

RURAL MUNICIPALITY OF BIRCH HILLS No. 460

ZONING BYLAW

Prepared for:

THE RURAL MUNICIPALITY OF BIRCH HILLS No. 460

Prepared by:

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LANDSCAPE ARCHITECTURE AND COMMUNITY PLANNING
SASKATOON, SK

OCTOBER 2024

The Rural Municipality of Birch Hills No. 460

Bylaw No. 12-2024

A Bylaw of The Rural Municipality of Birch Hills No. 460 to adopt a Zoning Bylaw.

The Council of The Rural Municipality of Birch Hills No. 460, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of The Rural Municipality of Birch Hills No. 460 hereby adopts The Rural Municipality of Birch Hills No. 460 Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Reeve and Administrator of The Rural Municipality of Birch Hills No. 460 are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. 123 the Zoning Bylaw for The Rural Municipality of Birch Hills No. 460, and all amendments as listed below, thereto, are hereby repealed;
 - Bylaw No. 140-87
 - Bylaw No. 143-88
 - Bylaw No. 03/98
 - Bylaw No. 02/2002
 - Bylaw No. 02-2007
- (4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a first time the 13th day of September, 2024.

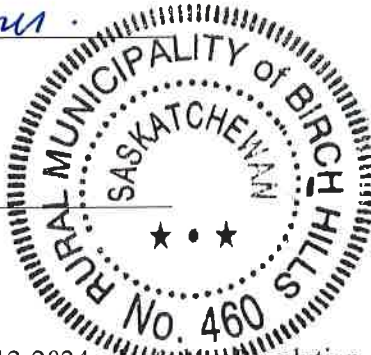
Read a second time the 13th day of August, 2025.

Read a third time the 13th day of August, 2025.

Adoption of Bylaw this 13th day of August, 2025.

Brut Fenns
(Reeve)

Chuniford
(Administrator)



SEAL

Certified a True Copy of Bylaw No. 12-2024 adopted by Resolution of Council

On the 13th day of August, 2025.

THE RURAL MUNICIPALITY OF BIRCH HILLS NO. 460

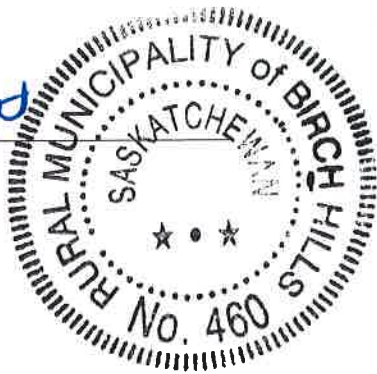
ZONING BYLAW

Being Schedule “A” to Bylaw No. 12-2024
of The Rural Municipality of Birch Hills No. 460

Burt Jenner.
(Reeve)

SEAL

Chin Ipse
(Administrator)



Subclauses 37(1)(d) and section 76 of the PDA, permits the Minister to approve the zoning bylaw with conditions and to direct council to adopt minor amendments within any period that the minister may prescribe. Therefore, Bylaw No. 12-2024 is approved on the condition that Council effect the following amendment within six (6) months of the date of this letter:

- Amend Section 3.11 – *Minor Variance*. This section incorrectly indicates council may grant a variance of up to 20%. Pusuant to clause 60(1)(b) of the PDA, the maximum amount of a minor variance must not exceed a 10%.

for [Signature]
Executive Director, for and on behalf of the Minster of Government Relations

Date: September 25, 2025

$\frac{d}{dt} \left(\frac{1}{\sqrt{1-v^2/c^2}} \right) = \frac{v}{c^2} \frac{dv}{dt}$

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1 INTRODUCTION

1.1 TITLE

This Bylaw shall be known as the "Zoning Bylaw of The Rural Municipality of Birch Hills ".

1.2 SCOPE

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

1.3 PURPOSE

This is a Bylaw to control the use and development of the land in the municipality and assist in implementing the Official Community Plan for The Rural Municipality of Birch Hills No 460.

1.4 SEVERABILITY

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

2 INTERPRETATION

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

Accessory Building or Use: a building or use which:

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

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

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

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

Agricultural Tourism: a facility used for the sale or goods, entertainment or education purposes associated with a farm operation or as a principal use which includes but is not limited to:

- (a) farm zoos;
- (b) gift shops;
- (c) restaurants;
- (d) art galleries;
- (e) amusement parks;
- (f) entertainment facilities or museums;
- (g) other similar uses at Council’s discretion.

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

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

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

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

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

Kind of Animal	Number Equaling One Animal Unit
(1) <u>Poultry</u>	
(a) hens, cockerels, capons	100
(b) chicks, broiler chicks	200
(c) turkeys, geese, ducks	50
(d) exotic birds	25
(2) <u>Hogs</u>	
(a) boars or sows	3
(b) gilts	4
(c) feeder pigs	6
(d) weanling pigs	20
(3) <u>Sheep</u>	
(a) rams or ewes	7
(b) lambs	14
(4) <u>Goats, Llamas, Alpacas, etc.</u>	7

- (5) Cattle

(a) cows or bulls

(b) feeder cattle

(c) replacement heifers

(d) calves

1

1.5

2

4
- (6) Horses

(a) colts or ponies

(b) other than colts or ponies

2

1
- (7) Other

(a) domesticated native ungulates
(deer, elk, bison, etc.)

1

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

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

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

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

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

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

(a)

not more than three bedrooms within the dwelling unit are used to provide such sleeping accommodation;

(b)

the dwelling unit is the principal residence of the persons receiving the remuneration and providing the sleeping accommodation and one meal per day; and,

(c)

the meal which is provided is served before noon each day.

Bin yard: a site used for the storage of grain, fertilizer, machinery and other equipment and is considered an Agricultural Support Service as herein defined.

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

Building Bylaw: any bylaw of The Rural Municipality of Birch Hills No. 460 regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

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

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

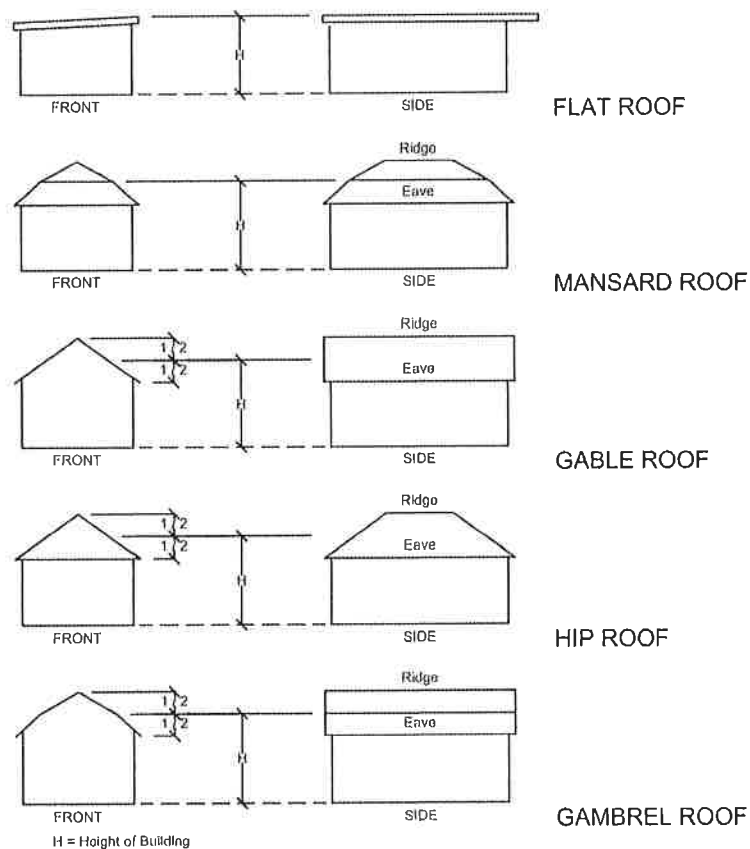


Figure 2-1: Interpretation of Building Height Measurement

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Council: the Council of The Rural Municipality of Birch Hills No.460.

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

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

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

Custodial Care Facility: either:

- (a) a facility for the temporary detention or open custody of persons pursuant to the provisions of *The Youth Criminal Justice Act* (Canada) or *The Summary Offences Procedure Act*, 1990 (Saskatchewan); or,
- (b) a facility for the accommodation of persons participating in a community training program pursuant to *The Correctional Services Act*.
in which the number of persons in detention, custody or residence does not exceed five.

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

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

Detention Centres and Correctional Institutions: facilities such as jails, prisons, and other similar institutions for the confinement, correction, and rehabilitation of offenders.

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

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

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

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

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

Dwelling, Garden Suite: a self-contained dwelling unit that is located in the rear yard or side yard of a site in which the principal use is a single detached dwelling, and to which the suite is an accessory use.

Dwelling Group: a group of two or more detached one-unit dwellings, two unit dwellings or multiple unit dwellings or combinations thereof occupying the same site including condominiums divided into bare land units, as defined in *The Condominium Property Act, 1993*.

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

Dwelling, Modular: a dwelling which is constructed of prefabricated parts, unit modules and/or finished sections built in a factory, conforming to CSA Standard A277, and which are transported to this site for assembly on an approved foundation which complies with the requirements of the National Building Code.

Dwelling, Multiple Unit: Shall mean a building divided into three or more dwelling units as herein defined and shall include town or row houses and apartment dwellings but not hotels or motels.

Dwelling, Secondary Suite: a self-contained dwelling unit that is an accessory use to, and located within, a building in which the principal use is a single detached dwelling.

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

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

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

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

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

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

Estimated Peak Water Level (E.P.W.L.): the calculated water level used to determine the flood hazard area. It is based on the 1:200 peak flow for rivers, and the higher of the 1:200 peak calm level or the 1:100 peak calm level with a 1:5 wind from the most critical direction for most lakes. The level is defined by the Ministry of Municipal Affairs at time of subdivision and by municipal bylaw to which flood-proofing must be undertaken for developments in the flood hazard area. An additional freeboard value allows for uncertainties in the calculations, and for other possible hazards such as ice shove, ice jams, and erosion. The Saskatchewan Watershed Authority usually recommends a freeboard of 0.5 m (1.6ft) for most situations. For dykes used as flood-proofing, a freeboard of 0.6 m (2ft) is usually recommended. In areas with high uncertainty in the hydrology or hydraulic response of the lake or river, a freeboard of up to 1.0 m (3.3ft) may be recommended.

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

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

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

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

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

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

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

Farmers Market and Farm Stand: sites and/or facilities that serve as a means for a group of persons operating collectively or individuals to sell products that they bake, make, or grow.

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

Fish Management Activities: activities involved in the proper management of an area of a water body and the surrounding shoreline for the continuous production of fish therefrom.

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

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

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

- (a) depth of inundation above natural ground is less than 1.0 metre (3.3 feet);
- (b) flow velocities are less than 1.0 metre (3.3 feet) per second; and,
- (c) encroachment (fill) into the Flood Fringe would raise upstream water levels by less than 0.3 metres (.98 feet).

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

- (a) depth of inundation above natural ground is more than 1.0 metre (3.3 feet);
- (b) flow velocities are greater than 1.0 metres (3.3 feet) per second; or,
- (c) encroachment (fill) into the Floodway would raise upstream water levels by more than 0.3 metres (.98 feet).

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

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

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

Geothermal Energy Systems: a development where geothermal energy is recovered through one or more deep wells where geothermal energy is produced by closed-loop systems where source fluids are circulated in a sealed wellbore – heat exchange loop.

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

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

Gravel Operations: the excavating, stripping or grading of sand, gravel, clay or similar materials, such as gravel pits and gravel crushing operations.

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

Gun Ranges and Shooting Clubs: a facility that is designed or intended for the safe discharge, on a regular and structured basis, of firearms for the purpose of target practice or target shooting competitions, and may include retail sale and repair of firearms, parts and ammunition.

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

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

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

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

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

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

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

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

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

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

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

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

- (a) will contain 300 or more animal units; and,
- (b) provides less than 370 m² (.09 acres) of space for each animal unit contained therein.
- (c) does not include the temporary confinement of animals during winter months.

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

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

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

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

Lakeshore site: any site that abuts the bank of the lake, or abuts public, municipal or environmental reserve land that abuts the bank of the lake.

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

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

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

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

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

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

Lounge: a room or area adjoining a restaurant that permits the sale of beer, wine or spirits for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted, either in the lounge or in the restaurant attached to the lounge.

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

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

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

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

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

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

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

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

Membrane-Covered Structure: a structure consisting of a frame that is covered with plastic, fabric, canvass or similar non-permanent material, which typically is used to provide storage for vehicles, boats, recreational vehicles or other personal property, or on a larger scale, for storage of commercial goods and materials. Gazebos are not membrane-covered structures.

Mineral and Aggregate Resource Exploration: the exploration for mineral resources.

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

Minimum Building Elevation (M.B.E.): the level defined by The Ministry of Government Relations at time of subdivision and by municipal bylaw to which flood-proofing must be undertaken for developments in the flood hazard area. The M.B.E. is calculated as the E.P.W.L. plus a freeboard value. The freeboard allows for uncertainties in the calculations, and for other possible hazards such as ice shove, ice jams, and erosion. The Water Security Agency usually recommends a freeboard of 0.5 m (1.6 ft) for most situations. For dykes used as flood-proofing, a freeboard of 0.6 m (2ft) is usually recommended. In areas with high uncertainty in the hydrology or hydraulic response of the lake or river, a freeboard of up to 1.0 m (3.3ft) may be recommended.

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

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

Motor Vehicle, Farm and Heavy Equipment Use: any building, premises or land in which or upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sales of accessories or equipment for trucks or similar commercial vehicles.

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

- (a) office and meeting space;
- (b) storage of municipal equipment and supplies;
- (c) recreation;
- (d) public works;
- (e) other uses at Council's discretion.

Municipality: The Rural Municipality of Birch Hills.

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

Non-Conforming Building: a building:

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

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

Non-Conforming Use: a lawful specific use:

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

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

Official Community Plan (OCP): the Official Community Plan Bylaw, as most recently amended, for The Rural Municipality of Birch Hills No 460.

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

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

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

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

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

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

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

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

Passive Recreational Use: a recreational land use that does not require significant development upon the site and does not lessen the natural character of the area.

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

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

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

Public Work: means:

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

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

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

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

Recreational Vehicle, Park Model: a recreational vehicle that conforms to Canadian Standards Association, Construction Standard No. Z241 Series, Park Model Trailers.

Recreational Vehicle Park: a site intended to accommodate one or more recreation vehicles or trailer coaches at a time.

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

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

Reeve: the Reeve of The Rural Municipality of Birch Hills No. 460.

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

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

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

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

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

Retail / Service Commercial: the sale or display of merchandise to the public, including the storage of merchandise on or about the premises in quantities sufficient only to supply the establishment or establishments engaged in such merchandise sales, or providing the care of a person or their apparel and accessories, including but not limited to childcare services, beauty salons and barber shops, massage services, health clubs, tanning beds, spas, esthetician services, laundry services, laundromats, dry cleaning, shoe repair, tailor or seamstress services, photographic studios and other similar uses, including the provision of health related services.

