

PROPOSED FINAL DRAFT

**RURAL MUNICIPALITY
OF
LUMSDEN NO. 189
ZONING BYLAW NO.**

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**TABLE of CONTENTS
PART I**

Section	1	INTRODUCTION
Section	2	ADMINISTRATION
Section	3	GENERAL REGULATIONS
	3.1	Development on Environmentally Sensitive Lands.....
	3.2	One Principal Building or Use Permitted on a Site.....
	3.3	Mobile Homes.....
	3.4	Non-Conforming Buildings, Uses and Lots.....
	3.5	Signs and Billboards.....
	3.6	Salvage Yards and Vehicle Storage Areas.....
	3.7	Linear Public Utilities.....
	3.8	Home Based Businesses.....
	3.9	Bed-and-breakfast and Vacation Farms.....
	3.10	Restrictions on Residential and other Developments near an ILO.....
	3.11	Restrictions on Development near Solid and Liquid Waste Disposal Facilities.....
	3.12	Demolition Permits for Dwellings or Water Wells.....
	3.13	Water Supply and Waste Disposal.....
	3.14	Parking and Loading Regulations.....
	3.15	General Development Standards Applicable to All Discretionary Uses.....
	3.16	Permits for Accessory Uses.....
	3.17	Legal Access for Certain Uses and All Subdivisions.....
	3.18	Landscaping Requirements.....
Section	4	ZONING DISTRICTS
Section	5	A - AGRICULTURAL DISTRICT
	5.1	Permitted Uses.....
	5.2	Discretionary Uses.....
	5.3	District Regulations.....
	5.4	Specific Standards For Intensive Livestock Operations.....
Section	6	CR COUNTRY RESIDENTIAL DISTRICT (dispersed, single parcel)
	6.1	Permitted Uses.....
	6.2	Discretionary Uses.....
	6.3	District Regulations.....
Section	7	CR1 COUNTRY RESIDENTIAL DISTRICT (clustered, low density)
	7.1	Permitted Uses.....
	7.2	Discretionary Uses.....
	7.3	District Regulations.....
Section	8	CR2 COUNTRY RESIDENTIAL DISTRICT (clustered, medium density)
	8.1	Permitted Uses.....
	8.2	Discretionary Uses.....
	8.3	District Regulations.....
Section	9	CR3 COUNTRY RESIDENTIAL DISTRICT (clustered, high density)
	9.1	Permitted Uses.....
	9.2	Discretionary Uses.....
	9.3	District Regulations.....
Section	10	H HAMLET DISTRICT
	10.1	Permitted Uses.....
	10.2	Discretionary Uses.....
	10.3	District Regulations.....
Section	11	C COMMERCIAL DISTRICT
	11.1	Permitted Uses.....
	11.2	Discretionary Uses.....
	11.3	District Regulations.....
Section	12	I INDUSTRIAL DISTRICT
	12.1	Permitted Uses.....
	12.2	Discretionary Uses.....
	12.3	District Regulations.....
Section	13	ES ENVIRONMENTALLY SENSITIVE OVERLAY DISTRICT

	13.1	Permitted Uses.....
	13.2	Discretionary Uses.....
	13.3	District Regulations.....
	13.4	Areas Within the ES Overlay District.....
	13.5	Method of Application.....
Section	14	Contract Zoning.....

PART II

DEFINITIONS.....

ADOPTION.....

PART I

SECTION 1 - INTRODUCTION

1.1 Title

This Bylaw shall be known as the “ Zoning Bylaw No. XXXX of the Rural Municipality of Lumsden No. 189”.

1.2 Scope

All development within the limits of the municipality shall be in conformity with the provisions of this bylaw. The words “shall” or “will” identify a mandatory action or decision, as the case may be. The words “should” or “may” identify a voluntary action or decision, as the case may be.

1.3 Severability

If any part of this Bylaw, including anything shown on the zoning district map, is declared to be invalid for any reason, by an authority of competent jurisdiction, that decision shall not affect the validity of the bylaw as a whole, or any other part, section or provision of this bylaw.

SECTION 2 - ADMINISTRATION

2.1 Development Officer

The Development Officer responsible for the interpretation and administration of this Bylaw shall be appointed by Council. Council may also appoint an alternate person to act in the absence of the Development Officer.

2.2 Application for a Development Permit

- (1) Every person shall apply for a development permit before commencing any development within the municipality, except as listed in Section 2.2.1.
- (2) The application shall be in the "Form A" as adopted or amended by resolution of Council.
- (3) The application shall have attached a layout or site plan as required in the application form or by the Development Officer, together with any other information needed to assess the application.

2.2.1 Development Not Requiring a Permit

- (1) Provided all other provisions of this bylaw (e.g. Section 3.1) are met, including the listing of the following exemptions as a permitted use in the relevant zoning District, ***development permits are not required for the following:***
 - (a) Accessory Farm Uses: including all farm buildings or structures (except an Intensive Livestock Operation (I.L.O.), a dwelling or an addition to a dwelling), which will be accessory to a lawful agricultural use or existing farmstead within the Zoning Districts (including the Environmentally Sensitive Overlay District

established by this bylaw, provided the use meets the Building Setback Requirements of the relevant Zoning District;

- (b) Accessory Non-farm Uses: all non-farm buildings or structures which are no more than 9.3 Sq. m. (100 sq. ft.) in size or 15 m. (50 ft.) tall and which will be accessory to a lawful use within the Zoning Districts established by this bylaw, provided the use meets the Building Setback Requirements of the applicable Zoning District;
- (c) Linear Public Utilities: Any operation to install, inspect, repair, or renew lines for sewers, potable water, cables, wires, tracks or similar public works as required by a public utility except where the line will cross or lie within the limits of a public road;
- (d) Municipal Facilities: Any facility installed and operated by the Municipality;
- (e) Signs: Subject to the provisions of Section 3.5;
- (f) 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 an R.M. permit as may be issued under the authority of *The Municipalities Act*. Related facilities such as storage batteries shall require a Development Permit.

2.3 Bylaw Interpretation

Metric measurements take precedence, since Imperial measurements are shown only for ease of interpretation. The Development Officer shall be responsible for Bylaw interpretation as part of the administration of this Bylaw and the Official Community Plan.

2.4 Issuing Permits

- (1) Upon completion of the review of a development application, the Development Officer shall:
 - (a) issue a development permit for a permitted use where the application conforms to the Bylaw, incorporating any special regulations, performance standards or development standards required or authorized by this Bylaw; or
 - (b) issue a notice of refusal, where the application does not comply with a use provision or regulation of this Bylaw, and the applicant has been given adequate opportunity to alter the proposal to comply with the Bylaw. The notice shall state the reason for refusal; or
 - (c) submit the application to Council for decision, where the application is for a discretionary use.
- (2) Council shall make a decision on a discretionary use, by resolution, which instructs the Development Officer to:
 - (a) issue a development permit incorporating any specific development standards which may be established by Council in accordance with the provisions of this Bylaw and Section 52(2) of *The Planning and Development Act, 2007* (the Act); or
 - (b) require the applicant to provide further information regarding the proposed development or the land or which it is proposed; or
 - (c) issue a notice of refusal to the applicant, where the applicant has been given adequate opportunity to alter the proposal to comply with the Bylaw. The notice shall state the reason for refusal.
- (3) The permit or notice shall be in "Form B" as adopted or amended by resolution of Council.

- (4) 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.

2.5 Building Permits, Licences, and Compliance with Other Bylaws

- (1) Nothing in this bylaw shall exempt any person from complying with a Building Bylaw, or any other bylaw in force within the municipality, or from obtaining any permission required by this, or any other bylaw of the municipality, the province or the federal government.
- (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.

2.6 Development Appeals Board

- (1) Council shall appoint a Development Appeals Board in accordance with Sections 213 to 227 of the Act.
- (2) On "Form B", a development permit or notice of refusal, the development officer shall advise the applicant of the rights of appeal which may be granted by the Act.

2.7 Fees, Advertising and Restrictions on Appeals

- (1) Amendment of the Zoning Bylaw - Where a person requests that Council amend the zoning bylaw, that person shall pay to the municipality a fee equal to the costs associated with the public advertisement of the proposed amendment in all cases where Council chooses to proceed with such advertising. Council may choose not to proceed with the advertising if it concludes that the proposed amendment is unsuitable or unnecessary.
- (2) Advertisement of a discretionary use application
 - (a) Prior to making a decision on a proposed discretionary use, Council, in its review of the application, shall direct the Development Officer to advertise the application to the public as described below.

The notice used in all methods described below shall meet the requirements of Part X of the Act. In making the direction to the Development Officer, Council shall require the Development Officer to use one or more of the following methods of advertising:

 - a newspaper ad which shall run at least twice on separate dates; or
 - requiring the applicant to erect a sign on the site proposed for the Discretionary Use. The size, location and duration of posting of the sign and the wording of the notice on it shall require the prior approval of the Development Officer; or
 - a general mail out to all landowners in any or all Divisions of the RM; or
 - a copy of the application and public notice shall be sent to each landowner whose property adjoins the subject land.
 - (b) The applicant shall pay to the municipality a fee equal to the costs associated with the public advertisement.
- (3) Application fees - an applicant for a development permit shall pay an application fee in accordance with the fee schedule established by annual review and resolution of Council. Separate fees may be charged for each type of permit (Permitted use, discretionary use, accessory use etc.) These fees shall be in addition to any fee required

by subsections (1) and (2) above. The fee schedule shall not include the fee for a Development Appeal, which is regulated by Section 220 of the Act.

(4) Appeal of Refusal of Council - As described in Section 219(5) of the Act, there is no appeal of a refusal by Council to rezone an applicant's land or to issue an approval for a proposed discretionary use or a discretionary form of development. Appeals of other decisions of Council or the Development Officer are only allowed if authorized by the Act.

2.8 Application of Overlay Zones

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

2.9 Offences and Penalties

Any person who violates this bylaw is guilty of an offence and liable, on summary conviction, to the penalties set forth in the Act.

