

TOWN OF CUDWORTH

ZONING BYLAW

Prepared for:
THE TOWN OF CUDWORTH

Prepared by:
CROSBY HANNA & ASSOCIATES
LANDSCAPE ARCHITECTURE & COMMUNITY PLANNING
SASKATOON, SK

MAY 2016

THE TOWN OF CUDWORTH

ZONING BYLAW

A Bylaw of the Town of Cudworth to adopt a Zoning Bylaw.

The Council of the Town of Cudworth, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Town of Cudworth hereby adopts the Town of Cudworth Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Mayor and Town Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the _____ day of _____, _____

Read a Second Time the _____ day of _____, _____

Read a Third Time the _____ day of _____, _____

Adoption of the Bylaw this _____ day of _____, _____

(Mayor)

SEAL

(Town Administrator)

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

On the _____ day of _____, _____ of the year _____

THE TOWN OF CUDWORTH
ZONING BYLAW

Being Schedule "A" to Bylaw No. _____
of the Town of Cudworth

(Mayor)

SEAL

(Town Administrator)

TABLE OF CONTENTS

1	INTRODUCTION	1
1.1	Title	1
1.2	Scope	1
1.3	Purpose	1
1.4	Severability	1
2	INTERPRETATION	3
3	ADMINISTRATION.....	17
3.1	Development Officer.....	17
3.2	Development Permits.....	17
3.3	Development Permit Application Requirements	18
3.4	Development Permit Application Process	18
3.5	Development Permit Application Fees	19
3.6	Development Appeals Board	19
3.7	Right of Appeal.....	19
3.8	Minor Variances.....	20
3.9	Nonconforming Uses, Buildings and Sites	20
3.10	Discretionary Use Applications	20
3.11	Fees	27
3.12	Zoning Compliance, Offences and Penalties	28
4	GENERAL REGULATIONS	29
4.1	Licences, Permits and Compliance with Other Bylaws and Legislation	29
4.2	Building Lines.....	29
4.3	Number of Principal Buildings Permitted on a Site.....	29
4.4	Height Restrictions.....	29
4.5	Visibility Clearance at Intersections	29
4.6	Required Yards and Open Space	29
4.7	Fences	31
4.8	Accessory Buildings and Structures	32
4.9	Signs.....	34
4.10	Special Regulations and Standards	35
4.11	Home-Based Businesses	39
4.12	Storage of Materials and Unlicensed or Inoperative Motor Vehicles	41
4.13	Development on Hazard Lands.....	41
4.14	Buildings or Uses Occupying More than One Lot.....	41
4.15	Existing Nonconforming Buildings and Sites.....	41
4.16	Frontage on Road.....	42
4.17	Building to Be Moved.....	42
4.18	Demolition of Buildings.....	42
4.19	Grading and Levelling of Sites	42
4.20	Water	42
4.21	Outside Storage and Waste Material Storage.....	42

4.22	Servicing	43
4.23	Prohibited Uses	43
5	ZONING DISTRICTS	45
5.1	Classification of Zoning Districts	45
5.2	The Zoning District Map.....	45
5.3	Boundaries of Zoning Districts	45
5.4	Zoning Districts	46
5.5	Properties with More than One Zoning District.....	46
5.6	TRANSITIONAL ZONING PROVISIONS	46
6	DISTRICT SCHEDULES.....	47
6.1	R1 – One Unit Residential District	47
6.2	R2 - Medium Density Residential District.....	51
6.3	R3 – Large Lot Residential District	55
6.4	R4 – Manufactured Home Residential District.....	59
6.5	CS – Community Service District.....	63
6.6	C1 - Downtown Commercial District	67
6.7	C2 – Highway Commercial District.....	73
6.8	M1 – Industrial District.....	79
6.9	PR – Parks and Recreation District.....	85
6.10	FUD - Future Urban Development District	89
7	MAPS	93

1 INTRODUCTION

Under the authority of *The Planning and Development Act, 2007*, and Bylaw No. _____, the Official Community Plan of the Town of Cudworth, the Council of the Town of Cudworth in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.1 TITLE

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

1.2 SCOPE

Development shall be permitted within the limits of the Town of Cudworth only when in conformity with the provisions of this Bylaw subject to the right of appeal provisions of *the Act*.

1.3 PURPOSE

This is a Bylaw to control the use and development of the land in the municipality and assist in implementing the Official Community Plan for the Town of Cudworth.

1.4 SEVERABILITY

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

2 INTERPRETATION

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

Accessory Building or Use: a building or use which:

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

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

Administrator: the Administrator of the Town of Cudworth.

Adult Daycare Facility: an establishment for the placement, care and supervision of adults, but does not include the provision of overnight supervision.

Adult Daycare Facility – Type I: an adult daycare with up to five persons under supervision at any one time.

Adult Daycare Facility – Type II: an adult daycare facility with more than five persons under supervision at one time.

Alteration: any structural change in, or addition to, a building or structure, and shall include a change from one type of use to another.

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

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

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

Building: a structure constructed or placed on, in or over land but does not include a public highway.

Building Bylaw: any Bylaw of the Town of Cudworth regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

Building Front Line: the line of the wall of the building, or any projecting portion of the building, and production thereof excluding permitted obstructions which faces the front site line.

