

**RM OF LIVINGSTON NO. 331**

**SASKATCHEWAN**



**Zoning Bylaw**

**Bylaw No. 2022-02**

**RM Livingston No. 331**

**Bylaw No. 2022-02**

**Zoning Bylaw**

1. Pursuant to Section 45 of *The Planning and Development Act, 2007*, the Council of the RM of Livingston No. 331 hereby adopts Schedule A, known as the Zoning Bylaw, which is attached to, and forms part of, this Bylaw.
2. This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a first time this 11<sup>th</sup> day of May, 2022.

Read a second time this 13<sup>th</sup> day of July, 2022.

Read a third time and passed this 13<sup>th</sup> day of July, 2022.

CERTIFIED a true copy of Bylaw No. 2022-02

Adopted by Resolution of Council on

July 13<sup>th</sup>, 2022.

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REEVE

SEAL

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ADMINISTRATOR

**Schedule A**

Rural Municipality of Livingston No. 331

Zoning Bylaw

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# 1 INTRODUCTION

## 1.1 AUTHORITY

Under the authority granted by *The Planning and Development Act, 2007* (PDA), the Reeve and Council of the Rural Municipality of Livingston No. 331 (RM) in the Province of Saskatchewan, in open meeting, hereby enact as follows:

## 1.2 TITLE

This Bylaw shall be known as the “Zoning Bylaw of the RM of Livingston No. 331” (Bylaw).

## 1.3 PURPOSE

The purpose of this Bylaw is to regulate development and to control the use of land in the RM in accordance with the Official Community Plan.

The intent of this Bylaw is to provide for the amenity of the area within the RM and for the health, safety, and general welfare of the inhabitants:

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

## 1.4 SCOPE

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

## 1.5 SEVERABILITY

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

## 2 ADMINISTRATION

### 2.1 DEVELOPMENT OFFICER

- a) The Administrator of the RM shall be the Development Officer responsible for the administration of this Bylaw, or in his/her absence an employee of the Municipality appointed by the Administrator; or someone appointed by the Council to act as a Development Officer to administer this Bylaw.
- b) The Development Officer shall:
  - i. Maintain for inspection by the public and during office hours, a copy of this Bylaw, zoning map(s), and any amendments made to this Bylaw. Ensure copies of the bylaw are available to the public at a reasonable cost.
  - ii. Make available, for public inspection during office hours, a register of all development permits, minor variances, and subdivision applications and decisions.
  - iii. Collect development fees, according to the fee section of this Bylaw or the fee schedule established by a separate municipal fee bylaw.
  - iv. Be authorized to finalize and issue decisions on development permits for permitted uses.
  - v. Perform other duties as determined by Council.
- c) The Development Officer shall receive, record, review and forward to Council:
  - i. Development permit applications for discretionary uses;
  - ii. Applications to amend the Official Community Plan or the Zoning Bylaw.
  - iii. Subdivision applications.
  - iv. Development, development levy and servicing agreements.
  - v. Applications for minor variances.

### 2.2 COUNCIL

- a) Council shall make all decisions regarding discretionary uses, development agreements, development levy agreements, servicing agreements, and amendments to the planning bylaws.
- b) Council shall review all subdivision application circulated to it by the Ministry of Government Relations. Council shall endeavour to submit, to the Ministry, a recommendation regarding the subdivision within the prescribed time period.
- c) Council shall act on applications for a discretionary use, bylaw amendment, and subdivision in accordance with the procedures established by the PDA and in accordance with the Official Community Plan.

## 2.3 INTERPRETATION

- a) Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.
- b) All measurements in the Bylaw shall be based on the stated metric units. The imperial units shown in this Bylaw shall be approximate guidelines for reference.
- c) No existing development or site shall be deemed non-conforming due to non-compliance with the metric units used in the Zoning Bylaw.

## 2.4 BYLAW COMPLIANCE

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

## 2.5 DEVELOPMENT NOT REQUIRING A PERMIT

- a) The following developments shall be exempt from development permit requirements, but shall conform to all Bylaw requirements (e.g., building permits, setbacks, environmental and development standards):
  - i. All zoning districts except the Provincial Forest District:
    - a. Accessory Uses: all buildings or structures which are no more than 9.3 square metres (100 square feet) in area and which will be accessory to a lawful use within the zoning districts established by this Bylaw. The accessory use shall comply with all requirements of this Bylaw.
    - b. The temporary placement of a trailer, tool shed, scaffold, or other equipment incidental to an approved construction site for which a development and/or building permit has been issued. All construction equipment and uses shall be removed as soon as is practical after construction activities cease.
    - c. The erection of any television antennae, radio antennae or a transparent fence or gate up to 4 metres in height. Solid fences, which are greater than 4.0 metres in height, or which could interfere with a sight line, shall require a permit.
    - d. The use of all or part of a building as a temporary polling station, returning officer's headquarters, candidates' campaign offices and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census.
    - e. Internal alterations and maintenance to buildings, including mechanical or electrical work, provided that the use, or intensity of use of the building, does not change or an increase in the number of dwelling units within the building or on the site.
    - f. Landscaped areas, driveways and parking lots, provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted.

- g. Signs with a facial area of 3 square metres or less are exempt from development permit requirements. Signs with a facial area greater than 3 square metres require a development permit.
- h. Public utilities and facilities, buildings and uses undertaken, erected, or operated by the Municipality.
- i. Petroleum or natural gas exploration wells or extraction wells are exempt only where legal and physical access to the proposed well site has been previously approved by the RM. Related facilities such as storage batteries shall require a development permit.
- j. Gravel extraction for public utilities and municipal uses
- k. Home offices
- ii. Agricultural Resource District:
  - a. The planting, management and harvesting of field crops and gardens.
  - b. The management of pastures, which are not part of an Intensive Livestock Operation (ILO) as described in subsection 4.31 of this Bylaw.
  - c. Uses, structures, and buildings, which are part of an approved agricultural use, provided they are not part of an ILO, or used to house humans or animals.
  - d. Drainage works, provided the developer obtains approval from the Water Security Agency. The developer shall provide the RM with a copy of the written provincial approval.

## 2.6 APPLICATION FOR A DEVELOPMENT PERMIT

- a) Unless the proposed development or use is exempt from development permit requirements, no person shall commence a development without an approved development permit. Prior to beginning any development, every developer shall complete and submit to the Development Officer a completed development permit application.
- b) The development permit application shall be in the form prescribed by the Development Officer and shall include all that apply:
  - i. A description of the intended use or proposed development, including any change in building use or land use;
  - ii. Legal land description;
  - iii. The signature(s) of the applicant and registered landowner(s);
  - iv. A copy of the Certificate of Title;
  - v. Estimated commencement and completion dates, including any proposed phasing;
  - vi. With the exception of agricultural buildings, floor plans and elevations of the proposed development, approved plans will be kept on record at the municipal office for future reference, agricultural developments are exempt from providing floor plans (ILOs are exempt, but residences associated with farm operations shall provide floor plans);

- vii. Written evidence that the Saskatchewan Health Authority, or Water Security Agency, has approved the water supply and method of sewage disposal, or evidence that an application for approval has been submitted to the relevant regulatory agent. If approval has not been obtained at the time of application, the approval of such systems may be included as a condition of development permit approval.
- viii. Technical reports or studies including but not limited to:
  - a. Flood risk assessment
  - b. Geotechnical report
  - c. Hydrogeological reports
  - d. Wildlife or habitat studies
- ix. An attached site plan, which shall include:
  - a. All adjacent roads, highways, service roads and access to the site (label on site plan);
  - b. Rights-of-way and easements (gas, oil, power, drainage, etc.);
  - c. All drainage courses;
  - d. Existing development on the site;
  - e. Location of proposed development;
  - f. Landscaping details (existing trees, removal of trees, proposed plantings, berms, water features, etc.);
  - g. Setbacks to the property line, road, services, and other buildings on-site;
  - h. Water bodies and the top of the bank;
  - i. Location of existing and proposed services: well or cistern and method of sewage disposal;
  - j. Signs: location and details like artwork, colors, size, lights, etc.;
  - k. Parking and loading facilities;
  - l. Sidewalks, patios, playgrounds;
  - m. North arrow; and
- x. Any additional information deemed necessary by the Municipality.

## 2.7 REFERRAL OF APPLICATION

- a) Upon receipt of any application and prior to finalizing a decision, the Development Officer may refer the application to Council for a decision on the interpretation of the Bylaw or regarding special conditions provided for in the Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide any further information deemed necessary to render a decision.

- b) The Development Officer may refer an application to any internal or external departments, government agencies, planning, engineering, legal, or other professionals or organizations for review or comment prior to finalizing a decision on the application.
- c) The cost and completion of any external review or required study shall be the responsibility of the developer.
- d) The Development Officer shall maintain a record of all approved development permit applications that involve the installation of water and sanitary services, should provincial officials request such information under the *Public Health Act, 1994*.

## 2.8 PROCEDURES FOR ISSUING A DEVELOPMENT PERMIT

- a) Applicants shall submit to the Development Officer, the prescribed application form, site plan(s), fees, and supplementary information as required by the Development Officer.
- b) Upon receipt of an application for a development permit, the Development Officer shall determine if the proposal is permitted, discretionary or prohibited.

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### 2.8.1 PERMITTED USE

- a) The Development Officer shall be authorized to issue a decision on a development permit application for a permitted use.
- b) Upon receipt of an application for a permitted use, and prior to finalizing a decision, the Development Officer may refer the application for review and comment.
- c) The Development Officer will issue a development permit, in writing, when the application conforms to the Zoning Bylaw. The permit will include any special regulations, performance standards, or development standards authorized by this Bylaw, and the effective date of the decision.
- d) The Development Officer will issue a refusal, in writing, when the application does not comply with a provision or regulation of this Bylaw.

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### 2.8.2 DISCRETIONARY USE

- a) Upon receipt of an application for a discretionary use, and prior to finalizing a decision, the Development Officer may refer the application for review and comment.
- b) The Development Officer will prepare a report for Council regarding the discretionary use application. The report shall discuss, or examine, the criteria for consideration of the discretionary use. The application and the report will be submitted to Council for a decision.
- c) At least seven (7) days before Council is to hold a public hearing and consider the application, the Development Officer shall provide notice to the public of the discretionary use application. The notice must be:

- i. Sent by mail to the assessed owners of property within 1.6 kilometre (1 mile) of the boundary of the applicant's land;
  - ii. Posted at the municipal office;
  - iii. Posted on the municipal website, if the RM has a website; and
  - iv. Sent to any other person the Development Officer deems appropriate.
- d) Council shall finalize a decision on a discretionary use, by resolution of Council. The decision shall approve, approve with development standards or conditions, or refuse the discretionary use on the site. Council shall then instruct the Development Officer:
- i. To issue a development permit, in writing, when the application conforms to the Zoning Bylaw. The permit will include any special regulations, performance standards, or development standards authorized by this Bylaw, and the effective date of the decision.
  - ii. To issue a notice of refusal in writing to the applicant stating the reasons for the refusal, referencing the specific discretionary use criteria the application did not meet.

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2.8.3 REFUSAL OF DEVELOPMENT PERMIT APPLICATION (PERMITTED OR DISCRETIONARY USE)

- a) An application for a development permit shall be refused if it does not comply with all relevant Zoning Bylaw requirements.
- b) The reasons for a development permit refusal shall be stated on the written notice of decision.
- c) The applicant shall be notified of its right to appeal the decision to the local Development Appeals Board in accordance with the requirements of the PDA.

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2.8.4 PROHIBITED USE

- a) If the proposed development is not listed as a permitted or discretionary use in the applicable zoning district, it is considered a prohibited use.

2.9 DEVELOPMENT PERMIT FOR A TEMPORARY USE

- a) The Development Officer may issue a development permit for a temporary use, with specified conditions, for a specified period of time, to accommodate temporary uses or developments. incidental to approved construction, temporary accommodation, temporary gravel operations or asphalt plants, or other appropriate temporary uses.
- b) Every temporary use shall be approved for a specified period of time. Unless otherwise stated in this bylaw, a temporary use shall not exceed twelve (12) months.
- c) Where a development permit for a temporary use has expired, the permit may be renewed for up to twelve (12) months:

- i. In the case of a permitted use, at the discretion of the Development Officer;
  - ii. In the case of a discretionary use, by resolution of Council (public notice requirements apply).
- d) Upon expiration of the period for which the temporary use was approved, the use shall be discontinued and all temporary structures removed.
  - e) A temporary use must meet the zoning requirements of the applicable zoning district.
  - f) Council may, at its discretion, revoke a temporary development permit should the use violate any of the permit conditions.
  - g) Permanent structures shall not be permitted as part of a permit for a temporary use.

## 2.10 PERMITS FOR ACCESSORY USES

- a) Unless exempted in accordance with this Bylaw, accessory uses shall require a development permit.
- b) Unless otherwise exempted in a zoning district, all accessory buildings, even those exempted from requiring a permit, shall be required to conform to the front, side, and rear yard setbacks of that district.

## 2.11 MOVING AND DEMOLITION OF BUILDINGS

- a) Unless a building is exempt from permit requirements, no building shall be moved into, out of or within the area covered by this Bylaw without first obtaining a development permit from the Development Officer.
- b) No building shall be demolished without first obtaining a development permit from the Development Officer. Such permit shall not be issued unless a proposal for the interim or long-term use or redevelopment of the site is also submitted, and the proposed use is in conformity with this Bylaw. A separate development permit is required for any redevelopment of the site.
- c) Application fees shall be in accordance with the fee section of this Bylaw or the Municipal Fee Bylaw.
- d) An applicant for a demolition permit for a dwelling or water well may be required to fill, grade, fence or follow other special permit conditions for public and environmental safety reasons.

## 2.12 VALIDITY OF A DEVELOPMENT PERMIT

- a) Unless otherwise stated, a development permit is valid for a period of twelve (12) months.
- b) A development permit shall be cancelled or revoked and an order to stop development may be issued, as the case may be:

- i. If the proposed development is not commenced within the period for which the permit is valid;
- ii. If the proposed development is legally suspended, or discontinued, for a period of six (6) or more months, unless otherwise indicated by Council or the Development Officer;
- iii. If the development is undertaken in contravention of this Bylaw, the development permit and/or specified development standards;
- iv. When the Development Appeals Board receives a written appeal notice regarding the development permit.

### 2.13 CANCELLATION OF DEVELOPMENT PERMIT

- a) Council or the Development Officer may cancel a development permit, and when cancelled, and an order to stop to development may be issued:
  - i. Where the Development Officer or Council is satisfied that a development permit was issued based on false or mistaken information;
  - ii. Where new information is identified pertaining to environmental protection, flood potential, or slope instability; and/or
  - iii. When a developer requests a development permit modification.

### 2.14 PERMIT REISSUANCE

- a) A development permit may be re-issued in its original, or modified, form where a new development permit application conforms to the provisions of this Bylaw.

### 2.15 BUILDING PERMITS, LICENSES, AND COMPLIANCE WITH LEGISLATION

- a) Nothing in this Bylaw shall exempt any person from complying with the Municipal Building Bylaw or any other municipal bylaw.
- b) In addition to the requirements of this Bylaw, an applicant must comply with all federal and provincial legislation and regulations.
- c) A building permit, where required, shall not be issued for a development unless a required development permit has been issued, or is issued concurrently. A building permit issued before a development permit has been issued is not valid until the required development permit has been issued and has taken effect.

### 2.16 ENFORCEMENT

- a) The Development Officer may, at all reasonable times, and with the consent of the owner, operator, or occupant, enter any land, building, or premises for the purposes of inspection if the Development Officer has reasonable grounds to believe that provisions of this Bylaw are not being complied with, and for the purpose of carrying out their duties under this Bylaw.

- b) Pursuant to Section 242 of the PDA, the Development Officer may issue a written order to the owner, operator, or occupant of the land, building or premises for any contravention to this Zoning Bylaw or the Official Community Plan.
- c) Any person who violates this Zoning Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties outlined in Section 243 of the PDA.

## 2.17 DEVELOPMENT APPEALS BOARD

- a) Council shall appoint a Development Appeals Board (the Board), or join a District Development Appeals Board, in accordance with Sections 49 and 214 to 218 of the PDA.
- b) The composition of the Board, the secretary, remuneration and expenses, powers, duties and responsibilities shall be as per Council's policy or bylaw, which shall be adopted by resolution.
- c) The following decisions may be appealed to the Board:
  - i. The approval of a development permit, where it is alleged the Development Officer misapplied this Zoning Bylaw in approving the proposal;
  - ii. The refusal, by the Development Officer, to issue a development permit because the proposal contravenes this Zoning Bylaw;
  - iii. The development standards or conditions attached to Council's approval of a discretionary use; or
  - iv. An order to repair or correct contraventions under a nuisance bylaw adopted under *The Municipalities Act* (Sections 364 and 365) or a zoning bylaw adopted under the PDA (Section 242).
- d) The following decisions may not be appealed to the Board:
  - i. The refusal of a discretionary use application;
  - ii. The refusal of a Zoning Bylaw amendment including rezoning; or
  - iii. A decision concerning a subdivision application.
- e) Anyone applying for an appeal must send written notice of appeal to the Secretary of the Board within the time frames established by the PDA:
  - i. Thirty (30) days of a Development Officer's decision being issued;
  - ii. Thirty (30) days of the failure of a Council to finalize a decision;
  - iii. Thirty (30) days of receiving a permit with terms and conditions; or
  - iv. Fifteen (15) days if appealed under *The Municipalities Act*, or thirty (30) days under the PDA, of an order being served to repair or correct contraventions.
- f) In making an appeal to the Board, and hearing such appeal, the provisions of the PDA shall apply.

## 2.18 MINOR VARIANCES

- a) The Development Officer may vary the requirements of this Bylaw, subject to the following:
  - i. A minor variance may be granted for the following only:
    - a. The minimum required distance of a building from a lot line; and
    - b. The minimum required distance of a building from any other building on the lot.
  - ii. The maximum amount of a minor variance shall be 10% from the requirements of this bylaw.
  - iii. The development must otherwise comply with the Zoning Bylaw.
  - iv. The relaxation of the bylaw requirements must not injuriously affect a neighbouring property.
  - v. A minor variance shall not be granted for a discretionary use or form of development, or in connection with a contract zone agreement entered into pursuant to Section 69 of the PDA.
  - vi. A minor variance shall only be granted for a residential use.
- b) An application form for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by the prescribed application fee.
- c) Upon receipt of a minor variance application, the Development Officer may:
  - i. Approve the minor variance;
  - ii. Approve the minor variance with terms and conditions on the approval; or
  - iii. Refuse the minor variance.
- d) Terms and conditions imposed by the Development Officer shall be consistent with the general intent of this bylaw.
- e) Where a minor variance is refused, the Development Officer shall notify the applicant in writing and provide reasons for the refusal.
- f) Where a minor variance is approved, with or without terms, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.
- g) The written notice shall contain:
  - i. A summary of the application;
  - ii. Reasons for, and an effective date, of the decision;
  - iii. Notice that an adjoining assessed owner has twenty (20) days to lodge a written objection with the Development Officer, which, if received, will result in the approval of the minor variance being revoked; and

- iv. Where there is an objection and the approval is revoked, the applicant shall be notified of the right to appeal to the Development Appeals Board.
- h) Written notice of the decision shall be delivered by registered mail or personal service, and by any other method deemed appropriate by the RM.
- i) A decision to approve a minor variance, with or without terms and conditions, does not take effect:
  - i. Until twenty-three (23) days from the date the notice was mailed, in the case of notice sent by registered mail.
  - ii. Until twenty (20) days from the date the notice was served, in the case of notice delivered by personal service.
- j) If an assessed owner of property adjoining the applicant's land, objects to the minor variance, in writing, to the Development Officer within the time periods prescribed in clause 2.18 (i), the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:
  - i. Of the revocation of the approval; and
  - ii. Of the applicant's right to appeal the revocation to the Development Appeals Board within thirty (30) days of receiving the notice.
- k) If an application for a minor variance is refused or approved with terms or conditions, the applicant may appeal the refusal or the terms and conditions to the Development Appeals Board within thirty (30) days of the date of that decision.
- l) The Municipality will maintain a record of all decisions regarding applications for minor variances.

## 2.19 AMENDING THE PLANNING BYLAWS

- a) Any person who seeks to amend this Zoning Bylaw must apply to the Development Officer for an amendment. The Development Officer shall review the application for conformity with the Official Community Plan and this Zoning Bylaw. The Development Officer will then refer the application to Council for consideration.
- b) The application for a zoning amendment is subject to fees as set out in subsection 2.21 of this Bylaw or in the fee schedule established by a separate municipal fee bylaw.
- c) Prior to Council's review, the Development Officer may refer the amendment application to any internal or external departments or organizations for review or comment (i.e. federal or provincial government, qualified professional, interested stakeholder groups, etc.).
- d) The process for public notification and public participation during the bylaw adoption process shall be as per Part X of the PDA.

- e) Premature rezoning of land for development shall not be common practice.
- f) Council shall consider amendments to the planning bylaw(s) to accommodate development proposals, only when specific development applications, subdivision applications, servicing agreements, and other required information, have been presented to and reviewed by Council.