SECTION 3 - GENERAL REGULATIONS

The following regulations shall apply to all Zoning Districts in this bylaw:

3.1 Development on or near Environmentally Sensitive Lands

- (1) Where a proposed development of a new use and any required access driveway is located within an Environmentally Sensitive (ES) Overlay District shown on the Zoning District Map, or within 150 metres of the boundary of an ES District, Council may require the applicant to submit sufficient topographic or other information. This will be used to determine if the development will be:
 - within 457 metres of the waste disposal sites shown on the Zoning Map;
 - within 600 metres of the sewage lagoons shown on the Zoning Map;
 - within 300 metres of Earthen Manure Storage (EMS) lagoons or runoff retention ponds shown on the Zoning Map;
 - within 60 metres of any slopes that may be unstable;
 - within 60 metres of land that has a high water table;
 - within 60 metres of land that adjoins a permanent waterbody which is shown on the original Township survey (excluding any land adjoining Last Mountain Lake, since those areas are already within the Environmentally Sensitive (ES) Overlay District);
 - within 60 metres of the flood plain of any river or stream or other land that may be subject to flooding;
 - within 0.8 km of the working or unclaimed face of a gravel pit;
 - all known Heritage sites, based on archaeological or historical records and shown as HA – Heritage Areas on the Land Use Concept Map in the OCP;

- All land used for wildlife or other conservation purposes as shown on the Land Use Concept Map in the OCP(e.g. land owned by the Saskatchewan Wildlife Federation (SWF), the Prairie Farm Rehabilitation Administration (PFRA), or the Saskatchewan Ministry of Environment (MoE); or
 - All land within 150 metres of any railway, major gas or oil transmission line or any major 220 KV power line (all of which are shown on the Land Use Concept Map in the OCP.
- (2) If the proposed development will be within 150m. of a licensed well , or a waterbody used as a potable water supply (regardless of whether the waterbody is shown on the original Township survey or created by a private or public dam, which is licensed by the Saskatchewan Watershed Authority), the Development Officer may also require additional information from the applicant to ensure that the existing water supplies or the proposed development will not be jeopardized.
 - (3) Council may require that before a permit is issued, the applicant shall submit a report prepared by a professional, who is competent to assess the suitability of the site for a development described in clause (1). Council shall use this information to determine if the proposed site and development is suitable with respect to the following:
 - the potential for flooding up to a 1 in 500 flood elevation, or such lower elevation as may be suitable for the proposed use or building,
 - the potential for slope instability,
 - the required mitigation measures to develop in areas of high water table, near public wells or a private or public dam, which is licensed by the Saskatchewan Watershed Authority.
 - any information required by Council to assess the suitability of a development near the sewage lagoons or waste disposal sites mentioned in subsection (1).
 - (2) Identified actions for hazard avoidance, prevention, mitigation or remedy for any development proposed in an ES Overlay District may be incorporated as special conditions of a development permit. Where such special conditions conflict with any other regulation of this Bylaw, the special conditions shall take precedence. Council shall refuse a permit for any development for which the proposed actions are inadequate to address the adverse effects or may result in excessive costs for the municipality, or surrounding landowners.

3.2 One Principal Building or Use Permitted on a Site

Not more than one principal building or use shall be permitted on any one site except for:

- (a) Public utility uses;
- (b) Institutional uses;
- (c) Agricultural uses.
- (d) Accessory uses as specifically provided for in this bylaw.

3.3 Mobile Homes (and Modular Homes????)

- (1) Wherever this type of residential use dwelling is allowed, it must be ~~may be in the form of a mobile home where that use is only where the unit is~~ securely attached to the ground to the satisfaction of the Development Officer, prior to occupancy.
- (2) Each mobile home shall comply with the Canadian Standards Association document CAN/CSA - 240.2.1-M86 "Structural Requirements for Mobile Homes".
- (3) The undercarriage of all mobile homes shall be completely screened from view by the foundation, skirting or other means that is of a manufactured or similar type to harmonize visually with the unit. This foundation or skirting shall permit the circulation of air beneath the unit.

- (4) The total area of all subsequent additions to a mobile home shall not exceed 50% of the area of the original mobile home.
- (6) All subsequent additions, accessory buildings and structures to a mobile home shall equal or exceed the quality and appearance of the mobile home, and shall harmonize with the mobile home's exterior.

3.4 Non-Conforming Buildings, Uses and Lots

- (1) Any lawful use of land, an existing building or of any building lawfully under construction at the date of approval of this Bylaw, although such use or building does not conform to the regulations of this Bylaw, shall be carried on in accordance with the provisions of Sections 88 to 93 inclusive, of the Act.
- (2) No existing use or building shall be deemed to be non-conforming by reason only of the conversion of the measurements in this Bylaw from the Imperial System of measurement to the Metric System of measurement where such non-conformity results solely from the conversion and is reasonably equivalent to the metric Bylaw regulations.
- (3) No existing site shall be deemed to be non-conforming to the Bylaw regulations despite its dimensions or area failing to at least equal the standards prescribed for proposed sites in the zoning district in which it is located. Development proposed on such sites shall still be required to conform to all relevant Bylaw regulations.

3.5 Signs and Billboards

- (1) Minor and Temporary Signs
 - (a) Temporary signs and real estate signs are permitted only as long as the temporary condition exists for the property.
- (2) Signs Along a Highway
 - (a) Signs located in a highway sign corridor shall be regulated entirely by the requirements of "The Erection of Signs Adjacent to Provincial Highway Regulations, 1986" or amendments thereto, and subsection (3) shall not apply.
- (3) Signs Outside a Highway Sign Corridor
 - (a) Any sign proposed at a location other than a highway sign corridor, may only advertise agricultural commercial uses, or home based businesses, the principal use of an adjoining site or the principal products offered for sale on the adjoining site.
 - (b) A maximum of 2 advertising signs are permitted on any site, or quarter section and each sign shall be no larger than 3.5 sq. m and no higher than 6 m in total height.
 - (c) 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.
 - (d) Billboard and other off site advertising signs are prohibited, except in a highway sign corridor.
 - (e) All private signs shall be located so that the safety of the public is not jeopardized by the size, lighting, movement or location of the sign.

3.6 Salvage Yards and Vehicle Storage Areas

- (1) Except where specifically restricted in a particular Zoning District, no person shall use an area of any site in any district, for the parking or storage outside of an enclosed building of more than 5 vehicles that are not in running order.

- (2) This Section shall not apply to approved Salvage Yards for machinery, autos or trucks.
- (3) Council may require that such Vehicle Storage Areas be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof.

3.7 Linear Public Utilities

- (1) Subject to Section 3.1, linear public utilities and accessory booster or transformer stations, etc. (excluding offices, warehouses and storage yards), shall be permitted uses in every zoning district. Unless otherwise specified by this Bylaw, no minimum site area or yard requirements shall apply.
- (2) 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.

3.8 Home Based Businesses

3.8.1 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) The operator of the business is a resident of the dwelling unit and, in the case of a farmstead only, up to 5 non-resident employees may be employed at the site. Where the business is for a building or service contractor, additional employees may be involved only at the clients' building site in the RM or elsewhere.
- (3) Except as specified in the required development permit, no variation in the residential or residential farm character and appearance of the dwelling, ancillary residential building, or land shall be permitted, except for permitted signs.
- (4) On-site signs shall be permitted according to Section 3.5. Off-site signs not exceeding 0.5 square metres (5 ft²) may be permitted at the discretion of Council where necessary to provide directions from a highway to the operation.
- (5) 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.
- (6) All development permits issued for 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.
- (7) Council may also apply special standards in the issuing a development permit limiting the size of operation including, but not limited to, the size and number of buildings used for the operation, or allowing a specified increase in the number of non-resident employees, above that mentioned in subsection (2). Council shall not allow the total number of non-resident employees to exceed 12 (???), including the 5 allowed under subsection (2). Any home-based business requiring more than that number shall only have the options of relocating its operation to an appropriate Zoning District or requesting an appropriate rezoning for the existing property.
- (8) Any increase in the operation as originally applied for or approved shall require a new discretionary approval.

3.8.2 Home based businesses in the CR, CR1, CR2, CR3-Country Residential and H-Hamlet Districts shall be subject to Subsections 3.8.1 (1) and 3.8.1 (3) to (8) inclusive and the following conditions:

- (1) Non-resident employees are not permitted in home based businesses in these Districts;
- (2) No heavy construction or industrial equipment or supplies shall be stored outdoors on any site for a home-based business in these districts;
- (3) Council may also apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation. Any increase in the operation as originally applied for or approved shall require a new discretionary approval.

3.9 Bed-and-breakfast Homes and Vacation Farms

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) On-site signs shall be permitted according to Section 3.5. Off-site signs not exceeding 0.5 square metres (5 ft²) 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 may be licensed by the Local Health District, if so required.
- (5) Bed-and-breakfast operations shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead or residence; or located in a dwelling accessory to and established on the same site as the host 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.

3.10 Restrictions on Development near an Intensive Livestock Operation (ILO)

Despite any other provision of the Zoning Bylaw, no new residential or other use shown in Table 2 of Section 5.4.1 shall be located within the Location Separation Criteria for ILOs (see Part II, Definitions) in that Table unless Council deems a lesser distance is acceptable using the same criteria in Section 5.3.4 (3)d.

3.11 Restrictions on Development near Solid or Liquid Waste Facilities

Despite any other provision of the Zoning Bylaw, no new residential or other use shown in Table 1 of Section 5.3.8 shall be located within the Location Separation Criteria of that Table unless Council deems a lesser distance is acceptable using the same criteria in Section 5.3.5(3)d .

3.12 Demolition Permits for dwellings or water wells

An applicant for a Demolition 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.

3.13 Water Supply and Waste Disposal

- (1) Water Supply

- i) A proven potable water supply shall be available to service all development where water is required.
 - ii) 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.
 - iii) If subsection ii) above is not complied with, or if the proposed development or subdivision may jeopardise ground or surface water supplies, Council may refuse a development or recommend refusal of a proposed subdivision.
- (2) Waste Disposal
No liquid, solid or gaseous waste shall be disposed of by any development except in accordance with legislation administered by a provincial Department, the Saskatchewan Watershed Authority, the Local/Regional Health District, and this RM.

