

RURAL MUNICIPALITY OF CANWOOD No. 494

ZONING BYLAW

Prepared for:

THE RURAL MUNICIPALITY OF CANWOOD No. 494

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The Rural Municipality of Canwood No. 494

Bylaw No. _____

A Bylaw of the Rural Municipality of Canwood No. 494 to adopt a Zoning Bylaw.

The Council of the Rural Municipality of Canwood No. 494, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Rural Municipality of Canwood No. 494 hereby adopts the Rural Municipality of Canwood No. 494 Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Reeve and Administrator of the Rural Municipality of Canwood No. 494 are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. 2003-7 the Zoning Bylaw for the Rural Municipality of Canwood No. 494, and all amendments thereto, are hereby repealed.
- (4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a first time the _____ day of _____, _____

Read a second time the _____ day of _____, _____

Read a third time the _____ day of _____, _____

Adoption of Bylaw this _____ day of _____, _____

(Reeve)

SEAL

(Chief Administrative Officer)

Certified a True Copy of the Bylaw adopted by Resolution of Council

On the _____ day of _____, of the year _____

THE RURAL MUNICIPALITY OF CANWOOD NO. 494

ZONING BYLAW

Being Schedule “A” to Bylaw No. _____
of the Rural Municipality of Canwood No. 494

(Reeve)

SEAL

(Chief Administrative Officer)

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1 INTRODUCTION

1.1 TITLE

This Bylaw shall be known as the "Zoning Bylaw of the Rural Municipality of Canwood No. 494".

1.2 SCOPE

All development within the limits of the municipality shall be in conformity with the provisions of this bylaw, subject to the right of appeal provisions of *The Planning and Development Act, 2007 (The Act)*.

1.3 PURPOSE

This is a Bylaw to control the use and development of the land in the municipality and assist in implementing the Official Community Plan for the Rural Municipality of Canwood No. 494.

1.4 SEVERABILITY

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

2 INTERPRETATION

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

Accessory Building or Use: a building or use which:

- (a) is subordinate to and serves the principal building or principal use;
- (b) is subordinate in area, 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 principal use served; and,
- (d) is located on the same site as the principal building or principal use served.

Accessory Recreation Residence: a residence located within an accessory building, intended to allow for temporary accommodation which may include sleeping and / or sanitary facilities.

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

Agroforestry: a collective name for the practice of intentionally using trees within land use systems and practices in which woody perennials are deliberately integrated with crops and/or animals on the same land management unit either in spatial or temporal sequence.

Airports and Airstrips: a runway or runways for the take-off and landing of aircraft and licensed by Transport Canada. This use shall also include accessory buildings and structures used for the storage of aircraft and for small accessory uses such as offices, restaurants and automobile rental establishments.

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

Amusement Park: a development including go-cart, paint ball and miniature golfing facilities, concessions and arcades, swimming pools, water slides, batting cages and other similar uses.

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

Animal, Exotic: any animal that is not domesticated in Saskatchewan and is wild by nature.

Animal Unit: the kind and number of animals calculated in accordance with the following:

Kind of Animal	Number Equaling One Animal Unit
(1) <u>Poultry</u>	
(a) hens, cockerels, capons	100
(b) chicks, broiler chicks	200
(c) turkeys, geese, ducks	50
(d) exotic birds	25

(2) <u>Hogs</u>	
(a) boars or sows	3
(b) gilts	4
(c) feeder pigs	6
(d) weanling pigs	20
(4) <u>Sheep</u>	
(a) rams or ewes	7
(b) lambs	14
(5) <u>Goats, Llamas, Alpacas, etc.</u>	7
(6) <u>Cattle</u>	
(a) cows or bulls	1
(b) feeder cattle	1.5
(c) replacement heifers	2
(d) calves	4
(7) <u>Horses</u>	
(a) colts or ponies	2
(b) other than colts or ponies	1
(8) <u>Other</u>	
(a) domesticated native ungulates (deer, elk, bison, etc.)	1

Applicant: a developer or person applying for a development permit under this bylaw.

Auction Market: a building, structure, or lot, or part thereof, used as a premises where goods and materials that are to be sold by public auction.

Auto Body Shop: a building or portion of a building used for the painting or repairing of motor vehicle bodies, exterior and undercarriage, and in conjunction with which there may be a towing service.

Bare Land Condominium: a condominium divided into bare land units, as defined in *The Condominium Property Act, 1993*.

Bare Land Unit: a bare land unit as defined in *The Condominium Property Act, 1993*.

Bed and Breakfast Home: a dwelling unit in which the occupants thereof use a portion of the dwelling unit for the purpose of providing, for remuneration, sleeping accommodation and one meal per day to members of the general public, for periods of one week or less, and in which:

- (a) not more than three bedrooms within the dwelling unit are used to provide such sleeping accommodation;
- (b) the dwelling unit is the principal residence of the persons receiving the remuneration and providing the sleeping accommodation and one meal per day; and,
- (c) the meal which is provided is served before noon each day.

Bin pad: a foundation used for grain storage systems.

Bin yard: a site used for the storage of grain, fertilizer, machinery and other equipment.

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

Building Bylaw: any bylaw of the Rural Municipality of Canwood No. 494 regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

Building Floor Area: the maximum area contained within the outside walls of a building, excluding in the case of a dwelling unit any private garage, porch, sunroom, unfinished attic or unfinished basement.

Building Height: the vertical distance of a building measured from grade level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof (refer to Figure 2-1).

Figure 2-1: Interpretation of Building Height Measurement

Building Line, Established: a line, parallel to the front site line (and, in the case of corner sites, a line, parallel to the side site line along the flanking street), and set back the average distance from the edge of the street to the main walls of the existing buildings on a side of any block of the street where more than half the lots have been built on.

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

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

Bunkhouse: a taxable accessory structure offering basic sleeping accommodations for workers or visitors.

Rural Municipality of Canwood No. 494 Zoning Bylaw

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Business Dwelling: an accessory dwelling unit accessory to a commercial or industrial use in a commercial, industrial or agricultural zoning district that is intended to accommodate an owner, manager, employee of the company who must live onsite to accomplish their tasks.

Bylaw, this: Shall mean the *Zoning Bylaw of the Rural Municipality of Canwood No.494*.

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

Campsite: a designated and delineated area within a campground or tourist camp that is intended to accommodate a single tent, tent party or recreational vehicle.

Cannabis Production Facility: a facility, approved under federal and provincial regulations, that is used in whole or in part for the planting, cultivation, testing, harvesting, processing and distribution of the cannabis plant and any of its derivatives.

Cannabis Retail Store: a retail store, approved under federal and provincial regulations that sells cannabis and any of its derivatives.

Carport: a roofed enclosure for the parking of a motor vehicle or motor vehicles which has less than 60% of the total perimeter enclosed by walls, doors or windows and is attached to a principal building.

Car / Truck Wash: a building or portion of a building which is used for the washing of vehicles, including full service, automatic and hand operated facilities.

Cemetery: property used for the internment of the dead and may include facilities for the storage of ashes of human remains that have been cremated.

Chief Administrative Officer: the Chief Administrative Officer is the primary Administrator for the Rural Municipality of Canwood No. 494. See also, Rural Municipal Administrator.

Club: a group of people organized for a common purpose, to pursue common goals, interests or activities, usually characterized by certain membership qualifications, payment of dues or fees, regular meetings, and a constitution and bylaws; and shall include lodges and fraternal organizations.

Commercial Complex: a commercial multi-unit building or a group of 2 or more detached principal buildings comprehensively planned and located on the same site and where each form of development comprising the complex is complementary to each other and otherwise a permitted or discretionary use in the zoning district (for which separate permits may be required).

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

Communal Farm Settlement: a multi-use development located on a single site that typically is associated with a farm operation or intensive livestock operation carried out on the same site or on an adjacent site by a religious colony or other association by or on behalf of the occupants of the communal farm settlement and may include the following:

- (a) single detached dwellings and communal dwellings;

- (b) cooking and eating facilities;
- (c) living areas and sleeping facilities;
- (d) sanitary facilities;
- (e) places of worship;
- (f) educational and child care facilities;
- (g) recreation facilities;
- (h) cemeteries;
- (i) workshops;
- (j) accessory buildings and uses; and,
- (k) other similar uses.

Construction Trades: offices, shops and warehouses, with or without associated retail sales of plumbing and heating, electrical, carpentry, masonry and other trades associated with construction of buildings.

Construction Season: the period in a calendar year during which most construction and maintenance activities take place. This period typically stretches April through November.

Council: the Council of the Rural Municipality of Canwood No. 494.

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

Crematorium: a building fitted with the proper appliances for the purposes of cremation of human or animal remains and includes everything incidental or ancillary thereto.

Crypto Currency Mine: the operation of specialized computer equipment for the purpose of mining one or more blockchain-based cryptocurrencies, such as Bitcoin. Typical physical characteristics of a cryptocurrency mine include specialized computer hardware for mining operations as well as equipment to cool the hardware and operating space.

Cultural Institution: an establishment such as a museum, art gallery, library and similar facilities of historical, educational or cultural interest.

Custodial Care Facility: either:

- (a) a facility for the temporary detention or open custody of persons pursuant to the provisions of *The Youth Criminal Justice Act* (Canada) or *The Summary Offences Procedure Act*, 1990 (Saskatchewan); or,
- (b) a facility for the accommodation of persons participating in a community training program pursuant to *The Correctional Services Act*.

in which the number of persons in detention, custody or residence does not exceed five.

Day Care Centre: a facility for the non-parental care of over four (4) preschool age children on a daily basis and licensed under *The Child Care Act*.

Deck: a raised open platform, with or without rails, attached to a principal building.

Dedicated Lands: means lands dedicated pursuant to Part IX of *The Act* as buffer strips, environmental reserve, municipal reserve, public reserve and walkways.

Development: the carrying out of any building, engineering, mining or other operations, in, on, or over land, or the making of any material change in the use or intensity of use of any building or land.

Development Officer: The Development Officer tasked with administering this bylaw shall be the Chief Administrative Officer of the Rural Municipality of Canwood No. 494 or the Assistant Administrator with the RM.

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

Distilleries, Wineries and Breweries: facilities for the small-scale or craft production of alcoholic and other beverages, including the distillation, aging, blending, fermenting, bottling, storage, distribution, promotion, and sale of said beverages.

Domestic Pet: Any animal normally and customarily kept by domestic households for pleasure and companionship, excluding poultry, pheasants, cows, livestock, chinchillas, horses, goats, sheep, monkeys, and other similar animals and fowl.

Dwelling: a building used or intended for residential occupancy and may include a Modular Dwelling or a Ready-to-Move Dwelling, but excluding a Manufactured Dwelling as herein defined.

Dwelling, Communal: a detached building consisting of two or more dwelling units as defined here, in which each unit has its own entrance to the outside.

Dwelling Group: a group of two or more detached one-unit dwellings, two-unit dwellings or multiple unit dwellings or combinations thereof occupying the same site.

Dwelling, Manufactured: a mobile home that conforms to Canadian Standards Association No. Z240 MH series of standards for mobile homes or to such standards as may have been defined by the Canadian Standards Association or mobile homes at any time subsequent to the definition of the standard set out as Z240.

Dwelling, Modular: a dwelling which is constructed of pre-fabricated parts, unit modules and/or finished sections built in a factory and which are transported to the site for assembly on a fixed, approved foundation that complies with the requirements of the National Building Code of Canada.

Dwelling, Ready-to-Move (RTM): a ready-to-move one unit dwelling which is built to completion off-site using conventional lumber and building practices according to the current National Building Code of Canada, and which is transported to the site as a complete unit for placement on a fixed, approved foundation that complies with the requirements of the National Building Code of Canada.

Dwelling, Semi-Detached: a dwelling unit on its own site, with a common wall dividing the two dwelling units through at least 30% of the depth of the entire structure, measure from the front to the rear building lines.

Dwelling, Single Detached: a detached building consisting of one dwelling unit as herein defined, but shall not include a manufactured dwelling as herein defined.

Dwelling, Two-Unit: a building divided into two separate dwelling units on the same site but not including single detached dwellings which contain a secondary suite as defined herein.

Dwelling Unit: a separate set of living quarters, whether occupied or not, containing sleeping facilities, sanitary facilities and a kitchen or kitchen components. For the purpose of this definition, “kitchen components” include, but are not limited to, cabinets, refrigerators, sinks, stoves, ovens, microwave ovens or other cooking appliances.

Educational Institution: post-secondary college, university or technical institution, but shall not include a private school.

Electrical Vehicle Charging Station: a parking space that is served by battery charging station equipment where the primary purpose is the transfer of electrical energy to a battery or other energy source device in an electrical vehicle.

Estimated Peak Water Level (E.P.W.L.): the calculated water level used to determine the flood hazard area. It is based on the 1:500 peak flow for rivers, and the higher of the 1:500 peak calm level or the 1:100 peak calm level with a 1:5 wind from the most critical direction for most lakes.

Environmental Reserve: means dedicated lands that are provided to a municipality or to the Crown, as the case may be pursuant to section 185 *The Act*.

Farm: the land, buildings, and machinery used in the commercial production of farm products.

Farm-based Business: an occupation carried on by the operators of a farm, ancillary to the principal use.

Farm Dwelling: an accessory dwelling on a farm that is intended to accommodate farm workers.

Farm Operation: conditions or activities which occur on a farm in connection with the commercial production of farm products, including agroforestry, but not including Intensive Livestock Operations or Intensive Agricultural Operations.

Farm Product: those plants and animals useful to man and including, but not limited to:

- (a) forages and sod crops;
- (b) grains and feed crops;
- (c) dairy and dairy products;
- (d) poultry and poultry products;
- (e) livestock, including breeding and grazing;
- (f) fruits;
- (g) fish;
- (h) vegetables;
- (i) flowers;
- (j) seeds;
- (k) grasses;
- (l) trees;
- (m) equine and other similar products; and,
- (n) other product which incorporate the use of food, feed, fibre or fur

Fence: an artificially constructed barrier erected to enclose or screen areas of land.

Financial Institution: a bank, credit union, trust company, or similar establishment.

Fish Management Activities: activities involved in the proper management of an area of a water body and

the surrounding shoreline for the continuous production of fish therefrom.

Flankage: the side site line of a corner site which abuts the street.

Flood Hazard Area: the flood hazard area the area below the E.P.W.L. The flood hazard area has two zones; the Flood Fringe and the Floodway.

Flood Fringe: a zone within the flood hazard area where some types of development may occur if suitably flood-proofed. The Flood Fringe is typically defined as that portion of the flood hazard area where:

- (a) depth of inundation above natural ground is less than 1.0 metre;
- (b) flow velocities are less than 1.0 metre per second; and,
- (c) encroachment (fill) into the Flood Fringe would raise upstream water levels by less than 0.3 metres.

Floodway: a zone within the flood hazard area where typically only necessary infrastructure is allowed (eg. water intakes and outfalls, bridge piers and abutments, etc) or development that is of low value and non-obstructive (eg. parks, nature areas, parking lots, and recreational trails). The Floodway contains the deepest, fastest, and most destructive floodwaters and is typically defined as that portion of the flood hazard area where:

- (a) depth of inundation above natural ground is more than 1.0 metre;
- (b) flow velocities are greater than 1.0 metres per second; or,
- (c) encroachment (fill) into the Floodway would raise upstream water levels by more than 0.3 metres.

Flood Proofing: techniques or measures taken to permanently protect a structure or development from flood damage. These can include measures such as elevating building (eg. building on fill or piers), constructing dykes, creating upstream storage, diversions, and channelization.

Foreshore: the Crown Land lying between the shore of any watercourse and registered surface parcels.

Gas Bar: a building or facility used for the retail sale of motor vehicle fuels from fixed pumps.

Golf Courses: a facility designed and operated for the purpose of playing golf and may include accessory uses including pro-shops, club houses, driving ranges and food services.

Grain Elevators and Terminals: a facility used for the storage, transshipment, drying and mixing of various types of grain.

Hazard Land: land which may be subject to flooding, ponding, slumping, subsidence, landslides, erosion, or contamination by hazardous material.

Hazardous Material: any product, substance or organism which, because of its quantity, concentration or risk of spill, or its physical, chemical or infectious characteristics, either individually or in combination with other substances, is an existing or potential threat to the physical environment, to human health or to living organisms, including but not limited to:

- (a) corrosives;
- (b) explosives;
- (c) flammable and combustible liquids;

- (d) flammable solids, substances liable to spontaneous combustion, substances that on contact with water emit flammable gases;
- (e) gases, compressed, deeply refrigerated, liquified or dissolved under pressure;
- (f) oxidizing substances; organic peroxides;
- (g) poisonous (toxic) and infectious substances;
- (h) radioactive materials;
- (i) waste Dangerous Materials; and,
- (j) any other environmentally hazardous substance.

Health Care Clinic: a facility or institution engaged in the provision of services for health maintenance, diagnosis or treatment of human pain, injury or other physical condition on an out-patient basis.

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 and Transportation entitled "*The Erection of Signs Adjacent to Provincial Highway Regulations, 1986*", as may be amended from time to time.

Historic or Archeological Sites: a site containing known archeological resources, heritage buildings or structures or of historic importance

Home-based Business: an occupation carried on by the occupants of a residence ancillary to a principal use.

Hotel: a building or part of a building used as a place for sleeping accommodation with or without meals, and which may have a licensed beverage room, but does not include a motel.

Indoor/outdoor storage facility: establishments primarily engaged in renting or leasing space for self-storage. These establishments provide secure space (rooms, compartment, lockers, containers, or outdoor space) where clients retrieve and store their goods.

Industrial Complex: an industrial multi-unit building or a group of 2 or more detached principal buildings comprehensively planned and located on the same site and where each form of development comprising the complex is complementary to each other and otherwise a permitted or discretionary use in the zoning district (for which additional permits required).

Institutional Camp: an area of land containing sleeping accommodations and facilities which are used to provide short-term accommodation for persons engaged in passive or active recreation or leisure, which, without limiting the generality of the foregoing, shall include the following: children's camp or establishment, religious camp, artist's camp, retreat, educational camp, recreational camp, sports camp or other similar camp or establishment.

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

Intensive Livestock Operation (ILO): the operation or facilities for rearing, confinement or feeding of poultry, hogs, sheep, goats, cattle horses or domesticated game animals, in such numbers that the facility and portion of a site used for the operation:

- (a) will contain 300 or more animal units; and,
- (b) provides less than 371 m² of space for each animal unit contained therein.

