

Rural Municipality of The Gap No. 39 Zoning Bylaw Bylaw No. 8/2020



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The Rural Municipality of The Gap No. 39

Zoning Bylaw No. 8/2020

1. Pursuant to Sections 45 and 49 of *The Planning and Development Act, 2007*, the Council of the Rural Municipality of The Gap No. 39 hereby adopts the Zoning Bylaw, identified as Schedule “A” to this Bylaw.
2. The Reeve and Administrator are hereby authorized to sign and seal Schedule “A” which is attached to and forms part of this Bylaw.
3. This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a first time this DAY day of MONTH 20YEAR

Read a second time this DAY day of MONTH 20YEAR

Read a third time and passed this DAY day of MONTH 20YEAR

SIGNATURE OF REEVE

REEVE

SEAL

SIGNATURE OF ADMINISTRATOR

ADMINISTRATOR

The Rural Municipality of The Gap No. 39

Zoning Bylaw No. 8/2020

Schedule “A” to Bylaw 8/2020

SIGNATURE OF REEVE

REEVE

SEAL

SIGNATURE OF ADMINISTRATOR

ADMINISTRATOR



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1. Introduction

1.1 Authority

- .1 Under the authority granted by *The Planning and Development Act, 2007*, the Reeve and Council of the Rural Municipality of The Gap No. 39 in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.2 Title

- .1 This Bylaw shall be known and may be cited as the “Zoning Bylaw” of the Rural Municipality of The Gap No. 39.

1.3 Purpose

- .1 The purpose of this Zoning Bylaw is to regulate development and use of land and the locations and use of buildings and other structures in the Rural Municipality of The Gap No. 39 (hereinafter referred to as municipality or RM), so as to provide for the amenity of the municipality and the health, safety, and general welfare of its inhabitants. This Zoning Bylaw also seeks:
 - a. To minimize land use conflicts;
 - b. To establish minimum standards in order to maintain the amenity of the municipality;
 - c. To ensure development is consistent with the physical limitations of the land;
 - d. To restrict development that places undue demand on the municipality for services; and
 - e. To provide for land-use and development that is consistent with the goals and objectives of the municipality.
- .2 In all cases, this Zoning Bylaw is subject to the policies contained in the Official Community Plan Bylaw No. 7/2020.

1.4 Scope

- .1 This Zoning Bylaw applies to all land included within the boundaries of the municipality, and all development within its limits shall hereafter conform to the provisions of this Bylaw.

1.5 Severability

- .1 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

A

Abattoir (Slaughterhouse): A building for butchering. The abattoir houses facilities to slaughter animals; dress, cut, and inspect meats; and refrigerate, cure, and manufacture by-products. *Classified as Agricultural Industry use.*

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

Act: *The Planning and Development Act, 2007*, 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 The Gap No. 39.

Aggregate Extraction Any excavation other than for construction, building, or for purposes of creating an artificial body of water, including though not limited to, sand and gravel mining, topsoil stripping. *Classified as Resource-Based use.*

Aggregate Resource: Any mineral substance, the property of the Crown in the right of Saskatchewan which is capable of being quarried and includes bentonite, building stone, granite, gravel, gypsum, limestone, marble, marl, sand, slate, volcanic ash, and any other substance which may from time to time be declared by the Lieutenant Governor in Council to be a quarriable substance within the meaning of these regulations.

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.

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:

- a. Livestock auction marts;
- b. Farm implement service and sales dealerships; and
- c. Veterinary clinics, and animal hospitals.

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

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

- a. Cultivating land;
- b. Producing agricultural crops, including hay and forage;
- c. Producing horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs, flowers, greenhouse crops and specialty crops;
- d. Raising all classes of livestock, fur-bearing animals, game birds and animals, bees and fish;



- e. Producing eggs, milk, honey and other animal products;
- f. Operating agricultural machinery and equipment, including irrigation pumps and noise-scare devices;
- g. Conducting any process necessary to prepare a farm product for distribution from the farm gate;
- h. Storing, handling and applying fertilizer, manure, organic wastes, soil amendments and pesticides, including both ground and aerial application;
- i. Retail sale of the goods produced or stored as part of the operation; and
- 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 & terminals;
- b. Feed mills (non-ILO);
- c. Abattoirs;
- d. Seed cleaning, drying, processing or storage 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 and cardlock operations; and
- j. Livestock holding stations (non-ILO).

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, game farms (harvest preserves) and outfitting, fruit stands or market gardens,

farm zoos, with or without an on-site gift shop or restaurant.

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

Ancillary: see Accessory.

Apiary: See Beekeeping.

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

Animal Unit: A means of comparing different ages and species of livestock based on the amount of nitrogen produced.

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

Number of Animals = 1 A.U.		
Poultry		
• Hens, cockerels, capons		100
• Chicks, broiler chickens		200
• Turkeys, geese, ducks		50
• Exotic birds		25
Hogs		
• Boars and sows		3
• Gilts		4
• Feeder pigs		6
• Weanling pigs		20
Sheep		



• Rams or ewes	7
• Lambs	14
Goats etc.	
• All includes Llamas, Alpacas, etc.	7
Cattle, Bison	
• Cows and bulls	1
• Feeder cattle	1.5
• Replacement heifers	2
• Calves	4
Horses	
• Colts and ponies	2
• Other horses	1
Other	
• Elk: cows and bulls	5
• Elk: calves	20
• Deer: does and bulls	8
• Deer: fawns	32
• Beehives	4

Auction Mart: Means a building or structure or lands used for the storage of goods, materials, and livestock which are to be sold on the premises by public auction and for the sale of the said goods, materials, and livestock by public auction and on an occasional basis. *Classified as Agricultural Commercial use.*

Auto Wrecker (Salvage Yard): A parcel of land where motor vehicles are disassembled, dismantled or junked, where second-hand, discarded or scrap materials are bought, sold, exchanged, stored, processed, or handled. Materials include scrap iron, structural steel, rubber tires, equipment, appliances or machinery. *Classified as General Industry Type 3 use.*

B

Bare Land Condominium: A bare land condominium involves dividing a parcel of land into individually owned 'bare land units'. A proposed plan of survey to create a bare land condominium requires the subdivision of the land and subdivision approval pursuant to *The Planning and Development Act, 2007*. Buildings

on each bare land unit are owned by the individuals. The balance of the parcel around the units is common property. Generally, buildings on private units or common property are not constructed until after the bare land condominium plan has been registered. To ensure compliance with municipal bylaws, the municipality should discuss with the developer, any proposed construction of buildings prior to registration of the condominium plan. All buildings and improvements on common property are owned by the condominium corporation. Bare land condominiums are sometimes managed as exclusive communities, with control over local access.

Bare Land Condominium Unit: A bare land unit as defined by *The Condominium Property Act*.

Bed and Breakfast (Residential): Dwelling unit(s), licensed as a tourist home under *The Tourist Accommodation Regulations, 1969*, in which overnight accommodation within the dwelling unit(s), along with one meal served before noon, is provided to the travelling public for a charge.

Bed & Breakfast (Private): Dwelling unit(s) intended to provide overnight lodging along with one meal served before noon, to the travelling public for a charge, and does not contain a principal residence. *Classified as Hotel/Motel use.*

Beekeeper: A person who has production colonies and is engaged in or responsible for the production or marketing of bees or bee products but does not include an employee of such a person. It also includes any person entitled under lease agreement to a share of the bees, or bee products produced by a person mentioned above, or a share of the proceeds from the sale of the bees or bee products mentioned above.

Beekeeping: The act of keeping honeybees, considered to be part of an agricultural operation, as regulated by *The Apiaries Act*.



Beekeeping, Colony: A single colony of bees, consisting of up to 8 frames (hives), with a queen, brood, and accompanying bees, used for the purpose of producing bee products or pollination.

Beehive: An enclosed structure (frame) constructed for bees to live and raise their young.

Bee Products: Honey, pollen, beeswax, propolis, royal jelly, nucleus colonies, hives, queens, queen cells, and pollination services.

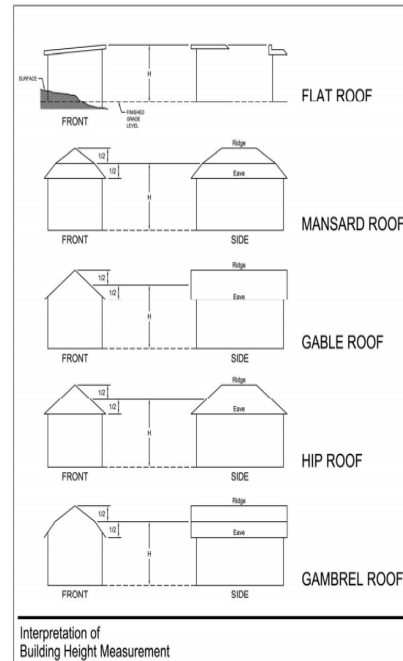
Buffer: A strip of land, vegetation, or land use that physically separates two or more different land uses.

Building: Any structure constructed or placed on, in, or over land, and including any structure covered by a roof and supported by walls or columns.

Building Bylaw: Any current Bylaw of the municipality regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

Building Floor Area: The total floor area in a building measured between the exterior faces of the exterior walls of the building at the level of each storey below, at and above grade, excluding the area used for off-street parking, loading, mechanical equipment, stairways, or shafts.

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 Materials (Standard): Materials such as steel, brick, or wood framed, on a cement foundation, siding and roof materials of common practice, and finished with drywall on the interior.

Building Materials (Alternative): Materials such as straw bales, cordwood, cob, compressed earth blocks, adobe, rammed earth, stone, papercrete, poured earth, or any materials that are not common practice.

Building Permit: A permit, issued under a Building Bylaw of the municipality authorizing the construction of all or part of any building or structure.

Bulk Fuel Sales and Storage: Lands, buildings, and structures for the storage and distribution of fuels and oils including retail sales or key lock operations. *Classified as Agricultural Industry use.*

Bylaw: This Zoning Bylaw No. 8/2020.



C

Campground, General: An area used for a range of overnight camping experiences, from tenting to serviced trailer sites, including accessory facilities which support the use, such as administration offices and laundry facilities, either on a seasonal or shorter-term basis, and does not include mobile home parks accommodating permanent residences.

Campground, Temporary: An area of land with spaces or lots available intended to provide short-term accommodation, such as a Work Camp.

Camper: See Trailer.

Cannabis: A plant belonging to the genus Cannabis, and does not include hemp.

Cannabis Grower, Commercial: The commercial production of cannabis plants, and harvesting of material from those plants, or the manufacturing, packaging, or labelling of cannabis products destined for sale to consumers or the intra-industry sale of these products including to provincially authorized distributors, as federally regulated by *The Cannabis Act Canada*.

Cannabis, Home Cultivation: The home production of up to four (4) cannabis plants per household as regulated by *The Cannabis Act*.

Cannabis Retail Outlet: A building or commercial premise established solely for the retail sale of medicinal or recreational cannabis and accessories, as regulated by *The Cannabis Control Act (Saskatchewan)*.

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 crop production.

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

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

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

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

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

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

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

Cardlock Operation: A petroleum dispensing outlet without full-time attendants. *Classified as Agricultural Industry use.*

Care Home (Residential): A facility which includes the residence of the operator or administer, and provides meals, lodging, supervisory personnel or nursing care to persons who reside therein for a period of not less than 30 days, and is duly licensed by the Province of Saskatchewan.



Care Home (Private): A facility which does not include an operator residence and provides meals, lodging, supervisory personnel or nursing care to persons who reside therein for a period of not less than 30 days and is duly licensed by the Province of Saskatchewan.

Cemetery: Land that is used as a place for the interment of the dead or in which human bodies have been buried. 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. *Classified as Institutional use.*

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, though not limited to, wallboard, plastic, wood or metal or any substance deemed corrosive, combustible, noxious, reactive, or radioactive.

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

Community Facilities: A building or facility used for recreational, social, educational, or cultural activities. *Classified as Institutional use.*

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

Concrete and Asphalt Plant: An industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished products

manufactured on the premises and the storage and maintenance of required equipment. *Classified as General Industry Type 3 use.*

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

Contractors Yard: The yard of a contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business. *Classified as General Industry Type 2 use.*

Convenience Store: A store offering for sale primarily food products, non-alcoholic beverages, tobacco, personal care items, hardware and printed matter, and which primarily provides a convenient day-to-day service to residents in the vicinity. Does not include cannabis outlets. *Classified as a General Storefront Retail within General Industry Type 1.*

Council: The Council of the Rural Municipality of The Gap.

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. *Classified as Institutional use.*

D

Daycare (Residential): A facility to provide for the caring of children, typically during daytime hours, for compensation, as part of a principal residence.



Daycare (Private): A commercial, dedicated facility providing care of children typically during daytime hours, not part of a principal residence. *Classified as General Industry Type 1 use.*

Deck: Any raised open platform, with or without rails, attached to a building.

Demolition: The removal or dismantling of a building or structure within the municipal 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 or intensity of the use of any building or land.

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

Development Officer: The Administrator or a municipal employee appointed by the Council shall act as a Development Officer to administer this Bylaw.

Development Permit: A permit issued by the Development Officer which authorizes development or the use of a building or site for the purpose stated in the permit.

Discretionary Use: A use of land or buildings or form of development that:

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

Dormitory: Sleeping quarters or entire buildings providing sleeping and residential quarters for large numbers of people. Also referred to as a Rooming House or Boarding House. *Classified as Hotel/Motel use.*

Dwelling, Communal: The dwelling unit(s) on land owned by Hutterite colonies who use the land for agricultural, educational, and other shared purposes.

Dwelling Unit: A building or self-contained portion of a building designed exclusively for residential occupancy and must contain sleeping, sanitary, and cooking facilities, and an independent entrance.

Dwelling, Single Detached: A detached building consisting of not more than one dwelling unit.

Dwelling, Semi-Detached (Duplex): A building with two dwelling units joined side by side to one another with a common wall and each dwelling unit having at least one separate entrance. Also referred to as Duplex.

Dwelling, Multi-Unit: A building divided into three or more dwelling units and includes, among others, townhouses, and apartment buildings, and does not include a hotel/motel.

E

Elevation: The height of a point on the Earth's surface above sea level.

Environmental Reserve: Lands that have been dedicated to the municipality by the developer of a subdivision as part of the subdivision approval process. Environmental Reserves are those lands that are considered undevelopable and may consist of a swamp, gully, ravine, coulee, 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, 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 waterbody.

Equestrian Facility: The use of lands, buildings, or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, though does not include the racing of horses. *Classified as Agricultural Tourism use.*

Existing: In place, or taking place, on the date of the adoption of this Bylaw.

F

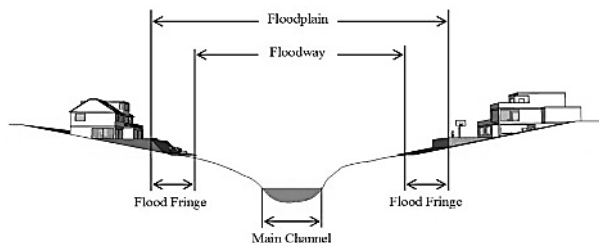
Farmstead/Farmyard: The buildings and adjacent essential grounds surrounding a farm.

Feedlot: A fenced area where livestock are confined solely for the purpose of growing or finishing, and are sustained by means other than grazing. *Classified as Agricultural Industry use.*

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

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

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



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

Flood Fringe: The portion of the flood plain inundated by the 1:500 year flood that is not floodway.

Future Land Use Map: Appendix A in the Official Community Plan Bylaw No. 7/2020. In its projections, the map specifies certain areas for residential growth and others for agriculture, industry, commercial, and conservation.

G

Game Farm (Harvest Preserve): An area of deeded private land fenced for the purpose of management, control, and harvesting of domestic game farm animals as regulated by *The Domestic Game Farm Animal Regulations*. *Classified as Agricultural Tourism use.*

Garage (Residential): A building used for storage purposes only, where no business is conducted.

Garage (Service): See Service Station.

Garage (Storage): See Storage Facility.

Garage/Garden Suite: A temporary dwelling area, intended for short term guest lodging to the primary residence.

Gas Bar: A building or place intended for the provision of gasoline or diesel fuel and may or may not include a convenience store. *Classified as General Industry Type 2 use.*

General Industry Type 1: A commercial land use where activities and uses are primarily carried on within an enclosed building where no significant nuisance factor is created or apparent outside an enclosed building. Developments of



this type, in the opinion of the Development Officer, **shall not pose significant risk** of interfering with the amenity of adjacent sites because of the nature of the site, materials or processes and shall include, though not be limited to, the following activities:

- a. Non-intensive processing, assembling, finishing or packaging of materials, goods or products;
- b. Training or educational operations;
- c. Non-intensive storage or transshipping of materials, goods and equipment;
- d. Non-intensive cleaning, servicing, repairing or testing of materials, goods and equipment associated with personal or household use;
- e. Accessory sales, technical, or administrative support services;
- f. General Retail Establishments;
- g. Office Buildings;
- h. Personal Service Trades; and
- i. Daycare (Private).

General Industry Type 2: A commercial land use where 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 beyond the boundaries of the site. Developments of this type, in the opinion of the Development Officer, **shall pose some risk** of interfering with the amenity of adjacent sites due to the nature of the site, materials, or processes and shall include, though not be limited to, the following activities:

- a. Intensive processing, assembling, finishing or packaging of materials, goods or products;
- b. Manufacturing, fabricating;
- c. Intensive storage or transshipping of materials, goods and equipment;
- d. Cleaning, servicing, repairing or testing of materials, goods and equipment associated with industrial or commercial businesses;
- e. Intensive cleaning, servicing, repairing or testing of materials, goods and

equipment associated with personal or household use;

- f. Contractors Yards;
- g. Gas Bars;
- h. Landscaping Establishment (small, non-intensive);
- i. Service Station; and
- j. Vehicle Rental or Sales.

General Industry Type 3: A commercial land use that exhibits a **high risk** for adversely affecting the use, amenity, safety, or enjoyment of adjacent and nearby industrial and non-industrial sites due to their scale, appearance, noise, odour, emissions, and hazard potential. Such activities are considered exclusionary when the only means of mitigating the associated negative effects on surrounding land uses is through spatial separation. Such uses would include, but not be limited to the following:

- a. Auto Wreckers;
- b. Lagoons;
- c. Landfill, Recycling Depot, Waste Disposal Facility or Transfer Stations;
- d. Ethanol Plants;
- e. Transformer Stations;
- f. Uranium Refiners;
- g. Trucking Firm Establishments;
- h. Concrete and Asphalt Plants;
- i. Landscaping Establishments (large, intensive);
- j. Railway Freight Yards;
- k. Semi-Trailer or Container Parking or Storage; and
- l. Warehousing and large Supply Depots.

General Retail Establishment: A building open to the general public for the sale of goods and services, including the provision of food and drink services (restaurant/café, bar) but excludes cannabis outlets. *Classified as General Industry Type 1 use.*

Geotechnical Assessment: An assessment or estimation by a qualified expert of the earth's subsurface and the quality 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. *Classified as Recreational use.*

Greenhouse: A building intended for the growing, acclimating, propagating, and harvesting of various plants.

Greenhouse, Commercial: A greenhouse which also provides for the display and sale of bedding, household and ornamental plants, and may include accessory uses related to the storing, displaying and selling of related gardening products. Does not include the growing of cannabis.

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

H

Harvest Preserve: See Game Farm.

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

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

Health Services: A building used for the provision of physical and mental health services on an outpatient basis. Services may be of a preventative, diagnostic, treatment, therapeutic,

rehabilitative or counseling nature. Typical uses include medical and dental office and diagnostic services.