3.14 Parking and Loading Regulations

3.14.1 Parking Standards

Number of Parking 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:

<u>Use of Building or Site</u>	<u>Minimum Number of Spaces Required</u>
(1) Dwellings, Mobile Homes	1 space per dwelling unit
(2) Schools	1 space per classroom
(3) Churches	1 space per 15 seating places plus 1 space per 20 square metres of the floor area of the largest assembly room in the building.
(4) Community Halls and Facilities, Places of Public Assembly, Intensive Recreation Uses, Auctioneering Establishments	1 space per 10 seating places for the public or 1 space per 10 square metres of gross floor area used by patrons, whichever is greater
(5) Curling Rinks	8 spaces per sheet of ice
(6) Confectionary and Retail stores; banks; personal service establishments; sales, service, rentals or repair shops; home improvement centres	1 space per 20 square metres of gross floor area
(7) Motels and Hotels	1 space per guest room
(8) Restaurants	1 space per 5 seats
(9) Service Stations	4 spaces per service bay
(10) Animal Shelters Service Stations or Veterinary Clinics	1 space per 100 square metres of gross floor area
(11) All manufacturing, fabricating, warehousing uses; storage buildings	1 space per 3 employees on maximum work shift but

and yards; handling, loading, distribution and/or shipping facilities; builders or contractors yards and shops; and other similar industrial or industry-related uses.	not less than 1 space per 150 square metres of gross floor area
(12) Medical or Dental Offices or Clinics	1 space per 35 square metre of gross floor area

3.14.2 Parking for Non-Residential Uses

Where in this Bylaw parking facilities are required for other than detached and semi-detached dwelling units and rooming houses, the following regulations shall apply:

- (1) The parking area shall have visible boundaries and be suitably drained.;
- (2) The parking area shall be provided on the same lot;
- (3) The parking area shall be surfaced in the same manner as abutting roadways and be clearly demarcated. The parking area shall also have a minimum width of 2.5 metres and a minimum length of 5.5 metres;
- (4) Approaches or driveways to any parking area shall be defined and the limits of the parking area shall be defined by a fence, curb or other suitable obstruction designed to provide a neat appearance;
- (5) The minimum width of a driveway leading to any parking area shall be 7.5 metres; and
- (6) The location of vehicular approach ramps or driveways at the street line shall be no closer than 7.5 metres from the point of intersection of two property lines at a street intersection.

3.14.3 Parking for Residential Uses

Where in this Bylaw parking facilities are required for single detached and bare land condominium dwelling units, the following provisions shall apply:

- (1) The parking area shall be provided on the same lot.
- (2) The minimum area required for each parking space shall be 15 square metres, the minimum width 2.5 metres, and the minimum length 5.5 metres.
- (3) The location of vehicular approach ramps or driveways at the street line shall be no closer than 7.5 metres from the point of intersection of two property lines at a street intersection.

3.14.4 Loading Provisions

When any new Agricultural-Commercial, Commercial or Industrial development occurs or when any such existing use is changed, enlarged or increased in capacity, a minimum of one (1) off-street vehicular loading and unloading space shall be provided and maintained in accordance with the following provisions:

- (1) The minimum size for an off-street loading space shall be:
 - (a) for buildings with a gross floor area of 1400 square metres or less, a minimum area of 17 square metres and a minimum width of 3 metres; and
 - (b) for buildings with a gross floor area of more than 1400 square metres, a minimum area of 33.5 square metres, a minimum width of 3 metres and minimum clear height of 4.25 metres;
- 2) Loading spaces must be located either within or abutting the building containing the use;
- 3) No loading spaces shall be provided within a minimum front yard;
- 4) Loading spaces provided within the minimum side yard shall be open and uncovered; and
- 5) 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.

3.15 General Development Standards Applicable to All Discretionary Uses in this Bylaw

Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a Development Permit subject to any development standards prescribed by Council which shall be based on the following and Section 52 of the Act:

- Sites shall be landscaped (see Section 3.20) and fenced where necessary to maintain the character and amenity of the neighbourhood;

- Adequate on-site parking shall be provided and maintained;
- Parking, storage and other non-landscaped areas shall be suitably screened from adjacent properties and streets;
- Adequate receptacles for refuse and litter shall be supplied;
- Vehicle access points shall be provided in suitable locations so as to minimize traffic congestion and possible hazards;
- The density, size, height and location of principal or accessory structures shall be regulated so as not to detract from the character and amenity of the neighbourhood; and
- Council may attach special conditions to the Development Permit to regulate sound, light, glare, heat, dust, electrical interference, or other emission, and limit hours of operation, if it would detract from the amenity of the neighbourhood.
- Hours of operation

3.16 Permits for Accessory Uses

Unless exempted by Section 2.2.1, all development for an accessory use to a dwelling shall require a development permit. Unless otherwise exempted in a Zoning District, all accessory buildings, even those exempted by Section 2.2.1 from requiring a permit, shall be required to conform to the front, side and rear yard setbacks of that District.

3.17 Legal Access for Certain Uses and All Subdivisions

- (1) Development of a farmstead, residence, bed and breakfast home, bare land condominium, commercial or industrial use, institutional use, or other non-agricultural development is prohibited unless the site abuts a developed road or the developer agrees to construct the road to Council's standards. In the case of a bare land condominium development, only the outer portion of the land to be owned by the condominium corporation requires this legal access, not the separate bare land units.
- (2) Council shall not be recommend a subdivision for approval unless the proposed sites and any unsubdivided remnant of the land being subdivided fronts on a developed road, including any road which is required to be registered and developed as a public road under a signed servicing agreement.
- (3) For the purposes of this Bylaw, 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.

3.18 Minimum Area for a Dwelling, Bareland Condominium Unit or Mobile Home (and Modular Home????)

The minimum allowable area for any of the above residential uses shall not be less than 65 sq. metres (700 sq. feet).

3.19 Garden Suites

Upon approval of a discretionary use for a Garden Suite by resolution of Council, the Development Officer shall issue a Development Permit subject to any development standards prescribed by Council, which shall be based on the following requirements:

- (1) a Garden Suite shall consist of a removable detached dwelling unit without basement, built on grade, which may be a modular home, but shall not be a mobile home;
- (2) approval of a Garden Suite shall be for a maximum 2 year period and this term may be renewed at the discretion of Council providing the requirements of this bylaw

- continue to be met;
- (3) the Suite shall not have a separate water supply or waste disposal system, but must rely on the Principal Dwelling for those services;
 - (4) Garden Suites may only be approved where they would not:
 - change the character of the neighbourhood;
 - adversely affect the natural environment;
 - result in any increase in demand on municipal services, or public utilities.
 - (5) An applicant for a Suite shall be required to sign an Agreement with the Municipality to ensure that the Suite will comply with all Bylaw requirements.

3.20 Landscaping Requirements – and Geotechnical Requirements

As a condition of approval for a rezoning from the A – Agricultural District to any other District, or as part of an approval for a Discretionary Use, Council may require the Applicant for the rezoning or use to prepare a Landscaping Plan and/or a Geotechnical Report for the proposed development, based on and consistent with, the following requirements: the Development Officer shall issue a Development Permit subject to any development standards prescribed by Council, which shall be based on the following requirements:

- (1) a Landscaping Plan shall consist of one or more scaled drawings prepared for the site by a recognized Landscape Architect or other professional consultant (e. g. a Geotechnical Engineer), showing at minimum, the current and proposed final grades , vegetation types for both the proposed private and public lands and roadways etc.;
- (2) the Plan should provide landscaped open areas that are conducive to pedestrian use, safety, and enjoyment without causing road maintenance or geotechnical problems for the RM or a Condominium Corporation, as the case may be; and
- (3) unless restricted by any geotechnical or erosion constraints, parking areas and other non-residential accessory or public or private community uses shall be buffered by landscaping (e.g. berms, separation distances or vegetation) to reduce potential conflicts with adjoining residential uses; and
- (4) mature trees and their root systems, native grasslands and natural drainage systems shall be protected as much as possible during construction by appropriate techniques such as barricades, fencing or other methods acceptable to Council.

SECTION 4 - ZONING DISTRICTS

4.1 Districts

For the purpose of applying this Bylaw, the municipality is divided into Zoning Districts. All parts of the Municipality shall be designated as A - Agricultural District except those areas specifically designated on the detailed Zoning District Map as another District. The Districts are:

- A – Agricultural;
- CR - Country Residential (dispersed, single parcel);
- CR 1 – Country Residential (clustered, low density);
- CR 2– Country Residential (clustered, medium density);
- CR 3– Country Residential (clustered, medium density);
- C – Commercial;
- I - Industrial
- H – Hamlet;
- ES – Environmentally Sensitive Overlay;
- CZ – Contract Zoning

4.2 Boundaries

The boundaries of all Zoning Districts are shown on the maps entitled, "Zoning District Map" which are attached to, and form a part of this Bylaw. Unless otherwise shown on the map or specifically mentioned in the text of a particular District in this Bylaw, the boundaries of the said districts are site lines, boundary limits of streets, lanes, roads or such lines extended and the boundaries of the municipality.

4.3 Uses and Regulations

(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 Prohibited Uses.

(2) Regulations for the Zoning Districts are outlined in the following Sections.

SECTION 5: A - AGRICULTURAL DISTRICT

INTENT: to protect the existing agricultural economic nature of the RM, the rural lifestyle of its residents, and the natural environment. To implement the foregoing Intent in this District, 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.

5.1 PERMITTED USES

Subject to Sections 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are permitted in this district:

(1) Agricultural Principal Uses

-Field crops.

-Pastures for the raising of domestic or exotic birds or livestock , excluding Intensive Livestock Operations (ILOs).

-Beehives and honey extraction facilities.

-Minor facilities for the preparation for sale of crops grown by the agricultural operation.

-Fish farming.

-Farmsteads with a maximum of 2 dwellings, mobile homes or communal dwellings???? located on a minimum site of one Quarter Section or Equivalent (minimum 48.6 ha (120 acres)), as allowed in Section 5.3.2 (1)(a) of this Bylaw.

(2) Accessory uses and buildings:

-Farm buildings and structures for a permitted principal agricultural use on the site.

-Facilities for the sale direct to the consumer of crops grown by the agricultural operation.

-Orchards and vegetable, horticultural or fruit gardens, where accessory to a farmstead or existing residence.

-Private garages, sheds, and buildings or structures (including, but not limited to a private swimming pool with the required safety fencing) accessory to any single detached dwelling on the Farmstead or separate site approved as a Discretionary Use.

(3) Industrial Resource-based principal uses - including accessory buildings and uses:

-Petroleum and natural gas exploration wells or extraction wells and related facilities which

are not proposed in an Environmentally Sensitive (ES) Overlay District.

- Oil, natural gas or carbon dioxide gas pipelines and related facilities which are not proposed in an Environmentally Sensitive (ES) Overlay District.
- Metallic or non-metallic mineral mines or extraction facilities.
- Gravel pits, gravel storage areas and contractor's yards, which are more than 0.8 km. from a dwelling (subject to Section 5.3 of the Official Community Plan).
- (4) Other principal uses, including accessory uses and buildings, but not including a residence:
 - Churches, cemeteries, public institutional uses and facilities.
 - Service utilities such as radio, television and microwave towers.
 - Public parks, sports fields and other similar uses.
 - Wildlife and conservation management areas.
 - Linear public or private utilities, excluding solid and liquid waste disposal sites.
 - Municipal facilities.

