

ZONING BYLAW

FOR

THE RURAL MUNICIPALITY OF

BJORKDALE

NO. 426

BYLAW NO. 3-82

As Amended by :

Bylaw No. 6-97

Bylaw No. 5-2001

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RURAL MUNICIPALITY OF BJORKDALE NO. 426

BYLAW NO. 3-82

PART 1

INTRODUCTION

Under the authority granted by *The Planning and Development Act, 1983*, the Reeve and Council of the Rural Municipality of Bjorkdale No. 426 in the Province of Saskatchewan, in open meeting hereby enact as follows:

Title                    The Bylaw shall be known and may be cited as the “Zoning Bylaw” of the Rural Municipality of Bjorkdale No. 426

Purpose

The purpose of this Bylaw is to regulate development in the Rural Municipality of Bjorkdale No. 426 so as to provide for the amenity of the area and for the health, safety and general welfare of the inhabitants of the municipality.

Scope

Development shall hereafter be permitted within the limits of the Rural Municipality of Bjorkdale No. 426 only when in conformity with the provisions of this Bylaw.

Validity

If any section, clause, or provision of this Bylaw, including anything shown on the Zoning Map, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Bylaw as a whole or any part thereof, other than the section, clause, or provision, including anything shown on the Zoning Map, so declared to be invalid.

PART 2DEFINITIONS

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

Accessory use - shall mean a use customarily incidental and subordinate to the principal use or building and located on the same site with such principal use or building.

Agricultural holding - shall mean the total land holding within the Rural Municipality of Bjorkdale No. 426 of a person(s) engaged in an agricultural operation.

Agricultural operator - shall mean a farmer or a person whose principal source of income is derived from the agricultural production of his agricultural holding.

Alteration - shall mean any structural change or addition made to any building.

Animal Unit - shall mean the kind and number of animals calculated in accordance with the following table:

<u>Animal Unit</u>	<u>Kind of Animal</u>	<u>Number that equals</u>	<u>One</u>
1	Poultry		
	a) Hens, cockerels, capons	100.0	
	b) Chicks, broiler chickens	200.0	
	c) Turkeys, geese, ducks	50.0	
2	Hogs		
	a) Boars or sows	3.0	
	b) Gilts	4.0	
	c) Feeder pigs	6.0	
	d) Weanling pigs	20.0	
3	Sheep		
	a) Rams or ewes	7.0	
	b) Lambs	14.0	
4	Goats	7.0	
5	Cattle		
	a) Cows or bulls	1.0	
	b) Feeder cattle	1.5	
	c) Replacement heifers	2.0	
	d) Calves	4.0	
6	Horses		
	a) Colts or ponies	2.0	
	b) other than colts or ponies	1.0	
7	Bison		
	a) Cows or bulls	1.0	
	b) Calves	4.0	

8	Fallow Deer	
	a) Fallow deer	8.0
	b) Fallow deer fawns	32.0

Building - shall mean a structure used for the shelter or accommodation of persons, animals, goods or chattels.

Building, accessory - shall mean a subordinate detached building appurtenant to a main building or main use and located on the same site, the purpose of which is to provide better and more convenient function of the main building or main use.

Building, Residential - shall mean a single detached, semi-detached, duplex, mobile home or dormitory dwelling unit.

Building line, established - shall mean the average distance from the street line to the main wall of existing buildings of any side of the block where more than half the frontage has been built upon.

Country Residence - shall mean a residential dwelling which is situated on a site that is used by the occupant primarily for residential purposes rather than agricultural production.

Council - shall mean the Council of the Rural Municipality of Bjorkdale No. 426.

Development - shall mean the carrying out of any building, engineering, mining or other operation in, on or over land or the making of any material change in the use of any building or land.

Development Permit - shall mean a permit, issued by the Council of the Rural Municipality of Bjorkdale No. 426 that authorizes development, but does not include a building permit.

Discretionary use - shall mean any development permitted in a zoning district subject to the location and conditions specified by Council on the Development Permit.

Dwelling unit - shall mean one or more habitable rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one or more persons.

Dwelling, dormitory - shall mean a room or set of rooms used for the habitation of one or more persons but does not include eating quarters. This type of dwelling may be made of two or more apartments or sets of rooms, for the use of individuals working in an agricultural operation on the agricultural holding.

Dwelling, semi-detached - shall mean two dwelling units side by side in one building unit with a common party wall which separates, without opening, the two dwelling units throughout the entire structure.

Dwelling, single detached - shall mean a detached building consisting of one dwelling unit as herein defined, and occupied or intended to be occupied as the permanent home or residence but shall not include a mobile home as herein defined.

Floor area - shall mean the maximum habitable area contained within the outside walls of a building, excluding the case of a dwelling, any private garage, porch, verandah, sunroom, unfinished attic or unfinished basement.

Hotel - shall mean a building or structure or part of a building or structure used or advertised as a place where sleeping accommodation, with or without meals, is provided for transient lodgers, and where a guest register or record is kept, but does not include a motel, boarding house, lodging house, rooming house or tourist home.

Intensive Live Stock Operation (I.L.O.) - shall mean an operation for the rearing, confinement, or feeding of poultry, hogs, sheep, cattle or any other prescribed animals in such numbers that the facility and portion of a cite used for the operation:

- (a) will contain 100 or more animal units, and
- (b) provide less than 370 square metres (400 ft<sup>2</sup>) or space for each animal unit contained therein.

Minister - shall mean the Minister of Rural Affairs for the Province of Saskatchewan.

