

RURAL MUNICIPALITY OF MONTROSE No. 315

ZONING BYLAW

Prepared for:

THE RURAL MUNICIPALITY OF MONTROSE NO. 315

Prepared by:

CROSBY HANNA & ASSOCIATES
LANDSCAPE ARCHITECTURE & COMMUNITY PLANNING
SASKATOON, SK

SEPTEMBER 2017

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The Rural Municipality of Montrose No. 315

Bylaw No. 2016-12

A Bylaw of the Rural Municipality of Montrose No. 315 to adopt a Zoning Bylaw.

The Council of the Rural Municipality of Montrose No. 315, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Rural Municipality of Montrose No. 315 hereby adopts the Rural Municipality of Montrose No. 315 Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Reeve and Administrator of the Rural Municipality of Montrose No. 315 are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. 1983-2, the Zoning Bylaw, and all amendments thereto, are hereby repealed.
- (3) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a first time the 15 day of September, 2016
Read a second time the 10 day of May, 2018
Read a third time the 10 day of May, 2018
Adoption of Bylaw this 10 day of May, 2018

Murray Purcell
(Reeve)

[Signature]
(Administrator)



Certified a True Copy of the Bylaw adopted by Resolution of Council

On the 10 day of May, of the year 2018



THE RURAL MUNICIPALITY OF MONTROSE NO. 315

ZONING BYLAW

Being Schedule "A" to Bylaw No. 2016-12
of the Rural Municipality of Montrose No. 315

Murray Russell
(Reeve)

[Signature]
(Administrator)



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1 INTRODUCTION

1.1 TITLE

This Bylaw shall be known as the "Zoning Bylaw of the Rural Municipality of Montrose No. 315".

1.2 SCOPE

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

1.3 PURPOSE

This is a Bylaw to control the use and development of the land in the municipality and assist in implementing the Official Community Plan for the Rural Municipality of Montrose No. 315.

1.4 SEVERABILITY

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

2 INTERPRETATION

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

Abattoir: a building or structure specifically designed to accommodate the penning and slaughtering of live animals and the processing of animal carcasses and may include the packing, treating, storing and selling of the product on the premises.

Accessory Building or Use: a building or use which:

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

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

Aggregate Extraction: the extraction, crushing, washing, screening, weighing, sorting, blending and/or refining of sand, gravel, clay or similar materials.

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

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

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

Agricultural Related Commercial Use: a service to the agricultural community such as grain and seed cleaning and drying, fertilizer distribution, implement and machinery assemblage, sale and service, veterinary clinics, hatcheries, apiaries, bulk fuel sales, stock yards, feed mills, oil seed processing plants, and other similar uses.

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

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

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

Kind of Animal	Number Equaling One Animal Unit
(1) <u>Poultry</u>	
(a) hens, cockerels, capons	100
(b) chicks, broiler chicks	200
(c) turkeys, geese, ducks	50
(d) exotic birds	25
(2) <u>Hogs</u>	
(a) boars or sows	3
(b) gilts	4
(c) feeder pigs	6
(d) weanling pigs	20
(3) <u>Wild Boars</u>	
(a) boars or sows	3
(b) gilts	4
(c) feeder pigs	6
(d) weanling pigs	20
(4) <u>Sheep</u>	
(a) rams or ewes	7
(b) lambs	14
(5) <u>Goats, Llamas, Alpacas, etc.</u>	7
(6) <u>Cattle</u>	
(a) cows or bulls	1
(b) feeder cattle	1.5
(c) replacement heifers	2
(d) calves	4
(7) <u>Horses</u>	
(a) colts or ponies	2
(b) other than colts or ponies	1
(8) <u>Other</u>	
(a) domesticated native ungulates (deer, elk, bison, etc.)	1
(b) calves of domesticated native ungulates	4

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

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

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

- (a) not more than three bedrooms within the dwelling unit are used to provide such sleeping accommodation;
- (b) the dwelling unit is the principal residence of the persons receiving the remuneration and providing the sleeping accommodation and one meal per day; and,
- (c) the meal which is provided is served before noon each day.

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

Building Bylaw: any bylaw of the Rural Municipality of Montrose No. 315 regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

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

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

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

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

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

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

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

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

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

Construction Yards: land or buildings used for the storage of building and construction equipment and materials or for the performance of shop or assembly work related to building and construction.

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

Council: the Council of the Rural Municipality of Montrose No. 315.

Custodial Care Facility: either:

- (a) a facility for the temporary detention or open custody of persons pursuant to the provisions of *The Youth Criminal Justice Act* (Canada) or *The Summary Offences Procedure Act*, 1990 (Saskatchewan); or,
- (b) a facility for the accommodation of persons participating in a community training program pursuant to *The Correctional Services Act*.

in which the number of persons in detention, custody or residence does not exceed five.

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

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

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

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

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

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

Dwelling, Agricultural: a dwelling or manufactured/mobile home which is accessory to a agricultural operation, intensive agricultural operation, or an intensive livestock operation.

Dwelling, Manufactured / Mobile Home: Shall mean a dwelling that conforms to *Canadian Standards Association, Construction Standard No. Z240.2.1-1979* and amendments thereto.

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

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

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

Dwelling, Agricultural Residential: a single detached dwelling or manufactured / mobile home located on an agricultural residential site which has been approved by Council pursuant to Section 3.2.1 or 3.2.2 of the Official Community Plan.

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

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

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

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

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

General Industrial Use: any of the following activities:

- (a) the processing of raw or finished materials;
- (b) the manufacturing or assembly of goods, products or equipment;
- (c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible with non-industrial development;
- (d) the storage or transshipping of materials, goods and equipment, including warehouses;
- (e) the training of personnel in general industrial operations; or,
- (f) indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial use.

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

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

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

- (a) corrosives;
- (b) explosives;
- (c) flammable and combustible liquids;

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

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

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

Intensive Agricultural Operation: a principal use that produces a crop that may be grown in buildings or under structures, using hydroponic techniques, or by use of intensive irrigation and fertilizer application, including sod farms, tree farms, orchards, green houses, market gardens and other similar uses but not including intensive livestock operations.

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

- (a) will contain 100 or more animal units; and
- (b) will provide less than 370 m² of space for each animal unit; or
- (c) will contain more than 20 animal units for 10 or more days in any calendar month within 300 m of a water body not controlled by the operator; or
- (d) will contain more than 20 animal units for 10 or more days in any calendar month within 300 m of a domestic well not controlled by the operator.

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

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

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

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

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

- (a) office and meeting space;
- (b) storage of municipal equipment and supplies;
- (c) recreation; and/or,
- (d) other institutional purposes.

Municipality: The Rural Municipality of Montrose No. 315.

Non-Conforming Building: a building:

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

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

Non-Conforming Use: a lawful specific use:

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

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

Official Community Plan (OCP): the Official Community Plan Bylaw, as most recently amended, for the Rural Municipality of Montrose No. 315.

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

Parcel: see definition for Lot.

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

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

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

Principal Use: the main activities conducted on a site.

Public Work: means:

- (a) systems for the production, distribution or transmission of electricity;

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

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

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

Reeve: the Reeve of the Rural Municipality of Montrose No. 315.

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

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

Rural Municipal Administrator: the Rural Municipal Administrator for the Rural Municipality of Montrose No. 315.

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

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

Sign: any writing, billboard, pictorial representation, emblem, flag, or any other figure of similar character which:

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

Sign, Face Area: the area of the single face of any sign and is calculated using the illustration in Figure 2-1.

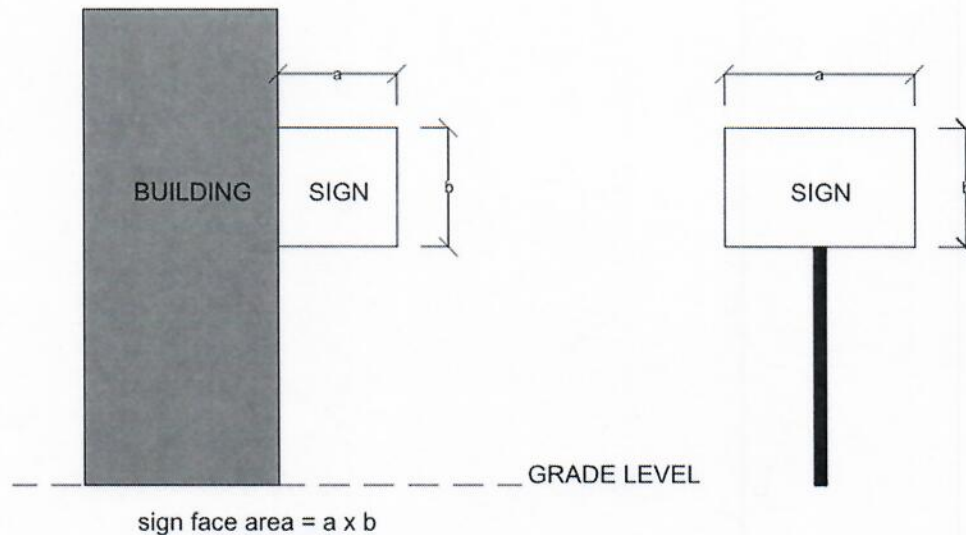


Figure 2-1: Calculation of Sign Face Area

Sign, Total Face Area: the total amount of sign face area on a sign including all sides.

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

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

Site Frontage:

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

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

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

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

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

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

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

Telecommunications Facility: includes,

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

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

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

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

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

Training Centre: an establishment which conducts technical training and instruction in a technical subject or trade.

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

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

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

Warehouse: a building used primarily for the storage of goods and materials.

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

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

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

service roads and machinery.

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

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

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

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

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

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

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

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

3 ADMINISTRATION

3.1 DEVELOPMENT OFFICER

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

3.2 APPLICATION FOR DEVELOPMENT PERMIT

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

3.2.2 All dwellings and manufactured/mobile homes require a development permit, including agricultural dwellings.

3.3 DEVELOPMENTS NOT REQUIRING A DEVELOPMENT PERMIT

3.3.1 Development listed in Section 3.3.2 of this Bylaw shall be allowed in the zoning district in which they are located subject to compliance with the regulations of this Bylaw.

3.3.2 Developments which do not require a development permit include:

(1) Accessory Buildings and Structures to Agricultural Uses

Agricultural accessory buildings and structures, excluding any Intensive Livestock Operation structure, or any new dwelling, dwelling addition, or dwelling alteration which would require a Building Permit.

(2) Small Accessory Buildings

Single storey accessory buildings with a building floor area less than 9.3 m².

(3) Public Works

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

(4) Municipal Facilities

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

(5) Signs

Subject to the provisions of 4.9 of this bylaw.

(6) Maintenance

Maintenance and repairs that do not include any structural alterations.

(7) Fences

(8) Temporary Confinement of Livestock

The temporary confinement of livestock during the winter months as part of an agricultural operation. Winter months shall mean November 1st to April 30th.

(9) Manure Spreading

Subject to Section 3.1.4(d) and Table 5-1 of the Official Community Plan.