5.2 DISCRETIONARY USES

Subject to Sections 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are discretionary in this district:

- (1) Agricultural principal uses:
 - Intensive livestock operations subject to Section 5.4.
 - Intensive agricultural operations, including Commercial Greenhouses
 - Game farms
 - Controlled hunt farms
- (2) Residential uses (Principal and Accessory):
 - A maximum of one rectangular subdivision for either a new Country Residential dwelling or for an occupied, surplus farmstead may be subdivided as a principal use on separate sites per quarter section subject to Section 5.3.1
 - One dwelling which is accessory to, and located on the same site as a discretionary use listed in Subsection 5.2 (1).
- (3) Rural-related Industrial and Commercial Principal Uses:
 - Abattoirs, including retail meat sales outlets.
 - Agricultural contracting and service establishments.
 - Agricultural equipment, fuel, and chemical supply establishments.
 - Agricultural product processing including but not limited to, seed cleaning or packaging plants.
 - Concrete plants
 - Grain terminals, elevators, and related uses.
 - Machine shops and metal fabricators.
 - Petroleum or mineral processing facilities.
- (4) Resource based principal uses including accessory buildings and uses:
 - Petroleum exploration wells or extraction wells and related facilities which are proposed in an Environmentally Sensitive (ES) Overlay District.
 - Pipelines and related facilities, which are proposed in an (ES) Overlay District.
 - Gravel pits, gravel storage areas and contractor's yards, which are closer than 0.8km. from a dwelling (subject to the Official Community Plan).
- (5) Other Principal Uses:
 - Churches, public institutional uses and facilities, which include residences.
 - Airports and private airstrips.
 - Service utilities, including solid or liquid waste disposal facilities and soil farms for the rehabilitation of petroleum-contaminated soils.
 - Trucking/hauling operations

- Vehicle Storage Yards
- Solid and Liquid Waste Disposal Facilities
- Public or Private Utilities
- Recreational commercial uses – including but not limited to, sports arenas, golf courses or tourist campsites.
- Vacation farms
- Bed-and-breakfast homes
- Home based businesses, where accessory to a farmstead or residence, on the same site.
- Major agricultural related commercial or food processing uses accessory to a farmstead, and located on the same site.

5.3 DISTRICT REGULATIONS

5.3.1 Subdivision:

- (1) The subdivision of any land within the Agricultural District is subject to the following site requirements, dependent on the type of use proposed, as specified in this Section.
- (2) As authorised by Table 2 of the OCP, a quarter section (or equivalent as defined in this Bylaw), which is located within this District, may be allowed to have a maximum of one site subdivided from it for a principal use. This does not include either the additional subdivision for a cut-off parcel or for a surplus farm dwelling as also allowed as outlined in Table 2. **Discuss in relation to Table #2 on p. 25 of the OCP and the Residential Policies of the Plan**
- (3) All such subdivisions shall require rezoning to CR prior to receiving subdivision approval.

5.3.2 Site Requirements:

- (1) Separate sites for a principal use shall comply with the following:
 - (a) As noted in section 5.2 (2) above, and as allowed in conformity with the Plan, a quarter section (or equivalent as defined in this Bylaw), which is located within this district, may be allowed to have a maximum of 3 sites subdivided from it for a principal use.
 - (b) The minimum site frontage for all subdivided sites shall be 30 metres.
 - (c) Where a smaller residential site is to be subdivided from a quarter section, the site size shall conform to the requirements of Table #2 on p. 25 of the OCP.
 - (d) Except for linear public utilities which are exempt under Section 3.7, where a smaller non-residential site is to be subdivided from a quarter section, the site size shall not be less than 0.8 hectares (2 acres) or more than 4 hectares (10 acres) in size.

5.3.3 Farmsteads

- (1) A farmstead may contain the following, where located on the same or adjoining quarter or equivalent as defined in this Bylaw:
 - (a) One dwelling for the operator of an agricultural use.
 - (b) One additional dwelling for employees or business partners of the operator engaged in the agricultural operation **????? (Hutterite Colonies should be listed as existing uses at their current land location in Section 5.1.1- Permitted Uses)**
 - (c) Facilities for the winter holding or pasturing of livestock, in lesser numbers than constitute an ILO (unless already approved by the Saskatchewan Ministry of Agriculture (MoA) as an ILO).

- (d) Buildings for permitted accessory uses.
- (2) Subject to the regulations of Section 5.3.2, a farmstead, which contains a residence proposed for subdivision as a separate site, shall contain enough land area to provide its own water supply and waste disposal system.

5.3.4 Building Setback Requirements:

- (1) The minimum setback for all buildings (including dwellings), from any road shall be 30 metres (100 ft). **Discuss – is this an excessive setback???** (Note: A greater distance may be required by the Department of Highways and Transportation near a provincial highway.)
- (2) Council may exempt a proposed development from this requirement 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.
- (3) Except as may be allowed by Council under subsection (d), no new dwelling shall be located within:
 - (a) the separation distance to an intensive livestock operation as regulated in Sections 3.10 and 5.4.1, 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 5.3.7.
 - (c) 305 metres (1000 ft) from a honey processing facility.
 - (d) Council may accept a lesser minimum separation distance to the above operations than required by clauses (a), (b), and (c), as a special standard in the issuing of a development permit, where the applicant submits a written agreement to Council between the land owner of the proposed dwelling and the owner of the operation relating to such lesser distance. Council will maintain a register of all such agreements and shall caveat such agreements against the relevant titles pursuant to Section 215 of the Act.
 - (e) 305 metres (1000 ft) to a non-refrigerated anhydrous ammonia facility licensed by the Department of Corrections and Public Safety.
 - (f) 610 metres (2000 feet) to a refrigerated anhydrous ammonia facility licensed by the Department of Corrections and Public Safety.
- (4) No dwelling or other building shall be located within the approach surface for any airport or airstrip.
- (5) In the event of conflict between the setback regulations or requirements of any Overlay District and those of the underlying zone, the overlay requirements shall apply.

5.3.5 Intensive Agricultural Operations

- (1) In the application for an Intensive Agricultural Operation (refer to Part II – Definitions), the applicant shall identify the proposed supply of water for the operation where intensive irrigation is required, which 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. No subdivision of the farmstead, dwelling or intensive agricultural operation shall be permitted unless the operation ceases.

5.3.6 Solid or liquid waste disposal facilities:

Development and maintenance of a solid or liquid waste disposal facility as a principal or accessory use shall be subject to the separations contained in Table 1 of this Bylaw, and to the following standards:

- (1) A buffer strip containing trees, shrubs or a berm may be located surrounding a solid or liquid waste disposal facility to the specifications established by Council in the required Development Permit;
- (2) Any solid or liquid waste disposal facility may be fenced to a standard as specified by Council.
- (3) Development of a solid or liquid waste disposal facility shall also be subject to the following Table:

**Table 1: Minimum Separation Distances
Relating to Solid and Liquid Waste Disposal Facilities**

Other Uses	Solid Waste Facility	Liquid Waste Facility
Single residence, tourist Accommodation	457 m	600 m
Intensive country residential subdivision or hamlet or urban municipality	457 m	600 m
Commercial or industrial use	100 m	200 m

(Distances are measured between the fence, berm or edge of the Facility (as the case may be) and nearby development)

5.3.7 Home based businesses:

- (1) shall comply with Section 3.8

5.3.8 Bed-and-breakfast Homes and Vacation Farms:

- (1) shall comply with Section 3.9

5.3.9 Commercial uses:

- (1) Where a proposed commercial use will be accessory to a farmstead, Council may apply special standards as a condition of discretionary approval limiting the size of operation, buildings used for the operation, and number of non-resident 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 development permit subject to discretionary approval by Council.
- (3) Council may require special standards for the location, set back or screening of any area devoted to the outdoor storage of machinery, vehicles, or vehicular parts in conjunction with a commercial operation including any salvage or vehicle storage yard.

5.3.10 Campgrounds

- (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 Vacation Trailer or tent campsites with dimensions. The addition or rearrangement of campsites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a

development permit, and the operator shall submit for approval an amended plan incorporating the development.

- (2) A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 metres, which shall contain no buildings.
- (3) The operator of a campground shall designate a campsite for each Vacation Trailer or tent party, which shall be less than 150 square metres in area with its corners clearly marked.
- (4) No portion of any campground shall be located within a roadway or required buffer area.
- (5) Each campsite within the campground shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- (6) Each trailer coach shall be located at least 4.5 metres from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.
- (7) The space provided for roadways within a campground shall be at least 7.5 metres in width. No portion of any campsite, other use or structure shall be located in any roadway.
- (8) No trailer coach shall be stored on any campsite when the campground is not open.
- (9) A campground may include as ancillary uses, a laundromat or a confectionary designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.
- (10) The Public Health Act and the Regulations passed there under, shall be complied with in respect to all operations and development of the campground

5.4 SPECIFIC DEVELOPMENT STANDARDS FOR INTENSIVE LIVESTOCK OPERATIONS IN THE AGRICULTURAL DISTRICT

5.4.1 Intensive livestock operations:

- (1) Council is governed by the location policies contained in the Official Community Plan in the issuing of a discretionary approval for an ILO
- (2) Any operation involving raising livestock shall be considered an ILO for the purpose of this bylaw if it meets the definition of an ILO in Section 2.3.5 on p. 6 of the Official Community Plan (OCP); or
 - (a) is an expansion of an existing ILO which has been permitted by MOA and is listed on p. 17 of the OCP, or is a Non-intensive Livestock Operation (as defined in Section 2.3.6 on p. 7 of the OCP); or
 - (b) involves the alteration of animal species in an existing ILO; or
 - (c) is a Game Farm or Controlled Hunt Farm which has been permitted by MOA.
- (3) In considering whether a specific livestock operation should be considered as an ILO for the purposes of subsection (2), 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 mixed farming operation.
- (4) 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 the ILO, or to substantially alter the species of animals in the operation.
- (5) Council shall require information from the ILO applicant regarding the type, frequency, and technology proposed for, and land location of manure application. If the applicant is proposing to spread manure rather than use alternate means of manure

handling or application (e.g. earthen manure storage or direct injection), Council may add the following as conditions of the discretionary use:

- (a) Council may require that the applicant use only the specific areas of cropland or improved pasture which have been approved for manure application by MOA. Any subsequent change to the location of the manure application areas specified as a permit condition shall also require the prior approval of Council, and shall be added as a new condition to the original permit;
- (b) Council may require that the manure which is being spread on the specific areas of cropland or improved pasture which have been approved for manure disposal by MOA, shall not be spread on frozen ground, and shall be incorporated into the soil within 24 hours of spreading, unless incorporation is prevented by adverse weather conditions, in which case incorporation shall take place as soon as practical.