Mobile Home - shall mean a trailer coach that is used as a dwelling for permanent or seasonal living, and that has water faucets and a shower head or bath tub that may be connected to a water distribution system, and that has a wash basin and water closet that may be connected to a sewerage system.

Mobile Home Site - shall mean a site, parcel or piece of land for the placement of a mobile home and for exclusive use of its occupants.

Mobile Home Court - shall mean any tract or parcel of land on which two or more occupied mobile homes are located, not including a temporary construction camp.

Motel - shall mean a series of dwelling units intended for use of automobile transients, 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.

Municipality - shall mean the Rural Municipality of Bjorkdale No. 426.

Non-conforming use - shall mean any use of land, building, or structure lawfully existing at the



time of the passing of this bylaw, the use of which does not comply with all the regulations of this bylaw governing the zoning district in which it is located.

Public utility - shall mean a government or private enterprise providing a service to the general public.

Reeve - shall mean the Reeve of the Rural Municipality of Bjorkdale No. 426

Secretary-Treasurer - shall mean the Secretary-Treasurer of the Rural Municipality of Bjorkdale No. 426

Site - shall mean an area of land with fixed boundaries and which has been registered in the Land Titles Office by Certificate of Title.

Site frontage - shall mean the average of the horizontal distances between the side boundaries of the site measured along the front and rear site lines.

Site line, front - shall mean the boundary that divides the site from the street. In the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site from the street.

Site line, rear - shall mean the boundary at the rear of the site and opposite the front site line.

Site line, side - shall mean a site boundary other than a front or rear site line.

Street - shall mean a public thoroughfare which affords the principle means of access to abutting property but shall not include an easement or lane.

Structure- shall mean anything that is built, constructed or erected, located on the ground, or attached to something located on the ground.

Tourist campsite - shall mean a site which provides for the location of tents and trailers used by travellers and tourists for overnight accommodation.

Trailer coach - shall mean any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked up.

Yard - shall mean any part of a site unoccupied and unobstructed by any main building.

Yard, front - shall mean a yard extending across the full width of a site between the front line of the site and the nearest main wall of the main building or structure on the site.

Yard, rear - shall mean a yard extending across the full width of the site between the rear line of the site and the nearest main wall of the main building or structure on the site.

Yard, side - shall mean a yard extending from the front yard to the rear yard between the side line of a site and the nearest main wall of the main building or structure on the side.

PART 3ADMINISTRATION3. Administration(i) Development Officer

The Secretary-Treasurer of the Rural Municipality of Bjorkdale No. 426 shall be the Development Officer who shall administer this bylaw.

(ii) Permit Required

No development shall commence until a Development has been obtained from the development officer.

(iii) Apply for Development Permit

Every person, before commencing any development within the municipality, shall apply to the Council for a Development Permit to carry out such development. If the proposed development conforms to all relevant provisions of this Bylaw, and except as otherwise indicated in this Bylaw, the Development Officer shall issue a Development Permit.

(iv) Application Requirements

Every application for a Development Permit shall include;

(1) 2 copies of a layout or site plan showing all lot dimensions and yard requirements.

(2) the size, location and type of development on each site or lot.

(3) other information, as required by the Development Officer, to

describe the proposed development.

(v) Notification/Right to Appeal

The applicant shall be notified, by the Development Officer, in writing of the decision and one copy of the application appropriately signed, shall be returned to the applicant.

In the event of a refusal of a permit, the applicant shall be advised of the right to appeal the decision to the Zoning Appeals Board, subject to the provisions

of *The Planning and Development Act, 1983*.

(vi) Relation to Building Permit

A building permit, where required, shall not be issued unless a development permit, where required, has been issued.

(vii) Exemptions From Bylaw Requirements

The provisions of paragraphs (ii) (Permit Required); (iii) (Apply for Permit); and (v) (Notification/Appeal) above shall not apply to the following uses:

(a) Accessory Agricultural

Non-Residential buildings accessory to agricultural operations, except for Intensive Livestock Operations , ( e.g. barns, granaries, sheds )

(b) Existing Public Utility Uses and Services

Operations and uses involved in the inspection, repairing or renewing of existing mains, cables, pipes, wires, tracks, facilities and similar apparatus required by a public utility for any lawful use of buildings, structures or land.

2. Zoning Appeals Board

(i) Council shall appoint a Zoning Appeals board in conformity with the provision of *The Planning and Development Act, 1983*.

(ii) Appeals in writing may be made to the Zoning Appeals board by any person who:

(a) alleges that the council or any person acting for or on behalf of the Council has misapplied the bylaw in a particular case: or

(b) claims that there are practical difficulties or unnecessary hardship in the way of carrying out the bylaw by reason of the exceptional narrowness, shortness, shape , topographic features or any other unspecified unusual condition of a specified property.

(iii) A person who appeals under clause (b) of subsection (ii) shall not be entitled to have his appeal allowed if:

- (a) the unusual condition is the result of his or the property owner's own actions;
  - (b) the adjustment requested would constitute a special privilege inconsistent with the restrictions on the neighbouring properties in the same district; or
  - (c) a relaxation of the provisions of the bylaw would be contrary to its purposes and intent and would injuriously affect the neighbouring properties.
- (iv) In making an appeal to the Zoning Appeals Board, and hearing such appeal, the provisions of *The Planning and Development Act, 1983*, shall apply.

3. Fee for Zoning Amendment Application

When an application is made to the Council of the Rural Municipality of Bjorkdale No. 426 for an amendment to this bylaw; such application shall be accompanied by an application fee as specified by *The Planning and Development Act, 1983*.

4. Referral to Department of Public Health

A copy of all approved Development Permit applications involving the installation of water and sanitary services shall be supplied to the local office of the Department of Public Health.