Intersection: an area where two or more streets or lanes meet or cross at grade.

Junk and Salvage Yards: uses including, but not limited to, uses involved in salvaging, storing or selling scrap metal, paper, plastic, glass, wood and other waste material, as well as unlicensed vehicles and used vehicle parts.

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

Lakeshore: the line denoting the ordinary high-water mark for any lake.

Lakeshore site: A lakefront residential lot proposed for residential development that is within 30 metres (100 ft.) of the lakeshore.

Landscaping: the modification and enhancement of a site through the use of any or all of the following elements:

- (a) *hard landscaping:* landscaping consisting of non-vegetative materials, such as brick, stone, concrete, tile and wood, but excluding monolithic concrete and asphalt;
- (b) *soft landscaping:* landscaping consisting of vegetation, such as trees, shrubs, hedges and grass;
- (c) *architectural elements:* landscaping consisting of wing walls, sculptures, etc.

Landscaping establishment: establishments primarily engaged in providing landscape care and maintenance services including the sale and / or installation of trees, shrubs, plants, lawns or gardens, and establishments engaged in these activities along with the construction (installation) of walkways, retaining walls, decks, fences, ponds and other similar structures and the retail sale of soft landscaping materials such as plants, trees, shrubs, as well as hard landscaping materials such as bricks, pavers, shale, crushed rock or other similar materials associated with landscaping, but does not include on-site outdoor and indoor cultivation or propagation of plants (green housing).

Lane: a public roadway vested in the Crown as a secondary level of access to a lot or parcel of land.

Linear Park: dedicated land developed in a linear fashion, between 15 and 35 metres in width, intended to facilitate pedestrian and cycling transportation, and may also facilitate the management of storm water.

Livestock Auction Facility: a building, structure, or lot, or part thereof, used as a premises where livestock are sold by public auction.

Loading Space: a space, measuring at least 2.4 metres in width and 8.4 metres in depth, located on a site, and having access to a street or lane, in which a vehicle may park to load or unload goods.

Lot: an area of land with fixed boundaries and which is of record with the Information Services Corporation by Certificate of Title.

Lumber Yards, Home Improvement Centres and Building Supply Establishments: a facility which may include an outdoor area where building supplies such as lumber, millwork, siding, roofing, plumbing, electrical, heating, air conditioning, home improvement and similar goods are sold, stored and displayed.

Machine Shops and Metal Fabricators: a facility where parts or items are machined to size and may include assembly.

Mall: a commercial building in which, up to six (6) commercial uses are located together for their mutual benefit, each use having a separate entrance to the outside.

Manufactured Dwelling Court: any parcel of land on which two or more occupied manufactured dwellings are located and includes any structure used or intended to be used as part of the equipment of such manufactured dwelling court.

Manufactured Dwelling Site: an area of land in a manufactured dwelling court for the placement of a manufactured dwelling.

Manufactured Dwelling Subdivision: any residential subdivision of land containing lots under either freehold or leasehold tenure for the purpose of accommodating manufactured dwellings in such a manner that each manufactured dwelling is situated on its own lot and in which all such lots, public open spaces, internal streets and lanes, buffer zones and other amenity areas form a contiguous area of development.

Manufacturing and Processing Facilities: the manufacturing and assembly of goods, products or equipment and / or the processing of raw or finished materials, including the servicing, repairing or testing of materials, goods, equipment normally associated with the manufacturing, processing or assembly operation. It may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the principal use.

Manufacturing and Processing Facilities, Light: manufacturing and processing facilities where all operations are contained within an enclosed building.

Marina: a building, structure or place, containing docking facilities and located on a waterway, where boats and boat accessories are stored, serviced, repaired or kept for sale and where facilities for the sale of marine fuels and lubricants may be provided.

Meat Processing Facilities: a facility where meat products are produced, processed, handled, stored or sold.

Meat Processing with Kill Facilities: a facility where meat products are produced, processed, handled, stored or sold and includes the slaughtering of animals for the purpose of processing meat into food for human consumption.

Membrane-Covered Structure: a structure consisting of a frame that is covered with plastic, fabric, canvass or similar non-permanent material, which typically is used to provide storage for vehicles, boats, recreational vehicles or other personal property, or on a larger scale, for storage of commercial goods and materials. The terms shall also apply to structures known commonly as ‘hoop houses’, ‘canopy-covered carports’ and ‘tent garages’, and can be fully or partially covered. Gazebos are not membrane-covered structures.

Mineral Resource Extraction: shall include the removal of mineral deposits (e.g. Coal or Potash), sand and gravel resources or top-soil for mineral resource processing and/or sale.

Mineral Resource Processing: the blasting, crushing, washing, screening, weighing, sorting, blending and/or refining of mineral resources.

Minimum Building Elevation (M.B.E.): the level defined by The Ministry of Municipal Affairs at time of subdivision and by municipal bylaw to which flood-proofing must be undertaken for developments in

the flood hazard area. The M.B.E. is calculated as the E.P.W.L. plus a freeboard value. The freeboard allows for uncertainties in the calculations, and for other possible hazards such as ice shove, ice jams, and erosion. The Water Security Agency usually recommends a freeboard of 0.5 m for most situations. For dykes used as flood-proofing, a freeboard of 0.6 m is usually recommended. In areas with high uncertainty in the hydrology or hydraulic response of the lake or river, a freeboard of up to 1.0 m may be recommended.

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

Motel: an establishment consisting of a group of attached or detached living or sleeping accommodations each with a bathroom, located on a lot or site and designed for use by the public, and may include a restaurant or licensed dining room.

Motor Vehicle Sales and Repair: any building, premises or land in which or upon which a business, service or industry involving the sale, maintenance, servicing, storage or repair of personal, recreational, commercial or farm vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into moto vehicles and the sales of accessories or equipment.

Municipal Facility: land and / or structures owned by the Municipality that are used for:

- (a) office and meeting space;
- (b) storage of municipal equipment and supplies;
- (c) recreation; and/or,
- (d) other municipal or institutional purposes.

Municipality: The Rural Municipality of Canwood No. 494.

Municipal Reserve: means dedicated lands, *The Act*:

- (i) that are provided to a municipality pursuant to clause 181(a); or
- (ii) that were dedicated as public reserve and transferred to a municipality pursuant to section 191, whether or not title to those lands has been issued in the name of the municipality.

Nacelle: the framing and housing at the top of a wind tower that enclose the gearbox and generator.

Non-Conforming Building: a building:

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

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

Non-Conforming Use: a lawful specific use:

- (a) being made of land or a building or intended to be made of land or a building lawfully

- under construction, or in respect to which all required permits have been issued, on the date of this bylaw or any amendment hereto becomes effective; and,
- (b) that on the date this Bylaw or any amendment hereto becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued, will not comply with this Bylaw.

Greenhouse and Garden Centre: a facility primarily used for the retail sale of gardening equipment, products and planting materials, including greenhouses for the cultivation of plants and materials. Greenhouses and Garden Centres may also include the retail sale of other products including but not limited to: clothing and accessories, pet supplies, décor items and a restaurant.

Non-Participating Noise Receptor: the center point of any occupied use or structure that is unrelated in ownership to the noise producer.

Occupancy: means the use or intended use of all or part of a building for the shelter or support of people.

Office and 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 trade are stored, transhipped, sold or processed.

Official Community Plan (OCP): the Official Community Plan, as most recently amended, for the Rural Municipality of Canwood No. 494.

Oil and Gas Exploration and Extraction: Exploration and extraction of oil and gas resources including but not limited to wells, batteries,

Oil and Gas Related Commercial Use: a service to the oil and gas extraction industry such as drilling and oil well servicing operations, hauling services and storage facilities and other similar uses.

Outfitter Base Camp: a commercial recreation facility that provides outfitting services by a licensed outfitter and which may include accommodation licensed under *The Public Accommodation Regulations* and the storage and provision of related outfitting equipment, or the dressing, butchering, cleaning or freezing of game or fish, as part of the service.

Outfitting Equipment: equipment and supplies, including boats, canoes and other water vessels, aircraft, motor vehicles, motors, fuel, fishing and hunting gear and any other equipment for use in:

- (a) hunting, taking or catching wildlife;
- (b) angling, taking or catching fish; and/or,
- (c) ecotourism, including the viewing and photographing of natural areas, flora and fauna.

Parking Lot: an open area of land, other than a street, used for the temporary parking of more than four vehicles and available for public use whether cost-free, for a fee or for accommodation of clients or customers.

Parking, Off-Street: accommodation for the parking of vehicles off a public street or lane.

Parking Space, Vehicle: a space within a building or parking lot for the parking of one vehicle, having minimum dimensions of 2.4 metres wide by 5.5 metres deep, and which has access to a developed street or lane.

Parks and Playgrounds: the use of land for public active or passive recreational activities and may include sports fields and courts, public washrooms, picnic areas, playground equipment, storm water ponds, skating rinks, pedestrian and bicycle paths, open space and landscaped areas.

Place of Worship: a place used for worship and related religious, philanthropic or social activities and includes accessory rectories, manses, meeting rooms and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues and parish halls.

Preschool: a facility which provides a program for preschool aged children.

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

Public Reserve: means public parks and any lands dedicated or reserved from sale by the Crown for public health, recreation, enjoyment or other public purposes.

Public Utility: a government, municipality or corporation under Federal or Provincial statute which operates a public work.

Public Work: means one or more of the following:

- (a) systems for the production, distribution or transmission of electricity;
- (b) systems for the distribution, storage or transmission of natural gas or oil;
- (c) facilities for the storage, transmission, treatment, distribution or supply of water;
- (d) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- (e) telephone, internet, cable television or light distribution or transmission lines; and,
- (f) facilities for the collection, storage, movement and disposal of storm drainage.

Public Utility: a government, municipality or corporation under Federal or Provincial statute which operates a public work.

Recreational Facility: a recreation or amusement facility open to the general public.

Recreation Vehicle: a unit meeting provincial licensing requirements intended to provide temporary living accommodation for campers or travelers; built as part of, or to be towed by, a motor vehicle; and includes truck campers, motor homes, tent trailers, fifth wheels, travel trailers and park model trailers.

Recreational Vehicle, Park Model: a recreational vehicle that conforms to Canadian Standards Association, Construction Standard No. Z240 Series, Park Model Trailers.

Recreational Vehicle Park, Permanent: a site intended to accommodate one or more recreation vehicles or trailer coaches at a time on a temporary basis.

Recycling Collection Depot: a building or structure used for collection and temporary storage of recyclable household material such as bottles, cans, plastic containers and paper. The following shall not be allowed at a recycling collection depot:

- (a) processing of recyclable material other than compaction;
- (b) collection and storage of paints, oil, solvents or other hazardous material; nor,
- (c) outdoor compaction.

Reeve: the Reeve of the Rural Municipality of Canwood No. 494.

Rental Suite: dwelling unit located within, and accessory to, a single detached dwelling, including the development or conversion of basement space or above-grade space to a separate dwelling unit, or the addition of new floor space to an existing single detached dwelling.

Repair Shops and Repair Services: a place where personal effects and household goods and appliances are repaired including the repair of large equipment such as motor vehicles, heavy equipment, or heavy motors.

Residential Care Facility: a facility licensed under provincial statute to provide, in a residential setting, long term residential, social, physical, or personal care, including accommodation, meals, supervision or assistance for persons who have limits on ability for self-care, self supervision, and who are unrelated to the operator or owner.

Restaurant: a place where food and beverages are prepared and served to patrons seated at tables or counters, in a motor vehicle on the premises, or for off-site consumption, and may include a drive-through service window.

Retail / Service Commercial Use: the sale or display of goods to the public, including the storage of goods on or about the premises including catering businesses, or providing the care of a person or their apparel and accessories, including but not limited to childcare services, beauty salons and barber shops, massage services, health clubs, tanning beds, spas, esthetician services, laundry services, laundromats, dry cleaning, shoe repair, tailor or seamstress services, photographic studios and other similar uses, including the provision of health related services.

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

Road Maintenance Agreement: a written agreement entered into between the municipality and a business or land owner in which any roadway(s) that will experience increased intensity of use due to the operation of equipment by the business or land owner will be mitigated by maintenance. The agreement may detail the maintenance responsibilities of all parties involved in the use of the roadway(s).

Rotor: the blades and hubs of a wind turbine that rotate during its operation.

Rural Municipal Administrator: see Chief Administrative Officer.

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

Screening: a fence, wall, berm or planted vegetation located so as to visually shield or obscure one abutting area of use from another.

Service Station: a place where petroleum products are kept for retail sales for automobiles and other motor vehicles and where repairs, rental, servicing, greasing, adjusting or equipping of automobiles or other motor vehicles may be performed, but not including painting, body work and major repairs.

Shipping Container: a prefabricated metal container or box specifically constructed for the transport of goods by rail, ship or transport truck and used for storage.

Shooting Ranges: a facility that is designed or intended for the safe discharge, on a regular and structured basis, of firearms for the purpose of target practice or target shooting competitions.

Short-term Rental Accommodation: means transient accommodations in all or part of a dwelling where the host receives compensation from the guests and where the guests stay for a period of less than thirty days.

Sight Triangle: the triangular area formed, on corner sites, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines at point which are measured distance along said site lines. (refer to Figure 2-2).

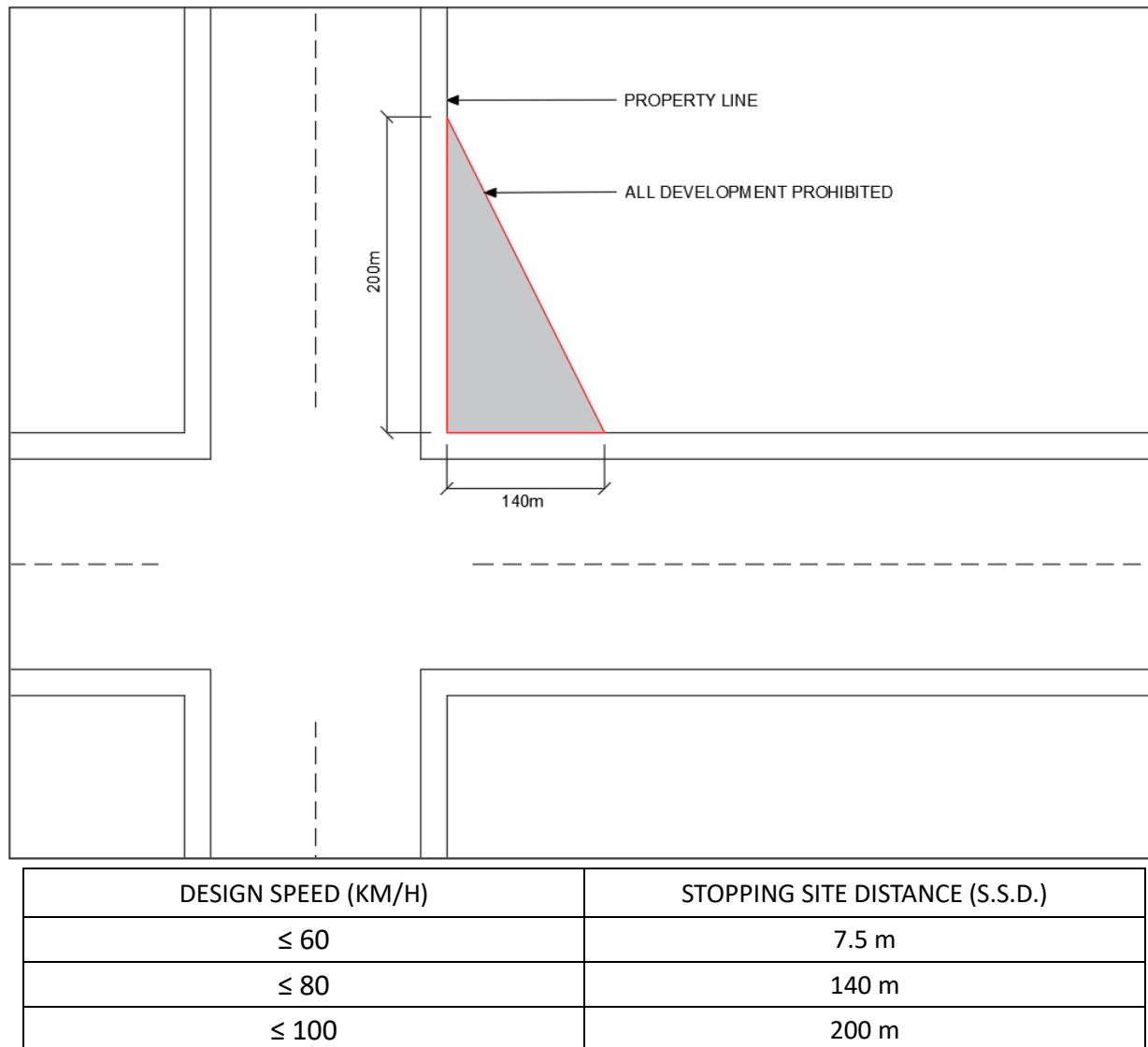


Figure 2-2: Sight Triangle

Sign: any writing (including letter or word), billboard, pictorial representation (including illustration or decoration), emblem (including devise, symbol or trademark), flag (including banner or pennant), or any

other figure of similar character which:

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

Site: one or more contiguous lots under one ownership and used, or intended to be used, by a single principal use.

Site, Corner: a site at the intersection or junction of two (2) or more streets (refer to Figure 2-3).

Site, Interior: a site other than a corner site (refer to Figure 2-3).

Site, Through: a site not more than one lot in depth, having a frontage on two streets more or less parallel (refer to Figure 2-3).

Site Width:

- (a) for Rectangular Sites: the horizontal distance between the side site lines of the site measured along the front site line.
- (b) for Non-Rectangular Sites: the average of the horizontal distances between the side site lines of the site measured along the front and rear site lines.



Figure 2-3: Illustration of Site Definition

Site Coverage: that portion of the site that is covered by principal and accessory buildings.

Site Drainage Plan: a plan which shows the existing and proposed topography of a site, with contour intervals and drawn to scale, with appropriate dimensions and sufficient spot elevations to adequately demonstrate to the Development Officer that the proposed drainage pattern will not have an adverse effect on neighbouring properties and streets.

