

**RURAL MUNICIPALITY OF  
MOOSE MOUNTAIN  
NO. 63**

**ZONING BYLAW**

**NO. 2-2006**

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## PART I

### SECTION 1 - INTRODUCTION

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#### 1.1 Title

This Bylaw repeals and replaces the original Zoning Bylaw No. 2-83 and shall be known as “Zoning Bylaw No. 1-2006 of the Rural Municipality of Moose Mountain No. 63”.

#### 1.2 Scope

All development within the limits of the municipality shall conform 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

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#### 2.1 Development Officer

The Rural Municipal Administrator shall be the Development Officer responsible for the administration of this Bylaw.

#### 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 clause (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: Unless otherwise required in a particular Zoning District, 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 established by this bylaw. These accessory farm uses must still meet the Building Setback Requirements of the relevant Zoning District. To ensure that the required setback is being met, all developers shall submit a site plan showing the location of proposed new accessory farm uses in relation to the lot lines of the affected quarter section;
  - (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 also will not require a permit, provided the use meets the Building Setback Requirements of the relevant Zoning District. To ensure that the required setback is being met, all developers shall submit a site plan showing the location of proposed new accessory farm uses in relation to the lot lines of the affected site;
  - (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 R.M. permit. Related facilities such as storage batteries shall require a development permit.
  - (g) **An existing agricultural dwelling on a new subdivided site between 2 and 20 acres. (Amended Bylaw No. 2-2013)**

## 2.3 Referrals to Council

The Development Officer may submit any permit application to Council for a decision on the interpretation of the Bylaw in respect to that permit application, or an interpretation regarding any special conditions which may be authorised in the Bylaw. The applicant shall receive adequate notice of the date and time of the meeting at which Council will consider the matter.

## 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 or requires Council's decision pursuant to Section 2.3.
- (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 required by Council in accordance with the provisions of this Bylaw and Section 74(3) of *The Planning and Development Act, 1983* (the Act); or
  - (b) require the applicant to provide further information regarding the proposed development or the land on 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.

## 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 for a development by the Council or its agent unless a required development permit has first been issued.

## 2.6 Development Appeals Board

- (1) Council shall appoint a Development Appeals Board in accordance with Sections 91 to 104 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, the Development Officer shall provide notice to the assessed owners of property within 75 metres of the boundary with the applicants land and any other owners of property that may be affected by the development proposal. The notice shall be provided at least seven days before the application is to be considered by Council. The notice shall include a description of the proposed development or change of land use and any other information the Development Officer deems as necessary, such as an accompanying map. In addition to the provided notice, Council may also require the Developer Offer to advertise the discretionary use in the newspaper that circulates in the municipality for 7 days prior to Council making a decision on the application. (Amended Bylaw No. 2-2013)**
  - (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 98 of the Act.
- (4) Appeal of Refusal of Council - As described in Section 96(4) 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 Zoning Districts**

- (a) 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.
- (b) 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.
- (c) 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**

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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:
  - All land within the Environmentally Sensitive Overlay District on the Land Use Concept Map and Zoning Map;
  - All land within 150 metres of any of the public wells shown on the Land Use Concept Map and the Zoning Map;
  - All land within 457 metres of any of the waste disposal sites shown on the Land Use Concept Map and the Zoning Map;
  - All land within 300 metres of any of the sewage lagoons shown on the Land Use Concept Map and the Zoning Map;
  - All known Heritage sites, based on archaeological records and shown as HA – Heritage Areas on the Land Use Concept Map;
  - All Crown land shown on the Land Use Concept Map (e.g. Saskatchewan Agriculture, Food and Rural Revitalization-SAFRR, Prairie Farm Rehabilitation Administration-PFRA or Sask Environment-SE);
  - 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).
    - 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 Lake or permanent waterbody which is shown on the original Township survey; or
    - within 60 metres of any river or stream flood plain or other land that may be subject to flooding.

- (2) Council may require that before a development 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 year 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. Council may also require additional information from the applicant to ensure that the existing water supplies or the proposed development will not be jeopardized;
  - any information required by Council to assess the suitability of a development near the sewage lagoons or waste disposal sites mentioned in subsection (1).
- (3) 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, in Council's opinion, 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;
- (e) **Commercial and Industrial Uses to a maximum of three (3). (Amended Bylaw No. 2-2013)**

### **3.3 Mobile Homes**

- (1) Wherever a dwelling is allowed, it may be in the form of a mobile home only where attached to a permanent foundation 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"

### **3.4 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 according to the provisions of Sections 113 to 118 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 (e.g. yard setbacks from property lines).

### **3.5 Signs and Billboards**

- (1) Minor and Temporary Signs
  - (a) Temporary signs and real estate signs are permitted without a development permit only as long as the temporary condition exists for the property, in Council's opinion.
- (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 do not require a development permit.
- (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 and amenity of the residents on neighbouring land is not jeopardized, in Council's opinion, by the size, lighting, movement or location of the sign.

**3.6 Vehicle Storage Yards and Salvage Yards**

- (1)** Except where restricted in a specific Zoning District, no person shall use any yard of any site in any district, for the parking or storage (except in an enclosed accessory building) of more than 5 vehicles that are not in running order.
- (2)** Council may require that such Vehicle Storage Yards be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof.
- (3)** This Section shall not apply to approved Salvage Yards for machinery, autos or trucks.