## 2.20 AGREEMENTS

- a) Council may require the proponent of a subdivision or development permit application to enter into a servicing agreement or development levy agreement, respectively. The agreement should ensure conformity with the Official Community Plan and this Bylaw and ensure adequate financing for on-site and off-site infrastructure as per the PDA.
- b) By entering into a servicing or development levy agreement, Council will ensure there is adequate municipal infrastructure and public facilities to support a proposed development. The agreement may address sewage disposal, garbage disposal, availability and adequacy of water, recreational facilities, etc.
- c) Council may require the applicant to post and maintain a performance security, irrevocable letter of credit or similar legal mechanism to ensure performance and to protect municipal and public interests.
- d) Council may require the applicant to provide and maintain liability insurance to protect the applicant, municipality and the public.

## 2.21 FEES AND ADVERTISING

- a) Where an application is made to Council for an amendment to this Bylaw, the Official Community Plan, or for a development permit or minor variance, the applicant making the request shall bear the actual cost of advertising, as permitted by the PDA. In addition, the applicant shall pay all costs incurred as a result of a professional review of the application and in carrying out a public hearing.
- b) Pursuant to Section 51 of the PDA, the municipality may adopt a separate fee bylaw. Such bylaw would establish a schedule of fees to be charged for planning and development.

### 3 GENERAL REGULATIONS

Subject to provincial and federal legislation, the following regulations shall apply to all zoning districts in the RM of Livingston No. 331.

#### 3.1 HAZARD LANDS

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##### 3.1.1 POTENTIAL HAZARD LANDS

- a) Hazard land includes areas known, or with the potential, to be prone or subject to:
  - i. Flooding;
  - ii. Poor drainage;
  - iii. Slope instability
  - iv. Erosion;
  - v. Wildfires; or
  - vi. Land with similar constraints.

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##### 3.1.2 PROFESSIONAL ASSESSMENTS

- a) Where a development is proposed in an area identified on the Opportunities and Constraints Map as Environmentally Sensitive/Hazard Potential, Potential Wildfire Hazard Area, where development is proposed adjacent to a water body or water course, or where local knowledge identifies the potential for hazard, Council may require the applicant to submit sufficient supporting information to determine if the development is appropriate for the site. Such proposals, and the supporting information, may be referred to federal or provincial departments, or other relevant environmental or professional agencies, for comment prior to finalizing a decision.
- b) Supporting information shall be in the form of a report or an assessment, the cost of which shall be borne by the developer. The report shall be prepared by a qualified professional, and should assess the suitability of the site for the proposed development. The report should address:
  - i. The potential for flooding and the locations (elevations) of the floodway and flood fringe of the 1:500-year flood events;
  - ii. The potential for slope instability before and after the development and any proposed improvements (geotechnical report);
  - iii. The suitability of the location for the proposed use or building, given the site constraints;
  - iv. Any other potential environmental hazards;
  - v. Actions to avoid, prevent, mitigate or remedy hazards, which will be incorporated as a condition of a development permit.

- c) A development permit will be refused if the developer's proposed mitigation measures are inadequate to address the adverse conditions or will result in excessive municipal costs.

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### 3.1.3 FLOOD HAZARD

- a) Development of new buildings, and additions to buildings, will be prohibited in the flood way of the 1:500-year flood elevation of any watercourse or water body.
- b) Flood proofing of new buildings and additions to buildings to an elevation of 0.5 metres (1.64 feet) above the 1:500-year flood elevation of any watercourses or water bodies will be required in the flood fringe.
- c) For the purpose of this Bylaw, appropriate flood proofing measures shall mean:
  - i. That all buildings shall be designed to prevent structural damage by flood waters;
  - ii. The first-floor joist of all buildings shall be constructed above the estimated safe building elevation as determined by a qualified professional; and
  - iii. All electrical and mechanical equipment within a building shall be located above the estimated safe building elevation.

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### 3.1.4 SLOPE INSTABILITY

- a) For the purpose of this Bylaw, the area considered to present potential erosion and/or slope instability hazard includes, but is not limited, to the slopes of watercourses, creeks, or any other tributary creeks and gullies extending from the edge of the flood plain, to the ridge of the slope at the top, plus a setback of 50 metres (164 feet).
- b) New development shall not be permitted on any readily eroded or unstable slope area if the proposed development combined with proposed mitigation measures will be affected by, or increase, the potential hazard presented by erosion or slope instability.
- c) If a geotechnical report or site assessment is not provided, or having been provided, Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, Council shall not be required to approve the application for development.

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### 3.1.5 WILDFIRE MANAGEMENT

- a) Any development or use of land within the Potential Wildfire Hazard Area as shown on the Opportunities and Constraints Map shall conform to the requirements of *The Wildfire Act* and *The Wildfire Regulations*.
- b) Council may require applicants of permit applications within this area to consult with the Ministry of Environment and/or the Saskatchewan Public Safety Agency. The developer shall provide a copy of the provincial decision to the RM.

- c) The RM may refer development permit applications within this area to the Ministry of Environment or the Saskatchewan Public Safety Agency for review and comment prior to issuing a decision.

### 3.2 GROUNDWATER PROTECTION

- a) No development or use of land shall be permitted where the proposal will adversely affect groundwater.
- b) If, in the opinion of Council, the groundwater would be adversely affected, a professional report shall be prepared at the cost of the developer. The report shall determine whether the proposed development would adversely affect the groundwater resource, the stability of the land, and include conditions under which appropriate development may be approved. Council shall make a recommendation for development based on the recommendations including municipal servicing and costs.

### 3.3 WATER SUPPLY AND WASTEWATER DISPOSAL

- a) All water supply and wastewater disposal systems must meet the requirements of the Municipality, the Saskatchewan Health Authority and/or the Water Security Agency.
- b) Where a proposed development will be highly dependent on water, or where a groundwater supply is questionable, Council may require an applicant to provide written proof from a qualified professional, or a well driller, that a proven potable water supply of sufficient quality and quantity is available to service the proposed development or subdivision.
- c) If clauses 3.3 (a) and 3.3 (b) are not met, or if the proposed development or subdivision may jeopardize ground or surface water supplies, Council may refuse a development permit or recommend refusal of a proposed subdivision.

### 3.4 HERITAGE SENSITIVE LAND

- a) Where development is proposed in proximity to a designated heritage property or in an area identified as being heritage sensitive, the Development Officer may require the applicant to provide additional information as required by *The Heritage Property Act*.
- b) The Opportunities and Constraints Map, local sources, and the Heritage Conservation Branch of the Ministry of Parks, Culture and Sport shall be used as the basis for determining heritage sensitivity. The maps attached to and forming part of the OCP and this Bylaw only identify areas of heritage sensitivity that are known at the time of bylaw adoption. The Municipality and developers are encouraged to refer to local sources and the tools provided by the Heritage Conservation Branch to obtain current data regarding culture and heritage.
- c) The Heritage Conservation Branch administers two tools to assist municipalities, developers, and landowners in assessing the need for heritage analysis:

- i. The RM will refer developers to the “Developers’ Online Screening Tool” for heritage sensitivity to ensure development will not negatively impact heritage resources.
  - ii. Small-scale development activities on private lands may qualify for an exemption from further analysis for heritage resource impacts. The “Exempt Activities Checklist for Private Landowners” may be used to evaluate the need for further study for small-scale development activities.
- d) Where applicable, the developer shall demonstrate approval from the Heritage Conservation Branch prior to the RM issuing a development permit.

### 3.5 CRITICAL WILDLIFE HABITAT MANAGEMENT

- a) Where development is proposed in an area containing critical wildlife habitat, the Development Officer shall require the applicant to provide additional information as required by *The Wildlife Habitat Protection Act* (WHPA) and any other relevant provincial regulations.
- b) Critical wildlife conservation shall be permitted uses in all zoning districts. Council may prohibit development and recommend subdivision refusal where proposals may adversely affect wildlife conservation.
- c) Council may specify development and subdivision requirements, regarding wildlife habitat management, based on reports from qualified consultants or officials from the provincial government.
- d) All development and subdivision proposals on private and Crown Land which are within a Wildlife Management Area shall conform to:
  - i. *The Wildlife Habitat Protection Act* (WHPA) requirements;
  - ii. Any requirement of the Ministry of Environment or other applicable federal or provincial agency;
  - iii. Council-specified wildlife management, conservation, and rehabilitation development standards to maximize long-term wildlife protection.

### 3.6 SHELTERBELTS

- a) Landscape buffers are intended to improve land use compatibility and environmental quality by reducing noise, glare and other nuisances, or for facilitating natural drainage.
- b) Residential acreages shall establish a shelterbelt or vegetative landscape buffer around the residential use in order to reduce land use conflicts and to satisfy the need for a windbreak.

### 3.7 PROJECTIONS AND ENCROACHMENTS

- a) Windowsills, eaves, gutters, bay windows, cornices, chimneys and similar non-structural alterations may project a distance of 0.45 metres (1.5 feet) into any required yard. However, encroachments shall not be permitted within 1 metre (3.3 feet) of the lot line.

- b) Wheelchair ramps may project the distance required to reach grade level.
- c) Handrails are permitted on uncovered driveways, walkways, and decks in all yards.
- d) Open cantilevered balconies, open porches, decks, or stairs may encroach into any yard, provided there is a minimum setback of 1 metre (3.3 feet) from the property line.
- e) Encroachments that could, in Council's opinion, potentially jeopardize sight lines or the safety of the public are prohibited.

### 3.8 NUMBER OF PRINCIPAL BUILDINGS PER SITE

- a) Not more than one principal building or use shall be permitted on any one site except for:
  - i. Public utilities
  - ii. Municipal uses
  - iii. Institutional uses
  - iv. Agricultural use
  - v. Aggregate and mineral resource development
  - vi. Multi-unit residential developments and dwelling groups?

### 3.9 USES PERMITTED IN ALL ZONING DISTRICTS

- a) Nothing in this Bylaw shall prevent the use of any land as a public street or public park insofar as the public street or public park is established in accordance with the appropriate legislation.
- b) Nothing in this Bylaw shall prevent the erection of any properly authorized traffic sign or signal, or any sign or notice of any local or other government department or authority.

### 3.10 PUBLIC UTILITIES AND MUNICIPAL FACILITIES

- a) Unless otherwise stated in this Bylaw, public utilities and municipal facilities, except solid and liquid waste disposal sites, shall be allowed in all zoning districts.
- b) Public utilities and public works are exempt from site development standards provided the relaxation will not pose a threat to the general health and safety of the community.
- c) Where a distribution line crosses a municipal road Council may apply special design standards as considered necessary to maintain the integrity of the roadway and the safety of the public.

### 3.11 RESTORATION TO A SAFE CONDITION

- a) Nothing in this Bylaw shall prevent the structural improvement or restoration to a safe condition of any building or structure, provided the structural improvement or restoration shall not increase

the height, area, volume or intensity of the development so as to contravene the provisions of this bylaw.

- b) Unless exempt by this Bylaw, development permit requirements shall apply.

### 3.12 GRADING AND LEVELLING OF SITES

- a) Every development shall be suitably graded and levelled, at the owner's expense, to provide for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land.
- b) Adequate surface water drainage is required throughout the municipality, and on new development sites, to avoid flooding, erosion and pollution. Consideration shall be given to the upstream and downstream impacts of development on ecology, habitat and drainage.
- c) Unauthorized drainage of surface water runoff shall be prohibited. Water courses shall not be filled or altered without the prior approval of the Water Security Agency, Ministry of the Environment, and/or the Saskatchewan Heritage Conservation Branch.
- d) New developments and subdivisions, which are adjacent to a water course or water body shall be developed to minimize erosion, provide suitable drainage, and to maintain water quality.

### 3.13 PROHIBITED AND NOXIOUS USES

- a) Notwithstanding any use contained within a building, or impacts normally associated with an agricultural operation which is located in the Agricultural Resource District, no land shall be used for any purpose that is noxious and, without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offence:
  - i. By the creation of noise or vibration;
  - ii. By the emission of light and glare;
  - iii. By reason of the emission of gas, fumes, smoke, dust or objectionable odour;
  - iv. By reason of the unsightly storage of goods, salvage, wastes, motor vehicles, machinery or other similar material.

### 3.14 NON-CONFORMING BUILDINGS, USES, AND SITES

- a) Any use of land or any building or structure lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with provisions of Sections 88 to 93 inclusive, of the PDA.
- b) An existing non-conforming use may be continued if the use conformed to the Bylaw that was in effect at the time of the development and has not been discontinued for twelve (12) consecutive months, or longer.

- c) Non-conforming buildings or sites may continue to be used, maintained, and repaired in their present form.
- d) No enlargement, additions, or reconstruction of a non-conforming use, building, or structure shall be undertaken, except in accordance with these provisions.
- e) No existing use, building, or structure shall be deemed to be non-conforming by reason only of the conversion of this Bylaw from the imperial system of measurement to the metric system of measurement.

### 3.15 ACCESS AND APPROACHES

- a) A development permit shall not be issued unless the site has frontage on a graded, registered road, or unless a satisfactory development levy or servicing agreement has been made with Council for the improvement or construction of a road.
- b) All new approaches to public roads require the approval of the Municipality. All approaches shall be constructed in accordance with the design and engineering standards of the Municipality.
- c) The Development Officer shall decide upon all approach applications and may approve or refuse an application for an approach based on: location, traffic flow, drainage, sight lines, road standards and safety considerations.
- d) To provide for the safety of the travelling public, the number of approaches from a highway or municipal road should be limited. Parcels within a subdivision may be required to have access from an internal subdivision road or service road.

### 3.16 SIGHT TRIANGLE

- a) In all zoning districts, no building, structure, earth pile, vegetation, etc. shall obstruct the vision of drivers within a sight line triangle.
- b) The sight triangle area shall be measured by connecting straight lines, which are measured from the intersection of centrelines of the roadways to points established along these centrelines, as follows:
  - i. Provincial highways – 90 metres (295.3 feet)
  - ii. Municipal grid roads or railways – 90 metres (295.3 feet)

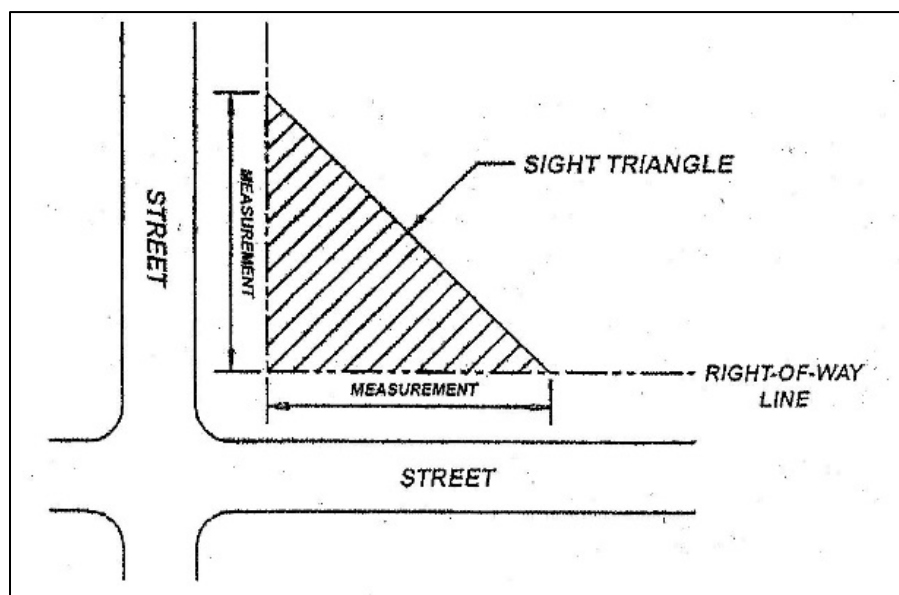


Figure 3-1

### 3.17 SETBACKS

- a) Where a proposed development or subdivision is in proximity to a provincial highway, the application shall be referred to the Ministry of Highways and Infrastructure for review and comment. Setbacks from a provincial highway shall be as per the requirements of the Ministry of Highways and Infrastructure.
- b) No residence shall be located with less than the minimum separation distance to an operation, other than the residence of the owner/operator. Unless otherwise stated, separation distances shall be measured from the operation to the residence:
  - i. The separation distance to an ILO shall be as per the regulations prescribed in subsection 4.31 of this Bylaw.
  - ii. 305 metres (1000.66 feet) from a honey processing facility.

- iii. 305 metres (1000.66 feet) to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan.
- iv. 600 metres (1968.50 feet) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan.
- v. No dwelling or other building shall be located within the approach surface for any functional airport or airstrip.

### 3.18 IRREGULARLY SHAPED LOTS

- a) The lot frontage on irregularly shaped lots shall be measured at a located set back from the midpoint of the front chord line at a distance equal to the minimum front yard setback.

### 3.19 SIGNS AND BILLBOARDS

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#### 3.19.1 TEMPORARY SIGNS

- a) Temporary signs and real estate signs are permitted only as long as the temporary condition exists for the property.

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#### 3.19.2 SIGNS IN A HIGHWAY CORRIDOR

- a) Signs located in a highway sign corridor shall be regulated by *The Provincial Highway Sign Control Regulations*, or amendments thereto, subsection 3.19.3 shall not apply.

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#### 3.19.3 SIGNS OUTSIDE A HIGHWAY CORRIDOR

- a) A maximum of two (2) advertising signs are permitted on any site, or quarter section.
- b) Government signs, memorial signs, address signs, and directional signs that bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs are exempt from restriction.
- c) All private signs shall be located so that the safety of the public is not jeopardized, in Council's opinion, by the size, lighting, or location of the sign.
- d) Signs with any neon or LED lighting shall be located to prevent the creation of a hazardous situation related to vehicular traffic and shall be designed to cast light downwards.
- e) Signs are subject to the setback requirements for accessory uses.

### 3.20 REMNANT SOURCE PARCEL

- a) In all zoning districts, minimum site size requirements shall be as stated, except that the site size of the remnant shall be deemed to be conforming in any of the following instances:

- i. Where roads, railways, pipelines and other linear public or private utilities, including their widening, are subdivided or registered as easements;
- ii. Where adjustments are required due to irregularities in the primary survey system; or
- iii. Due to topographical features.

### 3.21 OUTDOOR STORAGE

- a) The outdoor storage or collection of goods and materials is prohibited in any front or side yard. Goods and items may be displayed in the front yard of a commercial principal use for a limited time, provided the area is neat and orderly.
- b) Outdoor storage is allowed in the rear yard provided the goods or material being stored are clearly accessory and incidental to the principal use of the property.
- c) Council may apply special standards for the location, setback or screening of any area devoted to the outdoor storage of vehicles, including vehicles, parts of vehicles, or equipment and machinery normally used for the maintenance of the property.
- d) With the exception of approved salvage yards, auto wrecking operations, and the Agricultural Resource District, no more than three (3) vehicles that are not in running order shall be parked or stored on any site.

### 3.22 DEVELOPMENT IN PROXIMITY TO RAILWAYS

- a) Where any public street crosses a railway at the same grade, no building or structure shall be erected within 46.0 metres (150.92 feet) of the point of intersection of the centrelines of the railway and the street.
- b) New developments shall consider the Guidelines for New Development in Proximity to Railway Operations document. Council shall require the guidelines contained within the document to be applied to new developments.
- c) Consultation with the rail line company may be required for any new or expanding development proposed within 100 metres (328 feet) of a rail line or railway operation. Consultation shall address or determine:
  - i. The location of the site in relation to the rail corridor;
  - ii. The nature of the proposed development;
  - iii. The frequency, types, and speeds of trains travelling within the corridor;
  - iv. The potential for expansion of train traffic within the corridor;
  - v. Any concerns the rail line company may have with the new development or with specific uses proposed for the new development;
  - vi. The ability to implement standard mitigation measures on the site;

- vii. Any suggestions for alternate mitigation measures that may be appropriate for the site;
  - viii. Proposed storm water management and drainage; and
  - ix. The requirements to be applied to the project.
- d) Any safety measures, nuisance mitigation measures, or other requirements of the rail company shall be a condition of development permit approval. The developer shall be responsible for any costs associated with such requirements.
  - e) As a condition of development permit approval, Council may require any additional safety measures or nuisance mitigation measures deemed necessary to protect public and environmental safety and to prevent land use conflicts.
  - f) Safety measures and nuisance mitigation measures may include, but shall not be limited to: separation distances, berms, soundproof and privacy fencing, and landscaping.

### 3.23 DEVELOPMENT ALONG PIPELINES AND GAS TRANSMISSION LINES

- a) Any development involving pipeline and/or power line transmission rights-of-way shall comply with all relevant federal and provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with the appropriate provincial Acts and regulations or directives established by crown corporations. The Land Use Planning for Pipelines PLUS 663 publication by the Canadian Standards Association (CSA) will be used as a guide for the development of new pipelines and for proposed development in proximity to existing pipelines.
- b) The National Energy Board has designated a setback area of 30.0 metres (98.43 feet) on either side of a pipeline in which, subject to exceptions for such things as normal agricultural activities, anyone proposing to conduct a ground disturbance/excavation must:
  - i. Ascertain whether a pipeline exists;
  - ii. Notify the pipeline company of the nature and schedule of the excavation; and
  - iii. Conduct the excavation in accordance with such regulations.

