

ZONING BYLAW

Rural Municipality of Barrier Valley No. 397



Zoning Bylaw of the RM of BARRIER VALLEY No. 397

Rural Municipality Of Barrier Valley No. 397

Bylaw No. 4/20

A Bylaw of the Rural Municipality of Barrier Valley No. 397 to adopt a Zoning Bylaw.

The Council of the Rural Municipality of Barrier Valley No. 397, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- 1) Pursuant to Section 46(1) of *The Planning and Development Act, 2007* the Council of the Rural Municipality of Barrier Valley No. 397 hereby adopts the Rural Municipality of Barrier Valley No. 397 Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- 2) The Reeve and Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- 3) Bylaw No. 2/17 known as the Interim Development Control Bylaw is hereby repealed.
- 4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the 8th day of October, 2020.

Read a Second Time the 19th day of November, 2020.

Read a Third Time the 19th day of November, 2020.

Adoption of this Bylaw this 19th day of November, 2020.


REEVE


ADMINISTRATOR

Certified a true copy of Bylaw 3/20

Passed by resolution of Council on

November 19, 2020


ADMINISTRATOR



**Affidavit Confirming Consultation with a
Community Planning Professional**

CANADA
PROVINCE OF SASKATCHEWAN TO
WIT:

I, Robyn Rechenmacher, of Regina in the province of Saskatchewan do solemnly declare as follows:

- 1) I am a Full Member of the Canadian Institute of Planners, in good standing.
- 2) I am licensed under *The Community Planning Profession Act* by the Saskatchewan Professional Planners Institute engage in the practice of professional community planning in the Province of Saskatchewan.
- 3) The attached Official Community Plan and Zoning Bylaw for the RM of Barrier Valley No. 397 was prepared in accordance with subsection 29(3) of *The Planning and Development Act, 2007*.
- 4) I confirm that the Official Community Plan and Zoning Bylaw submitted for approval to the Ministry of Government Relations meets all relevant requirements of *The Planning and Development Act, 2007*, and is consistent with any applicable provincial land use policies or statements of provincial interest.

I make this solemn declaration conscientiously believing it to be true, and knowing that it is the same force and effect as if made under oath.

DECLARED AT

The City of Regina

in the province of Saskatchewan

THIS 30 DAY OF November, 2020



Robyn Rechenmacher, RPP, MCIP



Schedule A

Rural Municipality of Barrier Valley No. 397

Zoning Bylaw

2020



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1 INTRODUCTION

1.1 TITLE

This Bylaw shall be known and may be cited as the “Zoning Bylaw” (ZB) of the Rural Municipality of Barrier Valley No. 397.

1.2 PURPOSE

The purpose of this Bylaw is to regulate development and to control the use of land in the RM in accordance with the Official Community Plan (OCP).

1.3 INTENT

The intent of the ZB is to provide specific regulations pertaining to the use of land in the RM. It is the primary tool to be used by the RM to achieve the objectives and implement the policies of the OCP.

The ZB provides the RM with the ability: to minimize land use conflicts; to establish minimum standards to maintain the amenity of the RM; to ensure development is consistent with the physical limitations of the land; to restrict development that places undue demand on the RM for services; and to provide for development that is consistent with the goals and objectives of the RM.

1.4 SCOPE

This Bylaw applies to all land included within the boundaries of the RM. All development within the limits of the RM shall hereafter conform to the provisions of this Bylaw.

1.5 INTERPRETATION

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

1.6 ERRORS OR OMISSIONS

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

1.7 SEVERABILITY

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

1.8 USING THE ZONING BYLAW

The following steps will help the Development Officer, Council and future applicants navigate how to use this Bylaw in identifying the proper zoning district for a specific piece of land and finding the specific regulations the proposed land use and development.

- 1.8.1 Identify the specific Zoning District of a site by using the Zoning District maps in the appendices.
- 1.8.2 Each Zoning District will have a corresponding chapter in the Zoning Bylaw. Look up the Zoning District to review the identified permitted and discretionary land uses.
- 1.8.3 Each Zoning District will also have development standards described for the District to help guide development within the district.
- 1.8.4 The land use may have specific requirements located within the Zoning District and/or the Sections 3.0 - General Regulations and Sections 4.0 - Land Use Specific Regulations and Development Standards.
- 1.8.5 All proposed development and zoning questions should be discussed with the Development Officer prior to an application being submitted.

2 ADMINISTRATION

2.1 DEVELOPMENT OFFICER

2.1.1 Appointment and Delegation

- (1) Council may, in Council Minutes, appoint any person as the Development Officer. The Development Officer may not be a member of Council.
- (2) Unless Council has appointed another person to be the Development Officer, as provided in subsection (1), the RM Administrator is hereby appointed as the Development Officer.
- (3) The Development Officer may, in writing and with notification to Council, delegate an RM employee to be responsible for all or portions of the authority and duties of the Development Officer.
- (4) The Development Officer may, in writing and with notification to Council, remove delegation provided under subsection (3).

2.1.2 The Development Officer shall:

- (1) Administer and enforce this Bylaw as provided by *The Planning and Development Act, 2007*.
- (2) Maintain a current copy of this Bylaw, zoning maps, and amendments that is available for public inspection during office hours and ensure that copies are available to the public at a reasonable cost.
- (3) In accordance with the provisions and processes set out in this Bylaw, receive, record, and review an application and issue a decision regarding a Development Permit application for a permitted use; and
- (4) Receive, record, review, and forward (with a recommendation) to Council:
 - (a) Development Permit applications for discretionary uses;
 - (b) Requests to amend the Zoning Bylaw (including map rezoning);
 - (c) Subdivision applications;
 - (d) A minor variance application;
 - (e) Development and servicing agreements; and
 - (f) Any application which, in the opinion of the Development Officer, requires Council's interpretation to correctly process.
- (5) Prepare a monthly report summarizing:
 - (a) the applications and decisions recorded in subsection (3);
 - (b) any orders that were sent out; and
 - (c) any other actions that were taken to enforce this Bylaw.
- (6) Notify, in writing, Council, the applicant(s), and declared interested parties of a decision to approve or deny an application.
- (7) Prepare and maintain a register of all Development Permits, subdivision applications, and decisions and make it available for public inspection during office hours.
- (8) Collect development fees according to the fee schedule established by a separate Bylaw.
- (9) Perform other duties as determined by Council and recorded in Council Minutes.

2.2 COUNCIL

- 2.2.1 Council shall make all decisions regarding discretionary uses, amendments, development and servicing agreements and minor variances.
- 2.2.2 Council shall act on discretionary use, rezoning, other amendment, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the OCP and this Bylaw.
- 2.2.3 Council shall make a recommendation regarding all subdivision applications circulated to it by the Ministry of Government Relations, prior to a decision being made by the Minister.

2.3 DEVELOPMENT PERMIT REQUIRED

- 2.3.1 Except for developments outlined in Section 2.4 of this Bylaw:
 - (1) No development as defined in this Bylaw shall be undertaken without having first obtained the necessary development permit.
 - (2) Any expansion of an existing development, increase in intensity of use, or change of use for a permitted or discretionary use shall require a development permit

2.4 DEVELOPMENT PERMIT NOT REQUIRED

- 2.4.1 The following developments shall be exempt from Development Permit requirements, but shall conform to all Bylaw requirements (e.g., building permits, setbacks, environmental and development standards and other applicable regulations in the relevant zoning District or this Bylaw):
 - (1) Accessory Uses: All buildings or structures which are less than or equal to 9.3 square metres (100 square feet) in size or 15 metres (50 feet) tall and which will be accessory to a lawful principal use within the zoning districts established by this Bylaw (exclusive of any wind turbine), provided the proposed building or structure meets the setback requirements of this Bylaw;
 - (2) Accessory Farm Uses: Farm buildings (exclusive of any dwelling or ILO) where accessory to a permitted agricultural use or existing farmstead;
 - (3) The temporary placement of a construction office trailer during the construction or alteration of a primary structure for a term not to exceed that provided by an active approved Development/Building Permit issued for the project if required;
 - (4) The erection of any fence, retaining wall, gate, television antennae, or radio antennae;
 - (5) The use of all or part of a building as a temporary polling station, returning officer's headquarters, candidates' campaign offices and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census;
 - (6) Internal alterations and maintenance to buildings, including mechanical or electrical work, provided that the use or intensity of use of the building does not change or there is no increase in the number of dwelling units within the building or on the site;
 - (7) Landscaped areas, driveways and parking lots, provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted;
 - (8) Signs subject to the provisions of this Bylaw;

- (9) Linear Public Utilities: Any operation to install, inspect, repair, or renew lines for sewers, potable water, cables, wires, tracks, roads, or similar public utility except where the line will cross or lie within the limits of a public road;
- (10) Petroleum or natural gas exploration wells or extraction wells are exempt only where legal and physical access to the proposed well site has been previously approved by RM permit. Related facilities such as storage batteries shall require a Development Permit; and
- (11) Keeping of animal's subject to the regulations in the applicable zoning district.

2.5 PROHIBITED USE

- 2.5.1 A use which is not specified in this Bylaw as a permitted, discretionary, or accessory use and which do not qualify as a legal non-conforming use as defined in *The Planning and Development Act, 2007*, and this Bylaw, shall be treated as a prohibited use. Development shall not be undertaken for a prohibited use.

2.6 APPLICATION FOR A DEVELOPMENT PERMIT

- 2.6.1 Before commencing any principal or accessory use development, unless the proposed development or use is exempt from Development Permit requirements in Section 2.4, every developer shall:
 - (1) Complete and submit a Development Permit application in the form prescribed by the Development Officer; and
 - (2) Receive a Development Permit for the proposed development.
- 2.6.2 A Development Permit shall not be issued for any use in contravention of any the provisions of *The Planning and Development Act, 2007*, the OCP, or this Bylaw.
- 2.6.3 An application for a Development Permit shall be made in the application form as required by the Development Officer together with any other information the Development Officer or Council may need to assess the application, including but not limited to:
 - (1) A description of the intended use or proposed development including any change in building use or land use change;
 - (2) Legal land description;
 - (3) A layout or site plan, which may be required to include:
 - (a) All adjacent roads, highways, service roads and access to the site (label on the site plan);
 - (b) Rights-of-ways and easements (roads, gas, oil, power, drainage easements, etc.);
 - (c) All drainage courses;
 - (d) Location of proposed development;
 - (e) Existing development on the site;
 - (f) Landscaping details (existing trees, removal of trees, proposed plantings, berms, water features, etc.);

- (g) Setbacks from the development to the property line, road, services and other development or features that may impact the development;
 - (h) Top of bank and water;
 - (i) Existing and proposed services;
 - (j) Location of well or cistern;
 - (k) Method and location of sewage disposal;
 - (l) Sign location and details;
 - (m) Parking and loading facilities;
 - (n) Sidewalks, patios, playgrounds;
 - (o) North arrow; and
 - (p) Any additional information deemed necessary by the Development Officer or Council.
- (4) The signature of the applicant and the registered landowner(s);
 - (5) A copy of the certificate of title or other proof of ownership;
 - (6) Estimated commencement and completion dates;
 - (7) Floor plans and elevations of the proposed development (which will be kept at the RM Office for future reference); and
 - (8) Any other information needed to assess the application.
- 2.6.4 Applicants may be required to prepare and provide additional information, as requested by the Development Officer or Council, including:
- (1) Technical reports prepared by qualified professionals, including but not limited to:
 - (a) Environmental impact assessments
 - (b) Wildlife habitat studies
 - (c) Water supply and drinking water assessment
 - (d) Impact of solid waste, including management, storage and disposal
 - (e) Impact of liquid waste, including:
 - (i) The management, storage, and disposal of sewage, manure, and other liquid wastes; and
 - (ii) The spreading of manure
 - (f) Drainage assessments;
 - (g) Traffic assessments;
 - (h) Parking assessment;
 - (i) Heritage resource assessment;
 - (j) Hazardous material and dangerous substance assessment;
 - (k) Slope stability and other hazard risk assessments;
 - (l) Hydrogeological impacts, hydrological impacts; and
 - (m) Flood and natural hazard risk assessment

2.7 REFERRAL OF APPLICATION

- 2.7.1 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.
- 2.7.2 The Development Officer or Council may refer the application to any internal or external departments, professionals or organizations for review or comment prior to making a decision on the application.
- 2.7.3 The Development Officer shall make available, in addition to plumbing permits and plan information, a copy of all approved Development Permit applications involving installation of water and sanitary services, should such information be requested by provincial officials under *The Public Health Act, 1994* and provincial regulations.
- 2.7.4 The Development Officer shall, in conjunction with the Saskatchewan Health Authority, determine the suitability of a parcel proposed for subdivision to accommodate a private sewage treatment system during the subdivision review process. The review process indicates the level of assessment required and upon this determination provides the submittal requirements as well as identifies the qualifications required for the site assessor.
- 2.7.5 All required submissions are the responsibility of the applicant. The final review of a subdivision will not be completed prior to the receipt and evaluation of all required information by the Development Officer or Council, the Saskatchewan Health Authority and any other relevant agency deemed necessary by the RM.

2.8 FEES AND ADVERTISING

- 2.8.1 The fees related to the OCP and Zoning Bylaw shall be set out in a separate Fees Bylaw.
- 2.8.2 All advertising shall be as per the requirements of *The Planning and Development Act, 2007* unless otherwise identified in this Bylaw.

2.9 DEVELOPMENT PERMIT PROCEDURE – PERMITTED USE

- 2.9.1 The following procedures shall apply to permitted use applications:
- (1) Applicants must file with the Development Officer the prescribed application form, a site plan, any other plans and supplementary information as required by the Development Officer or Council and pay the required fees;
 - (2) The Development Officer shall examine the application for conformance with the OCP, this Bylaw, and any other applicable policies and regulations;
 - (3) The Development Officer may refer the application for comment to government agencies, Council, and other interested groups as the Development Officer may consider appropriate for comment;
 - (4) The Development Officer may require the application to be reviewed by suitable professionals (such as planning, engineering, legal, scientific, economic, etc.), with the cost of review to be borne by the applicant;

- (5) Where the Development Officer concludes that the proposed development is a permitted principal or accessory use that conforms with this Bylaw, the OCP, *The Planning and Development Act, 2007*, and other municipal Bylaws, Council hereby directs the Development Officer to issue a development permit.
- 2.9.2 The Development Officer may incorporate specific development standards in a development permit for a permitted use to ensure conformity with this Bylaw. The development standards shall be based on requirements of this Bylaw and the OCP.
- 2.9.3 The Development Officer may propose permit conditions (such as requirements regarding maximum intensity, location, site orientation, separation distances, parking, loading, and manoeuvring, and development standards of structures, buildings, land uses, and activities) in order to:
- (1) Address non-conformity with *The Planning and Development Act, 2007*, the OCP, or this Bylaw;
 - (2) Mitigate potential environmental, ecological, or hazard land concerns;
 - (3) Mitigate a potential nuisance;
 - (4) Protect resources;
 - (5) Mitigate potential tourism or recreation concerns;
 - (6) Mitigate potential health, safety, or educational concerns;
 - (7) Mitigate potential conflicts with existing or proposed properties, development, land use, or zoning; and
 - (8) Mitigate any concerns raised in a professional report, submission, or public meeting.
- 2.9.4 A Development Officer may incorporate specific development standards in a Development Permit for a permitted use to ensure development conformity with this Bylaw. The development standards shall be based on the provisions of the general development standards and other defined requirements of the OCP this Bylaw.
- 2.9.5 The Development Officer may propose permit conditions to require or enhance fences, hedges, other screening devices, buffering, shelterbelts, or other landscaping to mitigate potential nuisances or to address aesthetic, tourism, or other recreation concerns.
- 2.9.6 If the applicant agrees to the proposed permit conditions in writing, they shall be added as permit conditions to the development permit. If the applicant does not agree, the Development Officer may refer the development permit application and the proposed permit conditions to Council.
- 2.9.7 Upon approval of a permitted use, the Development Officer shall issue a development permit, including applicable permit conditions, for the use at the location and under such terms and development standards specific by the OCP and this Bylaw.
- 2.9.8 The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal a decision to the Development Appeals Board on a permitted use application and any terms and conditions attached to an application.

- 2.9.9 All permits shall expire one year from the date of issuance and may be extended by the Development Officer for one or more periods to a maximum of two additional years.
- 2.9.10 Where the Development Officer determines that a development is being carried out in contravention of any condition of the OCP or any provision of this Bylaw, the Development Officer shall suspend or revoke the Development Permit and notify the permit holder that the permit is no longer in force.
- 2.9.11 Where the RM is satisfied that a development will be carried out in conformity with the conditions of the permit and the requirements of this Bylaw, the RM may reinstate a development permit that was previously suspended or revoked and notify the permit holder that the permit is valid and in force.
- 2.9.12 A Building Permit, where required, shall not be issued unless a Development Permit has been issued or is issued concurrently.

2.10 DEVELOPMENT PERMIT PROCEDURE - DISCRETIONARY USE

- 2.10.1 The following procedures shall apply to discretionary use applications:
- (1) Applicants must file with the Development Officer the prescribed application form, a site plan, any other plans and supplementary information as required by the Development Officer or Council and pay the required fees;
 - (2) Upon receiving a complete application form and all required information, the Development Officer shall examine the application for conformance with the OCP, this Bylaw, and any other applicable policies and regulations;
 - (3) Council or the Development Officer may refer the application to government agencies and other interested groups, as Council may consider appropriate, for comment;
 - (4) Council may require the application to be reviewed by suitable professionals (such as planning, engineering, legal, scientific, economic, etc.), with the cost of this review to be borne by the applicant;
 - (5) The Development Officer will give notice by regular mail that the application has been filed to the assessed owner of each abutting property and each assessed owner of property within 75 metres (246 feet) of the boundary of the applicant's land at least seven (7) days before the application is considered by Council;
 - (6) The Development Officer will prepare a report concerning the application which may contain recommendations, including recommendations that conditions of approval be applied in accordance with Section 56(3) of *The Planning and Development Act, 2007*;
 - (7) If deemed necessary, the Development Officer will set a date for the Public Hearing at which time the application will be considered by Council and provide notice to assessed owners of property indicating so within the information packages provided as part of the notification process;
 - (8) Council shall consider the application together with:
 - (a) The goals, policies, and objectives of the OCP;
 - (b) The intent, regulations, and standards of the applicable zone. Discretionary uses shall conform to the development standards and applicable provisions of the zoning district in which they are located;

- (c) The regulations, standards, and considerations outlined for the proposed land use;
 - (d) The considerations outlined for discretionary uses in Section 2.10.2;
 - (e) The Development Officer's report;
 - (f) Any technical or professional report(s) submitted regarding the application; and
 - (g) Any written or verbal submissions Council receives.
- 2.10.2 The following criteria shall be considered by Council in reviewing any development permit application for a new or expanding discretionary use:
- (1) The proposal conforms with all relevant requirements of the OCP and this Bylaw;
 - (2) The land use and activity specific criteria and considerations of each zone are met;
 - (3) An adequate supply of land must be currently available to accommodate the proposed use;
 - (4) The proposal must be capable of being economically serviced including roadways and other utilities and community facilities;
 - (5) The proposal must not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity or injurious to property, improvements, or existing or proposed development in the vicinity;
 - (6) It shall be generally compatible with the existing development and land uses. When determining compatibility, Council shall consider:
 - (a) The nature of the proposed and existing sites;
 - (b) The size, shape, site orientation, placement, and arrangement of proposed and existing development (including signs, lighting, structures, and buildings); and
 - (c) The height, scale, setbacks, design, and intensity of proposed and existing development (including signs, lighting, structures, buildings, etc.).
 - (7) Whether the safeguards are necessary to prevent nuisances (such as noise, light, glare, dust, fumes, liquid effluence, heat, odour, etc.) from negatively impacting other properties;
 - (8) The proposal must provide adequate access and circulation for the vehicle traffic generated, as well as providing an adequate supply of on-site parking, loading, and manoeuvring;
 - (9) The proposal must provide sufficient landscaping, buffering, shelterbelts, screening, and, wherever possible, shall preserve existing vegetation; and
 - (10) The location and intensity of the proposed development shall not impose undue restrictions on existing or proposed development or potential conflicts given the Future Land Use Map(s), Developmental Constraints Map(s), and Zoning District Map(s).
 - (11) Council may:
 - (a) Reject the application.
 - (i) Reasons for refusal shall be recorded in the meeting minutes.