**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 public road or street, Council may apply such special construction standards (e.g. burial depth, requiring boring instead of trenching etc.) as it considers necessary to protect the existing and future quality of the road or street.

**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 subordinate and 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.
- (4)** Except as specified in the required development permit, no variation in the residential or residential farm character and appearance of the dwelling, accessory residential building, or land shall be permitted, except for permitted signs.
- (5)** On-site signs shall be permitted according to Section 3.5. Off-site signs not exceeding 0.5 square metres (5 ft<sup>2</sup>) may be permitted at the discretion of Council where necessary to provide directions from a highway to the operation.
- (5)** The permitted accessory 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-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 accessory uses to 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 ft<sup>2</sup>) 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.
- (6) 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.
- (7) 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**

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 Intensive Livestock Operations (ILOs – refer to Part II – Definitions), in that Table unless Council deems a lesser distance is acceptable using the same criteria in Section 5.3.5(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**

Council may require the applicant for a Demolition Permit for a dwelling or water well to fill, grade, fence or follow other special conditions of the required Permit. Such conditions shall only be imposed for public and environmental safety.

### **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 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 Parking 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 assembly room floor area of the largest assembly of the assembly room within 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 and yards; handling, loading, distribution and/or shipping facilities; builders or contractors yards and shops; and other similar industrial or industry-related uses.	1 space per 3 employees on maximum work shift but 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 site.
- (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.

- (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 site.
- (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 development occurs or when any 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;
  - (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.
- 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 74 of the Act:

- Sites shall be landscaped 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;
- 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 in Council's opinion, it would detract from the amenity of the neighbourhood.
- A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks, and access and to all provincial requirements.
- No new or expanded discretionary uses shall be located in the 1:500 flood evaluations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
- The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- Year round access to the site shall be available. (Amended Bylaw No. 4-2012)

### **3.16 Permits for Accessory Uses**

Although accessory farm and non-farm uses may be exempt under Section 2.2.1 from the requirement to obtain a Development permit, each developer proposing such uses shall submit a site plan to the Development Officer showing the distances of the proposed uses to the boundaries of the Quarter Section or Site, as the case may be. This information is required to ensure that the accessory uses conform to the yard setbacks of the particular Zoning District and do not cause road maintenance problems by causing snow drifting on nearby roads.

### **3.17 Camps – temporary mobile construction or oil field lodging camps**

- (1) A development permit application has been submitted that contains the following information, to the satisfaction of Council:
  - i) The location, type, and purpose of the camp which shall include a site plan specifying the number of buildings and their location.
  - ii) Method of supplying water, sewage and waste disposal facilities, which must comply with provincial regulations.
  - iii) The number of persons proposed to live in the camp.
  - iv) The start date of construction, the date of occupancy and the removal date.
  - v) Reclamation measures once the camp is no longer needed.
- (2) The developer is to maintain any existing natural buffers (trees, natural topography, etc.) where possible.
- (3) The camp shall be contained within the commercial use or resource based use site.
- (4) The developer shall provide Council with information regarding the necessity of the camp in attracting and attaining skilled workers for the operation of the commercial use.
- (5) The site shall be adjacent to all-weather road to provide year round access to the site. (Amended Bylaw No. 3-2014)

## **SECTION 4 - ZONING DISTRICTS**

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### **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;
- HC – Highway Commercial;
- H – Hamlet;
- SR – Seasonal Resort; and
- ES – Environmentally Sensitive Overlay.

### **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 shall be treated as Prohibited Uses.
- (2) Regulations for the Zoning Districts are outlined in the following Sections.

## SECTION 5: A - AGRICULTURAL DISTRICT

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**INTENT:** to implement the Goals, Objectives and Policies of the Basic Planning Statement by protecting high quality agricultural land and natural resources in the R.M.

### 5.1 PERMITTED USES

**Subject to 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).
- Farmsteads with a maximum of 3 dwellings (including mobile homes) 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 accessory to any single detached dwelling on the Farmstead or separate site approved as a Discretionary Use.
- Beehives and honey extraction facilities.
- Minor facilities for the preparation for sale of crops grown by the agricultural operation.
- Fish farming.

**(3) Industrial and 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.
- Petroleum, 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 0.4 km. from a dwelling.

**(4) Other principal uses**, including accessory uses and buildings, but not including a residence:

- Places of worship, cemeteries, public institutional uses and facilities.
- Service utilities such as radio, television and microwave towers.
- Public parks.
- 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 Section 3**, the following uses are discretionary in this district:

**(1) Agricultural principal uses:**

- Controlled hunt farms
- Game farms
- Intensive livestock operations subject to Section 5.4.
- Intensive agricultural operations, including Commercial Greenhouses
  - Livestock Sales Yards

**(2) Residential uses (Principal and Accessory):**

~~A new agricultural dwelling on a subdivided site between 2 and 20 acres. (Amended Bylaw No. 2-2013)  
One dwelling (including a dormitory dwelling) which is accessory to, and located on the same site as a discretionary use listed in Subsections 5.2 (1), (4) or (6).~~

~~A maximum of two dwellings on a subdivided site between 0.8 hectares (2 acres) and 4 hectares (20 acres). - (Amended by Bylaw No. 4-2017)~~

**(3) Industrial and Commercial Principal Uses:**

- Abattoirs, including retail meat sales outlets.
- Agricultural contracting and service establishments.