### 3.24 CONCEPT PLANS

- a) A concept plan may be required as part of an application for a phased development, multi-parcel subdivision, a development that involves multiple principal buildings, or an amendment to the planning bylaws. The purpose of the concept plan is to identify and address potential social, environmental, health and economic issues and to encourage the development of high quality residential, recreational, commercial, and industrial developments. The scope and required detail of the plan will be based on the scale and location of the proposed development, and address such areas as the following:
  - i. Proposed land use(s) for various parts of the site;

- ii. The effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;
  - iii. The location of, and access to, major transportation routes and utility corridors;
  - iv. The provision of services respecting the planning for future infrastructure within the municipality (water, sewer, power, gas, etc.);
  - v. Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas such as drainage plans;
  - vi. Appropriate information specific to the particular land use (residential, commercial or industrial).
- b) The concept plan must comply with the overall goals and objectives of the Official Community Plan.
- c) Council shall not consider any development application until all required information has been received. The responsibility for undertaking all technical investigations and hosting public meetings as required shall be borne solely by the applicant.

## 4 CRITERIA AND STANDARDS FOR SPECIFIC USES

### 4.1 GENERAL CRITERIA FOR DISCRETIONARY USES

- a) The Following criteria shall be considered in the review of all discretionary use applications:
  - i. The proposal must comply with all relevant sections of the OCP and Zoning Bylaw.
  - ii. There must be a demand for the proposed use in the general area, and a supply of land available and capable of supporting the proposed use.
  - iii. It must be cost-effective to provide the needed services to the proposed development, including but not limited to roads, water, sewer, and other necessary utilities and community facilities.
  - iv. The proposal shall not be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity nor shall it be injurious to property, improvements, or potential future development in the vicinity.
  - v. The proposal shall be carried out with a high regard for environmental protection and public safety.
  - vi. Vehicle access points shall be provided in suitable locations, so as to minimize traffic congestion and possible hazards.
  - vii. The density, size, height, and location of principal or accessory structures shall not detract from the character and amenity of the neighbourhood.
  - viii. Council may attach special standards and conditions to the development permit to regulate sound, light, glare, heat, dust, electrical interference, traffic, and emissions, if in Council's opinion, it would detract from the amenity of the neighbourhood.

### 4.2 SALVAGE YARDS AND VEHICLE STORAGE

- a) This subsection applies to salvage yards, auto wreckers, auto repair shops, body shops, and similar uses, as well as all salvage vehicles, vehicle parts, materials, and equipment.
- b) No vehicles or parts thereof shall be located in the front yard of any site.
- c) The use of an abandoned or unlicensed vehicle or truck trailer for the purpose of a sign is prohibited.
- d) All salvage yards shall be completely screened from the view of the travelling public, provincial highways, any public road, and adjacent residential development by utilizing any of the following measures:
  - i. Distance and careful location
  - ii. Natural or planted vegetation
  - iii. An earth berm

- iv. Opaque fencing
- v. A building
- vi. Other appropriate methods as approved by Council

#### 4.3 HOME-BASED BUSINESSES

- a) Home-based businesses shall only be permitted in single detached, semi-detached, duplex, and mobile homes or associated accessory buildings.
- b) The home-based business shall be secondary to the residential or agricultural principal use of the site.
- c) Equipment or processes used in the business shall not create dust, noise, vibration, glare, fumes, odour, or pollution that is detectable at or beyond the property lines of the lot on which the home-based business is located.
- d) The home-based business shall not cause a significant increase in off-site parking or traffic.
- e) Home-based businesses shall not create any conflict with surrounding residential uses, nor shall they endanger public safety.
- f) Except as specified in the required development permit, no variation in the residential or farm character and appearance of the principal dwelling, accessory buildings, or land shall be permitted.
- g) Onsite signs shall be permitted according to subsection 3.19.
- h) All development permits issued for home-based businesses shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met.
- i) Any increase in the operation as originally approved shall require a new permit approval.
- j) Except in the Agricultural Resource District, no heavy construction, industrial equipment or supplies shall be stored outdoors on any site for a home-based business.
- k) Council may limit the number of employees (who are not residents of the site) and/or clients that are onsite per day. The number of employees and clients shall be based on:
  - i. Location and adjacent uses
  - ii. Potential to create a nuisance or disturbance to neighbouring landowners
  - iii. Type of business
  - iv. Capacity for the transportation network/routes to adequately manage additional traffic

#### 4.4 BED-AND-BREAKFAST HOMES AND VACATION FARMS

- a) Vacation farms shall be accessory to an agricultural operation and located on the same site as a farmstead. Vacation farms may include cabins and overnight camping areas.
- b) Bed-and-breakfast operations shall be accessory to a farm or non-farm residential use. Bed-and-breakfast operations shall be located in a single detached dwelling, used as the operator's principal residence; or located in a dwelling accessory to and established on the same site as the host principal residence.
- c) All signage shall comply with subsection 3.19.
- d) If required, vacation farms and bed-and-breakfast operations, shall be licensed by the Saskatchewan Health Authority.
- e) As a condition of permit approval, Council may apply special standards to limit the number of rooms, cabins, or camping spaces that may be permitted in conjunction with the operation.

#### 4.5 WORK CAMPS

- a) Work camps, which are accessory to a petroleum or mineral resource development, and located on the same site as the development, shall be considered part of the industrial resource development and should be included in the development permit application for that use.
- b) Work camps used to accommodate employees of a petroleum or mineral resource development, but located on a separate site, requires a development permit separate from the resource operation.
- c) Work camps not located on the same site as a petroleum or mineral resource operation shall be valid for a maximum of two (2) years. Prior to the date of expiration, the developer may apply for a permit renewal. Upon application for renewal, the permit may be extended for a time period of up to two (2) years with the same or revised conditions.
- d) There shall be no limit to the number of times a permit for a work camp may be renewed, provided:
  - i. The resource development continues to be active;
  - ii. There is no conflict with neighbouring land uses; and
  - iii. All permit requirements are satisfied.
  - iv. In issuing a permit renewal, Council may alter the permit conditions, if deemed necessary as a result of new development in the area.
- e) Work camps shall have utilities (water supply, wastewater disposal, solid waste disposal, etc.) that meet provincial standards and support the number of occupants proposed to use the camp.
- f) Work camps shall provide for onsite parking of vehicles. Parking of vehicles will not be allowed on provincial highways, municipal roads, or on approaches to public or private land.

- g) After the work camp is no longer needed, the site shall be reclaimed, all structures shall be removed, and the site cleared of waste. A land reclamation plan may be required as part of the development permit application.

#### 4.6 KEEPING OF DOMESTIC ANIMALS

- a) The keeping of domestic animals is permitted in all districts except the Provincial Forest District, subject to relevant bylaws and legislation governing noise, animals, and public health.
- b) Boarding kennels are only in specific zoning districts, as stated in this Bylaw.

#### 4.7 MOBILE, MODULAR, AND RTM HOMES

- a) In any district where a principal dwelling is allowed, the dwelling may be in the form of a mobile, modular, or Ready-to-Move (RTM) home.
- b) With the exception of temporary accommodations, prior to occupancy, such dwelling unit shall be securely attached to a permanent engineered foundation.
- c) Every mobile, modular, and RTM home shall bear the applicable CSA certification.
- d) The undercarriage of all mobile and modular homes shall be completely screened from view by the foundation, skirting or other means that is of a manufactured, or similar type, in order to harmonize visually with the unit. This foundation or skirting shall permit the circulation of air beneath the unit.
- e) The total area of all subsequent additions to the dwelling unit shall not exceed 50% of the area of the original mobile/modular home.
- f) The dwelling unit shall be connected to all required utilities and services.

#### 4.8 GARDEN SUITES

- a) Only one garden suite is allowed per lot.
- b) Garden suites shall not be placed in any front or side yard.
- c) There shall be no secondary suite in the primary residence.
- d) There shall be suitable services on-site, including water supply, wastewater disposal and utilities. Garden suites may be connected to the services of the host residence.
- e) Garden suites must contain cooking, eating, living, sleeping, and sanitary facilities.
- f) The accessory dwelling shall be placed so that all setback requirements of the zoning district are met.

#### 4.9 SECONDARY SUITES

- a) Secondary suites may be constructed within a principal single detached, duplex dwelling, or over a residential garage on a residential site. Only one secondary suite is permitted on each residential site.
- b) Secondary suites must have a separate entrance from the principal dwelling, either from a common indoor landing or directly from the exterior of the building.
- c) Secondary suites must contain cooking, eating, living, sleeping, and sanitary facilities.
- d) Secondary suites may not exceed 60.0 square metres of the total floor space, including basements, and may not have more than two bedrooms.

#### 4.10 DAYCARE CENTRES AND PRE-SCHOOLS

- a) Day care centres may be approved as a principal use or as accessory to a residential principal use. Preschools shall only be approved as a principal use.
- b) In any Residential District, no exterior alterations shall be undertaken to a dwelling, or former dwelling, which would be inconsistent with the residential character of the building or property.
- c) Day care centres and pre-schools shall comply with all provincial requirements and regulations.
- d) Private in-home daycares shall be restricted to a maximum of six children, subject to provincial legislation and requirements.

#### 4.11 RESIDENTIAL CARE HOMES

- a) Residential care homes shall be clearly incidental and secondary to a principal residential use.
- b) No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.
- c) The use shall be conducted entirely within the dwelling unit and there shall not be any exterior evidence of a secondary use, with the exception of signs subject to subsection 3.19 of this Bylaw.
- d) Parking for the residential care home shall be provided on site.

#### 4.12 AUTOMOTIVE SERVICE AND GAS STATIONS

- a) Gas pumps shall be set back 6.0 metres (20 feet) from any site line.
- b) Underground storage tanks shall be located in accordance with *The Fire Safety Act*.
- c) Propane and natural gas pumps (retail or wholesale) shall be set back according to provincial regulations.

- d) There shall be at least two separate points of access/egress points at least 10.0 metres (33 feet) apart. Access shall not be continuous along the property. Access to the site shall be located so as to not impact traffic flow.
- e) The storage of vehicles and vehicle parts shall not be located in any yard abutting a road and must be screened from view by a solid fence.

#### 4.13 AGRICULTURAL TOURISM

- a) Agricultural tourism uses shall be accessory to an agricultural farm operation.
- b) Agricultural tourist developments shall display a high visual quality and shall be integrated into the rural environment by virtue of appropriate design, location and landscaping. Agricultural tourism uses may only be approved where they would not:
  - i. Unduly interfere with the amenities or change the character of the neighbourhood.
  - ii. Significantly interfere with, or affect the use and enjoyment of, adjacent properties.
  - iii. Adversely impact the environment.
  - iv. Result in an excessive demand on municipal services, utilities, or public roadway access.
- c) Agricultural tourism uses shall comply with all provincial environmental and health regulations.

#### 4.14 CAMPGROUNDS

- a) The operator of a campground shall provide the Development Officer with a site plan of the campground. The site plan shall identify all buildings, land uses, and the locations and dimensions of all roadways and trailer coach or tent campsites.
- b) The developer/operator shall submit a new plan and apply for a new permit for any of the following:
  - i. The addition, or rearrangement of campsites;
  - ii. The construction or moving of buildings;
  - iii. The change in the location of land uses; or
  - iv. The filling or clearing of land.
- c) A campground shall have a buffer area of not less than 4.5 metres (14.76 feet) in width abutting the parcel boundaries. The buffer may be landscaped but shall contain no buildings.
- d) The operator of a campground shall designate, and clearly stake or mark, a campsite for each trailer coach or tent party. The minimum site area for each campsite shall be 30 square metres (323 sq. ft.).
- e) No portion of any campsite shall be located within a roadway or required buffer area.
- f) Each campsite shall have direct access to an internal roadway.

- g) Each trailer coach shall be placed at least 3.0 metres (9.84 feet) from any other trailer coach. Each campsite shall have dimensions sufficient to allow such location of trailer coaches.
- h) The space provided for roadways within a campground shall be at least 7.5 metres (24.6 feet) in width. Campsites or structures shall not encroach on any roadways internal to the campground.
- i) A campground may include, as accessory uses, a laundromat, washroom and shower facilities, swimming pools, recreational uses, and a confectionary, designed to meet the needs of the occupants of the campsites. One single detached dwelling for the accommodation of the operator may also be permitted as an accessory use.
- j) All campground operations must meet the requirements of *The Public Health Act*.
- k) The campground must provide an onsite sewage disposal system, which may consist of one communal septic tank with an adequate dumping facility for trailer coaches or any other system, which has been approved by the Municipality and the Saskatchewan Health Authority or Water Security Agency.
- l) The campground shall provide an onsite source of potable water with sufficient quantity to supply the campground when occupied at full capacity.

#### 4.15 BOARDING KENNELS

- a) The maximum number of animals, not attributed to the host site, to be kenneled, shall be at the discretion of Council and shall be based on:
  - i. The site area;
  - ii. Servicing capacity;
  - iii. The separation distance from adjacent properties; and
  - iv. The ability to minimize potential nuisance to adjacent properties.
- b) No building, facility or exterior exercise area(s) shall be allowed within 300.0 metres (1000 feet) of any dwelling not associated with the operation.
- c) All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building, unless otherwise approved by Council.
- d) Pens, rooms, exercise runs and holding stalls shall be soundproofed to the satisfaction of Council.
- e) A waste management plan to address the disposal of animal wastes shall be included in the development permit application.
- f) Boarding kennels shall at no time unduly interfere with the character of the neighbourhood or the general enjoyment of adjoining sites.
- g) Animal kennels shall be subject to relevant bylaws and legislation governing noise and public health.

- h) Kennels will be subject to any additional conditions for approval deemed necessary based upon a specific application.

#### 4.16 SWIMMING POOLS

- a) All swimming pools and related appurtenances shall be setback a minimum of 1.5 metres (5 feet) from the rear and side site lines and the principal building.
- b) No swimming pool shall be located in a required front or side yard.
- c) For the protection of the general public, a yard containing a swimming pool shall be completely enclosed by a fence of 1.8 metres (6 feet) in height. Any openings in the fence shall have a gate with an automatic or manual locking device affixed in such a manner so as to prevent the entry of small children.
- d) Lights for the illumination of swimming pools shall be designed, constructed, and maintained so that no direct ray shall cross any property line.
- e) Any maintenance equipment including heating, filtering, disinfectant, and re-circulation equipment shall not be located within 1.5 metres (5 feet) from the site lines, and shall be effectively screened and enclosed so as to not adversely affect the character of surrounding properties.
- f) Equipment which may result in the emission of noise, vibrations, dust, odours, or which would otherwise be considered obnoxious or dangerous to the health and safety of the public, shall not be allowed.

#### 4.17 EQUESTRIAN FACILITIES

- a) For the purpose of this subsection, an animal is considered kept when it is kept on the site overnight.
- b) The development permit shall set the maximum number of horses that may be kept on the site. The maximum number of animals shall be at the discretion of Council and shall be based on:
  - i. The site area;
  - ii. Carrying capacity; and
  - iii. Potential to minimize potential nuisance to adjacent properties.
- c) The number of animals allowed to participate in an event is in addition to the number of animals kept on the site, provided animals in the event are not kept onsite overnight.
- d) The development permit application shall address water supply, waste disposal, manure management, pasture management, onsite stock trailer parking, and participant and spectator parking.
- e) The application shall include a storm water management plan for land disturbed during, or as a result of, the development of the equestrian facility and supporting facilities.

- f) If deemed necessary, the application shall include a traffic impact analysis that includes current and projected traffic for the next ten years in the vicinity.
- g) A condition of the development permit may require there be a contribution towards upgrading of access roads should the road network require upgrading because of the impact of the facility. Road upgrades or maintenance may be addressed through a road maintenance agreement pursuant to Section 22 of *The Municipalities Act*.
- h) Equestrian facilities may be subject to additional conditions deemed necessary based upon a specific application.

## 4.18 SOLID AND LIQUID WASTE DISPOSAL FACILITIES

### 4.18.1 GENERAL

- a) Liquid, solid, or gaseous waste shall only be disposed of in accordance with the legislation and regulations administered by the appropriate federal or provincial agency, the Water Security Agency, the Saskatchewan Health Authority, and the RM.
- b) Dumping of chemicals or other noxious materials into the sanitary sewer system is strictly prohibited and shall be considered an offence.
- c) Storage:
  - i. New and existing facilities: All chemicals, substances and material storage shall be installed, stored, constructed and maintained in an environmentally safe manner and according to all federal, provincial, and municipal requirements.
  - ii. Abandoned, underground, and surface storage facilities shall be removed, to avoid the risk of contamination, at the request of Council or the provincial government.

### 4.18.2 SOLID AND LIQUID WASTE FACILITIES

- a) The following standards do not apply to private onsite wastewater treatment systems, manure storage facilities, or the application of manure on agricultural lands where the use is deemed consistent with all other relevant sections of this Bylaw.
- b) Development and site maintenance shall be in accordance with provincial environmental and health regulations.
- c) A buffer strip containing trees, shrubs, fencing, or a berm shall surround a waste disposal area.
- d) Adequate site design shall be required to prevent contamination of ground and surface water.
- e) Solid waste disposal facilities shall be located in proximity to a provincial highway or adjacent to a paved all-weather road.
- f) The development of any new disposal sites shall take into consideration the direction of prevailing winds.

- g) Council may place any development conditions deemed necessary to maintain the health, safety, and amenity of the area.
- h) Where approval has been deemed appropriate, Council may consider the following requirements as part of a development permit approval:
  - i. A limitation on the years, months, weeks, days and/or hours of operation;
  - ii. Maintain sufficient dust and odour control to the satisfaction of the Municipality;
  - iii. Limitations on the height of a landfill development; and
- i) Specific requirements related to any stripping, filling, excavation and grading associated with a landfill development.

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#### 4.18.3 SEPARATION CRITERIA

- a) An approval for a solid or liquid waste disposal facility shall be in accordance with the separation distances required Table 4-1.
- b) Separation distances shall be measured from the parcel boundary of the waste disposal site to the parcel boundary of the neighbouring land use.

**Table 4-1**

<b>Separation Criteria for Waste Disposal Facilities</b>		
<b>Neighbouring Use</b>	<b>Solid Waste Facility</b>	<b>Liquid Waste Facility</b>
Non-farm residential subdivision or tourist accommodation	457 m	457 m
Residential district or urban municipality	800 m	600 m
Commercial or industrial use	300 m	300 m

#### 4.19 COMMUNAL FARM SETTLEMENTS

- a) Council shall consider an application for a communal farm settlement, including the multiple uses listed in the definition for Communal Farm Settlements, as one discretionary use application. All buildings and uses must comply with the setbacks and standards included in this Bylaw and any other relevant municipal bylaw. Unless exempt under this Bylaw or the municipal building bylaw, development permits and building permits are required for each use and principal building.
- b) Communal farm settlements may include more than one dwelling on a single site. Dwellings may be in the form of one-unit dwellings, two-unit dwellings, multiple unit dwellings, or a

combination thereof. Council may limit the number of dwelling units permitted on a communal farm settlement. The number shall be based on the area and servicing capacity of the site.

- c) There shall be water supply and sewage disposal systems suitable for the proposed communal farm settlement; the development shall not contaminate any water source. The proponent may be required to demonstrate, in the form of a study by a qualified professional, that the water source is adequate and there will be no adverse impacts to adjacent water sources.
- d) Provisions for potable water, water treatment, and wastewater disposal are subject to provincial regulations and approval.
- e) Road access to the communal farm settlement shall be from an all-weather registered road sufficient to accommodate the expected volume of traffic. If off-site road upgrades or new road construction is required, Council may require the applicant to pay for the road upgrades or new road construction pursuant to Section 22 of *The Municipalities Act* and Sections 171 and 172 of the PDA.
- f) Council may require the applicant to demonstrate that the municipal road network can safely accommodate the traffic generated by the development. The applicant may be required to demonstrate adequacy of the road network by submitting a traffic impact assessment conducted by a qualified professional.
- g) Access to individual dwellings, uses, and buildings shall be from a road internal to the site.
- h) Development standards for ILOs associated with a communal farm settlement shall be as stated in Section 4 of this Zoning Bylaw. Separation distances between ILO facilities and residences associated with the same communal farm settlement shall not be required.
- i) Any expansion, increase in intensity, or other significant change to the development as approved, shall require a new discretionary use approval.

## 4.20 WIND ENERGY SYSTEMS (COMMERCIAL WIND FARMS)

### 4.20.1 APPLICATION REQUIREMENTS

- a) An applicant for a commercial wind farm shall provide to the Municipality:
  - i. A site plan that shows the location of the wind energy systems, roads, above ground and underground cabling, fencing, drainage and access.
  - ii. A decommissioning and reclamation plan may be required.
  - iii. Development permit applications for wind energy systems shall be accompanied by a manufacturer's engineering certificate of structural safety or certification of structural safety from a professional engineer licensed to practice in Saskatchewan.
  - iv. The proposed height of the wind energy systems shall be included in the development permit application. Maximum total wind tower height or total system height shall be at the discretion of Council and will be based on the surrounding land uses.