- (b) Approve the application with or without conditions.
 - (i) Reasons for permit conditions may be recorded in the meeting minutes.
 - (ii) Permit conditions may limit the length of time that the use may be conducted on the site where it is considered important to monitor and re-evaluate the proposal and its conformance to this Bylaw.
- 2.10.3 Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a Development Permit subject to any permit conditions prescribed by Council. Permit conditions (such as requirements regarding maximum intensity, location requirements, site orientation, separation distances, parking, loading, and manoeuvring requirements, and development standards of structures, buildings, land uses, and activities) may be prescribed by Council in order to:
- (1) Address non-conformity with *The Planning and Development Act, 2007*, the OCP, or this Bylaw;
 - (2) Limit the length of time that the use may be in conducted on a site on order to monitor and re-evaluate the proposal and its conformance to this Bylaw;
 - (3) Require or enhance fences, hedges, other screening devices, buffering, shelterbelts, or other landscaping to mitigate potential nuisances or to address aesthetic, tourism, or recreation concerns;
 - (4) Ensure adequate parking and loading facilities are provided;
 - (5) Ensure adequate receptacles for refuse and litter shall be supplied;
 - (6) Manage site drainage;
 - (7) Mitigate a potential nuisance such as sound, light, glare, odour, dust, or other emission;
 - (8) Limit hours of operation to mitigate potential conflicts with neighbouring land uses;
 - (9) Mitigate potential environmental, ecological, or hazard land concerns;
 - (10) Protect resources;
 - (11) Mitigate potential aesthetic, tourism, or recreation concerns;
 - (12) Mitigate potential health, safety, or educational concerns;
 - (13) Mitigate potential conflicts with existing or proposed properties, development, land use, or zoning;
 - (14) Mitigate any concerns raised regarding the considerations set out in Section 3.13; and
 - (15) Mitigate any concerns raised in a professional report, submission, or public meeting.
- 2.10.4 The Development Officer shall, by regular mail to the address shown on the permit application, notify the applicant of:
- (1) Council's decision;
 - (2) The document reason(s) for any permit condition(s) or a refusal; and
 - (3) Their right to appeal any terms and conditions attached to a discretionary use application to the Development Appeals Board.

2.11 REFUSAL OF DEVELOPMENT PERMIT APPLICATION

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

2.12 APPEALS

- 2.12.1 Section 219 of *The Planning and Development Act, 2007* provides the right to appeal where there is:
- (1) An alleged misapplication of the Zoning Bylaw in issuing a Development Permit;
 - (2) A refusal to issue a Development Permit because it would contravene the Zoning Bylaw; or
 - (3) An order to the owner, operator, or occupant of land, buildings, or premises considered to contravene the Zoning Bylaw.
- 2.12.2 Appellants may also appeal where they are of the opinion that development standards prescribed by the RM with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw and the OCP. This right of appeal extends thirty (30) days after the issuance or refusal of a Development Permit or order.
- 2.12.3 Council shall appoint a Development Appeals Board in accordance with Section 213 to 227.1 inclusive of *The Planning and Development Act, 2007*.
- 2.12.4 As per Section 221 of *The Planning and Development Act, 2007* the board hearing the appeal:
- (1) Is bound by any OCP in effect;
 - (2) Must ensure that its decisions conform to the uses of land, intensity of use and density of development in the Zoning Bylaw;
 - (3) Must ensure that its decisions are consistent with any provincial land use policies and statements of provincial interest; and
 - (4) May, subject to clauses (1) to (3), confirm, revoke or vary the approval, decision, any development standard or condition, or order imposed by the approving authority, the council or the development officer, as the case may be, or make or substitute any

approval, decision or condition that it considers advisable if, in its opinion, the action would not:

- (a) Grant to the applicant a special privilege inconsistent with the restrictions on the neighboring properties in the same zoning district;
- (b) Amount to a relaxation so as to defeat the intent of the Zoning Bylaw; or
- (c) Injurious affect the neighboring properties.

2.13 DEVELOPMENT PERMIT – INVALID

- 2.13.1 A Development Permit shall be automatically invalid, and development shall cease, as the case may be:
 - (1) If development has not commenced within twelve (12) months after the date of the approval of the permit;
 - (2) If the proposed development is not commenced within the period for which the permit is valid;
 - (3) If the proposed development is legally suspended, or discontinued, for a period of six (6) or more months, unless otherwise indicated by Council or the Development Officer; or
 - (4) When development is undertaken in contravention of this Bylaw, the Development Permit or specified development standards.
- 2.13.2 When a written appeal notice is received by the Development Appeals Board secretary regarding the Development Permit development shall cease until a decision of the Development Appeals Board is provided.

2.14 CANCELLATION

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

2.15 PERMIT RE-ISSUANCE

- 2.15.1 A Development Permit may be re-issued in its original or a modified form where a new Development Permit application conforms to the provisions of this Bylaw.

2.16 ZONING BYLAW AMENDMENTS

- 2.16.1 When an application is made to Council for an amendment to this Bylaw, the applicant making the request shall bear the actual cost of advertising such zoning amendment as permitted by *The Planning and Development Act, 2007*. Council also may require the applicant to pay all costs incurred in professional review of the application and in carrying out public consultation or a public hearing. An application decision shall not be made, and the amendment process shall not be initiated, until all required information has been provided and reviewed.

- 2.16.2 Council may amend this Bylaw, either upon request or at any time upon its own initiative, in order to achieve the application of the OCP goals, objectives and policies or to alter any zoning regulation or district while ensuring conformity with the OCP.
- 2.16.3 Every rezoning Bylaw amendment application shall include:
- (1) A completed application form;
 - (2) A copy of the certificate of title for the lands affected, copies of any registered interests, or other document verifying that the applicant has a legal interest in the land for at least the period of time necessary to process the application to a public hearing;
 - (3) Where the applicant is an agent acting for the owner, a letter from the owner shall be provided verifying the agent's authority to make the application;
 - (4) A statement of the reasons for the request to amend the Bylaw;
 - (5) A payment for cost of advertising and other administrative costs, authorized by *The Planning and Development Act, 2007*, for processing the application;
 - (6) Vicinity Map: A properly dimensioned vicinity map indicating the site to be amended, its relationship to existing land uses within a 91 metre (300 foot) radius of the boundaries of the site and any prominent physical features, including but not limited to roads and public utilities; and
 - (7) Additional Information: The Development Officer may request additional information to evaluate and make a recommendation regarding the application and to effectively administer this Bylaw.
- 2.16.4 Exemptions: The Council or Development Officer, at their sole discretion, may waive part of the application requirements when doing so will not jeopardize the OCP policies or Zoning Bylaw requirements.

2.17 CONCEPT PLANS (COMPREHENSIVE DEVELOPMENT PLAN)

- 2.17.1 A Concept Plan (comprehensive development plan) shall be completed prior to consideration of an application by Council proposing to rezone, subdivide, or re-subdivide land for multi-parcel country residential, lakeshore, commercial or industrial purposes. The purpose of this review is to identify and address social, environmental, health and economic issues and to encourage the development of high quality residential, recreational, commercial, and industrial developments. The scope and required detail of the Concept Plan will be based on the scale and location of the proposed development, and address such areas as the following:
- (1) Proposed land use(s) for various parts of the area;
 - (2) The effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;
 - (3) The location of, and access to, major transportation routes and utility corridors;
 - (4) The provision of services respecting the planning for future infrastructure within the RM (water, sewer, power, gas, etc.);

- (5) Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas such as drainage; and
 - (6) Appropriate information specific to the particular land use (residential, recreational, commercial or industrial).
- 2.17.2 The Concept Plan (comprehensive development plan) must be prepared in accordance with the overall goals and objectives of the OCP.
- 2.17.3 Council shall not consider any development application until all required information has been received.
- 2.17.4 The responsibility for undertaking all technical investigations and hosting public meetings as required shall be borne solely by the applicant.

2.18 BUILDING PERMITS, LICENSES AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

- 2.18.1 Nothing in this Bylaw shall exempt any person from complying with a Building Bylaw, or any other Bylaw in force within the RM, or from obtaining any permission required by this or any other Bylaw of the RM, the province or the federal government.
- 2.18.2 A Building Permit, where required, shall not be issued by the Council or its agent for a development unless a required Development Permit has been issued.
- 2.18.3 Compliance with the requirements of this Bylaw shall not exempt any person from the requirements of any federal, provincial or municipal legislation or complying with any easement, covenant agreements, caveat or contract that affects the development site.
- 2.18.4 Where requirements in this Bylaw conflict with those of any other municipal, provincial or federal requirements, the more stringent regulations shall prevail.

2.19 MINOR VARIANCES

- 2.19.1 The Development Officer or Council may vary the requirements of this Bylaw subject to the following requirements:
- (1) A minor variance may be granted for the following only:
 - (a) Minimum required distance of a building from a property line; and
 - (b) Minimum required distance of a building from any other building on the lot.
 - (2) The maximum amount of a minor variance shall be 10% variation from the requirements of this Bylaw;
 - (3) The development must conform to all other requirements of this Bylaw;
 - (4) The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property; and
 - (5) No minor variance shall be granted in connection with an agreement to rezone or where it would be inconsistent with any provincial land use policies or statements of provincial interest pursuant to Section 60 of *The Planning and Development Act, 2007*.

- 2.19.2 An application form for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee as set out in a separate fees Bylaw.
- 2.19.3 Upon receipt of a minor variance application the Council may:
- (1) Approve the minor variance;
 - (2) Approve the minor variance and impose terms and conditions on the approval; or
 - (3) Deny the minor variance.
- 2.19.4 Terms and conditions imposed by Council shall be consistent with the general development standards outlined in Section 3 in this Bylaw.
- 2.19.5 Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.
- 2.19.6 Where a minor variance is approved, with or without terms, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.
- 2.19.7 The written notice shall contain:
- (1) A summary of the application;
 - (2) Reasons for and an effective date of the decision;
 - (3) Notice that an adjoining assessed owner has twenty (20) days to lodge a written objection with the Development Officer, which if received will result in the approval of the minor variance being revoked; and
 - (4) Where there is an objection and the approval is revoked, notice of the applicants right to appeal to the Development Appeals Board.
- 2.19.8 A decision to approve a minor variance, with or without terms and conditions, does not take effect until twenty-three (23) days from the date the notice was provided.
- 2.19.9 If an assessed owner of a property having an adjoining property with the applicant's land objects to the minor variance in writing to the Development Officer within the prescribed twenty (20) day time period notice was served or (23) days from the date the notice was mailed, the approval is deemed to be revoked and the Development officer shall notify the applicant in writing:
- (1) Of the revocation of the approval; and
 - (2) Of the applicant's right to appeal the revocation to the Development Appeals Board within thirty (30) days of receiving the notice.
- 2.19.10 If an application for a minor variance is refused or approved with terms or conditions, the applicant may appeal to the Development Appeals Board within thirty (30) days of the date of that decision.
- 2.19.11 A record shall be maintained by the Development Officer of all minor variance applications in accordance with *The Planning and Development Act, 2007*.

2.20 NON-CONFORMING BUILDINGS, USES AND SITES

- 2.20.1 Any use of land or any building or structure lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with provisions of Section 88 to 93 inclusive, of the *Planning and Development Act, 2007*.
- 2.20.2 No enlargement, additions, or reconstruction of a non-conforming use, building or structure shall be undertaken, except in conformance with these provisions.
- 2.20.3 No existing use, building, or structure shall be deemed to be nonconforming by reason only of the conversion of this Bylaw from the Metric System of Measurement to the Imperial System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.
- 2.20.4 No existing non-conforming site shall be deemed to be non-conforming by reason only of its dimensions or area failing to at least equal the standards prescribed for proposed sites in the zoning district in which the site is located.

2.21 TEMPORARY DEVELOPMENT PERMITS

- 2.21.1 The Development Officer may issue a temporary Development Permit, with specified conditions for a specified period of time, to accommodate developments incidental to approved construction, temporary accommodation, or temporary gravel operations or asphalt plants.
- 2.21.2 Nothing in this Bylaw shall prevent the use of land, or the erection or use of any building or structure for a construction camp, tool shed, scaffold, or other building or structure incidental to and necessary for construction work on the premises, but only for so long as such use, building, or structure is necessary for such construction work as has not been finished or abandoned.
- 2.21.3 Every temporary Development Permit or use shall be approved for a specified period, but in no case shall it exceed twelve (12) months.
- 2.21.4 Where a Development Permit for a temporary use is granted for less than twelve (12) months, the permit may be renewed at Council's discretion for another period of not more than twelve (12) months.
- 2.21.5 Upon the expiration of the period for which the temporary use was approved, the use shall be discontinued, and all temporary structures removed.
- 2.21.6 A temporary use may be approved for development in any district, unless specified elsewhere in this Zoning Bylaw.
- 2.21.7 Council may, at its discretion, revoke a temporary Development Permit should the use violate any of the permit conditions, conflict with adjacent land uses or cause a nuisance.
- 2.21.8 Permanent structures shall not be permitted in association with a temporary Development Permit.
- 2.21.9 Temporary uses include, but are not limited to the following:
 - (1) Developments established or erected for special holidays;

- (2) Temporary asphalt and asphalt mixing plants;
 - (3) Agriculturally supportive commercial and industrial development including fertilizer operations and similar uses;
 - (4) Oil and gas pipeline development;
 - (5) Small temporary, seasonally or periodically used gravel crushing and commercial topsoil stripping operations, including accessory equipment;
 - (6) Temporary Accommodation: Licensed contractors or developers may be authorized to erect a temporary accommodation, on or off site (e.g. campers, travel trailers, construction bunk houses), excluding a mobile home; and
 - (7) Temporary Residence: Council may issue a Development Permit for a temporary residence where an existing residence is damaged or destroyed as a result of a disastrous situation (e.g. fire).
- 2.21.10 Except in Agricultural Districts, buildings or structures shall not include a mobile home or motor home as temporary uses.

2.22 ACCESSORY USES

- 2.22.1 Unless exempt in accordance with this Bylaw, all development for an accessory use shall require a Development Permit.
- 2.22.2 Unless otherwise exempt in this Bylaw, all accessory buildings, even those exempt from requiring a permit, shall be required to conform to the front, side and rear yard setbacks of that district.
- 2.22.3 No accessory building may be constructed, erected or moved on to any site prior to the time of construction of the principal building to which it is accessory.
- 2.22.4 Unless otherwise specified in this Bylaw, a residential use including living and sleeping accommodations shall not be considered an accessory use. Accessory structures shall not contain a dwelling unit unless explicitly identified in this Bylaw and where the RM has approved such use.

2.23 OFFENCES AND PENALTIES

- 2.23.1 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 and the OCP.
- 2.23.2 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*.
- 2.23.3 The Development Officer, or any official or employee of the RM acting under their direction, is hereby authorized to enter, at all reasonable hours, upon any property or premises in or about which there is reason to believe that provisions of this Bylaw are not being complied with, and for the purpose of carrying out their duties under this Bylaw.

2.24 MOVING OF BUILDINGS

- 2.24.1 No building shall be moved within or into or out of the area covered by this Bylaw without obtaining a Development Permit from the Development Officer, unless such building is exempt under Section 2.4 of this Bylaw.

2.25 DEMOLITION OF BUILDINGS

- 2.25.1 No building shall be demolished without first obtaining a Development Permit from the Development Officer. Such Permit shall not be issued unless a proposal for the interim or long-term use or redevelopment of the site is also submitted, and the proposed use is in conformity with this Bylaw. A separate Development Permit is required for any redevelopment of the site.
- 2.25.2 An applicant for a Development Permit for a dwelling or water well may be required to fill, grade, fence or follow other special Permit conditions for public and environmental safety reasons.

2.26 SERVICING AND DEVELOPMENT LEVY AGREEMENTS

- 2.26.1 Council may require a subdivision applicant to enter into a Servicing Agreements or Development Permit applicant to enter into a Development Levy Agreement to ensure conformity with the OCP and Zoning Bylaw and to ensure adequate funding for on-site and off-site infrastructure development as allow for in the *Planning and Development Act, 2007*.
- 2.26.2 Council has the authority to create and adopt a development levy bylaw to provide guidance when entering into development levy agreements.
- 2.26.3 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 GENERAL REGULATIONS

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

3.1 HAZARD LANDS

- 3.1.1 For any development proposed on lands that are and/or may be considered hazardous, the Development Officer or Council may refer the application to federal or provincial departments and other relevant environmental agencies or professionals for comments prior to reaching a decision.
- 3.1.2 On hazard land and on lands where the development of a building is proposed within 150 metres (492 feet) of an area of potential hazard land, the Development Officer or Council will require the applicant to submit sufficient topographic information to determine if the development will be within 50 metres (164 feet) of any slopes that may be unstable, or within any river or stream's flood plain or other land that may be subject to flooding.
- 3.1.3 The Development Officer or Council may require, before a permit is issued, that the applicant submit a report prepared by a qualified professional to assess the suitability of the site for a development described in Section 3.1.2, and which in the opinion of Council, shows that the proposed site and development is suitable with respect to the following where relevant:
- (1) The potential for flooding up to a 1:500 year flood elevation;
 - (2) The potential for slope instability; and/or
 - (3) The required mitigation measures for construction on areas of high-water tables if any.
- 3.1.4 Development of new buildings and additions to buildings in the floodway of the 1:500 year flood elevation of any watercourse or waterbody is prohibited.
- 3.1.5 Flood-proofing of new buildings and additions to buildings to an elevation of 0.5 metres (1.6 feet) above the 1:500 year flood elevation of any watercourses or waterbodies will be required in the flood fringe.
- 3.1.6 Sanitary landfills and lagoons shall not be located on hazard lands.
- 3.1.7 Actions to avoid, prevent, mitigate or remedy hazards may be incorporated as conditions of a Development Permit.
- 3.1.8 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.
- 3.1.9 For the purpose of this Bylaw, appropriate flood proofing measures shall mean:
- (1) That all buildings shall be designed to prevent structural damage by flood waters;
 - (2) The bottom of floor joists of all buildings shall be constructed above the designated Safe Building Elevation; and
 - (3) All electrical and mechanical equipment within a building shall be located above the designated Safe Building Elevation.

3.2 GROUNDWATER PROTECTION

- 3.2.1 No development or use of land shall be permitted where the proposal will adversely affect domestic and municipal water supplies, or where a suitable, potable water supply cannot be provided to the requirements of the Saskatchewan Health Authority and/or the Water Security Agency.
- 3.2.2 If, in the opinion of Council, the groundwater would be adversely affected a professional report shall be prepared at the cost of the developer. The report/study shall determine whether the proposed development would adversely affect the groundwater resource, the stability of the land and include conditions under which appropriate development may be approved. Council shall make a recommendation for subdivisions or development based on the recommendations including the municipal servicing and costs.

3.3 SLOPE INSTABILITY

- 3.3.1 New development will not be permitted in any readily eroded or unstable slope area if the proposed development may be affected by, or increase, the potential hazard presented by erosion or slope instability.
- 3.3.2 Development or subdivision proposed on or within 50 metres (164 feet) of the crest of a slope greater than 15% shall require supporting evidence of slope stability by a professional geotechnical engineer.
- 3.3.3 The geotechnical report shall:
- (1) Define the hazard area;
 - (2) Identify potential impacts to the proposed development and potential impacts to adjacent properties;
 - (3) Identify mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and impacts to slope stability; and
 - (4) Identify known or suspected residual hazards.
- 3.3.4 For the purpose of this Bylaw, the area considered to present potential erosion and/or slope instability hazard includes but is not limited to the slopes of watercourses, creeks or any other tributary creeks and gullies extending from the edge of the flood plain in the valley, to the ridge of the slope at the top, plus a setback of 100 metres (328 feet).
- 3.3.5 A Development Permit shall not be issued unless the report on the site indicates that the site is suitable for development or outlines suitable mitigating measure and documents residual hazards.
- 3.3.6 If such an evaluation is not done, or having been done, Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, the Development Officer or Council shall not be required to approve the application for development.