5. Offences and Penalties

Prosecution for breach of this Bylaw shall be in accordance with *The Planning and Development Act, 1983*.

PART 4GENERAL REGULATIONS

The following regulations shall apply to all Zoning Districts in this bylaw:

1. Licences, Permits and Compliance with Other Bylaws

Nothing in this bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within the Rural Municipality of Bjorkdale No. 426 or from obtaining any licence, permission, permit, authority or approval required by this or any other bylaw of the Rural Municipality of Bjorkdale No. 426. Where provisions in this bylaw conflict with those of any other municipal or provincial requirements, the higher or more stringent regulations shall prevail.

2. Frontage on Road

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

3. Principal Building or Use Permitted on a Site

Not more than one principal building or use shall be permitted.

4. Existing Buildings

Where a building has been erected on or before the effective date of this bylaw on a site having less than the minimum frontage or area, or having less than the minimum setback or side yard or rear yard required by this bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:

- (a) the enlargement, reconstruction, repair or renovation does not further reduce the front yard or side yard or rear yard that does not conform to this bylaw; and
- (b) all other applicable provisions of this bylaw are satisfied;

(c) such changes must be approved in accordance with the bylaw

5. Building to be moved

No building, residential or otherwise, shall be moved within or into the area covered by this bylaw without obtaining a development permit from the municipal officer charged by Council with the administration of this bylaw or unless such building is exempt under Part 3.1. (ii) or (vii).

6. Waste Disposal

No liquid, solid or gaseous waste shall be disposed of except in accordance with the Acts administered by the Department of Agriculture, Environment and Health.

7. Non-conforming Uses

Non-conforming uses shall be subject to the regulations of *The Planning and Development Act, 1983*.

8. Signs and Billboards

All signs and billboards shall be subject to the requirements of the Department of Highways plus the following requirements:

Use

- Commercial
- no more than two (2) signs are permitted on the premises;
  - no sign shall have a facial are in excess of 3.5 square metres (36 square feet). Each sign may be double-faced;
  - the maximum height of any sign shall be 6.09 metres (20 feet) above ground surface;
  - all signs shall meet C.S.A. (Canadian Standards Association) requirements.
- Other
- no more than one sign is permitted on the premises;
  - only signs bearing names of occupants, notice of sale or lease, sale of

produce, or other information relating to a temporary condition affecting the premises are permitted;

- no sign shall have a facial area exceeding 0.4 square metres (4 square feet). Larger signs are permitted only by resolution of Council.
- no sign shall be located in any manner that may, in the opinion of council, visually obstruct or jeopardize the safety of others.

9. Areas Prohibited for Development

In addition to any other provision of this Bylaw:

- (a) Where land which is prone to slumping, subsidence, erosion or any other instability is proposed for development which includes a building or a non-agricultural structure, council may require the proponent to pay for the inspection of the property by a qualified professional consultant. If such inspection is not done, or having been done, finds that excessive remedial measures are necessary to safely accommodate any of the above types of development. Council shall not be required to issue a Development Permit.
- (b) Where land which is located in a watercourse or a flood plain is proposed for development with a residential, commercial, or industrial building or an agricultural structure for housing livestock, Council may require the proponent to pay for the inspection of the property by a qualified professional consultant. If such inspection is not done, or having been done, finds that excessive remedial measures are necessary to safely accommodate any of the above types of development, council shall not be required to issue a Development Permit.
- (c) Where an all-weather access road would be, in the opinion of Council, prohibitively expensive to construct or maintain, Council shall not be required to issue a Development Permit for any residential, commercial, or industrial building, unless the proponent agrees to pay the Municipality the full or such portion of the costs as Council may determine for the construction and maintenance of such access road in accordance with *The Rural Municipality Act, 1989*.



10. Yards

8. The front, side and rear yards required by this bylaw shall be provided for each lot or site.
2. No building , structure or use shall be sited with the required front, side, or rear yard unless Council determines otherwise.

11. Environmental Set Backs

The final determination of all development set back distance from water courses, water bodies, flood plains, crests or hills, valleys, Coulee and slopes shall be made by Council.

12. Deposit of Debris

No dirt, stones, brush, or other type of debris may be deposited within a watercourse or flood plain of a watercourse and in any case, not closer than 15 metres (50 feet) to a watercourse.

13. Provincial Parks

1. Provincial Parks are exempt from the requirements of this bylaw.
2. Developments on Provincial Parks are regulated by the Saskatchewan Department of Tourism and Renewable Resources.
3. Where such developments require services provided by Council, servicing agreements shall be required.

PART 5

ZONING DISTRICT AND ZONING MAPS

1. Zoning Districts

For the purpose of this Bylaw, the Rural Municipality of Bjorkdale No. 426 is divided into the following zoning districts, the boundaries of which are shown on the “Zoning Districts Map”. Such districts may be referred to by the appropriate symbols.

<u>Districts</u>	<u>Symbols</u>
Agricultural District	A
Hamlet District	H
Summer Resort District	SR
Natural District	N
Forestry District	F
Watershed Protection District	WSP

2. The Zoning District Map

The map, bearing the statement “This is the Zoning District Map referred to in Bylaw No. 3-82 adopted by the Rural Municipality of Bjorkdale No. 426 and signed by the Reeve and Secretary-Treasurer under the seal of the Rural Municipality shall be known as the “Zoning District Map” and such map is hereby declared to be an integral part of this bylaw, as if embodied herein.