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

Holding Pond: A structure built primarily from soil, constructed by excavating or forming dikes, and used to contain contaminated runoff from an intensive livestock operation.

Holding Tank: A digestion chamber in which sewage is received and retained and from which the effluent is discharged.

Home-Based Business: Any occupation, trade, profession, or craft conducted for gain from a dwelling unit, which use is incidental and secondary to the residential use of the dwelling and does not change the character thereof.

Honey Processing Facility: A building used as part of an agricultural operation for the extraction of honey or wax rendering.

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. *Classified as a Greenhouse.*

Hotel/Motel: A building(s) used to accommodate the traveling public for gain or profit, by supplying them with sleeping accommodation, with or without meals.

I

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



component of noise, odour, emissions, exterior appearance, scale, and/or hazard potential.

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, and cemeteries, crematoriums or mausoleums.

Intensive Livestock Operation: The operation and facilities for rearing, confinement or feeding of livestock in such numbers that the facility and portion of a site used for the operation:

- a. Will contain 300 or more Animal Units; and
- b. Provides less than 370 m² of space for each Animal Unit contained therein.

(Refer to Section 5.24 for more information).

K

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

Kennel, Breeding: The keeping of male and female domestic animals for breeding purposes.

Kennel, Enclosure: A building or enclosure intended to house one or more domestic animals.

L

Lagoon: A structure built primarily from soil, which sewage or effluent from a sewage system flows. Also referred to as effluent pond. *Classified as General Industry Type 3 for commercial use.*

Landfill: A specially engineered site for disposing of solid waste on land, constructed so that it will reduce hazard to public health and safety. *Classified as General Industry Type 3 use.*

Landscaping: The provision of horticultural and other related compatible features or materials designed to enhance the visual amenity of a site

or to provide a visual screen consisting of any combination of the following elements:

- a. Soft landscaping consisting of vegetation such as trees, shrubs, vines, hedges, flowers, grass, and ground cover; and/or
- b. Hard landscaping consisting of non-vegetative materials such as concrete, unit pavers, brick pavers or quarry tile, though 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. *Classified as General Industry Type 2 (small, non-intensive) or Type 3 (large, intensive).*

Legal Access: A lot or parcel which is adjacent to a municipally maintained road, and meets the frontage requirements of the appropriate zoning district.

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, though excludes honeybees and all companion animals.

Lot: A parcel of land created by a subdivision, the plan of which has been filed or registered at ISC (Information Services Corporation).

M

Manufacturing Establishment: A firm or business engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products and the blending of materials. *Classified as General Industry Type 2 or Type 3 use.*



Manure Storage (Lagoon): A structure built primarily from soil, constructed by excavating or forming dikes, and used to contain, store or treat liquid manure.

Manure Storage (Earthen): A structure built primarily from soil, constructed by excavating or forming dikes, and used to contain liquid manure.

Manure Storage (Tank): A structure built from material other than soil, and used to contain liquid manure.

Market Garden: The practice of growing vegetables and fruits and its retail sale to the general public. *Classified as Agricultural Tourism.*

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

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

Mobile Home: A trailer coach that may be used as a dwelling all year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system, and may have facilities for washing and a water closet or other similar facility that may be connected to a sewage system.



Mobile Home Park: A residential subdivision of land containing lots under either freehold or leasehold tenure for the purpose of accommodating mobile homes in such a manner that each mobile home is situated on its own lot

and in which all such lots, public open spaces, internal streets and lanes, buffer zones and other amenity areas form a contiguous area of development.

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



Motel: See Hotel.

Motor Home: See Trailer.

Municipality: The Rural Municipality of The Gap.

Municipal Use: A use or development undertaken by the municipality.

Municipal Reserve: Are dedicated lands:

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

Museum: An institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling, and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of historical interest. *Classified as Institutional use.*



N

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: Renewable resources of Saskatchewan and includes:

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

Natural Resource Extraction: The quarrying, processing, removal, and sale of natural resources, including sand, gravel, oil and gas, peat, metallic minerals, and other non-metallic minerals. *Classified as Resource-Based use.*

Non-Conforming Building: A building lawfully constructed or under construction, which all required permits have been issued, and does not comply at the date this Zoning Bylaw or any Zoning Bylaw amendment affecting the building becomes effective.

Non-Conforming Site: A site, consisting of one or more contiguous parcels, that, on the date this Zoning Bylaw or any Zoning Bylaw amendment becomes effective, does not conform to the site area or dimensions for that use.

Non-Conforming Use, Lawful: A lawful specific use of land or building, which all required permits have been issued, and does not comply at the date this Zoning Bylaw or any Zoning

Bylaw amendment affecting the land or building becomes effective.

Non-Conforming Use, Unlawful: Any use of land or building which does not have an approved permit, and does not comply at the date this Zoning Bylaw or any Zoning Bylaw amendment affecting the land or building becomes effective.

O

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 minimal or no goods of a business or trade are stored, transshipped, sold, or processed. *Classified as General Industry Type 1 use.*

Official Community Plan: A comprehensive policy framework to guide various development within the municipality, and referred to as Bylaw No. 7/2020.

Oil and Gas Commercial Uses: A service to the oil and natural gas extraction industry such as drilling and oil well servicing operations, hauling services and storage facilities, and other similar uses. *Classified as Resource-Based use.*

Outfitting: A business providing equipment, supplies, lodging, and typically the training of guides for hunting. *Classified as Agricultural Tourism use.*

P

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

Parking Space: A space within a building or parking lot for the parking of one (1) motor or recreational vehicle including convenient access



to a public lane or street and shall be not less than 2.5 metres (8 ft.) wide and 6.0 metres (20 ft.) in length.

Park Model Trailer: A dwelling mobile home that cannot be licensed as a recreation vehicle, has no breaks or tail lights or must be permitted to be transported on a public highway.

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

Permaculture: The use of land in the development of agricultural ecosystems intended to be sustainable and self-sufficient.

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: The provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects but does not include the provision of health related services. Such uses may include barber, hairdresser, beauty salon, tanning salon, tailor or dressmaker, etc. *Classified as General Industry Type 1 use.*

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

Principal Use: The main or primary activity for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

Public Utility: A government, municipality or corporation under federal or provincial statute which operates a public work.

Public Works: A system, work, plant, equipment, or service that furnishes any of the following services and facilities to, or for the use of, the inhabitants of the municipality:

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

Q

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

R

Racetrack: A place designed and equipped for the racing of motorized vehicles or horses, and includes facilities for administration and management of the business. *Classified as Recreational use.*

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. *Classified as General Industry Type 3 use.*

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



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

- a. Motorhomes;
- b. Trailers (Camping);
- c. Boats;
- d. Paddleboats or Jetskis;
- e. Snowmobiles,
- f. Quads/ATV;
- g. Motorcycles; and
- h. Ice-Fishing Shacks.

Recreational Vehicle (RV) Park: An area of land, managed as a unit, providing short-term accommodation for motor homes and camping trailers, including accessory facilities such as administration offices and laundry facilities. *Classified as a Campground, General.*

Recycling and Collection Depot: 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. *Classified as General Industry Type 3 use.*

Reeve: The Reeve of the Rural Municipality of The Gap.

Rental Unit: A dwelling which all or part are rented out on a short-term basis (e.g. AirBnB). *Classified as a Hotel/Motel.*

Residence: see Dwelling.

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

Resource-Based Uses: The use of land or buildings that include:

- a. Aggregate extraction;
- b. Oil and gas wells and related facilities;
- c. Oil and gas-related commercial uses;

- d. Petroleum pipelines and related facilities; and
- e. Petroleum resource processing activities including oil and gas exploration, well drilling, and storage batteries.

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. *Classified as a General Retail Establishment within General Industry Type 1 use.*

Right-of-Way: Land set aside for use as a roadway or utility corridor. Right-of-ways 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.

Riparian: The areas adjacent to any streams, rivers, lakes, or wetlands.

Roads, Abutting: A roadway constructed adjacent to any side of a lot, parcel, or site.

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





S

Safe Building Elevation (SBE): A level as defined by the Ministry of Government Relations at the time of subdivision to which flood proofing must be done for developments in the flood hazard area. The SBE is calculated as the Estimated Peak Water Level (EPWL) plus a freeboard value to allow for uncertainties in calculations and other possible hazards such as ice push, ice jams, wind, waves and erosion.

Salvage Yard: See Auto Wrecker.

Satellite Dish: A parabolic antenna utilized for the reception of satellite transmitted television, internet, or radio waves. *Classified as Telecommunication use.*

Sea Container: See Shipping Container.

Septic Tank: See Holding Tank.

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 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. *Classified as Institutional use.*

Service Station: A building or place used for the repair, rental, greasing, washing, servicing, adjusting, or equipping of automobiles or other motor vehicles, including painting, body work, tire sales and major repairs. *Classified as General Industry Type 2 use.*

Servicing Agreement: A legal contract that a municipal Council may require with a subdivision applicant under Section 172 of *The Planning and Development Act, 2007*. With such an agreement, Council accepts responsibility for maintaining

services in a new subdivision in exchange for the developer installing the services needed for the subdivision.

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

Shall, Should or May:

- a. **Shall** is an operative word which means the action is obligatory;
- b. **Should** is an operative word which means that in order to achieve plan objectives, it is strongly advised that the action be taken; and
- c. **May** is an operative word meaning a choice is available, with no particular direction or guidance intended.

Shipping Container: An article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal shipping containers, body of transport trailer, or strait truck box but does not include a motor vehicle.

Sight Triangle: The triangular area formed, on corner sites, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines.

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

Sign, Billboard: A private free standing sign, including supporting structure, which advertises goods, products, services, organizations, of facilities that are available from, located on, or



refer to, a site other than the site on which the sign is located.

Sign, Directional: Signage located off-site providing direction to and information about a specific enterprise or activity which does not contain general advertising.

Sign, Fascia: A sign fastened to, or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 0.5 metres (2 ft) from such building or structure.

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

Sign, 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.

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

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

Sign, Incidental: A sign located on a development site which are intended for the direction of control of traffic, pedestrians, or

parking and which do not contain any advertising.

Sign, Off-Premises: A sign that is located separate and apart from the land on which the business or activity is located.

Sign, Real Estate: A sign directly associated with the sale of property.

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

Signs, Traffic Control: A sign, signal, marking, or any device placed by the Municipality or Ministry of Highways.

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

Site Area: The total horizontal area within the site lines of a site.

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

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



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

Site Line: Any boundary of a site.

Site Line, Front: The line separating the site from the street. For a corner site, the shorter line abutting a street, though in the case of a corner site with two (2) street lines of equal length, the front site line shall be designated by predetermined building lines.

Site Line, Rear: The site line at the rear of the site, opposite the front site line.

Site Line, Side: A site line other than a front or rear site line.

Site Plan: A plan showing the location of existing and proposed buildings on a site in relationship to the site lines.

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

Slaughterhouse: See Abattoir.

Solar Collector: A device for the absorption of solar radiation for the heating of water or buildings or the production of electricity.

Solar Energy System (Private): A solar energy conversion system consisting of solar panels and associated control or conversion electronics, where the priority and intention is to provide electrical power for use on-site (either behind the meter or off-grid).

Solar Energy System (Commercial): A solar panel energy conversion system consisting of solar panels and associated control or conversion electronics, which is intended to produce power for resale or off-site distribution.

Sports Field: An open space for the playing of sports and may include benches or bleachers for observers but where there is no charge made for spectators. *Classified as Recreational use.*

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.

Storage Facility: A building or series of buildings comprising of area(s) intended for lease or rent by the general public for the purpose of indoor storage of private goods. *Classified as General Industry Type 1 (small, non-intensive) or Type 2 (large, intensive).*

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

T

Telecommunication Use: A use of land or structure as operated by non-governmental agencies intended for transmitting or receiving television, internet radio, telephone, or other similar communications.

Trailer: Any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways, and includes a self-propelled or non self-propelled vehicle designed, constructed, or reconstructed in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons, and may or may not have its running gear removed. Includes, but is not limited to:



- a. Travel Trailers;
- b. Camper, Camp Trailers;
- c. Fifth Wheels;
- d. Motor Homes; and
- e. Tent Trailers.



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, though does not include automobile service stations or transportation sales or rental outlets. *Classified as General Industry Type 3 use.*

U

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

V

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

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

Classified as Agricultural Tourism use.

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.

Veterinary Clinics (Animal Hospital): A place for the care and treatment of small or large animals involving outpatient care and medical procedures involving hospitalization, though shall not include the keeping of animals in outdoor pens. *Classified as Agricultural Commercial use.*

W

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

Waste Disposal Facility, Liquid: A facility to accommodate any waste which contains animal, mineral, or vegetable matter in solution or suspension, though does not include a sewage lagoon for a single residence, or a manure storage area for an intensive livestock operation. *Classified as General Industry Type 3 use.*

Waste Disposal Facility, Solid: A facility, not including a waste transfer station, 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. *Classified as General Industry Type 3 use.*

Waste Transfer Station: A facility with large containers used 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. Containers are hauled to an off-site waste disposal facility (landfill). *Classified as General Industry Type 3 use.*

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, though is not limited to, wetlands and aquifers.

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

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

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

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

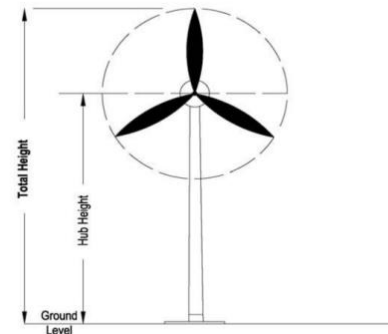
Wind Energy: The collection, conversion, and transmission of wind energy to electrical energy for industrial, commercial private or public uses.

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

Wind Energy Facilities: Includes towers, generators (turbines), and all equipment, machinery, and structures used for a wind energy conversion system.

Wind Turbine: The individual component of a wind energy conversion system that converts kinetic energy from the wind into electrical energy, independent of electrical currents.

Wind Turbine Height: The height from finished grade to the highest vertical point of the swept rotor arc, in the case of a wind turbine with a horizontal axis rotor.



Wind Farm: A group of wind turbines in the same location used for the production of electrical power. Individual turns are generally interconnected with voltage power collection and transmission systems.

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

Y

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

Yard, Front: That part of a site which extends across the full width of a site between the front site line and the nearest main wall of a building or structure.



Yard, Rear: That part of a site which extends across the full width of a site between the rear site line and the nearest main wall of a building or structure.

Yard, Required: The minimum yard required by a provision of this Bylaw.

Yard, Side: The part of a site which extends from a front yard to a rear yard between the side

line of a site and the nearest main wall of a building or structure.

Z

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

3. Administration and Interpretation

3.1 Development Officer

- .1 The Administrator of the municipality shall be the Development Officer responsible for the administration of this Bylaw and in their absence by such other municipal employee as the Council designates from time to time.
- .2 The Development Officer shall:
 - a. Receive, record, and review Development Permit applications and issue decisions in consultation with Council, for those decisions involving subdivision, discretionary uses, Development Permit conditions, 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. Maintain a register of all Development Permits and subdivision applications and decisions;
 - d. Collect development fees, according to the fee schedule established in this Bylaw, or any other Fee Bylaw adopted by the municipality; and
 - e. Perform other duties as determined by Council.

3.2 Council

- .1 Council shall make all decisions regarding discretionary uses, development and servicing agreements, and Zoning Bylaw amendments.
- .2 Council shall make a recommendation regarding all subdivision applications circulated to it by Ministry of Government Relations, prior to a decision being made by the Minister.
- .3 Council shall act on discretionary uses, re-zoning and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the Official Community Plan Bylaw No. 7/2020.

3.3 Application for a Development Permit

- .1 Unless the development or use is exempt from Development Permit requirements, before commencing any such development or use, every person shall:
 - a. Complete and submit a Development Permit application; and
 - b. Receive an approved Development Permit for the proposed development or use.
- .2 A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw or the Official Community Plan Bylaw No. 7/2020.

3.4 Development Not Requiring A Permit

The following development and uses do not require the submission and approval of a Development Permit in all zoning districts:

.1 Municipal Uses

- a. All uses and buildings undertaken, erected, or operated by the municipality, unless such use is deemed a discretionary use in the applicable zoning district.

.2 Internal Alterations

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

.3 Landscaping

- a. All landscaping (including trees or shelterbelts), driveways and parking areas, provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted; and
- b. The erection of a fence, gate, or other screening device in accordance with the regulations listed herein.

.4 Keeping of Domestic Animals

- a. All uses are subject to relevant municipal bylaws and legislation governing noise and public health.

.5 Telecommunications and Solar Collectors/Energy System (Private) (Accessory Use)

- a. Any freestanding or mounted satellite dish, tower, solar collector, or other similar and supporting structures, which are not the principal use of the property.

.6 Temporary Uses and Structures

- a. Membrane-covered structures for weddings or other outdoor events, or for use as a portable storage shed or garage given that these are well maintained; and
- b. Other temporary structures or uses.

.7 Accessory Uses and Structures

- a. All uses which are accessory to an established principal use, in accordance with any other applicable regulations herein; and
- b. The erection of buildings 46.5 m² (500ft²) or smaller.

.8 Signage

- a. The erection of a sign does not require the submission of a Development Permit application, however all signs, either permanent or temporary must be in accordance with Section 4.27 Sign Regulations and any further restrictions listed in the zoning district where the sign will be installed.

.9 Water/Sewer (Residential Use)

In accordance with all federal and provincial regulations:

- a. The development of a well or installation of a water holding tank for personal use; and
- b. The installation of a septic tank or other means of household sewage disposal which originated on the same site.

.10 Wildlife and Conservation Management Uses

- a. All uses for land in which the sole purpose is wildlife and conservation management, however excludes a Game Farm (Harvest Preserve); and
- b. Buildings larger than 9.3 m² (100 ft²) erected on such lands will require a Development Permit.

3.5 Uses Permitted in All Zoning Districts

- .1 Nothing in this Bylaw shall prevent the use of any land as a public street or public park.
- .2 Public works uses and facilities, except waste disposal facilities, may be established in all zoning districts and shall be exempt from the provisions of every zoning district.
- .3 Waste disposal facilities owned by a public works shall be subject to the regulations within the zoning district of the intended use.

3.6 Interpretation

- .1 Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.
- .2 All Bylaw requirements shall be based on the stated metric units. Imperial units shown shall be approximate guidelines only.

3.7 Licenses, Permits, and Compliance With Bylaws and Legislation

- .1 The municipality shall consider developments in accordance with *The Municipalities Act*.
- .2 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.
- .3 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 municipality, or law within the Province of Saskatchewan or Canada.
- .4 Nothing in this Bylaw shall exempt any person from obtaining any license, permission, permit, authority, or approval required by this or any other Bylaw of the Rural Municipality of The Gap No. 39 or any law of the Province of Saskatchewan or Canada.
- .5 Where requirements in this Bylaw conflict with those of any other municipal, provincial, or federal requirements, the provincial and federal regulations shall prevail.