3.4 PRINCIPAL USE AND BUILDING PER SITE

- 3.4.1 In any zoning district in this Bylaw, the principal use of the land must be established prior to any accessory buildings, structures, or uses being permitted.
- 3.4.2 Not more than one principal building or use shall be permitted on any one site except for:
- (1) Public utility uses;
 - (2) Institutional uses;
 - (3) Agricultural uses;
 - (4) Accessory uses as specifically provided for in this Bylaw;
 - (5) Natural and Mineral Resource development;
 - (6) Recreational uses; and
 - (7) Multi-unit and communal dwellings.
- 3.4.3 Temporary uses may be permitted on a site where a principal development already exists, at Council's discretion.
- 3.4.4 Notwithstanding anything contained in this Bylaw, where any land, building, or structure is used for more than one purpose, all provisions of this Bylaw relating to each use shall be complied with, but no dwelling shall be located within 3 metres (10 feet) of any other building on the site except to a building accessory to such dwelling.

3.5 SIGNS AND BILLBOARDS

- 3.5.1 Temporary signs and real estate signs are permitted only as long as the temporary condition exists for the property, in Council's opinion.
- 3.5.2 The use of waste material, including machinery, equipment, or a vehicle that is abandoned or not in working order, as a sign is prohibited.
- 3.5.3 The use of an unlicensed vehicle or truck trailer unit as a sign is prohibited.
- 3.5.4 Signs Along a Highway
- (1) Signs located in a highway sign corridor shall be regulated entirely by the requirements of *The Provincial Highway Sign Control Regulations, 2012* or amendments thereto.
- 3.5.5 Signs Outside a Highway Sign Corridor
- (1) A maximum of two advertising signs are permitted on any site or quarter section and each sign shall be no larger than 3.5 square metres (38 square feet) and no higher than 6 metres (20 feet) in total height.
 - (2) Government signs, memorial signs and directional signs that bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs are exempt from restriction.
 - (3) Billboards, digital signs, and other offsite advertising signs are prohibited, except in a highway sign corridor.
 - (4) All private signs shall be located so that the safety of the public is not jeopardized, in Council's opinion, by the size, lighting, or location of the sign.

- (5) Signs with any neon or LED lighting shall be designated to cast light downwards and located appropriately to prevent the creation of a hazardous situation related to vehicular traffic.

3.6 STORAGE OF VEHICLES

- 3.6.1 Notwithstanding anything contained in this Bylaw, no person shall use any site in the LD - Lakeshore District, for the parking or storage outside of an enclosed building of more than five vehicles that are not in running order.

3.7 PUBLIC UTILITIES & MUNICIPAL FACILITIES

- 3.7.1 Municipal Facilities, as defined in this Bylaw, shall be a permitted use in any district.
- 3.7.2 Development Permits shall be required, unless otherwise exempted in this Bylaw.
- 3.7.3 Municipal Facilities, unless otherwise specified by this Bylaw (such as solid waste disposal, liquid waste disposal, dumps and clean fill sites), shall be exempt from the site size, frontage and setback provisions of every zoning district.
- 3.7.4 Where a linear public utility will cross or lie within the limits of a municipal road, Council may apply such special design standards as it considers necessary to protect the municipal interest in the existing and future improvements to the road.
- 3.7.5 All provincial and municipal zoning requirements, OCP, Zoning Bylaw and other municipal Bylaw requirements shall be met.
- 3.7.6 Protective, emergency, municipal services and other public facilities may be established in all Zoning Districts.

3.8 WATER SUPPLY AND WASTE DISPOSAL

- 3.8.1 All development or use of land shall have a water supply and waste disposal that meets the requirements of the Saskatchewan Health Authority for the type of development or land use.
- 3.8.2 The Development Officer or Council may require an applicant to provide written proof from a qualified professional or a well driller, that a proven potable water supply of sufficient quality and quantity is available to service the proposed development or subdivision.
- 3.8.3 If Subsection 3.8.2 is not complied with, or if the proposed development or subdivision may jeopardize ground or surface water supplies, the Development Officer or Council may refuse a development or recommend refusal of a proposed subdivision.
- 3.8.4 No liquid, solid or gaseous waste shall be disposed of by any development except in accordance with legislation administered by the province, the Water Security Agency, and this RM.
- 3.8.5 Dumping of chemicals or other noxious materials into a septic tank or sanitary sewer system is strictly prohibited and shall be considered an offence.
- 3.8.6 Storage

- (1) New Facilities: All chemicals, substances and material storage shall be installed, stored, constructed and maintained in an environmentally safe manner and according to all federal, provincial and municipal requirements;
- (2) Abandoned, underground and surface storage facilities shall be removed to avoid pollution potential at Council's or a senior government's request.

3.9 PARKING AND LOADING REGULATIONS

3.9.1 Parking Standards

- (1) Number of Spaces Required: when any new development is commenced or when any existing development is enlarged, or use changed, provision shall be made for off-street vehicular parking spaces in accordance with the following standards in Table 1:

Table 1 - Development Parking Standards	
Specific Use	Minimum Number of Parking Spaces Required
(1) Dwelling Unit	1 space per dwelling unit
(2) School	1 space per classroom
(3) Place of Worship	1 space per 15 seating plus 1 space per 20 square meters (215 square feet) of the assembly room floor area of the largest assembly room within the building
(4) Institutional Use	
(5) Community Facilities	
(6) Auction Market	
(7) Curling Rink	8 spaces per sheet of ice
(8) Retail Sales	1 space per 20 square meters (215 square feet) of gross floor area
(9) Personal Service	
(10) Hotel/Motel	1 space per guest room
(11) Restaurant	1 space per 6 seats
(12) Service Station	4 spaces per service bay
(13) Veterinary Clinic	1 space per 100 square meters (1076 square feet) of gross floor area
(14) Agriculture industry	1 space per 3 employees on maximum work shift but not less than 1 space per 150 square metres (1615 square feet) of gross floor area
(15) Salvage Yard	
(16) Auto Wrecking	
(17) Vehicle Sales and Service	
(18) Industrial Use, Manufacturing and Fabrication	
(19) Industrial Use, Storage and Distribution	1 space per 35 square metres (377 square feet) of gross floor area
(20) Health Care Facility	
(21) All other uses	1 Space per 30 square meters (322.93 square feet) of gross floor area

3.9.2 Parking for Non-Residential Uses

- (1) Where in this Bylaw parking facilities are required for non-residential uses the following regulations shall apply:
 - (a) The parking area shall be provided on the same lot.
 - (b) The parking area shall have visible boundaries and be suitably drained.
 - (c) Approaches or driveways to any parking area shall be defined and the limits of the parking area defined by a fence, curb or other suitable obstruction.
 - (d) The parking area shall be surfaced in the same manner as abutting roadways and be clearly demarcated.
 - (e) The parking area shall have a minimum width of 2.5 metres (8 feet) and a minimum length of 5.5 metres (18 feet).
 - (f) The minimum width of a driveway leading to any parking area shall be 7.5 metres (25 feet).
 - (g) The location of vehicular approach ramps or driveways at the street line shall be no closer than 7.5 metres (25 feet) from the point of intersection of two property lines at a street intersection.

3.9.3 Parking for Residential Uses

- (1) Where in this Bylaw parking facilities are required for residential uses, the following provisions shall apply:
 - (a) The parking area shall be provided on the same lot.
 - (b) The minimum area required for each parking space shall be 15 square metres (161 square feet), the minimum width 2.5 metres (8 feet), and the minimum length 5.5 metres (18 feet).
 - (c) The location of vehicular approach ramps or driveways at the street line shall be no closer than 7.5 metres (25 feet) from the point of intersection of two property lines at a street intersection.

3.9.4 Loading Provisions

- (1) Each non-residential principal building with a building floor area greater than 500 square metres (5382 square feet) shall provide a minimum of one off-street loading space.
- (2) Off-street loading spaces shall be provided and maintained in accordance with the following provisions:
 - (a) The minimum size for an off-street loading space shall be:
 - (i) For buildings with a gross floor area of 1400 square metres (15069 square feet) or less, a minimum area of 17 square metres (183 square feet) and a minimum width of 3 metres (10 feet);
 - (ii) For buildings with a gross floor area of more than 1400 square metres (15069 square feet), a minimum area of 33.5 square metres (361 square feet), a minimum width of 3 metres (10 feet) and minimum clear height of 4.25 metres (14 feet).
- (3) Loading spaces must be located either within or abutting the building containing the use.

- (4) No loading spaces shall be provided within a minimum front yard.
- (5) Loading spaces provided within the minimum side yard shall be open and uncovered.
- (6) Every off-street loading space and access shall be hard surfaced if the access is from a street or lane which is hard surfaced. Where hard surfacing is provided or required, it shall be constructed of concrete, asphalt or a similar durable, dust-free material.

3.10 GENERAL DEVELOPMENT STANDARDS

3.10.1 Upon approval of a development application, the Development Officer shall issue a Development Permit subject to any development standards prescribed which shall be based on *The Planning and Development Act, 2007*, any other applicable development standard in this Bylaw, and the following:

- (1) Adequate onsite parking and loading facilities shall be provided and maintained;
- (2) Parking, storage and other non-landscaped areas shall be suitably screened from adjacent properties and streets;
- (3) Adequate receptacles for refuse and litter shall be supplied;
- (4) Vehicle access points and vehicle circulation on-site shall be suitably provided to minimize traffic congestion and possible hazards;
- (5) Special conditions may be attached to the Development Permit to regulate sound, light, glare, heat, dust, electrical interference, or other emission, and limit hours of operation if in Council's opinion it is required to mitigate neighbouring land use conflicts.

3.11 ACCESS AND ROADS

- 3.11.1 Council may require applicants and developers to pay for any or all costs associated with road construction and short-term maintenance where the cost is directly associated with the development or subdivision.
- 3.11.2 A Development Permit shall not be issued or a site to be created by subdivision shall not be permitted unless the site intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on a developed road, or unless satisfactory arrangements have been made with the Council for the improvement or building of a road.
- 3.11.3 For the purposes of this Section "developed road" shall mean an existing graded all-weather road on a registered right of way, or a road for which a signed servicing agreement has been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council.
- 3.11.4 The requirement of a service road or internal subdivision roadway to provide access may be imposed as a condition of approval for any new development.
- 3.11.5 All site access from roads shall be to the satisfaction of Council with respect to location, design, and construction standards. Council shall take into account the physical capability and safety of the roads that are proposed to serve the development.
- 3.11.6 Development adjacent to a provincial highway shall meet all requirements of the Saskatchewan Ministry of Highways and Infrastructure. All development applications

within the areas of the provincial highways will be subject to review by the Ministry of Highways and Infrastructure prior to the issuance of a Development Permit.

- 3.11.7 When any development is approved on land adjacent to an unconstructed road allowance and access is required from said road allowance, the developer shall be responsible for all costs related to the construction of the road to the standards set out by the RM.
- 3.11.8 All approaches to public roads require the approval of the RM. All approaches shall be constructed in accordance with the engineering standards of the RM.
- 3.11.9 The Development Officer or Council shall decide upon all approach applications and, based on location, drainage, traffic flow, sightlines, road standards, and safety considerations, may approve or refuse an application for an approach and may apply development standards respecting the location, design and construction standards.

3.12 SITE SIZE ADJUSTMENTS

- 3.12.1 In all zones, all minimum site size requirements shall be as stated, except that the site size of the remnant shall be deemed to be conforming in any of the following instances:
- (1) Where roads, railways, pipelines and other linear public or private utilities, including their widening, are subdivided or registered as easements;
 - (2) Where adjustments are required due to irregularities in the primary survey system; or
 - (3) Due to topographical features.

3.13 RESTORATION TO A SAFE CONDITION

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

3.14 DRAINAGE

- 3.14.1 Every development shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land.
- 3.14.2 Adequate surface water drainage will be required throughout the RM and on new development sites to avoid flooding, erosion and pollutions. Consideration shall be given to the ecological, wildlife habitat and drainage effects of development, including the upstream and downstream implications.
- 3.14.3 Where an area has been previously or exhibits potential for poor drainage (sloughs) due to snowmelt or prolonged rainfall events, all proposed building sites shall be located outside of those areas. Alternatively, the developer shall provide a suitable amount of fill at the building site to provide a satisfactory level of protection for the proposed building that will not adversely affect adjacent property.
- 3.14.4 Unauthorized drainage of surface water runoff from any land throughout the RM shall be prohibited. Watercourses shall not be filled or altered without the prior approval of the Water Security Agency, RM, and any other required provincial department.

- 3.14.5 New developments and subdivisions which are adjacent to water courses shall be developed to minimize erosion and to maximize water quality.
- 3.14.6 The Development Officer or Council may require a drainage plan as part of a development application. The drainage plan may be required to be registered against the applicable parcel titles.

3.15 LANDSCAPE BUFFERS

- 3.15.1 Landscape buffers may be used to improve land use compatibility and environmental quality by providing screening and reducing noise, lighting glare and other nuisances or to facilitate natural drainage.
- 3.15.2 The Development Officer or Council may require that site landscaping, screening or buffering be provided in conjunction with and addressed as part of any Development Permit approval in any zoning district.
- 3.15.3 All planting of trees, shrubs and other vegetation required pursuant to this Section shall be drought resistant and hardy to the region.

3.16 FENCE, SCREENING AND HEDGES

- 3.16.1 Notwithstanding the other provisions in this Section, barbed wire fences shall be exempt from the required yard setbacks of the Agricultural District.
- 3.16.2 No fence or screening device shall exceed 1.2 metres (4 feet) in height if placed within a required front yard.
- 3.16.3 No fence or screening device shall exceed 1.8 metres (6 feet) in height within a required side or rear yard.
- 3.16.4 Notwithstanding clauses 3.16.2 and 3.16.3 above, a fence or screening device may be permitted to a height deemed necessary by Council to separate incompatible land uses and to provide adequate screening for unsightly uses.
- 3.16.5 On corner lots, that portion of a lot contiguous to a public road allowance shall be considered as a front yard area for the purpose of applying the regulations herein.
- 3.16.6 Screening devices shall not locate within a Sight Triangle as defined in this Bylaw.
- 3.16.7 No hedge, fence or other screening structure shall be erected past any property line.
- 3.16.8 Screen fences shall be consistent and complement the quality of building design and materials of the primary building.

3.17 PROHIBITED AND NOXIOUS USES

- 3.17.1 Any use which by its nature or the materials used therein that is declared by *The Public Health Act, 1994* as a health hazard is prohibited.
- 3.17.2 Notwithstanding any use contained within a building, no land shall be used and no building or structure shall be erected, altered or used for any purpose that is noxious and, without limiting the generality of this subsection, for any purpose that creates or is likely to become, in the opinion of Council, an unreasonable nuisance or offence, or both:

- (1) By the creation of noise or vibration;
 - (2) By the emission of light and glare;
 - (3) By reason of the emission of gas, fumes, smoke, dust or objectionable odour;
 - (4) By reason of unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery, or other such material; or
 - (5) By any combination of things in this subsection.
- 3.17.3 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.

3.18 KEEPING OF HOUSEHOLD ANIMALS

- 3.18.1 The keeping of household animals is permitted in all districts, subject to relevant Bylaws and legislation governing noise and public health; Animal Kennels may be discretionary uses within select zoning districts.

3.19 RAILWAYS

- 3.19.1 Notwithstanding anything contained in this Bylaw, where any municipal road crosses a railway at the same grade, no building or structure shall be erected within 46 metres (150 feet) of the point of intersection of the centreline of both the railway and the street. A greater distance may be required by the RM, province or railway.
- 3.19.2 Future residential developments in proximity to a railway shall take into consideration *The Guidelines for New Development in Proximity to Railway Operations* document which outline the recommended building setbacks for railway operations and new residential developments.
- 3.19.3 Consultation with the railway may be required prior to issuing a Development Permit or prior to proceeding with a subdivision. Consultation is needed in order to determine:
- (1) The location of the site in relation to the rail corridor;
 - (2) The nature of the proposed development;
 - (3) The frequency, types, and speeds of trains travelling within the corridor;
 - (4) The potential for expansion of train traffic within the corridor;
 - (5) Any issues the railway may have with the new development or with specific uses proposed for the new development;
 - (6) The capacity for the site to accommodate standard mitigation measures;
 - (7) Any suggestions for alternate mitigation measures that may be appropriate for the site;
 - (8) Proposed stormwater management and drainage; and
 - (9) The specifications to be applied to the project.

3.20 DEVELOPMENT ALONG PIPELINES AND GAS TRANSMISSION LINES

- 3.20.1 Any development involving pipeline and / or powerline rights-of-way shall be sited to comply with all relevant federal and provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate provincial acts and regulations and any regulations or directives established by crown corporations. Consultation with appropriate provincial authorities or applicable companies may be required prior to issuing a Development Permit or prior to proceeding with a subdivision.
- 3.20.2 Setbacks from the edge of the pipeline easement shall be a minimum of 12 metres (40 feet) except for where provision has been made in a separate RM Bylaw or in consultation with the operator of the pipeline, a lesser separation may be allowed, or greater separation required.
- 3.20.3 The National Energy Board has designated a setback area of 30 metres (98 feet) measured from centreline of a pipeline as a Prescribed Area which requires extra precaution, communication and consent from the pipeline company for some activities.
- 3.20.4 Subject to exceptions for such things as normal agricultural activities, anyone proposing to conduct a ground disturbance/excavation within a Prescribed Area of a pipeline must:
- (1) Ascertain whether a pipeline exists;
 - (2) Notify the pipeline company of the nature and schedule of the excavation; and
 - (3) Conduct the excavation in accordance with government regulations.

3.21 TELECOMMUNICATION FACILITY

- 3.21.1 Industry Canada is responsible for regulating telecommunication in Canada and for authorizing the location of telecommunication facilities. Council and/or the Development Officer may provide recommendations to Industry Canada with respect to proposed telecommunication facilities, and in preparing recommendations, consider the following:
- (1) Telecommunication facilities are to be located so as to minimize the impact on the natural environment and residential communities.
 - (2) Telecommunication facilities are to be located at least 33 meters (108 feet) from any residential dwelling.

3.22 AIR QUALITY

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

3.23 CRITICAL WILDLIFE HABITAT MANAGEMENT

- 3.23.1 Where development is proposed in an area identified as containing critical wildlife habitat the Development Officer may require the applicant provide additional information as required by *The Wildlife Habitat Protection Act* and any other relevant provincial regulations.

- 3.23.2 Critical wildlife conservation uses shall be permitted uses in all zoning districts. Council may prohibit development and recommend subdivision refusal where proposals may adversely affect long-term wildlife conservation.
- 3.23.3 Council may specify development and subdivision requirements for critical wildlife habitat based on reports from qualified professionals or officials from the provincial government.
- 3.23.4 All development and subdivision proposals which are within a wildlife habitat protection area as shown on the Zoning District Map, or other areas as identified by the provincial government, shall conform to:
- (1) *The Wildlife Habitat Protection Act* requirements;
 - (2) Any regulations, provisions or requirements of the Ministry of Environment or responsible Federal or Provincial agency; and
 - (3) Council specified wildlife development, management, conservation, mitigative and rehabilitation development standards to maximize long-term wildlife protection.

3.24 HERITAGE LANDS

- 3.24.1 The RM may refer a development application and consult with the Heritage Conservation Branch of the Ministry of Parks, Culture and Sport, prior to issuing a Development Permit. Additional information may be required by the applicant to assess the application.
- 3.24.2 Where a proposed development is located in an area identified as heritage sensitive area, as identified on the Heritage Sensitivity Map in the OCP, the Development Officer may require the applicant to provide additional information as required by the applicable provincial legislative policy.
- 3.24.3 The RM will refer a developer to the provincial Heritage Conservation Branch's "Exempt Activities Checklist for Private Landowners" and the "Developers' Online Screening Tool" to determine if a proposed development is exempt from archaeological heritage screening.
- 3.24.4 Where a development is found not to be exempt from archaeological screening, the developer shall demonstrate clearance from the Heritage Conservation Branch prior to the RM issuing a Development Permit.

