

# Town of Fort Qu'Appelle Zoning Bylaw



**THE TOWN OF FORT QU'APPELLE**

**ZONING BYLAW NO. 25-2014**

1. Pursuant to Section 45 of *The Planning and Development Act, 2007*, the Council of the Town of Fort Qu'Appelle hereby adopts the Zoning Bylaw, identified as Schedule "A" to this bylaw.
2. The Mayor and Town Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this bylaw.
3. Bylaw No. 61, and any amendments made thereto, and Bylaw No. 238 and any amendments made thereto, is hereby repealed.
4. This bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a first time this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

Read a third time and passed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
MAYOR

SEAL

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**THE TOWN OF FORT QU'APPELLE**

**ZONING BYLAW**

**SCHEDULE "A" to BYLAW NO. 25-2014**

---

MAYOR

SEAL

---

CHIEF ADMINISTRATIVE OFFICER

## Table of Contents

Section 1: Introduction .....	8
1.1 Authority .....	8
1.2 Title .....	8
1.3 Purpose .....	8
1.4 Scope .....	8
1.5 Severability.....	8
Section 2: Definitions .....	9
Section 3: Administration and Interpretation.....	26
3.1 Development Officer.....	26
3.2 Council.....	26
3.3 Application for a Development Permit .....	26
3.4 Development Not Requiring a Permit.....	27
3.5 Interpretation.....	27
3.6 Comprehensive Development Review .....	28
3.7 Development Permit Procedure .....	28
3.8 Development Permit: Validity.....	29
3.9 Development Permit Application Fees .....	29
3.10 Fee for Zoning Amendment Application.....	30
3.11 Concurrent Processing of Development Permits, Building Permits and Business Licenses .....	30
3.12 Referral under the Public Health Act .....	30
3.13 Development Appeals Board .....	30
3.14 Minor Variances .....	31
3.15 Non-Conforming Buildings, Uses and Sites.....	32
3.16 Development Permit – Invalid .....	33
3.17 Cancellation .....	33
3.18 Stop-Work .....	33
3.19 Bylaw Compliance .....	34
3.20 Registering Interests .....	34
3.21 Moving of Buildings.....	34
3.22 Temporary Development Permits.....	34
3.23 Development Levy Agreements.....	34
3.24 Servicing Agreements .....	35

## Town of Fort Qu'Appelle Zoning Bylaw

Section 4: General Regulations .....	36
4.1 Licenses, Permits and Compliance with Other Bylaws and Legislation .....	36
4.2 Principal Use Established .....	36
4.3 Multiple Uses .....	36
4.4 Uses Permitted in all Zoning Districts .....	36
4.5 Number of Principal Buildings on a Site.....	36
4.6 Accessory Buildings, Uses and Structures.....	37
4.7 Front Yard Reduction .....	37
4.8 Frontage for Irregular Sites .....	37
4.9 Permitted Yard Encroachments .....	38
4.10 Grading and Leveling of Sites .....	38
4.11 Height of Buildings and Structures .....	38
4.12 Heritage Properties .....	38
4.13 Signage on Natural and Human Heritage Sites .....	38
4.14 Buffer Strips .....	38
4.15 Closures.....	39
4.16 Railway Crossings and Sight Distances.....	39
4.17 Bareland Condominium Developments.....	39
4.18 Satellite Dishes .....	39
4.19 Private Garages, Sunrooms, Solariums, and Greenhouses.....	39
4.20 Trailers, Box Cars, Sea and Rail Containers.....	40
4.21 Swimming Pools .....	40
4.22 Disposal of Wastes .....	40
4.23 Solid and Liquid Waste Disposal Facilities .....	40
4.24 Lighting.....	41
4.25 Signage .....	41
Section 5: Development Standards for Discretionary Uses .....	44
5.1 General Development Standards.....	44
5.2 Home Occupations.....	44
5.3 Secondary Suites .....	45
5.4 Garden (Granny) Suites.....	45
5.5 Modular Homes .....	46
5.6 Bed and Breakfast Homes.....	46
5.7 Child Day Care Centres and Pre-Schools.....	47

## Town of Fort Qu'Appelle Zoning Bylaw

5.8	Adult Day Care Centres .....	47
5.9	Residential Care Homes .....	47
5.10	Campgrounds .....	47
5.11	Above Ground Fuel Storage Tanks.....	48
5.12	Wind Energy Facilities .....	49
Section 6: Zoning Districts and Zoning Maps.....		51
6.1	Zoning Districts .....	51
6.2	The Zoning District Map.....	51
6.3	Boundaries of Zoning Districts .....	51
6.4	Holding Designation.....	52
Section 7: Residential District – R1 .....		53
7.1	Permitted Uses.....	53
7.2	Discretionary Uses .....	53
7.3	Site Development Regulations.....	53
7.4	Accessory Buildings and Structures .....	55
7.5	Fence and Hedge Heights .....	56
7.6	Signage .....	56
7.7	Parking .....	56
7.8	Outside Storage.....	57
7.9	Standards for Discretionary Uses.....	57
Section 8: Residential Multiple Dwelling District – R2.....		58
8.1	Permitted Uses.....	58
8.2	Discretionary Uses .....	58
8.3	Site Development Regulations.....	58
8.4	Accessory Buildings and Structures .....	61
8.5	Fence and Hedge Heights .....	61
8.6	Signage .....	62
8.7	Parking .....	62
8.8	Outside Storage.....	62
8.9	Standards for Discretionary Uses.....	63

## Town of Fort Qu'Appelle Zoning Bylaw

Section 9: Larger Lot Low Density Residential District 3.....	64
9.1 Permitted Uses.....	64
9.2 Discretionary Uses .....	64
9.3 Site Development Regulations.....	64
9.4 Accessory Buildings and Structures .....	66
9.5 Fence and Hedge Heights .....	67
9.6 Signage .....	67
9.7 Parking .....	68
9.8 Outside Storage.....	68
9.9 Standards for Discretionary Uses.....	68
Section 10: Residential Mobile Home District – RMH .....	69
10.1 Permitted Uses.....	69
10.2 Discretionary Uses .....	69
10.3 Site Development Regulations.....	69
10.4 Development Standards for Mobile Homes .....	70
10.5 Accessory Uses, Buildings and Structures.....	71
10.6 Fence and Hedge Heights .....	71
10.7 Signage .....	72
10.8 Parking .....	72
10.9 Outdoor Storage .....	72
Section 11: Residential Acreage District – RA .....	73
11.1 Permitted Uses.....	73
11.2 Discretionary Uses .....	73
11.3 Site Development Regulations.....	73
11.4 Accessory Buildings.....	74
11.5 Standards for Discretionary Uses.....	74
11.6 Supplementary regulations.....	75
11.7 Signage .....	76
11.8 Minimum Ditch Frontage .....	76
11.9 Temporary Uses .....	76
Section 12: Town Centre Commercial District – C1 .....	77
12.1 Permitted uses .....	77

## Town of Fort Qu'Appelle Zoning Bylaw

12.2	Discretionary Uses .....	77
12.3	Site Development Regulations.....	78
12.4	Accessory Buildings .....	78
12.5	Signage .....	79
12.6	Parking .....	79
12.7	Landscaping.....	79
12.8	Standards for Discretionary Uses.....	79
Section 13: Mixed Use District .....		81
13.1	Permitted Uses.....	81
13.2	Discretionary Uses .....	81
13.3	Prohibited Uses.....	81
13.4	Site Development Regulations.....	82
13.5	Supplementary Regulations .....	83
13.6	Accessory Buildings .....	83
13.7	Signage .....	84
13.8	Parking .....	84
Section 14: Highway Commercial District – C2 .....		85
14.1	Permitted Uses.....	85
14.2	Discretionary Uses .....	85
14.3	Prohibited Uses.....	86
14.4	Site Development Regulations.....	86
14.5	Accessory Buildings .....	87
14.6	Fence and Hedge Heights .....	87
14.7	Landscaping.....	88
14.8	Parking Requirements.....	88
14.9	Loading Requirements .....	88
14.10	Signage .....	89
14.11	Outdoor Storage .....	89
14.12	Supplementary Regulations .....	89
Section 15: General Industrial District – IND .....		91
15.1	Permitted Uses.....	91
15.2	Discretionary Uses .....	91



15.3	Site Development Regulations.....	92
15.4	Accessory Buildings .....	93
15.5	Fence and Hedge Heights .....	93
15.6	Landscaping.....	93
15.7	Parking .....	93
15.8	Loading Requirements .....	93
15.9	Signage .....	94
15.10	Outdoor Storage .....	94
15.11	Standards for Discretionary Uses.....	94
15.12	Performance Standards .....	95
Section 16: COMMUNITY SERVICE DISTRICT – CS.....		96
16.1	Permitted Uses.....	96
16.2	Discretionary Uses .....	96
16.3	Site Development Regulations.....	96
16.4	Signage .....	98
16.5	Parking .....	98
16.6	Landscaping.....	98
Section 17: FUTURE URBAN DEVELOPMENT DISTRICT – FUD .....		99
17.1	Permitted Uses.....	99
17.2	Discretionary Uses .....	99
17.3	Site Development Regulations.....	99
17.4	Signage .....	100
17.5	Supplementary Regulations .....	100
Section 18: Environmentally Sensitive Lands (ES) Overlay .....		101
18.1	Areas Within the ES Overlay District.....	101
18.2	Overlay District Regulations.....	101
18.3	Permitted Uses.....	102
18.4	Discretionary Uses .....	102
18.5	Critical Wildlife Habitat Development Regulations .....	102
18.6	Site Development Regulations for Slope Instability Areas .....	102
18.7	Site Development Regulations for Flood Hazard Cautionary Areas .....	103

## Section 1: Introduction

### 1.1 Authority

Under the authority granted by *The Planning and Development Act, 2007*, the Mayor and Council of the Town of Fort Qu'Appelle in the Province of Saskatchewan, in open meeting hereby enact as follows:

### 1.2 Title

This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Town of Fort Qu'Appelle.

### 1.3 Purpose

- 1.3.1 The purpose of this Bylaw is to regulate development and to control the use of land in the Town of Fort Qu'Appelle in accordance with the Town of Fort Qu'Appelle Official Community Plan and the Calling Lakes District Plan.
- 1.3.2 The intent of this Zoning Bylaw is to provide for the amenity of the area within the Town of Fort Qu'Appelle (hereinafter referred to as the Town) and for the health, safety, and general welfare of the inhabitants of Fort Qu'Appelle and area:
- a. To minimize land use conflicts;
  - b. To establish minimum standards to maintain the amenity of the Town;
  - c. To ensure development is consistent with the physical limitations of the land;
  - d. To restrict development that places undue demand on the Town for services; and
  - e. To provide for land use and development that is consistent with the goals and objectives of the Town.

### 1.4 Scope

This Bylaw applies to all land included within the boundaries of the Town of Fort Qu'Appelle. All development within the limits of the Town shall hereafter conform to the provisions of this Bylaw.

### 1.5 Severability

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

## Section 2: Definitions

Whenever the subsequent words or terms are used in the Town of Fort Qu'Appelle's Official Community Plan Bylaw No. 24-2014, the Calling Lakes District Plan Bylaw No. 13-2013, and this Bylaw, they shall have the following definition unless the context indicates otherwise.

**Abattoir:** A facility for butchering or slaughtering animals, and to dress, cut, inspect meats, refrigerate, cure and manufacture by-products.

**Accessory:** A building or use that:

- a. Is subordinate to and serves the principal building or principal use;
- b. Is subordinate in area, mass, extent, and purpose to the principal building or principal use served;
- c. Contributes to the comfort, convenience, or necessity of occupants of the principal building or assists the principal use; and
- d. Is located on the same site as the principal building or use.

**Act:** *The Planning and Development Act, 2007*, Province of Saskatchewan, as amended from time to time.

**Adjacent:** Contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land; and any other land identified in this Bylaw as adjacent land for the purpose of notification.

**Administrator:** The Administrator of the Town of Fort Qu'Appelle.

**Aggregate Resource:** Mineral materials including sand, gravel, clay, earth or mineralized rock, including recycled concrete.

**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 agriculture.

**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 or 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.

**Animal Clinic:** A building or part thereof used by a qualified veterinarian for the treatment of animal health needs where animals are not kept on the premises for surgery or kept overnight.

**Animal Hospital:** The premises of a veterinary surgeon where small, large domestic animals and livestock are treated or kept involving surgery and the keeping of animals in outdoor or indoor pens.

**(Animal) Veterinary Clinics:** A place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization, though shall not include the keeping of animals in outdoor pens.

## Section 2: Definitions

**Apartment Block:** A building containing three (3) or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence as distinct from a hotel or rooming house.

**Applicant:** A developer or person applying for a Development Permit under this Bylaw or 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.

**Auto Wrecker:** An area where motor vehicles as 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.

**Awning:** A structure that is mechanical and fabricated from plastic, canvas or metal that is spread across a frame designed to be attached to a wall and hung above a doorway or window.

**Basement:** That portion of a building that is partly or wholly underground.

**Bed and Breakfast:** A dwelling unit, licensed as a tourist home under *The Tourist Accommodation Regulations, 1969*, in which overnight accommodation within the dwelling unit, along with one (1) meal served before 12:00 pm (noon), is provided to the traveling public for a charge.

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

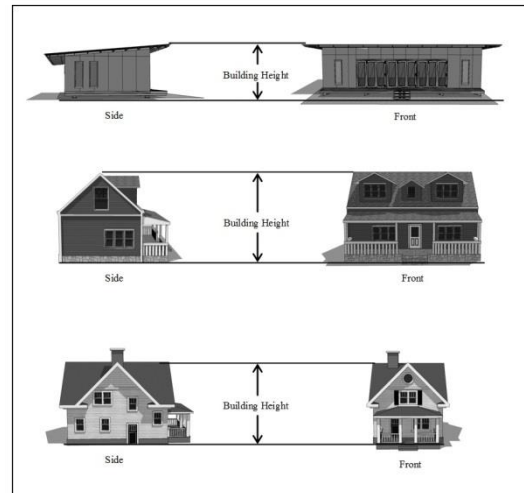
**Buffer:** A strip of land, vegetation or land use that physically separates two (2) or more different land uses.

**Building:** A structure constructed on, in, or over land and used for the shelter or accommodation of persons, animals, goods, or chattels, and includes any structure covered by a roof supported by walls or columns.

**Building, Accessory:** (see Accessory).

**Building Bylaw:** A Bylaw of the Town of Fort Qu'Appelle to regulate the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

**Building Height:** the vertical distance of a building measured from the grade level to the highest point of the roof.



**Building Permit:** A permit issued under the Building Bylaw of the Town of Fort Qu'Appelle, authorizing the construction of, or the addition to, any building but does not include a Development Permit.

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

## Section 2: Definitions

**Building Line, Established:** The average distance from the street line to the main wall of existing buildings on any side of any block where more than half the frontage of the block has been built on.

**Bulk Fuel Sales and Storage:** Includes land, buildings, and structure for the storage and distribution of fuels and oils including retail sales or key-lock operations.

**Business Support Services:** Activities intended to provide administrative, promotional or technical support for commercial and industrial activities.

**Bylaw:** The Town of Fort Qu'Appelle Zoning Bylaw.

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

**Cardlock Operation:** A petroleum dispensing outlet without full-time attendants.

**Carport:** A building or structure or part thereof, where at least 40% of the area of the perimeter is open and unobstructed by a wall, door, post or pier and which is used for the parking or storage of motor vehicles.

**Cemetery:** A cemetery or columbarium within the meaning of *The Cemeteries Act* Chapter C-4, R.S.S. 1981, as amended from time to time.

**Club:** A group of people organized for a common purpose, to pursue common goals, interest or activities, and usually characterized by certain membership qualifications, payment

of dues or fees, regular meetings, and a constitution and bylaws.

**Commercial Use:** The use of land, building(s), or structure(s) for the purpose of buying and selling commodities, and supplying professional and personal services for compensation.

**Commercial/Industrial Use, Large Scale:** Commercial or industrial land uses maintaining a lineal frontage in excess of 91.0 meters (299 ft).

**Commercial/Industrial Use, Small Scale:** Commercial or industrial land uses maintaining a lineal frontage of less than 90.0 meters (295 ft).

**Community Facilities:** Buildings or facilities used for recreational, social, educational or cultural activities and that are owned by a municipal corporation, non-profit corporation or other non-profit organization.

**Compost:** Materials used in gardening, agriculture, landscaping, erosion control, wetland construction, and landfill cover.

**Condominium:** Land, buildings, and units, including private and common property as defined under *The Condominium Property Act*.

**Conservation:** The planning, management and implementation of an activity with the objective of protecting the essential physical, chemical and biological characteristics of the environment.

**Construction Trades:** Offices, shops and warehouses, with or without retail sales for trades associated with construction of buildings.

**Contractors Yard:** The yard of a contractor or company, including landscaping materials used

## Section 2: Definitions

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

**Convenience Store:** A store offering for sale primarily food products, beverages, 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 Town of Fort Qu'Appelle.

**Day Care Centre:** An establishment providing for the care, supervision and protection of children (or adults) though does not include the provision or overnight supervision.

**Deck:** Any raised floor structure at least 0.31 meters (1 ft) above the average ground level upon which it is constructed, either adjacent to a building or free-standing with stairway, ramp, or similar access.

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

**Development Officer:** An employee of the Town appointed by the Council to act as a Development Officer to administer this Bylaw.

**Demolition Permit:** A permit issued for the removal or dismantling of a building or structure with the Town's boundaries as prescribed under Section 13 of *The Uniform Building and Accessibility Standards Act*.

**Development Permit:** A document issued by the Council of the Town of Fort Qu'Appelle that authorizes development pursuant to this Bylaw, though does not include a building permit.

**Directional Signage:** Signage located off-site providing direction to, and information about, a specific enterprise or activity which does not contain general advertising.

**Discretionary Use:** Uses or development of land, buildings, or other structures that may be permitted in a Zoning District only at the discretion of Council and which conforms to all discretionary use regulations and other regulations applicable to the district in which the use is located.

**District Plan:** The District Plan for the Town of Fort Qu'Appelle is the Calling Lakes District Plan Bylaw No. 13-2013 as per section 102 of the *Planning and Development Act, 2007*.

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

**Dwelling Unit:** One or more habitable rooms used, or fully capable of being used as a residence, where each unit provides sleeping, cooking, and toilet facilities.

**Dwelling, Duplex:** A building that is divided into two dwelling units with separate entrances and are separated by a common party wall.

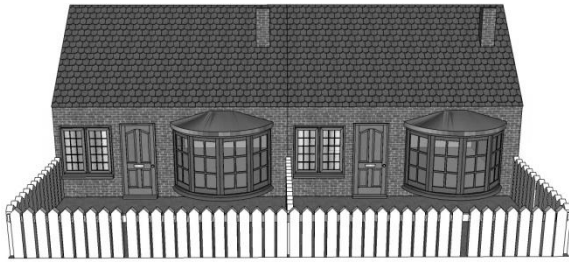
**Dwelling Group:** A group of single-detached, semi-detached or multiple unit dwellings clustered on one lot or site, built as one development.

**Dwelling, Multiple Unit:** A building containing three or more dwelling units and shall include condominiums, townhouses, row houses, and

## Section 2: Definitions

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.



Semi-Detached Dwelling

**Dwelling, Single-Detached:** A building containing only one (1) dwelling unit, and shall not include a mobile home as herein defined.



Single-Detached Dwelling

**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.



Town House Dwelling

**Educational Institution:** An establishment dedicated for the purpose of providing education and instruction in any branch of knowledge.

**Existing:** In place, or taking place, or with all approvals and permits in place on the date of the adoption of this Bylaw.

**Farm Building/Yard:** 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, fur production, bee keeping and situated on a parcel of land used for the farm operation.

**Fence:** A structure used to enclose or screen areas of land.

**Fill (Clean Fill):** Soil, rock, rubble, or other Town-approved, non-regulated waste that is transported and placed on the existing, usually natural, ground surface.

**Flanking:** Means to the side of a lot, parcel or site.

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

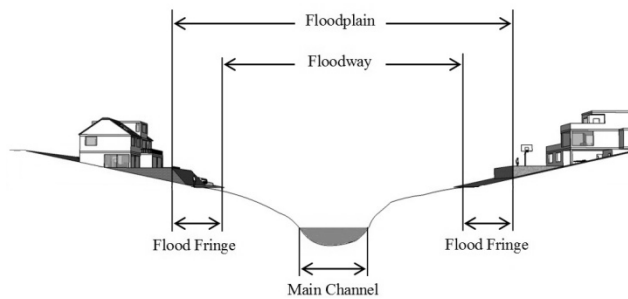
**Floodway:** The portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are projected to meet or exceed a depth of one (1) meter or a velocity of one (1) meter per second.

## Section 2: Definitions

## Section 2: Definitions

**Floodproofed:** A measure, or combination of structural and non-structural measures, incorporated into the design of a structure which reduces or eliminates the risk of flood damage to a defined elevation.

**Flood Fringe:** The portion of the floodplain where the waters in the 1:500 year flood are projected to be less than a depth of one (1) meter or a velocity of one (1) meter per second.



**Floor Area:** The maximum area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, open deck, unfinished attic, or unfinished basement or cellar and in a commercial or industrial building, any utility room.