3.8 Comprehensive Development Review

- .1 A Comprehensive Development Review may be required prior to consideration of an application by Council by any person proposing to re-zone land for multi-parcel (greater than 3) country residential, commercial, industrial, recreational, or intensive livestock operation purposes.
- .2 The purpose of this review is to identify and address social, environmental, health, and economic issues and to encourage the development of high quality residential, commercial, industrial, recreational, and intensive livestock developments. The scope and required detail of the Comprehensive Development Review will be based on the scale and location of the proposed development, and address the following:
 - a. Proposed land use(s) for various parts of the area;
 - b. The effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;
 - c. The location of, and access to, major transportation routes and utility corridors;
 - d. The provision of services respecting the planning for future infrastructure within the municipality;
 - e. Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas; and
 - f. Appropriate information specific to the particular land use (residential, commercial, industrial, recreational, or intensive livestock operation).
- .3 The Comprehensive Development Review must be prepared in accordance with the overall goals and objectives of the Official Community Plan Bylaw No. 7/2020. Council shall not consider any development application until all required information has been received. The responsibility for undertaking all technical investigations, administrative reviews, and hosting public meetings as required shall be borne solely by the applicant.

3.9 Development Permit Application Procedure

The following procedure shall apply to all **permitted use** applications:

- .1 Applicants must file with the Development Officer the prescribed application form, a site plan, any other plans and supplementary information as required by the Development Officer and pay the required application fee.
- .2 The application will be examined by the Development Officer for conformance with the Official Community Plan Bylaw No. 7/2020, this Bylaw, any other applicable policies, regulations or municipal bylaws.
- .3 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 considered appropriate and 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.
- .4 Upon verification from any government agencies or interested groups, 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 Bylaw No. 7/2020 and this Bylaw.

- .5 A Development Permit may be approved 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.
- .6 The applicant shall be notified on the decision of their application by regular mail addressed to the applicant at the address shown on the application form.
- .7 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*.
- .8 Where the Development Officer determines that a development is being carried out in contravention of any condition of the Official Community Plan Bylaw No. 7/2020 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.
- .9 Where the municipality is satisfied that a development, the permit for which has been suspended or revoked, will be carried out in conformity with the conditions of the permit and the requirements of this Bylaw, the municipality may reinstate the Development Permit and notify the permit holder that the permit is valid and in force.

3.10 Development Permit Application Fees

The following fee shall apply to all **permitted use** applications:

- .1 An applicant seeking the approval of a Development Permit application shall pay the following fee: **\$100.00**.
- .2 There shall be no application fee for the following applications:
 - a. Exterior renovations to a building including but not limited to siding, roofing, additions, decking or other major improvements;
 - b. Home-based businesses; and
 - c. Public works uses.
- .3 As per *The Planning and Development Act, 2007*, Section 51, the RM Council may adopt a Fee Bylaw that prescribes a schedule of fees to be charged for the application, review, approval, enforcement, regulation and issuance of:
 - d. A development permit;
 - e. A discretionary use;
 - f. A minor variance; and
 - g. An amendment to the Official Community Plan or Zoning Bylaw.
- .4 Where a Fee Bylaw has been adopted by the RM, the fees prescribed in the Bylaw shall be in effect.

3.11 Discretionary Use Permit Application Procedure

The following procedure shall apply to **discretionary use** applications:

- .1 Applicants must file with the Development Officer the prescribed application form, a site plan, any other plans and supplementary information as required by the Development Officer and pay the required application fees.

- .2 The application will be examined by the Development Officer for conformance with the Official Community Plan Bylaw No. 7/2020, this Bylaw, any other applicable policies, regulations and municipal bylaws.
- .3 At the discretion of Council or the Development Officer, the application may be referred to whichever government agencies or interested groups are considered appropriate, and 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.
- .4 The Development Officer will provide written notice of the application to all assessed landowners within 1 mile (1.6 km) of the applicant's land and will provide a minimum of 21 days from the date of mailing for public comment prior to formal consideration of the application by Council.
- .5 At the discretion of Council or the Development Officer, written notice may be provided to landowners within a larger distance stated above or to any other person(s) or organization(s) deemed necessary.
- .6 Council shall consider the discretionary use application at an upcoming regular scheduled public meeting.
- .7 Notice of the public meeting where the application will be considered will be included in the written notice mentioned above.
- .8 Council shall consider the application in accordance with Sections 5.1 and 5.2, and any criteria of the discretionary use in the intended zoning district, together with any written or verbal submissions received.
- .9 Council may approve or reject the application, or approve the application with terms and conditions or development standards, including a condition limiting the length of time that the use may be conducted on the site.
- .10 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.
- .11 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.
- .12 The applicant shall be notified of Council's decision of their application by regular mail addressed to the applicant at the address shown on the application form, and the applicant shall be notified of their right to appeal the decision to the Development Appeals Board.

3.12 Discretionary Use Application Fees

The following fee shall apply to **discretionary use** applications:

- .1 An applicant seeking the approval of a Discretionary Use Development Permit application shall pay **\$200.00** or shall pay the required fee as set out in a separate Fee Bylaw of the municipality as described in Section 3.10.3 and 3.10.4.

3.13 Refusal of Development Permit Application

- .1 An application for a Development Permit shall be refused if it does not comply with all requirements in this Bylaw.
- .2 The reasons for a Development Permit refusal shall be stated on the refused Development Permit application.
- .3 The applicant shall be notified of Council's decision of their application by regular mail addressed to the applicant at the address shown on the application form, and the applicant shall be notified of their right to appeal the decision to the Development Appeals Board.

3.14 Fee For Zoning Amendment Application

- .1 When an application is made to Council for an amendment to this Bylaw, the applicant making the request shall bear the actual cost of advertising such as a zoning amendment as permitted by *The Planning and Development Act, 2007*. Council also may require the applicant to pay all costs incurred in a professional review of the application and in carrying out a public hearing.

3.15 Concurrent Processing of Development and Building Permits

- .1 A Building Permit, where required, shall not be issued unless a Development Permit has been issued, or is issued concurrently.
- .2 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.

3.16 Development Appeals Board

- .1 Council shall appoint a Development Appeals Board in accordance with *The Planning and Development Act, 2007* within 90 days from the effective date of this Bylaw.
- .2 The Development Appeals Board shall be composed of three (3) members. All vacancies, as they occur, shall be filled by a resolution of Council.
- .3 The duties of the Development Appeals Board is bound by the Official Community Plan Bylaw No. 7/2020, and may confirm, revoke, or vary the decision or Development Permit or any condition attached to any of these, or substitute a decision or permit that is considered advisable.
- .4 In addition to any other right of appeal provided by *The Planning and Development Act, 2007*, and any other Act, a person affected may appeal to the Development Appeals Board if there is:

- a. Alleged misapplication of the Zoning Bylaw in the issuance of a Development Permit (appeal must be submitted within 30 days after the date of the decision);
 - b. A refusal to issue a Development Permit because it would contravene this Bylaw, except where a refusal was on the basis that the use in the zoning district for which the Development Permit was sought:
 - i. Is not a permitted use or a permitted intensity of use;
 - ii. Is a discretionary use or discretionary use of intensity that has not been approved by resolution by Council; or
 - iii. Is a prohibited use.
 - c. An issuance of a written order from the Development Officer.
- .5 Appellants may appeal where they are of the opinion that development standards prescribed by Council with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw.
- .6 The Development Officer shall make available to all interested persons copies of the provisions of *The Planning and Development Act, 2007*, respecting decisions of the Development Officer and right of appeal.

3.17 Minor Variances

- .1 The Development Officer may grant a minor variance to the requirements of this Bylaw for the following only:
- a. Minimum required distance of a building from a lot line; and
 - b. The minimum required distance of a building from any other building on the lot.
- .2 The maximum amount of a minor variance shall be 10% variation from the requirements of this Bylaw.
- .3 The development must conform to all other requirements of this Bylaw.
- .4 The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property.
- .5 No minor variance shall be granted in connection with an agreement entered into pursuant to Section 69 (Contract Zoning) of *The Planning and Development Act, 2007* with respect to the rezoning of land nor if it is inconsistent with any provincial land use policies or Statements of Provincial Interest.
- .6 Minor variances shall be granted only in relation to residential properties.
- .7 An application form for a minor variance shall be on a prescribed form to the Development Officer and shall be accompanied by an application fee of \$25.00, or the required fee as set out in a separate Fee Bylaw of the municipality.
- .8 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.

- .9 Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Bylaw.
- .10 Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.
- .11 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.
- .12 A decision to approve a minor variance, with or without terms and conditions, does not take effect:
 - a. In the case of a notice sent by regular mail, until 23 days from the date the notice was mailed;
 - b. In the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.
- .13 If an assessed owner of a property having an adjoining property with the applicants land objects to the minor variance in writing to the Development Officer within the prescribed 20 day time period, the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:
 - a. Of the revocation of the approval; and
 - b. Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.
- .14 If an application for a minor variance is refused or approved with terms or conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.
- .15 The Development Officer shall maintain a record of all minor variance applications.

3.18 Non-Conforming Uses, Buildings, and Sites

- .1 **Unlawful:** Any unlawful use of land or building existing at the time of passing this Bylaw or any subsequent amendments, may not be continued, transferred, or sold. In accordance with the applicable zoning district, the request of such unlawful use must be submitted for consideration on the appropriate Development Permit.
- .2 **Lawful:** Any lawful 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 Sections 88 to 93 inclusive, of *The Planning and Development Act, 2007*.
- .3 No enlargement, additions, or reconstruction of a lawful non-conforming use, building, or structure shall be undertaken, except in conformance with these provisions.
- .4 No lawfully 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.

- .5 No lawfully constructed building existing on or before the effective date of this Bylaw or any subsequent amendments shall be deemed to be non-conforming for having less than the minimum dimensions or area, or having less than the minimum yards required by this Bylaw. The use of this building may continue and may be enlarged, reconstructed, repaired, or renovated pursuant to the rights granted by Sections 91 to 93 of *The Planning and Development Act, 2007*. These rights are subject to the following:
 - a. The enlargement, reconstruction, repair, or renovation does not further reduce the required yards that do not conform to this Bylaw;
 - b. All other applicable provisions of this Bylaw are satisfied; and
 - c. Issuance of a Development Permit required by this Bylaw.

3.19 Development Permit – Invalid

- .1 A Development Permit shall be automatically invalid and development shall cease, as the case may be:
 - a. If the development is not commenced within the period for which the permit is valid;
 - b. If the development is legally suspended, or discontinued, for a period of six or more months, unless otherwise indicated by Council or the Development Officer; or
 - c. When development is undertaken in contravention of this Bylaw, the Development Permit and specified development standards.

3.20 Cancellation

- .1 Council or the Development Officer may cancel a Development Permit, and when cancelled, development shall cease:
 - a. Where the Development Officer or Council is satisfied that a Development Permit was issued based on false or mistaken information;
 - b. Where new information is identified pertaining to environmental protection, flood potential, or slope instability; and/or
 - c. When a developer requests a Development Permit modification.

3.21 Stop-Work

- .1 The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a Development Permit or condition, or an Interest Registered with Information Services Corporation under this Bylaw.

3.22 Bylaw Compliance

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

3.23 Registering Interests

- .1 As per Section 175 of *The Planning and Development Act, 2007* the municipality may register an interest based on a servicing agreement in the land registry against the affected title.
- .2 On registration of an interest based on a servicing agreement, the rights and privileges in the agreement:

- a. Ensure to the benefit of the municipality; and
- b. Run with the land and are binding on the registered owner of the land the registered owner's heirs, executors, administrators, successor, and assigns.

3.24 Moving of Buildings

- .1 No building shall be moved within, into, or out of the municipality without obtaining a Development Permit, unless such building is exempt under Section 3.4 of this Bylaw.

3.25 Temporary Development Permits

- .1 The Development Officer may issue a Temporary Development Permit, with specified conditions for a specified period of time, to accommodate developments incidental to approved construction, temporary accommodation, or temporary gravel operations, or asphalt plants. Nothing in this Bylaw shall prevent the use of land, or the erection or use of any building or structure for a 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.

3.26 Servicing Agreements

- .1 Where a development proposal involves subdivision, Council may require a developer to enter into a servicing agreement to ensure appropriate servicing. Council may direct the Development Officer to vary the agreement on a case-by-case basis, or not require it.
- .2 In accordance with *The Planning and Development Act, 2007*, the agreement may provide for:
 - a. The undertaking and installation of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, graded, graveled or paved streets and lanes, connections to existing services, area grading and levelling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities, or other works that Council may require including both on-site and off-site servicing; and
 - b. The payment of fees that the Council may establish in whole or in part, for the capital cost of providing, altering, expanding, or upgrading sewage, water, drainage, and other utility services, public highway facilities, or park and recreation space and facilities located within or outside the proposed subdivision, and that directly or indirectly serve the proposed subdivision.

4. General Regulations

The following regulations shall apply to all zoning districts in this Bylaw.

4.1 Accessory Buildings

- .1 Where an accessory building on a site is attached to a principal building by a solid roof or by structural rafters, and where the solid roof or rafters extend at least one third of the length of the building wall that is common with the principal building, the building is deemed to be part of the principal building.

4.2 Aggregate Extraction

- .1 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 Bylaw No. 7/2020.
- .2 Council may require the applicant to enter into an agreement for the development and extraction of aggregate resources, and the reclamation of such development or extraction.

4.3 Air Quality

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

4.4 Approaches

- .1 All approaches to public roads require the approval of the municipality and shall be shown on the required site plan of a Development Permit application. All approaches shall be constructed in accordance with the engineering standards of the municipality.
- .2 The Development Officer shall decide upon all approach applications and, based on location, drainage, traffic flow, sight lines, road standards, and safety considerations, may approve or refuse an application for an approach.
- .3 Where an approach for a commercial, industrial, or residential lot within a multi-parcel country residential 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 ft) into the lot.

4.5 Building and Site Maintenance

- .1 All sites shall be maintained clean and free from waste and debris.
- .2 Council may establish landscaping requirements for any permitted or discretionary use to achieve maximum public safety, zero nuisance, and environmental quality.

4.6 Buffer Strips

- .1 Buffer strips are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare, and other nuisances, or facilitating natural drainage.
- .2 Council and the Development Officer may establish specific landscaping requirements to include berms, natural vegetation, planted vegetation, landscaping, trees, shrubs, fences, private signs, and similar amenities as part of any Development Permit approval in any zoning district.
- .3 Council may require all sites along major highways and associated service roads, which are developed for non-agricultural purposes, to be landscaped in the front yard. 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 The Development Officer may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, motor, building materials, waste materials, and other similar uses, or where other landscaping and screening requirements would be appropriate as determined by the Development Officer.

4.7 Closings

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

4.8 Creek Banks and Hazard Lands

- .1 For the purpose of this Bylaw, the area considered to present potential erosion and/or slope instability hazard includes, though is not limited to, the slopes of any tributary creeks, coulees, valleys, ravines, and gullies extending from the edge of the flood plain in a valley, to the ridge of the slope at the top, plus a setback of 100.0 metres (328 ft).
- .2 No new development shall be permitted in any readily eroded or unstable slope area if the proposed development will be affected by or increase the potential hazard presented by erosion or slope instability.
- .3 The top of a bank shall be that line where the gradient of the slope measured from the upland leading down to the waterbody or watercourse first exceeds 20%.
- .4 Development or subdivisions proposed within 50.0 metres (164 ft) of the crest of a slope greater than 15% shall require supporting evidence of slope stability by a professional engineer. The engineering report will identify hazard mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and slope stability impacts, and will identify and explain known and suspected residual hazards.
- .5 A Development Permit shall not be issued unless the report on the site, presented by the professional consultant, indicates that the site is suitable for development or outlines suitable mitigating measures

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

- .6 Unless a report by a registered professional engineer proves that it is safe to waive the building setbacks, the following setbacks shall apply for all developments along a coulee, ravine, or valley with or without a permanent watercourse. Council may require a surveyor to determine where this line or crest of valley is located at the developer's expense and development will be set back from that line at all points.

Vertical Depth of Coulee, Ravine, or Valley	Minimum Building or Structure Setback from the Top of the Bank
Less than 3.0 metres (10 ft)	10.0 metres (33 ft)
Greater than 3.0 metres and less than 15.0 metres	10.0 metres (33 ft)
Greater than 15.0 metres and less than 30.0 metres (98 ft)	15.0 metres (49 ft)
Greater than 30.0 metres	20.0 metres (66 ft)

- .7 The Development Officer may impose special conditions, such as though not limited to, engineered footings, drainage and/or septic systems in an effort to protect against erosion and/or stability of the bank.
- .8 Trees or vegetation shall not be cleared from any land within 20.0 metres (66 ft) of any watercourse, waterbody, escarpment, or of the crest of a slope greater than 15%, where the removal could have a negative impact on the waterbody or bank stability.

4.9 Fences and Hedges

- .1 No screening device shall locate within a sight triangle and is subject to further regulations in the applicable zoning district.

4.10 Frontage and Access

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

4.11 Grading and Leveling of Sites

- .1 Every development shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect the adjacent property or the stability of the land.
- .2 All excavations or filling shall be re-vegetated immediately after other construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion and:
 - a. All vegetation and debris in an area to be re-graded or filled must be removed from the site prior to site grading and leveling; 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 site approved by the municipality.
- .3 Where excavation or filling is proposed for any development in a potential Flood Hazard Overlay, the municipality may request comments of the Water Security Agency prior to making a decision on the Development Permit application.
- .4 Council may require a Storm Water Management Plan to be submitted for all areas of the parcel of land disturbed during or as a result of a development.

4.12 Groundwater

- .1 Subdivision approval recommendation or Development Permit approval shall not be issued if, in the opinion of Council, the groundwater would be adversely affected with respect to the following:
 - a. Municipal servicing and costs;
 - b. Existing and future groundwater requirements (based on a hydrological report from a qualified professional consultant);
 - c. Potential contamination of the aquifer;
 - d. Quality of the water;
 - e. Quantity of the water;
 - f. The effects of the quantity and quality of water for adjacent developments; and
 - g. The effects of development on any underlying aquifer formations.
- .2 Council may seek the assistance of the Saskatchewan Ministry of Environment, the Water Security Agency, and Saskatchewan Health Authority, or other relevant agencies in making an assessment of any geotechnical information.
- .3 Based upon a review of hydrogeological or geotechnical data, Council may determine whether the proposed development would adversely affect the groundwater resource, the stability of the land or create prohibitive municipal servicing costs. Council shall make a recommendation for subdivisions or development approval based on this determination.

4.13 Heritage Properties

- .1 Provincial and municipal heritage properties subject to preservation agreements are subject to development review processes as defined by *The Heritage Property Act*. Provincial designations are afforded special protection, and any alterations and development must be reviewed and approved by the Heritage Conservation Branch of the Province of Saskatchewan.

4.14 Lighting

- .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.
- .2 Appropriate lighting of commercial and industrial development shall be undertaken to provide security and to add visual interest. Lighting standards and fixtures shall be of consistent design and complimentary to the overall architecture.
- .3 Public access areas shall be lit in keeping with the principles of Crime Prevention Through Environmental Design (CPTED) and require site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent buildings and roads of parking and walkways.

4.15 Loading Requirements

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

4.16 Manure Disposal

- .1 The use of agricultural land for the disposal and recycling of manure produced by an agricultural operation is considered an accessory use and is subject to the following regulations:
 - a. Liquid manure shall spread by direct injection into the soil;
 - b. Solid manure shall be incorporated into the soil within 48 hours within 1 mile of an occupied residence;
 - c. Manure may be spread on grasslands;
 - d. The manure will be spread on land owned by the agricultural operator or on land where an agreement has been made between the agricultural operator and the land owner for the spreading of manure; and
 - e. Further liquid manure regulations, including minimum setback distances between occupied dwellings, riparian areas, and the location where manure may be spread, can be found within Section 5.24 Intensive Livestock Operations of this Bylaw.
- .2 Council 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 consider any written agreements, comments, and questions from all land owners directly affected by the potential reduction before making a decision. Where a reduction is granted, Council may require a formal written agreement between land owners.

