

Town of Kerrobert Zoning Bylaw

2014

TOWN OF KERROBERT

BYLAW NO. 995-14

A BYLAW TO ADOPT THE ZONING BYLAW

The Council of the Town of Kerrobert in the Province of Saskatchewan enacts as follows:

1. Pursuant to Section 45 of *The Planning and Development Act, 2007* the Council of the Town of Kerrobert hereby adopts the Zoning Bylaw, identified as Schedule "A" to this bylaw.
2. The Mayor and Town Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this bylaw.
3. Bylaw 9/87, A Bylaw to Adopt the Zoning Bylaw of the Town of Kerrobert, and all amendments thereto, are hereby repealed.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 _____, 2014.

Read a Second Time the _____ day of _____, 2014.

Read a Third Time the _____ day of _____, 2014.

Mayor

(SEAL)

Administrator

TOWN OF KERROBERT

ZONING BYLAW

SCHEDULE “A” to BYLAW NO. 995-14

Consolidated version including the following Amendments (including Zoning District Map Amendments):

Bylaw 1004-14	(Map)
Bylaw 1011-16	(Text and Map)
Bylaw 1021-16	(Map)
Bylaw 1055-20	(Text and Map)
Bylaw 1061-20	(Map)
Bylaw 1073-21	(Text)
Bylaw 1074-21	(Map)
Bylaw 1076-21	(Text)
Bylaw 1078-21	(Map)
Bylaw 1085-22	(Text)
Bylaw 1097-24	(Text)
Bylaw 1103-25	(Text)

Date: June 4, 2025

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and original bylaws should be consulted for all purposes of interpretation and application of the law.

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1 INTRODUCTION

1.1 AUTHORITY

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

1.2 TITLE

This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Town of Kerrobert.

1.3 PURPOSE

1.3.1 The purpose of this Bylaw is to regulate development and to control the use of land in the Town of Kerrobert in accordance with the Kerrobert Official Community Plan Bylaw 994-14 and the North West Resource Corridor District Plan Bylaw 993-14.

1.3.2 The intent of this Zoning Bylaw is to provide for the amenity of the area within the Town of Kerrobert (hereinafter referred to as the Town) and for the health, safety, and general welfare of the inhabitants of Kerrobert and area:

- a) To minimize land use conflicts;
- b) To establish minimum standards to maintain the amenity of the Town;
- c) To ensure development is consistent with the physical limitations of the land;
- d) To restrict development that places undue demand on the Town for services; and
- e) To provide for land-use and development that is consistent with the goals and objectives of the Town.

1.4 SCOPE

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

1.5 SEVERABILITY

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

2 DEFINITIONS

Whenever the subsequent words or terms are used in the Kerrobert Official Community Plan Bylaw No. 994-14, the North West Resource Corridor District Plan Bylaw No. 993-14 and this Bylaw, they shall have the following definition unless the context indicates otherwise.

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

Accessory: A building or use that:

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

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

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

Administrator: The Administrator of the Town of Kerrobert.

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

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

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

Ancillary Use: Means a building, structure or use of a specific site which is related in a subsidiary manner to the principal building, principal structure, or principal use of the same site. The ancillary use may form part of the principal building or structure or as a stand-alone building or structure within the site. It is not synonymous with "accessory" in that its existence does not support the main function of the principal use and is not typically customary thereto. *Bylaw No. 1076-21*

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

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

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

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

Amendment Bylaw No. 1011-16

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

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

Applicant: A developer or person applying for a Development Permit under this Bylaw or for a subdivision approval to an approving authority under *The Planning and Development Act 2007*.

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

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

Awning: A structure that is mechanical and fabricated from plastic, canvas or metal that is spread across a frame

designed to be attached to a wall and hung above a doorway or window.

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

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

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

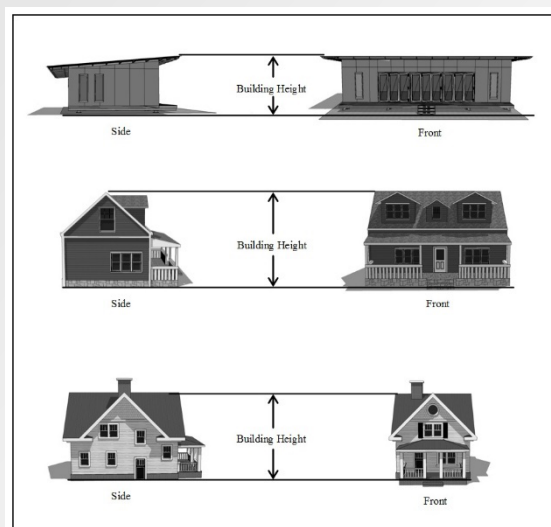
Buffer: A strip of land, vegetation or land use that physically separates two or more different land uses.

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

Building, Accessory: (see Accessory).

Building Bylaw: A Bylaw of the Town of Kerrobert to regulate the erection, alteration, repair, occupancy, or maintenance of buildings and structures.

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



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

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

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

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

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

Bylaw: The Town of Kerrobert Zoning Bylaw.

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

Cannabis: As defined by *The Cannabis Control (Saskatchewan) Act* [or replacement thereof]. *Bylaw No. 1076-21*

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

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

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

Club: A group of people organized for a common purpose, to pursue common goals, interest or activities, and usually characterized by certain membership qualifications, payment of dues or fees, regular meetings, and a constitution and bylaws.

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

Commercial/Industrial Use, Large Scale: Commercial or Industrial land uses maintaining a lineal frontage in excess of 91.0 metres (298.56 ft.).

Commercial/Industrial Use, Small Scale: Commercial or Industrial land uses maintaining a lineal frontage of less than 90 metres.

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

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

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

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

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

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

Convenience Store: A store offering for sale primarily food products, beverages, personal care items, hardware

and printed matter and which primarily provides a convenient day-to-day service to residents in the vicinity.

Council: The Council of the Town of Kerrobert.

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

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

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

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

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

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

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

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

District Plan: The District Plan for the Town of Kerrobert as per section 102 of *The Planning and Development Act, 2007*.

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

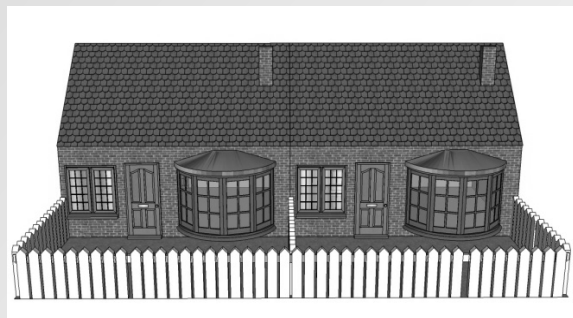
Dwelling Unit: One or more habitable rooms used, or fully capable of being used as a residence, where each unit provides sleeping, cooking, and toilet facilities.

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

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

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

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



Semi-Detached Dwelling

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



Single-Detached Dwelling

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



Town House Dwelling

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

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

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

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

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

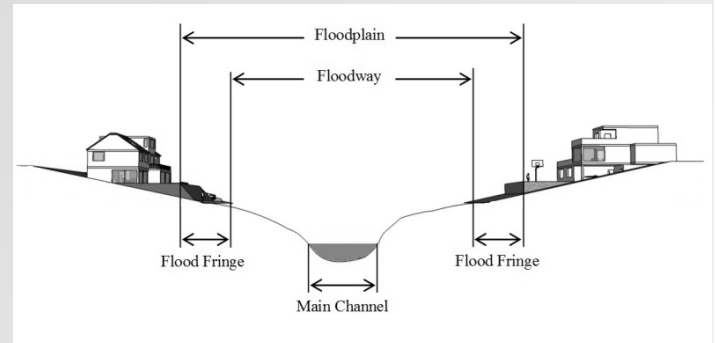
Flanking: Means to the side of a lot, parcel or site.

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

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

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

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



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

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

Frontage (Lot Frontage): The distance across the street side of a lot (a lot must front on a street), between the points where the side lines of the lot meet the street right of way or boulevard; or, where a lot is irregular in shape and is narrowest at the front street end, the width of the lot shall be measured parallel to the street line at the centre of the front lot line, and at a setback from the front lot line no greater than the minimum permitted building setback.

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

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

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

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

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

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

Greenhouse, Private: A building for the growing of flowers, plant, shrubs, trees and similar vegetation that are transplanted outdoors on the same site containing such greenhouse(s), and where greenhouse products may not be offered for sale.

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

Group Home: (See Personal Care Home).

Hazardous Industry/Substance: A substance that, because of its quality, concentration or physical, chemical or infectious characteristics, either individually or in combination with other substances on the site is an

existing or potential threat to the physical environment, to human health or other living organisms.

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

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

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

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

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

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

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

Industrial Exclusionary Uses: Refers to certain industrial activities that may be characterized as exhibiting a high potential for adversely affecting the safety, use, amenity or enjoyment of adjacent and nearby industrial

and non-industrial sites due to their scale, appearance, noise, odour, emissions and hazard potential. Such activities are considered exclusionary when the only means of mitigating the associated negative effects on surrounding land uses is through spatial separation. Exclusionary uses would include but not be limited to the following: Landfill, Ethanol Plant, Transformer Stations, Uranium Refineries, Anhydrous Ammonia Storage and Distribution Centres.

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

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

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

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

Kennel, Boarding: The temporary accommodation of more than four dogs, cats or other domestic animals for commercial purposes.

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

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

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

Landscaped Area: An area not built upon and not used for any purpose other than as an open space that may include grass, shrubs, flowers, trees, and similar types of vegetation and may contain paths, walks, patios, fences and similar outdoor amenities, but does not include parking areas, parking lots, driveways or ramps.

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

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

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

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

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

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

Lot (see Site): An area of land with fixed boundaries on record with the Information Services Corporation (ISC) by Certificate of Title. For the purposes of this Bylaw the terms "lot" and "site" shall be deemed not to mean the same.

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

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

Marquee: A roof-like structure of a permanent nature which projects from the wall of a building that is

independently supported by a system of columns or piers without walls over an entrance to a building.

Mayor: The Mayor of the Town of Kerrobert.

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

Mobile Home: A trailer coach that may be used as a dwelling all year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; has facilities for washing and a water closet or other similar facility that may be connected to a sewage system; and that conforms to the Canadian Standards Association Standard # Z240.



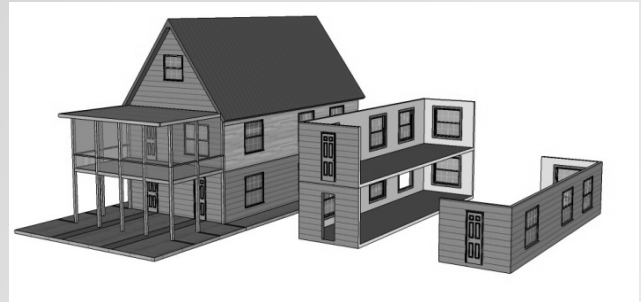
Double-Wide Mobile Home

Mobile Home Park: A site under single management for the placement of two or more mobile homes and shall include all accessory buildings necessary to the operation though does not include an industrial or construction camp or tourist campsite. For the purpose of this Bylaw the terms mobile home park and mobile home court shall be deemed to mean the same.

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

Mobile Home Subdivision: Any subdivision of land and the development thereof for the purpose of accommodating mobile homes in such a manner that each home is situated on its own site, which shall contain a minimum site area of 464.50 m² (5000 ft²) and in which all such sites, public open spaces, internal streets and lanes, buffer zones and other amenity areas form a contiguous area of development.

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



Modular (Manufactured) Home

Modular (Manufactured) Home Subdivision: Any subdivision of land and the development thereof for the purpose of accommodating modular homes in such a manner that each home is situated on its own site, which shall contain a minimum site area of 464.50 m² (5000 ft²), and in which all sites, public open space, internal streets, buffer zones, and other amenity areas form a contiguous area of development.

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

Municipality: The Town of Kerrobert.

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

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

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

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

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

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

Official Community Plan (OCP): The Town of Kerrobert Official Community Plan Bylaw No. 994-14.

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

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

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

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

Patio: Any hard surface or floor structure less than 0.3 metres above the average ground level upon which it is constructed.

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

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

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

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

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

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

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

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

Real-Estate Signage: Signage directly associated with the sale of a property on which it is located and which maintains a gross surface area of less than 1.0m² (19.76 ft²).

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

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

Redevelopment: (see infill development).

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

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

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

Retail cannabis: A store or commercial establishment approved under federal and provincial regulations that sells cannabis and any of its derivatives at a retail level, but does not include production, processing, manufacturing, or wholesale distribution. *Bylaw No. 1076-21*

Retail Store (Shop): A building or part thereof, or a place, where goods, wares, merchandise, substances, or articles are offered or kept for sale or rent, and may include servicing and the manufacture of products on site for sale on the site so long as the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

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

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

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



RTM (Ready to Move) Home

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

Salvage Yard (Wrecking): A parcel of land where second-hand, discarded or scrap materials are bought, sold, exchanged, stored, processed or handled. Materials include scrap iron, structural steel, rages, rubber tires, discarded goods, equipment, appliances or machinery.

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

Sea Container: (see Shipping Container).

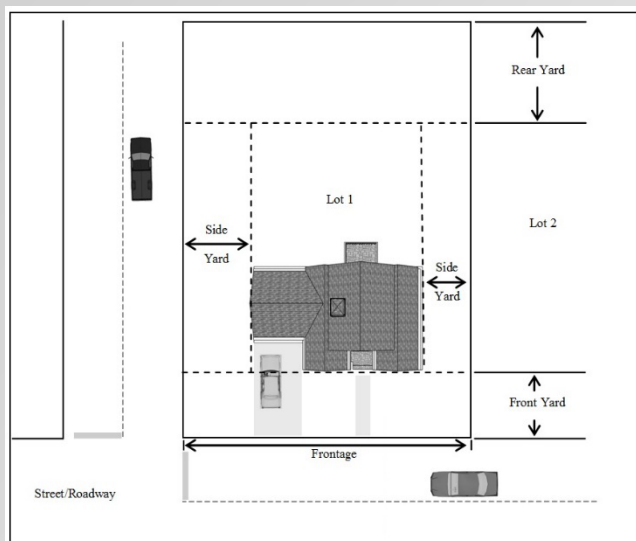
Secondary Suite, Accessory: a self-contained ground orientated dwelling unit which is an accessory use to a principal single-detached dwelling on a site, which may be

located within a principal dwelling or a separate accessory building. A secondary suite contains all aspects of a “dwelling unit” as herein defined, and which is connected to the service connections of the principal dwelling.” It is not considered a “permitted” general accessory use unless specifically stated herein. *Bylaw No. 1085-22*

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

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

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



Location and measurement of setbacks

Shipping Container: A prefabricated metal container or box specifically constructed for the transport of goods by rail, ship, or transport truck. This term shall also apply to metal storage containers that are commonly known as sea cans, cargo containers, roll off containers, freight containers, inter-modal containers but specifically excludes dumpsters or recycling receptacles. *Amendment Bylaw No. 1011-16*

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

Should, Shall or May;

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

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

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

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

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

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

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

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

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

Site: An area of land, held under common ownership considered as a unit devoted to a certain use or occupied by a building or permitted group of buildings, are contiguous, and may include the customary accessories and open spaces belonging to the same. *Bylaw No. 1073-21*

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

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

Site Coverage: The percentage of the site area covered by all the buildings above the ground level.

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

Site, Through: A site other than a corner site, having separate frontages on two streets. The front site line of a through site shall be determined by predetermined building lines.

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

Site Line: Any boundary of a site.

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

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

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

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

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

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

Storey: That portion of a building, other than an attic or basement, between the upper surface of any floor and the upper surface of the floor next above.

Storey, One-Half: That portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of between 1.6 metres (5.25 ft.) and 2.3 metres (7.55 ft.) over a floor area which is not less than one-third nor more than two-thirds of the floor area of the story next below.

Stakeholders: Individuals, groups or organizations who have a specific interest or "stake" in a particular need, issue situation or project and may include members of the local community residents, community groups or local, provincial and federal governments.

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

Strip Mall (Mini Mall): A building of not more than 604.0 m² (6501.61 ft²) in gross floor area in which a minimum of three (3) and a maximum of six (6) of the

permitted of discretionary uses of the Zoning District are located together for their mutual benefit.

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

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

Subdivision: A division of land, and includes a division of a quarter section into legal subdivision as described in the regulations made pursuant to *The Land Surveys Act, 2000*.

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

Tavern: an establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food, and where no live entertainment or dance floor is permitted.

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

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

Town: The Town of Kerrobert.

Town Administrator: The Administrator of the Town of Kerrobert.

Trailer (Camping), Motor Home: Any vehicle designed, constructed or reconstructed in such a manner as will permit occupancy as a dwelling or sleeping place for one or more persons, notwithstanding that its running gear is removed or jacked up, is used or constructed in such a way as to enable it to be used as a conveyance

upon public streets or highways, and includes self-propelled and non-self-propelled vehicles.



Motor Home – Camping Trailer

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

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

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

Utility Shed: An accessory building or structure used for the storage of goods with a maximum floor area of 9.29m² (100 ft²).

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

Waste Disposal Facility, Liquid: A facility to accommodate any waste which contains animal, mineral or vegetable matter in solution or suspension, but does not include a septic system for a single residence or farmstead, or a manure storage area for an intensive livestock operation.

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

Wind Energy Conversion System: A system composed of a wind turbine, tower and associated control electronics with a capacity of less than 100 kW for non-

residential use or 10 kW for residential use. It will be considered an accessory use and is intended to provide on-site power for a principal use.

Wind Energy Conversion System, Private Use:

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

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

Wind Turbine, Electrical: An individual component of a Wind Energy Conversion System which converts kinetic wind energy to electrical energy through electric currents.