**Future Land Use Map:** In its projections, the map specifies certain areas for residential growth and others for industry, commercial and conservation. The Future Land Use Map for Fort Qu'Appelle is attached as Appendix "A" in the Official Community Plan.

**Frontage (Lot Frontage):** The distance across the street side of a lot (a lot must front on a street), between the points where the side lines of the lot meet the street right-of-way or boulevard; or, where a lot is irregular in shape and is narrowest at the front street end, the width of the lot shall be measured parallel to the street line at the centre of the front lot line,

and at a setback from the front lot line no greater than the minimum permitted building setback.

**Garage, Private:** A building or part of a building used for or intended to be used for the storage of motor vehicles and wherein neither servicing nor repairing of such vehicles are carried on for remuneration.

**Garage, Public:** A building or place where motor vehicles are stored or repaired for remuneration though does not include car washing establishments, an auto sales lot or an automobile service station.

**Garden (Granny) Suite:** A second, small, dwelling on the site of a primary, single-family dwelling that accommodates one or two family members of the owner/occupants of the primary residence and is intended to allow the family to live independently though with the support nearby of the extended family.

**Gas Bar:** A building or place where fuel and automotive fluids are sold and may be added to a vehicle on the property, and which may have a convenience store and/or restaurant.

**Grade:** The average elevation of the natural ground level at the walls of a building or structure as determined by the elevation of the four outside corners of the building.

**Greenhouse, Commercial:** A building for the growing of flowers, plants, shrubs, trees, and similar vegetation that are not necessarily transplanted outdoors on the same site, but are sold directly at wholesale or retail from the site.

**Greenhouse, Private:** A building for the growing of flowers, plant, shrubs, trees, and similar vegetation that are transplanted outdoors on the same site containing such greenhouse(s),



## Section 2: Definitions

and where greenhouse products may not be offered for sale.

**Greenways:** A linear park which may accommodate pathways principally for foot traffic and/or bicycles. Typically, greenways are planned along creeks or streams and managed as natural environments, or bikeways along landscaped roads.

**Group Home:** (See Personal Care Home).

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

**Hazard(ous) Land:** Land having inherent environmental hazards, land subject to flooding, earth movement, or slope instability, land with poor natural drainage, ground water seepage, erosion, steep slopes, rock formations, or other similar features.

**Health Service Facility (Health Clinic):** A building or part thereof used by qualified health service practitioners for the treatment of human health needs.

**Heritage Resource:** The history, culture and historical resources of an area and its residents.

**Highway Commercial:** Commercial activities normally located along highways, major roadways and in other locations considered strategic by the type of business involved serving the needs of local residents and the traveling public.

**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.

**Home Occupation (Home-Based Business):** An occupation, trade, profession, or craft customarily conducted for gain in a dwelling unit or accessory building by the resident or residents, which is clearly incidental and secondary to the principal use of the site and which does not create or become a public nuisance as a result of noise, traffic, pollution, or parking. Home occupations shall not occupy more than 25% of the total finished floor area of a dwelling unit in any Residential District.

**Hotel:** A building or structure or part of a building or structure in which sleeping accommodation with or without meals is provided for tourists or travelers, and where a guest register or record is kept, but does not include a motel or rooming house.

**Industrial Exclusionary Uses:** Certain industrial activities that may be characterized as exhibiting a high potential for adversely affecting the safety, use, amenity or enjoyment of adjacent and nearby industrial and non-industrial sites due to their scale, appearance, noise, odour, emissions and hazard potential. Such activities are considered exclusionary when the only means of mitigating the associated negative effects on surrounding land uses is through spatial separation. Exclusionary uses would include but not be limited to the following: Landfill, Ethanol Plant, Transformer Stations, Uranium

## Section 2: Definitions

Refineries, Anhydrous Ammonia Storage, and Distribution Centres.

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

**Industrial Park:** An area of land set aside for industrial development, usually located close to transport facilities, especially where more than transport mode coincides, i.e. highways, railroads, airports.

**Infill Development:** Re-development within existing areas or neighbourhoods.

**Institutional Use:** The use of land, buildings, or structures for religious, charitable, educational, health or welfare purposes and includes churches, public or private schools, nursery schools, hospitals, and special care.

**Kennel, Boarding:** The temporary accommodation of more than three (3) dogs, cats or other domestic animals for commercial purposes.

**Kennel, Breeding:** The keeping of domestic animals, male and female, and which are more than twelve (12) months old, for breeding purposes.

**Kennel, Enclosure:** An accessory building or enclosure intended to house one (1) or more domestic animals.

**Landfill:** A specially engineered site for disposing of solid waste on land, constructed so that it will reduce hazard to public health and safety.

**Landscaped Area:** An area not built upon and not used for any purpose other than as an open

space that may include grass, shrubs, flowers, trees, and similar types of vegetation and may contain paths, walks, patios, fences, and similar outdoor amenities, but does not include parking areas, parking lots, driveways or ramps.

**Land Use Zoning District:** Divisions identified in the Zoning Bylaw establishing permitted and discretionary uses of land or buildings with attendant regulations.

**Lane:** A secondary public thoroughfare intended primarily to give access to the rear or side of the abutting property.

**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, though excluding companion animals.

**Live/Work:** A dwelling unit, part of which may be used as a business establishment, where the dwelling unit is the principal residence of the business operator.

**Live/Work Residential Acreages:** A residential development where the owner's principal source of income is derived from a source other than agriculture, and where an on-site occupation or activity is permitted including the storage of material and the maintenance of equipment related to the occupation.

**Loading Space:** A space, measuring at least 2.5 meters (8.20 ft.) in width and 8.5 meters (27.88 ft.) in depth, located on a lot, and having access to a street or lane, in which a vehicle may park to load or unload.

**Lot (see Site):** An area of land with fixed boundaries on record with the Information Services Corporation (ISC) by Certificate of Title. For the purposes of this Bylaw the terms "lot"

## Section 2: Definitions

and "site" shall be deemed not to mean the same.

**Lounge:** A room or area adjoining a restaurant set aside for the sale of beverage alcohol for consumption on the premises, with or without food, and where no area has been set aside for dancing or entertainment, either in the lounge or in the adjoining restaurant. The area of a lounge may not exceed 50% of the public assembly area in the adjoining restaurant.

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

**Marquee:** A roof-like structure of a permanent nature which projects from the wall of a building that is independently supported by a system of columns or piers without walls over an entrance to a building.

**Mayor:** The Mayor of the Town of Fort Qu'Appelle.

**Minister:** The member of the Executive Council to whom for the time being is assigned the administration of *The Planning and Development Act, 2007*.

**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; has facilities for washing and a water closet or other similar facility that may be connected to a sewage system; and that conforms to the Canadian Standards Association Standard # Z240. See picture below.



Double-Wide Mobile Home

**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 though does not include an industrial or construction camp or tourist campsite. For the purpose of this Bylaw the terms mobile home park and mobile home court shall be deemed to mean the same.

**Mobile Home Site:** An area of land in a mobile home park that is intended to be occupied by one (1) mobile home and for exclusive use of its occupants with access to a driveway or a public street.

**Mobile Home Subdivision:** Any subdivision of land and the development thereof for the purpose of accommodating mobile homes in such a manner that each home is situated on its own site, which shall contain a minimum site area of 464.50 m<sup>2</sup> (5000 ft<sup>2</sup>) and in which all such sites, public open spaces, internal streets

and lanes, buffer zones and other amenity areas form a contiguous area of development.

**Modular (Manufactured) 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 in the Town, and conforming to Canadian Standards Association (CSA) *Standard A277*.



Modular (Manufactured) Home

**Modular (Manufactured) Home Subdivision:** Any subdivision of land and the development thereof for the purpose of accommodating modular homes in such a manner that each home is situated on its own site, which shall contain a minimum site area of 464.50 m<sup>2</sup> (5000 ft<sup>2</sup>), and in which all sites, public open space, internal streets, buffer zones, and other amenity areas form a contiguous area of development.

**Motel or Motor Hotel:** A building or buildings consisting of a number of individual rental units, intended for the use of the traveling public, each containing at least one (1) bedroom and bathroom, and each having convenient access to a parking space for the use of the occupants of the units and may or may not provide food service.

**Municipality:** The Town of Fort Qu'Appelle.

**Municipal Reserve:** Dedicated lands that are provided to a municipality for public use, or that were dedicated as public reserve and transferred to a Municipality pursuant to *The Planning and Development Act, 2007*.

**Museum:** An institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling, and exhibiting to the public for its instruction and enjoyment, a collection or artifacts of historical interest.

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

**Non-Conforming Use:** Any use of land, building or structure lawfully existing or under construction where permits have been issued at the time of the passing of this Bylaw, the use of which does not comply with all the regulations of this Bylaw governing the Zoning District in which it is located.

**Noxious Use or Condition:** Any use or facility that causes or produces harmful or hazardous noise, vapours, smoke, dust (particles suspended in or transported by air), vibrations, electrical or electromagnetic fields, glare, or light.

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

**Official Community Plan (OCP):** The Town of Fort Qu'Appelle Official Community Plan Bylaw No. 24-2014.

**Open Space:** Passive and structure leisure and recreation areas that enhance the aesthetic quality and conserve the environment of the community including parks, recreation and tourism nodes, and natural areas.

**Parking Lot:** An open area, other than a street, used for the temporary parking of more than four (4) vehicles and available for public or private use.

**Parking Space:** A space within a building or parking lot for the parking of one (1) motor vehicle including convenient access to a public lane or street and shall be not less than 3.0 meters (9.8 ft) wide and 5.5 meters (18 ft) in length.

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

**Patio:** Any hard surface or floor structure less than 0.3 meters (1 ft) above the average ground level upon which it is constructed.

**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.

**Person:** A "person" shall apply to an individual, association, firm, partnership, corporation, trust, or agent, and their heirs, executors, or other legal representatives of a person to whom the same can apply according to the law.

**Personal Service Trades:** A building or part of a building in which persons are employed in furnishing services and administering to customer's personal and/or grooming needs, but does not include the provision of health related services.

**Places of Worship:** A building set aside by any religious organization for public worship. Typical uses include churches, chapels, mosques, temples, synagogues, and parish halls.

**Pond:** Any constructed containment of water for the purpose of landscape enhancement, keeping ornamental fish or aquatic plants, or for other similar purposes, but not a swimming pool.

**Principal Use:** The main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which is occupied or maintained.

**Public Work:** : A facility as defined under *The Planning and Development Act, 2007* including a system, work, plant, equipment, or service, whether owned or operated by the Municipality, or by a corporation under Federal or Provincial statute, that furnishes any of the following services and facilities to, or for the use of, the inhabitants of the Town of Fort Qu'Appelle:

- Communication by way of telephone lines, optical cable, microwave, and cable;
- Television services;
- Delivery of water, natural gas, and electricity;
- Public transportation by bus, rail, or other vehicle production, transmission;
- Collection and disposal of sewage, garbage, and other wastes; and
- Fire and Police Services.

**Real-Estate Signage:** Signage directly associated with the sale of a property on which it is located and which maintains a gross surface area of less than 1.0 m<sup>2</sup> (11 ft<sup>2</sup>).

## Section 2: Definitions

**Recreational Use:** The use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks and curling rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres and all similar uses, together with the necessary and accessory building and structures, though does not include the racing of animals or motorized vehicles.

**Recycling and Collection Depot (Community):** A building or structure intended to accommodate the collection, sorting, processing, 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.

**Redevelopment:** (see infill development).

**Residential Care Home:** A licensed or approved group care home governed by Provincial regulations that provide, in a residential setting, twenty-four (24) hour care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual.

**Residential Use:** The use of land, buildings, or structures for human habitation.

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

**Retail Store (Shop):** A building or part thereof, or a place, where goods, wares, merchandise,

substances, or articles are offered or kept for sale or rent, and may include servicing and the manufacture of products on site for sale on the site so long as the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

**Right-Of-Way:** The land set aside for use as a roadway or utility corridor. Right-of-ways 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 right-of-ways are left vacant after the initial roadway facility is constructed to allow for future expansion.

**Rooming House:** A building which contains a room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, with sleeping facilities but without private toilet facilities.

**RTM (Ready to Move) Home:** A new single detached dwelling constructed off-site to National Building Code or CSA-A277 standards to be moved onto a new permanent residential site building foundation.



RTM (Ready to Move) Home

**Satellite Dish:** A parabolic antenna utilized for the reception of satellite transmitted television or radio waves.

## Section 2: Definitions

**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, rages, rubber tires, discarded goods, equipment, appliances, or machinery.

**School:** An educational facility under the jurisdiction of a Board of Education, a college, university, or any other school established and maintained either wholly or partially at public expense, whether or not the same is a boarding school and includes any dormitory building accessory to such school.

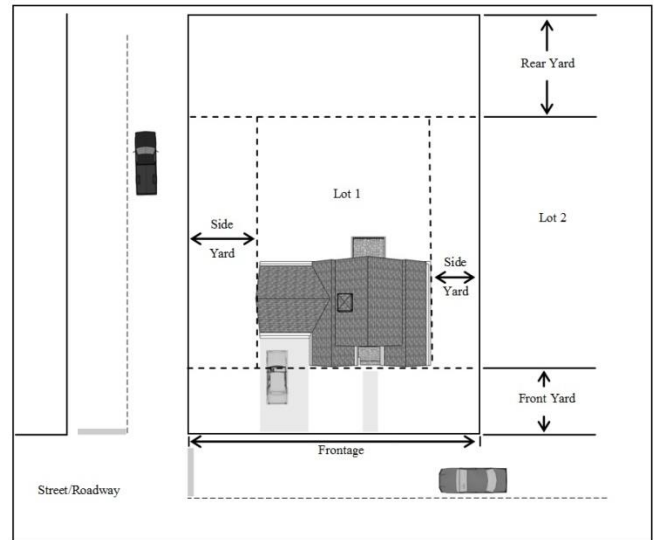
**Sea Container:** (See Shipping Container).

**Secondary Suite:** A self-contained dwelling unit which is an accessory use to, and located within, a detached building in which the principal use is a one (1) unit dwelling.

**Self-Service storage facility:** A commercial business that rents or leases storage rooms, lockers, containers, modular storage units and/or outdoor space, for businesses and individuals to store and access their goods.

**Service Station:** A site used for the retail sale of lubricating oils and gasoline, automobile accessories, and for the servicing and repairing of motor vehicles essential to the operation of a motor vehicle, but does not include an auto body or painting shop, car sales lot, or a car washing establishment.

**Setback:** The distance required to obtain the front yard, rear yard or side yard provisions of this Bylaw.



Location and measurement of setbacks

**Shipping Container:** An article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one (1) or more means of transportation and includes but is not limited to intermodal shipping containers, body of transport trailer or strait truck box but does not include a motor vehicle.

**Shopping Centre/Strip Mall:** A building or group of buildings located on the same lot or site, in which four (4) or more of the uses allowed in the Zoning District are located for their mutual benefit including the use of off-street parking and other joint facilities.

**Short-Term Stay Residential:** (See Rooming House).

**Should, Shall or May:**

- Shall is an operative word which means the action is obligatory.

## Section 2: Definitions

- 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.

**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, thoroughfare, or any other public place.

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

**Sign, Canopy:** A sign attached to, or painted on an awning, canopy or freestanding canopy.

**Sign, Fascia:** A sign fastened to, or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign and which does not project more than 0.5 meters (1.64 ft.) from such building or structure.

**Sign, Freestanding:** A sign, except a billboard, independently supported and visibly separated from a building or other structure and permanently fixed to the ground.

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

**Sign, Projecting:** A sign which is wholly or partially dependent upon a building for support and which projects more than 0.5 meters (1.64 ft.) from such building.

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

**Site:** An area of land, consisting of one or more lots consolidated under a single certificate of title, considered as a unit devoted to a certain use or occupied by a building or a permitted group of buildings, and the customary accessories and open spaces belonging to the same.

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

**Site, Corner:** A site at the intersection of two (2) or more public streets, or upon two (2) 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 Coverage:** The percentage of the site area covered by all the buildings above the ground level.

**Site Depth:** The horizontal distance between the front site and rear site lines, though 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, Through:** A site other than a corner site, having separate frontages on two (2) streets.

## Section 2: Definitions



## Section 2: Definitions

The front site line of a through site shall be determined by predetermined building lines.

**Site, Width:** 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 Zoning District in which the site is located.

**Site Line:** Any boundary of a site.

**Site Line, Front:** The line separating the site from the street; for a corner site, the shorter line abutting a street; but in the case of a corner site with two (2) street lines of equal length, the front site line shall be designated by predetermined building lines.

**Site Line, Rear:** The site line at the rear of the site, opposite the front site line.

**Site Line, Side:** A site line other than a front or rear site line.

**Site Plan:** A plan showing the location of existing and proposed buildings on a site in relationship to the site lines.

**Special Care Facility (Home):** An institutionalized nursing home, supervisory care home, sheltered care home or other facility used for the purpose of providing supervisory care, personal care, and nursing care.

**Special Needs Housing:** Multiple unit dwellings or dwelling groups operated by a non-profit corporation or public authority and used exclusively for the domestic habitation of senior citizens, disabled persons, occupants of subsidized housing, or the cohabitant spouse and children of persons noted above.

**Storey:** That portion of a building, other than an attic or basement, between the upper surface

of any floor and the upper surface of the floor next above.

**Storey, One-Half:** That portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of between 1.6 meters (5.2 ft) and 2.3 meters (7.5 ft) over a floor area which is not less than one-third nor more than two-thirds of the floor area of the story next below.

**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, community groups or local, Provincial and Federal governments.

**Street:** The whole and entire width of every highway, public road, or road allowance vested in Her Majesty in the right of the Province of Saskatchewan and shown as such on a plan of survey registered at the Information Services Corporation (ISC).

**Strip Mall (Mini Mall):** A building of not more than 604.0 m<sup>2</sup> (6501 ft<sup>2</sup>) in gross floor area in which a minimum of three (3) and a maximum of six (6) of the permitted or discretionary uses of the Zoning District are located together for their mutual benefit.

**Structural Alteration:** The construction or reconstruction of supporting elements of a building or other structure.

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

**Subdivision:** A division of land, and includes a division of a quarter section into legal

## Section 2: Definitions

subdivision as described in the regulations made pursuant to *The Land Surveys Act, 2000*.

**Swimming Pool:** Any body of water permanently located outdoors or indoors, contained by artificial means and used and maintained for the purpose of swimming, wading, or diving and having a depth of 0.61 meters (2 ft) or more at any point.

**Tavern:** 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.

**(Tele)communication Facility:** A structure situated on a non-residential site that is intended for transmitting or receiving television, radio or cellular communications, excluding those used exclusively for dispatch communications.

**Temporary Garages and Buildings:** Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material under 55 m<sup>2</sup> (592 ft<sup>2</sup>) that are used for storing of goods and are permitted for a temporary period of time.

**Tourist Campground:** An area of land, managed as a unit, providing short-term accommodation for tents, camping trailers, motor homes and campers, including accessory facilities such as administration offices and laundry facilities.

**Town:** The Town of Fort Qu'Appelle.

**Trailer (Camping), Motor Home:** Any vehicle designed, constructed or reconstructed in such a manner as will permit occupancy as a dwelling or sleeping place for one or more persons, notwithstanding that its running gear is

removed or jacked up, is used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways, and includes self-propelled and non-self-propelled vehicles.



Motor Home – Camping Trailer

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

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

**Used For:** Includes “arranged for”, “designed for”, “intended for”, “maintained for”, and “occupied for”.

**Utility Shed:** An accessory building or structure used for the storage of goods with a maximum floor area of 9.29 m<sup>2</sup> (100 ft<sup>2</sup>).

**Warehouse:** A building used for the storage and distribution of wholesale goods and materials.

**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.

## Section 2: Definitions

## Section 2: Definitions

**Waste Disposal Facility, Solid:** A facility or a temporary storage facility, to accommodate discarded materials, substances or objects which originated from residential, commercial, institutional and industrial sources which are disposed of in municipal or private landfills, but not including dangerous goods, hazardous waste or biomedical waste.

**Wind Energy Conversion System:** A system composed of a wind turbine, tower and associated control electronics with a capacity of less than 100 kW for non-residential use or 10 kW for residential use. It will be considered an accessory use and is intended to provide on-site power for a principal use.

**Wind Energy Conversion System, Private Use:** Means a system consisting of a wind turbine, tower, and associated control or conversion electronics for the purpose of providing electrical power to a lawful principal use. A system having a rated capacity of 10 kilowatts (kW) or less for residential use or 100 kW or less for non-residential uses shall be considered a private use system for the purposes of the regulations. These systems are considered accessory uses in all Zoning Districts.

**Wind Turbine:** The individual component of a Wind Energy Conversion System that converts kinetic energy from the wind into electrical energy, independent of the electrical conductors, electrical storage system, electrical metering, or electrical inverters.

**Wind Turbine, Electrical:** An individual component of a Wind Energy Conversion

System which converts kinetic wind energy to electrical energy through electric currents.

**Wind Turbine, Mechanical:** An individual component of a Wind Energy Conversion System which converts kinetic wind energy to mechanical energy through motion.

