



Town of Assiniboia

Zoning Bylaw

Bylaw 02 /14

TABLE OF CONTENTS

1 INTRODUCTION7

1.1 AUTHORITY7

1.2 TITLE7

1.3 PURPOSE7

1.4 SCOPE7

1.5 SEVERABILITY.....7

2 ADMINISTRATION AND INTERPRETATION9

2.1 DEVELOPMENT OFFICER9

2.2 COUNCIL9

2.3 APPLICATION FOR A DEVELOPMENT PERMIT10

2.4 DEVELOPMENT NOT REQUIRING A PERMIT10

2.5 INTERPRETATION.....11

2.6 CONCEPT PLANS11

2.7 DEVELOPMENT PERMIT PROCEDURE.....12

2.8 DEVELOPMENT PERMIT: VALIDITY13

2.9 DEVELOPMENT PERMIT APPLICATION FEES.....13

2.10 FEE FOR ZONING AMENDMENT APPLICATION.....14

2.11 CONCURRENT PROCESSING OF DEVELOPMENT PERMITS, BUILDING PERMITS AND BUSINESS LICENSES.....14

2.12 REFERRAL UNDER THE PUBLIC HEALTH ACT14

2.13 DEVELOPMENT APPEALS BOARD14

2.14 MINOR VARIANCES.....15

2.15 NON-CONFORMING BUILDINGS USES AND SITES16

2.16 DEVELOPMENT PERMIT – INVALID17

2.17 CANCELLATION17

2.18 STOP-WORK.....17

2.19 OFFENCES AND PENALTIES.....18

2.20 INSPECTION OF PREMISES.....18

2.21 BYLAW COMPLIANCE18

2.22 PERFORMANCE BONDS / securities18

2.23 LIABILITY INSURANCE18

2.24 REGISTERING INTERESTS18

2.25 MOVING OF BUILDINGS18

2.26 DEMOLITION OF BUILDINGS18

2.27 TEMPORARY DEVELOPMENT PERMITS19

2.28 DEVELOPMENT AGREEMENTS.....19

2.29 PLANNED UNIT DEVELOPMENT.....19

2.30 SERVICING AGREEMENTS.....19

3 GENERAL REGULATIONS21

3.1 LICENSES, PERMITS, AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION21

3.2 PRINCIPLE USE ESTABLISHED21

3.3 MULTIPLE USES21

3.4 USES PERMITTED IN ALL ZONING DISTRICTS.....21

3.5 NUMBER OF PRINCIPLE BUILDINGS ON A SITE22

3.6 ACCESSORY BUILDINGS, USES AND STRUCTURES22

3.7 BUILDING LINE.....25

3.8 BARELAND CONDOMINIUM DEVELOPMENTS25

3.9	CLOSINGS	25
3.10	COMMUNICATION TOWERS.....	25
3.11	FENCE AND HEDGE HEIGHTS.....	25
3.12	FRONTAGE FOR IRREGULAR SITES.....	28
3.13	FRONT YARD REDUCTION.....	28
3.14	GRADING AND LEVELLING OF SITES	28
3.15	HEIGHT OF BUILDINGS AND STRUCTURES	28
3.16	HERITAGE PROPERTIES.....	29
3.17	LANDSCAPING	29
3.18	LANDSCAPE BUFFERS	29
3.19	LIGHTING.....	29
3.20	NATURAL HAZARD LANDS	30
3.21	OUTDOOR STORAGE	30
3.22	PERMITTED YARD ENCROACHMENTS	31
3.23	PROHIBITED AND NOXIOUS USES	32
3.24	REQUIRED MINIMUM YARDS AND OPEN SPACES.....	33
3.25	RESTORATION TO A SAFE CONDITION	34
3.26	RESTRICTIONS ON CHANGES.....	34
3.27	RAILWAY CROSSINGS AND SIGHT DISTANCES.....	34
3.28	SITE TRIANGLES AT INTERSECTIONS.....	34
3.29	SATELLITE DISHES	34
3.30	GARAGES, SUNROOMS, SOLARIUMS, AND GREENHOUSES	35
3.31	SWIMMING POOLS.....	35
3.32	DISPOSAL OF WASTES	35
3.33	SOLID AND LIQUID WASTE DISPOSAL FACILITIES	36
3.34	SIGNAGE	36
3.35	SIGNAGE ON NATURAL AND HUMAN HERITAGE SITES.....	40
3.36	OFF-STREET PARKING AND LOADING.....	40
4	DEVELOPMENT STANDARDS FOR DISCRETIONARY USES	44
4.1	BED AND BREAKFAST HOMES, Rooming House/Short Term Stay Accommodation	44
4.2	CAMPGROUNDS	45
4.3	DAY CARE CENTRES AND PRE-SCHOOLS.....	45
4.4	GARDEN SUITES.....	45
4.5	HOME OCCUPATIONS.....	46
4.6	MOBILE STORAGE CONTAINERS -Trailers, Sea and Rail containers (Shipping containers)	48
4.7	MODULAR HOMES	50
4.8	PERSONAL CARE HOMES	50
4.9	SECONDARY SUITES.....	51
4.10	STRIP MALLS.....	51
4.11	SOLAR ENERGY COLLECTION	52
4.12	TEMPORARY WORK CAMPS	52
4.13	WIND ENERGY FACILITIES (SMALL)	53
4.14	WIND ENERGY FACILITIES (LARGE).....	54
4.15	ZONING DISTRICTS	56
4.16	THE ZONING DISTRICT MAP	56
4.17	BOUNDARIES OF ZONING DISTRICTS.....	56
4.18	HOLDING DESIGNATION.....	57
5	LOW DENSITY RESIDENTIAL DISTRICT - R1.....	58
5.1	Permitted Uses.....	58

5.2	Discretionary Uses.....	59
5.3	Accessory Buildings uses and Structures.....	59
5.4	Fence and Hedge Heights.....	59
5.5	Off street parking & Loading.....	59
5.6	Outside Storage.....	60
5.7	Signage.....	60
6.8	Common Wall.....	60
6	RESIDENTIAL MULTIPLE DWELLING DISTRICT – R2.....	61
6.1	Permitted Uses.....	61
6.2	Discretionary Uses.....	62
6.3	Standards for Discretionary Uses or Forms of Development.....	63
6.4	Accessory Buildings, uses and Structures.....	63
6.5	Fence and Hedge Heights.....	63
6.6	Off street parking & Loading.....	63
6.7	Outside storage.....	63
6.8	Signage.....	63
6.9	Common Wall.....	63
7	INFILL SMALL LOT RESIDENTIAL DISTRICT – R3.....	64
7.1	Permitted Uses.....	64
7.2	Discretionary Uses.....	65
7.3	Accessory Buildings uses and Structures.....	65
7.4	Fence and Hedge Heights.....	66
7.5	Off street parking & Loading.....	66
7.6	Outside Storage.....	66
7.7	Signage.....	66
7.8	Common Wall.....	66
9	RESIDENTIAL MOBILE HOME DISTRICT – RMH.....	67
9.1	Permitted Uses.....	67
9.2	Discretionary Uses.....	67
9.3	Site Development Regulations.....	68
9.4	Development Standards for Mobile Home Parks.....	69
9.5	Development Standards for Mobile homes.....	69
9.6	Standards for Discretionary Uses or Forms of Development.....	70
9.7	Accessory Buildings – uses and structures.....	70
9.8	Fence and Hedge Heights.....	70
9.9	Off street parking & Loading.....	70
9.10	Outside Storage.....	70
9.11	Signage.....	70
10	COMMUNITY SERVICE DISTRICT – CS.....	71
10.1	Permitted Uses.....	71
10.2	Discretionary Uses.....	71
10.3	Site Development Regulations.....	72
10.4	Accessory Buildings – Uses and Structures.....	73
10.5	Fence & Hedge Heights.....	73
10.6	Landscaping.....	73
10.7	Off street parking & loading.....	73
10.8	Outside storage.....	73
10.9	Signage.....	73
11	TOWN CENTRE COMMERCIAL DISTRICT –C1.....	74

11.1	Permitted Uses	74
11.2	Discretionary Uses.....	75
11.3	Prohibited Uses	75
11.4	Site Development Regulations – c1.....	76
11.5	Supplementary Regulations	76
11.6	Accessory Buildings – uses and structures	76
11.7	Fence & Hedge Heights	77
11.8	Landscaping.....	77
11.9	Off street parking & loading.....	77
11.10	Outside storage	77
11.11	Signage	77
12	General Commercial DISTRICT–C2.....	78
12.1	Permitted Uses	78
12.2	Discretionary Uses.....	78
12.3	Prohibited Uses	79
12.4	Site Development Regulations – c2.....	79
12.5	Supplementary Regulations	79
12.6	Accessory Buildings – uses and structures.....	81
12.7	Fence & Hedge Heights	81
12.8	Landscaping.....	81
12.9	Off Street Parking & Loading.....	81
12.10	Outside storage	82
12.11	Signage	82
13	HIGHWAY COMMERCIAL DISTRICT–C3	83
13.1	Permitted Uses	83
13.2	Discretionary Uses.....	83
13.3	Prohibited uses.....	84
13.4	Site Development Regulations- C3.....	84
13.5	Supplementary Regulations – C3	86
13.6	Accessory Buildings – uses and structures.....	87
13.7	Fence & Hedge Heights	87
13.8	Landscaping.....	87
13.9	Off Street Parking & Loading.....	87
13.10	Outside storage	87
13.11	Signage	88
14	LIGHT INDUSTRIAL DISTRICT –IND1	89
14.1	Permitted Uses	89
14.2	Discretionary Uses.....	89
14.3	Prohibited uses.....	90
14.4	Site Development Regulations	90
14.5	Supplementary Regulations – IND1	91
14.6	Accessory Buildings - uses and structures.....	92
14.7	Fence and Hedge Heights.....	92
14.8	Landscaping.....	92
14.9	Off street Parking and loading.....	92
14.10	Outside Storage.....	92
14.11	Signage	93
14.12	Performance Standards.....	94
15	HEAVY INDUSTRIAL DISTRICT – IND2.....	95

15.1	Permitted Uses	95
15.2	Discretionary Uses.....	95
15.3	Prohibited Uses	96
15.4	Site Development Regulations	96
15.5	Supplementary Regulations	96
15.6	Accessory Buildings - uses & structures	97
15.7	Fence and Hedge Heights.....	97
15.8	Outside Storage.....	98
15.9	Off street Parking and loading.....	98
15.10	Signage	98
15.11	Performance Standards.....	99
16	FUTURE URBAN DEVELOPMENT DISTRICT – FUD	101
16.1	Permitted Uses	101
16.2	Discretionary Uses.....	101
16.3	Site Development Regulations as per council	101
16.4	Accessory Buildings – uses & structures	102
16.5	Signage	102
17	REPEAL AND ADOPTION	103
18	SPECIAL PROVISION RESIDENTIAL DISTRICT – R4	104
18.1	Permitted Uses	104
18.2	Discretionary Uses.....	105
18.3	Special Provisions	105
18.4	Accessory Buildings uses and Structures.....	106
18.5	Fence and Hedge Heights.....	106
18.6	Off street parking & Loading	106
18.7	Outside Storage.....	106
18.8	Signage	106
6.8	Common Wall.....	106
19	TRANSITIONAL COMMERCIAL DISTRICT – C4.....	107
19.1	Permitted Uses	107
19.2	Discretionary Uses.....	107
19.3	Prohibited Uses	107
19.1	Accessory Buildings uses and Structures.....	108
19.2	Fence and Hedge Heights.....	108
19.3	Off street parking & Loading	108
19.4	Outside Storage.....	108
19.5	Signage	108
20	DEFINITIONS	109
	APPENDIX “A” DEVELOPMENT PERMIT APPLICATION REQUIREMENTS.....	128
	APPENDIX “B” Town of Assiniboia application for a Development Permit	130
	APPENDIX “C” Notice of Decision	

1 INTRODUCTION

1.1 AUTHORITY

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

1.2 TITLE

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

1.3 PURPOSE

1.3.1 The purpose of this Bylaw is to regulate development and to control the use of land in the Town of Assiniboia in accordance with the Official Community Plan (OCP) Bylaw 01/14.

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

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

1.4 SCOPE

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

1.5 SEVERABILITY

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

Metric to Imperial Conversions*

Distance (metres - feet)			
0.6 metres	2 ft	17.0 metres	55 ft
2.0 metres	7 ft	19.8 metres	65 ft
2.5 metres	8 ft	30 metres	98 ft
3.0 metres	10 ft	46 metres	150 ft
4.2 metres	14 ft	50 metres	164 ft
4.5 metres	15 ft	75 metres	246 ft
5.0 metres	16 ft	80 metres	262 ft
5.5 metres	18 ft	90 metres	295 ft
6.0 metres	20 ft	100 metres	328 ft
6.5 metres	21 ft	150 metres	492 ft
7.5 metres	25 ft	200 metres	656 ft
10 metres	33 ft	230 metres	755 ft
11 metres	36 ft	305 metres	1000 ft
12 metres	39 ft	467 metres	1532 ft
15 metres	49 ft		
15.3 metres	50 ft		
Area (IND2 to ft²)			
1.0 IND2	10.7 ft ²	100 IND2	1076 ft ²
0.5m ²	5.4 ft ²	150 m ²	1615 ft ²
5.0 IND2	53.8 ft ²	230 m ²	2475 ft ²
9.3 IND2	100 ft ²	450 m ²	4844 ft ²
37.2 m ²	400 ft ²	465 m ²	5,005 ft ²
45 m ²	485 ft ²	540m ²	5812 ft ²
50 m ²	538 ft ²	560 m ²	6,000 ft ²
56 m ²	600 ft ²	900 m ²	9687 ft ²
60 m ²	646 ft ²	930 m ²	10,000 ft ²
78 m ²	839 ft ²	6070 m ²	1.5 acres
83.6 m ²	900 ft ²	0.8 hectare	2 acres
92.96m ²	1,000 ft ²	1 hectare	2.5 acres
		2 hectares	5 acres

*Conversions are rounded to the nearest decimal point

2 ADMINISTRATION AND INTERPRETATION

2.1 DEVELOPMENT OFFICER

- 2.1.1** The Chief Administration Officer of the Town of Assiniboia shall be the Development Officer responsible for the administration of this Bylaw or such other employee of the Municipality as the Administrator designates from time to time.
- 2.1.2** The Development Officer shall:
- a) receive, record, and review Development Permit applications and issue decisions in consultation with Council, particularly those decisions involving subdivision, discretionary uses, Development Permit conditions, and development and servicing agreements;
 - b) maintain, for inspection by the public during office hours, a copy of this Bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;
 - c) make available, for public inspection during office hours, a register of all Development Permits and subdivision applications and decisions;
 - d) collect development fees, according to the fee schedule established in this Bylaw or any other Bylaw adopted by the Town; and
 - e) perform other duties as determined by Council.
- 2.1.3** The Development Officer shall be empowered to make a decision regarding a Development Permit application for a "Permitted use."

2.2 COUNCIL

- 2.2.1** Council shall make all decisions regarding Discretionary uses, Development and Servicing Agreements, and Zoning Bylaw amendments.
- 2.2.2** Council shall make a recommendation regarding all subdivision applications circulated to it by Saskatchewan Ministry of Government Relations, prior to a decision being made by the Minister.
- 2.2.3** Council shall act on discretionary use, rezoning, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the Official Community Plan Bylaw No. 01/14.

2.3 APPLICATION FOR A DEVELOPMENT PERMIT

- 2.3.1** Unless the proposed development or use is exempt from Development Permit requirements, before commencing any principle or accessory use development, including a public utility use, every developer shall:
- a) Complete and submit a Development Permit application (Appendix “B”); and
 - b) Receive a Development Permit for the proposed development.
- 2.3.2** A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw and the Official Community Plan.
- 2.3.3** Except where a particular development is specifically exempted by Section 2.4 of this Bylaw, no development or use shall commence without a Development Permit first being obtained.

2.4 DEVELOPMENT NOT REQUIRING A PERMIT

The following developments shall be exempt from Development Permit requirements, but shall conform to all other Bylaw requirements (e.g., building permits, setbacks, environmental and development standards):

2.4.1 Residential Zoning Districts

- a) Buildings and structures under 9.0 m² in area, which are accessory to a principle, residential use except where such dwelling is a discretionary use.
- b) The erection of any television or radio antenna for personal use.
- c) Relocation of any residential or accessory building on the same parcel provided development standards are still met on the site.
- d) Patios (See Definition)

2.4.2 Commercial and Industrial Zoning Districts

- a) Buildings and structures under 9.0 m² in area, which are accessory to a permitted, principle, commercial or industrial use, except where such use is discretionary.
- b) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a Building Permit has been granted.

2.4.3 Official Uses

Uses and buildings undertaken, erected, or operated by the Town of Assiniboia.

2.4.4 Internal Alterations

- a) Residential Buildings
Internal alterations to a residential building, provided that such alterations do not result in a change of use or an increase in the number of dwelling units within the building or on the site;
- b) All Other Buildings
Internal alterations and maintenance to other buildings, including mechanical or electrical work, provided that the use, or intensity of use of the building, does not change.

2.4.5 Landscaping

Landscaped areas, driveways and parking lots provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted and that public sidewalks, curbs or streets are not affected.

2.5 INTERPRETATION

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

2.6 CONCEPT PLANS

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

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

2.6.2 The Concept Plan must be prepared in accordance with the overall goals and objectives of the Official Community Plan. Council shall not consider any application until all required

information has been received. The responsibility for undertaking all technical investigations and hosting public meetings as required shall be borne solely by the applicant.

2.7 DEVELOPMENT PERMIT PROCEDURE

Where an application for a Development Permit is made for a permitted use in conformity with this Bylaw, *The Planning and Development Act, 2007* and all other Town Bylaws, the Development Officer shall issue a Development Permit.

2.7.1 Discretionary Use Application

The procedures for providing notice to the public of a discretionary use application is at least seven (7) days before the application is to be considered by council, this notice must be provided to:

- a) The assessed owners of property within 75 metres of the boundary with the applicant's land: and
- b) Other owners of property required to be notified pursuant to the zoning bylaw.

2.7.2 Where an application for a Development Permit is made for a discretionary use, the Development Officer shall advise the Council as soon as practicable.

2.7.3 As soon as practicable after Council is advised that an application has been made for a Development Permit for a discretionary use, Council shall consider the application. Council may delegate authority for considering discretionary use applications.

2.7.4 Prior to making a decision, Council may refer the application to whichever Government Agencies, the District Planning Commission, or other interested groups, as Council may consider appropriate. Council also may require the application to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant.

2.7.5 Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a Development Permit for the discretionary use at the location and under such terms and development standards specified by Council in its resolution.

2.7.6 The Development Officer shall maintain a record of development permits issued pursuant to this section and complaints received. This list shall be submitted to Council at least once per year for their review.

2.7.7 Development Permit Decision

- 2.7.8** The applicant shall be notified in writing of the decision of their application within thirty (30) days of all required information being submitted to the Development Officer. The applicant shall be advised of their right to appeal a decision on a permitted use application and any terms and conditions attached to a discretionary use application to the Development Appeals Board subject to the provisions of *The Planning and Development Act, 2007*.
- 2.7.9** If the proposal conforms to the provisions of this Bylaw a Development Permit shall be issued subject to any development standards, special regulations, or performance standards that may be required.

2.8 DEVELOPMENT PERMIT: VALIDITY

- 2.8.1** A Development Permit is valid for a period of 1 year unless otherwise stipulated when the permit is issued.
- 2.8.2** Where Council or the Development Officer determines that a development is being carried out in contravention of any condition of a Development Permit or any provision of this Bylaw, Council or the Development Officer shall suspend or revoke the Development Permit and notify the permit holder that the permit is no longer in force.
- 2.8.3** Where Council or the Development Officer is satisfied that a development, the permit for which has been suspended or revoked, will be carried out in conformity with the conditions of the Permit and the requirements of this Bylaw, Council or the Development Officer may reinstate the Development Permit and notify the permit holder that the permit is valid and in force.

2.9 DEVELOPMENT PERMIT APPLICATION FEES

- 2.9.1** An applicant seeking the approval of a Development Permit application shall pay the required fee as set out in the Planning and Development section of the Fee Bylaw of the Town.
- 2.9.2** There shall be no Development Permit application fee for licenses for home occupations or other forms of business licenses.
- 2.9.3** An applicant seeking a discretionary use approval shall pay the required fee as set out in the Planning and Development section of the Fee Bylaw of the Town.
- 2.9.4** The Development Officer shall direct the applicant for a discretionary use, or carry out on behalf of the applicant, the advertisement of the proposed use by posting a notice of the application at the entrance to the property in question and by mailing a copy of the notice to the assessed owner of each abutting property and each assessed owner of property within a 75.0 metre radius of the proposed development.