- v. The proponent should demonstrate to the Municipality that the proposal will meet industry standards and/or provincial guidelines for construction and noise emissions.

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#### 4.20.1.1 DEVELOPMENT STANDARDS AND CRITERIA

- a) Prior to finalizing a decision, Council may require the developer to consult with the residents and/or assessed owners of land within a 5.0 kilometres (3.1 mile) radius of the site boundaries.
- b) Council may require the developer to enter into a road maintenance agreement to ensure all roads and access points are constructed and maintained to municipal standards.
- c) There shall be no sound, light, glare, heat, dust or other emissions that will, in Council's opinion, detract from the amenity of the area. Council may require the developer to take mitigating measures to ensure the development produces minimal disturbance to the surrounding land.
- d) Where deemed necessary by Council, the developer may be required to plant and maintain landscaping to maintain the safety, protection, and character of the surrounding area.
- e) There shall be no advertising on the tower or blades.
- f) Commercial wind energy farms shall not be located on, or in proximity to, environmentally sensitive lands, or in areas of critical habitat.
- g) Council may require the developer to apply mitigation measures to minimize the potential for adverse environmental and community impacts.
- h) Any changes to the development, as approved, shall require a new permit.
- i) Any sites, or portions of sites, which include potentially dangerous or hazardous equipment or materials shall have visible signs stating the potential for danger.
- j) Development permit applications for wind energy systems shall be accompanied by a manufacturer's engineering certificate of structural safety or certification of structural safety from a professional engineer licensed to practice in Saskatchewan.
- k) As part of the development permit application, the proponent should demonstrate to the Municipality that the proposal will meet industry standards and/or provincial guidelines for construction and noise emissions.

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#### 4.20.2 WIND FARM SEPARATION CRITERIA

- a) Subject to industry standards, the minimum separation distances shown in Table 4-2 shall be required.
- b) Separation distances shall be measured from the base of the nearest wind energy tower to the neighbouring land use.

**Table 4-2**

<b>Minimum Separation Criteria for Commercial Wind Energy Systems</b>	
<b>Neighbouring Land Use</b>	<b>Distance</b>
Dwelling on adjacent parcels (separate title)	Two and a half (2.5) times the total height of the energy system
Dwelling on the same parcel (same title)	Twice the total height of the energy system
Any building not including agricultural buildings	The total height of the energy system plus 10 metres
Municipal road allowance	The total height of the energy system plus 10 metres
Provincial highway	The height of the structure plus 10 metres

#### 4.21 WIND ENERGY SYSTEMS (PRIVATE)

- a) Where private wind energy systems are allowed, only two (2) private wind energy systems shall be permitted per site as an accessory use, subject to the minimum site area and setbacks.
- b) The minimum site size for the allowance of any private wind energy system shall be 2.0 hectares (5.08 acres).
- c) Where accessory to a residence, wind energy components and towers shall be erected in rear yards only.
- d) The lowest point of an operating rotor shall be above ground level to manufacturer's specification at minimum, but in no case lower than 5.0 metres (16.4 feet) above grade level.
- e) All wind energy systems and towers shall be enclosed within a locked protective chain link fence. The fence shall be a minimum of 1.85 metres (6.07 feet) in height; the location and design of the fence shall be included in the development permit application.
- f) Development and building permit applications for a small wind energy system shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety from a professional engineer licensed to practice in Saskatchewan.
- g) Installation plans (concrete specifications, anchoring specifications) shall be certified by a professional engineer licensed to practice in Saskatchewan.
- h) Proof of an approved electrical permit shall be provided to the Municipality.
- i) The small wind energy system shall be finished in a non-reflective matte colour to the satisfaction of Council.

#### 4.21.1 WIND ENERGY SYSTEM SEPARATION CRITERIA

- a) Subject to industry standards, the minimum separation distances shown in Table 4-3 shall be required.
- b) Separation distances shall be measured from the base of the nearest wind energy tower to the neighbouring land use.

**Table 4-3**

<b>Minimum Separation Criteria for Private Wind Energy Systems</b>		
<b>Neighbouring Land Use</b>	<b>Distance</b>	
Property line	Twice the total height of the energy system	
Dwelling on adjacent parcels (separate title)	20.0 Kw or less	100 m
	20.1 Kw or greater	200 m
Dwelling on the same parcel (same title)	Twice the total height of the energy system	
Municipal road allowance	The total height of the energy system plus 10 metres	
Provincial highway	The height of the structure plus 10 metres	

#### 4.22 SOLAR ENERGY SYSTEMS (COMMERCIAL SOLAR FARMS)

- a) Systems, equipment and structures shall not exceed 7.6 metres (25 feet) in height when mounted to the ground.
- b) Active solar system structures must meet the yard setbacks of the zoning district.
- c) To the extent practical, all new distribution lines to any building, structure, or utility connection shall be located above ground.
- d) Electric solar system components must have a UL listing, or equivalent, safety certification.
- e) Active solar systems shall meet all requirements of the National Building Code of Canada and the Municipal Building Bylaw. The design and/or construction of the systems shall be inspected by the Municipality's building inspector or Municipal Engineer.
- f) All photovoltaic systems shall comply with the applicable electrical code.
- g) No grid-tied photovoltaic system shall be installed until evidence has been provided to the Municipality that the owner has been approved by SaskPower, or other relevant utility company, to install the system. Off-grid systems shall be exempt from this requirement.
- h) It is the responsibility of the developer to remove all obsolete or unused systems within twelve (12) months of cessation of operations.

- i) Site reclamation will be required following cessation of the operation and will be the responsibility of the developer. A land reclamation plan may be required as part of the development permit application.
- j) A security fence will surround the perimeter of the solar farm.
- k) Nuisance control (i.e. weeds, rodents, etc.) during the life of the operation shall be required as a condition of the development permit.
- l) Where deemed suitable by Council, the pasturing of livestock may be considered as an accessory use and as a form of nuisance control.
- m) There shall be adequate access and egress for emergency service vehicles.
- n) No signage is allowed on the solar farm fencing except for a sign, which shall not exceed 3 square metres (32 square feet), displaying the facility name, address and emergency contact information. All other signage shall be consistent with subsection 3.19 of this Bylaw.

#### 4.23 SATELLITE DISHES AND INDIVIDUAL SOLAR ENERGY GENERATORS

- a) The installation and operation of a free-standing satellite dish or solar collector, and their supporting structures, shall be permitted in all zoning districts except the Provincial Forest District, subject to the following:
  - i. For all approved districts specified in this section, such structures, if freestanding, shall not exceed a height of 7.6 metres (25 feet) above ground level.
  - ii. If attached to a principal or accessory building, shall not exceed the maximum height allowed in the zoning district in which the installation is to occur.

#### 4.24 SHIPPING (SEA AND RAIL) CONTAINERS

- a) Shipping containers may be allowed as an accessory use for storage, subject to the regulations of the applicable zoning district. Development permit requirements apply.
- b) The number of shipping containers allowed per site shall be at Council's discretion and will be based on the land use and ability to meet the site regulations of the zoning district (i.e. yard setbacks, site coverage, etc.).
- c) Shipping containers must meet the setback distances of the applicable zoning district.
- d) Shipping containers may not be placed in any front or rear yard.
- e) Shipping containers may only be used for storage. Human or animal habitation will not be permitted within a shipping container.
- f) Where more than one (1) shipping container has been approved, no more than two (2) containers may be stacked on top of one another (two containers in total).
- g) Dangerous or hazardous materials or containers shall not be stored in any shipping container.

#### 4.25 CANNABIS PRODUCTION FACILITIES

- a) Cannabis production facilities are subject to the following conditions (applies to medical, non-medical and micro-facilities):
- i. Cannabis production facilities shall meet all applicable federal, provincial and municipal regulations. Proof of compliance and applicable federal licenses will be required as part of the development permit application.
  - ii. Any structural or electrical alterations to the building(s) must comply with the National Building Code of Canada and all other applicable Codes and regulations.
  - iii. The building and site shall display a high visual quality and shall be integrated into the surrounding environment by virtue of appropriate design, location and landscaping.
  - iv. Council shall determine and consider the compatibility of all neighbouring land uses with the proposed cannabis production facility before issuing a decision.
  - v. As a condition of development permit, Council may place any additional conditions deemed necessary to ensure the health, safety, and welfare of the public.
  - vi. The development must be carried out in a manner where all processes and functions are fully enclosed within a building. This shall include all loading stalls, docks, garbage containers and waste material. There shall be no outdoor storage or display of goods, materials or supplies.
  - vii. In order for the safety and security of the public, all buildings and related structures shall be securely fenced. Council may require additional security measures, such as a locking gate or limited site access, as a condition of the development permit.
  - viii. Where a licensed cannabis production facility ceases operation, the facility and buildings shall be decommissioned and remediated in accordance with applicable provincial and federal regulations. A decommissioning plan may be required at the time the development permit application is made.
  - ix. Nothing shall be done which is, or will become, a nuisance to the surrounding areas by reason of unsightliness, the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare nor shall anything be done which creates or causes a health, fire or explosion hazard, electrical interference or undue traffic congestion. The proponent shall submit to Council a plan to mitigate potential nuisances.
  - x. As a condition of development permit approval, Council may require additional security measures including but not limited to fencing, locking gate, limited site access, etc.
  - xi. One residence may be allowed on the same site as the cannabis facility production for the owner/operator.
  - xii. Any change to the operation as approved, including but not limited to an increase in size or intensity, the addition of new buildings or additions to existing buildings, shall require a new development permit.

## 4.26 CANNABIS RETAIL OUTLETS

### 4.26.1 STANDARDS

- a) A retail outlet shall comply with all requirements of the federal and/or provincial cannabis legislation. Applicants shall provide proof of all required operating licenses as part of the permit application or as a condition of permit approval.
- b) A retail outlet shall, in no way, interfere with the amenities or change the character of the neighbourhood nor shall it interfere with or affect the use and enjoyment of adjacent properties.
- c) Subject to provincial and federal regulations, a retail outlet may, be ancillary to a cannabis production facility.
- d) In the event of a discrepancy between the RM's regulations and those of the federal or provincial government, the more stringent regulation shall apply.
- e) As a condition of development permit approval, Council may require additional security measures including but not limited to fencing, limited entrance to the building, etc.
- f) Council shall consider the compatibility of all neighbouring land uses with the proposed cannabis retail outlet before issuing a decision.
- g) Council may apply additional conditions or development standards deemed necessary, based on the application, to maintain the health, safety, and general welfare of the public.
- h) Any change to the operation as approved shall require a new development permit.

### 4.26.2 SEPARATION CRITERIA

- a) Cannabis retail stores shall be set back a distance of 200 metres (656 feet) from the following:
  - i. High schools
  - ii. Elementary schools
  - iii. Parks/playgrounds
  - iv. Public recreational facilities
  - v. Daycare centres
  - vi. Community centres and youth centres
  - vii. Places of worship
  - viii. Other cannabis retail stores
- b) Setbacks shall be measured from the property line of the proposed retail store site to the nearest property line of any of the above listed uses.

## 4.27 AGGREGATE RESOURCE (SAND AND GRAVEL) DEVELOPMENT

### 4.27.1 APPLICATION REQUIREMENTS

- a) In addition to the application requirements outlined in Section 2 of this Bylaw, the proponent shall submit the following:
  - i. A plan showing the location of the proposed area of operation (active and inactive areas), site boundaries, location of storage of extracted materials, the depth of excavation and the quantity of topsoil to be removed;
  - ii. A description of the excavation, disposal, and stripping or grading operation;
  - iii. A detailed timing and phasing plan for the project including the estimated life of the project and hours of operation.
  - iv. A plan showing the final site conditions and post-development land use plan following the completion of the operation (reclamation plan), including the phasing of remediation (progressive restoration is expected while extraction is ongoing in other sections of the pit);
  - v. A description of the measures to be taken for the prevention or mitigation of dust, noise, public safety, erosion and other effects to surrounding land uses and the public, during and after the operation;
  - vi. Information that identifies the projected volumes of truck traffic on roads, the proposed road impacts (e.g. road deterioration), and the proposed measures to minimize negative (e.g. noise, dust, excessive speed) impacts on other road users and the public;
  - vii. Method of storm water management, drainage control, and erosion and sediment control; and
  - viii. Any other information that Council deems necessary.

### 4.27.2 DEVELOPMENT STANDARDS AND CRITERIA

- a) An approval for a sand and gravel extraction development permit will be issued for a maximum of five (5) years and may be renewed at the discretion of Council through the development permit process. Existing gravel pits that have been inactive for a period of more than twenty-four (24) consecutive months will require a new development permit.
- b) Land use incompatibility, public safety, dust, noise, nuisance, and pollution shall be minimized by considering appropriate routes, fencing, signage, buffers, and screening.
- c) Upon the request of Council, the developer may be required to provide a mineral extraction study prior to development permit approval to determine specific development requirements and standards.
- d) Where an aggregate operation is proposed within the vicinity of a water source, the development permit application should be accompanied by an appropriate hydrological study, which outlines

necessary mitigation measures. If mitigation measures are deemed insufficient or excessive, the application may be denied.

- e) Where applicable, Council will specify development conditions in conjunction with recommendations from provincial agencies and reports from qualified professional(s) regarding site development, services, modifications to application and location of operation and any other mitigation measures deemed necessary.
- f) Council will specify conditions regarding cost recovery and cost-sharing of municipal road construction and maintenance expenses resulting from an increase in trucks carrying mineral resources. The applicant, operator or person that hauls the sand and gravel resources may be required by the RM to enter into a road maintenance agreement.
- g) All gravel operations shall have direct access to a developed road of suitable standard to support the operation.
- h) All development including any new excavation on existing gravel pits (prior to the adoption of this bylaw) shall be reclaimed to a land capability that is equivalent to its pre-developed state or to a condition which is satisfactory to the RM. These procedures shall be in accordance with all applicable provincial requirements. The restoration of the site shall commence immediately upon termination of the operation.
- i) In addition to the public notification requirements contained in this Bylaw for discretionary uses, Council shall provide written public notice to be mailed to property owners adjacent to the proposed haul roads to obtain public input on the proposed site prior to development consideration.
- j) The applicant shall keep the site in a clean and tidy condition free from garbage and non-aggregate debris.
- k) Approaches to the development shall be located away from existing residences.
- l) The applicant may be required to provide a letter of credit or other method of performance security, in a form acceptable to the RM, equal to the cost of reclamation of the pit, to be held by the Municipality for the lifespan of the operation to ensure the land is reclaimed to a satisfactory condition. The performance security must be in place before development proceeds. Once the site has been satisfactorily restored, the security will be discharged or returned to the applicant or their predecessor.
- m) Any change to the operation as approved shall require a new permit application.

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#### 4.27.3 AGGREGATE RESOURCE SEPARATION CRITERIA

- a) Separation requirements for the mining, excavation or stockpiling of aggregate resources are shown in Table 4-4. Greater separation distances may be required if found necessary through any professional report or assessment, or if required by a provincial regulatory agency.

- b) Separation distances shall be measured from the active area(s) of the operation and the nearest parcel boundary of the neighbouring land use.

**Table 4-4**

<b>Minimum Separation Distances for Aggregate Resource Development</b>	
<b>Land Use</b>	<b>Distance</b>
Multi-parcel (4 or more) non-farm residential subdivision	800 m
The limit of any road allowance or provincial highway	45 m
Recreational development	800 m
Heritage-sensitive land	TBD by Heritage Conservation Branch
Hazard land	50 m

## 4.28 OIL AND GAS DEVELOPMENT

### 4.28.1 DEVELOPMENT STANDARDS AND CRITERIA

- a) Petroleum extraction development shall include wells, pipelines, compressor stations, batteries, storage facilities, etc. but shall exclude processing and refining. Development permits for processing and refining oil and gas shall be considered separately.
- b) Exploration and development of oil and gas shall be subject to all federal and provincial requirements. The applicant may be required to demonstrate federal or provincial approval or licensing as part of a development permit application.
- c) Council may consult with, or refer an application to, the applicable oil and gas company, the Ministry of Economy, or other relevant provincial agencies regarding the development of new wells and new oil and gas related facilities within 1.6 kilometres (1 mile) of a residence. Consultation may involve obtaining the classification of the well and concentration of H<sub>2</sub>S.
- d) Upon approval by the Municipality, the owner of the pipeline shall provide notice to the Municipality at least 48 hours prior to the operator's intention to commence work. A written request must be made to the RM before construction begins and the operator shall obtain the required municipal standards for constructing approaches and for constructing pipelines (flow lines), which cross road allowances.
- e) Temporary development permits may be issued specifying time lines and conditions for such uses of a temporary nature such as exploratory oil and gas or mineral activities. Council has the right to revoke the temporary development permit if the conditions of approval are not met. Temporary permits will not be issued if the use is not allowed in the zoning district, does not meet minimum separation distances, or does not comply with the Official Community Plan.

- f) As a condition of development permit approval, Council may apply any development standards deemed necessary to protect public health and safety, prevent pollution, and minimize the potential for nuisance to neighbouring land uses.
- g) Council may require a road maintenance agreement as outlined in *The Municipalities Act* to protect municipal roads when transportation, utilities and pipeline facilities cross municipal roads, or when seismic activity is proposed on or near roads or road allowances.
- h) A proposal for a battery site or other facility will not be approved unless there are adequate plans to address fire suppression, public safety, decommission, site reclamation and post-development land use. The site reclamation plan must show the final site conditions following the completion of the operation and the phasing of remediation.

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#### 4.28.2 OIL AND GAS SEPARATION CRITERIA

- a) To minimize conflict between mineral resource extraction, or oil and gas operations and surrounding land uses, the separation distances provided in Table 4-5 and Table 4-6 shall be applied. These separation distances shall be used to ensure adequate separation between mineral resource extraction, oil and gas operations, and other uses that may conflict with this industry or land uses, which should not be developed due to problems with air quality or in proximity to pipelines.
- b) Separation distances shall be measured from the active area(s) of the operation and the nearest parcel boundary of the neighbouring land use.

**Table 4-5**

<b>Minimum Separation Distances for Oil and Gas Development</b>		
	<b>Wells, battery sites, and other facilities with an H<sub>2</sub>S concentration below 100 ppm and connected to a closed system (flowlined)</b>	<b>Wells, battery sites, and other facilities with an H<sub>2</sub>S concentration above 100 ppm that are not connected to a closed system (not flowlined)</b>
Single residence	125 m	500 m
Multi-parcel country residential subdivision (four or more parcels)	125 m	750 m
Town, village, or hamlet	125 m	1 km
Commercial use	125 m	750 m
Recreational use	125 m	750 m
Schools and hospitals	125 m	1 km

**Table 4-6**

<b>Minimum Separation Distances for Oil and Gas Wells</b>			
	<b>Abandoned wells</b>	<b>Shut in wells that are connected to a closed system (flowline) or when re-opened, would not be a flare site</b>	<b>Shut in wells that, when re-opened, would be a flare site</b>
Single residence	25 m	125 m	500 m
Multi-parcel country residential subdivision (four or more parcels)	25 m	125 m	750 m
Town, village, or hamlet	25 m	125 m	1 km
Commercial use	25 m	125 m	750 m
Recreational use	25 m	125 m	750 m
Schools and hospitals	25 m	125 m	1 km

#### 4.29 POTASH AND ETHANOL DEVELOPMENT

##### 4.29.1 DEVELOPMENT STANDARDS AND CRITERIA

- a) Potash mining operations shall include mines, mine offices, maintenance buildings, head frames, wells, pipelines, and storage facilities.
- b) Processing and service-related development (tailing ponds, tailing piles, etc.) will be considered accessory to a mining operation.
- c) A proposal for potash resource development will not be approved unless there is a suitable access to a developed municipal road or a provincial highway.
- d) The operation shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands.
- e) New development for land uses that may conflict with the development or expansion of potash resource operations will be discouraged within 2.0 kilometres (1.2 miles) of known resources.
- f) Appropriate transportation routes, buffers and screening shall be used to minimize land use incompatibility, nuisance, pollution, odour, and dust.
- g) As a condition of development permit approval, Council may apply development standards to increase public health and safety, prevent pollution, and minimize the potential for nuisance to neighbouring land uses.

- h) Signage, fencing, lighting restrictions, or other safety measures may be required at the developer's expense.
- i) The developer may be required to demonstrate, in the form of a professional report or assessment, that the development will not negatively impact water resources, either in quantity or quality.
- j) A proposal for a potash resource development will not be approved unless there are adequate plans to address fire suppression, public safety, decommission, site reclamation and post-development land use. The site reclamation plan must show the final site conditions following the completion of the operation and the phasing of remediation.

#### 4.29.2 POTASH AND ETHANOL SEPARATION CRITERIA

- a) Separation requirements for the mining, excavation or stockpiling of potash resources are shown in Table 4-7. Greater separation distances may be required if found necessary through any professional report or assessment, or if required by a provincial regulatory agency.
- b) Separation distances shall be measured from the active area(s) of the operation and the nearest parcel boundary of the neighbouring land use.