Retreat Centre: a building or series of buildings with a primary focus on relaxation, rehabilitation, religion and/or recreation that is usually sited in an area with significant natural amenities.

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

Rural Municipal Administrator: the Rural Municipal Administrator for The Rural Municipality of Birch Hills.

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

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

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

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

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

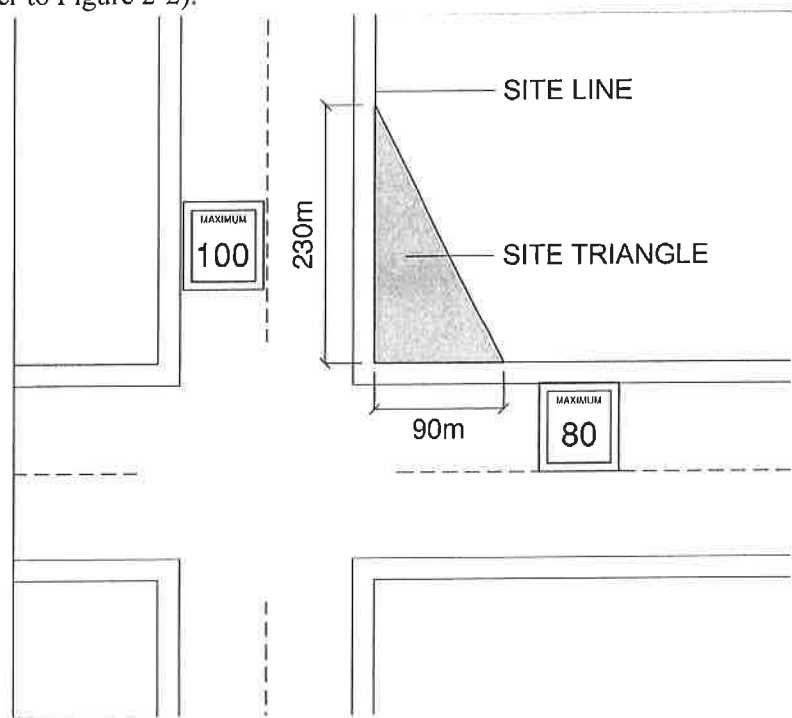


Figure 2-2: Sight Triangle

DESIGN SPEED (KM/H)	STOPPING SITE DISTANCE (S.S.D.)
≤ 60	7.5 m
≤ 80	90 m
> 100	230 m

Sign: any writing (including letter or word), billboard, pictorial representation (including illustration or decoration), emblem (including devise, symbol or trademark), flag (including banner or pennant), or any other figure of similar character which:

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

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

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

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

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

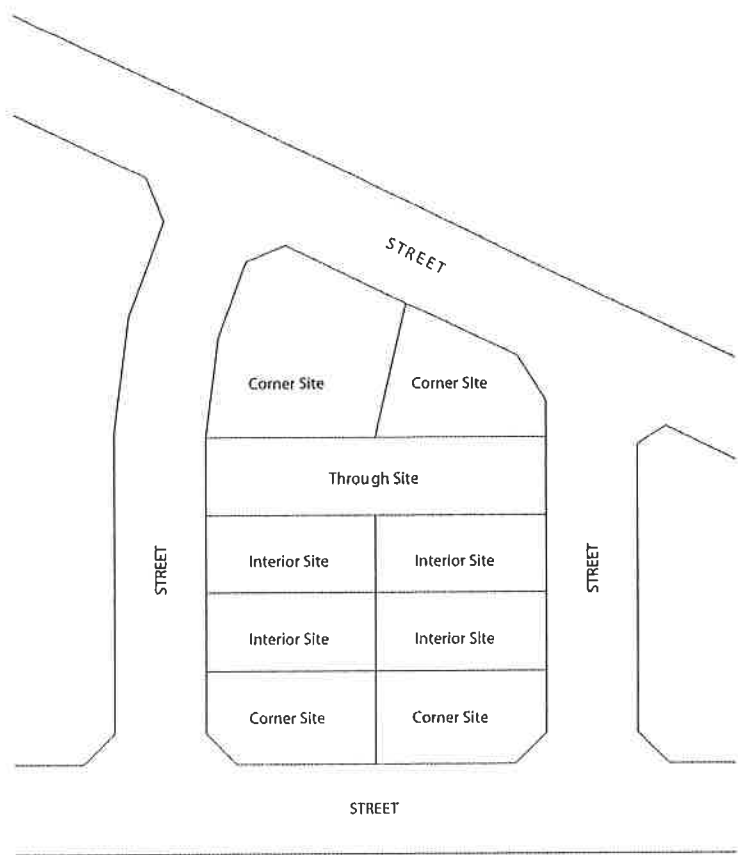


Figure 2-3: Illustration of Site Definition

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

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

Site Frontage:

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

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

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

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

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

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

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

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

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

Telecommunications Facility: includes,

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

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

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

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

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

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

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

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

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

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

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

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

Use, Agricultural Related Commercial or Industrial: stand-alone uses that are not integrated as part of a Farm Operation, including:

- (a) grain and seed storage, sales, cleaning and drying;
- (b) fertilizer and chemical processing, distribution, mixing and sales (subject to provincial regulations);
- (c) livestock and poultry breeding services;
- (d) bin yards;
- (e) implement and machinery assemblage, sale and service;
- (f) bulk fuel sales and storage;
- (g) taxidermy and the accessory tanning of hides;
- (h) feed processing, packaging and sales;

- (i) grain, pulse crop and oil seed processing, packaging and sales;
- (j) food and beverage processing, packaging and sales and distribution;
- (k) Ethanol and biodiesel processing;
- (l) Supplement and pharmaceutical processing and packaging, including but not limited to probiotics and protein products;
- (m) Inland terminals or grain elevators; and
- (n) other similar uses subject to Council approval.

Use, General Industrial: any of the following activities:

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

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

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

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

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

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

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

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

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

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

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

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

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

Yard, Front: that part of a site which extends across the full width of a site between the front site line and the nearest main wall of a building or structure.

Yard, Rear: that part of a site which extends across the full width of a site between the rear site line and the nearest main wall of a building or structure.

Yard, Required: the minimum yard required by 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 part of a site which extends from a front yard to the rear yard between the side line of a site and the nearest main wall of a building or structure.

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

3 ADMINISTRATION

3.1 DEVELOPMENT OFFICER

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

3.2 APPLICATION FOR DEVELOPMENT PERMIT

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

3.2.2 All residences require a development permit, including farm residences.

3.2.3 Intensive livestock operations with 300 or more animal units shall be considered intensive livestock operations under this bylaw and will require discretionary use permit and a development permit.

3.3 DEVELOPMENTS NOT REQUIRING A DEVELOPMENT PERMIT

3.3.1 Development listed in Section 3.3.2 of this Bylaw must be allowed in the zoning district in which they are located and must comply with the regulations of this Bylaw.

3.3.2 Developments which do not require a development permit include:

(1) Farm Operations

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

(2) Accessory Farm Buildings and Structures including Dwellings

Farm buildings and structures, excluding any Intensive Livestock Operation structure, where accessory to a permitted farm operation. Dwellings at previously undeveloped locations require a development permit.

(3) Small Accessory Buildings

Single storey accessory buildings with a building floor area less than 9.3 m² (100.1 ft²)

(4) Public Works

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

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

(5) Municipal Facilities

Any facility, including buildings and structures, installed and operated by the Rural Municipality.

(6) Maintenance

Maintenance and repairs that do not include any structural alterations.

(7) Fences

(8) Temporary Confinement of Livestock

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

(9) Signs

Subject to the provisions of Section 4.22 of this bylaw.

3.4 OTHER PERMIT REQUIREMENTS

- 3.4.1 A building permit shall not be issued unless a Development Permit, where required, has been issued.
- 3.4.2 Nothing in this Bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within the municipality, or from obtaining permission required by this or any other law or bylaw in the municipality, the province or the federal government.
- 3.4.3 Where the provisions in this Bylaw conflict with those of any other municipal, provincial or federal requirement, the higher and/or more stringent standards shall prevail.

3.5 APPLICATION REQUIREMENTS

- 3.5.1 Applications for a development permit and applications for a discretionary use, with the exception of applications for a home-based business, shall be accompanied by the following:
- (1) The names, addresses and telephone numbers of the applicant, property owner and person or consultant who prepared the plans being submitted, including a local contact person.
 - (2) The proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied, including the area of the proposed building or renovations.
 - (3) The complete legal description of the subject property.
 - (4) A copy of a site plan, drawn to scale with appropriate dimensions, showing the following information:
 - (a) north arrow, roads adjacent to the site, all property boundaries, identified frontage of site, site area, site elevations (if required by the Development Officer), and the location of any existing buildings, structures, utility poles and wires, underground utilities, easements, building encroachments, and type and location of existing trees;
 - (b) the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions where relevant;
 - (c) the location and size of all entrances and exits to the site; and,
 - (d) the method and location of on-site sewage disposal facilities and, where proposed, manure storage facilities, including a valid sewage disposal permit issued by Public Health.
- 3.5.2 For certain developments or discretionary uses Council may consider proposals in the context of the information contained on the Maps in Section 4 of the Official Community Plan and additional information may be required in support of the application, as follows:
- (1) Manufactured Home Court, Campground, Tourism Base Camp, Tourist Camp, Outfitter Base Camp and Institutional Camps.
- An applicant for a discretionary use approval for the above uses shall provide documentation to Council's satisfaction:
- (a) a plan of the site, identifying any buildings, uses of land and the location of all roadways, buildings, structures, manufactured home sites and campsites with dimensions. The addition or rearrangement of sites or accommodation facilities, the construction or moving of buildings, material changes in use of portions of land, or the filling or clearing of land shall require a development permit, and the applicant shall submit for approval an amended plan incorporating the proposed development.

(2) Intensive Livestock Operation (ILO)

An applicant for a discretionary use approval for an intensive livestock operation shall provide the following documentation for the proposal:

- (a) of distances to the nearest land uses, development types and municipal limits, whether within the municipality or within an adjacent municipality, listed in "Table 8-1 - Required Separation Distances Between Uses" and measured as specified in the notes to that table;
- (b) that the water supply is sufficient for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation;
- (c) of proposed methods of manure management, including on-site storage or stockpiling, transportation, and spreading, incorporation or disposal;
- (d) of proposed odour management and control measures, including proposed odour management and control related to earthen manure storage facilities and liquid manure lagoons, and odour management and control measures related to the ventilation of hog or poultry barns;
- (e) of the location and extent of sufficient lands to be used for the spreading of manure from the ILO, as well as proposals for the annual confirmation of the continued availability of such lands;
- (f) of the proposed methodology for monitoring on-site and neighbouring wells for water quality and quantity purposes after the ILO has begun operation, and for reporting on the same to Council; and,

(3) Intensive Agricultural Operation

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

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

(4) Industrial Use

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

- (a) documentation, to Council's satisfaction, as specified in Section 3.7.2.2 of the Official Community Plan and documentation that the locational criteria in Table 8-1 are satisfied.

(5) Hazardous Industrial Use

An applicant for a discretionary use approval for a hazardous industrial use shall provide documentation, to Council's satisfaction:

- (a) of distances to the nearest land uses, development types and municipal limits, whether within the Municipality or within an adjacent municipality, listed in "Table 8-1 - Required Separation Distances Between Uses" and measured as specified in the notes to that table (refer to Section 3.7.2.2 of the Official Community Plan); and
- (b) of the distance to the nearest permanent surface water course or permanent water body.
- (c) and additional information identified in Section 4.6.

(6) Solid or Liquid Waste Management or Disposal Facility

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

- (a) of distances to the nearest land uses, development types and municipal limits, whether within the municipality or within an adjacent municipality, listed in "Table 8-1 - Required Separation Distances Between Uses" and measured as specified in the notes to that table (refer to Section 3.3.2.2 of the Official Community Plan).
- (b) and additional information identified in Section 4.4.

(7) New Communal Water or Sewer System:

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

(8) Dwelling in a Country Residential Zoning District

An application for a development permit for a dwelling in any country residential zoning district may be required to provide:

- (a) a copy of the site drainage plan, drawn to scale, with appropriate dimensions except for the following:
 - (i) development that does not involve the erection of buildings or changes in site grades.

(9) Wind Energy Facility

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

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

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

(10) Mineral and Aggregate Resource Processing – Application requirements for Gravel Operations

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

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

Council may impose requirements in addition to those set out above. Council may also require a performance bond by any person or company undertaking any work outlined in Section 3.5.2 (10) to ensure that the development is carried out in the manner specified. The amount of the performance bond is to be set at the discretion of Council.

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

(11) Sec Section 3.7 for the Discretionary Use process.

3.6 DEVELOPMENT PERMIT APPLICATION PROCESS

- 3.6.1 The Development Officer shall review all applications for completeness and shall inform an applicant whose application is not complete of the information or documentation required to complete the application, and that the application will not be considered until it is complete.
- 3.6.2 The Development Officer may submit any application to Council for a decision on the interpretation of the bylaw, or on special conditions provided in the bylaw, and shall inform the applicant of this action. Council or the Development Officer may require the applicant to provide such further information as may be required to make a decision.
- 3.6.3 Upon completion of the review of a complete application for development, the Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Zoning Bylaw, the Official Community Plan and *The Act*.
- 3.6.4 Where an application is made for a development permit with respect to a development for a discretionary use which has been approved by Council, the Development Officer shall issue a development permit subject to any specified development standards prescribed by Council pursuant to Section 56(3) of *The Act*.
- 3.6.5 Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.