4 LAND USE SPECIFIC REGULATIONS AND DEVELOPMENT STANDARDS

Specific land uses may have additional land use requirements and development standards in addition to requirements and standards outlined in specific zoning district requirements.

4.1 HOME BASED BUSINESSES

4.1.1 Home Based Businesses in the Agricultural District shall be subject to the following conditions:

- (1) The use is clearly accessory to the use of a farmstead as an agricultural operation or the dwelling unit as a private residence.
- (2) Onsite signs shall be permitted according to Section 3.5.
- (3) The permitted ancillary use shall be valid only during the period of time the property is occupied as the residence of the owner for such permitted use.
- (4) All Development Permits issued for a Home Based Business 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.
- (5) Any increase in the operation as originally applied for or approved shall require a new discretionary approval.
- (6) Council may apply special standards in issuing a Development Permit limiting the size of operation including, but not limited to, the size and number of buildings used for the operation.

4.1.2 Home Based Businesses in the residential districts, LD – Lakeshore Development, CR – Country Residential, and HM – Hamlet, shall be subject to subsections 4.1.1(1) to (6) inclusive and the following conditions:

- (1) The operator of the business shall be a resident of the dwelling unit.
- (2) Council may also apply special standards in the issuing a Development Permit limiting the size of operation, number of non-resident employees, hours of operation, and buildings used for the operation.

4.2 VACATION FARMS & BED AND BREAKFAST HOMES

4.2.1 Vacation farms and bed and breakfast homes subject to the following requirements:

- (1) Vacation farms shall be accessory to an agricultural farm operation and located on the same site as a farmstead, and may include bed and breakfast, cabins, and overnight camping areas.
- (2) A maximum of five cabins shall be permitted as part of a vacation farm operation.
- (3) Onsite signs shall be permitted according to Section 3.7 – Signs and Billboards. Offsite signs not exceeding 0.5 square metres (5 square feet) may be permitted at the discretion of Council where necessary to provide directions from a highway to the operation.
- (4) Vacation farms and bed and breakfast operations shall be licensed by the Saskatchewan Health Authority, if so required.

- (5) Bed and breakfast operations shall be located in a single detached dwelling used as the operator's principal residence; or located in a dwelling accessory to and established on the same site as the host's principal residence.
- (6) Council may apply special standards in the issuing a Development Permit limiting the number of rooms, cabins or camping spaces that may be permitted in conjunction with the operation.

4.3 SALVAGE YARD & AUTO WRECKER

In addition to the general requirements regarding discretionary use applications, the following additional considerations shall be made for all applications for a salvage yard, auto wrecker, or similar operation.

- 4.3.1 The regulations contained in this Section apply to salvage yards, auto wreckers, auto repair shops, body shops, salvage vehicles and materials, vehicles waiting repair, salvage or removal and similar uses.
- 4.3.2 No vehicles or parts thereof shall be located in the front yard.
- 4.3.3 All salvage yards shall be completely hidden from the view of the travelling public, provincial highways, any public road and adjacent residential development by utilizing any of the following measures:
 - (1) Distance and location siting;
 - (2) Natural or planted vegetation;
 - (3) An earth berm;
 - (4) An opaque fence;
 - (5) A building;
 - (6) Other appropriate methods approved by Council.
- 4.3.4 Council may apply special standards as conditions of approval regarding screening, location of storage, location of vehicles on display, machinery and parts.
- 4.3.5 The proximity and location of residential and tourist facilities shall be considered in making this discretionary use decision.

4.4 AUTOMOTIVE SERVICE USES AND GAS PUMPS

- 4.4.1 Automotive service development and gas pumps and associated buildings, structure and vehicular movement shall conform to the following standards:
 - (1) Gas pumps and islands shall be setback 6 metres (20 feet) from any site line.
 - (2) Service stations shall locate underground storage tanks in accordance with *The Fire Protection Act*.
 - (3) Propane and natural gas pumps (retail or wholesale) shall be set back according to provincial regulations.
 - (4) Access/egress points shall not be continuous along a street and shall be at least 10 metres (33 feet) apart.

- (5) Offsite traffic circulation shall be accommodated on the site.
- (6) Vehicles and parts storage shall be stored within a building or located in a side or rear yard. Vehicles and parts storage shall not locate in any front yard or yard abutting a road and must be screened from view by a solid opaque fence with the location and height requiring approval and forming part of a Development Permit.

4.5 AGRICULTURAL TOURISM USES

- 4.5.1 Agricultural tourism uses shall be accessory to an agricultural farm operation allowed in the Agricultural District.
- 4.5.2 Agricultural tourism uses may only be approved where they would not:
 - (1) Materially interfere with or affect the use and enjoyment of adjacent properties;
 - (2) Adversely impact the environment; or
 - (3) Result in excessive demand on municipal services, utilities or public roadway access.
- 4.5.3 Agricultural tourism uses shall comply with all provincial environmental and health regulations.

4.6 CAMPGROUNDS

In addition to the general requirements regarding discretionary use applications, the following additional considerations shall be made for all campground applications.

- 4.6.1 The operator of a campground shall provide the Development Officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach or tent campsites with dimensions.
- 4.6.2 A new Development Permit shall be required and a new or amended plan shall be provided for:
 - (1) The addition or rearrangement of campsites;
 - (2) The construction or moving of buildings;
 - (3) Material change in use of portions of land; or
 - (4) The filling or clearing of land.
- 4.6.3 The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 square metres (1615 square feet) in area with its corners clearly marked.
- 4.6.4 Signs are permitted subject to the sign regulations contained in this Bylaw.
- 4.6.5 No portion of any campsite shall be located within a roadway or required buffer area.
- 4.6.6 Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- 4.6.7 Each trailer coach shall be located at least 3 metres (10 feet) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.

- 4.6.8 The space provided for roadways within a campground shall be at least 7.5 metres (25 feet) in width. No portion of any campsite, other use or structure shall be located in any roadway.
- 4.6.9 No trailer coach shall be stored on any campsite when the campground is not open.
- 4.6.10 A campground may include accessory uses, such as, a laundromat, shower facilities or confectionary designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.
- 4.6.11 *The Public Health Act* and provincial regulations shall be complied with in respect to all operations and development of the campground.

4.7 MOBILE AND MODULAR HOMES

- 4.7.1 Wherever a dwelling is allowed, it may be in the form of a mobile or modular home only where attached to a permanent foundation or anchored to the ground to the satisfaction of the Development Officer, prior to occupancy.
- 4.7.2 Every mobile home shall bear CSA Z240 certification for mobile homes (or replacement thereof) and every modular home shall bear CSA A277 certification for modular homes (or replacement thereof).
- 4.7.3 All mobile and modular homes shall be securely anchored to the ground.
- 4.7.4 The undercarriage of all mobile and modular homes shall be completely screened from view by the foundation, skirting or other means. This foundation or skirting shall permit the circulation of air beneath the unit.
- 4.7.5 The total area of all subsequent additions shall not exceed 50% of the area of the original mobile or modular home.
- 4.7.6 An accessory building structure which specifically includes but is not limited to a porch, a canopy, an addition or an oil tank covering will be permitted provided they meet all other provincial and municipal regulations including those identified in this Bylaw.

4.8 COMMUNAL FARM SETTLEMENTS

- 4.8.1 Council may consider discretionary use applications for communal farm settlements, including the multiple uses listed in the definition for Communal Farm Settlements, as one discretionary use application. All buildings and uses must comply with the setbacks and standards included in this Bylaw. Unless exempt under this Bylaw or the building Bylaw, Development Permits and Building Permits are required for each use and building.
- 4.8.2 Communal farm settlements may include more than one dwelling on a single site. These dwellings may be in the form of one-unit dwellings, multiple unit dwellings, or a combination thereof. Council may specify the number of dwelling units permitted on a communal farm settlement.
- 4.8.3 There shall be a water supply suitable for the proposed communal farm settlement and the development shall not contaminate any water source. The proponent may be required to demonstrate, in the form of a study by a qualified professional, that the water source is adequate and there will be no adverse impacts to adjacent water sources.

- 4.8.4 Provisions for potable water, water treatment and wastewater disposal are subject to provincial regulations and approval.
- 4.8.5 Road access to the communal farm settlement shall be from an all-weather registered road sufficient to accommodate the expected volume of traffic. If off-site road upgrades or new road construction is required, Council may require the applicant to pay for the road upgrades or new road construction pursuant to Section 22 of The Municipalities Act and Section 172 of The Planning and Development Act, 2007.
- 4.8.6 Council may require the applicant to demonstrate that the municipal road network can safely accommodate the traffic generated by the development. The applicant may be required to demonstrate adequacy of the road network by submitting a traffic impact assessment by a qualified professional.
- 4.8.7 Access to individual dwellings and other uses and buildings shall be from a road internal to the site.
- 4.8.8 Development standards for ILOs associated with a communal farm settlement shall be as stated in subsection 6.4.3 of this Zoning Bylaw and subsection 5.3.4 of the OCP. However, distances between ILO facilities and residences associated with the same communal farm settlement shall not be required.
- 4.8.9 Any expansion increase in intensity, or other significant change to the development as approved, shall require a new discretionary use approval.

4.9 ANIMAL KENNELS

In addition to the general requirements regarding discretionary use applications, the following additional considerations shall be made for all animal kennel applications.

- 4.9.1 An animal is kept, for purposes of this Section, when it is on the site overnight.
- 4.9.2 The Development Permit shall set the maximum number of animals that may be kept on the site.
- 4.9.3 No building or exterior exercise area(s), to be used to accommodate the animals, shall be allowed within 300 metres (984 feet) of any dwelling located on adjacent lots.
- 4.9.4 Pens, rooms, exercise runs and holding stalls shall be visually screened and soundproofed to the satisfaction of Council.
- 4.9.5 All dog facilities may require screening from existing dwellings on adjoining lots.
- 4.9.6 The application shall include details of animal waste/sewage disposal in accordance with Section 3.8.
- 4.9.7 Additional conditions to address site access and parking may be applied to a development application.
- 4.9.8 Animal kennels shall be subject to relevant Bylaws and legislation governing noise and public health.
- 4.9.9 Failure to comply with any of the above regulations or the conditions of a Development Permit may result in the revoking of the permit by the RM.

4.9.10 One dwelling may be permitted on the same site as the kennel.

4.10 EQUESTRIAN FACILITIES (RIDING STABLES)

In addition to the general requirements regarding discretionary use applications, the following additional considerations shall be made for all applications for an Equestrian Facility (riding stable).

- 4.10.1 An animal is kept, for purposes of this Section, when it is on the site overnight.
- 4.10.2 The Development Permit shall set the maximum number of horses and cattle, if applicable, that may be kept on the site.
- 4.10.3 The Development Permit shall set out conditions that address garbage, site access and egress, onsite parking including stock trailers, participant and spectator parking.
- 4.10.4 A condition of the Development Permit may require there be a contribution towards upgrading of access roads should the road network require upgrading because of the impact of the facility.
- 4.10.5 Details of water supply and sewage disposal shall be included with the application.
- 4.10.6 One residence may be permitted on the same site as the equestrian facility.

4.11 SOLID & LIQUID WASTE DISPOSAL FACILITIES

In addition to the general requirements regarding discretionary use applications, the following additional considerations shall be made for all applications for a solid or liquid waste disposal facility. The following standards do not apply to liquid manure storage facilities and the application of manure on agricultural lands where this use is deemed consistent with all other relevant sections of this Bylaw.

- 4.11.1 All development or use of land shall have waste disposal capacity that meets the requirements of the Water Security Agency and the Health Authority for the type of development or land use.
- 4.11.2 No liquid, solid, or gaseous waste shall be stored or disposed of by any development except in accordance with legislation administered by a provincial department, the Water Security Agency, the Health Authority, and this Rural RM.
- 4.11.3 All new and expanding facilities to store or dispose of chemical, substance, and waste material shall be installed, stored, constructed, and maintained in an environmentally safe manner and according to all federal, provincial, and municipal requirements.
- 4.11.4 Council, the Water Security Agency, the Health Authority, or and appropriate ministry may order the removal of an abandoned, underground, or surface waste storage and waste disposal facility to avoid aesthetic, health, environmental, or pollution risks.
- 4.11.5 A solid and liquid waste facility shall observe the separation distances from uses listed in Table 2. Separation distances shall also apply to the locating of the uses listed in Table 2.
- 4.11.6 Council, at its discretion, may consider lesser separation distances than given in Table 2, subject to the following:

- (a) Where written notice, approved by Council, has been given to landowners, hamlet board or Council of an urban municipality within the specified distance provided in Table 2 and there are no objections to the proposed separation distance.
- (b) Where a lesser separation distance than described in Table 2 will not negatively impact the specific use or surrounding development. Prior to granting a reduction, the RM may consult with appropriate agencies.

4.11.7 Where Council approves a lesser separation distance than given in Table 2, a written agreement shall be required between the facility developer and any landowner or municipality consenting to the proposed development up to a specified size. The agreement may be registered against the applicable parcel titles of both parties at the cost of the applicant.

Table 2 - Minimum Separation Distances between Solid and Liquid Waste Facilities and Land Uses		
Specific Use	Solid Waste Facility	Liquid Waste Facility
Any single dwelling / residential land use	460 metres	800 metres
Residential subdivision, hamlet, or urban municipality, school, hospital, tourist accommodation, or campground	600 metres	2.4 kilometres
Any commercial or industrial use	300 metres	300 metres
Notes		
(1) Distances are measured between the fence, berm or edge of the Facility (as the case may be) and the nearest part of the other land use.		

- 4.11.8 A buffer strip containing trees, shrubs or a berm shall be located surrounding a disposal area.
- 4.11.9 Any solid or liquid waste disposal facility shall be fenced.
- 4.11.10 Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
- 4.11.11 Solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all-weather developed road.
- 4.11.12 The development of any new disposal sites shall take into consideration direction of prevailing winds.
- 4.11.13 Where approval has been deemed appropriate, Council may consider the following requirements within a Development Permit:
 - (1) Place a limitation on the years, months, weeks, days and/or hours of operation;
 - (2) Requirement to provide and maintain sufficient dust control to the satisfaction of the RM;
 - (3) Limitations to the height of a landfill development;
 - (4) The size of the buffer strip surrounding the disposal area;

- (5) Specific requirements related to any stripping, filling, excavation and grading associated with a landfill development; and
- (6) Requiring development to adhere to any appropriate provincial health or environmental regulations.

4.12 WIND FARM

- 4.12.1 A site plan that shows the location of the wind energy system and associated development including but not limited to wind turbines, underground cabling, interconnection facilities, fencing, drainage, roads and access shall be submitted as part of the Development Permit application.
- 4.12.2 When required by Council, as a condition of development, the developer shall enter into an agreement with the RM to ensure all roads and accesses are constructed to municipal standards.
- 4.12.3 The developer is required to consult with the adjacent properties within a 5-kilometre (3 mile) radius surrounding the proposal prior to the review of the Development Permit application. Record of consultation efforts and events shall be included in the Development Permit application.
- 4.12.4 Minimum setback distances from a commercial wind turbine shall comply with the following:
 - (1) From any property line: 1.5 times tower height;
 - (2) From onsite dwelling 1.5 times tower height; or
 - (3) Setback distances may be decreased or increased, if deemed necessary through consultations and/or studies by qualified professionals, provincial agencies or in consideration of surrounding land uses, environmental areas, wetlands, or other protected areas.
- 4.12.5 Site Suitability:
 - (1) The minimum site size for the allowance of any wind energy system shall be 2.0 hectares (5 acres).
 - (2) For residential applications, wind turbines shall be erected in rear yards only.
 - (3) The wind energy system shall not be located on hazard or environmentally protected lands.
 - (4) Council may require the developer to take mitigating measures to ensure the development produces minimal disturbance and environmental impacts to the surrounding lands and area.
- 4.12.6 Other Specifications:
 - (1) Development Permit applications for wind energy systems shall be accompanied by a manufacturer's engineering certificate of structural safety or certification of structural safety from a professional engineer.
 - (2) Installation plans (concrete specifications, anchoring specifications) shall be certified by a professional engineer.

- (3) The proposed height of the wind turbines shall be included in the Development Permit application. Maximum total wind turbine height or total system height shall be at the discretion of Council and will be based on the surrounding land uses and consideration of the system requirements.
- (4) There shall be no sounds, light, glare, heat or other emissions that will, in Council's opinion, detract from the amenity of the area. Council may require the developer to take mitigating measures to ensure the development produces minimal disturbance to the surrounding lands.
- (5) Landscaping and fencing shall be provided by the developer, where deemed necessary by Council, to maintain safety, protection and the character of the surrounding area.
- (6) No advertising shall appear on wind turbine.
- (7) Any changes to the original Development Permit shall require a new permit to be issued.
- (8) Proof of an approved electrical permit shall be provided to the RM.

4.13 WIND ENERGY SYSTEM – SINGLE SYSTEM

- 4.13.1 Only one small wind energy system shall be permitted as an accessory use to the principal use, subject to the minimum site size requirement, in the applicable zoning districts.
- 4.13.2 The minimum site size for the allowance of any small energy system shall be 2 hectares (5 acres).
- 4.13.3 Maximum total wind turbine height or total system height shall be:
 - (1) 45 metres (150 feet) above grade level in the Agricultural District.
 - (2) 8 metres (26 feet) above grade level in all other districts;
- 4.13.4 Wind turbine minimum setbacks:
 - (1) From any property line: 1.5 times turbine/system height
 - (2) From onsite dwelling: 1.5 times turbine/system height
 - (3) From neighbouring dwellings:
 - (a) < 10 kW: 100 metres (328 feet)
 - (b) > 10 kW: 300 metres (984 feet)
- 4.13.5 For residential applications, wind energy components and towers shall be erected in rear yards only.
- 4.13.6 The bottom point of an operating rotor shall be above grade level to manufacturer's specification at minimum. To provide for public safety, a greater distance of the operating rotor above grade level may be required as a condition of approval.
- 4.13.7 All wind energy systems and towers may be required to be enclosed within a locked protective fence of a minimum height of 1.85 metres (6 feet) and the design shall be included in the Development Permit application.
- 4.13.8 Development Permit applications for a wind energy system shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety from a professional engineer.

- 4.13.9 Installation plans (concrete specifications, anchoring specifications) shall be certified by a professional engineer.
- 4.13.10 Proof of an approved electrical permit shall be provided to the RM.
- 4.13.11 The wind energy system shall be finished in a non-reflective matte colour or to the satisfaction of Council.
- 4.13.12 No advertising shall appear on the wind turbine.

4.14 WORK CAMP

- 4.14.1 Work camps accessory to an industrial resource development, located on the same or separate site than the development, shall be considered part of the industrial resource development and should be included in the development permit application for that use.
- 4.14.2 Work camps accessory to but not located on the same site as an industrial resource development will require its own development permit application.
- 4.14.3 All work camps not located on the same site as an industrial resource development shall be limited to the period of one year with the option for renewal.
- 4.14.4 Work camps shall have acceptable utilities (water, sewer, garbage disposal, etc.) that meet provincial standards taking into account the number of occupants proposed to use the development.
- 4.14.5 The development must be accessed by roads and approaches that meet municipal standards.
- 4.14.6 Work camps shall consist of a residential use which may also include separate eating, laundry, confectionary, and recreational space.
- 4.14.7 All work camps shall be located within close proximity to provincial highways.
- 4.14.8 Work camps shall provide for onsite parking of vehicles. No parking of vehicles shall take place on municipal roads or approaches to public or private lands.
- 4.14.9 All work camp sites shall be reclaimed after the use is no longer needed. All structures shall be removed, and all waste shall be cleaned up.

