

Rural Municipality
Of North Qu'Appelle #187
Zoning Bylaw
Including Amendments
Bylaws No. 07-04 and 09-05
up to August, 25, 2009

Zoning Bylaw - Table of Contents

SECTION 1: INTRODUCTION.....	3
-------------------------------------	----------

SECTION 2: ADMINISTRATION AND INTERPRETATION.....	4
--	----------

- 2.1 Development Officer
- 2.2 Council
- 2.3 Development Appeals Board
- 2.4 Fee for Zoning Amendment Application
- 2.5 Comprehensive Development Review
- 2.6 Additional Public Consultation
- 2.7 Application for a Development Permit
- 2.8 Development Not Requiring a Development Permit
- 2.9 Application Requirements
- 2.10 Development Permit
- 2.11 Building Permits, Licenses and Compliance with Other Bylaws
- 2.12 Application for Development Fees
- 2.13 Discretionary Use Application
- 2.14 Notification to Applicant
- 2.15 Development Permit – Invalid
- 2.16 Cancellation
- 2.17 Stop-Work
- 2.18 Offences and Penalties
- 2.19 Inspection of Premises
- 2.20 Bylaw Compliance
- 2.21 Performance Bonds
- 2.22 Moving a Building
- 2.23 Demolition of a Building
- 2.24 Temporary Development Permits
- 2.25 Liability Insurance
- 2.26 Referral to Saskatchewan Health
- 2.27 Servicing Agreements
- 2.28 Caveats

SECTION 3: GENERAL REGULATIONS.....	13
--	-----------

- 3.1 Licenses, Permits and Compliance with other Bylaws
- 3.2 One Principal Building or Use Permitted Per Site
- 3.3 Uses Permitted in All zoning Districts
- 3.4 Signs and Billboards
- 3.5 Signage on Natural and Human Heritage Sites
- 3.6 Parking Provisions
- 3.7 Front Yard Reduction
- 3.8 Permitted Yard Encroachments
- 3.9 Minor Variances
- 3.10 Street Frontage Required
- 3.11 Frontage for Irregular Sites
- 3.12 Private Garages, Carports, Sunrooms, Solariums and Greenhouses
- 3.13 now 3.26
- 3.14 Accessory Dwelling Units
- 3.15 Non-Conforming Buildings, Uses and Sites
- 3.16 Public Utilities, Pipelines and Facilities of the Municipality
- 3.17 Grading and Leveling of Sites
- 3.18 Restoration to a Safe condition
- 3.19 Setbacks from Ravines, Water Courses and Shorelines
- 3.20 Restrictions on Change
- 3.21 Prohibited and Noxious Uses
- 3.22 Communication Towers
- 3.23 Disposal of Wastes
- 3.24 Domestic Solid and Liquid Waste Disposal Facilities
- 3.25 Development Standards for Solid and Liquid Waste Disposal Facilities
- 3.26 Development Standards for Home Based Businesses
- 3.27 Development Standards for Accessory Agricultural Residences
- 3.28 Development Standards for Campgrounds

3.29 Development Standards for Agricultural Tourism Uses	
3.30 Development Standards for Bed and Breakfast Homes and Vacation Farms	
3.31 Development Standards for Aggregate Resource Extraction Industries	
3.32 Development Standards for Residential Care Facilities	
3.33 Development Standards for Animal Kennels	
3.34 Development Standards for Wind Turbines	
SECTION 4: ZONING DISTRICTS AND OVERLAYS DISTICTS	25
4.1 Districts	
4.2 Boundaries	
4.3 Regulations	
SECTION 5: AGRICULTURAL DISTRICT.....	26
5.1 Permitted Uses	
5.2 Discretionary Uses	
5.3 Accessory Uses	
5.4 Site Regulations in the Agricultural District	
5.5 Development Standards for Discretionary Uses	
SECTION 6A: RESIDENTIAL DISTRICT.....	30
6.1 Permitted Uses	
6.2 Discretionary Uses	
6.3 Accessory Uses]	
6.4 Site Regulations in the Residential District	
6.5 The Keeping of Livestock	
6.6 Development Standards for Discretionary Uses	
SECTION 6B: RESIDENTIAL DISTRICT.....	32
6.1 Permitted Uses	
6.2 Discretionary Uses	
6.3 Accessory Uses	
6.4 Site Regulations in the Residential District	
6.5 The Keeping of Livestock	
6.6 Development Standards for Discretionary Uses	
SECTION 7: RESORT RESIDENTIAL DISTRICT.....	34
7.1 Permitted Uses	
7.2 Discretionary Uses	
7.4 Prohibited Uses	
7.4 Accessory Uses	
7.5 Site Regulations in the Resort Residential District	
7.6 The Keeping of Livestock	
7.7 Development Standards for Discretionary Uses	
SECTION 8: RESORT HAMLET DISTRICT.....	37
8.1 Permitted Uses	
8.2 Discretionary Uses	
8.3 Prohibited Uses	
8.4Accessory Uses	
8.5 Site Regulations in the Resort Hamlet Residential District	
8.6 The Keeping of Livestock	
8.7 Development Standards for Discretionary Uses	
SECTION 9: COMMERCIAL DISTRICT.....	40
9.1 Permitted Uses	
9.2 Discretionary Uses	
9.3 Accessory Uses	
9.4 Site Regulations in the Commercial District	
9.5 Development Standards for Commercial Uses	
SECTION 10: SENSITIVE ENVIRONMENT OVERLAY.....	43

SECTION 11: FLOOD HAZARD LANDS OVERLAY.....44

SECTION 12: SLOPE INSTABILITY OVERLAY.....45

SECTION 13: HERITAGE RESOURCE OVERLAY.....46

SECTION 14: DEFINITIONS.....47

SECTION 15: Adoption60

Appendix “A” Comprehensive Development Review.....61

Appendix “B” Development Permit.....63

SECTION 1 – INTRODUCTION

Title

This Bylaw shall be known and may be cited as the “Zoning Bylaw of the Rural Municipality of North Qu'Appelle No. 187.”

Authority

Pursuant to Section 67 of the *Planning and Development Act, 1983*, the Council of the Rural Municipality of North Qu'Appelle No. 187 hereby adopts Zoning Bylaw No. 03-03 of the Rural Municipality of North Qu'Appelle No. 187.

Scope

This Bylaw applies to all land included within the boundaries of the Rural Municipality of North Qu'Appelle No. 187, herein referred to as “The Municipality.” All development within the limits of The Municipality shall be in conformity with the provisions of this Bylaw.

Purpose

The purpose of this Bylaw is to control the use of land and regulate development in The Municipality in accordance with Bylaw No. 03-02, The Basic Planning Statement. The intent of this Zoning Bylaw is to provide for the health, safety and general welfare of the residents of The Municipality:

- i) To minimize land use conflicts.
- ii) To establish minimum standards which maintain the amenity of the Municipality.
- iii) To ensure development and subdivisions are consistent with the goals and objectives of The Municipality.
- iv) To restrict development that places undue servicing demands on The Municipality, and
- v) To acknowledge and conserve natural environment of The Municipality.

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 AND INTERPRETATION

2.1 Development Officer

- 1) The Administrator shall be responsible for the administration of the Zoning Bylaw. The Administrator may appoint a Development Officer subject to the approval of Council to whom duties in the administration of the Zoning Bylaw may be delegated.
- 2) The Development Officer may submit any application to Council for a decision on the interpretation of the bylaw, or upon special circumstances provided in the Bylaw, and shall inform the applicant of the date and time when council will consider the matter. Council or the Development Officer may require the applicant to provide such further information, as they deem necessary, to make a decision.

2.2 Council

- 1) Council shall make all decisions regarding discretionary uses, development and servicing agreements, and zoning bylaw amendments in accordance with the procedures established by *The Planning and Development Act, 1983*, and in accordance with the Basic Planning Statement.
- 2) Council shall make a recommendation regarding all subdivisions applications circulated to it by Community Planning Branch, Municipal Relations Division, Saskatchewan Government Relations and Aboriginal Affairs, prior to a decision being made by the province.

2.3 Development Appeals Board

1) Establishment

Council shall appoint a Development Appeals Board within three months from the effective date of this bylaw, in accordance with *The Planning and Development Act, 1983*.

2) Duties

- a) The Development Appeals Board is bound by the Basic Planning Statement.
- b) The Development Appeals Board may confirm, revoke, or vary the decision or development permit or any condition attached to any of these, or substitute a decision or permit that it considers advisable.
- c) The Development Appeals Board shall adhere to the requirements of *The Planning and Development Act, 1983*.
- d) The Development Appeals Board shall keep records of its proceedings. These proceedings shall be filed in the Rural Municipality office and shall be a public record.
- e) Where a member of the Development Appeals Board has an interest in the matter before the Board, that member is duty-bound to declare a conflict of interest and shall not be entitled to vote there on.

3) Remuneration

Council may establish a separate bylaw to provide for the payment of remuneration to the board members in any amount that Council may determine.

4) Right to Appeal

- a) *The Planning and Development Act, 1983*, provides the right to appeal a decision made in respect of the Zoning Bylaw where a Development Officer:
 - i) is alleged to have misapplied the Zoning Bylaw in issuing a Development Permit;

- ii) refuses to issue a Development Permit because it would contravene the Zoning Bylaw; or
 - iii) issues an order, based on inspection, to the owner, operator, or occupant of land, buildings, or premises considered to contravene the Zoning Bylaw.
- b) Appellants also may appeal where they are of the opinion that development standards prescribed by Council with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw and Basic Planning Statement.
- c) This right of appeal extends thirty days after the issuance or refusal of a Development Permit or order.

2.4 Fee For Zoning Amendment Application

When an application is made to Council for an amendment to this Bylaw, the applicant making the request shall bear the actual cost of advertising such zoning amendment as required pursuant to *The Planning and Development Act, 1983*. Council may also require the applicant to pay all costs incurred in professional review of the application and in carrying out a public hearing.

2.5 Comprehensive Development Reviews

All subdivisions of land for residential and industrial development in the Municipality will be subject to the submission of a Comprehensive Development Review as outlined in “*Appendix A*” of this document to ensure that all of the potential effects of the development are identified.

2.6 Additional Public Consultation

Where deemed necessary by the Municipality, any application for a development permit may be required to undertake additional public consultation prior to the provision of a development permit.

2.7 Application for a Development Permit

No building or structure shall be erected, reconstructed or moved on a site, nor shall any building, structure or land be used for any other use that is permitted in the Zoning District concerned, until all Development Permits, Building Permits or other permits and licenses required by The Municipality are applied for and secured.

2.8 Development Not Requiring a Development Permit

The following do not require a Development Permit:

- a. Agricultural Zoning Districts
 - i. Buildings and structures that are accessory to an established agricultural operation except where such building or structure is a discretionary use.
 - ii. The erection of any fence, wall, gate, satellite dish, television antennae, or radio antennae.
- b. Residential Zoning Districts
 - i. The erection of any fence, wall, gate, satellite dish, television antennae, or radio antennae.
 - ii. Relocation of any residential or accessory building provided development standards are still met on the site.
- c. Commercial or Industrial Zoning Districts
 - i. The erection of any fence or gate.
 - ii. A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a building permit has been granted.

- d. Official Uses and Public Utilities
 - i. The use of all or a part of a building as a temporary polling station, returning officer's headquarters, candidates' campaign offices and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census; and
 - ii. Uses and buildings undertaken, erected, or operated by the Municipality.
- e. Any public utility, excluding solid waste disposal, liquid waste disposal and clean fill sites.
- f. Internal Alterations
 - i. Residential Buildings - Internal alterations to a residential building, provided that such alterations do not result in a change of use or an increase in the number of dwelling units within the building or on the site;
 - ii. All Other Buildings - Internal alterations and maintenance to other buildings, including mechanical or electrical work, provided that the use, or intensity of use of the building, does not change;
- g. Landscaping
 - i. Landscaped areas, driveways and parking lots, provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted.
 - ii. Disposal of clean fill on a site where the clean fill is generated by construction or demolition activity on that site, subject to compliance with all federal and provincial requirements.
- h. Signs: subject to the provisions of Section 3.4

2.9 Application Requirements

Unless otherwise specified in this bylaw, with every application for a development permit, a copy of a layout, or site plan, showing the dimensions of the site, the site size, the location on the site of any existing and all proposed development and the method and location of on-site sewage disposal facilities shall be submitted for approval to the Development Officer with such other information as may be required in support of the application. The applicant must be the registered owner of the property, intended owner of the property, or the contractor acting on behalf of the applicant, documented by an accepted Offer to Purchase or Agreement to Purchase.

