

Zoning Bylaw
Rural Municipality of Caledonia No. 99



Rural Municipality Of Caledonia No. 99

Bylaw No. 2018 - 02

A Bylaw of the Rural Municipality of Caledonia No. 99 to adopt a Zoning Bylaw.

The Council of the Rural Municipality of Caledonia No. 99, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- 1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Rural Municipality of Caledonia No. 99 hereby adopts the Rural Municipality of Caledonia No. 99 Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- 2) The Reeve and Rural 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.

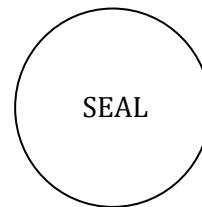
Read a First Time the 7th day of August , 2018.

Read a Second Time the 4th day of September, 2018.

Read a Third Time the 4th day of September, 2018.

Adoption of this Bylaw this 4th day of September, 2018.

REEVE



ADMINISTRATOR

CERTIFIED a true copy of Bylaw 2018-02
adopted by Resolution of Council on the
4th day of September, 2018

RM administrator

Schedule A:

Rural Municipality of Caledonia No. 99

Zoning Bylaw

Table of Contents

1 Introduction..... 5

 1.1 Title..... 5

 1.2 Scope..... 5

 1.3 Severability..... 5

2 Definitions 6

3 Administration..... 13

 3.1 Development Officer 13

 3.2 Application for a Development Permit 13

 3.3 Referral of Application 14

 3.4 Issuing Permits 14

 3.5 Building Permits, Licenses, and Compliance with Other Bylaws 16

 3.6 Appeals..... 16

 3.7 Development Not Requiring a Permit 17

 3.8 Amending the Zoning Bylaw..... 18

 3.9 Agreement for Services and Development Levy Agreement..... 18

 3.10 Fees and Advertising..... 19

 3.11 Offences and Penalties..... 19

 3.12 Minor Variance 19

 3.13 Interpretation..... 20

 3.14 Temporary Development Permits 20

4 General Regulations 21

 4.1 Environmental Management and Hazard Lands 21

 4.2 Number of Residences on a Parcel..... 21

 4.3 One Principal Building or Use 22

 4.4 Mobile and Modular Homes..... 22

 4.5 Non-conforming Uses, Sites and Buildings..... 22

 4.6 Signs and Billboards..... 22

 4.7 Storage of Vehicles 23

 4.8 Public Utilities, Pipelines, and Facilities of the Municipality..... 23

 4.9 Waste Disposal Facilities..... 24

 4.10 Home Based Businesses 24

 4.11 Kennel..... 25

 4.12 Bed-and-Breakfast and Vacation Farm Operations..... 25

 4.13 Camping Facilities 25

 4.14 Dwelling Groups..... 26

 4.15 Access..... 26

 4.16 Fences 27

 4.17 Grading and Leveling of Sites..... 27

 4.18 Storage of Chemicals, Fertilizers and Combustible Materials 27

 4.19 Manure Application 27

 4.20 Intensive Livestock Operations (ILOs)..... 27

 4.21 Sand and Gravel Extraction..... 30

 4.22 Mineral Resource Extraction Exploration and Development 31

5 Zoning Districts 32

 5.1 Districts..... 32

 5.2 Boundaries..... 32

5.3 Regulations.....32

6 Agricultural District (A).....33

6.1 Permitted Uses That Require Development Permit Approval33

6.2 Discretionary Uses33

6.3 Regulations.....35

6.4 Criteria for Discretionary Use Applications.....37

7 Hamlet District (H)39

7.1 Permitted Uses (that require development permit approval)39

7.2 Discretionary Uses39

7.3 Regulations.....41

7.4 Criteria for Discretionary Use Applications.....42

8 Country Residential Districts (CR).....44

8.1 Permitted Uses (that require development permit approval)44

8.2 Discretionary Uses44

8.3 Regulations.....44

8.4 Criteria for Discretionary Use Applications.....46

9 Commercial District.....49

9.1 Permitted Uses (that require development permit approval)49

9.2 Discretionary Uses49

9.3 Regulations.....49

9.4 Criteria for Discretionary Use Applications.....51

1 Introduction

1.1 Title

This Bylaw shall be known as the “Zoning Bylaw of the Rural Municipality of Caledonia No. 99”

1.2 Scope

All development within the limits of the Municipality shall be in conformity with the provisions of this Bylaw.

1.3 Severability

If any part of this Bylaw, including anything shown on the Zoning District Map, is declared to be invalid for any reason, by an authority of competent jurisdiction, the validity of the Bylaw as a whole, or any other part, Section or provision of this Bylaw will not be affected.

2 Definitions

In this Bylaw when the following words or terms are used, they have the following meaning, unless the context provides otherwise:

Accessory Use: A use customarily incidental, subordinate, and exclusively devoted to the principal use or building and is located on the same site with such principal use or building.

Act: *The Planning and Development Act, 2007.*

Agricultural Operator: Those persons responsible for the day-to-day management decisions made in the operation of a farm or agricultural operation.

Agricultural Product Processing: The use of land, buildings and structures for the processing and storage of agricultural produce, such as a feed and grain mill.

Agricultural Service and Contracting Establishment: An establishment that provides a service which supports the agricultural industry including but not restricted to contracting and trades related to the farm industry, structures and equipment, custom spraying, tillage, planting and harvesting services.

Alteration: Any structural change or addition made to any building or structure.

Animal Unit: The kind and number of animals calculated in accordance with the following table:

Kind of Animal	Number of Animals (= 1 Animal Unit)
Poultry	
Hens, cockerels, capons	100
Chicks, broiler chickens	200
Turkeys, geese, ducks	50
Exotic birds	25
Hogs	
Boars and sows	3
Gilts	4
Feeder pigs	6
Weanling pigs	20
Sheep	
Rams or ewes	7
Lambs	14
Goats, etc.	
All (including llamas, alpacas etc.)	7
Cattle	
Cows and bulls	1
Feeder cattle	1.5
Replacement heifers	2
Calves	4
Horses	

Colts and ponies	2
Other horses	1
Other	
Domesticated Native Ungulates	
Bison	1
Elk, Reindeer	4
Deer	7

- Ancillary Use:** A use that is secondary and subordinate in size, extent and purpose to the principal use on the same site, but is not necessary for the operation of the principal use on that site.
- Administrator:** The official administrator for the Municipality pursuant to *The Municipalities Act*.
- Applicant:** A developer or person applying for a development permit under this Bylaw, for a subdivision approval to an approving authority under *The Act*.
- Auto Wrecker:** An area where motor vehicles are disassembled, dismantled or junked, or where vehicles are in operable condition, or used parts of motor vehicles, are stored or sold to the general public.
- Bed-and-Breakfast Operation:** A residence, licensed as a tourist home under The Public Accommodation Regulations, in which overnight accommodation within the unit, along with one meal served before noon, is provided to the travelling public for a charge.
- Beverage Room:** An establishment, licensed by the Province of Saskatchewan, in that alcoholic beverages are served for a fee for consumption on the premises and may include a licensed lounge that is ancillary to a restaurant. Food preparation or serving of food maybe an accessory use to the drinking establishment but is subject to all applicable provincial regulations.
- Building:** A structure used for the shelter or accommodation of persons, animals, or goods.
- Building, Accessory:** A subordinate detached building apart from the main building or main use and located in the same site, which provides better and more convenient function of the main building or main use.
- Building Permit:** A permit issued under a Building Bylaw of the Municipality authorizing the construction of all or part of any building.
- Camping Facility:** The seasonal operation of an area of land managed as a unit, providing temporary short-term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers, used by travellers and tourists.
- Care Services:** Development to provide daytime personal care and education to children or elderly persons, but does not include overnight accommodation. Typical facilities would include daycare or "elder care" centres, day nurseries, family day home child care, nursery schools and play schools.

Commercial Agricultural Operation:	The direct sale of agricultural products occurring on a ranch or farm directly related to the growing of crops, or raising of animals for the primary purpose of making a profit or for a livelihood.
Council:	The Council of the Rural Municipality of Caledonia No. 99.
Domestic Animal:	Animals such as dogs and cats that have been tamed and made fit for a human environment.
Dwelling, Single Detached:	A detached building consisting of one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, but shall not include a mobile home, modular home, or trailer coach as defined here.
Dwelling Unit:	One or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons.
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 including building alterations.
Development Permit:	A document authorizing a development issued pursuant to this Bylaw.
Discretionary Use:	A use of land or buildings or form of development that: <ul style="list-style-type: none">• is prescribed as a discretionary use in this Bylaw; and• requires the approval of Council pursuant to Section 56 of <i>the Act</i> and this Bylaw.
Dwelling Group:	A group of principal buildings used as dwellings, located on a single parcel, developed as a project, that may include rental, condominium or bare land condominium forms of tenure.
Farmstead:	A farm or the part of a farm comprising its main buildings together with adjacent lands.
Floor Area:	The sum of horizontal area contained within the outside of the outside walls of a building at each floor level at or above grade, excluding in the case of a dwelling, any private garage, porch, veranda, sun lounge, or unfinished room or attic.
Flood Way:	The portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second.
Flood Fringe:	The portion of the flood plain where the waters in the 1:500 year flood are projected to be less than a depth of one metre or a velocity of one metre per second.
Frontage:	The full length of a site measured alongside the road onto which the site fronts.
Grocery Store:	The use of a building, or a portion of a building, for the sale of foodstuffs and convenience goods to serve the needs of the surrounding residents and the traveling public.