4.17 Membrane Covered Structures

- .1 The placement of a permanent anchored membrane covered structure may not be located within a sight triangle, and must comply with the site and yard requirements for portable structures for the applicable zoning district.

- .2 The placement of temporary membrane covered structures for outdoor events or otherwise may not be located within any sight triangle but are not susceptible to any site or yard requirements within any zoning district.
- .3 Membrane covered structures may not be permitted to deteriorate or become unsightly.

4.18 Mobile Storage Containers

- .1 Mobile storage containers may only be used in approved zoning districts and are subject to the following conditions:
 - a. Containers shall only be used for storage purposes;
 - b. Containers may not be located within a sight triangle;
 - c. Containers must comply with the site and yard requirements for portable structures for the applicable zoning district;
 - d. Containers may not be stacked;
 - e. Containers determined to be unsightly, misused, unsafe, or inappropriate in any way must be removed or upgraded at the owner's expense within a time period specified by the municipality;
 - f. Containers shall not block or obstruct any exits, windows, parking spaces, driveways, or access to public utilities and/or right-of-ways; and
 - g. Landscaping to screen the container or buffer it from other uses may be required.

4.19 Oil and Gas Well Activities

- .1 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 Bylaw No. 7/2020.
- .2 The municipality may apply special standards as outlined in *The Municipalities Act, 2005*, to protect the municipal interest when transportation, utility, and pipeline facilities cross municipal roads, or when seismic activity is proposed on roads or road allowance.
- .3 To minimize conflict between natural resource extraction, or oil and gas operations and surrounding land uses, an approving authority shall not approve a subdivision application if the land that is the subject of an application is situated within 125.0 metres (410.0 ft) of an existing, proposed, abandoned, or reclaimed well or facility as defined by *The Oil and Gas Conservation Regulations, 2012*.
- .4 As per *The Subdivision Regulations, 2014*, an approving authority, in consultation with the minister responsible for the administration of *The Oil and Gas Conservation Act*, may:
 - a. Accept that land that is the subject to an application be situated less than 125.0 metres (410 ft) from an existing, proposed, abandoned, or reclaimed well or facility as defined by *The Oil and Gas Conservation Regulations, 2012*; and
 - b. Require that land that is the subject of an application be more than 125.0 metres (410 ft) from an existing, proposed, abandoned, or reclaimed well or facility as defined by *The Oil and Gas Conservation Regulations, 2012*.

4.20 Parking

- .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.
- .2 Any parking facility shall be developed to the satisfaction of the municipality within one year of the completion of the development for which the Development Permit was issued.
- .3 When a building is enlarged or altered in such a manner as to cause an intensification or change of use, provisions shall be made for additional parking spaces as required by the previous subsection.
- .4 The parking facility shall be located on the same site as the use for which it is intended. It shall be developed such that:
 - a. It is reasonably accessible to the use and vehicles 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 shall be a minimum of 2.5 metres (8 ft) wide and 6.0 metres (20 ft) in length except that parallel parking spaces shall be a minimum of 6.5 metres (21 ft) long;
 - f. Where two or more uses are permitted on any one site or where two or more uses are to share common parking facilities, the off-street parking requirements for each use shall be calculated as if each is a separate use and the total number of off-street parking spaces so calculated shall be provided; and
 - g. One (1) barrier free parking space shall be provided for any required parking facility accommodating between 4 and 100 parking spaces.
- .5 Required parking and loading facilities shall provide for and include an adequate, safe, and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site.
- .6 All required off-street parking spaces shall be clear of any access driveways, aisles, ramps, columns, signs, or other obstructions and shall have minimum dimensions of 2.7 metres (9 ft) by 6.7 metres (22 ft).

- .7 Required parking shall be in accordance with the following:

Institutional uses	One (1) parking space for every 9.0 m ² (97 ft ²) of gross floor area devoted to public use; or One (1) parking space for each six (6) seats provided for patrons and 1 space per staff member.
Commercial uses	One (1) parking space for every 18.0 m ² (194 ft ²) of gross floor area; or Minimum five (5) spaces.
Industrial uses	One and one-half (1 ½) parking spaces for every 90.0 m ² (969 ft ²) of gross floor area; or Minimum one (1) space for every three (3) employees.
Recreational uses	One (1) parking space for every 18.0 m ² (149 ft ²) of gross floor area; or Minimum five (5) spaces.

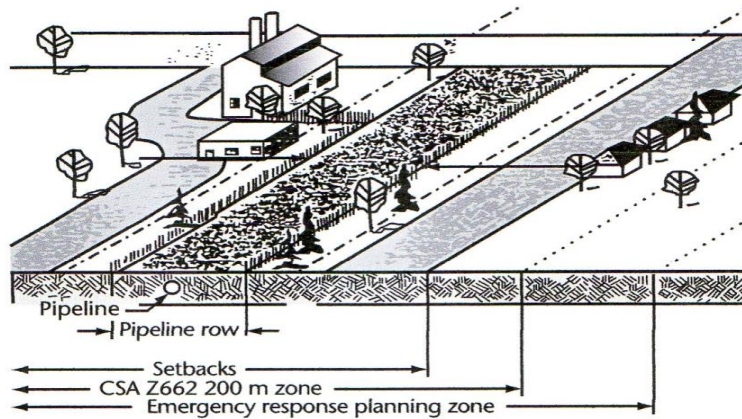
- .8 Where the use does not include measurable floor space within an acceptable principal building, parking requirements shall be determined by Council on a case to case basis based upon projected peak use and typical use parking requirements.
- .9 When the calculation of parking requirements results in a fractional required parking space, this fractional requirement shall be rounded up to the next whole number.
- .10 Each principal building with a floor area greater than 500.0 m² (5,382 ft²) shall provide one off-street loading space.
- .11 All areas to be used for vehicular traffic shall be designed and constructed to the satisfaction of Council.
- .12 Where the use of the building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods or merchandise, adequate dedicated and clearly defined space for such vehicles to stand for unloading or loading shall be provided on-site.

4.21 Pipelines and Gas Transmission

- .1 Any development involving pipeline and/or power line transmission right-of-ways shall be sited to comply with all relevant federal and provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate provincial regulations or acts, and any regulations or directives established by Crown Corporations. Refer to “Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663”, which may be amended from time to time.
- .2 Building setbacks from pipelines shall be 12.0 metres (39 ft) except where Council has authorized a lesser separation.
- .3 The National Energy Board has designated a “no disturbance” review area of 30.0 metres (98 ft) on either side of a pipeline in which, subject to exceptions for such things as normal agricultural activities, anyone proposing to conduct a ground disturbance/excavation must:

- a. Ascertain whether a pipeline exists;
- b. Notify the pipeline company of the nature and schedule of the excavation; and
- c. Conduct the excavation in accordance with such regulations.

.4 The following figure provides the setbacks required by the Canadian Standards Association.



Source: *Land Use Planning for Pipelines* publication by Canadian Standards Association (CSA) PLUS663.

4.22 Potash, Fertilizer and Ethanol Plant Development

- .1 Potash mining operations including, but not limited to, mine offices, maintenance and processing building, head frames, wells, pipelines and storage facilities, as well as fertilizer plants or the development of an ethanol plant, whether in association with potash mining or fertilizer operations or as an independent operation are considered principal uses.
- .2 Other related processing and service related development (tailing ponds, tailing piles, etc.) are considered as accessory uses to mining operations.

4.23 Principal Use

- .1 A principal use may be considered either to be a use of land or building only.
- .2 Only one (1) principal building shall be permitted on any one site except for the following uses which may have more than one principal building to accommodate the use:
 - a. Public utility uses;
 - b. Private institution;
 - c. Institutional uses;
 - d. Recreational uses;
 - e. Multi-parcel residential uses;
 - f. A secondary residence on an agricultural parcel;
 - g. Commercial or industrial uses; or
 - h. Uses allowed in a contract zoning agreement.

4.24 Restoration to a Safe Condition

- .1 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.

4.25 Roadways

- .1 Council may establish regulations or other policies apart from this Bylaw to establish standards for road construction.
- .2 Road standards may be established to provide service to specific forms of development.
- .3 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 Development adjacent to a provincial highway shall meet all requirements of the Saskatchewan Ministry of Highways.
- .5 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.
- .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 may be responsible for all costs related to the construction of the road to the standards set out by the Development Officer.

4.26 Satellite Dishes, Solar Panels, and Other Similar Structures

- .1 The installation and operation of a free standing satellite dish, internet tower, private solar collector/energy system, or other similar structure and their supporting structures shall not be located within any sight triangle.
- .2 Guy-wire anchors must be setback at least 1.0 metre (3 ft) from any property line.

4.27 Sensitive Environment and Critical Wildlife Habitat

- .1 Where development is proposed in an area identified as containing critical wildlife habitat, environmental, or heritage sensitive areas, the Development Officer may require the applicant to provide additional information as required by *The Wildlife Habitat Protection Act (WHPA)*, *The Heritage Property Act*, or any other relevant provincial regulations.
- .2 As critical wildlife conservation uses are permitted uses in all zoning districts, Council may prohibit development and recommend subdivision refusal where proposals may adversely affect long-term wildlife conservation.
- .3 Council may specify development and subdivision requirements based on reports from qualified consultants or officials from the provincial government.

- .4 All development and subdivision proposals on private and Crown Lands which are within a Critical Wildlife Management Area shall conform to:
 - a. *The Critical Wildlife Habitat Act (CWhA)* requirements;
 - b. *The Critical Wildlife Habitat Lands Disposition and Alteration Regulations* requirements; and
 - c. Council specified wildlife development, management, conservation, mitigative, and rehabilitation development standards to maximize long-term wildlife protection.

4.28 Sign Regulations

Signs Along A Provincial Highway (Provincially Regulated)

- .1 Signs located on or within 400.0 metres (1,312 ft) of a provincial highway right-of-way that are in an established sign corridor are regulated entirely by the requirements of *The Provincial Highway Sign Control Regulations* and require an application, unless specifically exempted in said regulations, to the Sign Corridor Administrator.
- .2 Signs located on or within 400.0 metres (1,312 ft) of a provincial highway right-of-way that are outside of an established sign corridor are regulated entirely by the requirements of *The Provincial Highway Sign Control Regulations*, and require an application, unless specifically exempted in said regulations, to the Ministry of Highways for the installation of the requested sign.
- .3 Signs located on or within 400.0 metres (1,312 ft) of a provincial highway right-of-way that are outside of an established sign corridor are subject to the regulations listed below as a municipally regulated sign.

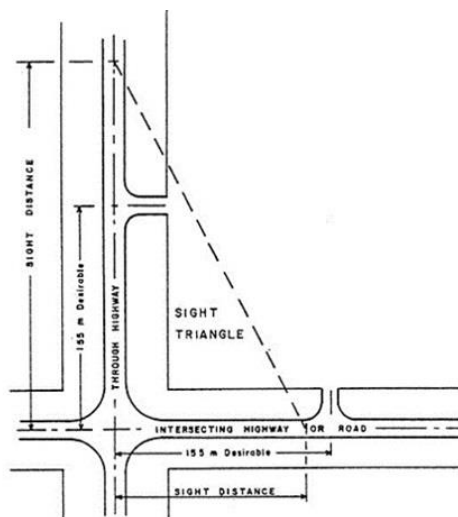
All Other Signs (Municipally Regulated)

- .4 Municipally regulated signs are signs which are not along a provincial highway.
- .5 A Development Permit is not required for the erection, display, alteration, repair, relocation, or replacement of any temporary or permanent sign which is municipally regulated.
- .6 The following general regulations shall pertain to all municipally regulated temporary and permanent signage in all zoning districts:
 - a. Permanent 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;
 - b. Signs which are deemed to be in disrepair shall be properly maintained or removed by the sign owner, at the discretion of the municipality;
 - c. 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;
 - d. 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;
 - e. Offensive statements, words, or pictures that do not conform to the amenities of the neighbourhood shall be prohibited;
 - f. No intermittent flashing signs are permitted, except for traffic signs as erected by the municipality or the Ministry of Highways;
 - g. No sign shall be illuminated unless the source of light is steady and suitably shielded to prevent the creation of a hazardous situation related to pedestrian and vehicular traffic;

- h. No permanent sign shall be placed on or over public property unless specifically permitted within this Bylaw;
 - i. Temporary signage advertising an event, including any election may be posted 30 days in advance of the event or election, and must be taken down within one (1) week of the event or election;
 - j. The separation distance between all signs shall be a minimum of 3.0 metres (10 ft).
- .7 The maximum size and quantity of signs permissible per parcel shall be regulated by the appropriate zoning district, with the following exceptions which shall be exempt from a regulated quantity:
- a. All government signage, including utility markers;
 - b. Traffic control signage;
 - c. Incidental signs containing traffic and pedestrian controls, including trail markers;
 - d. Signage intended to regulate hunting or trespassing;
 - e. Temporary signage, such as:
 - i. Agricultural-related including herbicide, insecticide, or seed advertising or any sign related to research or demonstration of agricultural products or activities;
 - ii. Real estate or auction signs during the sale; and
 - iii. Events or election signage;
 - f. Community identification signage;
 - g. Residential name plates;
 - h. Works of art containing no advertising; and
 - i. Small plaques, markers, and interpretative signs for natural or human heritage resources, including commemorative markers.
- .8 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.

4.29 Sight Triangle

- .1 The sight line triangle area shall be calculated by connecting straight lines, which are measured from the intersection of centre lines of the various types of roads and railways, to points established along these centre lines, as indicated in the following diagram:



Source: Government of Saskatchewan Roadside Development Permits

- .2 No building, structure, earth or aggregate pile, or shelterbelt in any zoning district shall obstruct the vision of drivers within the sight line triangles shown in the following table:

Type of Road or Railway	Distance Along Centre Line
Provincial Highways	155.0 metres (509 ft)
Municipal Grid Roads	80.0 metres (262 ft)
Railway Lines	80.0 metres (262 ft)

4.30 Uses or Objects Prohibited or Restricted in Yards

- .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.
- .2 The storage of chemicals, fertilizers, and combustible materials are subject to the requirements of both the federal and provincial governments.
- .3 The storage or collection of hazardous material is strictly prohibited unless otherwise authorized on an approved Development Permit.

4.31 Waste Disposal

- .1 Subject to all legislation pertaining in any way to the storage, handling, and disposal of any waste material or used items, and except as permitted by such legislation, no liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel, or other body of water onto or beneath the surface of any land or into the air.
- .2 No development or use of land which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by Saskatchewan Health and the Water Security Agency. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by the Ministries of Saskatchewan Agriculture, Saskatchewan Environment, Saskatchewan Health, and the Water Security Agency.
- .3 New storage facilities shall ensure all chemicals, substances, and material is installed, stored, constructed, and maintained in an environmentally safe manner and according to all federal, provincial, and municipal requirements.
- .4 Abandoned, underground, and surface storage facilities shall be removed to avoid pollution potential at Council's or at a senior government's request.
- .5 No dwelling shall be located with less than a minimum separation distance of 457.0 meters (1,499 ft) to a licensed public or private, liquid or solid, waste disposal operation other than the residence of the operation.

5. Specific Use Regulations and Evaluation Criteria

5.1 Terms and Conditions for Discretionary Use Approvals

In approving any discretionary use to minimize land use conflict, Council may prescribe terms and conditions or development standards related to:

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

5.2 General Discretionary Use Evaluation Criteria

Council will apply the following general criteria, and the specific criteria found in the respective zoning district, in the assessment of the suitability of an application for a discretionary use or discretionary form of development:

- .1 The proposal must be in conformance with all relevant sections of the Official Community Plan Bylaw No. 7/2020 and must demonstrate that it will maintain the character, density, and purpose of the zoning district, where necessary through the provision of buffer areas, separation, and screening.
- .2 The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.
- .3 The proposal must demonstrate that it is not detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity or injurious to property, improvements, or potential development in the vicinity.
- .4 The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- .5 The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur.

- .6 Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise, etc. not in keeping with the character of the adjacent area.
- .7 Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.
- .8 All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.
- .9 Proposals for discretionary uses which may result in heavy truck traffic, particularly in commercial and industrial districts, should be located to ensure that such traffic takes access to or from major streets or designated truck routes.

5.3 Accessory Agriculture Residence

- .1 The Development Officer may issue a Development Permit for more than one (1) dwelling on a parcel if it is an accessory agricultural residential dwelling to be occupied by a person or persons who are engaged on a full-time basis for at least 6 months of each year in an agricultural operation, or accessory to an approved discretionary use where applicable within a Zoning District and the additional dwelling is located on a parcel containing a permitted agricultural operation.
- .2 Where an accessory agriculture residence is approved, the Development Permit shall be valid for a period up to five years after which time the Council may at its discretion seek renewal of the permit on a five-year basis provided that the dwelling complies with the provisions of this Bylaw. The applicant shall be responsible to renew the permit every five years.
- .3 Accessory dwellings shall only be located on sites where the accessory dwelling can be serviced by existing utilities.

5.4 Aggregate Extraction

- .1 For the purpose of this section, Aggregate Extraction shall mean, excavation other than for construction, building, or for purposes of creating an artificial body of water, including though not limited to, sand and gravel mining, topsoil stripping.
- .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.
- .3 In reviewing applications for aggregate resource extraction operations the environmental implications of the operation including plans for site restoration shall be considered.
- .4 The applicant shall submit plans and a narrative including:
 - a. The location and area of the site where the excavation is to take place;
 - b. Confirmation that the property has been screened for conservation easements, heritage sensitivity, environmental sensitivity and any other special areas;

- c. Ensure there is minimal disturbance to wetlands, native vegetation and wildlife habitat. All work shall be undertaken in a manner that prevents the introduction of minimizes the spread of invasive alien species and noxious weeds;
 - d. The expected life of the deposit if applicable;
 - e. The type and dimensions including average depth of the proposed excavation, and the effect on existing drainage patterns on and off the site;
 - f. The management of waste and spills;
 - g. Identification of the outdoor noise, dust, and the discharge of substances into the air;
 - h. Setbacks, impacts, and mitigation measures on neighbouring uses and groundwater sources;
 - i. The methods for preventing, controlling, or reducing erosion;
 - j. Proposed access and hauling activities (including number of trucks, tonnage, proposed haul routes and hours of hauling);
 - k. Proposed extraction, operation, and staging (including years, dates and hours of operation); and
 - l. The condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected.
- .5 Aggregate resource extraction industries are permitted in accordance with the following conditions:
- a. 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 municipality. In this regard stock piles shall be located in a position to act as a sound barrier. Also, the applicant shall apply methods of minimizing the noise created from machinery and equipment;
 - b. The development shall not release, dump, spill or dispose of any waste substance(s) into the environment that may cause damage to the environment or human health. The location shall be kept in a clean and tidy condition free from rubbish and non-aggregate debris. Spills or releases of hazardous materials or deleterious substances that may cause damage to the environment or human health shall be immediately reported to the Municipality and the Saskatchewan Environment Spill Control Centre;
 - c. Access routes into extraction areas shall be located away from residential areas;
 - d. A disturbed area shall be reclaimed to a land capability equivalent to the pre-disturbance land capability (e.g. agricultural land) or a post-disturbance condition and land use (e.g. conversion to wetland) which are satisfactory to the municipality. These conservation and reclamation procedures shall be in accordance with Saskatchewan Environment Reclamation Guidelines for Sand and Gravel Operators;
 - e. Any aggregate resource extraction industry proposed to be located within 100.0 metres (328 ft) of any river or creek shall be permitted only where it would not adversely impact the environment, or materially interfere with or affect adjacent lands;
 - f. Aggregate resource extraction industries shall have regard to adjacent land uses and no material or equipment is to be stored or piled within 122.0 metres (400 ft) of the centre of a developed road allowance or within 46.0 metres (150 ft) of an undeveloped road allowance;
 - g. Aggregate resource extraction industries shall be setback 305.0 metres (1,000 ft) from any residence or municipal water well;
 - h. The general resource extraction operator and any person who hauls the aggregate may be required to enter into a road maintenance agreement;
 - i. The operator shall not transfer or sell the rights to excavate the gravel without the consent of the municipality;

- j. The municipality may require an agreement with the resource extraction operator stipulating the above conditions and others as identified including the reclamation of site;
- k. 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;
- l. The Council may require the aggregate resource extraction operator to post a performance bond to guarantee adherence to the above noted agreements; and
- m. An approval of an aggregate resource extraction industry 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.