3. Boundaries of Zoning Districts

This refers to the boundaries of such districts referred to in Part 5.1 together with explanatory legend, notation and reference, as shown on the “Zoning District Map”. Unless otherwise shown, the boundaries of the districts are lot lines, centre lines of streets, lanes, road allowances or such lines extended and the boundaries of the Municipality. In unsubdivided land, the boundaries of the districts shall be determined by the use of the scale shown on the map.

4. District Schedules

The following are the schedules of uses and regulations pertaining to the various zoning districts under this bylaw.

PART 5A

A - AGRICULTURAL DISTRICT

(1) Intent

The intent of the A - Agricultural District is to support the use of land in the Rural Municipality of Bjorkdale No. 426 for agricultural purposes and related activities. Subdivision of land shall only be permitted where the future use will be for one of the permitted uses listed below.

(2) Permitted Uses

Subject to all other provision of this bylaw, on any site, in any district defined, designated or describe in this bylaw as an A - Agricultural District only the following uses shall be permitted:

A. Agricultural

Field crops, dairy farming, truck farming, market gardening, animal and poultry raising, beekeeping, ranching, grazing, tree nurseries, and other similar uses (excluding intensive live stock operations) customarily carried on in the field of general agriculture, including the sale, on the premises, of any produce grown or raised on the premises.

B. Recreational

Sports fields, golf courses, parks, tourist campsites and other similar uses.

C. Communications

Radio and television towers and buildings, micro-wave installations, and other similar uses.

D. Agricultural Related Commercial

- Implement and machinery sales and service.
- Small scale processing and sales of grain and sed.
- Storage and mixing of agricultural chemicals and fertilizer.
- Offices and clinics of veterinary surgeons.

E. Other

Places of worship, cemeteries, public utility uses, and public halls and buildings; and grain elevators and residences of operators existing at the date of adoption of this bylaw.

(3) Uses Permitted at Council's Discretion

The following uses shall be permitted but only by resolution of Council and only in locations specified in such resolutions of Council.

- (i) Gravel pits
- (ii) Abattoir
- (iii) Auction marts
- (iv) Historic and archaeological sites
- (v) Private airstrips
- (vi) Temporary construction camps
- (vii) Intensive Livestock Operations
- (viii) Country Residences, subject to Section (5) C
- (ix) Saw mill operations
- (x) Specialized Livestock Operations comprised of:
  - Non-game farm species: bison and wild boar.

(4) Accessory Uses

For the purpose of this bylaw, uses customarily incidental and subordinate to a principal permitted use, as listed in subsection (2) above, and located on the same site with such principal permitted use, shall be considered an accessory use. A residential building may be considered as an accessory use to an agricultural operation listed in 5.A(2) A. above but shall not be considered as accessory to other permitted uses.

(5) Regulations

A. Minimum Site Size Requirements

- (vi) Agricultural Uses - quarter (1/4) section or equivalent. Equivalent shall mean

65 hectares (160 acres) or such lesser amount as remains in an agricultural holding as a result, of the registration of a road widening, road right-of-way, railway plan, pipeline or natural features such as a body of water. However, the minimum shall not be less 57 hectares( 140 acres), except as provided for in Section 5.F below.

- (ii) Site sizes less than required under Section 5.A (I) may be permitted for agricultural purposes, on the basis of a recommendation of Council.
- (iii) Recreational Uses - no minimum.
- (iv) Communication Uses - no minimum.
- (v) Agricultural Related Commercial Uses - minimum of one (1) hectare (2.5 acres) to a maximum of eight (8) hectares (20acres).
- (vi) Other - no
- (vii) Discretionary Uses - as recommended by Council. Consideration should be given to the provision of services on the site.

**B. Residences per Agricultural Holding**

- (1) Only two residential buildings shall be permitted on any agricultural holding.
- (2) Where additional buildings are required to accommodate full-time workers engaged in the agricultural operation carried out on the agricultural holding , they may be permitted at Council's discretion.

**C. Subdivision of Country Residential Sites**

- (1) A maximum of four (4) country residential sites will be permitted per quarter (¼) section.
- (2) The site shall not be located where, in the opinion of Council, an all-weather road would prohibitively expensive to construct or maintain.
- (3) The site shall observe the minimum separation distances from an Intensive Livestock Operation as noted in Section (5) G.

**D. Residential Subdivision of an Isolated Part of an Agricultural Holding**

An agricultural operator may, on the basis of a recommendation of Council, be granted a subdivision for an existing or new residential farmstead site of not less than 0.8 hectares (2 acres) where the site is part of the operator's total agricultural holding

even though it may be separate from the major portion of the total agricultural holding.

E. Agricultural Holdings in Two Rural Municipalities

An agricultural operator whose agricultural holding within the Rural Municipality fails to meet the minimum site area requirement may use an agricultural holding in an adjacent rural municipality, at the discretion of Council, to meet the minimum site area requirements.

F. Conformity of Existing Agricultural Holdings

Any agricultural holding within the A - Agricultural District which does not conform with the minimum site area requirements, as set out in the regulations of that district, shall be deemed to be conforming with regard to site area, provided that a registered title for the site existed in the Land Titles Office prior to the coming into force of this bylaw.

G. Intensive Livestock Operations

**Repealed in Bylaw No. 05-2001**

H. Building Set Back

No building shall be constructed (1) within **60 metres from the centre** of a road allowance or (2) be located within the triangular area defined by measuring 90 metres (300 feet) along the legal road allowance lines and joining the two points with a straight line. This requirement applies to all four intersection corners.