3.4 OTHER PERMIT REQUIREMENTS

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

3.5 APPLICATION REQUIREMENTS

- 3.5.1 Applications for a development permit and applications for a discretionary use, with the exception of applications for a home-based business, shall be accompanied by the following:
- (1) The names, addresses and telephone numbers of the applicant, property owner and person or consultant who prepared the plans being submitted, including a local contact person.
 - (2) The proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied, including the area of the proposed building or renovations.
 - (3) The complete legal description of the subject property.
 - (4) A copy of a site plan, drawn to scale with appropriate dimensions, showing the following information:
 - (a) north arrow, roads adjacent to the site, all property boundaries, identified frontage of site, site area, site elevations, and the location of any existing buildings, structures, utility poles and wires, underground utilities, easements, building encroachments, and type and location of existing trees;

- (b) the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions where relevant;
- (c) the location and size of all entrances and exits to the site; and,
- (d) the method and location of on-site sewage disposal facilities and, where proposed, manure storage facilities, including a valid sewage disposal permit issued by Public Health.

3.6 DEVELOPMENT PERMIT APPLICATION PROCESS

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

3.7 DISCRETIONARY USE APPLICATIONS

3.7.1 Discretionary Use Application Process

- (1) The following procedures shall apply to discretionary use applications:
 - (a) Applicants must file with the Development Officer a development permit application, a

- site plan, any other plans and information as required by the Development Officer and pay the required application and public hearing fees;
- (b) The application will be examined by the Development Officer for conformance with the Official Community Plan, this Bylaw, and any other applicable policies and regulations;
 - (c) The Development Officer may request comments from other government agencies where applicable;
 - (d) The Development Officer will prepare a report concerning the application including recommendations that conditions be applied to an approval;
 - (e) The Development Officer will set a date for the meeting at which the application will be considered by Council and will give notice by ordinary mail to assessed owners of property within 0.8 kilometres of the boundary of the applicant's land. In the Hamlet District, the notice area may be reduced to 75 metres at the discretion of the Development Officer.
 - (f) In addition to the requirements set out in (e) above, the Development Officer shall advertise the proposed discretionary use by mailing a copy of a notice of the application to the assessed owner of each property within 1.6 kilometres of the proposed discretionary use for the following:
 - (i) any new intensive livestock operation or expansion or alteration to an intensive livestock operation;
 - (ii) wind energy facilities and wind farms.
 - (g) Notwithstanding subsections (e) and (f), above, the notice area may be expanded, at the discretion of the Development Officer, where the Development Officer is of the opinion that the proposed development will impact property owners beyond the standard notice area.
 - (h) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council;
 - (i) Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on site; and,
 - (j) The Development Officer shall notify the applicant of Council's decision by ordinary mail addressed to the applicant at the address shown on the application form.
 - (k) Where an application for discretionary use is approved by resolution of Council, the Development Officer shall issue a development permit subject to any specified development standards prescribed by Council pursuant to Section 3.7.4 below.
 - (l) Where an application for a discretionary use does not meet the development standards for the applicable zoning district, the Development Officer shall:
 - (i) advise the applicant that before the discretionary use can be considered by Council, the development permit application must be refused on the grounds of zoning non-

- compliance but that the applicant has the right to appeal;
- (ii) advise the applicant that if the appeal is granted, the discretionary use can then be considered by Council.
- (m) The Development Officers shall maintain a registry of the location and all the relevant details respecting the granting of the discretionary use approval.
- (2) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning districts in which they are located. In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:
 - (a) site drainage of storm water;
 - (b) the location of buildings with respect to buildings on adjacent properties;
 - (c) access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic;
 - (d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
 - (e) control of noise, glare, dust and odour;
 - (f) landscaping, screening, fencing, and preservation of existing vegetation to buffer adjacent properties;
 - (g) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs;
 - (h) prescribed specific time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and
 - (i) intensity of use.
- (3) Council's approval of a discretionary use application is valid for a period of twelve (12) months from the date of approval. An approval shall be deemed to be invalid if the proposed use or proposed form of development has not commenced within that time or if the Council determines, within the twelve (12) month period, that the proposed development is not proceeding in accordance with the terms and conditions of its approval. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid.
- (4) Council may direct that a discretionary use permit extension be granted for an additional twelve (12) month period by the Development Officer.
- (5) If an approved discretionary use or form of development ceases to operate for a period of twelve (12) consecutive months or more, the discretionary use approval shall no longer be valid. The Development Officer shall advise the owner and Council when a prior approval is no longer valid.
- (6) Where Council has approved a discretionary use for a fixed time, as provided in this Bylaw, and

that time period has expired, that use of land and/or use of buildings on that land shall cease until such time as Council gives a new discretionary use approval and a new development permit is issued.

3.7.2 General Discretionary Use Evaluation Criteria

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

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

3.7.3 Terms and Conditions for Discretionary Use Approvals

- (1) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provision of the zoning district in which they are located. In approving a discretionary use application, Council may prescribe specific development standards to minimize land use conflict with respect to:
 - (a) site drainage of storm water;
 - (b) the location of buildings with respect to buildings on adjacent property;
 - (c) access to, number and location of parking and loading facilities including adequate vehicular access;
 - (d) control of noise, glare, dust and odour; and,
 - (e) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs to ensure compatibility with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the general area.
- (2) Council may approve discretionary use applications for a fixed period of time where it is considered important to monitor and re-evaluate the proposal and its conformance with the objectives of this Bylaw.

3.7.4 Use-Specific General Discretionary Use Evaluation Criteria

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

- (1) *Abattoirs:*
 - (a) Shall be located at least 91.4 metres from a school or dwelling not owned by the operator of the abattoir.
- (2) *Business dwellings:*
 - (a) Dwelling units attached to commercial or industrial establishments shall have a main entrance separate from that of the principal establishment. An emergency exit must be provided in addition to the main entrance; and,
 - (b) The minimum floor area of each dwelling unit shall be 28 square metres.
- (3) *Bulk petroleum tanks:*
 - (a) Shall be located at least 91.4 metres from a residence or school.
- (4) *Golf courses:*
 - (a) Consideration will be given to the compatibility of the golf course with adjacent land uses;
 - (b) Insofar as possible, proposed golf courses shall respond to the natural topography and drainage of the site, and employ minimal clearing of native vegetation;
 - (c) Buffers shall be provided to protect existing, adjacent properties by mitigating the adverse impacts of sound, visibility and traffic;
 - (d) Council will consider the following as an asset in the development of a golf course:
 - (i) maximum use of existing landforms and native grasses and vegetation;
 - (ii) an alternative water source to potable water; and,
 - (iii) water conserving irrigation systems.
- (5) *Hazardous industrial use:*
 - (a) The location of hazardous industrial uses will only be favourably considered where it can be demonstrated that the use is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas.
 - (b) Hazardous industrial uses shall comply with the requirements contained in Section 3.4.2 (i) of the Official Community Plan.
- (6) *Intensive agricultural operations:*
 - (a) Intensive agricultural operations shall comply with the requirements contained in

Section 3.1.4 of the Official Community Plan.

- (b) The location of agricultural uses will only be favourably considered where it can be demonstrated that the use is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas. Consideration may be given, but is not limited to, the following effects:

- (i) municipal servicing capacity;
- (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
- (iii) anticipated increased levels or types of vehicular traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or,
- (iv) utilization of hazardous substances;
- (v) that the water supply is sufficient for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation.

(7) *Intensive livestock operations:*

- (a) An applicant for a discretionary use approval for an intensive livestock operation shall provide the following documentation to Council's satisfaction:
- (i) distances to the nearest land uses, development types and municipal limits, whether within the municipality or within an adjacent municipality, listed in "Table 5-1 - Separation Distances Between Uses" of the Official Community Plan and measured as specified in the notes to that table;
 - (ii) that the water supply is sufficient for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation;
 - (iii) the proposed methods of manure management, including on-site storage or stockpiling, transportation, and spreading, incorporation or disposal;
 - (iv) the proposed odour management and control measures, including proposed odour management and control related to earthen manure storage facilities and liquid manure lagoons, and odour management and control measures related to the ventilation of hog or poultry barns;
 - (v) the location and extent of sufficient lands to be used for the spreading of manure from the intensive livestock operation, as well as proposals for the annual confirmation of the continued availability of such lands;
 - (vi) the proposed methodology for monitoring on-site and neighbouring wells for water quality and quantity purposes after the intensive livestock operation has begun operation, and for reporting on same to Council; and,
 - (vii) for wild boar operations, a containment plan, setting out in detail the techniques and methods to be used to keep the wild boars contained.
- (b) Council may impose conditions of approval on a proposed intensive livestock

operation which are necessary to ensure compliance with the Official Community Plan and other relevant provisions of this Bylaw.

- (c) Council may, as a condition of discretionary use approval, require that manure disposal be undertaken in the following manner:
 - (i) that liquid manure be spread by direct injection into the soil;
 - (ii) that solid manure be incorporated into the soil within 24 hours;
 - (iii) that manure not be spread on ground that is frozen or covered in frost or snow.
 - (d) Disposal methods other than those required in subsection (c) above may be approved where the applicant establishes, to the satisfaction of Council, that odour and environmental issues will be addressed to a similar or better standard. Council may specify a limited time during which the approval will be valid.
 - (e) Council may exempt in whole or in part an applicant from subsection (c) above where each of the following are true:
 - (i) the manure will be spread on land owned by the operator of the intensive livestock operation and will not have a negative impact on neighbouring properties, groundwater, or natural areas; and
 - (ii) adverse weather conditions prevent the incorporation of manure in which case incorporation of the spread manure may be delayed until weather conditions permit.
- (8) *Aggregate extraction:*
- (a) Aggregate extraction uses shall comply with the requirements contained in Section 3.4.3 of the Official Community Plan.
 - (b) An application for aggregate extraction shall include the following documentation:
 - (i) a plan showing the location of the area of the operation relative to the site boundaries, the depth of excavation, and the quantity of material to be removed;
 - (ii) a plan showing the distances to the adjoining land uses as listed in "Table 5-1 –Separation Distances Between Uses" of the Official Community Plan;
 - (iii) a description of the excavation, stripping or grading operation proposed;
 - (iv) a detailed timing and phasing program covering the time span of the proposed operation;
 - (v) a description of reclamation and rehabilitation measures to be conducted both during and following the operation consistent with The Reclamation

Guidelines for Sand and Gravel Operations provided by the Ministry of Environment. These guidelines recommend that "reclamation practices should ensure a physical stabilization of the soils and achieve a sustainable land use so that the land may be returned to a productive state as soon as possible after the operation has completed" and that "reclamation operations should be carried out concurrently with extraction";

- (vi) a description of the measures to be taken for the prevention and lessening of dust and other nuisances during and after the operation; and,
 - (vii) road maintenance measures and proposed truck routes.
- (c) As a condition of discretionary use approval of an aggregate extraction use, Council may require the developer to enter into an agreement, pursuant to Section 235 of *The Act*, to define the responsibilities of the operator and operation requirements. Any of the following criteria, along with any additional criteria in accordance with an agreement set by Council and the developer, may be prescribed in such an agreement:
- (i) Conditions respecting the operation of the pit or quarry;
 - (ii) Responsibilities of the developer and/or operator concerning the reclamation of the site;
 - (iii) The routing of trucks to and from the site;
 - (iv) The planting of trees on and/or near the site, and/or in another location to the satisfaction of Council;
 - (v) The erection of fencing and signs;
 - (vi) The maintenance of municipal roadways; and/or,
 - (vii) The posting by the developer of a performance bond to guarantee adherence to the above or any other requirements that Council may specify.