3.7 DISCRETIONARY USE APPLICATIONS

3.7.1 Discretionary Use Application Process

- (1) the following procedures shall apply to discretionary use applications:
 - (a) Applicants must file with the Development Officer a development permit application, a site plan, any other plans and information as required by the Development Officer and pay the required application and public hearing fees;
 - (b) The application will be examined by the Development Officer for conformance with the Official Community Plan, this Bylaw, and any other applicable policies and regulations;
 - (c) The Development Officer may request comments from other government agencies where applicable;
 - (d) The Development Officer will prepare a report concerning the application including recommendations that conditions be applied to an approval;
 - (e) The Development Officer will set a date for the meeting at which the application will be considered by Council and will be given notice by ordinary mail to assessed owners of property within 75 metres (246 feet) of the boundary of the applicant's land;
 - (f) In addition to the requirements set out in (e) above, the Development Officer shall advertise the proposed discretionary use by mailing a copy of a notice of the application to the assessed owner of each property within 1.6 km (1.0 mile) of the proposed discretionary use for the following:
 - (i) any new intensive livestock operation or expansion or alteration to an intensive livestock operation;
 - (ii) kennels;
 - (iii) wind energy facilities;
 - (iv) commercial use in a residential district.
 - (g) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council;
 - (h) Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on site; and,
 - (i) The Development Officer shall notify the applicant of Council's decision by ordinary mail addressed to the applicant at the address shown on the application form or by the email address provided by the applicant.
 - (j) Where an application for discretionary use is approved by resolution of Council, the Development Officer shall issue a development permit subject to any specified development standards prescribed by Council pursuant to Section 3.7.4 below.
 - (k) Where an application for a discretionary use does not meet the zoning regulations for the applicable zoning district, the Development Officer shall advise the applicant that the discretionary use cannot be considered by Council and must be refused on the grounds of zoning non-compliance.
 - (l) The Development Officers shall maintain a registry of the location and all the relevant details respecting the granting of the discretionary use approval.
- (2) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning districts in which they are located. In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:
 - (a) site drainage of storm water;
 - (b) the location of buildings with respect to buildings on adjacent properties;

- (c) access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic;
 - (d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
 - (e) control of noise, glare, dust and odour;
 - (f) landscaping, screening, fencing, and preservation of existing vegetation to buffer adjacent properties;
 - (g) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs;
 - (h) prescribed specific time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and
 - (i) intensity of use.
- (3) Council's approval of a discretionary use application is valid for a period of twelve (12) months from the date of approval. An approval shall be deemed to be invalid if the proposed use or proposed form of development has not commenced within that time or if the Council determines, within the twelve (12) month period, that the proposed development is not proceeding in accordance with the terms and conditions of its approval. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid.
 - (4) Council may direct that a discretionary use approval extension be granted for an additional twelve (12) month period by the Development Officer.
 - (5) If an approved discretionary use or discretionary form of development ceases to operate for a period of twenty-four (24) consecutive months or more, Council may require a new discretionary use approval where the use is subject to separation distances that may limit potential adjacent development. The Development Officer shall advise the owner and Council when a prior approval is no longer valid.
 - (6) Where Council has approved a discretionary use for a fixed time, as provided in this Bylaw, and that time period has expired, that use of land and/or use of buildings on that land shall cease until such time as Council gives a new discretionary use approval and a new development permit is issued.

3.7.2 General Discretionary Use Evaluation Criteria

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

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

3.7.3 Terms and Conditions for Discretionary Use Approvals

- (1) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provision of the zoning district in which they are located. In approving a discretionary use application, Council may prescribe specific development standards to minimize land use conflict with respect to:
 - (a) site drainage of storm water;

- (b) the location of buildings with respect to buildings on adjacent property;
 - (c) access to, number and location of parking and loading facilities including adequate vehicular access;
 - (d) control of noise, glare, dust and odour; and,
 - (e) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs to ensure compatibility with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the general area.
- (2) Council may approve discretionary use applications for a fixed period of time where it is considered important to monitor and reevaluate the proposal and its conformance with the objectives of this Bylaw.
- (3) Mineral and Aggregate Resource Extraction Industries
- (a) Prior to issuance of a development permit for the establishment of a mineral and aggregate resource extraction industry, Council may require the developer to enter into an agreement, pursuant to Section 235 of *The Act*, to define the responsibilities of the operator and operation requirements. Any of the following criteria, along with any additional criteria in accordance with an agreement set by Council and the developer, may be prescribed in such an agreement:
 - (i) Conditions respecting the operation of the pit or quarry;
 - (ii) Responsibilities of the developer and/or operator concerning the reclamation of the site;
 - (iii) The routing of trucks to and from the site;
 - (iv) The planting of trees on and/or near the site, and/or in another location to the satisfaction of Council;
 - (v) The erection of fencing and signs;
 - (vii) The maintenance of municipal roadways; and/or,
 - (viii) The posting by the developer of a performance bond to guarantee adherence to the above or any other requirements that Council may specify.

3.7.4 Use Specific Discretionary Use Evaluation Criteria

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

- (1) *Community service uses, schools, clubs, places of worship, day care centres, and recreation facilities:*
- (a) Schools, clubs, recreation facilities and places of worship should, where possible, be located on corner sites to facilitate access.
 - (b) Schools should, where possible, be located adjacent to public open spaces.
 - (c) The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads and include adequate safety precautions incorporated into site plans and applications.
 - (d) Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
 - (e) Vehicle car parking and access areas should not form a dominant element in the streetscape.

(2) *Mineral and aggregate resource extraction industries:*

- (a) In reviewing an application, Council shall consider the environmental implications of the operation including plan for site restoration.
- (b) In addition to the public notification provisions for discretionary uses contained within this bylaw, Council may require details of the application be circulated to property owners adjacent to the proposed haul roads to obtain public input on the proposed site.
- (c) The applicant and operator shall ensure that dust and noise control measures are undertaken at the request of and to the satisfaction of Council to prevent the operations from becoming an annoyance to neighboring landowners.
- (d) The applicant and operator shall apply appropriate methods for minimizing the noise created from machinery and equipment through proper location and property screening including locating stockpiles to act as a noise barrier.
- (e) The applicant and operator shall keep the site in a clean and tidy condition free from rubbish and non-aggregate debris.
- (f) The disturbed area shall be progressively reclaimed to a land capability equivalent to pre-disturbance land capability (for example, agricultural land) or post-disturbance condition and land use (for example, conversion to a wetland) which is satisfactory to Council. These conservation and reclamation procedures shall be in accordance with the applicable provincial guidelines.
- (g) Property approaches shall be located away from existing residential dwelling units.
- (h) The applicant shall be responsible for providing an estimate and a corresponding financial guarantee, in a form acceptable to council, equal to the cost of reclamation of the pit, to be held by the municipality for the lifespan of the operation.
- (i) The resource extraction industry shall have regard to adjacent land uses and no materials are to be stored or piled on any road allowance or within 30 m (100ft) of the bank of any river or watercourse.
- (j) The applicant, operator or any person who hauls the mineral resource shall be required by Council to enter into a road maintenance agreement.

(3) *Livestock auction facilities and stockyards:*

- (a) Shall be located at least 305 m from all residential and community service districts.

(4) *Auto body shops, construction trades, general industrial uses, taxidermy and accessory tanning of hides, welding and machine shops and metal fabricators, commercial complexes, industrial complexes and gun ranges and shooting clubs:*

- (a) The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas. Consideration may be given but is not limited to the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and / or
 - (iv) utilization of hazardous substances.
- (b) All materials and goods shall be stored within an enclosed building, or within an area hidden from view by screening.

(5) *Asphalt, cement plants and coal yards:*

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

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

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

(7) *Campgrounds:*

- (a) Wherever possible and appropriate, any existing trees and mature landscaping shall be retained;
- (b) Solid waste storage facilities (including adequate spaces for both recycling and general waste bins) shall be provided on-site, appropriately located, and screened or landscaped to avoid any adverse visual impact from the road and within the development.
- (c) There shall be adequate maneuvering space on-site; and,
- (d) The prevention of on-street congestion caused by the ingress and egress of vehicles shall be considered.

(8) *Golf courses:*

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

- (9) *Intensive agricultural uses (excluding livestock operations) and agriculturally related commercial or industrial uses:*
- (a) The location of these agricultural uses will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicular traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or,
 - (iv) utilization of hazardous substances.
- (10) *Truck Stops:*
- (a) An application for a truck stop shall provide documentation, to Council's satisfaction, as follows:
 - (i) The submission of an engineering report confirming an adequate potable water supply and sewage disposal system.
 - (ii) The submission of a traffic impact assessment, prepared by a professional engineer and satisfactory to the Ministry of Highways and Infrastructure, detailing level of service impacts and necessary infrastructure improvements.
- (11) *Hotels and motels:*
- (a) The prevention of on-street congestion caused by the ingress and egress of vehicles shall be considered.
 - (b) The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads.
 - (c) Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
- (12) *Accessory dwelling units (business dwelling units):*
- (a) Dwelling units shall be attached to the commercial or industrial establishment and shall have a main entrance separate from that of the principal establishment. An emergency exit must be provided in addition to the main entrance; and,
 - (b) The minimum floor area of each dwelling unit shall be 28 square metres (301.4 square feet).
 - (c) Vehicle car parking and access areas should not form a dominant element in the streetscape.
- (13) *Cannabis Production Facilities:*
- (a) The location of cannabis production facilities will only favourably be considered where it can be demonstrated that the use and intensity of use is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas of the Municipality. Consideration may be given, but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and

- (iv) utilization of hazardous substances.

(14) *Cannabis Retail Stores:*

- (a) The location of cannabis retail stores will only favourably be considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas, particularly residential areas.

3.8 VALIDITY OF A DEVELOPMENT PERMIT

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

3.9 AMENDING THE ZONING BYLAW

- 3.9.1 Any person seeking to amend this Zoning Bylaw may, submit an application for such amendment and, upon payment of the required fee, the Development Officer shall refer such application to Council for consideration.
- 3.9.2 Council may authorize an amendment to a Zoning Bylaw, and that amendment shall be adopted by bylaw.
- 3.9.3 Sections 206 - 212 of *The Act*, shall govern the process to be followed with respect to public notice and public participation in the adoption of a bylaw proposed to amend this Zoning Bylaw.

3.10 DEVELOPMENT APPEALS BOARD

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

3.11 MINOR VARIANCES

- 3.11.1 Council may grant a variance of up to 20% of any yard requirement or minimum required distances between buildings for a use that conforms to this bylaw. All such variances shall be subject to the conditions and granted in accordance with the procedures contained in Section 60 of *The Act*.
- 3.11.2 Council shall maintain a registry of the location and all relevant details of the granting of such variances.

3.12 FEES

3.12.1 Amendment of the Zoning Bylaw

In addition to an application fee, where a person requests Council to amend the Zoning Bylaw, that person shall pay to the municipality a fee equal to the costs associated with the public advertisement of the proposed amendment and the costs associated with providing direct written notice to owners of land that is the subject of the proposed amendment.

3.12.2 Application fees

- (1) An applicant for a development permit shall pay an application fee in accordance with the following:
- (a) Permitted use:

\$100.00
- (b) Discretionary use:

\$200.00
- (c) Development Appeal Fee:

up to \$300.00 as specified by the Development Appeals Board

These fees shall be in addition to any fee required by Section 3.12.1 above.

- (2) Where a person applies to Council to amend the Zoning Bylaw, that person shall pay to the municipality the following application fees, where applicable:
- (a) Text amendments: \$400

(b) Map amendments (see table below):
Class 1 Districts: A
Class 2 Districts: C1, M1
Class 3 Districts: CR1, H

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

Where an application to amend the Zoning Bylaw involves amendment within two or more of the above categories the sum of the amendment fees shall apply for all categories. These fees shall be in addition to any fee required by Section 3.12.1 above.

3.13 ZONING BY AGREEMENT

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

3.14 OFFENCES AND PENALTIES

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

4 GENERAL REGULATIONS

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

4.1 FRONTAGE ON THE ROAD

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

4.2 DEVELOPMENT ON HAZARD LANDS

- 4.2.1 Where a proposed development of a building is to be located on land considered by Council to be potentially hazardous, including but not limited to a wetland, water body or watercourse where flooding may occur, the lands shall be deemed “hazardous” and Council shall require the applicant to submit sufficient topographic information to determine if the development will be within 50 metres (164 feet) of:
- (1) any slope(s) that may be unstable;
 - (2) any river or stream flood plain (identified on the Zoning District Map); and/or,
 - (3) any other land that may be subject to flooding;
 - (4) any other land that may be subject to flooding or hazardous conditions otherwise unsuited for development or occupation because of its inherent danger to public health, safety, or property.
 - (5) contaminated sites;
- 4.2.2 Council may require that before a permit be issued, the applicant shall submit a report prepared by a professional competent to assess the suitability of the site for a development and which in the opinion of Council, shows that the proposed site and development is suitable with respect to the following where relevant:
- (1) the potential for flooding up to the 1:200 year flood elevation as identified in *The Statements of Provincial Interest Regulation, 2012*, to be determined from specific site investigations, or where not involving any building, such lower elevation as may be suitable for the proposed use;
 - (2) the potential for slope instability; and/or
 - (3) the required mitigation measures for construction on areas of high-water tables, in slopes or on contaminated sites if any.
- 4.2.3 Where a proposed development is to be located on lands considered by Council to be potentially contaminated (soil, water, etc.), Council shall require an environmental site assessment be done by an Environmental Engineer, registered in the province of Saskatchewan, to determine the suitability of site with respects to the proposed development. If lands are deemed unsuitable, Council shall require a report detailing necessary subsequent step, as outlined by the Saskatchewan Ministry of Environment. The costs associated with undertaking specified mitigation measures providing the required documentation related to any specified mitigation measures will be borne by the applicant or proponent of the proposed development.
- 4.2.4 Actions identified in an assessment prepared pursuant to Sections 4.2.2 and 4.2.3 which prevent, change, mitigate or remedy hazards in lands deemed hazardous may be incorporated as conditions to issuance of any development permit that may be issued. Council may refuse a permit for any development for which, in Council’s opinion, the proposed actions are inadequate to address the adverse effects, will result in excessive municipal costs, or if sufficient information has not been submitted to indicates that the site is suitable for development.

- 4.2.5 The applicant shall be responsible for contracting the engineer and all related fees.
- 4.2.6 Where a proposed development or subdivision is to be located on hazard lands, the Development Officer may refer that application to federal or provincial departments or other relevant environmental agencies for comments prior to issuing a decision.
- 4.2.7 Where a proposed development is to be located on land within the 1:200 flood plain, the following regulations shall apply:
- (1) no development is to adversely affect another property in terms of drainage or flooding;
 - (2) new residential, commercial, industrial, or agricultural buildings and additions located in the 1:200 flood plain, shall be constructed at a minimum to the Minimum Building Elevation as defined by the Bylaw or as determined by applicable provincial authority;
 - (3) permanent intensive livestock operations, animal enclosures and manure storage facilities shall be prohibited from locating within the 1:200 flood plain. Buildings not housing animals may be permitted provided that the building is constructed at a minimum to the Minimum Building Elevation as defined by this Bylaw or as determined by applicable provincial authority;
 - (4) intensive agricultural operations must be constructed at a minimum to the Minimum Building Elevation as defined by the Bylaw or as determined by applicable provincial authority.
- 4.2.8 New buildings and additions to buildings in the flood way in the 1:200 year flood elevation or higher standards if flood records are available of any watercourse or water body shall be prohibited.

4.3 BUILDING TO BE MOVED

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

4.4 WASTE DISPOSAL

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

4.5 WATER

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

4.6 STORAGE OF CHEMICALS, FERTILIZERS AND COMBUSTIBLE MATERIALS

- 4.6.1 The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary approvals from other regulatory agencies must be obtained prior to issuance of a development permit. Development permit conditions may include the requirement that all permits or licenses required by other regulatory agencies be obtained before development proceeds.