- Agricultural equipment, fuel, and chemical supply establishments.
- Major 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.
- Recreational commercial uses – including but not limited to, sports arenas, golf courses or tourist campsites.
- Cold storage yard and warehouses. (Amended Bylaw No. 1-2011)
- Temporary mobile construction or oil field lodging camps. (Amended Bylaw No. 1-2011)

**(4) Accessory uses:**

- Vacation farms, where ancillary to a farmstead on the same site.
- Bed-and-breakfast homes, where accessory to a farmstead or residence, on the same site.
- Home based businesses, where accessory to a farmstead or residence, on the same site.
- Minor agricultural-related commercial or food processing uses accessory to a farmstead, and located on the same site.

**(5) 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 0.4 km. from a dwelling.

**(6) Other Principal Uses:**

- 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 contaminated soils.
- Trucking/hauling operations
- Vehicle Storage Yards
- Solid and Liquid Waste Disposal Facilities

## **5.3 DISTRICT REGULATIONS**

### **5.3.1 Subdivision:**

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.

### **5.3.2 Site Requirements:**

(1) Separate sites for a principal use shall comply with the following:

- (a) A quarter section (or equivalent as defined in this Bylaw), which is located within this district, may be allowed under Section 5.3.2 (b) i) of the BPS to have a maximum of **3 sites subdivided from it (4 separate titles per quarter section in total)**(Amended Bylaw No. 3-2014) for a principal use allowed in this District. In addition to the foregoing maximum number of subdivisions allowed per quarter section, one irregularly-shaped or rectangular subdivision of agricultural land which is physically isolated from the majority of the quarter section by a road, railway or watercourse may also be allowed in accordance with Section 5.3.2 (b) ii) of the BPS, at Council’s discretion.
- (b) The minimum site frontage for all subdivided sites shall be 30 metres.
  - i) **At Council’s discretion, site frontage may be reduced to a minimum of 15 meters. (Amended Bylaw No. 4-2008)**
- (c) Where a smaller 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 8 hectares (20 acres) in size.
- (d) Except for linear public utilities which are exempt from site size regulations by 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 8 hectares (20 acres) in size.
- (e) At the request of the current owner of the site proposed to be subdivided as referred to in subsections (c) and (d) above, Council may use its discretion to vary only the maximum site size requirement by no more than 100% where the change:
  - 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.
- (2) At the request of the current owner of a site proposed to be consolidated with another site to create a larger area for a permitted or approved discretionary use in this district, Council may use its discretion to vary the maximum site size requirement where the change would result in a parcel which is closer to the size of the quarter section or equivalent as defined by this Bylaw.
- (3) **Property line setbacks shall be as follows: (Amended Bylaw No. 1-2010)**
- Minimum side yard – 2 meters (6.5 feet)
  - Minimum rear yard – 2 meters (6.5 feet)
  - The setback distances shall be the edge of the building including any overhang.

### 5.3.3 Legal Access:

- (1) Development of a farmstead, dwelling, commercial use, institutional use, or other development is prohibited in this District unless the site abuts a developed road.
- (2) For the purposes of this section "developed road" shall mean an existing graded all-weather road on a registered right of way, or a road for which 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) A subdivision shall not be recommended for approval by Council unless the proposed sites and any unsubdivided remnant of the land being subdivided have frontage on a developed road, including any road which is required to be registered and developed as a public road under a signed servicing agreement.

### 5.3.4 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) A maximum of 2 bunkhouses, dormitory dwellings or additional dwellings for employees or business partners of the operator engaged in the agricultural operation;
  - (c) Facilities for the winter holding or pasturing of livestock, in lesser numbers than constitute an ILO (unless already approved by Sask Agriculture, Food and Rural Revitalisation (SAFRR) as an ILO);
  - (d) Buildings for permitted accessory uses.
- (2) Subject to the regulations of Section 5.3.2, a farmstead, which contains a dwelling proposed for subdivision as a separate site, shall contain enough land area to provide its own water supply and waste disposal system.

### 5.3.5 Road Setback Requirements:

- (1) The minimum setback for all buildings (including, but not limited to dwellings, all accessory agricultural structures), trees, excavations, gravel pits, dugouts, and oil, gas or water wells) from the right-of-way of a developed public road, municipal road allowance, or provincial highway shall be as follows:
- 60 metres (200 ft) from the centreline of any public road, regardless of its current legal width; and
  - 120 metres (400 ft) from the centreline of the intersection of any two public roads, regardless of their current legal width.
- (Note: A greater setback 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; or
  - (b) the separation distance to a solid or liquid waste disposal facility as regulated in Section 5.3.8; or
  - (c) 305 metres (1000 ft) from a honey processing facility.
  - (d) 305 metres (1000 ft) to a non-refrigerated anhydrous ammonia facility licensed by the Department of Corrections and Public Safety;

- (e) 610 metres (2000 feet) to a refrigerated anhydrous ammonia facility licensed by the Department of Corrections and Public Safety;
  - (f) 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 specific operation which is otherwise required to maintain the prescribed 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.
- (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.

