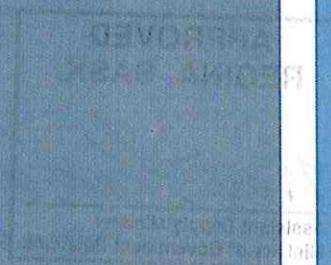


R.M. OF SOUTH QU'APPELLE NO. 157

Zoning Bylaw No. 2016-03



**RURAL MUNICIPALITY OF SOUTH QU'APPELLE
BYLAW NO. 2016-03**

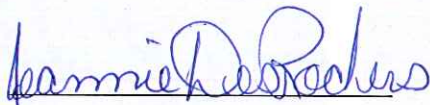
A Bylaw of the Rural Municipality of South Qu'Appelle No. 157 to adopt a Zoning Bylaw.

Whereas Section 46 of the Act authorizes council to prepare and adopt a zoning bylaw for all or part of the municipality in conjunction with the adoption of an official community plan;

Whereas, in accordance with Section 207 of the Act, the Council of the Rural Municipality of South Qu'Appelle No. 157 held a Public Hearing on April 12, 2017 in regards to the proposed bylaw, which was advertised in a weekly paper on March 16 and March 23, 2017 in accordance with the public participation requirements of the Act;

Therefore, the Council for the Rural Municipality of South Qu'Appelle No. 157 in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1. This bylaw may be cited as "The R. M. of South Qu'Appelle No. 157 Zoning Bylaw".
2. The Zoning Bylaw be adopted, as shown on Schedule 'A', attached to and forming part of this bylaw.
3. Bylaw No. 4-2005 as amended shall be repealed upon the adoption of this Bylaw coming into force and effect;
4. This bylaw shall come into force on the date of final approval by the Minister of Government Relations.



REEVE





ADMINISTRATOR



Appendix A

RM of South Qu'Appelle No. 157 Zoning Bylaw

BYLAW NO. 2016-03

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PART I - SECTION 1 - INTRODUCTION

1.1 Title

This Bylaw shall be known as Zoning Bylaw No. 2016-03 of the Rural Municipality of South Qu'Appelle No. 157".

1.2 Scope

This Bylaw regulates land use and development in the RM. All development within the limits of the municipality shall conform to the provisions of this Bylaw and the accompanying Official Community Plan.

The words "shall" or "will" identify a mandatory action or decision, as the case may be. The words "should" or "may" identify a voluntary action or decision, as the case may be.

1.3 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.

SECTION 2 - ADMINISTRATION

2.1 Development Officer

The Rural Municipal Administrator shall be the Development Officer responsible for the administration of this Bylaw unless another designate has been appointed by Council.

2.2 Application for a Development Permit

- (1) Every person shall apply for a development permit before commencing any development within the municipality, except as listed in Section 2.3 of this bylaw.
- (2) The development permit application shall be in the "Form A" as adopted or amended by resolution of Council.
- (3) The application shall have attached a layout or site plan as required in the application form or by the Development Officer, together with any other information needed to assess the application including:
 - ☐ A description of the intended use or proposed development including any change in building use or land use change
 - ☐ Legal land description
 - ☐ The signature of the applicant and the registered landowner(s)
 - ☐ A copy of the Certificate of Title or other proof of ownership
 - ☐ Estimated commencement and completion dates
 - ☐ Floor Plans and elevations of the proposed development (which will be kept at the Municipal Office for future reference)
 - ☐ Any other information needed to assess the application.
 - ☐ The attached site plan which shall include:
 - ☐ All adjacent roads, highways, service roads and access to the site (label on site plan)
 - ☐ Rights-of-ways and easements (gas, oil, power, drainage easements, etc.)
 - ☐ All drainage courses
 - ☐ Location of proposed development
 - ☐ Existing development on the site
 - ☐ Landscaping details (existing trees, removal of trees, proposed plantings, berming, water features, etc.)
 - ☐ Setbacks to property line, road and services
 - ☐ Top of bank and water
 - ☐ Existing and proposed services:
 - ☐ Location of well or cistern
 - ☐ Method and location of sewage disposal
 - ☐ Sign location and details like artwork, colors, size, lights, etc
 - ☐ Parking and loading facilities
 - ☐ Sidewalks, patios, playgrounds
 - ☐ North arrow
 - ☐ Any additional information deemed necessary by Council or the Development Officer

2.3 Development Not Requiring a Permit

- (1) Provided all other provisions of this bylaw are met, including the listing of the following exemptions as a permitted use in the relevant zoning District, development permits are not required for the following:

- (a) Agricultural Operations: including but not limited to the management of pastures for non-intensive livestock operations and the planning, management and harvesting of field crops and gardens.
- (b) Accessory Agricultural Uses: including all agricultural buildings, wire fences or structures (except those associated with intensive operations or a dwelling or an addition to a dwelling), which will be accessory to a lawful agricultural operation within the Zoning Districts established by this bylaw, provided the use meets the Building Setback Requirements of the relevant Zoning District;
- (b) Accessory Uses (not related to Agriculture): all buildings or structures which are no more than 9.3 sq. m (100 sq. ft.) in size or 15 m (50 ft.) tall and which will be accessory to a lawful use within the Zoning Districts established by this bylaw, provided the use meets the Building Setback Requirements of the relevant Zoning District;
- (c) Linear Public Utilities: Any operation to install, inspect, repair, or renew lines for sewers, potable water, cables, wires, tracks or similar public works as required by a public utility except where the line will cross or lie within the limits of a public road;
- (d) Municipal Facilities and Land Uses: Any facility installed and operated by the Municipality including municipal uses on municipal reserve;
- (e) Signs: Subject to the provisions of Section 3.5;

2.4 Referrals of an Application

- (1) The Development Officer may refer any development permit application to Council for a decision on the interpretation of the Bylaw in respect to that application, or an interpretation regarding any special conditions or decision which may be authorized in the Bylaw.
- (2) The development permit applicant shall receive notice of the date and time of the meeting at which Council will consider the interpretation matter.
- (3) The Development Officer may refer any development application or rezoning application to any internal or external departments or organizations for review and comment prior to issuing a development permit. Any recommendations received may be applied as conditions to the development permit.
- (4) The Development Officer shall make available a copy of all approved Development Permits involving the installation of water and sanitary service if requested by provincial officials under *The Public Health Act* and Regulations.

2.5 Amending the Zoning Bylaw

- (1) Council shall require a report from the Development Officer to accompany each rezoning request and shall, by resolution, approve the application if, in Council's opinion, the following questions were satisfactorily answered. The questions must be dealt with in the sequence in which they are listed. Council shall not proceed to consider a subsequent question until the current one has been satisfactorily answered. The questions are:
 - (a) From the facts presented, will the proposed rezoning or use be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or will it be injurious to property, improvements or potential

development in the vicinity?

- (b) Do the Goals, Objectives and Policies of the Official Community Plan and the Regulations of this Zoning Bylaw allow for the change?
 - (c) Is the proposed use suitable for the land?
 - (d) Is there another site which is more suitable for the use?
 - (e) Are the proposed development details such as environmental protection, building location, parking etc., satisfactory?
 - (f) Should any conditions be negotiated with the rezoning applicant or attached to the Permit to improve the development and decrease or eliminate any negative impact on nearby uses?
 - (g) Are there appropriate services to accommodate the use? Will there be a financial burden on the rest of the ratepayers because of the servicing requirements needed for the development?
-
- (2) The process for public notification and public participation during the Bylaw adoption process shall be as per the regulations of *The Planning and Development Act, 2007*.
 - (3) The premature rezoning of land for development shall not be practiced.

2.6 Issuing Development Permits

- (1) Upon completion of the review of a development application, the Development Officer shall determine if the application is a permitted, discretionary or prohibited use within the site specific district and proceed with the following:
 - (a) Permitted Use:
 - (i) The Development Officer will issue a development permit for a permitted use, in writing, where the application conforms to the Bylaw, incorporating any special regulations, performance standards or development standards required or authorized by this Bylaw; or
 - (ii) The Development Officer will issue a notice of refusal, in writing, where the application does not comply with a use provision or regulation of this Bylaw, and the applicant has been given adequate opportunity to alter the proposal to comply with the Bylaw. The notice shall state the reason for refusal; or
 - (b) Discretionary Use:
 - (i) The Development Officer will prepare a report for Council on the proposal discussing or examining the criteria for consideration of that discretionary use and submit the report and application to Council for decision.
 - (ii) At least seven (7) days before the application is to be considered by Council, the Development Officer shall provide notice to the public for the discretionary use application. The notice must be provided to the assessed owners of properties within 75 m (246 ft) of the boundary with the applicant's land and any other land owners the Development Officer feels should be notified or who may have an interest in the lands.

- (iii) Council shall, by resolution, make a decision on a discretionary use which instructs the Development Officer to:
 - (1) Issue a development permit, in writing, incorporating any specific development standards required by Council in accordance with this Bylaw and Section 56(3) of *The Planning and Development Act, 2007* (the Act); or
 - (2) Require the applicant to provide further information regarding the proposed development or the land on which it is proposed; or
 - (3) Issue a notice of refusal, in writing, to the applicant, where the applicant has been given adequate opportunity to alter the proposal to comply with the Bylaw.
- (c) Prohibited Use
 - (i) If the proposed development is not listed as a permitted or discretionary use, it will be considered a prohibited use for the purposes of this bylaw.
 - (ii) The Development Officer will issue a notice of refusal and state that the proposed development is prohibited.
- (2) The notice of decision shall contain:
 - (a) Development standards and conditions or time limits as authorized by this Bylaw.
 - (b) If refused, state the reason for refusal.
 - (b) The effective date of the decision
 - (c) The applicant's right to appeal pursuant to Section 58 of The Act.
- (4) All permits shall expire one year from the date of issuance.
- (5) A new development permit is required when:
 - (a) The approved development ceases and is replaced by another use
 - (b) The approved development ceases for a 12 month period
 - (c) The development is not started within 12 months (permit expires)
 - (d) The intensity of the development increases
 - (e) Where a person wishes to vary the development from the application as approved, with or without conditions, the person must submit a new application and obtain a new development permit providing for the variation, before the variation is made.