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

Council shall enter into a formal Road Maintenance Agreement with the Developer or Contractor as appropriate.

(9) *Wind energy facilities and wind farms:*

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

- (a) A site location plan showing the subject property, adjacent roads, railways, telecommunications facilities (to ensure avoidance of microwave transmission corridors), property lines and all habitable buildings within 1.6 kilometres of the proposal.
- (b) A detailed site plan drawn to scale showing the location of the proposed wind turbines and all associated facilities indicating cable locations for domestic usage and power grid connections, existing vegetation, proposed access and landscaping.
- (c) Confirmation of site ownership by the proponent or where the land is not owned by the proponent evidence of site control and right to access through provisions of a lease or easement agreement with the owner.
- (d) Proponents are responsible for obtaining any required federal or provincial permits, licenses and approvals for construction and maintenance of wind energy facilities and must remit a copy to the municipality.
- (e) Details respecting the colour and markings for the proposed tower including required lighting in accordance with federal aviation requirements.
- (f) Validation by a professional engineer of the structural integrity of the proposed supporting tower and foundation or a description of required manufacturing specifications.
- (g) For wind farms, additional information may be required respecting:
 - (i) illustration of sight line vistas from residential buildings within 1.6 kilometres of the proposed development utilizing photographic representations of the development area;
 - (ii) a decommissioning plan addressing the manner of physical removal of the facility, removal of any hazardous materials and site restoration to a natural condition, should the use of the facility be discontinued.

3.8 VALIDITY OF A DEVELOPMENT PERMIT

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

3.9 AMENDING THE ZONING BYLAW

- 3.9.1 Any person seeking to amend this Zoning Bylaw may submit an application for such amendment and, upon payment of the required fee, the Development Officer shall refer such application to Council for consideration.
- 3.9.2 Council may authorize an amendment to a Zoning Bylaw, and that amendment shall be adopted by bylaw.

- 3.9.3 Sections 206 – 212 of *The Act*, shall govern the process to be followed with respect to public notice and public participation in the adoption of a bylaw proposed to amend this Zoning Bylaw.

3.10 DEVELOPMENT APPEALS BOARD

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

3.11 MINOR VARIANCES

- 3.11.1 Council may grant a variance of up to 10% of any yard requirement or minimum required distances between buildings for a use that conforms to this bylaw. All such variances shall be subject to the conditions and granted in accordance with the procedures contained in Section 60 of *The Act*.
- 3.11.2 Council shall maintain a registry of the location and all relevant details of the granting of such variances.

3.12 FEES

3.12.1 Application Fees

- (1) The fees for the review and approval of various planning applications shall be contained in the Municipality's Fees Bylaw.
- (2) Detailed review costs:
 - (a) General: Where a development or subdivision proposal involves a detailed Municipal review, a plan or Zoning Bylaw Amendment, a development agreement, a servicing agreement, detailed development conditions, liability insurance,

performance bonds, caveats, or legal and professional planning advice, Council may require the applicant pay the full cost of the additional application review and administration costs, as Council may determine by resolution.

- (b) Items: Such costs may include Council meetings, legal and professional planning costs, municipal administration fees and site inspection fees, as determined by Council.
- (c) Documentation: Such costs may be addressed and clarified in the Council specified documents, including development and servicing agreements.

3.12.2 Amendment of the Zoning Bylaw

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

3.13 ZONING BY AGREEMENT

- 3.13.1 A zoning designation which is subject to an agreement entered into pursuant to the provisions of Section 69 of *The Act* and Section 4.1.4 of the Official Community Plan, shall be indicated on the Zoning District Map by the addition of the bylaw number authorizing the agreement after the zoning district designation.

3.14 OFFENCES AND PENALTIES

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

4 GENERAL REGULATIONS

Except as noted, the regulations contained in Section 4 shall apply to all zoning districts in the municipality.

4.1 FRONTAGE ON THE ROAD

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

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

4.2 DEVELOPMENT ON HAZARD LANDS

4.2.1 Where a proposed development of a building is to be located on land considered by Council to be potentially hazardous, including but not limited to a wetland, water body or watercourse where flooding may occur, the lands shall be deemed "hazardous" and Council shall require the applicant to submit sufficient topographic information to determine if the development will be within 50 metres of:

- (1) any slope(s) that may be unstable;
- (2) any river or stream flood plain; and/or,
- (3) any other land that may be subject to flooding.

4.2.2 Council may require that before a permit may be issued, the applicant shall submit an engineering report showing that the proposed site and development is suitable with respect to the following where relevant:

- (1) the potential for flooding up to the Safe Building Elevation, to be determined from specific site investigations, or where not involving any building, such lower elevation as may be suitable for the proposed use;
- (2) the potential for slope instability; and/or
- (3) the required mitigation measures for construction on areas of high water tables, in slopes or on contaminated sites if any.

4.2.3 Actions identified in an assessment prepared pursuant to Section 4.2.2 which prevent, change, mitigate or remedy hazards in lands deemed hazardous may be incorporated as conditions to issuance of any development permit that may be issued. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the adverse effects or will result in excessive municipal costs.

4.3 BUILDING TO BE MOVED

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

4.4 WASTE DISPOSAL

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

4.5 WATER

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

4.6 STORAGE OF CHEMICALS, FERTILIZERS AND COMBUSTIBLE MATERIALS

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

4.7 ONE PRINCIPAL BUILDING PERMITTED ON A SITE

- 4.7.1 Not more than one principal building shall be permitted on any one site except for:

- (1) public works;
- (2) institutional uses;
- (3) agricultural operations and other agricultural uses;
- (4) intensive livestock operations;
- (5) intensive agricultural operations;
- (6) farm based businesses;
- (7) recreation facilities;
- (8) schools;
- (9) municipal facilities.

4.8 NON-CONFORMING BUILDINGS, SITES AND USES

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

present form.

4.9 REGULATIONS FOR SIGNS AND BILLBOARDS

4.9.1 Signs Located in Highway Sign Corridor

- (1) Signs located in a highway sign corridor shall be regulated by the requirements of "*The Erection of Signs Adjacent to Provincial Highway Regulations, 1986*" and amendments thereto, and Section 4.10.2 shall not apply.

4.9.2 Signs Other than in a Highway Sign Corridor

- (1) Any sign located other than in a highway sign corridor may only advertise agricultural uses, commercial uses, farm based businesses, home based businesses, or the principle products offered for sale on a site and is subject to the following requirements:
 - (a) No more than two signs shall be permitted on the premises.
 - (b) No sign shall be in excess of 9.3 m² in sign face area, but the two permitted signs may be combined and the total sign face area shall not exceed 18.6 m². Each sign may be double faced.
 - (c) No sign shall be illuminated unless the source of light is steady and suitably shielded.
 - (d) The maximum height of any sign shall be 7.6 metres.
- (2) Government signs, memorial signs, signs advertising residential occupants or addresses and directional signs that bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs, are exempt from restriction.
- (3) Temporary signs, including election signs, and real estate signs are permitted only as long as the temporary condition exists for the property. Election signs shall be removed within five days following the official end of the relevant election period.
- (4) All private signs shall be located so that no part of the sign is over a public right of way.
- (5) No sign shall obstruct views within roadway intersection sight lines.

4.10 PUBLIC WORKS, PIPELINES AND MUNICIPAL FACILITIES

- 4.10.1 Public works and municipal facilities, except solid and liquid waste disposal sites, shall be permitted uses in every zoning district, and unless otherwise specified by this bylaw, no minimum site or yard requirements shall apply.

- 4.10.2 Where a pipeline or other utility or transportation facility will cross a municipal road, Council may apply such special design standards as it considers necessary to protect the municipal interest in the existing and future improvements to the road.

4.11 SPECIAL STANDARDS AND REGULATIONS

4.11.1 Home Based Businesses and Farm Based Businesses

- (1) Home based businesses and farm based businesses shall be subject to the following development standards:
 - (a) The use is clearly ancillary to the use of a farm as an agricultural operation or the dwelling unit as a private residence.
 - (b) The operator of the business is a resident of the dwelling unit and, in the case of a farm based business only, up to five (5) non-resident employees may be employed at the site. Any employee shall be directly under the hire and management of the operator of the business. Where the business is a building or service contractor, additional employees may be involved only at the client building site.
 - (c) No variation in the residential or agricultural character and appearance of the dwelling, ancillary residential building, or land shall be permitted, except for permitted signs.
 - (d) The permitted use shall be valid only during the period of time the property is occupied as a residence of the applicant for such permitted use.
 - (e) All permits issued for home based businesses and farm based businesses shall be subject to the condition that the permit may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met.

4.11.2 Campgrounds and Tourist Camps

- (1) The applicant for a development permit for a campground or tourist camp shall provide the Development Officer with a plan of the site, identifying any buildings, uses of land and the location of all roadways and recreation vehicle or tent campsites with dimensions. The addition or rearrangement of sites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a development permit, and the applicant shall submit for approval an amended plan incorporating the proposed development.
- (2) A campground or tourist camp shall have, within its boundaries, a buffer area abutting the boundary of not less than 4.5 metres in width, which shall contain no buildings.
- (3) A site for each recreation vehicle and campsite permitted in the campground or tourist camp shall be designated and clearly marked on the ground.
- (4) Each site shall have a minimum area of 150 square metres.
- (5) No portion of any campsite shall be located within an internal roadway or required buffer area.
- (6) Each site shall have direct and convenient access to a developed internal roadway, which

shall not be located in any required buffer area.

- (7) The space provided for roadways within a campground or tourist camp shall be at least 7.5 metres in width. No portion of any site, other use or structure shall be located in any roadway.
- (8) A campground or tourist camp may include, as an ancillary use, a laundromat or a confectionary designed to meet the needs of occupants of the sites and a one-unit dwelling for the accommodation of the operator.
- (10) *The Public Health Act*, and regulations passed thereunder, shall be complied with in respect of all operations and development of campgrounds.

4.11.3 Solid or Liquid Waste Disposal Facilities

- (1) Development and maintenance of a public work in the form of a solid or liquid waste disposal facility will be subject to the following special standards:
 - (a) A buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area.
 - (b) The facility shall be appropriately fenced.
 - (c) Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
- (2) Solid and liquid waste disposal facilities shall be separated from adjoining land uses as listed in "Table 5-1 –Separation Distances Between Uses" of the Official Community Plan;

4.11.4 Bed and Breakfast Homes and Vacation Farms

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

4.11.5 Service Stations

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

4.11.6 Above Ground Fuel Storage Tanks

- (1) Above-ground fuel storage tanks which meet the standards of the National Fire Code may be permitted in association with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use.
- (2) The total storage capacity for above-ground fuel storage tanks on any single service station or gas bar shall not exceed the regulations and requirements set out by the National Fire Code.
- (3) Above-ground fuel storage tanks shall be:
 - (a) located at least 3 metres from any property line or building; however, for uses other than gas bars and service stations, the 3 metre separation distance may be reduced to 1 metre for tanks with a capacity of 5,000 litres or less.
- (4) Notwithstanding subsection (2) above, above ground fuel storage tanks associated with a gas bar or service station shall be:
 - (a) located at least 6 metres from any property line or building.
 - (b) at least 15 metres from the boundary of any site within a Residential district.
- (5) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3 metres from any property line, at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.
- (6) Notwithstanding (4) above, above ground fuel storage tanks associated with a gas bar or service station shall be located at least 6 metres from any property line, at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.
- (7) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.