Hazard Land:	Land which may be prone to flooding, slumping, subsidence, landslides, erosion, any other instability, or is located within the flood plain of a river, stream or lake.
Home Based Business:	An occupation carried on by the occupants of a residence or agricultural operation and is a use secondary to the permitted use.
Hotel:	A building which provides sleeping accommodation for which a fee is charged and may also contain commercial uses, facilities or services such as a restaurant, dining room, room service or convention room.
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 Saskatchewan Highways and Infrastructure entitled The Provincial Highway Sign Control Regulations, 2012 as may be amended or replaced from time to time.
Intensive Agricultural Operation:	A principal use that produces a crop that is grown in buildings or under structures, using hydroponic techniques, or by use of intensive irrigation and fertilizer application, but not including an intensive livestock operation.
Intensive Livestock Operation (ILO):	The operation or facilities for the confinement or feeding of poultry, hogs, bison, sheep, goats, cattle, horses, or domesticated game animals where the site provides less than 370 square metres (3982.64 square feet) of space for each animal unit and will contain on hundred (100) or more animal units.
Junked Vehicles:	Any automobile, tractor, truck, trailer or other vehicle that: <ul style="list-style-type: none">• has no valid license plate;• is in rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or abandoned condition;• is not contained within a permitted building;• does not form part of a permitted business.
Kennel:	Development used for the breeding, boarding, caring or training of dogs. Typical facilities include dog boarding and dog training establishments, and animal rescue homes.
Liquor Sales:	The wholesale or retail sale or distribution to the public of any and all types of alcohol spirits/beverages.
Mobile Home:	A trailer coach bearing CSA Z240 certification for mobile homes (or a replacement thereof): <ul style="list-style-type: none">• that is used as a dwelling;• that has water faucets and shower, or other bathing facilities, that may be connected to a water distribution system;• that is equipped with facilities for washing and water closet, or other similar facility, which may be connected to a sewage system.

Modular Home:	A factory built home that is manufactured as a whole or modular unit and is designed to be moved on a removable chassis to be used as one dwelling unit, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.
Motel:	A building or group of buildings on a site designed and operated to provide temporary accommodation and contains separate sleeping units, each of which is provided with an adjoining conveniently located parking stall.
Municipality:	The Rural Municipality of Caledonia No. 99.
Non-Conforming Building:	A building: <ul style="list-style-type: none">• that is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective;• that on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective does not, or when constructed will not, comply with the Zoning Bylaw.
Non-Conforming Site:	A site, consisting of one or more contiguous parcels, that, on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.
Non-Conforming Use:	A lawful specific use: <ul style="list-style-type: none">• being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date the Zoning Bylaw or any amendment to the Zoning Bylaw affecting the land or building becomes effective;• that on the date the Zoning Bylaw or any amendment to the Zoning Bylaw becomes effective does not, or in the case of a building under construction or with respect to which all required permits have been issued will not, comply with the Zoning Bylaw.
Outside Storage:	The storing, stockpiling or accumulating of goods, equipment or material in an area that is open or exposed to the natural elements.
Pasture:	A site that is used for the raising and feeding of livestock by grazing.
Permitted Use:	A use or form of development rightfully allowed in a zoning district, subject to the regulations contained in this Bylaw.
Personal Service Shops:	A facility for providing a service to individuals, including but not limited to barbershops, professional services, medical clinics, drycleaners, etc.
Principal Use:	The main activities conducted on a site.
Principal Building:	The main building in which the principal use of the site is conducted.

Public Road:	A road allowance or a legally surveyed road vested in the name of Ministry of Highways and Infrastructure.
Public Utility:	Excluding wind energy, a government or private enterprise, which provides a service to the general public.
Quarter Section:	A quarter Section as defined by the Township Plan of Survey in the Land Titles Office, exclusive of any registered road, road widening, or railway right of way, but including any partial quarter Section defined on the Township Plan of Survey.
Reeve:	The Reeve of the Rural Municipality of Caledonia No. 99.
Residence:	A single detached dwelling, mobile home or modular home.
School:	A site, building or other premises and improvements that is utilized for the purposes of educating students with a faculty.
Sign:	<p>Any writing (including letter or word), pictorial representation (including illustration or decoration), emblem (including devise, symbol or trademark), flag (including banner or pennant), or any other figure of similar character which:</p> <ul style="list-style-type: none">• is a structure or any part thereof, or is attached to, painted on, or in any manner represented on a building;• is used to announce or direct attention to, or advertise;• is visible from outside the building.
Site:	An area of land with fixed boundaries that has been registered in the Land Titles Office by Certificate of Title, and for which all portions of the land are consolidated or tied under a single title.
Site Line, Front or 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, Rear:	The boundary at the rear of the site and opposite the front site line.
Site Line, Side:	A site boundary other than a front or rear site line.
Street:	A public road or thoroughfare registered by plan of survey which affords the principal means of access to abutting property, but shall not include an easement or lane.
Structure:	Anything that is built, constructed, or erected, located in, on, or over the ground, or attached to something located in or over the ground, considered a “development”.
Subdivision:	A division of land, and includes a division of a quarter Section into legal subdivisions as described in the regulations made pursuant to <i>The Land Surveys Titles Act, 2000</i> .

Trailer Coach:	Any vehicle or dwelling that has been modified to allow for both transportation upon public roads or highways and also be utilized as a dwelling or sleeping place for one or more persons.
Units of measure:	Units of measure in this Bylaw are abbreviated as follows: <ul style="list-style-type: none">• m = metre(s)• m² = square metre(s)• km = kilometre(s)• ha = hectare(s)• ac = acre(s)• ft = foot (feet)
Use:	The purpose or activity for which a piece of land or its buildings are designed, arranged or intended, occupied or maintained.
Vacation Farm:	An operating farm which may, on a day basis or for overnight purposes, offer a farm life experience to groups, families, or individuals and which may provide either or both of the following: <ul style="list-style-type: none">• rental accommodation in the farm dwelling or adjacent private cabins comprising one or more rooms furnished to enable the preparation of meals if full board is not provided;• a tract of land on which one or more camping, tenting or parking sites is located, where electricity, potable water and toilet facilities are provided to the persons, families, or groups occupying any of the sites.
Waste Disposal Facility, Liquid:	a facility to accommodate any liquid waste from residential, commercial, institutional and industrial sources, but does not include a septic system for a single residence or farmstead, or a manure storage area for an intensive livestock operation.
Waste Disposal Facility, Solid:	A facility, not including a waste transfer station or a temporary storage facility, to accommodate discarded materials, substances or objects which originated from residential, commercial, institutional and industrial sources which are typically disposed of in municipal or private landfills, but not including dangerous goods, hazardous waste or biomedical waste.
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 that 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 that extends from a front yard to the rear yard between the side line of a site and the nearest main wall of a building or structure.

3 Administration

3.1 Development Officer

The Rural Municipal Administrator shall be the Development Officer responsible for the administration of this Bylaw. In their absence Council may designate other employee(s) of the Municipality from time to time.

3.2 Application for a Development Permit

3.2.1 Every person shall obtain a development permit before commencing any development within the Municipality, except those developments that are listed as exempt.

3.2.2 The completed development permit application shall include:

- a) A description of the intended use or proposed development including any change in building use or land use change;
- b) Legal land description;
- c) The signature of the applicant and the registered landowner(s);
- d) A copy of the Certificate of Title, or other proof of ownership;
- e) Estimated commencement and completion dates;
- f) Floor Plans and elevations of the proposed development (which will be kept at the Municipal Office for future reference);
- g) Any other information needed to assess the application;
- h) An attached site plan which shall include:
 - 1) All adjacent roads, highways, service roads and access to the site (label on site plan);
 - 2) Rights-of-ways and easements (gas, oil, power, drainage easements, etc.);
 - 3) All drainage courses;
 - 4) Location of proposed development;
 - 5) Existing development on the site;
 - 6) Landscaping details (existing trees, removal of trees, proposed plantings, berming, water features, etc.);
 - 7) Setbacks to property line, road and services;
 - 8) Top of bank and water;

- 9) Existing and proposed services:
 - 10) Location of well or cistern;
 - 11) Method and location of sewage disposal;
 - 12) Sign location and details like artwork, colors, size, lights, etc.;
 - 13) Parking and loading facilities;
 - 14) Sidewalks, patios, playgrounds;
 - 15) North arrow;
 - 16) Any additional information deemed necessary by Council or the Development Officer.
- 3.2.3 The Development Officer may require written evidence that the disposal method has been approved by the Health District before a development permit can be issued or include this as a condition of the permit approval.