2.10 Development Permit

Before commencing any principal or accessory use development, including a public utility use, every developer shall:

- 1) Complete and submit a Development Permit application (refer to permit application Appendix "B")
- 2) Receive a Development Permit for the proposed development unless the proposed development or use is exempt from development permit requirements.
- 3) A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw and the Basic Planning Statement.
- 4) No development or use shall commence without a Development Permit first being obtained.

2.11 Building Permits, Licenses 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 will be required and shall not be issued for a development unless a required Development Permit has been issued.

2.12 Application for Development Fees

- 1) There is a \$100.00 application fee for permitted uses: principal, accessory or ancillary.
- 2) There is a \$200.00 application fee for all discretionary uses: principal or accessory.
- 3) The Development Appeal Fee shall be up to \$75.00 as specified by the board.

2.13 Discretionary Use Applications

- 1) The following procedures shall apply to discretionary use applications:
 - a) Applicants must file with the Development Officer the prescribed application form, a site plan, any other plans and supplementary information as required by the Development Officer and pay the required application and public hearing fees.
 - b) The application will be examined by the Development Officer for conformance with the Basic Planning Statement, this Bylaw, and any other applicable policies and regulations and shall advise the Council as soon as practical.
 - c) Council may refer the application to whichever government agencies or interested groups, as Council may consider appropriate. Council also may require the application to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant.
 - d) The Development Officer shall direct the applicant for a discretionary use, or carry out on behalf of the applicant, the advertisement of the proposed use by posting a notice of the application at the entrance to the property in question and by mailing a copy of the notice to the assessed owner of each abutting property within a 1.6 km (1 mile) radius of the area in which the subject site is located and provide notification of an upcoming public hearing and an opportunity for them to provide written comment on the proposal.
 - e) When the proposed development is located in a Resort Residential or Resort Hamlet Residential District, the posting and mailing of the notice specified in subsection d) shall be mailed to the assessed owner of each abutting and adjacent property within a 75 meter (246 ft.) radius of the proposed development.
 - f) The Development Officer shall publish a notice of the application, at least once a week for two consecutive weeks in a newspaper having circulation in the municipality, for an application for any discretionary use.
 - i. The notice shall describe the use applied for, the location of the use, and specify the date, time and location of the council meeting at which the application will be considered.
 - ii. The notice shall be posted, mailed, and published at least three weeks prior to the date of the meeting.
 - iii. The applicant shall pay to the municipality a fee equal to the costs associated with the public advertisement.
 - g) The Development Officer will set a date for the public hearing at which time the application will be considered by Council and if deemed necessary, provide notice to assessed owners of property indicating so within the information packages provided as part of the notification process.
 - h) Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site.
 - i) The applicant shall be notified of Council's decision by regular mail addressed to the applicant at the address shown on the application form.

- 2) Discretionary uses, discretionary forms of development, and associated accessory uses shall conform to the development standards and applicable provisions of the Zoning District in which they are located.
- 3) The following criteria must be considered in the review of discretionary use applications:
 - a) The proposal must be in conformance with all relevant sections of the Basic Planning Statement and Zoning Bylaw;
 - b) There must be a demand for the proposed use in the general area, and a supply of land currently available in the area capable of accommodating the proposed use;
 - c) The proposal must be capable of being economically serviced including roadways, water and sewer services, and other supportive utilities and community facilities; and
 - d) The proposal must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
- 4) In approving a discretionary use application, Council may prescribe specific development standards with respect to that use or form of development, provided those standards are necessary to secure the following objectives:
 - a) The proposal, including the nature of the proposed site, the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs, must be generally compatible with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the general area, including safeguards to prevent noise, glare, dust, or odour from affecting nearby properties.
 - b) The proposal must provide adequate access and circulation for the vehicle traffic generated, as well as providing an adequate supply of on-site parking and loading spaces.
 - c) The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- 5) Council may approve a discretionary use application for a limited time period where it is considered important to monitor and re-evaluate the proposal and its conformance with the provisions of this Bylaw.
- 6) Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a development permit for the discretionary use at the location and under such terms and development standards specified by Council in its resolution.
- 7) Council's approval of a discretionary use application is valid for a period of 12 months from the date of the approval. If the proposed use or proposed form of development has not commenced within that time, the approval shall no longer be valid. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid.
- 8) The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal any terms and conditions attached to a discretionary use application to the Development Appeals Board.

2.14 Notification To Applicant

- 1) Written Notification: the applicant shall be notified in writing of the decision regarding the application.

- 2) Approval: If the proposal conforms to the provisions of this Bylaw, a Development Permit shall be issued, subject to any development standards, special regulations, or performance standards that may be required.
- 3) Refusal – Right to Appeal: If the Issuance of a Development Permit is denied, the reasons for the refusal shall be stated and the applicant shall be advised of any right to appeal the decision to the Development Appeals Board, subject to the provisions of *The Planning and Development Act, 1983*.

2.15 Development Permit – Invalid

A Development Permit shall be automatically invalid and development shall cease:

- a) If the proposed development is not commenced within the period for which the Development Permit is valid;
- b) If the proposed development is legally suspended, or discontinues for a period of six or more months unless otherwise indicated by Council or the Development Officer; or
- c) When development is undertaken in contravention of this Bylaw, the development permit or specified development standards, and/or
- d) When a written appeal notice is received by the Development Appeals Board secretary regarding the Development Permit.

2.16 Cancellation

Council or the Development Officer may cancel a Development Permit, and when cancelled, development shall cease:

- a) Where the Development Officer or Council is satisfied that a development permit was issued based on false or mistaken information,
- b) Where new information is identified pertaining to environmental protection, flood potential, or slope instability, and /or
- c) When a developer requests a development permit modification

2.17 Stop-Work

The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a Development Permit or condition, or a caveat under this Bylaw.

2.18 Offences and Penalties

Any person who violates this Bylaw may be charged and liable on summary conviction to the penalties in *The Planning and Development Act, 1983*.

2.19 Inspection of Premises

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

2.20 Bylaw Compliance

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

2.21 Performance Bonds

Council may require a developer to post and maintain a performance bond to ensure developer performance and to protect the public interest.

2.22 Moving a Building

No building shall be moved into or through the municipality without first obtaining a Development Permit, unless exempted under this Bylaw.

2.23 Demolition of a Building

No building shall be demolished within the rural municipality without first obtaining a Demolition Permit. Such a permit shall not be issued unless a proposal for the interim or long-term use of redevelopment of the site is also submitted and is in conformity with this Bylaw.

2.24 Temporary Development Permits

Council may issue a temporary Development Permit, with specified conditions for a specified period of time, to accommodate developments incidental to approved construction, temporary accommodation, or temporary gravel operations or asphalt plants.

2.25 Liability Insurance

Council may require developers to provide and maintain liability insurance to protect the municipality, developer and the public.

2.26 Referral to Saskatchewan Health

A copy of all approved Development Permits involving the installation of water and sanitary services shall be supplied to the local office of Saskatchewan Health.

2.27 Servicing Agreements

Where a development proposal involves a subdivision, Council may require the developer to enter into a servicing agreement to ensure appropriate servicing pursuant to Section 143 of *The Planning and Development Act, 1983*. Council may direct the Administration to vary the agreement on a case-by-case basis, or not require it.

2.28 Caveats

Council may require that development and servicing agreements and other documents be caveated on affected lands, to protect municipal and public interests.

SECTION 3: GENERAL REGULATIONS

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

3.1 Licenses, Permits, and Compliance with Other Bylaws and Legislation

Nothing in this Bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within The Municipality or law within the Province of Saskatchewan; or from obtaining any license, permission, permit, authority, or approval required by this or any other bylaw of The Municipality or any law of the Province of Saskatchewan. Where the provisions in this Bylaw, conflict with those of any other municipal or provincial requirements, the more stringent regulations shall prevail.

3.2 One Principal Building or Use Permitted on a Site

- 1) In any Zoning District in this Bylaw, the principal use of the land must be established prior to any accessory buildings, structures, or uses being permitted.
- 2) 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) Ancillary uses as specified in this Bylaw.
- 3) Upon the issuance of a development permit in respect to construction of principal building, the owner may utilize one recreational vehicle as a temporary residence provide it is connected to a septic tank, and pending completion of construction during the term of the development/building permit and any extension thereof, to a maximum of 24 months.

3.3 Uses Permitted In All Zoning Districts

- 1) Nothing in this Bylaw shall prevent the use of any land as a public street or public park.
- 2) Nothing in this Bylaw shall prevent the erection of any properly authorized traffic sign or signal, or any sign or notice of any local or other government department or authority.
- 3) Nothing in this Bylaw shall prevent the use of any land for the erection of buildings or structures, or the installation of other facilities, essential to the operation of public works provided that such use, building, or structure shall be in substantial compliance with the relevant provisions of this Bylaw and shall not adversely affect the character or amenity of the neighbourhood in which the same is located.

3.4 Signs and Billboards

- 1) Signs Located in a Highway Sign Corridor or situated along a highway shall be regulated entirely by the requirements of "The Erection of Signs Adjacent to Provincial Highway Regulations, 1986", and subsection 2 of this Bylaw shall not apply.
- 2) Signs located other than in a Highway Sign Corridor shall be regulated by the following requirements:
 - a) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.

- b) A sign shall advertise only an agricultural use, commercial use, home based business, the principal use of a site, or the principal products offered for sale on the premises.
 - c) A maximum of two advertising signs are permitted on any site, or quarter section.
 - d) Government signs, memorial signs, and directional signs which bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs, are exempt from restriction.
 - e) Temporary, portable and real estate signs are permitted only as long as the temporary condition exists for the property. They can be erected 10 days prior to the day of an event, and must be removed within 48 hours the event's end.
 - f) Billboard and other off site advertising signs are prohibited, except in a highway sign corridor.
 - g) All private signs shall be located so that no part of the sign is over a public right of way.
- 3) Signs located in a Public Right of Way shall be procured and erected by the Rural Municipality. The cost of which shall be paid to the municipality in an amount as determined by Council.
- 4) The maximum facial area of a sign shall be:
- a) For residential uses:
 - i) One permanent sign is permitted per site; and
 - ii) The facial area of a sign may not exceed 0.5 meters² (5 ft²);
 - b) For Commercial and Institutional Uses:
 - i) No more than two permanent signs are permitted per principal use;
 - ii) The facial area of a sign may not exceed 3 meters² (32.3 ft²)
 - iii) A sign may be double faced
 - iv) No sign shall exceed 4.6 meters (15 ft) in total height above the ground

3.5 Signage on Natural and Human Heritage Sites

Small plaques, markers, and interpretation signs will be encouraged on properties that have significant natural or human heritage resources, with the approval of the owner, and where the signage is appropriate in scale, design, and placement with the site and surrounding area, and does not cause safety concerns.

3.6 Parking Provisions

- 1) Off street parking and loading facilities shall be provided for every use in the Municipality in accordance with the following:
- a) Rural Dwellings: 2 parking spaces per dwelling unit.
 - b) Resort Areas and Hamlets: 3 parking spaces per dwelling unit.
 - c) Hotels and Motels: 1 parking space for each unit.
 - d) Places of assembly: 1 parking space for every 10 seats.
 - e) Commercial use: 1 parking space for every 18m² (194 ft²) of gross floor area.
 - f) Recreation Uses: to be determined by Council on a case-by-case basis based on projected peak use and typical use parking requirements and on safety and aesthetic considerations.
- 2) Parking Areas

The parking facility shall be located on the same site as the use for which it is intended. It shall be developed such that:

- a) It is reasonably accessible to the use and vehicles it is intended to serve; and
- b) All parking facilities shall be maintained by the owner of the property to the satisfaction of Council.

3.7 Front/Rear Yard Reduction

Notwithstanding the minimum depth of front or rear yard required by this Bylaw, where a site is situated between two sites each of which contains a principal building which projects beyond the standard required front or rear yard depth, the front or rear yard required on said site may be reduced to an average of the two established front or rear yards on the adjacent sites; but may not be less than 4.5 m (15 ft.) in a Residential district unless otherwise permitted in this bylaw.

3.8 Permitted Yard Encroachments

Where minimum front, side or rear yards are required in any zoning district, the following yard encroachments shall be permitted.

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

3.9 Minor Variances

- 1) The Development Officer may vary the requirements of this bylaw subject to the following requirements:
 - a) A minor variance may be granted for the following only:
 - i) Minimum required distance of a building from a lot line; and
 - ii) The minimum required distance of a building from any other building on the lot.
 - b) The maximum amount of a minor variance shall be 10% variation from the requirements of this bylaw.
 - c) The development must conform to all other requirements of this bylaw.
 - d) The relaxation of the bylaw requirement must not injuriously affect a neighbouring property.
 - e) No minor variance shall be granted for a discretionary use or form of development, or in connection with an agreement to rezone pursuant to Section 82 of the Act.
 - f) Minor variances shall be granted only in relation to residential properties.
- 2) An application form for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee of \$25.00.
- 3) Upon receipt of a minor variance application the Development Officer may:
 - a) Approve the minor variance;
 - b) Approve the minor variance and impose terms and conditions on the approval; or
 - c) Deny the minor variance.
- 4) Terms and condition imposed by the Development Officer shall be consistent with the general development standards in this bylaw.
- 5) Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing the reason for the refusal.
- 6) Where a minor variance is approved, with or without terms and conditions, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.

