.

18.3 Parcel Regulations in the Airport Flight Path Overlay Area

- 18.3.1 Any building permits or sub-division requests applied for within 2 kilometres (1.25 miles) of the airport property should be referred to the City of Swift Current to review the application, location, and to check against any impact to the airport. For most applications this would be simple and would not affect most of the applications, but if the location was closer to the airport, and off the end of one of the runways it could require a closer look to determine if it's location is suitable or if changes are required. Any single story single family homes further than 2 kilometres (1.25 miles) from the airport property lines do not impact operations so referral to the City of Swift Current would be required.

- 18.3.2 Any building or structure taller than one story, any multi-family homes or sub-divisions, wind turbines, radio/cell towers, taller buildings either commercial or agricultural can have an impact to as great a distance as 15 kilometres (9.32 miles) depending on location and height. The City of Swift Current shall be notified of anything greater than a single story building within the 4 kilometres (2.49 miles) of the airport and also within the runway approaches to 15 kilometres (9.32 miles) distance as shown on the "Airport Expanded Area of Runway Approaches Diagram".
- 18.3.3 The City of Swift Current shall be informed about the proposed location, use, and of course the height to ensure that it will not negatively affect the airports G.P.S. approaches. This will not be of any impact for most situations, but if a wind turbine, cell tower, or something of a taller nature is purposed off the end of a runway even several kilometres from the airport it may greatly affect the airports approaches and operations.

REPEAL AND ADOPTION

Bylaw 6-2010 and all previous Zoning Bylaws and subsequent amendments, excluding any current Contract Zoning Bylaws shall be repealed upon Bylaw 7-2015, The Zoning Bylaw, coming into force and effect.

This Bylaw is adopted pursuant to Section 46 and 75 of *The Planning and Development Act, 2007*, and shall come into force on the date of final approval by the Minister.

Read a First time this day of 2015.

Read a Second time this day of 2015.

Read a Third time and adopted this day of 2015.

Reeve

SEAL

Rural Municipal Administrator

Ministerial Approval

SEAL

Municipal Approval Date

APPENDIX A: ZONING MAP

APPENDIX B: DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

Development Permit application shall include:

1. Application Form

A completed application form.

2. Parcel Plan

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

- ☐ a) A scale and north arrow;
- ☐ b) A legal description of the site;
- ☐ c) Mailing address of owner or owner's representative;
- ☐ d) Parcel lines and required parcel line setbacks;
- ☐ e) Front, rear, and side yard requirements;
- ☐ f) Parcel topography and special parcel conditions (which may require a contour map), including ponds, streams, other drainage runs, culverts, ditches, and any other drainage features;
- ☐ g) The location of any buildings, structures, easements, and dimensioned to the parcel lines;
- ☐ h) The location and size of trees and other vegetation, especially natural vegetation;
- ☐ i) Proposed on-parcel and off-parcel services;
- ☐ j) Landscaping and other physical parcel features;
- ☐ k) A dimensioned layout of parking areas, entrances, and exits;
- ☐ l) Abutting roads and streets, including service roads and alleys;
- ☐ m) An outline, to scale, of adjacent buildings on adjoining parcels;
- ☐ n) The use of adjacent buildings and any windows overlooking the new proposal;
- ☐ o) Fencing or other suitable screening;
- ☐ p) Garbage and outdoor storage areas; and
- ☐ q) Other, as required by the Development Officer or Council to effectively administer this Bylaw.

3. Building Plan

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

4. Landscape Plan

A landscape plan showing, with labels, the following:

- ☐ a) The existing topography;
- ☐ b) The vegetation to be retained and/or removed;
- ☐ c) The type and layout of:
 - i) hard (e.g., structures) and soft (e.g., vegetation) landscaping;
 - ii) the open space system, screening, berms, slopes;
 - iii) other, as required, to effectively administer this Bylaw;
- ☐ d) Areas to be damaged or altered by construction activities and proposed methods of restoration;
- ☐ e) A schedule of parcel stripping and grading, construction, and parcel restoration, including methods to be employed to reduce or eliminate erosion by wind, water, or by other means; and
- ☐ g) Historical and archaeological heritage resources and management areas.