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

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

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

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

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

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

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

3 ADMINISTRATION AND INTERPRETATION

3.1 DEVELOPMENT OFFICER

3.1.1 The Town Administrator of the Town of Kerrobert shall be the Development Officer responsible for the administration of this Bylaw and in their absence by such other employee of the Municipality as the Council designates from time to time.

3.1.2 The Development Officer shall:

- a) Receive, record, and review development permit applications and issue decisions in consultation with Council, particularly those decisions involving subdivision, discretionary uses, development permit conditions, and development and servicing agreements;
- b) Maintain, for inspection by the public during office hours, a copy of this Bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;
- c) Make available, for public inspection during office hours, a register of all development permits and subdivision applications and decisions;
- d) Collect development fees, according to the fee schedule established in this Bylaw or any other Development Fee Bylaw adopted by the Town;
- e) Perform other duties as determined by Council.

3.1.3 The Development Officer shall be empowered to make a decision regarding a Development Permit application for a "Permitted use."

3.2 COUNCIL

3.2.1 Council shall make all decisions regarding Discretionary uses, Development and Servicing Agreements, and Zoning Bylaw amendments.

3.2.2 Council shall make a recommendation regarding all subdivision applications circulated to it by Saskatchewan Ministry of Government Relations, prior to a decision being made by the Minister.

3.2.3 Council shall act on discretionary use, rezoning, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the Kerrobert Official Community Plan and the North West Resource Corridor District Plan.

3.3 APPLICATION FOR A DEVELOPMENT PERMIT

3.3.1 Unless the proposed development or use is exempt from development permit requirements, before commencing any principal or accessory use development, including a public utility use, every developer shall:

- a) Complete and submit a Development Permit application, and
- b) Receive a Development Permit for the proposed development.

3.3.2 A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw, the Kerrobert Official Community Plan and the North West Resource Corridor District Plan.

3.3.3 Except where a particular development is specifically exempted by Section 3.4 of this Bylaw, no development or use shall commence without a Development Permit first being obtained.

**Bylaw No.
1011-16**

3.3.4 A DEVELOPMENT PERMIT IS NOT REQUIRED FOR THE FOLLOWING:

- a) The construction of a public utility by the municipality;
- b) The installation of public utility on any street or other public right-of-way by the municipality;
- c) Maintenance and repairs that do not include structural alterations;
- d) The installation of a fence which is no higher than 1.8 metres (6 ft) in residential districts;
- e) The installation of decks which are less than 0.6 metres (2 ft) above grade that do not project into the front or side yard of the principal dwelling;
- f) The erection of towers, flagpoles, satellite dishes or other poles not exceeding 4.5 metres (14.8 ft) in height from grade;
- g) Accessory buildings under 9.3 m² (100 ft²);
- h) Landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where landscaping forms part of a development which requires a development permit (including retaining walls which will require a development permit); and
- i) Stripping, site grading or excavating that is part of a development for which a development permit has been issued.

3.4 INTERPRETATION

- a) Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.
- b) All Bylaw requirements shall be based on the stated metric units. The imperial units shown in this Bylaw shall be approximate guidelines only.

3.5 COMPREHENSIVE DEVELOPMENT REVIEW

3.5.1 A Comprehensive Development Review may be completed prior to consideration of an application by Council by any person proposing to rezone land for multi-parcel residential, commercial or industrial purposes. The purpose of this review is to identify and address social, environmental, health and economic issues and to encourage the development of high quality residential, recreational, commercial, and industrial developments. The scope and required detail of the Comprehensive Development Review will be based on the scale and location of the proposed development, and address such areas as the following:

- a) Proposed land use(s) for various parts of the area;
- b) The effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;
- c) The location of, and access to, major transportation routes and utility corridors;
- d) The provision of services respecting the planning for future infrastructure within the Municipality;
- e) Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas;
- f) Appropriate information specific to the particular land use (residential, commercial or industrial).

3.5.2 The Comprehensive Development Review must be prepared in accordance with the overall goals and objectives of the Official Community Plan and District Plan. Council shall not consider any development application until all required information has been received. The responsibility for undertaking all technical investigations and hosting public meetings as required shall be borne solely by the applicant.

3.6 DEVELOPMENT PERMIT PROCEDURE

3.6.1 PERMITTED USE PERMIT PROCEDURE

**Bylaw No.
1011-16**

- a) Where an application for a Development Permit is made for a permitted use in conformity with this Bylaw, The Planning and Development Act, 2007, the District Plan, and all other relevant Town Bylaws, the Council shall hereby direct the Development Officer to issue a Development Permit.
- b) As soon as an application has been made for a development permit and prior to making a decision, the Development Officer may refer the application to whichever government agencies or interested groups Council may consider appropriate. The Development Officer may also require the application to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant.
- c) A copy of all approved development permit applications, involving the installation of water and sanitary services, shall be sent to the Regional Health Authority.
- d) Upon approval of a permitted or accessory use, the Development Officer shall issue a development permit for the use at the location and under such terms and development standards specified by the Official Community Plan and this Bylaw.
- e) The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal a decision to the Development Appeals Board on a permitted or accessory use application and any terms and conditions attached to an application.
- f) A building permit, where required, shall not be issued unless a development permit has been issued, or is issued concurrently.

3.6.2 DISCRETIONARY USE PERMIT PROCEDURE

**Bylaw No.
1011-16**

- a) The following procedures shall apply to discretionary use applications:
 - i. Applicants must file with the Development Officer the prescribed application form, a site plan, any other plans and supplementary information as required by the Development Officer and pay the required application and public hearing fees;
 - ii. Council may refer the application to whichever government agencies or interested groups, as Council may consider appropriate. Council also may require the application to be reviewed by planning, engineering, legal, or other professionals;
 - iii. The Development Officer will set a date for the public hearing at which time the application will be considered by Council;
 - iv. The Development Officer will give notice by regular mail that the application has been filed to the all assessed owners within 75 meters (246.06 ft.) from the property line in which the subject site is located and provide notification of the public hearing and an opportunity for them to provide written comment on the proposal;
 - v. The Development Officer will prepare a report concerning the application which may contain recommendations, including recommendations that conditions of approval be applied in accordance with Section 56(3) of *The Planning and Development Act, 2007*;
 - vi. Council shall consider the application together with the reports of the Development Officer and any written or verbal submissions received by Council;
 - vii. Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site; and
 - viii. The applicant shall be notified of Council's decision by regular mail addressed to the applicant at the address shown on the application form.
- b) Discretionary uses, discretionary forms of development, and associated accessory uses shall conform to the development standards and applicable provisions of the Zoning District in which they are located;

- c) Council may approve a discretionary use application for a limited time period where it is considered important to monitor and re-evaluate the proposal and its conformance with the provisions of this Bylaw;
- d) Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a development permit for the discretionary use at the location and under such terms and development standards specified by Council in its resolution;
- e) Council's approval of a discretionary use application is valid for a period of 12 months from the date of the approval. If the proposed use or proposed form of development has not commenced within that time, the approval shall no longer be valid. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid; and
- f) The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal any terms and conditions attached to a discretionary use application to the Development Appeals Board.

3.7 DEVELOPMENT PERMIT: VALIDITY

3.7.1 A Development Permit is valid for a period of twelve (12) months unless otherwise stipulated when the permit is issued.

3.7.2 Where the Development Officer determines that a development is being carried out in contravention of any condition of a Development Permit or any provision of this Bylaw, the Development Officer shall suspend or revoke the Development Permit and notify the permit holder that the permit is no longer in force.

3.7.3 Where the Council is satisfied with a development, the permit for which has been suspended or revoked, will be carried out in conformity with the conditions of the Permit and the requirements of this Bylaw the Council may reinstate the Development Permit and notify the permit holder that the permit is valid and in force.

3.7.4 The Development Officer shall carry out on behalf of the applicant, the advertisement of the proposed use by posting a notice of the application at the entrance to the property in question and by mailing a copy of the notice to the assessed owner of each abutting property and each assessed owner of property within a 75.0 meter radius of the proposed development.

3.7.5 The Development Officer shall publish a notice of the application in accordance with the provisions of The Planning and Development Act, 2007, whereby the applicant shall pay to the Municipality a fee equal to the costs associated with the public advertisement.

3.8 DEVELOPMENT PERMIT APPLICATION FEES

3.8.1 An applicant seeking the approval of a Development Permit application shall pay the required fee or as set out in a separate Development Fee Bylaw of the Town.

**Bylaw No.
1011-16**

3.8.2 There shall be no development permit application fee for accessory buildings under 9.3m² (100 ft²) to a residential use, sign permits, licenses for home occupations or other forms of business licenses.

**Bylaw No.
1011-16**

3.8.3 An applicant seeking a discretionary use approval shall pay the required fee or as set out in a separate Development Fee Bylaw of the Town.

**Bylaw No.
1011-16**

3.8.4 The Development Officer shall carry out on behalf of the applicant, the advertisement of the proposed use by posting a notice of the application at the entrance to the property in question and by mailing a copy of the

notice to the assessed owner of each abutting property and each assessed owner of property within a 75.0 metre (246 ft.) radius of the proposed development.

3.8.5 The Development Officer shall publish a notice of the application in accordance with the provisions of *The Planning and Development Act, 2007*, whereby the applicant shall pay to the Municipality a fee equal to the costs associated with the public advertisement.

3.9 FEE FOR ZONING AMENDMENT APPLICATION

When an application is made to Council for an amendment to this Bylaw, the applicant making the request shall bear the actual cost of advertising such zoning amendment as permitted by *The Planning and Development Act, 2007*. Council also may require the applicant to pay all costs incurred in a professional review of the application and in carrying out a public hearing.

3.10 CONCURRENT PROCESSING OF DEVELOPMENT PERMITS, BUILDING PERMITS AND BUSINESS LICENSES

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

3.11 REFERRAL UNDER THE PUBLIC HEALTH ACT

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

3.12 DEVELOPMENT APPEALS BOARD

3.12.1 Council shares a Development Appeals Board with the Town of Luseland. The Development Appeals Board shall consist of six (6) appointed members, to hear and determine appeals in accordance with Section 213 to 227 inclusive, of *The Planning and Development Act 2007*.

3.12.2 RIGHT OF APPEAL

- a) In addition to any other right of appeal provided by *The Planning and Development Act, 2007*, and any other Act, a person affected may appeal to the Board if there is:
 - i. Alleged misapplication of the Zoning Bylaw in the issuance of a development permit;
 - ii. A refusal to issue a development permit because it would contravene the Zoning Bylaw;
 - iii. An issuance of a written order from the Development Officer.
- b) There is no appeal pursuant to 3.15.2.a.ii if a development permit was refused on the basis that the use in the Zoning District for which the development permit was sought:
 - i. Is not a permitted use or a permitted intensity of use;
 - ii. Is a discretionary use or discretionary use of intensity that has not been approved by resolution by Council; or
 - iii. Is a prohibited use.
- c) Appellants may appeal where they are of the opinion that development standards prescribed by Council with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw.
- d) An appellant shall make the appeal pursuant to 3.12.2.a within 30 days after the date of the decision.
- e) The Development Officer shall make available to all interested persons copies of the provisions of *The Planning and Development Act, 2007*, respecting decisions of the Development Officer and right of appeal.

3.13 MINOR VARIANCES

3.13.1 The Development Officer may vary the requirements of this Bylaw subject to the following requirements:

- a) A minor variance may be granted for the following only:
 - i. Minimum required distance of a building from a lot line; and
 - ii. The minimum required distance of a building from any other building on the lot.
- b) The maximum amount of a minor variance shall be 10% variation from the requirements of this Bylaw;
- c) The development must conform to all other requirements of this Bylaw;
- d) The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property;
- e) No minor variance shall be granted for a discretionary use or form of development, or in connection with an agreement to rezone pursuant to Section 60 of *The Planning and Development Act 2007*.

3.13.2 An application for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee of \$250.00.

3.13.3 Upon receipt of a minor variance application the Development Officer may:

- a) Approve the minor variance;
- b) Approve the minor variance and impose terms and conditions on the approval; or
- c) Deny the minor variance.

3.13.4 Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Bylaw.

3.13.5 Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.

3.13.6 Where a minor variance is approved, with or without terms, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.

3.13.7 A decision to approve a minor variance, with or without terms and conditions, does not take effect:

- a) In the case of a notice sent by regular mail, until 23 days from the date the notice was mailed;
- b) In the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.

3.13.8 If an assessed owner of a property having an adjoining property with the applicants land objects to the minor variance in writing to the Development Officer within the prescribed 20 day time period, the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:

- a) Of the revocation of the approval; and
- b) Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.

3.13.9 If an application for a minor variance is refused or approved with terms or conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

3.13.10 The Development Officer shall maintain a record of all minor variance applications.

3.14 NON-CONFORMING BUILDINGS USES AND SITES

3.14.1 Any use of land or any building or structure lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with provisions of Section 88 to 93 inclusive, of *The Planning and Development Act, 2007*.

3.14.2 No enlargement, additions, or reconstruction of a non-conforming use, building or structure shall be undertaken, except in conformance with these provisions.

3.14.3 No existing use, building or structure shall be deemed to be nonconforming by reason only of the conversion of this Bylaw from the Metric System of Measurement to the Imperial System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.

3.14.4 Where a building has been erected on or before the effective date of this Bylaw on a site having less than the minimum dimensions or area, or having less than the minimum yards required by this Bylaw, the use may be continued and the building may be enlarged, reconstructed, repaired, or renovated pursuant to the rights granted by Section 91 to 93 of *The Planning and Development Act, 2007*. These rights are subject to the following:

- a) The enlargement, reconstruction, repair, or renovation does not further reduce the required yards that do not conform to this Bylaw;
- b) All other applicable provisions of this Bylaw are satisfied; and
- c) Issuance of a development permit required by this Bylaw.

3.15 DEVELOPMENT PERMIT – INVALID

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

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

3.16 CANCELLATION

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

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

3.17 STOP-WORK

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

3.18 OFFENCES AND PENALTIES

Any person who violates this Bylaw may be charged and liable on summary conviction to the penalties in *The Planning and Development Act, 2007*.

3.19 BYLAW COMPLIANCE

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

3.20 PERFORMANCE BONDS

Council may require a developer to post and maintain a performance bond to ensure the development is constructed and completed in accordance with the time frames and development standards required in the

approval. Procedures for prescribing the release of a performance bond will be set out in an Agreement between the Town and developer.

3.21 REGISTERING INTERESTS

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

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

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

3.22 MOVING OF BUILDINGS

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

3.23 DEMOLITION OF BUILDINGS

No demolition shall be carried out without obtaining a Demolition Permit from the Development Officer as per the requirements of the Building Bylaw.

3.24 TEMPORARY DEVELOPMENT PERMITS

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

3.25 DEVELOPMENT LEVY AGREEMENTS

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

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

3.26 SERVICING AGREEMENTS

3.26.1 Where a development proposal involves subdivision, Council may require a developer to enter into a Servicing Agreement to ensure appropriate servicing pursuant to *The Planning and Development Act, 2007*. Council may direct the Administration to vary the agreement on a case-by-case basis, or not require it.

3.26.2 In accordance with Sections 172 to 176 inclusive, *The Planning and Development Act, 2007*, the agreement may provide for:

- a) The undertaking and installation of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, graded, graveled or paved streets and lanes, connections to existing services, area grading and leveling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities, or other works that Council may require, including both on-site and off-site servicing;
- b) The payment of fees that the Council may establish as payment in whole or in part, for the capital cost of providing, altering, expanding or upgrading sewage, water, drainage and other utility services, public highway facilities or park and recreation space and facilities located within or outside the proposed subdivision and that directly or indirectly serve the proposed subdivision.

3.27 GENERAL DISCRETIONARY USE EVALUATION CRITERIA

Council will apply the following general criteria, and where applicable, the specific criteria found in the respective Zoning District, in the assessment of the suitability of an application for a discretionary use or discretionary form of development.

3.27.1 The proposal must be in conformance with all relevant sections of the District Plan, Official Community Plan, and must demonstrate that it will maintain the character, density, and purpose of the Zoning District, where necessary through the provision of buffer areas, separation and screening.

3.27.2 The proposal must be capable of being economically serviced by community infrastructure that may include roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.

3.27.3 The proposal must demonstrate that it is not 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.

3.27.4 The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.

3.27.5 No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigation measures.

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3.27.6 The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur.

3.27.7 Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise, etc. not in keeping with the character of the adjacent area.

3.27.8 Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.

3.27.9 All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.

4 GENERAL REGULATIONS

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

4.1 LICENSES, PERMITS, AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

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

4.2 PRINCIPAL USE ESTABLISHED

In any Zoning District in this Bylaw, the principal use of the land must be established prior to any accessory buildings, structures, or uses being permitted.

4.3 MULTIPLE USES

Notwithstanding anything contained in this Bylaw, where any land, building, or structure is used for more than one purpose, all provisions of this Bylaw relating to each use shall be complied with, but no dwelling shall be located within 3.0 metres (10 ft.) of any other building on the site except to a building accessory to such dwelling. Accessory dwelling units attached behind, or located on top of a commercial use are exempt from this requirement.

4.4 USES PERMITTED IN ALL ZONING DISTRICTS

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

4.4.2 Nothing in this Bylaw shall prevent the erection of any properly authorized traffic sign or signal, or any sign or notice of any local or other government department or authority.

4.4.3 Nothing in this Bylaw shall prevent the use of any land for the erection of buildings or structures, or the installation of other facilities, essential to the operation of public works.

4.5 NUMBER OF PRINCIPAL BUILDINGS ON A SITE

4.5.1 Only one principal building shall be permitted on any one site except for the following: parks, schools, hospitals, health care clinics, recreation facilities, special care homes, senior citizen homes, and approved dwelling groups (e.g. duplex, fourplex, apartments) and condominium developments, shopping centres, and mobile homes in mobile home courts.