(6) **Specific Development Standards For Intensive Livestock Operations**

**In order to minimize conflict between intensive livestock operations and surrounding development, Council will consider applications for development of an I.L.O. and apply the following criteria:**

1. No new I.L.O. will be considered if the operation will be less than 300 metres from a dwelling not located on the site, or associated with the proposed I.L.O.
2. The applicant has demonstrated to the satisfaction of Council that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation.

3. The minimum separation distances in Table 1 below will be applied to determine acceptable locations.
4. A greater separation may be needed from any liquid manure storage lagoon involved in the operation, to residential and other developments. The criterion of a separation distance to the lagoon from a residence of 1.5 times the distance in Table 1 will be considered adequate.
5. Council may consider lesser separation distances than given in Table 1 where:
  - i) Written notice approved by Council has been given to the owner of a residence within the distance provided in Table 1, and to the hamlet board of a hamlet of Council of urban municipality with the specified distance, and
  - ii) A public hearing has been held.
  - iii) Council may approve or refuse a proposal based on any problems identified.
  - iv) Council may require that the developer of a proposed I.L.O. enter into an agreement with the owner of a residence and the municipality, consenting to the proposed development up to a specified size, as a condition of approval where the separation distances are significantly, in Council's opinion, less than the criteria of Table 1.
6. As a condition of approval Council shall specify the maximum number of animal units for which the approval is made, and may impose standards to reduce the potential for conflict with neighbouring uses which specify the location of holding area, buildings or manure storage facilities on the site.
7. As a condition of approval, council may specify crop land or improved pasture which may be used for the disposal of wastes from an intensive livestock operation by spreading of manure, and such manure shall be incorporated into the soil within 24 hours of spreading, unless such incorporation is prevented by adverse weather conditions, in which case incorporation shall take place as soon as practical thereafter.
8. Development of any temporary facility and part of a site shall also require a development permit as a discretionary use if it meets the definition of an I.L.O.
9. A new discretionary approval shall be required to expand the intensive livestock operation, or to alter the species of animals in the operation.



(Distances are measured between livestock and building development)

PART 5BH - HAMLET DISTRICT(1) Intent

The intent of the H - Hamlet District is to encourage orderly growth in hamlets; to promote Hamlets as a location for non-farm residential development; and to provide a service centre for the rural area.

(2) Permitted Uses

Subject to all other provisions of this bylaw on any site in any district defined, designated, or described in this bylaw as s H - Hamlet District only the following uses shall be permitted:

A. Residential

- (1) Single -detached dwellings, excluding mobile homes.
- (2) Semi-detached dwellings.

B. Commercial

- (1) Retail stores
- (2) Restaurants, confectioneries, and other places for the sale and consumption of food and related items.
- (3) Establishments for the servicing, storage, and sale of motor vehicles, farm machinery, and equipment.
- (4) Hotels, motels
- (5) Grain elevators.

C. Institutional

- (1) Schools, educational institutions.
- (2) Places of worship, religious institutions.
- (3) Public halls.
- (4) Government buildings.
- (5) Public Utility uses.

D. Recreational

Sports fields, rinks, parks, golf courses, and other similar uses.

(3) Discretionary Uses

Mobile Homes and Mobile Home Parks

1. Council at its discretion, may permit mobile homes and mobile home parks to locate within a hamlet District subject to locations and conditions as deemed necessary including the period of time in which mobile home parks may operate.
2. Mobile homes and mobile home parks shall only be permitted when the provision of garbage disposal, sewage, water supply, sanitation, lot and pad size requirements and provided in accordance with the Mobile Home Regulations, 1969.

(4) Accessory Uses

For the purpose of this bylaw, uses customarily incidental and subordinate to a principal permitted use, as listed in sub-section (2) above, and located on the same site with such permitted use shall be considered as accessory use.

(5) Regulations

<u>A. Site area</u>	<u>Minimum</u>
Service station -	900m <sup>2</sup> (9687.5 sq.ft.) (100 x 100 ft)
Hotels, motels -	900 m <sup>2</sup> (9687.5 sq.ft)
Other commercial use -	225m <sup>2</sup> (2422 sq.ft) ( 50 x 50 ft)
Single detached dwellings with lane -	360 m <sup>2</sup> ( 3875 sq. ft.) ( 62 x 62 ft)
Single detached dwellings without lane -	450 m <sup>2</sup> ( 4843.75 sq. ft)( 50 x 100 ft)
Semi - detached dwelling per dwelling unit with lane -	255m <sup>2</sup> (2744.79 sq. ft) ( 52 x 52 ft )
Semi - detached dwelling per dwelling unit without lane -	315m <sup>2</sup> (3390.63 sq. ft) ( 58 x 58 ft )
Public Utility Uses -	No minimum
All other uses -	450m <sup>2</sup> (4843.75 sq. ft.) ( 50 x 100 ft)

B.	<u>Site frontage</u>	<u>Minimum</u>
	Commercial uses -	7.5 metres (25 feet) except that hotels, motels and service stations shall have a minimum frontage of 30.4 metres (100 feet)
	Single detached dwellings with lane -	12 metres (40 feet)
	Single detached dwellings without lane -	15 metres (50 feet)
	Semi-detached dwellings per dwelling unit with lane -	8.5 metres (27.88 feet)
	Semi-detached dwellings per dwelling unit without lane -	10.5 metres (34.45 feet)
	All other uses -	15 metres (50 feet)
C.	<u>Yard, front</u>	<u>Minimum</u>
	Commercial uses -	no requirement except that service stations, hotels, motels shall have a minimum front yard of 7.5 metres (25 feet)
	All other uses -	7.5 metres (25 feet)
D.	<u>Yard, side</u>	<u>Minimum</u>
	Institutional uses -	a width on each side of the main building of not less than one-half the height of the building but not less than 3 metres (10 feet).
	All other uses -	1.5 metres (5 feet on each side)
E.	<u>Yard, rear</u>	<u>Minimum</u>
	Commercial uses -	6 metres (20 feet)
	All other uses -	7.5 metres (25 feet) or 25% of the

depth of the site, whichever is the greater.