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

2.10 FEE FOR ZONING AMENDMENT APPLICATION

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

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

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

*Except for those developments exempted in Section 2.4 that require a building permit.

2.12 REFERRAL UNDER THE PUBLIC HEALTH ACT

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

2.13 DEVELOPMENT APPEALS BOARD

- 2.13.1** Council shall appoint a Development Appeals Board consisting of five members, to hear and determine appeals in accordance with Section 213 to 227 inclusive, of *The Planning and Development Act, 2007*.

- a) Where an application for a permitted use has been denied, the applicant shall be advised of the right of appeal to the Development Appeals Board.
- b) Appellants also may appeal where they are of the opinion that development standards prescribed by Council with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw.
- c) The Development Officer shall make available to all interested persons copies of the provisions of *The Planning and Development Act, 2007* respecting decisions of the Development Officer and the right of appeal.

2.14 MINOR VARIANCES

- 2.14.1** The Development Officer may vary the requirements of this Bylaw subject to the following requirements:
- a) A minor variance may be granted for the following only:
 - i. minimum required distance of a building from a lot line; and
 - ii. the minimum required distance of a building from any other building on the lot.
 - b) The maximum amount of a minor variance shall be 10% variation from the requirements of this Bylaw.
 - c) The development must conform to all other requirements of this Bylaw.
 - d) The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property.
 - e) A minor variance must not be granted:
 - i. for a discretionary use or form of development, or in connection with an agreement to rezone pursuant to Section 69, of the Planning and Development Act, 2007, respecting the rezoning of land; or
 - ii. if it would be inconsistent with any provincial land use policies or statements of provincial interest.
- 2.14.2** An application form for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by the fee as shown in the Fee Bylaw of the Town.
- 2.14.3** Upon receipt of a minor variance application the Development Officer may:
- a) Approve the minor variance;
 - b) Approve the minor variance and impose terms and conditions on the approval; or
 - c) Refuse the minor variance; or
 - d) Refer the minor variance to Council who may
 - i) approve the minor variance
 - ii) approve the minor variance and impose terms and conditions on the approval
 - iii) refuse the minor variance
- 2.14.4** Terms and conditions imposed shall be consistent with the general development standards in this Bylaw.
- 2.14.5** Where a minor variance is refused, the applicant shall be notified in writing, providing reasons for the refusal.
- 2.14.6** Where a minor variance is approved, with or without terms, written notice shall be provided to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.
-

2.14.7 The written notice shall contain:

- a) A summary of the application;
- b) Reasons for and an effective date of the decision;
- c) Notice that an adjoining assessed owner has 20 days to lodge a written objection with the Development Officer, which, if received, will result in the approval of the minor variance being revoked; and
- d) Where there is an objection and the approval is revoked, the applicant shall be notified of the right to appeal to the Development Appeals Board.

2.14.8 A decision to approve a minor variance, with or without terms and conditions, does not take effect until twenty-three (23) days from the date the notice was provided.

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

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

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

2.15 NON-CONFORMING BUILDINGS USES AND SITES

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

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

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

2.15.4 No existing site shall be deemed to be non-conforming by reason only of its dimensions or area failing to at least equal the standards prescribed for proposed sites in the Zoning District in which the site is located.

2.15.5 For any conforming or legally non-conforming building or use which is in existence on the effective date of this Bylaw, that is reconstructed, repaired or re-established, off-street parking or loading facilities shall be provided in accordance with the provisions of this Bylaw.

2.16 DEVELOPMENT PERMIT – INVALID

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

2.16.1 if the proposed development is not commenced within the period for which the Development Permit is valid;

2.16.2 if the proposed development is legally suspended or discontinued, for a period of six or more months, unless otherwise indicated by Council or the Development Officer;

2.16.3 when development is undertaken in contravention of this Bylaw, the Development Permit and specified development standards, and/or

2.16.4 when a written appeal notice is received by the Development Appeals Board secretary regarding the Development Permit.

2.17 CANCELLATION

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

2.17.2 Where the Development Officer or Council is satisfied that a Development Permit was issued based on false or mistaken information;

2.17.3 Where new information is identified pertaining to environmental protection, flood potential or slope instability; and/or

2.17.4 When a developer requests a Development Permit modification.

2.18 STOP-WORK

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

2.19 OFFENCES AND PENALTIES

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

2.20 INSPECTION OF PREMISES

The Development Officer, or any official or employee of the Municipality acting under their direction, is hereby authorized to enter, at all reasonable hours, upon any property or premises in or about which there is reason to believe that provisions of this Bylaw are not being complied with, and for the purpose of carrying out their duties under this Bylaw.

2.21 BYLAW COMPLIANCE

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

2.22 PERFORMANCE BONDS / SECURITIES

Council may require a developer to post and maintain a performance bond or other acceptable securities to ensure developer performance and to protect the public interest.

2.23 LIABILITY INSURANCE

Council may require developers to provide and maintain liability insurance to protect the Municipality, developer and public.

2.24 REGISTERING INTERESTS

Council may require that development and servicing agreements and other agreements or documents be registered against title on affected lands, in accordance with *The Land Titles Act*, to protect Municipal and public interests.

2.25 MOVING OF BUILDINGS

No building shall be moved within or into or out of the area covered by this Bylaw without obtaining a Development Permit from the Development Officer, unless such building is exempt under Section 2.4 of this Bylaw.

2.26 DEMOLITION OF BUILDINGS

No building shall be demolished without first obtaining a Demolition/Development Permit from the Development Officer. A separate Development Permit is required for any redevelopment of the site. Demolition Permit fees are set out in the Fee Bylaw & Building Bylaw of the Town.

2.27 TEMPORARY DEVELOPMENT PERMITS

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

2.28 DEVELOPMENT AGREEMENTS

2.28.1 Council shall request a developer to enter into a Development Agreement to ensure development conformity with The Official Community Plan and this Bylaw pursuant to Section 171 to 176 inclusive, *The Planning and Development Act, 2007*.

2.28.2 A Development Agreement is mandatory for approval of a Garden (Granny) Suite.

2.29 PLANNED UNIT DEVELOPMENT

Specific zone regulations shall not apply to Planned Unit Development Contract Zoning. Uses permitted within a PUD include: residential, commercial, light industrial recreation and open space. However, the project shall produce an environment of stable and desirable character and shall incorporate at least equivalent standards of building separation, parking, height and other requirements and provisions of this Bylaw.

2.30 SERVICING AGREEMENTS

2.30.1 Where a development proposal involves subdivision, the developer shall be required to enter into a servicing agreement to ensure appropriate servicing pursuant to *The Planning and Development Act, 2007*. Council may direct the Administration to vary the agreement on a case-by-case basis, or remove the requirement.

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

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

outside the proposed subdivision and that directly or indirectly serve the proposed subdivision.

3 GENERAL REGULATIONS

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

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

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

3.2 PRINCIPLE USE ESTABLISHED

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

3.3 MULTIPLE USES

Notwithstanding anything contained in this Bylaw, where any land, building, or structure is used for more than one purpose, all provisions of this Bylaw relating to each use shall be complied with, but no Residential dwelling shall be located within 3.0 metres of any other building on the site except to a building accessory to such dwelling.

3.4 USES PERMITTED IN ALL ZONING DISTRICTS

- 3.4.1** Nothing in this Bylaw shall prevent the use of any land as a public street or public park.
- 3.4.2** Nothing in this Bylaw shall prevent the erection of any properly authorized traffic sign or signal or any sign or notice of any local or other government department or authority.
- 3.4.3** Nothing in this Bylaw shall prevent the use of any land for the erection of buildings or structures or the installation of other facilities essential to the operation of public works provided that such use, building or structure shall be in substantial compliance with the relevant provisions of this Bylaw and shall not adversely affect the character or amenity of the neighbourhood in which the same is located.

3.5 NUMBER OF PRINCIPLE BUILDINGS ON A SITE

- 3.5.1** Only one principle building shall be permitted on any one site except for the following: district parks, educational institutions, hospitals, recreation facilities, special care homes, senior citizen homes, industrial complexes, office complexes and approved dwelling groups and condominium developments.
- 3.5.2** Multi - Unit Dwellings are considered to be one principle building under this Bylaw and all other uses and buildings on the site must be accessory.
- 3.5.3** Multiple-Unit Commercial, and Institutional buildings are subject to the site regulations which apply to the intended use requiring the largest lot area and yard setbacks. Commercial and Industrial complexes shall be accommodated when their activities are vertically integrated (complementary).

3.6 ACCESSORY BUILDINGS, USES AND STRUCTURES

- 3.6.1** Subject to all other requirements of this Bylaw, an accessory building, use or structure is permitted in any district when accessory to an established principle use which is a permitted or discretionary use in that same district, and for which a Development Permit has been issued.
- 3.6.2** No accessory building may be constructed, erected or moved on to any site prior to the time of construction of the principle building to which it is accessory unless Council, at its discretion, may allow the placement or development of an accessory building where there is an application for a development permit for a principle building.
- 3.6.3** Where an application for development of a principle building has been approved, Council, at its discretion, may allow prior development of an accessory building where such building is required for storage of construction materials or equipment. If the principle building is not completed within the time period required, the accessory building is to be removed.
- 3.6.4** Where a building on a site is attached to a principle building by a solid roof or by structural rafters, and where the solid roof or rafters extend at least one third of the length of the building wall that is common with the principle building, the building is deemed to be part of the principle building.

3.6.5 Location of Accessory Buildings

Minimum front yard setback	A minimum of 6.0 m from the front site line
Minimum rear yard setback	All accessory buildings shall be located a minimum of 0.75 m from the rear site line, except where an accessory building has a vehicle door(s) opening onto a lane, then, to assist in safe access and egress, the accessory building shall not be located less than 2.0 metres from the site line abutting the lane.
Minimum side yard setback	.75 m from the side site line unless the side site line is an abutting street then the side yard shall be 3.0 metres.
Maximum floor area	82 m ²
Maximum site coverage	50%
Minimum site area	360 m ²
Maximum Accessory Building Height	R1, R2 and RMH: 3.7 m C1: 5.0 m C2 & C3: 9.0 m IND1, IND2: 9.0 m CS: 9.0 m

- 3.6.6** Accessory buildings shall be subordinate to and located on the same lot as the principle permitted use.
- 3.6.7** Accessory buildings on corner lots shall be subject to the side and front yard requirements of the principle building on those lot sides which abut streets.
- 3.6.8** Accessory buildings shall not be permitted in any required front yard. (including temporary garage structures)
- 3.6.9** Accessory buildings located in a required rear yard shall not occupy more than 30 percent (30%) of the required rear yard and shall not interfere with access to a lane and shall not exceed 82 m² in size in a residential zoning district.
- 3.6.10** In a Residential District, accessory buildings shall be located not less than 1.2 meters from the principle building or structure.
- 3.6.11** In a residential district, an accessory building or structure cannot exceed one storey and the interior wall height shall not exceed 3.7 m (12 feet) from the floor to the top of interior wall and the vertical distance to the highest point on the roof must not exceed 5.0 m (16 feet).

- 3.6.12** Garages, carports and accessory buildings attached to a principle building by a substantial roof structure shall be considered as part of the principle building and subject to the regulations of the principle building and shall not exceed the square footage of the main floor of the principle dwelling in size.
- 3.6.13** One detached private garage is permitted in any side yard or rear yard, provided there is sufficient available space to comply with all other setbacks.
- 3.6.14** A carport attached to the dwelling unit consisting of a roof and supporting columns or structures which are not permanent walls, may be built not less than 1.5 metres from the supporting posts to the side lot line and is permitted to encroach into any required side yard providing that the roof or eaves are not closer than 1.0 metres from the side lot line.
- 3.6.15** No attached structure (ie deck) shall have a total floor area greater than the main floor area of the principle building. In calculating the main floor area of a principle building, the area of an attached garage shall be excluded.
- 3.6.16** If a glass window or door faces any of these property lines, the required distance is 1.5 m, as this affects the “direct view”.

3.6.17 Portable Garage or Shelter

A Development permit may be issued to allow for the placement of a portable garage and shelter if:

- a) The shape and size of the lot is adequate to accommodate the proposed portable garage and shelter; The portable garage and shelter is not located in the front or side yards;
- b) The approval must not negatively impact surrounding areas; Portable garages and shelters must be adequately anchored; The portable garage and shelter shall be limited to a maximum height of 3.0 metres in a residential area;
- c) The portable garage and shelter shall be limited to a maximum of 27 square metres in a residential area; the portable garage and shelter is not to be electrically wired or heated.
- d) A Development Permit is required before the structure is constructed. If the structure becomes unsightly, removal shall be required.

3.6.18 Mobile Storage Containers (Trailers, Sea and Rail Containers – Shipping Container) & Fabric Covered Engineered Structures

Refer to Section 4.6

3.7 BUILDING LINE

- 3.7.1 Where a building line has been established by existing buildings greater than the bylaw minimum the required building line shall be that of the existing established line.

3.8 BARELAND CONDOMINIUM DEVELOPMENTS

- 3.8.1 Bare land Condominium developments shall comply with the minimum site area, coverage, width, height and yard setbacks as stated in the relevant residential zoning district.
- 3.8.2 One primary dwelling unit is permitted per bare land condominium lot.
- 3.8.3 Bare land condominium developments may include private open space and one accessory building for joint recreational or storage use by residents of the development, subject to all yard setback requirements of the residential district in which it is located.

3.9 CLOSINGS

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

3.10 COMMUNICATION TOWERS

- 3.10.1 The erection of Cellular telephone transmission towers shall not be permitted within 100 metres of any residential zoning district and shall be subject to Industry Canada's requirements which includes investigating the use of existing structures. Written notification must be provided to the Town of Assiniboia and its residents.

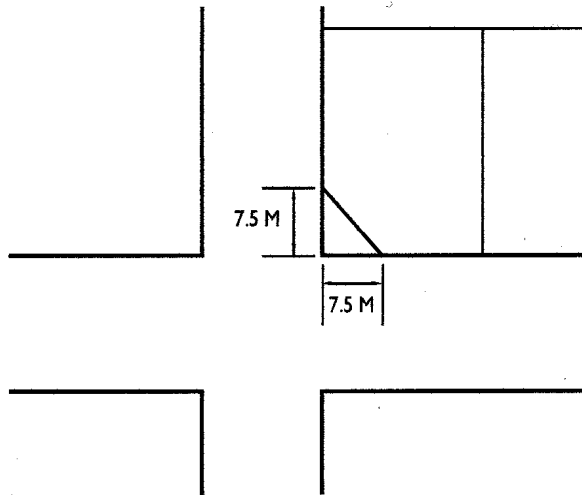
3.11 FENCE AND HEDGE HEIGHTS

Fences, hedges and shrubs may be erected, placed, planted, maintained or grown along a lot line only in conformance with the following general regulations:

- 3.11.1 Barbed wire is permitted upon written permission from the Development Officer.
- 3.11.2 Razor wire is not allowed in any zoning district

3.11.3 No object, structure, fence, hedge, shrub, or tree above a height of 1 metre shall be placed in or on that part of a corner site which lies within a triangle formed by a straight line drawn between two points on the exterior boundaries of said site, 7.5 metres (24.61 feet) from the point where they intersect as indicated on the following diagram.

3.11.4 Refer to Section 3.28 Site Triangles at Intersections



3.11.5 In a residential district, the development officer may approve a discretionary height for the following reasons only:

- i) As a buffer when adjacent properties are of a commercial or industrial use
- ii) To accommodate a substantial change in grade elevation
- iii) To accommodate continuity with existing structure

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

R1	Maximum 1.0 metre in height above grade level in a required front yard, Maximum 2.0 metre in height above grade level in a required side or rear yard
R2	Maximum 1.0 metre in height above grade level in a required front yard, Maximum 2.0 metre in height above grade level in a required side or rear yard
RMH	Maximum 1.0 metre in height above grade level in a required front yard, Maximum 2.0 metre in height above grade level in a required side or rear yard
CS	Same as C1
C1	No fence, hedge or shrub, other than those required as screening, shall exceed 3.0 metres in height.
C2	No fence, hedge or shrub, other than those required as screening, shall exceed 3.0 metres in height. Supplementary Regulations see 12.10.1 & 12.10.2
C3	No fence, hedge or shrub, other than those required as screening, shall exceed 3.0 metres in height. Supplementary Regulations see 13.11.1, 13.11.2 & 13.11.3
IND1	a) Screen fences shall be consistent and complement the quality of building design and materials of the primary building. Screening shall be provided where a lot used for industrial purposes abuts a Residential or Community Service District without an intervening street or lane. Such screening shall consist of a solid fence, hedge, or wall over 1.5 metres in height in a side or rear yard and over 0.75 metres in a front yard. b) No fence, hedge or shrub, other than those required as screening, shall exceed 3.0 metres in height. See Supplementary Regulations see section 14.12.1 & 14.12.2
IND2	a) Screen fences shall be consistent and complement the quality of building design and materials of the primary building. Screening shall be provided where a lot used for industrial purposes abuts a Residential or Community Service District without an intervening street or lane. Such screening shall consist of a solid fence, hedge, or wall over 1.5 metres in height in a side or rear yard and over 0.75 metres in a front yard. b) No fence, hedge or shrub, other than those required as screening, shall exceed 3.0 metres in height. See Supplementary Regulations see section 15.11.1, 15.11.2 & 15.11.3
FUD	Snow fence and or temporary fence

3.12 FRONTAGE FOR IRREGULAR SITES

- 3.12.1** Where the site frontage is along a cul-de-sac, curve or is irregular, the minimum site frontage shall be 11.0 metres and the mean site width shall not be less than the minimum frontage for regular sites in the same Zoning District.
- 3.12.2** Where minimum lot frontage requirements apply to a lot that is not rectangular, the mean width of the lot shall be deemed to be the frontage of the lot.

3.13 FRONT YARD REDUCTION

- 3.13.1** Notwithstanding the minimum depth of front yard required by this Bylaw, where a site is situated between two sites each of which contains a principle building which projects beyond the standard required front yard depth, the front yard required on said site may be reduced to an average of the two established front yards on the adjacent sites; but not be less than 4.5 metres in a residential district unless otherwise permitted in this Bylaw.

3.14 GRADING AND LEVELLING OF SITES

- 3.14.1** Every development shall be graded and levelled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property or the stability of the land.
- a) All excavations or filling shall be re-vegetated immediately after other construction activities conclude with a suitable ground cover as may be necessary to prevent erosion.
 - b) All vegetation and debris in an area to be re-graded or filled must be removed from the site prior to site grading and leveling.
 - c) All topsoil from an area that is to be re-graded must be stripped, stockpiled and replaced on the re-graded area, or re-located to a site approved by the Town.

3.15 HEIGHT OF BUILDINGS AND STRUCTURES

- 3.15.1** Where a maximum height of buildings is specified in any zoning district, the maximum height shall be measured from the interior floor of the building to the top of the interior wall. In no case shall such accessory building or structure exceed the height limits provided for accessory buildings or structures in the Zoning District in which it is located.
- 3.15.2** Height regulations or limitations do not apply to the following: spires, belfries, cupolas, television antennas and solar collectors, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

3.16 HERITAGE PROPERTIES

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

3.17 LANDSCAPING

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

3.18 LANDSCAPE BUFFERS

- 3.18.1** Landscape buffers are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances or by facilitating natural drainage. Landscape buffers, where required to separate uses from adjacent properties, may be required to provide a minimum 1.0 metre vegetative landscape buffer, unless a fence is required for other reasons.
- 3.18.2** Screening: Where a lot used for Commercial or Industrial purposes abuts a Residential or Community Service District without an intervening street or lane, it shall be screened except for points of entrance and exit by a solid painted fence or wall, chain link with inserts or a compact evergreen hedge or tree belt not less than 2.0 metres in height, all of which shall be maintained in good condition at all times.
- 3.18.3** Primary entrances into the Town and parking lots abutting major roads will be encouraged to provide a landscape buffer.
- 3.18.4** Notwithstanding any other provisions in this Bylaw, where buffers are required for greenways, trails, parks and landscaped areas, they shall be required to reflect the character and intent of the Official Community Plan.

3.19 LIGHTING

- 3.19.1** All outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties, interfere with the use and enjoyment of neighbouring lands or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.