**Table 4-7**

<b>Minimum Separation Distances for Potash and Ethanol Development</b>	
<b>Land Use</b>	<b>Potash, Fertilizer, or Ethanol Development</b>
Single residence	500 m
Multi-parcel country residential subdivision, town, village, or hamlet	1 km
Commercial use	500 m
Recreational use	500 m
Fertilizer, potash, or ethanol development	800 m
Oil and gas development	N/A

#### 4.30 INTENSIVE AGRICULTURAL OPERATIONS

- a) In the application for an intensive agricultural operation, the applicant shall identify the proposed water supply for the operation. Council may require the applicant to provide a study, from a qualified professional, to demonstrate the water supply is of sufficient quality and quantity to meet the needs of the operation without causing any detrimental effects on the water supply of neighbouring properties.
- b) The operation may include a farmstead or dwelling for the operator, on the same site.

## 4.31 INTENSIVE LIVESTOCK OPERATIONS (ILOS)

### 4.31.1 APPLICATION REQUIREMENTS

- a) The regulations in this section apply to an operation if:
  - i. It requires a permit for an Intensive Livestock Operation (ILO) under *The Agricultural Operations Act*;
  - ii. It is an expansion of an existing ILO, which has been permitted by the appropriate provincial agency; or
  - iii. It involves the alteration of animal species in an existing ILO.
- b) Existing ILOs
  - i. ILOs existing at the time of the adoption of this Bylaw may continue. However, any expansion of the operation, change of animal species, or change in the type of operation will require approval from Council in accordance with the requirements and conditions of this bylaw.
- c) The developer shall submit to the RM a copy of any site assessment, environmental study, or professional report required by the Ministry of Agriculture.
- d) Council may require the applicant to obtain recommendations from appropriate agencies, or professionals, to address issues regarding potential impacts to the water supply, assess manure management plans, and evaluate the suitability of the site for the development.
- e) Council will decide on a proposed ILO within 45 days of receiving all information necessary to decide. If an extension is required, Council will notify the developer in writing, including reasons for the extension, and the length of the extension.

### 4.31.2 PUBLIC CONSULTATION

- a) Council will encourage the developer of a proposed new or expanding ILO to hold an open house, separate from the municipal public hearing, prior to development permit consideration. The purpose of the open house is to provide information to affected landowners.

### 4.31.3 DECISION CRITERIA

- a) Council shall consider the following, when evaluating an application for a new or expanded ILO:
  - i. Measures proposed to mitigate potential nuisance factors.
  - ii. The number and type of animal units.
  - iii. The plan for manure management.
  - iv. Sensitive environments, aquifers, or drainage patterns that may be impacted by the proposed setback reduction.

- v. Physical severances such as roadways, railways, or water bodies that would reduce the potential for adverse impacts to adjacent land users.
- vi. The compatibility of existing and planned neighbouring land uses.
- vii. Potential impacts of the operation on road maintenance, safety, and traffic flow.

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#### 4.31.4 DEVELOPMENT STANDARDS

- a) In addition to the requirements of this Bylaw, the ILOs shall conform to *The Agricultural Operations Act* and any other applicable provincial legislation.
- b) Council may refer a development permit application for an ILO to the Ministry of Agriculture for review and comment, Council may request recommendations regarding the management of manure, nutrients, and mortality. Recommendations from the Ministry of Agriculture may be attached to the permit as development standards.
- c) As a condition of approval, and at the recommendation of the Ministry of Agriculture, Council may specify the maximum number of AUs permitted in the operation and the areas of the site to be used for the operation.
- d) In order to reduce land use conflicts, as a condition of approval Council may specify the lands, which may and may not be used for spreading, disposing, or storing manure. The decision to restrict lands on which manure may be spread should be based on existing land uses, future land uses identified on the Future Land Use Map, the protection of water resources, and the recommendation of the Ministry of Agriculture.
- e) As a condition of approval, and at the recommendation of the Ministry of Agriculture, Council may specify requirements regarding the disposal of manure produced by the ILO, or other measures intended to reduce odour, environmental concerns, or potential conflict with neighbouring uses.
- f) Where municipal roads could be affected by the operation, Council may require the developer to enter into a road maintenance agreement under Section 22 of *The Municipalities Act*.

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#### 4.31.5 SEPARATION CRITERIA FOR ILOS

- a) All ILOs are subject to the separation criteria listed in Table 4-8.
- b) Distances are measured between the active area of the ILO and the nearest parcel boundary of the neighbouring use.
- c) Separation requirements do not apply to residences associated with the operation.

**Table 4-8**

<b>Separation Criteria for ILOs</b>					
<b>Specific Use</b>	<b>No. of Animal Units</b>				
	100-299	300-499	500-2000	2000-5000	>5000
	<b>Separation Distance (m)</b>				
Single residence	300 (450)	400 (600)	600 (800)	800 (1200)	1000 (2000)
Multi-parcel (4 or more) non-farm residential subdivision, tourist accommodation, or campground	300 (450)	400 (600)	800 (1200)	1200 (1600)	1600 (2000)
Hamlet, urban municipality <100 population	400 (600)	800 (1200)	1200 (1600)	1600 (2400)	2000 (2400)
Urban municipality 100-500 population	800 (1200)	1200 (1600)	1600 (2400)	2400 (2400)	2400 (2400)
Urban municipality 501-5000	1200 (1600)	1600 (2000)	2400 (2400)	3200 (3200)	3200 (3200)
Urban municipality >5000	1600 (2400)	2400 (2400)	3200 (3200)	3200 (3200)	3200 (3200)

**4.31.6 SEPARATION REDUCTION CRITERIA**

- a) Council, at its discretion, may consider a lesser separation distance than prescribed in Table 4-8 to accommodate the proposed expansion of an existing ILO.
- b) When evaluating a proposed setback reduction, Council shall consider the criteria listed in subsection 4.31.3.

- c) The developer shall consult with the residents or assessed owners of land within the proposed setback reduction. Council shall consider written and verbal comments as part of the review process.
- d) Where Council has approved a reduced separation distance, a written agreement between the ILO operator, the landowner(s), and the Municipality, agreeing to the reduced separation distance may be registered against the applicable parcel titles. The cost of the interest shall be the developer's responsibility.

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4.31.7 MANURE MANAGEMENT FOR ILOS

- a) Cropland or improved pasture, which is associated or separate from an approved ILO, may be used for the spreading of manure wastes from an ILO.
- b) If manure is spread on the same site as an ILO, it is considered accessory to the ILO and shall be addressed in the permit for the ILO. Spreading of manure on a site not associated with an ILO is not subject to development permit requirements provided the required setbacks are met.
- c) The RM may support, or allow, manure injection into the soil or innovative technologies other than conventional stockpiling and spreading for manure management. The Ministry of Agriculture may be consulted regarding manure management.
- d) Where manure is applied on any site, the separation distances in Table 4-9 shall apply.
- e) Distances are measured between the active area of the ILO and the nearest boundary of the neighbouring use.

**Table 4-9**

<b>Minimum Separation Distances for Specific Method of Manure Application</b>	
Hamlet, urban municipality population <500	400 m
Urban municipality population >500	800 m

## 5 ZONING DISTRICTS

### 5.1 DISTRICTS OVERVIEW

#### 5.1.1 ZONING DISTRICTS

- a) For the purpose of applying this Bylaw, the Municipality is divided into the following zoning districts.

**Table 5-1**

Zoning District	Symbol
Agricultural Resource	AR
Residential	R
Provincial Forest	F

#### 5.1.2 BOUNDARIES

The boundaries of the zoning districts are shown on the map entitled, RM of Livingston No. 331 Zoning District Map. As shown on the map, the boundaries of the districts are contiguous with parcel boundaries, centerlines of streets, lanes, roads or such lines extended, and the boundaries of the municipality.

#### 5.1.3 ZONING DISTRICT MAP

The Zoning District Map, attached to and forming part of this Zoning Bylaw, identifies the locations and boundaries of the various zoning districts within the RM.

#### 5.1.3.1 OPPORTUNITIES AND CONSTRAINTS MAP

The Opportunities and Constraints Map, attached to and forming part of the Zoning Bylaw, identifies the general locations of heritage and environmentally sensitive lands within the RM. This map is to be used as a guide, as it shows the general areas of sensitivity based on data obtained at the time of adopting the bylaws. Developers may be required to obtain additional information in the way of professional studies or site assessments in order to determine specific site information.

#### 5.1.4 DISTRICT REGULATIONS

Regulations for the zoning districts are outlined in the following sections:

## 5.2 AR – AGRICULTURAL RESOURCE DISTRICT

*The purpose of the Agricultural Resource District is to provide for and preserve large areas of land capable of accommodating a range of general agricultural operations, value-added agricultural businesses, natural resource operations, and high-profile commercial developments, which support or supplement the agricultural and natural resource sectors.*

*In any Agricultural Resource District, no person shall use any land, building, or structure or erect any building or structure except in accordance with the following provisions:*

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### 5.2.1 PERMITTED USES

- a) Field crops, pastures, and other similar uses customarily carried out in the field of general agriculture but excluding intensive livestock operations (ILOs), poultry operations, feed lots, and hatcheries
- b) Intensive agricultural operations such as market gardens, mushroom farms, tree and garden nurseries, greenhouses, orchards, etc.
- c) Facilities for the preparation, storage, and/or sale of crops grown on the same or separate site as an agricultural operation
- d) Beehives and honey extraction facilities
- e) One (1) principal dwelling unit, including RTM, modular, or mobile homes
- f) A maximum of two (2) additional permanent residences on an agricultural operation of at least 32 hectares
- g) One (1) dwelling unit, which is accessory to, and located on, the same site as a non-agricultural principal use, for the owner/operator
- h) Separate sites for grain storage
- i) Game farm and controlled hunt farms licensed under *The Domestic Game Farm Regulations*
- j) Agriculture-related commercial and industrial operations
- k) Oil and gas exploration and extraction development including wells, pipelines, storage facilities, and related accessory buildings and structures
- l) Mining operations including mine offices, maintenance and processing buildings, head frames, wells, pipelines and storage facilities
- m) Work camps accessory to a resource development use, and located on the same or separate site
- n) Abattoirs, including retail meat sales, skinning and tanning facilities
- o) Places of worship

- p) Cemeteries
- q) Institutional uses and facilities
- r) Communications towers (telephone, television, radio, etc.)
- s) Storage facilities, warehousing, supply and distribution facilities
- t) Wildlife and conservation management areas
- u) Historical and archaeological sites
- v) Public utilities, excluding solid and liquid waste disposal sites
- w) Municipal uses and facilities
- x) Residential care and nursing homes
- y) Accessory uses, buildings, and structures:
  - i. Uses, buildings, and structures typically associated with the approved principal use
  - ii. Private solar energy systems
  - iii. Sea and rail containers as an accessory use for storage
  - iv. Swimming pools

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### 5.2.2 DISCRETIONARY USES

- a) Intensive Livestock Operations (ILOs)
- b) Aggregate (sand and gravel) resource development operations
- c) Petroleum or mineral resource processing and related facilities
- d) Airports and private airstrips
- e) Boarding kennels, veterinary clinics, and animal hospitals
- f) Solid and liquid waste disposal facilities
- g) Soil farms for the rehabilitation of petroleum-contaminated soils
- h) Commercial wind farms and commercial solar farms
- i) Private wind energy systems, where accessory to a principal use
- j) Establishments for the sale, storage and servicing of motor vehicles, trailers, marine vehicles, farm machinery and equipment
- k) Trucking and hauling operations

- l) Commercial recreation facilities
- m) Automotive service stations and gas bars, including those with a convenience store
- n) Communal farm settlements
- o) Home-based businesses
- p) Agricultural tourism
- q) Bed and breakfasts and vacation farms

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### 5.2.3 DISTRICT REGULATIONS

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#### 5.2.3.1 SUBDIVISIONS AND SITE STANDARDS

- a) A maximum of two (2) subdivisions will be allowed per quarter section (three (3) separate titles per quarter section in total) within this district.
- b) Additional subdivisions may be considered where the site is physically separated from the remainder of the quarter section by a rail line, a registered road plan, or a natural feature. The separated land may be subdivided from the quarter section, minimum site area requirement shall not apply, provided:
  - i. The separate site and remnant source parcel have direct access to a developed road;
  - ii. A suitable water supply and sewage disposal can be accommodated on the site;
  - iii. There is a buildable site of suitable size and elevation to support the principal and accessory buildings.
- c) Where a site is proposed to be consolidated with another site to create a larger area for a legal use within this district, Council may use its discretion to vary the maximum allowed site size.
- d) Subject to provincial requirements, Council may, by resolution, allow a relaxation of the setback from an RM road, to a minimum of 30 metres (100 feet) from the centreline where:
  - i. The relaxation is for an accessory use (a relaxation of the setback will not be allowed for principal buildings, uses, or structures);
  - ii. The relaxation would not create a visual obstruction from the roadway; and
  - iii. The relaxation would not jeopardize the safety or general welfare of the landowner or of the travelling public.

Table 5-2

Principal Uses		
<b>Minimum site area</b>	Non-intensive agriculture	32 ha
	Intensive agricultural operations and ILOs	1 ha
	Non-farm residential	2 ha
	Private wind energy systems	2 ha
	Commercial wind or solar farms	2 ha
	Mineral resource, petroleum, and aggregate development	As required by the development
	All other uses	1 ha
<b>Maximum site area</b>	Non-farm residential	16 ha
	All other uses	No maximum
<b>Minimum site frontage</b>	30 m	
<b>Minimum front yard</b>	RM grid road or provincial highway	45 m
	Internal subdivision or service road	15 m
<b>Minimum side and rear yard</b>	RM grid road or provincial highway	45 m
	Internal subdivision or service road	15 m
	Adjacent lot	6 m

Table 5-3

Accessory Structures and Buildings		
<b>Minimum front yard</b>	RM grid road or provincial highway	45 m
	Internal subdivision or service road	15 m
<b>Minimum side and rear yard</b>	RM grid road or provincial highway	45 m
	Internal subdivision or service road	15 m
	Adjacent lot	6 m

Table 5-4

Parks, Municipal Uses, Government Facilities, and Public Utilities
No minimum site standards, provided the safety and amenity of the area is maintained.

5.2.4 SUPPLEMENTARY REGULATIONS FOR THE AGRICULTURAL RESOURCE DISTRICT

5.2.4.1 ADDITIONAL FARM RESIDENCES AND COMMUNAL DWELLINGS

- a) All dwelling(s) are subject to the setback requirements for a principal building.
- b) New dwellings or additions to dwellings are prohibited in the floodway of the 1:500-year flood elevation.
- c) There shall be adequate utilities, including sewage disposal and water supply system(s), to support the additional dwelling units.

5.2.4.2 TEMPORARY RESIDENCES

- a) **Trailer coach for farm employees:** one (1) trailer coach, or other non-permanent dwelling unit, used for the temporary accommodation of farm employees may be allowed on an agricultural operation, provided:
  - i. The site is a minimum of 32.4 hectares (80 acres) in area;
  - ii. All setbacks and separation distances are met;
  - iii. A development permit has been approved for the temporary accommodation;
  - iv. The mobile home or trailer coach shall be securely anchored but shall not be placed on a permanent foundation so as to allow removal;
  - v. All requirements of the Saskatchewan Health Authority or other applicable regulatory agency are met;
  - vi. There are adequate services and utilities to support the additional residence; and
  - vii. The trailer coach is only allowed as temporary accommodation during the farming season.
- b) **Accommodation during construction (mobile home or trailer coach):** A mobile home or trailer coach may be used as a temporary accommodation during the construction of a principal dwelling on the site, provided:
  - i. A development permit and/or building permit has been issued for the new dwelling and the temporary accommodation;
  - ii. The mobile home or trailer coach shall be removed within ninety (90) days of the completion and occupancy of the principal dwelling;

- iii. The mobile home or trailer coach shall be securely anchored but shall not be placed on a permanent foundation so as to allow removal; and
  - iv. The mobile home or trailer coach shall meet the applicable CSA standards and shall bear the CSA certification.
- c) **Accommodation during construction (existing dwelling):** Where an existing habitable dwelling is being replaced by a new dwelling, the existing dwelling may be allowed to remain occupied during construction, until the new dwelling is habitable.
- i. Development permit requirements apply; and
  - ii. The former dwelling must be demolished or removed from the site within ninety (90) days of occupancy of the new dwelling.

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#### 5.2.4.3 ACCESSORY DWELLING UNITS

- a) One dwelling unit is permitted as an accessory use to an approved commercial or industrial use.
- b) Dwelling units shall have a floor area smaller than, or equal to, the floor area of the principal use in the building.
- c) Dwelling units shall be located above or at the rear of the principal building and may be attached or separate from the principal building.
- d) If attached to the principal building, the dwelling unit shall have an entrance that is separate from that of the commercial establishment.
- e) Residences, which are accessory to a commercial or industrial use, shall meet all provincial and municipal requirements for health, safety, utilities and fire regulations.

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#### 5.2.4.4 COMMERCIAL AND INDUSTRIAL DEVELOPMENT

- a) As a condition of development permit approval, Council may apply development standards limiting the size of the operation, and the size and number of buildings used for the operation.
- b) An increase in the area of land for a commercial or industrial use, or the number or size of buildings used for the operation, shall require a new development permit.
- c) Council may require standards for the location, setback or screening of any area devoted to the outdoor storage of machinery, vehicles, or vehicular parts in conjunction with a commercial operation including any salvage or vehicle storage yard.

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#### 5.2.4.5 FENCES AND HEDGES

- a) Fences shall be located entirely within the site lines of the property.
- b) Screening devices shall not be placed within a sight triangle required by this Bylaw, a development permit, or a municipal or provincial regulatory body.

- c) Razor wire fences are prohibited.
- d) Fences shall be consistent with and complementary to the quality of building design and materials of the primary building.
- e) With the exception of trees, no fence, hedge, or screening device shall exceed 2.4 metres (7.92 feet) in height in the Agricultural Resource District.

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#### 5.2.4.6 ACCESSORY USES, BUILDINGS, AND STRUCTURES

- a) Where a building on a site is attached to a principal building by a solid roof or by structural rafters, the building is deemed to be part of the principal building.
- b) Unless otherwise specified in this Bylaw, accessory buildings and structures shall be subject to the same yard requirements as the principal use.
- c) No door or entranceway of any accessory building shall be located closer than 1.5 metres (5 feet) from the property line. No door shall, when open, extend beyond the property boundary of the lot.
- d) Subject to building code regulations, detached accessory buildings shall be located at least 1.0 metre (3.3 feet) from a principal building.

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#### 5.2.4.7 PERFORMANCE STANDARDS

- a) With the exception of typical agricultural activities and to the extent possible, the following nuisance factors shall be limited or prohibited:
  - i. Noise of industrial production audible beyond the boundary of the lot on which the operation takes place
  - ii. Processes that produce excessive smoke
  - iii. The emission of dust, fly ash, or other particulate matter
  - iv. The emission of any odorous gas or other odorous matter
  - v. The emission of any toxic gases or other toxic substance
  - vi. Glare or heat discernible beyond the property line of the lot
- b) Waste that does not conform to the standards established by the RM, shall not be discharged into any municipal lagoon.
- c) The onus of demonstrating to Council's satisfaction that a proposed development does and will comply with these requirements rests with the developer.

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#### 5.2.4.8 SEPARATION FROM RESIDENCES

- a) Commercial and industrial operations shall be separated from a residence that is not occupied by the operator of the establishment, by a distance of at least 300.0 metres (984.25 feet) unless the

applicant can establish, to the satisfaction of Council, that the use will not emit noxious odours, dust, smoke, or noise that would limit the enjoyment or use of the residence.

- b) The separation distance shall be measured from the active area of the commercial or industrial facility to the residence.

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#### 5.2.4.9 USES THAT INVOLVE THE HOUSING OF AGRICULTURAL ANIMALS

- a) For any use that involves the sale, shipping, housing, or confinement of agricultural animals in numbers or densities that meet the criteria for an ILO, Council is bound by the separation distances for ILOs, included in Section 4 of this Zoning Bylaw.
- b) In issuing a development permit, Council may apply special standards limiting the number of animal units that may be harboured on the site at any point in time. The number of animal units shall be based on the separation distance from neighbouring uses, the area of the development site and the length of time the animals are to be kept on site.