4.11.7 Accessory Uses, Buildings and Structures

- (1) Accessory uses and buildings shall be subordinate to, and located on the same site at the principal building or use, and used in conjunction with that principal use.
- (2) *Time of construction:*

Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building except in the following instance:

 - (a) Where a Development Permit has been issued for a principal building, Council may, at its discretion, allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed in the time period specified by Council resolution, the accessory building is to be removed.
- (3) *Height of accessory buildings:*
 - (a) Hamlet District:
 - (i) Detached accessory buildings in the Hamlet district are not to exceed the height of the principal dwelling, and in no case shall an accessory building exceed a height of 5 metres.
 - (b) Agriculture, Agricultural Residential and Commercial Districts:
 - (i) Detached accessory buildings in the Agriculture, Agricultural Residential or Commercial districts: No height restrictions.
- (4) *Location of accessory buildings:*
 - (a) Accessory buildings shall provide the same setbacks from property lines as principal buildings, with the exception of buildings accessory to a residential use in the Hamlet District, where the minimum side yard setback shall be 0.75 metres and the minimum rear yard setback shall be 1.2 metres.
- (5) *Accessory dwelling units shall only be permitted to accommodate:*
 - (a) a dwelling as a residence for an agricultural operator, or for employees and/or partners engaged in an agricultural operation, intensive livestock operation, or intensive agricultural operation, subject to Section 3.1.2 (c) of the Official Community Plan.
 - (b) a dwelling as a residence for a business operator, manager, an employee and/or partner engaged in a commercial or industrial operation in a commercial zoning district, subject to the following provisions:
 - (i) the dwelling unit must be physically attached to the primary building where commercial or industrial operations are underway;
 - (ii) the business dwelling shall have a main entrance separate from that of the

commercial or industrial establishment; and,

- (iii) an emergency exit must be provided in addition to the main entrance.

(6) *Swimming pools:*

Private swimming pools, both above ground and in-ground, both open and enclosed, shall be permitted in any zoning district where dwellings are permitted, subject to the following conditions:

(a) Open Pools:

- (i) Open pools shall be enclosed within a fence a minimum of 1.8 metres in height located not less than 1.2 metres from the pool.
- (ii) Open pools shall not be constructed closer than 1.5 metres to any site line plus additional horizontal distance equal to the height of the top edge of the pool about finished grade at the site line(s). For the purpose of the foregoing, the distance to the site line shall be measured from the nearest inside edge of the pool.
- (iii) No part of an open pool including an associated apron or platform shall be constructed closer to a street line than the front yard requirements for a principal building in the zoning district within which it is located.

- (b) Enclosed pools shall conform with the building accessory requirements relevant to the zoning district in which they are located.

4.11.8 Outfitter Base Camps and Tourism Base Camps

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

4.11.9 Dugouts, Sewage Lagoons and Manure Storage Pits

- (1) Dugouts, sewage lagoons and manure storage pits shall maintain a minimum separation distance of 15 metres from the legal boundaries of the surface parcel on which they are situated.
- (2) Dugouts may not be dug within 38 metres of an established dugout.

4.11.10 Kennels

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

4.11.11 Auction Markets

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

4.11.12 Wind Energy Facilities and Wind Farms

- (1) The following standards apply to wind energy facilities and wind farms:
 - (a) Wind turbines are limited to a maximum height of 50 metres.
 - (b) Wind turbines are limited to a maximum name plate capacity of 100kW.
 - (c) The setback of a wind turbine to any public road right of way and railway right of way shall be greater than or equal to the height of the wind turbine.
 - (d) The setback of a wind turbine to any property boundary shall be greater than or equal to the height of the wind turbine.
 - (e) Council may approve a lesser separation where the applicant submits a copy of the agreement between the developer of a wind energy facility or wind farm and the neighbouring property owner, agreeing to a lesser separation. Such agreements shall contain the provision that parties to the agreement will register an interest on the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of *The Act* to register and interest to the titles of the affected lands.

4.11.13 Transloading Facilities for Oil and Gas Resources

Transloading facilities for Oil and Gas Resources shall be subject to the following requirements:

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

4.12 SETBACK FROM CENTRE LINE OF ROADS

- 4.12.1 The minimum setback of buildings, including dwellings, from the centre line of a municipal road allowance, grid road, main farm access road or provincial highway on all sites shall be 45 metres (150 feet). On provincial highways the minimum setbacks shall be regulated by the Ministry of Highways and Infrastructure. Development of buildings on sites that do not abut such roads shall observe the minimum front yard setbacks as identified in the specific regulation for those districts.

4.13 PROHIBITED USES IN ALL DISTRICTS

- 4.13.1 The breeding of rats and other rodents and crickets and other insects is prohibited in all zoning districts in the municipality.

4.14 TEMPORARY USES

- 4.14.1 Temporary uses will be permitted where appropriate in individual zoning districts at the discretion of Council.
- 4.14.2 All temporary uses must be located on an existing site; no subdivision will be permitted for temporary uses.
- 4.14.3 Any buildings placed on sites where a temporary use is permitted must be removed on or before the expiry period allowed for the use, unless the construction of a permanent building is specifically permitted by Council.
- 4.14.4 The site must be restored to the same condition as it was prior to the beginning of the temporary use once the temporary use has ceased.
- 4.14.5 Council may require a performance bond from the applicant to ensure acceptable remediation of the site.

5 ZONING DISTRICTS

5.1 CLASSIFICATION OF ZONING DISTRICTS

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

<u>Districts</u>	<u>Symbols</u>
Agriculture	A
Agricultural Residential	AR
Hamlet	H
Commercial	C

5.2 ZONING DISTRICT MAPS

- 5.2.1 The map, bearing the statement "This is the Zoning District Map which accompanies Bylaw Number _____ adopted by the Rural Municipality of Montrose No. 315" and signed by the Reeve and Rural Municipal Administrator under the seal of the Rural Municipality shall be known as the "**Zoning District Map**" and such map is hereby declared to be an integral part of this Bylaw.

5.3 BOUNDARIES

- 5.3.1 The boundaries of such districts referred to, together with explanatory legend, notation and reference, are shown on the map entitled "**Zoning District Map**".
- 5.3.2 All streets, lanes and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.
- 5.3.3 Streets, lanes, and road allowances which are shown on the "**Zoning District Map**" and which have been permanently closed pursuant to Section 13 of *The Municipalities Act*, shall be in the same district as the land abutting both sides of the permanently closed street, lane or road allowance. If the land abutting each side of the permanently closed street, lane or road allowance was located in different zoning districts before the said street, lane or road allowance was permanently closed, the centre line of such permanently closed street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.
- 5.3.4 On un-subdivided land, the zoning district boundary shall be determined by the scale shown on the "**Zoning District Map**".
- ### 5.4 REGULATIONS
- 5.4.1 Regulations for the zoning districts are outlined in the following sections of this Bylaw.

5.5 PROPERTIES WITH MORE THAN ONE ZONING DISTRICT

- 5.5.1 Where a site is divided into more than one zoning district, each portion of the site shall be developed and use in accordance with the provisions of the applicable zoning district.

5.6 TRANSITIONAL ZONING PROVISIONS

5.6.1 Existing Buildings

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

6 DISTRICT SCHEDULES

6.1 A – AGRICULTURE DISTRICT

6.1.1 Intent

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

6.1.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are contained in Table 6-1.

6.1.3 Prohibited Uses

Uses prohibited in the A - Agriculture District are as follows:

6.1.4 Accessory Buildings

- (1) Accessory buildings and uses, except dwelling units, shall be permitted subject to Section 4.11.7.
- (2) Agricultural dwellings, subject to Section 3.1.2 (c) of the Official Community Plan.

6.1.5 Regulations

(1) *Site Requirements*

- (a) Minimum and maximum site size, site width, and yard requirements are shown in Table 6-1.

(2) *Temporary Confinement of Livestock*

The temporary confinement of livestock on a agricultural operation during winter months shall be permitted, subject to the requirements for an Intensive Livestock Operation contained in Section 3.1.4 of the Official Community Plan.

(3) *Keeping of Animals*

The keeping of large animals on single parcel agricultural residential sites, created pursuant to Section 3.2.1 of the Official Community Plan, shall be subject to the following requirements:

- (a) Livestock will be permitted in numbers not exceeding 2 animal units, on a site of 4.05 hectares. Sites greater than 4.05 hectares in area, may keep additional

livestock at the rate of 1 animal unit for each 2 hectares of site area.

- (b) Animals shall not be pastured within 15 metres of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 metres of a property line.

6.1.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the A - Agriculture District with regard to Section 3.7.2 General Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as the following development standards:

(1) *Discretionary Commercial Uses*

- (a) Council may prescribe specific development standards for discretionary commercial uses limiting the area of land, the number or size of the buildings used for the operation, and the number of non-resident employees. Any increase in the area of land or the number or size of buildings used for the commercial operation, may require a new discretionary approval by Council.
- (b) Council may specify specific development standards for the location, setback, or screening of any area devoted to the outdoor storage of machinery, vehicles, or vehicular parts in conjunction with a commercial operation.