- 3.19.2** Appropriate lighting of commercial and industrial development shall be undertaken to provide security and to add visual interest. Lighting standards and fixtures shall be of consistent design and complimentary to the overall architecture.
- 3.19.3** Public access areas shall be lit in keeping with the principles of Crime Prevention Through Environmental Design(CPTED) and require site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent buildings, roads, parking and walkways.

3.20 NATURAL HAZARD LANDS

- 3.20.1** Development of hazard lands will only be allowed where mitigating measures such as fill, are undertaken. The mitigating measures must be approved or accepted by Council and interested provincial agencies before they are undertaken to ensure that they are adequate and do not create other potential problems on the site or adjoining sites. Any mitigating measures must be taken to be certified acceptable by a qualified professional engineer.

3.21 OUTDOOR STORAGE

- 3.21.1** No outdoor storage shall be permitted in the required front yard of any residential site.
- 3.21.2** Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for uses other than residential.
- 3.21.3** No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored in any front or side yard without Councils approval, such approval is subject to revocation by Council resolution if it becomes detrimental to the neighbourhood.
- 3.21.4** No more than one (1) wrecked, partially dismantled or inoperable vehicle or machinery may be stored in a back yard.
- 3.21.5** No yard shall be used for the storage or collection of hazardous material.
- 3.21.6** Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles, operating equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts.
- 3.21.7** Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.
- 3.21.8** Recreational Vehicles in R1 and R2 Districts
- 3.21.9** On a parcel containing a dwelling, a maximum of two (2) recreational vehicles can be stored outside in the Rear or Side yard, year-round, compliance with zoning district setbacks are required.

3.21.10 No portion of a recreation vehicle shall encroach in any required yard

3.21.11 On a parcel containing a dwelling, a maximum of two (2) recreational vehicles can be stored outside in the Front yard, from May 1 to October 31 of any given year, only when:

- I. Such vehicle (s) are parked or kept on the private front driveway;
- II. All portions of the vehicle (s) are set back a minimum of 1 meter from the back of the sidewalk or the curb, where there is no sidewalk; and
- III. Adhere to corner site lines for traffic safety

3.21.12 Enforcement shall be on a complaint basis only.

3.22 PERMITTED YARD ENCROACHMENTS

3.22.1 All buildings, structures and landscaping elements are to be located wholly within the boundaries of the lot except as follows:

- a) sidewalks, driveways and landscaping may be allowed on the undeveloped parts of public streets abutting a lot, where such development is necessary to connect the lot with the developed portion of the street and forms part of the overall landscaping of the lot.
- b) fences or landscaping along common property lines that are jointly constructed or maintained by the abutting property owners.

3.22.2 Where minimum front, side or rear yards are required in any zoning district, the following yard encroachments shall be permitted and also subject to building code:

- a) window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations may project a distance of 0.6 metres into any required yard.
- b) A Single detached, semi-detached or duplex dwellings may have a balcony, deck or uncovered platform structure without walls that projects a maximum of 2.4 metres from the main wall into any required rear yard on the condition that the distance to the property line not be less than 0.6 metres.
- c) Single detached, semi-detached or duplex dwellings may have a balcony, deck or uncovered platform structure without walls that projects a maximum of 1.8 metres from the main wall into any required front yard.
- d) Multi-unit dwellings may have a balcony, deck or uncovered platform structure that projects a maximum of 1.8 metres from the main wall into any required front or rear yard.

- e) An uncovered patio that is not more than 0.3 m in height does not require setbacks.
- f) An uncovered platform or deck that is more than 0.3 m in height shall comply with the minimum side yard setback requirements for a principle building on the site. The minimum side yard setback for a raised platform or deck to be constructed for a dwelling with non-confirming side yards shall be the existing side yard setback of the dwelling.
- g) in any rear yard, the construction of a roofed or open terrace, deck, porch or veranda may project a maximum of 4.0 metres from the main wall.
- h) steps and wheelchair ramps may encroach into any required yard.

3.23 PROHIBITED AND NOXIOUS USES

- 3.23.1 The keeping of livestock shall not be allowed except for discretionary agricultural uses in the IND2 & FUD Districts and in accordance with the Animal Control Bylaw.
- 3.23.2 Holding or septic tanks are not permitted in areas of the Town which are serviceable from existing municipal sewer lines. Developments outside the area which can be serviced from the sewer lines are to be connected to a private sewage disposal system approved by Saskatchewan Health.
- 3.23.4 Private water wells are prohibited in all areas of the Town
- 3.23.5 Commercial Cannabis related operations are prohibited in all Residential and Community Services Districts
- 3.23.6 Commercial Cannabis related operations are prohibited from being located within 150 metres of any Community Service District measured from property line to property line

3.23.7 Noxious Uses

- a) Any use is prohibited which, by its nature or the materials used therein, is declared by *The Public Health Act* and Regulations to be a noxious trade, business, or manufacture.
- b) Notwithstanding any use contained within a building, no land shall be used and no building or structure shall be erected, altered or used for any purpose that is noxious and, without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offence, or both:
 - By the creation of noise or vibration;
 - By the emission of light and glare;
 - By reason of the emission of gas, fumes, smoke, dust or objectionable odour;
 - By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery, or other such material; and/or
 - By any combination of things in this subsection.

- c) A business or activity may not use or store any material, product, substance or organisms which, because of its quantity, concentration or risk of spill, or its physical, chemical or infections characteristics, either individually or in combination with other substances, is an existing or potential threat to the physical environment, to human health or to living organisms, including but not limited to:
- Corrosives, explosives, flammable or combustible liquids
 - flammable solids, substances liable to spontaneous combustion, substances that on contact with water emit flammable gases
 - poisonous(toxic) and infections substances
 - radioactive materials
 - oxidizing substances
 - organic peroxides
 - gases, compressed, deeply refrigerated, liquefied or dissolved under pressure
 - materials that could cause environmental threat when ignited.
 - waste dangerous materials, and any other environmentally hazardous substances.
- d) Facilities or developments, which manufacture, handle, store or distribute hazardous materials, will be governed by the following:
- Hazardous facilities shall not be located closer to dwellings than permitted or recommended by Saskatchewan Environment;
 - Where new development or expansion of a potentially hazardous use is proposed, information may be required relating to the nature of any potential discharges into the air, soil or water, the nature of outside storage requirements, the compatibility of surrounding land uses, and plans for buffering such activities from adjacent uses;
 - Industries considered hazardous due to the transport, handling, bulk storage or use of hazardous materials, and in instances where the risk is severe, development may be discouraged from locating in the Town and be directed to a more suitable rural location.

3.24 REQUIRED MINIMUM YARDS AND OPEN SPACES

- 3.24.1** Where a lot is bisected by a zoning district boundary line, the lands in the more restricted district shall not be included as part of the required yard spaces for any building, structure or use not permitted in the restricted district.
- 3.24.2** No portion of any yard or other open space required for any principle building or use shall provide any portion of a yard or open space for any other principle building or use.
- 3.24.3** The following are permitted structures when located in the required yards and shall not be subject to the minimum yard setback requirements:

- a) in all yards; trees, shrubs, walks, trellises, flag poles, fences, walls, and uncovered driveways.
- b) in front yards, in addition to the above, lighting fixtures and lamp posts; and
- c) in rear yards, in addition to the above, recreation equipment, laundry drying equipment, and garbage stands.

3.25 RESTORATION TO A SAFE CONDITION

- 3.25.1** Nothing in this Bylaw shall prevent the structural improvement or restoration to a safe condition of any building or structure, provided that such structural improvement or restoration shall not increase the height, area or volume so as to contravene the provisions of this Bylaw.

3.26 RESTRICTIONS ON CHANGES

- 3.26.1** The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected and no land shall be severed from any site, if such change, erection or severance creates a situation that contravenes any of the provisions of this Bylaw applicable to each individual remaining building, accessory building, site, or lot.
- 3.26.2** Notwithstanding the provisions of subsection 3.26.1, no person shall be deemed to have contravened any provision of this Bylaw if only part or parts of any site or lot has, or have been, conveyed to or acquired by, the Municipality or the Province of Saskatchewan for a public work.

3.27 RAILWAY CROSSINGS AND SIGHT DISTANCES

- 3.27.1** Notwithstanding anything contained in this Bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within 46.0 metres of the point of intersection of the centre line of both the railway and the street.

3.28 SITE TRIANGLES AT INTERSECTIONS

- 3.28.1** On a corner lot in any Residential district, nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede vision between a height of 1.0 metres and 3.0 metres above the lot grade, in an intersection sight triangle.

3.29 SATELLITE DISHES

- 3.29.1** Satellite dishes in excess of 1.0 metre in diameter shall not be located in any front yard or side yard and shall not be permitted to be erected on the roof of any principle building that is located within a Residential District that is less than three (3) stories in height.

- 3.29.2** Satellite dishes located in residential districts which exceed 1.0 metre in diameter shall only be erected on the roof of an accessory building if said accessory building is located entirely within a rear yard; and
- 3.29.3** Satellite dishes may be erected in Commercial or Industrial Districts for communication purposes or re-broadcasting of television signals.

3.30 GARAGES, SUNROOMS, SOLARIUMS, AND GREENHOUSES

- 3.30.1** Garages, carports, sunrooms, solariums and greenhouses attached to principle buildings by a substantial roof structure shall be considered as part of the principle building and shall be subject to the regulations for the principle building.

3.31 SWIMMING POOLS

- 3.31.1** Notwithstanding anything contained in this Bylaw, a swimming pool is permitted as an accessory use to a permitted use in a Residential District or a motel (motor hotel) in a Highway Commercial District. A swimming pool shall be located in the side yard or rear yard of any lot/site if:
- a) no part of such pool is located closer to any lot or street line than the minimum distance required for the principle building located on such lot;
 - b) the maximum height of such pool is 1.2 metres above the finished grade level of the ground adjoining the pool and to within 4.5 metres of such pool; and
 - c) every swimming pool shall be enclosed by a non-climbable fence of at least 1.8 metres in height and not more than 10 centimeters from the ground and located at a distance of not less than 1.5 meters from the pool; and
 - d) any deck attached to or abutting a swimming pool shall be considered as part of the swimming pool.
- 3.31.2** Any building or structure, other than a dwelling, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, complies with the provisions in the applicable Zoning Districts, respecting accessory buildings.

3.32 DISPOSAL OF WASTES

- 3.32.1** Subject to all Acts and Regulations pertaining in any way to the storage, handling and disposal of any waste material or used item, and except as permitted by these Acts and Regulations, no liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land or into the air.
- 3.32.2** No development or use of land which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by Saskatchewan Health and the Saskatchewan Water Security Agency. Disposal of liquid, solid or gaseous waste shall be

governed by Acts administered by Saskatchewan Agriculture, Saskatchewan Environment, Saskatchewan Health and the Saskatchewan Water Security Agency.

3.33 SOLID AND LIQUID WASTE DISPOSAL FACILITIES

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

- a) The facility will be located as near as practical to the source of waste;
- b) The facility will have undergone satisfactory review as required by Provincial Authorities for environmental assessment and operational design;
- c) The facilities will be located at least 300.0 metres for liquid waste, and 457.0 metres for solid waste from any residence or recreational use;
- d) The development of any new disposal sites shall take into consideration seasonal winds;
- e) Adequate precautions shall be taken to prevent pollution of ground water by disposal operations;
- f) Solid waste disposal facilities shall be located in proximity to an all- weather road; and
- g) Council may apply special standards for screening, fencing and reclamation of the site.

3.33.2 Materials that require special handling when they are disposed at the Assiniboia Landfill facility shall be disposed of in accordance with legislation, guidelines and any other requirements of the Ministry of the Environment or any other regulatory agency. These materials include: asbestos, construction rubble, dead animals; offal; treated wood and other items as determined by the Ministry of Environment.

3.33.3 The temporary storage of any material for recycling or disposal at another location that fall under other Ministry regulations (e.g. tires, paint, agricultural pesticide containers) shall have an established plan for managing the material to ensure stockpiles do not become problematic to recycle or dispose of at an alternate facility in the future. These materials include: concrete and asphalt, organic compost, recyclable metals and automobile batteries.

3.33.4 The Assiniboia Landfill may treat on-site hydrocarbon contaminated soil in accordance with the Ministry of Environment "Guidelines for Treatment and Disposal of Petroleum Contaminated Soils at Municipal Waste Disposal Grounds."

3.34 SIGNAGE

3.34.1 A Development Permit is required for the erection, display, alteration, relocation or replacement of any temporary or permanent sign unless exempted as follows:

- a) Regular maintenance including painting and repairs due to deterioration;
- b) Municipal and Provincial agency signage;

- c) Traffic Control signage;
- d) Official signs erected by a public agency for a public purpose,;
- e) Real estate signs advertising the sale, lease, or rental of the real property on which it is located and related information;
- f) Temporary signs of less than 1.0 m² in surface area and 1.2 metres in height;
- g) Directional or safety signs bearing no advertising information;
- h) Address signs, name of building signs, and name of residential occupant signs all containing no advertising information;
- i) Temporary signs located inside a building window exclusive of any electrified sign greater than 0.5 m² in area;
- j) Signs visible only from the interior of a building;
- k) Election signs during the period of an election campaign and 7 days thereafter.
- l) Construction signs, located on the site of the construction to which they refer;
- m) Incidental signs containing traffic and pedestrian controls;
- n) Signage intended to regulate hunting or trespassing on private property;
- o) Residential name plates;
- p) Works of art containing no advertising.

3.34.2 General Signage Requirements:

Specific sign regulations are provided in Section 3.34.6 and shall apply in addition to, and take precedence over the General Sign regulations.

- a) All residential, business, commercial and industrial uses are required to have their street number affixed to the principle building or property that is visible from the street. The numbers shall be no less than 3 inches (7.62cm) in height, affixed in a conspicuous area near the entrance, visible from the street or road day and night, of contrasting colour to the building
- b) Signs which are deemed to be in disrepair shall be properly maintained or removed at the discretion of the Town.
- c) The Development Officer may require that a sign be enhanced with landscaping or architectural features to improve aesthetics.
- d) Offensive statements, words or pictures shall be prohibited.
- e) Incidental signage shall not exceed 0.5m² of gross surface area and shall not contain any advertising.
- f) No permanent sign shall be placed on or over public property unless specifically permitted within this Bylaw.
- g) All private signs shall be located so that the safety of the public is not jeopardized.
- h) Signs shall be constructed in a permanent manner, of materials suitable for the purpose and life of the sign and shall be maintained and mounted in a condition that is safe, neat, clean and not unsightly or dangerous.
- i) Signs or sign structures shall not be located where they may interfere with, distract from, obstruct the view of, or be confused with any authorized traffic sign, signal or device.

- j) Signs shall not be located in such a manner as to impede the view of any pedestrian or vehicular right of way, or railway crossing.
- k) Illuminated signs shall have an internal light source or an external light source and all lighting shall be shielded from direct view from any roadway or site boundary. No flashing is permitted.

3.34.3 Highway Corridor Signage

- a) Where a sign will be located adjacent to a Provincial highway, *The Highways and Transportation Act* will govern placement requirements.
- b) Billboard and other off-site advertising signs are permitted in a highway sign corridor.

3.34.4 Temporary Signs may be placed in public right of ways for the purpose of advertising special events and will be limited to the following:

- a) Temporary signs advertising the sale or lease of the property, or other information relating to a temporary condition affecting the property, and shall not exceed 1.0 m²
- b) Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or events are permitted.
- c) The lesser of 12 hours prior to the start of the special event and 12 hours after conclusion or for a continuous period of 72 hours for a private sale;
- d) The lesser of 24 hours prior to the start of the special event and 24 after conclusion or for a continuous period of 96 hours for a non-profit organization;
- e) Signage will maintain a separation distance of 10.0 metres from another temporary or permanent sign, 3.0 metres from a site access point and 10.0 metres from an intersection.
- f) Sign banners over the highways are discretionary.

3.34.5 Signage by Zoning District

R1, R2 RMH	One permanent sign is permitted per site. The facial area of a sign shall not exceed 0.5 m ² . One temporary sign not exceeding 1.0 m ² advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
CS	See Table 1 – Section 3.34.6
C1	See Table 1 – Section 3.34.6
C2	See Table 1 – Section 3.34.6
C3	See Table 1 – Section 3.34.6
IND1	See Table 1 – Section 3.34.6
IND2	See Table 1 – Section 3.34.6
FUD	See Table 1 – Section 3.34.6

3.34.6 - Table 1: Zoning District Sign Type Regulations

Sign Type	Zoning District	Sign Regulations	Other Requirements
Fascia Signs	C1, C2, C3, CS, IND1, IND2,	<ul style="list-style-type: none"> ▪ Fascia signs may cover 20% of the area formed by each building face or bay. ▪ Shall maintain a minimum clearance of 3.0 metres from grade or street level. 	<ul style="list-style-type: none"> ▪ and the maximum projection shall be no greater than 0.4 metres
Canopy Signs	C1, C2, C3, CS, IND1, IND2	<ul style="list-style-type: none"> ▪ Shall have a minimum clearance of 2.5 metres from grade or street level. ▪ Are permitted to have a maximum projection of 0.2 metres out from the apron of the canopy. 	<ul style="list-style-type: none"> ▪ A sign shall not extend beyond the lateral or vertical dimensions of the canopy or its apron.
Projecting (Awning) Signs	C1, C2, C3 CS, IND1, IND2	<ul style="list-style-type: none"> ▪ Awning signs are permitted provided the minimum projection of the awning is 0.6 metres 	<ul style="list-style-type: none"> ▪ No sign shall be suspended from or below an awning or any awning support structure
Freestanding Signs	C2, C3, CS, IND1, IND2, FUD	<ul style="list-style-type: none"> ▪ Maximum height – 7.0 metres ▪ Maximum sign area - 7 m² on each side of a multiple-sided sign 	<ul style="list-style-type: none"> ▪ 1 freestanding sign per business frontage may be erected
Billboard Signs	C2, C3, CS, IND1, IND2, FUD C1 Discretionary	<ul style="list-style-type: none"> ▪ Maximum single face area: 38 m². ▪ Maximum 2 faces. ▪ Maximum total face area: 76 m² 2 sides, ▪ Maximum height above grade: 7.0 metres ▪ An unlicensed vehicle or trailer unit acting as a sign shall be considered a billboard sign. (Discretionary Only) 	<ul style="list-style-type: none"> ▪ Double faced signs shall be constructed so one face is completely behind and parallel to the other face and facing the opposite direction ▪ Billboards shall not be located in a required front yard and must be separated by at least 90.0 metres from a Residential District and 100.0 metres from another billboard. ▪ Council may place special conditions on the location of the billboard on a site to protect the clear view of an intersection or a highway approach, or other directional and informational signs. ▪ No billboard shall have flashing or intermittent light. ▪ Billboards shall not seriously detract from the appearance of an entry to the Town.
Freestanding electronic message Centres (Boards)	C2, C3, CS, IND1, IND2, FUD C1 Discretionary	<ul style="list-style-type: none"> ▪ The height of any electronic message board must not exceed 7.0 metres. ▪ The size of any single face area on an electronic message board must not exceed 7.0 m². 	<ul style="list-style-type: none"> ▪ Multiple electronic message boards are permitted subject to a spacing requirement of 100.0 metres from any other electronic message centre on site measured linearly along the property line. ▪ No electronic message centre may be located within 90 metres of any residential zoning district ▪ Electronic message centres must be oriented so as to minimize possible impacts on nearby residential properties.

NOTE: When a sign cannot be clearly categorized as one of the sign types defined in this Bylaw, Council shall determine the sign type and applicable controls.

3.35 SIGNAGE ON NATURAL AND HUMAN HERITAGE SITES

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

3.36 OFF-STREET PARKING AND LOADING

PARKING

- 3.36.1 No person within any Zoning District, shall erect, enlarge, substantially alter, or extend any building permitted under this Bylaw, unless the required off-street parking and loading spaces as required are provided and maintained in connection with such development.
- 3.36.2 When the intensity of use of any building, or use is increased by the addition of dwelling units, floor area, seating capacity, or other unit of measurement, as specified for required parking and loading facilities, the number of parking and loading spaces shall also be increased in conformance with the provisions of this Bylaw.
- 3.36.3 Whenever the existing use of a building is changed the parking and loading spaces shall be provided as required for the new use; however, if the said building or structure was erected prior to the effective date of this Bylaw, additional parking and loading spaces are required only by the number that the requirements for the new use exceed those of the existing use.
- 3.36.4 Where the necessary off-street parking space is provided on a lot which is separate from that containing the building for which it is provided, a registerable agreement between the Town and the owner of the lot on which the parking is located shall be recorded by the Town Administrator. Council shall require that development and servicing agreements and other agreements or documents may be registered against title on affected lands, in accordance with *The Land Titles Act*, to protect Municipal and public interests.