3.3 Referral of Application

- 3.3.1 The Development Officer may refer any application to Council for a decision on the interpretation of the Bylaw or regarding special conditions provided for in the Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide further information necessary to render a decision.
- 3.3.2 The Development Officer may refer the application to any internal or external departments or organizations for review or comment prior to issuing a development permit. Any recommendations received may be applied as conditions to the development permit.
- 3.3.3 The Development Officer shall make available a copy of all approved Development Permit application involving installation of water and sanitary services should such information be requested by provincial officials under the Public Health Act and Regulations.

3.4 Issuing Permits

Upon completion of the review of an application for development, the Development Officer shall determine if the proposed development is either:

- 3.4.1 Permitted Use
- a) The Development Officer will issue a development permit when the application conforms to the Zoning Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw.
 - b) The Development Officer will issue a refusal, when the application does not comply with a provision or regulation of this Bylaw and write a letter to the applicant stating the reason for refusal.

3.4.2 Discretionary Use

- a) The Development Officer will prepare a report for Council on the proposal discussing or examining the criteria for consideration of that discretionary use and submit the application to Council for a decision.
- b) At least 7 days before the application is to be considered by Council, the Development Officer shall provide notice to the public for the discretionary use application. The notice must be provided to:
 - 1) The assessed owners of property within 75 metres of the boundary with the applicant's land; and
 - 2) Any other owners the Development Officer feels should be notified or who may have an interest in the lands.
- c) Council shall make a decision on a discretionary use, by resolution, that approves, approves with development standards or conditions, or refuses the discretionary use on that site and that instructs the Development Officer to:
 - 1) Issue a development permit incorporating any specific development standards set by Council, where the development complies with the standards of this Bylaw.
 - 2) Issue a notice of refusal to the applicant stating the reasons for the refusal, referencing the specific discretionary use criteria the application did not meet.
 - 3) All applicants shall be provided the effective date of the decision and information on their right of appeal.

3.4.3 Prohibited Use

- a) If the proposed development is not listed as a Permitted or Discretionary Use, it is considered a prohibited use.

3.4.4 A new development permit approval is required when:

- a) The approved use ceases and is replaced by another use;
- b) The approved use ceases for a 12 month period;
- c) The development or use is not started within 12 months;
- d) The intensity of use increases.

3.4.5 Council is deemed to have granted discretionary approval to a use, or specific intensity of use, that becomes discretionary on a site as a result of the adoption or amendment of this Bylaw, as of the date that this Bylaw or amendment comes into effect.

3.4.6 Where a decision is not made upon an application within sixty (60) days of submission to the Development Officer, the application is deemed refused and may be appealed. The period for a decision may be extended by mutual agreement between Council and the applicant.

- 3.4.7 Where a person wishes to vary the development from the application as approved, with or without conditions, the person must submit a new application and obtain a new development permit providing for the variation, before the variation is made.
- 3.4.8 A development permit is valid for twelve months unless otherwise stipulated when the permit is issued.

3.5 Building Permits, Licenses, and Compliance with Other Bylaws

- 3.5.1 Nothing in this Bylaw shall exempt any person from: complying with a Building Bylaw or any other Bylaw in force within the Municipality; or from obtaining any permission required by this or any other Bylaw of the Municipality, the province or the federal government.
- 3.5.2 A building permit, where required, shall not be issued for a development unless a required development permit has been issued. A building permit issued before a development permit is not valid until the required development permit has been issued.
- 3.5.3 Where applicable, the Development Officer may apply other bylaws as conditions to a development permit.

3.6 Appeals

- 3.6.1 Council shall appoint a Development Appeals Board (The Board) in accordance with Section 49 and 214 to 218 of *The Planning and Development Act, 2007* (the Act).
- 3.6.2 The composition of the Board, the secretary, remuneration and expenses, powers, duties and responsibilities shall be as per Council's policy which shall be adopted by resolution.
- 3.6.3 The Board has the authority to hear an appeal based on:
- a) The approval of development permit where it is alleged the Development Officer misapplied the zoning bylaw in approving the proposal;
 - b) The refusal of the Development Officer to issue a development permit because the proposal contravenes the zoning bylaw;
 - c) Council's approval of a discretionary use with development standards or conditions (only the conditions or standards may be appealed);
 - d) An order to repair or correct contraventions under a Nuisance Bylaw, Property Maintenance Bylaw and/or Zoning Bylaw adopted under *The Municipalities Act* (Sections 364 and 365) or *The Planning and Development Act, 2007* (Section 242).
- 3.6.4 The Development Appeals Board does not have the authority to hear an appeal based on:
- a) A discretionary use application is refused;
 - b) Council refuses to amend a zoning bylaw or rezone land;
 - c) A decision concerns a subdivision application;

- 3.6.5 Anyone starting an appeal must send written notice of appeal to the Secretary of the Development Appeals Board within:
- a) Thirty (30) days of a Development Officer's decision being issued;
 - b) Thirty (30) days of the failure of a Council to make a decision;
 - c) Thirty (30) days of receiving a permit with terms and conditions; or
 - d) Fifteen (15) days if appealed under *The Municipalities Act*, or thirty (30) days under *The Planning and Development Act, 2007*, of an order being served to repair or correct contraventions.
- 3.6.6 The Board must hold a public hearing on the appeal within thirty (30) days of receiving a notice of appeal.
- 3.6.7 At least ten (10) days before the hearing, the Board must notify affected parties about the hearing. The notice must be served by personal service, ordinary mail or registered mail.
- 3.6.8 In making an appeal to the Board, and hearing such appeal, the provisions of *The Planning and Development Act, 2007* shall apply.

3.7 Development Not Requiring a Permit

- 3.7.1 The following developments are considered permitted uses and area exempt from obtaining a development permit provided they meet the requirements of this Zoning Bylaw:
- a) Agriculture District
The planting, management and harvesting of field crops and gardens, orchards and greenhouses for private use.
 - b) The management of pastures for the raising of livestock -excluding ILOs
 - c) Honey extraction facilities
 - d) Facilities for the direct sale of field crops
 - e) Accessory uses and buildings related to an agricultural use limited to sheds, barns, grain bins and related grain storage structures, Quonsets and accessory uses and buildings related to non-commercial orchards and vegetable, horticultural or fruit gardens
 - f) Parking of private or agricultural vehicles on private lands
 - g) Antenna and telecommunication tower to a maximum of 15.24 metres (50 feet)
 - h) Manure application subject to Section 4.20
 - i) All other districts
 - j) Fences less than 2 metres (6.5 feet) in height

- k) Signs, subject to Section 4.6
- l) Sidewalks, steps, patios, decks
- m) Accessory buildings which are less than 10 square metres (100 square feet) in area that do not contain any habitable rooms and are smaller in area than the principle residence. Including but not limited to sheds and storage buildings
- n) Building Alterations: limited to repairs and maintenance of existing buildings
- o) Sidewalks, steps, patios and decks
- p) Landscaping on private lands: provided the drainage pattern of the site and adjacent sites are not negatively impacted
- q) Installation and repair of public utilities, except solid and liquid waste disposal facilities
- r) Development and expansion of municipal facilities, buildings and uses that are operated by the RM of Caledonia No. 99 (RM)
- s) Dwelling Groups?

3.8 Amending the Zoning Bylaw

- 3.8.1 Any person who seeks to amend this Zoning Bylaw must submit an application for amendment to the Development Officer who shall review and then refer the application to Council for consideration.
- 3.8.2 The amendment application is subject to fees as set out in the Municipal Fee Bylaw.
- 3.8.3 Prior to Council's review, the Development Officer may refer the amendment application to any internal or external departments or organizations for review or comment (i.e. provincial departments, interested stakeholders, etc.).
- 3.8.4 The process for public notification and public participation during the Bylaw adoption process shall be as per the regulations of *The Planning and Development Act, 2007*.
- 3.8.5 As per the Official Community Plan, premature rezoning of land for development shall not be practice.
- 3.8.6 Council shall consider Zoning Bylaw amendments to accommodate proposals, only when specific development proposals, subdivision applications, servicing agreement and other information, as the case may be, have been presented to and reviewed by Council.

3.9 Agreement for Services and Development Levy Agreement

- 3.9.1 Council may require a subdivision applicant to enter into a Servicing Agreement or development permit applicant to enter into a Development Levy Agreement to ensure conformity with the Official Community Plan and Zoning Bylaw and to ensure adequate funding for on-site and off-site infrastructure development as allowed for in *The Planning and Development Act, 2007*.

- 3.9.2 Council may require the applicant to post and maintain a performance bond, irrevocable letter of credit or similar legal mechanism to ensure performance and to protect the public interest.
- 3.9.3 Council will require the applicant to provide and maintain liability insurance to protect the applicant, municipality and the public.
- 3.9.4 Council will ensure there is adequate municipal infrastructure and other public facilities prior to entering into the Agreement with the applicant, which may include sewage disposal, garbage disposal, availability and adequacy of source of water, recreational facilities, etc.