4.15 SEA AND RAIL CONTAINERS

The following sea and rail container regulations must be met in all zoning districts:

- 4.15.1 Sea and rail containers shall only be permitted as an accessory use to a principal use.
- 4.15.2 Sea and rail containers are prohibited in the LD - Lakeshore District or CR - Country Residential District.
- 4.15.3 Sea and rail containers must not be stacked one on top of the other.
- 4.15.4 Sea and rail containers shall be used solely for storage.
- 4.15.5 Dangerous or hazardous material is prohibited within a sea and rail container.
- 4.15.6 Windows, plumbing, electrical and mechanical improvements or modifications are prohibited.

4.15.7 Human or animal habitation is prohibited within a sea and rail container.

4.16 DAY CARE CENTRES AND PRE-SCHOOLS

In addition to the general requirements regarding discretionary use applications, the following additional considerations shall be made for all applications for a day care centre or pre-school.

4.16.1 Day care centres and pre-schools may be approved as an accessory use or as a principal use.

4.16.2 Day care centres or pre-schools shall comply with all provincial requirements and regulations.

4.16.3 Parking spaces for drop-off and pick-up may be required in addition to general parking requirements and may be located in the required front yard.

4.16.4 Day care centres and/or pre-schools shall comply with all provincial requirements and regulations.

4.17 RESIDENTIAL CARE HOMES

In addition to the general requirements regarding discretionary use applications, the following additional considerations shall be made for all applications for a residential care home.

4.17.1 May be located within the dwelling unit of the operator or administrator so long as the use is accessory to the use of the dwelling unit as a private residence.

4.17.2 Required parking spaces may be located in a required front yard.

4.17.3 No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.

4.17.4 The use shall be conducted entirely within the dwelling unit and shall not have any exterior evidence of a secondary use.

4.17.5 There shall be no outside storage or exterior display of goods, materials or equipment associated with the applied use.

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

4.18 CANNABIS FACILITIES

4.18.1 Cannabis facilities and uses shall be prohibited unless explicitly identified and defined with reference to cannabis in this Bylaw or permitted for personal use as regulated by the provincial and federal government.

4.18.2 Cannabis facilities shall meet all applicable federal and provincial regulations and the applicant shall provide proof of all required federal and provincial licenses and permits.

4.18.3 Cannabis facilities shall provide sufficient separation to adjacent properties. A buffer area, landscaping and screening may be required to separate adjacent uses.

4.18.4 Cannabis facilities shall have adequate waste disposal, utilities, access and onsite parking and loading spaces.

- 4.18.5 Cannabis facilities shall have adequate water supply to meet the needs of that operation without detrimental effects on the supply or ground water used by neighbouring properties.
- 4.18.6 Any potential nuisances or hazards shall be disclosed to the RM including but not limited to sounds, light, glare, heat, odours, fumes, liquid effluence, traffic, dust or fire and explosion hazards. The applicant may be required to implement mitigation measures to address potential nuisances or hazards.

4.19 SWIMMING POOLS

- 4.19.1 All swimming pools and the appurtenances thereto shall be constructed and located so as to have a yard not less than 1.5 metres (5 feet) in width on all sides except where the pool is attached to or part of a principal structure. No swimming pool shall be located in a required front or side yard setback.
- 4.19.2 For the protection of the general public, all swimming pools shall be effectively fenced by an artificial enclosure not less than 1.8 metres (6 feet) in height. Any openings in the enclosure affording access to the pool proper shall have a gate containing an automatic or manual locking device affixed in such a manner so as to exclude small children.
- 4.19.3 Artificial lights for the illumination of swimming pools shall be designed, constructed and maintained so that no direct ray shall cross any property line.
- 4.19.4 Any maintenance equipment including heating, filtering, disinfectant, and re-circulation equipment shall not be located at any point within 1.5 metres (5 feet) from adjacent property lines and shall be effectively screened and enclosed so as to not adversely affect the character of surrounding properties. No equipment shall be permitted, the use of which by reason of the emission of noise, vibrations, dust, or odours would be considered obnoxious or dangerous to the health and safety of the public.

5 ZONING DISTRICTS

5.1 DISTRICTS

- 5.1.1 For the purpose of applying this Bylaw, the RM is divided into zoning districts.
- 5.1.2 All parts of the RM shall be designated as A – Agricultural District except those areas specifically designated as another district on the detailed Zoning District Map and Zoning District Map 1A 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 and Zoning District Map 1A which are attached to and form a part of this Bylaw. Unless otherwise shown on the maps, the boundaries of the districts are site lines, centerlines of streets, lanes, roads or such lines extended, and the boundaries of the RM. Unless otherwise shown on a zoning amendment map, the zoning district boundary, coincident with a parcel boundary, moves with a minor adjustment to that boundary.

5.3 DISTRICT REGULATIONS

- 5.3.1 District Regulations for the zoning districts are outlined in the following Sections:

6.0	A - Agricultural District
7.0	LD - Lakeshore Development District
8.0	HC - Highway Commercial District
9.0	CR - Country Residential District
10.0	HM - Hamlet District

- 5.3.2 General Regulations which apply to all development in all districts are in Section 3.0.
- 5.3.3 Specific land-use regulations and development standards for certain uses are in Section 4.0 and should be considered for when applicable in addition to the District regulations.

5.4 PROHIBITED USES

- 5.4.1 Uses which are not included as a permitted or discretionary use in this Bylaw and which do not qualify as a legal non-conforming use as defined in the Act and this Bylaw, shall be treated as a prohibited use.

6 A – AGRICULTURAL DISTRICT

INTENT: To provide for and preserve large areas capable of accommodating a diversity of agricultural operations including field and forage crops, irrigation, intensive agricultural operations and related activities. Council shall encourage and permit agriculture and agricultural-oriented commercial uses at appropriate sites, if the uses will not conflict with other adjoining uses and which will not be prohibitively difficult or costly to service. Other forms of development may be accommodated in this district where the preservation of agricultural activities and resources as the primary intent for the district is not jeopardized.

6.1 PERMITTED USES

- (1) Accessory uses, buildings and structures (*excluding a dwelling*)
- (2) Agricultural Operation
- (3) Cemetery
- (4) Dwelling, Single-Detached (*up to a maximum of one per titled lot*)
- (5) Institutional uses and facilities
- (6) Mineral Resource Exploration
- (7) Municipal Facilities
- (8) Places of worship
- (9) Public Utility (*excluding Solid and Liquid Waste Disposal Facilities*)

6.2 DISCRETIONARY USES

- (1) Aggregate Development and Operations
- (2) Agricultural Commercial
- (3) Agricultural Industry
- (4) Agricultural Operations, Intensive
- (5) Agricultural Tourism
- (6) Animal Kennel
- (7) Auto Wrecker
- (8) Bed and Breakfast
- (9) Campground
- (10) Cannabis Facilities
- (11) Communal Farm Settlement
- (12) Concrete and Asphalt Plant
- (13) Equestrian Facilities (*riding stable*)
- (14) Feedlot
- (15) Game Farm

- (16) Home Based Business
- (17) Industrial Use, Machine and Fabrication
- (18) Intensive Livestock Operations
- (19) Mineral Resource Development
- (20) Recreational Use
- (21) Salvage Yard
- (22) Solid and Liquid Waste Disposal Facilities (*including soil farms for the rehabilitation of petroleum-contaminated soils*)
- (23) Temporary Work Camp
- (24) Trucking and Hauling Establishment
- (25) Vacation Farms
- (26) Wind Energy System
- (27) Wind Farm

6.3 DISTRICT REGULATIONS

6.3.1 Subdivision

- (1) The subdivision of any land within the Agricultural District is subject to the policies contained in the OCP.
- (2) Three subdivisions will be allowed per quarter Section (four separate titles per quarter Section in total) within this district.
- (3) Where a part of a Section of land is physically separated from the remainder of the quarter Section by a railway, a registered road plan containing a highway or developed road, or a river, lake or significant stream, the land may be subdivided from the quarter-Section in addition to the three subdivisions.
- (4) All land parcels shall have direct access to a developed road. All new and upgraded accesses and services shall be provided by the developer.

6.3.2 Site Requirements

- (1) The minimum site frontage for all subdivided sites shall be 30 metres (100 feet).
- (2) Minimum site size shall be:
 - (a) Existing residence: 4 hectares (10 acres)
 - (b) Utilities, municipal facilities, resource-based uses, historical or archeological sites, and environmental or municipal reserve: none
 - (c) All other uses: 16 hectares (40 acres).
- (3) Agricultural Use
 - (a) The minimum site area constituting a grain farm or ranching agricultural operation or agricultural holding shall be 16.19 ha (40 acres) or equivalent. Equivalent shall mean 16.19 ha (40 acres) or such lesser amount as remains in an agricultural holding because of the original township survey,

road widening, road right-of-way or railway plans, drainage ditch, pipeline or transmission line development or government action, natural features such as water courses or water bodies, or a result of subdivision as permitted herein.

- (b) Any agricultural site which does not conform to the minimum site area requirement shall be deemed conforming with regard to site areas, provided that a registered title for the site existed at Information Services Corporation (ISC) prior to the coming into force of this Bylaw.
 - (c) A reduced agricultural site area below 16.19 hectares (40 acres), may be permitted at Council's discretion for the purpose of farmland consolidation, estate planning settlement, farm debt restructuring or as a result of a permitted or discretionary subdivision where there are topographical or physical limitations.
- (4) Exemptions from site size requirements may be considered by Council where it:
- (a) Is requested by the landowner to reduce the proposed area in order to more easily manage, landscape, or otherwise maintain or develop the site;
 - (b) Would not unnecessarily reduce, or negatively affect the existing use, size, servicing, or access to the balance of the quarter Section, or equivalent as defined in this Bylaw; and
 - (c) Would not negatively affect the existing use, servicing, or access to any neighbouring land.

6.3.3 Setback Requirements

- (1) Setbacks for buildings, structures or shelterbelts from the right-of-way of a developed road, road allowance, or provincial highway shall be a minimum of 45 metres (150 feet).
- (2) No building or structure (including residence) shall be constructed closer than 10m from the property line.
- (3) A minimum setback of 91 metres (300 feet) is required from the intersection of the centerlines of any municipal roads or provincial highway or such greater distance as required; for example, site triangle.
- (4) Council may exempt a proposed development from the requirements of subsections (a) (b) and (c) above or reduce the minimum setback, where in the opinion of Council, compliance with it would be impractical or too costly for the applicant and the exemption or reduction is in the public interest. A greater distance may be required by the Ministry of Highways and Infrastructure near a provincial highway.
- (5) No planted trees, stone, earth or gravel piles, portable structures, dugouts, corral, board and page wire fences, machinery or other similar objects shall be within 91.4m (300ft) from the intersection of two or more roads or within 30.48 (100ft) from the centerline of a provincial highway.
- (6) No new dwelling shall be located within:
 - (a) The separation distance to an intensive livestock operation as regulated in Section 6.4.3, unless the dwelling is owned by the ILO operator;

- (b) The separation distance to a solid or liquid waste disposal facility as regulated in Section 3.8;
 - (c) 305 metres (1000 feet) from a honey processing facility;
 - (d) 305 metres (1000 feet) to a non-refrigerated anhydrous ammonia facility; and
 - (e) 610 metres (2000 feet) to a refrigerated anhydrous ammonia facility.
 - (f) Council, at its discretion, may apply a lesser minimum separation distance than required by subsections (a), (b), and (c) above where a lesser separation distance will not negatively impact the specific use or surrounding development. Where Council approves a lesser separation distance, a written agreement between the landowner of the dwelling and the owner of the operation agreeing to the lesser distance may be registered against the applicable parcel titles of both parties at the cost of the developer.
- (7) No dwelling or other building shall be located within the approach surface for any airport or airstrip. Where a dwelling or other building is proposed in proximity to an airport or airstrip or vice versa, a site analysis by a professional may be required at the cost of the developer to determine the approach surface area.

6.3.4 Criteria and Standards for Discretionary Use Applications

- (1) All discretionary uses are subject to the criteria and standards identified in Sections 2.10.2 and 2.10.3 of this Bylaw.
- (2) The proposed development shall be located on a parcel conforming to all requirements of this Bylaw, including site size, frontage, setbacks and access.
- (3) All servicing shall comply with provincial and municipal requirements.
- (4) The proposed development shall meet all other requirements of this Bylaw.

6.4 DISTRICT DEVELOPMENT STANDARDS

6.4.1 Agricultural Operations, Intensive

- (1) In the application for an intensive agricultural operation, the applicant shall identify the proposed supply of water for the operation where intensive irrigation or water supply is required. Such supply shall be sufficient to meet the needs of that operation without detrimental effects on the supply or ground water used by neighbouring properties.
- (2) The operation may include a farmstead or dwelling on the same site.

6.4.2 Commercial and Industrial Uses

- (1) Council may apply special standards as a condition of approval limiting the size of operation, buildings used for the operation, and number of employees.
- (2) An increase in the area of land for a commercial use, or the number or size of buildings used for the commercial operation, shall require a new Development Permit.
- (3) Council may require special standards for the location, setback or screening of any area devoted to outdoor storage including but not limited to storage of machinery, vehicles, or vehicular parts in conjunction with a commercial operation.

6.4.3 Intensive Livestock Operations (ILO)

- (1) All new or expanding intensive livestock operation shall comply with the policies set out in the OCP.
- (2) Any operation involving the raising of animals shall be considered an ILO for the purpose of this Bylaw if it:
 - (a) Requires a permit for an Intensive Livestock Operation under the Agricultural Operations Act;
 - (b) Will, in Council's opinion, contain more than three hundred (300) animal units which are cattle, horses, poultry, domesticated or exotic Game Farm animals on a quarter Section or less, on a permanent basis;
 - (c) Is an expansion of an existing ILO which has been permitted by the appropriate provincial agency;
 - (d) Involves the alteration of animal species in an existing ILO; or
 - (e) Is a Game Farm which has been permitted by the Province.
- (3) Approval of an ILO shall be for a specific maximum number of animal units specified by Council as a condition of the Development Permit. A new discretionary approval shall be required to expand an ILO.
- (4) The operation may include a farmstead or dwellings on the same site.
- (5) In considering whether a specific livestock operation should be considered as an ILO, Council shall exempt existing or proposed operations from compliance as an ILO if Council determines that the operation involves only the temporary confinement of livestock during winter months as part of a farming operation.
- (6) The applicant must demonstrate, to the satisfaction of Council, that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation.
- (7) As a condition of approval, Council will specify the maximum number of animal units for which the approval is made and may impose standards to reduce the potential for conflict with neighbouring uses which specify the location of holding areas, buildings or manure storage facilities on the site.
- (8) As a condition of approval, Council may specify requirements based on development standards in the Zoning Bylaw regarding the disposal of manure produced by the ILO or other measures intended to reduce odour, environmental problems, or conflict with neighbouring uses from the ILO. Development standards shall recognize manure application as a required practice for an ILO and not unduly restrict such practice.
- (9) Council may approve a proposed ILO where no objection is received or may refuse a proposed ILO where specific and defined locational issues are identified and cannot be sufficiently mitigated to the satisfaction of Council.

- (10) Manure Disposal
- (a) Liquid manure shall be spread by direct injection into the soil.
 - (b) Solid manure may be required to be incorporated into the soil within 24 hours.
 - (c) Solid or liquid manure shall not be spread on snow covered or frozen ground. In an emergency situation solid or liquid manure may be spread on snow covered or frozen ground with the approval of the RM Council.
 - (d) Upon application to Council, other procedures for disposal of manure may be approved where the applicant establishes to the satisfaction of Council that the objectives of the OCP will be achieved to a similar standard. Council may specify a limited time during which the approval will be valid.
 - (e) Council may exempt in whole or in part an applicant from this Section where the manure to be spread comes from an ILO of less than 300 animal units and the manure will be spread on land owned by the operator of the ILO.
- (11) In order to minimize conflict between ILOs and surrounding development, Council will apply the following criteria and development standards:
- (a) An ILO shall observe the separation distances from uses listed in Table 3. Separation distances shall also apply to the locating of the uses listed in Table 3.
 - (b) Council, at its discretion, may consider lesser separation distances than given in Table 3, subject to the following:
 - (i) Where written notice, approved by Council, has been given to landowners, hamlet board or Council of an urban municipality within the specified distance provided in Table 3 and there are no objections to the proposed separation distance.
 - (ii) Where a lesser separation distance than described in Table 3 will not negatively impact the specific use or surrounding development. Prior to granting a reduction, the RM may consult with appropriate agencies.
 - (c) Where Council approves a lesser separation distance than given in Table 3, a written agreement may be required between the ILO developer and any landowner or municipality consenting to the proposed development up to a specified size. The agreement may be registered against the applicable parcel titles of both parties at the cost of the developer.

Table 3 - Minimum Separation Distances between ILOs and Land Uses					
Specific Use	Animal Units				
	100-299	300-499	500-2000	2000-5000	>5000
Any dwelling / residential land use	300 (450)	400 (600)	800 (1200)	1,200 (1,600)	1,600 (2,000)
Residential subdivision, hamlet, or urban municipality with <100 population, tourist accommodation, or campground	400 (600)	800 (1,200)	1,200 (1,600)	1,600 (2,400)	2,000 (2,400)
Urban municipality with 100-500 population	800 (1,200)	1,200 (1,600)	1,600 (2,000)	2,400 (2,400)	2,400 (2,400)
Urban municipality with 501-5000 population, school, or hospital	1,200 (1,600)	1,600 (2,000)	2,400 (2,400)	3,200 (3,200)	3,200 (3,200)
Urban municipality with >5000 population	1,600 (2,000)	2,400 (2,400)	3,200 (3,200)	3,200 (3,200)	3,200 (3,200)
Notes					
(1) Distances are measured between livestock facilities and building development.					
(2) Numbers in brackets apply where open liquid manure storage facilities are used or proposed.					
(3) Distances do not apply to residences associated with the operation.					

6.4.4 Aggregate Development and Operations

- (1) All sand and gravel operations shall meet applicable municipal, provincial and federal requirements including but not limited to the RMs Bylaw to License the Excavation of Gravel from Gravel Pits and the policies set out in the OCP. The RM may reference the Ministry of Environments Reclamation Guidelines for Sand and Gravel Operations in reviewing an application and their reclamation plan.
- (2) An approval for a sand and gravel extraction Development Permit will be issued for a maximum of five (5) years and may be renewed at the discretion of Council through the Development Permit process. Existing gravel pits that have been inactive for a period of more than twenty-four (24) consecutive months will require a new Development Permit.
- (3) Land use incompatibility, public safety, dust, noise, nuisance and pollution shall be minimized using appropriate routes, fencing, signage, buffers and screening.
- (4) All operations shall have efficient servicing, haul routes and have a high consideration for public safety.
- (5) Upon the request of the RM, the developer may be required to undertake an extraction study prior to development approval to determine specific development requirements and standards.
- (6) Where a sand and gravel development is proposed within the vicinity of a water source, the Development Permit application should be accompanied by an appropriate hydrological study which outlines necessary mitigation measures.