2.7 Minor Variance

- (1) Council may vary the requirements of this Zoning Bylaw for the:
 - (a) Minimum required distance of a building from the lot line; and
 - (b) Minimum required distance of a building to any other building on the lot.
- (2) The maximum amount of variance given by Council shall not exceed 10% from the requirements established in this Zoning Bylaw. The development must conform to the land use requirements established in this Zoning Bylaw and shall not affect neighbouring properties.
- (3) The Development Officer shall refer the development permit application for the minor variance to Council. Council shall:
 - (a) Approve; or
 - (b) Approve with conditions; or
 - (c) Refuse the minor variance.
- (4) If the application is refused by Council, the Development Officer shall provide written notice to the applicant and provide reason for the refusal.
- (5) If the application is approved by Council, with or without conditions, the Development Officer shall provide written notice, delivered by registered mail, to the applicant and to the assessed owners of property who have a common boundary with the applicant's land. The notice shall contain a summary of the application and reasons for Council's approval as well as the effective date of the decision. The assessed property owners may lodge a written objection to Council or the Development Officer within 20 days after the receipt of the notice. If an objection is lodged, the approval is deemed to be revoked and the Development Officer shall notify the development permit applicant, in writing, of the revocation of the approval and the applicant's right to appeal the revocation to the Development Appeals Board within 30 days after receiving the notice.
- (6) If an application for a minor variance is refused, the applicant may appeal the refusal to the Development Appeals Board within 30 days of that decision

2.8 Building Permits, Licenses, and Compliance with Other Bylaws

- (1) Nothing in this bylaw shall exempt any person from complying with a Building Bylaw, or any other bylaw in force within the municipality, or from obtaining any permission required by this, or any other bylaw of the municipality, the province or the federal government.
- (2) A building permit where required, shall not be issued for a development by the Council or its agent unless a required development permit has first been issued.

2.9 Development Appeals Board

- (1) Council shall appoint a Development Appeals Board in accordance with Section 49 and 214 to 218 of the Act. The composition of the Board, the secretary, remuneration and expenses, powers, duties and responsibilities shall be as per Council's policy which shall be adopted by resolution.
- (2) On the notice of decision the Development Officer shall advise the applicant of the

rights of appeal which may be granted by the Act.

- (3) The Development Appeals Board has the authority to hear an appeal based on:
 - (a) The approval of a development permit where it is alleged the Development Officer misapplied the zoning bylaw in approving the proposal;
 - (b) The refusal of the Development Officer to issue a development permit because the proposal contravenes the zoning bylaw;
 - (c) Council's approval of a discretionary use with development standards or conditions (only the conditions or standards may be appealed);
 - (d) An order to repair or correct contraventions under a Nuisance Bylaw and/or Zoning Bylaw adopted under *The Municipalities Act* (Sections 364 and 365) or *The Planning and Development Act, 2007* (Section 242).
- (4) The Development Appeals Board does not have the authority to hear an appeal based on:
 - (a) A discretionary use application is refused
 - (b) Council refuses to amend a zoning bylaw or rezone land
 - (c) A decision concerns a subdivision application
- (5) Anyone starting an appeal must send written notice of appeal to the Secretary of the Development Appeals Board within:
 - (a) 30 days of a Development Officer's decision being issued;
 - (b) 30 days of receiving a permit with terms and conditions; or
 - (c) 15 days if appealed under *The Municipalities Act*, or 30 days under *The Planning and Development Act, 2007*, of an order being served to repair or correct contraventions.
- (6) The Board must hold a public hearing on the appeal within 30 days of receiving a notice of appeal.
- (7) At least 10 days before the hearing, the Board must notify affected parties about the hearing. The notice must be served by personal service, ordinary mail or registered mail.
- (8) In making an appeal to the Appeals Board, and hearing such appeal, the provisions of *The Planning and Development Act, 2007* shall apply.

2.10 Fees, Notice and Advertising

- (1) Bylaw Amendments
 - (a) An applicant for a bylaw amendment shall pay the costs associated with the public advertisement of the proposed amendment in all cases where Council chooses to proceed with such advertising.
 - (b) Council may choose not to proceed with the advertising if it concludes that the proposed amendment is unsuitable or unnecessary.

(2) Development Permits

(a) Permitted Uses

- (i) There is no notice or advertising required for permitted use development permit applications.

(b) Discretionary Uses

- (i) The application fee for discretionary uses will also include the costs associated with any public advertisement necessary prior to making a decision on the application.
- (ii) Prior to making a decision on a proposed discretionary use the Development Officer shall provide notice to the public as follows:
 - at least 7 days before the application is to be considered by Council, notice must be provided to the assessed owners of property within 75 m of the boundary with the applicant's land; and any other owners of property required to be notified pursuant to the zoning bylaw.
- (ii) Prior to making a decision on a proposed discretionary use the Development Officer may also provide notice to the public in any or all of the following ways:
 - a newspaper ad which shall run at least twice on separate dates;
 - requiring the applicant to erect a sign on the site proposed for the Discretionary Use. The size, location and duration of posting of the sign and the wording of the notice on it shall require the prior approval of the Development Officer;
 - a general mail out to all landowners in any or all Divisions of the RM.

2.11 Offences and Penalties

- (1) Any person who violates this bylaw is guilty of an offence and liable, on summary conviction, to the penalties set forth in the Act.

2.12 Interpretation

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

SECTION 3 - GENERAL REGULATIONS

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

3.1 Hazard Lands

- (1) Where a proposed development or any required access is identified as potentially flood hazard land on the Zoning Bylaw Map or on any other land that Council deems as hazardous the RM may require the applicant to submit a report prepared by a professional, who is competent to assess the suitability of the site with regards to topographic, hydrological, geotechnical or other environmental conditions as part of the development permit application. The information will be used to determine if the development will be suitable for the site with respect to the following:
 - (a) The 1: 500 year flood elevation level, or such lower elevation as may be suitable for the proposed use or building;
 - (b) The potential for slope instability;
 - (c) The required mitigation measures to develop in areas of high water table, near public wells or a private or public dam, which is licensed by the province; and
 - (d) Any information required by Council to assess the suitability of a development near the sewage lagoons or waste disposal sites.
- (2) Identified actions for hazard avoidance, prevention, mitigation or remedy for any development proposed on environmentally sensitive or hazardous lands may be incorporated as special conditions of a development permit.
- (3) Where such special conditions identified in professional reports conflict with any other regulation of this Bylaw, the more stringent conditions shall take precedence.
- (4) Council will refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the adverse effects or may result in excessive costs for the municipality, or surrounding landowners.

3.2 One Principal Building or Use Permitted on a Site

- (1) Not more than one principal building or use shall be permitted on any one site except for:
 - (a) Public utility uses;
 - (b) Institutional uses;
 - (c) Agricultural uses; or
 - (d) Accessory uses as specifically provided for in this bylaw.

3.3 Mobile Homes and Park Model Homes

- (1) Wherever a dwelling unit is allowed, it may be in the form of a mobile home where it is attached to a permanent foundation to the satisfaction of the Development Officer and Building Inspector, prior to occupancy.
- (2) A mobile home shall comply with the Canadian Standards Association document CAN/CSA - 240.2.1-M86 "Structural Requirements for Mobile Homes" or replacement thereof.

- (3) A mobile home is not considered the same as a park model home or any recreational vehicle, for the purposes of this Bylaw.
- (4) A park model home shall comply with the Canadian Standards Association document CAN/CSA z241 or replacement thereof.
- (5) Park model homes will be considered under dwelling unit in the Agricultural District; however they are considered prohibited uses in the Hamlet District and Country Residential District.

3.4 Non-Conforming Buildings, Uses and Sites

- (1) The adoption or amendment of this Bylaw does not affect non-conforming buildings, non-conforming uses or non-conforming sites.
- (2) An existing non-conforming use or intensity of use may continue if the use existed when this Bylaw was adopted and has not been discontinued for 12 consecutive months.
- (3) Non-conforming buildings or sites may continue to be used, maintained and repaired in their present form.
- (4) Any lands which do not conform to the site requirements as set out in this Bylaw shall be deemed to be conforming with regards to site size, provided that a registered title for the site existing prior to the coming into force of this Bylaw. Development proposed on such sites shall still be required to conform to all relevant Bylaw regulations (e.g. yard setbacks from property lines).
- (5) No existing use, building or site shall be deemed to be non-conforming by reason only of the conversion of the measurements in this Bylaw from the Imperial System of measurement to the Metric System of measurement where such non-conformity results solely from the conversion and is reasonably equivalent to the metric Bylaw regulations.

3.5 Signs and Billboards

- (1) Minor and Temporary Signs
 - (a) Temporary signs and real estate signs are permitted without a development permit only as long as the temporary condition exists for the property, in Council's opinion.
- (2) Signs within a Highway Sign Corridor
 - (a) Signs located in a highway sign corridor shall be regulated entirely by the requirements of "The Provincial Highway Sign Control Regulations, 2012" or amendments thereto, and subsection (3) shall not apply.
- (3) Signs Outside a Highway Sign Corridor
 - (a) Any sign proposed at a location other than a highway sign corridor, may only advertise agricultural commercial uses, or home based businesses, the principal use of an adjoining site or the principal products offered for sale on the adjoining site.
 - (b) A maximum of two (2) advertising signs are permitted on any site, or quarter section and each sign shall be no larger than 3.5 sq. m and no higher than 6 m in total height.

- (c) Government signs, memorial signs and directional signs that bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs do not require a development permit.
- (d) Billboard and other off site advertising signs are prohibited, except in a highway sign corridor.
- (e) All private signs shall be located so that the safety of the public and amenity of the residents on neighbouring land is not jeopardized, in Council's opinion, by the size, lighting, movement or location of the sign.

3.6 Vehicle Storage Yards and Salvage Yards

- (1) Except where restricted in a specific Zoning District, no person shall use any yard of any site in any district, for the parking or storage (except in an enclosed accessory building) of more than five (5) vehicles that are not in running order.
- (2) Council may require that such Vehicle Storage Yards be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof.
- (3) This Section shall not apply to approved Salvage Yards for machinery, autos or trucks.