**Work Camp:** A temporary industrial or construction camp established for the purpose of providing accommodation for employees, and without restricting the generality of the above, the camp is usually made up of a number of mobile units, clustered in such a fashion as to provide sleeping, eating and other basic living facilities.

**Yard:** Open, uncovered space open to the sky on the same site with a building or structure.

**Yard, Front:** The area between the side site lines and the front site line to the front building line.

**Yard, Rear:** The area between the side site lines and the front site line to the rear building line (corner and interior).

**Yard, Required:** The minimum yard required by a provision of this Bylaw and within which, unless specifically permitted, no building or structure, or part of a building or structure shall be erected.

**Yard, Side:** The area between the front and rear yards and between the side site line and the side building line.

## Section 3: Administration and Interpretation

### 3.1 Development Officer

- 3.1.1 The Administrator of the Town of Fort Qu'Appelle shall be the Development Officer responsible for the administration of this Bylaw and in their absence by such other employee of the Municipality as the Council designates from time to time.
- 3.1.2 The Development Officer shall:
- a. Receive, record, and review Development Permit applications and issue decisions in consultation with Council, particularly those decisions involving subdivision, discretionary uses, development permit conditions, and development and servicing agreements;
  - b. Maintain, for inspection by the public during office hours, a copy of this Bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;
  - c. Make available, for public inspection during office hours, a register of all development permits and subdivision applications and decisions;
  - d. Collect development fees, according to the fee schedule established in this Bylaw or any other Development Fee Bylaw adopted by the Town;
  - e. Perform other duties as determined by Council.
- 3.1.3 The Development Officer shall be empowered to make a decision regarding a Development Permit application for a "permitted use."

### 3.2 Council

- 3.2.1 Council shall make all decisions regarding discretionary uses, development and servicing agreements, and Zoning Bylaw amendments.
- 3.2.2 Council shall make a recommendation regarding all subdivision applications circulated to it by Saskatchewan Ministry of Government Relations, prior to a decision being made by the Minister.
- 3.2.3 Council shall act on discretionary use, rezoning, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the Town of Fort Qu'Appelle Official Community Plan and the Calling Lakes District Plan.

### 3.3 Application for a Development Permit

- 3.3.1 Unless the proposed development or use is exempt from development permit requirements, before commencing any principal or accessory use development, including a public utility use, every developer shall:
- a. Complete and submit a development permit application; and
  - b. Receive a development permit for the proposed development.

- 3.3.2 A development permit shall not be issued for any use in contravention of any of the provisions of this Bylaw, the Official Community Plan and the District Plan.
- 3.3.3 Except where a particular development is specifically exempted by Section 3.4 of this Bylaw, no development or use shall commence without a development permit first being obtained.

### 3.4 Development Not Requiring a Permit

The following developments shall be exempt from development permit requirements, though shall conform to all other Bylaw requirements (e.g. building permits, setbacks, environmental and development standards):

#### 3.4.1 Residential Zoning Districts

- a. Buildings and structures under 9.0 m<sup>2</sup> (97 ft<sup>2</sup>) in area, which are accessory to a principal, residential use except where such dwelling is a discretionary use;
- b. The erection of any television, antennae, or radio antennae;
- c. The erection of any fence, wall, gate under 1.8 meters (6 ft) in height;
- d. Relocation of any residential or accessory building provided development standards are still met on the site.

#### 3.4.2 Commercial Zoning Districts

- a. The erection of any fence, wall, gate under 1.8 meters (6 ft) in height;
- b. 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.

#### 3.4.3 Official Uses

Uses and buildings undertaken, erected, or operated by the Town of Fort Qu'Appelle.

#### 3.4.4 Internal Alterations

##### Residential Buildings

- a. 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.

##### All Other Buildings

- b. 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.

#### 3.4.5 Landscaping

- a. Landscaped areas, driveways and parking lots, provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted.

### 3.5 Interpretation

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

- b. All Bylaw requirements shall be based on the stated metric units. The imperial units shown on this Bylaw shall be approximate guidelines only.

### **3.6 Comprehensive Development Review**

- 3.6.1 A Comprehensive Development Review may be completed prior to consideration of an application by Council by any person proposing to rezone land for multi-parcel residential, commercial, or industrial purposes. The purpose of this review is to identify and address social, environmental, health and economic issues and to encourage the development of high quality residential, recreational, commercial and industrial developments. The scope and required detail of the Comprehensive Development Review will be based on scale and location of the proposed development, and address such areas as the following:
  - 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)
- 3.6.2 The Comprehensive Development Review must be prepared in accordance with the overall goals and objectives of the Town of Fort Qu'Appelle Official Community Plan and the Calling Lakes District Plan. Council shall not consider any development application until all required information has been received. The responsibility for undertaking all technical investigations as required and hosting public open-house meetings for the developer to share information regarding the development shall be borne solely by the applicant.

### **3.7 Development Permit Procedure**

Where an application for a development permit is made for a permitted use in conformity with this Bylaw, *The Planning and Development Act, 2007*, and all other Town Bylaws, the Council shall hereby direct the Development Officer to issue a development permit.

As soon as an application has been made for a development permit and prior to making a decision, the Development Officer may refer the application to whichever government agencies, the Calling Lakes Planning District Commission, or interested groups, Council may consider appropriate. The Development Officer may also 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.

### **3.7.1 Discretionary Use Application**

- a. Where an application for development permit is made for a discretionary use, the Development Officer shall advise the Council as soon as practicable;
- b. As soon as practicable after Council is advised that an application has been made for a development permit for a discretionary use, Council shall consider the application. Prior to making a decision, Council may refer the application to whichever Government Agencies, the Calling Lakes Planning District Commission, 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;
- c. 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.

### **3.7.2 Development Permit Advertisement and Public Notice for Discretionary Uses**

- a. The Development Officer shall 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 and each assessed owner of property within a 75.0 meter (246 ft) radius of the proposed development;
- b. The Development Officer shall publish a notice of the application in accordance with the provisions of *The Planning and Development Act, 2007*, whereby the applicant shall pay to the Municipality a fee equal to the costs associated with the public advertisement.

### **3.7.3 Development Permit Decision**

- a. The applicant shall be notified in writing of the decision of their application within 30 days of all required information being submitted to the Development Officer. The applicant shall be advised of their right to appeal a decision on a permitted use application and any term and conditions attached to a discretionary use application to the Development Appeals Board subject to the provisions of *The Planning and Development Act, 2007*;
- b. 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.

## **3.8 Development Permit: Validity**

- 3.8.1 A development permit is valid for a period of twelve (12) months unless otherwise stipulated when the permit is issued.

## **3.9 Development Permit Application Fees**

- 3.9.1 An applicant seeking the approval of a development permit application shall pay the required fees as set out in a separate Development Fee Bylaw of the Town.

- 3.9.2 There shall be no development permit application fee for accessory buildings to a residential use, sign permits, licenses for home occupations or other forms of businesses licenses.
- 3.9.3 An applicant seeking a discretionary use approval shall pay the required fee as set out in the separate Development Fee Bylaw of the Town.

### **3.10 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 permitted by *The Planning and Development Act, 2007*. Council also may require the applicant to pay all costs incurred in a professional review of the application carrying out a public hearing.

### **3.11 Concurrent Processing of Development Permits, Building Permits and Business Licenses**

A building permit, where required, shall not be issued unless a development permit has been issued, or is issued concurrently. Nothing in this Bylaw shall exempt any person from complying with a Building Bylaw, or any other Bylaw in force within the Municipality, or from obtaining any permission required by this, or any other Bylaw of the Municipality, the Province, or the Federal Government.

### **3.12 Referral under the Public Health Act**

The Development Officer shall make available, in addition to plumbing permits and plan information, a copy of all approved development permit applications involving installations of water and sanitary services, should such information be requested by Provincial officials under *The Public Health Act and Regulations*. The developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for that development acceptable to Council that meets *The Public Health Act and Regulations* requirements.

### **3.13 Development Appeals Board**

- 3.13.1 Council shall appoint a Development Appeals Board consisting of three (3) members, to hear and determine appeals in accordance with Section 213 to 227 inclusive of *The Planning and Development Act, 2007*. The Town also has the option to enter into a District Development Appeals Board through the Calling Lakes District Planning Commission.
- 3.13.2 Right of Appeal
- a. In addition to any other right of appeal provided by *The Planning and Development Act, 2007*, and any other Act, a person affected may appeal to the Board if there is:
    - i. Alleged misapplication of the Zoning Bylaw in the issuance of a development permit;
    - ii. A refusal to issue a development permit because it would contravene the Zoning Bylaw;
    - iii. An issuance of a written order from the Development Officer.
  - b. There is no appeal pursuant to 3.13.2.a.ii if a development permit was refused on the basis that the use in the Zoning District for which the development permit was sought:



- i. Is not a permitted use or a permitted intensity of use;
  - ii. Is a discretionary use or discretionary use of intensity that has not been approved by resolution by Council; or
  - iii. Is a prohibited use.
- c. Appellants 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;
- d. An appellant shall make the appeal pursuant to 3.13.2.a within 30 days after the date of the decision;
- e. The Development Officer shall make available to all interested persons copies of the provisions of *The Planning and Development Act, 2007*, respecting decisions of the Development Officer and right of appeal.

### 3.14 Minor Variances

- 3.14.1 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.
- 3.14.2 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. Refuse the minor variance.
- 3.14.3 Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Bylaw.
- 3.14.4 Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing the reasons for refusal.
- 3.14.5 Where a minor variance is approved, with or without terms, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.

### Section 3: Administration and Interpretation

- 3.14.6 A decision to approve a minor variance, with or without terms and conditions, does not take effect:
- In the case of a notice sent by regular mail, until 23 days from the date the notice was mailed;
  - In the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.
- 3.14.7 If an assessed owner of a property having an adjoining property with the applicant's land objects to the minor variance in writing to the Development Officer within the prescribed 20 day time period, the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:
- Of the revocation of the approval; and
  - Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving notice.
- 3.14.8 If an application for a minor variance is refused or approved with terms or conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.
- 3.14.9 The Development Officer shall maintain a record of all minor variance applications.

### 3.15 Non-Conforming Buildings, Uses and Sites

- 3.15.1 Any use of land or any building or structure lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with the provisions of Section 88 to 93 inclusive of *The Planning and Development Act, 2007*.
- 3.15.2 No enlargement, additions, or reconstruction of a non-conforming use, building or structure shall be undertaken, except in conformance with these provisions.
- 3.15.3 No existing use, building or structure shall be deemed to be nonconforming by reason only of the conversion of this Bylaw from the Metric System of Measurement to the Imperial System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.
- 3.15.4 Where a building has been erected on or before the effective date of this Bylaw on a site having less than the minimum dimensions or area, or having less than the minimum yards required by this Bylaw, the use may be continued and the building may be enlarged, reconstructed, repaired or renovated pursuant to the rights granted by Section 91 to 93 of *The Planning and Development Act, 2007*. These rights are subject to the following:
- The enlargement, reconstruction, repair or renovation does not further reduce the required yards that do not conform to this Bylaw;

- b. All other applicable provisions of this Bylaw are satisfied; and
- c. Issuance of a development permit required by this Bylaw.

### **3.16 Development Permit – Invalid**

A development permit shall be automatically invalid and development shall cease, as the case may be:

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

### **3.17 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.

### **3.18 Stop-Work**

- 3.18.1 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 register an interest with ISC under this Bylaw.
- 3.18.2 Where the Development Officer determines that a development is being carried out in contravention of any condition of a development permit or any provision of this Bylaw, the Development Officer shall suspend or revoke the development permit and notify the permit holder that the permit is no longer in force.
- 3.18.3 Where the Council is satisfied that a development, the permit for which has been suspended or revoked, will be carried out in conformity with the conditions of the Permit and the requirements of this Bylaw, the Council may reinstate the development permit and notify the permit holder that the permit is valid and in force.

### **3.19 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.

### **3.20 Registering Interests**

3.20.1 As per Section 175 of *The Planning and Development Act, 2007* the Municipality may register an interest based on a development levy agreement or servicing agreement in the land registry against the affected title.

3.20.2 On registration of an interest based on a development levy agreement or servicing agreement, the rights and privileges in the development levy agreement:

- a. Enure to the benefit of the Municipality; and
- b. Run with the land and are binding on the registered owner of the land, the registered owner's heirs, executors, administrators, successor, and assigns.

### **3.21 Moving of Buildings**

No building shall be moved within or into or out of the area covered by this Bylaw without obtaining a Development Permit from the Development Officer, unless such building is exempt under Section 3.4 of this Bylaw.

### **3.22 Temporary Development Permits**

The Development Officer may issue a temporary development permit, with specified conditions for a specified period of time, to accommodate developments incidental to approved construction, temporary accommodation, oil and gas sector activities, temporary gravel operations or asphalt plants. Nothing in this Bylaw shall prevent the use of land, or erection or use of any building or structure for a construction camp, work camp, tool shed, scaffold, or other building or structure incidental to and necessary for construction work on the premises, but only for so long as such use, building, or structure is necessary for such construction work as has not been finished or abandoned.

### **3.23 Development Levy Agreements**

3.23.1 Council may pass a development levy bylaw pursuant to Section 169 to 170 of *The Planning and Development Act, 2007*, to establish development levies to recover the capital costs of services and facilities.

3.23.2 As per Section 171 of *The Planning and Development Act, 2007*, if the Council deems it is necessary to do so, the Council or Development Officer may require the development permit applicant to enter into a development levy agreement with the Municipality respecting the payment of the development levies.

### 3.24 Servicing Agreements

- 3.24.1 Where a development proposal involves subdivision, Council may require a developer to enter into a Servicing Agreement to ensure appropriate servicing pursuant to *The Planning and Development Act, 2007*. Council may direct the Development Officer to vary the agreement on a case-by-case basis, or not require it.
- 3.24.2 In accordance with Section 172 to 176 inclusive, *The Planning and Development Act, 2007*, the agreement may provide for:
- a. The undertaking and installation of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, graded, gravelled or paved streets and lanes, connections to existing services, area grading and levelling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities, or other works that Council may require, including both on-site and off-site servicing;
  - b. The payment of fees that the Council may establish in whole or in part, for the capital costs of providing, altering, expanding or upgrading sewage, water, drainage and other utility services, public highway facilities or park and recreation space and facilities located within or outside the proposed subdivision and that directly or indirectly serve the proposed subdivision.

## Section 4: General Regulations

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

### 4.1 Licenses, Permits and Compliance with Other Bylaws and Legislation

In their interpretation and application, the provisions of this Bylaw shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and general welfare. Nothing in this Bylaw shall exempt any person from complying with the requirements of a building regulation bylaw or any other bylaw in force within the Town of Fort Qu'Appelle or law within the Province of Saskatchewan or Canada; or from obtaining any license, permission, permit, authority, or approval required by this or any other Bylaw of the Town of Fort Qu'Appelle or any law of the Province of Saskatchewan or Canada. Where requirements in this Bylaw conflict with those of any other municipal, Provincial, or Federal requirements, the Provincial and Federal regulations shall prevail.

### 4.2 Principal Use Established

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.

### 4.3 Multiple Uses

Notwithstanding anything contained in this Bylaw, where any land, building, or structure is used for more than one purpose, all provisions of this Bylaw relating to each use shall be complied with, though no dwelling shall be located within 3.0 meters (10 ft) of any other building on the site except to a building accessory to such dwelling.

### 4.4 Uses Permitted in all Zoning Districts

- 4.4.1 Nothing in this Bylaw shall prevent the use of any land as a public street or public park.
- 4.4.2 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.
- 4.4.3 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.

### 4.5 Number of Principal Buildings on a Site

- 4.5.1 Only one principal building shall be permitted on any one site except for the following:
  - a. Parks;
  - b. Schools;
  - c. Hospitals;
  - d. Health care clinics;
  - e. Recreation facilities;
  - f. Special care homes;

- g. Senior citizen homes;
- h. Approved dwelling groups and condominium developments;
- i. Shopping centres;
- j. Mobile homes in mobile home courts.

4.5.2 Multiple unit residential buildings (e.g. duplex, fourplex) are considered to be one principal building under this Bylaw, and all other uses and buildings on the site must be accessory.

#### **4.6 Accessory Buildings, Uses and Structures**

4.6.1 Subject to all other requirements of this Bylaw, an accessory building, use or structure is permitted in any Zoning District when accessory to an established principal use which is permitted or discretionary use in that same Zoning District and for which a development permit has been issued.

4.6.2 Accessory buildings shall not be located in a required front yard.

4.6.3 No accessory building may be constructed, erected or moved on to any site prior to the time of construction of the principal building to which it is accessory.

4.6.4 Where a building on a site is attached to a principal building by a solid roof or by structural rafters, and where the solid roof or rafters extend at least one third of the length of the building wall that is common with the principal building, the building is deemed to be part of the principal building.

4.6.5 No accessory building or structure shall exceed the height of the principal building and in no case shall such accessory building or structure exceed the height limits provided for accessory buildings or structures in the Zoning District in which it is located.

#### **4.7 Front Yard Reduction**

Notwithstanding the minimum depth of front 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 yard depth, the front yard required on the said site may be reduced to an average of two established front yards on the adjacent sites, but not be less than 4.5 meters (15 ft) in a Residential District unless otherwise permitted in this Bylaw.

#### **4.8 Frontage for Irregular Sites**

Where the site frontage is along a cul-de-sac, curve or is irregular, the minimum site frontage shall be 11.0 meters (36 ft) and the mean site width shall not be less than the minimum frontage for regular sites in the same Zoning District.

## **4.9 Permitted Yard Encroachments**

4.9.1 Where minimum front, side or rear yards are required in any Zoning District, the following yard encroachments shall be permitted:

- a. Uncovered and open balconies, terraces, verandas, decks, and patios having a maximum projection from the main wall of 1.8 meters (6 ft) into any required front or rear yard;
- b. Window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 meters (2 ft) into any required yard but not closer to a lot line than 0.15 meters (0.5 ft).

## **4.10 Grading and Leveling of Sites**

4.10.1 Every development shall be graded and leveled at the developer's expense to provide for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land.

- a. All excavations or filling shall be re-vegetated immediately after other construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion;
- b. All vegetation and debris in an area to be re-graded or filled must be removed from the site prior to site grading and leveling;
- c. 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.

## **4.11 Height of Buildings and Structures**

Where a maximum height of buildings is specified in any Zoning District, the maximum height shall be measured from average grade level to the highest point on the building exclusive of any chimney, spires, belfries, cupolas, television antenna, solar collectors, or other appurtenances usually required to be placed above the roof level, and not intended for human occupancy.

## **4.12 Heritage Properties**

Provincial and Municipal heritage properties, subject to preservation agreements, are subject to development review processes as defined by *The Heritage Property Act*. Provincial designations are afforded special protection, and any alterations and development must be reviewed and approved by the Heritage Programs of the Province of Saskatchewan.

## **4.13 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 or negatively impact the heritage value of the site.

## **4.14 Buffer Strips**

4.14.1 Buffer strips are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitating natural drainage. Buffer strips



may be required to separate uses from adjacent properties may be required a minimum 1.0 meter (3 ft) vegetative landscape buffer, unless a fence is required for other reasons.

#### **4.15 Closures**

In the event a dedicated street or lane shown on the Zoning District Map forming part of this Bylaw is closed, the property formerly in such street or lane shall be included within the Zoning District of the adjoining property on either side of such closed street or lane. If a closed street or lane is the boundary between two or more different Zoning Districts, the new Zoning District boundaries shall be the former centre line of the closed street or lane.

#### **4.16 Railway Crossings and Sight Distances**

Notwithstanding anything contained in this Bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within 46.0 meters (151 ft) of the point of intersection of the centre line of both the railway and the street.

#### **4.17 Bareland Condominium Developments**

- 4.17.1 Bareland condominium developments shall comply with the minimum site area, coverage, width, height and yard setbacks as stated in the residential zoning districts.
- 4.17.2 One primary dwelling unit is permitted per Bareland condominium lot. No individual detached accessory buildings are permitted.
- 4.17.3 Private open space and one (1) accessory building for joint recreational or storage use by residents of the Bareland condominium development shall be permitted, subject to all yard setback requirements of the Residential Zoning District in which it is located.

#### **4.18 Satellite Dishes**

- 4.18.1 Satellite dishes in excess of 0.5 meters (1.6 ft) in diameter shall not be located in any front yard, side yard and shall not be permitted to be erected on the roof of any principal building that is located within a Residential Zoning District is less than three (3) stories in height.
- 4.18.2 Satellite dishes located in Residential Zoning Districts, which exceed 0.5 meters (1.6 ft) in diameter shall only be erected on the roof of any accessory building if said accessory building is located entirely within a rear yard.
- 4.18.3 Satellite dishes may be erected in Commercial or Industrial Zoning Districts for communications purposes or re-broadcasting of television signals and subsection 4.18.1 shall not apply.

#### **4.19 Private Garages, Sunrooms, Solariums, and Greenhouses**

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

## **4.20 Trailers, Box Cars, Sea and Rail Containers**

One (1) unlicensed rail or sea container, truck, bus or coach body may be parked or stored on a site for the purpose of advertising or warehousing at the discretion of Council.