5. Vicinity Map

A vicinity map showing, with labels, the location of the proposed development in relation to the following features within three (3) kilometres:

- ☐ a) Nearby municipal roads, highways and railways;
- ☐ b) Urban Municipalities or Residential Developments;
- ☐ c) Significant physical features, environmentally sensitive areas, and more or less pristine natural areas or features, especially undisturbed grassland, wooded ravines, and water feature or stream courses;
- ☐ d) Critical wildlife habitat and management areas;
- ☐ e) Mineral extraction resources and management areas; and
- ☐ f) Other as required, to effectively administer this Bylaw.

6. Certificate of Title

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

7. Valid Interest

Development Permit applicants shall be required to provide information, to the Development Officer's or Council's satisfaction, that they have a current, valid interest in the land proposed for development. Proof of current valid interest may include:

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

8. Parcel Description

- ☐ a) A proposed plan of subdivision prepared by a Saskatchewan Land Surveyor or Professional Community Planner and signed by the registered parcel owner or appointed agent;
- ☐ b) A Parcel Plan that identifies setbacks, neighbouring buildings and any natural features accompanied by an accurate sketch and air photo image (i.e. Google image);
- ☐ c) Photographic Information and photographs showing the parcel in its existing state.

APPENDIX C: Rural Municipality of Swift Current No. 137

Application for a Development Permit

1. Applicant:

a) Name: _____

b) Address: _____ Postal Code: _____

c) Telephone Number: _____ Cell phone: _____ Email: _____

2. Registered Owner as above, or:

a) Name: _____

b) Address: _____ Postal Code: _____

c) Telephone Number: _____ Cell phone: _____ Email: _____

3. Property: Legal Description

_____ Quarter Section _____ Twp _____ Rge _____ W2

Lot(s) _____ Block _____ Reg. Plan No. _____

4. Lot Size:

Dimensions _____ Area _____

5. Existing Land Use:_____
_____**6. Proposed Land Use/Description of Proposed Development:**_____
_____**7. Proposed date of Commencement:** _____**Proposed date of Completion:** _____**8. Other Information:**_____

9 FOR NEW CONSTRUCTION PROVIDE A DETAILED PARCEL PLAN, drawn to scale on a separate sheet showing, with labels, the following existing and proposed information:

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

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

Mobile Home date of Manufacture: _____

11. Declaration of Applicant:

I, _____ of the _____ of _____ in the Province of Saskatchewan, do Solemnly declare that the above statements contained within the application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act."

I agree to indemnify and hold harmless the Rural Municipality of Swift Current No. 137 from and against any claims, demands, liabilities, costs and damages related to the development undertaken pursuant to this application.

Date: _____ Signature: _____

APPENDIX D: Rural Municipality of Swift Current No. 137**Notice of Decision for a Development Permit or Zoning Bylaw Amendment**

Development Permit # _____

To: _____
(Applicant) (Address)

This is to advise you that your application for a:

- ☐ Permitted Use or Form of Development
- ☐ Discretionary Use or Form of Development
- ☐ Request for a Zoning Bylaw Amendment

Has Been:

- ☐ Approved
- ☐ Approved subject to conditions or Development Standards, as listed in the attached schedule
- ☐ Refused for the following reason:

If your application has been approved with or without conditions, this form is considered to be the Development Permit granted pursuant to the Zoning Bylaw.

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

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

Right of Appeal

Please be advised that under Section 219 of *The Planning and Development Act, 2007*:

- ☐ You **may NOT appeal the refusal** of your application for a use or form of development that is not permitted within the zoning district of the application.
- ☐ You **may NOT appeal the refusal** of your application for a Discretionary Use or form of development.
- ☐ You **may NOT appeal the refusal** of your application for an amendment to the Zoning Bylaw.
- ☐ You **MAY APPEAL those standards** that you consider excessive in the approval of the discretionary use of form of development.
- ☐ You **MAY APPEAL the refusal** of your application if you feel that the Development Officer has misapplied the Zoning Bylaws in the issuing of this permit.

Your Appeal must be submitted in writing within 30 days of the date of this notice to:

**Secretary, Development Appeals Board
Rural Municipality of Swift Current No. 137
2024 South Service Road West
Swift Current, SK
S9H 5J5**

(Date)

Development Officer