4.7 ONE PRINCIPAL BUILDING PERMITTED ON A SITE

- 4.7.1 Not more than one principal building shall be permitted on any one site except for:
- (1) public works;
 - (2) institutional uses;
 - (3) agricultural uses;
 - (4) agricultural related commercial and industrial uses;
 - (5) manufactured homes in manufactured home courts;
 - (6) recreation facilities;
 - (7) indoor / outdoor storage facilities;
 - (8) municipal facilities;

- (9) communal dwellings;
- (10) communal farm settlements;
- (11) general industrial uses;
- (12) commercial complexes; and
- (13) industrial complexes.

4.8 NON-CONFORMING BUILDINGS, SITES AND USES

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

4.9 MANUFACTURED AND MODULAR DWELLINGS

- 4.9.1 In any Zoning District where a single detached dwelling is allowed, it may be in the form of a modular dwelling that meets CSA A277 certification, or a replacement thereof. Modular dwellings shall be attached to a permanent foundation, or securely anchored to the ground and skirted, prior to occupancy.
- 4.9.2 In the AG – Agriculture Zoning District, manufactured dwellings shall be permitted and bear CSA Z240 certification, or a replacement thereof. In the H – Hamlet Zoning District, manufactured dwellings, bearing CSA Z240 certification, or a replacement thereof, may be permitted at Council's discretion. Manufactured dwellings shall be attached to a permanent foundation, or securely anchored to the ground and skirted, prior to occupancy.

4.10 PUBLIC WORKS, PIPELINES AND MUNICIPAL FACILITIES

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

4.11 VEHICLE STORAGE

- 4.11.1 Notwithstanding anything contained in this Bylaw, no person shall use any site within the CR zoning district, or Hamlet District for the parking or storage outside of an enclosed building of more than four (4) unlicensed vehicles.
- 4.11.2 Sections 4.11.1 shall not apply to permitted machinery or automotive salvage yards, auction markets or agricultural implement, recreational vehicle, automobile, marine and manufactured home sales, farm operations, and service establishments.
- 4.11.3 Council may require that such vehicles be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof.

4.12 FENCES

- 4.12.1 Barbed wire or agricultural fences: no permits required and no regulations or restrictions.
- 4.12.2 A principal building or use must be established on a site prior to the erection of a fence or a wall on the site.
- 4.12.3 A fence may be erected to safeguard public safety on a site during the period of construction of the principal building or use or due to the presence of a natural hazard on the site.
- 4.12.4 In any **CR or H** district, no wall, fence or similar structure shall be erected in a front yard or on a site line adjacent to a front yard to a height of more than 1.0 metres (3.3 feet) above grade level.

- 4.12.5 In any **CR or H** district, no wall, fence, screen or similar structure, except permitted accessory buildings, shall be erected in a required side or rear yard, or on a site line adjacent to a required side or rear yard, to a height of more than 2.0 metres (6.6 feet) above grade level.
- 4.12.6 With the exception of wire agricultural fencing, in the case of a corner site in any district, no hedge planting, tree, wall, fence, or similar structure, not being a building, shall be erected, placed, planted, or maintained within the Sight Triangle, as described in Figure 2-2 and Section 4.14 of this Bylaw, to a height greater than 1.0 metre (3.3 feet).
- 4.12.7 In any commercial or industrial district, no wall, fence, screen or similar structure, except permitted accessory buildings, shall be erected in any yard, to a height of more than 2.4 metres (8.0 feet) above grade level.
- 4.12.8 No height limitations shall apply to the following:
- (a) Temporary construction fences;
 - (b) Fences associated with essential public services and utilities, public parks, playgrounds or public buildings.
 - (c) Notwithstanding the regulations set out above, all fences are subject to federal and provincial safety regulations.
- 4.12.8 Fences shall not be located on municipal land or roadways.

4.13 SHIPPING CONTAINERS

- 4.13.1 Shipping containers shall be permitted in all Zoning Districts, but are limited to one (1) per site in a Country Residential District and one per site in the Hamlet District. There are no restrictions on the number of shipping containers per site in the Agriculture Zoning District and Commercial and Industrial District.
- 4.13.2 Shipping container, permitted under subsection (1), shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable zoning district.
- 4.13.3 Shipping containers, permitted under subsection (1), shall:
- (1) be properly anchored and maintained in good repair;
 - (2) be located a minimum of 3.0 metres (9.8 feet) from, and behind the rear wall of, the principal building;
 - (3) not be used for the purpose of advertising or warehousing.
- 4.13.4 Notwithstanding subsection 4.13.1, shipping containers may be temporarily placed on a site in any Country Residential District and the Hamlet District:
- (1) during active construction on a site when the shipping container is solely for the storage of supplies and equipment that are used for the site, provided that a valid building permit has been issued for construction on the site. The shipping container must be removed from the site upon completion of the construction; or
 - (2) for the purpose of loading and unloading of items associated with the principal use for a period of not more than 10 days in any six month period; and
 - (3) in any case, for a period of not more than 30 days unless an extension has been granted by the development officer to a maximum of 90 days.
- 4.13.5 When placed on a site pursuant to subsection 4.13.4, the shipping containers shall:
- (1) be located so as not to create a safety hazard; and
 - (2) not be located within 1.2 metres (3.9 feet) of any site line.

4.14 SETBACK FROM CENTRE LINE OF ROADS

- 4.14.1 The minimum setback of buildings, including dwellings, signs, trees, stone placement, earth or gravel piles, portable structures, and machinery or other similar objects from the centre line of a municipal road allowance, grid road, main farm access road or provincial highway on all sites shall be 45 metres (150 feet). On provincial highways the minimum setbacks shall be regulated by the Ministry of Highways and Infrastructure. Development of buildings on sites that do not abut such roads shall observe the minimum front yard setbacks as identified in the specific regulation for those districts.
- 4.14.2 In all cases, Council may consider a lesser setback of no less than 15 metres (50 feet) from the centerline where the road is interrupted by a natural feature prohibiting its development, where the road is not a through road, and/or where the road serves local traffic only, which shall be adequately posted with signage.
- 4.14.3 Excluding buildings, where a person wishes to plant or place an object as listed in Section 4.14.1, that does not meet the requirements, an application to Council is required, and Council may through a resolution, reduce the setback requirement providing the proposal does not create a traffic safety hazard in the sight triangle, as herein defined.
- 4.14.4 Notwithstanding section 4.14.1, in any A – Agricultural District, wire agricultural fencing may be placed up to any site line abutting a municipal road allowance, grid road, main farm access road or provincial highway.

4.15 OUTSIDE STORAGE AND WASTE MATERIAL STORAGE

- 4.15.1 Where permitted in association with any approved industrial or commercial land use, all outside storage, including storage of garbage or waste materials, is subject to the following requirements:
- (1) No outside storage shall be located in the front yard, except for the neatly arranged display of items for sale.
 - (2) Outside storage in a side or rear yard shall be screened from adjacent sites by a fence at least 1.9 metres (6.2 feet) in height, or a combination of fence and soft landscaping screening a minimum of 1.9 metres (6.2 feet) in height.
 - (3) Unless otherwise directed by this Bylaw, garbage and waste material shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares.

4.16 PROHIBITED USES IN ALL DISTRICTS

- 4.16.1 The breeding of rats and other rodents and crickets and other insects is prohibited in all zoning districts in the municipality.
- 4.16.2 Wild Boar operations are prohibited in all zoning districts in the municipality.

4.17 BUILDING LINES

- 4.17.1 Where a building line in a residential district has been established by existing buildings in a block having at least one half of the lots built on, new development may conform to this line.

4.18 BARE LAND CONDOMINIUMS

- 4.18.1 Regulations and development standards for buildings, uses and sites in all zoning districts shall also apply to uses and bare land units that are part of a bare land condominium plan.

4.19 TEMPORARY USES

- 4.19.1 Temporary uses will be permitted where appropriate in individual zoning districts at the discretion of Council.
- 4.19.2 All temporary uses must be located on an existing site; no subdivision will be permitted for temporary uses.

- 4.19.3 Any buildings placed on sites where a temporary use is permitted must be removed on or before the expiry period allowed for the use, unless the construction of a permanent building is specifically permitted by Council.
- 4.19.4 The site must be restored to the same condition as it was prior to the beginning of the temporary use once the temporary use has ceased.
- 4.19.5 Council may require a performance bond from the applicant to ensure acceptable remediation of the site.
- 4.19.5 except in the Agricultural District, buildings or structures shall not include a mobile or modular home.

4.20 VISIBILITY CLEARANCE AT INTERSECTIONS

- 4.20.1 In any district, nothing shall be built, erected, placed, planted, parked or allowed to grow so as to obscure vision at a height of one (1) metre (3.3 feet) or greater above the elevation of the centre of the abutting street or lane within the triangular area labelled as "Sight Triangle", with distances measured accordingly, in Figure 2-2 in Section 2 of this Bylaw.
- 4.20.2 Within the sight triangle, as herein defined, the following uses are permitted:
 - (1) Government signage and government sign posts;
 - (2) fire hydrants, benches and traffic control devices; and,
 - (3) utility poles, and one transmission or control device.

4.21 MEMBRANE COVERED STRUCTURES

- 4.21.1 Membrane covered structures shall be permitted as an accessory use in all districts.
- 4.21.2 Development applications for membrane covered structures must include a drawing stamped by a Professional Engineer to ensure the structure will meet the requirements of the National Building Code and shall be installed securely anchored to the ground, when applicable.

4.22 SIGNS AND BILLBOARDS

- 4.22.1 Signs located in a Highway Sign Corridor
 - (1) Signs located in a highway sign corridor shall be regulated by the requirements of *The Erection of Signs adjacent to Provincial Highway Regulations, 1986*, or amendments thereto, and subsection 2 shall not apply.
- 4.22.2 Signs other than in a Highway Sign Corridor
 - (1) All signs situated along a highway are required to comply with *The Erection of Signs Adjacent to Provincial Highway Regulations 1986*, as may be amended from time to time.
 - (2) A maximum of 2 advertising signs are permitted on any site, or quarter section.
 - (3) Government signs, memorial signs, signs identifying residential occupants or addresses and directional signs that bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs, are exempt from restriction.
 - (4) Temporary signs and real estate signs are permitted only as long as the temporary condition exists for the property.
 - (5) Billboard and other off-site advertising signs are prohibited, except in a highway sign corridor.
 - (6) All private signs shall be located so that no part of the sign is over a public right-of-way.

4.22.3 Signs in Country Residential Districts

- (1) Signs and billboards will be prohibited in any country residential district in the municipality except for signs advertising the principal use of a premises or the principal products offered for sale on a premise. Permitted signs shall be subject to the following requirements.
 - (a) No more than two (2) signs shall be permitted on the premises;
 - (b) No sign shall be in the excess of 3 m² (32.3 ft²) in area. Each sign may be double faced;
 - (c) No sign shall be illuminated unless the source of light is steady and suitably shielded; and,
 - (d) The maximum height of any sign shall be 2.4 metres (7.9 feet).

5 SPECIAL STANDARDS AND REGULATIONS

5.1 ACCESSORY USES, BUILDINGS AND STRUCTURES

- (1) Accessory uses and buildings shall be subordinate to and located on the same site at the principal building or use and used in conjunction with that principal use.
- (2) Where a development standard for the principal use is less restrictive than the accessory, use, building or structure standard or regulation listed in Section 5.1 of this bylaw, the less restrictive standard shall apply to the accessory use, building or structure.
- (3) *Time of Construction:*
Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building except in the following instance:
 - (a) Where a Development Permit has been issued for a principal building, Council may, at its discretion, allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed in the time period required, the accessory building may be required to be removed.
- (4) *Height of Accessory Buildings:*
 - (a) Country Residential Districts:
 - (i) Detached accessory buildings in any Country Residential District, are not to exceed the height of the principal dwelling, and in no case shall an accessory building exceed a height of 10 metres (32.8 feet).
 - (b) Agricultural, Commercial and Industrial Districts:
 - (i) Detached accessory buildings in any agriculture district, commercial district or industrial district: No height restrictions.
 - (c) Hamlet District
 - (i) Detached accessory buildings in the Hamlet District, are not to exceed a height of 8 metres (26.2 feet)
- (5) *Area of Accessory Buildings:*
 - (a) Hamlet and Country Residential Districts
 - (i) Maximum - 200 square metres (0.05 ac).
 - (ii) No greater than 1.5 times the floor area of the principal building
 - (b) Agricultural, Commercial and Industrial Districts:
 - (i) Detached accessory buildings in any agriculture district, commercial district or industrial district - no area restrictions.
 - (c) Where this bylaw specifies the maximum building floor area, that area shall mean the combined building floor area of all buildings on site.
- (6) *Location of Accessory Buildings:*
 - (a) Country Residential Districts:
Detached accessory buildings in all country residential districts are subject to the following regulations:
 - (i) *Front Yard:* minimum – same as principal use subject to Section 4.14 of this bylaw
 - (ii) *Rear Yard:* minimum – 3 metres (9.8 feet)
 - (iii) *Side Yard:* minimum – 3 metres (9.8 feet)

(b) Agricultural, Commercial and Industrial Districts:

Detached accessory buildings in any Agricultural, Commercial or Industrial District are subject to the following regulations:

- (i) *Front Yard*: minimum - same as principal use subject to Section 4.14 of this bylaw
- (ii) *Rear Yard*: minimum – 6.0 metres (19.7 feet)
- (iii) *Side Yard*: minimum – 3.0 metres (9.8 feet)

(c) Hamlet District:

Detached accessory buildings in the Hamlet District is subject to the following regulations:

- (i) *Front Yard*: minimum – same as principal use subject to Section 4.14 of this bylaw
- (ii) *Rear Yard*: minimum – 1 metre (3.3 feet)
- (iii) *Side Yard*: minimum – 1.5 metres (4.9 feet)

(7) *Accessory dwelling units shall only be permitted as a discretionary use to accommodate:*

- (a) a farm dwelling as a residence for an operator, or for employees and/or partners engaged in farm operation, intensive livestock operation, or intensive agricultural operation, subject to Section 3.5.2.2 of the Official Community Plan.
- (b) business dwelling as a residence for an operator, manager, an employee and/or partner engaged in a commercial or industrial operation in a commercial or industrial zoning district, subject to the following provisions:
 - (i) the dwelling unit must be physically attached to the primary building where commercial or industrial operations are underway;
 - (ii) the business dwelling shall have a main entrance separate from that of the commercial or industrial establishment;
 - (iii) an emergency exit must be provided in addition to the main entrance; and
 - (iv) the minimum floor area of each dwelling unit shall be 28 square metres (301.4 square feet).
- (c) communal dwelling(s) as residences for colonies, engaged in a farm operation, intensive livestock operation, or intensive agricultural operation, subject to Section 3.5.2.2 of the Official Community Plan
 - (i) All dwelling(s) must be located on a site conforming to all requirements of the Zoning Bylaw.
 - (ii) Utilities, including sewage disposal systems, must meet provincial standards.