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

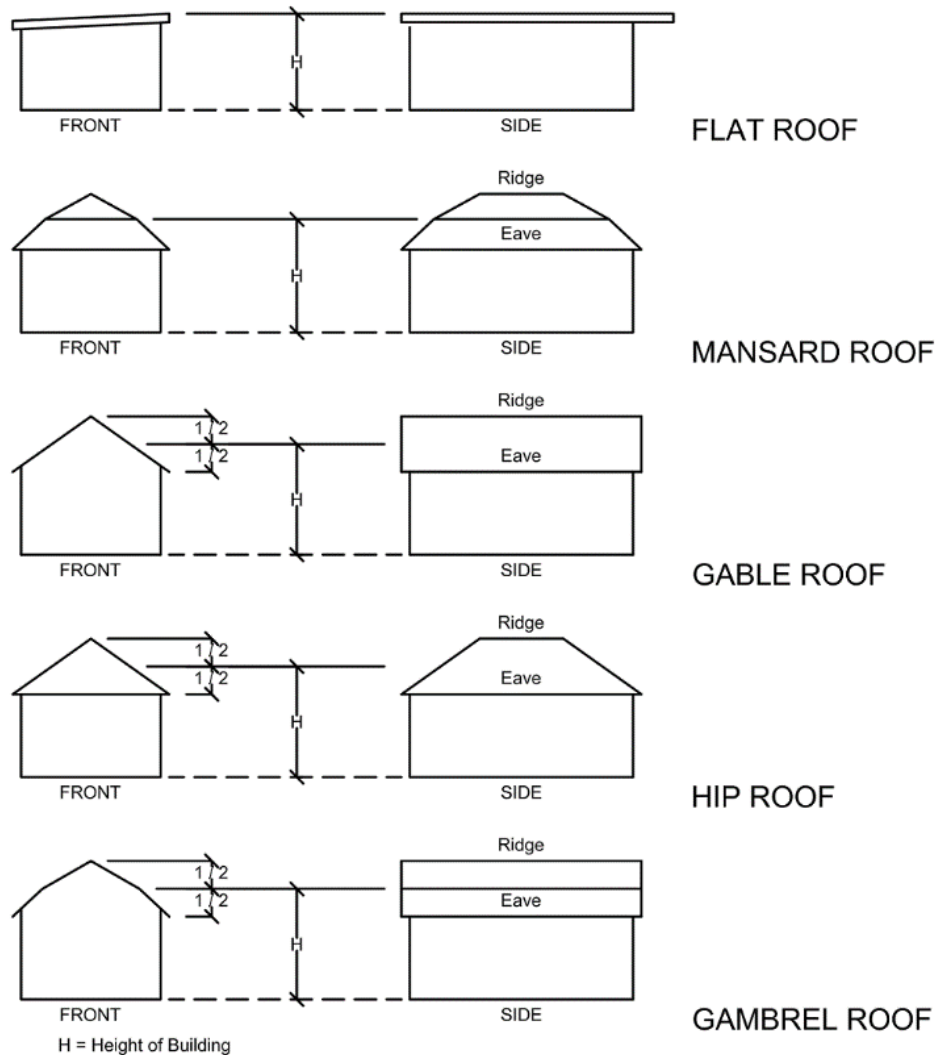


Figure 2-1: Interpretation of Building Height Measurement

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

Building Permit: a permit issued under a Building Bylaw of the Town of Cudworth authorizing the construction of all or part of a building or structure.

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

Building Rear Line: the line of the wall of the building or any projecting portion of the building and production thereof excluding permitted obstructions which faces the rear site line.

Building Side Line: the line of the wall of the building, or any projecting portion of the building and

production thereof excluding permitted obstructions, which faces the side site line.

Campground: a tract or parcel of land which provides for the location of tents or recreation vehicles used by travellers and tourists for overnight accommodation.

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

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

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

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

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

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

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

Corner Site: a site at the intersection or junction of two or more streets.

Council: the Council of the Town of Cudworth.

Cultural Institution: an establishment such as a museum, art gallery, library and similar facilities of historical, educational or cultural interest which are not commercially operated.

Custodial Care Facility: either:

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

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

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

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

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

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

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

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

Dwelling Group: a group of two or more detached one unit dwellings, two unit dwellings or multiple unit dwellings or combinations thereof occupying the same site.

Dwelling, Modular: a factory built home that is manufactured as a whole or modular unit and designed to be moved on a permanent or removable chassis to be used as a single detached dwelling, and is certified by the manufacturer that it complies with the Canadian Standards Association CSA- A277.

Dwelling, Multiple Unit Apartment Style: a building divided into three or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence, but not hotels, motels or townhouses.

Dwelling, Multiple Unit Townhouse: a multiple-unit dwelling in which each unit has its own entrance to the outside and each unit is separated from other units by a common wall or ceiling which has no openings.

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

Dwelling, Semi-Detached: a building divided vertically into two dwelling units by a common party wall which separates the two units without opening.

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

Dwelling, Street Townhouse: a dwelling unit on its own site, attached to two or more other dwelling units, each on their own sites, in which each unit has its own entrance to the outside and each unit is separated from other units by a common wall or ceiling which has no opening.

Dwelling, Two-Unit: a detached building on its own site divided into two dwelling units, each with its own entrance to the outside.

Dwelling Unit: a separate set of living quarters, whether occupied or not, usually containing sleeping facilities, sanitary facilities and a kitchen or kitchen components. For the 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.

Farmers' Market: a permanent structure, operated on a seasonal or year-round basis, which allows for agricultural or horticultural producers to retail their products and other agriculture-related items, including those produced in a community garden, directly to consumers and enhance income through value-added products, services, and activities.

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

Farm Stand: a seasonal direct-marketing operation without a permanent structure and offering outdoor shopping for the sale of locally-produced agricultural products including those produced in a community garden, enhanced agricultural products, and handmade crafts.

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

Financial Institution: a bank, credit union, trust company, or similar establishment.

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

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

Frontage: the side of a site abutting a street and, in the case of a corner site, the shorter of the sides is the frontage.

Fuel Storage Tank, Above Ground: a storage tank, any portion of which is above grade and containing gasoline, diesel fuel, or propane for retail sale or dispensing into motor vehicles.

Garage, Private: a garage used for storage purposes only, where no business, occupation or service is conducted for gain, other than an approved home based business, and in which no space is rented for commercial vehicles to a non-resident of the premises.

Garage, Public: any garage available to the public, operated for gain, and which is used for repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles, including painting, body work and major repairs.

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

Grade Level: the average level of the finished surface of the ground adjacent to the exterior walls of the building or structure. In the case of one-unit dwellings, two-unit dwellings and semi-detached dwellings with a walk-out basement, grade level shall be the average elevation of the finished surface of the ground adjacent to the side walls of the building.