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

4.6 ACCESSORY BUILDINGS, USES AND STRUCTURES

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

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

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

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

4.7 OUTDOOR STORAGE

4.7.1 In any residential district the following requirements shall apply:

- a) No outdoor storage shall be permitted in the required front yard of any residential site.
- b) Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- c) No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material.
- d) Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating condition, equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts.
- e) Provision shall be made for the owner of the property to temporary display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time for a maximum of 30 days.
- f) No person shall park or store on any part of a site, any commercial vehicle with a gross vehicle weight (GVW) exceeding 8,000 kg or a total length greater than 6.0 metres.
 - i. One commercial vehicle may be parked overnight on a site, provided the commercial vehicle does not exceed 8,000 kg or a length of 6.0 metres and is operated by a resident of the dwelling unit. The weight and length limits shall not apply to school buses; however, school buses shall not be parked within 1.2 metres (4 ft) from the interior edge of the sidewalk.
- g) Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating condition, equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts.

4.8 FRONT YARD REDUCTION

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

4.9 FRONTAGE FOR IRREGULAR SITES

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

4.10 PERMITTED YARD ENCROACHMENTS

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

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

4.11 GRADING AND LEVELING OF SITES

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

- a) All excavations or filling shall be re-vegetated immediately after other construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion.
- b) All vegetation and debris in an area to be re-graded or filled must be removed from the site prior to site grading and leveling.
- c) All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by Council.

4.12 HEIGHT OF BUILDINGS

Where a maximum height of buildings is specified in any Zoning District, the maximum height shall be measured from average grade level to the highest point on the building exclusive of any chimney or antenna.

4.13 HERITAGE PROPERTIES

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

4.14 SIGNAGE ON NATURAL AND HUMAN HERITAGE SITES

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

4.15 BUFFER STRIPS

4.15.1 Buffer strips are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances, or facilitating natural drainage. Buffer strips may be required to separate uses from adjacent properties, in which the approving authority will determine the size and width of the buffer.

4.16 CLOSINGS

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

4.17 RAILWAY CROSSINGS AND SIGHT DISTANCES

Notwithstanding anything contained in this Bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within contrary to the sight line distances set by Transport Canada.

4.18 SIGHT TRIANGLES

4.18.1 No building, structure, earth pile, vegetation, etc. in any Zoning District shall obstruct the vision of drivers within the sight line triangles.

4.18.2 Sight line triangles are calculated by connecting straight lines, which are measured from the intersection of centerlines of the various types of roads and railways, 9 metres (30 feet) distant from the point of intersection.

4.18.3 The maximum height within the sight triangle area will be 1.0 metre (3.3 feet).

4.19 MOBILE HOMES

4.19.1 Mobile homes not older than 15 years shall only be used or occupied as permanent living or sleeping quarters in the following situations:

- a) In a mobile home court in an R2 District;
- b) On an approved and fully serviced site within an R2 District;
- c) In any Industrial District, one mobile home not older than 15 years may be used for a caretaker or watchman, provided the mobile home is connected to water, sanitary sewer and electrical services.

4.20 BARELAND CONDOMINIUM DEVELOPMENTS

4.20.1 Bareland Condominium Developments shall comply with the minimum site area, coverage, width, height and yard setbacks as stated in the residential zones.

4.20.2 One primary dwelling unit is permitted per Bareland condominium lot. No individual detached accessory buildings are permitted.

4.20.3 Bareland condominium developments may include private open space and one accessory building for joint recreational or storage use by residents of the development shall be permitted, subject to all yard setback requirements of the Residential District in which it is located.

4.21 SATELLITE DISHES

4.21.1 Satellite dishes in excess of 0.5 metre (1.6 ft.) in diameter shall not be located in any front yard, side yard, or and shall not be permitted to be erected on the roof of any principal building that is located within a Residential District that is less than three (3) stories in height.

4.21.2 Satellite dishes located in Residential Districts, which exceed 0.5 metre (1.6 ft.) in diameter shall only be erected on the roof of an accessory building if said accessory building is located entirely within a rear yard; and

4.21.3 Satellite dishes may be erected in Commercial or Industrial Districts for communications purposes or re-broadcasting of television signals and subsection 4.21.1 shall not apply.

4.22 PRIVATE GARAGES, SUNROOMS, SOLARIUMS, AND GREENHOUSES

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

4.23 TRAILERS, BOX CARS, SEA AND RAIL CONTAINERS

No person shall park or store on any part of a site, any unlicensed rail or sea container, truck, bus or coach body for the purpose of advertising within any Zoning District. A Sea and Rail Container is permitted only in Industrial Districts. A Permit must be obtained, and the container must be colour co-ordinated with the principle building on the site, any surrounding vegetation must be kept trimmed so as not to pose a hazard, and the container must be placed away from public view.

4.24 SWIMMING POOLS

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

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

4.24.2 Any building or structure, other than a dwelling, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, complies with the provisions in the applicable Zoning Districts in Section 5 of this Bylaw, respecting accessory buildings.

4.25 DISPOSAL OF WASTES

4.25.1 Subject to all Acts and Regulations pertaining in any way to the storage, handling, and disposal of any waste material or used item, and except as permitted by these Acts and Regulations, no liquid, solid, or gaseous

wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into the air.

4.25.2 No development or use of land which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by Saskatchewan Health and the Water Security Agency. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by Saskatchewan Agriculture, Saskatchewan Environment, Saskatchewan Health and the Water Security Agency.

4.26 SOLID AND LIQUID WASTE DISPOSAL FACILITIES

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

- a) The facility will be located as near as practical to the source of waste;
- b) The facility will have undergone satisfactory review as required by Provincial Authorities for environmental assessment and operational design;
- c) The facilities will be located within the Buffer Zone Criteria for Developments in Proximity to Sewage Treatment Facilities in Saskatchewan according to the Water Security Agency (WSA);
 - i. The setbacks are as follows: mechanical treatment facility buffer zone of 300 metres from a single isolated residence, built-up residential area, institutional area or commercial area; facultative lagoon buffer zone of 300 metres from a single isolated residence or commercial area (with no built-up residential area, 550 metres from a built-up residential area or institutional area. The WSA may approve a reduced buffer zone subject to certain terms and conditions. *Amendment Bylaw No. 1011-16*
- d) The development of any new disposal sites shall take into consideration seasonal winds;
- e) Adequate precautions shall be taken to prevent pollution of ground water by disposal operations;
- f) Solid waste disposal facilities shall be located in proximity to an all-weather road; and
- g) Council may apply special standards for screening, fencing and reclamation of the site.

**Bylaw No.
1011-16**

4.27 OIL AND GAS WELL ACTIVITIES

**Bylaw No.
1011-16**

4.27.1 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 allowance.

4.27.2 To minimize conflict between natural resource extraction, or oil and gas operations and surrounding land uses, no development shall be approved within 125 metres (410 ft) of an existing, proposed, abandoned, or reclaimed well or facility as defined by the *Oil and Gas Conservation Regulations, 2012*.

4.27.3 Permanent structures or other improvements (including all temporary structures) are to be placed at a minimum of 45.7 metres (150 ft.) from the centre of the road and a minimum of 91.4 metres (300 ft.) centerline of the road and the road allowance from a surveyed road and a minimum of 91.4 metres (300 ft.) from the centre of the road at intersections.

4.28 DEVELOPMENT ALONG PIPELINES AND GAS TRANSMISSION LINES

**Bylaw No.
1011-16**

4.28.1 Any development involving pipeline and/or power line transmission rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial Regulations or Acts and any regulations or directives

established by Crown Corporations. Refer to "Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663", which may be amended from time to time.

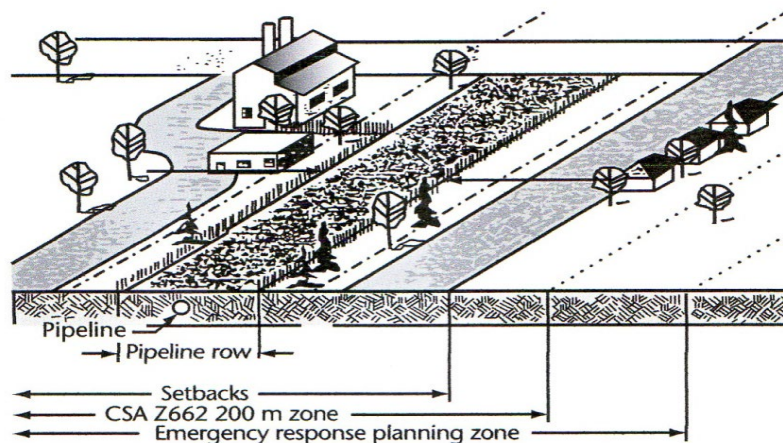
4.28.2 Setbacks from pipelines, for buildings or structures, shall be 12.0 metres (39 ft.) except for where there is more stringent Federal and Provincial regulations in which those regulations apply.

4.28.3 The National Energy Board has designated a "no disturbance" review area of 30.0 metres (98 ft.) on either side of a pipeline in which, subject to exceptions for such things as normal agricultural activities, anyone proposing to conduct a ground disturbance/excavation must:

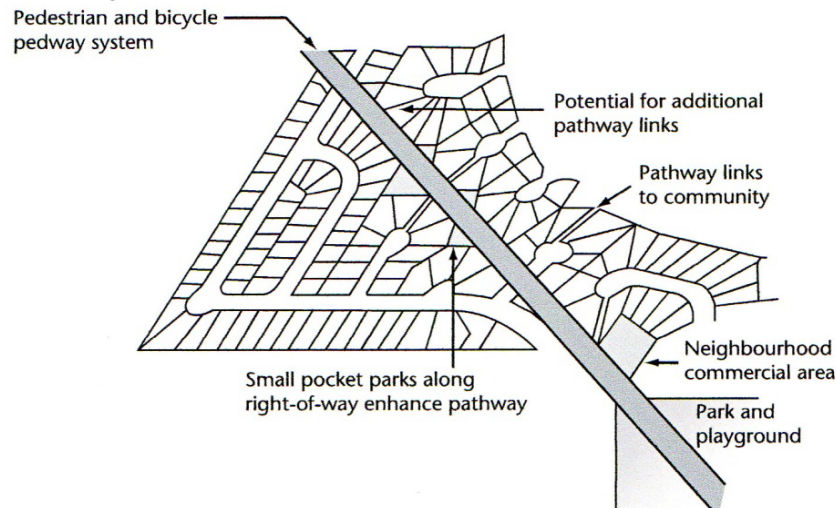
- a) Ascertain whether a pipeline exists;
- b) Notify the pipeline company of the nature and schedule of the excavation; and,
- c) Conduct the excavation in accordance with such regulations.

4.28.4 The following Figures provide the setbacks required by the Canadian Standards Association. Source: Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663.

Land Use Areas



Example Land Uses along a Pipeline Corridor



4.29 DEVELOPMENT ALONG ACTIVE RAILWAYS

**Bylaw No.
1011-16**

4.29.1 Setbacks from active railways, for buildings or structures, shall be 30.0 metres (98 ft) except for where provisions have been made in consultation with the operator of the railway, a lesser separation may be considered.

4.29.2 Setback distances will be measured from the mutual property line to the principal building face.

5 DEVELOPMENT STANDARDS FOR PERMITTED AND DISCRETIONARY USES

**Bylaw No.
1073-21**

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

The following development standards may be applied by the Council as conditions of its approval of a permitted or discretionary use as it is listed in the individual zoning districts.

**Bylaw No.
1073-21**

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

- Site drainage of storm water;
- The location of buildings with respect to buildings on adjacent properties;
- Access to, number and location of parking and loading facilities;
- Appropriate space for vehicle movement in order to reduce disruption of traffic flows on adjacent roadways;
- Control of noise, glare, dust and odour;
- Landscaping, screening and fencing to buffer adjacent properties;
- The size, shape, and arrangement of buildings, and the arrangement of buildings, and the placement and arrangement of lighting and signs;
- Prescribed specified 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
- Intensity of use.

**Bylaw No.
1011-16**

5.1 HOME OCCUPATIONS

Home Occupations (Home Based Businesses) are subject to the following conditions:

- Home-based occupations and businesses will be accommodated provided that they are clearly secondary to the principal residential use of the dwelling unit, compatible with the surrounding residential area, and not of a size that provide services or products that would detrimentally affect the viability of the neighborhood.
- One home occupation shall be allowed per dwelling unit. Home occupations shall be conducted entirely within the dwelling or accessory building.
- One advertising display sign shall be allowed on the site or premise from which the home occupation is conducted. No LED or neon signs shall be allowed.
- There shall be no exterior display or storage of any merchandise or material relating to the home occupation.
- No equipment or process used in the home occupation shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable at or beyond the property lines of the lot where the home occupation or business is located.
- Up to two (2) persons other than a resident of the dwelling unit may be engaged in any home occupation as an employee or a volunteer.
- Parking: The home occupation shall not cause or add to on-street parking congestion or cause an increase in traffic through residential zones.
 - i. No more than one business vehicle, for which off-street parking is provided, shall be operated in connection with the home occupation.
 - ii. Parking of vehicles of employees hired for off-site jobs shall not be allowed at or in the vicinity of the dwelling unit.

- All Business Permits issued for home occupations shall expire on December 31 of the year issued. Home occupations are subject to the condition that the permit may be revoked at any time if, in the opinion of Council, the use is or has become detrimental to the amenities of adjoining properties and the neighborhood.

5.2 SECONDARY SUITES

Secondary Suites are subject to the following conditions:

- Secondary suites may be constructed within a principal, single detached dwelling in a residential zone. Only one secondary suite is permitted on each residential site.
- Secondary suites must be located within the principal dwelling and must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building. Secondary suites must contain cooking, eating, living, sleeping, and sanitary facilities.
- Secondary suites may not exceed 60 m² (646 ft²) or 35% of the total floor space, including basements, and may not have more than two bedrooms.
- Detached secondary suites, as an accessory to a principal residential use, are permitted where prescribed within a zoning district, and subject to the following conditions:
 - i. There is no secondary suite within the primary residence, or a separate granny suite as herein defined and regulated; a maximum of one (1) secondary suite granny suite is allowable per site.
 - ii. Detached secondary suites shall only be located on sites where the suite can be readily serviced by existing municipal infrastructure and/or is connected to the utility service connections of the principal dwelling. No building shall be located above the service connection lines. Development permit applications shall provide detail regarding the proposed municipal service connections.
 - iii. Any secondary suite shall not be considered as a candidate for subdivision, unless the use can be determined to be a principal use as herein defined, complies with the regulations of this bylaw, and is connected directly and independently to municipal servicing infrastructure.
 - iv. Secondary suites shall have a full bathroom containing toilet, sink and shower or tub, a kitchen and a maximum of two bedrooms.
 - v. The site must be adequately drained, and a site grading or drainage plan may be required by the development officer.
 - vi. A Building Permit is required prior to construction of a secondary suite.
 - vii. One (1) on- site parking space is required and must be delineated, screened and surfaced with gravel, asphalt or concrete, or must be located within a garage portion of the secondary suite. The parking space for the secondary suite may be in the front yard if the site does not have a rear lane. On corner sites, the parking for the secondary suite may be accessed from the flanking street.
 - viii. The placement within a site cannot be nearer to the front site line than the existing principal dwelling.
 - ix. Balconies can be provided on a second storey where facing a lane or a flanking street, but shall not face on another site.
 - x. Secondary suites may have decks and porches where located in the rear of the suite.
 - xi. Where multiple lots are involved which can be considered as a single "site", and meeting the site regulations of the applicable zoning district, at the owner's sole cost, the lots shall be consolidated or parcel tied in the Land Titles System.
 - xii. The minimum yard setbacks and maximum building height prescribed for accessory uses within the applicable zoning district shall apply, and overall maximum site coverage shall not be exceeded.
 - xiii. The following applies to the floor area of the secondary suite that can be developed:

**Bylaw No.
1085-22**

1. The floor area of the dwelling portion of a secondary suite must be a minimum of 32.5 m² (350 ft²) and cannot have a greater floor area than the primary dwelling.
2. Where the detached secondary suite includes a garage, the area of the garage shall not exceed the floor area of the dwelling portion of the suite.
3. Where the secondary suite has two stories, the floor area of the second storey shall not exceed 80 percent of the floor area of the first storey.

5.3 MODULAR HOMES

Modular Homes are subject to the following conditions:

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

5.4 BED AND BREAKFAST HOMES

Bed and Breakfast Homes are subject to the following conditions:

- A bed and breakfast home may be located in a detached one unit dwelling or in a semi-detached dwelling. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building or property.
- Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed shall be licensed by the Ministry of Health.
- Required parking spaces may be permitted in a required front yard.
- One advertising display sign located on the site or premise advertising the bed and breakfast home is permitted. The facial area of a sign shall not exceed 0.5 m² (5 ft²).

5.5 CHILD DAY CARE CENTRES AND PRE-SCHOOLS

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

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

5.6 RESIDENTIAL CARE HOMES

Residential Care Homes are subject to the following conditions:

- Residential care homes may be approved as an accessory use or as a principal use in their respective zoning district.

- In any Residential District, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.