- F. Floor area Minimum  
per dwelling unit - 55m<sup>2</sup> (592 sq. ft.)
- G. Gas Pumps, etc.

In the case of service stations, pumps and other devices shall be located at least 6 metres (20 feet) from any street, lot line, or road , and all automobile parts, dismantled vehicles and similar articles shall be stored within a building.

Part 5CSUMMER RESORT DISTRICT(1) Intent

The purpose of this District is to enable Council to manage the development of seasonal resort areas within the rural municipality with regard for municipal services and environmental protection.

(2) Permitted Uses

Subject to all other provisions of this bylaw, on any site, in any district defined, designated, or described in this bylaw as an SR - Summer Resort District, only the following uses shall be permitted:

A. Residential

- (1) Single detached dwellings used on a permanent or seasonal basis.
- (2) Standing trailer coaches used on a permanent or seasonal basis for cottage purposes.

B. Recreational

- (1) Sports fields, public beaches, public parks
- (2) Campgrounds, hiking, and cross country ski trails
- (3) Recreation halls

C. Commercial

- (1) Existing commercial uses

(3) Discretionary Uses

The following uses may be permitted at the discretion of Council in locations and upon conditions specified by Council.

- (1) Commercial Uses which are necessary and support the needs of the area.

(4) Accessory Uses

1. Buildings, structures or uses accessory to, and located on the same site with the main

building or main use.

2. No privy or outhouse shall be permitted on any cottage, trailer, or dwelling site.

(5) Regulations

A. Residential Uses

1. Minimum Site Area - 465 m<sup>2</sup> (5,000 ft<sup>2</sup>).
2. **Minimum Site Frontage - 15 m (50 ft).**
3. Minimum front yard - 6 metres (20 feet).
4. Minimum rear yard - 6 metres (20 feet).
5. Minimum side yard - 1.5 metres (5 feet) on each side
6. Minimum floor area - 37m<sup>2</sup> (400 sq. feet).
7. Standing trailer coaches - minimum 3 metres (20 feet)
8. All Standing trailer coaches shall have their wheels and axles removed and shall be placed on a permanent raised foundation.
9. All standing trailer coaches shall meet the minimum requirements of the heating, electrical, and plumbing codes of the Canadian Standards Association.
10. Any cottage, dwelling or standing trailer which is used throughout the year or which is insulated shall have and shall discharge all sewage into a septic tank. Such a septic tank shall be emptied regularly, but not less than three times a year.
11. No cottage, dwelling, or standing trailer shall be constructed, repaired, structurally altered, or placed on any site unless such building or structure is the only main building located within the legal limits of a lot, block, parcel or other area for which a Certificate of Title has been registered in the Land Titles Office.

B. Recreational Uses

1. Minimum site area - no minimum.
2. Maximum site coverage by buildings - 5% of the are of the site.

C. Commercial Uses

Minimum site area - as recommended by Council in consideration of services, and on site needs and safety.

D. Accessory Uses

1. Minimum front yard: 1.5 m (5 ft)
2. Minimum rear yard: 1.5 m (5 ft)
3. Minimum side yard: 0.75 m (2.5 ft)

E. Signs and Billboards

Signs and billboards are prohibited unless they meet the following requirements:

1. For each main use, one information sign bearing the names of the occupants or stating the principal use of the premises is permitted.
2. One sign bearing notice of sale of lease of the premises is permitted.
3. No sign shall have a facial area in excess of .18 m<sup>2</sup> (two (2) square feet).

F. Parking

Off-street or off-road parking shall be provided for each use according to the following schedule:

1. Residential uses - two parking spaces per dwelling unit.
2. Recreational uses - one parking space for each 929 m<sup>2</sup> (10,000 square feet) of site area or fraction thereof, unless Council determines otherwise.



Part 5C1SUMMER RESORT 1 (Medium Density) DISTRICT(1) Intent

The purpose of the Summer Resort 1 (Medium Density) District is to enable Council to manage medium density summer resort development in lakeshore development areas within the rural municipality providing for environmental protection and provision of municipal services.

(2) Permitted UsesA. Residential Uses:

- (1) single detached dwellings.

B. Recreational Uses:

- (1) private parks, public parks and public recreational facilities
- (2) nature trails and exhibits

C. Other Uses:

- (1) public works, not including offices, warehouses, storage yards and solid or liquid waste disposal facilities

D. Accessory Uses:

- (1) buildings, structures or uses accessory to, and located on the same site with the principal building or principal use.

(3) Regulations

## A. single detached dwellings and accessory buildings existing as of March 1, 2011:

Minimum Site Area: 672 m<sup>2</sup> (7,233.6 ft<sup>2</sup>)

Minimum Site Frontage: 15 metres (50 ft)

## B. new and replacement single detached dwellings, including structural alterations:

Minimum site area: 672 m<sup>2</sup> (7,233.6 ft<sup>2</sup>)

Minimum Site Frontage: 15 metres (50 ft)

Minimum front yard: 6 m (20 ft)

Minimum rear yard: 6 m (20 ft)

Minimum side yard: 1.5 m (5 ft)

Minimum floor area: 37 m<sup>2</sup> (400 ft<sup>2</sup>)

C. new and replacement accessory buildings, including structural alterations:

Minimum front yard: 1.5 m (5 ft)

Minimum rear yard: 1.5 m (5 ft)

Minimum side yard: 0.75 m (2.5 ft)

D. private parks, public parks, public recreational facilities, nature trails and exhibits:

Maximum site coverage: 5%

E. public works, not including offices, warehouses, storage yards and solid or liquid

waste disposal facilities:

No requirements

Part 5C2SUMMER RESORT 2 (Low Density) DISTRICT(1) Intent

The purpose of the Summer Resort 2 (Low Density) District is to enable Council to manage the lowest density of summer resort development in lakeshore development areas within the rural municipality providing for environmental protection and provision of municipal services.