5.5 Agricultural Tourism Uses

- .1 Agricultural tourism uses shall be ancillary to an agricultural farm operation or rural residence.
- .2 Agricultural tourism uses shall display a high visual quality and shall be integrated into the rural environment by virtue of appropriate design, location, and landscaping.
- .3 One sign located on site, advertising the agricultural tourism use is permitted subject to the Sign Regulations contained herein.
- .4 Agricultural tourism uses shall not:
 - a. Unduly interfere with the amenities or change the character of the neighbourhood;
 - b. Materially interfere with or affect the use and enjoyment of adjacent properties;
 - c. Adversely impact upon the environment; or
 - d. Results in excessive demand on municipal services, utilities, or public roadways.

5.6 Agricultural Commercial and Industry

- .1 Agricultural commercial and industry uses shall not materially interfere with the use and enjoyment of adjacent properties, or adversely impact upon the environment.
- .2 The location of such uses shall be preferential on main corridors or along provincial highways so as to reduce the impact of traffic, noise, or otherwise as a result of this type of use.
- .3 Intensive beekeeping operations of one hundred (100) colonies or greater shall be considered an Agriculture Industry use.
- .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:
 - a. 305.0 metres (1,000 ft) to a non-refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan;
 - b. 600.0 metres (1,969 ft) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan; or
 - c. 300.0 metres (984 ft) for all other development considered to be an agricultural commercial or industry use.

- .5 Council may reduce the minimum separation distances listed above and require a written agreement between the landowner of the dwelling and the owner of the operation agreeing to the reduced separation. The municipality shall maintain a register of all such agreements.
- .6 Council may require greater separation distances than the above minimums as a result of an adjacent land use or the quantity and type of dwellings or communities nearby the land under application.

5.7 Airstrips

- .1 Airstrips may only be developed within the approved districts of Agricultural Resource (AR), Country Residential 1 (CR1), and Commercial/Industrial (C/I).
- .2 No dwelling or other building shall be located within the approach surface for any airport or airstrip.
- .3 Airstrips shall not unduly interfere with or affect the use and enjoyment of adjacent properties.

5.8 Auto Wreckers (Salvage Yards)

- .1 This includes all salvage vehicles and materials, vehicles waiting repair, salvage or removal, and similar uses.
- .2 No vehicles or parts thereof shall be located in the front yard.
- .3 Vehicles and parts storage shall not locate in any yard abutting a road or may be required to screen from the view of the travelling public, provincial highways, any public road and adjacent residential development by utilizing any of the following measures:
 - a. Distance and careful location;
 - b. Natural or planted vegetation;
 - c. An earth berm;
 - d. An opaque fence;
 - e. A building; or
 - f. Other appropriate methods approved by Council.
- .4 A Performance Bond may be required by Council to ensure the proposal meets the development standards.

5.9 Bed and Breakfast Homes

- .1 Residential bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence.
- .2 Residential bed and breakfast home operations shall be subordinate and incidental to the principal use of a single detached dwelling as an owner occupied residence.
- .3 Bed and breakfast homes are permitted a maximum of six (6) guest rooms.

- .4 Bed and breakfast homes shall only provide one meal to registered guests before noon. No cooking for or by 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 Health Authority.
- .5 Bed and breakfast homes are considered a Hotel/Motel use.
- .6 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

5.10 Beekeeping

- .1 No dwelling shall be located with less than a minimum separation distance of 305.0 meters (1,000 ft) to a honey processing facility, other than the residence of such operation, unless such distance is reduced by Council.
- .2 Every person who owns, possesses, or keeps bees and every person on whose property bees are kept shall:
 - a. Maintain the bees in such a condition so as to reasonably prevent undue swarming or aggressive behavior by bees;
 - b. Ensure that the bees are re-queened if they are subject to undue swarming or aggressive behavior;
 - c. Provide adequate water to prevent the bees from seeking water from neighbouring birdbaths, ponds, or other bodies of water;
 - d. Ensure the beekeeping activities do not pose a safety risk to persons on adjacent public and private property; and
 - e. Take sufficient due care and attention ensuring proper disease control management is in place.
- .3 Intensive beekeeping operations of one hundred (100) colonies or greater shall be considered an Agriculture Industry use and is subject to a Discretionary Use Permit Application, and must also be registered with the Saskatchewan Beekeepers Development Commission.
- .4 All beekeepers shall be registered annually with the Provincial Apiarist.
- .5 Transportation of hives or large equipment on municipal roads, especially dirt roads, is discouraged during wet periods. Council may require the beekeeper to enter into a road maintenance agreement to recover the cost of any additional road maintenance required as a result of the beekeeping activity.

5.11 Campgrounds, General

- .1 The operator of a campground shall provide the Development Officer with a plan of the campground, identifying:
 - a. Any buildings, uses of land, and the location of all roadways and trailer coach or tent campsites with dimensions and utility service provided to each campsite;
 - b. Location of garbage collection;
 - c. Location of washroom facilities and utilities;
 - d. Emergency evacuation plan;
 - e. Location of all roadways and trails;

- f. Details of water supply and sewage disposal:
 - i. Water – Source, protection from contamination, treatment methods to be used, results of water quality testing done;
 - ii. Sewage disposal – Proposed sewage disposal method, the expected daily volume of sewage, the size and location of holding tanks, and confirmation that the proposed disposal location receiving effluent from the tanks will accept the sewage;
 - iii. Any other details required by a public health officer; and
 - iv. Proof that any public water system and on-site sewage disposal system have been evaluated and approved by the Health Authority. Water and waste disposal shall meet all regulatory requirements.
 - g. Other as requested.
- .2 The addition or rearrangement of campsites, the construction or moving of buildings, and the material change in use of portions of land, or the filling or clearing of land shall require a Development Permit, and the operator shall submit for approval an amended plan incorporating the development.
 - .3 A campground shall have within its boundaries a vegetative landscape buffer abutting the entire perimeter boundary with the exception of access road(s) into and out of the campground. Council may prescribe the overall width, depth, and height of the required buffer as is appropriate to each proposal.
 - .4 Each campsite shall have a minimum frontage of 12.2 metres (40 ft) and minimum site area of 371.6 m² (4,000 ft²).
 - .5 Each campsite shall have a minimum 1.0 metre (3 ft) vegetation buffer along the full length of the rear and side property lines to buffer noise and create privacy and shelter.
 - .6 In addition to the general sign regulations, a campground may have additional signage for traffic navigation and shall post one (1) sign to identify each individual campsite.
 - .7 No portion of any campsite shall be located within a roadway or required buffer area.
 - .8 Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
 - .9 The space provided for roadways within a campground shall be at least 7.5 metres (25 ft) in width. No portion of any campsite, other use, or structure shall be located in any roadway.
 - .10 Parking shall be on individual campsites and not on any roadway.
 - .11 A campground may include as accessory uses, a laundromat or confectionary designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.
 - .12 A campground may include as accessory uses, a recreational site (playground, ball diamond, skating rink) to meet the needs of the occupants of the campsites.

- .13 *The Public Health Act* shall be complied with in respect to all operations and development of the campground.

5.12 Campgrounds, Temporary:

- .1 A Development Permit may be issued for a temporary campground for the duration of the purpose.
- .2 One temporary campground is permitted on one quarter section.
- .3 The temporary campground shall have no negative impact on adjacent residents and be appropriately separated and buffered from adjacent land uses.
- .4 The temporary campground must provide adequate parking on-site for private vehicles.
- .5 Temporary campgrounds must comply with *The Public Health Act* and all other applicable provincial standards and regulations.
- .6 Temporary campgrounds are subject to approval, licensing, and inspection under *The Public Accommodation Regulations* and *The Provincial Itinerant Use Accommodation Standards*.
- .7 Applications for temporary campgrounds must include:
 - a. Site plan showing location, dimensions, and pertinent details for:
 - i. Campsites, including the type of utility services provided to each site;
 - ii. Location of any proposed washrooms;
 - iii. Existing and proposed buildings (including finishing materials for floors, walls and ceilings, and number and type of plumbing fixtures for proposed buildings);
 - iv. Adjacent land uses;
 - v. Access roads and on-site roads; and
 - vi. Garbage collection facilities.
 - b. Details of water supply and sewage disposal:
 - i. Water – Source, protection from contamination, treatment methods to be used, results of water quality testing done;
 - ii. Sewage disposal – Proposed sewage disposal method, the expected daily volume of sewage, the size and location of holding tanks, and confirmation that the proposed disposal location receiving effluent from the tanks will accept the sewage; and
 - iii. Any other details required by a public health officer.
 - c. Proof that any public water system and on-site sewage disposal system have been evaluated and approved by the Saskatchewan Health Authority. Water and waste disposal shall meet all regulatory requirements.
- .8 Removal of a temporary campground must return the land to a state as close to pre-development as possible. Council may require a Performance Bond to ensure these standards are met.

5.13 Cannabis (Home Cultivation)

- .1 Pursuant to *The Cannabis Act*, a maximum of four (4) cannabis plants may be grown at an individual's owned place of residence for personal use. All renters must receive the landowner's approval.
- .2 The sale of cannabis in any form is strictly prohibited from a residential dwelling.

5.14 Cannabis Grower, Commercial

- .1 A commercial grower shall:
 - a. Comply with all requirements of the provincial and federal cannabis legislation and provide proof to the municipality of all required operating licenses; and
 - b. Not materially interfere with or affect the use and enjoyment of adjacent properties.
- .2 Any potential nuisances including, but not limited to noise, smell, traffic, or dust shall be disclosed to the municipality with a plan to mitigate all nuisances.
- .3 Council shall determine the compatibility of all neighbouring land uses with the proposed cannabis grower before issuing a decision.
- .4 Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- .5 In the event of a discrepancy between the municipality's regulations and those of the federal or provincial government, the regulations of the highest order of government shall be enforced.

5.15 Care Homes

- .1 A residential care home use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- .2 Care homes shall not be used for the purpose of keeping boarders or lodgers.
- .3 Care homes shall have minimal outdoor storage or exterior display of goods, materials, or equipment associated with the applied use.
- .4 Care home use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.
- .5 Private care home use is considered a Health Services use.

5.16 Cemetery, Crematorium, Mausoleum

- .1 Shall be considered an Institutional use, unless stated otherwise, and shall comply with all site regulations as stated in the respective zoning districts.

5.17 Convenience Stores

- .1 In residential districts, the location of the convenience store will only be favourably considered where it can be determined that residential amenity will not be unreasonably compromised.
- .2 Vehicle parking and access areas should not form a dominant element in the streetscape.
- .3 Any new parking and loading areas should be landscaped to improve the visual appearance of the site.

5.18 Daycares

- .1 A residential daycare use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- .2 Daycares may contain outdoor equipment and play structures associated with such use.
- .3 Residential daycare use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.

5.19 Equestrian Facility

- .1 Equestrian facilities are considered an Agricultural Tourism use and are subject to the application regulations listed herein.
- .2 An animal is kept, for purposes of this section, when it is on the site overnight.
- .3 The applicant may be required to submit a storm water management plan for all areas of the site disturbed during or as a result of the development.
- .4 The applicant may also be required to submit details concerning water supply and sewage disposal strategies.
- .5 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

5.20 Fuel Storage Tanks

- .1 Above ground fuel storage tanks shall meet all of the standards and regulations as required by *The Hazardous Substances and Waste Dangerous Goods Regulations* and any other provincial and federal regulations and codes.
- .2 Above ground fuel storage tanks which meet the standards of the *National Fire Code* and which have a maximum capacity of 50,000 liters may be permitted in association with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use.
- .3 The total storage capacity for above ground fuel storage tanks on any single service station or gas bar site shall not exceed:
 - a. 150,000 liters for flammable liquids (gasoline);

- b. 100,000 liters for combustible liquids (diesel fuel); and
 - c. 100,000 liters of propane.
- .4 Above ground fuel storage tanks shall be:
- a. For uses other than service stations and gas bars, located at least 3.0 metres (10 ft) from any property line or building, the 3.0 metre (10 ft) separation distance may be reduced to 1.0 metre (3 ft) for tanks with a capacity of 5,000 liters or less;
 - b. For service stations and gas bars, located at least 6.0 metres (20 ft) from any property line or building;
 - c. Separated from each other and be accessible for firefighting purposes to the satisfaction of the Development Officer; and
 - d. At least 15.0 metres (49 ft) from the boundary of any site within a residential district.
- .5 For uses other than service stations and gas bars, the dispensing equipment associated with above ground fuel storage tanks shall be located at least 3.0 metres (10 ft) from any property line, at least 7.5 metres (25 ft) from any open flame or other ignition source, and at least 4.5 metres (15 ft) from any door or window.
- .6 For service stations and gas bars, the dispensing equipment associated with above ground fuel storage tanks shall be located at least 6.0 metres (20 ft) from any property line, at least 7.5 metres (25 ft) from any open flame or other ignition source, and at least 4.5 metres (15 ft) from any door or window.
- .7 Above ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails, or other similar means.
- .8 At service stations and gas bars, above ground fuel storage tanks which are located in view of a front or flanking street shall be landscaped or screened to the satisfaction of Council.
- .9 The maximum height of an above ground fuel storage tank shall be limited to the maximum permitted height of a free-standing sign in the zoning district.
- .10 Painted lettering or other forms of signage may be located on above ground fuel storage tanks subject to the sign regulations in the Zoning District.
- .11 Buried storage tanks are strictly prohibited.

5.21 Garage and Garden Suites

- .1 Garage, garden, or any secondary guest suite will be considered accessory to a principal dwelling.
- .2 One (1) suite is permitted per site.
- .3 All suites must meet all relevant building and plumbing codes, such as the *National Building Code*.
- .4 Suites may be hooked up to any water and sewer system on the site.

- .5 Other services, i.e. electrical, natural gas, cable, and telephone, may be connected either to the services of the principal dwelling or be separate services.
- .6 The location and grading of a suite on the site must allow for proper drainage of the site.

5.22 Game Farm (Harvest Preserve)

- .1 Game farms are considered an Agricultural Tourism use, unless otherwise stated, and are subject to the regulations listed herein.
- .2 Game farms shall be located a minimum of 1 mile (1.6 km) from any residence or community boundary.
- .3 The use shall comply with all federal and provincial legislation.
- .4 Council may apply special standards as a condition of discretionary approval limiting the size of operation, buildings used for the operation, and any other measures deemed necessary.

5.23 Home-Based Businesses

- .1 Home-based businesses shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- .2 The use shall be conducted entirely within the dwelling unit or an accessory building to the dwelling unit, and shall not create or become a public nuisance.
- .3 No use shall cause an increase in the demand placed on one or more utilities (water, sewer, electricity, telephone, garbage, etc.) such that the combined total consumption for a dwelling and its home-based business substantially exceeds the average for local residences.
- .4 The use shall not generate substantially more traffic and parking than is normal for the zoning district in which the use is located.
- .5 The use shall not cause a substantial fire rating change in the structure in which the home-based business is located.
- .6 The use shall be valid only for the period of time the property is occupied by the applicant for such use.
- .7 Council shall place any additional conditions for approval deemed necessary based upon a specific application.

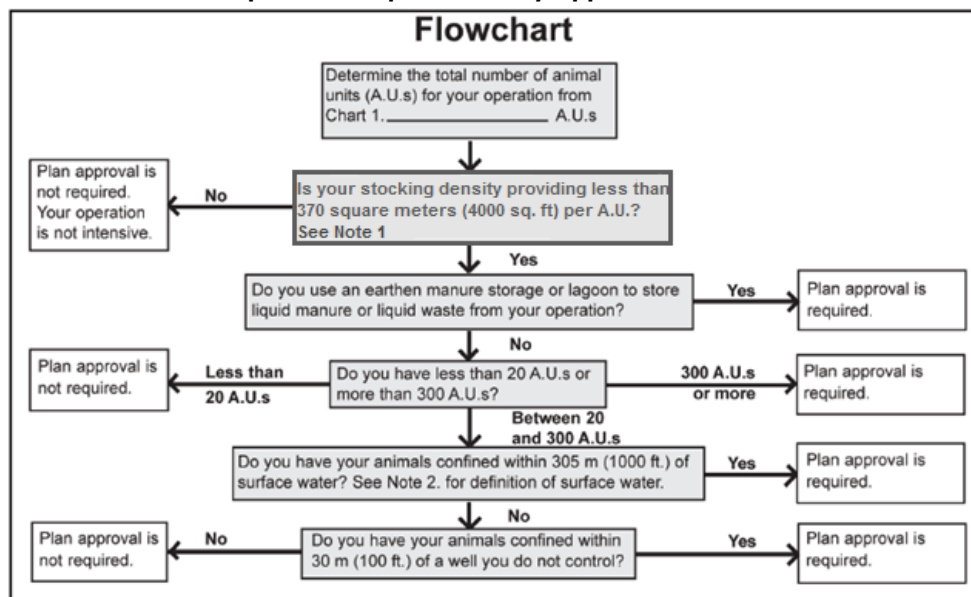
5.24 Intensive Livestock Operations (ILO)

- .1 Intensive livestock operations shall conform to *The Agricultural Operations Act, 1995* which ensures livestock operations develop and operate in a manner that protects surface and groundwater. The Act provides a regulatory framework for addressing complaints of agricultural nuisance and for protecting water resources by requiring prescribed intensive livestock operations to have adequate waste storage and waste management plans.

The Nuisance Provisions of the Act protect agricultural operations in accordance with “normally acceptable agricultural practices” from unreasonable court action. They also provide neighbours with a process for determining if agricultural nuisances (such as odour, noise, dust, flies, or other disturbances) arising from agricultural operations are caused by appropriate farming practices. The Act establishes a process for mediating disputes of agricultural nuisances through the Agricultural Operations Review Board.

- .2 ILOs are only permitted within the Agricultural Resource (AR) District and require the submission of a Discretionary Use Development Permit application. Expansions to the capacity of ILOs will also require a Discretionary Use Development Permit application.
- .3 To determine if a livestock operation is considered an ILO under this Bylaw, and/or requires ministry approval, the following flowchart and charts can be utilized:

Does the livestock operation require ministry approval?



Is the livestock operation considered an ILO under this Bylaw?

First determine the stocking density. If the stocking density is providing less than 370.0 m² (3,983 ft²) per Animal Unit and the livestock operation has 300 or more Animal Units then it is considered an Intensive Livestock Operation under this Bylaw and requires the submission of a Discretionary Use Permit Application.