5.7 CAMPGROUNDS

Campgrounds are subject to the following conditions:

- The operator of a campground shall provide the Development Officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach or tent campsites with dimensions. The addition or rearrangement of campsites, the construction or moving of buildings, and material change in use of portions of land, or the filling or clearing of land shall require a Development Permit, and the operator shall submit for approval an amended plan incorporating the development.
- A campground shall have within its boundaries, a buffer area abutting the boundary of not less than 4.5 metres (15 ft.) which shall contain no buildings.
- The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 m² (1615 ft²) in area with its corners clearly marked.
- One permanent sign located on site advertising the campground is permitted per site;
 - i. The facial area of a sign shall not exceed 0.5 m² (5 ft²);
 - ii. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
 - iii. Temporary signs not exceeding 1.0 m² (11 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.
- No portion of any campsite shall be located within a roadway or required buffer area. Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area. The space provided for roadways within a campground shall be at least 7.5 metres (25 ft.) in width. No portion of any campsite, other use or structure shall be located in any roadway.
- Each trailer coach shall be located at least 3.0 metres (10 ft.) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.
- A campground may include as ancillary uses a laundromat or a confectionery designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.
- *The Public Health Act* shall be complied with in respect to all operations and development of the campground.

5.8 WIND ENERGY FACILITIES

Wind Energy Facilities are subject to the following conditions:

- All buildings and structures shall be set back at least 90.0 metres (295 ft.) from an intersection of any Municipal road allowance, or Provincial highway or such greater distance as required by the Department of Highways.
- The setback related to Municipal road allowances and the wind energy generator (turbine) shall be no less than the length of the blade plus 10.0 metres (33 ft.).
- The minimum site size for the allowance of any wind energy facility shall be 2.0 hectares (5 acres).
- The setback from the property line of a non-participating landowner to a wind energy generator (turbine) shall be no less than the length of the blade plus 10.0 metres (33 ft.), or a minimum of 38.0 metres (125 ft.), unless otherwise agreed to by the landowner, developer and the Municipality.
- The separation distance from a wind energy generator (turbine) to a Residential Acreage or Residential subdivision shall be a minimum distance of 550 metres (1805 ft.).
- The maximum total tower height shall be:

- i. 6.0 metres (20 ft.) above grade level in a Residential Acreage or Industrial Zoning District and the maximum noise standard shall not exceed 40 decibels.
 - ii. 45.0 metres (148 ft.) above grade level in the Community Service or Future Urban Developmental Zoning District.
- Approaches for access roads to the wind energy facilities must be perpendicular to established road allowances.
 - All infrastructure, roads and accesses required to facilitate the implementation of the wind energy facilities shall be proposed by the developer as part of the Development Permit application.
 - Any proposed development within a municipal road allowance, i.e. underground lines or overhead poles/lines, must be proposed by the developer as part of the Development Permit application.
 - The developer is required to enter into a road use agreement with the Municipality for the construction period to ensure roads are maintained in condition agreeable by both parties.
 - The wind energy generator (turbine) shall have no restrictions on colour or height.
 - Substations are required to be fenced. All wind energy facilities shall be enclosed within a locked protective chain link fence of a minimum height of 1.85 metres (6 ft.) and the design shall be included in the Development Permit application.
 - Development and Building Permit applications for wind energy facilities shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety via a Saskatchewan Professional Engineer.
 - Sites having potentially dangerous or hazardous developments shall have visible signs stating any potential dangers. No hazardous waste shall be stored on the site.
 - Council, at its discretion, may seek approval of this development from both internal and external referral agencies.

5.9 ADULT DAY CARES

Adult Day Care facilities are subject to the following conditions:

- Adult day care facilities may be approved as a principal use.
- In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.

5.10 GRANNY SUITES

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

- There is no secondary suite in the primary residence.
- The garden suite dwelling unit is a temporary use and shall be permitted for a five-year term, which may be renewed at Council's discretion. The landowner shall enter into an agreement that the land shall not be considered for subdivision.
- The owner(s) of the host residence must live on the site, and at least one resident of the primary dwelling and one resident of the garden suite shall be related by blood, marriage, or legal adoption.
- Except for infant children (up to two years of age) of a resident of the garden suite dwelling, there shall be no more than two residents.
- The occupant(s) of the garden suite should be able to benefit from the informal care and support of relatives in the primary residence, or provide care and support to family in the primary residence.
- The floor area of the garden suite dwelling shall not be less than 23 m² (250 ft²) and not greater than 74 m² (800 ft²). The garden suite shall not be located on a permanent foundation to allow the structure to be removed from the property when it is no longer required by a relative of the permanent resident.

- The maximum height of the garden suite shall not exceed 5.0 metres (16 ft) from grade level and shall have only one story.
- Garden suite dwellings shall only be located on sites where the dwelling can be serviced by existing utilities and can be hooked up to the services of the host residence.
- Residents of the garden suite must have access to the rear yard amenities.
- The combined site coverage of the single detached dwelling and garden suite dwelling shall not exceed the maximum coverage permitted by this Zoning Bylaw, and the accessory dwelling shall be placed so that all other setback requirement of the Zoning Bylaw are met;
- A parking space shall be provided on site for the resident(s) of the garden suite dwelling.
- There shall be direct and separate access to the garden suite dwelling by on-site driveway, or by public roadway or alley.

5.11 TEMPORARY WORK CAMPS

Temporary Work Camps are subject to the following conditions:

- Temporary work camps are an accessory use to an industrial or resource development.
- A Development Permit for a work camp may be issued for up to one (1) year, at which time an application must be made for the continuance of the use for one (1) additional year, after which time a new Development Permit approval is required.
- An application for a Development Permit must provide the following information and a Concept Plan for the development:
 - The location, type and purpose of the camp;
 - Adjacent land uses;
 - The method of supply water and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the Saskatchewan Onsite WasteWater Disposal Guide and in accordance with the Saskatchewan Public Health Act;
 - The number of persons proposed to live in the camp;
 - The method of providing garbage disposal and pest control in the camp;
 - The start date for development, date of occupancy by residents and removal day for the camp.
- A temporary work camp for accommodation purposes must be:
 - Linked to a specific project for which a valid and current Development Permit has been issued and can only accommodate a minimum of twenty (20) persons and a maximum of three hundred (300) persons;
 - Secured by the installation of appropriate fencing around the project accommodation and onsite security staff;
 - Provide adequate onsite parking for private vehicles; and
 - Separated (buffered) from adjacent land uses.
- The final review of an application will not be completed prior to the receipt and evaluation of all required information by the Development Officer, the District Health Region, and any other relevant agency deemed necessary by the Municipality.
- The work camp buildings and structures must be removed from the site when the project is completed.
- The Development must post a Performance Bond sufficient to remove and/or reclaim the site to ensure that:
 - The work camp accommodation remains onsite after the project is either completed or if work has stopped to the extent that the need for the camp no longer exists; or
 - To reclaim the site as needed after the work camp has been removed from the site.

5.12 BULK PETROLEUM SALES AND STORAGE

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

Bylaw No.
1011-16

- Above ground fuel storage tanks which meet the standards of the National Fire Code and which have a maximum capacity of 50,000 litres may be permitted in association with service stations, gas bars, and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standards aspect of the use.
- The total storage capacity for above ground fuel storage tanks on any single service station or gas bar site shall not exceed:
 - 150,000 litres of flammable liquid (gasoline);
 - 100,000 litres of combustible liquids (diesel fuel); and
 - 100,000 litres of propane.
- Above ground fuel storage tanks shall be:
 - For uses other than service stations and gas bars, located at least 3.0 metres (10 ft) from any property line or building, the 3.0 metre separation distance may be reduced to 1.0 metre for tanks with a capacity of 5,000 litres or less;
 - For service stations and gas bars, located at least 6.0 metres (20 ft) from any property line or building;
 - Separated from each other and accessible for firefighting purposes to the satisfaction of the Development Officer; and
 - At least 15 metres (49 ft) from the boundary of any site within a Residential District.
- For uses other than service stations and gas bars, the dispensing equipment associated with above ground fuel storage tanks shall be located at least 3.0 metres from any property line, at least 7.5 metres (25 ft) from any open flame or other ignition source, and at least 4.5 metres (15 ft) from any door or window.
- Above ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.
- At service stations and gas bars, above ground fuel storage tanks which are located in view of a front or flanking street shall be landscaped or screened to the satisfaction of the Development Officer.
- The maximum height of an above ground fuel storage tank shall be limited to the maximum permitted height of a free-standing sign in the Zoning District.
- Painted lettering or other forms of signage may be located on above ground fuel storage tanks subject to the sign regulations in the Zoning District.

5.13 SHIPPING CONTAINERS

All permanent and temporary Shipping Containers are subject to the following conditions:

Bylaw No.
1011-16

- *Shipping containers are considered an accessory building and shall only be used for storage purposes that are directly related to the use of the principal building on the same site.*
- *Shipping containers shall not exceed 3 meters in height, 2.5 meters in width and 12.5 meters in length.*
- *Shipping containers may not be stacked.*
- *The shipping containers must be kept in a clean, orderly manner and placed on a level, secure surface. Any bottom drainage holes shall be secured against the environment and/or rodents. The containers must be kept in good repair at all times and surrounding vegetation must be kept trimmed.*
- *Shipping containers are prohibited from being used as a dwelling or commercial office space. Shipping containers shall not be used for the purpose of display or advertising and are prohibited from being plumbed or electrified in any manner.*
- *Shipping containers may not be leased or used by an outside party other than the property owner or business tenant located on the site without permission from Council.*
- *Shipping containers must comply with all provincial and national acts and regulations including the National Building Code and the Uniform Building and Accessibility Standards Act.*

Shipping Containers may be permanently placed in selected zoning districts as outlined in this Bylaw as permitted or discretionary uses under the following circumstances:

- The permanent placement of a shipping container on any site shall require a development permit.
- A maximum of three (3) shipping containers will be permitted on a site and the total area of shipping containers shall not exceed 25% of the gross floor area of the principal building.
- Shipping containers shall be located in the side or rear yard only and may not project beyond the front line of the principal building. Additionally, shipping containers must comply with the rear and side yard setbacks as required in each zoning district.
- Shipping containers shall not block or obstruct any exits, windows, parking spaces, driveways or access to public utilities and/or right of ways.
- The exterior of the shipping container must have a finish that matches or compliments the exterior finish of the other buildings on the site or painted a neutral colour.
- The Development Officer may require adequate screening from adjacent sites, streets or lands and this requirement may be listed as a condition in the permitted or discretionary use approval.

Shipping containers may be temporarily placed in any district under the following circumstances:

- A maximum of two (2) shipping containers will be permitted on a site.
- During construction when the container is used solely for the storage of supplies and equipment that are used for the site, provided a development permit has been issued for construction on the site. Containers are to be removed from the site when construction is complete or after six (6) months, whichever comes first. If an extension is required, a written request must be made to the Development Officer.
- Where a development permit is not required, application for a permit for a temporary shipping container is required prior to placement of the container on the site. The permit shall outline the location and timeline for removal of the shipping container. The Development Officer may grant one extension for special circumstances if a written request is made to the Development Officer.
- All temporary shipping containers must be located a minimum of 1.2 metres from any property line.
- Shipping containers shall not block or obstruct any exits, windows, or access to public utilities and/or right of ways. Temporary shipping containers may be permitted in a driveway if no other location is suitable.

5.14 RETAIL CANNABIS

**Bylaw No.
1076-21**

In addition to any development standards Council deems necessary to address the general evaluation criteria in 3.27, the following standards, regulations, and considerations may apply to the retail sale of cannabis:

- Compliance with any licensing or regulatory requirement of any higher order of government will be required as part of any permit application or issuance. Where conflict may arise between the provisions of this bylaw and any requirement of a higher order of government, the more stringent provision shall apply.
- Any application, to Council's satisfaction, must sufficiently address any general or specific evaluation criteria in this Bylaw.
- Council may apply and standards or conditions to an approval to address evaluative matters in determining suitability of the use. The onus is on the proponent to satisfy evaluative criteria for Council's review.
- At Council's discretion, it may apply a time limit of no less than 5 years to the use to allow for evaluation and monitoring of the use within the community and on adjacent lands. Permit renewal may be done by resolution of Council where the use continues to conform with the provision of this Bylaw and the Act.
- Zoning District-specific regulations for the use shall apply.
- Where ancillary:
 - The retail sale of cannabis products and its derivatives must be clearly secondary and subordinate to a legally established principal use.
 - Where the use is located within the building or structure of the principal use of the site, the ancillary retail cannabis use shall have its own separate entrance to the exterior of the building and the area within the building devoted to the use shall be physically separated and partitioned off from the balance of the principal use."

6 ZONING DISTRICTS AND ZONING MAPS

6.1 ZONING DISTRICTS

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

R1	Residential	MU	Mixed Use
R2	Multiple Dwelling Residential	IND1	Light Industrial
RE	Residential Estate	IND2	Medium to Heavy Industrial
RA	Residential Acreage	IND3	Limited Services Industrial
C1	Town Centre Commercial	CS	Community Services
C2	Highway Commercial	AIR	Airport District
C3	Commercial with Outdoor Storage	FUD	Future Urban Development

6.2 THE ZONING DISTRICT MAP

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 995-14 adopted by the Town of Kerrobert, signed by the Mayor and by the Town Administrator under the seal of the Town, shall be known as the "Zoning District Map", and such map is hereby declared to be an integral part of this Bylaw.

6.3 BOUNDARIES OF ZONING DISTRICTS

6.3.1 The boundaries of the Districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled, "Zoning District Map."

6.3.2 Unless otherwise shown, the boundaries of Zoning Districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the Municipality.

6.3.3 Where a boundary of a District crosses a parcel, the boundaries of the Districts shall be determined by the use of the scale shown on the map.

6.3.4 Where the boundary of a District is also a parcel boundary and the parcel boundary moves by the process of subdivision, the District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Bylaw.

6.4 HOLDING DESIGNATION

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

7 RESIDENTIAL DISTRICT - R1

R1

The purpose of the Residential District 1 (R1) is to accommodate primarily single family detached residential dwellings.

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

7.1 PERMITTED USES

- a) One single detached dwelling, which includes a RTM;
- b) Semi-detached, duplex dwelling;
- c) Accessory buildings and uses located on the same site with the main use;
- d) Public works, buildings and structures excluding offices, warehouses, storage yards and waste management or sewage facilities.
- e) Attached and detached Secondary Suites (refer to section 5.2)

**Bylaw No.
1085-22**

7.2 DISCRETIONARY USES

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

- a) Modular homes (refer to Section 5.3);
- b) Senior living/housing developments;
- c) Home occupations, home based businesses (refer to Section 5.1);
- d) Secondary suites (refer to Section 5.2);
- e) Child day care (refer to Section 5.5);
- f) Adult day care (refer to Section 5.9);
- g) Bed and breakfast homes (refer to Section 5.4);
- h) Residential care homes (refer to Section 5.6);
- i) Granny suites (refer to Section 5.10).

7.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

Single Detached, RTM and Modular Homes

Minimum site area	465 m ² (5005 ft ²)
Minimum floor area	75 m ² (807 ft ²)
Minimum site frontage	15 metres (49 ft.)
Maximum site frontage (see definition of "site")	32.0 metres (105 ft.)
Height	9.0 metres (30 ft.) for Principal Buildings
Maximum site coverage	40% and 50% on a corner site
Minimum front yard	6.0 metres (20 ft.)
Minimum rear yard	6.0 metres (20 ft.)
Minimum side yard	1.2 metres (4 ft.), unless on a corner site the side yard shall be 2.5 metres (8 ft.)

Bylaw No. 1073-21

Semi-Detached and Duplex Dwellings (per unit)

Minimum site area	255 m ² (2745 ft ²) with a lane, or 315 m ² (3391 ft ²) if there is no lane
Minimum floor area	45 m ² (484 ft ²)
Minimum site frontage	8.5 metres (28 ft.) with a lane, or 10.5 metres (34 ft.) if there is no lane
Height	9.0 metres (30 ft.) for Principal Buildings
Maximum site coverage	40% and 50% on a corner site
Minimum front yard	6.0 metres (20 ft.)
Minimum rear yard	6.0 metres (20 ft.)
Minimum side yard	1.2 metres (4ft), unless on a corner site the side yard shall be 2.5 metres (8 ft.)

All Other Discretionary Uses

Minimum site area	450 m ² (4844 ft ²)
Minimum floor area	75 m ² (807 ft ²)
Minimum site frontage	12 metres (39 ft) with a lane, 15 metres (49 ft) without a lane
Height	9.0 metres (30 ft) for Principal Buildings
Maximum site coverage	40% and 50% on a corner site
Minimum front yard	7.5 metres (25 ft)
Minimum rear yard	7.5 metres
Minimum side yard	1.5 metres (1.5 ft)

7.4 ACCESSORY BUILDINGS AND STRUCTURES

Minimum yard setbacks	A minimum of 6.0 metres (20 ft.) from the front site line, 1.2 metres (4 ft.) from the principal building, and 0.8 metres (3 ft.) from the side site line unless the side site line is an abutting street then the side yard shall be 3.6 metres (12 ft.).
Maximum floor area and height	All accessory buildings shall not exceed 111.48 m ² (1200 ft ²) in area and shall not exceed 5.5 metres (18 ft.) in height from grade level to the underside of the eaves.
Minimum rear yard	All accessory buildings shall be located a minimum of 0.8 metres (3 ft.) from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 2.0 metres (7 ft.) from the site line abutting the lane.

Bylaw No. 1103-25

- a) Garages, carports, and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building and shall not exceed the square footage of the main floor of the principal dwelling in size.
- b) A carport, consisting of a roof and supporting columns or structures which are not permanent walls, is permitted to encroach into any required side yard as long as the supporting structures are set back a minimum of 0.3 metres (1 ft.) from the side lot line and the roof does not project past the side lot line.
- c) A detached private garage is permitted in any side yard or rear yard, provided there is sufficient available space to comply with all other requirements in this Section.
- d) All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

- e) No attached structure (i.e. deck) shall have a total floor area greater than the main floor area of the principal building. In calculating the main floor area of a principal building, the area of an attached garage shall be excluded.
- f) Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in the rear yard only, to a maximum size of 8.5 metres (28 ft.) X 9.0 metres (30 ft.) X 3.0 metres (10 ft.) and must be kept in good repair at all times.