## 5.3 R – RESIDENTIAL DISTRICT

*The purpose of the Residential District is to accommodate clusters of medium to high density residential development. The district will also provide limited commercial and social services for the surrounding population.*

*In any Residential District, no person shall use any land, building, or structure or erect any building or structure except in accordance with the following provisions:*

---

### 5.3.1 PERMITTED USES

- a) Single detached dwellings
- b) Semi-detached and duplex dwellings
- c) Municipal uses and facilities
- d) Schools and educational institutions
- e) Places of worship and religious institutions
- f) Community halls
- g) Sports fields, rinks, parks, community halls, and other municipal recreational uses
- h) Offices
- i) Home offices
- j) Retail stores
- k) Grocery stores
- l) Artisan, craft, and other specialty shops
- m) Restaurants, confectionaries, and other places for the sale and consumption of food and related items
- n) Establishments for the servicing, storage, and sale of motor vehicles, farm machinery, and equipment
- o) Personal service shops (hair salons, spas, etc.)
- p) Medical centres, dental offices
- q) Warehouses
- r) Public works and utilities, excluding solid and liquid waste disposal
- s) Uses, buildings, and structures which are accessory to an approved principal use

- t) Swimming pools, where accessory to a principal use

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### 5.3.2 DISCRETIONARY USES

- a) Townhouses
- b) Apartments
- c) Bed and breakfast homes
- d) Home-based businesses
- e) Taverns, lounges, and liquor sales
- f) Daycare centres
- g) Residential care homes
- h) Care homes
- i) Motels and hotels
- j) One dwelling unit accessory to an approved commercial use
- k) Storage yards
- l) Service stations, with or without car washes or convenience stores
- m) Commercial recreation facilities
- n) Campgrounds
- o) One (1) shipping container as an accessory use for storage

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### 5.3.3 DISTRICT REGULATIONS

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#### 5.3.3.1 SUBDIVISIONS AND SITE STANDARDS

- a) There shall be no restriction on the number of subdivisions allowed per quarter section in the Residential District.

5.3.3.2 SITE STANDARDS

Table 5-5

<b>Residential Uses - Single-detached, Semi-detached, and Duplex</b>				
	<b>Single Detached and Duplex</b>		<b>Semi-detached (per unit)</b>	
<b>Minimum site area</b>	450 sq m		185 sq m	
<b>Maximum site area</b>	2 ha		500 sq m	
<b>Minimum frontage</b>	With a lane	15 m	With a lane	11 m
	Without a lane	18 m	Without a lane	15 m
<b>Minimum front yard</b>	6 m		6 m	
<b>Minimum side yard</b>	1.5 m		Corner lot	3 m
			Where units share a wall	0 m
			All other uses	1.5 m
<b>Minimum rear yard</b>	6 m		6 m	
<b>Maximum site coverage</b>	60%		60%	
<b>Maximum height</b>	11 m		11 m	

Table 5-6

<b>Residential Uses - Multiple Unit</b>				
	<b>Townhouses (per unit)</b>		<b>Apartments</b>	
<b>Minimum site area</b>	185 sq m		625 sq m	
<b>Maximum site area</b>	500 sq m		1000 sq m	
<b>Minimum frontage</b>	7.5 m		25 m	
<b>Minimum front yard</b>	6 m		6 m	
<b>Minimum side yard</b>	Corner lot	3 m	3.5 m	
	Where units share a wall	0 m		
	All other lots	1.5 m		
<b>Minimum rear yard</b>	6 m		6 m	
<b>Maximum site coverage</b>	60%		60%	
<b>Maximum height</b>	11 m		30 m	

Table 5-7

<b>Other Principal Uses</b>		
<b>Minimum site area</b>	Service stations	929 sq m
	All other uses	278 sq m
<b>Minimum frontage</b>	Service stations	30 m
	All other uses	7.5 m
<b>Minimum front yard</b>	Service stations	7.5 m
	All other uses	No requirement
<b>Minimum side yard</b>	Service stations	3 m
	All other uses	1.5 m
<b>Minimum rear yard</b>	6 m	

Table 5-8

<b>Accessory Structures and Buildings</b>	
<b>Minimum side and rear yard</b>	1.5 m
<b>Maximum height</b>	8 m

Table 5-9

<b>Parks, Municipal Uses, Government Facilities, and Public Utilities</b>
No minimum site standards, provided the safety and amenity of the area is maintained.

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### 5.3.4 SUPPLEMENTARY STANDARDS FOR THE RESIDENTIAL DISTRICT

#### 5.3.4.1 FENCES AND HEDGES

- a) Fences and hedges shall be located entirely within the site lines of the property.
- b) Screening devices shall not be placed within a sight triangle required by this Bylaw, a development permit, or a municipal or provincial regulatory body.
- c) Razor wire fences are prohibited.
- d) Screen fences shall be consistent with and complementary to the quality of building design and materials of the primary building.
- e) Fence and Hedge Heights:
  - i. With the exception of trees, no fence, hedge, or screening device shall exceed 1.2 metres (3.96 feet) in height if placed within a required front yard in the Residential District.

- ii. With the exception of trees, no fence, hedge, or screening device shall exceed 2.4 metres (7.92 feet) in height within a required side or rear yard in the Residential District.

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#### 5.3.4.2 ACCESSORY USES, BUILDINGS, AND STRUCTURES

- a) Where a building on a site is attached to a principal building by a solid roof or by structural rafters, the building is deemed to be part of the principal building.
- b) No door or entranceway of any accessory building shall be located closer than 1.5 metres (5 feet) from the property line. No door shall, when open, extend beyond the property boundary of the lot.
- c) Subject to building code regulations, detached accessory buildings shall be located at least 1.0 metre (3.3 feet) from a principal building.
- d) In the Residential District, all workshop-related activities shall be conducted entirely within an enclosed building. No storage of materials, goods, or waste products is allowed in the front or side yard of the site.

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#### 5.3.5 THE KEEPING OF FARM ANIMALS

- a) The keeping of large-breed farm and game animals (pigs, horses, etc.) is not permitted in the Residential District.
- b) The keeping of poultry will be allowed in the Residential District only if properly contained within a fully enclosed yard, development permits are not required.

## 5.4 F – PROVINCIAL FOREST DISTRICT

*The purpose of the Provincial Forest District is to provide for the sustainable use of the provincial forest resources within the RM boundaries.*

*The boundaries of this zoning district correspond to those areas of Crown land, which have been designated as provincial forest pursuant to The Forest Resources Management Act and described in The Forest Resources Management Regulations. Lands designated as provincial forest under the applicable legislation are administered by the Ministry of the Environment. Enquiries regarding development in this district shall be directed to the Ministry of the Environment for more information.*

*Any person undertaking a commercial activity that has been approved by the Province in the Provincial Forest District and which would require the use of a municipal road, shall contact the Municipality regarding location of trucking routes, hours of operation, road maintenance, and any other aspects of concern to the Municipality.*

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### 5.4.1 PERMITTED USES

- a) Forestry: harvesting of timber
- b) Botanical resource uses: berry and mushroom picking, grazing, haying, harvesting of wild rice, and other similar uses
- c) Game resource uses: angling, hunting, and trapping on a designated trap line approved by the Ministry of Environment
- d) Recreational uses: trails for cross-country skiing, hiking, etc.

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### 5.4.2 DISCRETIONARY USES

- a) Trails for recreational vehicles (snowmobile, ATV, side-by-sides)
- b) Day-use picnic sites

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### 5.4.3 DISTRICT REGULATIONS

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#### 5.4.3.1 SUBDIVISIONS AND SITE STANDARDS

- a) Subdivision within the Provincial Forest District may be allowed but is subject to provincial requirements and approval for purchasing and obtaining Crown land.
- b) The Municipality shall direct anyone interested in purchasing Crown land to the Ministry of Environment.
- c) Site standards within the Provincial Forest District will be determined by the Ministry of Environment in consultation with RM on a case-by-case basis and will be dependent on the location and use of the proposed development.

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#### 5.4.3.2 DEVELOPMENT PERMITS AND PROVINCIAL APPROVALS

- a) Any new development within the Provincial Forest District, including roads, utilities, and municipal facilities shall comply with the legislative requirements established pursuant to *The Forest Resources Management Act*, *The Forest Resources Management Regulations* and the Saskatchewan Environmental Code.
- b) All new developments and land uses require approval from the Ministry of Environment and are subject to provincial licensing and provincial legislation.
- c) Picnic sites and other park areas may be subject to *The Parks Act* and *The Parks Regulations, 1991*.
- d) Snowmobile and other vehicle trails may be subject to *The Snowmobile Regulations, 1998*.
- e) Development permits are required for permanent buildings and structures, and uses that require access from a registered road.
  - i. Prior to issuing a development permit, the RM will consult with the ministry responsible for managing the provincial forest. The RM may apply conditions to a development based on provincial recommendations for the protection of forest resources. Authorized developments may be subject to wildfire management initiatives pursuant to *The Wildfire Act* and *The Wildfire Regulations*.
- f) The developer shall provide the RM with a copy of any provincial approval or license for development within the Provincial Forest District.

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#### 5.4.4 SUPPLEMENTARY STANDARDS FOR THE PROVINCIAL FOREST DISTRICT

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##### 5.4.4.1 THE KEEPING OF DOMESTIC AND FARM ANIMALS

- a) Domestic animals and livestock are only allowed in the Provincial Forest District subject to the proper approvals, permits, or licenses as may be required by the Ministry of Environment.

## 6 DEFINITIONS

Whenever the subsequent words or terms are used in the Official Community Plan, and this Bylaw, they shall, have the following definition unless the context indicates otherwise.

Abattoir:	A facility for butchering animals, slaughtering animals, dressing, cutting and inspecting meats, and/or refrigerating, curing, and manufacturing by-products.
Accessory:	A building, structure or use of a specific site which is subordinate and exclusively devoted to the principal building, principal structure, or principal use of the same site.
Act:	<i>The Planning and Development Act, 2007</i> Province of Saskatchewan, as amended from time to time.
Adjacent:	Contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land; and any other land identified in this Bylaw as adjacent land for the purpose of notifications.
Administrator:	The Administrator of the Rural Municipality of Livingston No. 331.
Aggregate Resource:	Raw materials including sand, gravel, clay, earth or mineralized rock found on or under a site. (Also see Mineral Resource)
Agricultural:	A use of land, buildings or structures for the purpose of animal husbandry, fallow, field crops, forestry, market gardening, pasturage, private greenhouses and includes the growing, packing, treating, storing, and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agriculture, but does not include cannabis operations.
Agricultural Industry:	Those processing and distributing industries providing products or services directly associated with the agricultural business sector and without restricting the generality of the above may include: <ul style="list-style-type: none"><li>a) Grain elevators;</li><li>b) Feed mills;</li><li>c) Abattoirs;</li><li>d) Seed cleaning plants;</li><li>e) Pelletizing plants;</li><li>f) Bulk fertilizer distribution plants;</li><li>g) Bulk agricultural chemical distribution plants;</li><li>h) Anhydrous ammonia storage and distribution;</li><li>i) Bulk fuel plants;</li><li>j) Livestock holding stations;</li></ul>

- k) Retail sales of the goods produced or stored as part of the dominant use on the site.

Agricultural  
Commercial:

A use related to the sale of products or machinery of an agricultural nature or the provision of services to the agricultural community, and without restricting the generality of the above may include livestock auction marts, farm implement dealerships, fruit stands, veterinary clinics, and animal hospitals.

Agricultural Operation:

An operation:

- a) That is carried out on a farm, in the expectation of gain or reward, including:
  - i. Cultivating land;
  - ii. Producing agricultural crops, including hay and forage;
  - iii. Producing horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs, flowers, greenhouse crops, and specialty crops;
  - iv. Raising all classes of livestock, horses, poultry, fur-bearing animals, game birds, and game animals, bees and fish;
  - v. Carrying on an intensive livestock operation;
  - vi. Producing eggs, milk, honey, and other animal products;
  - vii. Operating agricultural machinery and equipment, including irrigation pumps and noise-scare devices;
  - viii. Conducting any process necessary to prepare a farm product for distribution from the farm gate;
  - ix. Storing, handling, and applying fertilizer, manure, organic wastes, soil amendments, and pesticides, including both ground and aerial application;
  - x. Any other prescribed agricultural activity or process; or
- b) That is prescribed as an agricultural operation for the purposes of *The Agricultural Operations Act*.

Agricultural Tourism:

A tourism oriented commercial land use related to the retail sale of products or the provision of entertainment associated with an agricultural operation or a rural environment, and without limiting the generality of the above includes: historical and vacation farms, farm zoos, gift shops, restaurants, art galleries, and cultural entertainment facilities.

Alteration or Altered:

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

Ancillary:

A building, structure, or use of a specific site which is related in a subsidiary manner to the principal building, principal structure, or principal use of the same site.

Animal Unit (A.U.):

The kind and number of animals calculated in accordance with the following table:

**Table 6-1**

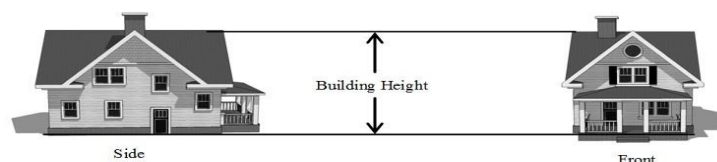
<b>Kind of Animal</b>	<b>Number of Animals (= 1 Animal Unit)</b>
<b>Poultry</b>	
Hens, cockerels, capons	100
Chicks, broiler chickens	200
Turkeys, geese, ducks	50
Exotic birds	25
<b>Hogs</b>	
Boars and sows	3
Gilts	4
Feeder pigs	6
Weanling pigs	20
<b>Sheep</b>	
Rams or ewes	7
Lambs	14
<b>Goats, etc.</b>	
All (including llamas, alpacas etc.)	7
<b>Cattle</b>	
Cows and bulls	1
Feeder cattle	1.5
Replacement heifers	2
Calves	4
<b>Horses</b>	
Colts and ponies	2
Other horses	1
<b>Bison</b>	
Cows or bulls	1
Calves	4
<b>Fallow Deer</b>	
Fallow deer	8
Fallow deer fawns	32
<b>Domestic Indigenous</b>	
Elk	5
Elk calves	20
White-tailed deer	8
White-tailed deer fawns	32

Mule deer	8
Mule deer fawns	32

- Applicant:** A developer, landowner, or other person/party applying to the Municipality for a development permit for a permitted or discretionary use under this Bylaw, or a bylaw amendment to the Official Community Plan or Zoning Bylaw, or to an approving authority for subdivision approval under *The Planning and Development Act, 2007*.
- Auction Mart/Market:** Means a building or structure or lands used for the storage of goods, materials, and livestock which are to be sold on the premises by public auction and for the sale of the said goods, materials, and livestock by public auction and on an occasional basis.
- Auto Wrecker:** An area where motor vehicles are disassembled, dismantled, or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored or sold to the general public.
- Basement:** That portion of a building between two floor levels, which is partly underground and has not more than one-half its height from the finished floor to finished ceiling, above finished grade.
- Battery, Oil, and Gas:** Common storage facilities receiving production from a well, or wells, and includes equipment for separating the fluid into oil, gas, water, any other substances and for measurement.
- Battery, Single-Well:** A licensed well that treats production exclusively from that licensed well.
- Bed-and-Breakfast:** A dwelling unit, licensed as a tourist home under The Tourist Accommodation Regulations, 1969, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.
- Billboard:** A private free-standing sign, including supporting structures, which advertises goods, products, services, organizations, or facilities that are available from, located on, or refer to, a site other than the site on which the sign is located.
- Boathouse:** A shed, which is located at the edge of a river, lake, or other body of water, and used for storing boats.
- Buffer:** A strip of land, vegetation, or land use that physically separates two or more different land uses.
- Building:** A structure used for the shelter or accommodation of persons, animals, or chattels and includes any structure covered by a roof supported by walls or columns.
- Building Bylaw:** The Bylaw of the Rural Municipality of Livingston No. 331 regulating the erection, alteration, repair, occupancy, maintenance, or demolition of buildings and structures.

**Building Floor Area:** The sum of the gross horizontal area of all floors of a building excluding the floor area used for or devoted to mechanical equipment, laundry, storage, swimming pools, and enclosed or underground parking facilities. All dimensions shall be measured between exterior faces of walls or supporting columns, or from the centre line of the walls or supporting columns separating two buildings. For the purpose of this Bylaw, the term ‘storage’ means the keeping or placing of trunks, luggage or similar articles in a place designed therefore, but shall exclude clothes closets, linen closets, broom cupboards, kitchen and bathroom cupboards of whatsoever nature.

**Building Height:** The vertical distance measured from the grade level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof.



**Building Permit:** A permit, issued under the Building Bylaw of the Rural Municipality of Livingston No. 331 authorizing the construction of all or part of any building or structure.

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

**Bulk Fuel Sales and Storage:** Includes lands, buildings, and structures for the storage and distribution of fuels and oils including retail sales or key lock operations.

**Bylaw:** The Rural Municipality of Livingston No. 331’s Zoning Bylaw.

**Cannabis:** The cannabis plant, fresh cannabis, dried cannabis, cannabis oil, cannabis plant seeds, edible products that contain cannabis, and any other substance defined as cannabis in the *Cannabis Act* (Canada) and the associated regulations, as amended from time to time and includes edible products that contain cannabis.

**Cannabis Micro-Production Facility** A federally licensed small-scale cannabis production facility, which is reduced in size and with a maximum canopy area of 200 sq. metres, or which meets the requirements of the federal government for micro-production facility.

**Cannabis Production Facility** A federally licensed operation, comprised of land, buildings and structures used for the purpose of growing, harvesting, producing, cultivating, testing, processing, researching, destroying, storing, packaging and shipping of cannabis and cannabis products destined for sale to consumers for recreational purposes, and the intra-industry sale of these products, including

provincially authorized distributors.

Cannabis Retail Operation	A retail business operating from a storefront operation and authorized by <i>The Cannabis Control Act</i> (Saskatchewan) to sell any part of the cannabis plant, processed or unprocessed, including any derivative, concentrate, or edible product originating from the cannabis plant.
Campground:	An area used for a range of overnight camping experiences, from tenting to serviced trailer sites, including accessory facilities which support the use, such as administration offices and laundry facilities, but not including the use of mobile homes or trailers on a permanent year-round basis.
Cemetery:	Land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried. "Cemetery" may include a structure for the purpose of the cremation of human remains and may include facilities for storing ashes or human remains that have been cremated or the interment of the dead in sealed crypts or compartments.
Chord Line:	A straight-line segment joining two points on a curve.
Clean Fill:	Uncontaminated non-water-soluble, non-decomposable, inert solids such as rock, soil, gravel, concrete, glass and/or clay or ceramic products. Clean fill shall not mean processed or unprocessed mixed construction and demolition debris, including, but not limited to, wallboard, plastic, wood or metal or any substance deemed corrosive, combustible, noxious, reactive or radioactive.
Cluster:	Where design allows for the concentration of development in pockets to preserve ecological areas and other open space while providing lower servicing cost and alternative development patterns. (i.e. housing)
Commercial:	The use of land, buildings, or structures for the purpose of buying and selling commodities, and supplying professional and personal services for compensation.
Commercial Indoor Storage:	A building or series of buildings comprising multiple storage bays intended for lease or rent by the general public for the purpose of indoor storage of private goods.
Communal Farm Settlement:	A multiple use development located on a single site and often associated with an agricultural operation and/or an intensive livestock operation (ILO), on the same or adjacent site. The use is typically operated by a religious colony or other association and may include the following: <ul style="list-style-type: none"><li>a) Agricultural uses, including greenhouses and intensive livestock operations</li><li>b) Minor agricultural-commercial operations for the sake of the products grown on-site</li><li>c) One-unit dwellings</li><li>d) Two-unit dwellings</li><li>e) Multiple unit dwellings</li><li>f) Cooking and eating facilities</li><li>g) Living areas and sleeping facilities</li></ul>

- h) Sanitary facilities
- i) Places of worship
- j) Educational and child care facilities
- k) Recreational facilities
- l) Cemeteries
- m) Workshops
- n) Uses, structures and buildings accessory to the above principal uses

Community Facilities:	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.
Concept Plan (Comprehensive Development Review):	A land use concept plan for a specific local area that identifies social, environmental, health and economic issues which the proposed development must address.
Concrete and Asphalt Plant:	An industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production's process or of finished products manufactured on the premises and the storage and maintenance of required equipment.
Condominium:	As defined by <i>The Condominium Property Act, 1993</i> , means the land included in a condominium plan together with the buildings and units and the common property and common facilities belonging to them.
Conservation:	The planning, management and implementation of an activity with the objective of protecting the essential physical, chemical and biological characteristics of the environment against.
Contractors Yard:	The yard of a contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business.
Convenience Store:	A store offering for sale primarily food products, beverages, 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 Livingston No. 331.
Country Residential Development:	Residential development contained within a severance from an agricultural holding where the essential land requirement is for a residential building site and space rather than for productive agricultural purposes.

Cultural Resources:	Any item a community identifies as important for supporting and expressing their shared values, identity and way of life, and can include community events, community organizations, museums, galleries, libraries, rituals, languages, customs, stories, local arts and crafts, publishing music, and film.
Daycare Centre:	Any kind of group daycare programs including eldercare or aged adults, nurseries for children of working parents, nursery schools for children und minimum age for education in public schools' or parent cooperative nursery schools and programs covering after school care for school children provided such an establishment is approved by the provincial government and conducted in accordance with provincial requirements.
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 of any building or land, the moving of any building or structure onto land, the moving of a mobile home or trailer coach onto land, and the opening or stripping of land for the purpose of removing therefrom sand, gravel or other aggregate resources.
Development Agreement:	The legal agreement between a developer and the Municipality which specifies the obligations and the terms and conditions for the approval of a development pursuant to section 172 of <i>The Planning and Development Act, 2007</i> .
Development Officer:	The Administrator shall be the Development Officer, or in his/her absence an employee of the Municipality appointed by the Administrator; or someone appointed by the Council to act as a Development Officer to administer this Bylaw.
Development Permit:	A permit issued by the Council of the Rural Municipality of Livingston No. 331 that authorizes development, but does not include a building permit.
Directional Signage:	Signage located off site providing direction to and information about a specific enterprise or activity which does not contain general advertising.
Discretionary Use:	A use of land or buildings or form of development that is prescribed as a discretionary use in the Zoning Bylaw; and requires the approval of Council pursuant to Section 56 of <i>The Planning and Development Act, 2007</i> .
Distribution Line:	Any pipeline, wires or cables and support structures needed to connect end uses to a pumping station, pressure regulator, electrical transformer, telecommunications or computer network facility, or similar utility installation, for the delivery of water, heat, gas, electrical, telecommunications, television, or internet service.
Dormitory:	Sleeping quarters or entire buildings primarily providing sleeping and residential

quarters for large numbers of people.