5.2 CAMPGROUNDS AND TOURIST CAMPS

- (1) The applicant for a development permit for a campground or tourist camp shall provide the Development Officer with a plan of the site, identifying any buildings, uses of land and the location of all roadways and recreation vehicle or tent campsites with dimensions. The addition or rearrangement of sites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a development permit, and the applicant shall submit for approval an amended plan incorporating the proposed development.
- (2) A campground or tourist camp shall have, within its boundaries, a buffer area abutting the boundary of not less than 4.5 metres (14.8 square feet) in width, which shall contain no buildings.
- (3) A site for each recreation vehicle and campsite permitted in the campground or tourist camp

shall be designated and clearly marked on the ground.

- (4) Each site shall have a minimum area of 150 square metres (0.04 acres).
- (5) No portion of any campsite shall be located within an internal roadway or required buffer area.
- (6) Each site shall have direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
- (7) Each recreation vehicle shall be located at least 4.5 metres (14.8 feet) from any other recreation vehicle and each site shall have dimensions, location and orientation sufficient to allow for such location of recreation vehicles.
- (8) The space provided for roadways within a campground or tourist camp shall be at least 7.5 metres (24.6 feet) in width. No portion of any site, other use or structure shall be located in any roadway.
- (9) A campground or tourist camp may include, as an ancillary use, a laundromat or a confectionary designed to meet the needs of occupants of the sites and a one unit dwelling for the accommodation of the operator.
- (10) No recreation vehicle shall be stored on any campsite when the campground is not open.
- (11) *The Public Health Act*, and regulations passed thereunder, shall be complied with in respect of all operations and development of campgrounds.

5.3 MANUFACTURED HOME COURTS

- (1) Manufactured home courts shall have, within their boundaries, a buffer area abutting the boundary which shall:
 - (a) have a minimum depth of not less than 7.5 metres (24.6 feet) in width, which shall contain no buildings or structures.
 - (b) not contain any roads, except those which connect a public roadway to the road system within the manufactured home court.
- (2) Each manufactured home site permitted in a manufactured home court shall be designated and clearly marked on the ground.
- (3) Each manufactured home site shall have a minimum area of 379.8 square metres (0.09 acres).
- (4) No portion of any manufactured home site shall be located within an internal roadway or required buffer area.
- (5) Each manufactured home site shall have direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
- (6) Each manufactured home shall be located at least 4.5 metres (14.8 square feet) from any other manufactured home and each manufactured home site shall have dimensions, location and orientation sufficient to allow for such location of manufactured homes.
- (7) The space provided for roadways within a manufactured home court shall be at least 7.5 metres (24.6 feet) in width. No portion of any manufactured home site, other use or structure shall be located in any roadway.
- (8) A manufactured home court may include, as an ancillary use, a laundromat or a confectionary designed to meet the needs of occupants of the manufactured home court and a one unit dwelling for the accommodation of the operator.
- (9) *The Public Health Act*, and Regulations passed thereunder, shall apply to all operations and development of manufactured home courts.

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

- (1) Development and maintenance of a public work in the form of a solid or liquid waste disposal facility will be subject to the following special standards:
 - (a) A buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area.
 - (b) Any solid waste disposal facility shall be fenced.
 - (c) Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
 - (d) Solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all-weather road.
 - (e) The development of any new disposal sites may take into consideration the direction of prevailing winds.
 - (f) Further regulation of solid waste disposal sites may be achieved by adoption and administration of a Waste Management Bylaw.

5.5 BED AND BREAKFAST HOMES AND VACATION FARMS

- (1) Bed and Breakfast Homes and Vacation Farms shall be accommodated as a discretionary accessory use in zoning districts that list section 5.5 under Accessory Buildings and Uses', or as the principal use of a site. The following standards apply:
 - (a) Vacation farms shall be ancillary to an agricultural operation and may include bed and breakfast, cabins and overnight camping areas.
 - (b) Bed and breakfast operations shall be located in, and ancillary to, a single detached dwelling used as the operator's principal residence developed as a farm operation site or country residence
 - (c) Only one sign, not exceeding 1.5 square metres (16.1 square feet) in sign face area, advertising the vacation farm or bed and breakfast home, and located on-site, is permitted.
 - (d) Vacation farms and bed and breakfast homes shall be licensed pursuant to The Public Health Act, where tourist accommodations require health approval.
 - (e) Council may specify a maximum number of bedrooms, cabins or camping sites, or combination thereof, as a special standard in the issuing of a discretionary approval for a bed and breakfast home or vacation farm application.

5.6 CUSTODIAL CARE FACILITIES, RECOVERY CENTRES, RETREAT CENTRES AND RESIDENTIAL CARE FACILITIES

- (1) Custodial Care Facilities, Recovery Centres, Retreat Centres and Residential Care Facilities may be accommodated as a discretionary accessory use in zoning districts that list Section 5.6 under 'Accessory Buildings and Uses', or as the principal use of a site.
- (2) 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.
- (3) Required parking spaces shall not be located in a required front yard.
- (4) No building or structure used for the purpose of a Custodial Care Facility, Recovery Centre, Retreat Centre or Residential Care Facility shall be used for the purpose of keeping boarders or lodgers.
- (5) In addition to the development standards of the zoning district, Custodial Care Facilities, Recovery Centres, Retreat Centres and Residential Care Facilities that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.7.

5.7 SERVICE STATIONS

- (1) Fuel pumps and other apparatus for dispensing or storage of fuel, located all or partly above grade level, shall be at least 6 metres (19.7 feet) from a site line.
- (2) All automobile parts, dismantled vehicles and similar articles or equipment are to be stored within a building.
- (3) Where service stations occupy a corner site, only one access point may be on a flanking street on a corner lot.

5.8 GAS BARS

- (1) Where operated as the principal use on a site, gas bars are subject to the regulations and standards for service stations.
- (2) Where a gas bar is allowed to operate in conjunction with another use on a site, the following standards and regulations apply:
 - (a) All fuel pumps and above ground storage tanks shall be at least 5 metres (16.4 feet) from any building on the site, and 6 metres (19.7 feet) from any site line.
 - (b) The site shall have at least two separate entrances for vehicles, at least 15 metres (50 feet) apart.
 - (c) Access to, and parking for, fuel dispensing apparatus shall not obstruct access to the site, or other required off-street parking spaces on the site.

5.9 ABOVE GROUND FUEL STORAGE TANKS

- (1) Above-ground fuel storage tanks are subject to provincial and federal regulations.

5.10 HOME-BASED BUSINESSES AND FARM-BASED BUSINESSES

- (1) Home-based businesses and farm-based businesses shall be accommodated as a accessory use in zoning districts that list section 5.10 under 'Accessory Buildings and Uses'.
- (2) Home-based businesses and farm-based businesses shall be subject to the following development standards:
 - (a) The use is clearly **ancillary** to the use of a farm as an agricultural operation or the dwelling unit as a private residence.
 - (b) Farm-based businesses shall be restricted to a maximum of five (5) on-site, non-seasonal employees. Any business with more than five (5) on-site, non-seasonal employees shall be required to seek commercial or industrial zoning designation.
 - (c) The permitted use shall be valid only during the period of time the property is occupied as a residence to the applicant for such permitted use.
 - (d) All development permits issued for home-based businesses shall be subject to the condition that the permit may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met.

5.11 OUTFITTER BASE CAMPS AND TOURISM BASE CAMPS

- (1) All outfitter base camps shall be located at least 305 metres (1000 feet) from a dwelling unit that is not part of the operation.
- (2) All accommodation provided in conjunction with outfitter base camps and tourism base camps shall comply with The Public Health Act, and Regulations passed thereunder.
- (3) Council may establish standards limiting the total number of guests and guest rooms, and the location of buildings and accessory activities as a condition of issuing a discretionary use permit for outfitter base camps and tourism base camps. Any increase in the number of guests or guest rooms shall require a new discretionary approval.
- (4) Outfitter base camps and tourism base camps may be ancillary to an agricultural operation for which a permit has been issued and located on the same site.

- (5) A use that is established as an ancillary use to an agricultural operation shall cease to be permitted when the operator ceases to be a resident on the site.

5.12 BULK PETROLEUM TANKS

- (1) Bulk petroleum tanks are subject to provincial and federal regulations.

5.13 KENNELS AND ANIMAL SHELTERS

- (1) An outdoor area must be provided for animals to run free, without being chained, in an area enclosed by a fence which provides safety for the animals and neighbours to the satisfaction of Council.
- (2) Outdoor animal enclosures may not be located in front yards.

5.14 AUCTION MARKETS

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

5.15 TRUCK STOPS

- (1) The minimum width of a driveway in a truck stop shall be 9.2 metres (30.2 feet).
- (2) No more than two access driveways shall connect a truck stop to any street.
- (3) Gas bars on the site of a truck stop shall comply with Sections 5.8 and 5.9.
- (4) Above ground fuel storage tanks shall comply with Section 5.9.

5.16 SOLAR ENERGY SYSTEMS

- (1) The installation and operation of solar energy systems, and their supporting structures, shall be permitted in all zoning districts subject to the following:
 - (a) In all districts, except the Agricultural Zoning District and Commercial or Industrial District, Solar energy systems shall not be located in any required front or side yard. In the case of a corner site, solar energy systems shall not be placed in any portion of the rear yard which is within 3.0 metres (9.8 feet) of the side property line adjacent to a flanking street.
 - (b) All freestanding solar structures shall be placed a minimum of 1.2x the total height of the structure away from any site line.
 - (c) In any district, if attached to a building, the solar energy system shall not exceed the maximum permitted height of the building the system is attached to.
- (2) A development permit is required for:
 - (a) Any free-standing solar energy system.
 - (b) Any Solar energy system being attached to an existing roof or wall structure.

5.17 WIND ENERGY FACILITIES (ONE TURBINE)

- (1) Wind energy facilities shall be accommodated as an accessory use in zoning districts that list them in section 5.17 under “Accessory Buildings and Uses”, or as the principal use of a site. The following standards apply to wind energy facilities:
 - (a) The setback of a wind turbine to any public road right of way and railway right of way that existed on the day the proponent submitted an application to the

- Municipality to construct, install or expand the wind energy facility, shall be greater than or equal to the height of the wind turbine,
 - (b) The setback of a wind turbine to any property boundary of a Non-Participating Noise Receptor that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy facility, shall be greater than or equal to the height of the wind turbine.
 - (c) Council may consider approving a lesser separation where the applicant establishes that the development will minimize the potential for conflict with adjoining uses in accordance with the following provisions:
 - (i) A copy of an agreement between the applicant and the owner(s) of the other affected development, agreeing to such lesser separation must be submitted to Council who may use this information in its consideration to reduce the required separation distances. Such agreements between an applicant and an owner (owners) of another development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *the Act* to register an interest to the title(s) of the affected lands.
- (2) Council will evaluate Discretionary Use applications for single wind turbines with the following criteria. Wind turbines shall be located in a manner in which they are separated from the nearest non-participating noise receptor in the following way:
 - (a) Wind turbines with a rotor diameter between 0.1 m (0.3 feet) and 5.0 m (16.4 feet): 100 metre (328 feet) separation distance;
 - (b) Wind turbines with a rotor diameter between 5.01 and 12.5 m (41.5 feet): 250 metre (820.2 feet) separation distance; and
 - (c) Wind turbines with a rotor diameter greater than 12.5 m (41.5 feet): 350 metre (1148.3 feet) separation distance.

5.18 WIND FARMS (TWO OR MORE TURBINES)

- (1) Wind farms shall be accommodated as a discretionary accessory use in any zoning districts that lists section 5.18 under 'Accessory Buildings and Uses', or as the principal use of a site. The following standards apply to wind energy facilities:
 - (a) The setback of a wind turbine to any public road right of way and railway right of way that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy facility, shall be greater than or equal to the height of the wind turbine,
 - (b) The setback of a wind turbine to any property boundary of a Non-Participating Noise Receptor that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy facility, shall be greater than or equal to the height of the wind turbine.
 - (c) Council may consider approving a lesser separation where the applicant establishes that the development will minimize the potential for conflict with adjoining uses in accordance with the following provisions:
 - (i) A copy of an agreement between the applicant and the owner(s) of the other affected development, agreeing to such lesser separation must be submitted to Council who may use this information in its consideration to reduce the required separation distances. Such agreements between an applicant and an owner (owners) of another development (other developments) must contain the provision that the parties to the agreement will register an interest to the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *the Act* to register an interest to the title(s) of the affected lands.

- (2) Council will evaluate Discretionary Use applications for Wind Farms with the following criteria:
 - (a) In addition to the criteria outlined in Section 5.17 (2), Wind Farms shall be separated from the nearest non-participating noise receptor by a distance of 550 metres (1805.5 feet).

5.19 DWELLING GROUPS

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

5.20 ABATTOIRS, MEAT PROCESSING AND KILL FACILITIES

- (1) Shall be located at least 91.4 metres (300 feet) from residential areas, schools, hospitals, motels and restaurants.

5.21 TRANSLOADING FACILITIES

Transloading facilities shall be subject to the following requirements:

- (1) In addition to any other information required by Council, the applicant shall submit, as part of their development permit application, information regarding any hazardous material to be kept or stored on site, an emergency management plan, a screening and landscape plan, site grading and drainage plans, and proposed truck routes and road maintenance measures. The applicant may be required to enter into a road maintenance agreement.
- (2) Transloading facilities for oil and gas resources shall not be located within 90 metres (295.3 feet) of a residence or on hazard lands.
- (3) The applicant shall suitably screen and landscape the facility from neighbouring properties to the satisfaction of Council.
- (4) Council may require the developer to undertake specific safeguards to address safety issues related to material kept on the site and nuisance issues related to dust, noise, odour, smoke, or similar conditions.
- (5) Transloading facilities shall be developed and shall operate in compliance with all relevant federal and provincial requirements.

5.22 OIL AND GAS EXPLORATION AND DEVELOPMENT

- (1) Exploration and development of oil and gas shall be subject to all federal and provincial requirements, and such activity must comply with the objectives and policies outlined in the RM of Birch Hills Official Community Plan.
- (2) Oil and gas exploration, extraction and development within the RM shall occur in accordance with *The Oil and Gas Conservation Regulations, 2012*.
- (3) Multiple parcel country residential subdivisions, single parcel country residences and residential sites located in proximity to oil wells may be subject to separation requirements from an oil well, as per *The Subdivision Regulations*.
- (4) Multiple parcel country residential developments, single parcel country residences and residential sites located in proximity to sour gas wells with H₂S concentrations over 100 ppm may be subject to separation requirements based on guidelines as recommended by the Ministry of Government Relations.

- (5) In addition to any other information required by Council, the applicant shall submit, as part of their development permit application, information regarding any hazardous material to be kept or stored on site, an emergency management plan, a screening and landscape plan, site grading and drainage plans, and information regarding proposed truck routes and road maintenance measures. The applicant may be required to enter into a road maintenance agreement.
- (6) Council may require the applicant to suitably screen and landscape the facility from neighbouring properties to the satisfaction of Council.
- (7) Council may require the applicant to undertake specific safeguards to address safety issues related to material kept on the site and nuisance issues related to dust, noise, odour, smoke, or similar conditions.
- (8) The Municipality may apply special standards as outlined in *The Municipalities Act, 2005*, to protect the municipal interest when transportation, utility and pipeline facilities cross municipal roads, or when seismic activity is proposed on roads or road allowances.
- (9) Upon approval by the Municipality, the owner of a pipeline shall provide the Municipality at least 48 hours notice of the owner's intention to commence work. Written request must be made to the Rural Municipality before construction begins and the owner shall obtain the required Municipal standards for construction approaches and for pipelines (flowlines) crossing road allowances.
- (10) Council may require that oil and gas well sites be fenced with a gate.