## **4.21 Swimming Pools**

4.21.1 Notwithstanding anything contained in this Bylaw, a swimming pool is permitted as an accessory use to permitted uses in any Residential Zoning District or a motel (motor hotel) in a Highway Commercial District, to be located in the side yard or rear yard of any lot if:

- a. No part of such pool is located closer to any lot or street line than the minimum distance required for the principal building located on such lot;
- b. The maximum height of such pool is 1.2 meters (4 ft) above the average finished grade level of the ground adjoining the pool and to within 4.5 meters (15 ft) of such pool;
- c. Every swimming pool shall be enclosed by a non-climbable fence of at least 1.8 meters (6 ft) in height and not more than 10 cm from the ground, and located at a distance of not less than 1.5 meters (5 ft) from the pool; and
- d. Any deck attached to or abutting a swimming pool shall be considered as part of the swimming pool.

4.21.2 Any building or structure, other than a dwelling, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, complies with the provisions in the applicable Zoning Districts in Section 6 of this Bylaw, respecting accessory buildings.

## **4.22 Disposal of Wastes**

4.22.1 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.

4.22.2 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 Water Security Agency. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by Saskatchewan Agriculture, Saskatchewan Environment, Saskatchewan Health and the Water Security Agency.

## **4.23 Solid and Liquid Waste Disposal Facilities**

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

- a. The facility will be located as near as practical to the source of waste;
- b. The facility will have undergone satisfactory review as required by Provincial Authorities for environmental assessment and operational design;

## Section 4: General Regulations

- c. The facilities will be located at least 457 meters (1499 ft) for liquid waste and for solid waste from any residence or recreational use;
- d. The development of any new disposal sites shall take into consideration seasonal winds;
- e. Adequate precautions shall be taken to prevent pollution of ground water by disposal operations;
- f. Solid waste disposal facilities shall be located in proximity to an all-weather road; and
- g. Council may apply special standards for screening, fencing and reclamation of the site.

### 4.24 Lighting

- 4.24.1 All outdoor lighting for any development shall be located and arranged so that direct rays of light are not directed at any adjoining properties, interfere with the use and enjoyment of neighbouring lands, or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.
- 4.24.2 Appropriate lighting of commercial and industrial development shall be undertaken to provide security and to add visual interest. Lighting standards and fixtures shall be of consistent design and complimentary to the overall architecture.
- 4.24.3 Public access areas shall be lit in keeping with the principles of Crime Prevention Through Environmental Design (CPTED) and require site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent buildings and roads of parking and walkways.

### 4.25 Signage

- 4.25.1 A development permit is required for the erection, display, alteration, relocation or replacement of any temporary or permanent sign unless exempted as follows:
  - a. Regular maintenance including painting and repairs due to deterioration;
  - b. Municipal and Provincial agency signage;
  - c. Traffic control signage;
  - d. Incidental signs containing traffic and pedestrian controls;
  - e. Signage intended to regulate hunting or trespassing on private property;
  - f. Real estate signage;
  - g. Residential name plates;
  - h. Works of art containing no advertising.

#### 4.25.2 General Signage Requirements

Specific sign regulations are provided in each Zoning District which shall apply in addition to, and take precedence over the General Sign Regulations.

- a. A sign which is made from part of or is attached to a fence is prohibited;
- b. Signs which are deemed to be in disrepair shall be properly maintained or removed at the discretion of the Development Officer;
- c. A Development Officer may require that a sign be enhanced with landscaping or architectural features to improve aesthetics;

- d. Offensive statements, words or pictures that do not conform to the amenities of the neighbourhood shall be prohibited;
- e. Signs identifying multi-parcel country residential developments may be permitted;
- f. Incidental signage shall not exceed 0.5 m<sup>2</sup> (5 ft<sup>2</sup>) of gross surface area and shall not contain any advertising;
- g. No permanent sign shall be placed on or over public property unless specifically permitted within this Bylaw;
- h. All private signs shall be located so that the safety of the public is not jeopardized;
- i. Sign shall be constructed in a permanent manner, of materials suitable for the purpose and life of the sign and shall be maintained and mounted in a condition that is safe, neat, clean and not unsightly or dangerous;
- j. Signs or sign structures shall not be located where they may interfere with, distract from, obstruct the view of, or be confused with any authorized traffic sign, signal or device;
- k. Signs shall not be located in such a manner as to impede the view of any pedestrian or vehicular right of way or railway crossing;
- l. Illuminated signs shall have an internal light source or an external light source shielded so that the light casts downward to the face of the sign and the sign shall be located appropriately to prevent the creation of hazardous situation related to pedestrian and vehicular traffic;
- m. Freestanding electronic message signs which advertise off-site products and services may be located on fairgrounds and on other lands in the FUD District subject to the following:
  - i. No more than one (1) electronic variable message sign is permitted per site;
  - ii. The sign may not locate within 90.0 meters (295 ft) of any Residential Zoning District, the height may not exceed 15.0 meters (49 ft) and the size of any single face area must not exceed 38 m<sup>2</sup> (409 ft<sup>2</sup>).

#### **4.25.3 Highway Corridor**

- a. Where a sign will be located adjacent to a Provincial highway, *The Highways and Transportation Act* will govern placement requirements.
- b. Billboard and other off-site advertising signs are prohibited, except in a highway sign corridor.

#### **4.25.4 Temporary Signage**

Temporary signs may be placed in public right-of-ways for the purpose of advertising special events and will be limited to the following:

- a. Temporary signs not exceeding 3.0 m<sup>2</sup> (32 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted;
- b. The lesser of twelve (12) hours prior to the start of the special event and twelve (12) hours after conclusion or for a continuous period of seventy two (72) hours for a private sale;

#### Section 4: General Regulations

- c. The lesser of twenty four (24) hours prior to the start of the special event and Twenty four (24) after conclusion or for a continuous period of ninety six (96) hours for non-profit organizations;
- d. Signage will maintain a separation distance of 10.0 meters (33 ft) from another temporary or permanent sign, 3.0 meters (10 ft) from a site access point and 10.0 meters (33 ft) in an intersection;
- e. Signage shall not exceed  $1.0 \text{ m}^2$  (11  $\text{ft}^2$ ) in gross surface area and 1.2 m (4 ft) in height;
- f. Election signage is permitted as temporary signage and is permitted only if it is erected no earlier than thirty (30) days prior to the date of the election, by-election, referendum or plebiscite and removed 24 hours following the close of voting stations.

## Section 5: Development Standards for Discretionary Uses

This section addresses special provision and specific development standards that apply to the following developments. These standards apply in addition to any standards of the Zoning District.

In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:

- a. Site drainage of storm water;
- b. The location of building with respect to buildings on adjacent properties;
- c. Access to, number and location of parking and loading facilities;
- d. Appropriate space for vehicle movement in order to reduce disruption of traffic flows on adjacent roadways;
- e. Control of noise, glare, dust and odour;
- f. Landscaping, screening and fencing to buffer adjacent properties.

### 5.1 General Development Standards

- 5.1.1 Sites shall be landscaped to maintain the character and amenity of the neighbourhood.
- 5.1.2 Adequate onsite parking shall be provided and maintained.
- 5.1.3 Parking, storage and other non-landscaped areas shall be suitably screened from adjacent properties and streets.
- 5.1.4 Adequate receptacles for refuse and litter shall be supplied.
- 5.1.5 No objectionable sound, light, glare, heat, dust, or other emission shall be transmitted beyond the lot lines unless specifically permitted as a condition of a development permit.
- 5.1.6 Vehicle access and egress points shall be provided in suitable locations so as to minimize traffic congestion and possible hazards.

### 5.2 Home Occupations

- 5.2.1 Home Occupations (Home-Based Businesses) are subject to the following conditions:
  - a. Home-based occupations and businesses will be accommodated provided that they are clearly secondary to the principal residential use of the dwelling unit, compatible with the surrounding residential area, and not of a size that provide services or products that would detrimentally affect the viability of the neighbourhood;
  - b. One home occupation shall be allowed per dwelling unit. Home occupations shall be conducted entirely within the dwelling or accessory building;
  - c. One advertising display sign shall be allowed on the site or premise from which the home occupation is conducted. No LED or neon signs shall be allowed;

- d. There shall be no exterior display or storage of any merchandise or material relating to the home occupation;
- e. No equipment or process used in the home occupation shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable at or beyond the property lines of the lot where the home occupation or business is located;
- f. Up to two (2) persons other than a resident of the dwelling unit may be engaged in any home occupation as an employee or a volunteer;
- g. Parking: The home occupation shall not cause or add to on-street parking congestion or cause an increase in traffic through residential zones;
  - i. No more than one business vehicle, for which off-street parking is provided, shall be operated in connection with the home occupation;
  - ii. Parking of vehicles of employees hired for off-site jobs shall not be allowed at or in the vicinity of the dwelling unit.
- h. Home occupations are subject to the condition that the permit may be revoked at any time if, in the opinion of Council, the use is or has become detrimental to the amenities of adjoining properties and the neighbourhood.

### 5.3 Secondary Suites

5.3.1 Secondary Suites are subject to the following conditions:

- a. Secondary suites may be constructed within a principal, single detached dwelling in a residential zone. Only one secondary suite is permitted on each residential site;
- b. Secondary suites must be located within the principal dwelling and must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building. Secondary suites must contain cooking, eating, living, sleeping, and sanitary facilities;
- c. Secondary suites may not exceed 60 m<sup>2</sup> (646 ft<sup>2</sup>) or 35% of the total floor space, including basements, and may not have more than two bedrooms.

### 5.4 Garden (Granny) Suites

5.4.1 A single Garden Suite may be placed in the back yard of a single-detached residential development under the following conditions:

- a. There is no secondary suite in the primary residence;
- b. The garden suite dwelling unit is a temporary use and shall be permitted for a five-year term, which may be renewed at Council's discretion. The landowner shall enter into an agreement that the land shall not be considered for subdivision;
- c. The owner(s) of the host residence must live on the site, and at least one resident of the primary dwelling and one resident of the garden suite shall be related by blood, marriage, or legal adoption;
- d. Except for infant children (up to two years of age) of a resident of the garden suite dwelling, there shall be no more than two residents;

- e. The occupant(s) of the garden suite should be able to benefit from the informal care and support of relatives in the primary residence, or provide care and support to family in the primary residence;
- f. The floor area of the garden suite dwelling shall not be less than 35 m<sup>2</sup> (377 ft<sup>2</sup>) and not greater than 90 m<sup>2</sup> (969 ft<sup>2</sup>). The garden suite shall not be located on a permanent foundation to allow the structure to be removed from the property when it is no longer required by a relative of the permanent resident;
- g. The maximum height of the garden suite shall not exceed 5.0 meters (16 ft) from grade level and shall have only one story;
- h. Garden suite dwellings shall only be located on sites where the dwelling can be serviced by existing utilities and can be hooked up to the services of the host residence;
- i. Residents of the garden suite must have access to the rear yard amenities;
- j. The combined site coverage of the single detached dwelling and garden suite dwelling shall not exceed the maximum coverage permitted by this Zoning Bylaw, and the accessory dwelling shall be placed so that all other setback requirement of the Zoning Bylaw are met;
- k. A parking space shall be provided on site for the resident(s) of the garden suite dwelling;
- l. There shall be direct and separate access to the garden suite dwelling by on-site driveway, or by public roadway or alley.

## 5.5 Modular Homes

### 5.5.1 Modular Homes are subject to the following conditions:

- a. All modular homes shall be placed on a permanent foundation at a standard comparable to a single detached dwelling.
  - i. All modular homes shall be multi-modular, with the width approximately equivalent to the length;
  - ii. All modular homes shall complement adjacent and nearby dwellings.
- b. Modular homes shall be permanently connected to water and sewer services provided by the Municipality and permanently connected to other public utilities as available;
- c. All other requirements of this Bylaw apply.

## 5.6 Bed and Breakfast Homes

### 5.6.1 Bed and Breakfast Homes are subject to the following conditions:

- a. A bed and breakfast home may be located in a detached one unit dwelling or in a semi-detached dwelling. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building or property;
- b. Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence and shall be licensed by the Ministry of Health;
- c. Required parking spaces may be permitted in a required front yard;
- d. One advertising display sign located on the site or premise advertising the bed and breakfast home is permitted. The facial area of a sign shall not exceed 0.5 m<sup>2</sup> (5 ft<sup>2</sup>).



## **5.7 Child Day Care Centres and Pre-Schools**

5.7.1 Child Day Care Centres and Pre-Schools are subject to the following conditions:

- a. Child day care centres and pre-schools may be approved as an accessory use or as a principal use in their respective Zoning District;
- b. In any Residential District, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property;
- c. Outdoor play areas shall comply with the *Child Care Act, 2000*.

## **5.8 Adult Day Care Centres**

5.8.1 Adult Day Care Centres are subject to the following conditions:

- a. Adult day care centres may be approved as an accessory use or as a principal use;
- b. In any Residential Zoning District, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.

## **5.9 Residential Care Homes**

5.9.1 Residential Care Homes are subject to the following conditions:

- a. Residential care homes may be approved as an accessory use or as a principal use in their respective Zoning District;
- b. In any Residential Zoning District, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property;
- c. No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.

## **5.10 Campgrounds**

5.10.1 Campgrounds are subject to the following conditions:

- a. 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;
- b. A campground shall have within its boundaries, a buffer area abutting the boundary of not less than 4.5 meters (15 ft) which shall contain no buildings;
- c. The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 m<sup>2</sup> (1615 ft<sup>2</sup>) in area with its corners clearly marked;
- d. One permanent sign located on site advertising the campground is permitted per site;
  - i. The facial area of a sign shall not exceed 0.5 m<sup>2</sup> (5 ft<sup>2</sup>);
  - ii. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;

- iii. Temporary signs not exceeding 1.0 m<sup>2</sup> (11 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.
- e. No portion of any campsite shall be located within a roadway or required buffer area.
- f. Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area. 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;
- g. Each trailer coach shall be located at least 3.0 meters (10 ft) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches;
- h. 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;
- i. *The Public Health Act* shall be complied with in respect to all operations and development of the campground.

### 5.11 Above Ground Fuel Storage Tanks

#### 5.11.1 Above Ground Fuel Storage Tanks are subject to the following conditions:

- a. Above ground fuel storage tanks which meet the standards of the National Fire Code and which have a maximum capacity of 50,000 litres may be permitted in association with service stations, gas bars, and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use;
- b. The total storage capacity for above ground fuel storage tanks on any single service station or gas bar site shall not exceed:
  - i. 150,000 litres for flammable liquids (gasoline);
  - ii. 100,000 litres for combustible liquids (diesel fuel); and
  - iii. 100,000 litres of propane.
- c. Above ground fuel storage tanks shall be:
  - i. For uses other than service stations and gas bars, located at least 3.0 meters (10 ft) from any property line or building, the 3.0 meters separation distance may be reduced to 1.0 meter (3 ft) for tanks with a capacity of 5,000 litres or less;
  - ii. For service stations and gas bars, located at least 6.0 meters (20 ft) from any property line or building;
  - iii. Separated from each other and be accessible for firefighting purposes to the satisfaction of the Development Officer; and
  - iv. At least 15 meters (49 ft) from the boundary of any site within a Residential Zoning District.
- d. For uses other than services stations and gas bars, the dispensing equipment associated with above ground fuel storage tanks shall be located at least 3.0 meters (10 ft) from any property line, at least 7.5 meters (25 ft) from any open flame or other ignition source, and at least 4.5 meters (15 ft) from any door or window;
- e. For service stations and gas bars, the dispensing equipment associated with above-ground fuel storage tanks shall be located at least 6.0 meters from any property line, at least 7.5 meters (25 ft) from any open flame or other ignition source, and at least 4.5 meters (15 ft) from any door or window;

- f. Above ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means;
- g. At service stations and gas bars, above ground fuel storage tanks which are located in view of a front or flanking street shall be landscaped or screened to the satisfaction of the Development Officer;
- h. The maximum height of an above ground fuel storage tank shall be limited to the maximum permitted height of a free-standing sign in the Zoning District;
- i. Painted lettering or other forms of signage may be located on above ground fuel storage tanks subject to the sign regulations in the Zoning District.

## 5.12 Wind Energy Facilities

### 5.12.1 Wind energy facilities are subject to the following conditions:

- a. All buildings and structures shall be set back at least 90.0 meters (295 ft) from an intersection of any Municipal road allowance, or Provincial highway or such greater distance as required by the Department of Highways;
- b. The setback related to Municipal road allowances and the wind energy generator (turbine) shall be no less than the length of the blade plus 10.0 meters (33 ft);
- c. The minimum site size for the allowance of any wind energy facility shall be 2.0 hectares (5 acres);
- d. The setback from the property line of a non-participating landowner to a wind energy generator (turbine) shall be no less than the length of the blade plus 10.0 meters (33 ft), or a minimum of 38.0 meters (125 ft), unless otherwise agreed to by the landowner, developer and the Municipality;
- e. The separation distance from a wind energy generator (turbine) to a Residential Acreage or residential subdivision shall be a minimum distance of 550 meters (1804 ft);
- f. The maximum total tower height shall be:
  - i. 6.0 meters (20 ft) above grade level in a Residential Acreage or Industrial Zoning District and the maximum noise standard shall not exceed 40 decibels;
  - ii. 45.0 meters (148 ft) above grade level in the Community Service or Future Urban Developmental Zoning District.
- g. Approaches for access roads to the wind energy facilities must be perpendicular to established road allowances;
- h. All infrastructure, roads and accesses required to facilitate the implementation of the wind energy facilities shall be proposed by the developer as part of the Development Permit application;
- i. Any proposed development within a municipal road allowance, i.e. underground lines or overhead poles/lines, must be proposed by the developer as part of the Development Permit application and adhere to the Town road crossing policy;
- j. The developer is required to enter into a road use agreement with the Municipality for the construction period to ensure roads are maintained in condition agreeable by both parties;
- k. The wind energy generator (turbine) shall have no restrictions on colour or height;

## Section 5: Development Standards for Discretionary Uses

- l. Substations are required to be fenced. All wind energy facilities shall be enclosed within a locked protective chain link fence of a minimum height of 1.85 meters (6 ft) and the design shall be included in the Development Permit application;
- m. Development and Building Permit applications for a wind energy facilities shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety via a Saskatchewan Professional Engineer;
- n. Sites having potentially dangerous or hazardous developments shall have visible signs stating any potential dangers. No hazardous waste shall be stored on the site;
- o. Council, at its discretion, may seek approval of this development from both internal and external referral agencies.

## Section 6: Zoning Districts and Zoning Maps

### 6.1 Zoning Districts

For the purposes of this Bylaw, the Town of Fort Qu'Appelle is divided into several Zoning District that may be referred to by the appropriate symbols. The uses or forms of development allowed within a Zoning District, along with regulations or standards which apply, are provided in the District schedules in this Section.

<b>R1</b>	Residential	<b>C1</b>	Town Centre Commercial
<b>R2</b>	Multiple Dwelling Residential	<b>C2</b>	Highway Commercial
<b>R3</b>	Larger Lot Low Density Residential District	<b>IND</b>	General Industrial
<b>RMH</b>	Mobile Home	<b>CS</b>	Community Service
<b>RA</b>	Country Residential Acreages	<b>FUD</b>	Future Urban Development
<b>MX</b>	Mixed Use	<b>ES</b>	Environmentally Sensitive Lands Overlay

### 6.2 The Zoning District Map

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 25-2014 adopted by the Town of Fort Qu'Appelle, signed by the Mayor and by the Administrator under the seal of the Town, shall be known as the "Zoning District Map", and such map is hereby declared to be an integral part of this Bylaw.

### 6.3 Boundaries of Zoning Districts

- 6.3.1 The boundaries of the Zoning Districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled, "Zoning District Map."
- 6.3.2 Unless otherwise shown, the boundaries of Zoning District site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the Municipality.
- 6.3.3 Where a boundary of a Zoning District crosses a parcel, the boundaries of the Districts shall be determined by the use of the scale shown on the map.
- 6.3.4 Where the boundary of a Zoning District is also a parcel boundary and the parcel boundary moves with the process of subdivision, the District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Bylaw.

## **6.4 Holding Designation**

- 6.4.1 Where on the Zoning District Map the symbol for a zoning district has suffixed to it the holding symbol “H”; any lands so designated on the map shall be subject to a holding provision in accordance with Section 71 of *The Planning and Development Act, 2007*.
- 6.4.2 Any lands subject to a holding provision shall only be used for the following uses:
- a. Those uses existing on the land when the “H” is applied; and
  - b. Public works.

## Section 7: Residential District – R1

*The purpose of the Residential District (R1) is to accommodate primarily single family detached residential dwellings.*

**No person shall within any R1-Residential District use any land or erect, alter or use any building or structure, except in accordance with the following provisions:**

### 7.1 Permitted Uses

- a. One single detached dwelling, which includes a RTM;
- b. Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- c. Playgrounds and swimming pools;
- d. Public works, buildings and structures excluding offices, warehouses, storage yards and waste management or sewage facilities.

### 7.2 Discretionary Uses

**The following uses may be permitted in the R1-Residential District only by resolution of Council and only in locations specified in such resolution of Council.**

- a. Semi-detached and duplex dwellings;
- b. Multi-unit dwellings;
- c. Modular homes (refer to Section 5.5);
- d. Home occupations, home-based businesses (refer to Section 5.2);
- e. One secondary suite (refer to Section 5.3);
- f. One garden suite (refer to Section 5.4);
- g. Child day cares (refer to Section 5.7);
- h. Adult day cares (refer to Section 5. 5.8);
- i. Bed and breakfast homes (refer to Section 5.6);
- j. Residential care homes (refer to Section 5.9);
- k. Funeral homes.