Hazard Land: land which is subject to flooding, ponding, subsidence, landslides or erosion.

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

- (a) Corrosives;
- (b) Explosives;

- (c) Flammable and combustible liquids;
- (d) Flammable solids; substances liable to spontaneous combustion; substances that on contact with water emit flammable gases;
- (e) Gases, compressed, deeply refrigerated, liquefied or dissolved under pressure;
- (f) Oxidizing substances; organic peroxides;
- (g) Poisonous (toxic) or infectious substances;
- (h) Radioactive materials;
- (i) Waste Dangerous Materials; and/or,
- (j) Any other environmentally hazardous substance.

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

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

Industrial Complex: a group of two or more detached principal buildings located on the same site, provided that each form of development comprising the industrial complex is otherwise a permitted or discretionary use in the zoning district.

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

- (a) will contain 300 or more animal units as defined in *The Agricultural Operations Act*; and,
- (b) provides less than 370 m² of space for each animal unit contained therein.

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

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

Landscaping: the changing, rearranging, or adding to the original vegetation of a site, including site grading, addition of topsoil, grass, trees, plants, sidewalks and other natural or decorative features.

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

Light Manufacturing: a light industrial use where all processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building, including, but not limited to apparel, food, drapes, clothing accessories, bedspreads, decorations, artificial plants, jewellery, instruments, computers, electronic devices.

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

Manufactured Home: a factory built, one or two section dwelling, conforming to the CSA Standard

CAN/CSA – Z240, and which is transported to the site for placement on an approved foundation, and which may have formerly been referred to as a “mobile home” and includes the following:

- (a) water faucets and shower or other bathing facilities that may be connected to a water distribution system; and
- (b) facilities for washing and a water closet or other similar facility that may be connected to a sewage system; and,

Mayor: the Mayor of the Town of Cudworth.

Medical, Dental and Optical Laboratories: a place fitted with medical and scientific equipment and used for the conduct of medical, dental or optical investigations, experiments, and tests; or for the manufacture of medicines or medical aid devices, but does not include the manufacture of industrial chemicals.

Membrane Covered Structure: a pre-manufactured structure consisting of wood framing, tubular metal, or tubular plastic frame, covered on the roof and a maximum of three sides with fabric, reinforced plastic, vinyl, or other sheet material, intended for temporary storage purposes.

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

Modular Unit: a factory built frame or shell which comprises supporting and non-supporting walls, siding and other components of a prefabricated home representing only a section of a dwelling and has neither chassis, running gear nor its own wheels.

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

Municipal Facility: land and/or structures owned by the Municipality including, but not limited to, land and/or structures used for the following:

- (a) Office and/or meeting space;
- (b) Storage of municipal equipment and/or supplies; and/or
- (c) Other institutional purposes.

Municipality: the Town of Cudworth.

Nonconforming Building: a building:

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

Nonconforming Site: a site, consisting of one or more contiguous parcels, to which all required permits have been issued on the date that this Bylaw or any amendment to the 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.

Nonconforming Use: a lawful specific use:

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

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

Official Community Plan: the *Official Community Plan* for the Town of Cudworth.

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

Personal Service Shops: establishments engaged in providing the care of a person or their apparel, which include barber shops, hairstyle salons, laundries, dry cleaners, shoe repair, photographic studios and other similar uses.

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

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

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

Public Work: includes:

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

Recreational Facility, Commercial: a recreation or amusement facility operated as a business and open to the general public for a fee.

Recreational Facility, Public: a recreation or amusement facility operated by the province, municipality, or a non-profit organization and open to the general public.

Recycling Collection Depot: a building or structure used for collection and temporary storage of recyclable household material such as bottles, cans, plastic containers and paper.

Residential Care Home: a licensed or approved group care home governed by Provincial regulations that

provides, in a residential setting, 24 hour care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual.

Residential Care Home - Type I: a residential care home in which the number of residents, excluding staff, does not exceed five.

Residential Care Home - Type II: a residential care home in which the number of residents, excluding staff, is more than five.

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

Retail Store: a place where goods, wares, or merchandise are offered for sale or rent, and may include the manufacturing of products to be sold on site, provided the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

School, Public: a facility which meets Provincial requirements for elementary or secondary education, and which secures the majority of its funding from taxation.

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

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

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

Sight Triangle: the triangular area formed, on corner sites, by the intersecting front and side site lines at a street intersection, or the intersection of a street and a lane or driveway, and the straight line joining said site lines at points which are a measured distance along said site lines (refer to Figure 2-2). In the case of a street intersecting a street, the measured distance shall be 7.6 metres. In the case of a street intersecting a lane or driveway, the measured distance shall be 4.5 metres.

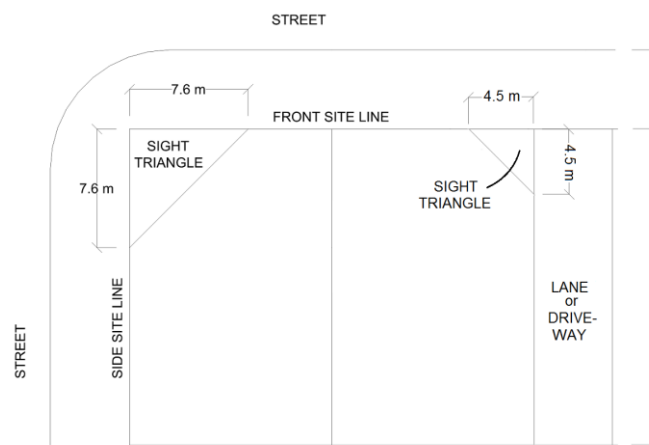


Figure 2-2: Sight Triangles

Sign: any device, letters, figures, symbols, emblems, or pictures which are affixed to, or represented directly or indirectly upon a building or structure, which identify or advertise any object, product, place, activity, person, organization or business; and which is visible on a street or public thoroughfare.

Sign, Directional / Information: a sign giving directions, instructions or facility information but not including any advertising copy.

Sign, Temporary: a removable sign erected for a period of time not exceeding six months.