Table 2 – Minimum Separation Distances for Intensive Livestock Operations *

Table 2-Separation Criteria* to prevent encroachment by Specific Uses toward any ILO which existed prior to the effective date of this OCP, or for an existing NLO which proposes to expand toward any of the Uses shown below.				
Development	Number of Animal Units <u>in the existing ILO</u>			
	20 – 299**	300 – 499	500 - 2,000	> 2,000
Dwellings in an Agricultural or CR 1 District, licensed wells, tourist accommodations, campgrounds, commercial or industrial uses	500 metres	1000 metres	1600 metres	<u>2400</u> metres
Multi-parcel residential subdivisions in a CR 2, CR 3, or other District which allows residential uses, or vacant residentially-zoned land, Villages or Towns	1200 metres	1600 metres	2400 metres	3200 metres

*Distances are measured between livestock facilities (barns, corrals, earthen manure storage facility or other approved manure stockpile/treatment facility) and any dwelling, which is not owned by the ILO operator, is in a Village or Town, or is any other Development Type shown in the above Table.

**The setback distances in this column only apply to an existing NLO which has been required by the Ministry of Agriculture to apply for a Permit under Provincial requirements, or which proposes to expand . In both cases, the NLO will then be classed as a Discretionary Use in this Bylaw.

5.4.2 Non-Intensive Livestock Operations:

- (1) As required by the provisions of Part B, Sections 4.1 B and C of the OCP, all new or expanding Non-intensive Livestock Operations (those which do not require an ILO Permit from MOA), including those which are under 300 Animal Units, are prohibited from applying manure within **XXX???** m of a neighbouring dwelling (including the potable water supply of that dwelling) or inside an Environmentally Sensitive Overlay District. The prohibition in this Subsection shall not apply to land being used as existing manure application areas by an existing Operation which qualifies under this Bylaw and the Act as a legal, Non-Conforming Use.

SECTION 6: CR - COUNTRY RESIDENTIAL DISTRICT (dispersed – low density)

INTENT: To allow a limited variety of dispersed, non-farm residential uses on separate sites, which are larger than those sites allowed in the CR1 and CR2 Districts. These larger sites are intended to accommodate minor agricultural uses such as pasturing and raising large animals or kennels, which are not allowed in the CR1, CR2 or CR3 Districts. To implement the Intent of this District, Council shall ensure that new residences will only be allowed at a low density and on sites which avoid slump or flood-prone land and protect the natural environment, particularly the water resource. Such proposals must also not conflict with adjoining agricultural uses, or be prohibitively difficult or costly to service. Council shall refer to the OCP in assessing proposed CR subdivisions.

6.1 PERMITTED USES

Subject to Sections 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are permitted in this District:

- (1) Residential Principal Uses
 - Single detached dwellings
 - Modular dwellings (single and double wide)
- (2) Recreational Principal Uses
 - Public recreational uses and buildings
- (3) Accessory Uses and Buildings
 - Private garages, sheds, and buildings or structures (including, but not limited to a private swimming pool with the required safety fencing) accessory to any single detached dwelling
 - Public or Private utilities, excluding solid and liquid waste disposal sites.

6.2 DISCRETIONARY USES

Subject to Section 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are discretionary in this district:

- Bed-and-breakfast homes, where accessory to a residence, on the same site.
- Home based businesses, where accessory to a residence, on the same site.
- Public or Private utilities, including wind turbines for private electrical generation
- Kennels with more than 4 dogs or cats
- Special Care or Group Homes with a maximum of 12 residents, excluding staff.
- Outdoor Recreation Facilities
- Mobile Homes ????????????

6.3 PROHIBITED USES

The following uses are Prohibited in this District:

- Solid and Liquid Waste Disposal sites.

6.4 DISTRICT REGULATIONS

6.4.1 Subdivision and Site Development Requirements:

- (1) Separate sites for single detached dwellings and bed-and-breakfast homes shall comply with the following:
 - Minimum site area - See Table 2 in Part B, Section 4.3 of the OCP
 - Maximum site area – See Table 2 in Part B, Section 4.3 of the OCP
 - Minimum front yard - 30 meters (100 feet) where development (including accessory buildings) abuts R.M. and Provincial roads. Council may reduce the minimum setback (to no less than 15 m – 50 ft), where in the opinion of Council, compliance

with it would be impractical or too costly for the applicant and the reduction is in the public interest.

- Minimum front yard - 15 meters (50 feet)
- Minimum side yard -6 meters (20 feet)
- Minimum rear yard -6 meters (20 feet)

(2) At the request of the current owner of the site proposed to be subdivided as referred to above, Council may use its discretion to reduce the maximum site size requirement by no more than 50% where the change:**Discuss if this should be allowed at all in relation to Table 2 of the OCP**

- i) is requested to include additional land required for water supply or waste disposal systems which exist on or are proposed for the site;
 - ii) is requested to include or facilitate any existing or proposed landscaping, buildings, structures or natural features on the proposed site;
 - iii) is requested to reduce the proposed area in order to more easily manage, landscape, or otherwise maintain or develop the site;
 - iv) 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;
 - v) would not negatively affect the existing use, servicing, or access to any neighbouring land.
- (3) No further subdivision of the original residential site registered before this Bylaw comes in force or sites which are registered after this Bylaw comes into force, shall be permitted. Council may at its discretion permit minor lot line adjustments, however, such adjustments shall not create an additional lot.

6.4.2 Keeping of Large Animals on residential sites in this District:

- (1) No large animal (horses or cattle) will be allowed on any existing site which is less than 2 hectares (5 acres). Two (2) large animals (horses or cattle) will be permitted on a site of at least 2 hectares (5 acres). Four (4) large animals will be permitted on a site of at least 4 hectares (10 acres) site. For each additional 1.2 hectares (3 acres), one (1) additional large animal will be permitted. All other animals shall be limited to domestic pets of the residents of the site.
- (2) Animals shall not be pastured or kennelled within 15 metres (50 ft) of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain birds or animals shall be located within 30 metres (100 feet) of a property line.

SECTION 7: CR 1 - COUNTRY RESIDENTIAL DISTRICT (clustered, low density)

INTENT: To allow a limited variety of non-farm residential uses on separate sites. To implement the Intent of this District, Council shall ensure that new residences will only be allowed at a low density and on sites which avoid slump or flood-prone land and protect the natural environment, particularly the water resource. Such proposals must also not conflict with adjoining agricultural uses, or be prohibitively difficult or costly to service. Council shall refer to the OCP in assessing proposed CR 1 subdivisions for the maximum number of sites and density allowed by the Plan for this type of development.

7.1 PERMITTED USES

Subject to Sections 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are permitted in this District:

- (1) Residential Principal Uses

- Single detached dwellings
- Modular dwellings (single and double wide)
- (2) Recreational principal Uses
 - Public recreational uses and buildings
- (3) Accessory Uses and Buildings
 - Private garages, sheds, and buildings or structures (including, but not limited to a private swimming pool with the required safety fencing) accessory to any single detached dwelling
 - Linear public or private utilities

7.2 DISCRETIONARY USES

Subject to Section 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are discretionary in this district:

- Bed-and-breakfast homes, where accessory to a residence, on the same site.
- Home based businesses, where accessory to a residence, on the same site.
- Public or Private utilities, including wind turbines for private electrical generation but excluding solid and liquid waste disposal sites.
- Special Care or Group Homes with a maximum of 12 residents, excluding staff.
- Garden Suites

7.3 PROHIBITED USES

The following uses are Prohibited in this District:

- any accessory use or building constructed of a fabric material
- Mobile Homes ?????
- Solid and Liquid Waste Disposal sites.

7.4 DISTRICT REGULATIONS

7.4.1 Subdivision and Site Development Requirements:

- (1) Separate sites for single detached dwellings and bed-and-breakfast homes shall comply with the following:
 - Minimum site area - See Table 2 in Part B, Section 4.3 of the OCP
 - Maximum site area - See Table 2 in Part B, Section 4.3 of the OCP
 - Minimum front yard -45 meters (150 feet) where development (including accessory buildings) abuts R.M. and Provincial roads. Council may exempt a proposed development from this requirement 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.
 - Minimum front yard - 15 meters (50 feet) where development (including accessory buildings) is serviced by an internal subdivision road
 - Minimum side yard -6 meters (20 feet)
 - Minimum rear yard -6 meters (20 feet)
- (2) Separate sites for open space, park and recreational uses and public buildings on Municipal Reserve shall comply with the following:
 - Minimum and Maximum site area - none
 - Minimum front yard - 45 meters (150 feet) where development (including accessory buildings) abuts R.M. and Provincial roads. Council may exempt a proposed development from this requirement 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.
 - Minimum front yard - 15 meters (50 feet) where development (including accessory buildings) is serviced by an internal subdivision road
 - Minimum side yard -6 meters (20 feet)

- Minimum rear yard -6 meters (20 feet)
- (2) Existing Sites and Sites which are registered after this Bylaw comes into force.
- No further subdivision of the original residential lot shall be permitted. Council may at its discretion permit minor lot line adjustments, however, such adjustments shall not create an additional lot.

7.4.2 Keeping of Large Animals on residential sites in this District:

No Large Animals, domestic or otherwise, except common household pets, shall be permitted on any site

7.4.3 Home based businesses:

- (1) shall comply with Section 3.8

7.4.4 Bed and Breakfast Homes:

- (1) shall comply with Section 3.9

SECTION 8: CR 2 - COUNTRY RESIDENTIAL DISTRICT (medium density)

INTENT: To allow a limited variety of non-farm residential uses on medium density, clustered sites at locations which will integrate into the existing rural community. To implement the Intent of this District, Council shall ensure that new residential clusters will only be allowed on sites which avoid slump or flood-prone land and protect the natural environment, particularly the water resource. As well, to ensure that the numbers of clustered subdivisions for country residential (non-farm) development will not conflict with adjoining uses agriculture, and will not be prohibitively difficult or costly to service, Council will restrict the numbers and locations of such clusters to avoid creating new Villages. Council shall refer to the OCP in assessing proposed CR 2 subdivisions for the maximum number of sites and density allowed by the Plan for this type of development. **Should the possibility of full sewer & water services being required be mentioned here as well?**

8.1 PERMITTED USES

Subject to Sections 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are permitted in this District:

- (1) Residential Principal Uses
 - Single detached dwellings excluding Mobile Homes
 - Modular dwellings(double wide)
 - Special Care or Group Homes with a maximum of 8 residents, excluding staff.
 - Open space and park uses on Municipal Reserve
 - Recreational uses and public buildings on Municipal Reserve
- (2) Accessory Uses and Buildings
 - Private garages, sheds, and buildings accessory to any single detached or bare land condominium dwelling

8.2 DISCRETIONARY USES

Subject to Sections 3.1, 3.10, 3.11 and other relevant portions of Section 3,the following uses are permitted in this District:

- Bare land Condominiums
- Bed-and-breakfast homes, where accessory to a residence, on the same site.
- Home based businesses, where accessory to a residence, on the same site.
- Special Care or Group Homes with a maximum of 12 residents, excluding staff.
- Garden Suites

-Public or Private utilities, excluding wind turbines for private electrical generation, and solid and liquid waste disposal sites.