### 7.3 Site Development Regulations

**Public works shall have no minimum or maximum site requirements.**

SINGLE DETACHED, RTM AND MODULAR HOMES

<b>Minimum site area</b>	465 m <sup>2</sup> (5005 ft <sup>2</sup> )
<b>Minimum floor area</b>	93 m <sup>2</sup> (1001 ft <sup>2</sup> )
<b>Minimum site frontage</b>	12 meters (39 ft)
<b>Height</b>	10.5 meters (34 ft) for Principal Buildings
<b>Maximum site coverage</b>	40% and 50% on a corner site

## Section 7: Residential District

<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)
<b>Minimum side yard</b>	1.2 meters (4 ft), unless on a corner site the side yard shall be 2.5 meters (8 ft)

### SEMI-DETACHED AND DUPLEX (PER DWELLING UNIT)

<b>Minimum site area</b>	225 m <sup>2</sup> (2422 ft <sup>2</sup> ) per unit with a lane, or 315 m <sup>2</sup> (3391 ft <sup>2</sup> ) per unit
<b>Minimum floor area</b>	83 m <sup>2</sup> (893 ft <sup>2</sup> )
<b>Minimum site frontage</b>	8.5 meters (28 ft) per unit with a lane, or 10.5 meters (34 ft) per unit without a lane
<b>Height</b>	10.5 meters (34 ft) for principal buildings and 4.0 meters (13 ft) for accessory
<b>Maximum site coverage</b>	40% and 50% on a corner site
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)
<b>Minimum side yard</b>	1.2 meters (4 ft) unless on a corner site then the side yard shall be 2.5 meters (8 ft)

### TOWNHOUSE, FOURPLEX AND OTHER MULTIPLE UNIT DWELLINGS

<b>Minimum site area</b>	560 m <sup>2</sup> (6028 ft <sup>2</sup> ) plus 93 m <sup>2</sup> (1001 ft <sup>2</sup> ) for each unit more than three (3) on the ground floor
<b>Minimum floor area</b>	58 m <sup>2</sup> (624 ft <sup>2</sup> ) per unit
<b>Minimum site frontage</b>	20.0 meters (66 ft)
<b>Height</b>	9.0 meters (2 ½ Stories)
<b>Maximum site coverage</b>	50%
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft), 2.2 meters (7 ft) for condominiums on corner lots
<b>Minimum side yard</b>	3.0 meters (10 ft) or 50% of the average wall height, whichever is greater



## Section 7: Residential District

### PLAYGROUNDS AND SWIMMING POOLS

<b>Minimum site area</b>	No minimum
<b>Minimum floor area</b>	No minimum
<b>Minimum site frontage</b>	No minimum
<b>Maximum site coverage</b>	No maximum
<b>Minimum front yard</b>	No minimum
<b>Minimum rear yard</b>	No minimum
<b>Minimum side yard</b>	3.0 meters (10 ft)

### OTHER DISCRETIONARY USES:

CHILD DAY CARE CENTRES; ADULT DAY CARE CENTRES; FUNERAL HOMES

<b>Minimum site area</b>	450 m <sup>2</sup> (4844 ft <sup>2</sup> )
<b>Minimum floor area</b>	75 m <sup>2</sup> (807 ft <sup>2</sup> )
<b>Minimum site frontage</b>	12 meters (39 ft) with a lane, 15 meters (49 ft) without a lane
<b>Height</b>	No maximum
<b>Maximum site coverage</b>	40% and 50% on a corner site
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	6 meters (20 ft)
<b>Minimum side yard</b>	3.5 meters (11 ft)

## 7.4 Accessory Buildings and Structures

<b>Minimum yard setbacks</b>	A minimum of 6.0 meters (20 ft) from the front site line, 1.2 meters (4 ft) from the principal building, and 0.8 meters (3 ft) from the side site line unless the side site line is an abutting street then the side yard shall be 3.6 meters (12 ft)
<b>Maximum floor area</b>	All accessory buildings shall not exceed 89.2m <sup>2</sup> (960 ft <sup>2</sup> ) in area
<b>Minimum rear yard</b>	All accessory buildings shall be located a minimum of 0.75 meters (2 ft) from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 2.0 meters (7 ft) from the site line abutting the lane
<b>Height</b>	All accessory buildings shall not exceed 5.25 meters (17 ft) in height

## Section 7: Residential District

- a. Garages, carports and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building and shall not exceed the square footage of the main floor of the principal dwelling in size;
- b. Garages larger than 89.2 m<sup>2</sup> (960 ft<sup>2</sup>) will be subject to Council discretion on an individual basis;
- c. A carport, consisting of a roof and supporting columns or structures which are not permanent walls, is permitted to encroach into any required side yard as long as the supporting structures are set back a minimum of 0.3 meters (1 ft) from the side lot line and the roof does not project past the side lot line;
- d. One detached private garage is permitted in any side yard or rear yard, provided there is sufficient available space to comply with all other requirements in this Section;
- e. All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection;
- f. No attached structure (i.e. deck) shall have a total floor area greater than the main floor area of the principal building. In calculating the main floor area of a principal building, the area of an attached garage shall be excluded;
- g. Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material under 55 m<sup>2</sup> (592 ft<sup>2</sup>) may be permitted from October 15 to May 1 in the rear yard of a site.

### 7.5 Fence and Hedge Heights

7.5.1 Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences and hedges:

- a. No hedge, fence or other structure shall be erected past any property line;
- b. In a required front yard, to a height no greater than 1.0 meter (3 ft) above grade level;
- c. In a required rear yard, to a height no greater than 2.0 meters (7 ft) above grade level;
- d. Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 meters (7 ft).

### 7.6 Signage

- a. One permanent sign is permitted per site. The facial area of a sign shall not exceed 0.5 m<sup>2</sup> (5 ft<sup>2</sup>);
- b. In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling;
- c. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- d. Temporary signs not exceeding 3.0 m<sup>2</sup> (32 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

### 7.7 Parking

Off-street parking requirements shall be provided in accordance with the following:

<b>Single detached, RTM, and modular homes</b>	2 spaces per unit
<b>Semi-detached, duplex, and multi-unit dwellings</b>	2 spaces per unit
<b>Public works</b>	No requirements
<b>Playgrounds and swimming pools</b>	No requirements
<b>Child day care centres and pre-schools</b>	1 space plus 1 additional space for every 5 persons enrolled in the facility
<b>Adult day care centres</b>	1 space plus 1 space per 5 persons enrolled in the facility

## 7.8 Outside Storage

- No outdoor storage shall be permitted in the required front yard of any residential site;
- 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;
- No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material;
- Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts;
- 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 in the front yard of a site at the discretion of the Development Officer.

## 7.9 Standards for Discretionary Uses

- All discretionary uses shall maintain the residential character of the area as much as possible;
- Off-street parking spaces for adult day care centres, child day care centres, pre-school nurseries, residential care facilities shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

## Section 8: Residential Multiple Dwelling District – R2

*The purpose of the Residential Multiple Dwelling District (R2) is to accommodate a variety of high density residential development including single detached residences, semi-detached residences, townhouses and multi-unit dwellings.*

**No person shall within any R2 - Residential Multiple Dwelling District use any land, or erect, alter or use any building or structure except in accordance with the following provisions:**

### 8.1 Permitted Uses

- a. One single detached dwelling, including a RTM;
- b. Semi-detached, duplex dwelling, fourplex, or townhouses and other multiple unit dwellings;
- c. Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- d. Playgrounds and swimming pools;
- e. Public works, buildings and structures excluding offices, warehouses, storage yards and waste management or sewage facilities.

### 8.2 Discretionary Uses

**The following uses may be permitted in the R2 - Residential Multiple Dwelling District but only by resolution of Council and only in locations specified in such resolution of Council.**

- a. Modular homes (refer to Section 5.5);
- b. Apartment buildings;
- c. Boarding lodging or rooming houses;
- d. Home occupations, home-based businesses (refer to Section 5.2);
- e. Child day care centres (refer to Section 5.7);
- f. Adult day care centres (refer to Section 5.8);
- g. Bed and breakfast homes (refer to Section 5.6);
- h. Residential care homes (refer to Section 5.9).

### 8.3 Site Development Regulations

**Public works shall have no minimum or maximum site requirements.**

SINGLE DETACHED, RTM AND MODULAR HOMES

<b>Minimum site area</b>	465 m <sup>2</sup> (5005 ft <sup>2</sup> )
<b>Minimum floor area</b>	93 m <sup>2</sup> (1001 ft <sup>2</sup> )
<b>Minimum site frontage</b>	12 meters (39 ft)
<b>Height</b>	10.5 meters (34 ft) for principal buildings
<b>Maximum site coverage</b>	40% and 50% on a corner site

## Section 8: Residential Multiple Dwelling District

<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)
<b>Minimum side yard</b>	1.2 meters (4 ft) unless on a corner site the side yard shall be 2.5 meters (8 ft)

### SEMI-DETACHED AND DUPLEX (PER DWELLING UNIT)

<b>Minimum site area</b>	225 m <sup>2</sup> (2422 ft <sup>2</sup> ) per unit with a lane, or 315 m <sup>2</sup> (3391 ft <sup>2</sup> ) per unit
<b>Minimum floor area</b>	83 m <sup>2</sup> (893 ft <sup>2</sup> )
<b>Minimum site frontage</b>	8.5 meters (28 ft) per unit with a lane, or 10.5 meters (34 ft) per unit without a lane
<b>Height</b>	10.5 meters (34 ft) for principal buildings and 4.0 meters (13 ft) for accessory
<b>Maximum site coverage</b>	40% and 50% on a corner site
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)
<b>Minimum side yard</b>	1.2 meters (4 ft) unless on a corner site then the side yard shall be 2.5 meters (8 ft)

### TOWNHOUSE, FOURPLEX AND OTHER MULTIPLE UNIT DWELLINGS

<b>Minimum site area</b>	560 m <sup>2</sup> (6028 ft <sup>2</sup> ) plus 93 m <sup>2</sup> (1001 ft <sup>2</sup> ) for each unit more than three (3) on the ground floor
<b>Minimum floor area</b>	58 m <sup>2</sup> (624 ft <sup>2</sup> ) per unit
<b>Minimum site frontage</b>	20.0 meters (66 ft)
<b>Height</b>	9.0 meters (30 ft)
<b>Maximum site coverage</b>	50%
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	2.20 meters (7.2 ft) for condominiums on corner lots
<b>Minimum side yard</b>	3.0 meters (10 ft) or 50% of the average wall height, whichever is greater

## Section 8: Residential Multiple Dwelling District

### APARTMENT BUILDINGS

<b>Minimum site area</b>	930 m <sup>2</sup> (10010 ft <sup>2</sup> )
<b>Minimum floor area</b>	46.5 m <sup>2</sup> (501 ft <sup>2</sup> ) per dwelling unit
<b>Minimum site frontage</b>	25.0 meters (82 ft)
<b>Maximum site coverage</b>	50% interior site, 60% corner site
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)
<b>Minimum side yard</b>	3.5 meters (11 ft) or 50% of the average wall height whichever is greater

### PLAYGROUNDS AND SWIMMING POOLS

<b>Minimum site area</b>	No minimum
<b>Minimum floor area</b>	No minimum
<b>Minimum site frontage</b>	No minimum
<b>Maximum site coverage</b>	No maximum
<b>Minimum front yard</b>	No minimum
<b>Minimum rear yard</b>	No minimum
<b>Minimum side yard</b>	3.0 meters (10 ft)

### OTHER DISCRETIONARY USES:

CHILD DAY CARE CENTRES; ADULT DAY CARE CENTRES; BED AND BREAKFAST HOMES; RESIDENTIAL CARE HOMES

<b>Minimum site area</b>	450 m <sup>2</sup> (4844 ft <sup>2</sup> )
<b>Minimum floor area</b>	75 m <sup>2</sup> (807 ft <sup>2</sup> )
<b>Minimum site frontage</b>	12 meters (39 ft) with a lane, 15 meters (49 ft) without a lane
<b>Height</b>	No maximum
<b>Maximum site coverage</b>	40% and 50% on a corner site
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	6 meters (20 ft)
<b>Minimum side yard</b>	3.5 meters (11 ft)

## 8.4 Accessory Buildings and Structures

<b>Minimum yard setbacks</b>	A minimum of 6.0 meters (20 ft) from the front site line, 1.2 meters (4 ft) from the principal building, and 0.8 meters (3 ft) from the side site line unless the side site line is an abutting street then the side yard shall be 3.6 meters (12 ft)
<b>Maximum floor area</b>	All accessory buildings shall not exceed 89.2 m <sup>2</sup> (960 ft <sup>2</sup> ) in area
<b>Minimum rear yard</b>	All accessory buildings shall be located a minimum of 0.8 meters (3 ft) from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 2.0 meters (7 ft) from the site line abutting the lane
<b>Height</b>	All accessory buildings shall not exceed 5.25 meters (17 ft) in height

- a. Garages, carports and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building and shall not exceed the square footage of the main floor of the principal dwelling in size;
- b. Garages larger than 89.2 m<sup>2</sup> (960 ft<sup>2</sup>) will be subject to Council discretion on an individual basis;
- c. A carport, consisting of a roof and supporting columns or structures which are not permanent walls, is permitted to encroach into any required side yard as long as the supporting structures are set back a minimum of 0.3 meters (1 ft) from the side lot line and the roof does not project past the side lot line;
- d. One detached private garage is permitted in any side yard or rear yard, provided there is sufficient available space to comply with all other requirements in this Section;
- e. All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin;
- f. No attached structure (i.e. deck) shall have a total floor area greater than the main floor area of the principal building. In calculating the main floor area of a principal building, the area of an attached garage shall be excluded;
- g. Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material under 55 m<sup>2</sup> (592 ft<sup>2</sup>) may be permitted from October 15 to May 1 in the rear yard of a site.

## 8.5 Fence and Hedge Heights

- 8.5.1 Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences and hedges:
  - a. No hedge, fence or other structure shall be erected past any property line;

- b. In a required front yard, to a height no greater than 1.0 meter (3 ft) above grade level;
- c. In a required rear yard, to a height no greater than 2.0 meters (7 ft) above grade level;
- d. Except permitted accessory buildings, no fence or other structure, shall be erected to a height of more than 2.0 meters (7 ft).

## 8.6 Signage

- a. One permanent sign is permitted per site. The facial area of a sign shall not exceed 0.1 m<sup>2</sup> (1 ft<sup>2</sup>);
- b. In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling;
- c. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- d. Temporary signs not exceeding 3.0 m<sup>2</sup> (32 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

## 8.7 Parking

Off-street parking requirements shall be provided in accordance with the following:

<b>Single detached, RTM and modular homes</b>	2 spaces per dwelling
<b>Semi-detached, duplex and multi-unit dwellings</b>	2 spaces per dwelling
<b>Public works</b>	No requirement
<b>Playgrounds and swimming pools</b>	No requirement
<b>Apartment buildings</b>	1.25 spaces per dwelling
<b>Townhouse, fourplex and other multiple unit dwellings</b>	1.5 spaces per dwelling
<b>Bed and breakfast homes</b>	1 space plus 1 space for each guest room
<b>Residential care homes</b>	1 space plus 1 space for each non-resident staff member
<b>Child day care centres and pre-schools</b>	1 space plus 1 additional space for every 5 persons enrolled in the facility.
<b>Adult day care centres</b>	1 space plus 1 space per 5 persons enrolled in the facility.

## 8.8 Outside Storage

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



- b. 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;
- c. No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material;
- d. Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts;
- e. 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 in the front yard of a site at the discretion of the Development Officer.

## 8.9 Standards for Discretionary Uses

- a. Dwelling groups are subject to the following additional standards:
  - i. The minimum side yard of 3.5 meters (11 ft) or half the building height shall be measured from the closest main wall of the principal building closest to the side site line;
  - ii. All principal buildings forming part of the group shall be located at least 3.5 meters (11 ft) from any other principal building in the group;
  - iii. The site area shall provide at least 370 m<sup>2</sup> (3983 ft<sup>2</sup>) for each dwelling unit in the group located at the grade level plus 65 m<sup>2</sup> (700 ft<sup>2</sup>) for any dwelling unit located above the main floor;
  - iv. Council may apply special development standards regarding yard requirements to reduce conflict with neighbouring uses.
- b. Off-street parking spaces for adult day care, day care centres, pre-school nurseries and residential care facilities shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

## Section 9: Larger Lot Low Density Residential District 3

*The purpose of the Larger Lot Low Density Residential District (R3) is to accommodate primarily single family detached residential dwellings with a reduced setback.*

**No person shall within any R3-Larger Lot Low Density Residential District use any land or erect, alter or use any building or structure, except in accordance with the following provisions:**

### 9.1 Permitted Uses

- a. One single detached dwelling, which includes a RTM;
- b. Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- c. Playgrounds and swimming pools;
- d. Public works, buildings and structures excluding offices, warehouses, storage yards and waste management or sewage facilities.

### 9.2 Discretionary Uses

**The following uses may be permitted in the R3-Residential District only by resolution of Council and only in locations specified in such resolution of Council.**

- a. Semi-detached and duplex dwellings;
- b. Multi-unit dwellings;
- c. Modular homes (refer to Section 5.5);
- d. Home occupations, home-based businesses (refer to Section 5.2);
- e. One secondary suite (refer to Section 5.3);
- f. One garden suite (refer to Section 5.4);
- g. Child day cares (refer to Section 5.7);
- h. Adult day cares (refer to Section 5. 5.8)
- i. Bed and breakfast homes (refer to Section 5.6);
- j. Residential care homes (refer to Section 5.9).

### 9.3 Site Development Regulations

**Public works shall have no minimum or maximum site requirements.**

SINGLE DETACHED, RTM AND MODULAR HOMES

<b>Minimum site area</b>	465 m <sup>2</sup> (5005 ft <sup>2</sup> )
<b>Minimum floor area</b>	93 m <sup>2</sup> (1001 ft <sup>2</sup> )
<b>Minimum site frontage</b>	12 meters (39 ft)
<b>Height</b>	10.5 meters (34 ft) for principal buildings
<b>Maximum site coverage</b>	40% and 50% on a corner site

## Section 9: Large Lot Low Density Residential District

<b>Minimum front yard</b>	4.57 meters (15 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)
<b>Minimum side yard</b>	1.2 meters (4 ft), unless on a corner site the side yard shall be 2.5 meters (8 ft)

### SEMI-DETACHED AND DUPLEX (PER DWELLING UNIT)

<b>Minimum site area</b>	225 m <sup>2</sup> (2422 ft <sup>2</sup> ) per unit with a lane, or 315 m <sup>2</sup> (3391 ft <sup>2</sup> )
<b>Minimum floor area</b>	83 m <sup>2</sup> (893 ft <sup>2</sup> )
<b>Minimum site frontage</b>	8.5 meters (28 ft) per unit with a lane, or 10.5 meters (34 ft)
<b>Height</b>	10.5 meters (34 ft) for Principal Buildings and 4.0 meters (13 ft) for accessory
<b>Maximum site coverage</b>	40% and 50% on a corner site
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)
<b>Minimum side yard</b>	1.2 meters (4 ft) unless on a corner site then the side yard shall be 2.5 meters (8 ft)

### TOWNHOUSE, FOURPLEX AND OTHER MULTIPLE UNIT DWELLINGS

<b>Minimum site area</b>	560 m <sup>2</sup> (6028 ft <sup>2</sup> ) plus 93 m <sup>2</sup> (1001 ft <sup>2</sup> ) for each unit more than three (3) on the ground floor
<b>Minimum floor area</b>	58 m <sup>2</sup> (624 ft <sup>2</sup> ) per unit
<b>Minimum site frontage</b>	20.0 meters (66 ft)
<b>Height</b>	9.0 meters (30 ft)
<b>Maximum site coverage</b>	50%
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	2.2 meters (7 ft) for condominiums on corner lots
<b>Minimum side yard</b>	3.0 meters (10 ft) or 50% of the average wall height, whichever is greater

## Section 9: Large Lot Low Density Residential District

### PLAYGROUNDS AND SWIMMING POOLS

<b>Minimum site area</b>	No minimum
<b>Minimum floor area</b>	No minimum
<b>Minimum site frontage</b>	No minimum
<b>Maximum site coverage</b>	No maximum
<b>Minimum front yard</b>	No minimum
<b>Minimum rear yard</b>	No minimum
<b>Minimum side yard</b>	3.0 meters (10 ft)

### OTHER DISCRETIONARY USES:

#### CHILD DAY CARE CENTRES; ADULT DAY CARE CENTRES

<b>Minimum site area</b>	450 m <sup>2</sup> (4844 ft <sup>2</sup> )
<b>Minimum floor area</b>	75 m <sup>2</sup> (807 ft <sup>2</sup> )
<b>Minimum site frontage</b>	12 meters (39 ft) with a lane, 15 meters (49 ft) without a lane
<b>Height</b>	No maximum
<b>Maximum site coverage</b>	40% and 50% on a corner site
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	6 meters (20 ft)
<b>Minimum side yard</b>	3.5 meters (11 ft)

## 9.4 Accessory Buildings and Structures

<b>Minimum yard setbacks</b>	A minimum of 6.0 meters (20 ft) from the front site line, 1.2 meters (4 ft) from the principal building, and 0.8 meters (3 ft) from the side site line unless the side site line is an abutting street then the side yard shall be 3.6 meters (12 ft)
<b>Maximum floor area</b>	All accessory buildings shall not exceed 89.2 m <sup>2</sup> (960 ft <sup>2</sup> ) in area
<b>Minimum rear yard</b>	All accessory buildings shall be located a minimum of 0.75 meters (2 ft) from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 2.0 meters (7 ft) from the site line abutting the lane

<b>Height</b>	All accessory buildings shall not exceed 5.25 meters (17 ft) in height
---------------	--

- a. Garages, carports and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building and shall not exceed the square footage of the main floor of the principal dwelling in size;
- b. Garages larger than 89.2 m<sup>2</sup> (960 ft<sup>2</sup>) will be subject to Council discretion on an individual basis;
- c. A carport, consisting of a roof and supporting columns or structures which are not permanent walls, is permitted to encroach into any required side yard as long as the supporting structures are set back a minimum of 0.3 meters (1 ft) from the side lot line and the roof does not project past the side lot line;
- d. One detached private garage is permitted in any side yard or rear yard, provided there is sufficient available space to comply with all other requirements in this Section;
- e. All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection;
- f. No attached structure (ie deck) shall have a total floor area greater than the main floor area of the principal building. In calculating the main floor area of a principal building, the area of an attached garage shall be excluded;
- g. Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material under 55 m<sup>2</sup> (592 ft<sup>2</sup>) may be permitted from October 15 to May 1 in the rear yard of a site.