Site Frontage:

- (a) for Rectangular Sites: the horizontal distance between the side site lines of the site measured along the front site line.
- (b) for Non-Rectangular Sites: the average of the horizontal distances between the side site lines of the site measured along the front and rear site lines.

Site Line, Front: the boundary at the front of the site.

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

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

Small Modular Nuclear Reactors: a class of small nuclear fission reactors, designed to be built in a factory, shipped to operational sites for installation and then used for power generation.

Solar Energy System: any solar collector, panel, shingle, or other solar energy device or ancillary equipment mounted on a building or a free-standing structure, whose primary purpose is to provide for the collection, storage, and distribution of solar energy.

Solar Farm: Systems designed for the primary purpose of generating power for the sale to third parties via the electric grid. The systems can be roof-mounted systems or ground-mounted systems that may or may not have accessory structures on the same site.

Stock Pile: shall mean an accumulated supply of materials or goods held in reserve within the area of any site.

Storage Garage: a building used for storage purposes only, where no business, occupation, or service is conducted for gain and in which no space is rented for commercial vehicles and no repair facilities are maintained.

Storage Yards and Establishments: establishments primarily engaged in renting or leasing space for self-storage. These establishments provide secure space (rooms, compartment, lockers, containers, or outdoor space) where clients retrieve and store their goods.

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

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

Subdivision: a division of land as described in the regulations pursuant to *The Land Surveys Act, 2000*.

Supply Depot: a facility that specializes in the bulk storage and sale of products and supplies.

Telecommunications Facility: includes,

- (a) microwave towers, including mobile (cellular) phone towers and associated facilities;
- (b) internet receiving and/or transmittal towers and associated facilities;
- (c) radar stations;
- (d) radio and television towers and associated facilities; and,
- (e) any other tower or structure used for receiving and/or transmitting communication signals.

Temporary Building: a building without a foundation or footing, and that is to be removed upon expiration of a designated time period.

Temporary Use: a use established for a fixed period of time and that is to be discontinued upon the expiration of the time period specified for that use.

Temporary Work Camp: a temporary residential complex used to house camp workers by various contracting firms on a temporary basis of more than 28 days and less than one (1) year. The camp is usually made up of a number of mobile units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities.

Tourism Base Camp: a commercial recreation facility which provides outfitting services for the viewing of natural areas and wildlife, but not including services for hunting, taking, catching or angling of wildlife or fish, and which may include accommodation licensed under *The Public Accommodation Regulations* and the storage and provision of related outfitting equipment.

Tourist Camp: a facility which has two or more cabins for the accommodation of the travelling public and may also have provision for the accommodation of trailers, tent trailers, tents and recreational vehicles.

Transloading Facility: means a facility used to transfer oil and gas resources, other natural resources or agricultural products from one mode of transportation to another and may include rail lines, pipelines, tank storage, rail loading buildings, instrumentation, related office buildings, and other related facilities.

Trapping: the taking of fur animals by a trapper licensed under the *Wildlife Act, 1998* and associated regulations, by means of traps, where the trapper has several traps operating at one time and checks them in a planned and regular manner, and may include temporary accessory buildings secondary and accessory to the use.

Treatment Centre: A facility providing safe, secure, supervised specialized care, treatment and/or rehabilitation services on an in-patient or out-patient basis for individuals who have mental health and/or addiction issues.

Truck Stop: any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sales of accessories or equipment for trucks or similar commercial vehicles. A truck stop shall also be defined to include those overnight accommodations and restaurant facilities primarily for the use of truck crews.

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

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

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

Use, Agricultural Related Commercial or Industrial: includes,

- (a) grain and seed storage, sales, cleaning and drying;
- (b) fertilizer and chemical distribution, mixing and sales (subject to provincial regulations);
- (c) livestock and poultry breeding services;
- (d) bin yards;
- (e) implement and machinery assemblage, sale and service;
- (f) bulk fuel storage and sales;
- (g) stockyards;
- (h) feed mills;
- (i) Grain and oil seed processing plants;
- (j) other similar uses subject to Council approval.

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

Use, General Industrial: any of the following activities:

- (a) the processing of raw or finished materials including animal and plant products;
- (b) the manufacturing or assembly of goods, products or equipment;
- (c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal household use, where such operations have impacts that would make them incompatible with non-industrial development;
- (d) the storage and transshipping of materials, goods and equipment, including warehouses and wholesaling operations and may be oriented to a rail or road transport (e.g. trucking operations and railway freight yards, etc.);
- (e) the training of personnel in general industrial operations; and.
- (f) indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial use.

Use, Hazardous Industrial: an industrial use involving the manufacturing, storage, processing, transshipment, collection, treatment or disposal of hazardous materials or chemicals (specifically excluding agriculture fertilizer, herbicide or pesticide warehousing and/or sales facilities, depots for the collection of farm chemical containers, ethanol and biodiesel plants and associated production facilities, and transloading facilities for oil and gas resources).

Use, Petroleum Related Commercial: a service to the petroleum and natural gas extraction industry such as drilling and oil well servicing operations, hauling services and storage facilities and other similar uses.

Use, Permitted: any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations applicable to that zoning district.

Use, Principal: the main purpose for which a building, structure, or site is used.

Use, Prohibited: any use or form of development that is not allowed because it is not listed as a Permitted or Discretionary Use within a given zoning district, or because it is specifically prohibited elsewhere in this Bylaw.

Vacation Farms: shall mean a farm dwelling open for the accommodation of paying guests.

Veterinary Clinic: a place for the care and treatment of small and/or large animals involving outpatient care and medical procedures involving hospitalization, and may include the keeping of animals in outdoor pens.

Waste Transfer Station: a facility used to temporarily store solid waste before it is transported to a treatment, recycling, recovery or disposal facility.

Waste Management or 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 manure storage area for an intensive livestock operation.

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

Wildlife and Ecological Conservation Areas: sites formally designated for the protection, preservation, management, or restoration of wildlife, natural environments and ecological communities.

Wind Energy Facility: a single wind turbine and all equipment, machinery and structures utilized in connection with the conversion of wind to electrical energy. This includes, but is not limited to, all associated transmission, storage, collection and supply equipment, substations, transformers, site access, service roads and machinery.

Wind Farm: a wind energy facility consisting of two or more wind turbines.

Wind Turbine: a device that converts kinetic energy of the wind into rotational energy to turn an electrical generator shaft. A wind turbine typically consists of a rotor, nacelle and supporting tower. The height of a wind turbine tower is measured from the base of the tower foundation to the highest point of the blades at their apex.

Yard: an unoccupied space open to the sky on the same site with a building or structure.

Yard, Front: that part of a site, which extends across the full width of a site between the front site line and the principal building front line.

Yard, Rear: means that part of a site, which extends across the full width of a site between the rear site line and the principal building rear line.

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

Yard, Side: means the part of a site, which extends from a front yard to the rear yard between the side line of a site and the principal building side line.

Zoning District: a specifically delineated area of the municipality within which certain uniform requirements and regulations or various combinations thereof govern the use, placement, spacing and size of land and structures.

3 ADMINISTRATION

3.1 DEVELOPMENT OFFICER

The Rural Municipal Chief Administrative Officer (Administrator) shall be the development officer responsible for the administration of this Bylaw. The Administrator may appoint a Development Officer subject to the approval of Council, to whom duties in the administration of the Zoning Bylaw may be delegated.

3.2 APPLICATION FOR DEVELOPMENT PERMIT

3.2.1 No person shall undertake a development or commence a use unless a Development Permit has first been obtained, except as provided in Section 3.3. A Development Permit cannot be issued in contravention of any of the provisions of this Bylaw subject to Sections 213 to 227 of *The Act*.

3.2.2 Intensive livestock and poultry operations with 300 or more animal units shall be considered intensive livestock operations under this bylaw and will also require a development permit.

3.3 DEVELOPMENTS NOT REQUIRING A DEVELOPMENT PERMIT

3.3.1 Development listed in Section 3.3.2 of this Bylaw must be allowed in the zoning district in which they are located and must comply with the regulations of this Bylaw including but not limited to distance from roadways and site lines.

3.3.2 Developments which do not require a development permit include:

(1) Farm Operations

Any conditions or activities which occur on a farm in connection with the commercial production of farm products, including agroforestry, but not including intensive livestock operations or intensive agricultural operations.

Farm building and structures where accessory to permitted agricultural use. These buildings and structures shall not contain residential occupancy.

(2) Agricultural Fences

(3) Small Accessory Buildings

Accessory buildings with a building floor area less than 9.3 m² (100 ft²)

(4) Public Works

Any operation for the purposes of inspecting, repairing, or renewing sewers, mains, cables, pipes, wires, tracks or similar public works as required by a public utility, and the installation of service connections to property in the municipality.

Note: a permit is required for the installation of all new transmission lines and mains associated with facilities and systems for public works as defined herein.

(5) Maintenance

Maintenance and repairs that do not include any structural alterations.

(6) Fences

Subject to the provisions of Section 4.12 of this bylaw.

(7) Temporary Confinement of Livestock

The temporary confinement of livestock during the winter months as part of a permitted farm operation.

(8) Signs

Subject to the provisions of Section 4.20 of this bylaw.

3.4 OTHER PERMIT REQUIREMENTS

3.4.1 A building permit shall not be issued unless a Development Permit, where required, has been issued.

3.4.2 Nothing in this Bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within the municipality, or from obtaining permission required by this or any other law or bylaw in the municipality, the province or the federal government.

3.4.3 Where the provisions in this Bylaw conflict with those of any other municipal, provincial or federal requirement, the higher and/or more stringent standards shall prevail.

3.5 APPLICATION REQUIREMENTS

3.5.1 Applications for a development permit and applications for a discretionary use, with the exception of applications for a home-based business, shall be accompanied by the following:

(1) The names, addresses and telephone numbers of the applicant, property owner and person or consultant who prepared the plans being submitted, including a local contact person.

(2) The proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied, including the area of the proposed building or renovations.

(3) The complete legal description of the subject property.

(4) A copy of a site plan, with appropriate dimensions, showing the following information

(a) north arrow, roads adjacent to the site, all property boundaries, identified frontage

of site, site area, and if relevant, may include site elevations, and the location of any existing buildings, structures, utility poles and wires, underground utilities, easements, building encroachments, and location of existing trees;

- (b) the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions where relevant;
- (c) the location and size of all entrances and exits to the site; and,
- (d) the method and location of on-site sewage disposal facilities and, where proposed, manure storage facilities, including a valid sewage disposal permit issued by Public Health.

- (5) In addition to the requirement under 3.5.2, any other data dealing with safety, security and protection, decommissioning against potential negative impact to neighbouring sites.

3.5.2 For certain developments or discretionary uses Council may consider proposals in the context of the information contained on the Development Maps in Section 4 of the Official Community Plan and additional information shall be required in support of the application, as follows:

- (1) Manufactured Dwelling Court, Campground, Tourism Base Camp, Tourist Camp, Outfitter Base Camp and Institutional Camps.

An applicant for a discretionary use approval for the above uses shall provide documentation to Council's satisfaction:

- (a) a plan of the site, identifying any buildings, uses of land and the location of all roadways, buildings, structures, manufactured dwelling sites and campsites with dimensions. The addition or rearrangement of sites or accommodation facilities, the construction or moving of buildings, material changes in use of portions of land, or the filling or clearing of land shall require a development permit, and the applicant shall submit for approval an amended plan incorporating the proposed development.

- (2) Intensive Livestock Operation (ILO)

An applicant for a discretionary use approval for an intensive livestock operation shall provide the following documentation to Council's satisfaction:

- (a) of distances to the nearest land uses, development types and municipal limits, whether within the municipality or within an adjacent municipalities, listed in "Table 8-1 - Required Separation Distances Between Uses" and measured as specified in the notes to that table;
- (b) that the water supply is sufficient for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation;
- (c) of proposed methods of manure management, including on-site storage or stockpiling, transportation, and spreading, incorporation or disposal;

- (d) of proposed odour management and control measures, including proposed odour management and control related to earthen manure storage facilities and liquid manure lagoons, and odour management and control measures related to the ventilation of hog or poultry barns;
- (e) of the location and extent of sufficient lands to be used for the spreading of manure from the ILO, as well as proposals for the annual confirmation of the continued availability of such lands; and,
- (f) of the proposed methodology for monitoring on-site and neighbouring wells for water quality and quantity purposes after the ILO has begun operation, and for reporting on same to Council.

(3) Intensive Agricultural Operation

An application for a discretionary use approval for an intensive agricultural operation where intensive irrigation is required, shall provide the following documentation to Council's satisfaction:

- (a) that the water supply is sufficient for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation.

(4) Industrial Use

An applicant for a discretionary use approval for an industrial use may be required to provide:

- (a) documentation, to Council's satisfaction, as specified in Section 3.7.2.1 of the Official Community Plan and documentation that the locational criteria in Table 8-1 are satisfied.

(5) Hazardous Industrial Use

An applicant for a discretionary use approval for a hazardous industrial use, not including uses accessory to a farm operation, shall provide documentation, to Council's satisfaction:

- (a) of distances to the nearest land uses, development types and municipal limits, whether within the Municipality or within an adjacent municipality, listed in "Table 8-1 - Required Separation Distances Between Uses" and measured as specified in the notes to that table (refer to Section 3.7.2.2 of the Official Community Plan); and,
- (b) of the distance to the nearest permanent surface water course or permanent water body.

(6) Solid or Liquid Waste Management or Disposal Facility

An applicant for a discretionary use approval for a public work in the form of a solid or liquid waste management or disposal facility shall provide documentation, to Council's

satisfaction:

- (a) of distances to the nearest land uses, development types and municipal limits, whether within the municipality or within an adjacent municipalities, listed in “Table 8-1 - Required Separation Distances Between Uses” and measured as specified in the notes to that table (refer to Section 3.3.2.2 of the Official Community Plan).

(7) New Communal Water or Sewer System:

- (a) An application for any new communal water system or communal sewer system shall include a copy of the system drawings, as required by the *Public Health Act, 1994* and associated regulations or *The Environmental Management and Protection Act* and associated regulations.

(8) Wind Energy Facility

An application for a wind energy facility shall provide documentation, to Council’s satisfaction as follows:

- (a) A site location plan showing the subject property, adjacent roads, railways, telecommunications facilities (to ensure avoidance of microwave transmission corridors), property lines and all habitable buildings within one (1) one mile of the proposal.
- (b) A detailed site plan drawn to scale showing the location of the proposed wind turbine(s) and all associated facilities indicating cable locations for domestic usage and power grid connections, existing vegetation, proposed access and landscaping.
- (c) Confirmation of site ownership by the proponent or where the land is not owned by the proponent evidence of site control and right to access through provisions of a lease or easement agreement with the owner.
- (d) Proponents are responsible for obtaining any required federal or provincial permits, licenses and approvals for construction and maintenance of wind energy facilities and must remit a copy to the municipality.
- (e) Details respecting the colour and markings for the proposed tower including required lighting in accordance with federal aviation requirements.
- (f) Validation by a professional engineer of the structural integrity of the proposed supporting tower and foundation or a description of required manufacturing specifications.
- (g) For wind energy facilities consisting of two or more wind turbines additional information may be required respecting:
 - (i) illustration of sight line vistas from residential buildings within one (1) mile of the proposed development utilizing photographic representations of the development area;

- (ii) a decommissioning plan addressing the manner of physical removal of the facility, removal of any hazardous materials and site restoration to a natural condition, should the use of the facility be discontinued.

(9) Gravel Operations

An application for excavating, stripping or grading of sand, gravel, clay or similar materials, such as gravel pits and gravel crushing operations, shall include the following documentation:

- (a) a plan showing the location of the area of the operation relative to the site boundaries, the depth of excavation, and the quantity of material to be removed;
- (b) a plan showing the distances to the adjoining land uses as listed in “Table 8-1 - Required Separation Distances Between Uses”;
- (c) a description of the excavation, stripping or grading operation proposed;
- (d) a detailed timing and phasing program covering the time span of the proposed operation;
- (e) a description of reclamation and rehabilitation measures to be conducted both during and following the operation consistent with *The Reclamation Guidelines for Sand and Gravel Operations* provided by the Ministry of Environment. Those guidelines recommend that “reclamation practices should ensure a physical stabilization of the soils and achieve a sustainable land use so that the land may be returned to a productive state as soon as possible after the operation has completed”, and that “reclamation operations should be carried out concurrently with extraction”.
- (f) a description of the measures to be taken for the prevention and lessening of dust and other nuisances during and after the operation;
- (g) road maintenance measures and proposed truck routes; and,
- (h) private gravel pits for personal use are exempt from these requirements.

3.5.3 Council may impose requirements in addition to those set out above in Section 3.5.2. Council may also require a performance bond by any person or company undertaking any work outlined in Section 3.5.2 to ensure that the development is carried out in the manner specified. The amount of the performance bond is to be set at the discretion of Council.

3.5.4 Council may enter into a formal Road Maintenance Agreement with the Developer or Contractor.

3.6 DEVELOPMENT PERMIT APPLICATION PROCESS

3.6.1 The Development Officer shall review all applications for completeness and shall inform an applicant whose application is not complete of the information or documentation required to complete the application, and that the application will not be considered until it is complete.

- 3.6.2 The Development Officer may submit any application to Council for a decision on the interpretation of the bylaw, or on special conditions provided in the bylaw, and shall inform the applicant of this action. Council or the Development Officer may require the applicant to provide such further information as may be required to make a decision.
- 3.6.3 Upon completion of the review of a complete application for development, the Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Zoning Bylaw, the Official Community Plan and *The Act*.
- 3.6.4 Where an application is made for a development permit with respect to a development for a discretionary use which has been approved by Council, the Development Officer shall issue a development permit subject to any specified development standards prescribed by Council pursuant to Section 56(3) of *The Act*.
- 3.6.5 Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.
- 3.6.6 The Development Officer may revoke a development permit where:
- (1) the development permit has been issued in error; and/or,
 - (2) an approved development is not being developed or operated in accordance with the provisions of this Zoning Bylaw, or in accordance with the standards and conditions specified in the development permit.
- 3.6.7 The Development Officer shall give the reasons for denying or revoking a development permit.