7.5 FENCE AND HEDGE STANDARDS

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

- a) No hedge, fence or other structure shall be erected past any property line.
- b) In a required front yard, to a height no greater than 1.0 metre (3 ft.) above grade level.
- c) In a required rear yard, to a height no greater than 2.0 metres (7 ft.) above grade level.
- d) Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 metres (7 ft.).
- e) Chain link fences are prohibited in any front yard.

7.6 SIGNAGE

- a) One permanent sign is permitted per site. The facial area of a sign shall not exceed 0.5 m² (5 ft²).
- b) In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling;
- c) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- d) Temporary signs not exceeding 1.0 m² (11ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

7.7 OUTSIDE STORAGE

- a) All outdoor storage requirements shall comply with Section 4.7 of this Bylaw.

7.8 DISCRETIONARY USE EVALUATION CRITERIA

Bylaw No. 1011-16

- a) All discretionary use applications shall follow the general discretionary use evaluation criteria as outlined in Section 3.27 and others that are specific in this Zoning District.
- b) Specific Discretionary Use Evaluation Criteria for **Senior living/housing developments;**
Residential care homes:
 - i. The development design will take the existing neighbourhood character into consideration and integrate into the neighbourhood to the satisfaction of Council.
- c) Off-street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

8 RESIDENTIAL MULTIPLE DWELLING DISTRICT – R2

R2

The purpose of the Residential Multiple Dwelling District 2 (R2) is to accommodate a variety of high density residential development including single detached residences, semi-detached residences, townhouses and multi-unit dwellings.

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

8.1 PERMITTED USES

- a) Semi-detached, duplex dwelling, fourplex, townhouses, and other multiple unit dwellings including modular homes;
- b) Senior living/housing developments;
- c) Accessory buildings and uses located on the same site with the main use;
- d) Public works, buildings and structures excluding offices, warehouses, storage yards and waste management or sewage facilities.
- e) One single detached dwelling, including an RTM and Modular;
- f) Attached and detached Secondary Suites (refer to section 5.2)

Bylaw No.

1073-21

Bylaw No.

1085-22

8.2 DISCRETIONARY USES

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

- ~~a) One single detached dwelling, including an RTM and Modular;~~
- b) One mobile home (not older than 15 years);
- ~~c) Secondary suite in single detached dwellings only (refer to Section 5.2);~~
- d) Apartment buildings;
- e) Home occupations, home based businesses (refer to Section 5.1);
- f) Child day care (refer to Section 5.5);
- g) Adult day care (refer to Section 5.9);
- h) Bed and breakfast homes (refer to Section 5.4);
- i) Residential care homes (refer to Section 5.6);
- j) Campground (refer to Section 5.7).

Bylaw No.

1073-21

Bylaw No.

1085-22

8.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements

Single Detached, RTM and Modular Homes

Minimum site area	465 m ² (5005 ft ²)
Minimum floor area	75 m ² (807 ft ²)
Minimum site frontage	15 metres (49 ft.)
Maximum site frontage (see definition of "site")	32.0 metres (105 ft.)
Height	9.0 metres (30 ft.) for Principal Buildings
Maximum site coverage	40% and 50% on a corner site
Minimum front yard	6.0 metres (20 ft.)
Minimum rear yard	6.0 metres (20 ft.)
Minimum side yard	1.2 metres (4 ft.), unless on a corner site the side yard shall be 2.5 metres (8 ft.)

Semi-detached and duplex (per dwelling unit)

Minimum site area	255 m ² (2745 ft ²) with a lane, or 315 m ² (3391 ft ²) if there is no lane
Minimum floor area	45 m ² (484 ft ²)
Minimum site frontage	8.5 metres (28 ft.) with a lane, or 10.5 metres (34 ft.) if there is no lane
Height	9.0 metres (30 ft.) for Principal Buildings
Maximum site coverage	40% and 50% on a corner site
Minimum front yard	6.0 metres (20 ft.)
Minimum rear yard	6.0 metres (20 ft.)
Minimum side yard	1.2 metres (4 ft.), unless on a corner site the side yard shall be 2.5 metres (8 ft.)

Townhouse, Fourplex, and other Multiple Unit Dwellings

Minimum site area	560 m ² (4951 ft ²)
Minimum floor area	30 m ² per unit (323 ft ²)
Minimum site frontage	30.0 metres (98 ft.)
Height	9.0 metres (30 ft. or 2 ½ Stories)
Maximum site coverage	50%
Minimum parking spaces	1.5 spaces/dwelling unit

Minimum front yard	5.0 metres (16.5 ft.)
Minimum rear yard	6.0 metres (20 ft.)
Minimum side yard	3.5 metres (11 ft.) or 50% of the average wall height, whichever is greater

Apartment Buildings

Minimum site area	930 m ² (10010 ft ²)
Minimum floor area	46.5 m ² (501 ft ²) per dwelling unit
Minimum site frontage	25.0 metres (82 ft.)
Maximum site coverage	50% interior site, 60% corner site
Minimum front yard	5.0 metres (16.5 ft.)
Minimum rear yard	6.0 metres (20 ft.)
Minimum side yard	3.5 metres (11 ft.) or 50% of the average wall height whichever is greater

Mobile Home Units

Minimum site area	465 m ² (5005 ft ²)
Minimum floor area	50 m ² (538 ft ²)
Minimum site frontage	15 metres (49 ft.)
Maximum site coverage	40%
Minimum front yard	6.0 metres (20 ft.)
Minimum rear yard	4.5 metres (15 ft.)
Minimum side yard	1.2 metres (4 ft.), unless on a corner site the side yard shall be 2.5 metres (8 ft.)

All Other Discretionary Uses

Minimum site area	360 m ² (3875 ft ²) with a lane, 450 m ² (4844 ft ²) without a lane
Minimum floor area	70 m ² (753 ft ²)
Minimum site frontage	12 meters (39 ft) with a lane, 15 meters (49 ft) without a lane
Height	9.0 meters (30 ft) for Principal Buildings
Maximum site coverage	40% and 50% on a corner site

Minimum front yard	7.5 meters (25 ft)
Minimum rear yard	7.5 meters
Minimum side yard	1.5 meters (5 ft)

8.4 ACCESSORY BUILDINGS AND STRUCTURES

Minimum yard setbacks	A minimum of 6.0 metres (20 ft.) from the front site line, 1.2 metres (4 ft.) from the principal building, and 0.8 metres (3 ft.) from the side site line unless the side site line is an abutting street then the side yard shall be 3.6 metres (12 ft.).
Maximum floor area and height	All accessory buildings shall not exceed 111.48 m ² (1200 ft ²) in area and shall not exceed 4.0 metres (13 ft.) in height from grade level to the underside of the eaves.
Minimum rear yard	All accessory buildings shall be located a minimum of 0.8 metres (3 ft.) from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 2.0 metres (7 ft.) from the site line abutting the lane.

**Bylaw No.
1103-25**

- a) Garages, carports, and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building and shall not exceed the square footage of the main floor of the principal dwelling in size.
- b) A carport, consisting of a roof and supporting columns or structures which are not permanent walls, is permitted to encroach into any required side yard as long as the supporting structures are set back a minimum of 0.3 metres (1 ft.) from the side lot line and the roof does not project past the side lot line.
- c) A detached private garage is permitted in any side yard or rear yard, provided there is sufficient available space to comply with all other requirements in this Section.
- d) All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.
- e) No attached structure (i.e. deck) shall have a total floor area greater than the main floor area of the principal building. In calculating the main floor area of a principal building, the area of an attached garage shall be excluded.
- f) Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in the rear yard only, to a maximum size of 8.5 metres (28 ft.) X 9.0 metres (30 ft.) X 3.0 metres (10 ft.) and must be kept in good repair at all times.

8.5 DEVELOPMENT STANDARDS FOR MOBILE HOMES

- a) All mobile homes must meet the standards set out in CSA Z240 Procedure for Certification of Factory Built Houses, and amendments thereto. All mobile homes must bear a label of a credible certification agency indicating that compliance with the National Building Codes has been certified using the Z240 procedure. All mobile homes will be no older than 15 years.

- b) All attached and accessory structures shall require a building permit and shall comply with the requirements of the National Building Code of Canada and the Building Bylaw of the Town of Kerrobert.
- c) All attached or accessory structures such as porches, sun room additions, skirting and storage facilities must be factory prefabricated units, or of an equivalent quality, and shall be painted or prefinished so the design and construction will complement the main structure.
- d) In order to protect the residential character of the community, wheels, hitches, and running gear must be removed within thirty (30) days of arrival, and skirting must be installed in such a manner as to compensate for vertical movements and to prevent the entrance of rodents and other small animals.
- e) All mobile homes shall be connected to water and sewer services provided by the Municipality and connected as available to other public utilities.

8.6 FENCE AND HEDGE STANDARDS

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

- a) No hedge, fence or other structure shall be erected past any property line.
- b) In a required front yard, to a height no greater than 1.0 metre (3 ft.) above grade level.
- c) In a required rear yard, to a height no greater than 2.0 metres (7 ft.) above grade level.
- d) Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 metres (7 ft.).
- e) Chain link fences are prohibited in any front yard.

8.7 SIGNAGE

- a) One permanent sign is permitted per site. The facial area of a sign shall not exceed 0.5 m² (5 ft²) ;
- b) In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling;
- c) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- d) Temporary signs not exceeding 1 m² (11 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

8.8 OUTSIDE STORAGE

- a) All outdoor storage shall comply with the requirements set out in Section 4.7 of this Bylaw.

8.9 DISCRETIONARY USE EVALUATION CRITERIA

Bylaw No.
1011-16

- a) All discretionary use applications shall follow the general discretionary use evaluation criteria as outlined in Section 3.27 and others that are specific in this Zoning District.
- b) Specific Discretionary Use Evaluation Criteria for **Single detached dwellings, including an RTM and Modular:**
 - i. The development design will take the existing neighbourhood character into consideration and integrate into the neighbourhood to the satisfaction of Council.
- c) Specific Discretionary Use Evaluation Criteria for **Apartment buildings:**
 - i. Council shall give consideration to the locations on major streets and that the development will not cause excessive traffic through existing low density residential areas; and
 - ii. 1 off-street parking stall is required per unit in the apartment building.
- d) Specific Discretionary Use Evaluation Criteria for **Residential care homes:**

- i. Council will consider if the proposed use maintains the existing residential character of the neighbourhood.
- e) Off-street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

9 RESIDENTIAL ESTATE DISTRICT – RE

RE

The purpose of the Residential Estate District (RE) is to accommodate low density residential development of large single detached residences on large lots or small acreages.

No person shall within any RE – Residential Estate District use any land, or erect, alter or use any building or structure except in accordance with the following provisions.

9.1 PERMITTED USES

- a) One single detached dwelling;
- b) Accessory buildings and uses located on the same site with the main use.

9.2 DISCRETIONARY USES

- a) Home occupations, home based businesses (refer to Section 5.1).

9.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

Single Detached Homes

Minimum site area	1012 m ² (10,890 ft ²)
Minimum floor area	140 m ² (1500 ft ²)
Minimum site frontage	23 metres (75 ft.)
Maximum Height	12 metres (40 ft.) for Principal Buildings
Maximum site coverage	40% and 50% on a corner site
Minimum front yard	6.0 metres (20 ft.)
Minimum rear yard	6.0 metres (20 ft.)
Minimum side yard	1.2 metres (4 ft.), unless on a corner site the side yard shall be 2.5 metres (8 ft.)

9.4 ACCESSORY BUILDINGS AND STRUCTURES

Minimum yard setbacks	A minimum of 6.0 metres (20 ft.) from the front site line, 1.2 metres (4 ft.) from the principal building, and 0.8 metres (3 ft.) from the side site line unless the side site line is an abutting street then the side yard shall be 3.6 metres (12 ft.).
Maximum floor area and height	All accessory buildings shall not exceed 83.6 m ² (900 ft ²) in area and shall not exceed 5.5 metres (18 ft.) in height from grade level to the underside of the eaves.
Minimum rear yard	All accessory buildings shall be located a minimum of 0.8 metres (3 ft.) from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 2.0 metres (7 ft.) from the site line abutting the lane.

- a) Garages, carports, and accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building and subject to the regulations of the principal building and shall not exceed the square footage of the main floor of the principal dwelling in size.
- b) A carport, consisting of a roof and supporting columns or structures which are not permanent walls, is permitted to encroach into any required side yard as long as the supporting structures are set back a minimum of 0.3 metres (1 ft.) from the side lot line and the roof does not project past the side lot line.
- c) A detached private garage is permitted in any side yard or rear yard, provided there is sufficient available space to comply with all other requirements in this Section.
- d) All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.
- e) No attached structure (i.e. deck) shall have a total floor area greater than the main floor area of the principal building. In calculating the main floor area of a principal building, the area of an attached garage shall be excluded.
- f) Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in the rear yard only, to a maximum size of 8.5 metres (28 ft.) X 9.0 metres (30 ft.) X 3.0 metres (10 ft.) and must be kept in good repair at all times.

9.5 FENCE AND HEDGE STANDARDS

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

- a) No hedge, fence or other structure shall be erected past any property line.
- b) In a required front yard, to a height no greater than 1.0 metre (3 ft.) above grade level.
- c) In a required rear yard, to a height no greater than 2.0 metres (7 ft.) above grade level.
- d) Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 metres (7 ft.).
- e) Chain link fences are prohibited in any front yard.

9.6 SIGNAGE

- a) One permanent sign is permitted per site. The facial area of a sign shall not exceed 0.5 m² (5 ft²).
- e) In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling;

- c) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- d) Temporary signs not exceeding 1.0 m² (11ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

9.7 OUTSIDE STORAGE

- a) All outdoor storage requirements shall comply with Section 4.7 of this Bylaw.

9.8 DISCRETIONARY USE EVALUATION CRITERIA *AMENDMENT BYLAW NO. 1011-16.*

**Bylaw No.
1011-16**

- a) All discretionary uses shall maintain the residential character of the area as much as possible; and
- b) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use, including keeping of domestic animals and livestock.

10 RESIDENTIAL ACREAGE DISTRICT – RA

RA

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

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

10.1 PERMITTED USES

- a) One single detached dwelling and uses, buildings, and structures accessory thereto;
- b) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use, *including keeping of domestic animals and livestock; Amendment Bylaw No. 1011-16*
- c) Home occupations (home based businesses);
- d) Public works, buildings, and structures, warehouses and storage yards;
- e) Public sports fields and parks; *Amendment Bylaw No. 1011-16*
- f) Public works waste management or sewage facilities. *Amendment Bylaw No. 1011-16*

10.2 DISCRETIONARY USES

The following uses may be permitted in the RA- Residential Acreage District only by resolution of Council and only in locations specified by Council. Discretionary use requirements can be found in Section 5.

- a) Child day care (refer to Section 5.5)
- b) Adult day care (refer to Section 5.9);
- c) Equestrian facilities;
- d) Bed and breakfast homes (refer to Section 5.4);
- e) Animal kennels;
- f) Wind energy facilities (refer to Section 5.8);

10.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

Minimum site area	1 hectare (2.5 acres)
Minimum site frontage	25.0 metres (82 ft)
Minimum front yard	All buildings shall be set back a minimum of 60 metres (197 ft) from the centre line of any municipal road allowance or Provincial highway and/or a minimum of 90 metres (295 ft) from the intersection of the centre lines of any municipal roads or Provincial highway.
Minimum rear yard	15.0 metres (49 ft) or 25% of the depth of the site whichever is the lesser

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

Residential parcels may be exempted from these requirements:

- a) In the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as watercourses, water bodies there shall be no maximum site area. Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers;
- b) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.

10.4 ACCESSORY BUILDINGS

- a) No accessory building shall be located within 3.0 metres (10 ft) of a side or rear site line except where the minimum yard abuts a public street, in which case the minimum side or rear yard shall be 7.6 metres (25 ft).
- b) The Building Floor Area for large accessory buildings on residential acreage sites may not exceed 150m² (1615 ft²).

10.5 SUPPLEMENTARY REGULATIONS

- a) Where a residential development is proposed at a location at which a standard connection to the Town's existing sewer and water system is not feasible, the developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for that development acceptable to Council and meets *The Public Health Act and Regulations* requirements.
- b) Domestic waste disposal systems located on the site and serving only the principal use will be a permitted use to that principal use.
- c) 2 animal units and 0.25 poultry animal units, unless application is made for a greater amount and is approved by Council.
- d) No outside storage shall be permitted in a yard abutting a road. Outside storage located in a side or rear yard shall be screened by landscaping or vegetation so as not to be visible from the road.

**Bylaw No.
1011-16**

10.6 TEMPORARY USES

- a) Notwithstanding the provisions of this bylaw and the District Plan, a mobile home or trailer coach may be permitted for a period of up to one (1) year on an existing non-farm or farmstead residential site within this zoning district, subject to a resolution of Council, provided that the following criteria is met.
- b) Adherence to any permit or building bylaw or licensing requirement in effect in the Municipality:
 - i. Issuance of a Development Permit to the landowner, where the said trailer is located, to be issued on an annual basis.
 - ii. The entering into of a development agreement between all affected parties, where considered necessary, to assure applicable development standards are adhered to.
 - iii. Compliance with any requirement of the Ministry of Health or government agencies respecting water and waste connections, and disposal concerns.