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

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



Figure 2-3: Illustration of Site Definition

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

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

Site Line, Front: the line that divides the site from the street. In the case of a corner site, the front site line shall mean the line separating the narrowest street frontage of the site from the street.

Site Line, Rear: the line (or point) at the rear of the site and opposite the front site line (refer to Figure 2-4).

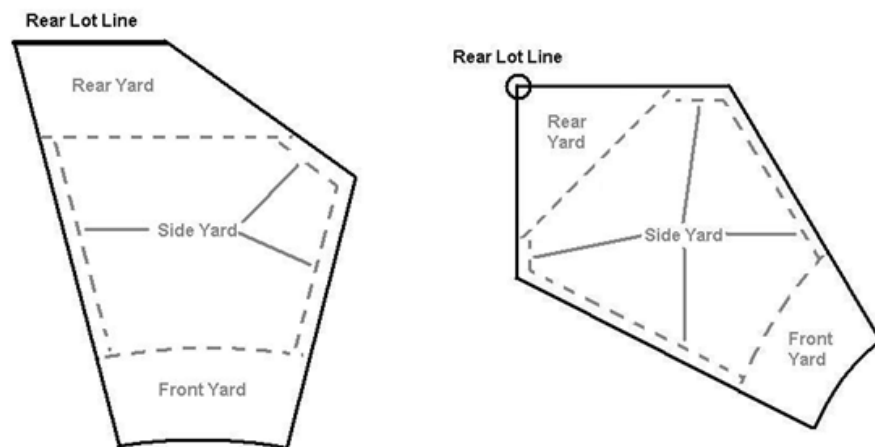


Figure 2-4: Illustration of Rear Site Lines

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

Site, Through: a site not more than one lot in depth, having a frontage on two streets more or less parallel (refer to Figure 2-4).

Site Width: for rectangular sites, the horizontal distance between the side boundaries of the site measured along the front site line. For non-rectangular sites, the average of the horizontal distances between the side boundaries of the site measured along the front and rear site lines (refer to Figure 2-5).

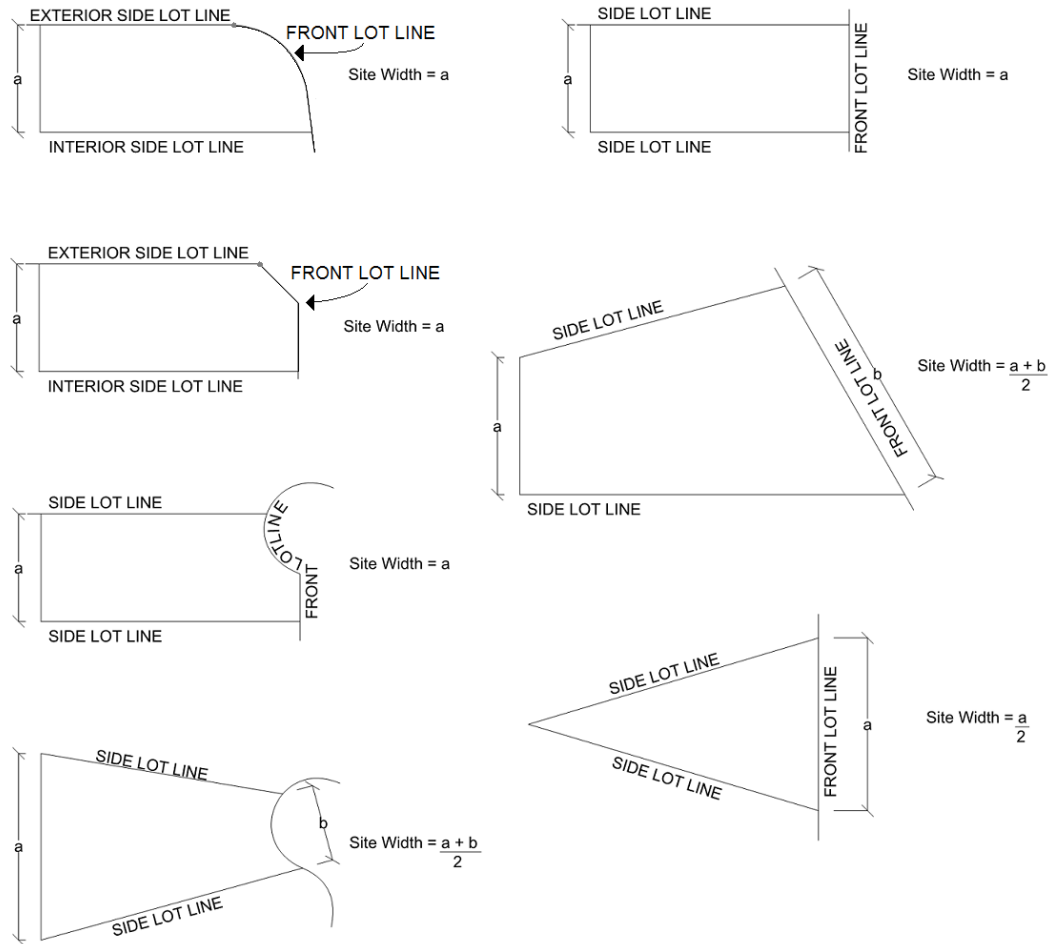


Figure 2-5: Illustrations of Site Width

Special Care Home: a nursing home, supervisory care home, sheltered care home or other facility used for the purpose of providing supervisory care, personal care, and nursing care.

Street: a public space, commonly used as a thoroughfare, which affords the principal means of access to abutting properties and serves as the principal outdoor separation space between buildings and sites.

Streetscape: the physical elements of the street, as seen from a human perspective, that help define the character, perception, scale, and overall “feel” of the street or neighbourhood, including:

- (a) trees and other vegetation;
- (b) sidewalks, medians, and boulevards, including textural elements;
- (c) street furniture and decoration;
- (d) frontages, façades, massing, scale, and architectural aesthetic of buildings;
- (e) pedestrians and bicyclists;
- (f) moving and parked vehicles;
- (g) roadways and lanes;
- (h) signage; and
- (i) utility elements.