**5.3.6 Keeping of Animals on residential sites other than farmsteads.**

- (1) 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, but in no case shall these numbers exceed that equal to one animal unit.
- (2) Animals shall not be pastured 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.

**5.3.7 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.

**5.3.8 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 locational standards contained in Table 1 of this Bylaw, and to the following standards:

- (1) A buffer strip containing trees, shrubs or a berm may be required 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**

<b>Other Uses</b>	<b>Solid Waste Facility</b>	<b>Liquid Waste Facility</b>
Single residence, tourist Accommodation	800 m	300 m
Intensive country residential subdivision or hamlet or urban municipality	1.6 km	600 m
Commercial or industrial use	300 m	300 m

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

**5.3.9 Home based businesses:**



- (1) shall comply with Section 3.8

### **5.3.10 Bed-and-breakfast Homes and Vacation Farms:**

- (1) shall comply with Section 3.9

### **5.3.11 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.

### **5.3.12 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 trailer coach 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 trailer coach 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.

### **5.3.13 Temporary mobile construction or oil field lodging camps**

- (1) **Shall comply with section 3.17 (Amended Bylaw No. 3-2014)**

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

### **5.4.1 Intensive livestock operations:**

- (1) Any operation involving the raising of animals shall be considered an ILO for the purpose of this bylaw if it:
  - (a) requires a permit for an Intensive Livestock Operation from Saskatchewan Agriculture and Food. (SAF) under the *Agricultural Operations Act*; or
  - (b) will, in Council's opinion, contain more than 300 animal units which are cattle, horses, domesticated or exotic Game Farm animals on a quarter section or less of land on a permanent basis; or
  - (c) is an expansion of an existing ILO which has been permitted by SAFRR; or
  - (d) involves the alteration of animal species in an existing ILO; or
  - (e) is a Game Farm or Controlled Hunt Farm which has been permitted by SAFRR.

- (2) In considering whether a specific livestock operation should be considered as an ILO for the purposes of subsections (1)(b) or (c), 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. This subsection shall not apply to any livestock operation considered as an ILO for the purposes of subsections (1)(a), (d) or (e).
- (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 disposal. If the applicant is proposing to spread manure rather than use alternate means of manure handling or disposal (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 disposal by SAFRR. Any subsequent change to the location of the manure disposal 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 SAFRR, 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 \***

TYPE OF ADJOINING OR PROPOSED DEVELOPMENT	NUMBER OF ANIMAL UNITS PERMITTED	NUMBER OF ANIMAL UNITS PERMITTED	NUMBER OF ANIMAL UNITS PERMITTED
	300-499	500-2000	>2000
Residence, Tourist Accommodation	Minimum 400 m. separation required	Minimum 800 m. separation required	Minimum 1200 m. separation required
Multi-parcel Residential Lots, Hamlet or Village with <100 population, campground, commercial or industrial use	Minimum 800 m. separation required	Minimum 1200 m. separation required	Minimum 1600 m. separation required
Village with >100 population	Minimum 1200 m. separation required	Minimum 1600 m. separation required	Minimum 2400 m. separation required
Town	Minimum 1600 m. separation required	Minimum 2400 m. separation required	Minimum 3200 m. separation required

(Distances are measured between livestock facilities (barns, corrals, Earthen Manure Storage Facility or other approved Manure Stockpile/Treatment Facility) and any dwelling not owned by the ILO operator, Hamlet, Village or Town development)

\* refer to Subsection 5.4.1 (b) for the minimum size of an ILO, based on the type of Animal Units which it contains

#### **5.4.2 Manure Application from Non-Intensive Livestock Operations:**

- (1) Except for the provisions of Subsection 2, all new or expanding Non-intensive Livestock Operations (those which do not require an ILO Permit from SAFRR), including those which are under 300 Animal Units as shown on Table 2, are prohibited from applying manure within 300 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 in the case of an existing Operation which qualifies under this Bylaw and the Act as a legal, Non-Conforming Use.
- (2) If the neighbour and the owner of the Operation agree in writing to the new location for the manure application within the 300 m distance of the neighbour's dwelling, Council will consider the agreement as part of an application for a Discretionary Use Permit with a condition exempting the Operator from this setback requirement. Prior to making a decision on the proposed Discretionary Use Permit, Council shall consider the proposal in relation to the soil type, local topography, expected manure constituency and application rates, the adequacy of the proposed separation to reduce odour and nuisance, and any other matter identified by Council. The Operator may also be asked to supply a report from a professional agrologist or engineer commenting on the environmental effects of the proposal. The proposal may also be referred to SAFRR for comment.

### **SECTION 6: CR-COUNTRY RESIDENTIAL DISTRICT**

**INTENT:** To allow a limited variety of non-farm residential uses on lower density sites, which will integrate into the existing rural community. To implement the Intent of this District, Council shall ensure that new residences will only be allowed in this District at location-sensitive sites (to protect the natural environment, and particularly the water resource), which will not conflict with other adjoining uses and which will not be prohibitively difficult or costly to service.

#### **6.1 PERMITTED USES**

**Subject to Section 3**, the following uses are permitted in this District:

- (1) Residential Principal Uses
  - Single detached dwellings
  - 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
  - Linear public or private utilities, excluding solid and liquid waste disposal sites.