10.7 SIGNAGE

- a) One permanent sign is permitted per site. The facial area of a sign shall not exceed 1.0 m² (11 ft²).
- b) In the case of a home occupation, an additional permanent sign is permitted on a door or wall surface or in a window.
- c) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
- d) Temporary signs not exceeding 1.0 m² (11 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

10.8 DISCRETIONARY USE EVALUATION CRITERIA

**Bylaw No.
1011-16**

- a) All discretionary use applications shall follow the general discretionary use evaluation criteria as outlined in Section 3.27 and others that are specific in this Zoning District.
- b) Specific Discretionary Use Evaluation Criteria for **Equestrian Facilities**:
 - i. Council will favourably consider the following when evaluating the proposed use:
 - i) The maximum number of horses and cattle that may be kept on the site;
 - ii) Garbage and manure control, pasture management, on site stock trailer parking, participant and spectator parking;
 - iii) Details of water supply and sewage disposal;
 - iv) The management of storm water for all areas of the parcel of land disturbed during or as a result of the development of the Equestrian Centre and supporting facilities;
 - v) Where it can be demonstrated that the use and intensity is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas;
 - vi) Parking.
- c) Specific Discretionary Use Evaluation Criteria for **Animal Kennels**:
 - i. Council will favourably consider the following when evaluating the proposed use
 - i) The maximum number of animals not normally attributed to the host site to be kept on-site;
 - ii) Where it can be demonstrated that the use and intensity is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas;
 - iii) Location of buildings and exterior exercise areas, to be sited behind the principal building unless otherwise approved by Council;
 - iv) Soundproofing of the pens, rooms, exercise runs and holding stalls may be soundproofed to the satisfaction of Council; and,
 - v) Relevance to relevant Town Bylaws and legislation governing noise and public health.

- d) Off-street parking spaces for adult day care centres, child day care centres, equestrian facilities, and animal kennels shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

11 TOWN CENTRE COMMERCIAL DISTRICT – C1

C1

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

No person shall within any C1-Town Centre Commercial District, use any land, or erect, alter or use any building or structure except in accordance with the following provisions and guidelines as set out in the Design Guideline Overlay as adopted by separate Bylaw.

11.1 PERMITTED USES

- a) Banks;
- b) Administrative offices;
- c) Personal services establishments;
- d) Medical, dental, and other health care offices and clinics or health services;
- e) Restaurants, confectionaries and delicatessens;
- f) Storefront retail stores and outlets;
- g) Storefront food processing with on-site retail sales;
- h) Theatres, assembly halls, places of worship, service clubs;
- i) Commercial and public recreational establishments such as bowling alleys, arcades and fitness centres;
- j) Lounges and licensed premises for the sale and consumption of alcoholic beverages;
- k) Libraries, galleries, museums, and other similar cultural institutions;
- l) Public transportation depots;
- m) Outdoor markets and concessions (permanent, seasonal, or occasional);
- n) Small-scale repair trades such as tailors, jewelers, art and hand craft shops and studios, craftspeople and similar trades, including retail sales of art and craft products;
- o) Accessory buildings or uses;
- p) Public works buildings, offices and structures excluding warehouses, storage yards, and waste management or sewage facilities.

11.2 DISCRETIONARY USES

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

- a) Accessory dwellings attached to and behind, or above, commercial establishments;
- b) Newspaper offices and printing plants and services;
- c) Funeral homes;
- d) Other innovative commercial uses consistent with street level retail and services.
- e) Retail cannabis (both principal and ancillary)

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11.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

Commercial Uses

Minimum site area	230 m ² (2476 ft ²)
Minimum site frontage	7.5 metres (25 ft.)
Maximum site coverage	75%
Minimum front yard	1 metre (3 ft.) built to sidewalk
Minimum rear & side yard	No requirement except when the side site line directly abuts any Residential or Community Service District or abuts a public street, then the minimum side yard shall be 1.5 metres. When the rear site line abuts a railway right-of-way no rear yard need be provided.

All Other Discretionary Uses

Minimum site area	235 m ² (2530 ft ²)
Minimum site frontage	7.5 metres (25 ft)
Maximum site coverage	75%
Minimum front yard	1 metre (3 ft.) built to sidewalk
Minimum rear & side yard	No requirement except 6 metres (20 ft) minimum rear if abutting a Residential district without an intervening street or lane. 1.5 metres (5 ft) minimum side yard is abutting a Residential district without an intervening street or lane.
Height	15 metres (49 ft)

11.4 ACCESSORY BUILDINGS

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

11.5 SIGNAGE

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

- a) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- b) The facial area of a sign shall not exceed 4.0 m² (43 ft²);
- c) Temporary signs not exceeding 1.0 m² (11 ft²) advertising the sale or lease of the property, or other information relating to a temporary condition affecting the property, are permitted.
- d) Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

11.6 PARKING

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

Places of assembly, institutional buildings	1 parking space for each 50 m ² (538 ft ²) of floor area
Lumber and building supply establishments	1 space per 50 m ² of gross floor or 1 space per 3 employees, whichever is greater
Dwellings above commercial establishments	1 space per unit provided at rear of property or in designated area.
All other uses	No requirement

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11.7 LANDSCAPING

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

11.8 DISCRETIONARY USE EVALUATION CRITERIA

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1011-16**

- a) All discretionary use applications shall follow the general discretionary use evaluation criteria as outlined in Section 3.27 and others that are specific in this Zoning District.
- b) Specific Discretionary Use Evaluation Criteria for **Accessory dwellings attached to and behind, or above, commercial establishments:**
 - i. A maximum of two accessory dwelling units attached to and behind, or above, a commercial establishment will be allowed;
 - ii. Council will favourably consider an accessory dwelling where it is located in the principal building with the front of the building at grade level always remaining a commercial use; and
 - iii. Council will only consider accessory dwellings that have a main entrance that is separate from that of the commercial establishment.
- c) Specific Discretionary Use Evaluation Criteria for **Shops of plumbers, pipe fitters, metal workers and other industrial trades manufacturing and sales; Highway transport vehicle storage:**
 - i. 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 minimal impact on 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 and 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.
 - ii. Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints.
- d) Specific Discretionary Use Evaluation Criteria for **Funeral homes:**
 - i. Council shall favorably consider the location of the proposed use on a lot that abuts a major (Primary or Secondary) street.
- e) Specific Discretionary Use Evaluation Criteria for **Retail Cannabis:**
 - i. Demonstrated conformance with all relevant portions of the Official Community Plan and this Bylaw;
 - ii. The applicants' due diligence in seeking any necessary approvals or licensing from any higher order of government, and whether a development permit application is premature;

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- iii. The plans for additional security related to the storage or sale of product as it relates to crime and safety;
- iv. Where ancillary, the degree to which the cannabis retail use is suitable and complementary with the principal use and other patrons;
- v. The proposed or existing access to the site and whether said access can safely accommodate the additional anticipated traffic generated from the use;
- vi. The potential effect(s) on adjacent land uses in the area, and measures taken to isolate the use from residential or community uses; and
- vii. The appropriate permit validity period to allow a proper evaluation and monitoring of the use within the community and on adjacent lands.

12 HIGHWAY COMMERCIAL DISTRICT– C2

C2

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

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

12.1 PERMITTED USES

- a) Business and/or professional offices;
- b) Motels or motor hotels, including a dwelling for caretakers, owners, or managers;
- c) Restaurants, confectionaries, including drive-thru;
- d) Lounges and licensed premises for the sale and consumption of alcoholic beverages;
- e) Service stations and other establishments for the servicing, storage and sale of motor vehicles, trailers, recreation, or farm machinery and equipment;
- f) Car washing establishments;
- g) Strip Malls, Shopping Centres;
- h) Public transportation depots;
- i) Commercial and public recreational establishments such as bowling alleys, arcades and fitness centres;
- j) Animal hospitals, or clinics and offices of veterinary surgeons;
- k) Garden centres or commercial greenhouses;
- l) Lumber and building supply establishments;
- m) Tourism oriented commercial recreation activities;
- n) Police, ambulance stations;
- o) Accessory uses, including integrated or complementary uses, buildings or structures accessory to and located on the same site as the principal building or use;
- p) Public works offices, buildings, structures and warehouses excluding waste management or sewage facilities;
- q) Hotels.
- r) Service Stations including gas bars and convenience stores

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12.2 DISCRETIONARY USES

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

- a) Campground including recreational vehicle park (refer to Section 5.7);
- b) Auto body shops;
- c) Commercial cardlock operations;
- d) Motor vehicle, recreational vehicle, and/or mobile home sales and servicing;
- e) Retail cannabis (both principal and ancillary)

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1076-21**

12.3 PROHIBITED USES

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

12.4 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

Permitted Uses

Minimum site area	500 m ² (5382 ft ²) There shall be no minimum site development requirements for public works buildings.
Minimum site frontage	15.0 metres (49 ft.)
Minimum front yard	9.0 metres (30 ft.) for lots fronting on a service road abutting a Provincial highway, otherwise 7.5 metres (25 ft.)
Minimum side yard	3.0 metres (10 ft.) or 10% of the lot depth whichever is greater
Minimum rear yard	1.2 metres (4 ft.), except the total sum of both side yards must be at least 6.0 metres (20 ft.)

Motels, Service Stations, Strip Malls, Automotive or Industrial Supply

Minimum site area	930 m ² (10010 ft ²)
Minimum site frontage	30.0 metres (98 ft.)
Minimum front yard	9.0 metres (30 ft.) for lots fronting on a service road abutting a Provincial highway, otherwise 7.5 metres (25 ft.)
Minimum side yard	3.0 metres (10 ft.) or 10% of the lot depth whichever is greater
Minimum rear yard	1.2 metres (4 ft.)

Discretionary Uses

	Motor vehicle, recreational vehicle, and/or mobile home sales storage compound;	All other uses
Minimum site area	930 m ² (10010 ft ²). There shall be no minimum site development requirements for public works buildings.	730 m ² (7857 ft ²)
Minimum site frontage	30.0 metres (98 ft)	20.0 metres (66 ft)
Minimum front yard	6.0 metres (20 ft)	6.0 metres (20 ft)
Minimum side yard	3.0 metres (10 ft)	3.0 metres (10 ft)
Minimum rear yard	6.0 metres	6.0 metres

12.5 ACCESSORY BUILDINGS

- a) Setbacks for accessory buildings shall meet the same requirements as the principal use or building.
- b) Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in the rear yard only and must be in good repair at all times; A Development Permit Application shall be made.

12.6 FENCE AND HEDGE STANDARDS

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

12.7 LANDSCAPING

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

12.8 PARKING REQUIREMENTS

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

12.9 LOADING REQUIREMENTS

Where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site.

The minimum area of an individual loading space shall be 17m² (183 ft²).

Gross Floor Area	Minimum Number of Loading Spaces
93 m² to 1300 m²	1 space
1300 m² to 2800 m²	2 spaces
<2800 m²	1 spaces +1 space for each 5600 m ² (60278 ft ²)

12.10 SIGNAGE

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

- a) One permanent sign is permitted per site. The facial area of a sign shall not exceed 4.0 m² (43 ft²);
- b) No sign shall be located in any manner that may jeopardize public safety;

- c) Temporary signs not exceeding 1.0 m² (11 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.
- d) Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

12.12 OUTSIDE STORAGE

- a) Outdoor storage shall be permitted in the required front yard of any commercial site only for advertising and sales.
- b) Council may apply special standards as a condition of approval regarding the location of areas used for storage for that use.
- c) No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material.
- d) Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating condition, equipment and machinery normally used for the maintenance of the property, vehicles or vehicular parts.

12.13 DISCRETIONARY USE EVALUATION CRITERIA

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1011-16**

- a) All discretionary use applications shall follow the general discretionary use evaluation criteria as outlined in Section 3.27 and others that are specific in this Zoning District.
- b) Specific Discretionary Use Evaluation Criteria for **auto body shops**:
 - i. 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 minimal impact on 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 and 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.
 - ii. Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints.
- c) Specific Discretionary Use Evaluation Criteria for **Commercial cardlock operations; Motor vehicle, recreational vehicle, and/or mobile home sales and servicing**:
 - i. Council will favourably consider the proposed use where it is located in an area of low-visibility, and screened to avoid any adverse visual impact.
- d) Sites used for discretionary uses which may result in heavy truck traffic shall be located to ensure that such traffic takes access to or from major streets or designated truck routes.
- e) Specific Discretionary Use Evaluation Criteria for **Retail Cannabis**:
 - i. Demonstrated conformance with all relevant portions of the Official Community Plan and this Bylaw;
 - ii. The applicant's due diligence in seeking any necessary approvals or licensing from any higher order of government, and whether a development permit application is premature;
 - iii. The plans for additional security related to the storage or sale of product as it relates to crime and safety;
 - iv. Where ancillary, the degree to which the cannabis retail use is suitable and complementary with the principal use and other patrons;

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- v. The proposed or existing access to the site and whether said access can safely accommodate the additional anticipated traffic generated from the use;
- vi. The potential effect(s) on adjacent land uses in the area, and measures taken to isolate the use from residential or community uses; and
- vii. The appropriate permit validity period to allow a proper evaluation and monitoring of the use within the community and on adjacent lands.”

13 COMMERCIAL WITH OUTSIDE STORAGE DISTRICT – C3

C3

The purpose of the Commercial with Outside Storage District (C3) is to provide areas for Commercial activities which have greater requirements for outside storage of goods or materials or equipment and are dependent on exposure to high traffic areas.

No person shall within any Commercial With Outside Storage District use any land, or erect, alter, or use any building or structure except in accordance with the following provisions.

13.1 PERMITTED USES

- a) Construction trades and contractors yards;
- b) Oilfield supply and service establishments;
- c) Shops of plumbers, pipefitters, metal workers, and other industrial trades manufacturing and sales;
- d) Animal hospitals or clinics and offices and veterinary surgeons;
- e) Lumber and building supply establishments;
- f) Commercial cardlock operations;
- g) Motor vehicle, recreational vehicle and mobile home sales and servicing;
- h) Farm and industrial machinery equipment and vehicle sales and service;
- i) Public works buildings and structures including offices, warehouses, storage yards;
- j) Self-service storage facilities;
- k) Shipping container rentals and sales.
- l) Service stations including gas bars and convenience stores

**Bylaw No.
1011-16**

13.2 DISCRETIONARY USES

- a) Warehousing and supply depots;
- b) Shipping containers as an accessory use (refer to Section 5.13).

**Bylaw No.
1011-16**

13.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

Permitted Uses

Minimum site area	500 m ² (5382 ft ²) There shall be no minimum site development requirements for public works buildings.
Minimum site frontage	15.0 metres (49 ft.)
Minimum front yard	9.0 metres (30 ft.) for lots fronting on a service road abutting a Provincial highway, otherwise 7.5 metres (25 ft.)
Minimum side yard	3.0 metres (10 ft.) or 10% of the lot depth whichever is greater
Minimum rear yard	1.2 metres (4 ft.), except the total sum of both side yards must be at least 6.0 metres (20 ft.)

All Other Discretionary Uses

	Oilfield supply and service establishments; Construction Trades and Contractors' yards; Motor Vehicle, recreational vehicle, and/or mobile home sales storage compound; Semi-trailer and Container parking lot.	Shops of plumbers, pipe fitters, metal workers and other industrial trades manufacturing and sales; Animal hospitals or clinics and office of veterinary surgeons.
Minimum site area	930 m ² (10010 ft ²). There shall be no minimum site development requirements for public works buildings.	730 m ² (7857 ft ²)
Minimum site frontage	30.0 meters (98 ft)	20.0 meters (66 ft)
Minimum front yard	6.0 meters (20 ft)	6.0 meters (20 ft)
Minimum side yard	3.0 meters (10 ft)	3.0 meters (10 ft)

13.4 ACCESSORY BUILDINGS

- a) Setbacks for accessory buildings shall meet the same requirements as the principal use or building.
- b) Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in the rear yard only and must be in good repair at all times; A Development Permit Application must be made.

13.5 FENCE AND HEDGE STANDARDS

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

13.6 LANDSCAPING

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

13.7 PARKING REQUIREMENTS

Service Stations	1 ½ parking spaces for each service bay
All other uses	1 parking space for each 75 m ² (807 ft ²) of building floor area

13.8 LOADING REQUIREMENTS

Where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site. The minimum area of an individual loading space shall be 17m² (183 ft²).

Gross Floor Area	Minimum Number of Loading Spaces
93 m ² to 1300 m ²	1 space
1300 m ² to 2800 m ²	2 spaces
<2800 m ²	1 spaces +1 space for each 5600 m ² (60278 ft ²)

13.9 SIGNAGE

Signs and billboards shall be prohibited in the C3-Commercial With Outside Storage District except for signs advertising the principal use of the premises or the principal products offered for sale on the premises. Permitted signs shall be subject to the following requirements:

- One permanent sign is permitted per site. The facial area of a sign shall not exceed 4.0 m² (43 ft²);
- No sign shall be located in any manner that may jeopardize public safety;
- Temporary signs not exceeding 1.0 m² (11 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.
- Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

13.10 OUTSIDE STORAGE

- Outdoor storage is permitted in the side yard of any commercial site or in the front yard for advertising and sales
- No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material.
- Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating condition, equipment and machinery normally used for the maintenance of the property, vehicles or vehicular parts.
- Council may apply special standards as a condition of use regarding the location of areas used for storage.

13.11 DISCRETIONARY USE EVALUATION CRITERIA

Bylaw No.
1011-16

- All discretionary use applications shall follow the general discretionary use evaluation criteria as outlined in Section 3.27 and others that are specific in this Zoning District.
- Specific Discretionary Use Evaluation Criteria for **Warehousing and supply depots**:
 - Council will favourably consider the proposed use where it is located in an area of low-visibility, and screened to avoid any adverse visual impact.
- Sites used for discretionary uses which may result in heavy truck traffic shall be located to ensure that such traffic takes access to or from major streets or designated truck routes.