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

Structure: anything erected or constructed, the use of which requires temporary or permanent location on, or support of, the soil, or attached to something having permanent location on the ground or soil; but not including pavements, curbs, walks or open air surfaced areas.

Temporary Building: a building under 34 square metres in floor area without a foundation or footing, and that is to be removed upon expiration of a designated time period.

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

Terrace: a level, artificially surfaced area adjacent to a principal building, not covered by a roof, at or within 0.6 metres of the finished grade; including patios.

Town: the Town of Cudworth.

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

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

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

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

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

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

Wall Height: the vertical distance of a building measured at the outermost building face, from grade level to the top of the wall, not including the roof.

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

Wholesale Establishment: the sale of commodities to retailers or jobbers and shall include the sale of commodities for the purpose of carrying on any trade or business.

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

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

Yard, Rear: the area between the side site lines, and the rear site line to the rear building line.

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

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

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

3 ADMINISTRATION

3.1 DEVELOPMENT OFFICER

3.1.1 The Development Officer shall administer this Bylaw.

3.1.2 The Development Officer shall be the Administrator of the Town of Cudworth and any other person authorized, in writing, by the Administrator to act as a Development Officer for the purposes of this Bylaw and *The Act*.

3.2 DEVELOPMENT PERMITS

3.2.1 Except as provided in Section 3.2.2 no person shall undertake a development or commence a use unless a development permit has first been obtained. A Development Permit cannot be issued in contravention of any of the provisions of this Bylaw subject to Sections 213 to 232 of *The Act*.

3.2.2 A development permit is not required for the following, but all other applicable provisions of this Bylaw are to be followed for:

- (1) the maintenance of a public work by the municipality or a public utility;
- (2) the construction of a public work by the municipality;
- (3) the installation of a public work on any street or other public right-of-way by the municipality;
- (4) maintenance and repairs that do not include structural alterations;
- (5) accessory buildings under 9.3 square metres in area; and
- (6) signs.

3.2.3 The effective period for a development permit is 12 months. This period may be extended by the Development Officer for an additional 12 months if requested in writing by the permit holder. A development permit shall be automatically invalid:

- (1) if the proposed development is not commenced within 12 months from the permit issuance date, or
- (2) if the proposed development is legally suspended or discontinued, for a period of 12 or more months, unless otherwise indicated by Council or the development officer.

3.2.4 A building permit shall not be issued unless a development permit, where required, has been granted. If a development permit is deemed void, a new building permit or sign permit is required in conjunction with the issuance of a replacement development permit.

3.3 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

3.3.1 Except in the case of applications for a sign permit, a portable sign license or a home based business, every application for a development permit shall be accompanied by the following:

- (1) the names, addresses and telephone numbers of the applicant, property owner and person or consultant who prepared the plans being submitted, including a local contact person.
- (2) the proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied, including the area of the proposed building or renovations.
- (3) the complete legal description and civic address of the subject property.
- (4) two copies of a site plan, drawn to scale with appropriate dimensions, showing the following information:
 - (a) north arrow, streets and lanes adjacent to the site, key plan showing nearby lot patterns, all property boundaries, identified frontage of site, site area, site elevations and the location of any existing buildings, structures, utility poles and wires, fire hydrants, underground utilities, easements, building encroachments, and the type and location of existing trees;
 - (b) the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions and the location of all doorways, walkways and pedestrian circulation areas; and,
 - (c) the location and size of all proposed parking spaces, aisles and vehicle circulation areas, loading spaces, and entrances and exits to the site.
- (5) two copies of scaled plans, showing the dimensioned floor plans and elevations, including both interior and exterior wall and floor dimensions and room areas and dimensions.

3.3.2 The Development Officer may require the submission of documentation relating to the requirements of Section 4.15 of this Bylaw, where relevant.

3.4 DEVELOPMENT PERMIT APPLICATION PROCESS

3.4.1 Applications for a development permit shall be submitted to the Development Officer in accordance with the requirements of this Bylaw.

3.4.2 The Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Bylaw, the *Official Community Plan* and *The Act*.

3.4.3 Where an application is made for a development permit with respect to a development for a discretionary use which has been approved by Council, the Development Officer shall issue a development permit subject to any specified development standards and time limits prescribed by Council pursuant to Section 56(1)(c) and (d) of *The Act*.

3.4.4 Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.

3.4.5 The Development Officer may revoke a development permit where:

- (1) the development permit has been issued in error;
- (2) an approved development for a permitted use is not being developed in accordance with the provisions of this Bylaw, or in accordance with the standards and conditions specified in the development permit;
- (3) the approval of a proposed development for a discretionary use is deemed to be invalid; or,
- (4) a development is subject to an agreement which has been cancelled by Council pursuant to Sections 65 or 69 of *The Act*.

3.4.6 The Development Officer shall give the reasons for denying or revoking a development permit.

3.5 DEVELOPMENT PERMIT APPLICATION FEES

3.6 DEVELOPMENT APPEALS BOARD

3.6.1 A Development Appeals Board of the Town of Cudworth shall be appointed in accordance with Sections 213 to 227 of *The Act*.

3.7 RIGHT OF APPEAL

3.7.1 Where an application for a PERMITTED USE has been REFUSED, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Town of Cudworth.

3.7.2 Where an application for a DISCRETIONARY USE has been APPROVED by Council, WITH PRESCRIBED SPECIAL DEVELOPMENT STANDARDS pursuant to this Bylaw, the applicant shall be advised that any development standards considered excessive, may be appealed to the Development Appeals Board of the Town of Cudworth.

3.7.3 Where an application for a DISCRETIONARY USE has been REFUSED by Council, the applicant shall be advised that there is no appeal pursuant to Section 219(2) of *The Act*.

3.7.4 An application for a Development Permit for a PERMITTED USE shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the Development Officer, and an appeal may be made as provided in Section 3.7.1 as though the application had been refused at the end of the period specified in this subsection.