## 9.5 Fence and Hedge Heights

- 9.5.1 Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fences, and hedges:
- a. No hedge, fence or other structure shall be erected past any property line;
  - b. In a required front yard, to a height no greater than 1.0 meter (3 ft) above grade level;
  - c. In a required rear yard, to a height no greater than 2.0 meters (7 ft) above grade level;
  - d. Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 meters (7 ft).

## 9.6 Signage

- a. One permanent sign is permitted per site. The facial area of a sign shall not exceed 0.1 m<sup>2</sup> (1 ft<sup>2</sup>);
- b. In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling;
- c. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;

- d. Temporary signs not exceeding 3.0 m<sup>2</sup> (32 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

## 9.7 Parking

Off-street parking requirements shall be provided in accordance with the following:

<b>Single detached, RTM, and modular homes</b>	2 spaces per unit
<b>Semi-detached, duplex, and multi-unit dwellings</b>	2 spaces per unit
<b>Public works</b>	No requirements
<b>Playgrounds and swimming pools</b>	No requirements
<b>Child day care centres and pre-schools</b>	1 space plus 1 additional space for every 5 persons enrolled in the facility
<b>Adult day care centres</b>	1 space plus 1 space per 5 persons enrolled in the facility

## 9.8 Outside Storage

- a. No outdoor storage shall be permitted in the required front yard of any residential site;
- b. 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;
- c. No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material;
- d. 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;
- e. 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 in the front yard of a site at the discretion of the Development Officer.

## 9.9 Standards for Discretionary Uses

- a. All discretionary uses shall maintain the residential character of the area as much as possible;
- b. Off-street parking spaces for adult day care centres, child day care centres, pre-school nurseries, residential care facilities shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

## Section 10: Residential Mobile Home District – RMH

*The purpose of the Residential Mobile Home District (RMH) shall be to accommodate mobile home park development in a concentrated manner.*

**No person shall within any RMH - Residential Mobile Home District use any land, or erect, alter or use any building or structure except in accordance with the following provisions:**

### 10.1 Permitted Uses

- a. Mobile home parks;
- b. One mobile home, (not older than 15 years) compliant with the CSA Z240 standards, following the placement thereof on a permanent foundation;
- c. Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- d. Playgrounds and swimming pools;
- e. Public works, buildings and structures excluding offices, warehouses, storage yards and waste management or sewage facilities.

### 10.2 Discretionary Uses

**The following uses may be permitted in the RMH - Residential Mobile Home District but only by resolution of Council and only in locations specified in such resolution of Council.**

- a. Home occupations, home-based businesses (refer to Section 5.2);
- b. Laundromats;
- c. Child day care centres (refer to Section 5.7);
- d. Adult day care centres (refer to Section 5.8).

### 10.3 Site Development Regulations

**Public works shall have no minimum or maximum site requirements.**

#### MOBILE HOME PARKS

<b>Minimum site area</b>	2 hectares (5 acres)
<b>Minimum site frontage</b>	30.0 meters (98 ft)
<b>Maximum site coverage</b>	40% including 10% of the area shall be designated communal open space and the road allowance shall be 15.0 meters (49 ft) in width
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	7.5 meters (25 ft)
<b>Minimum side yard</b>	7.5 meters (25 ft)

## Section 10: Residential Mobile Home District

### MOBILE HOME SITES

<b>Minimum site area</b>	360 m <sup>2</sup> (3875 ft <sup>2</sup> ) with a lane, 460 m <sup>2</sup> (4951 ft <sup>2</sup> ) without a lane
<b>Minimum floor area</b>	50 m <sup>2</sup> (538 ft <sup>2</sup> )
<b>Minimum site frontage</b>	12 meters (39 ft)
<b>Maximum site coverage</b>	40%
<b>Minimum front yard</b>	4.0 meters (13 ft)
<b>Minimum rear yard</b>	3.0 meters (10 ft)
<b>Minimum side yard</b>	1.2 meters (4 ft) unless on a corner site the side yard shall be 2.5 meters (8 ft)

### OTHER DISCRETIONARY USES:

LAUNDROMATS; CHILD DAY CARE CENTRES; ADULT DAY CARE CENTRES

<b>Minimum site area</b>	360 m <sup>2</sup> (3875 ft <sup>2</sup> ) with a lane, 460 m <sup>2</sup> (4951 ft <sup>2</sup> ) without a lane
<b>Minimum floor area</b>	50 m <sup>2</sup> (538 ft <sup>2</sup> )
<b>Minimum site frontage</b>	12 meters (39 ft)
<b>Maximum site coverage</b>	40%
<b>Minimum front yard</b>	4.0 meters (13 ft)
<b>Minimum rear yard</b>	3.0 meters (10 ft)
<b>Minimum side yard</b>	1.2 meters (4 ft) unless on a corner site the side yard shall be 2.5 meters (8 ft)

### 10.4 Development Standards for Mobile Homes

- All mobile homes must meet the standards set out in CSA Z240 Procedure for Certification of Factory Built Houses, and amendments thereto. All mobile homes must bear a label of a credible certification agency indicating that compliance with the National Building Codes has been certified using the Z240 procedure;
- All attached and accessory structures shall require a building permit and shall comply with the requirements of the *National Building Code of Canada* and the Building Bylaw of the Town of Fort Qu'Appelle;
- All attached or accessory structures such as porches, sun room additions, skirting and storage facilities must be factory prefabricated units, or of an equivalent quality, and shall be painted or prefinished so the design and construction will complement the main structure;
- In order to protect the residential character of the community, wheels, hitches, and running gear must be removed within thirty (30) days of arrival, and skirting must be installed in



such a manner as to compensate for vertical movements and to prevent the entrance of rodents and other small animals;

- e. All mobile homes shall be connected to water and sewer services provided by the Municipality and connected as available to other public utilities.

## 10.5 Accessory Uses, Buildings and Structures

<b>Minimum yard setbacks</b>	Accessory buildings shall comply with the yard requirements for a principal building. Any building located less than 1.0 meter (3 ft) from a principal building shall comply with all the minimum yard requirements of the principal building. An accessory building shall not be located in a required front yard.
<b>Maximum floor area</b>	All accessory buildings shall not exceed 89.2 m <sup>2</sup> (960 ft <sup>2</sup> ) in area
<b>Height</b>	All accessory buildings shall not exceed 5.25 meters (17 ft) in height
<b>Minimum rear yard</b>	All accessory buildings shall be located a minimum of 0.8 meters (3 ft) from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 2.0 meters (7 ft) from the site line abutting the lane

- a. Private garages and accessory buildings if less than 10 m<sup>2</sup> (108 ft<sup>2</sup>), shall have a minimum side or rear yard of 0.75 meters (2 ft) and a maximum projection of 0.5 meters (2 ft) into the required yard for any eaves, gutters or drain spouts;
- b. Uncovered outdoor swimming pools and other yard recreation equipment shall have a minimum side or rear yard of 0.75 meters (2 ft). In rear yards, laundry drying equipment and garbage stands are permitted;
- c. Garages, carports and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building and shall not exceed the square footage of the main floor of the principal dwelling in size;
- d. Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material under 55 m<sup>2</sup> (592 ft<sup>2</sup>) may be permitted from October 15 to May 1 in the rear yard of a site.

## 10.6 Fence and Hedge Heights

10.6.1 Subject to traffic sight lines, the following height limitations shall apply to fences, walls, chain-link fence and hedges:

- a. No hedge, fence or other structure shall be erected past any property line;
- b. In a required front yard, to a height no greater than 1.0 meter (3 ft) above grade level;
- c. In a required rear yard, to a height no greater than 2.0 meters (7 ft) above grade level;

- d. Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 meters (7 ft).

### 10.7 Signage

- a. One permanent sign is permitted per site. The facial area of a sign shall not exceed 0.1 m<sup>2</sup> (1 ft<sup>2</sup>);
- b. In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling;
- c. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- d. Temporary signs not exceeding 3.0 m<sup>2</sup> (32 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

### 10.8 Parking

Off-street parking requirements shall be provided in accordance with the following:

<b>Mobile Homes</b>	2 spaces per dwelling
<b>Public Works</b>	No requirement
<b>Playgrounds and Swimming Pools</b>	No requirement
<b>Laundromats</b>	1 space per 28 m <sup>2</sup> (301 ft <sup>2</sup> ) of gross floor area
<b>Child day care centres and pre-schools</b>	1 space plus 1 additional space for every 5 persons enrolled in the facility
<b>Adult day care centres</b>	1 space plus 1 space per 5 persons enrolled in the facility

### 10.9 Outdoor Storage

- a. No outdoor storage shall be permitted in the required front yard of any residential site;
- b. 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;
- c. No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material;
- d. 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;
- e. 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 in the front yard of a site at the discretion of the Development Officer.

## Section 11: Residential Acreage District – RA

*The purpose of the Residential Acreage District (RA) is to accommodate clustered acreage residential development and subdivision proposals on a multi-site basis within the Town.*

**No person shall within any RA Residential Acreage District, use any land or erect, alter, or use any building or structure except in accordance with the following provisions.**

### 11.1 Permitted Uses

- a. One single detached dwelling;
- b. Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- c. Home occupations, home-based businesses;
- d. Public works, buildings, and structures, warehouses and storage yards.

### 11.2 Discretionary Uses

**The following uses may be permitted in the RA - Residential Acreage District only by resolution of Council and only in locations specified in such resolution of Council.**

- a. Child day care centres (refer to Section 5.7);
- b. Residential care homes (refer to Section 5.9);
- c. Equestrian facilities;
- d. Garden suite (refer to Section 5.4);
- e. Bed and breakfast homes (refer to Section 5.6);
- f. Animal kennels;
- g. Wind energy facilities (refer to Section 5.12);
- h. Public Works waste management or sewage facilities.

### 11.3 Site Development Regulations

**Public works shall have no minimum or maximum site requirements.**

#### PERMITTED AND DISCRETIONARY USES

<b>Minimum site area</b>	1.0 hectare (2.5 acres)
<b>Minimum site frontage</b>	25.0 meters (8 ft)
<b>Minimum front yard</b>	All buildings shall be set back a minimum of 60.0 meters (197 ft) from the centre line of any municipal road allowance or Provincial highway and/or a minimum of 90.0 meters (295 ft) from the intersection of the centre lines of any municipal roads or Provincial highway
<b>Minimum rear yard</b>	15.0 meters (49 ft) or 25% of the depth of the site whichever is the lesser

## Section 11: Residential Acreage District

<b>Minimum side yard</b>	15.0 meters (49 ft) except where a side yard abuts a municipal road allowance or a Provincial highway, the front yard requirements shall apply
<b>Minimum setback for trees, shelterbelts and fences</b>	55.0 meters (180 ft) from the centre line of a Provincial Highway 5.0 meters (16 ft) from highway frontage road property line 46.0 meters (151 ft) from the center line of a municipal road 8.0 meters (26 ft) from the property line of an internal subdivision road

Residential parcels 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 watercourses, 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.

### 11.4 Accessory Buildings

- a. No accessory building shall be located within 3.0 meters (10 ft) of a side or rear site line except where the minimum yard abuts a public street, in which case the minimum side or rear yard shall be 7.6 meters (25 ft);
- b. The Building Floor Area for large accessory buildings on residential acreage sites may not exceed 185 m<sup>2</sup> (1991 ft<sup>2</sup>).

### 11.5 Standards for Discretionary Uses

- a. All discretionary uses shall maintain the residential character of the area as much as possible;
- b. Off-street parking spaces for adult day care centres, child day care centres, pre-school nurseries, and residential care facilities shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes;
- c. Animal Kennel:
  - i. The operation of any animal kennel shall be subordinate and incidental to the principal use of the site as an owner occupied agricultural or country residence;
  - ii. No building, structure, or exterior exercise areas, to be used to accommodate the animals shall be allowed within 300 meters (984 ft) of any residential dwelling unit located on adjacent sites;
  - iii. All facilities, including buildings, structures, and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council;

- iv. Council may require all buildings, structures, and exercise areas to be soundproofed to their satisfaction;
  - v. All facilities shall be visually screened from existing residential dwelling units on adjacent sites through the use of appropriate landscaping and fencing;
  - vi. No animals shall be allowed outdoors between the hours of 9:00 pm to 7:00 am daily. During this time period, all animals shall be kept indoors. The Council at its discretion may prescribe a more restrictive period where deemed necessary to achieve the objectives of this Bylaw;
  - vii. On-site signage shall be erected in accordance with the signage requirements provided in the Zoning District in which the use is established;
  - viii. All permits issued for an animal kennel 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 animal kennels contained in this Bylaw, or the special standards applied by Council at the time of approval.
- d. Equestrian Facilities:
- i. Shall be subordinate and incidental to the principal use of the site as an owner occupied agricultural or country residence;
  - ii. The applicant may be required to submit a storm water management plan for all areas of the site of land disturbed during or as a result of the development of the principal and supporting facilities;
  - iii. The applicant may be required to submit a report to the Municipality identifying the potential traffic resulting from the proposed development;
  - iv. The applicant may be required to contribute towards upgrading access roads if the municipal roadway networks require upgrading because of the impact of the facility;
  - v. Off-site parking shall not be allowed;
  - vi. Details concerning water supply and sewage disposal strategies shall be included with the application.

### 11.6 Supplementary regulations

- a. Where a residential development is proposed at a location at which a standard connection to the Town's existing sewer and water system is not feasible, the developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for that development acceptable to Council and meets *The Public Health Act and Regulations* requirements;
- b. Domestic waste disposal systems located on the site and serving only the principal use will be a permitted use to that principal use;
- c. No outside storage shall be permitted in a yard abutting a road. Outside storage located in a side or rear yard shall be screened by landscaping or vegetation so as not to be visible from the road.

### 11.7 Signage

- a. One permanent sign is permitted per site. The facial area of a sign shall not exceed 1.0 m<sup>2</sup> (11 ft<sup>2</sup>);
- b. In the case of a home occupation, an additional permanent sign is permitted on a door or wall surface or in a window;
- c. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- d. Temporary signs not exceeding 1.0 m<sup>2</sup> (11 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

### 11.8 Minimum Ditch Frontage

- a. In order to ensure the proper functioning of overland drainage systems in the Town, one approach to a site is permitted. The design and location of all approaches must be to the satisfaction of the Town Administration;
- b. A second approach to a site may be permitted at the discretion of Council when it can be proven that the Town's overland drainage system will not be negatively impacted:
  - i. The additional access shall be no wider than 6.0 meters (20 ft) with the size of the culvert being determined based on the drainage pattern of the existing ditch;
  - ii. The property owner shall be responsible for all costs associated with the installation and future maintenance and up keep of the additional approach and immediate area; and
  - iii. At no time shall the additional access-approach be used as a storage area.

### 11.9 Temporary Uses

- a. Notwithstanding the provisions of this bylaw, the Town of Fort Qu'Appelle Official Community Plan and the Calling Lakes District Plan, a mobile home or trailer coach may be permitted for a period of up to one (1) year on an existing non-farm or farmstead residential site while the principal dwelling is under construction provided that the following criteria is met:
  - i. Adherence to any permit, building bylaw or licensing requirement in effect in the Municipality;
  - i. Issuance of a development permit to the landowner, where the said trailer is located, to be issued on an annual basis;
  - ii. The entering into of a development agreement between all affected parties, where considered necessary, to assure applicable development standards are adhered to;
  - iii. Compliance with any requirement of Sask Health or government agencies respecting water and waste connections, and disposal concerns.

## Section 12: Town Centre Commercial District – C1

*The purpose of the Town Centre Commercial District (C1) is to continue to encourage a “downtown” experience by providing pedestrian oriented commercial activities and services.*

**No person shall within any C1-Town Centre Commercial District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.**

### 12.1 Permitted uses

- a. Banks, credit unions, and other financial institutions;
- b. Administrative offices;
- c. Barbers, hairdressers, and other similar personal services establishments;
- d. Medical, dental, and other health care offices and clinics or health services;
- e. Restaurants, cafes, coffee shops, and other similar fast food services;
- f. Confectionaries and delicatessens;
- g. Storefront retail stores and outlets;
- h. Storefront bakeries, butcher shops, and similar food processing with on-site retail sales;
- i. Theatres, assembly halls, places of worship, service clubs;
- j. Commercial and public recreational establishments such as bowling alleys, arcades and fitness centres;
- k. Licensed premises for the sale and consumption of alcoholic beverages;
- l. Libraries, galleries, museums, and other similar cultural institutions;
- m. Public transportation depots;
- n. Outdoor markets and concessions (permanent, seasonal, or occasional);
- o. Rooming houses;
- p. Small-scale repair trades such as tailors, jewelers, art and hand craft shops and studios, craftspeople and similar trades, including retail sales of art and craft products;
- q. Storefront construction trades without yards;
- r. Buildings, structures or uses accessory to and located on the same site as the principal building or permitted use.
- s. Public works buildings, offices and structures excluding warehouses, storage yards, and waste management or sewage facilities.

### 12.2 Discretionary Uses

**The following uses may be permitted in the C1-Town Centre Commercial District but only by resolution of Council and only in locations specified in such resolution of Council.**

- a. Dwellings attached to and behind, or above, commercial establishments;
- b. Lumber and building supply establishments;
- c. Plumbing and heating shops;
- d. Animal hospitals, or clinics and offices of veterinary surgeons;
- e. Shops of plumbers, pipe fitters, metal workers and other industrial trades manufacturing and sales.

- f. Newspaper offices and printing plants and services;
- g. Funeral homes;
- h. Other innovative commercial uses consistent with street level retail and services.

### 12.3 Site Development Regulations

**Public works shall have no minimum or maximum site requirements.**

#### COMMERCIAL USES

<b>Minimum site area</b>	280 m <sup>2</sup> (3014 ft <sup>2</sup> )
<b>Minimum site frontage</b>	7.5 meters (25 ft)
<b>Maximum site coverage</b>	75%
<b>Minimum front yard</b>	No requirement
<b>Minimum rear &amp; side yard</b>	No requirement except when the side site line directly abuts any Residential or Community Service Zoning District or abuts a public street, then the minimum side yard shall be 2.1 meters (7 ft). When the rear site line abuts a railway right-of-way no rear yard need be provided. Doors located in side yards shall not be used for delivery purposes.

#### OTHER DISCRETIONARY USES:

LUMBER AND BUILDING SUPPLY ESTABLISHMENTS; PLUMBING AND HEATING SHOPS; ANIMAL HOSPITALS, OR CLINICS AND OFFICES OF VETERINARY SURGEONS; SHOPS OF PLUMBERS, PIPE FITTERS, METAL WORKERS AND OTHER INDUSTRIAL TRADES MANUFACTURING AND SALES; NEWSPAPER OFFICES AND PRINTING PLANTS AND SERVICES; FUNERAL HOMES; OTHER INNOVATIVE COMMERCIAL USES CONSISTENT WITH STREET LEVEL RETAIL AND SERVICES.

<b>Minimum site area</b>	280 m <sup>2</sup> (3014 ft <sup>2</sup> )
<b>Minimum site frontage</b>	7.5 meters (25 ft)
<b>Maximum site coverage</b>	75%
<b>Minimum front yard</b>	No requirement
<b>Minimum rear &amp; side yard</b>	No requirement except when the side site line directly abuts any Residential or Community Service Zoning District or abuts a public street, then the minimum side yard shall be 2.1 meters (7 ft). When the rear site line abuts a railway right-of-way no rear yard need be provided. Doors located in side yards shall not be used for delivery purposes.