8.3 PROHIBITED USES

The following uses are Prohibited in this District:

- any accessory use or building constructed of a fabric material
- Mobile Homes ?????
- Modular Homes (single wide)????
- Solid and Liquid Waste Disposal sites.

8.4 DISTRICT REGULATIONS

8.4.1 Subdivision and Site Development Requirements:

(1) Separate sites for single detached dwellings and bed-and-breakfast homes shall comply with the following:

- Minimum site area – See Table 2 in Part B, Section 4.3 of the OCP
- Maximum site area – See Table 2 in Part B, Section 4.3 of the OCP
- Minimum front yard -30 meters (100 feet) where development (including accessory buildings) abuts R.M. and Provincial roads. Council may exempt a proposed development from this requirement 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.
- Minimum front yard - 15 meters (50 feet) where development (including accessory buildings) is serviced by an internal subdivision road
- Minimum side yard -6 meters (20 feet)
- Minimum rear yard -6 meters (20 feet)

(2) Separate sites for bare land condominium dwellings shall comply with the following:

- Minimum site area – to be negotiated with Council on a case-by-case basis
- Maximum site area - to be negotiated with Council on a case-by-case basis
- Minimum front yard - 45 meters (150 feet) where development (including accessory buildings) abuts R.M. and Provincial roads. Council may exempt a proposed development from this requirement 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.
- Minimum front yard - 15 meters (50 feet) where development (including accessory buildings) is serviced by an internal subdivision road
- Minimum side yard -6 meters (20 feet)
- Minimum rear yard -6 meters (20 feet)

(3) Separate sites for open space, park and recreational uses and public buildings on Municipal Reserve shall comply with the following:

- Minimum site area - none
- Maximum site area - none
- Minimum front yard - 45 meters (150 feet) where development (including accessory buildings) abuts R.M. and Provincial roads. Council may exempt a proposed development from this requirement 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.
- Minimum front yard - 15 meters (50 feet) where development (including accessory buildings) is serviced by an internal subdivision road
- Minimum side yard -6 meters (20 feet)
- Minimum rear yard -6 meters (20 feet)

(3) Existing Sites and Sites which are registered after this Bylaw comes into force.

- No further subdivision of the original residential lot shall be permitted. Council may at its discretion permit minor lot line adjustments, however, such adjustments shall not create an additional lot.

8.4.2 Legal Access: IS THE FOLLOWING REQUIRED???? IF SO, SHOULD IT BE IN THE GENERAL REGS. OF THIS BYLAW OR AS POLICY IN THE OCP ?????

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

8.4.3 Keeping of Large Animals on residential sites in this District:

No Large Animals, domestic or otherwise, except common household pets, shall be permitted on any site

8.4.4 Home based businesses:

- (1) shall comply with Section 3.8

8.4.5 Bed and breakfast Homes:

- (1) shall comply with Section 3.9

SECTION 9: CR 3 - COUNTRY RESIDENTIAL DISTRICT clustered high density)

INTENT: To allow a limited variety of non-farm residential uses on medium density, clustered sites at locations which will integrate into the existing rural community. To implement the Intent of this District, Council shall ensure that new residential clusters will only be allowed on sites which avoid slump or flood-prone land and protect the natural environment, particularly the water resource. As well, to ensure that the numbers of clustered subdivisions for country residential (non-farm) development will not conflict with adjoining uses agriculture, and will not be prohibitively difficult or costly to service, Council will restrict the numbers and locations of such clusters to avoid creating new Villages. Council shall refer to the OCP in assessing proposed CR 3 subdivisions for the maximum number of sites and density allowed by the Plan for this type of development. **SHOULD THE REQUIREMENT FOR FULL SEWER & WATER SERVICES BE MENTIONED HERE AS WELL?**

9.1 PERMITTED USES

Subject to Sections 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are permitted in this District:

- (1) Residential Principal Uses
 - Single detached residential uses excluding Mobile Homes
 - Modular dwellings (double wide)
 - Special Care or Group Homes with a maximum of 8 residents, excluding staff.

- Open space and park uses on Municipal Reserve
- Recreational uses and public buildings on Municipal Reserve

(2) Accessory Uses and Buildings

- Private garages, sheds, and buildings accessory to any single detached or bare land condominium dwelling

9.2 DISCRETIONARY USES

Subject to Sections 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are permitted in this District:

- Bare land Condominiums
- Multiple Unit Condominiums
- Bed-and-breakfast homes, where accessory to a residence, on the same site.
- Home based businesses, where accessory to a residence, on the same site.
- Special Care or Group Homes with a maximum of 12 residents, excluding staff.
- Garden Suites
- Public or Private utilities, excluding wind turbines for private electrical generation, and solid and liquid waste disposal sites.

9.3 PROHIBITED USES

The following uses are Prohibited in this District:

- any accessory use or building constructed of a fabric material
- Mobile Homes

9.4 DISTRICT REGULATIONS

9.4.1 Subdivision and Site Development Requirements:

(1) Separate sites for single detached dwellings and bed-and-breakfast homes shall comply with the following:

- Minimum site area - See Table 2 in Part B, Section 4.3 of the OCP
- Maximum site area – See Table 2 in Part B, Section 4.3 of the OCP
- Minimum front yard -30 meters (100 feet) where development (including accessory buildings) abuts R.M. and Provincial roads. Council may exempt a proposed development from this requirement 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.
- Minimum front yard - 15 meters (50 feet) where development (including accessory buildings) is serviced by an internal subdivision road
- Minimum side yard -6 meters (20 feet)
- Minimum rear yard -6 meters (20 feet)

(2) Separate sites for bare land condominium dwellings shall comply with the following:

- Minimum site area – to be negotiated with Council on a case-by-case basis
- Maximum site area - to be negotiated with Council on a case-by-case basis
- Minimum front yard - 45 meters (150 feet) where development (including accessory buildings) abuts R.M. and Provincial roads. Council may exempt a proposed development from this requirement 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.
- Minimum front yard - 15 meters (50 feet) where development (including accessory buildings) is serviced by an internal subdivision road
- Minimum side yard -6 meters (20 feet)
- Minimum rear yard -6 meters (20 feet)

(3) Separate sites for open space, park and recreational uses and public buildings on Municipal Reserve shall comply with the following:

- Minimum site area - none
 - Maximum site area - none
 - Minimum front yard - 45 meters (150 feet) where development (including accessory buildings) abuts R.M. and Provincial roads. Council may exempt a proposed development from this requirement 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.
 - Minimum front yard - 15 meters (50 feet) where development (including accessory buildings) is serviced by an internal subdivision road
 - Minimum side yard -6 meters (20 feet)
 - Minimum rear yard -6 meters (20 feet)
- (3) Existing Sites and Sites which are registered after this Bylaw comes into force.
- No further subdivision of the original residential lot shall be permitted. Council may at its discretion permit minor lot line adjustments, however, such adjustments shall not create an additional lot.

9.4.2 Keeping of Large Animals on residential sites in this District:

No Large Animals, domestic or otherwise, except common household pets, shall be permitted on any site

9.4.3 Home based businesses:

(1) shall comply with Section 3.8

SECTION 10: H – HAMLET DISTRICT

INTENT: To accommodate higher density residential, limited commercial or industrial and recreational development in Hamlet areas.

10.1 PERMITTED USES

Subject to Sections 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are permitted in this District:

- (1) Residential Principal Uses
 - Single detached dwellings,
 - Duplex dwellings
 - Semi-detached dwellings
 - Modular dwellings

- (2) Service, Recreational and Institutional Uses
 - Offices of physicians, dentists, and similar professional occupations
 - Churches, educational, medical, religious and cultural institutions
 - Lodges, fraternal organizations
 - Cemeteries
 - Public sports fields, parks and other similar uses
 - Post Offices
 - Linear Public utilities
 - Community Halls

- (3) Accessory uses and buildings
 - Private garages, sheds, and buildings accessory to any single detached, Duplex Semi-detached or Bare land Condominium dwelling

10.2 DISCRETIONARY USES

Subject to Sections 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are permitted in this District:

- Bare land Condominiums (for single detached dwellings only)

- Bed-and-breakfast homes
- Home based businesses
- Gas Stations
- Public or Private utilities, excluding wind turbines for private electrical generation, and solid and liquid waste disposal sites.
- Retail Stores
- Restaurants and Fast Food (Takeout) Facilities
- the existing Campground on Parcel E, Plan No. 79R49064 (See Section 5.3.11 for the applicable Regulations)

10.3 PROHIBITED USES

The following uses are Prohibited in this District:

- any accessory use or building constructed of a fabric material
- Mobile Homes

10.4 DISTRICT REGULATIONS

10.4.1 Subdivision and Site Development Requirements:

- (1) Separate sites for the permitted uses in this District shall comply with the following:
 - Single detached dwellings - Minimum site area – 464.5 sq. m (5000 sq. ft.) where the site is served by a lane, otherwise 557.4 sq. m (6500 sq. ft.)
 - Semi-detached and Duplex dwellings - Minimum site area – 557.4 sq. m (6000 sq. ft.) where the site. is served by a lane, otherwise 650.3 sq. m (7000 sq. ft.)
 - All other uses - Minimum site area – 464.5 sq. m (5000 sq. ft.) where the site is served by a lane, otherwise 557.4 sq. m (6500 sq. ft.)
 - Single detached dwellings - Minimum site frontage – 15.3 m (50 ft) where the site is served by a lane, otherwise 19.8 m (65 ft)
 - Semi-detached and Duplex dwellings - Minimum site area – 18.3 m (60 ft) where the site is served by a lane. otherwise 21.3 m (70 ft).
Minimum front yard for dwellings and garages – 6 meters (20 ft).
 - Minimum side yard – 1.5 meters (5 ft)
 - Minimum rear yard -6 meters (20 ft)
 - All outdoor storage areas or compounds shall be screened from view, and shall require the approval of Council to ensure that they will be safely located and do not conflict with other uses in this District or with uses in an adjoining District.
- (2) Other than garages , which have a 6m (20 ft setback as noted above), all accessory buildings shall be located a minimum of 0.6 m (2 ft) from the side or rear site line.
- (3) The maximum area of a detached garage shall not exceed 80.4 sq. m (864 sq. ft.) and the maximum height shall not exceed 5.5 m. (18ft).
- (4) The maximum site coverage for all sites shall be 50%.