#### **6.2 DISCRETIONARY USES**

**Subject to Section 3**, the following uses are discretionary 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.
- Mobile Homes

#### **6.3 DISTRICT REGULATIONS**

##### **6.3.1 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 - 3 hectares (7.5 acres)
  - Maximum site area - 8 hectares (20 acres)
  - 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)
- (4) 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.

### **6.3.2 Legal Access:**

- (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 graded all-weather road on a registered right of way, or a road for which a signed servicing agreement has been made by the developer with Council to provide for the construction of the road on a registered right of way to a standard approved by Council.
- (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 road, including any road which is required to be registered and developed as a public road under a signed servicing agreement.

### **6.3.3 Keeping of Animals on residential sites in this District:**

- (1) Two (2) Animal Units will be permitted on a site of at least 2 hectares (5 acres) in size, and 2 additional Animal Units will be permitted for each incremental increase of 2 hectares (5 acres) in the site size. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall these numbers exceed that equal to one Animal Unit as defined in Part II.
- (2) Animals shall not be pastured 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 or well for potable water.

### **6.3.4 Home based businesses:**

- (1) shall comply with Section 3.8

### **6.3.5 Bed and breakfast Homes:**

- (1) shall comply with Section 3.9

## **SECTION 7: 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. To implement the Intent of this District, Council shall ensure that new uses will only be allowed in this District at location-sensitive sites, which will not conflict with other adjoining uses and which will not be prohibitively difficult or costly to service.

### **7.1 PERMITTED USES**

**Subject to 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; **boats and marine products (Amended Bylaw No. 4-2010)**; building and lumber supplies.
  - Commercial Greenhouses
  - **Workshops for Cabinet Makers and Woodworkers (Amended Bylaw No. 4-2010)**
  - **Offices and Storage Yards for Public Utilities (Amended Bylaw No. 4-2010)**
- (2) Automotive service Uses
  - gas stations, gas bars, car and truck washes
  - vehicle repair shops (excluding salvage yards)
- (3) Tourist Service Uses
  - Hotels, motels
  - Restaurants, Fast Food Outlets
  - Retail stores
  - Recreation facilities: theatres, assembly halls, exhibition grounds, campgrounds (excluding mobile home parks), waterslides, batting cages and uses which in Council's opinion 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.
  - Linear public or private utilities, excluding solid and liquid waste disposal sites.

### **7.2 DISCRETIONARY USES**

**Subject to Section 3**, the following uses are discretionary in this district:

- (1) One dwelling unit (including a mobile home), 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 accessory to a permitted or approved discretionary use.
- (3) **Cold storage yard and warehouses. (Amended Bylaw No. 1-2011)**
- (4) **Temporary mobile construction or oil field lodging camps. (Amended Bylaw No. 1-2011)**

### **7.3 DISTRICT REGULATIONS**

#### **7.3.1 Subdivision and Site Development Requirements:**

- (1) Separate sites for the permitted **and discretionary (Amended Bylaw No. 1-2011)** uses in this District shall comply with the following:
  - Minimum site area – 0.4 hectares (1 acre)
  - Maximum site area – **1.62 hectares (4 acres) (Amended Bylaw 4-2013)**
  - Minimum site frontage 30m. (100 ft.) **At Council's discretion, site frontage may be reduced to a minimum of 15 meters. (Amended Bylaw No. 4-2008)**
  - Minimum front yard – along Provincial Highways, at Provincial regulations, otherwise 30 meters (100 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 **-2 meters (6.5 feet) (Amended Bylaw 1-2010)**
  - Minimum rear yard **- 2 meters (6.5 feet) (Amended Bylaw 1-2010)**
  - **The setback distances shall be the edge of the building including any overhang. (Amended Bylaw 1-2010)**

- 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) All attached dwelling units shall have a minimum floor area of 46.5 Sq. m. (500 sq. ft.), and for fire safety, shall have a separate outside entrance in addition to any entrance to the attached permitted use.

### 7.3.2 Keeping of Animals on Residential Sites in this District

Other than domestic pets, no animals shall be allowed on any site in this District.

### 7.3.3 Development Standards near Public and Private Airstrips

An area east of Highway 9 and north of Carlyle (as shown on Zoning Map A and Appendix A which form part of this Bylaw) is subject to the following standards to protect the safety of aircraft using the Carlyle Airstrip.

- (1) Preventative measures shall be taken to alleviate any electronic interference to air navigation and communication systems.
- (2) Any development which is permitted shall be designed and constructed in order to not generate any smoke, dust, steam, debris or similar emissions which would restrict airstrip navigation and visibility.
- (3) The developer and landowner of any site in the affected area shall be responsible for preventing the attraction of birds which may endanger the safe use of the airstrip.
- (4) The maximum height of any development or structure in the pathway of the “Approach Surface” (both ends of the airstrip) and the “Transitional Surface” (both sides of the airstrip) shall conform to the slope standards of 1:25 (4%) and 1:5 (20%) for Code 2 runways as published by Transport Canada as shown in Table 3 below and Appendix A of this Bylaw.