- 7) The written notice shall contain:
 - a) A summary of the application;
 - b) Reasons for and an effective date of the decision;
 - c) Notice that an adjoining assessed owner has 20 days to lodge a written objection with the Development Officer, which, if received will result in the approval of the minor variance being revoked; and
 - d) Where there is an objection and the approval is revoked, the applicant shall be notified of the right to appeal to the Development Appeals Board.
- 8) A decision to approve a minor variance, with or without terms and conditions, does not take effect until 23 days from the date the notice was provided.
- 9) If an assessed owner of a property having a common boundary with the applicants land objects to the minor variance in writing to the Development Officer within the prescribed 20 day time period, the approval is deemed to be revoked and the Development Office shall notify the applicant in writing;
 - a) Of the revocation of the approval; and
 - b) Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.
- 10) If an applicant for a minor variance is refused or approved with terms or condition, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

3.10 Street Frontage Required

No development permit shall be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts or has frontage on an existing public street.

3.11 Frontage for Irregular Sites (revised Bylaw No. 07-01)

Where the site frontage is along a cul-de-sac, curve or is irregular, the minimum site frontage shall be 11 meters and the mean site width shall not be less than the minimum frontage for regular sites in the same District.

3.12 Private Garages, Carports, Sunrooms, Solariums and Greenhouses

Private garages, carports, sunrooms, solariums, and greenhouses attached to main buildings and having a substantial roof structure shall be considered as part of the main building and shall be subject to the regulations for the main building.

3.13 Now 3.26

3.14 Accessory Dwelling Units

- 1) An accessory dwelling unit may be constructed within the site of a principal single detached dwelling in a residential zone at Council's discretion with conditions to assure that conflict with neighbouring uses is avoided. Only one accessory dwelling unit is permitted on each residential site and it may not interfere with the site line of either of the adjoining properties.
- 2) The accessory dwelling unit may not exceed 40 meters² (430 ft²) of floor area for the exclusive use of non-paying guests of the occupant of the principal dwelling on the same site.

3.15 Non-Conforming Buildings, Uses and Sites

- 1) Any lawful use of land, an existing building or structure or of any building lawfully under construction at the date of approval of this Bylaw, although such use, building or structure does not conform to the regulations of this Bylaw, shall be carried on in accordance with provisions of Section 113 to 118 inclusive, of *The Planning and Development Act, 1983*, as a legal non-conforming use.
- 2) An existing site for which a registered title existed prior to coming into force of this bylaw and which does not conform to the minimum site area or frontage requirements of this bylaw shall be deemed conforming. A development permit may be issued for any such lot provided all other relevant regulations of this Bylaw are met.
- 3) No existing use, building or structure shall be deemed to be non-conforming by reason only of the conversion of this Bylaw from the Metric System of Measurement to the Imperial System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.

3.16 Public Utilities, Pipelines, and Facilities of the Municipality

- 1) Public utilities and facilities of the municipality, shall be permitted uses in every zoning district, and no minimum site area or yard requirements shall apply.
- 2) Where a pipeline or other utility or transportation facility will cross a municipal road, Council may apply special design standards as it considers necessary to protect the municipal interest in the existing and future improvements to the road.

3.17 Grading and Leveling of Sites

- 1) Any site proposed for development requires a Development Permit and shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land.
- 2) All excavations or filling shall be re-vegetated immediately after other construction activities permit, with a suitable ground cover as may be necessary to prevent erosion.
- 3) Where excavation or filling is proposed for any development, development may be restricted. Council may require the developer to provide an impact assessment report carried out by a qualified professional prior to making a decision on the Development Permit Application.
- 4) All vegetation and debris in the area to be re-graded must be removed from the site prior to site grading and leveling.
- 5) All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by Council.

3.18 Restoration to a Safe Condition

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

3.19 Setbacks from Ravines, Water Courses

- 1) Unless proven by a registered professional engineer's report that it is safe to waive the building setbacks, the following setbacks shall apply for a development along a coulee, ravine, or valley with or without a permanent watercourse.
- 2) The present day bank shall be that line where the gradient of the slope first exceeds twenty (20) percent.

Vertical Depth of the Coulee Ravine, or Valley Walls	Minimum Building or Structure Setback from bank
Less than 3 meters(9.8ft)	10 meters (32ft)
Between 3 meters (9.8ft) and 15meters (49ft)	10 meters (32ft)
Between 15 meters (49ft) and less than 30 meters (98ft)	15 meters (49ft)
30 meters or greater (98ft)	20 meters (65ft)

3.20 Restrictions on Changes

- 1) The purpose for which any land or building is used shall not be changed, nor shall any new building or addition to any existing building be erected, and no land shall be severed from any site, if such change, erection or severance creates a situation that contravenes any of the provisions of this Bylaw applicable to each individual remaining building, accessory building, or site.
- 2) Notwithstanding the provisions of clause 1) of this subsection, no person shall be deemed to have contravened any provision of this Bylaw if only part or parts of any site or lot has, or have, been conveyed to, or acquired by, the Municipality or the Province of Saskatchewan for a public work.

3.21 Prohibited and Noxious Uses

- 1) Notwithstanding anything contained therein, no land shall be used and no building or structure shall be erected, altered or used for any purpose which is noxious and, without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offense, or both:
 - a) By the creation of noise or vibration;
 - b) By reason of the emission of gas, fumes, smoke, dust or objectionable odour;
 - c) By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery, or other such material, or
 - d) By any combination of things in (a), (b), and (c) of this subsection.
- 2) Any use is prohibited which from its nature or the materials used therein is declared by *The Public Health Act and Regulations* to be a noxious trade, business, or manufacturer.

3.22 Communication Towers

- 1) Communication towers shall not be permitted in, or located closer than 100 meters (330 ft.) from any Residential District.
- 2) The owner of a communication tower may be required to enter into a road maintenance agreement.

3.23 Disposal of Wastes

- 1) Subject to all Acts and Regulations pertaining in any way to the storage, handling, and disposal of any waste material or used item, and except as permitted by these Acts and regulations, no liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into the air.

3.24 Domestic Solid and Liquid Waste Disposal Facilities

- 1) Domestic waste disposal systems located on the site and serving only the principal use will be a permitted use to that principal use.
- 2) No development or use of land which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by Saskatchewan Health and the Saskatchewan Watershed Authority. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by Saskatchewan Agriculture and Food, Saskatchewan Environment, Saskatchewan Health and the Saskatchewan Watershed Authority.

3.25 Development Standards for Solid and Liquid Waste Disposal Facilities

Municipal and commercial solid or liquid waste disposal facilities are subject to the following conditions:

- 1) The facility will be located as near as practical to the source of waste
- 2) The facility will have undergone satisfactory review as required by provincial authorities for environmental assessment and operational design.
- 3) The facilities will be located at least 300 meters (1000 ft) for liquid waste, and 457 meters (2500 ft) for solid waste from any residence or recreational use.
- 4) The development of any new disposal sites shall take into consideration seasonal winds.
- 5) Adequate precautions shall be taken to prevent pollution of ground water by disposal operations;
- 6) Solid waste disposal facilities shall be located in proximity to an all- weather road.
- 7) Council may apply special standards for screening, fencing and reclamation of the site.

DISCRETIONARY USE STANDARDS FOR DEVELOPMENT

3.26 Home Based Businesses

In addition to the general requirements regarding discretionary use applications provided in Section 2 of this Bylaw, the following additional considerations shall be made for all applications for a Home Based Business:

- 1) The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- 2) The use shall be conducted entirely within the dwelling unit or an accessory building to the dwelling unit.

- 3) There shall be no external advertising other than a sign of not more than 1.0 m² (10.75 ft²) erected in accordance with the Sign Regulations contained herein.
- 4) In Country Residential Districts, there shall be no external storage of goods, materials or equipment associated with the applied use.
- 5) The use shall not create or become a public nuisance.
- 6) Not more than two persons other than the residents of the dwelling unit shall be employed in the home based business.
- 7) No use shall cause an increase in the demand placed on one or more utilities (water, sewer, electricity, telephone, garbage, etc.) such that the combined total consumption for a dwelling and its home based business substantially exceeds the average for residences in the area.
- 8) The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.
- 9) No use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the district in which the home based business is located.
- 10) The use shall be valid only for the period of time the property is occupied by the applicant for such use.
- 11) All permits issued for home based businesses shall be subject to the condition that the development permit may be revoked at any time, if in the opinion of Council, the operation has not met the regulations and standards applicable to home based businesses contained in the Bylaw, or the special standards applied by Council at the time of approval.
- 12) Council shall place any additional conditions for approval deemed necessary based upon a specific application.

3.27 Development Standards for Accessory Agricultural Residence

In addition to the general requirements regarding discretionary use applications provided in Section 2 of this Bylaw, the following additional considerations shall be made for all applications for an Accessory Agricultural Residence:

- 1) The Development Officer may issue a development permit for more than 1 dwelling on a parcel if it is an accessory agricultural residential dwelling to be occupied by a person or persons who are engaged on a full-time basis for at least 6 months of each year in an agricultural operation or accessory to an approved discretionary use where applicable within a zoning district and the additional dwelling is located on a parcel containing a permitted agricultural operation or if it is an accessory
- 2) A development permit for an accessory residence as described above shall be considered at the discretion of Council. If approved, the development permit shall be valid for a period up to five years after which time the Council may at its discretion seek renewal of the permit on a 5-year basis provided that the dwelling complies with the provisions of this Bylaw. The applicant shall be responsible to renew the permit every five years.

- 3) The Municipality may require as a condition of the development permit that the applicant provide a letter of credit in the amount required to remove the temporary dwelling unit from the subject parcel and may register a caveat in respect of the condition against the Certificate of Title for the land that is the subject of the development. Where the applicant disagrees with the letter of credit amount, he/she will be required to provide two written estimates prepared by independent, qualified, bonded moving experts in the field for consideration by the Development Officer.
- 5) For individual accessory residences, the floor area of the accessory dwelling shall not be less than 35 m² (375 ft.²) and not greater than 111.5 m² (1200 ft.²) constructed on grade without a basement.
- 6) The maximum height of the accessory dwelling shall not exceed 5 m (16.4 ft.) and shall have only one story.
- 7) All accessory dwellings shall only be located on sites where the accessory dwelling can be serviced by existing utilities.

3.28 Development Standards for Campgrounds

Campgrounds are subject to the following conditions:

- 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, and 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 (15 ft) 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 metres² (1600 ft²) in area with its corners clearly marked.
- 4) One sign located on site advertising the campground is permitted. The size shall comply with Section 3.4.
- 5) No portion of any campsite shall be located within a roadway or required buffer area.
- 6) Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- 7) Each trailer coach shall be located at least 3 metres (10 ft) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.
- 8) The space provided for roadways within a campground shall be at least 7.5 meters (25 ft) in width. No portion of any campsite, other use or structure shall be located in any roadway.
- 9) No trailer coach shall be stored on any campsite when the campground is not open.
- 10) A campground may include as ancillary uses a laundromat or a confectionery designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.

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

3.29 Development Standards for Agricultural Tourism Uses

Agricultural tourism uses are subject to the following conditions:

- 1) Agricultural tourism uses shall be ancillary to an agricultural farm operation or rural residence.
- 2) Agricultural tourism uses shall display a high visual quality and shall be integrated into the rural environment by virtue of appropriate design, location and landscaping.
- 3) One sign located on site advertising the agricultural tourism use is permitted. The size shall comply with Section 3.4.
- 4) Agricultural tourism uses may only be approved where they would not:
 - a) unduly interfere with the amenities or change the character of the neighborhood;
 - b) materially interfere with or affect the use and enjoyment of adjacent properties;
 - c) adversely impact upon the environment; or
 - d) result in excessive demand on Municipal services, utilities or public roadways.

3.30 Development Standards for Bed and Breakfast Homes and Vacation Farms

Vacation farms and bed and breakfast homes are subject to the following conditions:

- 1) Vacations farms shall be ancillary to an agricultural farm operation or rural residence and may include cabins and overnight camping areas.
- 2) A maximum of five cabins shall be permitted as part of a vacation farm.
- 3) One sign located on site advertising the vacation farm or bed and breakfast home is permitted. The size shall comply with Section 3.4.
- 4) Vacation farms and bed and breakfast homes shall be licensed by the Department of Health.
- 5) Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead site or rural residence.