**TABLE 6-1:
A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS
for the Rural Municipality of Montrose No. 315**

Use	Development Standards						
	Permitted or Discretionary	Subject to Sections	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Agricultural Uses							
(1) Farm based businesses	D	4.11.1	(4)	--	(5)	10	10
(2) Agricultural operations	P		32 ⁽²⁾	64.75	(5)	10	10
(3) Intensive livestock operations	D	3.7.4 (7)	16 ⁽³⁾	--	(5)	10	10
(4) Intensive agricultural operations	D	3.7.4 (6)	16 ⁽³⁾	--	(5)	10	10
(5) Grain elevators	P		0.4	--	(5)	10	10 ⁽⁶⁾
Resource Based Uses							
(1) Aggregate extraction	D	3.7.4(8)	--	--	(5)	10	10
(2) Mineral exploration or extraction and related facilities	P		--	--	--	--	--
(3) Petroleum exploration or extraction wells and related facilities	P		--	--	--	--	--
(4) Petroleum pipelines, oil & gas wells, and related facilities	P		--	--	--	--	--
(5) Transloading facilities for oil and gas resources	P	4.11.13	--	--	(5)	10	10 ⁽⁶⁾
Residential Uses							
(1) Custodial care facilities	D		(4)	--	(5)	10	10
(2) Day care centres	D		(4)	--	(5)	10	10
(3) Dwelling units as an accessory use ⁽¹⁾	D	4.11.7	(4)	--	(5)	10	10
(4) Farm dwellings ⁽¹⁾	P		(4)	--	(5)	10	10
(5) Home based businesses	P	4.11.1	(4)	--	(5)	10	10
(6) Residential care homes	D		(4)	--	(5)	10	10
(7) Single parcel agricultural residential dwellings	D		2.05	4	(5)	10	10
Commercial Uses							
(1) Abattoirs	D	3.7.4 (1)	0.8	--	(5)	10	10
(2) Agriculture related commercial use	D		0.8	--	(5)	10	10

7 MAPS

**TABLE 6-1:
A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS
for the Rural Municipality of Montrose No. 315**

Use	Development Standards						
	Permitted or Discretionary	Subject to Sections	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(3) Bed and breakfast homes	D	4.11.4	(4)	--	(5)	10	10
(4) Campgrounds and tourist camps	D	4.11.2	0.8	--	(5)	10	10
(5) Outfitter base camps, tourism base camps	D	4.11.8	0.8	--	(5)	10	10
(6) Golf courses	D	3.7.4 (4)	16	--	(5)	10	10
(7) Kennels	D	4.11.10	(4)	--	(5)	10	10
(8) Vacation farms	D		(4)	--	(5)	10	10
(9) Veterinary clinics	D		(4)	--	(5)	10	10
	D		0.8	--	(5)	10	10
Municipal, Recreational, Institutional and Other Uses							
(1) ATV and snowmobile trails	P		--	--	--	--	--
(2) Cemeteries and crematoria	D		--	--	(5)	10	10
(3) Community halls	P		0.4	--	(5)	10	10
(4) Dugouts, sewage lagoons and manure storage pits	D	4.11.9	--	--	(5)	10	10
(5) Municipal facilities	P		--	--	--	--	--
(6) Parks and playgrounds	P		--	--	--	--	--
(7) Places of worship	D		0.4	--	(5)	10	10
(8) Public works, excluding solid or liquid waste disposal facilities	P		--	--	--	--	--
(9) Recreation facilities	D		0.4	--	(5)	10	10
(10) Schools	D		0.4	--	(5)	10	10
(11) Solid or liquid waste disposal facilities	D	4.11.3	0.4	--	(5)	10	10
(12) Telecommunications facilities	P		--	--	--	10	10
(13) Wildlife and ecological conservation areas	P		16	--	--	--	--
(14) Wind energy facilities and wind farms	D	3.7.4 (9)	0.8	--	(5)	10	10
(15) Historical and archaeological sites	P		--	--	--	--	--

Use Designations:

(P) - Permitted Use

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

(D) - Discretionary Use

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

Special limitation and standards regarding Table 6-1 and the A - Agriculture District:

- (1) One agricultural dwelling will be permitted as an accessory use to an agricultural operation. Additional dwelling units may be permitted, as a discretionary use, if accessory to a legitimate agricultural use, including agricultural operations and if it is intended to accommodate farm workers.
- (2) The minimum site area shall be 64 ha or a lesser amount to accommodate subdivisions identified in Section 3.1.2(b) of the Official Community Plan.
- (3) The minimum site area shall be 16 ha or a lesser amount pursuant to Section 3.1.4(d) of the Official Community Plan.
- (4) The site area requirements shall be the same as that required for the approved principal use of the property.
- (5) The minimum setback of buildings, including dwellings, from the centre line of a municipal road allowance, grid road, main farm access road or provincial highway on all sites shall be 45 metres (150 feet). On provincial highways the minimum setbacks shall be regulated by the Ministry of Highways and Infrastructure.
- (6) Except when abutting a rail line, in which case 0 metres.-

6.2 AR – AGRICULTURAL RESIDENTIAL DISTRICT

6.2.1 Intent

The objective of the **AR** - Agricultural Residential District is to provide for low density, multiple parcel agricultural residential development and other compatible uses.

6.2.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are contained in Table 6-2.

6.2.3 Prohibited Uses

Uses prohibited in **AR** - Agricultural Residential District are as follows:

6.2.4 Accessory Buildings

- (1) Accessory buildings and uses, except dwelling units, shall be permitted and are subject to Section 4.11.7.

6.2.5 Regulations

(1) Site Requirements

The minimum and maximum site size and yard requirements are shown in Table 6-2.

(2) Keeping of Animals

- (a) Livestock will be permitted in numbers not exceeding 2 animal units, on a site of 4.05 hectares. Sites greater than 4.05 hectares in area, may keep additional livestock at the rate of 1 animal unit for each 2 hectares of site area.
- (b) Animals shall not be pastured within 15 metres of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 metres of a property line.

6.2.6 Standards for Discretionary Uses

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

(1) Home Based Businesses

- (a) Home based business are subject to Section 4.11.1 of this Bylaw.
- (b) No home based business in this district shall include auto body repair or repainting operations.

- (c) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district.

6.2.7 Outside Storage

Outside storage, including storage of garbage or waste materials, is subject to the following requirements:

- (1) No outside storage shall be located in the front yard, except for the neatly arranged display of items for sale.
- (2) Outside storage in a side or rear yard shall be screened from adjacent sites by a fence at least 1.9 metres in height, or a combination of fence and soft landscaping screening a minimum of 1.9 metres in height.
- (3) Garbage and waste material shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares.

Table 6-2
AR - AGRICULTURAL RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS
 for the Rural Municipality of Montrose No. 315

Use	Development Standards						
	Permitted or Discretionary	Subject to Sections	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Residential Uses							
(1) Custodial care facilities	D		4.05	31.95	10 ⁽¹⁾	3	10
(2) Daycare centres	D		4.05	31.95	10 ⁽¹⁾	3	10
(3) Home based businesses	D	4.11.1	4.05	31.95	10 ⁽¹⁾	3	10
(4) Manufactured homes	D		4.05	31.95	10 ⁽¹⁾	3	10
(5) Mobile homes	D		4.05	31.95	10 ⁽¹⁾	3	10
(6) Residential care homes	D		4.05	31.95	10 ⁽¹⁾	3	10
(7) Single detached dwellings	P		4.05	31.95	10 ⁽¹⁾	3	10
Agricultural Uses							
(1) Agricultural operations	P		4.05	31.95	10 ⁽¹⁾	3	10
(2) Intensive agricultural operations	D	3.7.4 (6)	4.05	31.95	10 ⁽¹⁾	3	10
(3) Vacation farms	D		4.05	31.95	10 ⁽¹⁾	3	10
Commercial Uses							
(1) Bed and breakfast homes	D	4.11.4	4.05	31.95	10 ⁽¹⁾	3	10
(2) Kennels	D	4.11.10	4.05	31.95	10 ⁽¹⁾	3	10
(3) Veterinary clinics	D		4.05	31.95	10 ⁽¹⁾	3	10
Municipal, Recreational, Institutional and Other Uses							
(1) Community halls	P		4.05	31.95	10 ⁽¹⁾	3	10
(2) Municipal facilities	P		--	--	--	3	--
(3) Parks and playgrounds	P		--	--	--	3	--
(4) Places of worship	P		4.05	31.95	10 ⁽¹⁾	3	10
(5) Public works, excluding solid and liquid waste disposal sites	P		--	--	--	3	--
(6) Recreation facilities	D		4.05	31.95	10 ⁽¹⁾	3	10
(7) Schools	D		4.05	31.95	10 ⁽¹⁾	3	10

Table 6-2
AR - AGRICULTURAL RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS
 for the Rural Municipality of Montrose No. 315

	Use	Development Standards						
		Permitted or Discretionary	Subject to Sections	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(8)	Wind energy facilities	D	4.11.12	4.05	31.95	10 ⁽¹⁾	3	10
(9)	Historical and archaeological sites	P		--	--	--	--	--

Use Designations:

(P) - Permitted Use

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

(D) - Discretionary Use

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

Special limitation and standards regarding Table 6-2 and the AR - Agricultural Residential District:

- (1) The minimum front yard setback for sites which front on internal subdivision road shall be 10 metres from the front property line. The minimum front yard setback for sites which front on a road other than an internal subdivision road shall 45 metres from the centre of the road allowance.

6.3 H – HAMLET DISTRICT

6.3.1 Intent

The objective of the **H** - Hamlet District is to provide for residential development and other appropriate uses in the existing Hamlets of Donavon, Laura and Swanson.

6.3.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are contained in Table 6-3.

6.3.3 Accessory Buildings

- (1) Accessory buildings and uses, except dwelling units, shall be permitted and are subject to Section 4.11.7.

6.3.4 Regulations

- (1) *Site Requirements*

The minimum and maximum site size and yard requirements are shown in Table 6-3.

6.3.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **H** - Hamlet District with regard to Section 3.7.2 General Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals.

6.3.6 Unlicensed Vehicles

- (1) No person shall use any site for the parking or storage of more than one unlicensed vehicles outside of a building or enclosure which is completely screened from view of any adjacent property or public roadway.
- (2) Section (1), above, shall not apply to permitted agricultural implement and automobile sales and service establishments.

6.3.7 Outside Storage

Outside storage, including storage of garbage or waste materials, is subject to the following requirements:

- (1) No outside storage shall be located in the front yard, except for the neatly arranged display of items for sale.
- (2) Outside storage in a side or rear yard shall be screened from adjacent sites by a fence at least 1.9 metres in height, or a combination of fence and soft landscaping screening a minimum of 1.9 metres in height.

- (3) Garbage and waste material shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares.

Table 6-3
H - HAMLET DISTRICT DEVELOPMENT STANDARDS
 for the Rural Municipality of Montrose No. 315

Use	Development Standards						
	Permitted or Discretionary	Subject to Sections	Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Residential Uses							
(1) Bed and breakfast homes	D	4.11.4	464	15	6	1.2	6
(2) Daycare centres	D		464	15	6	1.2	6
(3) Home based businesses	D	4.11.1	464	15	6	1.2	6
(4) Manufactured homes	D		464	15	6	1.2	6
(5) Mobile homes	D		464	15	6	1.2	6
(6) Residential care homes	D		464	15	6	1.2	6
(7) Custodial care facilities	D		464	15	6	1.2	6
(8) Single detached dwellings	P		464	15	6	1.2	6
Commercial Uses							
(1) Agricultural implement and automobile sales and service establishments	D		928	30	0	3	6
(2) Convenience stores	D		232	7.5	0	0	6
(3) Restaurants	D		232	7.5	0	0	6
(4) Retail stores	D		232	7.5	0	0	6
Municipal, Recreational, Institutional and Other Uses							
(1) Community halls	D		464	30	10	3	10
(2) Municipal facilities	P		--	--	--	3	--
(3) Parks and playgrounds	P		--	--	--	3	--
(4) Places of worship	D		464	15	6	1.2	6
(5) Public works, excluding solid and liquid waste disposal sites	P		--	--	--	3	--
(6) Recreation facilities	D		464	15	6	1.2	6
(7) Schools	D		464	15	6	1.2	6

Use Designations:

(P) - Permitted Use

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

(D) - Discretionary Use

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

6.4 C – COMMERCIAL DISTRICT

6.4.1 Intent

The objective of the C - Commercial District is to provide for commercial and Industrial uses in specific areas, with standards for such development.