5.23 JUNK AND SALVAGE YARDS AND AUTO WRECKERS

- (1) Junk and salvage yards and auto wreckers shall be enclosed by an opaque or solid perimeter fence at least 2.0 metres (6.6 feet) in height, and not more than five metres (16.4 feet) in height, with no material piled higher than the height of the perimeter fence; and,
- (2) The perimeter fence shall not be located in the required front yard. The required front yard shall be used for no other purpose than landscaping and necessary access driveways to the site.

5.24 CREMATORIUMS

- (1) Crematoriums shall be located at least 300 metres (984.3 feet) from any residential dwelling or land zoned for residential purposes.

5.25 INDOOR / OUTDOOR STORAGE FACILITIES

- (1) Council may apply special development standards regarding yard requirements to reduce conflict with neighbouring uses, including neighbouring storage garages on the same site.

5.26 COMMUNAL FARM SETTLEMENTS

- (1) Council may consider discretionary use applications for communal farm settlements including the multiple uses outlined in the definition for Communal Farm Settlements as one single discretionary use application. Buildings and uses must comply with the setbacks contained within this bylaw and the RM's Building Bylaw. Development permits and building permits will be required for each use and building.
- (2) Communal farm settlements may include more than one dwelling on a single site and these dwellings may be in the form of single detached dwellings and communal dwellings. Council may specify the maximum number of dwelling units permitted for a Communal Farm Settlement.
- (3) An expansion to a communal farm settlement shall require discretionary use approval.
- (4) There shall be a water supply adequate for the proposed communal farm settlement and the development shall not contaminate any water source.
- (5) Provision of potable water and treatment and disposal of wastewater is subject to provincial regulations and approval.

- (6) Road access to the communal farm settlement shall be to the satisfaction of Council. If off-site road upgrades or new road construction is required, Council may require the applicant to pay for the road upgrades or new construction pursuant to Section 16 of *The Municipalities Act*.
- (7) Council may require the applicant to demonstrate that traffic generated by the communal farm settlement can be handled safely and appropriately by the municipalities road network. This can be determined by the applicant retaining a professional engineer to undertake a Traffic Impact Assessment (TIA).

5.27 CANNABIS PRODUCTION FACILITIES

- (1) 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 but is not limited to the following effects:
 - (a) municipal servicing capacity;
 - (b) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (c) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and / or
 - (d) utilization of hazardous substances.
- (2) All materials and goods used in production shall be stored within an enclosed building, or within an area hidden from view by screening;
 - (a) No outside storage is permitted.
 - (b) All production shall be conducted within an enclosed building.

5.28 CANNABIS RETAIL STORES

- (1) Cannabis retail stores shall maintain a minimum setback of 150 metres (492 feet) from schools, public playgrounds, public parks and licensed daycares.

5.29 SOLAR FARMS

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

5.30 EQUESTRIAN FACILITIES

- (1) The maximum number of animals that will be kept on-site as part of the equestrian facility shall be determined at the discretion of Council. An animal is kept, for the purposes of this section, when it is on the site overnight.
- (2) In addition to any other information required by Council, the applicant may be required to submit, as part of their development permit application, information regarding site grading along with a drainage plan for the site.
- (3) Council may require the applicant to demonstrate that traffic generated by the facility can be handled safely and appropriately by the municipalities road network. This can be determined by the applicant retaining a professional engineer to undertake a Traffic Impact Assessment (TIA).
- (4) Appropriate fencing, screening, landscaping, berming, building and site orientation, road upgrading or other similar measures may be required to mitigate potential land use conflicts.
- (5) Off-site parking shall not be permitted.

5.31 TEMPORARY WORK CAMPS

- (1) Temporary work camps shall be temporary and permitted for up to a period of twelve (12) months, at which time an application may be made for the continuance of the work camp for an additional twelve (12) months, after which time a new development permit is required.
- (2) Temporary work camps shall be an accessory use to an industrial or resource development.
- (3) An application for a temporary work camp must provide the following information:
 - (a) The location, type and purpose of the camp;
 - (b) Adjacent land uses;
 - (c) The method of supplying water and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the Saskatchewan Onsite Waste Disposal Guide and in accordance with the *Public Health Act*;
 - (d) The number of persons proposed to live in the camp;
 - (e) The method of providing solid waste disposal and pest control in the camp;
 - (f) The start date for development, date of occupancy by residents and removal day for the camp.
- (4) A temporary work camp for accommodation purposes must:
 - (a) Be linked to a specific project for which a valid and current development permit has been issued and only accommodate workers for this project;
 - (b) Accommodate a minimum of twenty (20) persons to a maximum of three hundred (300) persons;
 - (c) Be secured by the installation of appropriate fencing around the project accommodation and on-site security staff;
 - (d) Provide adequate on-site parking for private vehicles; and
 - (e) Be separated by buffering from adjacent land uses.
- (5) 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.
- (6) The site shall be left in the condition agreed upon in the Development Permit, after the occupancy period.
- (7) The application shall include the posting of a Performance Bond sufficient to remove and / or reclaim the site to ensure that:
 - (a) the work camp can be removed if the work camp accommodation remains on site after the project is either completed or if the work has stopped to an extent that the need for the camp no longer exists; or
 - (b) the site can be reclaimed to its previous state after the work camp has been removed from the site.

5.32 GARDEN AND GARAGE SUITES

NOTE: Garden and Garage Suites may only be developed in the Hamlet Zoning District, Country Residential Zoning Districts and on Single Parcel Residential Subdivisions in the Agriculture Zoning District

- (1) Garden and garage suites shall be accommodated as a discretionary use in districts that list section 5.32 under 'Accessory Buildings and Uses'.

- (2) No more than one garden or garage suite accessory to a single detached dwelling shall be allowed per site. No garden or garage suite shall be permitted on a site which contains a secondary suite.
- (3) The maximum floor area of a garden or garage suite shall be 60 m² (645.8 ft²) and the minimum floor area shall be 30 m² (323.0 ft²).
- (4) Garden and garage suites shall have a full bathroom, kitchen, and a maximum of two bedrooms.
- (5) No more than four persons are allowed to occupy any garden or garage suite.
- (6) All habitable areas of a garden or garage suite shall be above grade.
- (7) Condominium plans to provide a separate title for a garden or garage suite shall not be approved.
- (8) Garden and garage suites shall be located in the rear yard and shall be setback a minimum of 4.0 metres (13.1 feet) from the principal dwelling.
- (9) The minimum side yard setback for a garden or garage suite shall be the same as the side yard requirements of the principal building, including corner lots.
- (10) The minimum rear yard setback for a garden or garage suite shall be 2.0 m (6.6 feet). The minimum rear yard setback may be reduced to 1.2 m (3.9 feet) on sites with a rear lane.
- (11) No portion of a garage or garden suite may be located on, under or over a registered easement.
- (12) The cumulative floor area of a garden or garage suite and all accessory buildings located in a rear yard shall not occupy more than 50% of the rear yard.
- (13) Windows and doors in garden or garage suites shall be of a size and in locations which will not result in the loss of privacy for residents of adjacent sites.
- (14) Mechanical units such as air conditioners and vents should be located so as not to constitute a nuisance to adjacent properties.
- (15) One parking space shall be provided for each dwelling unit on the site. On sites with a rear or side lane, the parking space for the garden or garage suite shall be accessed from the said lane.
- (16) The site plan submitted for a garden or garage suite must include details regarding utility service connections. The site plan must be approved by the RM and by all utility agencies which provide services to the site.
- (17) Sites containing garden or garage suites shall be adequately drained. A site drainage plan may be submitted to the RM.
- (18) A building permit is required for garden or garage suites which shall comply with all relevant building, plumbing and development codes.
- (19) Wherever possible, there should be only one water service from the street to the principal dwelling and the garden or garage suite.

5.33 DEVELOPMENT IN PROXIMITY TO RAILWAYS

- (1) The R.M. shall consult with railway companies in order to reduce the potential for land use conflicts and provide appropriate protection for rail infrastructure.
- (2) Land use conflicts may be minimized in areas adjacent to railway lines and rail yards through the application of the Federation of Canadian Municipalities and the Railway Association of Canada's *Guidelines for New Development in Proximity to Railway Operations, 2013*.
- (3) Incompatible uses shall be properly buffered from railways and major roadways.

6 ZONING DISTRICTS

6.1 CLASSIFICATION OF ZONING DISTRICTS

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

Districts	Symbols
Agriculture	AG
Country Residential	CR1
Commercial and Industrial	IC
Hamlet	H

6.2 ZONING DISTRICT MAPS

6.2.1 The map, bearing the statement “This is the Zoning District Map which accompanies Bylaw No. 12-2024 adopted by The Rural Municipality of Birch Hills No. 460” and signed by the Reeve and Rural Municipal Administrator under the seal of the Rural Municipality shall be known as the “Zoning District Map” and such map is hereby declared to be an integral part of this Bylaw.

6.3 BOUNDARIES

6.3.1 The boundaries of such districts referred to, together with explanatory legend, notation and reference, are shown on the map entitled “Zoning District Map”.

6.3.2 All streets, lanes and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

6.3.3 Streets, lanes, and road allowances which are shown on the “Zoning District Map” and which have been permanently closed pursuant to Section 13 of *The Municipalities Act*, shall be in the same district as the land abutting both sides of the permanently closed street, lane or road allowance. If the land abutting each side of the permanently closed street, land or road allowance was located in different zoning districts before the said street, lane or road allowance was permanently closed, the centre line of such permanently closed street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

6.3.4 In unsubdivided land, the zoning district boundary shall be determined by the scale shown on the “Zoning District Map”.

6.4 REGULATIONS

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

6.5 PROPERTIES WITH MORE THAN ONE ZONING DISTRICT

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

6.6 TRANSITIONAL ZONING PROVISIONS

6.6.1 Existing Buildings

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

7 DISTRICT SCHEDULES

7.1 AG – AGRICULTURE DISTRICT

7.1.1 Intent

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

7.1.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are laid out in Table 7-1.

7.1.3 Prohibited Uses

Uses prohibited in the **AG** - Agriculture District are as follows:

Note: prohibited uses may be added in the future through a zoning bylaw amendment

7.1.4 Accessory Buildings and Uses

Accessory Building and Uses Including:	Subject to Section	Designation
(1) Accessory Buildings and Structures	5.1	Permitted
(2) Home Based Businesses and Farm Based Businesses	5.10	Permitted
(3) Bed and Breakfast and Vacation Farms	5.5	Discretionary
(4) Custodial and Residential Care Facilities	5.6	Discretionary
(5) Solar energy systems	5.16	Permitted
(6) Wind Energy Facilities	5.17 & 5.18	Permitted
(7) Garden and Garage Suites	5.32	Permitted

7.1.5 Regulations

- (1) *Site Requirements*
- (a) Minimum and maximum site size, site width, and yard requirements are shown in Table 7-1.

7.1.6 Standards for Discretionary Uses

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

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

7.1.7 Exceptions to Development Standards

Exceptions to development standards in **AG** - Agriculture District, are as follows:

7.1.8 Outside Storage

Outside storage, including garbage storage, is subject to Section 4.15 of this Bylaw.

7.1.9 Temporary Accommodation

A manufactured dwelling or recreational vehicle may be permitted for a period of up to one year on an existing farm dwelling or residential site, while a permanent dwelling unit, for which a valid development permit has been issued, is being actively constructed on the site. In the case where a development permit has not been issued, no manufactured dwelling or recreational vehicle may be used for habitation.

TABLE 7-1: AG - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS									
Use		Development Standards							
		Permitted or Discretionary	Subject to Sections	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Agricultural Uses									
(1)	Farm operations	P	--	16.19 ⁽¹⁾	--	30	45	10	10
(2)	Intensive livestock operations subject to Section 3.5.2.4 in the Official Community Plan	D	3.5.2 (2)	4.05	--	30	45	10	10
(3)	Intensive agricultural operations subject to Section 3.5.2.4 in the Official Community Plan	D	3.5.2 (3)	4.05	--	30	45	10	10
(4)	Communal Farm Settlement	D	5.26	4.05	--	30	45	10	10
Resource Based Uses									
(1)	Mineral and aggregate resource extraction industries	D	3.5.2 (10) 3.7.4 (3)	--	--	--	--	10	10
(2)	Mineral and aggregate resource exploration	P	--	--	--	--	--	--	3
(3)	Oil and Gas exploration, extraction and related facilities	P	5.22	--	--	--	--	--	3
(4)	Oil and gas related commercial uses	D	--	4.05	--	30	45	10	10 ⁽³⁾
(5)	Solar farms	D	5.29	4.05	--	30	45	10	10 ⁽³⁾
(6)	Transloading facilities for oil and gas resources, other natural resources, and agricultural products	D	5.21	--	--	--	--	--	3 ⁽³⁾
Residential Uses									
(1)	Farm Dwellings subject to 3.5.2.2 in the Official Community Plan	P	5.1 (7)	⁽²⁾	--	30	45	10	10
(2)	Single detached dwellings (as a principal use) subject to Section 3.6.2.3 in the Official Community Plan	P	--	1.0 ⁽⁴⁾	8.08 ⁽⁴⁾	30	45	10	10
(3)	Dwellings as an accessory use, except the first farm dwelling	D	3.7.4 (14)						
Commercial Uses									
(1)	Agriculturally related commercial and industrial uses	D	3.7.3 (11)	0.5	--	30	45	10	10 ⁽³⁾
(2)	Bed and breakfast homes	D	5.5	1.0 ⁽⁴⁾⁽⁵⁾	4.05 ⁽⁴⁾⁽⁶⁾	30	45	10	10
(3)	Campgrounds	D	3.5.2 (1)	4.05	--	30	45	10	10