3.7 Public Utilities

- (1) Subject to Section 3.1, linear public utilities and accessory booster or transformer stations, etc. (excluding offices, warehouses and storage yards), shall be permitted uses in every zoning district.
- (2) Unless otherwise specified by this Bylaw, no minimum site area or yard requirements shall apply.
- (3) Where a linear public utility will cross or lie within the limits of a public road or street, Council may apply such special construction standards (e.g. burial depth, requiring boring instead of trenching etc.) as it considers necessary to protect the existing and future quality of the road or street.

3.8 Private Utilities

- (1) Water Supply
 - (a) A proven potable water supply shall be available to service all development where water is required.
 - (b) The RM may require an applicant to provide written proof from a qualified professional or a well driller, that a proven potable water supply of sufficient quality and quantity is available to service the proposed development or subdivision.
 - (b) The RM may refuse a development or recommend refusal of a proposed subdivision where subsection (a) above is not complied with, or if the proposed development or subdivision may jeopardize ground or surface water supplies.

(2) Waste Disposal

- (a) No liquid, solid or gaseous waste shall be disposed of by any development except in accordance with legislation administered by a provincial Department, the Saskatchewan Water Security Agency, the Local/Regional Health District, and this RM.
- (b) Setback distances shall be as per Table 3.8 below:

Table 3.8
Minimum Separation Distances Relating to Solid and Liquid Waste Disposal Facilities

Other Uses	Solid Waste Facility	Liquid Waste Facility
Single residence, tourist Accommodation	800m (2624 ft)	457 m (1499 ft)
Country residential subdivision or hamlet or urban municipality	1.6 km	600 m(1968 ft)
Commercial or industrial use	300 m (984 ft)	300 m (984 ft)

(Distances are measured between the fence, berm or edge of the Facility (as the case may be) and the nearby building development)

- (3) Where the minimum separation distance would not be appropriate but the potential land use conflict would be reduced to acceptable levels or eliminated, Council may require a greater separation than set out in Table 3.8. This would only apply where an unacceptable land use conflict would result with existing or future developments as shown on the Land Use Concept which forms part of the Official Community Plan (e.g. in instances where the higher intensity of nearby development results in greater potential for conflict and where such greater separation would serve to reduce the conflict to acceptable levels in Council's opinion).
- (4) A buffer strip containing trees, shrubs or a berm may be required surrounding a solid or liquid waste disposal facility to the specifications established by Council in the required Development Permit.
- (5) Any solid or liquid waste disposal facility may need to be fenced to a standard as specified by Council.

3.9 Home Based Businesses

- (1) Home based businesses, where allowed in the RM, shall be subject to the following conditions:
 - (a) The use is clearly subordinate and accessory to the dwelling unit on the property.
 - (c) Except as specified in the required development permit, no variation in the residential or residential farm character and appearance of the dwelling, accessory residential building, or land shall be permitted, except for permitted

signs.

- (d) On-site signs shall be permitted according to Section 3.5. Off-site signs not exceeding 0.5 sq. m (5 sq. ft) may be permitted at the discretion of Council where necessary to provide directions from a highway to the operation.
 - (e) The permitted accessory use shall be valid only during the period of time the property is occupied by the applicant.
 - (f) All development permits issued for home-based business shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met.
 - (g) Council may also apply special standards in the issuing a development permit limiting the size of operation including, but not limited to, the size and number of buildings used for the operation, or allowing a specified increase in the number of non-resident employees, above that mentioned in subsection (b).
 - (h) Any increase in the operation as originally applied for or approved shall require a new discretionary approval.
- (2) A – Agricultural District shall be subject to the following conditions:
- (a) The operator of the business is a resident of the dwelling unit
 - (b) Up to 5 non-resident employees may be employed at the site. Where the business is for a building or service contractor, additional employees may be involved only at the clients' building site, subject to subsection (c).
 - (c) The total number of non-resident employees shall not exceed 12, including the 5 allowed under subsection (b). Any home-based business requiring more than that number shall only have the options of relocating its operation to an appropriate Zoning District or requesting an appropriate rezoning for the existing property.
- (3) CR - Country Residential and H - Hamlet Districts shall be subject to the following conditions:
- (a) The operator of the business is a resident of the dwelling unit
 - (b) A maximum of 3 non-resident employees will be permitted in a home based business in these Districts;
 - (c) No heavy construction or industrial equipment or supplies shall be stored outdoors on any site for a home-based business in these districts;
 - (d) Council may also apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation. Any increase in the operation as originally applied for or approved shall require a new discretionary approval.

3.10 Bed-and-breakfast Homes and Vacation Farms

- (1) Vacation farms shall be accessory to an agricultural operation and located on the same site as a dwelling unit, and may include a bed and breakfast, cabins, and overnight camping areas.
- (2) A maximum of 5 cabins shall be permitted as accessory uses to a vacation farm

operation.

- (3) On-site signs shall be permitted according to Section 3.5. Off-site signs not exceeding 0.5 sq. m (5 sq. ft) may be permitted at the discretion of Council where necessary to provide directions from a highway to the operation.
- (4) Vacation farms and bed-and-breakfast operations may be licensed by the Local Health District, if so required.
- (5) Bed-and-breakfast operations shall be located in a single detached dwelling used as the operator's principal residence; or located in a dwelling accessory to and established on the same site as the host principal residence where more than one dwelling on a site is permitted by this bylaw.
- (6) The RM may apply special standards in the issuing a development permit limiting the number of rooms, cabins or camping spaces that may be permitted in conjunction with the operation.

3.11 Setback Restrictions for Residential Development

- (1) Intensive Livestock Operation: despite any other provision of the Zoning Bylaw, no new residential or other use shall be located within the Location Separation Criteria for Intensive Livestock Operation (as defined in this Bylaw), unless Council deems a lesser distance is acceptable.
- (2) Solid or Liquid Waste Facilities: despite any other provision of the Zoning Bylaw, no new residential or other use shall be located within the Location Separation Criteria for Solid or Liquid Waste Facilities (as defined by this Bylaw) unless Council deems a lesser distance is acceptable.

3.12 Demolition Permits

- (1) Council may require the applicant for a Demolition Permit for a dwelling or water well to fill, grade, fence or follow other special conditions of the required Permit. Such conditions shall only be imposed for public and environmental safety.

3.13 Parking and Loading Regulations

- (1) When any new development is commenced or when any existing development is enlarged, or use changed, provision shall be made for off-street vehicular parking spaces in accordance with the following standards:

<u>Use of Building or Site</u>	<u>Minimum Number of Parking Spaces Required</u>
(a) Dwellings, Mobile Homes	1 space per dwelling unit
(b) Schools	1 space per classroom
(c) Churches	1 space per 15 seating places plus 1 space per 20 square m of the assembly room floor area of the largest assembly of the assembly room within the building.
(d) Community Halls and Facilities, Places of Public Assembly,	1 space per 10 seating places for the public or 1 space per 10 square m of gross floor area

Intensive Recreation Uses, Auctioneering Establishments		used by patrons, whichever is greater
(e)	Curling Rinks	8 spaces per sheet of ice
(f)	Confectionary and Retail stores; banks; personal service establishments; sales, service, rentals or repair shops; home improvement centres	1 space per 20 square m of gross floor area
(g)	Motels and Hotels	1 space per guest room
(h)	Restaurants	1 space per 5 seats
(i)	Service Stations	4 spaces per service bay
(j)	Animal Shelters, Service Stations or Veterinary Clinics	1 space per 100 square m of gross floor area
(k)	All manufacturing, fabricating, warehousing uses; storage buildings and yards; handling, loading, distribution and/or shipping facilities; builders or contractors yards and shops; and other similar industrial or industry-related uses.	1 space per 3 employees on maximum work shift not less than 1 space per 150 square m of gross floor area
(l)	Medical or Dental Offices or Clinics	1 space per 35 sq m of gross floor area

(2) Parking for Non-Residential Uses

- (a) Where in this Bylaw parking facilities are required for other than detached and semi-detached dwelling units and rooming houses, the following regulations shall apply:
- (i) The parking area shall have visible boundaries and be suitably drained.
 - (ii) The parking area shall be provided on the same site.
 - (iii) The parking area shall be surfaced in the same manner as abutting roadways and be clearly demarcated. The parking area shall also have a minimum width of 2.5 m (8 ft) and a minimum length of 5.5 m (18 ft).
 - (iv) Approaches or driveways to any parking area shall be defined and the limits of the parking area shall be defined by a fence, curb or other suitable obstruction designed to provide a neat appearance.
 - (v) The minimum width of a driveway leading to any parking area shall be 7.5 m (24 ft).
 - (vi) The location of vehicular approach ramps or driveways at the street line shall be no closer than 7.5 m (24 ft) from the point of intersection of two property lines at a street intersection.

(3) Parking for Residential Uses

- (a) Where in this Bylaw parking facilities are required for dwelling unit, including bare land condominium dwelling units, the following provisions shall apply:
- (i) The parking area shall be provided on the same site;
 - (ii) The minimum area required for each parking space shall be 15 square m (161 square feet), the minimum width 2.5 m (8 ft.), and the minimum length 5.5 m (18 ft);
 - (iii) The location of vehicular approach ramps or driveways at the street line shall be no closer than 7.5 m (24 ft) from the point of intersection of two property lines at a street intersection.

(4) Loading Provisions

- (a) When any new development occurs or when any existing use is changed, enlarged or increased in capacity, a minimum of one (1) off-street vehicular loading and unloading space shall be provided and maintained in accordance with the following provisions:
- (i) The minimum size for an off-street loading space shall be:
 - for buildings with a gross floor area of 1400 square m (15069 sq. ft) or less, a minimum area of 17 sq. m (182 sq. ft) and a minimum width of 3 m (9 ft.);
 - for buildings with a gross floor area of more than 1400 square m (15069 sq. ft.) a minimum area of 33.5 sq. m (33.5 sq. ft.) a minimum width of 3 m (9 ft.) and minimum clear height of 4.25 m (13.94 ft.).
 - (b) Loading spaces must be located either within or abutting the building containing the use.
 - (c) No loading spaces shall be provided within a minimum front yard.
 - (d) Loading spaces provided within the minimum side yard shall be open and uncovered.
 - (e) Every off-street loading space and access shall be hard surfaced if the access is from a street or lane which is hard surfaced. Where hard surfacing is provided or required, it shall be constructed of concrete, asphalt or a similar durable, dust-free material.