3.10 Fees and Advertising

- 3.10.1 The fees related to the Zoning Bylaw and Official Community Plan shall be set out in the Municipal Fees Bylaw.
- 3.10.2 All advertising shall be as per the requirements of *The Planning and Development Act, 2007*.

3.11 Offences and Penalties

- 3.11.1 Pursuant to Section 242 of *The Planning and Development Act, 2007* the Development Officer may issue a written order to the owner, operator or occupant of the land, building or premises for any contravention to this Zoning Bylaw or the Official Community Plan.
- 3.11.2 Any person who violates this Zoning Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties outlined in Section 243 of *The Planning and Development Act, 2007*.

3.12 Minor Variance

- 3.12.1 Council may vary the requirements of this Zoning Bylaw for the:
 - a) Minimum required distance of a building from the lot line;
 - b) Minimum required distance of a building to any other building on the lot.
- 3.12.2 The maximum amount of variance given by Council shall not exceed 10% from the requirements established in this Zoning Bylaw. The development must conform to the land use requirements established in this Zoning Bylaw and shall not affect neighbouring properties.
- 3.12.3 The Development Officer shall refer the development permit application for the minor variance to Council. Council shall approve, approve with conditions or refuse the minor variance.
- 3.12.4 If the application is refused by Council, the Development Officer shall provide written notice to the applicant and provide reason for the refusal.

- 3.12.5 If the application is approved by Council, with or without conditions, the Development Officer shall provide written notice, delivered by registered mail, to the applicant and to the assessed owners of property who have a common boundary with the applicant's land. The notice shall contain a summary of the application and reasons for Council's approval as well as the effective date of the decision. The assessed property owners may lodge a written objection to Council or the Development Officer within twenty (20) days after the receipt of the notice. If an objection is lodged, the approval is deemed to be revoked and the Development Officer shall notify the development permit applicant, in writing, of the revocation of the approval and the applicants write to appeal the revocation to the Development Appeals Board within thirty (30) days after receiving the notice.
- 3.12.6 If an application for a minor variance is refused, the applicant may appeal the refusal to the District Development Appeals Board within thirty (30) days of that decision.

3.13 Interpretation

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

3.14 Temporary Development Permits

- 3.14.1 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 unless otherwise exempt under Section 3.7 of this Bylaw.

4 General Regulations

The following regulations shall apply to all lands within the RM:

4.1 Environmental Management and Hazard Lands

- 4.1.1 The Environmentally Sensitive Lands, Hazard Lands and Heritage Lands policies in Part 4 of the Official Community Plan shall be applied to all development on hazard lands.
- 4.1.2 Development within the flood way is prohibited. Flood proofing techniques are required for development within the flood fringe.
- 4.1.3 Any development proposed on lands that have the potential to be considered hazard lands or environmentally sensitive lands, the Development Officer may refer the application to federal or provincial departments and other relevant environmental agencies for comments prior to reaching a decision. Supporting information may be required prior to issuing a permit at the developers cost.
- 4.1.4 Supporting information shall be in the form of a report, prepared by a professional that is competent to assess the suitability of the proposed development site with respect to:
 - a) the potential for flooding up to the 1:500 flood elevation;
 - b) the potential for slope instability (slumping) before and after the development and any proposed improvements (geotechnical report);
 - c) the suitability of the location for the proposed use or building given the site constraints;
 - d) other environmental hazards;
 - e) the required mitigation measures if development is allowed to proceed. These measures may be attached as a condition for the development permit approval.
- 4.1.5 Sanitary landfills and lagoons shall not be located on hazard lands.
- 4.1.6 Actions to avoid, prevent, mitigate or remedy hazards may be incorporated as conditions of a development permit.
- 4.1.7 A development permit will be refused if the proposed actions by the developer are inadequate to address the adverse conditions or will result in excessive municipal costs.
- 4.1.8 If a proposed development has the potential to inhibit neighboring uses or natural systems it shall be prohibited.

4.2 Number of Residences on a Parcel

- 4.2.1 Only one residence shall be allowed on a titled area unless:
 - a) a second or other additional residences are required on an agricultural parcel of at least 16.19 hectares (40 acres) in size, agriculture is the principal use of the parcel, and the residence is to be occupied by a person who is engaged in the agricultural operation;

b) a multiple dwelling unit is allowed in accordance with this Bylaw.

4.2.2 A development permit application for an additional residence will not be approved unless the additional residence is designed, sited, constructed, and finished in a manner that is visually compatible and harmonious with the character of the surrounding residential developments.

4.3 One Principal Building or Use

4.3.1 Only one principal building or use per site shall be permitted on any one site excluding: public utilities and related uses, ancillary uses provided for in this bylaw, institutional uses, agricultural uses, parks, schools, hospitals, recreation facilities, mineral and resource developments and approved dwelling groups. Two residences are permitted on one titled lot in the Agricultural and Country Residential Districts.

4.3.2 Council may, at its discretion, issue a development permit for additional principal uses or buildings in the Commercial District.

4.3.3 Temporary uses may be permitted on a site where a principal development already exists at Council's discretion.

4.4 Mobile and Modular Homes

4.4.1 A mobile or modular home is considered a residence for the purpose of this bylaw.

4.4.2 All residences, including mobile and modular homes, shall be attached to a permanent foundation or securely anchored to the ground and skirted prior to occupancy.

4.4.3 Every mobile home shall bear CSAZ240 certification (or replacement thereof) and every modular home shall bear CSA A277 certification (or replacement thereof).

4.5 Non-conforming Uses, Sites and Buildings

4.5.1 The adoption or amendment of this Bylaw does not affect non-conforming buildings, non-conforming uses or non-conforming sites.

4.5.2 An existing non-conforming use or intensity of use may continue if the use existed when this Bylaw was adopted and has not been discontinued for 12 consecutive months.

4.5.3 Non-conforming buildings or sites may continue to be used, maintained and repaired in their present form.

4.5.4 Any lands which do not conform to the site requirements as set out in this Bylaw shall be deemed to be conforming with regards to site size, provided that a registered title for the site existing prior to the coming into force of this Bylaw.

4.6 Signs and Billboards

4.6.1 Signs located in a Highway Sign Corridor shall be regulated entirely by the requirements of "The Erection of Signs Adjacent to Provincial Highway Regulations, 2012" or amendments thereto, and do not require a development permit from the RM.

4.6.2 Signs other than those located in a Highway Sign Corridor shall comply with the following:

- a) The following signs are allowed:
 - 1) A sign that advertises agricultural commercial uses, home based businesses, the principal use of a site, or the principal products offered for sale on the site;
 - 2) Signs with no advertising, including government signs, memorial signs, directional signs, traffic control, no trespassing, hunting restrictions, farmyard identification signs and similar signs;
 - 3) Temporary signs and real estate signs, which shall be promptly removed after they are no longer needed.
- b) A maximum of two advertising signs is permitted on a titled area.
- c) Billboard and other off-site advertising signs are prohibited.
- d) All private signs shall be located so that no part of the sign is over a public right of way.
- e) The maximum facial area of a sign shall be 1.22 metres (4 feet) x 2.44 metres (8 feet) and a sample of the sign artwork shall be submitted for review prior to installation.

4.7 Storage of Vehicles

4.7.1 Notwithstanding anything contained in this Bylaw, no site shall be used for the parking or outside storage of junked vehicles, which includes any automobile, tractor, truck, trailer or other vehicle that:

- a) has no valid license plate or is in a rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or in an abandoned condition;
- b) is located on private land;
- c) is not located within a structure erected in accordance with this Bylaw.

4.7.2 Section 4.7.1 shall not apply to lands that have received a development permit for a salvage yard or similar type development.

4.7.3 All permitted salvage yards shall be screened from roadways or neighbouring properties with landscaping, fences or a combination of both.

4.7.4 The use of an abandoned vehicle, or unlicensed vehicle or truck trailer unit for the purpose of a sign is prohibited.

4.8 Public Utilities, Pipelines, and Facilities of the Municipality

4.8.1 Public utilities and facilities of the Municipality, except solid and liquid waste disposal sites, shall be allowed in all districts unless otherwise specified by this Bylaw and no minimum site area or yard requirements shall apply.

4.8.2 Where a pipeline, other utility or transportation facility, crosses a municipal road Council may apply special design standards as considered necessary to protect the municipal interest in the road, including but not limited to requiring the pipeline to be punched under the road.

4.9 Waste Disposal Facilities

4.9.1 Development of a new solid or liquid waste disposal facility or expansion of an existing facility will be subject to the following, as specified by Council upon issuing a permit:

- a) a buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area;
- b) a lagoon or sanitary landfill disposal area shall be located outside the 1:500 flood hazard area;
- c) any solid or liquid waste disposal facility shall be fenced to provincial standards;
- d) no development or use of land which requires sewage disposal or landfill facilities shall be permitted unless those facilities are approved by the Regional Health Authority and/or Saskatchewan Environment. Disposal of liquid, solid or gaseous waste shall be governed by provincial legislation.