Dwelling:	A building or part of a building designed exclusively for residential occupancy.
Dwelling Group:	A group of single-detached, semi-detached, or multiple unit dwellings clustered on one lot or site, built as one development.
Dwelling, Duplex:	A building divided horizontally into two (2) dwelling units as herein defined.
Dwelling, Multiple Unit:	A building containing three or more dwelling units and shall include condominiums, townhouses, row houses, and apartments as distinct from a rooming house, hotel, or motel.
Dwelling, Semi-Detached:	A building divided vertically into two (2) dwelling units by a common wall extending from the base of the foundation to the roofline.
Dwelling, Single-Detached:	A building containing only one dwelling unit, as herein defined, and occupied or intended to be occupied as a permanent residence, including a RTM when attached to a foundation on the site, but not including a mobile or modular home as defined.
Dwelling, Townhouse:	A building, which is divided vertically into three or more dwelling units, each with its own entrance.
Dwelling Unit:	A separate set of living quarters, whether occupied or not, containing sleeping facilities, sanitary facilities and a kitchen or kitchen components, but does not include boarding houses or rooming units. For the purposes 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.
Elevation:	The height of a point on the Earth's surface above sea level.
Engagement:	An action or process that provides an opportunity for a person or organization, outside of any legal constitutional obligation, to inform, learn from, involve and cooperate with individuals and organizations that are interested in, and may be affected by, potential actions or decisions.
Environmental Reserve:	Lands that have been dedicated to the Municipality by the developer of a subdivision as part of the subdivision approval process. Environmental reserves are those lands that are considered undevelopable and may consist of a swamp, gully, ravine, coulee or natural drainage course, or may be lands that are subject to flooding or are considered unstable. Environmental reserve may also be a strip of land, abutting the bed and shore of any lake, river stream or other body of water for the purposes of preventing pollution or

providing access to the bed and shore of the water body.

Environmentally Sensitive Lands and Areas:	Means lands or areas with natural features where precautions, mitigation or constraints are needed to minimize impacts. These include the following: <ul style="list-style-type: none"><li>• A ravine, coulee, swamp, natural drainage course or creek bed;</li><li>• Wildlife habitat, environmentally sensitive or significant natural or heritage areas;</li><li>• Flood-prone or potentially unstable land; or</li><li>• Land abutting lakes, streams or rivers for pollution prevention, bank preservation or development protection from flooding.</li></ul>
Equestrian Facility (Riding Stables):	The use of lands, buildings, or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, with or without charge and with or without general public involvement, but does not include the racing of horses.
Existing:	In place or taking place, on the date of the adoption of this Bylaw.
Facility, Oil and Gas:	Any building, structure, installation, equipment, or appurtenance that is connected to or associated with the recovery, development, production, storage, handling, processing, treatment, or disposal of oil, gas, water, productions, or other substances, that are produced from or injected into a well, but does not include a pipeline.
Farm Building:	Improvements such as barns, granaries, workshops etc., used in connection with the growing and sale of trees, shrubs, and sod or the raising or production of crops, livestock or poultry or in connection with fur production or bee keeping and situated on a parcel of land used for farm operation.
Farmers' Market:	An occasional or periodic sales activity held in an open area where groups or individual sellers offer new and used goods, crafts or produce for sale directly to the public but does not include a retail store, shopping centre or greenhouse.
Farmstead/Farmyard:	The buildings and adjacent essential grounds surrounding a farm.
Feedlot:	A fenced area where livestock are confined solely for the purpose of growing or finishing, and are sustained by means other than grazing.
Fill:	Soil, rock, rubble, or other approved, non-polluting waste that is transported and paced on the existing, usually natural, surface of soil or rock, following the removal of vegetation cover, topsoil, and other organic material.
Flood:	A temporary rise in the water level that results in the inundation of an area not ordinarily covered by water.

Flood Fringe:	The portion of the flood plain where the waters in the 1:500 year flood are projected to be less than a depth of one metre or a velocity of 1 metre (3.28 feet) per second.
Flood Plain:	Means the area prone to flooding from a water body or watercourse that comprises the combined area of the flood way and flood fringe.
Flood Proofing:	Any combination of structural and non-structural measures, incorporated into the design of a structure to reduce or eliminate the risk of flood damage to a defined elevation.
Floodway:	The portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second.
Floor Area:	The total area of all floors of a building or structure, excluding stairwells, elevator shafts, equipment rooms, interior vehicular parking, unloading areas and all flows below the first or ground floor, except when used or intended to be used for human habitation or service to the public.
Flowline:	<p>A pipeline connecting a wellhead and:</p> <ul style="list-style-type: none"> <li>a) An oil battery facility;</li> <li>b) A fluid injection facility; or</li> <li>c) A gas compression facility</li> </ul> <p>and includes a pipe or system of pipes for the transportation of fluids within any of these facilities.</p>
Free Standing Sign:	A sign, except a billboard, independently supported and visibly separated from a building or other structure and permanently fixed to the ground.
Frontage:	The full length of a site measured alongside the road onto which the site fronts.
Game Farm:	A fenced area for the purpose of management, control, and harvesting of domestic game farm animals. Game farms are regulated by The Domestic Game Farm Animal Regulations.
Garage:	A building or part of a building used for or intended to be used for the storage of motor vehicles and wherein neither servicing nor repairing of such vehicles are carried on for remuneration.
Garden Suite:	An additional dwelling unit that is separate from, and secondary to, the principal

dwelling on residential land.

Geotechnical Assessment:	An assessment or estimation by a qualified expert of the earth's subsurface and the quality and/or quantity of environmentally mitigative measures that would be necessary for development to occur.
Golf Course:	A public or private area operated for the purpose of playing golf, and includes a par 3 golf course, club house and recreational facilities, accessory driving ranges, and similar uses.
Greenhouse:	A building with glass or clear plastic walls and roof for the cultivation and exhibition of plants under controlled conditions.
Greenhouse, Commercial:	A greenhouse that includes a retail aspect and caters to the general horticultural needs of the public for financial gain and may include outdoor storage of landscaping supplies, but does not include the growth of cannabis.
Gross Surface Area:	The area of the rectangle or square within which the face of a sign can be completely contained, exclusive of any supporting structure or, where a sign has more than one face or the face of the sign is not flat, the rectangle within which the largest area of the face of the sign in profile can be completely contained exclusive of any supporting structure.
Guest Cottage:	A detached accessory building to be used only as summer sleeping accommodation, and which is located on the same site as the principal dwelling.
Hall:	A building or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and may include a banquet hall, private club or fraternal organization.
Hamlet:	<p>An unincorporated community with:</p> <ul style="list-style-type: none"><li>a) Five (5) or more occupied dwellings individually situated on lots, block, or parcels; and</li><li>b) At least ten (10) subdivided lots, blocks, or parcels, the majority of which are an average size of less than one acre; or</li></ul> <p>Any unincorporated area declared to be a hamlet by order of the Minister pursuant to <i>The Municipalities Act</i> providing for the establishment of hamlets.</p>
Hazard Land:	Means land that is contaminated, unstable, prone to flooding or otherwise unsuited for development or occupation because of its inherent danger to public health, safety, property.

Hazardous Substance:	A substance that, because of its quality, concentration or physical, chemical or infectious characteristics, either individually or in combination with other substances on the site is an existing or potential threat to the physical environment, to human health or to other living organisms.
Hazardous Uses:	A development which may generate any of the following characteristics: <ul style="list-style-type: none"> <li>a) Excessive noise, odour, dust, vibration;</li> <li>b) Offensive emissions;</li> <li>c) Involves dangerous or toxic materials, chemicals, and wastes;</li> <li>d) Air, water, or soil pollution;</li> <li>e) Land use incompatibility;</li> <li>f) Reduced public safety, and may include auto-wrecking, fertilizer, asphalt, chemical, and grain handling uses.</li> </ul>
Height of the Sign:	The vertical distance measured from the highest point of the sign to grade level at the centre of the sign.
Heritage Property:	As defined by <i>The Heritage Property Act</i> . Heritage properties may include: <ul style="list-style-type: none"> <li>a) Archaeological objects</li> <li>b) Palaeontological objects;</li> <li>c) Any property that is of interest for its architectural, historical, cultural, environmental, archaeological, paleontological, aesthetic, or scientific value;</li> <li>d) And any site where any object or property mentioned in subclauses a, b, or c is or may be reasonably be expected to be found.</li> </ul>
Heritage Resource:	Includes archaeological sites containing cultural objects and features relating to (pre-contact period) human activities, as well as fur trade and early European settlement and sites, as well as paleontological localities containing the remains of fossil vertebrate and invertebrate animals and plants. Heritage Resources can include Heritage Properties.
Heritage-Sensitive Land:	Any land, or site, which has been identified, or is likely, to contain heritage resources.
Home-Based Business:	A development consisting of the use of a portion of a dwelling unit or residential accessory building for a business by a resident. The business must be secondary to the residential use of the building and shall not change the residential character of the dwelling unit or accessory building. This shall not include the retail of cannabis, vacation rentals (bed-and-breakfasts or vacation farms) or other businesses deemed by Council to pose off-site impacts.
Home Office:	An office located within a residence where a resident may carry out work for remuneration but does not meet with clients or customers on-site. The home office shall

be secondary to the principal residential use of the site.

Horticulture:	The culture or growing of garden plants. Horticulturists work in plant propagation, crop production, plant breeding and genetic engineering, plant biochemistry, plant physiology, and the storage, processing, and transportation of fruits, berries, nuts, vegetables, flowers, trees, shrubs, and turf.
Hotel/Motel:	A building or buildings or part thereof on the same site used to accommodate the traveling public for gain or profit, by supplying them with sleeping accommodation, with or without meals.
Industrial Park:	An industrial park is an area of land set aside for industrial development. Industrial parks are usually located close to transport facilities, especially where more than one transport modality (inter-modal) coincides: highways, railroads, airports, and navigable rivers.
Industrial Use:	The use of land, buildings or structures for the manufacturing, assembling, processing, fabrication, warehousing or storage of goods and materials.
Institutional Use:	A use of land, buildings or structures for a public or non-profit purpose and without limiting the generality of the foregoing, may include such uses as schools, places of worship, indoor recreation facilities, community centres, and government buildings.
Intensive Agricultural Operation:	A principal use that produces a crop that is grown in buildings or under structures, using hydroponic techniques, or by use of intensive irrigation and fertilizer application, but not including an intensive livestock operation.
Intensive Livestock Operation (ILO):	The confining of any of the following animals, where the space per animal unit (AU) is less than 370 square metres: <ul style="list-style-type: none"><li>a) Poultry</li><li>b) Hogs</li><li>c) Sheep</li><li>d) Goats</li><li>e) Cattle</li><li>f) Horses</li><li>g) Or any other prescribed animals.</li></ul>
Kennel:	A development used for the breeding, boarding, caring or training of dogs. Typical facilities include dog boarding and dog training establishments, and animal rescue homes.
Landfill:	A specially engineered site for disposing of solid waste on land, constructed so that it

will reduce hazard to public health and safety.

Landscaping:	<p>The provision of horticultural and other related compatible features or materials designed to enhance the visual amenity of a site or to provide a visual screen consisting of any combination of the following elements:</p> <ul style="list-style-type: none"><li>• Soft landscaping consisting of vegetation such as trees, shrubs, vines, hedges, flowers, grass and ground cover; and/or</li><li>• Hard landscaping consisting of non-vegetative materials such as concrete, unit pavers, brick pavers or quarry tile, but does not include gravel, shale, or asphalt.</li></ul>
Land Use Map:	<p>A comprehensive document compiled by a local government that identifies goals and strategies for future development or preservation of land. In its projections, the map specifies certain areas for residential growth and others for agriculture, industry, commercial and conservation.</p>
Land Use Zoning District:	<p>Divisions identified in the Zoning Bylaw establishing permitted and discretionary uses of land or buildings with attendant regulations.</p>
Legal Access:	<p>A lot or parcel shall be considered as having legal access for the purposes of development when the lot or parcel is adjacent to a municipally maintained road, and meets the frontage requirements of appropriate Zoning District hosting the development.</p>
Livestock:	<p>Domesticated animals used primarily as beasts of burden or for the production of fur, hides, meat, milk, eggs or other product, or as breeding stock, but excluding companion animals.</p>
Lot:	<p>An area of land with fixed boundaries on record with the Information Services Corporation (ISC) by Certificate of Title. For the purposes of this Bylaw the terms “lot” and “site” shall not be deemed to mean the same.</p>
Manufacturing Establishment:	<p>A firm or business engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of components parts, the manufacturing of products and the blending of materials.</p>
Medical Cannabis Production Facility:	<p>A facility, including land, buildings and structures, used solely for the purpose of growing, producing, manufacturing, processing, testing, packaging, and shipping of cannabis and cannabis products for medical purposes, as authorized by a license issued under the Federal Government of Canada’s Marijuana for Medical Purposes Regulations (MMPR) or any subsequent legislation and amendments thereto.</p>
Mineral Resource:	<p>As defined under Provincial Legislation and Regulations.</p>

Minimum Distance Separation: In respect to intensive livestock operations and heavy industrial land uses, the minimum distance separation required in the Zoning Bylaw from non-complementary uses.

Minister: The Minister as defined in *The Planning and Development Act, 2007*.

Mixed Use: Mixed uses are where one or more compatible uses are on one site or building. Or designated in a particular area, such as commercial and residential mixed with recreation.

Mobile Home: A trailer coach that may be used as a dwelling all year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. CSA Number Z240 MH.



Mobile Home Park: A site under single management for the placement of two or more mobile homes and shall include all accessory buildings necessary to the operation.

Modular Home (RTM): A building that is manufactured in a factory as a whole or modular unit to be used as one single dwelling unit and is certified by the manufacturer that it complies with the Canadian Standards Association Standard No. CSA-A277, and is placed on a permanent foundation.



Municipality: The Rural Municipality of Livingston No. 331.

Municipal Reserve: Dedicated lands:

- That are provided to a Municipality pursuant to clause 181(a) of *The Planning and Development Act, 2007*; or

- That were dedicated as public reserve and transferred to a Municipality pursuant to section 191, whether or not title to those lands has been issued in the name of the Municipality.

Municipal Road:	A public road which is subject to the direction, control and management of the municipality, and includes an internal subdivision road.
Museum:	An institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of historical interest.
Natural Areas:	An area relatively undisturbed by human activities and characterized by indigenous species including remnant or self-sustaining areas with native vegetation, water, or natural features.
Natural Resources:	The renewable resources of Saskatchewan and includes: <ul style="list-style-type: none"> <li>a) Fish within the meaning of the Federal <i>The Fisheries Act</i>;</li> <li>b) Wildlife within the meaning of <i>The Wildlife Act, 1998</i>;</li> <li>c) Forest products within the meaning of <i>The Forest Resources Management Act</i>;</li> <li>d) Crown Resource lands and provincial forest lands within the meaning of <i>The Crown Resource Lands Regulations, 2019</i>;</li> <li>e) Ecological reserves within the meaning of <i>The Provincial Lands Act, 2016</i>; and</li> <li>f) Other living components of ecosystems within resource lands, provincial forest lands and other lands managed by the department.</li> </ul>
Natural Resource Extraction:	The quarrying, processing, removal and sale of natural resources, including sand and gravel, oil and gas, peat metallic mineral and other non-metallic minerals.
Non-Conforming Building:	A building: <ul style="list-style-type: none"> <li>• That is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and</li> <li>• That on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective does not, or when constructed will not, comply with the zoning Bylaw.</li> </ul>
Non-Conforming Site:	A site, consisting of one or more contiguous parcels, that, on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Non-Conforming Use: A lawful specific use:

- Being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the land or building becomes effective; and
- That on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective does not, or in the case of a building under construction or with respect to which all required permits have been issued will not, comply with the Zoning Bylaw.

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

Open Space: Passive and structured leisure and recreation areas that enhance the aesthetic quality and conserve the environment of the community. Urban and rural open space includes parks, recreation and tourism nodes, and natural areas.

Organized Hamlet: An area declared to be an organized hamlet by order of the minister pursuant to *The Municipalities Act* or any former Act providing for the establishment of organized hamlets.

Parcel: A parcel of land as defined in *The Land Titles Act, 2000*.

Park Model Trailer/Unit: A unit designed to facilitate occasional relocation, with living quarters for a temporary or seasonal use; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. It has a gross floor area not exceeding 50 m<sup>2</sup> (540 ft<sup>2</sup>). CSA Number Z241.



Park Model Trailer 102



Park Model Recreational Unit

Parking: An open area, other than a street, used for the temporary parking of more than four vehicles and available for public use and the use of employees working on, or from, the site.

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

PDA:	<i>The Planning and Development Act, 2007</i> Province of Saskatchewan, as amended from time to time.
Permanent Foundation:	The lower portion of a building; usually concrete, masonry, or an engineered wood basement which renders the structure fixed and immobile.
Permitted Use:	The use of land, buildings, or other structures that shall be permitted in a Zoning District where all requirements of this Zoning Bylaw are met.
Places 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.
Principle (Building, Structure, or Use):	The main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.
Primary Access:	The principal means of vehicular entry to or from a site or building, but shall not include a lane.
Public Utility:	A system, work, plant, equipment, or service, (whether owned or operated by the Municipality, or by a corporation under Federal or Provincial statute), that furnishes any of the following services and facilities to, or for the use of, the inhabitants of the Municipality: <ul style="list-style-type: none"> <li>a) Communication by way of telephone lines, optical cable, microwave, and cable television services;</li> <li>b) Delivery of water, natural gas, and electricity;</li> <li>c) Public transportation by bus, rail, or other vehicle production, transmission;</li> <li>d) Collection and disposal of sewage, garbage, and other wastes; and</li> <li>e) Fire and Police Services.</li> </ul>
Public Utility (Linear):	Linear or private utilities including, but not limited to, roads, communication lines, rail, power and natural gas lines and similar linear uses.
Public Utility (Service):	Those non-linear utilities which may potentially conflict with other Land uses, including, but not limited to, airports, microwave or communication towers, wind towers, water reservoirs, sewage lagoons, landfills, gas compressor stations, large electrical transformer stations and similar, potentially conflicting service utilities.
Public Works:	A facility as defined under <i>The Planning and Development Act, 2007</i> .

Quarter Section: 64.8 hectares (160 acres) or a lesser amount that remains due to the original township survey, road widening, road right-of-way or railway plans, drainage ditch, pipeline or transmission line development, or other public utility; or natural features such as water courses or water bodies.

Racetrack: A place designed and equipped for the racing of motorized vehicles or horses and includes facilities for administration and management of the business.

Railway Freight Yards: The use of land, or building or structure or part thereof for activities directly associated with the operation of a railway. Without limiting the generality of the foregoing, such activities may include loading and off-loading freight, and maintenance and repair of railway cars.

Ready-to-Move (RTM) Dwelling: A new single detached dwelling constructed off-site to National Building Code or CSA-277 standards to be moved onto a new permanent residential site building foundation.



Real Estate Signage: Signage directly associated with the sale of property in which it is located and which maintains a gross surface area of less than 1 square metre (10.76 square feet).

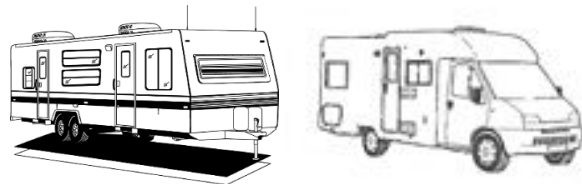
Re-Designation: Rezoning

Recreational Use: A public or private facility or amenity, a joint-use site or a park or playground that serves the surrounding neighbourhood or community.

Recreational (Commercial): A public or private facility or amenity, a joint-use site or a park or playground the serves the surrounding neighbourhood with an intent to produce financial gain.

Recreational Vehicle: A vehicle used for personal pleasure or travels by an individual or a family which may or may not be towed behind a principle vehicle. Notwithstanding the generality of the above may include:

- a) Motor homes
- b) Camper Trailers
- c) Boats
- d) Snowmobiles
- e) Motorcycles



Recycling and Collection Depot (Commercial): A building or series of buildings intended to accommodate the collection, sorting, processing and temporary storage of recyclable materials including the collection and storage of oil, solvents or other hazardous materials, processing of recyclable material

other than compaction and accommodates outdoor compaction or storage.