10.4.2 Keeping of Large Animals on residential sites in this District

No Large Animals, domestic or otherwise, except common household pets, shall be permitted on any site

10.4.3 Home based businesses:

- (1) shall comply with Section 3.8

10.4.4 Bed and breakfast Homes:

- (1) shall comply with Section 3.9

SECTION 11: HC – HIGHWAY COMMERCIAL DISTRICT

INTENT: To allow a wide variety of highway-oriented uses which serve the traveling public or the rural community on lower density sites. No land is currently zoned as such on the Zoning Map. To implement the Intent of this District, Council shall consider the locational Policies of the OCP, and the possible effect of the Permitted and Discretionary (as shown below) on existing uses inside or near any location being considered for rezoning to a highway commercial district.

11.1 PERMITTED USES

Subject to Sections 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are permitted in this District:

- (1) Highway Commercial Uses
 - Sales and service of cars, trucks, farm equipment and machinery, farm supplies, mobile homes, recreation vehicles, self – storage facilities (excluding any outdoor storage), building and lumber supplies and uses which are similar and will not conflict with uses in an adjoining District.
 - Commercial Greenhouses
 - Auctioneering establishments
 - Energy and communication service depots
 - Veterinary Clinics
- (2) Automotive Service Uses
 - gas stations, gas bars, car washes, car and truck washes
 - vehicle repair shops (excluding salvage yards)
- (3) Tourist Service Uses
 - Hotels, motels
 - Restaurants, Fast Food Outlets
 - Retail stores
 - Recreation facilities including but not limited to theatres, assembly halls, exhibition grounds, campgrounds (excluding mobile home parks), waterslides, batting cages and uses which are similar and will not conflict with other uses in this District or with uses in an adjoining District.
- (4) Accessory Uses and Buildings
 - Private garages, sheds, and buildings accessory to any permitted or approved discretionary use.
- (5) Other Principal Uses
 - Public or Private utilities, excluding wind turbines for private electrical generation, and solid and liquid waste disposal sites.

11.2 DISCRETIONARY USES

Subject to Section 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are discretionary in this district:

- (1) One dwelling unit within or attached to a permitted use. Subdivision of the dwelling from the principal commercial use shall be prohibited.
- (2) Outdoor storage areas or compounds

11.3 DISTRICT REGULATIONS

11.3.1 Subdivision and Site Development Requirements:

- (1) Separate sites for the permitted uses in this District shall comply with the following:
 - Minimum site area – 0.4 hectares (1 acre)
 - Minimum site frontage 30m. (100 ft.)
 - Minimum front yard – along Provincial Highways, at Provincial regulations,

- otherwise 15 meters (50 feet). Council may exempt a proposed development from this requirement 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.
- Minimum side yard -6meters (20 feet)
 - Minimum rear yard -6 meters (20 feet)
 - All outdoor storage areas or compounds shall be screened from view, and shall require the approval of Council to ensure that they will be safely located and do not conflict with other uses in this District or with uses in an adjoining District.

SECTION 12 – LIGHT INDUSTRIAL DISTRICT

INTENT: To accommodate the development of certain industrial uses in appropriate locations in the R.M. given suitable regard to highway and railway access, servicing, land use compatibility (including visual impact of uses in this District on nearby uses in adjoining Districts) and protection of the environment which surrounds this District.

12.1 PERMITTED USES

Subject to Sections 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are permitted in this district:

- (1) Industrial Uses
 - Manufacturing uses which meet federal and provincial pollution standards including, but not limited to:
 - Agricultural product processing
 - Agricultural or other types of Equipment Manufacturing
 - Warehouses, supply depots and similar uses
 - Storage Yards (including, but not limited to, sand and gravel storage, truck terminals and storage, contractor and construction yards but excluding asphalt or cement plants))
- (2) Commercial Uses
 - Lumber and building supply uses
 - Home improvement centres
 - Sales, servicing and storage of farm machinery, recreational vehicles or automobiles
 - Gas stations and car washes
 - Greenhouses or landscape nursery stock farms (including sales of plants, trees, shrubs and plant supplies such as fertilizers and related products)
 - Veterinary clinics.
 - Auctioneering establishments
 - Energy and communication service depots
- (3) Institutional and Recreational Uses
 - Intensive recreation uses including but not limited to, arenas, enclosed ice skating, hockey or curling rinks, sports stadia, amusement parks and similar uses.
- (4) Other Principal Uses
 - Public Utilities (Linear and Service Uses only)

12.2 DISCRETIONARY USES

Subject to Section 3.1, 3.10, 3.11 and other relevant portions of Section 3, the following uses are discretionary in this district:

- (1) Industrial Uses
 - agricultural supply depots
 - grain storage and elevators
 - seed processing and cleaning
 - agricultural chemical storage including, but not limited to, air spraying facilities
 - bulk petroleum uses
- (2) Other Principal Uses

-Public Utilities (including fenced outdoor storage yards)

12.3 DISTRICT REGULATIONS

12.3.1 Subdivision and Site Development Requirements:

(1) Separate sites for the permitted uses in this District shall comply with the following:

- Minimum site area – 0.2 ha (.5 ac)
- Minimum site frontage 30m. (100 ft.)
- Minimum front yard – along Provincial Highways, at Provincial regulations, otherwise 15m (50 feet)
- Minimum side yard -3 m (10 feet) on each side of the main building
- Minimum rear yard -10% of the depth of the site except where the rear yard abuts a residential use, in which case 6 m. shall be required.
- All outdoor storage areas or compounds shall be screened from view, and shall require the approval of Council to ensure that they will be safely located and do not conflict with other uses in this District or with uses in an adjoining District.

SECTION 13 ES - ENVIRONMENTALLY SENSITIVE OVERLAY DISTRICT

INTENT: To protect Environmentally Sensitive land from unsuitable development. Council recognizes the importance of protecting an adequate supply of surface and groundwater for the benefit of all residents and landowners. There are certain other areas near waste disposal sites, sewage lagoons, wetlands or gravel pits, for example which should not be developed due to hazards like potential pollution of water supplies, flooding or site instability. Council shall use the following list and regulations in making decisions on proposed new developments in or near environmentally sensitive land.

13.1 PERMITTED USES

In addition to the uses allowed in the Zoning District, which underlies the ES District, the following are Permitted Uses:

Principal uses, including accessory uses and buildings, but not including a residence:

- Cemeteries, institutional uses and facilities.
- Public parks and public recreational facilities.
- Historical and archaeological sites, and wildlife and conservation management areas.

13.2 DISCRETIONARY USES

- Radio, television and microwave towers.
- Public or Private utilities, excluding wind turbines for private electrical generation, and solid and liquid waste disposal sites.
- Municipal facilities.

13.3 DISTRICT REGULATIONS

All the Regulations of the District, which underlies the ES District, shall be used by Council as a guideline in establishing conditions, which may be applied to location-sensitive Development Permits for the specific use being requested.

13.4 AREAS WITHIN THE ES OVERLAY DISTRICT

NOTE - this list should be the same as SECTION 3.1 on Page 6 – does Council agree???

13.5 METHOD OF APPLICATION

Council shall use Section 3.1 of this Bylaw in dealing with requests for new development in this Overlay District

SECTION 14: CONTRACT ZONING

INTENT: Council shall consider the nature and intensity of the surrounding uses to avoid or minimize land use conflict when investigating a rezoning proposal for a new Contract Zoning area. Prior to approving a rezoning for a new Contract Zone, Council shall also consider whether any environmental, servicing, or public safety problems would result due to the intended uses anticipated in the Contract.

- (a) Council shall be bound by the requirements of Section 69 of the Act and the Guidelines for use of Contract Zoning (see Part D, Section 1.3 of the OCP).
- (b) Council shall ensure that the land use in a proposed Contract Zone benefits the RM and is consistent with the other policies of the OCP.
- (c) In negotiating Agreements for Contract Zones, the parties to the Agreement may consider the possibility of developing a mix of compatible land uses in the area, and may introduce new forms of development, provided that the Contract terms conform to other parts of this Section, and Part D, Section 1.3 of the OCP, and that land use conflict with surrounding uses wouldn't result.

PART II - DEFINITIONS

Whenever in this Bylaw the following words or terms are used, they shall, unless the context otherwise provides be held to have the following meaning:

Accessory Use: - a use, which is subordinate in purpose and exclusively devoted to the principal use or building and is located on the same site with such principal use or building.

Act: - *The Planning and Development Act, 2007*, as amended.

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

All Weather Road: - see Road, All Weather

Animal Unit (A.U.): - the kind and number of animals calculated by the M of A 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	All	7
Cattle	Cows and bulls	1
	Feeder cattle	1.5
	Replacement heifers	2
	Calves	4
Horses	Colts and ponies	2
	Other horses	1
Bison	Cows and bulls	1
	Calves	4
Elk	Cows and bulls	5
	Calves	20
Fallow Deer	Fallow Deer	8
	Fallow deer fawns	32
Domestic	Elk	5
	Elk calves	20
Indigenous	White-tailed deer	8
	White-tailed deer fawns	32
	Mule deer	8
	Mule deer fawns	32

Applicant: - a developer or person applying for a development permit under this bylaw, for a subdivision approval to an approving authority under *The Planning and Development Act, 2007*.

Bed and Breakfast Home: - 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, and which is greater than 2 square metres in facial area.

Building: - a structure used for the shelter or accommodation of persons, animals, or goods.

Building, Accessory: - a subordinate detached building, which serves a main building or main use and is located on the same site. The purpose of all accessory buildings is to provide better and more convenient function of the primary building or use.

Building Permit: - a permit issued under a building bylaw of the municipality authorizing the construction of all or part of any building.

Cabin: - a detached accessory building to be used as summer sleeping accommodation only in a Vacation Farm (as may be allowed under the provisions of Section 3.9), and which is located on the same lot as the Farmstead

Campground: - the seasonal operation of an area of land managed as a unit, for temporary, short-term use by travellers and tourists as accommodation in tents, tent trailers, travel trailers, recreational vehicles or campers.

Controlled Hunt Farm: - a Game Farm which is used for controlled hunting of animals defined as a “domestic game farm animal” by “The Domestic Game Farm Animal Regulations”. ????

Council: - the Council of the Rural Municipality of Lumsden No 189.

Development: - the carrying out of any building, engineering, mining or other operations, in, on or over land, or the making of any material change in the use or intensity of the use of any building or land, including the demolition of a dwelling or water well.

Development Officer - the R.M. Administrator

Development Permit: - a document authorizing a development issued pursuant to this bylaw.