**Table 3 – Height Restrictions**  
**Approach Surface (both ends of Air Strip) 1:25 (4%) Slope**

<b>Distance from each end of Airstrip (10% divergence)</b>	<b>Maximum Height of Structure</b>	<b>Maximum Height of Structure on Lots in the HC – Highway Commercial District</b>
30 metres (100 ft.)	1.2 metres (4 ft.)	Not Applicable to existing subdivision
60 metres (200 ft.)	2.4 metres (8 ft.)	Not Applicable
90 metres (300 ft.)	3.6 metres (12 ft.)	Not Applicable
120 metres (400 ft.)	4.8 metres (16 ft.)	Not Applicable
150 metres (500 ft.)	6 metres (20 ft.)	6 metres (20 ft.) at West property line 7.3 metres (24 ft.) at center of Lot 3.
180 metres (600 ft.)	7 metres (24 ft.)	6 metres (20ft.) for Lot 2.
210 metres (700 ft.)	8.5 metres (28 ft.)	Not Applicable
240 metres (800 ft.)	9.5 metres (32 ft.)	Not Applicable
270 metres (900 ft.)	10.5 metres (36ft.)	Not Applicable
300 metres (1000 ft.)	12 metres (40 ft.)	Not Applicable
330 metres (1100 ft.)	13 metres (44 ft.)	Not Applicable
360 metres (1200 ft.)	14.5 metres (48 ft.)	Not Applicable

### 7.3.4 Temporary mobile construction or oil field lodging camps

- (1) Shall comply with section 3.17 (Amended Bylaw No. 3-2014)

## **SECTION 8: H – HAMLET DISTRICT**

**INTENT:** To accommodate higher density residential, office, institutional and recreational development in the Hamlet of Wordsworth.

### **8.1 PERMITTED USES**

**Subject to Section 3,** the following uses are permitted in this District:

- (1) Residential Principal Uses
  - Single detached dwellings,
  - Duplex dwellings
  - Semi-detached 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
  - Retail stores
  - Schools
- (3) Accessory uses and buildings
  - Private garages, sheds, and buildings accessory to any single detached, Duplex Semi-detached or Bare land Condominium dwelling
  - Linear public or private utilities, excluding solid and liquid waste disposal sites.

### **8.2 DISCRETIONARY USES**

**Subject to Section 3,** the following uses are discretionary 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.
- Mobile Homes

### **8.3 DISTRICT REGULATIONS**

#### **8.3.1 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 – 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) All accessory buildings with a door or doors opening onto a street or lane shall be located a minimum of 1.2 m (4 ft) from the site line abutting the street or lane.

#### **8.3.2 Keeping of Animals on residential sites in this District**

Other than domestic pets, no animals shall be allowed on any site in this District.

## **SECTION 9: SEASONAL RESORT DISTRICT**

**INTENT:** To accommodate the development of certain principal/seasonal residences and recreational/institutional uses within the seasonal resort district of the Municipality.

### **9.1 PERMITTED USES**

**Subject to Section 3**, the following uses are permitted in this district:

- (1) Principal Residential Uses
  - single detached dwellings
- (2) Service, recreational and Institutional Principal uses
  - municipal offices and facilities
  - public parks, playgrounds, and day use picnic areas
- (3) Accessory uses and buildings
  - Private garages, sheds, and buildings accessory to any single detached or Bare land Condominium dwelling
  - Linear public or private utilities, excluding solid and liquid waste disposal sites.

### **9.2 DISCRETIONARY USES**

**Subject to Section 3**, the following uses are discretionary 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.
- Mobile Homes
- Public or private utilities
- Recreational uses including boat launches and docks, golf courses, parks, picnic grounds, public beaches and sports fields.
- Restaurants and take out food establishments
- Tourist cabins
- Tourist campgrounds and tourist parks.
- Commercial recreational uses
- Guest Cottages (unserviced)
- Vacation Trailers

### **9.3 DISTRICT REGULATIONS**

#### **9.3.1 Subdivision and Site Development Requirements:**

- (1) Separate sites for the Principal uses in this District shall comply with the following:
  - Single detached dwellings, including mobile homes - Minimum site area – 604 sq. m (6500 sq. ft.)
  - Bare land Condominiums - Minimum site area – 604 sq. m (6500 sq. ft.)
  - All other uses - Minimum site area – 604 sq. m (6500 sq. ft.)
  - Single detached dwellings - Minimum site frontage – 20 m (65 ft)
  - All other uses (excluding Bare land Condominiums, which have private road frontage) - Minimum site frontage – 20 m (65 ft)
  - Minimum front yard – 6 meters (20 ft).
  - Minimum side yard – 1.5 meters (5 ft)
  - Minimum rear yard -6 meters (20 ft)
- (2) All accessory buildings with a door or doors opening onto a street or lane shall be located a minimum of 1.5 m (5 ft) from the site line abutting the street or lane.

#### **9.3.2 Keeping of Animals on residential sites in this District**

Other than domestic pets, no animals shall be allowed on any site in this District.