4.9.2 Criteria for approving a lagoon or sanitary landfill disposal area:

- a) A municipal or regional landfill or lagoon project must undergo a provincial environmental impact assessment and a public hearing process to determine if the proposal is considered suitable for the area.
- b) Any necessary mitigation measures will be specified as conditions of the permit approval.
- c) Private landfills and lagoons will be considered, provided they meet provincial requirements, and are located so they will not interfere with existing or future residential, recreational, or tourism development.
- d) Sanitary landfills and lagoons shall not be located on hazard lands as defined by this bylaw.

4.10 Home Based Businesses

4.10.1 A home based business shall be a secondary use on the property.

4.10.2 The agricultural use or residential use shall be established on the property prior to the establishment of the home based business.

4.10.3 A home based business shall cause no variation in the residential or agricultural character or the appearance of the residence, accessory residential building, or land, except for permitted signs.

4.10.4 All permits issued for home based businesses shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met. Where a permit is revoked the use shall cease immediately.

4.11 Kennel

- 4.11.1 A kennel shall not be located within or adjacent to a multi-parcel residential subdivision or closer than 304.8 metres (1,000.0 feet) from the boundary of a multi-parcel residential subdivision. Exceptions may be made when a highway, arterial road or secondary road bisects the 304.8 metres (1,000.0 feet) separation distance.
- 4.11.2 All facilities shall meet provincial regulations, when necessary.
- 4.11.3 No facility or exterior exercise area used to accommodate the animals shall be located within 25.0 metres (82.0 feet) of any property line of the parcel on which the facility is to be sited.
- 4.11.4 All exterior exercise areas (runs) shall be enclosed with a fence with a minimum height of 1.8 metres (6.0 feet).
- 4.11.5 All facilities, including buildings and exterior exercise areas, shall be required to be sited behind the residence.
- 4.11.6 All facilities shall be visually screened from existing dwellings on adjoining parcels.

4.12 Bed-and-Breakfast and Vacation Farm Operations

- 4.12.1 A bed-and-breakfast or vacation farm operation shall be a secondary use on the property.
- 4.12.2 The agricultural use or residential use shall be established on the property prior to the establishment of the operation.
- 4.12.3 The operation may include rooms, cabins, and overnight camping areas.
- 4.12.4 The maximum number of rooms, cabins or overnight camping areas permitted will be specified as a condition of the development permit.
- 4.12.5 On-site signs will be permitted in accordance with Section 4.6.
- 4.12.6 All operations shall be licensed pursuant to *The Public Health Act*, where tourist accommodations require health approval and obtaining this license will be a condition of approval.
- 4.12.7 Bed-and-breakfast operations shall be located in a residence used as the operator's principal residence, or located in a dwelling accessory to and established on the same site as the operator's principal residence.

4.13 Camping Facilities

- 4.13.1 The operator of a camping facility shall provide the Development Officer with a plan of the development, identifying:
- a) any buildings;
 - b) uses of land;
 - c) changes to the land, grading/drainage, stormwater management;

- d) location of garbage collection;
 - e) location of washroom facilities and utilities;
 - f) emergency evacuation plan;
 - g) location of all roadways; and
 - h) campsites with dimensions.
- 4.13.2 The addition or rearrangement of campsites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a new development permit, and the operator shall submit, for approval, an amended plan incorporating the changes.
- 4.13.3 There shall be a buffer area abutting the boundary of not less than 4.5 metres (14.76 feet), which shall contain no buildings and shall be left in its natural state.
- 4.13.4 No portion of any campsite shall be located within a roadway or required buffer area.
- 4.13.5 Each campsite shall have direct and convenient access to the internal developed roadway.
- 4.13.6 The space provided for roadways within a campground shall be at least 7.5 metres (24.61 feet) in width.
- 4.13.7 The development may include uses such as laundry facilities or a confectionery designed to meet the needs of the occupants of the campsites, and one residence for the accommodation of the operator.
- 4.13.8 All provincial regulations, including *The Public Health Act*, shall be complied with in respect to all operations and development of the camping facility.

4.14 Dwelling Groups

- 4.14.1 Access to sites shall be from a road internal to the dwelling group parcel.
- 4.14.2 No dwelling shall be closer than 6 metres (19.68 feet) to any other dwelling.
- 4.14.3 All buildings on a dwelling group parcel shall maintain the required yards to the property lines of the parcel provided for the District and the required set back to the centre line of a road.

4.15 Access

- 4.15.1 Every development shall have physical and legal access to a public highway or municipal road that is developed to a standard that, in the opinion of Council, is suitable for the proposed development.
- 4.15.2 For the purposes of this Bylaw "developed road" shall mean an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council.
- 4.15.3 Approaches and road crossings require approval from Council; however, the approval is not issued through the development permit process.

4.16 Fences

- 4.16.1 No fence (including snow fences) may obstruct the view or site lines from public roads or accesses.
- 4.16.2 All barbed wire fences shall be erected on private land and setback from the property line at a distance that ensures there is room to fix the fence from private land.

4.17 Grading and Leveling of Sites

- 4.17.1 To provide adequate surface drainage that does not negatively impact adjacent properties, grading and leveling of sites is required at the owner’s and/or developer’s expense.

4.18 Storage of Chemicals, Fertilizers and Combustible Materials

- 4.18.1 The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary approvals from other regulatory agencies must be obtained prior to issuance of a development permit.

4.19 Manure Application

The minimum separation distance between occupied residences, other than the residence of the applicator, and the location where manure is to be spread is listed within Table 4.19.

Table 4.19 - Location Separation Criteria for Manure Spreading to Dwellings (in metres)

Method of Manure Application			
Distance between manure application and the nearest residence	Injected	Incorporated within 24 hours	No incorporation
Communities of 1-1000 people	200	400	800
Communities of 1001-5000 people	400	800	1200
Communities of >5001 people	400	800	1600

4.20 Intensive Livestock Operations (ILOs)

- 4.20.1 Applications for ILO’s are received by Saskatchewan Agriculture. As part of the review process, a referral will be sent to the RM as well as to Community Planning. Community Planning will review the application for compliance with the municipal bylaws. The RM will also have a chance to respond to the application.
- 4.20.2 The RM will also require the developer to apply for a municipal development permit.
- 4.20.3 In order to manage the development of ILO’s and surrounding land use interests, Council will consider applications for development of an ILO, including any rendering facility or abattoir.
- 4.20.4 Location Separation Criteria

- a) In order to ensure ILO development occurs in acceptable locations, new ILO development proposed subsequent to the date of the adoption of this Bylaw or a proposed expansion of an existing ILO (existing at the date of adoption of this Bylaw) Council will consider an approval in conjunction with the location separation criteria in this Section and in Table 4.20.

Table 4.20 - Minimum Separation Criteria for ILO to Specific Uses (in metres)

Specific Use	Animal Units				
	100-299	300-499	500-2000	2000-5000	>5000
Residence, tourist accommodation, or campground	300	400	800	1200	1600
Area authorized for a multi-parcel residential subdivision, hamlet, urban municipality <100 population	400	800	1200	1600	2000
Urban municipality 100-500 population	800	1200	1600)	2400)	2400
Urban municipality 501-5000	1200	1600	2400	3200	3200
Urban municipality >5000	1600	2400	3200	3200	3200

Distances are measured between livestock facilities and building development
Distances do not apply to residences associated with the operation.

4.20.5 Location Separation Criteria Reduction

- a) Council, at its discretion, may consider lesser separation distances than given in Table 4.20 subject to the following:
- 1) Where a lesser separation distance than described, in Table 4.20 will not negatively impact the specific use or surrounding development, Council may grant a reduction of the location separation criteria. Prior to granting a reduction, Council will consult with appropriate agencies.
 - 2) The developer shall provide written notice, approved by Council, to the owners of all residences within the distance provided in Table 4.20, and to the hamlet board of an organized hamlet or Council of urban municipality within the specified distance.
 - 3) Where the separation distance is significantly, in Council’s opinion, less than the criteria of Table 4.20, Council will require the developer of a proposed ILO to enter into an agreement with the owner of a residence and/or the Municipality consenting to the proposed development up to a specified size, as a condition of the approval. Council will require that an interest protecting the parties to the agreement, be registered against the residence and the ILO parcel titles at the cost of the developer.

4.20.6 Public Consultation

- a) Council will advertise any proposal for an intensive livestock operation, as defined by this Bylaw, in the local newspaper and will provide an opportunity for public comment for a minimum of twenty one (21) days prior to making a decision. All costs associated with advertising will be the responsibility of the developer.
- b) Council will encourage developers to hold a separate public open house prior to development permit consideration to provide information to affected landowners.
- c) If the developer does not hold a public open house, Council will hold a separate public meeting prior to development permit consideration to ensure community interests are considered before a decision is made by the Council, at the cost of the developer.
- d) Council will make a decision on a proposed livestock operation within forty five (45) days of receiving all information necessary to make a decision. If an extension is required, Council will notify the developer in writing, including reasons for the extension, and the length of the extension.

4.20.7 Water Supply and Protection

- a) There shall be a water supply adequate for the proposed development and the development shall not contaminate any water supply source. Council may:
 - 1) require the applicant to demonstrate that appropriate measures will be in place to minimize the risk of contamination of water sources; and
 - 2) require the applicant to demonstrate an adequate water supply is available for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation.