3.7 DISCRETIONARY USE APPLICATIONS

3.7.1 Discretionary Use Application Process

- (1) The following procedures shall apply to discretionary use applications:
 - (a) Applicants must file a development permit application, a site plan and any other plans or information as required by the Development Officer and pay the required application and public hearing fees;
 - (b) The application will be examined by the Development Officer for conformance with the Official Community Plan, this Bylaw, and any other applicable policies and regulations;
 - (c) The Development Officer may request comments from other government agencies where applicable;
 - (d) The Development Officer may prepare a report concerning the application including recommendations that conditions be applied to an approval;
 - (e) The Development Officer will set a date for the meeting at which the application will be considered by Council and will be given notice by ordinary mail to assessed owners of property within 75 metres of the boundary of the applicant's land;

- (f) In addition to the requirements set out in (e) above, the Development Officer shall advertise the proposed discretionary use by mailing a copy of a notice of the application to the assessed owner of each property within 8.0 kilometers of the proposed discretionary use for the following:
 - (i) all uses listed under Section 3.5.2 of this Bylaw.
- (g) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council;
- (h) Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on site;
- (i) The Development Officer shall notify the applicant of Council's decision by ordinary mail addressed to the applicant at the address shown on the application form.
- (j) Where an application for discretionary use is approved by resolution of Council, the Development Officer shall issue a development permit subject to any specified development standards prescribed by Council pursuant to Section 3.7.4 below.
- (k) Where an application for a discretionary use does not meet the zoning regulations for the applicable zoning district, the Development Officer shall:
 - (i) advise the applicant that before the discretionary use can be considered by Council, the development permit application must be refused on the grounds of zoning non-compliance but that the applicant has the right to appeal.
 - (ii) advise the applicant that if the appeal is granted, the discretionary use can then be considered by Council.
- (l) The Development Officers shall maintain a registry of the location and all the relevant details respecting the granting of the discretionary use approval.
- (2) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning districts in which they are located. 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 buildings with respect to buildings on adjacent properties;
 - (c) access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic;
 - (d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
 - (e) control of noise, glare, dust and odor;
 - (f) landscaping, screening, fencing, and preservation of existing vegetation to buffer adjacent

properties;

- (g) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs;
 - (h) prescribed specific time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and
 - (i) intensity of use.
- (3) Council's approval of a discretionary use application is valid for a period of twelve (12) months from the date of approval. An approval shall be deemed to be invalid if the proposed use or proposed form of development has not commenced within that time or if the Council determines, within the twelve (12) month period, that the proposed development is not proceeding in accordance with the terms and conditions of its approval. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid.
 - (4) Council may direct that a discretionary use approval extension be granted for an additional twelve (12) month period by the Development Officer.
 - (5) If an approved discretionary use or discretionary form of development ceases to operate for a period of twenty-four (24) consecutive months or more, Council may require a new discretionary use approval where the use is subject to separation distances that may limit potential adjacent development. The Development Officer shall advise the owner and Council when a prior approval is no longer valid.
 - (6) Where Council has approved a discretionary use for a fixed time, as provided in this Bylaw, and that time period has expired, that use of land and/or use of buildings on that land shall cease until such time as Council gives a new discretionary use approval and a new development permit is issued.

3.7.2 General Discretionary Use Evaluation Criteria

Council will apply the following general criteria in the assessment of the suitability of an application for a discretionary use or discretionary form of development:

- (1) The proposal must be in conformance with all relevant sections of the Official Community Plan and Zoning Bylaw and must demonstrate that it will maintain the character, density and purpose of the zoning district where necessary through the provisions of buffer areas, separation and screening.
- (2) The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.
- (3) The proposal must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.

3.7.3 Terms and Conditions for Discretionary Use Approvals

- (1) *Gravel Operations*

- (a) Prior to issuance of a development permit for the establishment of a gravel pit or gravel crushing operation, Council may require the developer to enter into an agreement, pursuant to Section 235 of *The Act*, to define the responsibilities of the operator and operation requirements. Any of the following criteria, along with any additional criteria in accordance with an agreement set by Council and the developer, may be prescribed in such an agreement:
 - (i) Conditions respecting the operation of the pit or quarry;
 - (ii) Responsibilities of the developer and/or operator concerning the reclamation of the site;
 - (iii) The routing of trucks to and from the site;
 - (iv) The planting of trees on and/or near the site, and/or in another location to the satisfaction of Council;
 - (v) The erection of fencing and signs;
 - (vi) The maintenance of municipal roadways; and,
 - (vii) The posting by the developer of a performance bond to guarantee adherence to the above or any other requirements that Council may specify.

3.7.4 Use Specific Discretionary Use Evaluation Criteria

Council will apply the following use specific criteria to the assessment of the suitability of an application for a particular discretionary use or discretionary form of development.

- (1) *Car / truck washes:*
 - (a) The location of the car / truck wash will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation; and,
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists, or pedestrians.
- (2) *Community service uses including but not limited to schools, educational facilities, clubs, places of worship, day care centres and recreation facilities:*
 - (a) Schools, clubs and places of worship should, where possible, be located on corner sites to facilitate access.

- (b) Public elementary and secondary schools should, where possible, be located adjacent to public open spaces.
 - (c) The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads and include adequate safety precautions incorporated into site plans and applications.
 - (d) Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
 - (e) Vehicle car parking and access areas should not form a dominant element in the streetscape.
- (3) *Mineral resource extraction industries:*
- (a) An application for excavating, stripping or grading of sand, gravel, clay or similar materials, such as gravel operations, shall include the following documentation:
 - (i) a plan showing the location of the area of the operation relative to the site boundaries, the depth of excavation, and the quantity of material to be removed;
 - (ii) a plan showing the distances to the adjoining land uses as listed in “Table 8-1 – Required Separation Distances Between Uses;
 - (iii) a description of the excavation, stripping or grading operation proposed;
 - (iv) a detailed timing and phasing program covering the time span of the proposed operation;
 - (v) a description of reclamation and rehabilitation measures to be conducted both during and following the operation consistent with The Reclamation Guidelines for Sand and Gravel Operations provided by the Ministry of Environment. These guidelines recommend that “reclamation practices should ensure a physical stabilization of the soils and achieve a sustainable land use so that the land may be returned to a productive state as soon as possible after the operation has completed” and that “reclamation operations should be carried out concurrently with extraction”;
 - (vi) a description of the measures to be taken for the prevention and lessening of dust and other nuisances during and after the operation; and,
 - (vii) road maintenance measures and proposed truck routes.
 - (b) Council may impose requirements in addition to those set out above. Council may also require a performance bond by any person or company undertaking any work outlined in Section 3.7.4 (3) to ensure that the development is carried out in the manner specified. The amount of the performance bond is to be set at the discretion of Council.

- (c) Council may enter into a formal Road Maintenance Agreement with the Developer or Contractor.
- (4) *Livestock auction facilities and stockyards:*
 - (a) Shall be located at least 1600 metres from all residential and community service districts.
- (5) *Kennels:*
 - (a) Shall be in the form of a Home Based Business.
 - (b) Any kennel or lands used for the purpose of a kennel as defined in this Bylaw may be required to acquire the written permission of landowners adjacent to the property or within 200 metres of the property before construction.
 - (c) Council may approve expansion of any existing kennel or lands used for the purpose of a kennel.
 - (d) Council may require the owner of a kennel to enter into an agreement regarding noise mitigation from the facilities or to undertake necessary measures to reduce potential noise conflicts from the operation.
 - (e) Council may require any approval of a kennel to be temporary, meaning that the use must be reapplied for after a period of time
- (6) *Auto body shops, construction trades, general industrial uses, taxidermy and accessory tanning of hides, welding, machine shops and metal fabricators:*
 - (a) The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas. Consideration may be given but is not limited to the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and / or
 - (iv) utilization of hazardous substances.
 - (b) All materials and goods used in conjunction with construction trades and manufacturing shall be stored within an enclosed building, or within an area hidden from view by screening;
- (7) *Asphalt and cement plants, gravel yards and coal yards:*
 - (a) The location of the use will only be favourably considered where it can be

demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas. Consideration may be given but is not limited to the following effects:

- (i) municipal servicing capacity;
- (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
- (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and / or
- (iv) utilization of hazardous substances.

(8) *Indoor / outdoor storage facilities, and recycling and collection depots:*

- (a) The use shall be located, where practical, in a non-highly visible area, and screened to avoid any adverse visual impact. Landscaping and screening acceptable to Council shall be provided in all yards facing a public roadway or properties in residential use.

(9) *Golf courses:*

- (a) Consideration will be given to the compatibility of the golf course with adjacent land uses;
- (b) Insofar as possible, proposed golf courses shall respond to the natural topography and drainways of the site, and employ minimal clearing of native vegetation;
- (c) Buffers shall be provided to protect existing, adjacent neighbourhoods by mitigating the adverse impacts of sound, visibility, traffic, and misguided golf balls;
- (d) Council will consider the following as an asset in the development of a golf course:
 - (i) maximum use of existing landforms and native grasses and vegetation;
 - (ii) an alternative water source to potable water; and,
 - (iii) water conserving irrigation systems.

(10) *Intensive agricultural uses (excluding livestock) agricultural related commercial or industrial uses:*

- (a) The location of these agricultural uses will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicular traffic, unsafe conditions

- (iv) or situations for vehicles, cyclists or pedestrians; and/or, utilization of hazardous substances.

(11) *Truck Stops:*

- (a) An application for a truck stop shall provide documentation, to Council's satisfaction, as follows:
 - (i) The submission of an engineering report confirming an adequate potable water supply and sewage disposal system.
 - (ii) The submission of a traffic impact assessment, prepared by a professional engineer and satisfactory to the Ministry of Highways and Infrastructure, detailing level of service impacts and necessary infrastructure improvements.

(12) *Hotels and motels:*

- (a) The prevention of on-street congestion caused by the ingress and egress of vehicles shall be considered.
- (b) The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads.
- (c) Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.

(13) *Accessory dwelling units (business dwelling units):*

- (a) Dwelling units shall be attached to the commercial or industrial establishment and shall have a main entrance separate from that of the principal establishment. An emergency exit must be provided in addition to the main entrance; and,
- (b) The minimum floor area of each dwelling unit shall be 28 square metres.
- (c) Vehicle car parking and access areas should not form a dominant element in the streetscape.

(14) *Cannabis Production Facilities:*

- (a) The location of cannabis production facilities will only favourably be considered where it can be demonstrated that the use and intensity of use is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas of the Municipality. Consideration may be given, but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;

- (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and
- (iv) utilization of hazardous substances.
- (v) no outside storage is permitted.

(15) *Cannabis Retail Stores:*

- (a) The location of cannabis retail stores will only favourably be considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding and adjacent areas of the Municipality. Retail stores shall maintain a minimum setback of 150 metres from schools, recreation facilities, public playgrounds, public parks and licensed daycares.

(16) *Short-term Rental Accommodations*

- (a) A maximum of six overnight guests may be permitted in a principal residential dwelling.
- (b) A maximum of four overnight guests may be permitted in a garage or garden suite.
- (c) A minimum of one parking space for every three overnight guests shall be provided.
- (d) Owners of a short-term rental accommodations shall provide contact information to the RM, which will be shared with utility companies and emergency services when required.
- (e) Council may approve a discretionary use application for a limited period of time.
- (f) Council may rescind a discretionary use approval where the guests are creating an undue nuisance and the owner or operator of the short-term rental accommodation shall cease operations forthwith.

3.8 VALIDITY OF A DEVELOPMENT PERMIT

- 3.8.1 If development authorized by a development permit is not commenced within twelve (12) months of the date of issue, the permit ceases to be valid.
- 3.8.2 A development permit extension may be granted for an additional twelve (12) month period by the Development Officer.

3.9 AMENDING THE ZONING BYLAW

- 3.9.1 Any person seeking to amend this Zoning Bylaw may submit an application for such amendment and, upon payment of the required fee, the Development Officer shall refer such application to

Council for consideration.

- 3.9.2 Council may authorize an amendment to a Zoning Bylaw, and that amendment shall be adopted by bylaw.
- 3.9.3 Sections 206 - 212 of *The Act*, shall govern the process to be followed with respect to public notice and public participation in the adoption of a bylaw proposed to amend this Zoning Bylaw.

3.10 DEVELOPMENT APPEALS BOARD

- 3.10.1 Council shall appoint a Development Appeals Board in accordance with Sections 49(j) and 213 to 227 of *The Act*.
- 3.10.2 A person who wishes to appeal to the Development Appeals Board shall, within 30 days of the date of issuance of or refusal to issue a development permit, file a written notice of intention to appeal, and submit the appeal fee with the secretary of the Development Appeals Board.
- 3.10.3 An appellant shall make the appeal within 30 days of the date of the issuance of, or refusal to issue, a development permit.
- 3.10.4 Nothing in this section authorizes a person to appeal a decision of the council:
 - (1) refusing to rezone land; or,
 - (2) rejecting an application for approval of a discretionary use.
- 3.10.5 In making an appeal to the Development Appeals Board, and hearing such appeal, the provisions of *The Act* shall apply.

3.11 RIGHT OF APPEAL

- 3.11.1 Where an application for a **PERMITTED USE** has been **REFUSED**, the applicant shall be advised of the right of appeal to the Development Appeals Board appointed by Council in accordance with section 3.10 of this Bylaw.
- 3.11.2 Where an application for a **DISCRETIONARY USE** has been **APPROVED** by Council, **WITH PRESCRIBED SPECIAL DEVELOPMENT STANDARDS** pursuant to this Bylaw, the applicant shall be advised that any development standards considered excessive, may be appealed to the Development Appeals Board.
- 3.11.3 Where an application for a **DISCRETIONARY USE** has been **REFUSED** by Council, the applicant shall be advised that there is no appeal pursuant to Section 219(2) of *The Act*.
- 3.11.4 An application for a Development Permit for a **PERMITTED USE** shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the Development Officer, and an appeal may be made as provided in Section 3.11.1 as though the application had been refused at the end of the period specified in this subsection.
- 3.11.5 Where a person wishes to appeal to the Board, he/she shall file written notice of his/her intention

to appeal with the secretary of the Board, together with an application fee of \$50.00.

3.12 MINOR VARIANCES

- 3.12.1 Council may grant a variance of up to 10% of any yard requirement or minimum required distances between buildings for a use that conforms to this bylaw. All such variances shall be subject to the conditions and granted in accordance with the procedures contained in Section 60 of *The Act*.
- 3.12.2 Council shall maintain a registry of the location and all relevant details of the granting of such variances.

3.13 APPLICATION AND ZONING AMENDMENT FEES

3.13.1 Application fees

- (1) An applicant for a development permit shall pay an application fee in accordance with the following:
- | | | |
|-----|------------------------------|--|
| (a) | Permitted use: | No Fee |
| (b) | Discretionary use: | No Fee |
| (c) | Minor Variance: | \$50.00 |
| (d) | Recreational Vehicle Permit: | \$800.00 |
| (e) | Development Appeal Fee: | up to \$300.00 as specified by the Development Appeals Board |

These fees shall be in addition to any fee required by Section 3.13.2 below.

3.13.2 Amendment of the Zoning Bylaw

- (1) In addition to an application fee, where a person requests Council to amend the Zoning Bylaw, that person shall pay to the municipality a fee equal to the costs associated with the public advertisement of the proposed amendment and the costs associated with providing direct written notice to owners of land that is the subject of the proposed amendment.
- (2) Where a person applies to Council to amend the Zoning Bylaw, that person shall pay to the municipality the following application fees, where applicable:
- | | | |
|-----|-----------------------------------|-----------------|
| (a) | Text amendments: | \$500 |
| (b) | Map amendments (see table below): | |
| | Class 1 Districts: | AR, F |
| | Class 2 Districts: | IC |
| | Class 3 Districts: | R, H, LD |

Zoning Map Amendments		To		
		Class 1	Class 2	Class 3
From	Class 1	\$200	\$400	\$800

	Class 2	\$200	\$400	\$800
	Class 3	\$200	\$400	\$800

Where an application to amend the Zoning Bylaw involves amendment within two or more of the above categories the sum of the amendment fees shall apply for all categories. These fees shall be in addition to any fee required by Section 3.13.1 above.

3.14 ZONING BY AGREEMENT

- 3.14.1 A zoning designation which is subject to an agreement entered into pursuant to the provisions of Section 69 of *The Act* and Section 5.1.4 of the Official Community Plan, shall be indicated on the Zoning District Map by the addition of the bylaw number authorizing the agreement after the zoning district designation.

3.15 OFFENCES AND PENALTIES

- 3.15.1 Pursuant to Section 242 of *The Act*, the Development Officer may inspect any development suspected of contravening *The Act*, or any regulation or bylaw made pursuant to *The Act*. If it is determined that a contravention exists, the Development Officer may notify the owner in writing and instruct the owner to correct the contravention within a set time period. If for any reason the contravention has not been corrected within that time, the Development Officer may extend the time period or issue a zoning compliance order pursuant to Section 242(4) of *The Act* to achieve bylaw conformance.
- 3.15.2 Any person who violates this Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties provided by Section 243 of *The Act*.

4 GENERAL REGULATIONS

Except as noted, the following regulations shall apply to all zoning districts in this bylaw:

4.1 FRONTAGE ON THE ROAD

- 4.1.1 A development permit shall not be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on a graded all-weather registered road, or unless satisfactory arrangements have been made with Council, which may include the improvement or building of the road.
- 4.1.2 A subdivision shall not be supported unless the proposed severance to be used, or upon which a building or structure is to be erected, abuts, or has frontage on a graded all-weather registered road, or unless satisfactory arrangements have been made with Council for the improvement or building of a road, where required.

4.2 DEVELOPMENT ON HAZARD LANDS

- 4.2.1 Where a proposed development of a building is to be located on land considered by Council to be potentially hazardous, including but not limited to a wetland, water body or watercourse where flooding may occur, the lands shall be deemed “hazardous” and Council shall require the applicant to submit sufficient topographic information to determine if the development will be within 50 metres of:
 - (1) any slope(s) that may be unstable;
 - (2) any river or stream flood plain; and/or,
 - (3) any other land that may be subject to flooding.
- 4.2.2 Council may require that before a permit may be issued, the applicant shall submit a report prepared by a professional competent to assess the suitability of the site for a development described in Section 4.2.1, and which in the opinion of Council, shows that the proposed site and development is suitable with respect to the following where relevant:
 - (1) the potential for flooding up to the Safe Building Elevation, to be determined from specific site investigations, or where not involving any building, such lower elevation as may be suitable for the proposed use;
 - (2) the potential for slope instability; and/or
 - (3) the required mitigation measures for construction on areas of high water tables, in slopes or on contaminated sites if any.
- 4.2.3 Actions identified in an assessment prepared pursuant to Section 4.2.2 which prevent, change, mitigate or remedy hazards in lands deemed hazardous may be incorporated as conditions to issuance of any development permit that may be issued. Council may refuse a permit for any development for which, in Council’s opinion, the proposed actions are inadequate to address the adverse effects or will result in excessive municipal costs

- 4.2.4 Where Council deems appropriate, a wildfire risk assessment may be required to provide recommendations for Fire Smart development.