Chart 1. Animal Units

Type	Kind of Animal	Column A Number of animals for your operation	Column B Number which equals one animal unit (1 A.U.)	Column C Number of animal units (A.U.s) for your operation Column A divided by Column B
Cattle				
	Cows and bulls		1.0	
	Feeder cattle		1.5	
	Replacement heifers		2.0	
	Calves		4.0	
Hogs				
	Sows and boars		3.0	
	Gilts		4.0	
	Feeder pigs		6.0	
	Weanling pigs		20.0	
Poultry				
	Hens, cockerels, capons		100.0	
	Chicks, broiler chickens		200.0	
	Turkeys, geese, ducks		50.0	
Sheep				
	Ewes and rams		7.0	
	Lambs		14.0	
Goats				
	Does and bucks		7.0	
Horses				
	Other than colts or ponies		1.0	
	Colts and ponies		2.0	
Bison				
	Cows and bulls		1.0	
	Calves		4.0	
Elk				
	Cows and bulls		5.0	
	Calves		20.0	
	Cows and bulls		5.0	
	Calves		20.0	
Deer				
	Does and bucks		8.0	
	Deer fawns		32.0	

Total Column C

This is the total number of animal units for your operation.

Chart 2. Total Containment Area

Combine Land Area and Building Areas = Total Containment Area

Land Area Conversion Chart

Acres	Square Meters
160	647,497
150	607,028
140	566,560
130	526,091
120	485,623
110	445,154
100	404,686
90	364,217
80	323,749
70	283,280
60	242,811
50	202,343
40	161,874
30	121,406
20	80,937
10	40,468

Building Area Conversion Chart

Square Feet	Square Meters
1,000,000	92,903
900,000	83,613
800,000	74,322
700,000	65,032
600,000	55,742
500,000	46,451
400,000	37,161
300,000	27,871
200,000	18,581
100,000	9,290
75,000	6,968
50,000	4,645
25,000	2,323
15,000	1,394
10,000	929
5,000	465

- .6 Applications for ILOs must include the reason for the site being selected including what characteristics exist that makes it suitable for hosting the operation.
- .7 The municipality may, at its discretion, require the submission of a soils and water test conducted by a qualified engineer to confirm that the site selected is capable of accommodating the activities proposed.
- .8 The applicant shall be responsible for submitting a site plan and narrative including the following:
- The size and type of facility;
 - A sketch plan showing the location of existing and proposed buildings and the distance from the development site to every residence within 1.6 km (1 mile);
 - The number and type of animals;
 - Identification of surface water and residential development on or adjacent to the parcels intended for hosting the disposal of manure; and
 - Other information and approval as required by the Ministry of Agriculture.

.9 Minimum Separation Distances

- a. ILO location to any residential dwelling:

Development Type	Animal Units		
	<5,000	>5,000	>20,000
Residence or Accommodation	1.6 km (1 mile)	3.2 km (2 miles)	8 km (5 miles)

Residences associated with the operation are exempt from a minimum separation distance. Distances are measured from the area of confinement of the animals to the dwelling.

- b. Manure Spreading to any occupied dwelling:

Method of Manure Application		
Injected	Incorporated within 48 hours	No incorporation
200.0 m (656 ft)	800.0 m (2,625 ft)	1.6 km (1 miles)

Residences associated with the operation are exempt from a minimum separation distance. Distances are measured between the edge of the manure application area and the edge of a nearest property boundary in meters.

- c. Liquid Manure Storage to any residential dwelling:

Development Type	Animal Units			
	300-499	500-2000	2000-5000	>5000
Residence or Accommodation	600.0 m (1,969 ft)	1,200.0 m (3,937 ft)	1,600.0 m (5,249 ft)	2,000.0 m (6,562 ft)
Area authorized for residential use	1,200.0 m (3,937 ft)	1,600.0 m (5,249 ft)	2,400.0 m (7,874 ft)	2,400.0 m (7,874 ft)

Residences associated with the operation are exempt from a minimum separation distance. Distances are measured from the edge of the liquid manure storage area and the edge of the nearest property boundary in metres.

- d. Manure spreading shall be setback 300.0 m (984 ft) from any riparian area.
 - e. Manure may be stored using stockpiles or windrows for a maximum of 1 year. Any stockpiles or windrows must be setback 1.6km (1 mile) away from any residence.
 - f. 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 consider any written agreements, comments, and questions from all land owners directly affected by the potential reduction before making a decision. Where a reduction is granted, Council may require a formal written agreement between land owners.
- .10 All waste storage, nutrient, and mortality management plans shall be required and approved by the Ministry of Agriculture and pursuant to *The Agricultural Operations Act*.
- .11 In addition to the Discretionary Use Permit Application Procedure as outlined in Section 3.11, the Development Officer will:
- a. Provide written notice of the discretionary use application to all assessed landowners along any intended high-volume traffic route as a result of the proposed ILO;
 - b. Advertise a public notice in a local newspaper a minimum of 21 days prior to the application being considered by Council at a public hearing; and
 - c. Advertise a public notice in a local newspaper a minimum of 21 days prior to any public meeting which Council may decide to hold to provide information and to ensure community interests are considered before the application is considered by Council.
- .12 Council may require that the necessary approvals from the Ministry of Agriculture be in place prior to approving the Discretionary Use Permit Application.
- .13 Council will make a decision on a proposed livestock operation within 90 days. If an extension is required, Council will notify the developer in writing, including reasons for the extension, and the length of the extension.
- .14 ILOs existing at the time of the adoption of this Bylaw shall continue. However, the necessary approvals from the Ministry of Agriculture remain as required.
- a. Any expansion of the operation or change of animal species or type of operation is required to obtain written approval from Council in accordance with the requirements and conditions of this Bylaw; and
 - b. Council may require various terms and conditions to an existing ILO in order to avoid or mitigate conflicting land-uses in adjacent or nearby parcels.
- .15 Council may require the ILO to enter into a road maintenance agreement to pay for the maintenance of roads required to provide access to the development.
- .16 The intensive keeping of honeybees is not considered an ILO. Refer to Section 5.10 for applicable regulations on this use.

5.25 Kennels (Breeder or Boarder)

- .1 The maximum number of animals to be kept on-site and any soundproofing of pens, rooms, exercise runs, or otherwise are at the discretion of Council.
- .2 Council may require all facilities be visually screened from existing dwellings on adjoining lots.
- .3 This use shall at no time unduly interfere with the character of the neighbourhood or the general enjoyment of adjoining sites.
- .4 Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- .5 Animal kennels shall comply with all relevant municipal Bylaws and legislation governing noise, nuisance, and public health.

5.26 Solar Energy Systems, Commercial

- .1 Solar energy systems shall be accompanied by a site suitability analysis and include the following information:
 - a. Detailed information about the system type, number of structures, height of structures, energy process, and rated output, and details on the estimated reflection produced from the solar panels;
 - b. Topography and any potential hazard lands within and adjacent to the site and the proposed methods of mitigating the hazards;
 - c. Soil characteristics;
 - d. An inventory of current and planned land uses adjacent to the proposed development including proposed buffering from, or integration with adjacent land uses;
 - e. The existing and required infrastructure and utility services necessary for the proposed development;
 - f. Storm water management and control of off-site drainage;
 - g. Natural and heritage resources including screening of environmental, archaeological, and historical significant areas within and adjacent to the site and plans for the conservation, management, and integration of existing natural and heritage resources;
 - h. Decommissioning plan;
 - i. Plans and methods for weed control;
 - j. Any information regarding general public safety and security measures; and
 - k. The location of, access to, provincial and municipal transportation route.
- .2 A solar energy system is not to be located within 1.6 km (1 mile) to the foundation of an individual residential dwelling and to a boundary of a multi-lot country residential subdivision or urban municipality centre as measured from the closest point of a photovoltaic cell within the energy system to a property boundary. The setback distance may be lessened at the discretion of Council, if the impacted landowner consents in writing to a lesser setback distance.
- .3 There must be adequate on-site parking for vehicles and equipment.

- .4 All installations must meet minimum setback distances in accordance with the applicable zoning district.
- .5 A landscaping plan may be required.
- .6 The site must have acceptable access for emergency services.
- .7 The solar energy system will not create or become a nuisance or create any conflict with the surrounding uses including noise, vibration, heat, glare, dust, refuse matter, traffic, and storage of hazard or combustible materials.
- .8 Within 12 months of the solar energy system having ceased operations or been decommissioned, the site must be restored to the same or better land capability it had prior to operation of the solar energy system.
- .9 Buildings, panels, structures, and devices shall be located a sufficient distance from each other as required for safety and fire protection in accordance with the *National Building Code* and *The Uniform Building and Accessibility Standards Act*.
- .10 All photovoltaic systems shall comply with the applicable Electrical Code. The applicant is responsible to ensure any required safety code permits are obtained.
- .11 The solar energy system must be in compliance with any provincial or federal regulations.

5.27 Wind Energy Facilities

- .1 All buildings and structures shall be set back at least 90.0 metres (295 ft) from an intersection of any municipal road allowance, or provincial highway, or such greater distance as required by the Ministry of Highways.
- .2 The separation distance from an agricultural or country residence to a wind energy generator (turbine) shall be a minimum distance of 1.6 km (1 mile).
- .3 Development applications shall include the proposed wind turbine height as defined by this Bylaw. A wind turbine shall not exceed the height recommended by the manufacturer or a Professional Engineer in Canada.
- .4 The bottom point of an operating rotor shall be above grade level to the manufacturer's specification at minimum, but in no case nearer than 5.0 metres (16.0 ft) above grade level.
- .5 Approaches for access roads to the wind energy facilities must be perpendicular to established road allowances.
- .6 All infrastructure, roads, and accesses required to facilitate the implementation of the wind energy facility shall be proposed by the developer as part of the Development Permit application.

- .7 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.
- .8 The developer may be required to enter into a road maintenance agreement for the construction period to ensure roads are maintained in a condition agreeable by both parties.
- .9 Substations are required to be fenced. All wind energy facilities shall be enclosed within a locked protective chain link fence of a minimum height of 1.85 metres (6 ft) and the design shall be included in the Development Permit application.
- .10 Development and Building Permit applications for wind energy facilities shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety via a Saskatchewan professional engineer.
- .11 Sites having potentially dangerous or hazardous developments shall have visible signs stating any potential dangers. No hazardous waste shall be stored on the site.
- .12 Council, at its discretion, may seek approval of this development from both internal and external referral agencies.
- .13 The placement of any wind energy facility, turbine, or other structure may not be located within a sight triangle.

6. Zoning Districts and Zoning District Map

6.1 Zoning Districts and Overlays

For the purpose of this Bylaw, the municipality is divided into several zoning districts and applicable overlays that may be referred to by the appropriate symbols:

District	Symbol
Agricultural Resource District	AR
Country Residential District 1	CR1
Country Residential District 2	CR2
Commercial/Industrial District	C/I
Flood Hazard Overlay	FH
Slope Hazard Overlay	SH

6.2 Zoning District Map

- .1 The map, bearing the statement “This is the Zoning District Map referred to in Bylaw No. 8/2020” adopted by the municipality, signed by the Reeve and Administrator under the seal of the municipality shall be known as the “Zoning District Map”, and is hereby declared to be an integral part of this Bylaw.

6.3 Boundaries of Zoning Districts

- .1 The boundaries of the zoning districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw are shown on the map entitled Zoning District Map.
- .2 Unless otherwise shown, the boundaries of zoning districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the municipality.

6.4 Holding Designation

- .1 Where on the Zoning District Map the symbol for a zoning district has suffixed to it the holding symbol “H”, any lands so designated on the map shall be subject to a holding provision in accordance with Section 71 of *The Planning and Development Act, 2007*.
- .2 Any lands subject to a holding provision shall only be used for those uses existing on the land when the “H” is applied and for public works.

7. Agriculture Resource District – AR

Purpose	The Agriculture Resource District – AR is to provide for and preserve large areas capable of accommodating a diversity of general agricultural operations including field and forage crops, irrigation, small intensive agricultural operations, and related agricultural diversification activities.
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7.1 Permitted Uses

The following development and uses shall be considered by the Development Officer upon the submission of a completed Development Permit application and payment of any applicable fees, through the procedure as outlined in Section 3.9 of this Bylaw:

- .1 Agricultural Principal 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;
 - b. Farmstead residential including one single detached dwelling, RTM, modular or mobile home following the placement thereof on a permanent foundation; and
 - c. Bin yards.
- .2 Agricultural Accessory Uses
 - a. Uses, buildings, and structures accessory to the foregoing agricultural principal uses and located on the same site with the main use; and
 - b. Mobile storage containers.
- .3 Resource-Based Uses
 - a. Oil and gas-related;
 - b. Petroleum pipelines and related facilities; and
 - c. Petroleum exploration wells or extraction wells and related facilities.

7.2 Discretionary Uses

The following development and uses shall be considered by Council upon the submission of a completed Discretionary Use Permit application and payment of any applicable fees, through the procedure as outlined in Section 3.11 of this Bylaw and evaluation criteria outlined in Section 5:

- .1 Agricultural Principal Uses
 - a. Market garden or nurseries;
 - b. Commercial greenhouses;
 - c. Harvest preserves (refer to Section 5.22);
 - d. Agricultural tourism uses (refer to Section 5.5); and
 - e. New and expanded Intensive livestock operations (refer to Section 5.24).
- .2 Other Principal Uses
 - a. Non-farm residential including one detached one unit dwelling, RTM, modular or mobile home following the placement thereof on a permanent foundation;
 - b. Campgrounds, general and temporary (refer to Sections 5.11 and 5.12);

- c. Institutional and recreational uses; and
- d. Cemeteries, crematoriums, and mausoleums (refer to Section 5.16).

.3 Agricultural Accessory Uses

- a. Accessory agricultural residences (refer to Section 5.3); and
- b. Airstrips (refer to Section 5.7).

.4 Other Accessory Uses

- a. Home-based businesses (refer to Section 5.23);
- b. Garden or garage suites (refer to Section 5.21);
- c. Bed and breakfast homes (refer to Section 5.9);
- d. Care homes (refer to Section 5.15);
- e. Animal kennels (breeding or boarding)(refer to Section 5.25); and
- f. Solar energy systems (refer to Section 5.26).

7.3 Site Regulations

Permitted Uses

	Agricultural Principal Uses	Resource-Based Uses	Other Principal Uses	Public Works and Municipal Facilities
Minimum site area	64.8 hectares (160 acres)	No minimum		
Maximum site area	No maximum			
Minimum site frontage	29.8 metres (98 ft)			
Minimum front yard	All buildings shall be set back a minimum of 60.0 metres (197 ft) from the centre line of any developed road, municipal road allowance, and/or a minimum of 90 metres (295 ft) from the intersection of the centre lines of any municipal roads, or such greater distance as required by the Ministry of Highways.			
Minimum rear yard	10.0 metres (33 ft) or 25% of the depth of the site, whichever is the lesser.			
Minimum side yard	10.0 metres (33 ft) except where a side yard abuts a municipal road allowance or a provincial highway, the front yard requirements shall apply.			
Minimum setback for trees, shelterbelts and other	All shelterbelts and tree plantings shall be setback 3.0 metres (10 ft) from the site lines. Portable structures, machinery, and the storage of aggregate materials shall comply with the same setback requirements as the principal building.			
Fence lines	Fence lines shall be setback 0.3 metres (1 ft) from the site line that abuts any municipal right-of-way. For site lines that do not abut any municipal right-of-way, fence lines may be built right up to, but not on top of, the site line.			

Discretionary Uses

	Agricultural Principal Uses	Non-Farm Residential	Campgrounds	Commercial Greenhouses	All Other Uses
Minimum site area	4.05 hectares (10 acres) ILOS are subject to the requirements outlined in Section 5.24	1.2 hectares (3 acres)	4.0 hectares (10 acres)	929.0 m ² (10,000 ft ²)	0.8 hectares (2 acres)
Maximum site area	No maximum	16.1 hectares (40 acres)	16.1 hectares (40 acres)	16.1 hectares (40 acres)	16.1 hectares (40 acres)
Minimum site frontage	29.8 metres (98 ft)				
Minimum front yard	All buildings shall be set back a minimum of 60.0 metres (197 ft) from the centre line of any developed road, municipal road allowance, and/or a minimum of 90 metres (295 ft) from the intersection of the centre lines of any municipal roads, or such greater distance as required by the Ministry of Highways.				
Minimum rear yard	10.0 metres (33 ft) or 25% of the depth of the site whichever is the lesser.				
Minimum side yard	10.0 metres (33 ft) except where a side yard abuts a municipal road allowance or a provincial highway, the front yard requirements shall apply.				
Minimum setback for trees, shelterbelts and other	All shelterbelts and tree plantings shall be setback 3.0 metres (10 ft) from the site lines. Portable structures, machinery and the storage of aggregate materials shall comply with the same setback requirements as the principal building.				
Fence lines	Fence lines shall be setback 0.3 metres (1 ft) from the site line that abuts any municipal right-of-way. For site lines that do not abut any municipal right-of-way, fence lines may be built right up to, but not on top of, the site line.				

7.4 Supplementary Development Standards

General

- .1 Council may permit a larger or smaller site size than what is outlined in the Zoning Bylaw to:
 - a. Accommodate existing developed farm yard sites; or
 - b. Accommodate sites fragmented from the balance of the quarter section by either natural (river, creek, coulee, etc.) or man-made (developed road, railway, etc.) barrier.
- .2 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 ILO as regulated in Section 5.24;

- b. From a creek bank or hazard lands, as indicated in Section 4.7;
 - c. 12.0 metres (39 ft) from any pipeline or utility corridor;
 - d. 305.0 metres (1,000 ft) from aggregate extraction facilities;
 - e. 457.0 metres (1,499 ft) from a solid or liquid waste disposal facility;
 - f. 305.1 metres (1,000 ft) from a honey processing facility;
 - g. 305.1 metres (1,000 ft) to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan;
 - h. 600.1 metres (1,969 ft) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan;
 - i. 300.0 metres (984 ft) from agricultural commercial or industry;
 - j. 1 mile (1.6 km) from any game farm; or
 - k. Any other minimum separation distance as defined by this Bylaw or any other provincial or federal jurisdiction.
- .3 No dwelling or other building shall be located within the approach surface for any airport or airstrip.
- .4 Council 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 consider any written agreements, comments, and questions from all land owners directly affected by the potential reduction before making a decision. Where a reduction is granted, Council may require a formal written agreement between land owners.

Agricultural Use

- .5 A person not meeting the minimum agricultural area requirement of 64.8 hectares (160 acres) or equivalent in the municipality, though who owns land in an adjoining municipality may qualify to meet the minimum area requirements of this Bylaw.
- .6 Any agricultural site which does not conform to the minimum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation prior to the coming into force of this Bylaw.

Farmstead/Agricultural Residence

- .7 One (1) farm-related, single-detached dwelling will be permitted on agricultural sites and farmsteads.
- .8 A farmstead may contain the following where located on the same parcel:
- a. A residence for the operator of an agricultural use;
 - b. A bunkhouse or additional residence for employees or business partners for 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); and
 - d. Buildings for permitted accessory and ancillary uses.
- .9 The Development Officer may issue a Development Permit for up to two (2) accessory agricultural dwellings 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; and
- b. The additional dwelling is located on a parcel which is a permitted agricultural operation.

.10 More than two accessory residential dwellings will be at the discretion of Council.

Temporary Uses

- .11 A trailer coach used for farm employees during the farming season shall be accommodated as a temporary/seasonal use on a permitted agricultural site.
- .12 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 Development Permit, 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 site within thirty (30) days after occupancy of that dwelling.
- .13 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; and
 - c. Shall be disposed of properly through use of recycling depots and waste sites.