3.14 Discretionary Use Standards and Criteria

- (1) Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a Development Permit subject to any development standards prescribed by Council which shall be based on the following and Section 74 of the Act:
- (a) Sites shall be landscaped and fenced where necessary to maintain the character and amenity of the neighbourhood;
 - (b) Adequate on-site parking shall be provided and maintained;

- (c) Parking, storage and other non-landscaped areas shall be suitably screened from adjacent properties and streets;
- (d) Adequate receptacles for refuse and litter shall be supplied;
- (e) Vehicle access points shall be provided in suitable locations so as to minimize traffic congestion and possible hazards;
- (f) The density, size, height and location of principal or accessory structures shall be regulated so as not to detract from the character and amenity of the neighbourhood;
- (g) Council may attach special conditions to the Development Permit to regulate sound, light, glare, heat, dust, electrical interference, or other emission, and limit hours of operation, if in Council's opinion, it would detract from the amenity of the neighbourhood.

3.15 Permits for Accessory Uses

Unless listed as exempt from development permit approval, all development for an accessory use to a dwelling shall require a development permit.

3.16 Road Construction Standards

All new public roads and where appropriate, private roads contained in a Condominium Plan, shall be constructed to road construction standards which may be adopted by resolution of Council. Where necessary, the identification of responsibility for correction of defects in newly-constructed roads which are part of, or service a recently-approved subdivision and any other matter to ensure the convenience and safety of the public, may also be included as standards in Council's resolution.

3.17 Wind Energy Systems

Wind energy systems are considered a prohibited use in the RM of South Qu'Appelle No. 157.

3.18 Show Homes

- (1) All buildings shall comply with regulations in this Zoning Bylaw, including servicing and setback requirements.
- (2) All parcels of land where show homes are constructed shall comply with the regulations in this Zoning Bylaw, including frontage and size requirements.

3.19 Resource Uses

- (1) The developer of any resource based use may be required (prior to approval or as part of the development permit conditions) to provide appropriate access/egress, sewage, water, stormwater and/or drainage works for the construction of or upgrades to municipal infrastructure, which will be at the developer's expense. Where needed, the developer will address these issues in the development permit application.
- (2) The RM may require information regarding the environmental impacts of the development during the development permit review (hydrological, geotechnical, or other environmental assessments). The RM may refuse an application if the environmental impacts are not addressed through mitigating measures or the RM may include mitigating measures as development permit conditions.

- (3) As part of the development permit conditions, the developer may be required to enter into an agreement to ensure:
 - (a) Land use incompatibility, nuisance and pollution including odour and dust is minimized by considering appropriate routes, buffers, screening, etc.
 - (b) Appropriate signage, fencing, lighting restrictions or other safety measures are put in place, at the developer's expense.
 - (c) The required reclamation or rehabilitation plan is agreed upon by both parties.
- (4) Oil and Gas Development
 - (a) The minimum separation distance between new dwellings and existing oil and gas development and/or existing dwellings and new oil and gas development shall be as per provincial regulation.
 - (b) As a condition of the permit the oil and gas development shall comply with any applicable provincial license or permit.
- (5) Sand and Gravel Extraction
 - (a) The developer may be required to provide screening from nearby residential uses through the use of landscaping, tree planting and strategic placement of overburden and appropriate phasing of extraction.
 - (b) All development shall be reclaimed in accordance with an approved reclamation plan which may address:
 - (i) clearing and disposal of vegetation
 - (ii) stripping and conservation of topsoil
 - (iii) placement of overburden material
 - (iv) phasing of extraction
 - (v) phasing of remediation
 - (vi) storage of extracted materials
 - (vii) final grading, topography, revegetation and drainage
 - (viii) access and haul routes
 - (ix) public safety
 - (c) The RM may require a bond, letter of credit or other form of security to ensure the completion of a reclamation plan as a condition of development permit approval.
 - (d) The RM may require a bond, letter of credit or other form of security to ensure the developer exercises environmental responsibility and prudence as a condition of development permit approval.

(6) Mineral Resource Extraction

- (a) The RM may require new or upgraded infrastructure to service mineral resource developments to meet engineering and safety standards of the municipality.
- (b) The RM will ensure the developer receives appropriate provincial licenses and approvals.
- (c) The RM will ensure there are appropriate buffers between residential development and mineral resource development. This may be determined through public consultation.
- (d) The developer may be required to provide screening from nearby residential uses through the use of landscaping, tree planting and strategic placement of overburden and appropriate phasing of extraction.
- (e) The RM may require, as part of the development permit conditions, measures to reduce the impacts to surrounding land uses including:
 - (i) onsite fire suppression infrastructure
 - (ii) lighting restrictions
 - (iii) safety measures

3.20 New Residential Developments near Railway Operations

- (1) Future residential developments shall take into consideration the *Guidelines for New Development in Proximity to Railway Operations* document.
- (2) Consultation with the railway may be required prior to issuing a permit for the proposed development or prior to proceeding with a subdivision. Consultation is needed in order to determine:
 - (a) The location of the site in relation to the rail corridor;
 - (b) The nature of the proposed development;
 - (c) The frequency, types, and speeds of trains travelling within the corridor;
 - (d) The potential for expansion of train traffic within the corridor;
 - (e) Any issues the railway may have with the new development or with specific uses proposed for the new development;
 - (f) The capacity for the site to accommodate standard mitigation measures;
 - (g) Any suggestions for alternate mitigation measures that may be appropriate for the site;
 - (h) Proposed stormwater management and drainage; and
 - (i) The specification to be applied to the project.

3.21 Buildings to be Moved

- (1) No building shall be moved within, or into, the municipality, without first obtaining a

development permit from the Development Officer.

- (2) All buildings shall comply with the RM of South Qu'Appelle No. 157 Building Bylaw.

3.22 Wildlife Habitat

- (1) Where development is proposed in an area identified as containing critical wildlife habitat the Development Officer may require the applicant to provide additional information as required by *The Wildlife Habitat Protection Act* (WHPA) and any other relevant provincial and/ or federal regulations/requirements.

3.23 Heritage Lands

- (1) Where development is located in a heritage sensitive area, the RM will require the developer to refer to the Heritage Conservation Branch, Ministry of Parks, Culture and Sport to determine if a heritage resource impact assessment (HRIA) is required. Such information shall be provided to the RM prior to issuing a development permit.

3.24 Groundwater Protection

- (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 Water Security Agency.
- (2) If in the opinion of Council, the groundwater would be adversely affected a professional report shall be prepared at the cost of the developer. The report/study shall determine whether the proposed development would adversely affect the groundwater resource, the stability of the land and include conditions under which appropriate development may be approved. Council shall make a recommendation for subdivisions or development based on the recommendations including the municipal servicing and costs.

3.25 Development Along Pipelines and Gas Transmission Lines

- (1) Any development involving pipeline and /or power line transmission rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial Regulations or Acts and any regulations or directives established by crown corporations. Refer to "Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663", which may be amended from time to time.
- (2) Setbacks from the edge of the pipeline easement shall be 12.0 metres except for where provision has been made in the previous bylaw or in consultation with the operator of the pipeline, a lesser separation may be allowed.
- (3) The National Energy Board has designated a setback area of 30 metres on either side of a pipeline in which, subject to exceptions for such things as normal agricultural activities, anyone proposing to conduct a ground disturbance/excavation, must:
 - (a) Ascertain whether a pipeline exists;
 - (b) Notify the pipeline company of the nature and schedule of the excavation; and
 - (c) Conduct the excavation in accordance with such regulations.

SECTION 4 - ZONING DISTRICTS

4.1 Districts

For the purpose of applying this Bylaw, the municipality is divided into Zoning Districts. All parts of the Municipality shall be designated as A - Agricultural District except those areas specifically designated on the detailed Zoning District Map as another District.

The Districts are:

A – Agricultural;

CR – Country Residential;

HC – Highway Commercial;

H – Hamlet; and

I – Industrial.

4.2 Boundaries

The boundaries of all Zoning Districts are shown on the maps entitled, "Zoning District Map" which are attached to, and form a part of this Bylaw. Unless otherwise shown on the map or specifically mentioned in the text of a particular District in this Bylaw, the boundaries of the said districts are site lines, boundary limits of streets, lanes, roads or such lines extended and the boundaries of the municipality.

4.3 Uses and Regulations

- (1) Uses which are not included as a Permitted or Discretionary Use in this Bylaw shall be treated as Prohibited Uses.
- (2) Regulations for the Zoning Districts are outlined in the following Sections.

SECTION 5: A - AGRICULTURAL DISTRICT

5.0 Intent

To implement the Goals, Objectives and Policies of the Official Community Plan by protecting high quality agricultural land and natural resources in the RM.

5.1 Permitted Uses

The following uses are permitted in this district:

(1) Agricultural Principal Uses:

- (a) Field crops
- (b) Pastures for the raising of domestic or exotic birds or livestock, excluding Intensive Livestock Operations (ILOs)

(2) Residential Uses

(a) Dwelling Unit

- (i) 1 dwelling unit including a mobile home and park model home may be located on a site less one Quarter Section or Equivalent (minimum 48.6 ha (120 acres))
- (ii) 3 dwellings units including mobile homes and park model homes may be located on a minimum site of one Quarter Section or Equivalent (minimum 48.6 ha (120 acres))

- (b) Special Care or Group Homes with a maximum of 8 residents, excluding staff.