3.31 Development Standards for Aggregate Resource Extraction Industries

Aggregate Resource Extraction Industries are subject to the following conditions:

- 1) Aggregate Resource Extraction Industries shall have regard to adjacent land uses and no material is to be stored or piled on any road allowance or within 30 meters (100 ft) of the bank of any river or watercourse.
- 2) The owner of the land and the aggregate resource extraction operator may be required to enter into a restoration agreement to reclaim the site.
- 3) The general resource extraction operator and any person who hauls the aggregate may be required to enter into a road maintenance agreement.

- 4) The aggregate resource extraction operator must report the amount of aggregate extracted by December 1 of each year.
- 5) Council may require the mineral resource extraction operator to post a performance bond to guarantee adherence to the above noted agreements.
- 6) Council may apply special standards and requirements based on provincial guidelines (i.e. *Guidelines for Environmental Protection During Development and Restoration of Sand and Gravel Pits*, Saskatchewan Environment and Public Safety, 1983), to ensure compatibility with adjacent land uses, safe operation and suitable reclamation.

3.32 Development Standards for Residential Care Facilities

In addition to the general requirements regarding discretionary use applications provided in Section 2 of this Bylaw, the following additional considerations shall be made for all applications for a Residential Care Facility:

- 1) Residents shall reside within the facility for a period equal to or greater than 30 days.
- 2) The applicant shall provide evidence of appropriate licensing and certification to operate under applicable provincial legislation.
- 3) The development site may include secondary detached living quarters for the operator or administrator and support staff.
- 4) The facility shall not be used for general lodging and boarding.
- 5) The facility shall not be used for the purpose of detention of persons charged under The Criminal Code of Canada or any Federal or Provincial Statute.

3.33 Development Standards for Animal Kennels

In addition to the general requirements regarding discretionary use applications provided in Section 2 of this Bylaw, the following additional considerations shall be made for all applications for an Animal Kennel:

- 1) The maximum number of animals not normally attributed to the host site to be kept on-site shall be at the discretion of Council.
- 2) No building or exterior exercise area(s), to be used to accommodate the animals shall be allowed within 300m (1000 ft.) of any dwelling located on adjacent lots.
- 3) All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council.
- 4) Pens, rooms, exercise runs and holding stalls may be soundproofed to the satisfaction of Council.
- 5) All dog facilities shall be visually screened from existing dwellings on adjoining lots.
- 6) No animals shall be allowed outdoors between the hours of 9:00 p.m. to 7:00 a.m. daily. During this time period, all animals shall be kept indoors.

- 7) A boarding use shall at no time unduly interfere with the character of the neighbourhood or the general enjoyment of adjoining sites.
- 8) There shall be no external advertising other than a sign of not more than 1.0 m² (10.75 ft²) erected in accordance with the Sign Regulations contained herein.
- 9) Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- 10) Animal kennels shall be subject to relevant Bylaws and legislation governing noise and public health.
- 11) All permits issued shall be valid for a two year period from the date of issuance and shall be subject to cancellation by the Municipality for due cause.
- 12) Failure to comply with any of the above regulations or the conditions of a development permit may result in the revoking of the permit by the Municipality.

3.34 Development Standards for Wind Turbines

In addition to the general requirements regarding discretionary use applications provided in Section 2 of this Bylaw, the following additional considerations shall be made for all applications for a Wind Turbine:

- 1) Free standing wind turbines as an accessory structure are allowed in backyards, provided they are not more than 5 meters in height above grade level.
- 2) No Wind Turbine structure shall be permitted within 50 m (150 ft.) of any dwelling located on an adjacent lot.
- 3) Free standing wind turbines shall require a professional engineering certificate and Building Permit for non-CSA/ULC approved systems.
- 4) Wind turbines placed on an existing structure shall require a professional engineering certificate and Building Permit.
- 5) Large wind turbines on residential lots shall not be permitted where problems such as visual or audio interference with neighboring persons and properties can be demonstrated. The impact of structural failures and potential weather related issues such as ice throw, the potential hazard for birds and bats shall also be considered.

SECTION 4: ZONING DISTRICTS

4.1 Districts

For the purpose of applying this Bylaw, the municipality is divided into zoning districts. All parts of The Municipality shall be designated as A – Agricultural District except those areas specifically designated on the detailed Zoning District Maps as another district.

4.2 Boundaries

- 1) The locations and boundaries of all Zoning Districts except the A-Agricultural District 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, the boundaries of the said districts are site lines, centre lines of streets, lanes, roads or such lines extended and the boundaries of the municipality.
- 2) The land use Overlays are shown on the maps entitled “Supplementary Map,” which are attached to, and form a part of this Bylaw. These maps will be used by the Development Officer and Council to determine areas where development and land use may affect or be affected by flood, sensitive environmental lands, hazardous lands, or heritage resources.

4.3 Regulations

For the purpose of this Bylaw the Rural Municipality of North Qu'Appelle is divided into the following Zoning Districts and Overlays that may be referred to by the appropriate symbols. Regulations for the following land use zones are outlined in the following sections:

Districts:

- Section 5: Agricultural District- A
- Section 6A: Residential District-Low Density– R1
- Section 6B: Residential District- Medium Density-R2
- Section 7: Resort Residential District– RR
- Section 8: Resort Hamlet District – RH
- Section 9: Commercial District – C

Overlays:

- Section 10: Sensitive Environment Overlay – SE
- Section 11: Flood Hazard Lands Overlay - FH
- Section 12: Slope Instability Overlay - SI
- Section 13: Heritage Resource Overlay - HR

SECTION 5 – A – AGRICULTURAL DISTRICT

5.1 Permitted Uses

- 1) Field crops.
- 2) Pastures for the raising of livestock (excluding ILOs)
- 3) One residential unit including a single detached dwelling, modular home or a mobile home.
- 4) Beehive and honey extraction facilities.
- 5) Game Farm.
- 6) Manure Disposal.
- 7) Petroleum exploration or extraction wells, pipelines and related facilities.
- 8) Fish Farm.
- 9) Buildings owned or operated by The Municipality.
- 10) Historical and archaeological sites.
- 11) Wildlife and conservation management areas.
- 11) Public parks and public recreational facilities.
- 12) Radio, television and microwave towers.
- 13) Places of worship.
- 14) Cemeteries.
- 15) Public utilities.

5.2 Discretionary Uses

- 1) Accessory Agricultural Residential
- 2) Intensive livestock operations (ILOs).
- 3) Intensive agricultural operations.
- 4) Commercial agricultural use.
- 5) Any additional residence or farmstead on a site of less than a quarter section.
- 6) Aggregate resource extraction industry and storage.
- 7) Harvest Preserves.
- 8) Animal Kennels
- 9) One residence ancillary or accessory to an ILO.
- 10) Vacation farms where ancillary to a farmstead.
- 11) Bed and breakfast homes where ancillary to a farmstead or residence.
- 12) Home based businesses, where ancillary to a farmstead or residence.
- 13) Personal Care homes or residential care facility.
- 14) Institutional use.
- 15) Agricultural tourism use.
- 16) Solid and liquid waste disposal facility.
- 17) Church residences and residential religious institutions.
- 18) Airports and private airstrips.
- 19) Wind Turbines.

5.3 Accessory Uses

- 1) Any buildings, structures or uses, which are accessory to the principal use of the site, but only once the principal use or discretionary use has been established.
- 2) Facilities for the sale of farm products grown by the agricultural operation.
- 3) Orchards, market garden, horticultural operations where accessory to a farmstead.
- 4) Private garages, sheds and buildings accessory to any single detached dwelling on the site.
- 5) A single detached dwelling unit, modular or mobile home.

5.4 Site Regulations in the Agricultural District

5.4.1 Area Site Requirements

- 1) Agricultural Operation – one quarter section 64.8 ha (160 acres) or equivalent, shall be the minimum site area required to constitute an agricultural operation.
- 2) A Farmstead may contain:
 - a) A residence for the operator of an agricultural use;
 - b) A maximum of one additional, discretionary, residence for family members, partners or employees of the agricultural operation;
 - c) Facilities for the temporary holding of livestock raised in an operation, in fewer numbers than constitutes an I.L.O.
 - d) Buildings for permitted accessory and ancillary uses; and
 - e) The keeping of domestic animals and livestock will be permitted up to the animal unit limit defined as an Intensive Livestock Operations which is one animal unit per 371.6 meters² (4000 ft²) or 10 animal units/acre.
- 3) Rural Residences shall have a minimum site area of 2 ha (5 acres) and a maximum site area of 16 ha (40 acres) except:
 - a) In the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as water courses, water bodies there shall be no maximum site area. Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers.
 - b) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.
- 4) All discretionary uses shall have a minimum site area of 2 ha (5 acres) excepting cemeteries or crematoria that shall have no minimum area.

5.4.2 Area Building Frontage and Setback Regulations

- 1) The minimum site frontage shall be 30 meters (98 ft). Sites for resource based and institutional uses may be exempted from minimum frontage and site area requirements.
- 2) Front Yards – all buildings shall be set back a minimum of 45 meters (147 ft) from the centre line of any municipal road allowance or provincial highway.
- 3) Side Yards – all buildings shall be set back a minimum of 15 meters (49ft) from the side property line. Where a side yard abuts a municipal road allowance or a provincial highway, the front yard requirements shall apply.
- 4) Rear yards – all buildings shall be set back a minimum of 15 meters (49 ft) from the rear property line.
- 5) All shelterbelts, tree and shrub plantings, portable structures, machinery and earth or gravel piles shall comply with the same setback requirement as for buildings.

5.5 Development Standards for Discretionary Uses

5.5.1 Intensive Livestock Operations

- 1) Council is governed by the location criteria contained in the Basic Planning Statement, Section 4.2.3 in the issuing of a discretionary approval for an I.L.O.
- 2) Development of any temporary facility or part of a site shall also require a development permit as a discretionary use if it meets the definition of an I.L.O.
- 3) The approval of an intensive livestock operation 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 intensity of a livestock operation or to alter the species of animals and or type of manure to be spread.

5.5.2 Disposal of Manure

The use of agricultural land for the disposal and recycling of manure produced by an intensive livestock operation is permitted subject to the following regulations:

- a) Liquid manure shall be spread by direct injection into the soil.
- b) Solid manure shall be incorporated into the soil within 48 hours.
- c) Solid or liquid manure shall not be spread on snow covered or frozen ground.

Upon application to Council, other procedures for the disposal of manure may be approved where the applicant establishes that the objectives of the Basic Planning Statement will be achieved to a similar Standard.

Council may exempt in whole or in part an applicant from this section where:

- a) the manure to be spread comes from an I.L.O. of less than 300 animal units, and
- b) the manure will be spread on land owned by the operator of the I.L.O.

5.5.3 Commercial Uses

- 1) Where ancillary to a farmstead, Council may apply special standards as a condition or discretionary approval limiting the size of operation and buildings used for the operation.
- 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.
- 3) Council may require special standards for the location setback 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.

5.5.4 Harvest Preserves

- 1) Shall be ancillary to an agricultural farm operation or rural residence.
- 2) Shall be located a minimum of 1.6km (1 mile) from any other residential site.
- 3) Shall comply with all federal and provincial legislation and regulation.

- 4) Shall comply with the Agricultural Tourism Development requirements in Section 3.29.
- 5) Council may apply special standards as a condition of discretionary approval limiting the size of operation, buildings used for the operation, and any other measures deemed necessary.

5.5.5 Home Based Businesses

Shall comply with Section 3.26

5.5.6 Campgrounds

Shall comply with Section 3.28

5.5.7 Vacation Farms and Bed-and-Breakfast Homes

Shall comply with Section 3.30

5.5.8 Sign Regulations

Shall comply with Section 3.4.

SECTION – 6A-RESIDENTIAL DISTRICT- R1-Low Density

6(A).1 Permitted Uses

- 1) One residential unit including a single detached dwelling, modular home or a mobile home.
- 2) Public utilities and municipal facilities.

6(A).2 Discretionary Uses

- 1) Golf courses.
- 2) Public sports fields and parks.
- 3) Rinks, arenas, and community halls.
- 4) Equestrian facility.
- 5) Other public or non-profit recreational facilities.
- 6) Non-residential schools and educational institutions.
- 7) Places of worship and religious institutions.
- 8) Bed and Breakfast homes.
- 9) Home based businesses.
- 10) Vacation farms.
- 11) Wind Turbines.