All Other Uses

- .14 A site to be created by subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts or has frontage on a developed road, including any road to be developed under a signed servicing agreement.
- .15 Subdivision proposing to separate title for a farmstead existing prior to the coming into force of this Bylaw shall be considered.
- .16 A maximum of three (3) subdivisions may be permitted per quarter section 64.8 ha (160 acres) in the AR – Agricultural Resource Zoning District for any permitted or discretionary use in addition to one farmstead, unless otherwise stated elsewhere in this zoning district. Such subdivisions shall not exceed the creation of more than four legal parcels, unless it is rezoned to its appropriate zoning district.
- .17 For non-farm residential development, a maximum of two (2) sites may be subdivided per quarter section 63.94 ha (158 acres) in the AR – Agricultural Resource Zoning District in addition to one farmstead. Such subdivisions shall not exceed the creation of more than three (3) legal residential parcels, unless rezoned to an appropriate zoning district.
- .18 There shall be no minimum area required for a subdivision facilitating cemeteries, crematoria and mausoleums, radio, television towers, or related facilities.

- .19 The keeping of livestock on sites other than farmsteads shall be permitted in the Agricultural Resource District (AR) in accordance with the following schedule. Any operation involving the keeping of livestock numbers greater than the maximums shown below will be required to make an application for an ILO in accordance with Section 5.24.

Parcel Size	Maximum Number of Animal Units Permitted
Minimum 2.0 hectares (5 acres)	Two (2) Animal Units or a maximum of 100 Poultry
Greater than 2.0 hectares (5+ acres)	Two (2) additional Animal Units will be permitted for each incremental increase of 2 hectares in the site size for the raising of up to 50 animal units of Poultry, Sheep, Goats, or Hogs.

7.5 Accessory Buildings and Uses

- .1 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- .2 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.
- .3 Facilities for the direct sale of crops grown by the agricultural operation including orchards and market gardens shall be considered accessory to a farmstead or residence in the Agricultural Resource District.

7.6 Fences and Hedges

- .1 Fences made of barbed, razor, or electric wire must be visibly marked in the interests of public safety.

7.7 Outdoor Storage

- .1 Any outdoor storage of vehicles, which shall also include recreational vehicles, shall be kept in a tidy and neat manner, and shall comply with all municipal Bylaws.
- .2 The municipality may require that outdoor storage of inoperable, wrecked or partially dismantled vehicles, or other unsightly storage to be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof.
- .3 Mobile storage containers must be used in accordance with the regulations listed in Section 4.18.
- .4 No garbage or refuse may be stored or accumulated in such a way as to be accessible or be an attraction to wildlife or pets. Garbage must be contained and disposed of in such a fashion and frequency as not to create a health hazard, noxious odour or unsightly condition.

7.8 Signage

In accordance with Section 4.28 Sign Regulations, the following regulations apply to signs in this district:

- .1 Two (2) permanent signs are permitted per site.
- .2 The facial area of each sign shall not exceed 12.0 m² (129 ft²) in overall size.

- .3 Home-Based Businesses or other approved commercial uses are permitted one (1) additional sign, whether attached to a building or freestanding, up to a maximum of 1.0 m² (11 ft²) in overall size.
- .4 Additional permanent signs are at the discretion of Council and shall be based on the site size, location, and adjacent sites.

7.9 Discretionary Use Evaluation Criteria

- .1 All discretionary use applications shall follow the specific use regulations and evaluation criteria as outlined in Section 5 and others that are specified in this zoning district.
- .2 Specific discretionary evaluation criteria for **agricultural residences; market garden or nurseries; harvest preserves; commercial greenhouses; processing of agricultural products; general and temporary campgrounds; bed and breakfast homes; garden suite; agricultural tourism; and residential care homes:**
 - a. Council will consider the compatibility of the proposed use with the adjacent land uses;
 - b. There is infrastructure in place or proposed to accommodate the use including potable water supply, sewer, and utilities;
 - c. The proposed use has access to an all-weather road and on-site parking;
 - d. Commercial greenhouses used for growing medical and recreational cannabis shall be compliant with any provincial and federal regulations; and
 - e. The proposed use demonstrates the need and demand from the public of such a use.
- .3 Specific discretionary evaluation criteria for **kennels:**
 - a. Council will favourably consider the following when evaluating the proposed use;
 - b. The maximum number of animals not normally attributed to the host site to be kept on-site;
 - c. Where it can be demonstrated that the use and intensity is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas;
 - d. Location of buildings and exterior exercise areas, to be sited behind the principal building unless otherwise approved by Council;
 - e. Soundproofing of the pens, rooms, exercise runs, and holding stalls may be soundproofed to the satisfaction of Council; and
 - f. Relevance to municipal Bylaws and legislation governing noise and public health.
- .6 Specific discretionary evaluation criteria for **airstrips:**
 - a. The location of airstrips will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas; and
 - b. The proposed use must be compliant with all provincial and federal regulations.
- .7 Specific discretionary evaluation criteria for **commercial solar energy systems:**
 - a. Council will consider the compatibility of the proposed location and distance from other surrounding uses; and
 - b. Confirmation of site ownership by the proponent or where the land is not owned by the proponent is evidence of site control and right to access through provisions of a lease or easement agreement with the owner.

8. Country Residential Acreage 1 District – CR1

Purpose	The Country Residential Acreage 1 District – CR1 is to accommodate clusters of rural residential lifestyle choice where the essential land requirement is for a building site and space rather than for productive agricultural purposes.
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8.1 Permitted Uses

The following development and uses shall be considered by the Development Officer upon the submission of a completed Development Permit application and payment of any applicable fees, through the procedure as outlined in Section 3.9 of this Bylaw:

- .1 Principal Uses
 - a. Single detached dwelling, RTM, modular or mobile home following the placement thereof on a permanent foundation.
- .2 Accessory Uses
 - a. Uses, buildings, and structures accessory to the foregoing permitted uses and located on the same site with the main use;
 - b. Artisan or craft workshops; and
 - c. Mobile storage containers.
- .3 Public Works and Municipal Facilities
 - a. Public works, buildings, and structures, warehouses and storage yards excluding solid and liquid waste facilities.

8.2 Discretionary Uses

The following development and uses shall be considered by Council upon the submission of a completed Discretionary Use Permit application and payment of any applicable fees, through the procedure as outlined in Section 3.11 of this Bylaw and evaluation criteria outlined in Section 5:

- .1 Principal Uses
 - a. Personal service trades;
 - b. Recreational uses;
 - c. Institutional uses.
- .2 Accessory Uses
 - a. Home-based businesses (refer to Section 5.23);
 - b. Bed and breakfast homes (refer to Section 5.9);
 - c. Care homes (refer to Section 5.15);
 - d. Garage or garden suites (refer to Section 5.21);
 - e. Wind energy facilities (refer Section 5.27);
 - f. Commercial solar energy systems (refer to Section 5.26);
 - g. Kennels (breeding or boarding) (refer to Section 5.25);
 - h. Airstrips (refer to Section 5.7).

8.3 Prohibited Uses

- .1 The following uses shall be strictly prohibited within Country Residential Acreage 1 District (CR1):
- 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; and
 - All uses of buildings and land except those specifically noted as permitted or discretionary.

8.4 Site Regulations

Permitted and Discretionary Uses

	Principal Uses	Institutional & Commercial Uses	Garage and Garden Suites	Public Works and Municipal Facilities
Minimum site area	4.05 hectares (10 acres)	900.04 m ² (9,688 ft ²)	Subject to the requirements outlined in Section 5.21	No minimum
Maximum site area	16.2 hectares (40 acres)		Subject to the requirements outlined in Section 5.21	No maximum
Minimum site frontage	30.5 metres (100 ft)	30.5 metres (100 ft)	Subject to the requirements outlined in Section 5.21	No minimum
Minimum front yard	All buildings shall be set back a minimum of 45.7 metres (150 ft) from the centre line of any developed road, municipal road allowance, and/or a minimum of 89.9 metres (295 ft) from the intersection of the centre lines of any municipal roads, or such greater distance as required by the Ministry of Highways.			
Minimum rear yard	3.0 metres (10 ft) or 25% of the depth of the site whichever is the lesser. Where in the opinion of Council topographic or other environmental condition of the property limits the portions of a lot suitable for development, Council may by resolution specify a lesser required rear yard as a special standard.			
Minimum side yard	3.0 metres (10 ft) except where a side yard abuts a municipal road allowance or a provincial highway, the front yard requirements shall apply. Where in the opinion of Council topographic or other environmental condition of the property limits the portions of a lot suitable for development, Council may by resolution specify a lesser required side yard as a special standard.			
Maximum building height	10.0 metres (33 ft)			
Building floor area requirements	Principal buildings shall have a minimum floor area of 56.0 m ² (576 ft ²). Accessory buildings shall have a maximum floor area no greater in size than 1.5 times the floor area of the principal building.			

**Minimum setback
for trees
shelterbelts and
other**

All shelterbelts, tree plantings, portable structures, machinery and the storage of aggregate materials shall comply with the same setback requirement as for buildings.

8.5 Supplementary Development Standards

- .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 sites:
 - a. Residential parcels may be exempted from these requirements. In the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as watercourses and water bodies there shall be no maximum site area;
 - b. Existing country residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers; and
 - c. In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.
- .2 No dwelling shall be located with less than a minimum separation distance, as follows:
 - a. From an ILO, as indicated in Section 5.24;
 - b. From a creek bank or hazard lands, as indicated in Section 4.7;
 - c. 12.0 metres (39 ft) from any pipeline or utility corridor;
 - d. 305.0 metres (1,000 ft) from aggregate extraction facilities;
 - e. 457.0 metres (1,499 ft) from a solid or liquid waste disposal facility;
 - f. 305.1 metres (1,000 ft) from a honey processing facility;
 - g. 1.6 km (1 mile) from a wind energy facility or solar energy system;
 - h. 305.1 metres (1,000 ft) to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan; or
 - i. 600.1 metres (1,969 ft) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan;
 - j. 300.0 metres (984 ft) from agricultural commercial or industry;
 - k. 1.6 km (1 mile) from any game farm; or
 - l. Any other minimum separation distance as defined by this Bylaw or any other provincial or federal jurisdiction.
- .2 Parcels contained within the development, designated as undeveloped public open space in excess of the minimum required for Municipal Reserve by legislation shall be included in the calculation of the average lot size for a development.
- .3 Council 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 consider any written agreements, comments, and questions from all land owners directly affected by the potential reduction before making a decision. Where a reduction is granted, Council may require a formal written agreement between land owners.
- .4 No dwelling or other building shall be located within the approach surface for any airport or airstrip.

- .5 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 (e.g. watercourses, waterbodies):
 - a. There shall be no minimum or maximum site area; and
 - b. Existing country residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers.
- .6 On corner lots, that portion of a lot which is the primary access or contains the front entrance of a dwelling shall be considered as a front yard area for the purpose of applying the regulations herein
- .7 Any parcel which does not conform to the minimum or maximum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation prior to the coming into force of this Bylaw.
- .8 The final subdivision design and approved lot density of development in the Country Residential Acreage (CR) Zoning District shall be determined by the carrying capacity of the lands proposed for development as identified within the submission of a Concept Plan and shall not exceed all requisite standards provided by the Saskatchewan Health Authority for onsite wastewater disposal systems.
- .9 Parcels contained within the development, designated as undeveloped public open space in excess of the minimum required for Municipal Reserve by legislation shall be included in the calculation of the average lot size for a development.

8.6 Accessory Buildings

- .1 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.
- .2 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

8.7 Fences and Hedges

- .1 Barbed, razor, or electric fences may only be utilized for the containment of livestock and must be clearly marked at appropriate intervals around the whole perimeter to ensure any adjacent landowner or any other persons would be alerted.
- .2 There are no regulated maximum heights for fences, hedges, walls, or other screening devices.
- .3 Shelterbelts or vegetative landscape buffers shall be planted along side and rear yards on each parcel to provide for privacy, screening, and windbreak as well to reduce land erosion.

8.8 Outdoor Storage

- .1 Outdoor storage must comply with all municipal Bylaws and shall only contain goods and material which are clearly accessory and incidental to the principal use.

- .2 Outdoor storage is prohibited in a front yard.
- .3 Mobile storage containers must be used in accordance with the regulations listed in Section 4.18.
- .4 No garbage or refuse may be stored or accumulated in such a way as to be accessible or be an attraction to wildlife or pets. Garbage must be contained and disposed of in such a fashion and frequency as not to create a health hazard, noxious odour, or unsightly condition.
- .5 Outdoor storage of up to five (5) vehicles, including recreational vehicles, utility trailers, and heavy equipment may be stored per site, and may be in working condition or otherwise.
- .6 Approved uses involving the storage of inoperable, wrecked, or partially dismantled vehicles (e.g. Auto Wrecker) shall adhere to any conditions of an approved Development Permit regarding outdoor storage of vehicles and vehicle parts.
- .7 Provision shall be made for the owner of the property to temporarily display in any yard, a maximum of one (1) vehicle or recreational vehicle that is for sale at any given point in time.
- .8 The municipality may require that the outside storage be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof, or may prescribe special standards for the location setback of any area devoted to outdoor storage.

8.9 Signage

In accordance with Section 4.28 Sign Regulations, the following regulations apply to signs in this zoning district:

- .1 One (1) permanent sign is permitted per site.
- .2 The facial area of a sign shall not exceed 1.0 m² (11 ft²) in overall size.
- .3 Home-based businesses or other approved commercial uses are permitted one (1) additional permanent sign, whether attached to a building or freestanding, in accordance with the size above.
- .4 Additional permanent signs are at the discretion of Council and shall be based on the site size, location and adjacent sites.

8.10 Keeping of Animals

- .1 The keeping of livestock is permissible in this zoning district and is exempt from the requirement of a Development Permit provided the quantity is in accordance with the following schedule:

Parcel Size	Maximum Number of Animal Units Permitted
Minimum 1.0 ha (2.5 acres)	One (1) Animal Unit or a maximum of 50 Poultry
Between 1-2 ha (2.5-5 acres)	Two (2) Animal Units or a maximum of 100 Poultry
Between 2-3 ha (5-7.5 acres)	Three (3) Animal Units or a maximum of 200 Poultry and maximum 50 Hogs, Sheep, Goats combined.

Between 3-4 ha (7.5-10 acres)	Four (4)Animal Units or a maximum of 300 Poultry and maximum 75 Hogs, Sheep, Goats combined.
Greater than 4 ha (10+ acres)	One (1) additional Animal Unit per hectare (2.5 acres)

- .2 The keeping of livestock in numbers greater than the above maximums is prohibited.
- .3 Refer to the charts in Section 5.24 (ILOs) for assistance in determining the quantity of each type of animal that is permissible based on the total number of Animal Units permitted.

8.1.1 Discretionary Use Evaluation Criteria

- .1 All discretionary use applications shall follow the specific use regulations and evaluation criteria as outlined in Section 5 and others that are specified in this Zoning District.
- .2 Specific discretionary evaluation criteria for **care homes; personal service trade; and bed and breakfast homes:**
 - a. Council will consider the compatibility of the proposed use with the adjacent land uses;
 - b. There is infrastructure in place or proposed to accommodate the use including potable water supply, sewer, and utilities;
 - c. The proposed use has access to an all-weather road and on-site parking; and
 - d. The proposed use demonstrates the need and demand from the public of such a use.
- .3 Specific evaluation criteria for **kennels (boarder or breeder):**
 - a. The proposed number of animals to be kept on-site is within an acceptable range;
 - b. The proposed location of buildings and any outdoor areas (e.g. exercise pens) are compatible with neighbouring sites;
 - c. Any required soundproofing of the pens, rooms, exercise runs, and holding stalls; and
 - d. The proposed use is compliant with applicable municipal and other legislation governing noise and public health.
- .4 Specific evaluation criteria for **auto wreckers:**
 - a. The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have minimal impact on surrounding adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - i. Municipal servicing capacity;
 - ii. Anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration, and other emissions emanating from the operation;
 - iii. Anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists, or pedestrians; and
 - iv. Utilization of hazardous substances.
 - b. Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints.

- .5 Specific evaluation criteria for **recreational uses; and institutional uses:**
 - a. Council will consider the compatibility of the proposed use with the adjacent land uses;
 - b. Proposals for the above land uses shall respond to the natural topography and drainage of the site, and employ minimal clearing of native vegetation; and
 - c. The proposed use has access to an all-weather road and on-site parking.
- .6 Specific evaluation criteria for **wind energy facilities; and commercial solar energy systems:**
 - a. The proposed location of turbines and energy systems are compatible with nearby sites or uses;
 - b. Confirmation of site ownership by the proponent or where the land is not owned by the proponent is evidence of site control and right to access through provisions of a lease or easement agreement with the owner; and
 - c. The structure of the proposed wind energy facilities and solar energy systems will be designed by a professional engineer to ensure the structural integrity.

9. Country Residential 2 District – CR2

Purpose	The Country Residential Acreage 2 District – CR2 is to accommodate higher density rural residential lifestyle choices. This includes the former hamlet of Hardy.
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9.1 Permitted Uses

The following development and uses shall be considered by the Development Officer upon the submission of a completed Development Permit application and payment of any applicable fees, through the procedure as outlined in Section 3.9 of this Bylaw:

- .1 Principal Uses
 - a. Single detached dwelling, RTM, modular or mobile home following the placement thereof on a permanent foundation.
- .2 Accessory Uses
 - a. Uses, buildings, and structures accessory to the foregoing permitted uses and located on the same site with the main use;
 - b. Playgrounds and swimming pools;
 - c. Artisan or craft workshop.
- .3 Public Works and Municipal Facilities
 - a. Public works, buildings, and structures, warehouses and storage yards.

9.2 Discretionary Uses

The following development and uses shall be considered by Council upon the submission of a completed Discretionary Use Permit application and payment of any applicable fees, through the procedure as outlined in Section 3.11 of this Bylaw and evaluation criteria outlined in Section 5:

- .1 Principal Uses
 - a. Personal service trades;
 - b. Convenience stores;
 - c. Restaurants;
 - d. Service stations;
 - e. Hotels or motels;
 - f. Daycares (refer to Section 5.18);
 - g. Lodges, social clubs, service clubs;
 - h. Places of worship and community halls;
 - i. Storefront retail stores, bakeries, butcher shops, and similar food processing with on-site retail sales;
 - j. Licensed premises for the sale and consumption of alcoholic beverages;
 - k. Outdoor markets and concessions (permanent, seasonal, or occasional);
 - l. Beekeeping (refer to Section 5.10);
 - m. Institutional uses;
 - n. Recreational uses;
 - o. Small-scale repair trades, craft shops and studios, craftspeople and similar trades, including retail sales of art and craft products;
 - p. Storefront construction trades without yards;

- q. Trailer manufacturing;
- r. Prefabricated building component assembly;
- s. Warehouse and supply depots;
- t. Storage yards.

.2 Accessory Uses

- a. Home-based businesses;
- b. Bed and breakfast homes;
- c. Care homes (refer to Section 5.15);
- d. Garage and garden suites;
- e. Kennels (breeder or boarder).

9.3 Prohibited Uses

- .1 The following uses shall be strictly prohibited within a Country Residential 2 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. Wind energy facilities;
 - c. Commercial solar energy systems; and
 - d. All uses of buildings and land except those specifically noted as permitted or discretionary.

9.4 Site Regulations

Public works shall have no minimum or maximum site requirements.