(3) Accessory Uses and Buildings:

- (a) Agricultural buildings and structures accessory to a permitted principal agricultural use on the site
- (b) Facilities for the sale direct to the consumer of crops grown by the agricultural operation
- (c) Orchards and vegetable, horticultural or fruit gardens, where accessory to a existing residence on the same site
- (d) Private garages, sheds, and buildings accessory to any single detached dwelling on the Farmstead or separate site approved as a Discretionary Use
- (e) Beehives and honey extraction facilities
- (f) Minor facilities for the preparation for sale of crops grown by the agricultural operation
- (g) Fish farming

(4) Industrial and Resource-based Uses:

- (a) Petroleum and natural gas exploration wells or extraction wells and related

- facilities
- (b) Petroleum, natural gas or carbon dioxide gas pipelines and related facilities
- (c) Metallic or non-metallic mineral mines or extraction facilities
- (d) Sand and gravel pits, storage areas and contractor's yards, which are more than 0.4 km. from a dwelling
- (5) Other Principal Uses:
 - (a) Places of worship, cemeteries, public institutional uses and facilities
 - (b) Service utilities such as radio, television and microwave towers
 - (c) Public parks
 - (d) Wildlife and conservation management areas
 - (e) Public or private utilities, excluding solid and liquid waste disposal sites
 - (f) Municipal facilities

5.2 Discretionary Uses

The following uses are discretionary in this district:

- (1) Agricultural Principal Uses:
 - (a) Controlled hunt farms
 - (b) Game farms
 - (c) Intensive livestock operations
 - (d) Intensive agricultural operations, including Commercial Greenhouses
 - (e) Livestock Sales Yards
- (2) Residential Uses:
 - (a) Special Care or Group Homes with more than 8 residents, excluding staff
 - (b) Garden Suites
- (3) Industrial and Commercial Principal Uses:
 - (a) Abattoirs, including retail meat sales outlets
 - (b) Agricultural contracting and service establishments
 - (c) Agricultural equipment, fuel, and chemical supply establishments
 - (d) Major agricultural product processing including but not limited to, seed cleaning or packaging plants
 - (e) Concrete plants

- (f) Grain terminals, elevators, and related uses
 - (g) General Repair or small manufacturing shops
 - (h) Petroleum or mineral processing facilities
 - (i) Recreational commercial uses – including but not limited to, sports arenas, golf courses or tourist campsites
- (4) Accessory Uses and Buildings:
 - (a) Vacation farms
 - (b) Bed-and-breakfast homes
 - (c) Home based businesses
 - (d) Minor agricultural-related commercial or food processing uses
- (5) Resource Based Uses:
 - (a) Resource processing facilities
 - (b) Gravel pits, gravel storage areas and contractor's yards, which are closer than 0.4 km. from a dwelling
- (6) Other Principal Uses:
 - (a) Places of worship, public institutional uses and facilities, which include residences
 - (b) Airports and private airstrips
 - (c) Service utilities, including solid or liquid waste disposal facilities and soil farms for the rehabilitation of contaminated soils.
 - (d) Trucking/hauling operations
 - (e) Vehicle Storage Yards
 - (f) Solid and Liquid Waste Disposal Facilities

5.3 District Regulations

5.3.1 Subdivision

The subdivision of any land within the Agricultural District is subject to the policies within the Official Community Plan and the regulations in this Zoning Bylaw.

5.3.2 Site Requirements

- (1) Separate sites for a principal use shall comply with the following:
 - (a) A quarter section (or equivalent as defined in this Bylaw) in the Agricultural District may have a maximum of 2 sites subdivided from it, unless there is a site physically isolated from the majority of the quarter section then a maximum of 2

sites may be subdivided from the quarter section, with the physically separated site being one of the two permitted subdivisions.

- (b) The minimum site frontage for all sites shall be 30 m (100 ft).
 - (c) The site subdivided from the quarter section shall not be less than 2 hectares (5 acres) or more than 8 hectares (20 acres) in size.
 - (i) Exemptions from site size requirements include public utilities, a site which is physically isolated from the majority of the quarter section, dedicated lands, and municipal facilities.
 - (d) At the request of the current owner of the site proposed to be subdivided, Council may use its discretion to vary only the maximum site size requirement by no more than 100% where the change:
 - (i) is requested to include additional land required for water supply or waste disposal systems which exist on or are proposed for the site;
 - (ii) is requested to include or facilitate any existing or proposed landscaping, buildings, structures or natural features on the proposed site;
 - (iii) is requested to reduce the proposed area in order to more easily manage, landscape, or otherwise maintain or develop the site;
 - (iv) would not unnecessarily reduce, or negatively affect the existing use, size, servicing, or access to the balance of the quarter section, or equivalent as defined in this Bylaw;
 - (v) would not negatively affect the existing use, servicing, or access to any neighbouring land.
 - (e) The minimum site size for the remnant of the quarter section shall be no less than 120 acres. At Council's discretion, a reduced remnant size may be considered if the proposed site is separated by a railway, highway or natural feature (such as a ravine, coulee, etc.).
- (2) At the request of the current owner of a site proposed to be consolidated with another site to create a larger area for a permitted or approved discretionary use in this district, Council may use its discretion to vary the maximum site size requirement where the change would result in a parcel which is closer to the size of the quarter section or equivalent as defined by this Bylaw.

5.3.3 Legal Access

- (1) Development of a residential use, commercial use, institutional use, or other development is prohibited in this District unless the site abuts a developed road.
- (2) For the purposes of this section "developed road" shall mean an existing good-quality road on a registered right of way, or a road for which a signed servicing agreement has been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council.
- (3) A subdivision shall not be recommended for approval by Council unless the proposed sites and any unsubdivided remnant of the land being subdivided have frontage on a developed road, including any road which is required to be registered and developed as a public road under a signed servicing agreement.

5.3.4 Setback Requirements

- (1) The minimum setback for all buildings and agricultural or residential shelterbelts (including dwelling and all accessory buildings), from the right-of-way of a developed road, municipal road allowance, or provincial highway shall be 30 m (100 ft.) from the site line or a lesser distance for a building or shelterbelt existing on the site at the time of this bylaw coming into effect, whichever is less unless specified otherwise by the Ministry of Highways for lands near a provincial highway.
- (2) The minimum setback for all buildings (including the dwelling and all accessory buildings) and buffers such as trees or shrubs from the side and rear property line shall be 4.9 m (16 ft). Council may exempt a proposed development from this requirement or reduce the minimum setback, where in the opinion of Council, compliance with it would be impractical, the reduction is in the public interest or where physical circumstances such as railways, right of ways, roads, etc. or topographical circumstances exist.
- (3) No new dwelling shall be located within:
 - (a) the separation distance to an Intensive Livestock Operation, unless the dwelling is owned by the ILO operator; or
 - (b) the separation distance to a solid or liquid waste disposal facility; or
 - (c) 305 m (1000 ft) from a honey processing facility; or
 - (d) 305 m (1000 ft) to a non-refrigerated anhydrous ammonia facility; or
 - (e) 610 m (2000 feet) to a refrigerated anhydrous ammonia facility.
- (4) No dwelling or other building shall be located within the approach surface for any airport or airstrip.
- (5) In the event of conflict between the setback regulations or requirements of any Overlay District and those of the underlying zone, the overlay requirements shall apply.

5.3.5 Keeping of Animals on Sites Less than 40 acres

- (1) 2 large animals (horses or cattle) will be permitted on a site of at least 2 hectares (5 acres). 4 large animals will be permitted on a site of at least 4 hectares (10 acres) site. For each additional 1.2 hectares (3 acres), 1 additional large animal will be permitted. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall these numbers exceed that equal to one animal unit.
- (2) Animals shall not be pastured within 15 m (50 ft.) of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain birds or animals shall be located within 30 m (100 ft.) of a property line.
- (3) An exemption may be granted to these requirements where an adjoining parcel is owned by the same property owner.

5.3.6 Intensive Agricultural Operations

- (1) In the application for an Intensive Agricultural Operation the applicant shall identify the proposed supply of water for the operation where intensive irrigation is required, which supply shall be sufficient to meet the needs of that operation without detrimental

effects on the supply or ground water used by neighbouring properties.

- (2) The Operation may include a dwelling on the same site. No subdivision of the dwelling or Intensive Agricultural Operation shall be permitted unless the operation ceases.

5.3.7 Commercial Uses

- (1) Where a proposed commercial use will be accessory to an agricultural operation, Council may apply special standards as a condition of discretionary approval limiting the size of operation, buildings used for the operation, and number of non-resident employees.
- (2) An 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 development permit subject to discretionary approval by Council.
- (3) Council may require special standards for the location, set back 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.

5.3.8 Campgrounds

- (1) The operator of a campground shall provide the development officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach or tent campsites with dimensions.
- (2) The addition or rearrangement of campsites, 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 operator shall submit for approval an amended plan incorporating the development.
- (3) A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 m (14 ft), which shall contain no buildings.
- (4) The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 sq. m (1614 sq. ft) in area with its corners clearly marked.
- (5) No portion of any campground shall be located within a roadway or required buffer area.
- (6) Each campsite within the campground shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- (7) Each trailer coach shall be located at least 4.5 m (14 ft.) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.
- (8) The space provided for roadways within a campground shall be at least 7.5 m (24 ft.) in width. No portion of any campsite, other use or structure shall be located in any roadway.
- (9) A campground may include as ancillary uses, such as a laundromat or a confectionary, designed to meet the needs of the occupants of the campsites,

and one dwelling unit for the accommodation of the operator.

- (10) *The Public Health Act* and the Regulations passed there under shall be complied with in respect to all operations and development of the campground.

5.3.9 Intensive Livestock Operations

- (1) Any operation involving the raising of animals shall be considered an ILO for the purpose of this bylaw if it:
- (a) Requires a permit for an ILO from Saskatchewan Ministry of Agriculture under *The Agricultural Operations Act*;
 - (b) Meets the definition of an ILO, in accordance with this Zoning Bylaw;
 - (c) Is an expansion of an existing ILO;
 - (d) Involves the alteration of animal species in an existing ILO; or
 - (e) Is a Game Farm or Controlled Hunt Farm which has been permitted by the Saskatchewan Ministry of Agriculture.
- (2) For the purposes of this bylaw, the temporary confinement of livestock during winter months on a mixed farming operation will be exempt from requiring a permit for an Intensive Livestock Operation from the RM of South Qu'Appelle.
- (3) The following separation distances shall be adhered to for all Intensive Livestock Operations:

Table 5.3.9
Minimum Separation Distances for Intensive Livestock Operations

ADJOINING DEVELOPMENT	NUMBER OF Animal Units			
	100-299	300-499	500-2000	>2000
Residence, Tourist Accommodation Public Well	300m (984 ft.)	400m (1312 ft.)	800m (2624 ft.)	1200m (3937 ft.)
Multi-parcel Residential, Hamlet or Village with <100 population, campground, commercial or industrial use	400m (1312 ft.)	800m (2624 ft.)	1200m (3937 ft.)	1200m (3739 ft.)
Village or Town with >100 population	600m (1968 ft.)	1200m (3937 ft.)	1600m (5249 ft.)	1600m (5249 ft.)