- (7) Where applicable, Council will specify development conditions in conjunction with recommendations from provincial agencies and reports from a qualified person regarding site development, services, modifications to application and location of operation and any other mitigation measures deemed necessary.
- (8) Applicants may be required to provide:
 - (a) A plan showing the location of the proposed area of operation, site boundaries, storage of extracted materials, the depth of excavation and the quantity of topsoil to be removed;
 - (b) A description of the excavation, disposal, and stripping or grading operation;
 - (c) Detailed timing and phasing of the project including the length of the proposed operation and hours of operation;
 - (d) A plan showing the final site conditions and post-development land use plan following the completion of the operation (reclamation plan) including the phasing of remediation. Progressive restoration is expected while extraction is ongoing in other Sections of the pit;
 - (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 impacts (e.g. noise, dust, excessive speed) on other road users and the public;
 - (g) Method for storm water management/drainage control, and erosion and sediment control; and
 - (h) Any other information that Council deems necessary.
- (9) 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. The applicant, operator or person that hauls the sand and gravel resources may be required by the RM to enter into a road maintenance agreement.
- (10) No mining, excavation or stockpiling shall occur:
 - (a) Within 75 metres (246 feet) from any residence. Council, at its discretion, may apply a lesser separation distance where a lesser separation distance will not negatively impact the specific use or surrounding development. Where Council approves a lesser separation distance an agreement between the owner of the residence and the developer consenting to a closer separation distance may be registered against the lands, at the cost of the developer;
 - (b) Within 15 metres (50 feet) from the limit of any road allowance or provincial highway;
 - (c) Within 75 metres (246 feet) from any recreational or heritage resource;

- (d) On hazard or environmentally sensitive lands unless in Council's opinion, such lands can be protected by following mitigation measures outlined by a professional study. Mitigation measures shall be incorporated as conditions for development approval.
- (11) All gravel operations shall have direct access to a developed road.
- (12) All development including any new excavation on existing gravel pits (prior to the adoption of this Bylaw) shall be reclaimed to a land capability that is equivalent to its pre-developed state or to a condition which is satisfactory to the RM. These procedures shall be in accordance with all applicable provincial requirements. The restoration of the site shall commence immediately upon termination of the operation or two years from the date of issuance of the Development Permit should the permit not be renewed.
- (13) In addition to the public notification requirement for discretionary uses contained in this Bylaw, Council may require that details of the application be circulated to property owners adjacent to the proposed haul roads to obtain public input on the proposed site prior to development consideration.
- (14) The applicant shall keep the site in a clean and tidy condition free from rubbish and non-aggregate debris.
- (15) Approaches to the development shall be located away from existing residences.
- (16) The applicant may be responsible for providing a bond or other method of security/ financial guarantee, in a form acceptable to the RM, equal to the cost of reclamation of the pit, to be held by the RM for the lifespan of the operation to ensure the land is reclaimed to a satisfactory condition. The bond or other acceptable security should be in place before development proceeds. Once the site has been satisfactorily restored, the bond or security will be discharged or returned to the applicant or their predecessor.
- (17) Council may require an agreement be entered into with the developer to ensure the sand and gravel development complies with all relevant requirements of this Bylaw including any additional conditions of approval necessary to secure the objectives of this Bylaw.

6.5 OTHER REGULATIONS

- 6.5.1 All development is subject to regulations within Section 3.0 – General Regulations, and Section 4.0 – Land Use Specific Regulations and Development Standards.
 - (1) Home Based Businesses shall comply with Section 4.1.
 - (2) Vacation Farms & Bed and Breakfasts shall comply with Section 4.2.
 - (3) Salvage Yards & Auto Wreckers shall comply with Section 4.3.
 - (4) Agriculture Tourism shall comply with Section 4.5.
 - (5) Campgrounds shall comply with Section 4.6.
 - (6) Communal Farm Settlements shall comply with Section 4.8.
 - (7) Animal Kennels shall comply with Section 4.9.
 - (8) Equestrian Facilities (riding stables) shall comply with Section 4.10.
 - (9) Solid and Liquid Waste Disposal Facilities shall comply with Section 4.11.

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- (10) Wind Farm and Wind Energy Systems shall comply with Sections 4.12 and 4.13.
- (11) Cannabis Facilities shall comply with Section 4.18.

7 LD – LAKESHORE DEVELOPMENT DISTRICT

INTENT: To accommodate residential, recreation, accommodation, tourism, assembly and other supportive uses in lakeshore areas. Lakeshore areas include but are not exclusive to Barrier Resort, Lakeview Resort and Rogers Landing. This zone is generally intended to accommodate medium-intensity land use, activity, density, scale, and intensity that will support or grow tourism and recreation opportunities for residents and visitors. There may be cases when Council determines that smaller and less intense development is most suitable. Productive or intensive uses likely to create a nuisance are discouraged or prohibited. Residential typically will be encouraged provided that adequate servicing is available.

7.1 PERMITTED USES

- (1) Accessory uses, buildings and structures *(excluding a dwelling)*
- (2) Dwelling, Single-Detached
- (3) Municipal Facilities
- (4) Public Utility *(excluding Solid and Liquid Waste Disposal Facilities)*

7.2 DISCRETIONARY USES

- (1) Bed and Breakfast
- (2) Campgrounds
- (3) Guest Cottage
- (4) Home Based Business
- (5) Institutional Uses
- (6) Multi-Unit Dwelling
- (7) Places of Worship
- (8) Recreational Use
- (9) Recreational Use, Commercial
- (10) Residential Care Home
- (11) Restaurants
- (12) Swimming pools

7.3 DISTRICT REGULATIONS

7.3.1 Subdivision

- (1) The subdivision of any land zoned LD is subject to the policies contained within the OCP.
- (2) Council may require landscaping and/or shelterbelts to separate LD districts from land zoned Ag or CI.
- (3) Council may require a concept plan to be prepared and for the applicant to enter into a servicing agreement prior to subdivision.

- (4) New and upgraded accesses, roads, utilities, and services, deemed by Council or the proponent to be necessary to accommodate subdivisions of land zoned LD shall be provided by the applicant at the applicant's expense.
- (5) All lakeshore subdivisions shall:
 - (a) Be located adjacent to an existing registered road or where arrangements have been made to develop a public road;
 - (b) Be serviced to meet municipal standards; and
 - (c) Have a buffer strip or landscaping may be required to separate lakeshore uses from adjacent existing agricultural development.

7.3.2 Site Requirements

- (1) Site Frontage:
 - (a) For a municipal facility, utility, ceremonial site, environmental reserve, or municipal reserve: No Minimum Site Frontage
 - (b) For all other uses, Minimum Site Frontage: 15 metres
- (2) Site Area:
 - (a) For a municipal facility, utility, ceremonial site, environmental reserve, or municipal reserve: No Minimum Site Area
 - (b) For residential uses, Minimum Site Area: 1,115 square metres (12,000 square feet)
 - (c) For all other uses, Minimum Site Area: 464.5 square meters (5000 square feet)
- (3) Setbacks:
 - (a) For a municipal facility, utility, ceremonial site, environmental reserve, or municipal reserve: No Minimum Setback
 - (b) For all other uses:
 - (i) Minimum Front Yard Setback: 6 metres
 - (ii) Minimum Side Yard Setback: 1.5 metres
 - (iii) Minimum Rear Yard Setback: 6 metres
 - (c) All accessory buildings with a door or doors opening onto a street or lane shall be located a minimum of 1.2 metres (4 feet) from the site line abutting the street or lane.
 - (d) Council may exempt a proposed development from the requirements of subsection (b) where, in the opinion of Council, compliance with it would be impractical or too costly for the applicant and the exemption or reduction is in the public interest. The Ministry of Highways and Infrastructure may require a greater distance may near a provincial highway.

- (4) Outdoor Storage:
 - (a) Is prohibited in the front yard.
 - (b) Shall be screened by landscaping or vegetation so as not to be visible from a road in a rear or side yard.
 - (c) Public utilities are exempt from these requirements.
- (5) Council may grant an exception to any of the Site Requirement(s) where such an exception:
 - (a) Will not be for a site containing a dwelling or other residential use;
 - (b) Is requested to reduce the proposed area in order to more easily manage, landscape, or otherwise maintain or develop the site;
 - (c) Is to accommodate a parcel physically severed as a result of road right of way or railway plans, drainage ditch, pipelines or transmission line, development or natural features such as watercourses;
 - (d) Would not unnecessarily reduce, or negatively affect the existing use, size, servicing, or access to the balance of the quarter section, or equivalent as defined in this Bylaw; and
 - (e) Would not negatively affect any nearby land use (existing or proposed), servicing, or site access.

7.3.3 Separation Distances

No residence shall be located with less than a minimum separation distance to an operation, other than the residence of the operation, as follows, unless permitted otherwise in this Bylaw:

- (1) The separation distance to an ILO as identified in subsection 5.3.10;
- (2) The separation distance to a liquid and/or solid waste facility as identified in subsection 3.34.
- (3) 305 metres (1000.66 feet) from a honey processing facility;
- (4) 305 metres (1000.66 feet) to a non-refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan
- (5) 610 metres (1968.50 feet) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan;
- (6) No dwelling or other building shall be located within the approach for any functional airport or airstrip.

7.3.4 Keeping of animals

- (1) Other than domestic household animals, no animals shall be allowed on any site in this District.
- (2) Keeping of bees for private or commercial use is prohibited.

7.3.5 Park Model Trailers and Recreation Vehicles (Trailer Coaches/Vacation Trailers):

- (1) A park model trailer or recreation vehicle, trailer coach/vacation trailer, which is not a mobile home and is used for temporary accommodation of guests of a single detached dwelling shall be permitted on the same lot as the dwelling;
- (2) No recreation vehicle, trailer coach/vacation trailer shall be connected to any piped water supply or waste disposal system on any lot, whether or not that system serves the existing dwelling on the lot.
- (3) All setback distances shall be met.

7.3.6 Guest Cottages

- (1) Shall be designed for the exclusive use of guests of the dwelling owner.
- (2) May contain a toilet facility which is separate from the principal dwelling on the same lot, but this facility may only be connected to the sewage disposal system of that dwelling when the proposed connection has first been approved by the Health District or where subsequent approval has been received and provided to the RM as a condition of approval;
- (3) Shall not contain any cooking facilities.

7.3.7 Fences and Hedges

- (a) On corner lots, that portion of a lot contiguous to a public road allowance shall be considered as a front yard area for the purpose of applying the regulations herein.
- (b) Screening devices shall not locate within a sight triangle.
- (c) Subject to traffic sight lines, the following limitations shall apply to fences, walls, chain-link fences, screening devices and hedges:
 - (i) No hedge, fence or other structure shall be erected past any property line;
 - (ii) In a required front yard, the maximum height shall be no more than 1.0 metre (3.28 feet) above grade level;
 - (iii) In a required rear and side yard, the maximum height shall be no more than 2.0 metres (6.56 feet) above grade level;
 - (iv) Barbed wire or razor wire fences are prohibited; and
 - (v) Fences shall be consistent and complement the quality of building design and materials of the primary building.

7.3.8 Criteria and Standards for Discretionary Use Applications

- (1) All discretionary uses are subject to the criteria and standards identified in Sections 2.10.3 and 2.10.4 of this Bylaw.
- (2) The proposed development shall be located on a parcel conforming to all requirements of this Bylaw, including site size, frontage, setbacks and access.
- (3) All servicing shall comply with provincial and municipal requirements.
- (4) The proposed development shall meet all other requirements of this Bylaw.

7.4 OTHER REGULATIONS

7.4.1 All development is subject to regulations within **Section 3.0 – General Regulations**, and **Section 4.0 – Land Use Specific Regulations and Development Standards** where required.

- (1) Home based businesses shall comply with Section 4.1.
- (2) Bed-and-breakfast homes shall comply with Section 4.2.
- (3) Campgrounds shall comply with Section 4.6.
- (4) Residential Care Home shall comply with Section 4.17.
- (5) Swimming Pools shall comply with Section 4.19.

8 HC – HIGHWAY COMMERCIAL DISTRICT

INTENT: The objective of this district is to provide for commercial and industrial development uses within the RM. Council will prefer that commercial and industrial subdivision take place rather than development on a full quarter Section, where appropriate.

Where any permitted or discretionary use is proposed adjacent to a provincial highway, the application will be referred to the Ministry of Highways and Infrastructure to ensure the proposal is consistent with provincial setbacks and other requirements.

8.1 PERMITTED USES

- (1) Accessory uses, buildings and structures (*excluding a dwelling*)
- (2) Agricultural Commercial
- (3) Commercial Greenhouse with or without Retail Sales (*including nurseries*)
- (4) Industrial Use, Storage and Distribution
- (5) Public Utility (excluding Solid and Liquid Waste Disposal Facilities)
- (6) Restaurant
- (7) Retail Sales
- (8) Service Station with or without confectionary and/or carwash
- (9) Vehicle Sales and Service
- (10) Veterinary Clinic

8.2 DISCRETIONARY USES

- (1) Agricultural Industry
- (2) Auction Market
- (3) Auto Wrecker
- (4) Cannabis Facilities
- (5) Industrial Use, Manufacturing and Fabrication (*including welding and machine shops*)
- (6) Recreational Use
- (7) Recreational, Commercial
- (8) Salvage Yard
- (9) Solid and Liquid Waste Disposal Facilities (including soil farms for the rehabilitation of petroleum-contaminated soils)
- (10) Temporary Work Camp

8.3 DISTRICT REGULATIONS

8.3.1 Subdivision

- (1) The subdivision of any land is subject to the policies contained in the OCP.
- (2) All land parcels shall have direct access to a developed road. All new and upgraded accesses and services shall be provided by the developer.
- (3) All commercial subdivisions shall be serviced to meet provincial and municipal standards.
- (4) A buffer strip or landscaping may be required in all subdivisions to separate commercial and industrial uses and adjacent land uses.
- (5) Council may require a concept plan to be prepared and for the applicant to enter into a servicing agreement prior to subdivision.

8.3.2 Site Requirements

(1) Site Area:

- (a) For a municipal facility, mineral resource operation, utility, ceremonial site, environmental reserve, or municipal reserve: No Minimum
- (b) For all other uses, Minimum Site Area: 1,000 square metres (0.25 acres)

(2) Minimum Site Frontage

- (a) For a municipal facility, mineral resource operation, utility, ceremonial site, environmental reserve, or municipal reserve: No Minimum
- (b) For all other uses, Minimum Site Frontage: 30 metres (98 feet)

(3) Setbacks:

- (a) Minimum Front Yard Setback: 7.6 metres (25 feet)
- (b) Minimum Side Yard Setback: 3 metres (10 feet)
- (c) Minimum Rear Yard Setback: 3 metres (10 feet)
- (d) Setbacks from buildings, structures or trees from the right-of-way of a developed road, road allowance or provincial highway shall be a minimum of 45 metres (150 feet).
- (e) A minimum setback of 91 metres (300 feet) is required from the intersection of the centrelines of any municipal roads or provincial highway or such greater distance as required; for example, site triangle.
- (f) A yard abutting any other road: 7.6 metres (25 feet) (including a highway service road).
- (g) All uses shall be separated from a residence 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, dust, smoke, light, and noise limiting the enjoyment or use of the residence.

- (4) Public utilities, municipal buildings and facilities, and municipal and environmental reserve are exempt from the site size, frontage and setback requirements.

- (5) Site Suitability
 - (a) All sites shall be naturally suitable for the proposed development reducing or eliminating the need for grading, clearing and drainage to prepare the site for development.
 - (b) All development applications shall be accompanied by information that confirms there will be no stability problems with respect to building foundations.
- 8.3.3 Water and Sewer
 - (1) All developments shall be serviced with sewage and water facilities appropriate for the use.
 - (2) Where possible and approved by public health, the developer shall endeavor to service the development with piped water and sewer services.
- 8.3.4 Access
 - (1) Development of a commercial use is prohibited unless the site abuts a developed road.
 - (2) For the purposes of this Section, “developed road” shall mean an existing graded all-weather road on a registered right of way, or a road for which 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.
 - (3) A site, to be created by subdivision, shall not be permitted unless, where required for the proposed use, 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.
- 8.3.5 Outdoor Storage
 - (1) Outdoor storage is prohibited within a yard abutting a road, except for the display of vehicles or machinery for sale, which will be neatly arranged.
 - (2) Outdoor storage located in a side or rear yard shall be suitably screened to the satisfaction of Council.
- 8.3.6 Criteria and Standards for Discretionary Use Applications
 - (1) All discretionary uses are subject to the criteria and standards identified in Sections 2.10.3 and 2.10.4 of this Bylaw.
 - (2) The proposed development shall be located on a parcel conforming to all requirements of this Bylaw, including site size, frontage, setbacks and access.
 - (3) All servicing shall comply with provincial and municipal requirements.
 - (4) The proposed development shall meet all other requirements of this Bylaw.
 - (5) Uses Involving the Housing of Agricultural Animals
 - (a) Council is governed by the location criteria contained in the OCP and Zoning Bylaw respecting discretionary approval for an ILO in the issuing of a permit for any use involving the sale, shipping, housing, or confinement of agricultural animals.

- (b) Council may apply special standards in the issuing a Development Permit limiting the number of animals that may be harbored on the site at any point in time.

8.4 OTHER REGULATIONS

- 8.4.1 All development is subject to regulations within Section 3.0 – General Regulations, and Section 4.0 – Land Use Specific Regulations and Development Standards where required.
 - (1) Salvage yards, auto and machinery wrecking yards shall comply with Section 4.3.
 - (2) Solid and liquid waste disposal facilities shall comply with Section 3.8.
 - (3) Signs shall comply with Section 3.5
 - (4) Service Stations shall comply with Section 4.4

9 CR – COUNTRY RESIDENTIAL DISTRICT

INTENT: To accommodate clustered acreage residential uses expected to integrate with existing rural and agricultural communities. Council may consider non-residential uses that support rural populations if they complement acreage residential settings. In accordance with the Official Community Plan, Council will support clustered development by encouraging subdivisions to locate adjacent to one another or in an existing country residential area.

New and upgraded accesses, roads, utilities, and services, deemed by Council or the applicant to be necessary to accommodate rezoning of land to CR shall be provided by the applicant at the applicant's expense.

9.1 PERMITTED USES

- (1) Accessory uses, buildings and structures (*excluding a dwelling*)
- (2) Dwelling, Single Detached
- (3) Municipal Facilities
- (4) Public Utilities (*excluding Solid and Liquid Waste Disposal Facilities*)
- (5) Recreational Use

9.2 DISCRETIONARY USES

- (1) Bed and Breakfast
- (2) Home Based Business

9.3 DISTRICT REGULATIONS

9.3.1 Subdivision Requirements

- (1) The subdivision of any land is subject to the policies contained in the OCP.
- (2) All subdivisions shall be located adjacent to an existing developed road, unless the RM agrees to the construction of new services to accommodate the application at the cost of the developer.
- (3) All subdivision shall be serviced to meet provincial and municipal standards.
- (4) A buffer strip or landscaping may be required in all subdivisions to separate residential uses from existing agricultural development and other incompatible land uses.
- (5) No further subdivision of the original lot shall be permitted without a new concept plan and approval from Council.

9.3.2 Site Requirements

- (1) Site Frontage
 - (a) For a municipal facility, utility, ceremonial site, environmental reserve, or municipal reserve: No Minimum
 - (b) For all other uses: 30 metres

- (2) Site Area
 - (a) For a municipal facility, utility, ceremonial site, environmental reserve, or municipal reserve: No Minimum or Maximum
 - (b) For all other uses, Minimum Site Area: 4,047 square metres (1 acre)
 - (c) For all other uses, Maximum Site Area: 20,234 square metres (5 acres)
- (3) Setbacks
 - (a) For a municipal facility, utility, ceremonial site, environmental reserve, or municipal reserve: No Minimum Setback
 - (b) For all other uses:
 - (i) Minimum Front Yard Setback: 15 metres (50 feet)
 - (ii) Minimum Side Yard Setback: 6 metres (20 feet)
 - (iii) Minimum Rear Yard Setback: 6 metres (20 feet)
 - (c) Setbacks for buildings, structures or trees from the right-of-way of a provincial highway, road or road allowance, other than internal subdivision roads, shall be a minimum of 45 metres (150 feet).
 - (d) A minimum setback of 91 metres (300 feet) is required from the intersection of the centrelines of any provincial highway or municipal road, other than internal subdivision roads, or such greater distance as required; for example, site triangle.
- (4) Council may grant an exception to any of the Site Requirement(s) where such an exception:
 - (a) Will not be for a site containing a dwelling or other residential use;
 - (b) Is requested to reduce the proposed area in order to more easily manage, landscape, or otherwise maintain or develop the site;
 - (c) Would not unnecessarily reduce, or negatively affect the existing use, size, servicing, or access to the balance of the quarter section, or equivalent as defined in this Bylaw; and
 - (d) Would not negatively affect any nearby land use (existing or proposed), servicing, or site access.

9.3.3 Outdoor Storage

- (1) No outside storage shall be permitted in the front yard.
- (2) Outside storage located in a side or rear yard shall be suitably screened to the satisfaction of the RM.

9.3.4 Keeping of Animals

- (1) Other than domestic household animals, no animals shall be allowed on any site. No large animal (e.g. horse or cattle) shall be allowed on any site.