4.20.8 Additional Information

- a) Council may require the applicant to obtain recommendations from appropriate agencies and address issues regarding water supply, quality and quantity considerations and manure management plans to evaluate the suitability of the site.
- b) *The Agricultural Operations Act* and other provincial legislation may apply to the development of an ILO. When considering the operational or environmental aspects of a proposed project that does not trigger a provincial review, Council may wish to refer a development permit application to the appropriate agencies for advice and recommendations.

4.20.9 Application of manure will be carried out in accordance with Section 4.19.

4.20.10 Permit conditions

- a) As a condition of approval, Council shall specify the maximum number of animal units for which the approval is made to reduce the potential for land use conflicts with neighbouring uses.

- b) Council may impose development standards which specify the location of holding areas, buildings or manure storage facilities on the site, the locations may vary from the separation criteria in Table 4.20.

4.20.11 Existing Livestock Operations

- a) ILOs existing at the time of the adoption of this Bylaw may continue, however if there is any expansion of the operation or change of animal species or type of operation the developer will be required to obtain approval from Council in accordance with the requirements and conditions of this Bylaw.

4.20.12 Development permits are required for any proposed:

- a) New ILO;
- b) Expansion of an existing ILO;
- c) Any temporary facility or part of a site;
- d) Change of animal species or type of operation.

4.21 Sand and Gravel Extraction

4.21.1 All gravel operations shall meet provincial requirements and guidelines as well as municipal requirements.

4.21.2 Land use incompatibility, nuisance and pollution shall be minimized by considering appropriate routes, buffers, screening, etc.

4.21.3 All operations shall have efficient servicing, haul routes and have a high consideration for public safety.

4.21.4 Council will specify development conditions in conjunction with recommendations from provincial agencies and reports from qualified person regarding site development, services, modifications to application and location of operation.

4.21.5 Council will specify conditions regarding cost recovery and cost-sharing of municipal road construction and maintenance expenses due to increased haulage by trucks carrying mineral resources.

4.21.6 Minimum excavation setbacks are as follows:

- a) 805 metres (0.5 miles) from any dwelling;
- b) 15 metres (50 feet) from the limit of a developed road allowance;
- c) 805 metres (0.5 miles) from any recreational or heritage lands which should not be disturbed;
- d) 30 metres (100 feet) from any hazard lands.

4.21.7 All gravel operations shall have direct access to a developed road.

4.21.8 Applicants will be required to provide:

- a) a plan showing the location of the proposed area of operation, site boundaries, the depth of excavation and the quantity of topsoil to be removed;
- b) a description of the excavation, stripping or grading operation, which includes a decommissioning plan;
- c) a detailed timing and phasing of the project including the length of the proposed operation;
- d) a plan showing the final site conditions and post-development land use plan following the completion of the operation;
- e) a description of the measures to be taken for the prevention or mitigation of dust, noise, public safety, erosion and other effects to surrounding land uses and the public, during and after the operation;
- f) information that identifies the projected volumes of truck traffic on roads, the proposed road impacts (e.g. road deterioration), and the proposed measures to minimize negative (e.g. noise, dust, excessive speed) impacts on other road users and the public.

4.22 Mineral Resource Extraction Exploration and Development

4.22.1 Any proposed oil and gas development must have suitable access to a municipal road, unless the development is tied to the particular location by a natural resource.

4.22.2 The use shall not negatively change the character of the immediate area or use and enjoyment of adjacent lands for their existing use.

4.22.3 There shall be adequate separation from any existing residential use.

4.22.4 Land use incompatibility, nuisance pollution including odour and dust shall be minimized by considering appropriate routes, buffers, screening, etc.

4.22.5 Signage, fencing, lighting restrictions or other safety measures may be required at the developer's expense.

4.22.6 The developer is required to submit to the RM a copy of the proposed reclamation or rehabilitation plan.

5 Zoning Districts

5.1 Districts

- 5.1.1 For the purpose of applying this Bylaw, the Municipality is divided into Zoning Districts.
- 5.1.2 All parts of the Municipality shall be designated as A - Agricultural District except those areas specifically designated on the detailed Zoning District Maps as another District, attached to and forming part of this bylaw.

5.2 Boundaries

- 5.2.1 The boundaries of all Zoning Districts are shown on the map entitled, "Zoning District Map" which is attached to, and forms a part of this Bylaw. Unless otherwise shown on the Map, the boundaries of the Districts are site lines, centre lines of streets, lanes, roads or such lines extended, and the boundaries of the Municipality.

5.3 Regulations

- 5.3.1 Regulations for the Zoning Districts are outlined in the following sections:
- a) Agricultural District (A)
 - b) Hamlet District (H)
 - c) Country Residential District (CR)
 - d) Commercial District (C)

6 Agricultural District (A)

The objective of this district is to provide for the primary use of land in the form of agricultural development and associated agricultural uses. Other uses compatible with agricultural development are also provided for as well as location dependent natural resource development. Fragmentation of agricultural land in this district generally will be avoided.

6.1 Permitted Uses That Require Development Permit Approval

6.1.1 Residential Uses

- a) Residence: maximum of two (2) residences on a parcel of 16.18 hectares (40 acres) or more
- b) Accessory buildings related to a residence (including but not limited to detached garages, etc.):

6.1.2 Resource Based Uses

- a) Petroleum exploration, extraction wells, processing and related facilities
- b) Petroleum pipelines and related facilities
- c) Mineral mines or extraction facilities
- d) Accessory uses or buildings related to resource based uses

6.1.3 Airstrip

6.2 Discretionary Uses

The following uses will be permitted at Council's discretion:

6.2.1 Agricultural Uses

- a) New or expanding Intensive Livestock Operation (ILO)
- b) Intensive agricultural operations
- c) Agricultural equipment, fuel and chemical supply establishment
- d) Commercial agricultural operation
- e) Agricultural product processing
- f) Agricultural equipment, fuel and chemical supply establishment
- g) Commercial orchards, vegetable, horticultural or fruit garden accessory to a residence
- h) Private airstrip

6.2.2 Residential Uses

- a) Bed-and-Breakfast
- b) Vacation Farm

6.2.3 Accessory Uses and Buildings Related To:

- a) An established Intensive Livestock Operation
- b) An established Intensive Agricultural Operation
- c) Home Based Business
- d) Kennel
- e) Solid and liquid waste disposal facilities
- f) Honey extraction facilities

6.2.4 Commercial Uses

- a) Salvage and storage yards
- b) Recreational commercial uses (sports arenas, golf courses, tourist campgrounds, or similar type uses)
- c) Commercial uses related to the mineral and resource sector

6.2.5 Community Uses

- a) Places of worship, cemeteries, and non-residential schools
- b) Radio, television and microwave towers
- c) Public parks and public recreational facilities
- d) Historical sites, archaeological sites, wildlife and conservation management areas
- e) Institutional camps

6.2.6 Work Camps

6.2.7 Sand, Gravel and Crushing Operations including accessory uses and buildings

6.3 Regulations

6.3.1 Subdivision

- a) Two (2) subdivisions will be allowed per quarter section for the purposes of agriculture, residential or commercial uses permitted in this district or for the separation of land for public utility uses.
- b) Additional sites may be considered where the site to be added is physically separated from the remainder of the parcel by a registered road plan or by a railway on registered right of way, and the separated site has direct access to a developed road.
- c) The subdivision of any land within the Agricultural District is subject to the policies contained in the Official Community Plan.
- d) A site 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.

6.3.2 Frontage

- a) Minimum site frontage shall be 20 metres (787.40 feet) for all parcels.
- b) Exemptions from minimum frontage may be considered by Council for resource based uses, community uses or public utility uses.

6.3.3 Site Size

- a) Minimum site size shall be 2.02 hectares (5 acres).
- b) The maximum site size of any subdivided site in this district shall be 8 hectares (20 acres).
- c) Exemptions from site size requirements may be considered by Council where it:
 - 1) Is for resource based uses, public utilities and community uses;
 - 2) Is requested by the landowner to include additional land required for water supply or waste disposal systems which exist on or are proposed for the site;
 - 3) Is requested by the landowner for the purpose of farmland consolidation, estate planning settlement, farm debt restructuring or as a result of a permitted or discretionary subdivision or due to topographical or physical limitations or where legitimate discretionary agricultural activities require a larger amount;
 - 4) Is requested by the landowner to include or facilitate any existing or proposed landscaping, buildings, structures or natural features on the proposed site.

6.3.4 Access

- a) All development requiring a development will require access to a developed road.

- b) For the purposes of Bylaw "developed road" shall mean an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council.
- c) 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 registered developed road, including any road to be developed under a signed servicing agreement.