			3.7.4 (9) 5.2						
(4)	Cannabis production facilities	D	3.7.4 (15) 5.27	4.05	--	30	45	10	10
(5)	Crematoriums	D	5.24	4.05	--	30	45	10	10
(6)	Cryptocurrency mines	D		4.05	--	30	45	10	10
(7)	Custodial care facilities	D	5.6	1.0 ⁽⁴⁾	8.08 ⁽⁴⁾	30	45	10	10
(8)	Distilleries wineries and breweries	P		1.0 ⁽⁴⁾	8.08 ⁽⁴⁾	30	45	10	10
(9)	Equestrian facilities	D	5.30	4.05	--	30	45	10	10
(10)	Golf courses	D	3.7.4 (10)	4.05	--	--	45	10	10
(11)	Grain elevators	P		4.05	--	30	45	15	10 ⁽³⁾
(12)	Gun ranges and shooting clubs	D		4.05	--	--	45	10	10
(13)	Indoor / outdoor storage facilities	D	3.7.4 (8) 5.25	4.05	--	30	45	10	10
(14)	Kennels	D	5.13	4.05	--	30	45	10	10
(15)	Machine shops and metal fabricators	D	3.7.4 (6)	4.05	--	30	45	10	10
(16)	Meat processing and kill facilities	D	3.7.4 (14)	4.05	--	30	45	10	10
(17)	Outfitter base camps	D	3.5.2 (1) 5.11	4.05	--	30	45	10	10
(18)	Recovery centres	D	5.6	1.0 ⁽⁴⁾	8.08 ⁽⁴⁾	30	45	10	10
(19)	Residential care facilities	D	5.6	1.0 ⁽⁴⁾	8.08 ⁽⁴⁾	30	45	10	10
(20)	Retreat centres	D	5.6	1.0 ⁽⁴⁾	8.08 ⁽⁴⁾	30	45	10	10
(21)	Tourism base camps	D	3.5.2 (1) 5.11	4.05	--	30	45	10	10
(22)	Tourist camps	D	3.5.2 (1) 5.2	4.05	--	30	45	10	10
(23)	Vacation farms	D	5.5	1.0 ⁽⁴⁾⁽⁵⁾	8.08 ⁽⁴⁾⁽⁶⁾	30	45	10	10
(24)	Veterinary clinics and animal hospitals	D		4.05	--	30	45	10	10
Municipal, Recreational, Institutional and Other Uses									
(1)	Airports and airstrips	D		⁽⁷⁾	--	--	45	10	10
(2)	Cemeteries	D		--	--	--	--	--	3
(3)	Clubs	P							
(4)	Community halls	P		4.05	--	30	45	10	10
(5)	Detention centres and correctional institutions	D		4.05	--	30	45	10	10
(6)	Historical and archeological sites	P		--	--	--	--	--	3
(7)	Institutional camps	D	3.5.2 (1)	4.05	--	30	45	10	10

(8)	Municipal facilities	P	--	--	--	--	--	--
(9)	Parks and playgrounds	P	--	--	--	--	--	--
(10)	Passive recreational use	P	--	--	--	--	--	--
(11)	Places of worship	D	3.7.4 (2)	--	30	45	10	10
(12)	Public works, excluding solid and liquid waste disposal sites	P	--	--	--	--	--	3
(13)	Radar stations	D	4.05	--	--	45	10	10
(14)	Recreation facilities	D	4.05	--	30	45	10	10
(15)	Schools	D	4.05	--	30	45	10	10
(16)	Solid and liquid waste disposal facilities, sewage lagoons, pesticide container collection sites, including soil farms for the rehabilitation of contaminated soils, and associated facilities subject to Sections 3.5.2.2 of the Official Community Plan	D	3.5.2 (6) 5.4	--	30	45	10	10
(17)	Telecommunications facilities	P	--	--	--	45	10	10
	Trapping	P	--	--	--	45	10	10
(18)	Wildlife and ecological conservation areas	P	--	--	--	--	--	--
(19)	Wind energy facilities, including wind farms	D	3.5.2 (9) 5.17 5.18	Development Standards as laid out in Section 5.17 & 5.18				

Use Designations:

(P) - Permitted Use

Means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

Special limitation and standards regarding Table 7-1 and the A - Agriculture District:

- (1) or a lesser amount as identified in Section 3.5.2.2(b) of the Official Community Plan
- (2) the same as farm operations
- (3) where rear yard abuts a railway or a railway reserve no rear yard is required
- (4) or a greater or lesser site size as identified in Section 3.6.2.3 (d) of the Official Community Plan
- (5) unless developed ancillary to a farm operation, in which case 64 hectares, and subject to ⁽¹⁾ above no maximum shall apply if developed ancillary to a Farm Operation
- (7) Private facilities: 1.01 hectares; Publicly-owned facilities: no minimum

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval by Council; and which complies with the development standards and other regulations as may be required by Council and/or contained in this Bylaw.

7.2 CR1 – COUNTRY RESIDENTIAL DISTRICT

7.2.1 Intent

The objective of the **CR1** - Country Residential District is to provide for low density, multiple lot country residential development and other compatible development in specific areas with standards for such development which does not directly support agriculture.

7.2.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are laid out in Table 7-2.

7.2.3 Prohibited Uses

Uses prohibited in **CR1** - Country Residential District are as follows:

Note: prohibited uses may be added in the future through a zoning bylaw amendment

7.2.4 Accessory Buildings and Uses

Accessory Building and Uses Including:		Subject to Section	Designation
(1)	Accessory Buildings and Structures	5.1	Permitted
(2)	Home Based Businesses and Farm Based Businesses	5.10	Permitted
(3)	Bed and Breakfast and Vacation Farms	5.5	Discretionary
(4)	Custodial and Residential Care Facilities	5.6	Discretionary
(5)	Solar energy systems	5.16	Permitted
(6)	Wind Energy Facilities	5.17 & 5.18	Discretionary
(7)	Garden and Garage Suites	5.32	Permitted

7.2.5 Regulations

(1) Site Requirements

The minimum and maximum site size and yard requirements are shown in Table 7-2.

(2) Keeping of Animals

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

7.2.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the **CR1** - Country Residential District with regard to Section 3.7.2 Discretionary use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

7.2.7 Outside Storage

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

Table 7-2 CR1 - COUNTRY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS									
Use		Development Standards							
		Permitted or Discretionary	Subject to Sections	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m) ⁽¹⁾	Minimum Rear Yard (m) ⁽¹⁾
Residential Uses									
(1)	Single detached dwellings	P		1.0	8.08	25 (82.0 ft)	7.5 (24.6 ft)	7.5 (24.6 ft)	6 (19.7)
(2)	Dwelling groups	D	5.19	1.0	8.08	25 (82.0 ft)	7.5 (24.6 ft)	7.5 (24.6 ft)	6 (19.7)
Commercial Uses									
(1)	Daycare centres	D		1.0	8.08	25 (82.0 ft)	7.5 (24.6 ft)	7.5 (24.6 ft)	6 (19.7)
(2)	Equestrian facilities	D	5.30	2.02	16	25 (82.0 ft)	7.5 (24.6 ft)	7.5 (24.6 ft)	6 (19.7)
Municipal, Recreational, Institutional and Other Uses									
(1)	Community halls	P		900 m ² (0.09ha)	--	25 (82.0 ft)	7.5 (24.6 ft)	7.5 (24.6 ft)	6 (19.7)
(2)	Historical and archaeological sites	P		--	--	--	--	3 (9.8 ft)	--
(3)	Libraries	P		900 m ² (0.09ha)	--	25 (82.0 ft)	7.5 (24.6 ft)	7.5 (24.6 ft)	6 (19.7)
(4)	Municipal facilities	P		--	--	--	--	--	--
(5)	Parks and playgrounds	P		--	--	--	--	--	--
(6)	Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--	--	--
(7)	Wildlife and ecological conservation areas	P		--	--	--	--	3 (9.8 ft)	--
(8)	Wind energy facilities (one turbine)	D	5.17	Development Standards as laid out in Section 5.17					

Use Designations:

(P) - Permitted Use

Means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval by Council; and which complies with the development standards and other regulations as may be required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 7-2 and the CR1 - Country Residential District:

7.3 IC – COMMERCIAL AND INDUSTRIAL DISTRICT

7.3.1 Intent

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

7.3.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are laid out in Table 7-3.

7.3.3 Prohibited Uses

Uses prohibited in IC - Commercial and Industrial District are as follows:

Note: prohibited uses may be added in the future through a zoning bylaw amendment

7.3.4 Accessory Buildings and Uses

Accessory Building and Uses Including:		Subject to Section	Designation
(1)	Accessory Buildings and Structures	5.1	Permitted
(2)	Solar energy systems	5.16	Permitted

7.3.5 Regulations

- (1) *Site Requirements*

The minimum and maximum site size and yard requirements are shown in Table 7-3.

7.3.6 Standards for Discretionary Uses

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

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

7.3.7 Outside Storage

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

IC - COMMERCIAL AND INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS									
Table 7-3		Development Standards							
Use		Permitted or Discretionary	Subject to Sections	Minimum Site Area (m²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	
Residential Uses									
(1)	Business dwellings	D	3.7.4 (14) 5.1 (7)	same as principal use					
Commercial Uses									
(1)	Agriculturally related commercial or industrial use	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)	
(2)	Auction marts, excluding livestock auctions	P	5.14	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)	
(3)	Autobody and paint shops	D	3.7.4 (6)	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)	
(4)	Automotive sales and repair	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)	
(5)	Campgrounds	D	3.5.2 (1) 3.7.4 (9) 5.2	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)	
(6)	Cannabis production facilities	D	3.7.4 (15) 5.27	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)	
(7)	Cannabis retail stores	D	3.7.4 (16) 5.28	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)	
(8)	Car and truck washes	P	3.7.4 (1)	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)	
(9)	Commercial recreational uses	D	3.7.4 (2)	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)	
(10)	Commercial complexes	D	3.7.4 (6)	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)	
(11)	Convenience stores, with or without gas bars	P	5.8 5.9	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)	
(12)	Daycare centres	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)	

(13)	Drive-in theatres	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(14)	Gas bars	P	5.8 5.9	930 (.23 ac)	30 (98.4 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(15)	Hotels	D	3.7.4 (13)	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(16)	Landscaping establishments	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(17)	Lumber yards, home improvement centres and building supply establishments	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(18)	Mineral and aggregate resource extraction industries including gravel pits	D	3.5.2 (10) 3.7.4 (3)	--	--	--	--	10
(19)	Motels	D	3.7.4 (13)	605 (.15 ac)	2020 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(20)	Nurseries, greenhouses and garden centres	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(21)	Offices and office buildings	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(22)	Recycling and collection depots	D	3.7.4 (8)	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(23)	Repair shops and repair services	D		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(24)	Restaurants	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(35)	Retail / service commercial	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(26)	Service stations	P	5.7 5.9	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(27)	Taxidermy and accessory tanning of hides	D		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(28)	Temporary work camps	D	5.31	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(29)	Tourist camps	D	3.5.2 (1) 5.2	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
(30)	Veterinary clinics and animal hospitals	D		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)	15 (50.0 ft)
Industrial Uses								
(1)	Agricultural related commercial and industrial use (See Use, Agricultural Related Commercial and Industrial in Section 2)	D	3.7.4 (11)	1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50.0 ft)
(2)	Asphalt, cement plants and coal yards	D	3.7.4 (7)	1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50.0 ft)
(3)	Bulk fuel sales and storage	D	5.9	1,115	30	7.5	3	15

			5.12	(.28 ac)	(98.4 ft)	(24.6 ft)	(50.0 ft)
(4)	Construction trades	D	3.7.4 (6)	1,115 (.28 ac)	30 (98.4 ft)	7.5 (2.3 ft)	3 (9.8 ft)
(5)	General industrial use (see Use, General Industrial in Section 2)	D	3.7.4 (6)	1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)
(6)	Indoor / outdoor storage facilities	D	3.7.4 (8) 5.25	1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)
(7)	Industrial complexes	D	3.7.4 (6)	1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)
(8)	Truck stops	D	3.7.4 (12) 5.15	1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)
(9)	Welding and machine shops	D	3.7.4 (6)	1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)
Municipal, Recreational, Institutional and Other Uses							
(1)	Ambulance stations	D	3.7.4 (5)	605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)
(2)	Community halls	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)
(3)	Historical and archaeological sites	P		--	--	--	--
(4)	Municipal facilities	P		--	--	--	--
(5)	Parks and playgrounds	P		--	--	--	--
(6)	Places of worship	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)
(7)	Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--
(8)	Recreation facilities	P		605 (.15 ac)	20 (65.6 ft)	7.5 (24.6 ft)	1.5 (5.0 ft)
(9)	Wind energy facilities (one turbine)	D	5.17		As laid out in Section 5.17		

Use Designations:

(P) - Permitted Use

Means a use or form of development allowed as of right in a zoning district, subject to the to, and approval by Council; and which complies with the development standards and other regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval by Council; and which complies with the development standards and other regulations as may be required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 7-3 and the IC – Commercial and Industrial District:

7.4 H – HAMLET DISTRICT

7.4.1 Intent

The objective of the **H** – Hamlet District is to provide for limited residential and commercial growth in the form of infilling of existing vacant land within existing hamlets.

7.4.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are laid out in Table 7-5.

7.4.3 Prohibited Uses

Uses prohibited in **H** – Hamlet District are as follows:

Note: prohibited uses may be added in the future through a zoning bylaw amendment

7.4.4 Accessory Buildings and Uses

Accessory Building and Uses Including:		Subject to Section	Designation
(1)	Accessory Buildings and Structures	5.1	Permitted
(2)	Home Based Businesses and Farm Based Businesses	5.10	Permitted
(3)	Bed and Breakfast and Vacation Farms	5.5	Discretionary
(4)	Custodial and Residential Care Facilities	5.6	Discretionary
(5)	Solar energy systems	5.16	Permitted
(6)	Garden and Garage Suites	5.32	Permitted

7.4.5 Regulations

(1) Site Requirements

The minimum and maximum site size and yard requirements are shown in Table 7-4.

7.4.6 Standards for Discretionary Uses

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

7.4.7 Outside Storage

Outside storage, including garbage storage, is subject to Section 4.15 of this Bylaw.

7.4.8 Keeping of Chickens, Goats, Sheep, Geese and Turkeys

- (1)

Up to eight (8) chickens may be kept on a site in the Hamlet of Hagen as a permitted use.
- (2)

Up to eight (8) chickens, goats, sheep, geese or turkeys, may be kept on a site in the Hamlet of Brancepeth on the approval of Council as a discretionary use.