(Distances are measured between livestock facilities (barns, corrals, Earthen Manure Storage Facility or other approved Manure Stockpile/Treatment Facility) and any dwelling not owned by the operator and the official boundary of a hamlet, village or town)

- (4) The criteria in Table 5.3.9 shall also be used by Council to consider applications for developing new residential uses or expanding existing ones within the minimum separation distances shown in Table 5.3.9.
- (5) Variance Considerations for Separation Distances
- (a) Where the minimum separation distance would not be sufficient, Council may require more separation than shown in Table 5.3.9 to ensure the potential land

use conflict would be reduced to acceptable levels or eliminated; if this is not possible the ILO could be refused.

- (b) Council may approve a lesser separation of up to 10% variance from the relevant separation shown in Table 5.3.9 where the applicant submits a copy of a signed agreement between the operator of the ILO and the owner of the development, Organized Hamlet Board or Urban Council, agreeing to such lesser separation. Such agreements between an operator and an owner of another development must contain the provision that the parties to the agreement will caveat the agreement to the titles of all affected land owned by both parties. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *The Planning and Development Act, 2007* to caveat the agreement to the title of the affected lands.

(6) Additional Application Requirements

- (a) Council shall require information from the ILO applicant regarding the type, frequency, and technology proposed for, and land location of manure disposal.
- (a) Council may require the applicant to pay for the public advertisement of a proposal that will result in an intensive livestock operation and for the cost of a public hearing or information session on the proposal.
- (b) Council may require an applicant to demonstrate that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation.

(7) Conditions for Approval

- (a) Approval of an ILO shall be for a specific maximum number of animal units specified by Council as a condition of the development permit.
- (b) Manure Disposal:
 - (i) Crop land or improved pasture may be used for the disposal of wastes from an intensive livestock operation by spreading of manure, and such manure shall be incorporated into the soil within 24 hours of spreading, unless such incorporation is prevented by adverse weather conditions, in which case incorporation shall take place as soon as practical thereafter.
 - (ii) Council may require that the applicant use only the specific areas of cropland or improved pasture which have been approved for manure disposal by Ministry of Agriculture for spreading. Any subsequent change to the location of the manure disposal areas specified as a permit condition shall also require the prior approval of Council.
 - (ii) Council may require or allow an applicant to utilize manure injection into the soil or other technology rather than conventional stockpiling and spreading. Council may consult Saskatchewan Ministry of Agriculture regarding the suitability of such technology.

- (c) If the applicant is proposing to spread manure rather than use alternate means of manure handling or disposal (e.g. earthen manure storage or direct injection), Council may add the following as conditions of the discretionary use:

5.3.10 General Livestock Operations

- (1) All Livestock Operations (those which do not require a Permit for an ILO from SAF), including those which are under 300 Animal Units, are prohibited from mechanically spreading or dumping manure on any land which is closer than the minimum separation distance for the various development types shown in the above Table 2, for an ILO with a minimum of 300 Animal Units.

SECTION 6: CR-COUNTRY RESIDENTIAL DISTRICT

6.0 Intent

To implement the Goals, Objectives and Policies of the Official Community Plan by allow a limited variety of non-farm residential uses on lower density sites, which will integrate into the existing rural community. To implement the intent of this District, Council shall ensure that new residences will only be allowed in this District at location-sensitive sites to protect the natural environment, and particularly the water resource. As well, to ensure that the numbers of clustered subdivisions for country residential (non-farm) development will not conflict with other adjoining uses, especially agriculture and will not be prohibitively difficult or costly to service. In accordance with the Official Community Plan, Council restrict the numbers and locations of such clusters.

6.1 Permitted Uses

The following uses are permitted in this district:

(1) Principal Uses

- (a) Single detached dwellings including Mobile Homes (subject to Section 3.3) but excluding Park Model Homes.
- (b) Special Care or Group Homes with a maximum of 8 residents, excluding staff.
- (c) Open space and park uses on Municipal Reserve
- (d) Recreational uses and public buildings on Municipal Reserve

(2) Accessory Uses and Buildings

- (a) Private garages, sheds, and buildings accessory to any single detached or dwelling group.

6.2 Discretionary Uses

The following uses are discretionary in this district:

- (1) Dwelling Group
- (2) Bed-and-breakfast homes, where accessory to a residence, on the same site.
- (3) Home based businesses, where accessory to a residence, on the same site.
- (4) Special Care or Group Homes with more than 8 residents, excluding staff.
- (5) Garden Suite

6.3 District Regulations

6.3.1 Subdivision, Site and Building Setback Requirements:

- (1) Separate sites for residential uses (excluding Dwelling Groups) shall comply with the following:
 - (a) Minimum site area - 2 hectares (5 acres)

- (b) Maximum site area - 8 hectares (20 acres)
- (c) Minimum site frontage - 30 m (100 ft)
- (d) Subdivisions shall be in clusters with a maximum of 4 sites each per Quarter Section.
- (e) Minimum front yard setback
 - (i) 30 m (100 feet) where development (including accessory buildings) abuts RM or Provincial roads. Council may exempt a proposed development from this requirement or reduce the minimum setback, where in the opinion of Council, compliance with it would be impractical or too costly for the applicant and the exemption or reduction is in the public interest.
 - (ii) 15 m (50 feet) where development (including accessory buildings) is serviced by an internal subdivision road
- (f) Minimum side yard setback - 6 m (20 ft)
- (g) Minimum rear yard setback - 6 m (20 ft)
- (2) Separate sites for Dwelling Groups shall comply with the following:
 - (a) Minimum site area - to be negotiated with Council on a case-by-case basis
 - (b) Maximum site area - to be negotiated with Council on a case-by-case basis
 - (c) Minimum site frontage - 30 m (100 ft)
 - (d) Minimum front yard
 - (i) 30 m (100 feet) where development (including accessory buildings) abuts RM and Provincial roads. Council may exempt a proposed development from this requirement or reduce the minimum setback, where in the opinion of Council, compliance with it would be impractical or too costly for the applicant and the exemption or reduction is in the public interest.
 - (ii) 15 m (50 feet) where development (including accessory buildings) is serviced by an internal subdivision road
 - (e) Minimum side yard - 6 m (20 ft)
 - (f) Minimum rear yard - 6 m (20 ft)
- (3) Separate sites for open space, park and recreational uses and public buildings on Municipal Reserve shall comply with the following:
 - (a) Minimum site area - none
 - (b) Maximum site area - none
 - (c) Minimum front yard
 - (i) 30 m (100 feet) where development (including accessory buildings) abuts R.M. and Provincial roads. Council may exempt a proposed development

from this requirement or reduce the minimum setback, where in the opinion of Council, compliance with it would be impractical or too costly for the applicant and the exemption or reduction is in the public interest.

- (d) 15 m (50 feet) where development (including accessory buildings) is serviced by an internal subdivision road
- (d) Minimum side yard - 6 m (20 ft)
- (e) Minimum rear yard - 6 m (20 ft)
- (4) Existing Sites and Sites which are registered after this Bylaw comes into force.
 - (a) No further subdivision of the original residential lot shall be permitted. Council may at its discretion permit minor lot line adjustments; however, such adjustments shall not create an additional lot.

6.3.2 Legal Access:

- (1) Development of a residential uses including a dwelling group is prohibited unless the site abuts a developed road. In the case of a dwelling group, only the outer portion of the land to be owned by the condominium corporation requires this legal access, not the separate units.
- (2) For the purposes of this section "developed road" shall mean an existing good quality road on a registered right of way, or a road for which a signed servicing agreement has been made by the developer with Council to provide for the construction of the road on a registered right of way to a standard approved by Council.
- (3) A subdivision shall not be recommended for approval by Council unless the proposed sites and any un-subdivided remnant of the land being subdivided has frontage on a developed good quality road, including any road which is required to be registered and developed as a public road under a signed servicing agreement.

6.3.3 Keeping of Animals on residential sites in this District:

- (1) 2 large animals (horses or cattle) will be permitted on a site of at least 2 hectares (5 acres). 4 large animals will be permitted on a site of at least 4 hectares (10 acres) site. For each additional 1.2 hectares (3 acres), 1 additional large animal will be permitted. All other animals shall be limited to domestic pets of the residents of the site.
- (2) Animals shall not be pastured within 15 m (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 birds or animals shall be located within 30 m (100 feet) of a property line or well for potable water.

6.3.4 Home Based Businesses:

- (1) Shall comply with Section 3.8

6.3.5 Bed and breakfast Homes:

- (1) Shall comply with Section 3.9

SECTION 7: HC – HIGHWAY COMMERCIAL DISTRICT

7.1 Intent

To allow a wide variety of highway-oriented uses which serve the traveling public or the rural community on lower density sites. To implement the Intent of this District, Council shall ensure that new uses will only be allowed in this District at location-sensitive sites, which will not conflict with other adjoining uses and which will not be prohibitively difficult or costly to service.

7.2 Permitted Uses

The following uses are permitted in this district:

(1) Highway Commercial Uses

- (a) Sales and service of: cars; trucks; farm equipment and machinery; farm supplies; mobile homes; recreation vehicles; building and lumber supplies.
- (b) Commercial Greenhouses

(2) Automotive service Uses

- (a) Gas stations, gas bars, car and truck washes
- (b) Vehicle repair shops (excluding salvage yards)

(3) Tourist Service Uses

- (a) Hotels, motels
- (b) Restaurants, Fast Food Outlets
- (c) Retail stores
- (d) Recreation facilities: theatres, assembly halls, exhibition grounds, campgrounds (excluding mobile home parks), waterslides, batting cages and uses which in Council's opinion are similar and will not conflict with other uses in this District or with uses in an adjoining District.