6.3.5 Setback Requirements

- a) The minimum setback of buildings, including a residence, from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 metres (150 feet).
- b) The minimum setback of buildings, including a residence, from the intersection of the center lines of two or more municipal road right-of-ways shall be 92 metres (300 feet).
- c) Trees, shrubs, stone piles, portable structures, machinery, corrals, board and post wire fences or other objects, such as wells, dugouts, or reservoirs on private property shall also adhere to the regulations in 6.3.5 a) and b).
- d) No building shall be located closer than 3 metres (10 feet) to any other property line.
- e) No residence shall be located with less than a minimum separation distance to an operation, other than the residence of the operation, as follows:
 - 1) The separation distance to an ILO as regulated in Section 4.20;
 - 2) 457 metres (1499.34 feet) from a licensed public or private liquid waste disposal facility;
 - 3) 457 metres (1499.34 feet) from a licensed public or private solid waste disposal facility;
 - 4) 305 metres (1000.66 feet) from a honey processing facility;
 - 5) 305 metres (1000.66 feet) to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan;
 - 6) 600 metres (1968.50 feet) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan;
 - 7) No dwelling or other building shall be located within the approach surface for any functional airport or airstrip.

6.4 Criteria for Discretionary Use Applications

Council shall use the following criteria in making a decision on a discretionary use development permit application.

- 6.4.1 A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- 6.4.2 The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.
- 6.4.3 The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- 6.4.4 Home Based Businesses
 - a) No heavy construction or industrial equipment or supplies shall be on any site for a home based business in this District.
 - b) Any increase in the operation as applied for or approved shall require a new discretionary use approval.
- 6.4.5 Bed-and-Breakfast and Vacation Farm Operation
 - a) The proposed structures are suitable and comfortable for the proposed development.
 - b) There shall be a water source suitable for public consumption at the facility.
 - c) There shall be suitable utilities and sewage disposal system for the facility.
 - d) There shall be appropriate levels of access to the site and off-street or road parking for the users of the facility.
 - e) The development shall not be in conflict with adjacent uses or uses currently on site.
- 6.4.6 Campgrounds
 - a) Each site shall have access from an interior roadway.
 - b) A water source for public consumption shall be available on site.
 - c) Suitable utilities, sewage disposal systems and facilities shall be available on site.
 - d) The development shall not conflict with adjacent uses or uses currently on site.
 - e) An emergency services plan shall been discussed and agreed to by the service providers and the applicant.
- 6.4.7 Other requirements of this bylaw, specific to the proposed use, are met.

a) Work Camps

- 1) Development permit applications for work camps shall contain the following information, to the satisfaction of Council:
 - The location, type and purpose of the camp which shall include a site plan specifying the number of buildings and their location;
 - Method of supplying water, sewage and waste disposal facilities, which must comply with provincial regulations;
 - The number of persons proposed to live in the camp;
 - The start date of construction, the date of occupancy and the removal date;
 - Reclamation measures once the camp is no longer needed.
- 2) The developer is to maintain any existing natural buffers (trees, natural topography, etc.), where possible.
- 3) The work camp shall be contained within the commercial use or resource based use site.
- 4) The developer shall provide Council with information regarding the necessity of the work camp in attracting and attaining skilled workers for the operation of the commercial use.
- 5) The site shall be adjacent to an all-weather road to provide year round access to the site.

b) Commercial Uses, including Commercial Agricultural Developments:

- 1) Any unsightly outdoor storage of machinery, vehicles, or materials including any salvage or vehicle storage yard shall be adequately screened from the public's view.
- 2) A road of a standard that meets the demands of the operation shall provide access to the site. If required, the operator will enter into a heavy haul agreement with the RM.
- 3) In the application for an intensive operation, the applicant shall identify the proposed supply of water for the operation where intensive irrigation is required, showing that the supply shall be sufficient to meet the needs of that operation without adverse effects on the supply of water used by neighbouring properties.
- 4) Services required for the use shall be constructed and installed by the developer.
- 5) The use shall be consistent with the neighbouring land uses; council may require mitigation measures to be put on the conditional permit to alleviate land use conflict.

7 Hamlet District (H)

The objective of this district is to provide for urban density development of residential and associate commercial or industrial development which do not directly support agriculture. Prior to the issuance of a permit, sites may be required to be consolidated or acquire a parcel tie to comply with the regulations. Only the Hamlet of Parry will be zoned as Hamlet District. The Hamlet of Dummer will fall within the Agricultural Resource District (AR).

7.1 Permitted Uses (that require development permit approval)

- 7.1.1 Residence including duplex, multiple or apartment dwellings, rooming and or boarding houses;
- 7.1.2 Accessory uses and buildings greater than 10 square metres (107 square feet);
- 7.1.3 Commercial uses such as: retail stores, grocery stores, restaurants, confectionaries, liquor stores and other places established for the sale and or consumption of food and related items.

7.2 Discretionary Uses

7.2.1 Commercial uses such as:

- a) Hotels/motels
- b) Service stations
- c) Financial institutions
- d) Business/professional offices
- e) Personal service shops
- f) Other similar uses

7.2.2 Institutional uses such as:

- a) Churches
- b) Religious institutions
- c) Cemeteries
- d) Lodges
- e) Cultural institutions
- f) Fraternal organizations

7.2.3 Recreational uses such as

- a) Sports fields
- b) Parks and playgrounds
- c) Golf courses
- d) Hockey and curling rinks
- e) Museums
- f) Theatres
- g) Community halls
- h) Libraries

7.2.4 Industrial uses:

- i) Agricultural equipment, motor vehicle, or recreational equipment dealers and service establishments
- j) Agricultural seed, fuel, and chemical supply establishments
- k) Agricultural product storage, transshipment, service and contracting establishments, excluding facilities for the handling of large animals
- l) Construction trades
- m) Manufacturing or processing establishments
- n) Welding, machine shops, and metal fabricating
- o) Grain elevators

7.2.5 Residential Uses:

- a) Bed-and-breakfast operation
- b) Home based businesses

7.2.6 Care facilities:

- a) Medical Centres
- b) Care Homes
- c) Child Care Centers (subject to Provincial Regulations)

7.3 Regulations

7.3.1 Frontage

- a) Minimum site frontage shall be 15 metres (50 feet) for all parcels.
- b) Exemptions from minimum frontage may be considered by Council for public utility uses and municipal facilities.

7.3.2 Site Size

- a) Minimum site size shall be 462 square metres (5000 square feet).
- b) Maximum site size shall be 4046 square metres (43560 square feet).
- c) Exemptions from area requirements may be considered by Council for public utility uses and municipal facilities.

7.3.3 Access

- a) A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
- b) All lots within a subdivision shall be provided access from an internal subdivision road. The number of accesses from the municipal road and provincial highway will be limited to provide for the safety of the travelling public.

7.3.4 Setback Requirements

a) Front Yard

- 1) The minimum setback of buildings, including a residence, from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 metres (150 feet).
- 2) The minimum setback of buildings, including a residence, from the intersection of the center lines of two or more municipal road right-of-ways shall be 92 metres (300 feet).
- 3) The minimum setback for all buildings from the property line shall be 3 metres (10 feet).

a) Side Yard

- 1) The minimum setback for all buildings on private property from any side yard shall be a 1.5 metres (5 feet).
- 2) No portion of any building, including eaves, shall be located within 0.9 metre (3 feet) of any site line.

b) Rear Yard

1) The minimum setback for all buildings on private property from any rear yard shall be a 1.5 metres (5 feet).

c) Floor Area

1) The minimum floor area for dwellings/residences shall be 46.2 square metres (500 square feet).

d) Signs

1) Signs for commercial uses within the Hamlet District (H) shall adhere to Section 4.6 of this Bylaw.

2) All other uses in the Hamlet District (H) shall be permitted to have one (1) sign per titled lot. No such sign shall have a facial area in excess of 1 square meter (10.76 square feet).

7.4 Criteria for Discretionary Use Applications

7.4.1 A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.

7.4.2 The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.

7.4.3 No new or expanded discretionary uses shall be located in the 1:500 flood elevations as per the provincial regulations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.

7.4.4 The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.

7.4.5 Council will apply the criteria of the Official Community Plan when considering locations for commercial and industrial uses.

7.4.6 Home Based Businesses

a) Council may apply special standards in the issuing a development permit limiting the size of operation and buildings used for the operation.

b) Any increase in the operation as applied for or approved shall require a new discretionary approval.

7.4.7 Bed-and-Breakfast Operation

a) The proposed structures are suitable and comfortable for the proposed development

b) There is a water source suitable for public consumption at the facility

c) There are suitable utilities and sewage disposal system for the facility

d) There are appropriate levels of access to the site and off-street or road parking for the users of the facility

- e) The development will not be in conflict with adjacent uses or uses currently on site
 - f) The development shall meet all provincial regulations and legislations
- 7.4.8 Other requirements of this bylaw specific to the proposed use are met.

8 Country Residential Districts (CR)

The objective of this district is to provide for the subdivision and development of residential development. It will be used to accommodate residential development where there are more sites proposed than are allowed in the Agricultural District. The Country Residential District will be used for residential purposes with limited agricultural uses allowed on the sites.