3.36.5 PARKING LOTS

- 3.36.6 Are to be hard surfaced and designed to drain water onto a street or lane or into a storm sewer system with adequate capacity to handle such runoff. Parking lots shall be designed to have a controlled discharge into the Town storm sewer system, and surrounding properties. Where a parking lot/area abuts any Residential or Community Service District without an intervening lane there shall be a fence at least 1.0 metres in height.
- 3.36.7 Where a parking lot/area abuts any Residential District without an intervening lane there shall be a fence at least 1.0 metres in height and a strip of land adjacent to the abutting site

line of not less than 1.5 metres in width throughout which shall not be used for any purpose except landscaping.

- 3.36.8** Parking areas are to be hard surfaced and designed to drain water onto a street or lane or into a storm sewer system with adequate capacity to handle such runoff. Parking lots shall be designed to have a controlled discharge into the Town storm sewer system, and surrounding properties.
- 3.36.9** Parking requirements shall be provided in accordance with the following:
- 3.36.10** The required off-street parking spaces may be located up to 150.0 metres from the principle building or use provided that such spaces are located in a Commercial or Industrial District.
- 3.36.11** Off-street parking facilities for hospitals, special care homes and places of assembly shall be located in a side or rear yard and shall meet the setback requirements of the applicable zone.
- 3.36.12** a) Council may exempt from the requirements to provide off street parking facilities, any person who constructs a new building and pays or agrees to pay to the Council an amount determined by Council, as listed in the Fees and Charges Bylaw, for each parking space that would otherwise be required. This would be considered payments in lieu of parking facilities and is pursuant to Section 61 of the *Planning & Development Act 2007*.
- b) Council may exempt any person(s) from the requirements to provide off street parking facilities, if the said building or structure is located on Centre Street and is a commercial building within a C1 zone and was erected prior to the effective date of this Bylaw, if the person(s) pays or agrees to pay to the Town of Assiniboia, an amount determined by Council, as listed in the Fees and Charges Bylaw. This would be considered payments in lieu of parking facilities and is pursuant to Section 61 of the *Planning & Development Act 2007*.

3.36.13 PARKING & LOADING SPACES TABLE

USE OF BUILDING OR LOT	Parking	Loading
Residential: R1, R2, RMH		
Apartments	1.25 spaces/dwelling unit	
Bed & Breakfast	Refer to Section 4.1	
Day Care Centre – residential district	Refer to Section 4.3	
Duplex	Minimum 2 spaces	
Garden Suite	Refer to Section 4.4	
Home Occupations	Refer to Section 4.5	
Multi-Unit Dwelling	1.5 spaces / dwelling unit	
Mobile Home	Minimum 1 space	
Personal Care Home	Refer to Section 4.8	
Rooming Houses, short term stay accommodations	Refer to Section 4.1	
Secondary Suite	Refer to Section 4.9	
Single Detached Dwelling & RTM	2 spaces minimum	
Commercial: C1, C2, C3		
Lumber yards, Home Improvements Centres	1 space for every 46 m ² gross floor area	
Motels, motor hotels or hotels	1 space for each unit. A designated area for semi-truck parking	
Restaurants and other eating establishments	1 space for every 4 seats provided for patrons	
Strip malls or retail plazas	1 space for each 50 m ² of floor area	
Service Stations	1.5 spaces for each service bay	
Stores and Offices	1 space for every 30 m ² of gross floor area	
IND1		
Warehouses or manufacturing activities	1 space for each 90 m ² of gross floor area	
Principle buildings	1 space for each 70 m ² of gross floor area, or 1 space for each 1.5 employees, whichever is greater	
Parking Areas	Shall be limited to one (1) access road into the site	
IND2		
Principle buildings	1 space for each 55 m ² of gross floor area, or 1 parking space for each 1.5 employees, whichever is greater.	
Community Services		
Churches and Places of Assembly	1 parking space for each 50 m ² of floor area. Or 1 for every 10 seats	
Recreational buildings, sports facilities and fields, playgrounds	1 space for every 15 patrons or seats.	
School – Elementary	1 space for each staff member	
School – High School	1 space for each staff member, plus 1 space for every 10 students	
Special Care Home	1 space per every 3 beds	
Private Club or Lodge	1 space for each 50 m ² of floor area	
Institutional Buildings	1 space for each 50 m ² of floor area	

ALL OTHER USES

1 space for each 75 m² of floor area

3.36.14 In addition to the parking requirements as set out here, provision shall be made for persons with physical disabilities as follows:

Number of Parking Stalls Required	No. of Designated Stalls for Disabled
11 to 25	1
26 to 50	2
51 to 100	3
101 plus	One additional stall

OFF STREET LOADING

3.36.15 Where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site. The minimum area of an individual loading space shall be 17.0 m². Doors located in side yards shall not be used for delivery purposes.

Gross Floor Area	Minimum Number of Loading Spaces
90 m ² to 1300 m ²	1 space
1300 m ² to 2500 m ²	2 spaces
>2500 m ²	2 spaces +1 space for each additional 2500 m ²

4 DEVELOPMENT STANDARDS FOR DISCRETIONARY USES

This Section addresses special provisions and specific development standards that apply to the following discretionary developments. These criteria, provisions and development standards apply in addition to any standards of the respective zoning district.

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

- Site drainage of storm water;
- The location of buildings with respect to buildings on adjacent properties;
- Access to, number and location of parking and loading facilities;
- Appropriate space for vehicle movement in order to reduce disruption of traffic flows on adjacent roadways;
- Control of noise, glare, dust and odour; or
- Landscaping, screening and fencing to buffer adjacent properties.

4.1 BED AND BREAKFAST HOMES, ROOMING HOUSE/SHORT TERM STAY ACCOMMODATION

- 4.1.1 A bed and breakfast home may be located in a detached one unit dwelling or in a semi-detached dwelling. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building or property.
- 4.1.2 Bed and breakfast homes shall be licensed by the Ministry of Health and shall have a fire safety inspection report issued prior to occupancy as a bed and breakfast, rooming house/short term stay accommodation.
- 4.1.3 Required parking spaces may be permitted in a required front yard.
- 4.1.4 One advertising display sign located on the site or premise advertising the bed and breakfast home is permitted. The facial area of a sign shall not exceed 0.5 m².
- 4.1.5 No more than three (3) guest rooms shall be allowed in a bed and breakfast home.
- 4.1.6 The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.

4.2 CAMPGROUNDS

- 4.2.1 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. The addition or re-arrangement of campsites, the construction or moving of buildings and material change in use of portions of land or the filling or clearing of land shall require a Development Permit, and the operator shall submit for approval an amended plan incorporating the development.
- 4.2.2 A campground shall have within its boundaries, a buffer area abutting the boundary of not less than 4.5 metres which shall contain no buildings.
- 4.2.3 The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 m² in area with its corners clearly marked.
- 4.2.4 One permanent sign located on site advertising the campground is permitted;
- 4.2.5 No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- 4.2.6 No portion of any campsite shall be located within a roadway or required buffer area.
- 4.2.7 Each campsite shall have direct and convenient access to a developed roadway which is not located in any required buffer area.
- 4.2.8 *The Public Health Act* shall be complied with in respect to all operations and development of the campground.

4.3 DAY CARE CENTRES AND PRE-SCHOOLS

- 4.3.1 Day care centres and pre-schools may be approved as an accessory use or as a principle use.
- 4.3.2 In any residential zoning district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- 4.3.3 Day care centres or pre-schools which are located in residential zoning districts shall provide at least 3.25 m² of fenced on-site outdoor play space for each child present in the facility at any one time.
- 4.3.4 Required parking spaces may be located in a required front yard.

4.4 GARDEN SUITES

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

- 4.4.1 There is no secondary suite in the principle residence.
- 4.4.2 The Garden Suite dwelling unit is a temporary use and shall be permitted for a three (3)-year term, which may be renewed at Council's discretion. The landowner shall enter into an agreement that the land shall not be considered for subdivision.
- 4.4.3 The owner(s) of the principle residence must live on the site.
- 4.4.4 Garden Suite dwellings shall only be located on sites where the dwelling can be serviced by existing utilities and can be hooked up to the services of the principle residence.
- 4.4.5 Residents of the Garden Suite must have access to the rear yard amenities.
- 4.4.6 The combined site coverage of the principle dwelling and Garden Suite dwelling shall not exceed the maximum coverage permitted by this Zoning Bylaw, and the accessory dwelling shall be placed so that all other setback requirement of the Zoning Bylaw are met.
- 4.4.7 A parking space shall be provided on site for the resident(s) of the Garden Suite dwelling.
- 4.4.8 There shall be direct and separate access to the Garden Suite dwelling by on-site driveway, or by public roadway or alley.

4.5 HOME OCCUPATIONS

- 4.5.1 An Application for Home Occupation is discretionary and the Development Officer is delegated the authority by Council to authorize the application on behalf of Council with the option of referring to Council.
- 4.5.2 Home-based occupations and businesses will be accommodated provided that they are clearly secondary to the principle residential use of the dwelling unit, compatible with the surrounding residential area and not of a type that provide services or products that would detrimentally affect the viability of the neighbourhood. Cannabis operations are prohibited in residential zones and therefore are not eligible as a Home Occupation.
- 4.5.3 Home occupations shall be permitted only in single detached, semi-detached, duplex, mobile homes and associated accessory structures.
- 4.5.4 The total floor area for all home occupation uses shall not occupy more than 25% of the gross floor area of the dwelling unit and accessory structure.

- 4.5.5 No more than two (2) home occupations shall be allowed per dwelling unit. Home occupations shall be conducted entirely within the dwelling or accessory building.
- 4.5.6 One advertising display sign shall be allowed on the site or premise from which the home occupation is conducted and shall not exceed 0.5m² & must be within 2 meters of the principle residence. No LED or neon signs shall be allowed.
- 4.5.7 There shall be no exterior display or storage of any merchandise or material relating to the home occupation.
- 4.5.8 Home occupations shall not create any conflict with surrounding residential uses or endanger public safety.
- 4.5.9 No equipment or process used in the home occupation shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable at or beyond the property lines of the lot where the home occupation or business is located.

The following business activities are prohibited as a Home Occupation

- a. Dry Cleaning Service
- b. Cannabis Operations
- c. Photographic or video studio involving adult or sexually oriented subject material
- d. Sharpening services, printing, screen printing, dying services, food packaging, upholstery, engraving and embroidery services that require the use of commercial or industrial equipment.
- e. Hotels, restaurants or hospitals
- f. The painting, repairing, refitting, refurbishing, storage, salvaging, selling or renting of motor vehicles, boats, trailers, engines or machinery.
- g. Industrial uses, including but not limited to welding, metal works, salvaging, recycling, warehousing, cabinet making or furniture making
- h. Businesses utilizing large power tools and machinery or requiring external venting, vacuums, blowers or exhaust ports
- i. Businesses that use equipment or processes used in the home occupation that create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable at or beyond the property lines of the lot where the home occupation or business is located.
- j. Any business utilizing communication transmission equipment

- 4.5.10 No mechanical, electrical or construction equipment shall be used, except such as is normally used for domestic, office, or personal care purposes.
- 4.5.11 A retail store shall not be the principle purpose of a home occupation.
- 4.5.12 One (1) person other than a resident of the dwelling unit may be engaged in any home occupation as an employee or a volunteer.
- 4.5.13 All permits issued for home occupations shall be reviewed for compliance prior to renewal of the business licence issued in accordance with the Town's business licence bylaw. Home occupations are subject to the condition that the permit may be revoked at any time if, in the opinion of Council, the use is or has become a nuisance or a source of conflict with the adjoining properties and/or the character of the neighbourhood.
- 4.5.14 The applicant shall submit the required fee to the Town prior to a review of his or her application.
- 4.5.15 **Parking (Home Occupation):**
- 4.5.16 The home occupation shall not cause or add to on-street parking congestion or cause an increase in traffic through residential zones.
- 4.5.17 No more than one business vehicle, for which off-street parking is provided, shall be operated in connection with the home occupation.
- 4.5.18 Parking of vehicles of employees hired for off-site jobs shall not be allowed at, or in the vicinity of, the dwelling unit.

4.6 MOBILE STORAGE CONTAINERS -TRAILERS, SEA AND RAIL CONTAINERS (SHIPPING CONTAINERS)

- 4.6.1 Shipping Containers are discretionary and Council will determine the maximum number of Mobile Storage containers (Sea and Rail Containers) allowed on any site.
- 4.6.2 Shipping containers are considered an accessory building and shall only be used for storage purposes that are directly related to the permitted or discretionary use of the principle building or principle use with the exception that these containers may be used for Emergency Services training structures and/or facilities.
- 4.6.3 Shipping containers may only be used as an accessory use in Industrial or Commercial districts.

- 4.6.4** No shipping containers may exceed 3 meters in height, 2.5 meters in width and 16.2 meters in length.
- 4.6.5** The total number of shipping containers on a site shall not exceed 5% of the gross floor area of the principle building.
- 4.6.6** Shipping containers shall be located in the side or rear yard only, they may not project beyond the front line of the principle building. In addition the containers must comply with the rear and side yard setbacks as required.
- 4.6.7** The exterior of the shipping container must have a finish that matches or compliments the exterior finish of the other buildings on the site.
- 4.6.8** The shipping containers must be kept in a clean, orderly manner and placed on a level, secure surface.
- 4.6.9** Shipping containers are prohibited from being used as a dwelling. Shipping containers are prohibited from being plumbed or electrified in any manner.
- 4.6.10** Shipping containers may not be stacked, with the exception of those containers that may be developed for the use of Emergency Services training structures and/or facilities, and are prohibited from storage of junk, trash or other forms of refuse and are prohibited from storage of junk, trash or other forms of refuse.
- 4.6.11** Shipping containers must comply with all provincial and national acts and regulations including the National Building Code and the Uniform Building and Accessibility Standards Act.
- 4.6.12** Shipping containers shall not be used for the purpose of display or advertising.
- 4.6.13** Shipping containers shall not block or obstruct any exits, windows, parking spaces, driveways or access to public utilities and/or right of ways.
- 4.6.14** Containers determined by the Town to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Town;
- 4.6.15** The area occupied by the mobile containers shall be included in the calculation of the maximum lot coverage permitted in the Zoning District in which they are located.
- 4.6.16** Shipping containers may be temporarily placed in any Commercial or Industrial district under the following circumstances:
 - a) During construction when the container is used solely for the storage of supplies and equipment that are used for the site, provided a building permit has been issued for construction on the site.

- b) Mobile storage containers (rail or sea cans) are prohibited in any Residential District.
- c) For the purpose of loading and unloading items associated with the principle use for a period of not more than 10 days. The Building Official may grant one extension of up to 10 days for extreme circumstances.
- d) All temporary shipping containers must be located a minimum of 1.2 meters from any property line.”
- e) Must be properly anchored;
- f) Must be kept in good shape and sightly as determined through inspection by Town representatives;

4.6.17 Fabric Covered Engineered Structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in a required rear or side yard only

4.7 MODULAR HOMES

- 4.7.1** All modular homes shall be placed on a permanent foundation at a standard comparable to a single detached dwelling.
- 4.7.2** All modular homes shall be multi-modular, with the width approximately equivalent to the length;
- 4.7.3** All modular homes shall have architectural features similar or complementary to adjacent and nearby dwellings;
- 4.7.4** Modular homes shall be permanently connected to water and sewer services provided by the Municipality and permanently connected as available to other public works.
- 4.7.5** All other requirements of this Bylaw apply.

4.8 PERSONAL CARE HOMES

- 4.8.1** Personal care homes may be approved as an accessory use or as a principle use.
- 4.8.2** In any residential zoning district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- 4.8.3** Required parking spaces may be located in a required front yard.
- 4.8.4** No building or structure used for the purpose of a personal care home shall be used for the purpose of keeping boarders or lodgers.

- 4.8.5 The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.
- 4.8.6 A home must be licensed as a personal care home in accordance with *The Personal Care Homes Act* if it provides accommodation, meals and assistance or supervision with activities of daily living to an adult aged 18 and older who is not a relative.

4.9 SECONDARY SUITES

- 4.9.1 Secondary suites may be constructed within a principle, single detached dwelling in a residential zoning district. Only one secondary suite is permitted on each residential site.
- 4.9.2 One (1) additional parking space shall be provided and may be permitted in a required front yard.
- 4.9.3 Secondary suites must be located within the principle dwelling and must have a separate entrance from the principle dwelling either from a common indoor landing or directly from the exterior of the building. Secondary suites must contain cooking, eating, living, sleeping and sanitary facilities.
- 4.9.4 Secondary suites may not exceed 60 m² or 35% of the total floor space of the dwelling including the basement, but may not have more than two bedrooms.

4.10 STRIP MALLS

- 4.10.1 Strip Malls, when permitted, must be primarily for pedestrian use and accessible to the public from both the street and from the development.
- 4.10.2 The Town will consider the appropriate separation to other uses that may be incompatible with Shopping Centre/Strip Mall retail and service activities.
- 4.10.3 The Town will consider the potential uses and street access to the site when making a discretionary use decision on a proposed strip mall. Access and egress points shall be designed to minimize conflict with adjacent land uses and not pose a safety hazard.
- 4.10.4 Other criteria may include the street façade, main street entrance, windows along the street and the relaxation of on-site parking requirements.
- 4.10.5 Landscaping shall be provided. If abutting a Residential or Community Service District, a suitable buffer composed of tree planting or a hedge shall be provided.

4.11 SOLAR ENERGY COLLECTION

A Permit is required for the installation of solar collector systems mounted on a building having a face area equal to or greater than 5 m². This includes:

- a. Photovoltaic (PV) Solar System, converting sunlight to electricity generation.
- b. Photovoltaic (PV) or non-PV Solar Panels (SP), used for potable water heating.
- c. Photovoltaic (PV) or non-PV Solar Panels (SP), used for space heating or swimming pool heating.

Submissions shall include:

- 4.11.1 A roof plan or wall elevation indicating the layout and spacing of the solar collectors on the roof of the building.
- 4.11.2 Typical cross-section including but not limited to system height, tilt angle and attachments.
- 4.11.3 Panel or module dimensions and manufacturers specifications including panel dead load and ballast where applicable.
- 4.11.4 Mounting details clearly specifying panel attachment and specifications including framing reinforcement as may be required.
- 4.11.5 Verification of existing roof or wall framing components affected by the proposed installation and the ability of the affected building structural system to accommodate all loads associated with the collector and racking system including dead load, wind load and snow accumulation.
- 4.11.6 Solar panels used for the production of heat for water shall include mechanical drawings (plumbing schematic) detailing any connection to the potable water system.
- 4.11.7 The elevation of the panels shall not exceed the maximum height permitted for the Principle building or, if mounted on an accessory building, shall not exceed the height of the accessory building.

4.12 TEMPORARY WORK CAMPS

The following additional considerations shall be made for all applications for a Temporary Work Camp:

- 4.12.1 A Development Permit for a work Camp may be issued for up to 1(one) year, at which time an application must be made for the continuance of the use for 1(one) additional year, after which time a new Development Permit approval is required.
- 4.12.2 An application for a Development Permit must provide the following information and a Concept Plan for the development:

- a) The location, type and purpose of the camp
- b) Adjacent Land uses
- c) The method of supplying water and sewage and waste disposal to the camp.
The proposed method of sewage disposal must comply with the Saskatchewan Onsite Wastewater Disposal Guide and in accordance with the Saskatchewan *Public Health Act and Regulations*.
- d) The number of persons proposed to live in the camp
- e) The start date for development, date of occupancy by residents and removal day for the camp.

4.12.3 A Temporary Work Camp for accommodation purposes must be:

4.12.4 Linked to a specific project for which a valid and current Development permit has been issued;

4.12.5 Can only accommodate workers for this project;

4.12.6 Be able to accommodate a minimum of twenty (20) persons and a maximum of three-hundred (300) persons

4.12.7 Must be secured by the installation of appropriate fencing around the project accommodation and onsite security staff

4.12.8 Provide adequate on-site parking for private vehicles to the same standard as a Motel

4.12.9 Must be separated (buffered) from adjacent land uses

4.12.10 The final review of a proposal will not be completed prior to the receipt and evaluation of all required information by the Development Officer, the District Health Region and any other relevant agency deemed necessary by the Municipality.