(4) Accessory Uses and Buildings

- (a) Private garages, sheds, and buildings accessory to any permitted or approved discretionary use.

7.3 Discretionary Uses

The following uses are discretionary in this district:

- (1) One dwelling unit including a Mobile Home or a Park Model Home (subject to Section 3.3) within or attached to a permitted use. Subdivision of the dwelling from the principal commercial use shall be prohibited.
- (2) Outdoor storage areas or compounds accessory to a permitted or approved discretionary use.

7.4 District Regulations

7.4.1 Subdivision and Site Development Requirements:

- (1) Separate sites for the permitted uses in this District shall comply with the following:
 - (a) Minimum site area - 0.4 hectares (1 acre)
 - (b) Minimum site frontage - 30m (100 ft)
 - (c) Minimum front yard - along Provincial Highways, at Provincial regulations, otherwise 30 m (100 feet). Council may exempt a proposed development from this requirement or reduce the minimum setback, where in the opinion of Council, compliance with it would be impractical or too costly for the applicant and the exemption or reduction is in the public interest.
 - (d) Minimum side yard - 8 m (26 ft)
 - (e) Minimum rear yard - 6 m (20 ft)
 - (f) All outdoor storage areas or compounds shall be screened from view, and shall require the approval of Council to ensure that they will be safely located and do not conflict with other uses in this District or with uses in an adjoining District.
- (2) All attached dwelling units shall have a minimum floor area of 46.5 Sq. m. (500 sq. ft.), and for fire safety, shall have a separate outside entrance in addition to any entrance to the attached permitted use.

7.4.2 Keeping of Animals on Residential Sites in this District

- (1) All animals shall be limited to domestic pets of the residents of the site.

SECTION 8: H – HAMLET DISTRICT

8.1 Intent

To implement the Goals, Objectives and Policies of the Official Community Plan and accommodate higher density residential, office, institutional and recreational development in the Hamlets of Avonhurst, Edgeley and St. Joseph's Colony.

8.1 Permitted Uses

The following uses are permitted in this district:

(1) Residential Principal Uses

- (a) Single detached dwellings
- (b) Duplex dwellings
- (c) Semi-detached dwellings
- (d) Mobile Homes (subject to Section 3.3), but not including Park Model Homes.
- (e) Special Care or Group Homes with a maximum of 8 residents, excluding staff.

(2) Service, Recreational and Institutional Uses

- (a) Offices of physicians, dentists, and similar professional occupations
- (b) Churches, educational, medical, religious and cultural institutions
- (c) Lodges, fraternal organizations
- (d) Cemeteries
- (e) Public sports fields, parks and other similar uses
- (f) Schools

(3) Accessory uses and buildings

- (a) Private garages, sheds, and buildings accessory to any established single detached, Duplex Semi-detached or Dwelling Group

8.2 Discretionary Uses

The following uses are discretionary in this district:

- (1) Bare land Condominiums
- (2) Bed-and-breakfast homes, where accessory to a residence, on the same site.
- (3) Home based businesses, where accessory to a residence, on the same site.
- (4) Retail stores

- (5) Special Care or Group Homes with more than 8 residents, excluding staff
- (6) Garden Suite

8.3 District Regulations

8.3.1 Subdivision and Site Development Requirements:

- (1) Where proposed sites will be connected to an existing municipal water and sewer systems, separate sites for the permitted uses in this District shall comply with the following:
 - (a) Single detached dwellings
 - (i) Minimum site area - 464.5 sq. m (5000 sq. ft) where the site is served by a lane, otherwise 557.4 sq. m (6500 sq. ft)
 - (ii) Minimum site frontage - 15.3 m (50 ft.) where the site is served by a lane, otherwise 19.8 m (65 ft.)
 - (iii) Minimum front yard - 6 m (20 ft)
 - (iv) Minimum side yard - 1.5 m (5 ft)
 - (v) Minimum rear yard - 6 m (20 ft)
 - (b) Semi-detached and Duplex dwellings
 - (i) Minimum site area - 557.4 sq. m (6000 sq. ft) where the site is served by a lane, otherwise 650.3 sq. m (7000 sq. ft)
 - (ii) Minimum site frontage - 18.3 m (60 ft) where the site is served by a lane, otherwise 21.3 m (70 ft)
 - (iii) Minimum front yard - 6 m (20 ft)
 - (iv) Minimum side yard - 1.5 m (5 ft)
 - (v) Minimum rear yard - 6 m (20 ft)
 - (c) All other uses
 - (i) Minimum site area - 464.5 sq. m (5000 sq. ft.) where the site is served by a lane, otherwise 557.4 sq. m (6500 sq. ft.)
 - (ii) Minimum front yard - 6 m (20 ft)
 - (iii) Minimum side yard - 1.5 m (5 ft)
 - (iv) Minimum rear yard - 6 m (20 ft)
- (2) Where proposed sites will not be connected to an existing municipal water and sewer system and will include private individual systems, separate sites for uses in this District shall comply with the following:
 - (a) All Uses

- (i) Minimum site area - 3520.77 sq.m (37897 sq. ft)
 - (ii) Minimum site frontage - 15.3 m (50 ft) where the site is served by a lane, otherwise 19.8 m (65 ft)
 - (iii) Minimum front yard - 6 m (20 ft)
 - (iv) Minimum side yard - 1.5 m (5 ft)
 - (v) Minimum rear yard - 6 m (20 ft)
- (3) All outdoor storage areas or compounds shall be screened from view, and shall require the approval of Council to ensure that they will be safely located and do not conflict with other uses in this District or with uses in an adjoining District.
- (4) All accessory buildings with a door or doors opening onto a street or lane shall be located a minimum of 1.2 m (4 ft.) from the site line abutting the street or lane.

8.3.2 Keeping of Animals on Residential Sites in this District

- (1) All animals shall be limited to domestic pets of the residents of the site.

8.3.3 Lot Slope and Elevation

- (1) Unless specified otherwise by Council, lot slope and elevations shall not be altered unless an engineered drainage plan has been provided to and approved by Council that includes adequate site and lot grading standards.
- (2) The final lot grading and landscaping shall be the responsibility of the individual property owner who must comply with the elevations as shown on the overall approved drainage plan.
- (3) The placing or storage of fill and topsoil may be allowed providing that there is no adverse effect on adjacent lands as a result of any drainage alteration and there is no negative impact on water flows to or from adjacent lands. No construction shall be permitted which creates or aggravates water stagnation or a drainage problem on adjacent properties.

SECTION 9: I – INDUSTRIAL DISTRICT

9.0 Intent

To accommodate the development of certain industrial uses in appropriate locations in the RM given suitable regard to servicing, land use compatibility, and protection of the environment.

9.1 Permitted Uses

The following uses are permitted in this district:

(1) Industrial Uses

- (a) Manufacturing uses which meet federal and provincial pollution standards
- (b) Agricultural product processing
- (c) Agricultural equipment manufacturing
- (d) Machine shops
- (e) Warehouses, supply depots and similar uses
- (f) Storage Yards (including, but not limited to, Sand and gravel storage, Truck, contractor and construction yards (excluding asphalt or cement plants))

(2) Commercial Uses

- (a) Lumber and building supply uses
- (b) Home improvement centres
- (c) Sales, servicing and storage of farm machinery, recreational vehicles or automobiles
- (d) Gas stations and car washes
- (e) Airplane sales, storage and services
- (f) Greenhouses or landscape nursery stock farms (including sales of plants, trees, shrubs and plant supplies such as fertilizers and related products)
- (g) Veterinary clinics.
- (h) Auctioneering establishments
- (i) Energy and communication service depots

(3) Institutional and Recreational Uses

- (a) Intensive recreation uses including arenas, enclosed ice skating, hockey or curling rinks, sports stadia, amusement parks, zoos and similar uses.

9.2 Discretionary Uses

The following uses are discretionary in this district:

(1) Industrial Uses

- (a) Abattoirs
- (b) Agricultural supply depots
- (c) Grain storage and elevators
- (d) Seed processing and cleaning
- (e) Agricultural chemical storage including, but not limited to, air spraying facilities
- (f) Bulk petroleum uses
- (g) Manufacturing uses which meet federal and provincial pollution standards, including, but not limited to, petroleum industry facilities, asphalt and cement plants, plastic pipe manufacturing

9.3 District Regulations

9.3.1 Subdivision and Site Development Requirements:

(1) Separate sites for the permitted uses in this District shall comply with the following:

- (a) Minimum site area - 0.8 ha (2 ac)
- (b) Minimum site frontage - 30m (100 ft)
- (c) Minimum front yard - along Provincial Highways, at Provincial regulations, otherwise 6 m (20 ft)
- (d) Minimum side yard - 3 m (10 ft) on each side of the main building except abutting a residential use, in which case 6 m (20 ft) shall be required for the closest side yard to be the dwelling
- (e) Minimum rear yard - 10% of the depth of the site except where the rear yard abuts a residential use, in which case 6 m. shall be required.

- (2) All outdoor storage areas or compounds shall be screened from view, and shall require the approval of Council to ensure that they will be safely located and do not conflict with other uses in this District or with uses in an adjoining District.

PART II – Section 1 DEFINITIONS

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

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

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

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

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

Animal Type		# of Animals = 1 Animal Unit
Poultry	Hens, cockerels, capons	100
	Chicks, broiler chickens	200
	Turkeys, geese, ducks	50
	Exotic birds	25
Hogs	Boars, sows	3
	Gilts	4
	Feeder pigs	6
	Weanling pigs	20
Sheep	Rams or ewes	7
	lambs	14
Goats, etc.	All	7
Cattle	Cows and bulls	1
	Feeder cattle	0.5
	Replacement heifers	2
	Calves	4
Horses	Colts and ponies	2
	Other	1
Bison	Cows and Bulls	1
	Calves	4
Elk	Cows and Bulls	5
	Calves	20
	Cows and Bulls	8

Deer	Calves	32
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Ancillary Use: a use which is secondary and subordinate in size and purpose to the principal use which is located on the same site. The ancillary use shall be one which is not necessary for the operation of the principal use on that site. The floor area of ancillary uses or the total area occupied by such uses on the site shall be less than the total area occupied by the principal use and its accessory uses.