#### **9.3.3 Home based businesses:**

- (1) shall comply with Section 3.8



### 9.3.4 Bed and Breakfast Homes:

- (1) shall comply with Section 3.9

### 9.3.5 Guest Cottages:

- (1) shall be designed for the exclusive use of guests of the dwelling owner during week-ends or summer vacation periods and not for year-round or permanent occupation;
- (2) shall not contain any thermal insulation, since the Guest Cottages are for summer, accessory sleeping purposes only;
- (3) may contain a toilet facility which is separate from the principal dwelling on the same lot, but this facility may only be connected to the sewage disposal system of that dwelling when the proposed connection has first been approved by the Health District;
- (4) shall not contain any cooking facilities; and
- (5) shall have a maximum building area of 30 sq. metres (300 sq. ft.) and a maximum height of 4.5 m. (15 ft.).”

### 9.3.6 Vacation Trailers:

- (1) Only one Vacation Trailer, which is not a mobile home and is used from time to time for a period not exceeding 30 consecutive days from April 1<sup>st</sup> to October 31<sup>st</sup>, for temporary sleeping accommodation of guests of a single detached dwelling shall be permitted on the same lot as the dwelling;
- (2) Vacation Trailers shall not be kept for hire;
- (3) The facilities and amenities of the dwelling on the lot shall be available at all times for the use of the occupants of the Vacation Trailer;
- (4) No Vacation Trailer shall be used as temporary sleeping accommodation from November 1<sup>st</sup> to March 31<sup>st</sup>; and
- (5) No Vacation Trailer shall be connected to any piped water supply or waste disposal system on any lot, whether or not that system serves the existing dwelling on the lot.

## **SECTION 10: 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.

### 10.1 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.

### 10.2 DISCRETIONARY USES

- Radio, television and microwave towers.
- Linear Public utilities, excluding solid and liquid waste disposal sites.
- Municipal facilities.

### 10.3 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.

#### **10.4 AREAS WITHIN THE ES OVERLAY DISTRICT**

- All land within the Environmentally Sensitive Overlay District on the Land Use Concept Map and Zoning Map;
- All land described in Section 3.1 of this Bylaw.

#### **10.5 METHOD OF APPLICATION**

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

### **SECTION 11: HIGHWAY COMMERCIAL DISTRICT 2 (Amended Bylaw No. 4-2012)**

**INTENT:** The Highway Commercial District 2 is intended to allow for slightly larger scale commercial and industrial uses that require larger lot sizes. Allowed uses include those that typically would benefit from access from major highway corridors. New developments shall not conflict with other adjoining uses and will not be prohibitively difficult or costly to service.

#### **11.1 PERMITTED USES**

**(1) Industrial and Commercial Principal Uses:**

- Machine shops and metal fabricators
- Contracting and service establishments
- Trucking and/or hauling operations

**(2) Resource based principal uses:**

- Petroleum, metallic or non-metallic mineral processing and extraction facilities

**(3) Accessory uses:**

- Buildings including private garages, shed and buildings accessory to any permitted or approved discretionary uses
- Buildings and uses accessory to resource based principal uses

**(4) Other Principal Uses:**

- Linear public or private utilities, excluding solid and liquid waste disposal sites and facilities

#### **11.2 DISCRETIONARY USES**

**(1) Resource based principal uses:**

- Gravel pits, gravel storage areas and related contractor's yards

**(2) Agricultural Principal Uses:**

- Agricultural equipment, fuel and chemical supply establishments
- Major agricultural product processing including but not limited to, seed cleaning or packaging plants
- Grain terminals, elevators, and related uses

**(3) Recreational commercial uses:**

- including but not limited to, sports arenas, golf courses or tourist campsites/campgrounds

**(4) Other Principal Uses:**

- Abattoirs, including retail meat sales outlets
- Concrete plants

- Solid and liquid waste disposal sites and facilities
- Vehicle storage yards
- Camps -temporary mobile construction or oil field lodging camps
- Cold storage yard and warehouses
- Manufacturing or fabrication establishments

### **11.3 DISTRICT REGULATIONS**

#### **11.3.1 Subdivision and Site Development Requirements:**

(1) Proposed subdivisions in this District shall comply with the following:

- Minimum site area – 0.8 hectares (2 acres)
- Maximum site area – 12.141 hectares (30 acres)
- Minimum site frontage – 30 m (100 ft.)
- Minimum front yard – along Provincial Highways will be as per the provincial regulations, otherwise 30 meters (100 ft.). 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 – 8 meters (26 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.

#### **11.3.2 Discretionary Use Development Standards**

- (1) A road of adequate standard shall provide access and egress to the operation from a provincial highway to the site. The Ministry of Highway and Infrastructure may be consulted to ensure the proposal is consistent with provincial setback requirements from provincial highways and other regulations.
- (2) Other requirements of this bylaw specific to the proposed use shall be met.
- (3) Council may establish specific screening requirements for any form of storage facilities.

#### **11.3.3 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 trailer coach 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 trailer coach 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.

#### 11.3.4 Temporary mobile construction or oil field lodging camps

- (1) Shall comply with Section 3.17 (Amended Bylaw No. 3-2014)

### 3. Part II – DEFINITIONS is amended by adding the following immediately after “Campground”:

**Camps-temporary mobile construction or oilfield lodging camps:** one or more buildings used to house workers of various contracting firms on a temporary bases, generally less than 10 years in length, which provides sleeping, eating, recreation and other basic living facilities.