13.12 PERFORMANCE STANDARDS FOR SHIPPING CONTAINER RENTALS AND SALES

Bylaw No.
1011-16

- All shipping containers must be painted and maintained to be aesthetically representative of exterior colors of the principle building or a neutral colour prior to their placement above grade on a site.

- b) Shipping containers shall not be stacked on top of one another.
- c) Shipping containers may not be used for the storage of junk, trash, or other forms of refuse or hazardous substances or perishable items.
- d) Shipping containers located on the site of the Shipping container rental and sales operation must be situated at least 3.0 metres from any property line and shall not be located in any required front or side yard.
- e) Shipping containers shall only be used for shipping or storage purposes and shall not be used for residential purposes or commercial office space.
- f) Shipping containers shall be placed on a hard packed level surface and any bottom drainage holes shall be secured against the environment and/or rodents.
- g) The containers must be kept in a clean, orderly manner, kept in good repair at all times and surrounding vegetation must be kept trimmed

The purpose of the Mixed Use District (MU1) is to provide for a mix of land uses, including residential uses, a range of downtown commercial uses, and other compatible uses, in proximity to the downtown area.

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

14.1 PERMITTED USES

- a) Live/Work dwelling units in conjunction with and attached to any other permitted use attached to and behind, or above, commercial establishments;
- b) Uses, buildings and structures accessory to and located on the same site as the principal building or permitted use;
- c) Home-based business;
- d) Business offices, medical clinics;
- e) Artisan studios, craft and workshops;
- f) Restaurants, tea houses, coffee shops, sidewalk cafés;
- g) Storefront retail stores;
- h) Small-scale repair trades such as tailors, jewelers, art and hand craft shops and studios, craftspeople and similar trades, including retail sales of art and craft products.

14.2 DISCRETIONARY USES

The following uses may be permitted in the MU – Mixed Use District though only by resolution of Council and only in locations specified in such resolution of Council.

- a) One single-detached dwelling or modular home
- b) Uses, including integrated or complementary uses, buildings or structures accessory to and located on the same site as the principal building or use;
- c) Semi-detached, duplex dwelling, fourplex, townhouses, and other multiple unit dwellings;
- d) Garden centres or commercial greenhouses;
- e) Tourism oriented commercial recreation activities.
- f) Oilfield Supply and Services

**Bylaw No.
1055-20**

14.3 PROHIBITED USES

- a) All uses of land, buildings, and industrial process that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise vibration or other similar substances or conditions;
- b) Industrial uses;
- c) Parking lots;
- d) Lumber and building supply establishments;
- e) Motor vehicle sales and service dealerships;
- f) Agricultural implement dealerships service and maintenance;
- g) Construction trades
- h) Autobody shops
- i) Service stations, gas bars and car washes
- j) Trucking firm establishments;

- k) Self-service storage units;
- l) Newspaper offices and printing plants and services;
- m) Warehouses as an accessory to a permitted use;
- n) Shops of plumbers, pipe fitters, metal workers and other industrial trades manufacturing and sales;
- ~~o) Oilfield supply and services;~~
- p) Campgrounds and recreational vehicle parks;
- q) Shipping containers.

**Bylaw No.
1055-20
Bylaw No.
1011-16**

14.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

Permitted Uses

Minimum site area	223 m ² (2400 ft ²) with a lane or 604 m ² (6501 ft ²) without a lane
Minimum floor area	75 m ² (807 ft ²)
Minimum site frontage	15.0 metres (49 ft) with a lane or 20.0 metres (66 ft) without a lane
Height	9.0 metres (30 ft) for the principal building and 5.0 metres (16 ft) for accessory buildings
Minimum front yard¹	6.0 metres (20 ft)
Minimum rear yard	6.0 metres (20 ft)
Minimum side yard	1.2 metres (4 ft) unless on a corner site than the side yard shall be 2.5 metres (8 ft)

¹ Regarding Minimum Front Yard exceptions in the Mixed Use District, clause 14.3.1 shall apply.

14.3.1 Lots 1-24, Blocks 8 and 9 shall have no minimum front yard requirements.

**Bylaw No.
1011-16**

Single Detached Dwellings

Minimum site area	465 m ² (4951 ft ²)
Minimum floor area	75 m ² (807 ft ²)
Minimum site frontage	15.0 metres (49 ft) with a lane or 20.0 metres (66 ft) without a lane
Maximum site frontage (see definition of "site")	32.0 metres (105 ft.)
Height	9.0 metres (30 ft) for the principal building and 5.0 metres (16 ft) for accessory buildings
Minimum front yard	6.0 metres (20 ft)
Minimum rear yard	6.0 metres (20 ft)
Minimum side yard	1.2 metres (4 ft) unless on a corner site than the side yard shall be 2.5 metres (8 ft)

**Bylaw No.
1073-21**

Discretionary Uses

Minimum site area	235 m ² (2530 ft ²)
Minimum floor area	75 m ² (807 ft ²)
Minimum site frontage	7.5 metres (25 ft)
Maximum site frontage (see definition of "site")	32.0 metres (105 ft.)
Height	9.0 metres (30 ft) for the principal building and 5.0 metres (16 ft) for accessory buildings
Maximum site coverage	40% and 50% on a corner site
Minimum front yard	6.0 metres (20 ft)
Minimum rear yard	6.0 metres (20 ft)
Minimum side yard	1.2 metres (4 ft) unless on a corner site than the side yard shall be 2.5 metres (8 ft)

**Bylaw No.
1073-21**

14.4 LANDSCAPING

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

14.5 PARKING

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

Dwelling units	1 parking space for each dwelling unit
Home occupations, home based businesses	1 parking space per non-resident employee
All other uses	At the discretion of Council

- Off-street parking for dwelling groups and health care clinics shall be located in a side or rear yard and shall be screened if they abut a site used for residential purposes;
- There shall be no off-street parking along Pacific Avenue/Highway 31 as per Highway Provincial regulations.

14.6 SUPPLEMENTARY REGULATIONS

Live/Work Units:

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

- a) The dwelling component of the live/work unit shall not be less than 30% of the gross floor area of the live/work unit. Any attached garage space necessary for the required parking shall be excluded from the gross floor space ratio calculation;
- b) All dwelling units shall have an entrance separate from that of the commercial establishment;
- c) Dwelling units shall be located above or at the rear and attached to the principal commercial use;
- d) Accessory residential uses shall conform to the Provincial Public Health and Fire Regulations.
- e) Work associated with a live/work unit shall be conducted entirely indoors, and shall not be undertaken in any attached garage space necessary for required parking;
- f) No more than one (1) live/work use is allowed per legal dwelling unit on the property;
- g) There shall be no exterior storage on the site in relation to the live/work unit, and no exterior alterations shall be permitted that are not consistent with the residential character of the buildings and property;
- h) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the dwelling containing the live/work unit shall be produced;
- i) The size and nature of the workspace shall be limited so that the building type may be governed by applicable building codes.

14.7 ACCESSORY BUILDINGS

- a) All accessory buildings shall be set back a minimum of 7.0 metres (23 ft) from the front site line, 1.2 metres (4 ft) from the principal building, and 0.8 metres (3 ft) from the side site line unless the side site line is an abutting street then the side yard shall be 3.6 metres (12 ft).
- b) All accessory buildings shall not exceed 83.6 m² (900 ft²) in area.
- c) All accessory buildings shall be located a minimum of 0.8 metres (3 ft) from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 1.5 metres (5 ft) from the site line abutting the lane.
- d) All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

14.8 SIGNAGE

- a) One permanent sign is permitted per site;
- b) In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling, affixed to the dwelling or accessory building or free standing on the property at least 3 metres in from any lot line;
- c) The facial area of a sign shall not exceed 0.5 m² (5 ft²);
- d) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- e) Temporary signs not exceeding 1.0 m² (11 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

14.9 DISCRETIONARY USE EVALUATION CRITERIA

- a) All discretionary use applications shall follow the general discretionary use evaluation criteria as outlined in Section 3.27 and others that are specific in this Zoning District.
- b) Specific Discretionary Use Evaluation Criteria for **Semi-detached, duplex dwellings, fourplex or townhouses and other multi-unit dwellings:**

**Bylaw No.
1011-16**

- i. Council shall give consideration to the locations on major streets and that the development will not cause excessive traffic through existing low density residential area.
- c) Specific Discretionary Use Evaluation Criteria for **Oilfield Supply and Services**:
 - i. Oilfield Supply and Service Establishments shall be located adjacent to major transportation corridors only;
 - ii. The potential for noise, dust, smoke and other emissions causing pollution, nuisance or hazard to public safety to be effectively mitigated;
 - iii. Council shall consider the proximity of existing or planned residential development in the area;
 - iv. Council shall consider surrounding land uses for applicability of site location for proposal; and,
 - v. Council shall consider the capacity of the existing storage compounds in the Town prior to rendering a decision.

**Bylaw No.
1055-20**

15 LIGHT INDUSTRIAL DISTRICT – IND1

IND1

The purpose of the Light Industrial District (IND1) is to provide areas for Industrial activities which have low potential for conflict with adjacent land uses and are partially dependent on exposure to high traffic areas.

No person shall within any IND1-Light Industrial District use any land, or erect, alter, or use any building or structure except in accordance with the following provisions.

15.1 PERMITTED USES

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

**Bylaw No.
1011-16**

15.2 DISCRETIONARY USES

The following uses may be permitted in the IND- Industrial District though only by resolution of Council and only in locations specified in such resolution of Council.

- a) Bulk petroleum sales and storage (refer to Section 5.12);
- b) Fertilizer sales and storage;
- c) Cement manufacturing;
- d) Wind Energy Facilities (refer to Section 5.8);
- e) Aggregate material storage or handling operations;
- f) Shipping containers as an accessory use (refer to Section 5.13).

**Bylaw No.
1011-16**

15.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

Permitted Uses

Minimum site area	500 m ² (5382 ft ²) for construction trades, 1100m ² (11840 ft ²) for all other uses
Minimum site frontage	15.0 metres (49 ft.) for construction trades, 30 metres (98 ft.) for all other uses
Minimum front yard	9.0 metres (30 ft.) for lots fronting on a service road abutting a Provincial highway, otherwise 7.5 metres (25 ft.).
Minimum rear yard	1.2 metres, except the total sum of both side yards must be at least 6.0 metres
Minimum side yard	3.0 metres or 10% of the depth of the lots, whichever is greater

Service Stations and Discretionary Uses

Minimum site area	929 m ² (10000 ft ²)
Minimum site frontage	30 metres (98 ft)
Minimum front yard	7.5 metres (25 ft)
Minimum rear yard	10% of the depth of the lot
Minimum side yard	3.0 metres (10 ft)
Height	15 metres (49 ft)

15.4 ACCESSORY BUILDINGS

- Setbacks for accessory buildings shall meet the same requirements as the principal use or building.
- Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in the rear yard only, to a maximum size of 8.5 metres (28 ft.) X 9.0 metres (30 ft.) X 3.0 metres (10 ft.) and must be kept in good repair at all times.

15.5 FENCE AND HEDGE STANDARDS

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

15.6 LANDSCAPING

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

15.7 PARKING

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

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

15.8 LOADING REQUIREMENTS

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods, or merchandise, adequate space for such vehicles to stand for loading and unloading without restricting access to all parts of the site shall be provided on the site. The minimum area of an individual loading space shall be 17m².

Gross Floor Area	Minimum Number of Loading Spaces
93 m² to 1300 m²	1 space
1300 m² to 2800 m²	2 spaces
<2800 m²	2+1 for each 5600 m ² (60278 ft ²)

15.9 SIGNAGE

Signs and billboards are prohibited in the IND1-Light Industrial District except for signs advertising the principal use of the premises or the names of the occupants of the premises. Permitted signs shall be subject to the following regulations:

- a) One permanent sign is permitted per site. The facial area of a sign shall not exceed 4.0 m² (43 ft²);
- b) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- c) Temporary signs not exceeding 1.0 m² (11 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted;
- d) Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

15.10 OUTSIDE STORAGE

- a) No outdoor storage shall be permitted in the required front yard of any industrial site.
- b) No yard shall be used for the storage or collection of hazardous material.
- c) Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- d) Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating equipment and machinery normally used for the maintenance of the property, vehicles or vehicular parts.
- e) All outside storage shall be fenced and where the area abuts a residential area all junk yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres (7 ft.) and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.
- f) All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.

15.11 DISCRETIONARY USE EVALUATION CRITERIA

Bylaw No.
1011-16

- a) All discretionary use applications shall follow the general discretionary use evaluation criteria as outlined in Section 3.27 and others that are specific in this Zoning District.
- b) Specific Discretionary Use Evaluation Criteria **Fertilizer sales and storage; Cement manufacturing; and Aggregate material storage or handling operations:**
 - i. The location of the use will only be favorably 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:
 - i) Municipal servicing capacity;
 - ii) Anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration and 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.
 - ii. The designated truck access routes will not be primarily through residential areas.

15.12 PERFORMANCE STANDARDS

An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:

- a) Noise - emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
- b) Smoke - no process involving the use of solid fuel is permitted;
- c) Dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted;
- d) Odor - the emission of any odorous gas or other odorous matter is prohibited;
- e) Toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
- f) Glare or heat - no industrial operation shall be carried out that would produce glare or heat noticed beyond the property line of the lot;
- g) External storage - external storage of goods or material is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the authority having jurisdiction. No storage shall be permitted in the front yard;

- h) Industrial wastes - waste which does not conform to the standards established from time to time by Town Bylaws shall not be discharged into any Town sewers.
- i) The onus of proving to Council's satisfaction that a proposed development does and will comply with these requirements rests with the developer.

16 MEDIUM TO HEAVY INDUSTRIAL DISTRICT – IND2

IND2

The purpose of the Medium to Heavy Industrial District (IND2) is to provide areas for Industrial activities which have higher potential for conflict with adjacent land uses and are partially dependent on exposure to high traffic areas.

No person shall within any IND2-Medium to Heavy Industrial District use any land, or erect, alter, or use any building or structure except in accordance with the following provisions.

16.1 PERMITTED USES

- a) Business and/or professional offices as an accessory to a primary industrial business;
- b) Industrial Parks containing a combination of permitted uses;
- c) Buildings and uses accessory to, and located on the same site as, the principal building or use excepting any building or structure used for human habitation;
- d) Manufacturing, fabricating, processing, assembly, finishing, production or packaging of materials, goods or products that are not noxious;
- e) Auto body shops;
- f) Construction and other contractors, industrial trades, workshops, yards, plants, and/or offices;
- g) Trucking operations, Semi-Trailer and Container Parking Lot;
- h) Oilfield supply and service establishments;
- i) Construction of RTM homes or agricultural building assembly area;
- j) Commercial Recycling Depots;
- k) Public works buildings and structures including offices, warehouses, storage, yards, and waste management or sewage facilities.
- l) Stockyards and auction marts;
- m) Salvage and auto wrecker operations;
- n) Meat processing and abattoirs;
- o) Grain elevators, seed cleaning plants, feed mills and flour mills;
- p) Fertilizer sales and storage;
- q) Cement manufacturing;
- r) Aggregate material storage or handling operations;
- s) Self-service storage facilities;
- t) Shipping container rentals and sales.

Bylaw No.
1011-16

Bylaw No.
1011-16

16.2 DISCRETIONARY USES

The following uses may be permitted in the IND- Industrial District though only by resolution of Council and only in locations specified in such resolution of Council.

- a) Bulk petroleum sales and storage (refer to Section 5.12);
- b) Temporary work camps (refer to Section 5.11);
- c) Wind Energy Facilities (refer to Section 5.8);
- d) Shipping containers as an accessory use (refer to Section 5.13).
- e) Aggregate extraction including aggregate resource material storage or handling operations.

Bylaw No.
1011-16
Bylaw No.
1097-24

16.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

Permitted Uses

Minimum site area	500 m ² (5382 ft ²) for construction trades, 1100m ² (11840 ft ²) for all other uses
Minimum site frontage	15.0 metres (49 ft.) for construction trades, 30 metres (98 ft.) for all other uses
Minimum front yard	9.0 metres (30 ft.) for lots fronting on a service road abutting a Provincial highway, otherwise 7.5 metres (25 ft.).
Minimum rear yard	1.2 metres, except the total sum of both side yards must be at least 6.0 metres
Minimum side yard	3.0 metres or 10% of the depth of the lots, whichever is greater

Discretionary Uses

Minimum site area	929 m ² (10000 ft ²)
Minimum site frontage	30 metres (98 ft)
Minimum front yard	7.5 metres (25 ft)
Minimum rear yard	10% of the depth of the lot
Minimum side yard	3.0 metres (10 ft)
Height	15 metres (49 ft)

16.4 ACCESSORY BUILDINGS

- Setbacks for accessory buildings shall meet the same requirements as the principal use or building.
- Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in the rear yard only, to a maximum size of 8.5 metres (28 ft.) X 9.0 metres (30 ft.) X 3.0 metres (10 ft.) and must be kept in good repair at all times.

16.5 FENCE AND HEDGE STANDARDS

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

16.6 LANDSCAPING

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

16.7 PARKING

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

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

16.8 LOADING REQUIREMENTS

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods, or merchandise, adequate space for such vehicles to stand for loading and unloading without restricting access to all parts of the site shall be provided on the site. The minimum area of an individual loading space shall be 17m².