6(A).3 Accessory Uses

- 1) Any buildings structures or uses which are accessory to the principal use of the site, but only once the principal use or discretionary use has been established.
- 2) Facilities for the sale of farm products grown by the agricultural operation.
- 3) Orchards, market garden, horticultural operations where accessory to a farmstead.
- 4) Private garages, shed and buildings accessory to any dwelling unit on the site.
- 5) Field crops
- 6) Pastures

6(A).4 Site Regulations in the Residential District

6(A).4.1 Area Site Requirements

- 1) Residential: Minimum 2 hectares (5 acres)
Maximum 16 hectares (40 acres)
- 2) Rural Residences may be exempted from these requirements:
 - a) In the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as water courses, water bodies there shall be no maximum site area. Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers.
 - b) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.
- 3) Institutional and Recreational: Minimum 2 hectares (5 acres)
Maximum 16 hectares (40 acres)

6(A).4.2 Area Building Frontage and Setback Regulations

- 1) The minimum site frontage for principal and accessory buildings shall be 30 meters (98 ft).
- 2) Front Yards – all buildings shall be set back a minimum of 45 meters (147 ft) from the centre line of any municipal road allowance or provincial highway and/or 75 meters (250 ft) from an intersection.
- 3) Side Yards – all buildings shall be set back a minimum of 15 meters (49 ft) from the side property line. Where a side yard abuts a municipal road allowance or a provincial highway, the front yard requirements shall apply.
- 4) Rear Yards – all buildings shall be set back a minimum of 15 meters (49 ft) from the rear property line.

6(A).4.3 Residential Lot Density

A quarter section located within this district may contain a maximum of four sites for any residential use.

6(A).5 The Keeping of Livestock

The keeping of domestic animals and livestock will be permitted up to a maximum of one (1) animal unit/acre. Animals contained on small residential lots should be managed in such a way that surface water or wells on the land are properly protected. The operator must insure that there is no runoff or impact on adjacent land uses and all waste products must be contained on site.

6(A).5.1 Outside Storage

- 1) Outside storage is prohibited in a required yard abutting a road, except for the display of vehicles or machinery in operating condition, which are for sale.
- 2) Council may apply special standards as a condition or a discretionary use approval regarding the location of areas for the storage and display of vehicles or machinery.
- 3) No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard abutting a road.
- 4) Council may require special standards for the location setback 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.

6(A).6 Development Standards for Discretionary Uses

6(A).6.1 Home Based Businesses

Shall comply with Section 3.24

6(A).6.2 Campgrounds

Shall comply with Section 3.28

6(A).6.3 Vacation Farms and Bed-and-Breakfast Homes

Shall comply with Section 3.30.

SECTION – 6B-RESIDENTIAL DISTRICT- R2-Medium Density

Amended Bylaw 07-04 (August 27, 2007)

6(B).1 Permitted Uses

- 1) One residential unit including a single detached dwelling, modular home or a mobile home.
- 2) Public utilities and municipal facilities.

6(B).2 Discretionary Uses

- 1) Golf courses.
- 2) Public sports fields and parks.
- 3) Rinks, arenas, and community halls.
- 4) Equestrian facility.
- 5) Other public or non-profit recreational facilities.
- 6) Non-residential schools and educational institutions.
- 7) Places of worship and religious institutions.
- 8) Bed and Breakfast homes.
- 9) Home based businesses.
- 10) Vacation farms.
- 11) Wind Turbines.

6(B).3 Accessory Uses

- 1) Any buildings, structures or uses, which are accessory to the principal use of the site, but only once the principal use or discretionary use has been established.
- 2) Facilities for the sale of farm products grown by the agricultural operation.
- 3) Orchards, market garden, horticultural operations where accessory to a farmstead.
- 4) Private garages, shed and buildings accessory to any dwelling unit on the site.
- 5) Field crops.
- 6) Pastures

6(B).4 Site Regulations in the Residential District

6(B).4.1 Area Site Requirements

- 1) Residential: Minimum 2 hectares (5 acres)
Maximum 2 hectares (5 acres)
- 2) Rural Residences may be exempted from these requirements:
 - a) in the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as water courses, water bodies there shall be no maximum site area. Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers.
 - b) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.
- 3) Institutional and Recreational: Minimum 2 hectares (5 acres)
Maximum 2 hectares (5 acres)

6(B).4.2 Area Building Frontage and Setback Regulations

- 1) The minimum site frontage for principal and accessory buildings shall be 30 meters (98 ft).
- 2) Front Yards – all buildings shall be set back a minimum of 45 meters (147 ft) from the centre line of any municipal road allowance or provincial highway and/or 75 meters (250 ft) from an intersection.
- 3) Side Yards – all buildings shall be set back a minimum of 15 meters (49 ft) from the side property line. Where a side yard abuts a municipal road allowance or a provincial highway, the front yard requirements shall apply.
- 4) Rear yards – all buildings shall be set back a minimum of 15 meters (49 ft) from the rear property line.

6(B).4.3 Residential Lot Density

A quarter section located within this district may contain a maximum of 10 sites for any residential use.

6(B).5 The Keeping of Livestock

The keeping of domestic animals and livestock will be permitted up to a maximum of one (1) animal unit/acre. Animals contained on small residential lots should be managed in such a way that surface water or wells on the land are properly protected. The operator must insure that there is no runoff or impact on adjacent land uses and all waste products must be contained on site.

6(B).5.1 Outside Storage

- 1) Outside storage is prohibited in a required yard abutting a road, except for the display of vehicles or machinery in operating condition, which are for sale.
- 2) Council may apply special standards as a condition or a discretionary use approval regarding the location of areas for the storage and display of vehicles or machinery.
- 3) No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard abutting a road.
- 4) Council may require special standards for the location setback 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.

6(B).6 Development Standards for Discretionary Uses

6(B).6.1 Home Based Businesses

Shall comply with Section 3.24

6(B).6.2 Campgrounds

Shall comply with Section 3.28

6(B).6.3 Vacation Farms and Bed-and-Breakfast Homes

Shall comply with Section 3.30

SECTION 7 – RR – RESORT RESIDENTIAL DISTRICT
(Valley Planning Area Only)

7.1 Permitted Uses

- 1) One residential unit including a single detached dwelling or modular home,
- 2) Public utilities and municipal facilities.

7.2 Discretionary Uses

- 1) Rinks and marinas.
- 2) Accessory Dwelling Unit
- 3) Bed and breakfast homes.
- 4) Home based business.
- 5) Public sports fields and parks.
- 6) Community halls, museums and libraries.
- 7) Places of worship and religious institutions.
- 8) Non-residential schools and educational institutions.
- 9) Other public or non-profit recreational facilities.
- 10) Personal care homes.
- 11) Multi-unit residential dwellings.
- 12) Wind Turbines.
- 13) Commercial operations or activities

7.3 Prohibited Uses

- 1) Salvage or vehicle storage yard.
- 2) Off-Road vehicles are restricted to established paths and trails on public lands.

7.4 Accessory Uses

- 1) Any buildings, structures, or uses, which are accessory to the principle use of the site, but only after the principle use or discretionary use has been established.
- 2) One accessory garage for two (2) motor or recreational vehicles.
- 3) Two (2) detached sheds or buildings accessory to the principal dwelling unit on the site.

7.5 Site Regulations in the Resort Residential District

7.5.1. Area Site Requirements

- 1) Residential: Minimum: 697m² (7500 ft²)
- 2) Building coverage may not exceed 60% of the site area.
- 3) Institutional and Recreational: Minimum: 0.8 hectares (2 acres)
- 4) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum site area.

7.5.2 Building Size Requirements

- 1) The Principle building shall be a minimum of 79m² (850 ft²) main floor for a bungalow and a total of 111 m² (1,200 ft²) for a two storey or bi-level.
- 2) The Accessory building shall not exceed 75% of the principal building footage.

7.5.3. Accessory Building Height

The maximum height for a 2-storey boathouse or 2-storey accessory building is 6.71 meters (22 feet) measured from the lowest point of the perimeter of the building to the ridge of the roof.

7.5.4. Building Frontage and Setback Regulations

- 1) The minimum site frontage shall be 27 meters (75 ft). Sites for public utilities and institutional uses may be exempted from minimum frontage and site area requirements.
- 2) Front Yards – principal and accessory buildings shall be set back a minimum of 6 meters (20 ft) from the property line adjacent to a municipal road allowance or Provincial highway, except when the accessory building has no doors on the road side of the building the minimum set back shall be 1.5 meters (5 feet) from the property line adjacent to a municipal road allowance or Provincial Highway.
- 3) Side Yards – all buildings shall be set back a minimum of 1.5 meters (5 ft) from the side property line.
- 4) Rear Yards – principle buildings shall be set back a minimum of 6 meters (20 ft) from the rear property line. Accessory buildings shall be set back a minimum of 1.5 meters (5 feet) from the rear property line except where a public or environmental reserve exists adjacent to the rear yard, no set back will be required.
- 5) Roadside Yards: All portable structures, machinery and earth or gravel piles shall comply with the same setback requirement as for buildings.

7.5.5. Fence and Hedge Heights

- 1) No hedge, fence or other structure shall be erected past any property line.
- 2) No hedge, fence, screen, wall or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 2 meters (6 ft).

7.5.6. Off-Season Storage

- 1) The storage of one fishing shack or trailer shall be in a proper manner so as not to create a nuisance or view obstruction to adjacent property owners.
- 2) Empty lots are restricted from the temporary storing of seasonal buildings or recreational equipment or vehicles.

7.5.7. Outside Storage

- 1) No outdoor storage shall be permitted in the required front yard of any residential site.

- 2) No yard shall be used for the storage or collection of hazardous material.
- 3) Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use. .
- 4) No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard.
- 5) Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating condition and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts.
- 6) Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

7.6 The Keeping of Livestock

The keeping of livestock is prohibited

7.7 Development Standards for Discretionary Uses

7.7.1 Accessory Dwelling Units

One accessory dwelling unit may be allowed on each residential site at Council's discretion in accordance with Section 3.14 of this Bylaw.

7.7.2 Home Based Business

Shall comply with Section 3.24

7.7.3 Bed and Breakfast Homes

Shall comply with Section 3.30.

7.7.4 Parking Regulations

Shall comply with Section 3.6

7.7.5 Sign Regulations

Shall comply with Section 3.4

SECTION 8 – RH – RESORT HAMLET RESIDENTIAL DISTRICT
(Valley Planning Area Only)

8.1 Permitted Uses

- 1) One residential unit including a single detached dwelling or modular home.
- 2) Public utilities and municipal facilities.

8.2 Discretionary Uses

- 1) Rinks and marinas
- 2) Accessory Dwelling Unit.
- 3) Bed and breakfast homes.
- 4) Home based business.
- 5) Public sports fields and parks.
- 6) Community halls, museums and libraries.
- 7) Places of worship and religious institutions.
- 8) Non-residential schools and educational institutions.
- 9) Other public or non-profit recreational facilities.
- 10) Personal care homes.
- 11) Multi-unit residential dwellings.
- 12) Wind Turbines.
- 13) Commercial operations or activities

8.3 Prohibited Uses

- 1) Salvage or vehicle storage yard.
- 2) Off-Road vehicles are restricted to established paths and trails on public lands.

8.4 Accessory Uses

- 1) Any buildings, structures, or uses, which are accessory to the principle use of the site, but only after the principle use or discretionary use has been established.
- 2) One accessory garage for two (2) motor or recreational vehicles.
- 3) Two (2) detached sheds or buildings accessory to the principal dwelling unit on the site.

8.5 Site Regulations in the Resort Hamlet Residential District

8.5.1 Area Site Requirements

- 1) Residential: Minimum: 697m² (7500 ft²)
- 2) Building coverage may not exceed 60% of the site area.
- 3) Institutional and Recreational: Minimum: 0.8 hectares (2 acres)
- 4) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum site area.

8.5.2 Building Size Requirements

- 1) The Principle building shall be a minimum of 79m² (850 ft²) main floor for a bungalow and a total of 111m² (1,200 ft²) for a two storey or bi-level.
- 2) The Accessory building shall not exceed 75% of the principal building footage.

8.5.3. Accessory Building Height

The maximum height for a 2 storey boathouse or 2 storey accessory building is 6.71 meters (22 feet) measured from the lowest point of the perimeter of the building to the ridge of the roof.

8.5.4 Building Frontage and Setback Regulations

- 1) The minimum site frontage shall be 27 meters (75 ft). Sites for public utilities and institutional uses may be exempted from minimum frontage and site area requirements.
- 2) Front Yards – principal and accessory buildings shall be set back a minimum of 6 meters (20 ft) from the property line adjacent to a municipal road allowance or Provincial highway, except when the accessory building has no doors on the road side of the building the minimum set back shall be 1.5 meters (5 feet) from the property line adjacent to a municipal road allowance or Provincial Highway.
- 3) Side Yards – all buildings shall be set back a minimum of 1.5 meters (5 ft) from the side property line.
- 4) Rear Yards – principle buildings shall be set back a minimum of 6 meters (20 ft) from the rear property line. Accessory buildings shall be set back a minimum of 1.5 meters (5 feet) from the rear property line except where a public or environmental reserves exists adjacent to the rear yard, no set back will be required.
- 5) Roadside Yards: All portable structures, machinery and earth or gravel piles shall comply with the same setback requirement as for buildings.