3.7.5 Where a person wishes to appeal to the Board, he/she shall file written notice of his/her intention to appeal with the secretary of the Board, together with a sum of not more than \$50.00 that the Board may specify to be applied to the expenses of the appeal.

3.8 MINOR VARIANCES

- 3.8.1 The Development Officer may grant a variance of up to ten percent (10%) of any yard requirement or minimum required distances between buildings for a use that is a permitted or discretionary use as specified in this Bylaw. All such variances shall be subject to the conditions and granted in accordance with the procedures contained in Section 60 of *The Act*.
- 3.8.2 The Development Officer shall maintain a registry of the location and all relevant details of the granting of such variances.
- 3.8.3 An application for a minor variance shall be in a form prescribed by the Development Officer.

3.9 NONCONFORMING USES, BUILDINGS AND SITES

- 3.9.1 Non-conforming uses, non-conforming buildings and non-conforming sites shall be subject to Sections 88 - 93 inclusive of *The Act*.
- 3.9.2 No existing building, site or use shall be deemed to be non-conforming by reason only of the conversion from the Imperial System of Measurement to the International System of Units (S.I.) where such nonconformity results solely from such conversion and is reasonably equivalent to the S.I. standard herein established.

3.10 DISCRETIONARY USE APPLICATIONS

3.10.1 *Discretionary Use Application Process*

- (1) The following procedures shall apply to discretionary use applications:
 - (a) Applicants must file with the Development Officer a development permit application, a site plan, any other plans and information as required by the Development Officer and pay the required application and public hearing fees;
 - (b) The application will be examined by the Development Officer for conformance with the *Official Community Plan*, this Bylaw, and any other applicable policies and regulations;
 - (c) The Development Officer may request comments from other government agencies where applicable;
 - (d) The Development Officer will prepare a report concerning the application including recommendations that conditions be applied to an approval;
 - (e) The Development Officer will set a date for the meeting at which the application will be considered by Council and will give notice by ordinary mail to assessed owners of property within 75 metres of the boundary of the applicant's land. The Development Officer will prepare on-site notification posters which must be placed on the site by the Development Officer and must remain on the site until the application is considered by Council;

- (f) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council;
- (g) Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site; and,
- (h) The Development Officer shall notify the applicant of Council's decision by ordinary mail addressed to the applicant at the address shown on the application form.
- (i) Where an application for a discretionary use is approved by resolution of Council, the Development Officer shall issue a development permit subject to any specified development standards prescribed by Council pursuant to Section 3.10.4.
- (j) Where an application for a discretionary use is approved by resolution of Council but the proposed development does not meet the zoning regulations for the applicable zoning district, the Development Officer shall:
 - (i) advise the applicant of Council's approval of the discretionary use application and,
 - (ii) advise the applicant that the development permit application must be refused on the grounds of zoning non-compliance but that applicant has the right of appeal.
- (k) The Development Officer shall maintain a registry of the location and all the relevant details respecting the granting of the discretionary use approval.

3.10.2 *Terms and Conditions for Discretionary Use Approvals*

- (1) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. In approving any discretionary use, to minimize land use conflict, Council may prescribe specific development standards related to:
 - (a) site drainage of storm water;
 - (b) the location of buildings with respect to buildings on adjacent property;
 - (c) access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic;
 - (d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
 - (e) control of noise, glare, dust and odour;
 - (f) landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties;

- (g) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs;
 - (h) prescribed specified time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and/or,
 - (i) intensity of use.
- (2) Council may approve discretionary use applications for a limited period of time where it is considered important to monitor and re-evaluate the proposal and its conformance with the objectives of this Bylaw.
 - (3) Council's approval of a discretionary use application is valid for a period of 12 months from the date of the approval. An approval shall be deemed to be invalid if the proposed use or proposed form of development has not commenced within that time or if the Council determines, within the 12 month period, that the proposed development is not proceeding in accordance with the terms and conditions of its approval. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid.
 - (4) Council may direct that a discretionary use permit extension be granted for an additional 12 month period by the Development Officer, upon request of the applicant.
 - (5) If an approved discretionary use or form of development ceases to operate for a period of twelve (12) months or more, the discretionary use approval shall no longer be valid. The Development Officer shall advise the owner and Council when a prior approval is no longer valid.
 - (6) Council may instruct the Development Officer to issue a notice of refusal to the applicant, where the applicant has been given adequate opportunity to alter the proposal to comply with the Bylaw. The notice shall state the reason for refusal.

3.10.3 *General Discretionary Use Evaluation Criteria*

Council will apply the following general criteria, and, where applicable, the use specific criteria in Section 3.10.4, in the assessment of the suitability of an application for a discretionary use or discretionary form of development.

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

- (5) The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur.
- (6) Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise, etc. not in keeping with the character of the adjacent area.
- (7) Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.
- (8) All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.
- (9) Proposals for discretionary uses which may result in heavy truck traffic, particularly in commercial and industrial districts, should be located to ensure that such traffic takes access to or from major streets or designated truck routes.

3.10.4 *Use-Specific Discretionary Use Evaluation Criteria*

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

- (1) *Clubs, Places of Worship, Recreation Facilities & Community Centres*
 - (a) Uses should, where possible, be located on corner sites to facilitate access;
 - (b) The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads;
 - (c) Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units; and,
 - (d) Vehicle car parking and access areas should not form a dominant element in the streetscape.
- (2) *Dwelling Groups* - also refer to Section 4.10.3
 - (a) The suitability of a proposal will be considered with respect to:
 - (i) the capacity of the adjoining street system to handle the size and location of the development. The development will not cause excessive traffic to pass through adjoining low density residential development;
 - (ii) the density of a dwelling group and building separations will be consistent with similar residential structures on separate subdivided parcels; and,
 - (iii) bareland condominium proposals for dwelling groups will only be considered if there is provision for adequate common property on the parcel.
- (3) *Lumber yards and home improvement centres*
 - (a) The location of lumber yards and home improvement centres will only be favourably

considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:

- (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or,
 - (iv) utilization of hazardous substances.
 - (b) All materials and goods used in conjunction with construction trades shall be stored within an enclosed building, or within an area hidden from view by screening.
- (4) *Recycling Collection Depots*
- (a) The use shall be located where practical, in a non-highly visible area, and screened to avoid any adverse visual impact. Landscaping and screening acceptable to Council shall be provided in all yards facing a public roadway or properties in residential use.
- (5) *Intensive agricultural uses*
- (a) The location of will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and,
 - (iv) utilization of hazardous substances.
- (6) *Auto wreckers and Salvage Yards* - also refer to Section 4.10.10
- (a) The location of will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and,
 - (iv) utilization of hazardous substances.
- (7) *Agrichemical Sales and Storage, Bulk Petroleum Sales and Storage, Bulk Fertilizer Sales and Storage, and Seed Cleaning Plants* - also refer to Section 4.10.8

- (a) The location of will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and,
 - (iv) utilization of hazardous substances.
- (8) *Car Washes*
 - (a) The location of the car wash will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation; and/or,
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians.
- (9) *Convenience Stores*
 - (a) The location of the convenience store will only be favourably considered where it can be demonstrated that residential amenity will not be unreasonably compromised;
 - (b) Vehicle parking and access areas should not form a dominant element in the streetscape.
- (10) *Multiple Unit Dwellings*
 - (a) The suitability of the proposal will be considered with respect to:
 - (i) adherence to any concept plan prepared for the proposed development area, including the proposed location of all forms of multiple unit dwellings;
 - (ii) the convenience of parking; and
 - (iii) appropriate size and quality of proposed dwellings units.
- (11) *Autobody Shops, Welding and Machine Shops*
 - (a) The location of autobody, welding and machine shops will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or

- other emissions emanating from the operation;
- (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or,
- (iv) utilization of hazardous substances.

(12) *Motor vehicle, Mobile Home and Recreational Vehicle Sales and Service*

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

(13) *Freight Handling Facilities and Warehouses*

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

(14) *Concrete & Asphalt Plants and Sand & Gravel Operations*

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

3.11 FEES

3.11.1 Amendment of the Zoning Bylaw

- (1) In addition to the fees outlined in Section 3.11.2(3), where a person requests Council to amend the Zoning Bylaw, that person shall pay to the municipality a fee equal to the costs associated with the public advertisement of the proposed amendment and the costs associated with providing direct written notice to owners of land that is the subject of the proposed amendment. Council may choose not to proceed with the advertising if it concludes that the proposed amendment is unsuitable or unnecessary.
- (2) Council shall give notice of its intention to consider a Zoning Bylaw amendment pursuant to the provisions of Sections 207 to 211 of *The Act*.

3.11.2 Application Fees

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

(a)	Permitted principal use:	\$25.00
(b)	Permitted accessory use:	\$25.00
(c)	Permitted ancillary use:	\$25.00
(d)	Discretionary principal use:	\$50.00
(e)	Discretionary accessory use:	\$50.00
(f)	Discretionary ancillary use:	\$50.00
(g)	Development Appeal Fee:	up to \$50.00 as specified by the Development Appeals Board.

These fees shall be in addition to any fee required by Section 3.11.1 above.

- (2) Detailed review costs:
 - (a) General: Where a development or subdivision proposal involves a detailed review, a plan or Zoning Bylaw Amendment, a development agreement, a servicing agreement, detailed development conditions, liability insurance, performance bonds, caveats, or legal and professional planning advice, Council may require the applicant to pay the full cost of the additional application review and administration costs, as Council may determine by resolution.
 - (b) Items: Such costs may include Council meetings, legal and professional planning costs, municipal administration fees and site inspection fees, as determined by Council.
 - (c) Documentation: Such costs may be addressed and clarified in Council specified documents, including development and servicing agreements.
- (3) An applicant seeking amendment to the Zoning Bylaw shall pay the following fees:
 - (a) The costs of advertising associated with the application; and,

(b) The following fees, where applicable:

- (i) Text amendments: \$100; and/or,
- (ii) Map amendments:
 - Class 1 Districts: FUD, CS, PR
 - Class 2 Districts: C1, C2, M1
 - Class 3 Districts: R1, R2, R3, R4

Zoning Map Amendments		To		
		Class 1	Class 2	Class 3
From	Class 1	\$50	\$100	\$150
	Class 2	\$50	\$100	\$150
	Class 3	\$50	\$100	\$150

Where an application to amend the *Zoning Bylaw* involves amendment within two or more of the above classes, the sum of the amendment fees shall apply for all classes, in addition to the fee for a text amendment, if applicable.

3.11.3 Special Provisions for Contract Zoning Agreements

- (1) A zoning designation which is subject to an agreement entered into pursuant to the provisions of Section 69 of *The Act* shall be indicated on the *Zoning District Map* by the addition of the Bylaw number authorizing agreement after the zoning district designation.

3.12 ZONING COMPLIANCE, OFFENCES AND PENALTIES

- (1) Pursuant to Section 242(2) of *The Act*, the Development Officer may issue a zoning compliance order for development that contravenes this bylaw in order to achieve bylaw compliance.
- (2) Any person who violates this bylaw is guilty of an offence and liable upon summary conviction, to penalties and subject to an order as stated in Section 243 of *The Act*.

4 GENERAL REGULATIONS

4.1 LICENCES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

Nothing in this Bylaw shall exempt any person from complying with the requirement of any other municipal or provincial regulations and requirements and from obtaining any licence, permission, permit, authorization or approval required by such requirements or regulations.

4.2 BUILDING LINES

Where a building line in a residential district has been established by existing buildings in a block having at least one half the lots built upon, the front yard requirement for the applicable zoning district will be considered to be the existing building line.

4.3 NUMBER OF PRINCIPAL BUILDINGS PERMITTED ON A SITE

Only one principal building shall be placed on a site with the exception of dwelling groups, shopping centres, industrial complexes, health care clinics, recreation facilities, schools, hospitals, and public works.