4.3 BUILDING TO BE MOVED

- 4.3.1 No building shall be moved within, or into, the municipality, without first obtaining a development permit, except as exempted by in Section 3.3, from the Development Officer.

4.4 WASTE DISPOSAL

- 4.4.1 No development or use of land which requires sewage disposal or landfill facilities shall be permitted unless those facilities are approved by the Regional Health Authority and/or Saskatchewan Environment. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by the Departments of Agriculture and Food, Environment, Health and the Saskatchewan Watershed Authority.

4.5 WATER

- 4.5.1 No development or use of land shall be permitted where the proposal will adversely affect domestic and municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the Regional Health Authority and/or the Saskatchewan Water Security Agency.

4.6 STORAGE OF CHEMICALS, FERTILIZERS AND COMBUSTIBLE MATERIALS

- 4.6.1 The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary approvals from other regulatory agencies must be obtained prior to issuance of a development permit. Development permit conditions may include the requirement that all permits or licenses required by other regulatory agencies be obtained before development proceeds.
- 4.6.2 No residential, commercial or industrial building will be permitted within 300 metres(984.25 feet) of a non-refrigerated anhydrous ammonia storage tank or 600m (1968.5 feet) from a refrigerated anhydrous ammonia storage tank. Residences and buildings which are an integral part of the fertilizer operation are not subject to the foregoing buffer requirement.
- 4.6.3 These requirements do not apply to Farm Operations.

4.7 ONE PRINCIPAL BUILDING PERMITTED ON A SITE

- 4.7.1 Not more than one principal building shall be permitted on any one site except for:

- (1) Farm operations
- (2) Institutional uses
- (3) Agricultural uses;
- (4) Commercial uses associated with a principal or accessory residential use;
- (5) Dwelling groups;
- (6) Shopping centres;
- (7) Manufactured dwellings in manufactured dwelling courts;

- (8) Recreation facilities;
- (9) Schools;
- (10) Municipal facilities;
- (11) Communal dwellings;
- (12) Communal farm settlements;
- (13) Ancillary uses;
- (14) Indoor/outdoor storage facilities;
- (15) Commercial complexes;
- (16) Industrial complexes; and
- (17) Public works

4.8 NON-CONFORMING BUILDINGS, SITES AND USES

- 4.8.1 The adoption or amendment of this bylaw does not affect non-conforming buildings, sites and uses.
- 4.8.2 The provisions of *The Act*, Sections 88 to 93 inclusive, shall apply to all non-conforming buildings and uses.
- 4.8.3 Non-conforming buildings or sites may continue to be used, maintained and repaired in their present form.

4.9 MANUFACTURED DWELLINGS

- 4.9.1 Wherever a single detached dwelling is allowed in the Agricultural District it may be in the form of a manufactured dwelling that meets CSA A277 certification, or a replacement thereof, and shall be attached to a permanent foundation, or securely anchored to the ground and skirted, prior to occupancy.

4.10 PUBLIC WORKS, PIPELINES AND MUNICIPAL FACILITIES

- 4.10.1 Public works and facilities of the Municipality, except solid and liquid waste disposal sites, shall be permitted uses in every zoning district, and unless otherwise specified by this bylaw, no minimum site or yard requirements shall apply.
- 4.10.2 Where a pipeline or other utility or transportation facility will cross a municipal road, Council may apply such special design standards as it considers necessary to protect the municipal interest in the existing and future improvements to the road. The R.M. shall require the developers of regional water and sewer pipelines to submit engineered drawings to the municipality prior to installing such pipelines.

4.11 VEHICLE STORAGE

- 4.11.1 Notwithstanding anything contained in this Bylaw, no person shall use any site in any **LD** or **H** District, for the parking or storage outside of an enclosed building of more than two (2) unlicensed vehicles.
- 4.11.2 Section 4.11.1 shall not apply to permitted machinery or automotive salvage yards, auction

markets, agricultural implements, recreational vehicles, automobile, marine and manufactured dwelling sales and service establishments.

- 4.11.3 Council may require that such vehicles be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof.

4.12 FENCES

- 4.12.1 A principal building or use must be established on a site prior to the erection of a fence or a wall on the site.
- 4.12.2 A fence may be erected to safeguard public safety on a site during the period of construction of the principal building or use or due to the presence of a natural hazard on the site.
- 4.12.3 In the **AR** District a fence shall be exempt from required setbacks provided no part encroaches on a right-of-way or creates a traffic safety hazard in the site triangle of any intersection.
- 4.12.4 In any **R, LD, and H** District, no wall, fence or similar structure shall be erected in a front yard or on a site line adjacent to a front yard to a height of more than 1.0 metres above grade level.
- 4.12.5 In any **R, LD, and H** District, no wall, fence, screen or similar structure, excepting permitted accessory buildings, shall be erected in a required side or rear yard, or on a site line adjacent to a required side or rear yard, to a height of more than 2.0 metres above grade level, except for lakefront sites, where the maximum height shall be 1.0 metres in or adjacent to any required rear yard.
- 4.12.6 In the case of a corner site in any district, no hedge planting, tree, wall, fence, or similar structure, not being a building, shall be erected, placed, planted, or maintained within the Sight Triangle, as described in Figure 2-2 and Section 4.22 of this Bylaw, to a height greater than 1.0 metre.
- 4.12.7 No height limitations shall apply to the following:
- (a) Temporary construction fences;
 - (b) Fences in the **A** - Agriculture District;
 - (c) Fences associated with essential public services and utilities, public parks, playgrounds or public buildings.
 - (d) Notwithstanding the regulations set out above, all fences are subject to federal and provincial safety regulations.

4.13 SHIPPING CONTAINERS AND ROLL OFF BINS

- 4.13.1 Shipping containers shall be permitted in all districts, but are limited to one (1) in the **R, LD, and H** Districts.
- 4.13.2 Shipping containers permitted under 4.13.1, shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable zoning district.

4.13.3 Shipping containers and, in the **R**, **LD** and **H** Districts, shall:

- (1) be maintained in good repair;
- (2) be sided or sandblasted and repainted to a neutral colour prior to their placement, above grade, on a site;
- (3) be located a minimum of 3.0 metres from, and behind the rear wall of, the principal building;
- (4) not be stacked on each other;
- (5) meet the requirements of *The National Building Code of Canada* as applicable.

4.13.4 Notwithstanding subsection 4.13.1, shipping containers and roll off bins may be temporarily placed on a site in any district:

- (1) during active construction on a site when the shipping container is solely for the storage of supplies and equipment that are used for the site, provided that a valid building permit has been issued for construction on the site. The shipping container must be removed from the site upon completion of the construction; or
- (2) for the purpose of loading and unloading of items associated with the principal use for a period of not more than 10 days in any six month period; and
- (3) in any case, for a period of not more than 30 days unless an extension has been granted by the development officer to a maximum of 90 days.

4.13.5 When placed on a site pursuant to subsection 4.13.4, the shipping containers and roll off bins shall:

- (1) be located so as not to create a safety hazard; and
- (2) not be located within 1.2 metres of the interior edge of a sidewalk.

4.14 SETBACK FROM CENTRE LINE OF ROADS

4.14.1 The minimum setback of buildings, including dwellings from the centre line of a developed road or municipal road allowance shall be 150 ft. (45.75 metres). The minimum setback of buildings, including dwellings, from the centre line of a provincial highway shall be 150 ft. (45.75 metres) or such greater distance as may be required by the applicable federal or provincial department or agency. Development of buildings on sites that do not abut such roads shall observe the minimum front yard setbacks as identified in the specific regulation of those districts.

4.14.2 Notwithstanding section 4.14.1, in any AR – Agricultural Residential District, wire agricultural fencing may be placed up to 1 ft. (0.3 metres) away from any site line abutting a municipal road allowance, grid road, main farm access road or provincial highway.

4.15 LANDSCAPING

4.15.1 Landscaping in the I/C District compliant with the rest Section 4.15 may be provided in the following areas:

- (1) In the case of a corner site, the side yard abutting the flanking street to a minimum width of three (3) metres.
- (2) In the case where a site abuts a road, the yard abutting the road shall be soft landscaped to a minimum width of three (3) metres.

4.15.2 General Landscaping Regulations for the I/C District:

- (1) Where this Bylaw specifies that landscaping is required, it shall be developed and maintained in accordance with the following standards and policies:
 - (a) Plant material shall be species capable of healthy growth in the region shall be used.
 - (e) Required and approved landscaping shall be suitably maintained in a neat and tidy condition at all times, and plant material installed or retained shall be maintained in healthy, vigorous condition at all times.

4.15.3 The Development Officer may not approve an application for a development permit in the event that:

- (1) Any required landscape plans have not been submitted; or,
- (2) Any required landscape plans do not, in the opinion of the Development Officer, provide an adequate or suitable degree of landscaping necessary to enhance the visual amenity of the site or provide a visual screen where required by this Bylaw; or
- (3) The proposed landscape plan may negatively impact an adjacent property.

4.16 OUTSIDE STORAGE AND WASTE MATERIAL STORAGE

4.16.1 Where permitted in association with any approved industrial or commercial land use, all outside storage, including storage of garbage or waste materials, is subject to the following requirements:

- (1) No outside storage shall be located in the front yard, except for the neatly arranged display of items for sale; or
- (2) Outside storage in a side or rear yard shall be screened from adjacent sites by a fence at least 1.9 metres in height, or a combination of fence and soft landscaping screening a minimum of 1.9 metres in height; or
- (3) Unless otherwise directed by this Bylaw, garbage and waste material shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares.

4.17 PERMITTED YARD ENCROACHMENTS

4.17.1 The following are not considered encroachments and shall be considered part of the principal building and all applicable regulations will apply to it as it would be to the principal building:

- (1) any deck or floor area attached to a principal building that has a permanent roof structure and/or solid glass, or screen walls;
- (2) any private garage attached to a principal building; and
- (3) balconies.

4.17.2 The following yard encroachments shall be permitted in any required yard:

- (1) steps 0.6 metres or less above grade level, as measured at the highest point of the steps, that are necessary for access to a permitted building or for access to a site from a street or lane.
- (2) wheelchair ramps to main floor level.
- (3) windowsills, eaves, gutters, belt courses, pilasters or other similar vertical columns, cornices, bay windows, chimneys and similar non-structural alterations may project a distance of 0.6 metres from the building into any required yard.
- (4) raised patios, decks and sidewalks not more than 0.6 metres above grade level, as measured at the outside edge of the patio, deck or sidewalk.
- (5) trees, shrubs, walkways, trellises or flag poles, so long as these fixtures do not extend into or over public land.
- (6) lighting fixtures and lamp posts.
- (7) handrails are permitted in all yards, driveways & uncovered walkways.
- (8) In rear yards detached raised patios and decks measuring more than 0.6 metres in height above grade, and canopies having a projection of not more than 1.5 metres into the required rear yard.

4.18 PROHIBITED USES IN ALL DISTRICTS

4.18.1 The breeding of rats and other rodents and crickets and other insects is prohibited in all zoning districts in the municipality.

4.18.2 All new Wild Boar operations are prohibited in all zoning districts in the municipality.

4.19 BUILDING LINES

4.19.1 Where a building line in a **R**, **H**, or **LD** District has been established by existing buildings in a block having at least one half of the lots built on, new development may conform to this line.

4.20 SIGNS AND BILLBOARDS

4.20.1 Signs located in a Highway Sign Corridor

- (1) Signs located in a highway sign corridor shall be regulated by the requirements of *The Erection of Signs adjacent to Provincial Highway Regulations, 1986*, or amendments thereto, and subsection 2 shall not apply.

4.20.2 Signs other than in a Highway Sign Corridor

- (1) Any sign located in other than a highway sign corridor, may only advertise agricultural commercial uses, home-based businesses, the principal use of a site, or the principal products offered for sale on a premises.
- (2) A maximum of 2 advertising signs is permitted on any site, or quarter section.
- (3) Government signs, memorial signs, signs identifying residential occupants or addresses and directional signs that bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs, are exempt from restriction.
- (4) Temporary signs and real estate signs are permitted only as long as the temporary condition exists for the property.
- (5) Billboard and other off-site advertising signs are prohibited, except in a highway sign corridor.
- (6) All private signs shall be located so that no part of the sign is over a public right-of-way.

4.20.3 Signs in **AR, R, LD, H** and **IC** Districts

- (1) Permitted signs shall be subject to the following requirements.
 - (a) The maximum facial area of a sign on residential sites shall be 1.2 m²;
 - (b) The maximum facial area of a sign on service stations, gas bars, industrial and agriculture service sites shall be 6.5 m²;
 - (c) The maximum facial area of a sign on all other sites shall be 3.5 m²;
 - (d) The maximum height of any sign shall be 3.5 metres.

4.21 TEMPORARY USES

4.21.1 Temporary uses will be permitted where appropriate in individual zoning districts at the discretion of Council.

4.21.2 All temporary uses must be located on an existing site; no subdivision will be permitted for temporary uses.

4.21.3 Any buildings placed on sites where a temporary use is permitted must be removed on or before

the expiry period allowed for the use, unless the construction of a permanent building is specifically permitted by Council.

4.21.4 The site must be restored to the same condition as it was prior to the beginning of the temporary use once the temporary use has ceased.

4.21.5 Council may require a performance bond from the applicant to ensure acceptable remediation of the site.

4.22 VISIBILITY CLEARANCE AT INTERSECTIONS

4.22.1 In any district, nothing shall be built, erected, placed, planted, parked or allowed to grow so as to obscure vision at a height of one (1) metre or greater above the elevation of the centre of the abutting street or lane within the triangular area labelled as “Sight Triangle”, with distances measured accordingly, in Figure 2-1 in Section 2 of this Bylaw.

4.22.2 Within the sight triangle, as herein defined, the following uses are permitted:

- (a) Government signage and government sign posts;
- (b) wire agricultural fencing;
- (c) fire hydrants, benches and traffic control devices; and,
- (d) utility poles, and one transmission or control device.

4.23 GENERAL GRADING REGULATIONS

4.23.1 Any site proposed for development shall be graded and levelled at the developers or owner’s expense as is necessary to provide for adequate surface drainage. The drainage shall not adversely affect adjacent properties, and shall comply with any special requirements brought forward by the Council of the RM.

4.23.2 Grading, levelling or placement of fill shall be located entirely within the boundaries of the site.

4.23.3 Fill must be placed so that natural drainage courses, ditches and culverts are not blocked or diverted and do not cause off-site adverse effects.

5 SPECIAL STANDARDS AND REGULATIONS

5.1 ACCESSORY USES, BUILDINGS AND STRUCTURES

- (1) Accessory uses and buildings shall be subordinate to, and located on the same site as the principal building or use, and used in conjunction with that principal use.

- (2) *Time of Construction:*

Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building except in the following instance:

- (a) Where a Development Permit has been issued for a principal building, Council may, at its discretion, allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed in the time period required, the accessory building is to be removed.

- (3) *Height of Accessory Buildings:*

- (a) Detached accessory buildings in any District, except the Agricultural District, are not to exceed the height of the principal dwelling, and in no case shall an accessory building exceed a height of 5 metres.
- (b) Notwithstanding Section 5.1(3) (a), Council may, at its discretion, permit the development of an accessory building that exceeds the height of 5 metres where it can be demonstrated that it will have minimal impact on the surrounding, adjacent areas, particularly along the residential zone interface.
- (c) There are no height restrictions for detached accessory buildings in the agriculture district.

- (4) *In **LD** and **H** Districts:*

- a) Private 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.
- b) No door that could give access for a vehicle to a private garage, whether attached to the principal building or not, shall be located in a required front yard, less than 4.5 metres (14.76 feet) from a street to which it gives direct access, or less than 1.5 metres (4.92 feet) to a lane to which it gives direct access.
- c) Uncovered outdoor swimming pools and other yard recreation equipment shall have a minimum side or rear yard of 1.5 metres (5 feet).

(5) *Area of Accessory Buildings:*

- (a) Where this bylaw specifies the maximum building floor area for accessory buildings, that area shall mean the combined building floor area of all accessory buildings on site.
- (b) The floor area of all principal and accessory buildings on a site shall not exceed the maximum site coverage, where required.

(6) *Accessory dwelling units shall only be permitted to accommodate:*

- (a) a farm dwelling, manufactured dwelling, or recreational vehicle as a residence for an operator, or for employees and/or partners engaged in farm operation, intensive livestock operation, or intensive agricultural operation, subject to Section 3.5.2.2 **Policy (c)** of the Official Community Plan and with a maximum of three (3) residences per parcel.
- (b) a business dwelling as a residence for an operator, manager, an employee and/or partner engaged in a commercial or industrial operation in any zoning district, subject to the following provisions:
 - (i) the dwelling unit must be physically attached to the primary building where commercial or industrial operations are underway;
 - (ii) the business dwelling shall have a main entrance separate from that of the commercial or industrial establishment;
 - (iii) an emergency exit must be provided in addition to the main entrance; and
 - (iv) the minimum floor area of each dwelling unit shall be 28 square metres.
- (c) Communal dwelling(s) as residences for colonies, engaged in a farm operation, intensive livestock operation, or intensive agricultural operation, subject to Section 3.5.2.2 **Policy (d)** of the Official Community Plan.
 - (i) All dwelling(s) must be located on a site conforming to all requirements of the Zoning Bylaw.
 - (ii) Utilities, including sewage disposal systems, must meet provincial standards.

(7) *Rental Suites:*

A Rental Suite may be attached as a discretionary use to any Single Detached Dwelling in any zoning district, subject to approval of a Building Inspector hired or contracted by the Rural Municipality. Rental Suites are subject to the following requirements:

- (a) Cooking facilities, food preparation, sleeping and sanitary facilities within the structure and which are physically separate from those of the principal dwelling.