8.5.5. Fence and Hedge Heights

- 1) No hedge, fence or other structure shall be erected past any property line.
- 2) No hedge, fence, screen, wall or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 2 meters (6 ft).

8.5.6. Off-Season Storage

- 1) The storage of one fishing shack or trailer shall be in a proper manner so as not to create a nuisance or view obstruction to adjacent property owners.
- 2) Empty lots are restricted from the temporary storing of seasonal buildings, recreational equipment or vehicles.

8.5.7. Outside Storage

- 1) No outdoor storage shall be permitted in the required front yard of any residential site.

- 2) No yard shall be used for the storage or collection of hazardous material.
- 3) Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use. .
- 4) No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard.
- 5) Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating condition and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts.
- 6) Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

8.6 The Keeping of Livestock

The keeping of livestock is prohibited

8.7 Development Standards for Discretionary Uses

8.7.1 Accessory Dwelling Units

One accessory dwelling unit may be allowed on each residential site at Council's discretion in accordance with Section 3.14 of this Bylaw.

8.7.2. Home Based Business

Shall comply with Section 3.24.

8.7.3 Bed and Breakfast Homes

Shall comply with Section 3.30.

8.7.4 Parking Regulations

Shall comply with Section 3.6

8.7.5 Sign Regulations

Shall comply with Section 3.4

SECTION 9 –C - COMMERCIAL DISTRICT

9.1 Permitted Uses

- 1) Agricultural equipment sales and service facilities.
- 2) Agricultural seed, fuel and chemical supply facilities.
- 3) Agricultural service and contracting establishments.
- 4) Veterinary clinics and hospitals.
- 5) Retail Stores.
- 6) Restaurants and other eating establishments.
- 7) Pubs or Taverns.
- 8) Outdoor storage yards for construction materials and extractive industries.
- 9) Storage facilities, warehousing, supply and distribution facilities.
- 10) Welding, machine shops and metal fabricating.
- 11) Salvage yards, auto and machinery wreckers.
- 12) Wood and natural products processing and fabrications.
- 13) Tourism oriented commercial recreation activities.
- 14) Shops of industrial trades, manufacturing and sales.
- 15) Public utilities and Municipal Facilities
- 16) Campgrounds

9.2 Discretionary Uses

- 1) Abattoirs, hide defleshing and tanning facilities.
- 2) Stockyards and Auction marts.
- 3) Agricultural implement and prefabricated building component.
- 4) Light manufacturing.
- 5) Agricultural product processing
- 6) Fish product processing.
- 7) Solid and liquid waste disposal facilities.

9.3 Accessory Uses

- 1) One single detached residential dwelling, modular home or mobile home placed on a permanent foundation when used as a residence for the owner, manager or caretaker of a permitted or discretionary use where ancillary to that use and located on the same site.
- 2) Any buildings, structures or uses, which are accessory to the principal use of the site, but only once the principal use or discretionary use has been established.

9.4 Site Regulations in the Commercial District

9.4.1 Area Site Requirements

- 1) The minimum site area shall be 2 ha (5 acres) and the maximum site area shall be 16 ha (40 acres) except:
 - a) In the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as water courses, water bodies there shall be no maximum site area.

- b) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.
- 2) Public utilities and municipal facilities are exempted from site area and site frontage requirements.

9.4.2 Area Building Frontage and Setback Regulations

- 1) The minimum site frontage for principal and accessory buildings shall be 30 meters (98 ft).
- 2) Front Yards – all buildings shall be set back a minimum of 15 meters (50 ft) from the property line of any municipal road allowance or provincial highway.
- 3) Side Yards – all buildings shall be set back a minimum of 3 meters (10 ft) from the side property line. Where a side yard abuts a municipal road allowance or a provincial highway, the front yard requirements shall apply.
- 4) Rear yards – all buildings shall be set back a minimum of 3 meters or (10 ft) from the rear property line.

9.4.3. Fence and Hedge Heights

- 1) No hedge, fence or other structure shall be erected past any property line.
- 2) No hedge, fence, or other structure not otherwise permitted shall be erected in a required front yard, to a height of more than 1 meter (3 ft.) above grade level.
- 3) No hedge, fence, or other structure not otherwise permitted shall be erected in a rear yard on a lakeside site, to a height of more than 1 meter (3 ft) above grade level.
- 4) No hedge, fence, screen, wall or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 2 meters (6 ft).

9.5 Development Standards for Commercial Uses

9.5 .1 Discretionary Commercial Uses

- 1) Council may apply special standards as a condition of a discretionary approval limiting the size of operation, buildings used for the operation.
- 2) All discretionary commercial uses shall be separated from a residence, not occupied by the operator of the use, or a hotel, motel, or restaurant by a distance of at least 300 meters (985 ft).
- 3) 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.

9.5.2 Outside Storage

- 1) Outside storage is prohibited in a required yard abutting a road, except for the display of vehicles or machinery in operating condition, which are for sale.
- 2) Council may apply special standards as a condition or a discretionary use approval regarding the location of areas for the storage and display of vehicles or machinery.

- 3) No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard abutting a road.
- 4) Council may require special standards for the location setback 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) Empty lots are restricted from the temporary storing of seasonal buildings or recreational equipment or vehicles in the off-season period.

9.5.3 Campgrounds

Shall comply with Section 3.28

9.5.4 Sign Regulations

Shall comply with Section 3.4.

9.5.5 Parking Regulations

Shall comply with Section 3.6.

SECTION 10 – SENSITIVE ENVIRONMENT OVERLAY – SE

10.1 The Intent of this Overlay Area is to acknowledge and protect natural, environmental features and systems within the municipality.

10.2 Defining The Boundary

The Sensitive Environment Overlay corresponds to the Valley Planning Area, the former Fishing Lakes Planning District and is defined by legal property.

10.3 Permitted Uses

- 1) Pedestrian trails and bicycle pathways.
- 2) Natural and nature-like open areas.
- 3) Dwellings existing at the date of the passing of this Bylaw, and accessory buildings thereto.

10.4 Discretionary Uses

- 1) Parks and playgrounds
- 2) Drainage ditches, culverts, and other drainage works.
- 3) Residential development.
- 4) Public works buildings and structures.
- 5) Aggregate Extraction

10.5 Prohibited Uses

- 1) Off-Road vehicles are restricted to established paths and trails on public lands.

10.6 Site Regulations in the Sensitive Environment Area

- 1) Within this area any new development will respect the Basic Planning Statement criteria by protecting rare and endangered species, preserving wildlife corridors, retaining natural vegetation and minimal loss of habitat.
- 2) With the exception of single-unit residential development, for a proposed development located within the Sensitive Environment Area Council shall require the developer to have an environmental assessment carried out by a qualified professional. The site analysis shall identify potential impacts and mitigative measures of the proposed development on the SE.
- 3) Council requires that mitigative measures identified in the report shall become a condition of the Development Permit and that the developer adopts mitigative measures to ensure the environmental protection objectives are met.

SECTION 11 – FLOOD HAZARD LANDS OVERLAY – FH

11.1 The Intent of this Overlay Area is to restrict development in areas that are considered hazardous for development in order to minimize property damage due to flooding. The following regulations are intended to apply supplementary standards for development in areas designated as flood hazard zones.

11.2 Defining the Area

For all new subdivisions in this area the developer shall be required to contact Sask. Watershed Authority to determine the 1:500 year return frequency flood event and necessary freeboard.

11.3 Permitted Uses

- 1) Agricultural uses, but not including buildings and structures accessory thereto; and does not include Intensive Livestock Operations or harvest preserves.
- 2) Recreational uses.
- 3) Wildlife habitats and sanctuaries.

11.4 Discretionary Uses

- 1) One single residential dwelling unit provided it is constructed in accordance with appropriate flood proofing measures.

11.5 Site Regulations in the Flood Hazard Land Areas

- 1) No person shall use any land, erect, alter or use any building or structure within the Flood Hazard Lands without a development permit.
- 2) No person shall backfill, grade, deposit earth or other material, excavate, or store goods or materials on these lands.
- 3) “Hazardous Substances and Waste Dangerous Goods” are prohibited, as defined by the *Hazardous Substances and Waste Dangerous Goods Control Regulations of the Environmental Management and Protection Act of Saskatchewan*.

11.6 Flood Proofing Regulations

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

SECTION 12 – SLOPE INSTABILITY OVERLAY - SI

12.1 The Intent of this Overlay Area is to restrict development in areas that are considered hazardous for development for reasons of ground instability.

12.2 Defining the Area

No new development shall be permitted in any unstable slope area if a development will be affected or increase the potential for erosion or slope instability.

12.3 Permitted Uses

- 1) Agricultural uses, but not including buildings and structures accessory thereto; and does not include Intensive Livestock Operations or harvest preserves.
- 2) Recreational uses.
- 3) Wildlife habitats and sanctuaries.

12.4 Discretionary Uses

- 1) Single Residential Unit/Development
- 2) Aggregate Extraction

12.5 Prohibited Uses

1. Clean Fill Activities or Storage
- 2) Hillside Cutting
- 3) Off-Road vehicles are restricted to established paths and trails on public lands.

12.6 Site Regulation in the Slope Instability Area

- 1) Any application for a Development Permit on any parcel of land that lies wholly or partially within an area designated in the “SI Slope Instability Overlay Area, must be accompanied by a detailed site analysis prepared by a geotechnical engineer registered in the Province of Saskatchewan.
- 2) The site analysis shall indicate topography, surface drainage, geological, hydro geological and geotechnical conditions at the site of the proposed development and related to the conditions of the general areas as they relate to slope instability and erosion hazards.
- 3) A Development Permit shall not be issued unless the report on the site, presented by the professional consultant, indicates that the site is suitable for development or outlines suitable mitigating measures and documents residual hazard.
- 4) If such an evaluation is not done, or having been done, Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, Council shall not be required to approve the application for development.

SECTION 13 – HERITAGE RESOURCE OVERLAY– HR

- 13.1** The Intent of this Overlay Area is to ensure the protection of significant heritage resources located on land proposed for development.

13.2 Defining the Boundary

Archaeological, historic features and palaeontological sensitive lands within the Rural Municipality include:

- 1) lands located within the same quarter-section as, or within 500 meters of , a Site of a Special Nature as defined in *The Heritage Property Act*.
- 2) lands in major river valleys such as the Qu'Appelle river and its major tributaries and/or within one kilometer of their edges.
- 3) lands within 500 meters of other previously recorded sites, unless they can be shown to be of low heritage significance.

13.3 Site Regulations in the Heritage Resources Overlay Area

- 1) The municipality will require the developer to search and identify any known heritage sites within 500 meters of any recorded heritage sensitive lands and to comply with all Province of Saskatchewan legislation.
- 2) Should a Heritage Resource Impact Assessment be required, it is the responsibility of the developer to have it carried out by a qualified professional under an approved investigation permit. The study should establish:
 - a) the presence of heritage sites within the project areas;
 - b) suitable mitigation measures that could be implemented;
 - c) the content, structure, and importance of those heritage sites; and
 - d) the need for an scope of any mitigative follow-up.
- 3) If such an assessment is not done or having been done, Council may deter the issuance of a Development Permit until such time as all mitigation requirements have been met.

SECTION 14 - 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:

Abattoir (Slaughterhouse): means a building for butchering. The abattoir houses facilities to slaughter animals; dress, cut and inspect meats; and refrigerate, cure, and manufacture by-products.

Accessory: a use, or structure, normally incidental, subordinate, exclusively devoted to, and located on the same site as the principal use or building.

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

Accessory Dwelling Unit: a second dwelling may be constructed on the site of a primary single detached dwelling in a residential zone. This unit is intended to allow extended family members temporary accommodation and may contain cooking, eating, living, sleeping and sanitary facilities.

Act: *The Planning and Development Act 1983*, Province of Saskatchewan, as amended from time to time.

Aggregate Resource: raw materials including sand, gravel, clay, earth or mineralized rock found on or under a site.

Agricultural: a use of land, buildings or structures for the purpose of animal husbandry, fallow, field crops, forestry, market gardening, pasturage, private greenhouses and includes the growing, packing, treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agricultural.

Agriculture (Extensive): an agricultural production system that uses little inputs on vast areas of land most commonly refers to livestock grazing in areas with low agricultural capability.