Permitted and Discretionary Uses

	Residential Uses	Commercial Uses	Service Stations	Institutional and Recreational Uses	Public Works and Municipal Facilities	All Other Uses
Minimum site area	360.0 m ² (3,875 ft ²) with a lane; 450.0 m ² (4,844 ft ²) without a lane. In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum site area.	232.26 m ² (2,500 ft ²)	929.03 m ² (10,000 ft ²)	450.02 m ² (4,844 ft ²)	No minimum	464.52 m ² (5,000 ft ²)

Minimum site frontage	15.2 metres (50 ft)	7.6 metres (25 ft)	30.4 metres (100 ft)	15.2 metres (50 ft)	No minimum	15.2 metres (50 ft)
Minimum front yard	Principal and accessory buildings shall be set back a minimum of 6.1 metres (20 ft) from the property line adjacent to a municipal road allowance.					
Minimum rear yard	Principal buildings shall be set back a minimum of 1.5 metres (5 ft) from the rear property line. Accessory buildings shall be set back a minimum of 1.5 metres (5 ft).					
Minimum side yard	All buildings shall be set back a minimum of 1.5 metres (5 ft)					
Maximum building height	10.0 metres (33 ft)					
Building floor area requirements	Principal buildings shall have a minimum floor area of 55.0 m ² (592 ft ²) Accessory buildings shall have a maximum floor area no greater in size than 1.5 times the floor area of the principal building.					
Minimum setback for trees, shelterbelts and other	Tree plantings, portable structures, machinery and the storage of aggregate materials shall comply with the same setback requirement as for buildings.					

9.5 Supplementary Development Standards

- .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 sites.
- .2 Residential parcels may be exempted from these requirements:
 - a. In the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as watercourses, water bodies there shall be no maximum site area. Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers; and
 - b. In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.
- .3 Re-development of former residential sites shall be determined by the availability of potable water and wastewater treatment carrying capacity of the lands proposed for development. The developer shall ensure that there is an available water supply, access to an existing sewage disposal facility, or an onsite wastewater disposal system which meets all requisite standards provided by the Saskatchewan Health Authority, which is acceptable to Council and that meets *The Public Health Act and Regulations* requirements.
- .4 Where minimum front, side, or rear yards are required in a Country Residential 2 District the following yard encroachments shall be permitted.

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

9.6 Accessory Buildings and Uses

- .1 A permitted accessory use or building shall be defined as any buildings, structures, or a use which is customarily accessory to the principal use of the site, but only if the principal permitted use or discretionary use has been established.
- .2 All accessory uses, buildings, or structures require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- .4 Separate accessory buildings and structures may locate in the side and rear yards within 1.5 metres (5 ft) of the site line.

9.7 Fences and Hedges

All fence lines, hedges, walls, or other screening devices shall not:

- .1 Be erected past any property line.
- .2 Have a height of more than 2.0 metres (7 ft) in any yard.
- .3 Be of barbed, electric, or razor wire material.

9.8 Outdoor Storage

- .1 Outdoor storage must comply with all municipal Bylaws and shall contain only goods or material which are clearly accessory and incidental to the principal use of the property.
- .2 Outdoor storage is prohibited in a front yard.
- .3 Outdoor storage of any wrecked, partially dismantled, or inoperable vehicles is strictly prohibited.
- .4 Approved uses involving such storage (e.g. Auto Wrecker) shall adhere to any conditions of an approved Development Permit regarding outdoor storage of vehicles and vehicle parts.
- .5 No garbage or refuse may be stored or accumulated in such a way as to be accessible or be an attraction to wildlife or pets. Garbage must be contained and disposed of in such a fashion and frequency as not to create a health hazard, noxious odour or unsightly condition.
- .6 Provision shall be made for the temporary display of a maximum of one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

- .7 The municipality may require any outside storage be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof.

9.9 Signage

In accordance with Section 4.28 Sign Regulations, the following regulations apply to signs in this district:

- .1 One (1) permanent sign is permitted per site.
- .2 The facial area of any sign shall not exceed 1.0 m² (11 ft²) in overall size.
- .3 Home-based businesses or other commercial uses are permitted one (1) additional sign, whether attached to a building or freestanding, up to a maximum size as stated above.
- .4 Additional permanent signs are at the discretion of Council and shall be based on the site size, location and adjacent sites.

9.10 Keeping of Livestock

- .1 The keeping of livestock is restricted to poultry and beehives only. This use must be approved on a Discretionary Use Permit prior to the use commencing, and shall be considered in accordance with the following schedule:

<i>Parcel Size</i>	<i>Max. Number of Poultry</i>	<i>Max. Number of Beehives</i>
<i>3,000 ft² or less</i>	1	0
<i>3,001 – 6,000 ft²</i>	5	0
<i>6,001 - 10,000 ft²</i>	10	1
<i>10,001 – 15,000 ft²</i>	15	1
<i>15,001 – 21,779 ft²</i>	20	2
<i>0.5-0.75 acres (21,780 -32,670 ft²)</i>	30	2
<i>0.75-1.0 acres (32,670-43,560 ft²)</i>	40	2
<i>1.0-1.25 acres (43,560-54,450 ft²)</i>	50	3
<i>Each additional 0.25 acres (~10,000 ft²)</i>	Additional 10	
<i>2.5 acres (108,900 ft²)</i>	100	4

- .2 Chicken coops must be located:
 - a. 3.0 metres (10 ft) from any dwelling on or off the property; and
 - b. 1.5 metres (5 ft) from any property line.
- .3 Beekeeping shall be in accordance with the regulations listed in Section 5.10.
- .4 All beehives must be set back at least 3.0 metres (10 ft) from any property line.

- .5 The keeping of poultry or bees in greater numbers than above is strictly prohibited.

9.11 Discretionary Use Criteria

- .1 All discretionary use applications shall follow the general discretionary use evaluation criteria as outlined in Section 5 and others that may be specified.
- .2 Specific discretionary use evaluation criteria for **convenience stores**:
- a. The location of the convenience store will only be favorably considered where it can be determined that residential amenity will not be unreasonably compromised;
 - b. Vehicle car parking and access areas should not form a dominant element in the streetscape; and
 - c. Any new parking and loading areas should be landscaped to improve the visual appearance of the site.
- .3 Specific discretionary use evaluation criteria for **personal service trades; care homes; restaurants; service stations; hotels and motels; daycare; institutional uses; recreational uses; lodges, social clubs, services clubs; municipal offices; places of worship and community halls; storefront retail stores, bakeries, butcher shops, and similar food processing with on-site retail sales; licensed premises for the sale and consumption of alcoholic beverages; outdoor markets and concessions; theatres, assembly halls, commercial recreational establishments; and bed and breakfast homes**:
- a. Council will favorably consider the proposed use where it can be demonstrated that it is primarily for pedestrian use and accessible to the public from both the street and from the development;
 - b. Council will consider the appropriate separation to other uses that may be incompatible with retail and service activities;
 - c. Council will consider the potential uses and street access to the site. Ingress and egress points shall be designed to minimize conflict with adjacent land uses and not pose a safety hazard; and
 - d. Other criteria may include street façade, main street entrance, windows along the street, and the relaxation of on-site parking requirements.
- .5 Specific discretionary use evaluation criteria for **small-scale repair trades, craft shops and studios, craftspeople and similar trades; and storefront construction trades without yards; trailer manufacturing; prefabricated building component assembly; warehouse and supply depots; and storage yards**:
- a. The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have minimal impact on surrounding adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - i. Municipal servicing capacity;
 - ii. Anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration, and other emissions emanating from the operation;
 - iii. Anticipated increased levels or types of vehicle traffic, unsafe conditions, or situations for vehicles, cyclists, or pedestrians; and

- iv. Utilization of hazardous substances.
 - b. Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints.
- .6 Specific discretionary evaluation criteria for **kennels (boarding or breeding)**:
 - a. Council will favourably consider the following when evaluating the proposed use:
 - i. The maximum number of animals not normally attributed to the host site to be kept on-site;
 - ii. Where it can be demonstrated that the use and intensity is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas;
 - iii. Location of buildings and exterior exercise areas, to be sited behind the principal building unless otherwise approved by Council;
 - iv. Soundproofing of the pens, rooms, exercise runs and holding stalls may be soundproofed to the satisfaction of Council; and
 - v. Relevance to municipal Bylaws and legislation governing noise and public health.
- .7 Off-street parking spaces for daycares and care homes shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

10. Commercial/Industrial District – C/I

Purpose	The Commercial/Industrial District - (C/I) is to facilitate a diverse range of commercial and industrial activities located primarily along municipal roadways and provincial highways.
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10.1 Permitted Uses

The following development and uses shall be considered by the Development Officer upon the submission of a completed Development Permit application and payment of any applicable fees, through the procedure as outlined in Section 3.9 of this Bylaw:

- .1 Principal Uses
 - a. Offices and professional office buildings;
 - b. General commercial;
 - c. General industry type 1;
 - d. Research laboratories;
 - e. Agricultural commercial;
 - f. Grain terminals;
 - g. Petroleum exploration wells or extraction wells and related facilities;
 - h. Aggregate Resource Extraction, Storage and Processing; Pipelines and related facilities;
 - i. Gas, oil well, and related facilities;
 - j. Telecommunication facilities;
 - k. Service stations, car wash, or gas bar;
 - l. Cardlock operations;
 - m. Hotels or motels including a dwelling for caretakers or managers;
 - n. Veterinary clinics;
 - o. Trucking firm establishment;
 - p. Contractor's yard;
 - q. Shops of plumbers, pipe fitters, metal workers and other industrial trades manufacturing and sales;
 - r. Sale, rental, leasing and associated servicing of automobiles, trucks, motorcycles and recreational vehicles excluding industrial equipment and agricultural implements;
 - s. Small scale repair services;
 - t. Recycling and collection depot.
- .2 Accessory uses
 - a. Uses, buildings, and structures accessory to the foregoing permitted uses and located on the same site with the main use;
 - b. Airstrips.
- .3 Public Works and Municipal Buildings
 - a. Public works buildings and structures, warehouses and storage yards.

10.2 Discretionary Uses

The following development and uses shall be considered by Council upon the submission of a completed Discretionary Use Permit application and payment of any applicable fees, through the procedure as outlined in Section 3.11 of this Bylaw and evaluation criteria outlined in Section 5:

.1 Principal Uses

- a. General industry type II;
- b. General industry type III;
- c. Agricultural industry (refer to Section 5.6);
- d. Commercial greenhouse;
- e. Commercial cannabis growers (refer to Section 5.14);
- f. General campgrounds including recreational vehicle park (refer to Section 5.11);
- g. Self-service storage facilities;
- h. Semi-trailer and container parking lot;
- i. Salvage yards and auto wreckers (refer to Section 5.8);
- j. Construction trades with storage;
- k. Warehouses and supply depots;
- l. Bulk fuel sales and storage (refer to Section 5.20);
- m. Mobile storage: rail and sea containers;
- n. Meat processing plants/abattoirs;
- o. Seed cleaning plants, feed mills and flour mills;
- p. Cement manufacturing;
- q. Kennels (boarding or breeding) (refer to Section 5.25);
- r. Commercial solar energy systems (refer to Section 5.26).

10.3 Prohibited Uses

- .1 The following uses shall be strictly prohibited within Commercial/Industrial District (C/I):
 - 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. Dwelling units;
 - c. All uses of buildings and land except those specifically noted as permitted or discretionary.

10.4 Site Regulations

Public works and municipal facilities shall have no minimum or maximum site requirements.

Permitted and Discretionary Uses

Minimum site area	1,000.0 m ² (10,764 ft ²)
Minimum site frontage	25.0 metres (82 ft)
Maximum height	17.0 metres (56 ft)
Minimum front yard	All buildings shall be set back a minimum of 46.0 metres (151 ft) from the centre line of any developed road, municipal road allowance, or Provincial highway and/or a minimum of 90.0 metres (295 ft) from the intersection of the centre lines of any municipal roads or provincial highway.
Minimum rear yard	3.0 metres (10 ft) or 25% of the depth of the site whichever is the lesser.

Minimum side yard	3.0 metres (10 ft) except where a side yard abuts a municipal road allowance or a provincial highway, the front yard requirements shall apply.
Minimum setback for trees, shelterbelts and other	All shelterbelts, tree plantings, portable structures, machinery and the storage of aggregate materials shall comply with the same setback requirement as for buildings.

10.5 Supplementary Development Standards

- .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 sites.
- .2 Any parcel which does not conform to the minimum or maximum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existing at Information Services Corporation prior to the coming into force of this Bylaw.
- .3 Notwithstanding any other requirements contained in this Bylaw, service stations shall locate underground storage tanks in accordance with *The Fire Protection Act*.
- .4 The Development Officer may allow a building to be occupied by a combination of one or more of the permitted or discretionary uses listed within this District; however each use shall obtain a separate Development Permit.
- .5 Where the use of the building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods or merchandise, adequate dedicated and clearly defined space for such vehicles to stand for unloading or loading shall be provided on site.
- .6 All areas to be used for vehicular traffic shall be designed and constructed to the satisfaction of Council.

10.6 Accessory Buildings and Uses

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

10.7 Fences and Hedges

All fence lines, hedges, walls, or other screening devices:

- .1 Shall not be erected past any property line.

- .2 Have a maximum height of 3.0 meters (10 ft) in any yard.
- .3 Any barbed, electric or razor wire fence material must be clearly and marked on each side in a highly visible and evident manner.

10.8 Outdoor Storage

- .1 The outdoor storage or collection of goods and materials is prohibited in a front yard unless it is deemed essential to facilitate a permitted or discretionary use.
- .2 Outdoor storage is permitted in a side and rear yards.
- .3 Mobile storage containers must be used in accordance with the regulations listed in Section 4.17.
- .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 (7 ft) in height.
- .5 Parking or storage of vehicles not in running order is prohibited unless on an approved Development Permit for such use.
- .6 Commercial and industrial vehicles and equipment associated with an approved Development Permit may be stored on the site in accordance with any terms and conditions or special provisions of the permit.
- .7 Where any outside storage is proposed, the site shall be kept in a tidy and neat manner.
- .8 Council may require the use of additional screening or other similar measures as a result of any outdoor storage.
- .9 Service stations shall locate underground storage tanks in accordance with *The Fire Protection Act*.

10.9 Signage

In addition to Section 4.28 Sign Regulations, the following regulations apply to signs in this zoning district:

- .1 Two (2) permanent sign are permitted per site, to a maximum size of 12.0 m² (129 ft²) per sign.
- .2 Additional permanent signs are at the discretion of Council and shall be based on the site size, location and adjacent sites.

10.10 Performance Standards

- .1 An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:
 - a. Noise - emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
 - b. Smoke - no process involving the use of solid fuel is permitted;

- c. Dust or ash - no process involving the emission of dust, fly ash, or other particulate matter is permitted;
- d. Odour - the emission of any 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 municipal Bylaws shall not be discharged into any rural or urban sewers; 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.

10.1.1 Discretionary Use Evaluation Criteria

- .1 All discretionary use applications shall follow the general the discretionary use evaluation criteria as outlined in Section 5 and others that may be specified.
- .2 Specific discretionary use evaluation criteria for **general industry type II; gas, oil well and related facilities; general industry type III; agriculture industry; bulk fuel sales and storage; meat processing plans/abattoirs; seed cleaning plants, feed mills and flour mills; and cement manufacturing:**
 - a. The proposed use will only be favourably considered where it can be demonstrated that the use is appropriate to the site and that it will have minimal impact on the surrounding adjacent areas;
 - b. Consideration may be given to the following effects:
 - i. Municipal servicing capacity;
 - ii. Anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration, or other emissions emanating from the operation;
 - iii. Anticipated increased levels or types of vehicular traffic, unsafe conditions, or situations for vehicles;
 - iv. The water supply is sufficient for the development and that the supply for neighbouring developments will not adversely be affected by the proposed operation; and
 - v. Utilization of hazardous substances.
- .3 Specific discretionary evaluation criteria for **general campgrounds; self-service storage facilities; semi-trailer and container parking lots; mobile storage: rail and sea containers:**
 - a. Council will favourably consider the proposed use where it is located in an area of low-visibility, and screened to avoid any adverse visual impact; and
 - b. Landscaping and screening acceptable to Council shall be provided in all yards facing a public roadway or properties in residential use.
- .4 Specific discretionary evaluation criteria for **salvage yards and auto wreckers:**
 - a. All salvage yards shall be totally hidden from the view of the travelling public, provincial highways ,any public road and adjacent residential development by utilizing any of the following measures:
 - i. Distance and careful location;
 - ii. Natural or planted vegetation;

- iii. An earth berm;
- iv. An opaque fence;
- v. A building; and
- vi. Other appropriate methods approved by Council.

11. Flood Hazard Overlay - FH

Purpose	The Flood Hazard Overlay - (FH) is to restrict development in areas that are considered hazardous for development in order to minimize property damage due to flooding. The following regulations are intended to apply supplementary standards for development in areas designated as flood hazard zones.
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11.1 Defining The Boundary

- .1 For all proposed development in this cautionary area, the developer shall be required to contact the Water Security Agency to determine the 1:500 year return frequency flood event and necessary freeboard.

11.2 Site Regulations In The Flood Hazard Areas

- .1 Development of new buildings and additions to buildings in the floodway of the 1:500 year flood elevation of any watercourse or water body shall be prohibited.
- .2 If the development of new buildings or additions is approved in the flood fringe, flood-proofing to an elevation of 0.5 metres (1.6 ft) above the 1:500 year flood event will be required.
- .3 Placement of off-site fill in the flood fringe should be limited to that required for flood-proofing or flood risk management, in order to minimize displacement.
- .4 For a proposed development located within the flood fringe, Council may require the developer to undertake a flood study carried out by a qualified professional. The study shall determine the 1:500 flood elevation including the floodway and the flood fringe areas and any potential impacts and mitigative measures of the proposed development.
- .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*.

11.3 Flood Proofing Regulations

- .1 A development permit shall not be issued for any land use, erection, alternation or use of any building or structure within the Flood Hazard Overlay area unless the site/development meets approved flood proofing measures 0.5 metres (1.6 ft) above the 1:500 flood design elevation.
- .2 Any existing buildings may be replaced or expanded subject to appropriate flood proofing measure being provided.
- .3 For the purpose of this Bylaw, appropriate flood proofing measure shall mean:
 - a. That all buildings shall be designed to prevent structural damage by flood waters;
 - b. The first floor of all buildings shall be constructed above the designated flood design elevation; and
 - c. All electrical and mechanical equipment within a building shall be located above the designated flood design elevation.

12. Slope Hazard Overlay - SH

Purpose	The Slope Hazard Overlay - (SH) is to restrict development in areas that are considered hazardous for development for reasons of excessive soil erodability and/or instability. The following regulations are intended to apply supplementary standards for development in areas designated as having potential for instable soil conditions due to erosion or excessive slopes.
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12.1 Defining the Area

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

12.2 Site Regulations in the Slope Hazard Area

- .1 Any application for a Development Permit on any parcel of land that lies wholly or partially within an area designated in the Slope Hazard Overlay (SH) must be accompanied by a detailed site analysis prepared by a Registered Geotechnical Engineer registered in the Province of Saskatchewan. The site analysis shall indicate topography, surface drainage, geological and geotechnical conditions at the site of the proposed development, and related to the conditions of the general area as they relate to slope instability and erosion hazards.
- .2 The geotechnical engineer shall answer the following questions:
 - a. Will the proposed development be detrimentally affected by natural erosion or slope instability?
 - b. Will the proposed development increase the potential for erosion or slope instability that may affect the proposed development, or any other property?
- .3 Unless the geotechnical engineer can answer “no” in response to both of the above questions, further analysis will be required. The required analysis must define the hazard as it may affect the proposed development and any other potentially affected property. The engineering report will identify hazard mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and slope stability impacts, and will identify and explain known and suspected residual hazards. The responsibility for monitoring and responding to monitored findings shall be resolved before approval is granted.
- .4 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.