4.12.11 The Work Camp buildings and structures must be removed from site when the project is completed

4.12.12 The Developer must post a Performance Bond or other acceptable securities sufficient to remove and/or reclaim the site after the project is either completed or if work has stopped to the extent that the need for the camp no longer exists.

4.13 WIND ENERGY FACILITIES (SMALL)

Small wind energy facilities are subject to the following:

- 4.13.1** The minimum site size for the allowance of any Small (less than 10 kilowatt) Wind Energy Facility shall be 0.4 hectares
- 4.13.2** The setback from the property line of a non-participating landowner to a wind energy generator (turbine) shall be no less than the length of the blade plus 10.0 metres, or a minimum of 38.0 metres, unless otherwise agreed to by the landowner, developer and the Town.
- 4.13.3** The separation distance from a Residential dwelling to a wind energy generator (turbine) shall be a minimum distance of 550 metres.
- 4.13.4** The maximum total tower height shall be 6.0 metres above grade level.

4.14 WIND ENERGY FACILITIES (LARGE)

Large Wind energy facilities are subject to the following conditions:

- 4.14.1** All buildings and structures shall be set back at least 90.0 metres from an intersection of any Municipal Road allowance, or Provincial highway or such greater distance as required by the Department of Highways.
- 4.14.2** The setback related to Municipal Road allowances and the wind energy generator (turbine) shall be no less than the length of the blade plus 10.0 metres.
- 4.14.3** The minimum site size for the allowance of any Wind Energy Facility shall be 2.0 hectares.
- 4.14.4** The setback from the property line of a non-participating landowner to a wind energy generator (turbine) shall be no less than the length of the blade plus 10.0 metres, or a minimum of 38.0 metres, unless otherwise agreed to by the landowner, developer and the Municipality.
- 4.14.5** The separation distance from a wind energy generator (turbine) to any Residential Subdivision shall be a minimum distance of 550 metres.
- 4.14.6** The maximum total tower height shall be 45.0 metres above grade level.
- 4.14.7** Approaches for access roads to the wind energy facilities must be perpendicular to established road allowances.
- 4.14.8** All infrastructure, roads and accesses required to facilitate the implementation of the wind energy facilities shall be proposed by the developer as part of the Development Permit application.

- 4.14.9** Any proposed development within a municipal road allowance, ie. underground lines or overhead poles/lines, must be submitted by the developer as part of the Development Permit application and adhere to any municipal road crossing policies.
- 4.14.10** The developer is required to enter into a road use agreement with the Town for the construction period to ensure roads are maintained in condition agreeable by both parties.
- 4.14.11** The wind energy generator (turbine) shall have no restrictions on colour or height.
- 4.14.12** Substations are required to be fenced. All wind energy facilities shall be enclosed within a locked protective chain link fence of a minimum height of 1.85 metres and the design shall be included in the Development Permit application.
- 4.14.13** Development and Building Permit applications for a Wind Energy Facility shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety via a Saskatchewan Professional Engineer.
- 4.14.14** Sites having potentially dangerous or hazardous developments shall have visible signs stating any potential dangers. No hazardous waste shall be stored on the site.
- 4.14.15** The Town, at its discretion, may seek approval of this development from both internal and external referral agencies.

5 ZONING DISTRICTS AND ZONING MAPS

5.1 ZONING DISTRICTS

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

R1	Low Density Residential	C2	General Commercial
R2	Residential Multiple Dwelling	C3	Highway Commercial
RMH	Residential Mobile Home	IND1	Light Industrial
CS	Community Service	IND2	Heavy Industrial
C1	Town Centre	FUD	Future Urban Development
R4	Special Provision Residential	C4	Transitional Commercial

5.2 THE ZONING DISTRICT MAP

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 02-14 adopted by the Town of Assiniboia", signed by the Mayor and by the Town Administrator under the seal of the Town, shall be known as the "Zoning District Map", and such map is hereby declared to be an integral part of this Bylaw.

5.3 BOUNDARIES OF ZONING DISTRICTS

- 5.3.1** The boundaries of the Districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled, "Zoning District Map."
- 5.3.2** Unless otherwise shown, the boundaries of Zoning Districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the Municipality.
- 5.3.3** Where a boundary of a District crosses a parcel, the boundaries of the Zoning Districts shall be determined by the use of the scale shown on the map.
- 5.3.4** Where the boundary of a Zoning District is also a parcel boundary and the parcel boundary moves by the process of subdivision, the District boundary shall be relocated by amendment to the Bylaw in accordance with *The Planning & Development Act, 2007*.

5.4 HOLDING DESIGNATION

- 5.4.1** Where, on the Zoning District Map, the symbol for a Zoning District has suffixed to it the holding symbol “-H,” any lands so designated on the map shall be subject to a holding provision in accordance with Section 71 of *The Planning and Development Act, 2007*.
- 5.4.2** Any lands subject to a holding provision shall only be used for those uses existing on the land when the “-H” is applied, and for Public Works.

6 LOW DENSITY RESIDENTIAL DISTRICT - R1

R1

The purpose of the Low Density Residential District 1 (R1) is to accommodate primarily single family detached residential dwellings. **No person shall within any R1-Residential District use any land or erect, alter or use any building or structure, except in accordance with the following provisions:**

6.1 PERMITTED USES

- a) One single detached dwelling, which includes an RTM;
- b) Public works, buildings and structures, excluding offices, warehouses, storage yards and waste management or sewage facilities.
- c) Sports fields, parks, playgrounds;
- d) Swimming pools;
- e) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;

R1 LOW DENSITY RESIDENTIAL DISTRICT <i>Permitted Uses</i>	Minimum Site Frontage	Minimum Site Area (m²)	Minimum Front Yard	Minimum Rear Yard	Side Yard	Side Yard Corner Site	Minimum Floor Area	Maximum Principle Building Height	Maximum Site Coverage
Single Detached Dwelling & RTM	12.19 m (40ft)	360 m ²	6.0 m	3.0 m	1.2 m	3.0 m	90 m ²	9.0 m	50 %
Accessory Buildings and Uses	Refer to Section 3.6								
Public works, buildings and structures - excluding offices, warehouses, storage yards and waste management or sewage facilities.	Refer to Section 9								
Sports fields, parks, playgrounds	Refer to Section 9								
Swimming pools	Refer to Section 3.31								

LOW DENSITY RESIDENTIAL DISTRICT - R1**R1****6.2 DISCRETIONARY USES**

The following uses may be permitted in the R1-Residential District only by resolution of Council and only in locations specified by Council. Discretionary Use Requirements are provided in Section 2.7.1.

R1 LOW DENSITY RESIDENTIAL DISTRICT <i>Discretionary Uses</i>	Minimum Site Frontage	Site Area (m²)	Front Yard	Rear Yard	Side Yard	Side Yard Corner Site	Minimum Floor Area	Maximum Principle Building Height	Maximum Site Coverage
Duplex	10.5 m	270 m ²	6.0 m	3.0	1.2 m	3.0 m	55 m ²	9.0 m	50 %
Modular Home	12.19 m	360 m ²	6.0 m	3.0	1.2 m	3.0 m	90 m ²	9.0 m	50 %
Semi-Detached (per dwelling unit)	7.6 m	270 m ²	6.0 m	3.0	1.2 m see 6.8	3.0 m	55 m ²	9.0 m	50 %
Bed & Breakfast homes/ Rooming House/Short Term Stay Accommodation	Refer to Section 4.1								
Daycare Centres	Refer to Section 4.3								
Garden Suite	Refer to Section 4.4								
Home Occupations	Refer to Section 4.5								
Personal Care Homes	Refer to Section 4.8								
Secondary Suite	Refer to Section 4.9								
Solar Energy Collection systems	Refer to Section 4.11								

6.3 ACCESSORY BUILDINGS USES AND STRUCTURES

Refer to Section 3.6

6.4 FENCE AND HEDGE HEIGHTS

Refer to Section 3.11

6.5 OFF STREET PARKING & LOADING

Refer to Section 3.36

6.6 OUTSIDE STORAGE

R1

Refer to Section 3.21

6.7 SIGNAGE

Refer to Section 3.34 and Signage Table's 3.34.5 & 3.34.6

6.8 COMMON WALL

No side yards are required where a common wall divide dwelling units.

7 RESIDENTIAL MULTIPLE DWELLING DISTRICT – R2**R2**

The purpose of the Residential Multiple Dwelling District 2 (R2) is to accommodate higher density residential developments. **No person shall within any R2 - Residential Multiple Dwelling District use any land or erect, alter or use any building or structure except in accordance with the following provisions:**

7.1 PERMITTED USES

R2 RESIDENTIAL DISTRICT <i>Permitted Uses</i>	Minimum Site Frontage	Minimum Site Area (m²)	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Side Yard Corner Site	Minimum Floor Area	Maximum Principle Building Height	Maximum Site Coverage
Accessory Buildings and Uses	Refer to Section 3.6								
Multiple Unit Dwellings (per dwelling unit)	7.6 m	185 m ² for each dwelling unit at grade level or main floor level plus 65 m ² for each additional unit on the lots Any point on a main wall of any building shall be at least 5.0 meters from any point on the main wall of any other building on the site.	6.0 m	3.0 m	1.5 m measured from the closest main wall of the principle building nearest the side lot line, or 50% of the average wall height whichever is greater for each side of the building.		60 m ²	Principle Building 9.0 m	40%
Semi-detached & Duplex dwelling (per dwelling unit)	7.6 m	270 m ²	6.0 m	3.0 m	1.2 m see Section 7.8	3.0 m	55 m ²	9.0 m	50 %
All R1 Permitted Uses	Refer to Section 6.1								

RESIDENTIAL MULTIPLE DWELLING DISTRICT – R2**R2****7.2 DISCRETIONARY USES**

The following uses may be permitted in the R2 - Residential Multiple Dwelling District but only by resolution of Council and only in locations specified in such resolution of Council. Discretionary Use Requirements are provided in Section 2.7.1.

R2 RESIDENTIAL MULTIPLE DWELLING DISTRICT <i>Discretionary Uses</i>	Minimum Site Frontage	Minimum Site Area (m²)	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Side Yard Corner Site	Minimum Floor Area	Maximum Principle Building Height	Maximum Site Coverage
Apartments	20.0 m	600 m ² and an additional 40 m ² for each dwelling greater than 4 units	6.0 m	9.0 m if parking is provided in the rear. 6.0 m if parking is provided within or below the building.	3.0 m or 25 % the average wall height whichever is greater		35 m ² (bachelor suite), 50 m ² 1bedroom 70 m ² 2bedroom	Principle Building Height 20 m	40% or up to 50% where off street parking is provided by means other than a grade level parking
All R1 Discretionary Uses	Refer to Section 6.2								
Bed & Breakfast homes, Rooming Houses / Short Term Stay Accommodation	Refer to Section 4.1								
Garden Suite (on single residential sites only)	Refer to Section 4.4								
Secondary Suite	Refer to Section 4.9								

7.3 STANDARDS FOR DISCRETIONARY USES OR FORMS OF DEVELOPMENT

In addition to other applicable regulations or standards contained in this bylaw the following standards apply to those uses or forms of development designated as discretionary in the R2-Residential District.

7.4 ACCESSORY BUILDINGS, USES AND STRUCTURES

Refer to Section 3.6

7.5 FENCE AND HEDGE HEIGHTS

Refer to Section 3.11

7.6 OFF STREET PARKING & LOADING

Refer to Section 3.36

7.7 OUTSIDE STORAGE

Refer to Section 3.21

7.8 SIGNAGE

Refer to Section 3.34 and Signage Table's 3.34.5 & 3.34.6

7.9 COMMON WALL

No side yards are required where a common wall divide dwelling units.

8 INFILL SMALL LOT RESIDENTIAL DISTRICT – R3

R3

The purpose of the Residential Infill Small Lot District (R3) is to encourage neighbourhood renewal and an affordable housing option by providing a zone that permits development of new single detached residential units in mature neighborhoods on existing lots that are under 12.19 m (40 ft) in width. **No person shall within any R3 - Residential Infill Small Lot District use any land or erect, alter or use any building or structure except in accordance with the following provisions:**

8.1 PERMITTED USES

R3 RESIDENTIAL INFILL SM.LOT DISTRICT <i>Permitted Uses</i>	Minimum Site Frontage	Minimum Site Area (m²)	Minimum Front Yard	Minimum Rear Yard	Side Yard	Side Yard Corner Site	Minimum	Maximum Principle Building Height	Maximum Site Coverage
Single Detached Dwelling & RTM	7.6 m (25ft)	250 m ²	6.0 m	3.0 m	1.2 m	3.0 m	55 m ²	9.0 m	50 %
Accessory Buildings and Uses	Refer to Section 3.6								
Public works, buildings and structures - excluding offices, warehouses, storage yards and waste management or sewage facilities.	Refer to Section 9								
Sports fields, parks, playgrounds	Refer to Section 9								

INFILL SMALL LOT RESIDENTIAL DISTRICT – R3**R3****8.2 DISCRETIONARY USES**

The following uses may be permitted in the R3-Residential District only by resolution of Council and only in locations specified by Council. Discretionary Use Requirements are provided in Section 2.7.1.

R3 LOW DENSITY RESIDENTIAL DISTRICT <i>Discretionary Uses</i>	Minimum Site Frontage	Site Area (m²)	Front Yard	Rear Yard	Side Yard	Side Yard Corner Site	Minimum Floor Area	Maximum Principle Building Height	Maximum Site Coverage
Duplex (Per Dwelling Unit)	7.6 m	250 m ²	6.0 m	3.0	1.2 m	3.0 m	55 m ²	9.0 m	50 %
Semi-Detached (per dwelling unit)	7.6 m	250 m ²	6.0 m see 8.8	3.0 see 8.8	1.2 m	3.0 m	55 m ²	9.0 m	50 %
Modular Home	7.6 m	250 m ²	6.0 m	3.0	1.2 m	3.0 m	55 m ²	9.0 m	50 %
Daycare Centres	Refer to Section 4.3								
Home Occupations	Refer to Section 4.5								
Solar Energy Collection systems	Refer to Section 4.11								

8.3 ACCESSORY BUILDINGS USES AND STRUCTURES

Refer to Section 3.6

8.4 FENCE AND HEDGE HEIGHTS

Refer to Section 3.11

8.5 OFF STREET PARKING & LOADING

Refer to Section 3.36

8.6 OUTSIDE STORAGE

Refer to Section 3.21

8.7 SIGNAGE

Refer to Section 3.34 and Signage Table's 3.34.5 & 3.34.6

8.8 COMMON WALL

No front or rear yards are required where a common wall divide dwelling units.

9 RESIDENTIAL MOBILE HOME DISTRICT – RMH

RMH

The purpose of the Residential Mobile Home District shall be to accommodate mobile home park development in a concentrated manner.

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

9.1 PERMITTED USES

- a) Mobile Home Parks;
- b) Modular Homes;
- c) Mobile home with CSA Z240 sticker;
- d) Public works, buildings and structures excluding offices, warehouses, storage yards and waste management or sewage facilities.
- e) Sports fields, parks, swimming pools, playgrounds;
- f) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;

9.2 DISCRETIONARY USES

The following uses may be permitted in the RMH - Residential Mobile Home District but only by resolution of Council and only in locations specified in such resolution of Council.

Discretionary Use Requirements are provided in Section 2.7.1.

- a) Day care centres;
- b) Home Occupations (Home Based Businesses);
- c) Laundromat;
- d) Neighbourhood convenience stores;
- e) Recreational Vehicle Park.
- f) Solar Energy Collection systems;

9.3 SITE DEVELOPMENT REGULATIONS

RMH**Mobile Home Parks**

Minimum site area	2.0 hectares
Minimum site frontage	30.0 metres
Maximum site coverage	40% including 10% of the area shall be designated communal open space
Minimum front yard	7.5 metres
Minimum rear yard	7.5 metres
Minimum side yard	7.5 metres

Mobile Home Sites

Minimum site area	300 m ²
Minimum floor area	75 m ²
Minimum site frontage	10.5 metres
Maximum site coverage	40%
Building Height	Mobile Homes: 6.0 metres.
Minimum parking spaces	1
Minimum front yard	2 metres
Minimum rear yard	3.0 metres
Minimum side yard	1.2 metres, unless on a corner site the side yard shall be 3.0 metres

9.4 DEVELOPMENT STANDARDS FOR MOBILE HOME PARKS

The logo consists of the letters "RMH" in a bold, red, sans-serif font, enclosed within a white rectangular border with a slight drop shadow.

- 9.4.1 All mobile home parks shall conform to *The Public Health Act* and its Regulations;
- 9.4.2 All roadways in the mobile home park shall have a minimum 15.0 metres right-of-way; be hard-surfaced and self-draining;
- 9.4.3 A minimum of ten (10%) percent of the gross area of the mobile home park shall be devoted to communal open space or recreational facilities;
- 9.4.4 In the event that the applicant is not the land title owner, written approval must be obtained within 60 days of the application of the building permit from the land title owner.
- 9.4.5 All foundations and construction must conform to the National Building Code of Canada (NBC) 2005 as amended from time to time.
- 9.4.6 All construction of habitable living quarters must be above grade, basements are prohibited.

9.5 DEVELOPMENT STANDARDS FOR MOBILE HOMES

- 9.5.1 All mobile homes must meet the standards set out in CSA A277 Procedure for Certification of Factory Built Houses, and amendments thereto. All mobile homes must bear a label of a credible certification agency indicating that compliance with the National Building Codes has been certified using the A277 procedure.
- 9.5.2 All attached and accessory structures shall require a building permit and shall comply with the requirements of the National Building Code of Canada and the Building Bylaw of the Town of Assiniboia.
- 9.5.3 All attached or accessory structures such as porches, sun room additions, skirting and storage facilities must be factory prefabricated units, or of an equivalent quality, and shall be painted or prefinished so the design and construction will complement the main structure.
- 9.5.4 In order to protect the residential character of the community, wheels, hitches, and running gear must be removed within thirty (30) days of arrival, and must be skirted from the floor level to ground level in such a manner as to compensate for vertical movements and to prevent the entrance of rodents and other small animals.

- 9.5.5** All mobile homes shall be connected to water and sewer services provided by the Municipality and connected as available to other public works.



9.6 STANDARDS FOR DISCRETIONARY USES OR FORMS OF DEVELOPMENT

In addition to other applicable regulations or standards contained in this bylaw, the following standards apply to those uses or forms of development designated as discretionary in the RMH-Residential Mobile Home District.

9.6.1 Recreational Vehicle Park

- a) Thirty (30) % of the Mobile Home Park may provide temporary hook-ups for Recreational Vehicles and Campers.
- b) No permanent structures are permitted (e.g., decks, sheds, porches). No structure shall be attached to the Recreational Vehicle.
- c) Term of Stay not to exceed 6 months in a calendar year.
- d) The Mobile Home Park shall have infrastructure capacities in place for the Recreational Vehicle uses with water, sewer, and electrical (30-50 amp) service.