Gross Floor Area	Minimum Number of Loading Spaces
93 m² to 1300 m²	1 space
1300 m² to 2800 m²	2 spaces
<2800 m²	2+1 for each 5600 m ² (60278 ft ²)

16.9 SIGNAGE

Signs and billboards are prohibited in the IND2-Medium to Heavy Industrial District except for signs advertising the principal use of the premises or the names of the occupants of the premises. Permitted signs shall be subject to the following regulations:

- a) One permanent sign is permitted per site. The facial area of a sign shall not exceed 4.0 m² (43 ft²);
- b) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- c) Temporary signs not exceeding 1.0 m² (11 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted;
- d) Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

16.10 OUTSIDE STORAGE

- a) No outdoor storage shall be permitted in the required front yard of any industrial site.
- b) No yard shall be used for the storage or collection of hazardous material.
- c) Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- d) Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating equipment and machinery normally used for the maintenance of the property, vehicles or vehicular parts.
- e) All outside storage shall be fenced and where the area abuts a residential area all junk yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres (7 ft.) and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.
- f) All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.

STANDARDS FOR DISCRETIONARY USES

Bylaw No.
1011-16

~~16.11.1 Salvage Yards and Auto Wrecker Operations~~

- ~~a) This includes salvage yards, auto wreckers, auto repair shop, body shops and similar uses, all salvage vehicles and materials, vehicles waiting repair, salvage or removal and similar uses. No vehicles or parts thereof shall be located in the front yard.~~
- ~~b) All salvage yards shall be totally hidden from the view of the travelling public, provincial highways, any public road and adjacent residential development by utilizing any of the following measures:

 - ~~distance and careful location,~~
 - ~~natural or planted vegetation,~~
 - ~~an earth berm,~~
 - ~~an opaque fence,~~
 - ~~a building,~~
 - ~~other appropriate methods approved by Council.~~~~
- ~~c) Sites used for discretionary uses which may result in heavy truck traffic shall be located to ensure that such traffic takes access to and from major streets or designated truck routes.~~
- ~~d) All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.~~
- ~~e) Bulk petroleum tanks are to be located 91.4 metres (300 ft) from residential areas, schools, hospitals, motels and restaurants.~~

16.12 PERFORMANCE STANDARDS

**Bylaw No.
1011-16**

An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:

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

Salvage Yards and Auto Wrecker Operations

- a) This includes salvage yards, auto wreckers, auto repair shop, body shops and similar uses, all salvage vehicles and materials, vehicles waiting repair, salvage or removal and similar uses. No vehicles or parts thereof shall be located in the front yard.
- b) All salvage yards shall be totally hidden from the view of the travelling public, provincial highways, any public road and adjacent residential development by utilizing any of the following measures:
 - Distance and careful location,
 - Natural or planted vegetation,
 - An earth berm,
 - An opaque fence,
 - A building,
 - Other appropriate methods approved by council.
- c) Sites used for discretionary uses which may result in heavy truck traffic shall be located to ensure that such traffic takes access to and from major streets or designated truck routes.
- d) All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.
- e) Bulk petroleum tanks are to be located 91.4 metres (300 ft) from residential areas, schools, hospitals, motels and restaurants.

Aggregate Extraction including material storage or handling operations

**Bylaw
1097-24**

- a) The location of the use will only be favorably 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. Notwithstanding section 3.27, consideration may be given to:
 - i. Municipal servicing capacity;
 - ii. Anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration and 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. The location material storage and handling within the site, and plans to maximize separation from potentially incompatible land uses.
 - vi. The applicant's plans for reclamation and nuisance mitigation.
 - vii. Planned hours and dates of operation and hauling.
 - viii. Plans for handling and diversion of surface water, and impacts to drainage within and through the site.
 - ix. Ground waters and potential risks, and planned mitigation.
- b) Gravel extraction operations will require an agreement between the developer and the municipality that provides for continuous site reclamation. The agreement will be protected by registration of an interest on the title that runs with the land.
- c) That a road of a standard that meets the demands of the operation provides access to the site. Council may require the operator to enter into a heavy haul agreement.

In the approval of the use, Council may impose permit conditions or performance standards in accordance with section 5 of this Bylaw, and for any consideration listed above in the evaluation of the proposed use, deemed necessary by Council to regulate and control the situational suitability of the development and operation thereof.

The purpose of the Limited Services Industrial District (IND3) is to provide areas for Industrial activities which require limited municipal infrastructure and have a higher potential for conflict with adjacent land uses and are partially dependent on exposure to high traffic areas.

No person shall within any IND3-Limited Services Industrial District use any land, or erect, alter, or use any building or structure except in accordance with the following provisions.

17.1 PERMITTED USES

- a) Business and/or professional offices as an accessory to a primary industrial business;
- b) Industrial Parks containing a combination of permitted uses;
- c) Buildings and uses accessory to, and located on the same site as, the principal building or use excepting any building or structure used for human habitation;
- d) Manufacturing, fabricating, processing, assembly, finishing, production or packaging of materials, goods or products that are not noxious;
- e) Construction and other contractors, industrial trades, workshops, yards, plants, and/or offices;
- f) Trucking operations, Semi-Trailer and Container Parking Lot;
- g) Oilfield supply and service establishments;
- h) Construction of RTM homes or agricultural building assembly area;
- i) Motor vehicle, recreational vehicle, and/or mobile home storage compound;
- j) Public works buildings and structures including offices, warehouses, storage, yards, and waste management or sewage facilities;
- k) Fertilizer sales and storage;
- l) Cement manufacturing;
- m) Aggregate material storage or handling operations;
- n) Aircraft runways and accessory aircraft buildings and structures;
- o) Self-service storage facilities;
- p) Shipping container rentals and sales.

**Bylaw No.
1011-16**

17.2 DISCRETIONARY USES

The following uses may be permitted in the IND3- Limited Services Industrial District though only by resolution of Council and only in locations specified in such resolution of Council.

- a) Fertilizer sales and storage;
- b) Salvage yards and auto wrecker operations;
- c) Wind Energy Facilities (refer to Section 5.8);
- d) Shipping containers as an accessory use (refer to Section 5.13).

**Bylaw No.
1011-16**

17.2.1 PROHIBITED USES

- a) Bird or game preserves;
- b) Sod farms or orchards;
- c) Solid waste disposal sites;
- d) Animal keeping or raising operations;

**Bylaw No.
1011-16**

- e) Fairgrounds.

17.4 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

Permitted Uses

Minimum site area	500 m ² (5382 ft ²) for construction trades, 1100m ² (11840 ft ²) for all other uses
Minimum site frontage	15.0 metres (49 ft.) for construction trades, 30 metres (98 ft.) for all other uses
Minimum front yard	9.0 metres (30 ft.) for lots fronting on a service road abutting a Provincial highway, otherwise 7.5 metres (25 ft.).
Minimum rear yard	1.2 metres, except the total sum of both side yards must be at least 6.0 metres
Minimum side yard	3.0 metres or 10% of the depth of the lots, whichever is greater

Discretionary Uses

Minimum site area	929 m ² (10000 ft ²)
Minimum site frontage	30 meters (98 ft)
Minimum front yard	7.5 meters (25 ft)
Minimum rear yard	10% of the depth of the lot
Minimum side yard	3.0 meters (10 ft)
Height	15 meters (49 ft)

17.5 ACCESSORY BUILDINGS

- a) Setbacks for accessory buildings shall meet the same requirements as the principal use or building.
- b) Temporary, fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in the rear yard only, to a maximum size of 8.5 metres (28 ft.) X 9.0 metres (30 ft.) X 3.0 metres (10 ft.) and must be kept in good repair at all times.

17.6 FENCE AND HEDGE STANDARDS

- a) Screen fences shall be consistent and complement the quality of building design and materials of the primary building. Screening shall be provided where a lot used for commercial or industrial purposes abuts a residential district without an intervening street or land. Such screening shall consist of a solid fence, hedge, or wall over 1.5 metres (5 ft.) in height in a side or rear yard and over 0.75 metres (2 ft.) in a front yard.
- b) No fence in a commercial or industrial zone shall exceed 2.4 metres (8 ft.).

- c) No barbed wire or razor wire fences shall be allowed in an Industrial District.

17.7 LANDSCAPING

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

17.8 PARKING

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

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

17.9 LOADING REQUIREMENTS

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods, or merchandise, adequate space for such vehicles to stand for loading and unloading without restricting access to all parts of the site shall be provided on the site. The minimum area of an individual loading space shall be 17m².

Gross Floor Area	Minimum Number of Loading Spaces
93 m² to 1300 m²	1 space
1300 m² to 2800 m²	2 spaces
<2800 m²	2+1 for each 5600 m ² (60278 ft ²)

17.10 SIGNAGE

Signs and billboards are prohibited in the IND3-Limited Services Industrial District except for signs advertising the principal use of the premises or the names of the occupants of the premises. Permitted signs shall be subject to the following regulations:

- a) One permanent sign is permitted per site. The facial area of a sign shall not exceed 4.0 m² (43 ft²);
- b) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- c) Temporary signs not exceeding 1.0 m² (11 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted;

- d) Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

17.11 OUTSIDE STORAGE

- a) No outdoor storage shall be permitted in the required front yard of any industrial site.
- b) No yard shall be used for the storage or collection of hazardous material.
- c) Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.
- d) Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles in operating equipment and machinery normally used for the maintenance of the property, vehicles or vehicular parts.
- e) All outside storage shall be fenced and where the area abuts a residential area all junk yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres (7 ft.) and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.
- f) All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.

17.12 DISCRETIONARY USE EVALUATION CRITERIA

**Bylaw No.
1011-16**

- a) All discretionary use applications shall follow the general the discretionary use evaluation criteria as outlined in Section 3.27 and others that are specific in this Zoning District.
- b) Specific Discretionary Use Evaluation Criteria for **Salvage Yards and Auto Wrecker Operations**:
 - i. All salvage yards shall be totally hidden from the view of the travelling public, provincial highways ,any public road and adjacent residential development by utilizing any of the following measures:
 - i) Distance and careful location;
 - ii) Natural or planted vegetation;
 - iii) An earth berm;
 - iv) An opaque fence;
 - v) A building; and
 - vi) Other appropriate methods approved by council.

17.13 PERFORMANCE STANDARDS

An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:

- a) Noise - emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
- b) Smoke - no process involving the use of solid fuel is permitted;
- c) Dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted;
- d) Odor - the emission of any odorous gas or other odorous matter is prohibited;
- e) Toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
- f) Glare or heat - no industrial operation shall be carried out that would produce glare or heat noticed beyond the property line of the lot;

- g) External storage - external storage of goods or material is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the authority having jurisdiction. No storage shall be permitted in the front yard;
- h) Industrial wastes - waste which does not conform to the standards established from time to time by Town Bylaws shall not be discharged into any Town sewers.
- i) The onus of proving to Council's satisfaction that a proposed development does and will comply with these requirements rests with the developer.

18 COMMUNITY SERVICE DISTRICT – CS

CS

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

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

18.1 PERMITTED USES

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

Bylaw No.
1073-21

18.2 DISCRETIONARY USES

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

- a) Wind energy facilities (refer to Section 5.8);
- b) Skateboard parks or bmx bike terrain.

18.2.1 ACCESSORY USES

- a) Shipping Containers as a permanent or temporary accessory use (subject to section 5.13.)

Bylaw
1097-24

18.3 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

Permitted Uses (other than educational facilities, rinks and swimming pools)

Minimum site area	450 m ² (4844 ft ²)
Minimum site frontage	15 metres (49 ft.)
Minimum front yard	6.0 metres (20 ft.)
Minimum rear yard	6.0 metres except where the rear site line abuts a Residential District without an intervening street or lane, at least 7.5 metres (25 ft.) shall be provided.
Minimum side yard	50% of the height of the building or 3.0 metres (10 ft.), whichever is greater

Elementary and Secondary Schools

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

Skating, Curling Rinks and Swimming Pools

Minimum site area	1200 m ² (12197 ft ²)
Minimum site frontage	20.0 metres (66 ft.)
Minimum front yard	7.5 metres (25 ft.)
Minimum rear yard	7.5 metres (25 ft.)
Minimum side yard	1.5 metres (5 ft.) except on a corner site abutting a street then 3.6 metres (12 ft.) shall be provided

Accessory Buildings

Minimum front yard	7.5 metres (25 ft.)
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Principal building	All accessory buildings shall be set back 1.2 metres (4 ft.) from the principal building.
Minimum side yard	0.8 metres (3 ft.) unless the side site line is an abutting a street then the side yard shall be 3.6 metres (12 ft.)
Minimum rear yard	All accessory buildings with a door or doors opening onto a lane shall not be located less than 2.0 metres (7 ft.) from the site line abutting the lane.

18.4 SIGNAGE

- One permanent sign is permitted per site. The facial area of a sign shall not exceed 4.0 m² (43 ft²).
- Billboards are prohibited except for one information sign for each building or use and those bearing notices of special events and activities, or other information, relating to a temporary condition affecting the site and shall not exceed 1.0 m² (11 ft²) in size.
- Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.

18.5 PARKING

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

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

18.6 LANDSCAPING

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

18.7 DISCRETIONARY USE EVALUATION CRITERIA

**Bylaw No.
1011-16**

- a) All discretionary use applications shall follow the general discretionary use evaluation criteria as outlined in Section 3.27 and others that may be specified in this Zoning District.
- b) Specific Criteria for **Skateboard parks or bmx bike terrain**:
 - i. Consideration will be given to the compatibility of the skateboard park or bmx bike terrain with adjacent land uses; and
 - ii. Buffers shall be provided to protect existing, adjacent neighbourhoods by mitigating the adverse impacts of sound, visibility and traffic.

19 AIRPORT DEVELOPMENT DISTRICT– AIR

AIR

Bylaw No.
1011-16

~~No person shall within any AIR District use any land, or erect, alter or use any building or structure, except in accordance with the following provisions:~~

~~19.1 PERMITTED USES~~

- ~~a) Aircraft runways;~~
- ~~b) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;~~
- ~~a) Airport related uses, including workshops, warehouses and storage yards;~~
- ~~b) Crop farming on an existing parcel without any buildings;~~
- ~~c) Municipal facilities.~~

~~19.2 PROHIBITED USES~~

~~The following uses or developments shall not be located within the approach and take off zones within 500 metres of the centre point of the airstrip:~~

- ~~a) Residential dwellings;~~
- ~~b) Institutional uses;~~
- ~~c) Sod farms or Orchards;~~
- ~~d) Bird or game preserves;~~
- ~~e) Animal keeping or raising operations;~~
- ~~f) Solid waste disposal sites;~~
- ~~g) Fairgrounds;~~
- ~~h) High voltage power lines;~~
- ~~i) Communication antennas or towers;~~
- ~~j) Wind energy systems.~~

~~19.3 HEIGHT RESTRICTIONS~~

~~All Buildings or structures shall conform to the 1:40 ratio in the take off and approach zone and 1:5 ratio in the transitional zone around the airstrip.~~

~~19.4 SITE DEVELOPMENT REGULATIONS~~

Airport Related Uses

Municipal Facilities

All development standards, building setbacks, parking, signage and landscaping requirements shall be determined by the Airport Authority.

20 FUTURE URBAN DEVELOPMENT DISTRICT – FUD

FUD

The purpose of this District is to limit development that may affect future growth of the Town by providing for temporary and transitional uses and activities.

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

20.1 PERMITTED USES

- a) Agricultural crop production and horticultural uses and buildings and structures customarily accessory to the use;
- b) Keeping of livestock, though excluding intensive livestock operations, poultry farms, hatcheries, or commercial kennels;
- c) Commercial greenhouses, market gardens, and sod farms;
- d) Uses, buildings and structures accessory to the principal building or use;
- e) Recreational uses and sports grounds;
- f) Temporary recreational vehicle storage yards;
- g) Public works buildings and structures including offices, warehouses, storage, yards, and waste management or sewage facilities.

20.2 SITE DEVELOPMENT REGULATIONS

Public works shall have no minimum or maximum site requirements.

Minimum site area	Existing, no subdivision
Minimum site frontage	60.0 metres (197 ft.) abutting a highway or 6.0 metres (20 ft.) abutting a street
Front yard	15.0 metres (49 ft.) unless the property abuts a municipal road, then the setback is 60.0 metres from the centerline of the municipal road.
Side yard	7.5 metres (25 ft.) for dwelling and buildings accessory thereto, except the minimum side yard abutting a public street shall be 10.0 metres (33 ft.).
Rear yard	10.0 metres (33 ft.) for dwellings and buildings accessory thereto except that the minimum rear yard abutting a public street shall be 30.0 metres (98 ft.).

20.3 SIGNAGE

- a) One permanent sign is permitted per site. The facial area of a sign shall not exceed 1.0 m² (11 ft²).
- b) In the case of a home occupation, an additional permanent sign is permitted;
- c) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- d) Temporary signs not exceeding 1.0 m² (11 ft²) advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

20.4 SUPPLEMENTARY REGULATIONS

- a) Council will consider the applications for permitted and discretionary use with respect to the following criteria:
 - i. The infrastructure servicing capacity is available to service the development without excessive impact on other uses being served by the system.
 - ii. The proposed development will be consistent with any concept plans in force in the area and will not be inconsistent with the future use and development plans of the Official Community Plan and the District Plan.
 - iii. The development will not require the development of new streets and utility lines except as may be provide for in existing plans under the Official Community Plan and the District Plan and that the proposal is not premature.
- b) Where a development is proposed at a location at which standard connection to the Town's existing sewer and water system is not feasible, the developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for that development acceptable to Council and meets *The Public Health Act and Regulations* requirements. Domestic waste disposal systems located on the site and serving only the principal use will be a permitted use to that principal use.
- c) Any building or structure used for the habitation or shelter of animals permitted in this Zoning District shall be located a minimum distance of 76.0 metres (249 ft.) from an occupied dwelling situated on an adjoining site.
- d) The maximum number of animal units permitted per lot shall include: 3 animal units and 0.25 poultry animal units, unless application is made for a greater amount and is approved by Council.

**Bylaw No.
1011-16**