- (b) The suite also has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure.
- (c) The suite may not be established on a site where a Garden Suite or Business Dwelling is located.

5.2 CAMPGROUNDS AND TOURIST CAMPS

- (1) The applicant for a development permit for a campground or tourist camp shall provide the Development Officer with a plan of the site, identifying any buildings, uses of land and the location of all roadways and recreation vehicle or tent campsites sites with dimensions. The addition or rearrangement of sites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a development permit, and the applicant shall submit for approval an amended plan incorporating the proposed development.
- (2) A campground or tourist camp shall have, within its boundaries, a buffer area abutting the boundary of not less than 4.5 metres in width, which shall contain no buildings.
- (3) A site for each recreation vehicle and campsite permitted in the campground or tourist camp shall be designated and clearly marked on the ground.
- (4) No portion of any campsite shall be located within an internal roadway or required buffer area.
- (5) Each site shall have direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
- (6) Each recreation vehicle shall be located at least 4.5 metres from any other recreation vehicle and each site shall have dimensions, location and orientation sufficient to allow for such location of recreation vehicles.
- (7) The space provided for roadways within a campground or tourist camp shall be at least 7.5 metres in width. No portion of any site, other use or structure shall be located in any roadway.
- (8) A campground or tourist camp may include, as an ancillary use, a laundromat or a confectionary designed to meet the needs of occupants of the sites and a one unit dwelling for the accommodation of the operator.
- (9) No recreation vehicle shall be stored on any campsite when the campground is not open.
- (10) *The Public Health Act*, and regulations passed thereunder, shall be complied with in respect of all operations and development of campgrounds.

5.3 MANUFACTURED DWELLING COURTS

- (1) Manufactured dwelling courts shall have, within their boundaries, a buffer area abutting the boundary which shall:

- (a) have a minimum depth of not less than 7.5 metres in width, which shall contain no buildings or structures.
 - (b) not contain any roads, except those which connect a public roadway to the road system within the manufactured dwelling court.
- (2) Each manufactured dwelling site permitted in a manufactured dwelling court shall be designated and clearly marked on the ground.
- (3) Each manufactured dwelling site shall have a minimum area of 379.8 square metres.
- (4) No portion of any manufactured dwelling site shall be located within an internal roadway or required buffer area.
- (5) Each manufactured dwelling site shall have direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
- (6) Each manufactured dwelling shall be located at least 4.5 metres from any other manufactured dwelling and each manufactured dwelling site shall have dimensions, location and orientation sufficient to allow for such location of manufactured dwellings.
- (7) The space provided for roadways within a manufactured dwelling court shall be at least 7.5 metres in width. No portion of any manufactured dwelling site, other use or structure shall be located in any roadway.
- (8) A manufactured dwelling court may include, as an ancillary use, a laundromat or a confectionary designed to meet the needs of occupants of the manufactured dwelling court and a one unit dwelling for the accommodation of the operator.
- (9) *The Public Health Act*, and Regulations passed thereunder, shall apply to all operations and development of manufactured dwelling courts.

5.4 PUBLIC WORKS IN THE FORM OF SOLID AND LIQUID WASTE MANAGEMENT OR DISPOSAL FACILITIES

- (1) Development and maintenance of a public work in the form of a solid or liquid waste disposal facility will be subject to the following special standards:
 - (a) A buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area.
 - (b) Any solid or liquid waste disposal facility shall be fenced.
 - (c) Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
 - (d) Solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all-weather road.

- (e) The development of any new disposal sites shall take into consideration direction of prevailing winds.
- (f) Further regulation of solid waste disposal sites may be achieved by adoption and administration of a Waste Management Bylaw.

5.5 BED AND BREAKFAST HOMES AND VACATION FARMS

- (1) Bed and breakfast homes and vacation farms shall be subject to the following requirements:
 - (a) Vacation farms shall be ancillary to an agricultural operation and may include bed and breakfast, cabins and overnight camping areas.
 - (b) Bed and breakfast operations shall be located in, and ancillary to, a single detached dwelling used as the operator's principal residence within the **AR, LD, H, or R** districts.
 - (c) Only one sign, not exceeding 1.5 square metres in sign face area, advertising the vacation farm or bed and breakfast home, and located on-site, is permitted.
 - (d) Vacation farms and bed and breakfast homes shall be licensed pursuant to The Public Health Act, where tourist accommodations require health approval.
 - (e) Council may specify a maximum number of bedrooms, cabins or camping sites, or combination thereof, as a special standard in the issuing of a discretionary approval for a bed and breakfast home or vacation farm application.

5.6 CUSTODIAL CARE FACILITIES AND RESIDENTIAL CARE FACILITIES

- (1) Custodial care facilities and residential care facilities may be approved as an accessory use or as a principal use.
- (2) Required parking spaces shall not be located in a required front yard.
- (3) No building or structure used for the purpose of a custodial care facility or a residential care facility shall be used for the purpose of keeping boarders or lodgers.
- (4) In addition to the development standards of the zoning district, custodial care facilities and residential care facilities that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.7.

5.7 SERVICE STATIONS

- (1) Fuel pumps and other apparatus for dispensing or storage of fuel, located all or partly above grade level, shall be at least 6 metres from a site line.
- (2) All automobile parts, dismantled vehicles and similar articles or equipment are to be stored within a building.
- (3) Where service stations occupy a corner site, only one access point shall be on the flanking

street. No street shall have more than one access point.

5.8 GAS BARS

- (1) Where operated as the principal use on a site, gas bars are subject to the regulations and standards for service stations.
- (2) Where a gas bar is allowed to operate in conjunction with another use on a site, the following standards and regulations apply:
 - (a) All fuel pumps and above ground storage tanks shall be at least five metres from any building on the site, and 6 metres from any site line.
 - (b) The site shall have at least two separate entrances for vehicles, at least 15 metres apart.
 - (c) Access to, and parking for, fuel dispensing apparatus shall not obstruct access to the site, or other required off-street parking spaces on the site.

5.9 HOME-BASED BUSINESSES AND FARM-BASED BUSINESSES

- (1) Home-based businesses and farm-based businesses shall be subject to the following development standards:
 - (a) The use is clearly ancillary to the use of a farm as an agricultural operation or the dwelling unit as a private residence.
 - (b) The operator of the business is a resident of the dwelling unit and, in the case of a farm-based business only, up to five (5) non-resident employees may be employed at the site. In the case of a home-based business located in the AR-Agricultural Residential District, up to two non-resident employees may be employed at the site. Any employee shall be directly under the hire and management of the operator of the business. Where the business is a building or service contractor, additional employees may be involved only at the client building site.
 - (c) No variation in the residential or residential farm character and appearance of the dwelling, ancillary residential building, or land shall be permitted.
 - (d) The permitted use shall be valid only during the period of time the property is occupied as a residence of the applicant for such permitted use.
 - (e) All permits issued shall be subject to the condition that the permit may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met.

5.10 OUTFITTER BASE CAMPS AND TOURISM BASE CAMPS

- (1) All outfitter base camps shall be located at least 305 metres from a dwelling unit that is not part of the operation.
- (2) All accommodation provided in conjunction with outfitter base camps and tourism base

camps shall comply with The Public Health Act, and Regulations passed thereunder.

- (3) Council may establish standards limiting the total number of guests and guest rooms, and the location of buildings and accessory activities as a condition of issuing a discretionary use permit for outfitter base camps and tourism base camps. Any increase in the number of guests or guest rooms shall require a new discretionary approval.
- (4) Outfitter base camps and tourism base camps may be ancillary to an agricultural operation for which a permit has been issued and located on the same site.

5.11 KENNELS

- (1) An outdoor area must be provided for animals to run free, without being chained, in an area enclosed by a fence which provides safety for the animals and neighbours to the satisfaction of Council.
- (2) Outdoor animal enclosures may not be located in front yards.
- (3) Kennels shall be subject to the use specific criteria laid out in Section 3.7.4 (5)

5.12 AUCTION MARKETS

- (1) Outside storage shall not be permitted at auction markets except for the display of motor vehicles, farm machinery, and heavy farm equipment.
- (2) Council may require that additional parking spaces be provided for auction markets.
- (3) Temporary storage and accessory repair of goods and materials to be sold shall be permitted.
- (4) Wrecking, destruction or dismantling of goods and materials shall not be permitted.

5.13 TRUCK STOPS

- (1) The minimum width of a driveway in a truck stop shall be 9.2 metres.
- (2) No more than two access driveways shall connect a truck stop to any street.
- (3) Gas bars on the site of a truck stop shall comply with Sections 5.8 and 5.9.
- (4) Above ground fuel storage tanks shall comply with Section 5.9.

5.14 WIND ENERGY FACILITIES (ONE TURBINE)

- (1) Wind energy facilities shall be accommodated as a discretionary use in any zoning district in this Bylaw, either as an accessory use to an established principal use on a site or as the principal use of a site. The following standards apply to wind energy facilities:
 - (a) Wind turbines are limited to a maximum height of 50 metres.

- (b) Wind turbines are limited to a maximum name plate capacity of 100kW.
- (c) The setback of a wind turbine to any public road right of way and railway right of way that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy facility, shall be greater than or equal to the height of the wind turbine,
- (d) The setback of a wind turbine to any property boundary of a Non-Participating Noise Receptor that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy facility, shall be greater than or equal to the height of the wind turbine.
- (e) Council may consider approving a lesser separation with consideration given to the following factors which are not intended as requirements for an approval but rather, to frame Council's deliberation:
 - (i) written comments from any landowners within the required separation distance;
 - (ii) proposed mitigation measures to minimize impacts;
 - (iii) landforms that may affect or be affected by the impacts from the wind energy facility
 - (iv) physical severances, including roadways, rail lines, or waterbodies within the separation distance;
 - (v) watershed and drainage patterns, and how runoff from the wind energy facility is to be managed;
 - (vi) the land use designation and future land use of the lands within the separation distance; and
 - (vii) other factors that Council deems relevant.
- (2) Council will evaluate Discretionary Use applications for single wind turbines with the following criteria. Wind turbines shall be located in a manner in which they are separated from the nearest non-participating noise receptor in the following way:
 - (a) Wind turbines with a rotor diameter between 0.1 metres and 5.0 m: 100 metre separation distance;
 - (b) Wind turbines with a rotor diameter between 5.01 and 12.5 metres: 250 metre separation distance; and
 - (c) Wind turbines with a rotor diameter greater than 12.5 metres: 350 metre separation distance.

5.15 WIND FARMS (TWO OR MORE TURBINES)

- (1) Wind Farms shall be accommodated as a discretionary use in the **AR-Agricultural Residential** District, either as an accessory use to an established principle use on a site or as the principle use of a site. The following standards apply to Wind Farms:
 - (a) Wind turbines are limited to a maximum height of 50 metres.
 - (b) Wind turbines are limited to a maximum name plate capacity of 100kW.
 - (c) All turbines in a wind farm shall have a fence of at least 1.9 metres (6.0 feet) in height surrounding them that is constructed to the specifications of the Development Officer or Council.
 - (d) The setback of a wind turbine to any public road right of way and railway right of way that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy facility, shall be greater than or equal to the height of the wind turbine,
 - (e) The setback of a wind turbine to any property boundary of a Non-Participating Noise Receptor that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy facility, shall be greater than or equal to the height of the wind turbine.
- (2) Council will evaluate Discretionary Use applications for Wind Farms with the following criteria:
 - (a) Wind Farms must be located more than 2.0 km (2,000.0 metres) away from any residence not associated with the site or they must receive the expressed written consent of the affected land owner(s) of the residence(s) within the 2.0 km (2,000.0 metres) area.
 - (b) Wind farms must present to Council information showing that ambient noise from the wind farm will be at a reasonable level.
 - (c) Council may request additional information or research prior to rendering a decision.

5.16 DWELLING GROUPS

- (1) Dwelling groups are subject to the following additional standards:
 - (a) The minimum side yard shall be measured from the closest main wall of the principal building closest to the side site line.
 - (b) All principal buildings forming part of the group shall be located from any other principal building in the group at a distance that meets The National Building Code of Canada and The National Fire Code of Canada.
 - (c) Council may apply special development standards regarding “yard requirements”

to reduce conflict with neighboring uses.

5.17 MEAT PROCESSING WITH KILL FACILITIES

- (1) Shall be located at least 1 km. from residential areas, schools, hospitals, motels and restaurants.

5.18 TRANSLOADING FACILITIES

Transloading facilities shall be subject to the following requirements:

- (1) In addition to any other information required by Council, the applicant shall submit, as part of their development permit application, information regarding any hazardous material to be kept or stored on site, an emergency management plan, a screening and landscape plan, site grading and drainage plans, and proposed truck routes and road maintenance measures. The applicant may be required to enter into a road maintenance agreement.
- (2) Transloading facilities for oil and gas resources shall not be located within 90 metres of a residence or on hazard lands.
- (3) The applicant shall suitably screen and landscape the facility from neighbouring properties to the satisfaction of Council.
- (4) Council may require the developer to undertake specific safeguards to address safety issues related to material kept on the site and nuisance issues related to dust, noise, odour, smoke, or similar conditions.
- (5) Transloading facilities shall be developed and shall operate in compliance with all relevant federal and provincial requirements.

5.19 OIL AND GAS EXPLORATION AND DEVELOPMENT

- (1) Exploration and development of oil and gas shall be subject to all federal and provincial requirements, and such activity must comply with the objectives and policies outlined in the R.M. of Canwood's Official Community Plan.
- (2) Oil and gas exploration, extraction and development within the R.M. shall occur in accordance with *The Oil and Gas Conservation Regulations, 2012*.
- (3) Multiple parcel country residential subdivisions, single parcel country residences and residential sites located in proximity to oil wells may be subject to separation requirements from an oil well, as per *The Subdivision Regulations*.
- (4) Multiple parcel country residential developments, single parcel country residences and residential sites located in proximity to sour gas wells with H₂S concentrations over 100 ppm may be subject to separation requirements based on guidelines as recommended by the Ministry of Government Relations.
- (5) In addition to any other information required by Council, the applicant shall submit, as part of their development permit application, information regarding any hazardous material to

be kept or stored on site, an emergency management plan, a screening and landscape plan, site grading and drainage plans, and information regarding proposed truck routes and road maintenance measures. The applicant may be required to enter into a road maintenance agreement.

- (6) Council may require the applicant to suitably screen and landscape the facility from neighbouring properties to the satisfaction of Council.
- (7) Council may require the applicant to undertake specific safeguards to address safety issues related to material kept on the site and nuisance issues related to dust, noise, odour, smoke, or similar conditions.
- (8) The Municipality may apply special standards as outlined in *The Municipalities Act, 2005*, to protect the municipal interest when transportation, utility and pipeline facilities cross municipal roads, or when seismic activity is proposed on roads or road allowances.
- (9) Upon approval by the Municipality, the owner of a pipeline shall provide the Municipality at least 48 hours notice of the owner's intention to commence work. Written request must be made to the Rural Municipality before construction begins and the owner shall obtain the required Municipal standards for construction approaches and for pipelines (flowlines) crossing road allowances.
- (10) Council may require that oil and gas well sites be fenced with a gate.

5.20 JUNK AND SALVAGE YARDS

- (1) Junk and salvage yards and auto wreckers shall be enclosed by an opaque or solid perimeter fence at least 2.0 metres in height, and not more than five metres in height, with no material piled higher than the height of the perimeter fence; and,
- (2) The perimeter fence shall not be located in the required front yard. The required front yard shall be used for no other purpose than landscaping and necessary access driveways to the site.

5.21 CREMATORIALS

- (1) Crematoriums shall be located at least 300 metres from any residential dwelling or land zoned for residential purposes.

5.22 COMMUNAL FARM SETTLEMENTS

- (1) Council may consider discretionary use applications for communal farm settlements including the multiple uses outlined in the definition for Communal Farm Settlements as one single discretionary use application. Buildings and uses must comply with the setbacks contained within this bylaw and the RM's Building Bylaw. Development permits and building permits will be required for each use and building.
- (2) Communal farm settlements may include more than one dwelling on a single site and these dwellings may be in the form of single detached dwellings and communal dwellings. Council may specify the maximum number of dwelling units permitted for a Communal

Farm Settlement.

- (3) An expansion to a communal farm settlement shall require discretionary use approval.
- (4) There shall be a water supply adequate for the proposed communal farm settlement and the development shall not contaminate any water source.
- (5) Provision of potable water and treatment and disposal of wastewater is subject to provincial regulations and approval.
- (6) Road access to the communal farm settlement shall be to the satisfaction of Council. If off-site road upgrades or new road construction is required, Council may require the applicant to pay for the road upgrades or new construction pursuant to Section 16 of *The Municipalities Act*.
- (7) Council may require the applicant to demonstrate that traffic generated by the communal farm settlement can be handled safely and appropriately by the municipalities road network. This can be determined by the applicant retaining a professional engineer to undertake a Traffic Impact Assessment (TIA).

5.23 SOLAR FARMS

- (1) In addition to any other information required by Council, the applicant shall submit, as part of their development permit application, information regarding site grading along with a drainage plan for the site.
- (2) Council may require that it be demonstrated how any adverse effects on neighbouring properties will be mitigated including ensuring that sight lines are maintained.

5.24 SOLAR ENERGY SYSTEMS

- (1) The installation and operation of solar energy systems, and their supporting structures, shall be permitted in all zoning districts subject to the following:
 - (a) In all districts except the **AR – Agricultural/Resource District** and **IC – Industrial/Commercial District**, Solar energy systems shall not be located in any required front or side yard. In the case of a corner site, solar energy systems shall not be located in any portion of the rear yard which is within 3.0 metres of the side property line adjacent to a flanking street.
 - (b) All freestanding solar structures shall be placed a minimum of 1.2x the total height of the structure away from any site line, and in no case shall the total height of the system exceed the height of the principal building.
 - (c) In any district, if attached to a building, the solar energy system shall not exceed the maximum permitted height of the building the system is attached to.
- (2) A development permit is required for:
 - (a) Any free-standing solar energy system.

- (b) Any solar energy system being attached to an existing roof or wall structure.