The development shall meet the Campground requirements of Section 4.2

9.7 ACCESSORY BUILDINGS – USES AND STRUCTURES

Refer to Section 3.6

9.8 FENCE AND HEDGE HEIGHTS

Refer to Section 3.11

9.9 OFF STREET PARKING & LOADING

Refer to Section 3.36

9.10 OUTSIDE STORAGE

Refer to Section 3.21

9.11 SIGNAGE

Refer to Section 3.34 and Signage Table's 3.34.5 & 3.34.6

10 COMMUNITY SERVICE DISTRICT – CS**CS**

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

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

10.1 PERMITTED USES

- a) Buildings, structures, or uses secondary or subordinate to, and located on the same site as, the principle use, shall be considered accessory uses and, may include commercial uses;
- b) Community Gardens
- c) Daycare;
- d) Elementary, high schools and other educational facilities;
- e) Health facilities and Special Care Homes;
- f) Lodges, social clubs, service clubs;
- g) Municipal offices, libraries, historic and cultural institutions, community halls;
- h) Natural and nature-like open areas;
- i) Pedestrian trails and bicycle pathways;
- j) Places of Worship and Assembly Halls;
- k) Public works buildings and structures.
- l) Recreational - sports fields, parks, playgrounds, curling rinks, skating rinks, tennis courts, lawn bowling greens, swimming pools and other similar uses. More than one recreational use may be permitted per site;
- m) Scenic lookout and interpretation facilities, rest stops, and other public trail facilities;
- n) Skateboard parks or BMX bike-terrain;

10.2 DISCRETIONARY USES

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

- a) Communication Towers;
- b) Fabric covered Engineered Structures;
- c) Golf courses, auto race tracks, horse race tracks, or other very large or very intensive use facilities;
- d) Mobile Storage Containers (Rail or Sea Cans);
- e) Public works storage yards, warehouses, drainage ditches, culverts, and other drainage works, water reservoirs, waste management sites and sewage treatment facilities.
- f) Solar Energy Collection systems;
- g) Temporary Garages;
- h) Tourist Campground;
- i) Wind Energy Facilities (Small);

10.3 SITE DEVELOPMENT REGULATIONS

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

Minimum site area	450 m ²
Minimum site frontage	15.0 metres
Minimum front yard	6.0 metres
Minimum rear yard	7.5 metres except where the rear site line abuts a Residential District without an intervening street or lane, at least 7.5 metres shall be provided.
Minimum side yard	50% of the height of the building or 3.0 metres, whichever is greater

Elementary and secondary schools

Minimum site area	No minimum requirement
Minimum site frontage	60.0 metres
Maximum site coverage	75%
Minimum front yard	15 .0 metres
Minimum rear yard	7.5 metres
Minimum side yard	7.5 metres

Skating, curling rinks, and swimming pools

Minimum site area	1200 m ²
Minimum site frontage	20.0 metres
Minimum front yard	3 metres
Minimum rear yard	3 metres
Minimum side yard	1.5 metres except that nothing shall be erected, placed or plated in such a manner as to impede vision in an intersection sight triangle

Campgrounds



Minimum site area	1200 m ²
Minimum site frontage	20.0 metres
Minimum front yard	7.5 metres
Minimum rear yard	7.5 metres
Minimum side yard	1.5 metres except on a corner site abutting a street then 3.6 meters shall be provided.

10.4 ACCESSORY BUILDINGS – USES AND STRUCTURES

Refer to Section 3.6

10.5 FENCE & HEDGE HEIGHTS

Refer to Section 3.11

10.6 LANDSCAPING

Refer to Section 3.17

10.7 OFF STREET PARKING & LOADING

Refer to Section 3.36

10.8 OUTSIDE STORAGE

Refer to Section 3.21

10.9 SIGNAGE

Refer to Section 3.34 and Signage Table's 3.34.5 & 3.34.6

11 TOWN CENTRE COMMERCIAL DISTRICT –C1**C1**

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

No person shall within any C1-Town Centre Commercial District, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

11.1 PERMITTED USES

- a) Administrative, Business & Professional offices;
- b) Banks, credit unions, and other financial institutions;
- c) Barbers, hairdressers, and other similar personal services establishments;
- d) Buildings, structures or uses accessory to and located on the same site as the principle building or permitted use.
- e) Commercial and public recreational establishments such as bowling alleys, arcades and fitness centres;
- f) Confectionaries and delicatessens;
- g) Funeral homes;
- h) Hotels or Motels;
- i) Licensed premises for the sale and consumption of alcoholic beverages;
- j) Medical, dental, and other health care offices and clinics or health services;
- k) Movie theatres;
- l) Police/ Ambulance Stations
- m) Public Transportation depots;
- n) Public works buildings, offices and structures excluding warehouses, storage yards, and waste management or sewage facilities.
- o) Recycling Collection Depots (Neighbourhood);
- p) Restaurants, cafes, coffee shops, and other similar fast food services(not Drive –thru);
- q) Small-scale repair trades, craftspeople and similar trades, including retail sales of related products;
- r) Storefront bakeries, butcher shops, and similar food processing with on-site retail sales;
- s) Storefront construction trades without yards;
- t) Storefront retail stores and outlets;

C1

11.2 DISCRETIONARY USES

The following uses may be permitted in the C1-Town Centre Commercial District but only by resolution of Council and only in locations specified by such resolution of Council. Discretionary Use Requirements are provided in Section 4.

- a) Day Care centres;
- b) Dwellings attached to and behind, or above, commercial establishments;
- c) Garden centres or commercial greenhouses
- d) Mid-size box stores (ie Grocery store);
- e) Mobile Storage Containers (Rail or Sea Cans);
- f) Multiple Unit buildings;
- g) Newspaper offices and printing plants and services;
- h) Recycling Collection Facilities (Commercial);
- i) Rooming houses and Short Term Stay Accommodation;
- j) Small Animal Grooming
- k) Shops of plumbers, pipe fitters, metal workers and other industrial trades manufacturing and sales;
- l) Solar Energy Collection systems.
- m) Temporary / Portable Garages
- n) Cannabis Retail Outlet
- o) Communication Tower
- p) Places of Worship & Assembly Halls

11.3 PROHIBITED USES

- a) All uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions.
- b) Hazardous Substances and Waste Dangerous Goods as defined by the Hazardous Substances and Waste Dangerous Goods Control Regulations of *The Environmental Management and Protection Act of Saskatchewan*.
- c) All uses of buildings and land except those specifically noted as permitted or discretionary.

11.4 SITE DEVELOPMENT REGULATIONS – C1



Permitted Uses

Minimum site area	278 m ² . There shall be no minimum site development requirements for public works buildings.
Minimum site frontage	7.5 metres
Maximum site coverage	75%
Maximum height	Principle building 20 metres. Accessory Buildings 5.0 metres
Minimum front yard	No requirement
Minimum rear yard	6.0 metres
Minimum side yard	No requirement except when the side site line directly abuts any Residential or Community Service District or abuts a public street, then the minimum side yard shall be 1.5 metres. When the rear site line abuts a railway right-of-way no rear yard need be provided. Doors located in side yards shall not be used for delivery purposes.

11.5 SUPPLEMENTARY REGULATIONS

11.5.1 Dwelling Units:

- a) All dwelling units shall have an entrance separate from that of the commercial establishment;
- b) Dwelling units shall have a floor area smaller than or equal to the floor area in commercial use;
- c) The minimum floor area for each dwelling unit shall be 46 m²;
- d) Dwelling units shall be located above or at the rear and attached to the principle commercial use; and
- e) Accessory residential uses shall conform to the Provincial Public Health and Fire Regulations, and have a secondary fire exit.

11.5.2 Rooming houses/Short Term Stay Accommodation

Refer to Section 4.1

11.6 ACCESSORY BUILDINGS – USES AND STRUCTURES

Refer to Section 3.6

C1

11.7 FENCE & HEDGE HEIGHTS

In the case of a corner site, no wall, fence, hedge or shrub shall be placed so as to create a visual obstruction in a corner visibility triangle. See Figure as shown in Section 3.11.4

Refer to Section 3.11

11.8 LANDSCAPING

Refer to Section 3.17

11.9 OFF STREET PARKING & LOADING

Refer to Section 3.36

11.10 OUTSIDE STORAGE

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

- a) Outside storage in any yard shall be screened from adjacent sites by a fence, soft landscaping, or other manner approved by the development officer or a combination of these. Where adjacent to a public road, storage areas shall provide a landscaped strip of at least 2 metres in horizontal depth between the required screening and the public road.
- b) Garbage and waste material shall be stored in weatherproof and animal-proof containers and whenever possible, shall be visually screened from all adjacent sites and public thoroughfares yet accessible for waste removal services.

Refer to Section 3.21

11.11 SIGNAGE

Refer to Section 3.34 and Signage Table's 3.34.5 & 3.34.6

12 GENERAL COMMERCIAL DISTRICT–C2**C2**

The purpose of the General Commercial District (C2) is to provide an area for mixed commercial development for uses requiring medium sized lots.

No person shall within any C2-General Commercial District, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

12.1 PERMITTED USES

- a) All of C1 Permitted Uses
- b) Auto body shops without outside storage
- c) Buildings, structures or uses accessory to and located on the same site as the principle building or permitted use.
- d) Convenience Stores
- e) Household appliance sales or repair;
- f) Mid-Size Box Stores (ie. Grocery Store)
- g) Motor vehicle sales, storage or servicing; and/or Recreational vehicles
- h) Multiple Unit Buildings
- i) Newspaper Offices
- j) Public works buildings, offices, structures, warehouses and storage yards, and excluding waste management or sewage facilities.
- k) Rental Stores;
- l) Restaurant, Drive Thru
- m) Self-Service Storage Units;
- n) Shops of Plumbers, etc.

12.2 DISCRETIONARY USES

The following uses may be permitted in the C2-General Commercial District but only by resolution of Council and only in locations specified by such resolution of Council. Discretionary Use Requirements are provided in Section 5.

- a) Animal hospitals, or clinics and offices of veterinary surgeons, pet grooming services
- b) Auto body shops with outside storage;
- c) Daycare Centres
- d) Dwellings attached to and behind, or above, commercial establishments;
- e) Garden centres or commercial greenhouses
- f) Lumber Building Supply establishments
- g) Mobile Storage Containers (Rail or Sea Cans);
- h) Recycling Collection Facilities (Commercial)
- i) Service Station, Gas Bar & Car Wash
- j) Solar Energy Collection systems
- k) Strip Malls
- l) Temporary/Portable Garages;
- m) Cannabis Retail Outlet
- n) Communication Tower
- o) Cannabis Production Facility

12.3 PROHIBITED USES



- a) All uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions.
- b) Hazardous Substances and Waste Dangerous Goods as defined by the Hazardous Substances and Waste Dangerous Goods Control Regulations of *The Environmental Management and Protection Act of Saskatchewan*.

12.4 SITE DEVELOPMENT REGULATIONS – C2

Permitted Uses

Minimum site area	460 m ² . There shall be no minimum site development requirements for public works buildings.
Minimum site frontage	15.0 metres
Maximum site coverage	75%
Maximum height	Principle building 15.0 metres, Accessory buildings 9.0 metres
Minimum front yard	No requirement
Minimum rear yard	No requirement except where the rear site line abuts a Residential or Community Service District, the minimum rear yard shall be 6.0 metres. When the rear site line abuts a railway right of way no rear yard need be provided.
Minimum side yard	No requirement except when the side site line directly abuts any Residential or Community Service District or abuts a public street, then the minimum side yard shall be 1.5 metres.

12.5 SUPPLEMENTARY REGULATIONS

In addition to other applicable regulations or standards contained in this bylaw, the following standards apply to those uses or forms of development designated as discretionary in the C2- General Commercial District.

12.5.1 Auto-body Shops

- a) This is limited to auto repair and body shops, limited salvage materials and vehicles waiting repair, where the majority of the activities are performed and located inside an enclosed building.

- b) Vehicles and parts storage shall not be stored in any required front yard abutting a road. No yard shall be used for the storage or collection of hazardous material.
- c) All auto-body shop yards shall be must be screened from public view by a solid fence with the location, height and materials being first approved by the Development Officer by utilizing any of the following measures:
- distance and careful location,
 - natural or planted vegetation,
 - an opaque fence,
 - a building,
 - other appropriate methods approved by Council.
- d) A Performance Bond or other acceptable securities may be required by Council to ensure the proposal meets the development standards.

C2

12.5.2 Gas Bars

Where operated as the principle use on a lot, gas bars are subject to regulations and standards governing service stations. Where a gas bar is allowed to operate in conjunction with another use on a lot, the following standards and regulations apply:

- a) All fuel pumps and above ground storage tanks shall be at least 6.0 metres from any building on the lot or any lot line.
- b) The site shall have at least two separate accesses at least 15.0 metres apart.
- c) Access and parking for the fuel pumps shall not obstruct access to other required off-street parking spaces on the site.

12.5.3 Lumber and Building Supply Establishment /Yards and Home Improvement Centres

- a) A minimum of two (2) access/egress points shall not be continuous along a street and shall be at least 10.0 metres apart
- b) Traffic circulation related to the business shall be accommodated on-site.
- c) Parking areas are to be hard surfaced and designed to drain water onto a street or lane or into a storm sewer system with adequate capacity to handle such runoff.
- d) All building supplies and materials shall be stored within a building or screened from public view.

12.5.4 Service Stations

- a) Where service stations occupy a corner site, only one access point shall be located on the side yards, located a minimum of 6.0 metres from the intersection.
- b) Fuel pumps and other apparatus for dispensing or storage of fuel, located above ground level, are to be at least 6.0 metres from any lot line or street.
- c) All automobile parts, dismantled vehicles, and similar articles shall be stored within a building or screened from public view.

- d) Vehicles and parts storage shall not be located in any yard abutting a road and must be screened from public view by a screened or solid fence with the location, height and materials being first approved by the Development Officer.
- e) Service Stations shall locate underground storage tanks in accordance with *The Fire Protection Act*.
- f) Propane and natural gas pumps (retail or wholesale) shall be set back according to Provincial regulations
- g) Access/egress points shall not be continuous along a street and shall be at least 10.0 metres apart
- h) Off-site traffic circulation shall be accommodated on the site.
- i) Parking areas are to be hard surfaced and designed to drain water onto a street or lane or into a storm sewer system with adequate capacity to handle such runoff.
- j) Freestanding canopies must have the roof portion at least 6.0 metres above the finished grade of the lot. No portion of the canopy shall project closer than 3.0 metres to any lot line.

12.5.5 Cannabis Production Facilities

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

12.6 ACCESSORY BUILDINGS – USES AND STRUCTURES

Refer to Section 3.6

12.7 FENCE & HEDGE HEIGHTS

Refer to Section 3.11

12.8 LANDSCAPING

Refer to Section 3.17

12.9 OFF STREET PARKING & LOADING

Refer to Section 3.36

12.10 OUTSIDE STORAGE

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

- a) Outside storage in any yard shall be screened from adjacent sites by a fence, soft landscaping, or other manner approved by the development officer or a combination of these. Where adjacent to a public road, storage areas shall provide a landscaped strip of at least 2 metres in horizontal depth between the required screening and the public road.
- b) Garbage and waste material shall be stored in weatherproof and animal-proof containers and whenever possible, shall be visually screened from all adjacent sites and public thoroughfares yet accessible for waste removal services.

Refer to Section 3.21

12.11 SIGNAGE

Refer to Section 3.34 and Signage Table's 3.34.5 & 3.34.6

13 HIGHWAY COMMERCIAL DISTRICT–C3**C3**

The purpose of the Highway Commercial District (C3) is to facilitate a wide range of commercial and related activities located along Provincial Highways creating high visibility locations.

No person shall within a C3 – Highway Commercial District use any land or erect, alter or use any building or structure except in accordance with the following provisions:

13.1 PERMITTED USES

- a) All those in C2 Permitted
- b) Accessory Uses, including integrated or complementary uses, buildings or structures accessory to and located on the same site as the principle building or use;
- c) Agricultural implement dealerships service and maintenance;
- d) Auto body shops without storage yards.
- e) Garden centres or commercial greenhouses;
- f) Lumber and building supply establishments;
- g) Motels, including a dwelling for caretakers, owners, or managers;
- h) Motor vehicle sales and service dealerships;
- i) Recreational vehicle sales, servicing or temporary storage dealerships;
- j) Service stations, Gas Bars and Vehicle washes
- k) Strip Malls;
- l) Trucking Firm establishments;

13.2 DISCRETIONARY USES

The following uses may be permitted in the C3-Highway Commercial District but only by resolution of Council and only in locations specified in such resolution of Council.

Discretionary Use Requirements are provided in Section 5.

- a) Bulk Petroleum sales and storage;
- b) Commercial Card lock operations;
- c) Commercial RV Park;
- d) Construction Trades and Contractors' yards with front display yards;
- e) Fabric Covered Engineered Structures;
- f) Funeral Homes with Crematoriums;
- g) Mobile Storage Containers (Rail or Sea Cans)
- h) Multiple Unit buildings;
- i) Oilfield supply and services establishments;
- j) Recycling and Collection Facilities (Commercial);
- k) Retail outlets larger than 10,000 ft²;
- l) Retail Propane sales and accessory appliance outlet;
- m) RTM, Modular and Mobile home construction, sales and/or storage compound
- n) Semi-Truck and Trailer Over-night Parking Lot;
- o) Shops of plumbers, pipe fitters, metal workers and other industrial trades assembly and sales;

C3

- p) Solar Energy Collection systems.
- q) Temporary/Portable Garages;
- r) Cannabis Retail Outlet
- s) Communication Tower
- t) Cannabis production facility

13.3 PROHIBITED USES

The following uses shall be strictly prohibited within the Highway Commercial District (C3):

- a) All uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions.
- b) Hazardous Substances and Waste Dangerous Goods as defined by the Hazardous Substances and Waste Dangerous Goods Control Regulations of *The Environmental Management and Protection Act of Saskatchewan*.
- c) Aggregate materials; storage or handling operations;
- d) Residential Dwellings;
- e) Abattoirs.

13.4 SITE DEVELOPMENT REGULATIONS- C3

13.4.1 Permitted Uses

Minimum site area	1115 m ² . There shall be no minimum site development requirements for public works buildings.
Minimum site frontage	30.0 metres
Maximum Height	Principle Buildings: 15.0 metres. Accessory Buildings 9.0 metres
Minimum front yard	6.0 metres
Minimum rear yard	6.0 metres
Minimum side yard	3.0 metres
Maximum Site Coverage	100% subject to parking requirements for particular use – Refer to Table 3.36.6

13.4.2 Motels and Service Stations**C3**

Minimum site area	930 m ²
Minimum site frontage	30.0 metres
Maximum height	10 metres
Minimum front yard	15 metres
Minimum side yard	3.0 metres
Minimum rear yard	6.0 metres
Maximum site coverage	100% Subject to parking requirements for particular use – Refer to Table 3.36.6

13.4.3 Motor vehicle sales, Lumber yards, Commercial RV Park, Bulk petroleum sales and storage

Minimum site area	2500 m ²
Minimum site frontage	30.0 metres
Maximum height	Principle building: 12.0 metres
Minimum front yard	7.5 metres
Minimum rear yard	1.5 metres with lane, 4.5 metres without lane
Minimum side yard	1.5 metres, except 4.0 metres along a side site line abutting a street, and that the sum of both side yards exceed 7.5 metres
Maximum Site coverage	100% - Subject to parking requirements for particular use – Refer to Table 3.36.6

13.5 SUPPLEMENTARY REGULATIONS – C3

In addition to other applicable regulations or standards contained in this bylaw the following standards apply to those uses or forms of development designated as discretionary in the C3-Highway Commercial District.

13.5.1 Oilfield Supply and Service, Bulk Petroleum Storage and Agrichemical Storage Sites

- a) Access to sites for discretionary uses or developments shall be located to ensure that heavy truck traffic takes access to or from arterial or collector streets or designated truck routes;
- b) All operations shall comply with all regulations of Saskatchewan Environment and Public Safety governing their development and operation;
- c) All outside storage shall be fenced and where the area abuts a Residential or Community Service District without an intervening street or lane, the storage area shall be screened with a solid fence or hedge at least 3.0 metres in height;
- d) Bulk petroleum storage tanks are to be located in accordance with the National Fire Code of Canada, 1990, as amended from time to time.
- e) Agrichemical sales and storage facilities are to be constructed and operated in compliance with *The Agrichemical Warehouse Standards Association's Warehousing Audit Protocols and User Guide*, as amended from time to time.
- f) No yard shall be used for the storage or collection of hazardous material.

13.5.2 Trucking Firm Establishments

- a) Where Trucking Firm Establishments occupy a corner site, only one access point shall be located on the flankage, located a minimum of 6.0 metres from the intersection.
- b) Access/egress points shall not be continuous along a street and shall be at least 10.0 metres apart
- c) Off-site traffic circulation shall be accommodated on the site.
- d) Fuel pumps and other apparatus for dispensing or storage of fuel, located above ground level, are to be at least 6.0 metres from any lot line or street. Underground storage tanks shall be located in accordance with *The Fire Protection Act*.
- e) Vehicles and parts storage shall not be located in any yard abutting a road and must be screened from public view by a solid fence with the location, height and materials being first approved by the Development Officer.
- f) Parking areas are to be hard surfaced and designed to drain water onto a street or lane or into a storm sewer system with adequate capacity to handle such runoff.