9.3.5 Criteria and Standards for Discretionary Use Applications

- (1) All discretionary uses are subject to the criteria and standards identified in Sections 2.10.3 and 2.10.4 of this Bylaw.

- (2) The proposed development shall be located on a parcel conforming to all requirements of this Bylaw, including site size, frontage, setbacks and access.
- (3) All servicing shall comply with provincial and municipal requirements.
- (4) The proposed development shall meet all other requirements of this Bylaw

9.4 OTHER REGULATIONS

9.4.1 All development is subject to regulations within Section 3.0 – General Regulations, and Section 4.0 – Land Use Specific Regulations and Development Standards where required.

- (1) Home Based Businesses shall comply with Section 4.1.
- (2) Bed and Breakfasts shall comply with Section 4.2.

10 HM – HAMLET DISTRICT

INTENT: The purpose of this district is to accommodate medium to high density development. The hamlet district will primarily accommodate urban-type residential development as well as commercial and recreational services for the rural population where appropriate.

10.1 PERMITTED USES

- (a) Accessory uses and buildings less than 75 sq. m. (807 sq. ft.)
- (b) Daycare Centres
- (c) Dwelling, Single Detached
- (d) Institutional Use
- (e) Municipal Facilities
- (f) Office or Office Building
- (g) Personal Service
- (h) Places of Worship
- (i) Public Utility (*excluding Solid and Liquid Waste Disposal Facilities*)
- (j) Recreation Use
- (k) Recreation Use (*including Sports fields, rinks, parks, and golf courses*)
- (l) Restaurant
- (m) Restaurant
- (n) Retail Sales
- (o) Retail stores
- (p) School
- (q) Vehicle Sales and Service

10.2 DISCRETIONARY USES

- (a) Artisan Studio
- (b) Bed and Breakfast
- (c) Dwelling accessory to a Commercial Use (*maximum of one*)
- (d) Dwelling, Multi-Unit
- (e) Health Care Facilities
- (f) Home Based Businesses
- (g) Hotel/Motel
- (h) Residential Care Home
- (i) Service Station
- (j) Storage Yards

10.3 DISTRICT REGULATIONS

10.3.1 Subdivision Requirements

- (1) The subdivision of any land zoned HM is subject to the policies contained within the OCP.
- (2) Council may require landscaping and/or shelterbelts to separate an HM zoning district from Ag or CI.
- (3) Council may require a concept plan to be prepared and for the applicant to enter into a servicing agreement prior to subdivision.
- (4) New and upgraded accesses, roads, utilities, and services, deemed by Council or the proponent to be necessary to accommodate subdivisions of land zoned HM shall be provided by the applicant at the applicant's expense.

10.3.2 Site Requirements

- (1) Site Frontage
 - (a) For a municipal facility, utility, ceremonial site, environmental reserve, or municipal reserve: No Minimum
 - (b) For all other uses, Minimum Site Frontage: 15 metres
- (2) Site Area
 - (a) For a municipal facility, utility, ceremonial site, environmental reserve, or municipal reserve: No Minimum
 - (b) For residential uses, Minimum Site Area: 1,100 square metres
 - (c) For all other uses, Minimum Site Area: 450 square metres
- (3) Setbacks
 - (a) For a municipal facility, utility, ceremonial site, environmental reserve, or municipal reserve: No Minimum Setback
 - (b) For all other uses:
 - (i) Minimum Front Yard Setback: 6 metres
 - (ii) Minimum Side Yard Setback: 1.5 metres
 - (iii) Minimum Rear Yard Setback: 6 metres
 - (c) No planted tree, stone, earth or gravel pile, berm, portable structure (such as a trailer or a sea and rail container), dugout, corral, board and page wire fence, machinery, or other objects shall be within:
 - (i) 92 metres from the centre of an intersection of two or more roads; or
 - (ii) 31 metres from the centerline of a provincial highway unless written permission is first obtained from the Ministry of Highways.
 - (d) Council may grant an exception to any of the Site Requirement(s) where such an exception:
 - (i) Will not be for a site containing a dwelling or other residential use;
 - (ii) Is requested to reduce the proposed area in order to more easily manage, landscape, or otherwise maintain or develop the site;

- (iii) Would not unnecessarily reduce, or negatively affect the existing use, size, servicing, or access to the balance of the quarter section, or equivalent as defined in this Bylaw; and
 - (iv) Would not negatively affect any nearby land use (existing or proposed), servicing, or site access.
- 10.3.3 Accessory Buildings, Structures and Uses
 - (1) Unless specifically exempt by this Bylaw, all accessory uses, buildings, or structures are subject to Development Permit requirements.
 - (2) Accessory structures and buildings shall meet the same site requirements and performance standards of the principal building.
- 10.3.4 Hedges and Fences
 - (1) Shall be entirely within the property line of the site.
 - (2) Shall not exceed 1 metre (3.3) metres in height.
 - (3) Barbed wire and razor wire fences are prohibited.
- 10.3.5 Outdoor Storage
 - (1) The outdoor storage or collection of goods and materials is prohibited in a front or side yard in the district. Goods and items may be displayed in the front yard for a limited time, provided the area is neat and orderly.
 - (2) Outdoor storage is allowed in the rear yard provided the goods or material being stored are clearly accessory and incidental to the principal use of the property.
 - (3) Outside storage located in a side or rear yard shall be screened by landscaping or vegetation so as not to be visible from a road
 - (4) Council may apply special standards for the location, setback or screening of any area devoted to the outdoor storage of vehicles, including vehicles, parts of vehicles, or equipment and machinery normally used for the maintenance of the property.
- 10.3.6 Criteria and Standards for Discretionary Use Applications
 - (1) All discretionary uses are subject to the criteria and standards identified in Sections 2.10.3 and 2.10.4 of this Bylaw.
 - (2) The proposed development shall be located on a parcel conforming to all requirements of this Bylaw, including site size, frontage, setbacks and access.
 - (3) All servicing shall comply with provincial and municipal requirements.

10.4 OTHER REGULATIONS

10.4.1 All development is subject to regulations within **Section 3.0 – General Regulations**, and **Section 4.0 – Land Use Specific Regulations and Development Standards** where required.

- (1) Home Based Businesses shall comply with Section 4.1.
- (2) Bed and Breakfast shall comply with Section 4.2.
- (3) Salvage yards, auto and machinery wrecking yards shall comply with Section 4.3.
- (4) Service stations shall comply with Section 4.4.
- (5) Residential Care Home shall comply with Section 4.17.

11 DEFINITIONS

Whenever the subsequent words are used in the OCP or this Bylaw, they shall have the following definition unless the context indicates otherwise:

A

Abattoir	A facility for butchering animals, slaughtering animals, dressing, cutting and inspecting meats, and/or refrigerating, curing, and manufacturing by-products
Accessory	A building, structure or use of a specific site which is subordinate and exclusively devoted to the principal building, principal structure or principal used of the same site.
Act	<i>The Planning and Development Act, 2007</i> in the Province of Saskatchewan, as amended from time to time.
Adjacent	Contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land; and any other land identified in this Bylaw as adjacent land for the purpose of notifications.
Aggregate	Raw materials including sand, gravel, clay, earth or mineralized rock found on or under a site.
Aggregate Development and Operations	The excavation, stripping or grading, processing and refining of aggregate materials.
Agricultural Commercial	A use related to the sale of products or machinery of an agricultural nature or the provision of services to the agricultural community.
Agricultural Commercial	A use related to the sale of products or machinery of an agricultural nature or the provision of services to the agricultural community. Without restricting the generality of the above, Agricultural Commercial may include: <ol style="list-style-type: none">(1) Farm Equipment and Implement Dealers(2) Farm Equipment Storage and Parking(3) Fruit Stands <i>Excludes Auction Market</i>
Agricultural Industry	Those processing and distributing industries providing products or services directly associated with the agricultural business sector. Includes the incidental storage and distribution of the inputs and outputs of the principal activities. Without restricting the generality of the above, Agricultural Industry may include: <ol style="list-style-type: none">(1) Grain Elevators

- (2) Feed Mills
- (3) Abattoirs, Skinning and Tanning Facilities
- (4) Seed Cleaning Plants
- (5) Pelletizing Plants
- (6) Bulk Fertilizer Distribution Plants
- (7) Bulk Agricultural chemical distribution plants
- (8) Anhydrous ammonia storage and distribution
- (9) Bulk fuel plants
- (10) Retail sales of the goods produced or stored as part of the dominant use on the site

Agricultural
Operation

A use where produce, honey, dairy products, meat, skin, hide or textile are derived directly from the following activities:

- (1) Cultivating land;
- (2) Producing agricultural crops, including hay and forage;
- (3) Producing horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs, flowers, greenhouse crops and specialty crops;
- (4) Raising all classes of livestock, horses, poultry, fur-bearing animals, game birds and game animals, bees and fish;
- (5) Involved the primary processing of agricultural products which provide a primary source of livelihood and income to the site owner or operator;
- (6) Operating agricultural machinery and equipment, including irrigation pumps and noise-scare devices;
- (7) Conducting any process necessary to prepare a farm product for distribution from the farm gate;
- (8) Storing, handling and applying fertilizer, manure, organic wastes, soil amendments and pesticides, including both ground and aerial application;
- (9) Minor facilities for the preparation for sale of crops grown by the agricultural operation; and
- (10) Any similar agricultural activity or process as interpreted by Council or the Development Officer.

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Agricultural Operation, Intensive	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. <i>Excludes Intensive Livestock Operations (ILO).</i> <i>Excludes Residential Uses.</i>
Agricultural Tourism	A tourism oriented commercial land use related to the retail sale of products or the provision of entertainment associated with an agricultural operation or a rural environment. Without limiting the generality of the above, Agricultural Tourism may include: (1) Historical and Vacation farms (2) Farm Zoos (3) Gift Shops (4) Restaurant (5) Art Galleries (6) Cultural Entertainment Facilities
Alteration or Altered	With reference to a building, structure or site means a change from one major occupancy class or division to another, or a structural change such as an addition to the area or height, or the removal of part of a building, or any change to the structure such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change to or closing of any required means of egress or a change to the fixtures, equipment, cladding, trim, or any other items regulated by this Bylaw such as parking and landscaping.
Ancillary	A building, structure or use of a specific site which is related in a subsidiary manner to the principal building, principal structure, or principal use of the same site.
Animal Kennel	A development used for the breeding, boarding, caring or training of animals. Without limiting the generality of the definition, Animal Kennel may include Dog boarding and dog training establishments Animal rescue homes or shelters <i>Excludes Veterinary Clinic</i>

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Animal Unit (A.U.) 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	
Bison	1
Elk, Reindeer	4
Deer	7

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

Artisan Studio A development for which the principal use is the creation of works of art and crafts, instruction in art and crafts, and may include sales of works of art as an ancillary use.

Auction Mart/Market A building or structure or lands used for the storage of goods, materials and livestock which are to be sold on the premises by public auction and for the sale of the said goods, materials, and livestock by public auction and on an occasional basis.

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

B

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

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

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

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

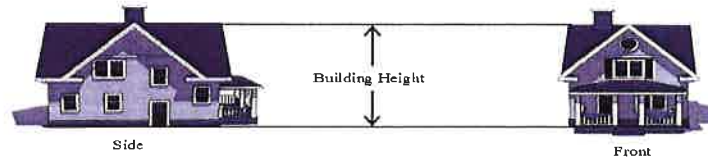
Building A structure used for the shelter or accommodation of persons, animals, or chattels and includes any structure covered by a roof supported by walls or columns.

Building Bylaw The Bylaw of the Rural Municipality of Barrier Valley No. 397 regulating the erection, alteration, repair, occupancy, maintenance, or demolition of buildings and structures.

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

Zoning Bylaw of the RM of BARRIER VALLEY No. 397

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



Building Permit A permit, issued under the Building Bylaw of the Rural Municipality of Barrier Valley No. 397 authorizing the construction of all or part of any building or structure.

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

Bulk Fuel Sales and Storage Includes lands, buildings, and structures for the storage and distribution of fuels and oils including retail sales or key lock operations.

Bylaw The Rural Municipality of Barrier Valley No. 397's Zoning Bylaw.

C

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

Cannabis As defined in *The Cannabis Act* (Canada).

Cannabis Facility Means either:

- (1) A facility, licensed by the Federal Government, for the cultivation, synthesis, harvesting, altering, propagating, processing, packaging, labeling, storage and shipping of cannabis; or
- (2) A facility, provincially authorized, for the warehousing and wholesale distribution of cannabis.

Cannabis Production Facility A facility, licensed by the Federal Government, for the cultivation, synthesis, harvesting, altering, propagating, processing, packaging, labeling, storage and shipping of cannabis.

Cannabis Retail Store A retail store, provincially authorized, for selling cannabis to consumers.

Cannabis Warehouse and Distribution Facility	A facility, provincially authorized, for the warehousing and wholesale distribution of cannabis.
Cemetery	Land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried. "Cemetery" may include a structure for the purpose of the cremation of human remains and may include facilities for storing ashes or human remains that have been cremated or the interment of the dead in sealed crypts or compartments.
Clean Fill	Uncontaminated non-water-soluble, non-decomposable, inert solids such as rock, soil, gravel, concrete, glass and/or clay or ceramic products. Clean fill shall not mean processed or unprocessed mixed construction and demolition debris, including, but not limited to, wallboard, plastic, wood or metal or any substance deemed corrosive, combustible, noxious, reactive or radioactive.
Cluster	Where design allows for the concentration of development in pockets to preserve ecological areas and other open space while providing lower servicing cost and alternative development patterns. (i.e. housing)
Commercial	The use of land, buildings, or structures for the purpose of buying and selling commodities and supplying professional and personal services for compensation.
Commercial Indoor Storage	A building or series of buildings comprising multiple storage bays intended for lease or rent by the general public for the purpose of indoor storage of private goods.
Communal Dwelling	The dwelling unit(s) on land owned by Hutterite colonies who use the land for agricultural, educational and other shared purposes.
Communal Farm Settlement	<p>A multiple use development located on a single site and often associated with an agricultural operation and/or an intensive livestock operation (ILO), on the same or adjacent site. The use is typically operated by a religious colony or other association and may include the following:</p> <ol style="list-style-type: none">(1) Agricultural uses, including greenhouses and intensive livestock operations(2) Minor agricultural-commercial operations for the sake of the products grown on-site(3) One-unit dwellings(4) Two-unit dwellings(5) Multiple unit dwellings(6) Cooking and eating facilities

	(7) Living areas and sleeping facilities
	(8) Sanitary facilities
	(9) Places of worship
	(10) Educational and child care facilities
	(11) Recreational facilities
	(12) Cemeteries
	(13) Workshops
	(14) Uses, structures and buildings accessory to the above principal uses
Community Facilities	A building or facility used for recreational, social, educational or cultural activities and which is owned by a municipal corporation, non-profit corporation or other non-profit organization.
Concept Plan	A land use concept plan for a specific local area that identifies social, environmental, health and economic issues which the proposed development must address.
Concrete and Asphalt Plant	An industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production's process or of finished products manufactured on the premises and the storage and maintenance of required equipment.
Condominium	As defined by <i>The Condominium Property Act, 1993</i> , means the land included in a condominium plan together with the buildings and units and the common property and common facilities belonging to them.
Conservation	The planning, management and implementation of an activity with the objective of protecting the essential physical, chemical and biological characteristics of the environment.
Construction Office	A premanufactured portable office that sits on top of a wheels and chassis trailer base delivered to a site for temporary use as an office.
Contractors Yard	The yard of a contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business.
Convenience Store	A store offering for sale primarily food products, beverages, tobacco, personal care items, hardware and printed matter and which primarily provides a convenient day to day service to residents in the vicinity.

Zoning Bylaw of the RM of BARRIER VALLEY No. 397

Council	The Council of the Rural Municipality of Barrier Valley No. 397.
Country Residential Development	Residential development contained within a severance from an agricultural holding where the essential land requirement is for a residential building site and space rather than for productive agricultural purposes.

D

Daycare Centre	Any kind of group daycare programs including eldercare or aged adults, nurseries for children of working parents, nursery schools for children and minimum age for education in public schools' or parent cooperative nursery schools and programs covering after school care for school children provided such an establishment is approved by the provincial government and conducted in accordance with provincial requirements.
Developed Road	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.
Development	The carrying out of any building, engineering, mining or other operations in, on or over land or the making of any material change in the use of any building or land, the moving of any building or structure onto land, the moving of a mobile home or trailer coach onto land, and the opening or stripping of land for the purpose of removing therefrom sand, gravel or other aggregate resources.
Development Agreement	The legal agreement between a developer and the RM which specifies the all obligations and the terms and conditions for the approval of a development pursuant to Section 172 of <i>The Planning and Development Act, 2007</i> .
Development Officer	The Administrator shall be the Development Officer, or in his/her absence an employee of the RM appointed by the Administrator; or someone appointed by the Council to act as a Development Officer to administer this Bylaw.
Development Permit	A permit issued by the Council of the Rural Municipality of Barrier Valley No. 397 that authorizes development but does not include a Building Permit.
Directional Signage	Signage located off site providing direction to and information about a specific enterprise or activity which does not contain general advertising.
Discretionary Use	A use of land or buildings or form of development that is prescribed as a discretionary use in the Zoning Bylaw; and requires the approval of

Council pursuant to Section 56 of *The Planning and Development Act, 2007*.

Dormitory	Sleeping quarters or entire buildings primarily providing sleeping and residential quarters for large numbers of people.
Dwelling	A building or part of a building designed exclusively for residential occupancy.
Dwelling Group	A group of single-detached, semi-detached, or multiple unit dwellings clustered on one lot or site, built as one development.
Dwelling Unit	A separate set of living quarters, whether occupied or not, usually containing sleeping facilities, sanitary facilities and a kitchen or kitchen components, but does not include boarding houses or rooming units. For the purposes of this definition, "kitchen components" include, but are not limited to, cabinets, refrigerators, sinks, stoves, ovens, microwave ovens or other cooking appliances and kitchen tables and chairs.
Dwelling, Multiple Unit	A building containing three or more dwelling units and shall include condominiums, townhouses, row houses, and apartments as distinct from a rooming house, hotel, or motel.
Dwelling, Single-Detached	A building containing only one dwelling unit, as herein defined, and occupied or intended to be occupied as a permanent residence, including a RTM when attached to a foundation on the site, but not including a mobile or modular home as defined.

E

Elevation	The height of a point on the Earth's surface above sea level.
Environmental Reserve	Lands that have been dedicated to the RM by the developer of a subdivision as part of the subdivision approval process. Environmental reserves are those lands that are considered undevelopable and may consist of a swamp, gully, ravine, coulee or natural drainage course, or may be lands that are subject to flooding or are considered unstable. Environmental reserve may also be a strip of land, not less than 6.0 metres (19.69 feet) in width, abutting the bed and shore of any lake, river stream or other body of water for the purposes of preventing pollution or providing access to the bed and shore of the water body.
Environmentally sensitive lands and areas	Means lands or areas with natural features where precautions, mitigation or constraints are needed to minimize impacts. These include the following: <ol style="list-style-type: none">(1) A ravine, coulee, swamp, natural drainage course, or creek bed;(2) Wildlife habitat, environmentally sensitive or significant natural or heritage areas;

- (3) Flood-prone or potentially unstable land; or
- (4) Land abutting lakes, streams, or rivers for pollution prevention, bank preservation, or development protection from flooding.

Equestrian Facility (Riding stables) The use of lands, buildings, or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, with or without charge and with or without general public involvement but does not include the racing of horses.

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

F

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

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

Farmstead/Farmyard The buildings and adjacent essential grounds surrounding a farm and accessory to a farm operation.

Feedlot A fenced outdoor area where livestock are confined solely for the purpose of growing or finishing and are sustained by means other than grazing.

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

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

Flood 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 1 metre (3.28 feet) per second.