Reeve:	The Reeve of the Rural Municipality of Livingston No. 331.
Remnant Parcel:	The land remaining and resulting from the subdivision of a source parcel.
Residence:	A single detached dwelling, mobile home or modular home.
Residential:	The use of land, buildings, or structures for human habitation.
Residential Care Home:	A facility which: <ul style="list-style-type: none"><li>• Provides meals, lodging, supervisory personal or nursing care to persons who reside therein for a period of not less than thirty days;</li><li>• Is duly licensed by the Province of Saskatchewan or certified as approved by the Province of Saskatchewan under an Act which provides for such licensing or certification; and</li><li>• May include only the principal residence of the operator or administrator.</li></ul>
Restaurant:	A building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building. However, limited facilities may be permitted to provide for a take-out food function provided such facility is clearly secondary to the primary restaurant use.
Right-of-Way:	The right of way is the land set aside for use as a roadway or utility corridor. Rights of way are purchased prior to the construction of a new road or utility line, and usually enough extra land is purchased for the purpose of providing mitigative features. Sometimes, road rights of way are left vacant after the initial roadway facility is constructed to allow for future expansion.
Riparian:	The areas adjacent to any streams, rivers, lakes or wetlands.
Salvage Yard (Wrecking):	A parcel of land where second-hand, discarded or scrap materials are bought, sold, exchanged, stored, processed or handled. Materials include scrap iron, structural steel, rags, rubber tires, discarded goods, equipment, appliances or machinery. The term also includes a site for collection, sorting, storing and processing of paper products, glass, plastics, aluminum or tin cans prior to shipment for remanufacture into new materials.
Scale of Development:	The total acreage intended to accommodate a country residential or lakeshore subdivision.

School:	A body of pupils that is organized as a unit for educational purposes under the jurisdiction of a board of education or of the Saskatchewan Ministry of Education and that comprises one or more instructional groups or classes, together with the principal and teaching staff and other employees assigned to such body of pupils, and includes the land, buildings or other premises and permanent improvements used by and in connection with that body of pupils.
Screening or Screening Device:	The use of vegetation, berms, fences, walls and similar structures to visually shield, block or obscure one development from another, or from the public.
Secondary Suite:	An additional dwelling unit located within a principal single detached dwelling.
Service Station:	A building or place used for, or intended to be developed primarily for supplying vehicles with gasoline, diesel fuel, grease, tires or other similar items and for the repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles, including painting, body work and major repairs.
Setback:	The distance required to obtain the front yard, rear yard or side yard provisions of this Bylaw.
Shipping Container:	A cargo container that is a prefabricated metal container or box constructed for the transportation of goods by ship, train, or highway tractor. (i.e. sea can)
Should, Shall, or May:	<p>Shall is an operative word which means the action is obligatory.</p> <p>Should is an operative word which means that in order to achieve plan objectives, it is strongly advised that the action be taken.</p> <p>May is an operative word meaning a choice is available, with no particular direction or guidance intended.</p>
Sign:	A display board, screen, structure or material having characters, letters or illustrations applied thereto or displayed thereon, in any manner not inside a building and includes the posting or painting of an advertisement or notice on a building or structure.
Site:	One or more contiguous surface parcels, as defined under <i>The Land Titles Act, 2000</i> , and used as a unit for the purpose of regulation under this bylaw.
Site Area:	The total horizontal area within the site lines of a site.
Site Coverage:	The percentage of the site area covered by all the buildings above the ground level.

Site Line, Front or Site Frontage:	The boundary that divides the site from the street or road. In the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site from the street. Site frontage for a non-rectangular site shall be defined as the mean of the measured front and rear site lines.
Site Line, Rear:	The boundary at the rear of the site and opposite the front site line.
Site Line, Side:	A site boundary other than a front or rear site line.
Site, Oil and Gas:	When used in relation to an oil or gas well, means a structure test hole, oil shale core hole or facility, the site of the well, structure test hole, oil shale core hole or facility and the area immediately adjacent to that site.
Solar Energy System (Private):	A solar energy conversion system consisting of solar panels and associated control or conversion electronics, where the priority and intention is to provide electrical power for use onsite (metred or off-grid).
Solar Energy System (Commercial):	A solar panel energy conversion system consisting of solar panels and associated control or conversion electronics, which is intended to produce power for resale or offsite distribution.
Sport Field:	An open space set aside for the playing of sports and may include benches or bleachers for observers but where there is no charge made for spectators.
Structure:	Anything that is erected, built or constructed of parts joined together and supported by the soil or any other structure requiring a foundation to hold it erect, but not including pavement, curbs, walks or open-air surfaced areas.
Stakeholders:	Individuals, groups or organizations who have a specific interest or 'stake' in a particular need, issue situation or project and may include members of the local community (residents, businesses, workers, representatives such as Councillors or politicians); community groups (services, interest groups, cultural groups clubs, associations, churches, mosques, temples); or local, state and federal governments.
Stockyard:	An enclosed yard where livestock is kept temporarily.
Storey:	The space between the top of any floor and the top of the next floor above it and if there is no floor above it, the portion between the top of the floor and the ceiling above it.
Street (Road):	A site owned by the Provincial Crown which provides the principal legal public

vehicular access to abutting sites, but shall not include an easement or lane.

Street, Arterial:	A street that serves major traffic flows between the principal areas of traffic generation with direct access to adjacent development being limited.
Street, Local:	A street providing direct access to abutting properties along its length and not intended to carry through traffic, other than to adjoining streets.
Structure:	A combination of materials constructed, located or erected for use, occupancy ornamentation, whether installed on, above or below the surface of land and water.
Subdivision:	A division of land, and includes a division of a quarter section into legal subdivisions as described in the regulations made pursuant to <i>The Land Surveys Act, 2000</i> .
Tavern:	An establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food, and where no live entertainment or dance floor is permitted. A brew pub may be considered a tavern if beverage alcohol is manufactured and consumed on site under a valid manufacturer's permit in accordance with the Alcohol Control Regulations.
(Tele)Communication Facility:	A structure situated on a non-residential site that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.
Temporary Sign:	A sign which is not permanently installed or affixed in position, advertising a product or activity on a limited basis.
Tower:	Any structure used for the transmission or reception of radio, television, telecommunications, mechanical or electrical energy for industrial, commercial, private or public uses, or for the storage of any substance of liquid.
Tower Height:	The height above-ground of the fixed portion of the tower, excluding any wind turbine and rotors.
Traffic Control Signage:	A sign, signal, marking or any device placed or erected by the Municipality or Saskatchewan Department of Highways and Transportation.
Trailer Coach:	Any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons

notwithstanding that its running gear is removed or that it is jacked up.

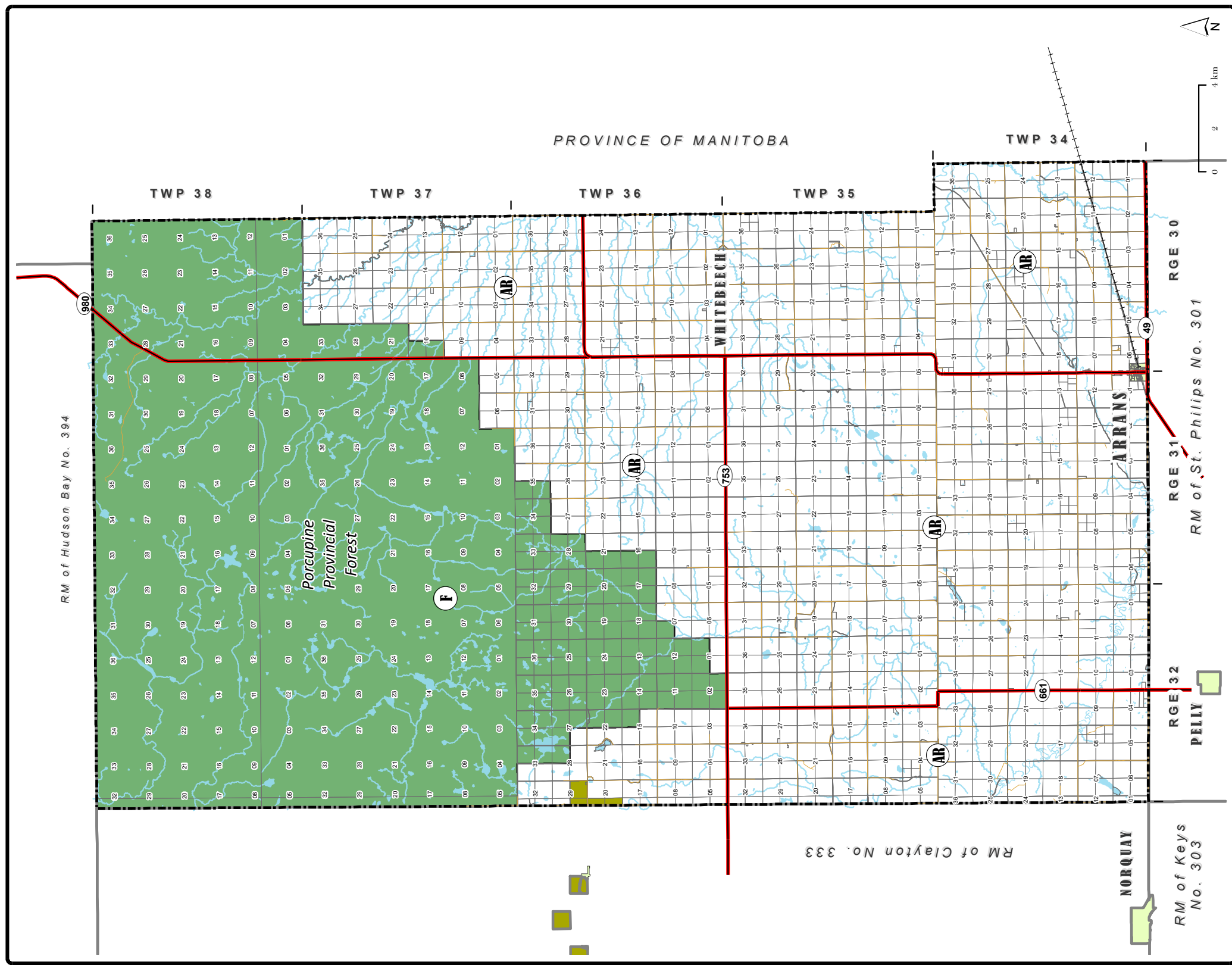
Trailer Court:	Any site on which two or more occupied trailer coaches are permitted to be harboured, whether or not a charge is made or paid, and includes any building or structure used or intended for use as a part of the equipment of such trailer court, but shall not include an industrial or construction camp, or a mobile home park.
Trucking Firm Establishment:	The use of land, buildings or structures for the purpose of storing, servicing, repairing, or loading trucks, transport trailers and/or buses, but does not include automobile service stations or transportation sales or rental outlets.
Unique Well Identifier (UWI):	The number assigned to a well to a well by the Minister of Economy to provide a unique alpha-numerical identity for the well.
Use:	The purpose or activity for which any land, building, structure, or premises, or part thereof is arranged, designed, or intended, or for which these may be occupied or maintained.
Vacation Farm:	<p>An operating farm which may, on a day basis or for overnight purposes, offer a farm life experience to groups, families, or individuals and which may provide either or both of the following:</p> <ul style="list-style-type: none"><li>• Rental accommodation in the farm dwelling or adjacent private cabins comprising one or more rooms furnished in such a way to enable the preparation of meals if full board is not provided;</li><li>• A tract of land on which one or more camping, tenting or parking sites is located, and the provision of electricity, potable water and toilet facilities to any of the persons, families, groups occupying any of such sites.</li></ul>
Value-Added:	The increase in value generated by a company or individual through the additional processing or sale of raw materials along the production chain.
Veterinary Clinics:	A place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization, but shall not include the keeping of animals in outdoor pens.
Warehouse:	A building used for the storage and distribution of wholesaling of goods and materials.
Waste Disposal Facility, Liquid:	A facility to accommodate any waste which contains animal, aggregate or vegetable matter in solution or suspension, but does not include a septic system for a single residence or farmstead, or a manure storage area for an intensive livestock operation.

Wind Energy System:	Any wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and is intended to provide electrical power for use on-site (either behind the metre or off-grid) and is not intended or used to produce power for resale.
Waste Disposal Facility, Solid:	A facility, not including a waste transfer station or a temporary storage facility, to accommodate discarded materials, substances or objects which originated from residential, commercial, institutional and industrial sources which are typically disposed of in municipal or private landfills, but not including dangerous goods, hazardous waste or biomedical waste.
Wholesale:	The sale of commodities to retailers and shall include the sale of commodities for the purpose of carrying on any trade or business.
Waterbody:	Any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and includes but is not limited to, wetlands and aquifers.
Watercourse:	A river, stream, creek, gully, ravine, spring, coulee, valley floor, drainage ditch or any other channel having a bed and sides or banks in which water flows either permanently or intermittently.
Watershed:	The land area from which surface runoff drains into a stream, channel, lake, reservoir, or other body of water; also called a drainage basin.
Well, Oil, and Gas:	<ul style="list-style-type: none"> <li>a) Any opening in the ground made within Saskatchewan from which any oil, gas, oil and gas, or other hydrocarbon is, has been or is capable of being produced from a reservoir;</li> <li>b) Any opening in the ground that is made for the purpose of <ul style="list-style-type: none"> <li>i. Obtaining water to inject into an underground formation;</li> <li>ii. Injecting any substance into an underground;</li> <li>iii. Storing oil, gas or other hydrocarbons underground; or</li> <li>iv. Monitoring reservoir performance and obtaining geological information; or</li> </ul> </li> <li>c) Any opening in the ground made for informational purposes pursuant to <i>The Subsurface Mineral Conservation Regulations</i>.</li> </ul>
Wetland:	Land having the water table at, near, or above the land surface or which is saturated for a long enough period to promote wetland or aquatic processes as indicated by hydric soils, hydrophytes (“water loving”) vegetation, and various kinds of biological activity which are adapted to the wet environment.
Wind Turbine/Wind:	A rotating machine which converts kinetic wind energy into mechanical energy and then

Power Unit:	electrical energy primarily for private use.
Windmill:	A rotating machine which converts kinetic wind energy directly to mechanical energy for traditional agricultural purposes such as pumping water.
Wind Farm:	A group of wind turbines in the same location used for the production of electric power. Individual turbines are generally interconnected with voltage power collection and transmission systems.
Work Camp:	A temporary facility for the use of employees affiliated with a resource-based use where meals and overnight accommodations are typically provided.
Yard:	The open, unoccupied space on a lot between the property line and the nearest wall of a building and any part of a site unoccupied and unobstructed by a principal building or structure, unless authorized in this Bylaw.
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. Where a site abuts a lake, the rear yard shall be the lakeside of the site.
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. Where a site abuts a lake, the rear yard shall be the lakeside of the site.
Yard, Required:	The minimum yard required by a provision of this Bylaw.
Yard, Side:	The part of a site which extends from a front yard to the rear yard between the side line of a site and the nearest main wall of a building or structure.







# RURAL MUNICIPALITY OF LIVINGSTON NO. 331

## ZONING DISTRICT MAP

ZONING  
DISTRICTS

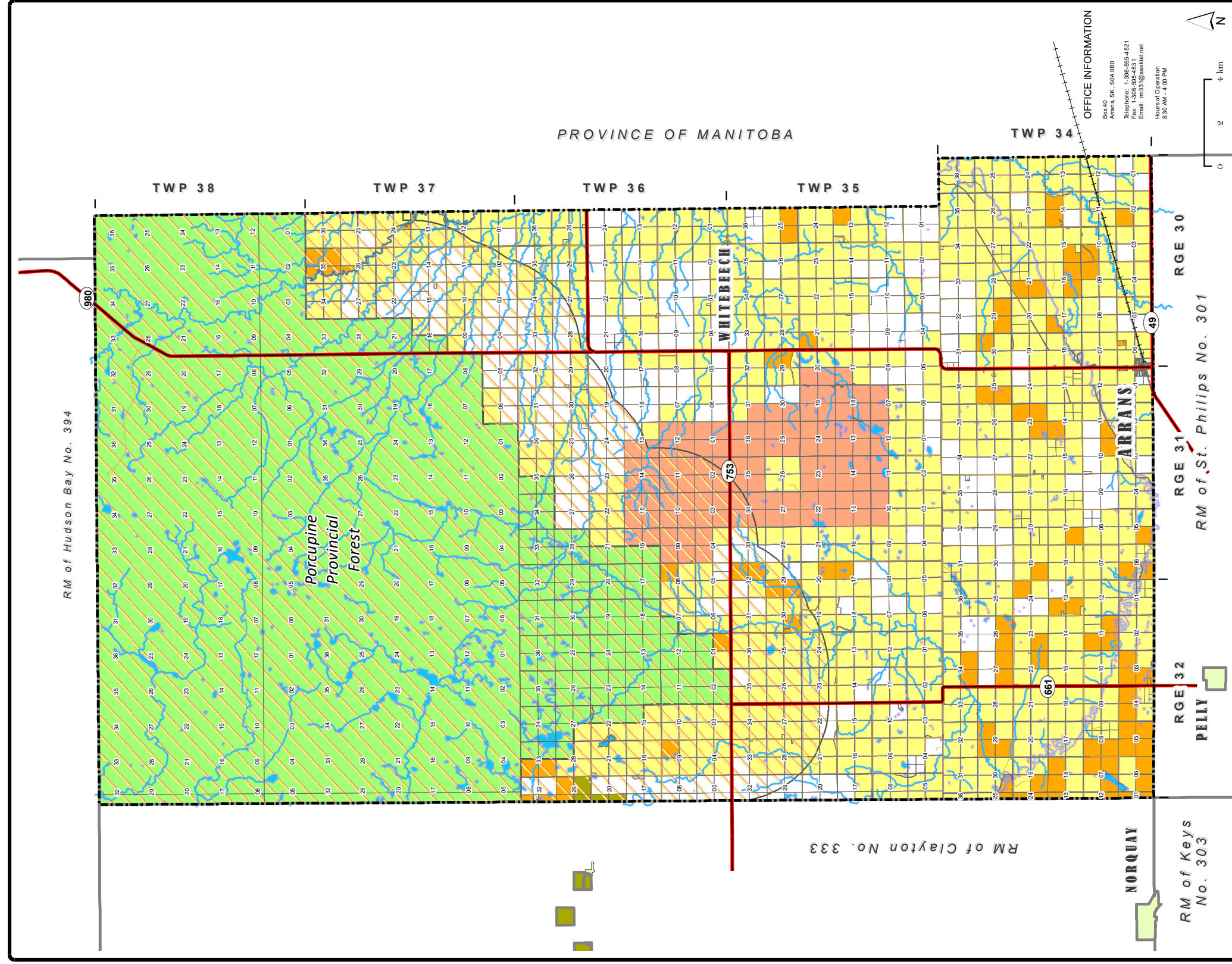
- LEGEND**
- Agricultural Resource District - AR
  - Residential District - R
  - Highway
  - Railway
  - Watercourse
  - Waterbody
  - Provincial Forest District - F
  - Urban Municipality
  - First Nations Reserves
  - Provincial Forest

THIS IS THE ZONING DISTRICT MAP  
REFERRED TO IN BYLAW No.  
ADOPTED BY THE RM OF LIVINGSTON NO. 331

REEVE \_\_\_\_\_  
ADMINISTRATOR \_\_\_\_\_  
APPROVED ON THE \_\_\_\_ DAY  
OF \_\_\_\_\_, 2022

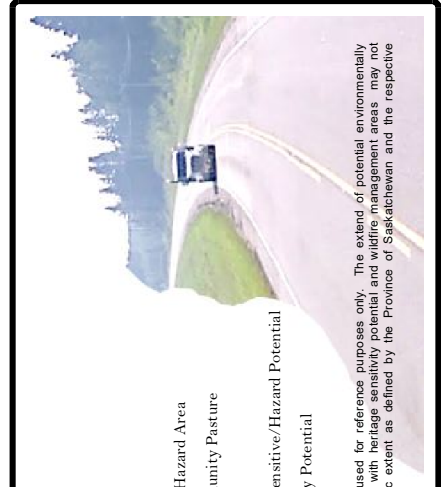
MINISTRY OF GOVERNMENT RELATIONS

8 OPPORTUNITIES AND CONSTRAINTS MAP



**RURAL MUNICIPALITY  
 OF LIVINGSTON NO. 331  
 OPPORTUNITIES AND  
 CONSTRAINTS MAP**

- LEGEND
- Highway
  - Railway
  - Watercourse
  - Waterbody
  - Urban Municipality
  - First Nations Reserves
  - Provincial Forest
  - Potential Wildfire Hazard Area
  - Whitebeech Community Pasture
  - Crown Lands
  - Environmentally Sensitive/Hazard Potential
  - Heritage Sensitivity Potential



This map and data is to be used for reference purposes only. The extent of potential environmentally sensitive/hazard lands, lands with heritage sensitivity potential and wildlife management areas may not represent the true geographic extent as defined by the Province of Saskatchewan and the respective agencies.