13.5.3 Cannabis Production Facility – refer to Section 12.5.5

13.6 ACCESSORY BUILDINGS – USES AND STRUCTURES

Refer to Section 3.6

13.7 FENCE & HEDGE HEIGHTS

Refer to Section 3.11

13.8 LANDSCAPING

Refer to Section 3.17

13.9 OFF STREET PARKING & LOADING

Refer to Section 3.36

13.10 OUTSIDE STORAGE

Refer to Section 3.21 and below:

- a) No outdoor storage shall be permitted in the required front yard of any Highway Commercial site.
- b) All outside storage shall be fenced and where the area abuts a Residential or Community Service District without an intervening street or land, the storage area shall be screened with a solid fence or hedge at least 2.4 metres in height.
- c) No yard shall be used for the storage or collection of hazardous material.
- d) The Town may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles, operating equipment and machinery normally used for the maintenance of the property, vehicles or vehicular parts or any type of outdoor storage.

13.11 SIGNAGE



Refer to Section 3.34 and Signage Table’s 3.34.5 & 3.34.6 and below:

In the C3-Highway Commercial District signs advertising the principle use of the premises or the names of the occupants of the premises or the principle products offered for sale are permitted. Signs shall be subject to Section 4.32 and the following regulations. **No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.**

Maximum number of signs	Up to two (2) signs, which may be fascia, canopy, roof, projecting or any combination thereof, may be located on any site
Location	All signs, except for canopy and projecting signs, shall be located within the lot lines of the lot in which they are located.
Billboards or Freestanding Signs	One (1) billboard sign may be erected on any lot, in addition to other permitted signs. A site may have either a freestanding or billboard sign, but not both.
Special Provisions	Bulk petroleum sales and storage, motor vehicle sales, and service stations may erect one freestanding sign in addition to other permitted signs.

14 LIGHT INDUSTRIAL DISTRICT –IND1**IND1**

The purpose of the Light Industrial District (IND1) is to provide areas for Industrial activities which have moderate potential for conflict with adjacent land uses and rely on access to primary transportation routes.

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

14.1 PERMITTED USES

- a) Those C3 Permitted excluding C1 permitted
- b) Auto body shops;
- c) Buildings, structures, and uses accessory to, and located on the same site as, the principle building or use excepting any building or structure used for human habitation;
- d) Commercial Cardlock operations;
- e) Construction and other contractors, industrial trades, workshops, yards, plants, and/or offices;
- f) Indoor repair, rental, servicing, storage, wholesale of any commodity and/or retail sales of any goods, materials and/or commodities excluding any hazardous materials;
- g) Industrial Parks containing a combination of permitted uses;
- h) Manufacturing and machine shops, welding shops and foundry works;
- i) Manufacturing, fabricating, processing, assembly, finishing, production or packaging of materials, goods or products that are not noxious;
- j) Motor vehicles/trailers, RVs sales, service and maintenance;
- k) Recycling Collection Facilities (Commercial);
- l) Wholesale establishments;
- m) Communication Tower

14.2 DISCRETIONARY USES

The following uses may be permitted in the IND1- Light Industrial District but only by resolution of Council and only in locations specified in such resolution of Council. Discretionary Use Requirements are provided in Section 5.

- a) Auction markets without livestock sales;
- b) Bulk petroleum sales and storage;
- c) Construction of RTM, Modular or Mobile homes;
- d) Fabric Covered Engineered Structures;
- e) Mobile Storage Containers (Rail or Sea Cans) Maximum 2
- f) Multiple Unit Buildings;
- g) Residential or agricultural building assembly area;
- h) Salvage yards and auto wreckers;
- i) Self-Service Storage units;

- j) Semi-Trailer and Container (road, rail or sea) Storage Areas;
- k) Warehouses, storage yards and supply depots;
- l) Cannabis production facility



14.3 PROHIBITED USES

The following uses shall be strictly prohibited within the Light Industrial District (IND1):

- a) All uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions.
- b) Hazardous Substances and Waste Dangerous Goods as defined by the Hazardous Substances and Waste Dangerous Goods Control Regulations of *The Environmental Management and Protection Act of Saskatchewan*.
- c) Residential Dwellings.

14.4 SITE DEVELOPMENT REGULATIONS

Permitted Uses

Minimum site area	929 m ² ; There shall be no minimum site development requirements for public works buildings, structures or facilities.
Minimum site frontage	30.0 metres
Maximum building height	Principle Buildings: 15.0 metres. Accessory Buildings: 9.0 metres
Minimum front yard	7.5 metres
Minimum rear yard	6.0 metres. No requirement if abutting a railway.
Minimum side yard	3.0 metres
Maximum Site Coverage	100% Subject to parking requirements for particular use – Refer to Table 3.36.6

14.5 SUPPLEMENTARY REGULATIONS – IND1

The logo consists of the letters "IND1" in a bold, red, sans-serif font, enclosed within a white rectangular box with a thin black border. The box is slightly offset to the right and bottom relative to the text.

In addition to other applicable regulations or standards contained in this bylaw the following standards apply to those uses or forms of development designated as discretionary in the IND1-Light Industrial District.

- 14.5.1** Access to lots for discretionary uses or developments shall be located to ensure that heavy truck traffic takes access to or from arterial or collector streets or designated truck routes;
- 14.5.2** All operations shall comply with all regulations of Saskatchewan Environment and Public Safety governing their development and operation;
- 14.5.3** Manufacturing operations, machine shops, foundries, seed cleaning plants, bulk petroleum or fertilizer storage tanks are to be located in accordance with the National Fire Code of Canada, 1990, as amended from time to time.
- 14.5.4 Salvage Yards and Auto Wrecker Operations**
- 14.5.5** This includes salvage yards, auto wreckers, auto repair shop, body shops and similar uses, all salvage vehicles and materials, vehicles waiting repair, salvage or removal and similar uses.
- 14.5.6** Vehicles and parts storage shall not be stored in any required front yard abutting a road.
- 14.5.7** All salvage yards shall be must be screened from public view by a solid fence with the location, height and materials being first approved by the Development Officer by utilizing any of the following measures:
 - a) distance and careful location,
 - b) natural or planted vegetation,
 - c) an earth berm,
 - d) an opaque fence,
 - e) a building, or other appropriate methods approved by Council.
- 14.5.8** A Performance Bond may be required by Council to ensure the development meets the required development standards.
- 14.5.9 Trucking Firm Establishments** – refer to Section 13.5.2
- 14.5.10 Cannabis Production Facility** – refer to Section 12.5.5

14.6 ACCESSORY BUILDINGS - USES AND STRUCTURES

IND1

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

14.6.2 Fabric Covered Engineered Structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material shall be permitted in a required rear or side yard.

Refer to Section 3.6

14.7 FENCE AND HEDGE HEIGHTS

Refer to Section 3.11

14.8 LANDSCAPING

Refer to Section 3.11 and below

14.8.1 A landscape plan shall be submitted with the Development Permit application.

14.9 OFF STREET PARKING AND LOADING

Refer to Section 3.36

Parking

14.9.1 Where a parking lot/area abuts any Residential District without an intervening lane there shall be a fence at least 1.0 metres in height and a strip of land adjacent to the abutting site line of not less than 3.0 metres in width throughout which shall not be used for any purpose except landscaping.

Loading

14.9.2 Where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site. The minimum area of an individual loading space shall be 17.0 m². Doors located in side yards shall not be used for delivery purposes.

14.10 OUTSIDE STORAGE

Refer to Section 3.21 and

14.10.1 No outdoor storage shall be permitted in the required front yard of any industrial site.



14.10.2 Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage.

14.10.3 Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles operating equipment and machinery normally used for the maintenance of the property, vehicles or vehicular parts. Or any other outdoor storage.

14.10.4 All outside storage shall be fenced and where the area abuts a Residential or Community Service District without an intervening street or lane, the storage area shall be screened.

14.10.5 All salvage yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.

14.10.6 All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.

14.11 SIGNAGE

Refer to General Regulations Section 3.34 and Table’s 3.34.5 & 3.34.6

In the IND1 – Light Industrial District signs advertising the principle use of the premises or the names of the occupants of the premises or the principle products offered for sale are permitted. Signs are subject to Section 4.32 and the following regulations. **No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.**

Maximum number of signs	Up to two (2) signs, which may be fascia, canopy, roof, projecting or any combination thereof, may be located on any site
Billboards or Freestanding Signs	One (1) billboard sign may be erected on any lot, in addition to other permitted signs. A site may have either a freestanding or billboard sign, but not both.
Special Provisions	Agricultural Implement dealerships, bulk petroleum sales and storage, motor vehicle sales, and service stations may erect one freestanding sign in addition to other permitted signs.

14.12 PERFORMANCE STANDARDS

The logo consists of a grey rectangular box with a white border. Inside the box, the letters "IND1" are written in a bold, red, sans-serif font.

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

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

15 HEAVY INDUSTRIAL DISTRICT – IND2**IND2**

The purpose of the Heavy Industrial District (IND2) is to provide areas for Industrial activities which, due to potential conflicts, must be separated from other types of land uses.

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

15.1 PERMITTED USES

- a) All of IND1 permitted
- b) Animal hospitals, or clinics and offices of veterinary surgeons, pet grooming services and kenneling
- c) Buildings, structures, and uses accessory to, and located on the same site as, the principle building or use excepting any building or structure used for human habitation;
- d) Bulk petroleum sales and storage;
- e) Business and/or professional offices accessory to a principle use;
- f) Construction of RTM, Modular or Mobile homes.
- g) Fabric Covered Engineered Structures
- h) Farm and Industrial machinery equipment and vehicle sales and service;
- i) Fertilizer sales and storage;
- j) Industrial trades, workshops, yards, plants, and/or offices;
- k) Machine shops, welding shops and foundry works;
- l) Oilfield supply and service establishments;
- m) Residential and agricultural building assembly areas;
- n) Salvage Yards and Auto-wreckers;
- o) Seed Cleaning plants, feed mills and flour mills;
- p) Semi-Trailer and Mobile Storage Container Long-term Storage Areas;
- q) Warehouses, storage yards and supply depots;
- r) Wind Energy Sales and Service and assembly areas;

15.2 DISCRETIONARY USES

The following uses may be permitted in the IND2 Heavy Industrial District but only by resolution of Council and only in locations specified in such resolution of Council. Discretionary Use Requirements are provided in Section 5.

- a) Aggregate material storage or handling operations;
- b) Concrete and Asphalt Plants;
- c) Fabrication and assembly plants;
- d) Food processing plants;
- e) Livestock based operations
- f) Meat Processing Plants/Abattoirs;
- g) Mobile Storage Containers (Rail or Sea Cans);
- h) Public works buildings and structures including waste management or sewage facilities.
- i) Railways and ancillary railway functions
- j) Tire / Rubber Recycling facility
- k) Wind Energy Facilities;
- l) Cannabis production facility

15.3 PROHIBITED USES



The following uses shall be strictly prohibited within the Heavy Industrial District (IND2):

- a) All uses of buildings and land not specifically noted as permitted or discretionary;
- b) Residential Dwellings.

15.4 SITE DEVELOPMENT REGULATIONS

Permitted Uses

Minimum site area	1115m ² . There shall be no minimum site development requirements for public works buildings, structures or facilities.
Minimum site frontage	30.0 metres
Maximum height	Principle Buildings: 25.0 metres, Accessory Buildings 9.0 metres.
Minimum front yard	7.5 metres
Minimum rear yard	3.0 metres. No requirement if abutting a railway
Minimum side yard	3.0 metres
Accessory Buildings	Setbacks for accessory buildings shall meet the same requirements as the principle use or building.
Maximum Site Coverage	100% - Subject to parking requirements for particular use – Refer to Table 3.36.6

15.5 SUPPLEMENTARY REGULATIONS

In addition to other applicable regulations or standards contained in this bylaw the following standards apply to those uses or forms of development designated as discretionary in the IND2-Industrial District.

Access to lots for discretionary uses or developments shall be located to ensure that heavy truck traffic takes access to or from arterial or collector streets or designated truck routes;

- a) All operations shall comply with all regulations of Saskatchewan Environment and Public Safety governing their development and operation;



- b) Manufacturing operations, machine shops, foundries, seed cleaning plants, bulk petroleum or fertilizer storage tanks are to be located in accordance with the National Fire Code of Canada, 1990, as amended from time to time.

15.11.1 Bulk Fuel and Fertilizer Storage

- a) All operations shall comply with all regulations of Saskatchewan Environment governing their development and operation;
- b) All outside storage areas shall be fenced;
- c) Agrichemical sales and storage facilities are to be constructed and operated in compliance with the Agrichemical Warehouse Standards Association's Warehousing Audit Protocols and User Guide, as amended from time to time.

15.11.2 Salvage Yards and Auto Wrecker Operations – Refer to Section 14.5.4

15.11.3 Trucking Firm Establishments – Refer to Section 13.5.2

15.11.4 Cannabis Production Facility – Refer to Section 12.5.5

15.6 ACCESSORY BUILDINGS - USES & STRUCTURES

Refer to Section 3.6 and below:

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

15.7 FENCE AND HEDGE HEIGHTS

Refer to Section 3.11

15.7.1 Screen fences shall be consistent and complement the quality of building design and materials of the primary building.

15.7.2 No fence, hedge or shrub, other than those required as screening, shall exceed 3.0 metres in height.

15.7.3 No barbed wire, or razor wire fences shall be allowed in an Industrial District.

15.8 OUTSIDE STORAGE



Refer to Section 3.21 and below

- 15.8.1** No outdoor storage shall be permitted in the required front yard of any Industrial site.
- 15.8.2** Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of vehicles, operating equipment and machinery normally used for the maintenance of the property, vehicles or vehicular parts or any other outside storage.
- 15.8.3** All outside storage shall be fenced and where the area abuts a Residential or Community Service District without an intervening street or lane, the storage area shall be screened. All salvage yards or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.
- 15.8.4** All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened from public view.

15.9 OFF STREET PARKING AND LOADING

Refer to Section 3.36

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

Warehouses or manufacturing activities	1 parking space for each 90 m ² of gross floor area
Parking Lots	Are to be hard surfaced and designed to drain water onto a street or lane or into a storm sewer system with adequate capacity to handle such runoff. Parking lots shall be designed to have a controlled discharge into the Town storm sewer system, and surrounding properties.

15.10 SIGNAGE

Refer to General Regulations Section 3.34 and Table's 3.34.5 & 3.34.6

In the IND2 – Heavy Industrial District signs advertising the principle use of the premises or the names of the occupants of the premises or the principle products offered for sale are permitted. Signs are subject to Section 3.34 and the following regulations. *No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.*



Maximum number of signs	Up to two (2) signs, which may be fascia, canopy, roof, projecting or any combination thereof, may be located on any site
Location	All signs, except for canopy and projecting signs, shall be located within the lot lines of the lot in which they are located.
Billboards or Freestanding Signs	One (1) billboard sign may be erected on any lot, in addition to other permitted signs. A site may have either a freestanding or billboard sign, but not both.

15.11 PERFORMANCE STANDARDS

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

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

15.11.8 Industrial wastes - waste which does not conform to the standards established from time to time by Town Bylaws shall not be discharged into any Town sewers and plans must be submitted explaining the manner in which waste will be disposed; and

15.11.9 The onus of proving to Council's satisfaction that a proposed development does and will comply with these requirements, rests with the developer.

16 FUTURE URBAN DEVELOPMENT DISTRICT – FUD

FUD

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

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

16.1 PERMITTED USES

- a) Agricultural crop production and horticultural uses

16.2 DISCRETIONARY USES

The following uses may be permitted in the FUD- Future Urban Development District only by resolution of Council and only in locations specified by Council. Discretionary Use Requirements are provided in Section 4.

- a) Buildings and structures accessory to the principle building or use;
- b) Cemeteries;
- c) Commercial greenhouses, market gardens;
- d) Fabric Covered Engineered Structures;
- e) Keeping of livestock, but excluding intensive livestock operations, poultry farms, hatcheries, or kennels;
- f) Large accessory buildings greater than 185 m² (2000 ft²);
- g) Mobile Storage Containers (Rail or Sea Cans);
- h) Public works buildings and structures including offices, warehouses, storage, yards and water management;
- i) Public Works Waste management or sewage facilities;
- j) Recreational uses and sports grounds;
- k) Solar Energy Collection systems.

16.3 SITE DEVELOPMENT REGULATIONS AS PER COUNCIL

Minimum site area	1.0 hectares There shall be no minimum site development requirements for public works buildings, structures or facilities.
Minimum site frontage	60.0 metres abutting a highway or 6.0 metres abutting a street
Front yard	15.0 metres unless the property abuts a municipal road, then the setback is 60.0 metres from the centerline of the municipal road.

Side yard	7.5 metres for dwelling and buildings accessory thereto, except the minimum side yard abutting a public street shall be 10.0 metres.
Rear yard	10.0 metres for dwellings and buildings accessory thereto except that the minimum rear yard abutting a public street shall be 30.0 metres.
Maximum Site Coverage	

16.4 ACCESSORY BUILDINGS – USES & STRUCTURES

Refer to Section 3.6

16.5 SIGNAGE

Refer to General Regulations Section 3.34 and Table’s 3.34.5 & 3.34.6 and below

In the FUD- Future Urban Development District, signs advertising the principle use of the premises or the names of the occupants of the premises or the principle products offered for sale are permitted. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.

Maximum number of signs	One (1) permanent sign, which may be fascia, canopy, roof, projecting, or freestanding, may be located on any site
Maximum size	The facial area of a sign shall not exceed 1.0 metre
Billboards or Freestanding Signs	One (1) billboard sign may be erected on any lot, in addition to other permitted signs. A site may have either a freestanding or billboard sign, but not both.
Special Provisions	In the case of a home occupation, an additional permanent sign is permitted

17 REPEAL AND ADOPTION

Bylaw #864 as amended shall be repealed upon Bylaw 02-14, the Zoning Bylaw, coming into force and effect.

MINISTERIAL APPROVAL

This Bylaw is adopted pursuant to *The Planning and Development Act, 2007*, and shall come into force on the date of final approval by the Minister of Government Relations

COUNCIL READINGS AND ADOPTION

Read a first time this	15 th day of December	2014
Read a second time this	17 th day of February	2015
Read a third time this	17 th day of February	2015
Adoption of Bylaw this	17 th day of February	2015

MAYOR

SEAL

ADMINISTRATOR

Ministerial Approval Date_____

18 SPECIAL PROVISIONS RESIDENTIAL DISTRICT – R4

R4

The purpose of the Special Provisions Residential District (R4) is to accommodate primarily single family detached residential dwellings while following special provisions. **No person shall within any R4 – Special Provisions District use any land or erect, alter or use any building or structure, except in accordance with the following provisions:**

18.1 PERMITTED USES

- a) One single detached dwelling, which includes an RTM;
- b) Public works, buildings and structures, excluding offices, warehouses, storage yards and waste management or sewage facilities.
- c) Sports fields, parks, playgrounds;
- d) Swimming pools;
- e) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;

R4 SPECIAL PROVISIONS RESIDENTIAL DISTRICT <i>Permitted Uses</i>	Minimum Site Frontage	Minimum Site Area (m²)	Minimum Front Yard	Minimum Rear Yard	Side Yard	Side Yard Corner Site	Minimum Floor Area	Maximum Principle Building Height	Maximum Site Coverage
Single Detached Dwelling & RTM	12.19 m (40ft)	360 m ²	6.0 m	3.0 m	1.2 m	3.0 m	90 m ²	9.0 m	50 %
Accessory Buildings and Uses	Refer to Section 3.6								
Public works, buildings and structures - excluding offices, warehouses, storage yards and waste management or sewage facilities.	Refer to Section 9								
Sports fields, parks, playgrounds	Refer to Section 9								
Swimming pools	Refer to Section 3.31								

18 SPECIAL PROVISION RESIDENTIAL DISTRICT – R4**R4****18.2 DISCRETIONARY USES**

The following uses may be permitted in the R1-Residential District only by resolution of Council and only in locations specified by Council. Discretionary Use Requirements are provided in Section 2.7.1.

R4 SPECIAL PROVISIONS RESIDENTIAL DISTRICT <i>Discretionary Uses</i>	Minimum Site Frontage	Site Area (m²)	Front Yard	Rear Yard	Side Yard	Side Yard Corner Site	Minimum Floor Area	Maximum Principle Building Height	Maximum Site Coverage
Duplex	10.5 m	270 m ²	6.0 m	3.0	1.2 m	3.0 m	55 m ²	9.0 m	50 %
Modular Home	12.19 m	360 m ²	6.0 m	3.0	1.2 m	3.0 m	90 m ²	9.0 m	50 %
Semi-Detached (per dwelling unit)	7.6 m	270 m ²	6.0 m	3.0	1.2 m see 6.8	3.0 m	55 m ²	9.0 m	50 %
Bed & Breakfast homes	Refer to Section 4.1								
Daycare Centres	Refer to Section 4.3								
Garden Suite	Refer to Section 4.4								
Home Occupations	Refer to Section 4.5								
Personal Care Homes	Refer to Section 4.8								
Secondary Suite	Refer to Section 4.9								
Solar Energy Collection systems	Refer to Section 4.11								

18.3 SPECIAL PROVISIONS

All Special Provision Residential District – R4 development shall provide engineered foundation specifications to allow for the low grade of the municipality’s main sewer connection. For instance, it may be recommended as the best solution for development to involve a raft foundation, a pumping station, or other methods to ensure a stable and durable foundation while property managing the sewer service line.