Applicant: a developer or person applying for a development permit under this bylaw, for a subdivision approval to an approving authority under *The Planning and Development Act, 1983*.

Bare Land Condominium: see Dwelling Group

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

Billboard: a private free standing sign, including supporting structures, which advertises goods, products, services, organizations, or facilities that are available from, located on, or refer to, a site other than the site on which the sign is located, and which is greater than 2 square m in facial area.

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

Building, Accessory: a subordinate detached building, which serves a main building or main use and is located on the same site. The purpose of all accessory buildings is to provide better and more convenient function of the primary building or use.

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

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

Controlled Hunt Farm: a Game Farm which is used for controlled hunting of animals defined as a "domestic game farm animal" by "The Domestic Game Farm Animal Regulations."

Council: the Council of the Rural Municipality of South Qu'Appelle No 157.

Developer: any person who invests and develops in the municipality, including both development permit applicants and subdivision applicants.

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 the use of any building or land, including the demolition of a dwelling or water well.

Development Officer: the person appointed by Council to administer this Zoning Bylaw.

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

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

Dwelling Group: a detached building consisting of one dwelling unit as herein defined; and occupied or intended to be occupied as a permanent home or residence, and which includes a small amount of land titled to the owner of an individual unit in addition to the common property which is shared with the owners of all the units in the Condominium Corporation, but shall not include a mobile home or trailer coach as herein defined.

Dwelling, Single Detached: a detached building consisting of one dwelling unit as herein defined; and occupied or intended to be occupied as a permanent home or residence, but shall not include a mobile home or trailer coach as herein defined.

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

Environmentally Sensitive Land: land that has unique landforms, vegetation or wildlife or which is of historically or archaeological importance.

Farmstead: a confined area which may be on a Quarter Section or Equivalent, and includes the residence of the farm operator and those buildings or facilities which are related to the farm operation.

Flood Way: means the portion of the flood plain adjoining the channel where the waters in the 1:500-year flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second unless defined otherwise by the Statements of Provincial Interest.

Flood Fringe: means the portion of the flood plain where the waters in the 1:500-year flood are projected to be less than a depth of one metre or a velocity of one metre per second unless defined otherwise by the Statements of Provincial Interest.

Flood Plain: means the area prone to flooding from a water body or watercourse that comprises the combined area of the flood way and flood fringe.

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

Game Farm: a fenced area to enclose animals defined as a "domestic game farm animal" by "The Domestic Game Farm Animal Regulations" for the purpose of producing animal products as defined by those Regulations.

Garden Suite: a temporary single detached or attached dwelling unit for the accommodation of one or two physically dependent relative(s) of, (or caregivers for) the resident(s) of the main dwelling on the same site.

Good Quality Road: a road or street which has been dedicated as a public road or is proposed to be subdivided and dedicated as such, and which has been constructed to the "road construction standards" as defined in this Bylaw.

Hazard Land: land which may be prone to flooding, slumping, subsidence, landslides, erosion, any other instability, or is located within a flood plain or watercourse.

Home Based Business: an occupation carried on by the occupants of a farmstead or residence accessory to a permitted use.

Highway Sign Corridor: a strip of land parallel and adjacent to a provincial highway; where private

signs may be permitted to advertise goods and services of local area businesses and attractions, as provided by regulations of the Department of Highways entitled "The Provincial Highway Sign Control Regulations, 2012", as may be amended from time to time.

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 the confinement or feeding of poultry, bison, hogs, sheep, goats, cattle, horses, or domesticated game animals where the site provides less than 370 m² of space for each animal unit and will contain 100 or more animal units and that requires approval from the Ministry of Agriculture.

Institutional Use: a use of land or a building operated for non-commercial or non-industrial purposes to provide a public service by a non-profit, cooperative or governmental group including, but not limited to service clubs, churches, hospitals and public agencies.

Livestock Operation: any agricultural use involving the raising of Animal Units, which does not qualify as an ILO as defined above.

May: indicates a voluntary action or decision.

Mobile Home: a trailer coach bearing CSA Z240 certification:

- (a) that is used as a dwelling;
- (b) that has water faucets and shower, or other bathing facilities, that may be connected to a water distribution system; and,
- (c) that is equipped with facilities for washing and water closet, or other similar facility, that may be connected to a sewage system.

Modular Home: a factory built home that is manufactured as a whole or modular unit and is designed to be moved on a removable chassis to be used as one dwelling unit, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA – A277 standard.

Municipality: the Rural Municipality of South Qu'Appelle No 157.

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 date 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 bylaw for that use

Non-Conforming Use: any use of land, building, or structure lawfully existing at the time of the passing of this bylaw, the use of which does not comply with all the regulations of this bylaw governing the zone district in which it is located.

Park Model Home: a dwelling unit built to meet national building code criteria under building code z241 and that:

- (a) that is used as a dwelling;
- (b) that has water faucets and shower, or other bathing facilities, that may be connected to a water distribution system; and,
- (c) that is equipped with facilities for washing and water closet, or other similar facility, that may be connected to a sewage system.

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

Permitted Use: a use allowed as of right in a zoning district, subject to the regulations contained in this bylaw.

Prohibited Use: a new or proposed development, which is not listed as either a Permitted or Discretionary Use in this Bylaw, which is not a legal non-conforming use as defined by the Act, and which has not received a legal Development Permit as required in this Bylaw.

Principal Use: the main activity conducted on a site.

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

Public Road: a road allowance or other legally surveyed road or street vested in the name of Ministry of Highways, and maintained by the Ministry or the Rural Municipality, as the case may be.

Public Utility: any use which is defined as one of the three following categories:

- (a) public institutional facilities
public facilities including, but not limited to, schools, hospitals, municipal buildings, recreational facilities, heritage or archaeological sites and similar public institutional uses or;
- (b) linear
linear public or private utilities including, but not limited to, roads, communication, rail, power and natural gas lines and similar linear uses or;
- (c) service utilities
potentially conflicting public or private utilities including, but not limited to, airports, microwave or communication towers, water reservoirs, sewage lagoons, solid waste and chemical can disposal facilities, gas compressors, electrical transformer stations, soil farms for the rehabilitation of contaminated soils and similar, potentially conflicting service utility uses.

Quarter Section or Equivalent: a quarter section - 64.8 ha (160 acres) - as identified by the Township Plan of Survey of record in the Land Titles Office. Equivalent shall mean 64.8 ha (160 acres), any partial quarter section defined on the Township Plan of Survey, or a lesser amount remaining as part of the quarter section because of the registration of a road, road widening, pipeline or railway right of way, natural features such as lakes or streams or the registration of a subdivision permitted in this Bylaw, but in no case shall the Equivalent be allowed to be less than 48.6 ha (120 acres).

Railway: Any company which owns and operates one or more railway lines.

Railway Corridor: the land which contains a railway track or tracks, measured from property line to property line.

Railway Facility: Any structure or associated lands related to the operation of a railway, Railway facilities include railway corridors, freight yards and train stations.

Railway Operation: Any activity related to the operation of a railway.

Railway Line: The physical tracks on which trains operate. Railway lines may be categorized as either a Main Line, Branch Line or Spur Line, based on the speed or frequency of trains (see *Guidelines for New Development in Proximity to Railway Operations* for sample rail classification system).

Reeve: the Reeve of the Rural Municipality.

Residence: a single detached dwelling on a site.

Resource Use: land uses and buildings related to natural resource extraction including mineral resources, sand and gravel and petroleum products.

Road Construction Standards: any specific standard for the type, location, dimensions, design, construction, maintenance of newly constructed roads which may be adopted by resolution of Council.

Rural Municipal Administrator: the official administrator for the municipality, who has been appointed pursuant to *The Municipalities Act*.

Salvage Yard: an area used for the dismantling or wrecking of machinery, autos or trucks.

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.

Shall: indicates a mandatory action or decision.

Show Home: a new home or suite that has been filled with furniture and decorated to be shown to prospective property buyers.

Sign: any writing (including letter or word), billboard, pictorial representation (including illustration or decoration), emblem (including a device, symbol or trademark), flag (including a 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 advertised; and
- (c) is visible from outside the building.

Site: an area of land with fixed boundaries and which has been registered in the Land Titles Office by Certificate of Title, and for which all portions of the land are consolidated under a single title.

Site Line, Front or Site Frontage: the boundary that divides the site from the street or road. In the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site from the street. Site frontage for a non-rectangular site shall be defined as the mean of the measured front and rear site lines.

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.

Solid and Liquid Waste Disposal Facility: any private or public facility approved by the Federal or Provincial government(s) for the storage, treatment or transshipment of such waste, excluding any earthen manure storage facility, or composting facility which is required as an accessory use to an ILO which may be approved by Council, and any hazardous waste facility.

Special Care or Group Home: a facility for children or adults which is licensed and/or certified by the Province of Saskatchewan that provides residential occupancy and custodial, education, nursing or personal care programs (e.g. accommodation, meals, laundry, recreation, counselling, physical therapy, medical assistance etc.) to the residents. Educational and professional medical services needed by residents may also be provided on site.

Street: a public road or thoroughfare registered by plan of survey which affords the principal means 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, and includes a division of a quarter section into legal subdivisions as described in *The Land Titles Act*.

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

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

Vacation Farm: an operating farm which may, on a day basis or for overnight purposes, offer a farm life experience to groups, families, or individuals and which may provide either or both of the following:

- (a) rental accommodation in the farm dwelling or adjacent private cabins comprising one or more rooms furnished to enable the preparation of meals if full board is not provided;
- (b) a tract of land on which one or more camping, tenting or parking sites is located, and the provision of electricity, potable water and toilet facilities to any of the persons, families, groups occupying any of such sites.

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

Waste Disposal Facility; Solid: a facility, not including a waste transfer station or a temporary storage facility, 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.

Yard: the open, unoccupied space on a lot between the property line and the nearest wall of a building.

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 a provision of this bylaw.

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.