### 12.4 Accessory Buildings

Setbacks for accessory buildings shall meet the same requirements as the principal use or building.



## 12.5 Signage

12.5.1 Signs and billboards shall be prohibited in the C1 - Town Centre Commercial Zoning District except for signs advertising the principal use of the premises or the principal products offered for sale on the premises. Permitted signs shall be subject to the following requirements:

- a. No more than two permanent signs are permitted per principal use;
- b. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- c. The facial area of a sign shall not exceed 3.5 m<sup>2</sup> (38 ft<sup>2</sup>);
- d. A sign may be double faced;
- e. No sign shall exceed 10 meters (33 ft) in total height above the ground;
- f. Temporary signs not exceeding 3.0 m<sup>2</sup> (32 ft<sup>2</sup>) advertising the sale or lease of the property, or other information relating to a temporary condition affecting the property, are permitted.
- g. Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

## 12.6 Parking

Off-street parking requirements shall be provided in accordance with the following:

<b>Shopping Centre/Strip Mall</b>	1 parking space for each 50 m <sup>2</sup> (538 ft <sup>2</sup> ) of floor area
<b>Lumber and building supply establishments</b>	1 space per 50 m <sup>2</sup> (538 ft <sup>2</sup> ) of gross floor or 1 space per 3 employees, whichever is greater
<b>Places of assembly, institutional buildings</b>	1 parking space for each 50 m <sup>2</sup> (538 ft <sup>2</sup> ) of floor area
<b>All other uses</b>	1 parking space for each 50 m <sup>2</sup> (538 ft <sup>2</sup> ) of floor area

## 12.7 Landscaping

Where a site abuts any Residential Zoning District without an intervening lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 meters (5 ft) in width throughout which shall not be used for any purpose except landscaping.

## 12.8 Standards for Discretionary Uses

### 12.8.1 Dwelling Units:

- a. Dwelling units are permitted as long as the principal use is undergoing;
- b. Dwelling units shall have a floor area smaller than or equal to the floor area in commercial use;
- c. Minimum floor area for each dwelling unit shall be 45 m<sup>2</sup> (484 ft<sup>2</sup>);
- d. All dwelling units shall have an entrance separate from that of the commercial establishment;

- e. Dwelling units shall be located above or at the rear and attached to the principal commercial use; and
- f. Accessory residential uses shall conform to the Provincial Public Health and Fire Regulations.

**12.8.2 Lumber Yards and Wholesale Trades:**

- a. Development of such uses on other than the existing sites will be encouraged to locate on vacant land with adequate space;
- b. No outside storage is permitted for a wholesale establishment.

**12.8.3 Other Requirements**

- a. Sites used for discretionary uses which may result in heavy truck traffic shall be located to ensure that such traffic takes an access to or from major streets or designated truck routes;
- b. All operations related to construction trades, artisans, and craft shop offices shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

## Section 13: Mixed Use District

*The purpose of the Mixed Use District (MU) is to provide for a mix of land uses, including residential uses, a range of downtown commercial uses, and other compatible uses, in proximity to the downtown area or other community center.*

**No person shall within any MU - Mixed Use District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.**

### 13.1 Permitted Uses

- a. One single-detached dwelling or Modular home;
- b. Live/Work dwelling units in conjunction with and attached to any other permitted use attached to and behind, or above, commercial establishments;
- c. Uses, buildings and structures accessory to and located on the same site as the principal building or permitted use;
- d. Artisan studios, craft and workshops;
- e. Personal services establishments;
- f. Health care clinics;
- g. Outdoor markets and concessions (permanent, seasonal, or occasional);
- h. Restaurants, tea houses, coffee shops, sidewalk cafés;
- i. Storefront retail stores and outlets;
- j. Restaurants, tea rooms, night clubs, and taverns;
- k. Small-scale repair trades such as tailors, jewelers, art and hand craft shops and studios, craftspeople and similar trades, including retail sales of art and craft products;
- l. Welding, metal works, cabinet making or furniture making;
- m. Activities utilizing large power tools and machinery, or activities involved in the mass production of similar items or products;
- n. Public works buildings and structures **excluding** offices, warehouses, storage yards, and waste management or sewage facilities.

### 13.2 Discretionary Uses

**The following uses may be permitted in the MU-Mixed Use District but only by resolution of Council and only in locations specified in such resolution of Council:**

- a. Veterinary services and the boarding of animals;
- b. Painting, repairing, or selling of motor vehicles or machinery;
- c. Child day care centres (refer to Section 5.7);
- d. Adult day care centres (refer to Section 5.8)
- e. Campgrounds and recreational vehicle parks (refer to Section 5.10).

### 13.3 Prohibited Uses

- a. All uses of land, buildings, and industrial process that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or

## Section 13: Mixed Use District

emission of dust, smoke, refuse, matter, odour, gas, fumes, noise vibration or other similar substances or conditions;

- b. Junk and auto salvage yards, automobile wrecking yards, and other similar uses.

### 13.4 Site Development Regulations

**Public works shall have no minimum or maximum site requirements.**

#### PERMITTED USES

	SINGLE DETACHED DWELLINGS	ALL OTHER PERMITTED USES
<b>Minimum site area</b>	465 m <sup>2</sup> (5005 ft <sup>2</sup> )	223 m <sup>2</sup> (2400 ft <sup>2</sup> ) with a lane or 604 m <sup>2</sup> (6501 ft <sup>2</sup> ) without a lane
<b>Minimum floor area</b>	75 m <sup>2</sup> (807 ft <sup>2</sup> )	
<b>Minimum site frontage</b>	15.0 meters (49 ft) with a lane or 20.0 meters (66 ft) without a lane	
<b>Height</b>	9.0 meters (30 ft) for the Principal building and 5.0 meters (16 ft) for accessory buildings	
<b>Maximum site coverage</b>	40%	
<b>Minimum front yard</b>	8.0 meters (26 ft)	
<b>Minimum rear yard</b>	7.5 meters (25 ft)	
<b>Minimum side yard</b>	1.2 meters (4 ft) unless on a corner site than the side yard shall be 6.0 meters (20 ft)	

#### OTHER DISCRETIONARY USES:

VETERINARY SERVICES AND THE BOARDING OF ANIMALS; PAINTING, REPAIRING, OR SELLING OF MOTOR VEHICLES OR MACHINERY; CHILD DAY CARE CENTRES; ADULT DAY CARE CENTRES; CAMPGROUNDS

<b>Minimum site area</b>	360 m <sup>2</sup> (3875 ft <sup>2</sup> ) with a lane, 460 m <sup>2</sup> (4951 ft <sup>2</sup> ) without a lane
<b>Minimum floor area</b>	75 m <sup>2</sup> (807 ft <sup>2</sup> )
<b>Minimum site frontage</b>	15.0 meters (49 ft) with a lane or 20.0 meters (66 ft) without a lane
<b>Height</b>	9.0 meters (30 ft) for the principal building and 5.0 meters (16 ft) for accessory buildings
<b>Maximum site coverage</b>	40%
<b>Minimum front yard</b>	8.0 meters (26 ft)
<b>Minimum rear yard</b>	7.5 meters (25 ft)

<b>Minimum side yard</b>	1.2 meters (4 ft) unless on a corner site than the side yard shall be 6.0 meters (20 ft)
--------------------------	--

## 13.5 Supplementary Regulations

### 13.5.1 Dwelling Units:

- Dwelling units shall have a floor area smaller than or equal to the floor area in commercial use;
- Minimum floor area for each dwelling unit shall be 45 m<sup>2</sup> (484 ft<sup>2</sup>);
- All dwelling units shall have an entrance separate from that of the commercial establishment;
- Dwelling units shall be located above or at the rear and attached to the principal commercial use;
- Accessory residential uses shall conform to the Provincial Public Health and Fire Regulations.

### 13.5.2 Live/Work Units:

The following development standards shall apply to all Live/Work Units:

- Work associated with a live/work unit shall be conducted entirely indoors, and shall not be undertaken in any attached garage space necessary for required parking;
- There shall be no exterior storage on the site in relation to the live/work unit, and no exterior alterations shall be permitted that are not consistent with the residential character of the buildings and property;
- No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the dwelling containing the live/work unit shall be produced;
- The size and nature of the workspace shall be limited so that the building type may be governed by applicable building codes;
- The dwelling component of the live/work unit shall be not less than 30% of the gross floor area of the live/work unit. Any attached garage space necessary for required parking shall be excluded from the gross floor space ratio calculation.

## 13.6 Accessory Buildings

- All accessory buildings shall be set back a minimum of 7.0 meters (23 ft) from the front site line, 1.2 meters (4 ft) from the principal building, and 0.8 meters (3 ft) from the side site line unless the side site line is an abutting street then the side yard shall be 3.6 meters (12 ft);
- All accessory buildings shall not exceed 83.6 m<sup>2</sup> (900 ft<sup>2</sup>) in area;
- All accessory buildings shall be located a minimum of 0.8 meters (3 ft) from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 1.5 meters (5 ft) from the site line abutting the lane;
- All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

### 13.7 Signage

- a. One permanent sign is permitted per site;
- b. In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling, affixed to the dwelling or accessory building or free standing on the property at least 3.0 meters (10 ft) in from any lot line;
- c. The facial area of a sign shall not exceed 0.5 m<sup>2</sup> (5 ft<sup>2</sup>);
- d. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- e. Temporary signs not exceeding 1.0 m<sup>2</sup> (11 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

### 13.8 Parking

Off-street parking requirements shall be provided in accordance with the following:

<b>Dwelling units</b>	1 space for each dwelling unit
<b>Home occupations, home based businesses</b>	1 space per non-resident employee
<b>Day care centres</b>	1 space plus 1 additional space for every 10 persons enrolled in the facility
<b>Bed and breakfast homes</b>	1 space plus 1 space for each guest room
<b>Residential care homes</b>	1 space plus 1 space for each non-resident staff member in the facility
<b>All other uses</b>	At the discretion of Council

- a. Off-street parking for dwelling groups, day care centres, pre-schools, residential care facilities, and health care clinics shall be located in a side or rear yard and shall be screened if they abut a site used for residential purposes.

## Section 14: Highway Commercial District – C2

*The purpose of the Highway Commercial District (C2) is to facilitate a wide range of commercial, industrial and related activities located along Provincial Highways requiring high visibility.*

**No person shall within a C2 – Highway Commercial District use any land, or erect, alter or use any building or structure except in accordance with the following provisions.**

### 14.1 Permitted Uses

- a. Motels or motor hotels, including a dwelling for caretakers, owners, or managers;
- b. Restaurants, confectionaries, including drive-thru;
- c. Licensed premises for the sale and consumption of alcoholic beverages;
- d. Service stations and other establishments for the servicing, storage and sale of motor vehicles, trailers, recreation, or farm machinery and equipment;
- e. Public transportation depots;
- f. Commercial and public recreational establishments such as bowling alleys, arcades and fitness centres;
- g. Car wash;
- h. Commercial cardlock operations;
- i. Garden centres or commercial greenhouses;
- j. Lumber and building supply establishments;
- k. Tourism oriented commercial recreation activities;
- l. Police, ambulance stations;
- m. Accessory uses, including integrated or complementary uses, buildings or structures accessory to and located on the same site as the principal building or use;
- n. Public works offices, buildings, structures and warehouses excluding waste management or sewage facilities.

### 14.2 Discretionary Uses

**The following uses may be permitted in the C2 - Highway Commercial District but only by resolution of Council and only in locations specified in such resolution of Council.**

- a. Bulk petroleum sales and storage;
- b. Oilfield supply and services establishments;
- c. Animal hospitals, or clinics and offices of veterinary surgeons;
- d. Construction trades and contractors' yards;
- e. Shops of plumbers, pipe fitters, metal workers and other industrial trades manufacturing and sales;
- f. Strip malls, shopping centres;
- g. Campground including recreational vehicle park;
- h. Rooming house;
- i. Funeral homes;

## Section 14: Highway Commercial District

- j. Motor vehicle, recreational vehicle, and/or mobile home sales and servicing and/or storage compound;
- k. Semi-trailer and container parking lot including sea containers.

### 14.3 Prohibited Uses

- a. Aggregate materials; storage or handling operations;
- b. Abattoirs.

### 14.4 Site Development Regulations

**Public works shall have no minimum or maximum site requirements.**

#### PERMITTED USES (OTHER THAN MOTELS AND SERVICE STATIONS)

<b>Minimum site area</b>	570 m <sup>2</sup> (6135 ft <sup>2</sup> )
<b>Minimum site frontage</b>	15 m (49 ft)
<b>Minimum front yard</b>	6.0 meters (20 ft)
<b>Minimum side yard</b>	3.0 meters (10 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)

#### MOTELS

#### SERVICE STATIONS

<b>Minimum site area</b>	1600 m <sup>2</sup> (17222 ft <sup>2</sup> )	929 m <sup>2</sup> (10,000 ft <sup>2</sup> )
<b>Minimum site frontage</b>	30.0 meters (98 ft)	30.0 meters (98 ft)
<b>Minimum front yard</b>	15 meters (49 ft)	7.5 meters (25 ft)
<b>Minimum side yard</b>	3.0 meters (10 ft)	3.0 meters (10 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)	6.0 meters (20 ft)

#### SHOPPING CENTRES AND STRIP MALLS

<b>Minimum site area</b>	3,700 m <sup>2</sup> (39,826 ft <sup>2</sup> )
<b>Minimum site frontage</b>	75 meters (246 ft)
<b>Maximum height</b>	15.0 meters (49 ft)
<b>Maximum site coverage</b>	75%
<b>Minimum front yard</b>	7.5 meters (25 ft)



## Section 14: Highway Commercial District

<b>Minimum side yard</b>	9.0 meters (30 ft)
<b>Minimum rear yard</b>	3.0 meters (10 ft)

### DISCRETIONARY USES

	<b>Bulk Petroleum Sales and Storage; Oilfield Supply and Service Establishments; Construction Trades and Contractors' Yards; Motor Vehicle, Recreational Vehicle and/or Mobile Home Sales Storage Compound; Semi-Trailer and Container Parking Lot</b>	<b>Shops of Plumbers, Pipe Fitters, Metal Workers and Other Industrial Trades Manufacturing and Sales; Funeral Homes; Animal Hospitals or Clinics and Office of Veterinary Surgeons</b>
<b>Minimum site area</b>	930 m <sup>2</sup> (10,010 ft <sup>2</sup> )	730 m <sup>2</sup> (7858 ft <sup>2</sup> )
<b>Minimum site frontage</b>	30.0 meters (98 ft)	20.0 meters (66 ft)
<b>Minimum front yard</b>	6.0 meters (20 ft)	6.0 meters (20 ft)
<b>Minimum side yard</b>	3.0 meters (10 ft)	3.0 meters (10 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)	6.0 meters (20 ft)

### 14.5 Accessory Buildings

- Setbacks for accessory buildings shall meet the same requirements as the principal use or building;
- Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material under 55 m<sup>2</sup> (592 ft<sup>2</sup>) may be permitted from October 15 to May 1 in the rear yard of a site.

### 14.6 Fence and Hedge Heights

- Screen fences shall be consistent and complement the quality of building design and materials of the primary building. Screening shall be provided where a lot used for commercial or industrial purposes abuts a residential district without an intervening street or land. Such screening shall consist of a solid fence, hedge, or wall over 1.5 meters (3 ft) in height in a side or rear yard and over 0.75 meters (2 ft) in a front yard;
- No fence in a commercial or industrial zone shall exceed 2.4 meters (8 ft);
- No barbed wire, or razor wire fences shall be allowed in a Commercial Zoning District.

### 14.7 Landscaping

- a. A landscaped strip not less than 3.0 meters (10 ft) in width throughout lying parallel and abutting the front site line shall be provided on every site;
- b. On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped;
- c. Where a site abuts any Residential or Community Service Zoning District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 3.0 meters (10 ft) in width throughout which shall not be used for any purpose except landscaping.

### 14.8 Parking Requirements

<b>Strip malls or retail plazas</b>	1 parking space for each 50 m <sup>2</sup> (538 ft <sup>2</sup> ) of floor area
<b>Stores and offices</b>	1 parking space for every 50 m <sup>2</sup> (538 ft <sup>2</sup> ) of gross floor area
<b>Restaurants, other eating places</b>	1 parking space for every 10 seats provided for patrons
<b>Theatres, places of assembly</b>	1 parking space for every 10 seats provided for patrons
<b>Motels, motor hotels or hotels</b>	1 parking space for each unit
<b>Service stations</b>	1 ½ parking spaces for each service bay
<b>All other uses</b>	1 parking space for each 75 m <sup>2</sup> (807 ft <sup>2</sup> ) of building floor area

### 14.9 Loading Requirements

Where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site. The minimum area of an individual loading space shall be 17.0 m<sup>2</sup> (183 ft<sup>2</sup>). Doors located in side yards shall not be used for delivery purposes.

<b>Gross Floor Area</b>	<b>Minimum Number of Loading Spaces</b>
<b>93 m<sup>2</sup> to 1300 m<sup>2</sup></b>	1 space
<b>1300 m<sup>2</sup> to 2800 m<sup>2</sup></b>	2 spaces
<b>&lt;2800 m<sup>2</sup></b>	2 spaces +1 space for each 5600 m <sup>2</sup> (60278 ft <sup>2</sup> )

### 14.10 Signage

Signs and billboards shall be prohibited in the C2 - Highway Commercial District except for signs advertising the principal use of the premises or the principal products offered for sale on the premises. Permitted signs shall be subject to the following requirements:

- a. One permanent sign is permitted per site. The facial area of a sign shall not exceed 4.0 m<sup>2</sup> (43 ft<sup>2</sup>);
- b. No sign shall be located in any manner that may jeopardize public safety;
- c. Temporary signs not exceeding 3.0 m<sup>2</sup> (32 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.
- d. Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

### 14.11 Outdoor Storage

- a. No outdoor storage shall be permitted in the required front yard of any commercial or industrial site;
- b. 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;
- c. No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material;
- d. 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 property, vehicles or vehicular parts.

### 14.12 Supplementary Regulations

#### 14.12.1 Service Stations

- a. Where service stations occupy a corner site, only one access point shall be located on the flankage, located a minimum of 6.0 meters (20 ft) from the intersection;
- b. Fuel pumps and other accessory equipment shall be located not less than 6.0 meters (20 ft) from any street or site line;
- c. Service stations shall locate underground storage tanks in accordance with *The Fire Protection Act*;
- d. Propane and natural gas pumps (retail or wholesale) shall be set back according to Provincial regulations;
- e. Access/egress points shall not be continuous along a street and shall be at least 10.0 meters (33 ft) apart;
- f. Vehicles and parts storage shall not locate in any yard abutting a road and must be screened from view by a solid fence with the location, height and materials being first approved by the Development Officer.

**14.12.2 Shopping Centres/Strip Malls**

Strip malls, when permitted, must be primarily for pedestrian use and accessible to the public from both the street and from the development.

- a. Council will consider the appropriate separation to other uses that may be incompatible with shopping centre/strip mall retail and service activities;
- b. Council will consider the potential uses and street access to the site when making a discretionary use decision on a proposed shopping centre/strip mall. Ingress and egress points shall be designed to minimize conflict with adjacent land uses and not pose a safety hazard;
- c. Other criteria may include the street façade, main street entrance, windows along the street and the relaxation of on-site parking requirements;
- d. Landscaping shall be provided acceptable to Council. If abutting a Residential Zoning District, a suitable buffer composed of tree planting or a hedge shall be provided.

**14.12.3 Other Requirements**

- a. Sites used for discretionary uses which may result in heavy truck traffic shall be located to ensure that such traffic takes access to or from major streets or designated truck routes.

## Section 15: General Industrial District – IND

*The purpose of the General Industrial District (IND) is to provide areas for Industrial activities which have moderate potential for conflict with adjacent land uses and rely on access to prime traffic routes.*

**No person shall within any IND - General Industrial District use any land, or erect, alter, or use any building or structure except in accordance with the following provisions.**

### 15.1 Permitted Uses

- a. Business and/or professional offices;
- b. Industrial parks containing a combination of permitted uses;
- c. Buildings, structures, and uses accessory to, and located on the same site as, the principal building or use except any building or structure used for human habitation;
- d. Indoor repair, rental, servicing, storage, wholesale of any commodity and/or retail sales of any goods, materials and/or commodities excluding any hazardous materials;
- e. Manufacturing, fabricating, processing, assembly, finishing, production or packaging of materials, goods or products that are not noxious;
- f. Service stations and commercial carlock operations;
- g. Oilfield supply and service establishments;
- h. Auto body shops;
- i. Construction and other contractors, industrial trades, workshops, yards, plants, and/or offices;
- j. Warehousing and supply depots;
- k. Farm and industrial machinery equipment and vehicle sales and service;
- l. Trucking operations;
- m. Semi-trailer and container parking lot including sea containers;
- n. Lumber and building supply establishments;
- o. Construction of RTM homes or agricultural building assembly area;
- p. Motor vehicle, recreational vehicle, and/or mobile home sales and servicing and/or storage compound;
- q. Commercial recycling depots;
- r. Public works buildings and structures including offices, warehouses, storage, yards, and waste management or sewage facilities.