6.4.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are contained in Table 6-4.

6.4.3 Accessory Buildings

- (1) Accessory buildings and uses, except dwelling units, shall be permitted and are subject to Section 4.11.7.

6.4.4 Regulations

- (1) *Site Requirements*

The minimum and maximum site size and yard requirements are shown in Table 6-4.

6.4.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the C - Commercial District with regard to Section 3.7.2 General Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals.

6.4.6 Outside Storage

Outside storage, including storage of garbage or waste materials, is subject to the following requirements:

- (1) No outside storage shall be located in the front yard, except for the neatly arranged display of items for sale.
- (2) Outside storage in a side or rear yard shall be screened from adjacent sites by a fence at least 1.9 metres in height, or a combination of fence and soft landscaping screening a minimum of 1.9 metres in height.
- (3) Garbage and waste material shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares.

Table 6-4
C - COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
 for the Rural Municipality of Montrose No. 315

Use	Development Standards						
	Permitted or Discretionary	Subject to Sections	Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Residential Uses							
(1) Business dwellings	D	3.7.4 (2)	0.8	60	7.5 ⁽¹⁾	3	3
Commercial and Industrial Uses							
(1) Agricultural implement, recreational vehicle, automobile, marine and manufactured homes sales and service establishments	P		0.8	60	7.5 ⁽¹⁾	3	3
(2) Agricultural related commercial uses	P		0.8	60	7.5 ⁽¹⁾	3	3
(3) Agriculture supplies and equipment sales and service	P		0.8	60	7.5 ⁽¹⁾	3	3
(4) Auction marts, including livestock auctions	P	4.11.11	0.8	60	7.5 ⁽¹⁾	3	3
(5) Bulk fuel, fertilizer, and chemical supply establishments	D	4.11.6	0.8	60	7.5 ⁽¹⁾	3	3
(6) Car and truck washes	P		0.8	60	7.5 ⁽¹⁾	3	3
(7) Construction trades and construction yards	P		0.8	60	7.5 ⁽¹⁾	3	3
(8) General Industrial Use	P		0.8	60	7.5 ⁽¹⁾	3	3
(9) Hazardous Industrial Use	D	3.7.4(5)	0.8	60	7.5 ⁽¹⁾	3	3
(10) Indoor and outdoor storage and rental facilities	P		0.8	60	7.5 ⁽¹⁾	3	3
(11) Lumber yards and building supply establishments	P		0.8	60	7.5 ⁽¹⁾	3	3
(12) Nurseries, greenhouses and garden centres	P		0.8	60	7.5 ⁽¹⁾	3	3
(13) Offices and office buildings	P		0.8	60	7.5 ⁽¹⁾	3	3
(14) Restaurants	P		0.8	60	7.5 ⁽¹⁾	3	3
(15) Service stations and gas bars	P	4.11.5 / 4.11.6	0.8	60	7.5 ⁽¹⁾	3	3
(16) Transportation, trucking and freight handling establishments	P		0.8	60	7.5 ⁽¹⁾	3	3
(17) Veterinary clinics	P		0.8	60	7.5 ⁽¹⁾	3	3
(18) Warehouse, supply depot and storage establishments	P		0.8	60	7.5 ⁽¹⁾	3	3
Municipal, Recreational, Institutional and Other Uses							
(1) Community halls	P		0.8	60	7.5 ⁽¹⁾	3	3
(2) Municipal facilities	P		--	--	--	--	--
(3) Parks and playgrounds	P		--	--	--	--	--

Table 6-4
C - COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
 for the Rural Municipality of Montrose No. 315

	Use	Development Standards						
		Permitted or Discretionary	Subject to Sections	Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(4)	Places of worship	P		0.8	60	7.5 ¹⁾	3	3
(5)	Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--	--
(6)	Recreation facilities	D		0.8	60	7.5 ¹⁾	3	3
(7)	Wind energy facilities	D	4.11.12	--	--	--	--	--

Use Designations:

(P) - Permitted Use

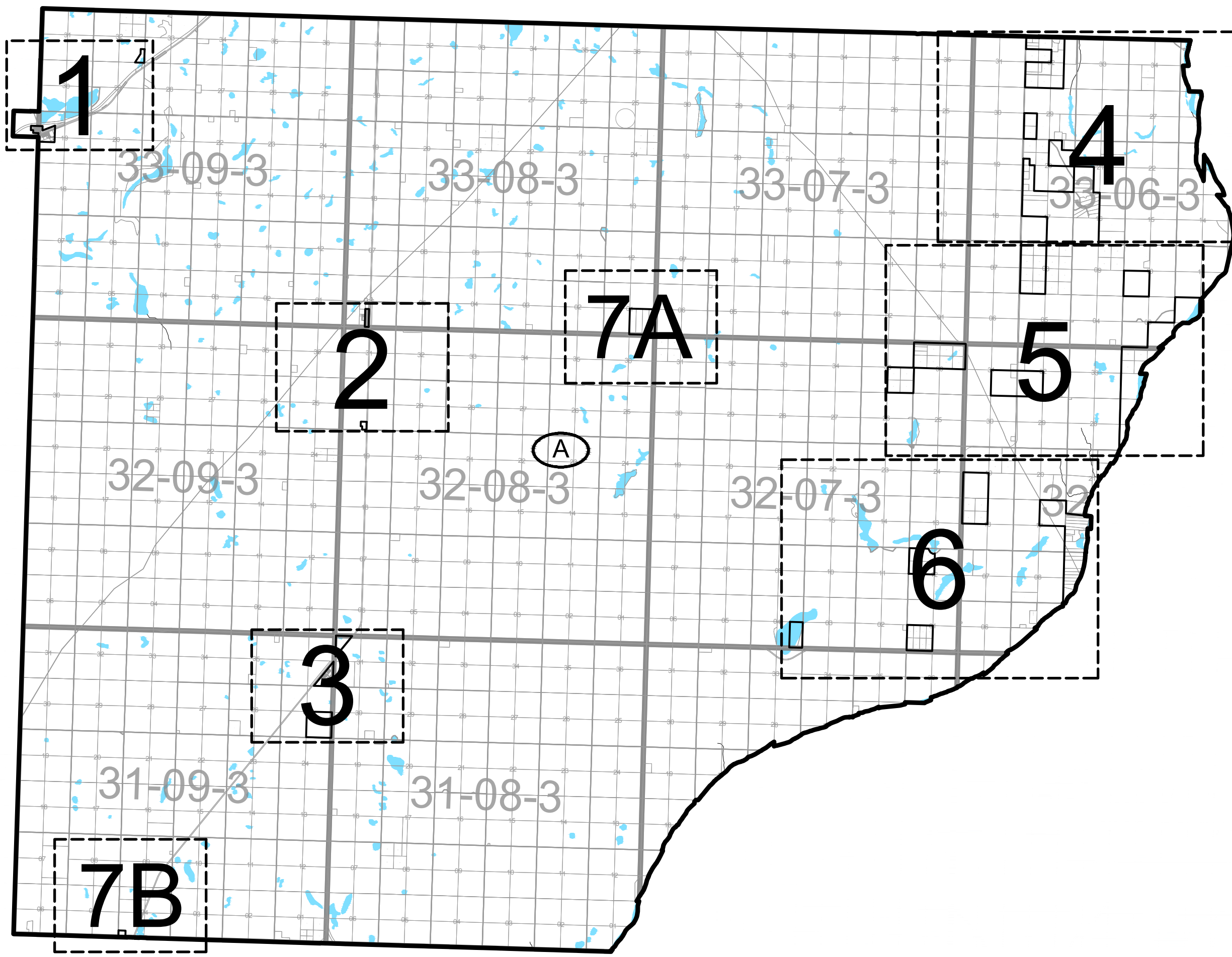
Means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

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

Special limitation and standards regarding Table 6-4 and the C - Commercial District:

- (1) The minimum front yard setback for sites which front on internal subdivision road shall be 7.5 metres from the front property line. The minimum front yard setback for sites which front on a road other than an internal subdivision road shall be 45 metres from the centre of the road allowance.



Rural Municipality of
Montrose No. 315
SASKATCHEWAN

ZONING DISTRICT MAP

ZONING DISTRICTS

- (A) AGRICULTURE
- (AR) AGRICULTURAL RESIDENTIAL
- (H) HAMLET
- (C) COMMERCIAL

Detailed Map Sheet

• This is the Zoning District Map which accompanies Bylaw Number _____ adopted by the Rural Municipality of Montrose No. 315.

Reeve _____

Administrator _____

• Approved on the _____ day of _____.

Minister
Saskatchewan Government Relations

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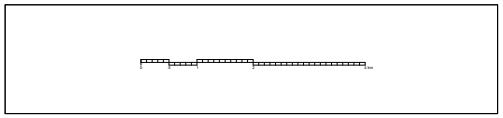
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Rural Municipality of
Montrose No. 315
SASKATCHEWAN