R4

18.4 ACCESSORY BUILDINGS USES AND STRUCTURES

Refer to Section 3.6

18.5 FENCE AND HEDGE HEIGHTS

Refer to Section 3.11

18.6 OFF STREET PARKING & LOADING

Refer to Section 3.36

18.7 OUTSIDE STORAGE

Refer to Section 3.21

18.8 SIGNAGE

Refer to Section 3.34 and Signage Table's 3.34.5 & 3.34.6

6.8 COMMON WALL

No side yards are required where a common wall divide dwelling units.

19 C4 – TRANSITIONAL COMMERCIAL DISTRICT – C4

C4

The purpose of the Transitional Commercial District 1 (C4) is to provide a compatible use area between a commercial and residential area. **No person shall within any C4- Transitional Commercial District use any land or erect, alter or use any building or structure, except in accordance with the following provisions:**

19.1 PERMITTED USES

- f) Handicraft and/or artisan workshops;
- g) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;

C4 TRANSITIONAL COMMERCIAL DISTRICT <i>Permitted Uses</i>	Minimum Site Frontage	Minimum Site Area (m²)	Minimum Front Yard	Minimum Rear Yard	Side Yard	Side Yard Corner Site	Minimum Floor Area	Maximum Principle Building Height	Maximum Site Coverage
Single Detached Dwelling & RTM	12.19 m (40ft)	360 m ²	6.0 m	3.0 m	1.2 m	3.0 m	90 m ²	9.0 m	50 %
Accessory Buildings and Uses	Refer to Section 3.6								

19.2 DISCRETIONARY USES

The following uses may be permitted in the C4-Transitional Commercial District but only by resolution of Council and only in locations specified by such resolution of Council. Discretionary Use Requirements are provided in Section 4.

- q) Dwellings attached to and behind, or above, commercial establishments;
- r) Mobile Storage Containers (Rail or Sea Cans);
- s) Solar Energy Collection systems.
- t) Temporary / Portable Garages

19.3 PROHIBITED USES

- d) All uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions.
- e) Hazardous Substances and Waste Dangerous Goods as defined by the Hazardous Substances and Waste Dangerous Goods Control Regulations of *The Environmental Management and Protection Act of Saskatchewan*.
- f) All uses of buildings and land except those specifically noted as permitted or discretionary.

19.1 ACCESSORY BUILDINGS USES AND STRUCTURES

Refer to Section 3.6

19.2 FENCE AND HEDGE HEIGHTS

Refer to Section 3.11

19.3 OFF STREET PARKING & LOADING

Refer to Section 3.36

19.4 OUTSIDE STORAGE

Refer to Section 3.21

19.5 SIGNAGE

Refer to Section 3.34 and Signage Table's 3.34.5 & 3.34.6

20 DEFINITIONS

Whenever the subsequent words or terms are used in the Official Community Plan, Bylaw No. 01/14 and this Bylaw, they shall have the following definition unless the context indicates otherwise.

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

Accessory: A building or use that:

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

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

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

Administrator: The Administrator of the Town of Assiniboia.

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

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

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

Ancillary Use: a secondary and subordinate use to the principle use, which is specifically allowed, and may include an associated building that is specifically allowed pursuant to this Bylaw.

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

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

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

Apartment: A building containing three or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence with shared services, facilities and one common entrance

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

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

Automobile (Motor Vehicle): A self-propelled passenger vehicle that usually has four wheels and an internal-combustion engine, used for land transport.

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

Awning: A structure that is mechanical and fabricated from plastic, canvas or metal that is spread across a frame designed to be attached to a wall and hung above a doorway or window.

Bare Land Condominium: means land that is situated within a parcel and is a unit in a bare land condominium plan.

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

Bed and Breakfast: An itinerant use accommodation, licensed as an itinerant use accommodation under *The Public Accommodation Regulations 1997*, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the traveling public for a charge.

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

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

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

Building, Accessory (see Accessory)

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

Building Height: the vertical distance of a building measured from the interior main floor to the top of the interior wall.

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

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

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

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

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

Bylaw: The Town of Assiniboia Zoning Bylaw.

Cannabis: means cannabis as defined in the *Cannabis Act (Canada)*

Cannabis accessory: means i) a thing, including rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers, that is represented to be used in the consumption of cannabis or a thing that is represented to be used in the production of cannabis; or ii) a thing that is deemed under subsection (3) of the *Cannabis Act (Canada)* to be represented to be used in the consumption or production of cannabis.

Cannabis retail outlet: means the premises specified in a retail cannabis license where the retail sale of cannabis is authorized. This includes the sales of dried cannabis, cannabis plant seeds, cannabis plants, fresh cannabis, edibles containing cannabis and cannabis concentrates. This also includes the sales of Cannabis accessory products and Cannabis related ancillary items as defined by the Saskatchewan Liquor and Gaming Authority (SLGA)

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

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

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

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

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

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

Commercial/Industrial Use, Large Scale: Commercial or Industrial land uses maintaining a lineal frontage in excess of 90 metres.

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

Communication Tower: A structure situated on a non-residential site that is intended for transmitting or receiving television, radio or cellular communications, excluding those used exclusively for dispatch communications

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

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

Concrete and Asphalt Plant: an industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production's process or of finished products manufactured on the premises and the storage and maintenance of required equipment.

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

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

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

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

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

Council: The Council of the Town of Assiniboia.

Cultural Institution: establishments such as museums, art galleries, libraries and similar facilities or historical, educational or cultural interests which are not commercially operated.

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

Deck: Any raised floor structure at least 0.3 metres above the ground level upon which it is constructed, either adjacent to a building or free-standing with stairway, ramp, or similar access.

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

Development Officer: The Administrator or an employee of The Town designated by the Administrator to act as a Development Officer to administer this Bylaw.

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

Development Permit: A document issued by the Development Officer that authorizes development pursuant to this Bylaw, but does not include a building permit.

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

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

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

Dwelling – Apartment: A building containing three or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence with shared services, facilities and one common entrance.

Dwelling Unit: means habitable space used or intended to be used by one or more persons which is used, or fully capable of being used as a residence, where each unit provides, cooking, eating, living, sleeping and sanitary facilities and is accessed by a separate locked entrance or serviced by one (1) or more separate utility connections or accounts, or both.

Dwelling, Duplex: means a building containing two (2) dwelling units, one above the other, each with a separate entrance.

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

Dwelling, Multi-Unit: A building containing three or more dwelling units each with its own entrance and individual services.

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

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

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

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

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

Electronic Message Centre: a variable message sign that utilizes computer-generated messages involving letters, words, graphics, animation, video or Centre (EMC) dynamic text. These signs include digital displays, using incandescent lamps, LED's, LCD's, plasma or related technology.

Fabric Covered Engineered Structures: modular style, pre-fabricated, framed membrane building system with clear span structures without internal columns which are designed for both semi-permanent and permanent building applications.

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

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

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

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

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

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

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

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

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

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

Garden Suite: A second, small dwelling on the site of a principle, single family dwelling that is intended to allow independent living with nearby support and is serviced by the principle dwelling.

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

Grade: means:

- a) the final elevation and contour of the ground after all earthwork has been completed. The final grade required by specifications. Also referred to as finished grade;
- b) to determine grade for an undeveloped site, the elevation of the crown of the abutting street shall be used. In the event that two or more abutting street crowns are involved, the average shall be used to establish grade for the site.
- c) on an undeveloped site, it means the natural level of the ground prior to any earthwork being completed. Also natural grade

Gradient: means the relationship of the vertical distance of a slope to its horizontal distance.

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

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

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

Group Home (see Personal Care Home)

Handicraft and/or Artisan Workshop: refers to a small-scale, non-industrial workspace designed for individuals engaged in manual, creative or technical activities – typically as a hobby or personal enterprise. These workshops support pursuits such as woodworking, metalworking, ceramics, leathercraft, or similar trades that involve skillful handwork and the use of tools or machinery. The intended use is for personal enjoyment and skill development. Such spaces are ideal for hobbyist, makers and handy individuals who require a dedicated area to build, craft, repair or experiment with materials in a safe and functional environment.

Hazardous Industry/Substance: A substance that, because of its quality, concentration or physical, chemical or infectious characteristics, either individually or in combination with other substances on the site is an existing or potential threat to the physical environment, to human health or other living organisms.

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

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

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

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

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

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

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

Industrial Exclusionary Uses: refers to certain industrial activities that may be characterized as exhibiting a high potential for adversely affecting the safety, use, amenity or enjoyment of adjacent and nearby industrial and non-industrial sites due to their scale, appearance, noise, odour, emissions and hazard potential. Such activities are considered exclusionary when the only means of mitigating the

associated negative effects on surrounding land uses is through spatial separation. Exclusionary uses would include but not be limited to the following: Landfill, Ethanol Plant, Transformer Stations, Uranium Refineries, Anhydrous Ammonia Storage and Distribution Centres.

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

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

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

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

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

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

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

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

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

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

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

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

Loading Space: a space, measuring at least 2.5 metres in width and 8.4 metres in depth, located on a lot, and having access to a street or lane, in which a vehicle may park to load or unload.

Lot: An area of land with fixed boundaries on record with the Information Services Corporation (ISC) by Certificate of Title.

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

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

Marquee: A roof-like structure of a permanent nature which projects from the wall of a building that is independently supported by a system of columns or piers without walls over an entrance to a building.

Mayor: The Mayor of the Town of Assiniboia.

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

Mini-Storage: a commercial facility made up of more than one unit in which customers can rent space to store possessions.

Mixed-Use: A mix of land uses that facilitate the mixing, rather than separation of, land uses in one distinctive environment, either vertically in the same building or horizontally adjacent. It is intended to be compatible with adjacent uses.

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

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

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

Mobile Home Subdivision: Any subdivision of land and the development thereof for the purpose of accommodating mobile homes in such a manner that each home is situated on its own site, which shall contain a minimum site area of 465 m² and in which all such sites, public open spaces, internal streets and lanes, buffer zones and other amenity areas form a contiguous area of development.

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

Modular (Manufactured) Home Subdivision: Any subdivision of land and the development thereof for the purpose of accommodating modular homes in such a manner that each home is situated on its own site, which shall contain a minimum site area of 465 m², and in which all sites, public open space, internal streets, buffer zones, and other amenity areas form a contiguous area of development.

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

Multiple-Unit Building: a building containing two (2) or more distinct uses, each of which is allowed in the Zoning District in which the building is located.

Multiple Complimentary (Vertically Integrated) Activities: the accommodation of multiple complimentary activities which could be considered principle permitted uses under single or multiple ownership within one or more buildings on a single parcel where these uses are considered to provide additional processing and/or the sale of manufactured goods produced onsite.

Municipality: The Town of Assiniboia.

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

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

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

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

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

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

Official Community Plan (OCP): The Town of Assiniboia Official Community Plan Bylaw No. 01/14.

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

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

Parking Space: A space within a building or parking lot for the parking of one (1) motor vehicle including convenient access to a public lane or street and shall be not less than 2.5 metres wide and 5.5 metres in length.

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

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

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

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

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

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

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

Planned Unit Development: A planned unit development is a type of building development, it is a designed grouping of both varied and compatible land uses, such as a housing, recreation, commercial centers and industrial parks, all within one contained development or subdivision.

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

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

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

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

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

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

Recreational Vehicle: means a portable structure designed and built to provide temporary living accommodation and to be transported on its own wheels or carried by another vehicle designed and intended to be used for recreational purposes and includes, but is not limited to, such vehicles as a motor home, a camper, a holiday or travel trailer, a tent trailer or a trailer used for the transport of sports utility/ recreational vehicles (snowmobiles, motocross and boats etc.)

Recreational Vehicle (RV) Park: An area of land, managed as a unit, providing short-term accommodation for motor homes and camping trailers, including accessory facilities such as administration offices and laundry facilities.

Recycling Collection Depot (Neighbourhood): A building or structure used for the collection and temporary storage of recyclable household material such as bottles, cans, plastic containers, paper and paint, but shall not include the processing of recyclable material other than compaction; the collection and storage of oil, solvents or other hazardous material; or outdoor compaction or storage.

Recycling Collection Facility (Commercial): A building or structure intended to accommodate the collection, sorting, processing and temporary storage of recyclable materials that would otherwise be considered waste. These types of uses include outdoor processing or storage.

Redevelopment (see infill development)

Residential Care Home: (see Personal Care Home)

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

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

Retail Store (Shop): A building or part thereof, or a place, where goods, wares, merchandise, substances, or articles are offered or kept for sale or rent, and may include servicing and the

manufacture of products on site for sale on the site so long as the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

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

Rooming House/ Short Term Stay Accommodation: A building which contains a room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, where meals may or may not be provided, with sleeping facilities and with or without private toilet facilities. Includes licensed Airbnb and VRBO accommodations.

RTM (Ready to Move) Home: A residential dwelling that is constructed off- site in a yard or factory to National building code and transported as a single unit to a site for permanent installation on a permanent foundation including a basement.

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

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

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

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

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

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

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

Shopping Centre: A building or group of buildings located on one or more contiguous and/or non-contiguous lot or site, in which four (4) or more of the uses allowed in the Zoning District are co-located for their mutual benefit including the use of off-street parking and other joint facilities.

Should, Shall or May;

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

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

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

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

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

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

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

Sign, Marquee: a sign that is mounted or painted on, or attached to an awning, canopy, or marquee.

Sign, Off-Premises: a sign which contains any message chosen by a person other than the person in control of the premises upon which the sign is located.

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

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

Site: An area of land, consisting of one or more lots, considered as a unit devoted to a certain use or occupied by a building or a permitted group of buildings, and the customary accessories and open spaces belonging to the same.

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

Site, Corner: A site at the intersection of two or more public streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side site lines) contain an angle of not more than one hundred and thirty-

five (135) degrees. In the case of a curved corner, the corner of the site shall be that point on the street at the point of intersection of the said tangents.

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

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

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

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

Site Line: Any boundary of a site.

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

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

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

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

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

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

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

Storey, One-Half: That portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height between finished floor and finished ceiling of between 1.5 metres and 2.3 metres over a floor area which is not less than one-third nor more than two-thirds of the floor area of the story next below.

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

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

Strip Mall (Mini Mall): a building of not more than 600 M² in gross floor area in which a minimum of three (3) of the permitted or discretionary uses of the Zoning District are located together for their mutual benefit.

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

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

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

Swimming Pool: Any body of water permanently located outdoors or indoors, contained by artificial means and used and maintained for the purpose of swimming, wading, or diving and having a depth of 0.6 metres or more at any point.

Tavern: an establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food.

Temporary Garage: a temporary prefabricated shelter constructed with a metal or plastic frame and covered with tarpaulin or other similar type of fabric of fabric or plastic cover used primarily for the storage of vehicles or other equipment accessory to a principle use.

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

Town: The Town of Assiniboia.

Town Administrator: The Administrator of the Town of Assiniboia.

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

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

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

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

Utility Shed: An accessory building or structure used for the storage of goods with a maximum floor area of 9.3m².

Vehicle: means a device in, on or by which a person or thing is or may be transported or drawn on a highway and includes special mobile machines and farm implements but does not include vehicles running only on rails or solely on railway company property.

Vehicle Door: means a door in an accessory building that exceeds two (2) meters (6’6”) in width and is situated on the accessory building in a location on the site that could permit vehicular access and egress to the accessory building.

Vehicle Repair and Maintenance Service

Indoor: includes all land uses which perform maintenance services to motorized vehicles and contain all operations (except vehicle storage) entirely within an enclosed building.

Outdoor: maintenance services have all or any portion of their operations located outside of an enclosed building.

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

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

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

Wind Energy Conversion System: A system composed of a wind turbine, tower and associated control electronics with a capacity of less than 100 kW for non-residential use or 10 kW for residential use. It will be considered an accessory use and is intended to provide on-site power for a principle use.

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

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

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

Work Camp: A temporary Industrial or Construction camp established for the purpose of providing accommodation for employees, and without restricting the generality of the above, the camp is usually

made up of a number of mobile units, clustered in such a fashion as to provide sleeping, eating and other basic living facilities.

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

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

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

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

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

APPENDIX “A” DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

1) Application Form

A completed application form and the following as determined by Council or the Development Officer

2) Site Plan

A copy of a proposed development site plan showing, with labels, the following existing and proposed information (as the case may be):

- a) a scale and north arrow;
- b) a legal description of the site;
- c) mailing address of owner or owner’s representative;
- d) site lines and required site line setbacks;
- e) front, rear, and side yard requirements;
- f) site topography and special site conditions (which may require a contour map), including ponds, streams, other drainage runs, culverts, ditches, and any other drainage features;
- g) the location of any buildings, structures, easements, and dimensioned to the site lines;
- h) the location and size of trees and other vegetation, especially natural vegetation;
- i) proposed on-site and off-site services;
- j) landscaping and other physical site features,
- k) a dimensioned layout of parking areas, entrances, and exits;
- l) abutting roads and streets, including service roads and alleys;
- m) an outline, to scale, of adjacent buildings on adjoining sites;
- n) the use of adjacent buildings and any windows overlooking the new proposal;
- o) fencing or other suitable screening;
- p) garbage and outdoor storage areas; and
- q) other, as required by the Development Officer or Council to effectively administer this Bylaw.

3) Building Plan

A plan showing, with labels, the elevations, floor plan, and a perspective drawing of the proposed development.

4) Landscape Plan

A landscape plan showing, with labels, the following:

- a) the existing topography;
- b) the vegetation to be retained and/or removed;
- c) the type and layout of:
 - i) hard (e.g., structures) and soft (e.g., vegetation) landscaping;
 - ii) the open space system, screening, berms, slopes; and
 - iii) other, as required, to effectively administer this Bylaw;
- d) the types, sizes and numbers of vegetation materials;
- e) areas to be damaged or altered by construction activities and proposed methods of restoration;

- f) a schedule of site stripping and grading, construction, and site restoration, including methods to be employed to reduce or eliminate erosion by wind, water, or by other means; and
- g) historical and archaeological heritage resources and management areas (a Heritage Resource Assessment as prescribed under *The Heritage Property Act* may be required).

5) Vicinity Map

A vicinity map showing, with labels, the location of the proposed development in relation to adjacent lands:

- a) Nearby municipal roads, highways and railways;
- b) Significant physical features, environmentally sensitive areas, and more or less pristine natural areas or features, especially undisturbed grassland, wooded ravines, and water feature or stream courses;
- c) Critical wildlife habitat and management areas;
- d) Mineral extraction resources and management areas, and
- e) Other as required, to effectively administer this Bylaw.

6) Certificate of Title

A copy of the Certificate of Title, indicating ownership and all encumbrances.

7) Valid Interest

Development permit applicants shall be required to provide information, to the Development Officer's or Council's satisfaction, that they have a current, valid interest in the land proposed for development.

- a) Proof of current valid interest may include:
 - i. proof of ownership;
 - ii. an agreement for sale;
 - iii. an offer or option to purchase;
 - iv. a letter of purchase;
 - v. a lease for a period of more than 10 years; and
 - vi. other, as determined and accepted by Council, or the Development Officer.

8) Site Description for Subdivision Applications

- a) A proposed plan of subdivision prepared by a Saskatchewan Land Surveyor or Professional Community Planner and signed by the registered site owner or appointed agent;
- b) A Site Plan that identifies setbacks, neighbouring buildings and any natural features accompanied by an accurate sketch and air photo image (Example: Google image);
- c) Photographic Information and photographs showing the site in its existing state.

Note: Prior to making a decision on a subdivision, permitted or discretionary use, the application may be referred to whichever Government Agencies or interested groups, be considered appropriate. The application may also be required to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant. (Refer to Sections 3.9 and 3.10)

APPENDIX "B" TOWN OF ASSINIBOIA APPLICATION FOR A DEVELOPMENT PERMIT

**APPENDIX "C" – NOTICE OF DECISION FOR A DEVELOPMENT PERMIT OR ZONING
BYLAW AMENDMENT**