Agriculture (Intensive): an agricultural production system characterized by high inputs relative to land area enabling a substantial increase in production using methods geared toward making use of economies of scale to produce the highest output at the lowest cost.

Agricultural Holding: means the basic unit of land considered capable of accommodating an agricultural operation. For the purpose of this Bylaw, it shall comprise 64.8 hectares (160 acres) or equivalent. Equivalent shall mean 64.8 ha (160 acres) or such lesser amount as remains in an agricultural holding because of the original township survey, road widening, road right-of-way or railway plans, drainage ditch, pipeline or transmission line development or government action, natural features such as water courses or water bodies, or as a result of subdivision as permitted herein.

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

- a. cultivating land;
- b. producing agricultural crops, including hay and forage;
- c. producing horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs, flowers, greenhouse crops and specialty crops;
- d. raising all classes of livestock, horses, poultry, fur-bearing animals, game birds and game animals, bees and fish;
- e. carrying on an intensive livestock operation;
- f. producing eggs, milk, honey and other animal products;

- g. operating agricultural machinery and equipment, including irrigation pumps and noise-scare devices;
- h. conducting any process necessary to prepare a farm product for distribution from the farm gate;
- i. storing, handling and applying fertilizer, manure, organic wastes, soil amendments and pesticides, including both ground and aerial application;
- j. any other prescribed agricultural activity or process as defined by Council from time to time

Agricultural Industry: means those processing and distributing industries providing products or services directly associated with the agricultural business sector, and without restricting the generality of the above may include:

- a. grain elevators
- b. feed mills
- c. abattoirs
- d. seed cleaning plants
- e. pelletizing plants
- f. bulk fertilizer distribution plants
- g. bulk agricultural chemical distribution plants
- h. anhydrous ammonia storage and distribution
- i. bulk fuel plants
- j. livestock holding stations
- k. retail sales of the goods produced or stored as part of the dominant use on the site

Agricultural Commercial: means a use related to the sale of products or machinery of an agricultural nature or the provision of services to the agricultural community, and without restricting the generality of the above may include livestock auction marts, farm implement dealerships, fruit stands, veterinary clinics and animal hospitals.

Agricultural Residence: means a dwelling unit accessory to the use of land intended for a combined residential and agricultural purpose.

Agricultural Residential Development: is defined as the establishment of a residence on an agricultural holding in the absence of subdivision of where the residence remains directly appurtenant to the agricultural operation.

Agricultural Tourism: means tourism oriented commercial land use related to the retail sale of products or the provision of entertainment associated with an agricultural operation or a rural environment and without limiting the generality of the above includes historical farms, farm zoos, gift shops, restaurants, art galleries and cultural entertainment facilities.

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

Ancillary Use: a use that is secondary and subordinate in size, extent and purpose to the principal use on the same site, but is not necessary for the operation of the principal use on that site.

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

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

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

Attic: That portion of a building situated wholly or in part within the roof and which is less than one-half story.

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

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

Bareland Condominium: refers to a condominium in which the individually owned units are defined in relation to the land rather than in relation to a structure.

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 chattels and includes any structure covered by a roof supported by walls or columns.

Building, Accessory: a subordinate detached building appurtenant to a main building or main use and located in the same site, the purpose of which is to provide better and more convenient function of the main building or main use.

Building Bylaw: a bylaw of the RM of North Qu'Appelle to regulate the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

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

Building Front Line: means the line of the wall of the building, or any projecting portion of the building, and production thereof excluding permitted obstructions which faces the front site line.

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

Building Permit: a permit issued under The Building Bylaw of the RM of North Qu'Appelle, authorising the construction or the addition to any building but does not include a Development Permit.

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

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

Clean Fill: uncontaminated nonwater-soluble, nondecomposable, inert solids such as rock, soil, gravel, concrete, glass and/or clay or ceramic products. Clean fill shall not mean processed or unprocessed mixed construction and demolition debris, including, but not limited to, wallboard, plastic, wood or metal or any substance deemed corrosive, combustible, noxious, reactive or radioactive.

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

Commercial Indoor Storage: means a building or series of buildings comprising multiple storage bays intended for lease or rent by the general public for the purpose of indoor storage of private goods.

Community Facilities: means a building or facility used for recreational, social, educational or cultural activities and which is owned by a municipal corporation, non-profit corporation or other non-profit organization.

Composting: means the collection of a significant mass of natural organic material stored to optimize conditions such that the mass will self-heat via aerobic microorganisms for a sufficient time that the carbon contained in the mass is stabilized.

Contractors Yard: means the yard of a contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business.

Convenience Store: means a store offering for sale primarily food products, beverages, tobacco, personal care items, hardware and printed matter and which primarily provides a convenient day to day service to residents in the vicinity.

Council: the Council of the Rural Municipality of North Qu'Appelle No. 187.

Country Residence: means a dwelling or site whose owner's principal source of household income is derived from a source other than the principal agricultural use of that site.

Country Residential Development: is defined as residential development contained within a severance from an agricultural holding where the essential land requirement is for a residential building site and space rather than for productive agricultural purposes.

Development: the carrying out of any building, engineering, mining or other operations, in, on, or over land, or the making of any material change in the use of any building or land and shall include, but not limited to, excavating, filling, grading or drainage of land.

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

Development Permit: a document issued by the Council of the RM of North Qu'Appelle that authorizes development pursuant to this Bylaw, but does not include a building permit.

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

Dwelling: a building or part of a building intended for residential occupancy.

Dwelling, Single detached: a detached building consisting of one dwelling unit as herein defined; and occupied or intended to be occupied as a 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.

Dwelling, Duplex: A building divided horizontally into two (2) dwelling units.

Dwelling Group: A group of single-detached, semi-detached, or multiple unit dwellings clustered on one lot or site, built as one development.

Dwelling, Multiple Unit: A building containing three or more dwelling units and shall include condominiums, townhouses, row houses, and apartments as distinct from a rooming house, hotel, or motel.

Dwelling, Semi-Detached: A building divided vertically into two (2) dwelling units by a common wall extending from the base of the foundation to the roofline.

Dwelling, Single-Detached: A building containing only one dwelling unit, as herein defined.

Dwelling, Town House: A dwelling, designed as one cohesive building in terms of architectural design, which contains three (3) or more similar attached dwelling units each of which fronts on a street, has direct access to the outside at grade and is not wholly or partly above another dwelling.

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

Environmental Reserve: lands that have been dedicated to the Municipality by the developer of a subdivision as part of the subdivision approval process. Environmental reserves are those lands that are considered undevelopable and may consist of a swamp, gully, ravine, coulee or natural drainage course, or may be lands that are subject to flooding or are considered unstable. Environmental reserve may also be a strip of land, not less than 6 metres in width, abutting the bed and shore of any lake, river stream or other body of water for the purposes of preventing pollution or providing access to the bed and shore of the water body.

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

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

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

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

Farmstead: a single site which includes the residence of the farm operator and those buildings or facilities which are related to the farm operation, and may include cropland and pastures.

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

Flood, Design:

- i) a 1:500-year flood; or
- ii) a flood having a return period equal to 500 years; or
- iii) a flood having water surface elevations equal to a 500-year flood; or
- iv) a flood having approximately 0.2 percent risk of occurring during any year.

Flood Hazard Area: The area that would be inundated by the design flood.

Flood Proofing: any combination of structural and non-structural additions, changes or adjustments to structures or land that will significantly reduce or eliminate flood damage to real estate or improved real property and their contents up to and including the design flood level plus a freeboard of 0.5 meters.

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.

Freeboard Elevation: The elevation of the design flood level plus a freeboard of 0.5 meters (approximately 1.6 ft)

Game Farm: Land and facilities on which domestic game farm animals are held for commercial purposes.

Garage: a building or part of a building used for or intended to be used for the storage of motor vehicles and wherein neither servicing nor repairing of such vehicle is carried on for remuneration.

Hamlet: a small, rural, unincorporated community that includes a limited number of land uses, typically single family dwellings and rural commercial, where infill, minor expansion and diversification of support services may occur subject to the requirements of a Neighborhood Concept Plan.

Harvest Preserve: an area of deeded private land fenced for the purpose of management, control, and harvesting of domestic game farm animals. Harvest preserves are regulated by *The Domestic Game Farm Animal Regulations*.

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

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

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

Home Based Business: a secondary occupation carried on by the occupants of a farmstead or residence ancillary to a permitted use.

Home Occupation: means an accessory use carried on as an occupation conducted for gain in a dwelling unit solely by the resident or residents.

Horticulture: the culture or growing of garden plants. Horticulturists work in plant propagation, crop production, plant breeding and genetic engineering, plant biochemistry, plant physiology, and the storage, processing, and transportation of fruits, berries, nuts, vegetables, flowers, trees, shrubs, and turf.

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.

Hotel: a building or part of a building or structures used or advertised as a place where sleeping accommodation with or without meals is provided, but does not include a motel.

Industrial: the use of land, buildings or structures for the manufacturing, assembling, processing, fabrication, warehousing or storage of goods and materials.

Institutional: the use of land, buildings or structures for religious, charitable, educational, health or welfare purposes and includes places of worship, public or private schools, community centres, and government buildings.

Intensive Agricultural Operation: an intensified system of tillage and animal husbandry from the concentrated raising of crops or the concentrated rearing or keeping, on a continuous basis, of livestock, poultry or other products for market, but not including an intensive livestock operation.

Intensive Livestock Operation (I.L.O.):

- a) the rearing, confinement or feeding of more than 100 animal units of poultry, hogs, sheep, goats, cattle, horses, or domesticated game animals in an enclosure where the space per animal unit is less than 371.6 square meters (4000 square feet); or
- b) the rearing, confinement or feeding of less than 100 animal units of poultry, hogs, sheep, goats, cattle, horses, or domesticated game animals in an enclosure where the space per animal unit is less than 371.6 square meters (4000 square feet) and
 - i) where the nearest edge of the enclosure is within 305 meters (1000 ft) of a body of water or a water course which is not entirely contained on the operator's property; or
 - ii) within 305 meters (1000 ft) of a dwelling not owned by the operator.

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

Kennel, Breeding: means the keeping of more than four dogs, cats or other domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

Kennel, Enclosure: means an accessory building or enclosure intended to house one or more domestic animals.

Landscaping: any combination of trees, shrubs, flowers, grass, or other horticultural elements and may also include decorative stonework and paving, screening, berming, or other similar site design elements; all of which are designed to enhance the visual amenity of a site or to provide a visual screen.

Legal Access: A lot or parcel shall be considered as having legal access for the purposes of development when the lot or parcel is adjacent to a municipally maintained road, and meets the frontage requirements of appropriate Zoning District hosting the development.

Livestock: domesticated animals used primarily as beasts of burden or for the production of fur, hides, meat, milk, eggs, or other product or as breeding stock but excluding companion animals.

Manufacturing Establishment: means a firm or business engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of components parts, the manufacturing of products and the blending of materials.

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

Mobile Home Park: a site under single management for the placement of two or more mobile homes and shall include all accessory buildings necessary to the operation.

Modular (Manufactured) (RTM) Home: A residential dwelling that is constructed off site in a yard or factory, in one or more sections, transported to a site for permanent installation on a permanent foundation (may have a basement), having architectural features similar to permanent residential dwellings built on site, and conforming to Canadian Standards Association (CSA) *Standard A277*.

Motel: a series of dwelling units intended for the use of transient lodgers, each containing at least a bedroom and bathroom, and each having convenient access to a parking space for the occupants' use.

Multi-parcel Country Residential Development: involves high density rural residential development and may include cluster, multi-unit, linear developments or other suitable design concepts along roadways where the agricultural use of the residual lands is suitably integrated into a comprehensive concept plan and where the essential land requirement is for a residential building site and space, rather than for productive agricultural purposes.

Municipality: the Rural Municipality of North Qu'Appelle No. 187.

Municipal Reserve- means dedicated lands:

- i. that are provided to a Municipality pursuant to clause 189(a) for public use; or
- ii. that were dedicated as public reserve and transferred to a Municipality pursuant to section 196, whether or not title to those lands has issued in the name of the Municipality;

Municipal Road: a public roadway subject to the direction, control and management of the Municipality.

Non-conforming building: means a building:

- i. that is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a zoning Bylaw or any amendment to a zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and
- ii. that on the date a zoning Bylaw or any amendment to a zoning Bylaw becomes effective does not, or when constructed will not, comply with the zoning Bylaw.