### 15.2 Discretionary Uses

**The following uses may be permitted in the IND – General Industrial District but only by resolution of Council and only in locations specified in such resolution of Council.**

- a. Bulk petroleum sales and storage;
- b. Stockyards and auction marts;
- c. Salvage yards and auto wreckers;
- d. Meat processing plants/abattoirs;
- e. Seed cleaning plants, feed mills and flour mills;

- f. Fertilizer sales and storage;
- g. Cement manufacturing;
- h. Aggregate material storage or handling operations;
- i. Wind energy facilities (refer to Section 5.12).

### 15.3 Site Development Regulations

**Public works shall have no minimum or maximum site requirements.**

#### PERMITTED USES

<b>Minimum site area</b>	929 m <sup>2</sup> (10,000 ft <sup>2</sup> )
<b>Minimum site frontage</b>	30 meters (98 ft)
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)
<b>Minimum side yard</b>	3.0 meters (10 ft)

#### SERVICE STATIONS

<b>Minimum site area</b>	929 m <sup>2</sup> (10,000 ft <sup>2</sup> )
<b>Minimum site frontage</b>	30 meters (98 ft)
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum side yard</b>	3.0 meters (10 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)
<b>Height</b>	15 meters (49 ft)

#### OTHER DISCRETIONARY USES:

BULK PETROLEUM SALES AND STORAGE; OILFIELD EQUIPMENT PARKING LOT AND STAGING AREA; STOCKYARDS AND AUCTION MARTS; SALVAGE YARDS AND AUTO WRECKERS; MEAT PROCESSING PLANTS/ABATTOIRS; SEED CLEANING PLANTS, FEED MILLS AND FLOUR MILLS; FERTILIZER SALES AND STORAGE; CEMENT MANUFACTURING; AGGREGATE MATERIAL STORAGE OR HANDLING OPERATIONS; WIND ENERGY FACILITIES

<b>Minimum site area</b>	929 m <sup>2</sup> (10,000 ft <sup>2</sup> )
<b>Minimum site frontage</b>	30 meters (98 ft)
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum side yard</b>	3.0 meters (10 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft)

<b>Height</b>	15 meters (49 ft)
---------------	-------------------

#### 15.4 Accessory Buildings

- Setbacks for accessory buildings shall meet the same requirements as the principal use or building;
- Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material under 55 m<sup>2</sup> (592 ft<sup>2</sup>) may be permitted from October 15 to May 1 in the rear yard of a site.

#### 15.5 Fence and Hedge Heights

- Screen fences shall be consistent and complement the quality of building design and materials of the primary building. Screening shall be provided where a lot used for commercial or industrial purposes abuts a Residential Zoning District without an intervening street or lane. Such screening shall consist of a solid fence, hedge, or wall over 1.5 meters (5 ft) in height in a side or rear yard and over 0.75 meters (2 ft) in a front yard;
- No fence in a commercial or industrial zone shall exceed 2.4 meters (8 ft);
- No barbed wire, or razor wire fences shall be allowed in an Industrial Zoning District.

#### 15.6 Landscaping

- A landscaped strip of not less than 3.0 meters (10 ft) in width throughout lying parallel and abutting the front site line shall be provided on every site;
- On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped;
- Where a site abuts any Residential Zoning District without an intervening lane, there shall be a strip of land adjacent to the abutting site line of not less than 3.0 meters (10 ft) in width throughout which shall not be used for any purpose except landscaping.

#### 15.7 Parking

Off-street parking requirements shall be provided in accordance with the following:

<b>Warehouses or manufacturing activities</b>	1 parking space for each 90 m <sup>2</sup> (969 ft <sup>2</sup> ) of gross floor area
<b>Principal buildings</b>	1 parking space for each 50 m <sup>2</sup> (538 ft <sup>2</sup> ) of gross floor area, or 1 parking space for each 1.5 employees, whichever is greater

#### 15.8 Loading Requirements

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods, or merchandise, adequate space for such vehicles to stand for loading and unloading without restricting access to all parts of the site shall be provided on the site. The minimum area of an individual loading space shall be 17 m<sup>2</sup> (183 ft<sup>2</sup>).

Gross Floor Area	Minimum Number of Loading Spaces
93 m <sup>2</sup> to 1300 m <sup>2</sup>	1 space
1300 m <sup>2</sup> to 2800 m <sup>2</sup>	2 spaces
<2800 m <sup>2</sup>	2+1 for each 5600 m <sup>2</sup> (60,278 ft <sup>2</sup> )

## 15.9 Signage

15.9.1 Signs and billboards are prohibited in the IND – General Industrial District except for signs advertising the principal use of the premises or the names of the occupants of the premises.

Permitted signs shall be subject to the following regulations:

- One permanent sign is permitted per site. The facial area of a sign shall not exceed 4.0 m<sup>2</sup> (43 ft<sup>2</sup>);
- No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- Temporary signs not exceeding 1.0 m<sup>2</sup> (11 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted;
- Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

## 15.10 Outdoor Storage

- No outdoor storage shall be permitted in the required front yard of any commercial or industrial site;
- No yard shall be used for the storage or collection of hazardous material;
- 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;
- 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 property, vehicles or vehicular parts;
- All outside storage shall be fenced and where the area abuts a residential area. All junk yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 meters (7 ft) and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence;
- All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.

## 15.11 Standards for Discretionary Uses

### 15.11.1 Salvage Yards and Auto Wrecker Operations

- This includes salvage yards, auto wreckers, auto repair shop, body shops and similar uses, all salvage vehicles and materials, vehicles waiting repair, salvage or removal and similar uses;
- No vehicles or parts thereof shall be located in the front yard;



- c. All salvage yards shall be totally hidden from the view of the travelling public, Provincial highways, any public road and adjacent residential development by utilizing any of the following measures:
  - i. Distance and careful location;
  - ii. Natural or planted vegetation;
  - iii. An earth berm;
  - iv. An opaque fence;
  - v. A building;
  - vi. Other appropriate methods approved by Council.

### **15.12 Performance Standards**

- 15.12.1 An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:
- a. Noise - emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
  - b. Smoke - no process involving the use of solid fuel is permitted;
  - c. Dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted;
  - d. Odour - the emission of any odorous gas or other odorous matter is prohibited;
  - e. Toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
  - f. Glare or heat - no industrial operation shall be carried out that would produce glare or heat noticed beyond the property line of the lot;
  - g. External storage - external storage of goods or material is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the authority having jurisdiction. No storage shall be permitted in the front yard;
  - h. Industrial wastes - waste which does not conform to the standards established from time to time by Town Bylaws shall not be discharged into any Town sewers.
  - i. The onus of proving to Council's satisfaction that a proposed development does and will comply with these requirements, rests with the developer.

## Section 16: COMMUNITY SERVICE DISTRICT – CS

*The purpose of the Community Service District (CS) is to provide areas for a wide range of community service related activities including social, recreational, institutional, parks and public service.*

**No person shall, within any CS – Community Service District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions.**

### 16.1 Permitted Uses

- a. Buildings, structures, or uses secondary or subordinate to, and located on the same site as, the principal use, shall be considered accessory uses and, may include commercial uses;
- b. Elementary, high schools and other educational facilities;
- c. Lodges, social clubs, service clubs;
- d. Municipal offices, libraries, historic and cultural institutions, community halls;
- e. Places of worship and assembly halls;
- f. Child day care centres;
- g. Adult day care centres;
- h. Health facilities and special care homes;
- i. Recreational - sports fields, parks, playgrounds, curling rinks, skating rinks, tennis courts, lawn bowling greens, swimming pools, and other similar uses. More than one recreational use may be permitted per site;
- j. Natural and nature-like open areas;
- k. Golf courses
- l. Community gardens;
- m. Pedestrian trails and bicycle pathways;
- n. Skateboard parks or bmx bike-terrain;
- o. Scenic lookout and interpretation facilities, rest stops, and other public trail facilities;
- p. Public works buildings and structures excluding storage yards, warehouses, drainage ditches, culverts, and other drainage works, and shall include water reservoirs, waste management sites, and sewage treatment facilities.

### 16.2 Discretionary Uses

**The following uses may be permitted in the Community Service District but only by resolution of Council and only in locations specified in such resolution of Council:**

- a. Wind energy facilities (refer to Section 5.12).

### 16.3 Site Development Regulations

**Public works shall have no minimum or maximum site requirements.**

## Section 16: Community Services District

### PERMITTED USES (OTHER THAN EDUCATIONAL FACILITIES, RINKS AND SWIMMING POOLS)

<b>Minimum site area</b>	1 ha (2.5 acres)
<b>Minimum site frontage</b>	15 meters (49 ft)
<b>Minimum front yard</b>	6.0 meters (20 ft)
<b>Minimum rear yard</b>	6.0 meters (20 ft) except where the rear site line abuts a Residential Zoning District without an intervening street or lane, at least 7.5 meters (25 ft) shall be provided
<b>Minimum side yard</b>	50% of the height of the building or 3.0 meters (10 ft), whichever is greater

### ELEMENTARY AND SECONDARY SCHOOLS

<b>Minimum site area</b>	No minimum requirement
<b>Minimum site frontage</b>	60.0 meters (197 ft)
<b>Maximum site coverage</b>	75%
<b>Minimum front yard</b>	15 .0 meters (49 ft)
<b>Minimum rear yard</b>	7.5 meters (25 ft)
<b>Minimum side yard</b>	7.5 meters (25 ft)

### SKATING, CURLING RINKS AND SWIMMING POOLS

<b>Minimum site area</b>	1200 m <sup>2</sup> (12,917 ft <sup>2</sup> )
<b>Minimum site frontage</b>	20.0 meters (66 ft)
<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Minimum rear yard</b>	7.5 meters (25 ft)
<b>Minimum side yard</b>	1.5 meters (5 ft) except on a corner site abutting a street then 3.6 meters (12 ft) shall be provided

### ACCESSORY BUILDINGS

<b>Minimum front yard</b>	7.5 meters (25 ft)
<b>Principal building</b>	All accessory buildings shall be set back 1.2 meters (4 ft) from the principal building
<b>Minimum side yard</b>	0.8 meters (3 ft) unless the side site line is an abutting a street then the side yard shall be 3.6 meters (12 ft)

<b>Minimum rear yard</b>	All accessory buildings with a door or doors opening onto a lane shall not be located less than 2.0 meters (7 ft) from the site line abutting the lane
--------------------------	--

#### 16.4 Signage

- One permanent sign is permitted per site. The facial area of a sign shall not exceed 4.0 m<sup>2</sup> (43 ft<sup>2</sup>).
- Billboards are prohibited except for one information sign for each building or use and those bearing notices of special events and activities, or other information, relating to a temporary condition affecting the site and shall not exceed 1.0 m<sup>2</sup> (11 ft<sup>2</sup>) in size.
- Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

#### 16.5 Parking

Off-street parking requirements shall be provided in accordance with the following:

<b>Elementary school</b>	1 parking space for each staff member
<b>High school</b>	1 parking space for each staff member, plus 1 parking space for every 10 students
<b>Churches and Places of Assembly</b>	1 parking space for each 50 m <sup>2</sup> (538 ft <sup>2</sup> ) of floor area
<b>Special care homes</b>	1 parking space for each bed
<b>Institutional buildings, private clubs and lodges</b>	1 parking space for each 50 m <sup>2</sup> (538 ft <sup>2</sup> ) of floor area
<b>Recreational buildings, sports facilities and fields</b>	1 parking space for each of every 10 patrons or seat

#### 16.6 Landscaping

- A landscaped strip not less than 3.0 meters (10 ft) in width throughout lying parallel and abutting the front site line shall be provided on every site;
- On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
- Where a site abuts any Residential Zoning District without an intervening lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 meters (5 ft) in width throughout which shall not be used for any purpose except landscaping.

## Section 17: FUTURE URBAN DEVELOPMENT DISTRICT – FUD

*The purpose of the Future Urban Development District (FUD) is to limit development that may affect future growth of the Town by providing for temporary and transitional uses and activities.*

**No person shall within any FUD – Future Urban Development District use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:**

### 17.1 Permitted Uses

- a. Agricultural crop production and horticultural uses and buildings and structures customarily accessory to the use;
- b. Commercial greenhouses, market gardens, and sod farms;
- c. Uses, buildings and structures accessory to the principal building or use;
- d. Recreational uses and sports grounds;
- e. Recreational vehicle storage yards;
- f. Public works buildings and structures including offices, warehouses, storage, yards, and waste management or sewage facilities.

### 17.2 Discretionary Uses

**The following uses may be permitted in the FUD- Future Urban Development District only by resolution of Council and only in locations in such resolution of Council:**

- a. One single detached dwelling and buildings accessory to the principal use and occupied by the owner, manager or caretaker of the principal use;
- b. Keeping of livestock, but excluding intensive livestock operations, poultry farms, hatcheries, or commercial kennels;
- c. Health care facilities;
- d. Cemeteries;
- e. Wind energy facilities (refer to Section 5.12).

### 17.3 Site Development Regulations

**Public works shall have no minimum or maximum site requirements.**

<b>Minimum site area</b>	Existing, no subdivision
<b>Minimum site frontage</b>	60.0 meters (197 ft) abutting a highway or 6.0 meters (20 ft) abutting a street
<b>Front yard</b>	15.0 meters (49 ft) unless the property abuts a municipal road, then the setback is 60.0 meters (197 ft) from the centerline of the municipal road
<b>Side yard</b>	7.5 meters (25 ft) for dwelling and buildings accessory thereto, except the minimum side yard abutting a public street shall be 10.0 meters (33 ft)

<b>Rear yard</b>	10.0 meters (33 ft) for dwellings and buildings accessory thereto except that the minimum rear yard abutting a public street shall be 30.0 meters (98 ft)
------------------	---

#### 17.4 Signage

- a. One permanent sign is permitted per site. The facial area of a sign shall not exceed 1.0 m<sup>2</sup> (11 ft<sup>2</sup>).
- b. In the case of a home occupation, an additional permanent sign is permitted;
- c. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- d. Temporary signs not exceeding 1.0 m<sup>2</sup> (11 ft<sup>2</sup>) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

#### 17.5 Supplementary Regulations

- a. Council will consider the applications for permitted and discretionary use with respect to the following criteria:
  - i. The infrastructure servicing capacity is available to service the development without excessive impact on other uses being served by the system;
  - ii. The proposed development will be consistent with any concept plans in force in the area and will not be inconsistent with the future use and development plans of the Town of Fort Qu'Appelle Official Community Plan and the Calling Lakes District Plan;
  - iii. The development will not require the development of new streets and utility lines except as may be provide for in existing plans under the Town of Fort Qu'Appelle Official Community Plan and the Calling Lakes District Plan and that the proposal is not premature.
- b. Where a development is proposed at a location at which standard connection to the Town's existing sewer and water system is not feasible, the developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for that development acceptable to Council and meets *The Public Health Act and Regulations* requirements. Domestic waste disposal systems located on the site and serving only the principal use will be a permitted use to that principal use;
- c. Any building or structure used for the habitation or shelter of animals permitted in this Zoning District shall be located a minimum distance of 76.0 meters (249 ft) from an occupied dwelling situated on an adjoining site.

## **Section 18: Environmentally Sensitive Lands (ES) Overlay**

*The Intent of the Environmentally Sensitive Lands Overlay District (ES) is to restrict development in areas that are considered environmentally sensitive. The following regulations are intended to apply supplementary standards for development in areas designated as having potential environmental sensitivities or natural hazards conditions (unstable slopes, flooding) in order to:*

- Restrict development in identified and potentially environmentally sensitive and critical wildlife areas.
- Restrict development in areas that is considered hazardous for development in order to minimize property damage due to flooding.
- Restrict development in areas that are considered hazardous for development for reasons of excessive soil erodability and/or ground instability.

### **18.1 Areas Within the ES Overlay District**

All land within the Environmentally Sensitive Lands Overlay District is shown on the Future Land Use Map and Zoning Map.

### **18.2 Overlay District Regulations**

- a. All the regulations of the Environmentally Sensitive Lands Overlay District shall be used by Council as a guideline in establishing conditions, which may be applied to location-sensitive Development Permits for the specific use being requested;
- b. With the exception of a single-dwelling, for a proposed development located within the Environmentally Sensitive Environment Area, Council may 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 in the Environmentally Sensitive Lands Overlay District'
- c. Where a proposed development of a new use and any required access driveway is located within 150.0 meters (492 ft) of an area defined as Environmentally Sensitive land in the Town of Fort Qu'Appelle Official Community Plan or as an Environmentally Sensitive Lands (ES) Overlay District on the Zoning Map, Council may require the applicant to submit sufficient topographic or other information to determine if the development will be within 50.0 meters (164 ft) of any slopes that may be unstable, or within any river or stream flood plain, or other land that may be subject to flooding;
- d. Identified actions for hazard avoidance, prevention, mitigation or remedy for any development proposed in an Environmentally Sensitive Lands Overlay District may be incorporated as special conditions of a Development Permit. Where such special conditions conflict with any other regulation of this Bylaw, the special conditions shall take precedence. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the adverse effects or may result in excessive costs for the Municipality;
- e. No person shall within an Environmentally Sensitive Lands Overlay District use any land, or erect, alter or use any building or structure, except in accordance with the following provisions.

### 18.3 Permitted Uses

- a. Agricultural uses, but not including buildings and structures accessory thereto and does not include irrigation works, Intensive Livestock Operations or Harvest Preserves;
- b. Recreational uses;
- a. Wildlife habitats and sanctuaries;
- b. Natural and nature-like open areas;
- c. Existing Dwellings and accessory buildings.

### 18.4 Discretionary Uses

**The following uses may be permitted only by resolution of Council and only in locations specified in such resolution of Council:**

- a. One detached one unit dwelling, RTM or modular home following the placement thereof on a permanent foundation, and buildings accessory thereto subject to appropriate site development regulations (slope instability or flood proofing);
- b. Home occupations, home-based businesses (Refer to Section 5.2);
- c. Oil and gas development;
- d. Drainage ditches, culverts and other drainage works;
- e. Public utilities, buildings, and structures, warehouses and storage yards excluding solid and liquid disposal waste facilities.

### 18.5 Critical Wildlife Habitat Development Regulations

- a. Where development is proposed in an area identified as containing critical wildlife habitat, the Development Officer may require the applicant to provide additional information as required by *The Wildlife Habitat Protection Act (WHPA)* and any other relevant Provincial Regulations;
- b. Council may prohibit development and recommend subdivision refusal where proposals may adversely affect long-term wildlife conservation and may specify development and subdivision requirements based on reports from qualified consultants or officials from the Provincial government;
- c. All development and subdivision proposals on private and Crown Lands which are within a Critical Wildlife Management Area shall conform to:
  - i. *The Critical Wildlife Habitat Act (CWhA)* requirements;
  - ii. *The Critical Wildlife Habitat Lands Disposition and Alteration Regulations* requirements;
  - iii. Council specified wildlife development, management, conservation, mitigative and rehabilitation development standards to maximize long-term wildlife protection.

### 18.6 Site Development Regulations for Slope Instability Areas

- a. No new development shall be permitted in any readily eroded or unstable slope area if the proposed development will be affected by or increase the potential hazard presented by erosion or slope instability.
- b. For the purpose of this Bylaw, the area considered to present potential erosion and/or slope instability hazard includes but is not limited to the slopes, any tributary creeks, and gullies. Council may require a surveyor to determine where this line or crest of valley is located at the developer's expense and development will be set back from that line at all points;



- c. Any application for a Development Permit on any parcel of land that lies wholly or partially within an area identified in the “Environmentally Sensitive Lands Overlay Area” must be accompanied by a detailed site analysis prepared by a geotechnical engineer registered in the Province of Saskatchewan. The site analysis shall indicate topography, surface drainage, geological, and geotechnical conditions at the site of the proposed development and related to the conditions of the general area as they relate to slope instability and erosion hazards;
- d. The geotechnical engineer shall answer the following questions:
  - i. Will the proposed development be detrimentally affected by natural erosion or slope instability?
  - ii. Will the proposed development increase the potential for erosion or slope instability that may affect the proposed development, or any other property?
- e. Unless the geotechnical engineer can answer “no” in response to both of the above questions, further analysis will be required. The required analysis must define the hazard as it may affect the proposed development and any other potentially affected property. The engineering report will identify hazard mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and slope stability impacts, and will identify and explain known and suspected residual hazards. The responsibility for monitoring and responding to monitored findings shall be resolved before approval is granted;
- f. 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;
- g. Where a parcel of land borders on or contains a water body, the setback from the bank of the water body shall be determined by the Municipality but shall not be less than 30.0 meters (98 ft) from a water body of 8 hectares (20 acres) or more.

### **18.7 Site Development Regulations for Flood Hazard Cautionary Areas**

- a. For all proposed development in this cautionary area, the developer shall be responsible to obtain and determine the 1:500 year Estimated Peak Water Level to determine the Safe Building Elevation. The Water Security Agency will assist and provide comment when possible or the developer shall be responsible for the cost;
- b. No person shall use any land, erect, alter or use any building or structure within a Flood Hazard Land Area without a development permit. A development permit shall not be issued for any land use, erection, alteration or use of any building or structure unless the site/development meets approved flood proofing measures to the 1:500 flood design elevation;
- c. No person shall backfill, grade, deposit earth or other material, excavate, or store goods or materials on these lands nor plant any vegetation parallel to the waterflow;
- d. “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*.