Discretionary Use: - a use or development specified in this bylaw, which may be allowed following application to, and approval of the Council; and which complies with the development standards, as required by Council, contained in this bylaw.

Dwelling, Bare Land Condominium: - a detached building consisting of one dwelling unit as herein defined; and occupied or intended to be occupied as a permanent home or residence, and which includes a small amount of land titled to the owner of an individual unit in addition to the common property which is shared with the owners of all the units in the Condominium Corporation, but shall not include a mobile home or trailer coach as herein defined.

Dwelling, Communal: - a group of one or more dwelling units in the same structure, or grouped together and which contains common dining facilities and which is used together for living purposes by individuals and families as part of an agricultural use which is listed in, and has been approved under Sections 5.1.1 or 5.2.1.

Dwelling, Bare Land Condominium: a single dwelling unit as defined in *The Condominium Property Act, 1993*.

Dwelling, Multiple – Unit Condominium: a multiple-unit dwelling as defined in *The Condominium Property Act, 1993*.

Dwelling, Modular: - a factory-built home that is manufactured off-site either in one unit (also called a Ready-to-Move unit) or in more than one section to be assembled on-site as a dwelling unit, having been designed to be transported on a removable chassis: and

- (a) which is certified by the manufacturer for compliance with the Canadian Standards Association Code CSA-A277 standard for use as a one unit dwelling; and
- (b) which has been delivered to the designated site in the municipality and placed on the foundation, provided that a development permit has first been obtained.

Dwelling, Modular, Double Wide: - a Modular Home which is 8 metres (26.25 ft.) or more in width.

Dwelling, Modular, Single Wide: - a Modular Home which is less than 8 metres (26.25 ft.) in width.

Dwelling, Single Detached: - a detached building consisting of one dwelling unit as herein defined; and occupied or intended to be occupied as a permanent home or residence, and shall include a Modular Home as herein defined, but shall not include a mobile home or trailer coach as herein defined.

Dwelling Unit: - one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons.

Environmentally sensitive land: - land that has unique landforms, vegetation or wildlife or which is of historically or archaeological importance.

Farmstead: - a confined area which is on a Quarter Section or Equivalent, and includes the residence of the farm operator and those buildings or facilities (including communal dwellings) which are related to the farm operation.

Floor Area: - the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, sun lounge, unfinished basement, or attic.

Game Farm: - a fenced area to enclose animals defined as a “domestic game farm animal” by “The Domestic Game Farm Animal Regulations” for the purpose of producing animal products as defined by those Regulations.

Garden Suite: - a temporary detached dwelling unit for the accommodation of a physically dependent relative(s) of resident(s) of the principal dwelling on site.

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

Home Based Business: - an occupation carried on by the occupants of a farmstead or residence and which is accessory to a permitted use.

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

Intensive Agricultural Operation: - a principal use that produces crops that are grown in buildings or under protective structures or on small agricultural sites, using hydroponic techniques, or by use of intensive irrigation and fertilizer application, but not including an intensive livestock operation.

Intensive Livestock Operation (ILO): - the operation or facilities for rearing, confinement or feeding of poultry, hogs, sheep, goats, cattle, horses, or game animals or birds in such numbers that requires a discretionary use permit under this bylaw or which requires a Permit from the M of A.

Institutional Use: - a use of land or a building operated for non-commercial or non-industrial purposes to provide a public service by a non-profit, cooperative or governmental group including, but not limited to service clubs, churches, hospitals and public agencies.

Lane: - a secondary, legally surveyed public thoroughfare vested in the name of the Department of Highways and Transportation, which is intended primarily to give access to the rear or side of abutting land.

Legal Non-Conforming Building: - a building:

- (a) that is lawfully constructed or lawfully under construction, or in respect of which all required permits have been issued, at the date a zoning bylaw or any amendment to this bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and
- (b) that on the date this bylaw or any amendment to this bylaw becomes effective does not, or when constructed will not, comply with this bylaw; and
- (c) which is further described in Section 3.4 of this Bylaw.

Legal Non-Conforming Site: a site as defined herein, which is further described in Section 3.4 of this Bylaw

Legal Non-Conforming Use: - any use of land, building, or structure lawfully existing at the time of the passing of this bylaw, the use of which does not comply with all the regulations of this bylaw governing the zoning district in which it is located, and which is further described in Section 3.4 of this Bylaw.

Livestock Operation: - any agricultural use involving the raising of Animal Units, which does not qualify as an ILO as defined above.

Mobile Home: - a trailer which complies with the requirements of section 3.3 and :

- (a) that is used as a dwelling;
- (b) that has water faucets and shower, or other bathing facilities, that may be connected to a water distribution system; and,
- (c) that is equipped with facilities for washing and water closet, or other similar facility, that may be connected to a sewage system.

Modular Home: - see Dwelling, Modular

Municipality: - the Rural Municipality of McKillop No 220.

Overlay Zoning District: - any District (e.g. ES Overlay) which is described in Sections 2.8 and 3.1.

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

Permitted Use: - a use allowed as of right in a zoning district, subject to the regulations contained in this bylaw.

Prohibited Use: - a new or proposed development, which is not listed as either a Permitted or Discretionary Use in this Bylaw, which is not a legal non-conforming use as defined by the Act, and which has not received a legal Development Permit as required in this Bylaw.

Principal Use: - the main activity conducted on a site.

Principal Building: - the main building in which the principal use of the site is conducted.

Public Road: - a street, road, road allowance or other legally surveyed road vested in the name of the Ministry of Highways and Infrastructure (MHI), and maintained by MHI or the Rural Municipality, as the case may be.

Public Utility: - any use which is defined as one of the three following categories:

- (i) public institutional facilities
public facilities including, but not limited to, schools, hospitals, municipal buildings, recreational facilities, heritage or archaeological sites and similar public institutional uses or;
 - (ii) linear
linear public or private utilities including, but not limited to, roads, communication, rail, power and natural gas lines and similar linear uses or;
 - (iii) service utilities
potentially conflicting public or private utilities including, but not limited to, airports, microwave or communication towers, water reservoirs, sewage lagoons, solid waste and chemical can disposal facilities, gas compressors, electrical transformer stations, single or clustered wind turbines, soil farms for the rehabilitation of contaminated soils and similar, potentially conflicting service utility uses.
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Quarter Section or Equivalent: - a quarter section - 64.8 ha (160 acres) - as identified by the Township Plan of Survey of record in the Land Titles Office. Equivalent shall mean 64.8 ha (160 acres), any partial quarter section defined on the Township Plan of Survey, or a lesser amount remaining as part of the quarter section because of the registration of a road, road widening, railway right of way, natural features such as lakes or streams or the registration of a subdivision permitted in this Bylaw, but in no case shall the Equivalent be allowed to be less than 48.6 ha (120 acres).

Recreation, Outdoor: - includes but is not limited to, a corn maze, paintball game facility, driving range, golf course, riding trail or arena and other recreational uses which are similar in the opinion of Council

Reeve: - the Reeve of the Rural Municipality.

Residence: - a single detached dwelling on a site, which is not used as a farmstead.

Road: - a public road or thoroughfare registered by plan of survey which affords the principal means of access to abutting property, but shall not include an easement or lane.

Road, All Weather: - a road which has been dedicated as a public road or is proposed to be subdivided and dedicated as such, and which has been constructed to the “road construction standards” as defined in this Bylaw.

Road Construction Standards: - any specific standard for the type, location, dimensions, design, construction, maintenance of newly constructed roads which may be adopted by resolution of Council.

Rural Municipal Administrator: - the official administrator for the municipality, who has been appointed pursuant to *The Municipalities Act*.

Salvage Yard: - an area used for the dismantling or wrecking of machinery, autos or trucks.

School: - a body of pupils that is organized as a unit for educational purposes, 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.

Sign: - any writing (including letter or word), billboard, pictorial representation (including illustration or decoration), emblem (including a device, symbol or trademark), flag (including a banner or pennant), or any other figure of similar character which:

- (a) is a structure or any part thereof, or is attached to, painted on, or in any manner represented on a building;
- (b) is used to announce direct attention to, or advertised; and
- (c) is visible from outside the building.

Site: - an area of land with fixed boundaries and which has been registered in the Land Titles Office by Certificate of Title, and for which all portions of the land are consolidated under a single title.

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

Site Line, Rear: - the boundary at the rear of the site and opposite the front site line.

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

Solid and Liquid Waste Disposal Facility: - any private or public facility approved by the Federal or Provincial government(s) for the storage, treatment or transshipment of such waste, excluding any earthen manure storage facility, or composting facility which is required as an accessory use to an ILO which may be approved by Council, and any hazardous waste facility.

***Special Care Home:** - a residential, supervised care center, licensed or approved under Provincial Statute or regulations for the education, training or care of persons referred by hospitals, courts, government agencies or recognized social service agencies or health care professionals.*

Street: - see Road

Structure: - anything that is built, constructed, or erected, located in, on, or over the ground, or attached to something located in or over the ground.

Subdivision: - a division of land, and includes a division of a quarter section into legal subdivisions as described in the Land Titles Act.

Trailer Coach: - any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public roads or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner as to permit occupancy as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked-up.

Use: - the purpose or activity for which a piece of land or its buildings is designed, arranged or intended, occupied or maintained.

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

- a) rental accommodation in the farm dwelling or adjacent private cabins comprising one or more rooms furnished to enable the preparation of meals if full board is not provided;
 - b) a tract of land on which one or more camping, tenting or parking sites is located, and the provision of electricity, potable water and toilet facilities to any of the persons, families, groups occupying any of such sites.
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Vacation Trailer : - a Trailer Coach which is 7.6 metres (25 feet) or less in length, excluding any towing apparatus at the front of the unit.

Waste Disposal Facility, Liquid: - a facility to accommodate any waste which contains animal, mineral 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.

Wind Turbine: - a type of Public Utility (Service) as herein defined, which contains wind energy generating systems operating to produce electricity either for use by an individual development or together as a wind farm.

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

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

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

Yard, Required: - the minimum yard required by a provision of this bylaw.

Yard, Side: - the part of a site which extends from a front yard to the rear yard between the side line of a site and the nearest main wall of a building or structure.

PART III - ADOPTION

Repeal of Existing Zoning Bylaw

This bylaw repeals Bylaw No. 146/94 and is hereby adopted pursuant *The Planning and Development Act, 2007*, and shall come into force on the date of final approval by the Minister of Municipal Affairs.

Read a First time this , day of , 2010

Read a Second time this , day of , 2010

Read a Third time this , day of , 2010

Reeve

(S E A L)

Rural Municipal Administrator

Provincial Approval Date

(SEAL)