ZONING DISTRICT MAP

ZONING DISTRICTS

- (A) AGRICULTURE
- (AR) AGRICULTURAL RESIDENTIAL
- (H) HAMLET
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• This is the Zoning District Map which
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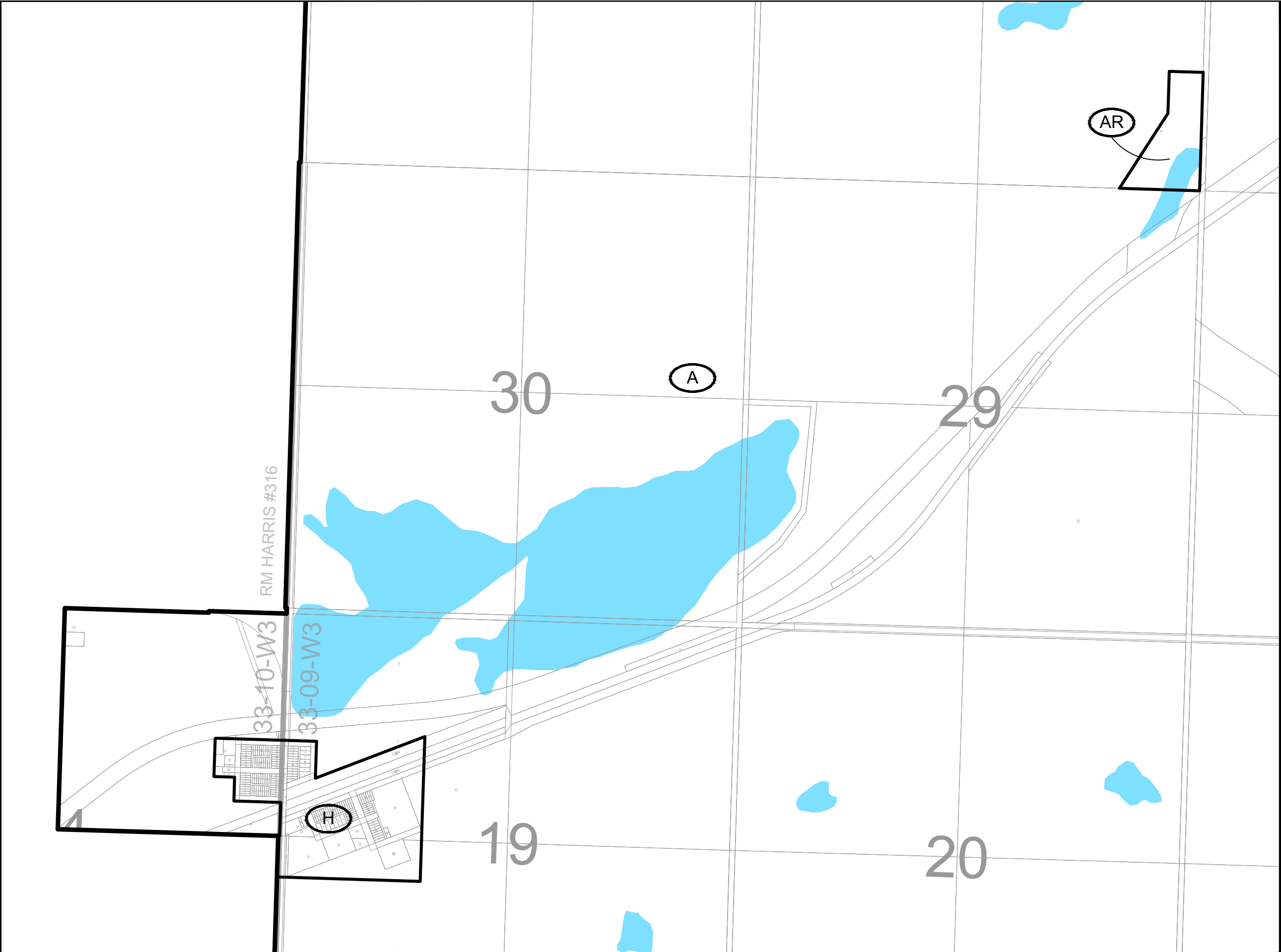
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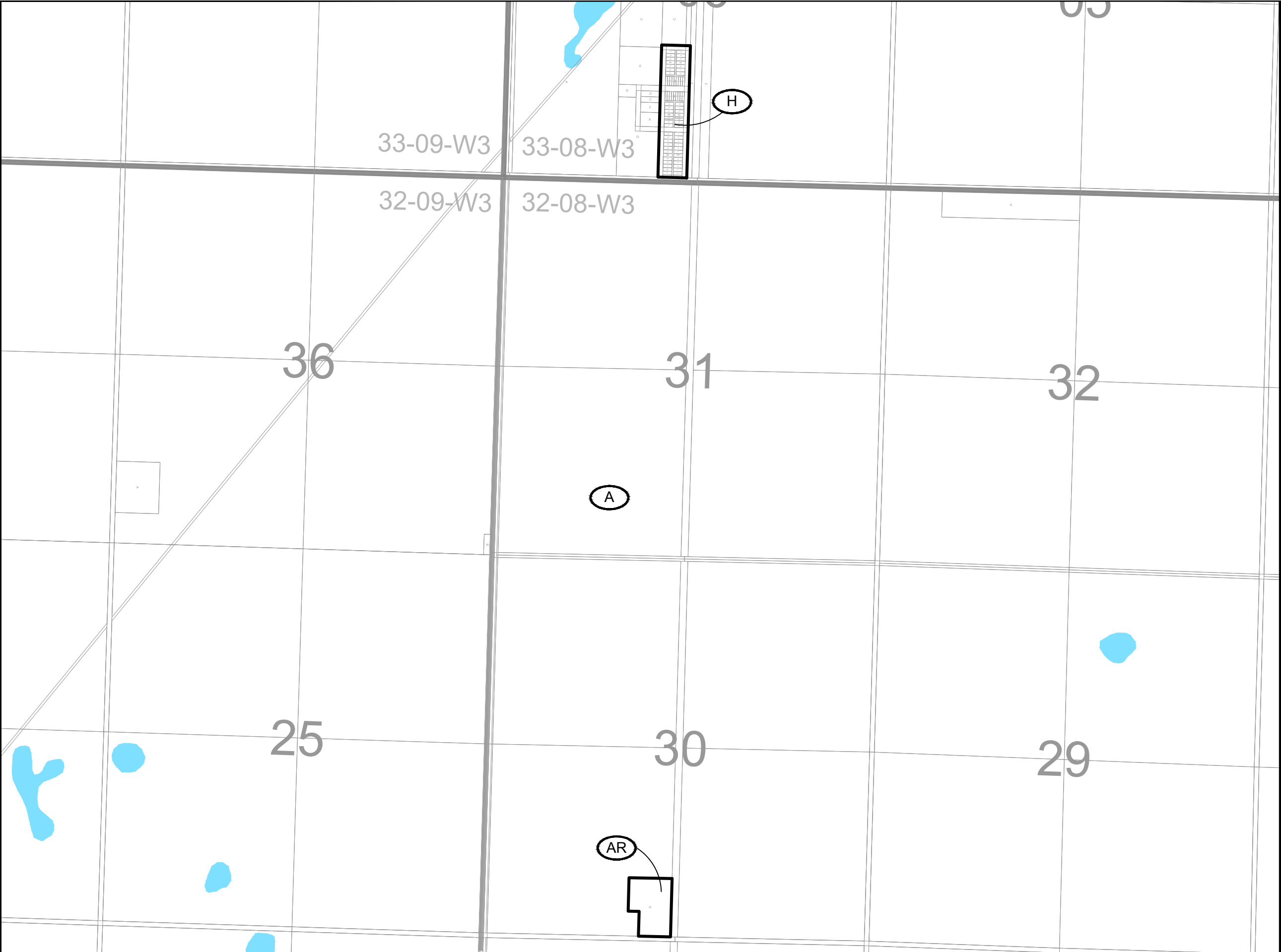
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Rural Municipality of
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ZONING DISTRICT MAP

ZONING DISTRICTS

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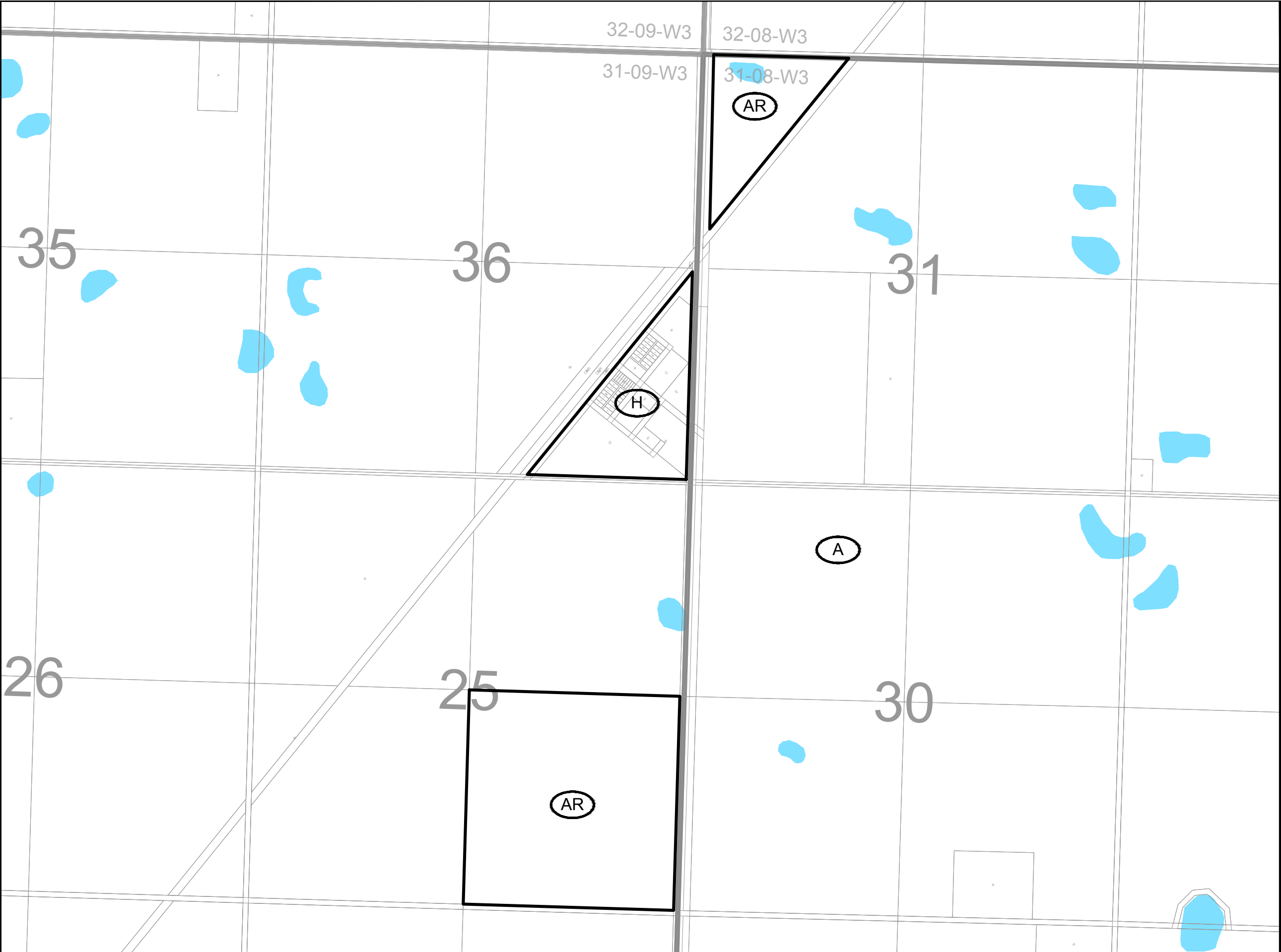
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Rural Municipality of
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ZONING DISTRICT MAP