5.25 GARDEN AND GARAGE SUITES

- (1) Garden and garage suites shall be accommodated as a discretionary use in the **AR, R, LD, and H** districts.
- (2) No more than one garden or garage suite accessory to a single detached dwelling shall be allowed per site. No garden or garage suite shall be permitted on a site which contains a secondary suite.
- (3) The maximum floor area of a garden or garage suite shall be 1076 ft² and the minimum floor area shall be 323 ft².
- (4) Garden and garage suites shall have a bathroom, kitchen, and a maximum of two bedrooms.
- (5) No more than four persons are allowed to occupy any garden or garage suite.
- (6) All habitable areas of a garden or garage suite shall be above grade.
- (7) Condominium plans to provide a separate title for a garden or garage suite shall not be approved.
- (8) The maximum building height of a garden suite shall be 5.0 metres and shall not exceed one storey in height. The maximum height of a garage suite shall be 7.0 metres.
- (9) Garden and garage suites shall be setback a minimum of 3.0 metres from the principal dwelling.
- (10) The minimum side yard setback for a garden or garage suite shall be the same as the side yard requirements of the principal building, including corner lots.
- (11) The minimum rear yard setback for a garden or garage suite shall be 2.0 m. The minimum rear yard setback may be reduced to 1.2 metres on sites with a rear lane.
- (12) No portion of a garage or garden suite may be located on, under or over a registered easement.
- (13) The cumulative floor area of a garden or garage suite and all accessory buildings located in a rear yard shall not occupy more than 48% of the rear yard.
- (14) Mechanical units such as air conditioners and vents are encouraged to be located so as not to constitute a nuisance to adjacent properties.
- (15) One parking space shall be provided for each dwelling unit on the site. On sites with a rear or side lane, the parking space for the garden or garage suite shall be accessed from said lane.
- (16) The site plan submitted for a garden or garage suite must include details regarding utility

service connections. The site plan must be approved by the R.M. and by all utility agencies which provide services to the site.

- (17) Sites containing garden or garage suites shall be adequately drained. A site drainage plan shall be submitted to the R.M.
- (18) A building permit is required for garden or garage suites which shall comply with all relevant building, plumbing and development codes.
- (19) Wherever possible, there should be only one water service from the street to the principal dwelling and the garden or garage suite.

5.26 DEVELOPMENT NEAR PIPELINES

- (1) Where a development for an occupied dwelling or permanent building is proposed within 50 metres of a gatherer or feeder pipeline, or within 200 metres of a distribution pipeline, the municipality may refer the development to the pipeline system operator to ensure the proposed development meets all setbacks requirements.

5.27 SWIMMING POOLS

Private swimming pools, both above ground and in-ground, both open and covered, shall be permitted in any zone where residential uses are permitted, subject to the following conditions:

- (1) Open Pools:
 - (a) Open pools shall be completely surrounded by a fence or wall that is built to a minimum of 1.5 metres (5 feet) in height located not less than 1.2 metres (4 feet) from the pool.
 - (b) Open pools shall be constructed a minimum of 1.5 metres (5 feet) from any site line plus additional horizontal distance equal to the height of the top edge of the pool above finished grade at the site line(s). For the purpose of the foregoing, the distance to the site line shall be measured from the nearest inside edge of the pool.
 - (c) Open pools shall not be located in any required front yard.
- (2) Covered pools shall conform with the accessory building requirements relevant to the zoning district in which they are located.

5.28 RECREATIONAL VEHICLES

Recreational Vehicles for human habitation are permitted within the **AR**, **R**, **LD**, and **H** districts subject to the following provisions:

- (1) Recreational Vehicles on occupied lots:
 - (a) One (1) recreational vehicle shall be permitted for the owner of the lot.
 - (b) One (1) additional Recreational Vehicle shall be permitted for a period of up to 30 days for visitors.

- (2) Recreational Vehicles on unoccupied lots
 - (a) One (1) recreational vehicle shall be permitted for a period of one year subject to payment of the Recreational Vehicle Permit fee outlined in Section 3.13.2.
 - (b) A Recreational Vehicle Permit may be issued for a second year provided that the Recreational Vehicle Permit fee has been paid and a building permit has been issued for the unoccupied lot. The recreational vehicle permit will be valid for one year or until the building is 80% complete, whichever occurs first.

6 ZONING DISTRICTS

6.1 CLASSIFICATION OF ZONING DISTRICTS

- 6.1.1 In order to carry out the purpose and provisions of this Bylaw, the Rural Municipality is divided into the following Zoning Districts, the boundaries of which are shown on the “**Zoning District Map**”. Such districts may be referred to by the appropriate symbols.

Districts	Symbols
Agricultural Residential District	AR
Residential District	R
Lakeshore Development District	LD
Hamlet District	H
Forest District	F
Industrial/Commercial District	IC

6.2 ZONING DISTRICT MAPS

- 6.2.1 The map, bearing the statement “This is the Zoning District Map which accompanies Bylaw Number _____ adopted by the Rural Municipality of Canwood No. 494” and signed by the Reeve and Rural Municipal Administrator under the seal of the Rural Municipality 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

- 6.3.1 The boundaries of such districts referred to, together with explanatory legend, notation and reference, are shown on the map entitled “**Zoning District Map**”.
- 6.3.2 All streets, lanes and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.
- 6.3.3 Streets, lanes, and road allowances which are shown on the “**Zoning District Map**” and which have been permanently closed pursuant to Section 13 of *The Municipalities Act*, shall be in the same district as the land abutting both sides of the permanently closed street, lane or road allowance. If the land abutting each side of the permanently closed street, lane or road allowance was located in different zoning districts before the said street, lane or road allowance was permanently closed, the centre line of such permanently closed street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.
- 6.3.4 In unsubdivided land, the zoning district boundary shall be determined by the scale shown on the “**Zoning District Map**”.

6.4 REGULATIONS

6.4.1 Regulations for the zoning districts are outlined in the following sections of this Bylaw.

6.5 PROPERTIES WITH MORE THAN ONE ZONING DISTRICT

6.5.1 Where a site or lot is divided into more than one zoning district, each portion of the site or lot shall be developed and used in accordance with the provisions of the applicable zoning district.

6.6 TRANSITIONAL ZONING PROVISIONS

6.6.1 Existing Buildings

Buildings lawfully existing at the time of the approval of this bylaw shall be limited in terms of site width and setback requirements, to the regulation of the zoning district in which they are located, or to their current dimensions, whichever is the least restrictive.

7 DISTRICT SCHEDULES

7.1 AR – AGRICULTURAL RESIDENTIAL DISTRICT

7.1.1 Intent

The objective of the **AR** – Agricultural Residential District is to provide for the primary use of land in the form of agricultural development, associated farm dwellings, limited single-parcel country residential development, location-dependent natural resource development and other uses compatible with agricultural development.

7.1.2 Permitted and Discretionary Principal Uses

(1) **Permitted Uses** in the **AR** – Agricultural Residential District are as follows:

Agricultural Uses:

Farm operation

Resource Based Uses:

Forestry products processing and related facilities

Mineral exploration and extraction, excluding gravel pits

Petroleum exploration and extraction (subject to Section 5.22)

Petroleum pipelines and related facilities

Petroleum related commercial uses

Transloading facilities (subject to Section 5.20)

Solar Farms (subject to Section 5.25)

Dwelling units as an accessory use, except the first farm dwelling (subject to Section 5.1)

Farm Dwellings subject to 3.5.2.2 in the Official Community Plan (subject to Section 5.1)

Single detached dwellings as a principal use (subject to Section 3.6.2.3 in the Official Community Plan)

Commercial and Industrial Uses:

Fish farms

Meat processing facilities

Municipal, Recreational, Institutional and Other Uses:

Cemeteries

Historical and archeological sites

Municipal facilities

Parks and playgrounds

Places of worship

Public recreation facilities and uses

Public works, excluding solid and liquid waste disposal sites

Schools and educational facilities

Telecommunications facilities

Wildlife and ecological conservation areas

(2) **Discretionary Uses in the AR – Agricultural Residential District** are as follows:

Agricultural Uses:

Intensive agricultural operations (subject to Section 3.5.2 (2) herein, and 3.5.2.4 in the Official Community Plan)
Intensive livestock operations (subject to Section 3.5.2 (2) herein, and 3.5.2.4 in the Official Community Plan)
Market gardens for the production of fruits, vegetables and flowers or other horticultural products

Resource Based Uses:

Petroleum and mineral processing facilities

Residential Uses:

Additional residential dwelling for employees or partners of the operator engaged in the agricultural operation (Subject to Section 5.1 (6))

Commercial and Industrial Uses:

Agricultural related commercial and industrial uses (Subject to 3.7.4(10))
Automotive sales and services including sales and service of recreational vehicles, manufactured dwellings, farm implements and machinery
Campgrounds (Subject to Sections 3.5.2 (1), 3.7.4 (10), and 5.2)
Cannabis production facilities (Subject to Sections 3.7.4 (16), and 5.26)
Commercial recreational uses including sports arenas, golf courses, and other similar uses (Subject to Sections 3.7.4 (3), and 3.7.4 (11))
Grain elevators
Gravel operations (subject to Section 3.7.4 (8), and Table 8-1)
Hunt farms
Machine shops and metal fabricators (Subject to Section 3.7.4 (7))
Meat processing with kill facilities (subject to Section 5.17)
Junk and salvage yards (Subject to Section 5.23)
Outfitter base camps (Subject to Section 3.5.2 (1), and 5.11)
Residential care facilities (Subject to Section 5.6)
Shooting ranges
Tourism base camps (Subject to Section 3.5.2 (1), and 5.2)
Tourist camps (Subject to Section 3.5.2 (1), and 5.2)
Transportation, trucking and freight handling establishments (Subject to Section 3.7.4 (7))
Vacation farms (Subject to Section 5.5)
Veterinary clinics

Municipal, Recreational, Institutional and Other Uses:

Airports and airstrips
Cultural institutions (Subject to Section 3.7.4 (3))
Institutional camps (Subject to Section 3.5.2 (1))
Solid and liquid waste disposal facilities, sewage lagoons, pesticide container collection sites, including soil farms for the rehabilitation of contaminated soils, and associated facilities (Subject to Section 3.5.2 (6), 5.4, and 3.3.2.2 of the Official Community Plan)
Wind energy facilities, including wind farms (Subject to Section 3.5.2 (8), 5.17, and 5.18)
Indoor/outdoor storage facilities

7.1.3 Permitted and Discretionary Accessory Uses and Buildings

- (1) **Accessory Uses and Buildings** in the **AR** – Agricultural Residential District are as follows:

Permitted Accessory Uses

- (a) Accessory Uses, Buildings and Structures subject to Section 5.1

Discretionary Accessory Uses

- (a) Bed and Breakfast Homes and Vacation Farms subject to Section 5.5
- (b) Short-term rental accommodation subject to Section 3.7.4 (11)
- (c) Custodial Care Facilities and Residential Care Homes subject to Section 5.6
- (d) Home Based Businesses and Farm-Based Businesses subject to Section 5.10
- (e) Kennels subject to section 5.13
- (f) Wind Energy Facilities and Wind Farms subject to Sections 5.16 and 5.17
- (g) Garden and Garage Suites subject to Section 5.27

7.1.4 Site Requirements

- (1) Density - A quarter section or portion thereof may contain a combined maximum of 4 sites for any Agricultural, Residential or Commercial principal use.
 - (a) Additional sites may be considered by Council where a quarter section has been divided by a highway, developed road, or a river, lake or significant stream, and the proposed additional sites have direct access to a developed road.
- (2) Minimum Site Frontage - The minimum site frontage shall be 30.5 metres (98.43 ft.)
- (3) Minimum Site Area - No site shall be less than 2 hectares (5 acres).
- (4) Exemptions from minimum frontage and area requirements:
 - (a) A reduced Site Frontage may be permitted by Council resolution where it is demonstrated that the use can be accommodated on a narrower site.
 - (b) A reduced Site Area may be permitted by Council resolution where it is demonstrated that the use can be accommodated on a smaller site.

7.1.5 Building Setback Requirements

- (1) The minimum setback of buildings, including dwellings from the centre line of a developed road or municipal road allowance shall be 150 ft. (45.75 metres). Subject to Section 4.14 of this Bylaw.

7.1.6 Keeping of Animals

- (1) On any Residential Site, large animals, which include only horses, cattle, sheep, goats, llamas and alpacas will be permitted in numbers not exceeding four (4) animal units, on a site of at least 2 ha (5 acres). Large animals will be permitted, in numbers not exceeding eight (8) animal units, on a site of at least 4 ha (10 acres). For each additional 1.2 ha, two (2) additional large animals will be permitted. All other animals shall be limited to

domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.

- (2) Animals shall not be pastured within 15 metres (50 ft) of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 metres (100 ft) of a property line.
- (3) The use of vacant residential sites for pasture of animals is prohibited.

7.1.7 Standards for Discretionary Uses

Council will consider discretionary use applications in the **AR** – Agricultural Residential District with regard to Section 3.7.2 Discretionary use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

- (1) Intensive agricultural operations including, but not limited to, *intensive livestock operations* subject to Section 3.5.2.4 of the Official Community Plan.
- (2) *Discretionary Commercial Uses*
 - (a) Where ancillary to a farm operation, or single detached dwelling, Council may prescribe specific development standards in the issuing of a development permit limiting the size of operation, buildings used for the operation, and number of non-resident employees. Any increase in the area of land for a commercial use, or the number or size of buildings used for the commercial operation, shall require a new discretionary approval by Council.
 - (b) Council may specify specific development standards for the location, setback, or screening of any area devoted to the outdoor storage of machinery, vehicles, or vehicular parts in conjunction with a commercial operation including any salvage or vehicle storage yard.

7.1.8 Outside Storage

Outside storage, including garbage storage, is subject to Section 4.16 of this Bylaw.

7.1.9 Recreational Vehicles

Recreational Vehicles are subject to Section 5.30 of this Bylaw.

7.2 R – RESIDENTIAL DISTRICT

7.2.1 Intent

The objective of the **R – Residential District** is to provide for low density multiple lot residential development surrounded by agricultural lands to accommodate acreage development and other compatible development in specific areas with standards for such development.

7.2.2 Permitted and Discretionary Uses

(1) **Permitted Uses** in the **R –Residential District** are as follows:

Agricultural Uses:

Field Crops

Residential Uses:

Manufactured dwellings (Subject to Section 4.9)

Single-detached dwellings

Municipal, Recreational, Institutional and Other Uses:

Municipal facilities (Subject to Section 4.10)

Parks, playgrounds, and sports fields

Places of worship

Public works, excluding solid and liquid waste disposal sites (Subject to Section 4.10)

Wildlife and ecological conservation areas

(2) **Discretionary Uses** in the **R –Residential District** are as follows:

Residential Uses:

Dwelling units for the operator of a commercial, institutional, or recreational use where ancillary to that use and located on the same site (Subject to Section 5.1 (6))

Commercial Uses:

Convenience stores with or without gas bars (Subject to Section 5.8)

Daycare centres (Subject to Section 3.7.4 (11))

Residential care facilities (Subject to Section 5.6)

Indoor/outdoor storage facilities

Municipal, Recreational, Institutional and Other Uses:

Community halls

Golf courses (Subject to Section 3.7.4 (11))

Public recreation facilities (Subject to Section 3.7.4 (3))

Schools and educational facilities (Subject to Section 3.7.4 (3))

Solid and liquid waste disposal facilities (Subject to Section 3.5.2 (6), and 5.4)

Wind energy facilities (one turbine) (Subject to Section 5.17)

7.2.3 Accessory Uses and Buildings

- (1) **Accessory Uses and Buildings** in the **R –Residential District** are as follows:

Permitted Accessory Uses

- (a) Accessory Uses, Buildings and Structures subject to Section 5.1

Discretionary Accessory Uses

- (b) Bed and Breakfast Homes and Vacation Farms subject to Section 5.5
(c) Short-term rental accommodation subject to Section 3.7.4 (11)
(d) Custodial Care Facilities and Residential Care Homes subject to Section 5.6
(e) Home Based Businesses and Farm-Based Businesses subject to Section 5.10
(f) Wind Energy Facilities subject to Sections 5.17 & 5.18
(g) Garden and Garage Suites subject to Section 5.30

7.2.4 Site Area Requirements

- | | | |
|-----|---|--|
| (1) | Residential:
acre)
hectares (12.4 acres). | Minimum – 2 hectare (5
Maximum - 5 |
| (2) | Institutional & commercial: | Minimum - 900 square metres (9,688 square feet). |
| (3) | All other uses: | Minimum - none. |
| (4) | Site Densities | Maximum of 16 – one (1) acre sites per quarter section for a total of 20 – one (1) acre sites. |

7.2.5 Site Frontage Requirements

- | | | |
|-----|-----------------------------|-----------------------------------|
| (1) | Residential: | Minimum – 30.5 metres (100 feet). |
| (2) | Institutional & commercial: | Minimum – 30.5 metres (100 feet). |
| (3) | All other uses: | Minimum - none. |

7.2.6 Yard Requirements

- (1) The minimum setback of buildings, including dwellings, from the centre line of a municipal road allowance, municipal grid road, or main farm access road shall be 150 feet (45.75 m).
- (2) The minimum setback of buildings, including dwellings, from the centre line of a provincial highway shall be 150 feet (45.75 m) or such greater distance as may be required by the applicable federal and or provincial departments and or agencies.
- | | | |
|-----|---------------------------------|--------------------------------|
| (3) | A yard abutting any other road: | Minimum - 7.6 metres (25 feet) |
| (4) | Any other yard: | Minimum - 3 metres (10 feet) |
- (5) The yard requirements shall not apply to any public utility, municipal facility, or a public recreational use.

7.2.7 Floor area

- (1) Detached accessory buildings: Maximum - 300 m.² (3,229 ft.²)

7.2.8 Keeping of Animals

- (1) On any Residential Site, large animals, which include only horses, cattle, sheep, goats, llamas and alpacas will be permitted in numbers not exceeding two (2) animal units, on a site of at least 2 ha (5 acres). Large animals will be permitted, in numbers not exceeding four (4) animal units, on a site of at least 4 ha (10 acres). For each additional 1.2 ha (3 acres), one (1) additional large animal will be permitted. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers of these animals exceed that equal to one animal unit.
- (2) Animals shall not be pastured within 15 metres (50 ft) of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 metres (100 ft) of a property line.
- (3) The use of vacant residential sites for pasture of animals is prohibited.

7.2.9 Standards for Discretionary Uses

Council will consider discretionary use applications in the **R** - Residential District with regard to Section 3.7.2 Discretionary use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

7.2.10 Exceptions to Development Standards

Exceptions to development standards in **R** – Residential District, are as follows:

7.2.11 Outside Storage

Outside storage, including garbage storage, is subject to Section 4.16 of this Bylaw.