Non-conforming site: means a site, consisting of one or more contiguous parcels, that, on the date a zoning Bylaw or any amendment to a zoning Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Non-conforming use: means a lawful specific use:

- i. being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date a zoning Bylaw or any amendment to a zoning Bylaw affecting the land or building becomes effective; and
- ii. that on the date a zoning Bylaw or any amendment to a zoning Bylaw becomes effective does not, or in the case of a building under construction or with respect to which all required permits have been issued will not, comply with the zoning Bylaw.

Normally Accepted Agricultural Practices: a practice that is conducted in a prudent and proper manner that is consistent with accepted customs and standards followed by similar agricultural operations under similar circumstances, including the use of innovative technology or advanced management practices in appropriate circumstances and is conducted in conformity with any standards established pursuant to the regulations and meets acceptable standards for establishment and expansion.

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

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

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

Personal Care Home: a facility licensed under The Personal Care Homes Act that provides long term residential, social and personal care, including accommodation, meals, supervision or assistance for persons who have some limits on ability for self-care, and are unrelated to the operator or owner.

Principal Use: the main activities conducted on a site.

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

Public Garages: means any garage available to the public, operated for gain, and which is used for repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles, including painting, body work and major repairs.

Public Road: a road allowance or a legally surveyed road vested in the name of Department of Highways.

Public Utility: a system, work, plant, equipment, or service, whether owned or operated by the Municipality, or by a corporation under Federal or Provincial state, that furnished services and facilities to, or for the use of, the municipal inhabitants.

Public Works: a facility as defined under *The Planning and Development Act, 1983*.

Quarter Section: a quarter section as defined by the Township Plan of Survey of record in the Land Titles Office, exclusive of any registered road, road widening, or railway right of way, but including any partial quarter section defined on the Township Plan of Survey.

Recreational: the use of land for passive and active activities that may not require significant site development, or may require necessary and accessory building structures.

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

- i. Motor homes
- ii. Camper Trailers
- iii. Boats
- iv. Snowmobiles
- v. Motorcycles

Recycling and Collection Depot (commercial): means a building or series of buildings intended to accommodate the collection, sorting, processing and temporary storage of recyclable materials including the collection and storage of oil, solvents or other hazardous materials, processing of recyclable material other than compaction and accommodates outdoor compaction or storage.

Recycling and Collection Depot (neighborhood): means a building or series of buildings intended to accommodate the collection, sorting and temporary storage of recyclable household materials such as bottles, cans, plastic containers, paper and paint that would otherwise be considered waste. These types of uses do not include any outdoor processing or storage.

Reeve: the Reeve of the Rural Municipality of North Qu'Appelle No. 187.

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

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

Restaurant: - means a building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building. However, limited facilities may be permitted to provide for a take-out food function provided such facility is clearly secondary to the primary restaurant use.

Right of Way: the right of way is the land set aside for use as a roadway or utility corridor. Rights of way are purchased prior to the construction of a new road or utility line, and usually enough extra land is purchased for the purpose of providing mitigative features. Sometimes, road rights of way are left vacant after the initial roadway facility is constructed to allow for future expansion.

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

Roads, Flanking: means a roadway constructed to the side of a lot, parcel or site.

Rural Municipal Administrator: the administrator for the municipality pursuant to *The Municipalities Act*.

Salvage Yard (Wrecking): A parcel of land where second-hand, discarded or scrap materials are bought, sold, exchanged, stored, processed or handled. Materials include scrap iron, structural steel, rags, rubber tires, discarded goods, equipment, appliances or machinery. The term also includes a site for collection, sorting, storing and processing of paper products, glass, plastics, aluminium or tin cans prior to shipment for remanufacture into new materials.

School: a body of pupils that is organized as a unit for educational purposes, that comprises one or more instructional groups or classes, together with the principal and teaching staff and other employees assigned to such body of pupils, and includes the land, buildings or other premises and permanent improvements used by and in connection with that body of pupils.

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

Should, Shall or May:

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

Site: an area of land with fixed boundaries, considered as a unit devoted to a certain use, and which has been registered in the Land Titles Office (Information Services Corporation) by Certificate of Title, and for which all portions of the land are consolidated under a single title.

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

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

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

Site 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 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.

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

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: means anything that is erected, built or constructed of parts joined together and supported by the soil or any other structure requiring a foundation to hold it erect, but not including pavement, curbs, walks or open air surfaced areas.

Stakeholders: individuals, groups or organizations who have a specific interest or 'stake' in a particular need, issue situation or project and may include members of the local community (residents, businesses, workers, representatives such as Councilors or politicians); community groups (services, interest groups, cultural groups clubs, associations, churches, mosques, temples); or local, state and federal governments.

Stockyard: means an enclosed yard where livestock is kept temporarily.

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

Tavern (Nightclub): means an establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food, and where no live entertainment or dance floor is permitted. A brew pub may be considered a tavern if beverage alcohol is manufactured and consumed on site under a valid manufacturer's permit in accordance with the Alcohol Control Regulations.

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.

Trans Canada Trail: a shared use recreational trail that will offer walking, cycling, horseback riding, cross-country skiing and snowmobiling opportunities and will travel through each province and territory.

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

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

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.

Veterinary Clinics: means a place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization, but shall not include the keeping of animals in outdoor pens.

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.

Water body: any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and includes but is not limited to, wetlands and aquifers.

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

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

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

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.

Zone: a land area within the municipality, designated on the Zoning Map for specific, uniform development and subdivision standards and requirements.

SECTION 15 – ADOPTION

Bylaw No. 5/83 Fishing Lakes Development Plan and Zoning Bylaw No. 741 of The Rural Municipality of North Qu'Appelle No. 187 are hereby repealed.

This bylaw is adopted pursuant to *The Planning and Development Act, 1983*, and shall come into force on the date of final approval by the Minister of Government Relations and Aboriginal Affairs.

Reeve

Administrator

Certified A True Copy of Bylaw No. 03-03 passed by the Council of the Rural Municipality of North Qu'Appelle No. 187 on the 14th day of July, 2003.

Beverly van der Breggen
Administrator

Bylaw No. 03-03 Appendix "A"

COMPREHENSIVE DEVELOPMENT REVIEW for the
RURAL MUNICIPALITY OF NORTH QU'APPELLE NO. 187

- 1) A Comprehensive Development Review shall be completed prior to consideration of an application by Council, by any person proposing to rezone, subdivide, or re-subdivide land for multi-parcel country residential, commercial or industrial purposes,. The purpose of this review is to identify and address social, environmental, health and economic issues appropriately and to encourage the development of high quality residential, commercial, and industrial developments. This review proposes to address the following topics:
 - a) Proposed land use(s) for various parts of the area;
 - b) The effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;
 - c) The location of, and access to, major transportation routes and utility corridors;
 - d) The provision of services respecting the planning for future infrastructure within the Municipality;
 - e) Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas;
 - f) Appropriate information specific to the particular land use (residential, commercial or industrial)
- 2) The CDR must be prepared in accordance with the overall goals and objectives of the Inter-municipal Plan.
- 3) The responsibility for undertaking all technical investigations and hosting public meetings as required by the CDR shall be borne solely by the applicant.
- 4) Council shall not consider any development application until all required information has been received.
- 5) The scope and required detail of the CDR will be based on the scale of the proposed development and its location. The quality and type of development shall be addressed in the CDR.
- 6) The following items shall be included in the preparation of a CDR:
 - a) Identification of the purpose and objectives of development including an inventory of current land uses within the plan area and evidence of compliance with current Inter-municipal Plan policies and Zoning Bylaw regulations.
 - b) Identification of plan area characteristics including:
 - i. Physical site characteristics, regional context, and the size and intensity of development proposed;
 - ii. Natural and heritage resources including screening of environmental, archaeological, and historically significant areas within and adjacent to the development;
 - iii. Identification of potential hazard lands within the plan area; and
 - iv. Identification of the potential impact of proposed development on existing infrastructure and adjacent land uses.
- 7) Identification of the concept for development including a thorough description and explanation, illustrations, and any technical and professional analysis required to identify:
 - a) Proposed land uses;
 - b) The economic and social benefits and the impact on the plan area and the region providing evidence of positive community integration;
 - c) The subdivision design including phasing, identification of natural and constructed open space amenities, and allocation of Municipal and Environmental Reserve;
 - d) The identification of existing and required utility capacity including but not limited to power, natural gas, telecommunications, water supply, and onsite wastewater disposal systems;

Bylaw No. 03-03 Appendix "A" Continued

- e) Evidence that the carrying capacity of the soil within the plan area is sufficient to accommodate the proposed structures and waste water created by the development with minimal or zero anticipated effect on the regional surface and groundwater systems quality;
 - f) The local hydrology, providing evidence that the design provides sufficient capacity to accommodate storm water and surface runoff locally to accommodate a 1:100 year flood event, with no significant increase in offsite flows resulting from development of the area;
 - g) The proposed buffering from, or integration with, adjacent land uses;
 - h) The impact of human activity and development on the natural environment and plans for the conservation and management of existing natural features within the plan area;
 - i) A transportation plan for the area identifying road requirements, major commuting routes and the potential impact of development on current roadway infrastructure; and
 - j) The local capacity of fire and protective services, schools and other supportive community and recreational facilities.
- 8) The applicant shall provide evidence of significant and effective public consultation acknowledging and attempting to incorporate the findings within the development proposal wherever possible to ensure that the development is perceived as beneficial to the area. The information required as part of the review process includes but is not limited to:
- a) Submission of a consultation plan, identifying the program and timing of engagement;
 - b) Submission of a summary of findings, clearly identifying ideas and areas of support and challenges presented through the engagement process; and
 - c) Identification of strategies to respond to, and/or incorporate the challenges presented within the proposal including necessary conflict resolution.

Bylaw No. 03-03 Appendix "B"

DEVELOPMENT PERMIT for the
RURAL MUNICIPALITY OF NORTH QU'APPELLE NO. 187

Instructions to applicant for the completion of the application form for a development permit or a change of land use.

The application number will be assigned by the R.M. office.

1. If you are applying for a permit for land which you do not own, please provide the name and address of the registered owner.
3. Present use of the land: (i.e. vacant lot, cottage or residential lot, cultivated farmland, pasture, etc.)
5. Description of proposed development: Fully describe what you propose to do. If your development includes any excavations, fills, land leveling, clearing, or removal of natural vegetation please provide complete details. Drawings, diagrams or photos are very helpful and may be required in some cases. Where your development includes the construction of a building a building permit is required.
6. Site plan: Your site plan should include the following information:
 - a) North directional arrow;
 - b) The scale to which it is drawn;
 - c) The dimensions and lot lines of the lots or parcels;
 - d) The dimensions and location of all existing and proposed buildings. Be sure to show the distances from the property lines to any buildings.
 - e) The proposed development should be identified; (i.e. outline it in red)
 - f) Topographical features; (i.e. watercourses, lakes, drainage ditches, sloughs, wooded areas, etc.)
 - g) Location of streets, lanes, roads, power, gas or telephone lines, etc.
 - h) Size and location of any easements or right-of-ways, if any;
 - i) Adjoining land uses.
7. Declaration by applicant: Be sure to complete this section and sign the application. An unsigned application will be returned.

Bylaw No. 03-03 Appendix "B" Continued

RURAL MUNICIPALITY OF NORTH QU'APPELLE NO. 187

APPLICATION FOR

___Change of Land Use
or
___Development Permit

Application No. _____

1. a) Name of Applicant: _____

Address: _____

Telephone No.: _____, Postal Code: _____

b) Name of Registered Owner: _____

Address: _____

2. Land Description (fill in as applicable)

All/Part of the _____ 1/4, Section _____, Township _____,

Range _____, West of the Second Meridian.

Lot _____, Block _____, Registered Plan # _____

Subdivision of _____

If written description please state:

3. Present Use of Land: _____

4. Do you propose to install a sewage disposal system? In most cottage and residential subdivisions the only system is a pumpout vault. The system must meet bylaw requirements and the regulations of the Department of Public Health.

Bylaw No. 03-03 Appendix "B" Continued

Application continued

Page 2

5. Description of Proposed Development (fully describe):

6. Site Plan. Please provide a sketch showing:

- a) Dimensions of parcel and location of existing or proposed buildings;
- b) Topographical features, (i.e. water courses, drainage ditches, sloughs, wooded areas, etc.);
- c) Adjoining land uses;
- d) Size and location of easements or right-of-ways;
- e) Locations of streets, lanes, roads and highways;
- f) Any additional information you consider relevant to this application.

7. Declaration of Applicant:

I _____

of _____

in the Province of Saskatchewan, solemnly declare that all the above statements contained within the application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effects as if made under oath, and by virtue of "The Canada Evidence Act."

I also have no objection to any entry upon the land described herein by the persons authorized by the Rural Municipality of North Qu'Appelle No. 187 for the purpose of site inspections required for reviewing of the application.

Signature _____

Date: _____ Telephone No.: _____