ZONING DISTRICTS

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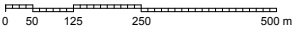
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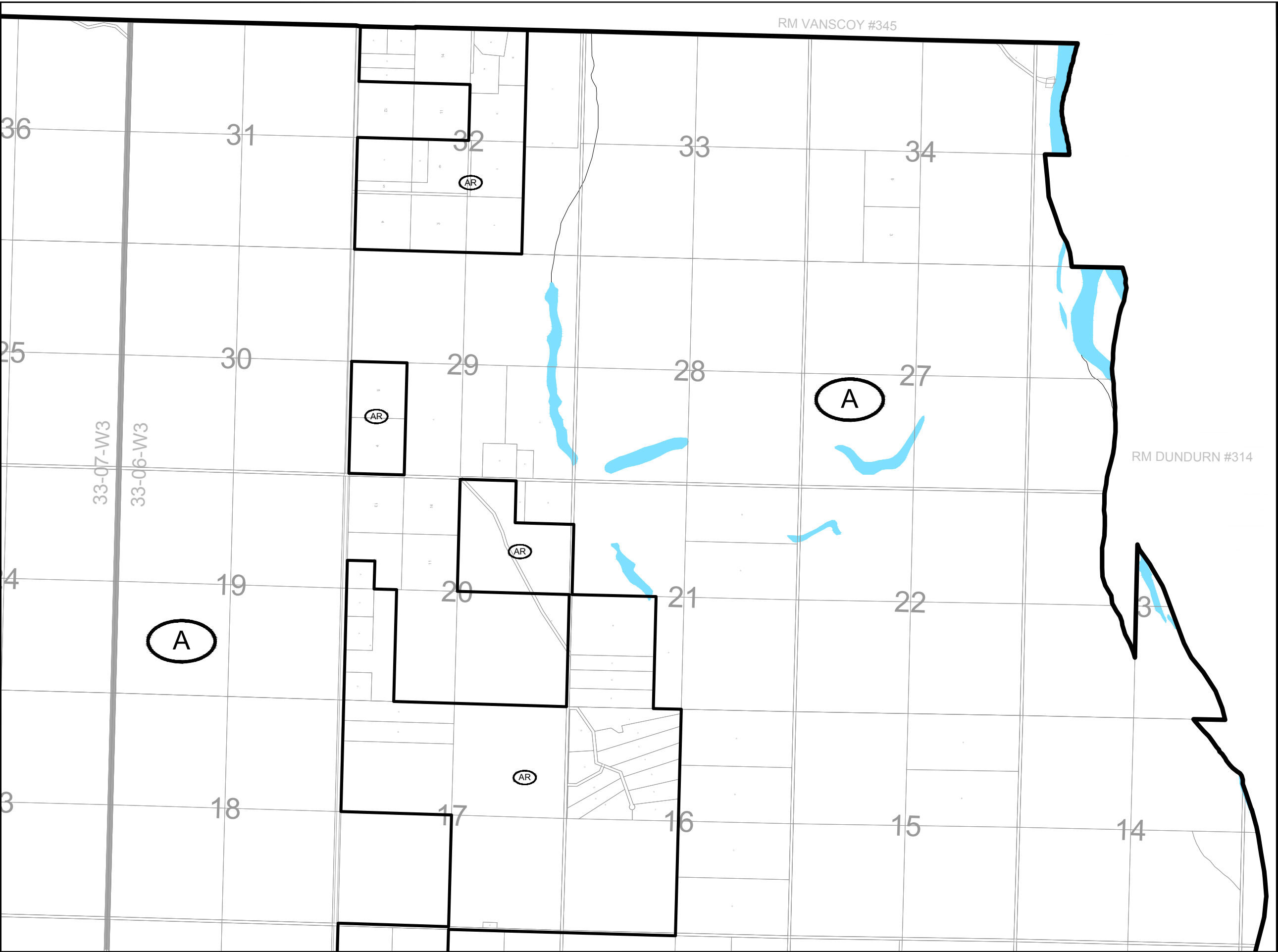
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Rural Municipality of
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SASKATCHEWAN

ZONING DISTRICT MAP

ZONING DISTRICTS

A

AGRICULTURE

AR

AGRICULTURAL RESIDENTIAL

H

HAMLET

C

COMMERCIAL

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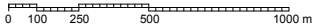
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Rural Municipality of
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ZONING DISTRICT MAP

ZONING DISTRICTS

- ☐ A AGRICULTURE
- ☐ AR AGRICULTURAL RESIDENTIAL
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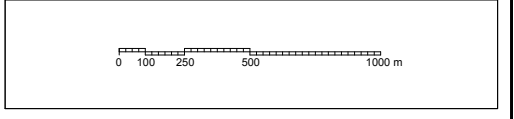
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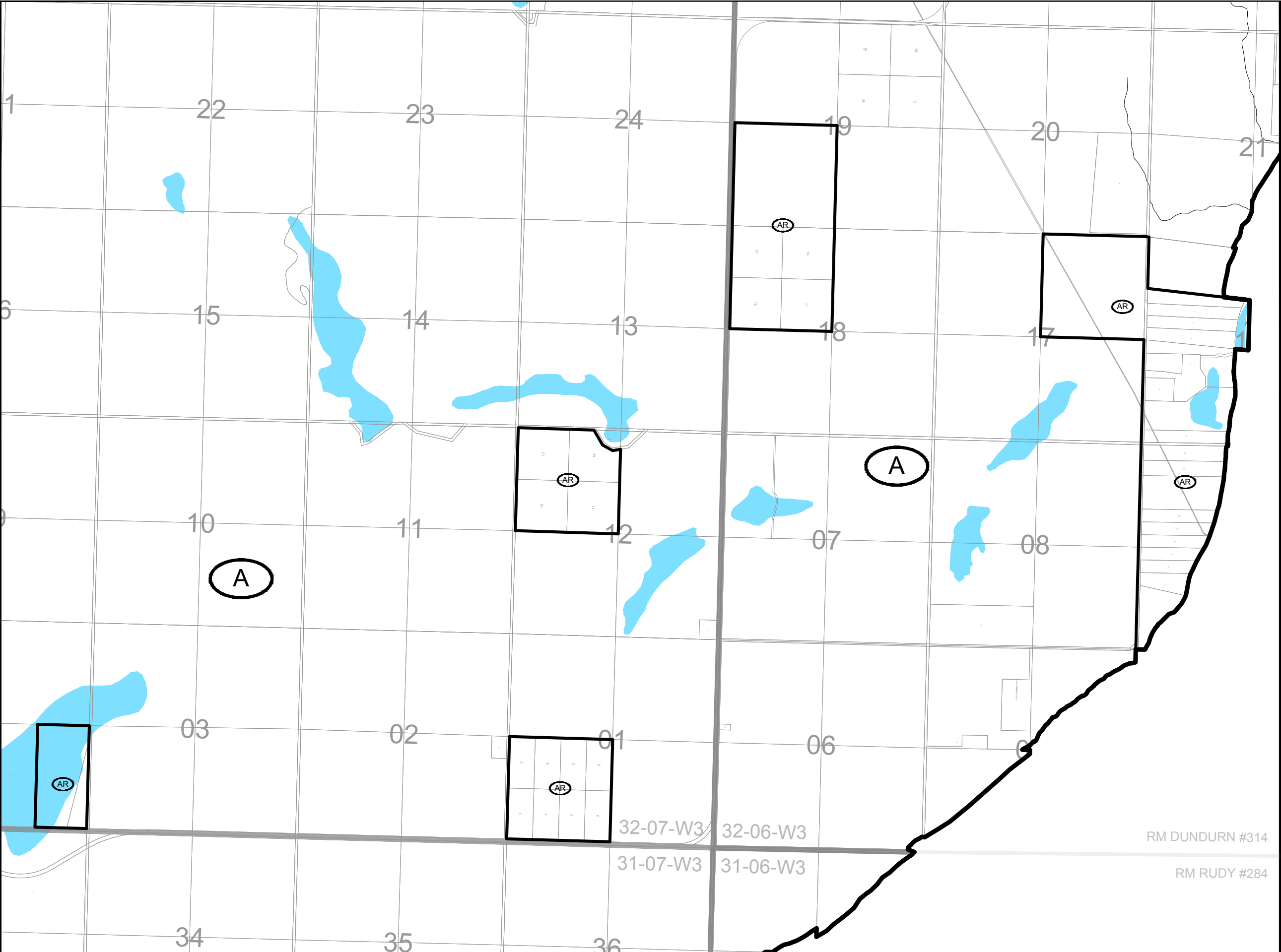
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Rural Municipality of
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ZONING DISTRICT MAP

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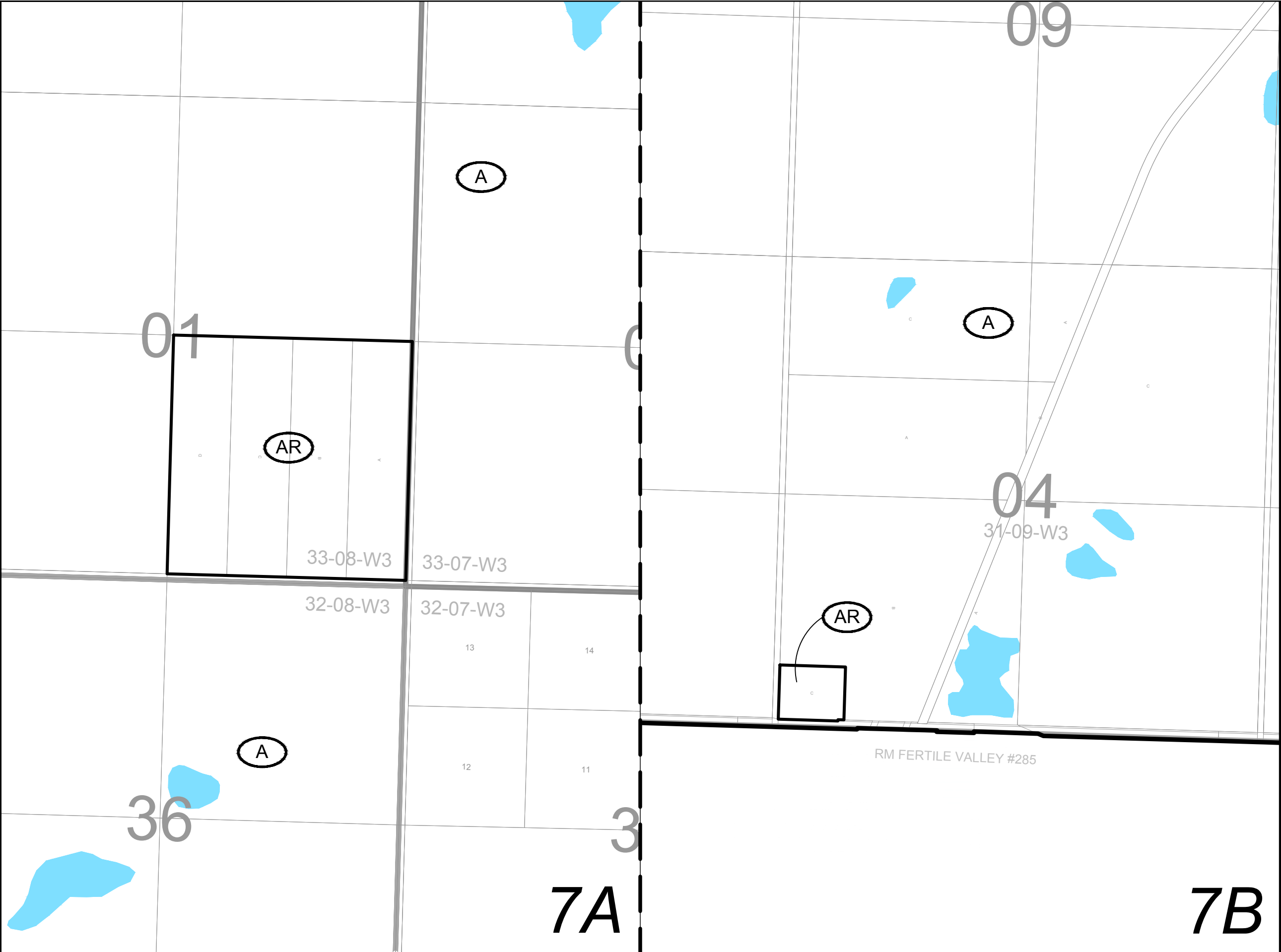
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ZONING DISTRICT MAP

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