7.2.12 Recreational Vehicles

Recreational Vehicles are subject to Section 5.30 of this Bylaw.

7.3 LD – LAKESHORE DEVELOPMENT DISTRICT

7.3.1 Intent

The objective of the **LD** – Lakeshore Development District is to provide for medium density multiple lot residential development within 230 metres of a water body and other compatible development in specific areas with standards for such development.

7.3.2 Permitted and Discretionary Uses

- (1) **Permitted Uses** in the **LD** – Lakeshore Development District are as follows:

Residential Uses:

Manufactured dwellings (Subject to Section 4.9)
Single detached dwellings

Municipal, Recreational, Institutional, and Other Uses:

Community halls
Places of worship
Cultural institutions
Schools and educational facilities
Historical and archaeological sites
Municipal facilities
Parks, playgrounds, and sports fields
Wildlife and ecological conservation areas

- (2) **Discretionary Uses** in the **LD** – Lakeshore Development District are as follows:

Commercial Uses:

Bait and tackle stores with or without boat rental or gas bars
Campgrounds (Subject to Section 3.5.2 (1), 3.7.4 (10), 5.2)
Convenience stores with or without gas bars (Subject to Section 5.8)
Food and supply vendors
Greenhouses and garden centres
Hotels (Subject to Section 3.7.4 (14))
Long term campgrounds (Subject to Sections 3.5.2 (1), 3.7.4 (10), 5.2)
Motels (Subject to Section 3.7.4 (14))
Restaurants
Retail / service commercial uses
Tourist cabins or lodges (Subject to Section 5.2)
Indoor / outdoor storage facilities

Municipal, Recreational, Institutional, and Other Uses:

Golf courses (Subject to Section 3.7.4 (11))
Marinas
Public recreation facilities (Subject to Section 3.7.4 (3))
Public works, excluding solid and liquid waste disposal sites (Subject to Section 4.10)

7.3.3 Accessory Uses and Buildings

- (1) **Accessory Uses and Buildings** in the **LD** – Lakeshore Developmental District are as follows:

Permitted Accessory Uses

- (a) Accessory Uses, Buildings and Structures (subject to Section 5.1)
- (b) Garden and Garage Suites (subject to Section 5.30)
- (c) Bunkhouse

Discretionary Accessory Uses

- (a) Bed and Breakfast Homes and Vacation Farms subject to Section 5.5
- (b) Short-term rental accommodation subject to Section 3.7.4 (11)
- (c) Custodial Care Facilities and Residential Care Homes subject to Section 5.6
- (d) Home Based Businesses subject to Section 5.10

7.3.4 Site Area Requirements

- | | |
|----------------------|--|
| (1) Residential - | Minimum - 550 m ² (6000 square feet). |
| (2) Commercial - | Minimum - 900 square metres (9,688 square feet). |
| (3) Campgrounds - | Minimum - 0.4 hectares (1 acre). |
| (4) All other uses - | Minimum – none. |

7.3.5 Site Frontage Requirements

- | | |
|----------------------------------|---------------------------------|
| (1) Residential - | Minimum - 18 metres (60 feet). |
| (2) Commercial and Campgrounds - | Minimum - 30 metres (100 feet). |
| (3) All other uses - | Minimum - 30 metres (100 feet). |

7.3.6 Yard Requirements

- (1) **Lake front residential lots:**

- (a) Front Yard (abutting street)
 - Principal buildings - Minimum - 6 metres (20 feet)
 - Accessory buildings - Minimum - 1.5 metres (5 feet) subject to Clause (d).
- (b) Side yard - Minimum - 1.5 metres (5 feet)
- (c) Rear Yard (lake side)
 - Principal buildings - Minimum - 4.5 metres (15 feet)
 - Accessory buildings - Minimum - 4.5 metres (15 feet)
- (d) Accessory buildings shall not cover more than 48% of the required front yard for principal buildings.

- (2) **All other residential lots:**

- (a) Front Yard (abutting street)
All buildings - Minimum - 6 metres (20 feet)
 - (b) Side yard - Minimum - 1.5 metres (5 feet)
 - (c) Rear Yard
Principal buildings - Minimum - 6 metres (20 feet) except in situations where the site frontage is 15 metres (50') or less, then the minimum is 1.5 metres.
 - (d) Accessory buildings - Minimum - 1.5 metres (5 feet)
 - (e) Accessory buildings shall not cover more than 48% of the required front yard for principal buildings.
- (3) **Commercial uses:**
 - (a) All yards - Minimum - 6 metres (20 feet)
- (4) **Public parks, municipal facilities and public utilities:**
 - (1) All yards - No requirements
- (5) **All other uses:**
 - (a) Yard abutting a street - Minimum - 6 metres (20 feet)
 - (b) All other yards - Minimum - 1.5 metres (5 feet)

7.3.7 **Keeping of Animals**

- (a) The keeping animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.
- (b) The use of vacant residential sites for pasture of animals is prohibited.

7.3.8 **Recreational Vehicles**

Recreational Vehicles are subject to Section 5.30 of this Bylaw.

7.4 H – HAMLET DISTRICT

7.4.1 Intent

The objective of the **H** – Hamlet District is to provide for high density multiple lot residential development and other compatible development in specific areas with standards for such development.

7.4.2 Permitted and Discretionary Uses

- (1) **Permitted Uses** in the **H** – Hamlet District are as follows:

Residential Uses:

Manufactured dwellings on a permanent foundation (Subject to Section 4.9)
Single detached dwellings

Municipal, Recreational, Institutional and Other Uses:

Community halls
Cultural institutions
Municipal facilities (Subject to Section 4.10)
Parks, playgrounds, and sports fields
Places of worship
Public recreation facilities (Subject to Section 3.7.4 (3))
Public works, excluding solid and liquid waste disposal sites (Subject to Section 4.10)
Schools and educational facilities (Subject to Section 3.7.4 (3))

- (2) **Discretionary Uses** in the **H** – Hamlet District are as follows:

Commercial Uses:

Agricultural seed, fuel, and chemical supply establishments (Subject to Section 3.7.4 (12))
Automotive sales and services including sales and service of recreational vehicles, manufactured dwellings, farm implements and machinery
Construction trades (Subject to Section 3.7.4 (7))
Gas bars (Subject to Section 5.8)
Hotels (Subject to Section 3.7.4 (14))
Light manufacturing or processing establishments (Subject to Section 3.7.4 (7))
Motels (Subject to Section 3.7.4 (14))
Restaurants
Retail / service commercial uses
Service stations (Subject to Section 5.7)
Veterinary clinics
Welding, machine shops, and metal fabricating (Subject to Section 3.7.4 (7))
Indoor / outdoor storage facilities

7.4.3 Accessory Buildings and Uses

- (1) **Accessory Uses and Buildings** in the **H** – Hamlet District are as follows:
Permitted Accessory Uses

- (a) Accessory Uses, Buildings and Structures subject to Section 5.1

Discretionary Accessory Uses

- (a) Bed and Breakfast Homes and Vacation Farms subject to Section 5.5
- (b) Short-term rental accommodation subject to Section 3.7.4 (11)
- (c) Custodial Care Facilities and Residential Care Homes subject to Section 5.6
- (d) Home Based Businesses and Farm-Based Businesses subject to Section 5.10
- (e) Garden and Garage Suites subject to Section 5.30

7.4.4 Site Area Requirements

- | | |
|---|---|
| (1) Service stations, gas bars,
industrial and agricultural service uses - | Minimum - 1,000 m ² (10,764 square feet) |
| (2) Public utilities and municipal facilities - | No requirements |
| (3) All other uses - | Minimum - 450 m ² (4845 square feet) |

7.4.5 Site Frontage Requirements

- | | |
|---|--------------------------------|
| (1) Service stations, gas bars, industrial
and agricultural service uses - | Minimum - 30 metres (100 feet) |
| (2) Public utilities and
municipal facilities - | Minimum - none |
| (3) All other uses - | Minimum - 15 metres (50 feet) |

7.4.6 Yard Requirements - Residential Uses

- | | |
|--------------------------------------|-------------------------------|
| (1) Front Yard - | Minimum - 6 metres (20 feet) |
| (2) Side yard - | Minimum - 1.5 metres (5 feet) |
| (3) Rear Yard - principal building - | Minimum - 6 metres (20 feet) |
| (4) Accessory building - | Minimum - 1.5 metres (5 feet) |

7.4.7 Yard Requirements - Other Uses

- | | |
|--|--|
| (1) A yard abutting a highway - | As required by Sask. Highways and
Transportation, but not less than 6 metres
(20 feet) |
| (2) A yard abutting a highway frontage road or
municipal road allowance - | Minimum - 6 metres (20 feet) |
| (3) A front yard for service stations,
gas bars, industrial and agricultural service uses - | Minimum - 6 metres (20 feet). |

- | | |
|--|------------------------------|
| (4) A yard abutting a residential use without an intervening street - | Minimum - 3 metres (10 feet) |
| (5) Any yard abutting a railway - | Minimum – nil |
| (6) Any other yard | Minimum – nil |
| (7) The yard requirements shall not apply to any public utility, municipal facility, or public recreational use. | |

7.4.8 Site Coverage by Buildings

- | | |
|--|---------------|
| (1) Residential uses - | Maximum - 70% |
| (2) All other uses except public utilities - | Maximum - 50% |

7.4.9 Floor Area

- | | |
|---|---|
| (1) Detached buildings accessory to a residential use - | Maximum - 100 square metres (1,076 sq. ft.) |
|---|---|

7.4.10 Keeping of Animals

- (1) All animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.
- (2) The use of vacant residential sites for pasture of animals is prohibited.

7.4.11 Recreational Vehicles

Recreational Vehicles are subject to Section 5.30 of this Bylaw.

7.5 F – FOREST DISTRICT

7.5.1 Intent

The objective of the F - Forest District is to encourage forestry and other natural resource-oriented development and activity on provincial forest lands.

7.5.2 Permitted and Discretionary Uses

- (1) **Permitted Uses** in the F – Forest District are as follows:

Agricultural and Resource Extraction Uses:

Logging, silviculture, timber processing, and related tree harvesting operations
Forestry products processing and related facilities
Gravel operations (subject to Section 3.5.2(9) and 3.7.3(1))
Mineral exploration and extraction
Petroleum exploration and extraction (subject to Section 5.22)
Petroleum pipelines and related facilities
Transportation and shipment facilities

Municipal, Recreational, Institutional and Other Uses:

Conservation areas
Natural or historic interpretation sites
Parks
Recreational trails
Wildlife management areas

- (2) **Discretionary Uses** in the F – Forest District are as follows:

Residential Uses:

Isolated cabins
Single detached dwellings

Municipal, Recreational, Institutional and Other Uses:

Campgrounds (Subject to Section 3.5.2 (1), 3.7.4 (10), and 5.2)
Guided recreational activity camps
Highway rest stops
Outfitters base camps (Subject to Section 3.5.2 (1), and 5.11)

7.5.3 Accessory Buildings

- (1) Accessory buildings and uses, except dwelling units, shall be permitted and are subject to Section 5.1.

7.5.4 Standards for Discretionary Uses

Council will consider discretionary use applications in the F - Forest District with regard to Section 3.7.2 Discretionary use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

- (1) All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.
- (2) An application for discretionary use approval for an industrial use is subject to Section 3.5.2 (4) of this bylaw.

7.5.5 Landscaping

Landscaping is subject to Section 4.15 of this Bylaw.

7.5.6 Outside Storage

Outside storage, including garbage storage, is subject to Section 4.16 of this Bylaw.

7.6 IC – INDUSTRIAL/COMMERCIAL DISTRICT

7.6.1 Intent

The objective of the IC – Industrial/Commercial District is to provide for general industrial/commercial and other compatible development in specific areas, with standards for such development.

7.6.2 Permitted and Discretionary Uses

- (1) **Permitted Uses** in the IC – Industrial/Commercial District are as follows:

Residential Uses:

Dwelling units for the operator of a commercial use where ancillary to that use and located on the same site

Commercial Uses:

Agricultural related commercial or industrial use

Recreational vehicle, automobile, marine and manufactured dwellings sales and service establishments

Convenience stores, with or without gas bars

Hotels and Motels

Meat processing facilities

Greenhouses and garden centres

Retail / service commercial uses

Restaurants

Service stations (Subject to Section 5.7)

Veterinary clinics

Industrial Uses:

Construction trades

Municipal, Recreational, Institutional and Other Uses:

Municipal facilities (Subject to Section 4.10)

Public works, excluding solid and liquid waste disposal sites (Subject to Section 4.10)

- (2) **Discretionary Uses** in the IC – Industrial/Commercial District are as follows:

Commercial Uses:

Meat processing with kill facilities (subject to Section 5.17)

Auction markets, excluding livestock auctions (Subject to Section 5.14)

Auto-wrecking, junk and salvage yards (Subject to Section 5.23)

Cannabis production facilities (Subject to Section 5.27)

Car / truck washes (subject to Section 3.7.4(1))

Commercial recreational facilities (Subject to Section 3.7.4 (2))

Distilleries, wineries and breweries

Lumber yards, home improvement centres and building supply establishments

Recycling collection depots (Subject to Section 3.7.4 (8))

Repair shops and repair services

Stockyards (Subject to Section 3.7.4 (4))

Taxidermy and accessory tanning of hides (Subject to Section 3.7.4 (6))

Industrial Uses:

Asphalt and cement plants, gravel yards, and coal yards (Subject to Section 3.7.4 (3), 3.7.4 (7))

General industrial uses

Indoor / outdoor storage facilities (Subject to Section 3.7.4 (8))

Welding machine shops, and metal fabricating (Subject to Section 3.7.4 (7))

Municipal, Recreational, Institutional and Other Uses:

Solid and liquid waste disposal facilities (Subject to Section 5.4)

Wind energy facilities (one turbine) (Subject to Section 5.17)

7.6.3 Prohibited Uses

- (1) **Prohibited Uses** in the IC – Industrial/Commercial District are subject to Section 4.18 of this Bylaw.
- (2) Outside storage within a yard abutting a road shall only include the display of vehicles or machinery for sale, which shall be neatly arranged.

7.6.4 Accessory Buildings and Uses

- (1) Accessory buildings and uses including the following:
 - (a) Accessory Uses, Buildings and Structures subject to Section 5.1

7.6.5 Development Standards and Regulations

- (1) Development Standards

All Uses:

- (a) Minimum Site Width - The minimum site width shall be 30.5 metres (100 ft.)
- (b) Minimum Site Area - No site shall be less than 1,000 square metres (10,764 ft²)
- (c) Minimum Front Yard – No less than 7.6 metres (25 ft) (Except where the yard abuts a railway, then no setback is required)
- (d) Minimum Rear_Yard – No less than 3 metres (10 ft) (Except where the yard abuts a railway, then no setback is required)
- (e) Minimum Side Yard_ – No less than 3 metres (10 ft) (Except where the yard abuts a railway, then no setback is required)
- (f) Maximum Site Coverage – 70%

7.6.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the **IC** – Industrial/Commercial District with regard to Section 3.7.2 General Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

- (1) All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.
- (2) An application for discretionary use approval for an industrial use is subject to Section 3.5.2 (4) of this bylaw.

7.6.7 Landscaping

Landscaping, is subject to Section 4.15 of this Bylaw.

7.6.8 Outside Storage

Outside storage, including garbage storage, is subject to Section 4.16 of this Bylaw.

8 REQUIRED SEPARATION DISTANCES BETWEEN USES

Table 8-1: Separation Distances Between Uses (in metres) RM of Canwood No. 494		Municipal Wells	Residential *			Recreational Development (campground, ski hill, festival site, etc) ⁽⁴⁾	Permanent Waterbodies or Watercourses	First Nation, Urban Municipality, Resort Village ⁽⁵⁾	Intensive Agriculture ⁽⁶⁾	Hazardous Industrial ⁽¹³⁾
			Single Parcel ⁽¹⁾	Multi-lot Country/ Resort Residential, Hamlet, Organized Hamlet ⁽²⁾	Tourist Accommodation ⁽³⁾					
Urban Municipality, Resort Village		--	--	--	--	--	--	N/A	--	--
Intensive Livestock Operation ⁽⁸⁾	300 – 499 A.U.**.	1,600	400	1,600	400	400	*	1,600	--	1,600
	500 – 2,000 A.U.	1,600	800	2,400	800	800	*	2,400	--	1,600
	> 2,000 A.U.	1,600	1,200	3,200	1,200	1,200	*	3,200	--	1,600
Airport / Airstrip ⁽⁹⁾		--	--	800	--	--	--	800	--	--
Gravel Operation		--	200	600	200	--	--	--	--	--
Waste Mgmt. ⁽¹⁰⁾	Solid	1,600	457	457	457	457	457	457	457	457
	Liquid	1,600	305	305	305	305	305	305	305	305
Anhydrous ⁽¹¹⁾	Non-refrigerated	--	305	305	305	305	--	305	--	--
	Refrigerated	--	600	600	600	600	--	600	--	--
Hazardous Industrial ⁽¹³⁾		1,600	1,600	2,400	1,600	1,600	1,600	2,400	1,600	--

Distances are measured as follows: Between closest point of nearest:

- (1) Single residential building...
- (2) Multi-lot residential or hamlet building site...
- (3) Tourist accommodation facility...
- (4) Recreational site...
- (5) Municipal boundary...
- (6) Intensive agricultural site...
- (7) Commercial site...
- (8) ILO facility...
- (9) Airport / airstrip facility...
- (10) Waste management facility or lagoon...
- (11) Anhydrous ammonia storage facility...
- (12) Hazardous industrial site...

... to the nearest residential building, corporate limit, ILO, airport or airstrip, gravel operation, anhydrous ammonia storage facility, waste management facility, or to the site lines for other uses.

** A.U. = Animal Units

* All residences existing as of the adoption date of this bylaw are exempt from the separation distances required in Table 8-1.

* Council may reduce the prescribed separation distances where appropriate fencing, screening, landscaping, berming, building and site orientation, road upgrading or other similar measures are provided to mitigate potential land use conflicts to the satisfaction of Council.

* Setbacks between ILO's and permanent waterbodies and watercourses are subject to Provincial Regulations and approvals by the Ministry of Agriculture.

9 MAPS