(2) Permitted UsesA. Residential Uses:

- (1) single detached dwellings.

B. Recreational Uses:

- (1) private parks, public parks and public recreational facilities
- (2) nature trails and exhibits

C. Other Uses:

- (1) public works, not including offices, warehouses, storage yards and solid or liquid waste disposal facilities

D. Accessory Uses:

- (1) buildings, structures or uses accessory to, and located on the same site with the principal building or principal use.

(3) Regulations

## A. single detached dwellings and accessory buildings existing as of March 1, 2011:

Minimum Site Area: 1,000 m<sup>2</sup> (10,764.3 ft<sup>2</sup>)

Minimum Site Frontage: 28 metres (91.8 ft)

## B. new and replacement single detached dwellings, including structural alterations:

Minimum site area: 1,000 m<sup>2</sup> (10,764.3 ft<sup>2</sup>)

Minimum Site Frontage: 28 metres (91.8 ft)

Minimum front yard: 6 m (20 ft)

Minimum rear yard:	6 m (20 ft)
Minimum side yard:	1.5 m (5 ft)
Minimum floor area:	37 m <sup>2</sup> (400 ft <sup>2</sup> )

C. new and replacement accessory buildings, including structural alterations:

Minimum front yard:	1.5 m (5 ft)
Minimum rear yard:	1.5 m (5 ft)
Minimum side yard:	0.75 m (2.5 ft)

D. private parks, public parks, public recreational facilities, nature trails and exhibits:

Maximum site coverage:	5%
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E. public works, not including offices, warehouses, storage yards and solid or liquid waste disposal facilities:

No requirements

Part 5C3MAREAN LAKE (MSLR) SUMMER RESORT DISTRICT(1) Intent

The objective of the MLSR - Marean Lake Summer Resort District is to provide for existing residential development for the area known as the Marean Lake Development Area, located in a portion of Legal Subdivisions 1,2,7 and 8 in the SE 1/4 of Section 12-41-12-W2M, which is comprised of a number of building sites on a large unsubdivided land parcel, to allow existing buildings to continue as conforming uses and to allow for their subdivision into separate parcels for each dwelling, upgrading and improvement.

(2) Permitted UsesA. Residential Uses:

- (1) single detached dwellings.

B. Recreational Uses:

- (1) private parks, public parks and public recreational facilities
- (2) nature trails and exhibits

C. Other Uses:

- (1) public works, not including offices, warehouses, storage yards and solid or liquid waste disposal facilities

D. Accessory Uses:

- (1) buildings, structures or uses accessory to, and located on the same site with the principal building or principal use.

(3) Regulations

## A. single detached dwellings and accessory buildings existing as of March 1, 2011:

Minimum Site Area: 309 m<sup>2</sup> (3,226.2 ft<sup>2</sup>)

Minimum Site Frontage: 9.09 metres (29.8 ft)

## B. new and replacement single detached dwellings, including structural alterations:

Minimum site area: 309 m<sup>2</sup> (3,226.2 ft<sup>2</sup>)

Minimum Site Frontage: 9.09 metres (29.8 ft)

Minimum front yard: 6 m (20 ft)

Minimum rear yard:	6 m (20 ft)
Minimum side yard:	1.5 m (5 ft)
Minimum floor area:	37 m <sup>2</sup> (400 ft <sup>2</sup> )

C. new and replacement accessory buildings, including structural alterations:

Minimum front yard:	1.5 m (5 ft)
Minimum rear yard:	1.5 m (5 ft)
Minimum side yard:	0.75 m (2.5 ft)

D. private parks, public parks, public recreational facilities, nature trails and exhibits:

Maximum site coverage:	5%
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E. public works, not including offices, warehouses, storage yards and solid or liquid waste disposal facilities:

No requirements

PART 5DNATURAL DISTRICT(1) Intent

The purpose of this District is to ensure that lands designated Natural District remain primarily in their natural state or are developed for recreational purposes which require few municipal services and involve minimal environmental disruptions.

(2) Permitted uses

Subject to all other provisions of this bylaw, on any site, in any district defined, designated, or described in this bylaw, as N Natural District only the following uses are permitted:

A. Recreational

Provincial or municipal parks, golf courses, nature trails, cross-country skiing, nature exhibits and other similar uses.

B. Natural

Lands left in their natural state (e.g. swamps).

(3) Accessory Uses

Buildings, structures or uses accessory to the main use.

(4) RegulationsA. For Provincial Parks(i) Exemption

Provincial Parks are exempt from the requirements of the zoning bylaw.

(ii) Bylaw Text

Part 4, General Regulations, Section 13 shall apply.

(iii) Bylaw Map

For the purposes of identification, Provincial Parks are designated on the Zoning map.

B. For Other Permitted Uses

(i) Buildings shall be permitted for existing uses. For all other uses, buildings shall

be permitted only as accessory to the main use and only by resolution of the Council.