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

Floodway	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.
Floor Area	The total area of all floors of a building or structure, excluding stairwells, elevator shafts, equipment rooms, interior vehicular parking, unloading areas and all flows below the first or ground floor, except when used or intended to be used for human habitation or service to the public.
Free Standing Sign	A sign, except a billboard, independently supported and visibly separated from a building or other structure and permanently fixed to the ground.
Freeboard	Means a 0.5 metre measurement that is added to the Estimated Peak Water Level.
Frontage	The full length of a site measured alongside the road onto which the site fronts.
G	
Game Farm	A fenced area for the purpose of management, control, and harvesting of domestic game farm animals. Game farms are regulated by The Domestic Game Farm Animal Regulations. Includes Controlled Hunt Farms.
Garage	A building or part of a building used for or intended to be used for the storage of motor vehicles and wherein neither servicing nor repairing of such vehicles are carried on for remuneration.
Geotechnical Assessment	An assessment or estimation by a qualified expert of the earth's subsurface and the quality and/or quantity of environmentally mitigative measures that would be necessary for development to occur.
Golf Course	A public or private area operated for the purpose of playing golf, and includes a par 3 golf course, club house and recreational facilities, accessory driving ranges, and similar uses.
Greenhouse, Commercial	A Greenhouse that grows plants for commercial consumption or sale.
Greenhouse	A building with glass or clear plastic walls and roof for the cultivation and exhibition of plants under controlled conditions.
Gross Surface Area	The area of the rectangle or square within which the face of a sign can be completely contained, exclusive of any supporting structure or, where a sign has more than one face or the face of the sign is not flat, the rectangle within which the largest area of the face of the sign in profile can be completely contained exclusive of any supporting structure.

Guest Cottage An accessory single detached dwelling unit intended to provide temporary accommodation for guests built on a permanent foundation on the same lot as the principal single detached dwelling.

H

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

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

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

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

Hazardous Uses A development which may generate any of the following characteristics:

- (1) Excessive noise, odour, dust, vibration;
- (2) Offensive emissions;
- (3) Involves dangerous or toxic materials, chemicals and wastes;
- (4) Air, water or soil pollution;
- (5) Land use incompatibility;
- (6) Reduced public safety, and may include auto-wrecking, fertilizer, asphalt, chemical and grain handling uses.

Health Care Facilities A development for which the principal use is to provide medical and health care services on an outpatient basis only, and includes community health clinics, medical labs, walk-in clinics, medical and dental offices, and counseling services.

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

Heritage Property Any property, whether by a work of nature or of man, that is of interest for its archaeological, historic, cultural environmental, aesthetic or scientific value, and includes a site where archaeological, historic, paleontological, cultural or scientific property is, or may reasonable be

expected to be found, or as otherwise defined in *The Heritage Property Act* and regulations.

Heritage Resource	The history, culture and historical resources of an area or community.
Home Based Business	An accessory use carried on as a business conducted for gain in whole or in part in a dwelling unit or an accessory building to a dwelling unit.
Home Occupation	An accessory use carried on as an occupation conducted for gain in a dwelling unit solely by the resident or residents.
Horticulture	The culture or growing of garden plants. Horticulturists work in plant propagation, crop production, plant breeding and genetic engineering, plant biochemistry, plant physiology, and the storage, processing, and transportation of fruits, berries, nuts, vegetables, flowers, trees, shrubs, and turf.
Hotel/Motel	A building or buildings or part thereof on the same site used to accommodate the traveling public for gain or profit, by supplying them with sleeping accommodation, with or without meals.

I

Industrial Use, Manufacturing and Fabrication	The use of land, buildings or structures for the manufacturing, assembling, processing, and fabrication of goods and materials. Includes welding, machine shops, and metal fabrication shops.
Industrial Use, Storage and Distribution	The use of land, buildings or structures for the warehousing or storage, supply and distribution of goods and materials.
Institutional Use	A use of land, buildings or structures for a public or non-profit purpose and without limiting the generality of the foregoing, may include such uses as schools, indoor recreation facilities, community centres, and provincial or federal government buildings.
Intensive Livestock Operation	The operation or facilities for the permanent rearing, confinement or feeding of poultry, hogs, sheep, goats, cattle, horses, bison or domesticated game animals in such number that the facility and portion of a site used for the operation will contain one hundred (100) or more animal units which are confined to a space of one (1) animal unit to less than 370 square metres (4000 square feet), eleven (11 animal units per acre).

L

Land Use Map	A comprehensive document compiled by a local government that identifies goals and strategies for future development or preservation of land. In its projections, the map specifies certain areas for residential growth and others for agriculture, industry, commercial and conservation.
Land Use Zoning District	Divisions identified in the Zoning Bylaw establishing permitted and discretionary uses of land or buildings with attendant regulations.
Landfill	A specially engineered site for disposing of solid waste on land, constructed so that it will reduce hazard to public health and safety.
Landscaping	<p>The provision of horticultural and other related compatible features or materials designed to enhance the visual amenity of a site or to provide a visual screen consisting of any combination of the following elements:</p> <p>Soft landscaping consisting of vegetation such as trees, shrubs, vines, hedges, flowers, grass and ground cover; and/or</p> <p>Hard landscaping consisting of non-vegetative materials such as concrete, unit pavers, brick pavers or quarry tile, but does not include gravel, shale, or asphalt.</p>
Legal Access	A lot or parcel shall be considered as having legal access for the purposes of development when the lot or parcel is adjacent to a municipally maintained road and meets the frontage requirements of appropriate Zoning District hosting the development.
Livestock	Domesticated animals used primarily as beasts of burden or for the production of fur, hides, meat, milk, eggs or other product, or as breeding stock, but excluding companion animals.
Lot	A parcel of land of a subdivision, the plan of which has been filed or registered in the Land Titles Office.

M

Mineral Resource	Mineral Resources as defined in <i>The Mineral Resource Act, 1985</i> .
Mineral Resource Development	The processing and refining of mineral resources excluding stockpiling and transportation.
Mineral Resource Development	The quarrying, processing, removal and sale of natural resources, including sand and gravel, oil and gas, peat metallic mineral and other non-metallic minerals.

Mineral Resource Exploration	The act of exploration and extraction of Mineral Resources including stockpiling and transportation and other ancillary land uses necessary to the extraction operation.
Minimum Separation Distance	In respect to intensive livestock operations and heavy industrial land uses, the minimum distance separation required in the Zoning Bylaw from non-complementary uses.
Minister	The Minister as defined in <i>The Planning and Development Act, 2007</i> .
Mobile Home	A trailer coach that may be used as a dwelling all year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. CSA Number Z240 MH.



Double-Wide Mobile Home

Modular Dwelling	A single detached dwelling placed on a permanent foundation that has been manufactured in a factory as a whole or modular unit to be used as one single dwelling unit and is certified by the manufacturer that it complies with the National Building Code and Standards Council of Canada CSA-A277 standards.
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See also "Ready to Move" Dwelling

Municipal Facilities	A facility, structure or other initiative on land that is publicly owned or controlled which has the approval of Council. Examples may include RM buildings, Recreational facilities, and emergency service facilities.
Municipal Reserve	Dedicated lands: That are provided to a Municipality pursuant to clause 189(a) of <i>The Planning and Development Act, 2007</i> for public use; or

That were dedicated as public reserve and transferred to a Municipality pursuant to Section 196, whether or not title to those lands has been issued in the name of the Municipality.

Municipal Road A public road which is subject to the direction, control and management of the municipality, and includes an internal subdivision road.

N

Natural Areas An area relatively undisturbed by human activities and characterized by indigenous species including remnant or self-sustaining areas with native vegetation, water, or natural features.

Natural Resources The renewable resources of Saskatchewan and includes:

- (1) Fish within the meaning of *The Fisheries Act*;
- (2) Wildlife within the meaning of *The Wildlife Act, 1998*;
- (3) Forest products within the meaning of *The Forest Resources Management Act*;
- (4) Resource lands and provincial forest lands within the meaning of *The Resource Lands Regulations, 1989*;
- (5) Ecological reserves within the meaning of *The Ecological Reserves Act*; and
- (6) Other living components of ecosystems within resource lands, provincial forest lands and other lands.

Non-Conforming Building A building:

- (1) That is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and
- (2) 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:

- (1) Being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date a

Zoning Bylaw or any amendment to a Zoning Bylaw affecting the land or building becomes effective; and

- (2) That on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective does not, or in the case of a building under construction or with respect to which all required permits have been issued will not, comply with the Zoning Bylaw.

O

Office or Office Building

A permanent building or part of a permanent building uses primarily for conducting the affairs of a business, profession, service, industry, or government in which no goods or commodities of business or trade are stored, trans-shipped, sold or processed.

Open Space

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

P

Park Model Trailer/Unit

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



Park Model Trailer 102



Park Model Recreational Unit

Parking

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

Pasture

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

Permanent Foundation

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

Permitted Use

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

Zoning Bylaw of the RM of BARRIER VALLEY No. 397

Personal Service	A development used for the provision of personal services to an individual which are related to their care, well-being, finances or appearance. This includes such uses as hairstylists, beauty and nail salons, bank or dry cleaners. It does not include Health Care Facilities or adult entertainment facilities.
Place of Worship	A place used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues and parish halls.
Primary Access	The principal means of vehicular entry to or from a site or building but shall not include a lane.
Principal (building, structure or use)	The main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.
Public Utility (Linear)	Linear or private utilities including, but not limited to, roads, communication lines, rail, power and natural gas lines and similar linear uses.
Public Utility (Service)	Those non-linear utilities which may potentially conflict with other land uses, including, but not limited to, airports, microwave or communication towers, wind towers, water reservoirs, sewage lagoons, landfills, gas compressor stations, large electrical transformer stations and similar, potentially conflicting service utilities.
Public Utility	<p>The development and maintenance of a system, work, plant, equipment, or service, (whether owned or operated by the RM or by a utility company), including:</p> <ol style="list-style-type: none">(1) Systems for the production, distribution or transmission of electricity;(2) Systems for the distribution, storage or transmission of natural gas or oil;(3) Facilities for the storage, transmission, treatment, distribution or supply of water;(4) Facilities for the collection, treatment, movement or disposal of sanitary sewage;(5) Telephone, cable television, optical cable, or light distribution or transmission lines;(6) Facilities for the collection, storage, movement and disposal of storm drainage;(7) Transportation system including road and rail;

- (8) Facilities for the collection and disposal of sewage, garbage, and other wastes.

Public Works

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

Quarter Section

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

R

Railway Freight Yards

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

Ready-to-Move (RTM) Dwelling

A single detached dwelling placed on a permanent foundation that has been manufactured in a factory as a whole or modular unit to be used as one single dwelling and is certified by the manufacturer that it complies with the National Building Code and Standards Council of Canada CSA-A277 standards.



unit

See also "Modular Dwelling"

Real Estate Signage

Signage directly associated with the sale of property in which it is located and which maintains a gross surface area of less than 1 square metre (10.76 square feet).

Recreational Use

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

Recreational Vehicle

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

- Motor homes
- Camper Trailers
- Boats
- Snowmobiles
- Motorcycles



Zoning Bylaw of the RM of BARRIER VALLEY No. 397

Recreational, Commercial	A public or private facility or amenity, a joint-use site or a park or playground that serves the surrounding neighbourhood with an intent to produce financial gain.
Reeve	The Reeve of the Rural Municipality of Barrier Valley No. 397
Residence – Dwelling	A building that contains a dwelling unit intended to be occupied as a permanent residence.
Residential Care Home	A facility which: <ol style="list-style-type: none">(1) Provides meals, lodging, supervisory personal or nursing care to persons who reside therein for a period of not less than thirty days;(2) Is duly licensed by the Province of Saskatchewan or certified as approved by the Province of Saskatchewan under a provincial act which provides for such licensing or certification; and(3) May include only the principal residence of the operator or administrator.
Residual Parcel	The acreage remaining in agriculture resulting and independent of the subdivision of an agricultural holding for non-agricultural purposes.
Restaurant	A building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building. However, limited facilities may be permitted to provide for a take-out food function provided such facility is clearly secondary to the primary restaurant use.
Retail Sales	A development used for the retail sale of groceries, beverages, household goods, furniture, appliances, clothing, hardware, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationary and similar goods within an enclosed building.
Right-of-Way	The right of way is the land set aside for use as a roadway or utility corridor. Rights of way are purchased prior to the construction of a new road or utility line, and usually enough extra land is purchased for the purpose of providing mitigative features. Sometimes, road rights of way are left vacant after the initial roadway facility is constructed to allow for future expansion.
Riparian	The areas adjacent to any streams, rivers, lakes or wetlands.
RM	The Rural Municipality of Barrier Valley No. 397.

S

Salvage Yard	A use where second-hand, discarded or scrap materials are bought, sold, exchanged, stored, processed or handled. Materials include scrap iron, structural steel, rags, rubber tires, discarded goods, equipment, appliances or machinery. The term also includes a site for collection, sorting, storing and processing of paper products, glass, plastics, aluminum or tin cans prior to shipment for remanufacture into new materials.
Scale of Development	The total acreage intended to accommodate a country residential or lakeshore subdivision.
School	A body of pupils that is organized as a unit for educational purposes under the jurisdiction of a board of education or of the Saskatchewan Ministry of Education and that comprises one or more instructional groups or classes, together with the principal and teaching staff and other employees assigned to such body of pupils, and includes the land, buildings or other premises and permanent improvements used by and in connection with that body of pupils.
Screening or Screening Device	The use of vegetation, berms, fences, walls and similar structures to visually shield, block or obscure one development from another, or from the public.
Sea and Rail Container	A cargo container that is a prefabricated metal container or box constructed for the transportation of goods by ship, train, or highway tractor and shall exclude a construction office and dwelling.
Service Station	A building or place used for, or intended to be developed primarily for, supplying vehicles with gasoline, diesel fuel, grease, tires or other similar items and for the repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles, including painting, body work and major repairs.
Setback	The distance required to obtain the front yard, rear yard or side yard provisions of this Bylaw.
Should, Shall or May	<p><i>Shall</i> is an operative word which means the action is obligatory.</p> <p><i>Should</i> is an operative word which means that in order to achieve plan objectives, it is strongly advised that the action be taken.</p> <p><i>May</i> is an operative word meaning a choice is available, with no particular direction or guidance intended.</p>
Sight Triangle	The triangular area formed by, corner sites at the intersecting front and side site lines at a road intersection, an intersection of a road and flanking lane, or an intersection of a road and driveway or approach, and

	<p>the straight line joining said site lines at points which are a measured distance along both site lines.</p>
Sign	<p>A display board, screen, structure or material having characters, letters or illustrations applied thereto or displayed thereon, in any manner not inside a building and includes the posting or painting of an advertisement or notice on a building or structure.</p>
Site	<p>An area of land, consisting of one or more lots consolidated under a single certificate of title, considered as a unit devoted to a certain use or occupied by a building or a permitted group of buildings, and the customary accessories and open spaces belonging to the same.</p>
Site Area	<p>The total horizontal area within the site lines of a site.</p>
Site Line, Front or Site Frontage	<p>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.</p>
Site Line, Rear	<p>The boundary at the rear of the site and opposite the front site line.</p>
Site Line, Side	<p>A site boundary other than a front or rear site line.</p>
Small Wind Energy System	<p>Any wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and is intended to provide electrical power for use on-site (either behind the metre or off-grid) and is not intended or used to produce power for resale.</p>
Sport Field	<p>An open space set aside for the playing of sports and may include benches or bleachers for observers but where there is no charge made for spectators.</p>
Stakeholders	<p>Individuals, groups or organizations who have a specific interest or 'stake' in a particular need, issue situation or project and may include members of the local community (residents, businesses, workers, representatives such as Councillors or politicians); community groups (services, interest groups, cultural groups clubs, associations, churches, mosques, temples); or local, state and federal governments.</p>
Storey	<p>The space between the top of any floor and the top of the next floor above it and if there is no floor above it, the portion between the top of the floor and the ceiling above it.</p>
Structure	<p>Anything that is erected, built or constructed of parts joined together and supported by the soil or any other structure requiring a foundation to</p>

hold it erect, but not including pavement, curbs, walks or open air surfaced areas.

Structure A combination of materials constructed, located or erected for use, occupancy ornamentation, whether installed on, above or below the surface of land and water.

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

T

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

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

Temporary Work Camp A temporary facility for the use of employees affiliated with a resource-based use where meals and overnight accommodations are typically provided for less than one (1) year.

Tower Height The height above-ground of the fixed portion of the tower.

Tower Any structure used for the transmission or reception of radio, television, telecommunications, mechanical for industrial, commercial, private or public uses, or for the storage of any substance of liquid.

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

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

U

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

V

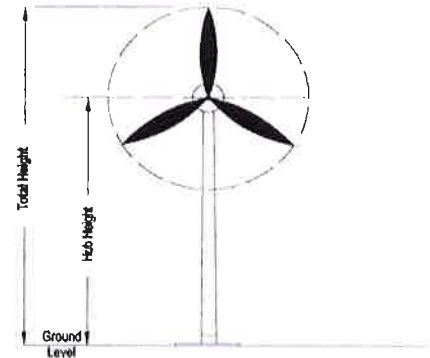
- Vacation Farm:** An operating farm which may, on a day basis or for overnight purposes, offer a farm life experience to groups, families, or individuals and which may provide either or both of the following:
- Rental accommodation in the farm dwelling or adjacent private cabins comprising one or more rooms furnished in such a way to enable the preparation of meals if full board is not provided;
- A tract of land on which one or more camping, tenting or parking sites is located, and the provision of electricity, potable water and toilet facilities to any of the persons, families, groups occupying any of such sites.
- Value-added:** The increase in value generated by a company or individual through the additional processing or sale of raw materials along the production chain.
- Vehicle Sales and Service:** Establishments for the sale, storage and servicing of motor vehicles, trailers, marine vehicles, farm machinery and equipment
- Veterinary Clinic:** A place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization but shall not include the keeping of animals in outdoor pens.

W

- Waste Disposal Facility, Liquid:** A facility to accommodate any waste which contains animal, aggregate or vegetable matter in solution or suspension, but does not include a septic system for a single residence or farmstead, or a manure storage area for an intensive livestock operation.
- Waste Disposal Facility, Solid:** A facility, not including a waste transfer station or a temporary storage facility, to accommodate discarded materials, substances or objects which originated from residential, commercial, institutional and industrial sources which are typically disposed of in municipal or private landfills, but not including dangerous goods, hazardous waste or biomedical waste.
- Waterbody:** Any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and includes but is not limited to, wetlands and aquifers.
- Watercourse:** A river, stream, creek, gully, ravine, spring, coulee, valley floor, drainage ditch or any other channel having a bed and sides or banks in which water flows either permanently or intermittently.

- Watershed:** The land area from which surface runoff drains into a stream, channel, lake, reservoir, or other body of water; also called a drainage basin.
- Wetland:** Land having the water table at, near, or above the land surface or which is saturated for a long enough period to promote wetland or aquatic processes as indicated by hydric soils, hydrophytes (“water loving”) vegetation, and various kinds of biological activity which are adapted to the wet environment.
- Wholesale:** The sale of commodities to retailers and shall include the sale of commodities for the purpose of carrying on any trade or business.
- Wind Energy System** The electrical generating facility comprised of a wind turbine and accessory facilities, including but not limited to a generator, a transformer, storage, collection and supply equipment, cables, a substation and temporary or permanent wind monitoring tower(s).
- Wind Farm:** A wind energy generating system that entails the installation of two or more wind turbines that are physically interconnected, designed and built to provide electricity for commercial sale and distribution to the electrical grid.

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



- Wind Turbine/ Wind Power Unit** A structure designed to convert wind energy into electrical energy as a utility and includes the wind turbine tower, rotor blades and nacelle.
- Windmill:** A rotating machine which converts kinetic wind energy directly to mechanical energy for traditional agricultural purposes such as pumping water.

Y

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

- Yard, Required:** The minimum yard required by a provision of this Bylaw.
- Yard, Side:** The part of a site which extends from a front yard to the rear yard between the side line of a site and the nearest main wall of a building or structure.
- Yard:** The open, unoccupied space on a lot between the property line and the nearest wall of a building and any part of a site unoccupied and unobstructed by a principal building or structure, unless authorized in this Bylaw.

Appendix A - Zoning District Map 1