8.1 Permitted Uses (that require development permit approval)

8.1.1 Residence

8.1.2 Dwelling Groups

8.1.3 Residential Accessory Buildings and Uses

- a) Private garages
- b) Private garden sheds
- c) Private greenhouses
- d) Accessory uses and buildings related to an approved discretionary use

8.1.4 Recreational Uses

- a) Public sports fields and parks
- b) Other public or non-profit recreational facilities

8.2 Discretionary Uses

The following uses will be permitted at Council's discretion:

8.2.1 Solid and liquid waste disposal facilities;

8.2.2 Bed-and-breakfast operations;

8.2.3 Home based businesses;

8.2.4 Keeping of animals on the same site as an established residence;

8.2.5 Commercial orchards, vegetable, horticultural or fruit gardens accessory to residence.

8.3 Regulations

8.3.1 Subdivision

- a) The subdivision of any land that does not meet the subdivision requirements within the Agricultural District will be required to be rezoned to this district and are subject to the policies contained in the Official Community Plan for Residential Lands.

- b) All residential subdivisions shall be located adjacent to an all-weather developed road.
- c) All residential subdivisions shall be serviced to meet municipal standards.
- d) A buffer strip may be required in all residential subdivisions to separate residential uses and existing agricultural development.
- e) A maximum of six titled sites per quarter section are allowed including remnant (7 titled lots per quarter section). Council may consider an additional site if part of the quarter section has been cut off due to physical circumstances, such as, topographical restraints, railway or road right of ways or other similar features.

8.3.2 Frontage

- a) Minimum site frontage shall be 20 metres (65.61 feet) for all parcels.
- b) Exemptions from minimum frontage may be considered by Council for public utility uses and municipal facilities.

8.3.3 Site Size

- a) Minimum site size shall be 2 hectares (5 acres).
- b) Maximum site size shall be 8 hectares (20 acres).
- c) 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 Council will consider a lesser minimum than 2 acres and greater maximum up to 40 acres. Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers.

8.3.4 Access

- a) All development requires access to a developed road.
- b) For the purposes of Bylaw "developed road" shall mean an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council.
- c) A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
- d) All lots within a subdivision may be required to have access from an internal subdivision road. The number of accesses from the municipal road will be limited to provide for the safety of the travelling public.

8.3.5 Setback Requirements

a) Front Yard

- 1) No buildings, trees, shrubs, stone, earth or gravel piles, portable structures, corrals, board and page wire fences, machinery or other similar objects shall be within 90 metres (300 feet) from the intersection of two or more roads or within 46 metres (150feet) from the centerline of a provincial highway, grid road, main farm access road, or road allowance which is used as access to the lands.
- 2) The minimum setback for buildings or other objects on private property from the internal subdivision road shall be 7.6 metres (25 feet).
- 3) No outside storage shall be permitted in the front yard.

b) Side and Rear Yard

- 1) The minimum setback for buildings or other objects on private property from any side or rear yard shall be a 3 metres (10 feet).
- 2) Outside storage located in a side or rear yard shall be screen by landscaping or vegetation so as not to be visible from a road.

c) No residence shall be located with less than a minimum separation distance to an operation, other than the residence of the operation, as follows:

- 1) The separation distance to an ILO as regulated in Section 4.20;
- 2) 457 metres (150 feet) from a licensed public or private liquid waste disposal facility;
- 3) 457 metres (150 feet) from a licensed public or private solid waste disposal facility;
- 4) 305 metres (1000.66 feet) from a honey processing facility;
- 5) 305 metres (1000.66 feet) to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan;
- 6) 600 metres (1968.50 feet) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan;
- 7) No dwelling or other building shall be located within the approach surface for any functional airport or airstrip.

8.4 Criteria for Discretionary Use Applications

- 8.4.1 A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.

8.4.2 The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.

8.4.3 No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.

8.4.4 The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.

8.4.5 Home Based Businesses

- a) No home based business in this District shall include auto body repair or repainting operations.
- b) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this District.
- c) Council may apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation.
- d) Any increase in the operation as applied for or approved shall require a new discretionary use approval.

8.4.6 Bed-and-Breakfast Operation

- a) The proposed structures are suitable and comfortable for the proposed development.
- b) There shall be a water source suitable for public consumption at the facility.
- c) There shall be suitable utilities and sewage disposal system for the facility.
- d) There shall be appropriate levels of access to the site and off-street or road parking for the users of the facility.
- e) The development shall not be in conflict with adjacent uses or uses currently on site.

8.4.7 Keeping of Animals

- a) The keeping of animals shall be permitted in accordance with the following schedule:

Parcel Size	Maximum Number of Animal Units Permitted
2 hectares (5 acres)	One Animal Unit
1.6 hectares (4 acres) or more	Two Animal Units

- b) Animals shall not be pastured within 15 metres (49.21 feet) of any dwelling not owned by the operator of the pasture or owner of the animals and buildings or structures intended to contain birds or animals shall be located within 30 metres (100 feet) of a dwelling or property line.
- c) The use of vacant residential sites for the pasturing of animals is prohibited.

- 8.4.8 Solid and liquid waste disposal facilities will only be permitted in the Country Residential District if there are no suitable sites within the Agricultural District.
- 8.4.9 Other requirements of this bylaw specific to the proposed use are met.

9 Commercial District

The objective of this district is to provide for commercial and industrial development uses within the RM.

9.1 Permitted Uses (that require development permit approval)

- 9.1.1 Agricultural services, contracting and supply establishments
- 9.1.2 Commercial nurseries or greenhouses, including retail
- 9.1.3 Services stations with or without confectionary
- 9.1.4 Motor vehicle dealers and service establishments
- 9.1.5 Motels and hotels
- 9.1.6 Restaurants
- 9.1.7 Retail stores
- 9.1.8 Public utilities
- 9.1.9 Accessory buildings to the above permitted uses

9.2 Discretionary Uses

- 9.2.1 Abattoirs, skinning and tanning facilities
- 9.2.2 Manufacturing
- 9.2.3 Fabricating
- 9.2.4 Agricultural product processing
- 9.2.5 Auction mart
- 9.2.6 Outside storage of materials visible from a highway
- 9.2.7 Storage unit facilities, structures and containers
- 9.2.8 Commercial trucking establishments
- 9.2.9 Accessory buildings to the above discretionary uses
- 9.2.10 Auto wreckers

9.3 Regulations

- 9.3.1 Subdivision

a) All subdivisions shall be serviced to meet municipal standards and provincial standards.

9.3.2 Frontage

- a) Minimum site frontage shall be 30.48 metres (100 feet) for all parcels.
- b) Exemptions from minimum frontage may be considered by Council for public utility uses and municipal facilities.

9.3.3 Site Size

- a) Minimum site size shall be 1393 square metres (15,000 square feet).
- b) Maximum site size shall be at the discretion of Council.
- c) Exemptions from minimum site size requirements may be considered by Council for public utility uses and municipal facilities.

9.3.4 Access

- a) All commercial uses must demonstrate adequate access and egress to the provincial or municipal road system.
- b) Access may be required to be provided by a service road that meets provincial and municipal standards.
- c) A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
- d) All lots within a subdivision may be required to be provided access from an internal subdivision road. The number of accesses from the municipal road and provincial highway will be limited to provide for the safety of the travelling public.

9.3.5 Setback Requirements

- a) Front Yard
 - 1) The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects on private property from the centreline of a provincial highway and will be in accordance with the requirements of the Ministry of Highways and Infrastructure.
 - 2) The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects on private property from the centreline of a municipal road allowance, municipal grid road, and main farm access road shall be 45 metres (150 feet).
 - 3) No buildings, trees, shrubs, stone, earth or gravel piles, portable structures, corrals, board and page wire fences, machinery or other similar objects shall be within 90 metres (300 feet) from the intersection of two or more roads.

- 4) The minimum setback for buildings on private property from the internal subdivision road shall be 7.6 metres (25 feet).
- b) Side Yard
 - 1) The minimum setback for buildings on private property from any side yard shall be a 1.5 metres (5 feet).
- c) Rear Yard
 - 1) The minimum setback for residences and commercial buildings on private property from any rear yard shall be a 1.5 metres (5 feet).

9.4 Criteria for Discretionary Use Applications

9.4.1 All Discretionary Commercial Uses

- a) A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- b) The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access and to all provincial requirements.
- c) No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
- d) The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- e) Year round access to the site shall be available.
- f) All commercial uses shall be separated from a residence not occupied by the operator of the use, by a distance of at least 300 metres (984.25 feet) unless the applicant can establish to the satisfaction of Council that the use will not emit noxious odours, smoke, dust and noise limiting the enjoyment or use of the residence.

9.4.2 Outside Storage

- a) Uses that include or may include storage may require screening from roads or neighbouring properties by landscape features or fences or a combination of both.
- b) Council may apply special standards as conditions of approval regarding screening, location of storage, location of vehicles on display, machinery and parts to avoid an unsightly premise.
- c) The proximity and location of residential and tourist facilities shall be considered in making a discretionary use decision that involves outside storage of materials.
- d) The storage of vehicles shall be subject to Section 4.7 of this Zoning Bylaw.