- (ii) No commercial forestry activities or non-renewable resource extraction are permitted.
- (iii) Cutting of trees or the altering of the landscape or of water bodies in any manner is prohibited.
- (iv) The operation of motorized vehicles is prohibited except on access roads and designated trails. This provision shall not serve to restrict the movement of the owner of the land or this authorized guests within the boundaries of the private land holding under consideration.



PART 5E                    FORESTRY DISTRICT

(1) Intent

The purpose of this District is to enable council to manage the development of forested and other lands within the rural municipality with regard to the provision of municipal services and capability of the land.

(2) Permitted Uses

Subject to all other provisions of this bylaw on any site, in any district defined, designated, or described in this bylaw as an F Forestry District only the following uses shall be permitted:

A. Agricultural

Field crops, dairy farming, animal and poultry raising, ranching, grazing, tree nurseries and any other similar uses customarily carried on in the field of agriculture.

B. Recreational

- Provincial parks, municipal parks, campgrounds.
- Sport fields, golf courses.
- Cross country ski, hiking and snow mobile trails.
- Highway rest stops, picnic areas.
- Other similar uses.

C. Forestry

- Forested areas, reserves and operations.
- Forested, wildlife, conservation and management areas.

(3) Accessory Uses

Buildings, structures or uses accessory to and located on the same site with the main building or use.

(4) Regulations

A. Site area - minimum

Recreational uses - No minimum

All other uses - 160 acres.

B. (1) Only one (1) single detached dwelling is permitted on any agricultural land holding.

(2) Where additional dwellings are required to accommodate full-time workers actually engaged in the agricultural activity carried out on the holding, such additional dwellings may be permitted upon the written approval of Council.

C. Subdivision for an Existing Residential Farm Building

An Agricultural holding may be subdivided or severed at the discretion of the council to provide a separate site for an existing dwelling provided the following conditions are met:

(1) no other dwelling exists on a separate site in the same quarter section;

(2) the site to be subdivided or severed has an area of not less than 4 hectares (10 acres);

(3) The site shall not be located where, in the opinion of council, an all-weather access road would be prohibitively expensive to construct or maintain.

(4) Council at its discretion may permit the subdivision of an agricultural holding for an additional existing or new accessory agricultural residential building.

D. Building Set Back

All buildings shall be set back at least 60 metres from the centre line of any road allowance, municipal road, or highway.

E. Signs

Signs and billboards are prohibited except for signs showing the names of occupants, signs bearing notices of sales or lease, information signs containing no advertising, and signs advertising the sale of produce. No sign shall have a facial area exceeding 0.37 m<sup>2</sup> (4 square feet).

F. Provincial Forest Reserves

1. In Provincial Forest Reserves the requirements of the Department of Tourism and Renewable Resources still apply.

2. Where developments in Provincial Forest Reserves require the services provided by Council (e.g. roads) servicing agreements with Council shall be required.

PART 5F                    WATERSHED PROTECTION DISTRICT

(1)    Intent

The purpose of this District is to enable Council to protect the natural environment and water quality while permitting land use development to occur. This is achieved by establishing regulations for development where water courses, slopes, and water bodies exist.

(2)    Applicability

(1) In administering this bylaw, Council may designate certain area within the rural municipality as both a Watershed Protection District and an other District as listed in Part 5, Section 1, Zoning Districts.

(2) When this occurs, the requirements of both District shall be met.

(3)    “Development” Defined

The term “development”, in addition to that defined in Part 2, Definitions of this bylaw shall also mean: “the clearing of breaking of land, the tilling of land for cereal cropping, the destruction of any natural vegetative cover or any other human-induced alteration of the land or environment.”

(4)    Regulations

A.    For Watercourses

No development or disruption of land shall occur within 30 metres (100 feet) of both sides of the edges of a watercourse.

B.    For Water Bodies (e.g. lakes)

No development or disruption of land shall occur:

- (1) within 30 metres (100 feet) of the edge of water bodies which are less than 4 hectares (10 acres) in surface area.
- (2) within 61 metres (200 feet) of the edge or water bodies which are greater than 4 hectares (10 acres) in surface area.

C. For Drainage Projects

Council, at its discretion, may permit drainage projects where it is satisfied that:

- (1) the requirements of this bylaw are met, and
- (2) where adjacent land owners will not be adversely affected.

D. For Coulees, Valley or Valley Break

Where Council indicates the necessity of protecting a coulee, valley or valley break within a Watershed Protection District, no development or disruption of land shall occur:

- (1) within 23 metres (75 feet) of the crest of a coulee, valley or valley break where the average depth of the coulee, valley or valley break is less than 15 metres (50 feet).
- (2) within 46 metres (150 feet) of the crest of coulee, valley or valley break where the average depth of the coulee, valley or valley break is greater than 15 metres (150 feet).

E. For Slopes and Areas Subject to Soil Erosion

Where land:

- (1) has a slope greater than 5% and longer in run than 402 metres (1320 feet), and/or
  - (2) Council determines that soil erosion caused by wind or water may occur,
- Council may require that timber or native vegetation contoured shelter belts of a minimum width of 30 metres (100 feet), shall be provided in such locations as determined by Council.

F. For Roads

No road shall be constructed within 61 metres (200 feet) of the edge of any water course or water body unless Council approves otherwise. Council may prescribe measures deemed necessary to protect water courses and water bodies.

G. Other

In addition to the above regulations, development shall meet the regulations of the other Districts and the provisions of this bylaw.

PART 6

EFFECTIVE DATE OF THE BYLAW

This bylaw shall come into force on the date of final approval by the Minister of Rural Affairs.

PART 7

RESCIND PREVIOUS BYLAW

All previous zoning bylaws and amendments both text and map are hereby rescinded.