## 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, 1983*, as amended.

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

**Animal Unit (A.U.):** - the kind and number of animals calculated by SAFRR as shown on 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 Indigenous	Elk	5
	Elk calves	20
	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, 1983*.

**Bare Land Condominium:** - see Dwelling, Bare Land Condominium

**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.

**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.

**Camps-temporary mobile construction or oilfield lodging camps:** one or more buildings used to house workers of various contracting firms on a temporary bases, generally less than 10 years in length, which provides sleeping, eating, recreations and other basic living facilities. (Amended Bylaw No. 4-2012)

**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 Moose Mountain No. 63.

**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, 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, 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 may be on a Quarter Section or Equivalent, and includes the residence of the farm operator and those buildings or facilities 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.

**Guest Cottage:** - a detached accessory building to be used as summer sleeping accommodation only, and which is located on the same lot as the principal dwelling.

**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 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 a crop that is grown in buildings or under structures, using hydroponic techniques, or by use of intensive irrigation and fertilizer application, but not including an intensive livestock operation.

**Intensive Livestock Operation (ILO):** - the operation or facilities for 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 Saskatchewan Agriculture, Food and Rural Revitalisation.

**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.

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

**May:** - indicates a voluntary action or decision.

**Mobile Home:** - a trailer coach:

- (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.

**Municipality:** - the Rural Municipality of Moose Mountain No. 63.

**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.

**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 zone district in which it is located.

**Overlay Zoning District:** - shall mean 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 road allowance or other legally surveyed road or street vested in the name of Department of Highways and Transportation (SHT), and maintained by SHT 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, soil farms for the rehabilitation of contaminated soils and similar, potentially conflicting service utility uses.

**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, pipeline or 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).

**Reeve:** - the Reeve of the Rural Municipality.

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

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

**Shall:** - indicates a mandatory action or decision.

**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.



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

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

**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.

**Vacation Trailer :** - a Trailer Coach which is 4.5 metres (15 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.

**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.

## APPENDICES

Appendix A, which is attached to and forms part of this Bylaw, shall be used in the administration of Section 7.3.3 to ensure airport protection and public safety.

**ADOPTION**

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**Repeal of Existing Zoning Bylaw**

Bylaw No. 2/83 is hereby repealed and replaced by this Zoning Bylaw. This Bylaw is adopted pursuant *The Planning and Development Act, 1983*, and shall come into force on the date of final approval by the Minister of Government Relations.

Read a First time this 14<sup>th</sup> day of June, 2006

Read a Second time this 14<sup>th</sup> day of June, 2006

Read a Third time and adopted this 12<sup>th</sup>, day of July, 2006

S E A L

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Rural Municipal Administrator

Certified to be a true copy of Bylaw No. 2-2006 adopted by the Council of the Rural Municipality of Moose Mountain No. 63, on the 31<sup>st</sup> day of July, 2006.

S E A L

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Rural Municipal Administrator

## APPENDIX A

### Table I - Part A

#### Height Restrictions

#### Section 7.3.3

#### Approach Surface (both ends of Air Strip )

1:25 ( 4% ) Slope

<b>Distance from each end of Airstrip (10% divergence)</b>	<b>Maximum Height of Structure</b>	<b>Maximum Height of Structure on Lots in the HC – Highway Commercial District</b>
30 metres (100 ft.)	1.2 metres (4 ft.)	Not Applicable to existing subdivision
60 metres (200 ft.)	2.4 metres (8 ft.)	Not Applicable
90 metres (300 ft.)	3.6 metres (12 ft.)	Not Applicable
120 metres (400 ft.)	4.8 metres (16 ft.)	Not Applicable
150 metres (500 ft.)	6 metres (20 ft.)	6 metres ( 20 ft.) at West property line 7.3 metres (24 ft.) at center of Lot 3.
180 metres (600 ft.)	7 metres (24 ft.)	6 metres (20ft.) for Lot 2.
210 metres (700 ft.)	8.5 metres (28 ft.)	Not Applicable
240 metres (800 ft.)	9.5 metres (32 ft.)	Not Applicable
270 metres (900 ft.)	10.5 metres (36ft.)	Not Applicable
300 metres (1000 ft.)	12 metres (40 ft.)	Not Applicable
330 metres (1100 ft.)	13 metres (44 ft.)	Not Applicable
360 metres (1200 ft.)	14.5 metres (48 ft.)	Not Applicable

## **APPENDIX A**

### **Table I - Part B**

#### **Height Restrictions**

##### **Section 7.3.3**

#### **Transitional Surface (Both Sides of Air Strip) 1:5 (20%) Slope**

<b>Distance From Each Side Edge of the Air Strip</b>	<b>Maximum Height of Structure</b>	<b>Maximum Height of Structure in the HC – Highway Commercial District</b>
30 metres (100 ft.)	6 metres (20 ft.)	6 metres (20 ft.) center of Lot 2 and at the West property line of Lot 4.
60 metres (200 ft.)	12.5 metres (40 ft.)	12.5 metres (40 ft.) center of Lots 1,4,5,6 and 7.
90 metres (300 ft.)	18 metres (60 ft.)	Not Applicable
120 metres (400 ft.)	24 metres (60 ft.)	Not Applicable
150 metres (500 ft.)	30 metres (100 ft.)	Not Applicable