Table 7-5 H - HAMLET DISTRICT DEVELOPMENT STANDARDS									
Use		Development Standards							
		Permitted or Discretionary	Subject to Sections	Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	
Residential Uses									
(1)	Single detached dwellings	P	--	256 (.06 ac)	15 (50.0 ft)	6 (19.7 ft)	1.2 (4 ft)	6 (19.7 ft)	
Commercial and Industrial Uses									
(1)	Confectionaries	P		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)	
(2)	Daycare centres	P		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)	
(3)	Distilleries wineries and breweries	P		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)	
(4)	Hotels and motels	D	3.7.4 (11)	1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)	
(5)	Construction yards	D	3.7.4 (6)	1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)	
(6)	Gas bars	D	5.8 5.9	1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)	
(7)	Indoor / outdoor storage facilities	D	3.7.4 (8) 5.25	1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)	
(8)	Kennels	D	5.13	1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)	
(9)	Landscaping establishments	D		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)	
(10)	Repair shops and repair services	P		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)	
(11)	Restaurants	P		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)	
(12)	Retail food outlets	P		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)	
(13)	Service stations	D	5.7	1,115	30	7.5	3	15	

			5.9	(.28 ac)	(98.4 ft)	(24.6 ft)	(9.8 ft)	(50 ft)
(14)	Veterinary clinics and animal hospitals	D		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)
(15)	Welding and machine shops	D		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)
(16)	Bin yards	D		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)
Municipal, Recreational, Institutional and Other Uses								
(1)	Municipal facilities	P		--	--	--	--	--
(2)	Schools							
(3)	Places of worship	P		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)
(4)	Recreation facilities	P		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)
(5)	Clubs	P		1,115 (.28 ac)	30 (98.4 ft)	7.5 (24.6 ft)	3 (9.8 ft)	15 (50 ft)
(6)	Parks and playgrounds	P		--	--	--	--	--
(7)	Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--	--
(8)	Wind energy facilities (one turbine)	D	5.17		As laid out in Section 5.17			

Use Designations:

(P) - Permitted Use

A use of land or buildings or form of development that is prescribed as a use in the zoning district that is allowed on a site, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval by Council; and which complies with the development standards and other regulations as may be required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 7-5 and the H - Hamlet District:

8 REQUIRED SEPARATION DISTANCES BETWEEN USES

Table 8-1: Separation Distances Between Uses (in metres)		Municipal Wells	Residential *			Recreational Development (campground, ski hill, festival site, etc.) ⁽⁴⁾	Intensive Agriculture ⁽⁶⁾
			Single Parcel CR ⁽¹⁾	Multi-parcel CR, Organized Hamlet, Hamlet, or Urban Municipality ^{(2)/(5)}	Tourist Accommodation ⁽³⁾		
Urban Municipality		--	--	N/A	--	--	--
Intensive Livestock Operation ⁽⁷⁾	300 – 499 A.U.	1,600 (1 mile)	600 (1968.5 feet)	1,600 (1 mile)	600 (1968.5 feet)	600 (1968.5 feet)	--
	500 – 2,000 A.U.	1,600 (1 mile)	800 (0.5 miles)	2,400 (1.5 miles)	800 (0.5 miles)	800 (0.5 miles)	--
	> 2,000 A.U.	1,600 (1 mile)	1,200 (0.75 miles)	3,200 (2 miles)	1,200 (.75 miles)	1,200 (.75 miles)	--
Airport / Airstrip ⁽⁸⁾		--	--	800 (0.5 miles)	--	--	--
Mineral and Aggregate Resource Extraction Industry		--	305 (1000.6 feet)	600 (1968.5 feet)	200 (656 ft)	--	--
Waste Mgmt. ⁽⁹⁾	Solid	1,600 (1 mile)	457 (139.3 feet)	457 (139.3 feet)	457 (139.3 feet)	457 (139.3 feet)	457 (139.3 feet)
	Liquid	1,600 (1 mile)	457 (139.3 feet)	457 (139.3 feet)	457 (139.3 feet)	457 (139.3 feet)	457 (139.3 feet)
Anhydrous ⁽¹⁰⁾	Non-refrigerated	--	305 (1000.6 feet)	305 (1000.6 feet)	305 (1000.6 feet)	305 (1000.6 feet)	--
	Refrigerated	--	600 (1968.5 feet)	600 (1968.5 feet)	600 (1968.5 feet)	600 (1968.5 feet)	--
Hazardous Industrial ⁽¹¹⁾		1,600 (1 mile)	1,600 (1 mile)	2,400 (1.5 miles)	1,000 (.62 miles)	1,000 (.62 miles)	--

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

- (1) Single residential building...

(2) Multi-lot residential building site...

(3) Tourist accommodation facility...

(4) Recreational site...

(5) Municipal boundary...

(6) Intensive agricultural site...

(7) ILO facility...

(8) Airport / airstrip facility...

(9) Waste management facility or lagoon...

(10) Anhydrous ammonia storage facility...

(11) Hazardous Industrial site.

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

* All residences existing as of the adoption date of this bylaw are exempt from the separation distances required in Table 8-1. Any existing residences exempt from these separation distances, and which are damaged or destroyed by an occurrence such as wind, tornado or fire not intentionally started by the owner, may be rebuilt at the existing location, provided that any provincial approval that may be required has been obtained.

** Council may reduce the prescribed distances contained in Table 7-1 where:

- (i) the land being separated is located in another Rural Municipality;

(ii) the Council of the other affected Rural Municipality is consulted prior to approval of the proposed development; and

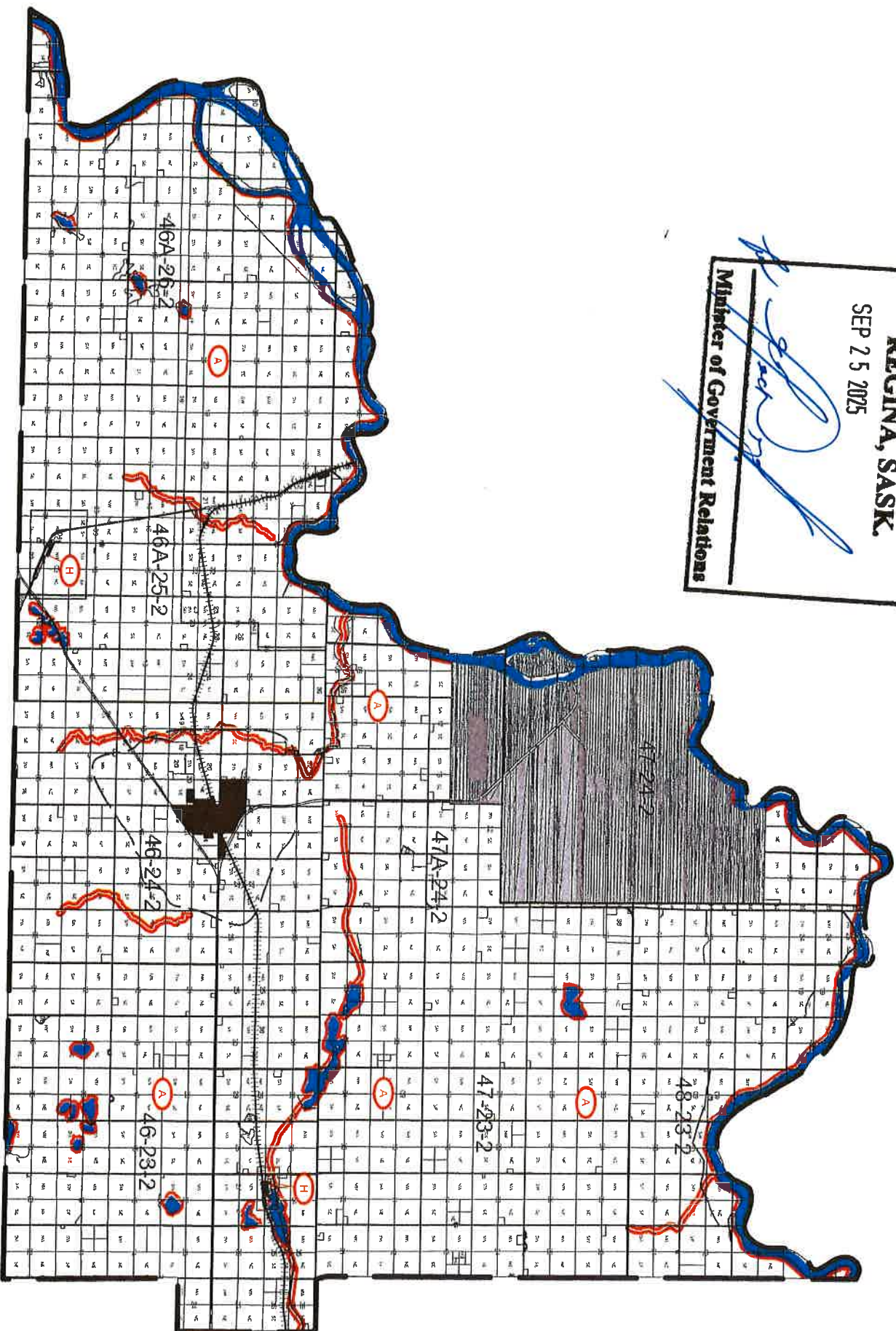
(iii) appropriate fencing, screening, landscaping, berming, building and site orientation, road upgrading or other similar measures are provided to mitigate potential land use conflicts.

(iv) an intensive livestock operation existing prior to the passing of this bylaw is expanded, subject to Discretionary Use approval and Provincial approval.

*** Distances measured between intensive livestock operations and building development shall mean the distance between the closest points on the outside wall of the closest building used as part of the intensive livestock operation and the closest building development. For the purposes of meaning distance, building development shall refer to the outside wall of the closest primary structure that meets the definition of “building development”, whether or not that structure is a stand-alone structure or is found within a residential subdivision, hamlet, village or town.

9 MAPS

APPROVED
REGINA, SASK.
SEP 25 2025
[Signature]
Minister of Government Relations



Rural Municipality of
Birch Hills No. 460

ZONING MAP

ZONING DISTRICTS

- (A)** AGRICULTURE
- (C1)** COMMERCIAL INDUSTRIAL
- (CR1)** LOW DENSITY COUNTRY RESIDENTIAL
- (H)** HAMLET
- WATERBODY**
- WATER COURSE**
- POTENTIAL FLOOD PRONE AREA**

* This is the Zoning District Map which
accompanies Bylaw Number **12-2024**
adopted by the RM of Birch Hills.

Reeve
[Signature]
Administrator

**CROSBY
HANNA
& ASSOCIATES**
LANDSCAPE ARCHITECTURE
COMMUNITY PLANNING
F. DOBSON

DATE
2024-08-27
PROJECT NO.
CHA 23051

0 1 2 4 km





Rural Municipality of
Birch Hills No. 460

ZONING MAP

ZONING DISTRICTS

- A AGRICULTURE
- CI COMMERCIAL/INDUSTRIAL
- CRD LOW DENSITY COUNTRY RESIDENTIAL
- H HAMLET
- WATERBODY
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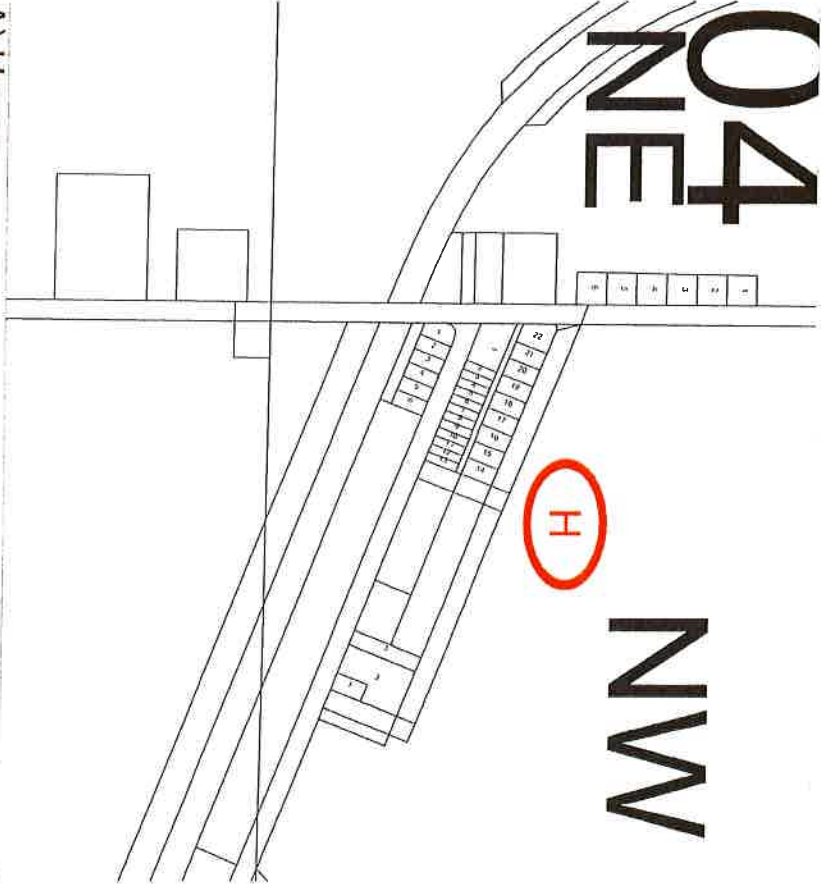
Reeve
Paul Turner
Administrator
Chuidebad

CROSBY
HANNA
& ASSOCIATES
LANDSCAPE ARCHITECTURE
COMMUNITY PLANNING
1000 10th Ave S
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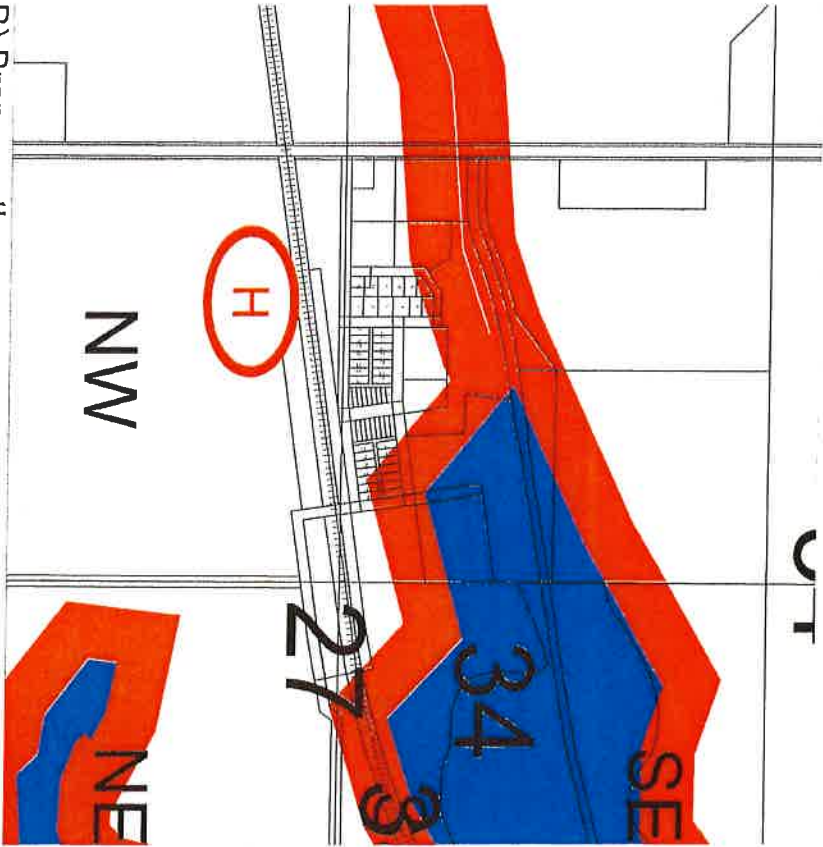
DATE
2024-09-27
PROJECT NO.
CHA 23051

0 1 2 4 km

A) Hagen



B) Brancepeth



APPROVED
REGINA, SASK.
SEP 25 2025
[Signature]
Minister of Government K.