4.4 HEIGHT RESTRICTIONS

Any height limitations or regulations shall not apply to the following:

- (1) Spires, cupolas, television antennas, solar collectors, or other appurtenances usually required to be placed above the roof level, and not intended for human occupancy.

4.5 VISIBILITY CLEARANCE AT INTERSECTIONS

On a corner lot, in any residential district, nothing shall be erected, placed, planted, or allowed to grow so as to obscure vision at a height of 1 metre or greater above the elevation of the centre of the abutting street within a triangular area formed by the intersecting lot lines abutting the streets and a straight line joining said lot lines at points 4.5 metres distant from the intersection of the lot lines.

4.6 REQUIRED YARDS AND OPEN SPACE

4.6.1 *Minimum Yards Required*

No portion of any yard or open space required about any principal building or use shall provide any portion of a yard or open space for any other principal building or use.

4.6.2 Permitted Obstructions in Required Yard

The following shall not be considered to be obstructions and shall not be considered in the determination of yard dimensions or site coverage:

(1) *In all yards:*

- (a) steps or ramps of 1.6 metres or less above grade level which are necessary for access to a permitted building or for access to a site from a street or lane; trees; shrubs; walks; uncovered driveways; fences; trellises; flag poles and wheelchair ramps.

(2) *In front yards:*

- (a) overhanging eaves and gutters projecting not more than 1.0 metre into the required front yard;
- (b) lighting fixtures and lamp posts;
- (c) raised patios and decks not more than 0.4 metres above grade;
- (d) raised patios and decks more than 0.4 metres above grade, projecting not more than 1.8 metres into the required front yard;
- (e) canopies or balconies projecting not more than 1.8 metres into the required front yard; and,
- (d) architectural features, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the required front yard.

(3) *In rear yards:*

- (a) raised patios and decks measuring 0.6 metres in height above grade or less provided they are located at least 3.0 metres from the rear site line;
- (b) raised patios and decks measuring more than 0.6 metres in height above grade, projecting not more than 3.0 metres into the required rear yard;
- (c) canopies or balconies projecting not more than 3.0 metres into the required rear yard;
- (d) overhanging eaves and gutters, architectural features, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 1.0 metre into the required rear yard; and
- (e) laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky.

(4) *In side yards:*

- (a) raised patios and decks measuring 0.6 metres or less in height above grade;
- (b) raised patios and decks measuring more than 0.6 metres in height above grade provided they are located at least 0.5 metres from the side site line;
- (c) Architectural features, eaves, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.5 metres into the required side yard; and,
- (d) Laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky.

4.7 FENCES

- 4.7.1 In any **R** district, no wall, fence or similar structure shall be erected in a required front yard or on a site line adjacent to a required front yard.
- 4.7.2 In any **R** district, no wall, fence, screen or similar structure, excepting permitted accessory buildings, shall be erected in a required side or rear yard, or on a site line adjacent to a required side or rear yard, to a height of more than 2.0 metres above grade level as illustrated in Figure 4-1.
- 4.7.3 In any **C, M, FUD** or **PR** district, no wall, fence or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 3.0 metres above grade level.
- 4.7.4 On a corner lot in any district, no hedge planting, tree, wall, fence, or similar structure, not being a building, shall be erected, placed, planted, or maintained within the triangular area formed by the intersecting property lines and the straight line joining said property lines at points which are 6.0 metres distant from the point of intersection, measured along said property lines, to a height greater than 1.0 metre as illustrated in Figure 4-1.

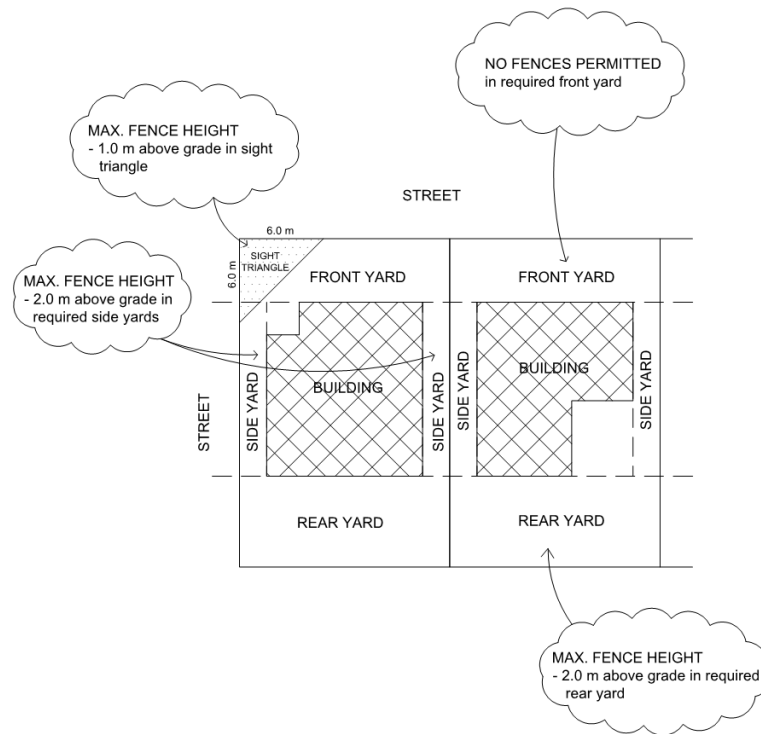


Figure 4-1: Fence Requirements in Residential Districts

4.8 ACCESSORY BUILDINGS AND STRUCTURES

4.8.1 Accessory buildings shall be subordinate to, and located on the same site as the principal building or use, and used in conjunction with that principal use.

4.8.2 Height of Accessory Buildings

- (1) In any **C** or **M** district or in the **FUD** districts accessory buildings are not to exceed the height of the principal building.
- (2) In any **R** district accessory buildings shall not exceed 6.0 metres in height from grade level to the top of the roof.

4.8.3 Private Garages and Carports

- (1) Private garages and carports, attached to the principal building by a substantial roof structure, are considered as part of the principal building and subject to the regulations governing the principal building.
- (2) On any site in any residential district only one detached garage subject to Sections 4.8.4 and 4.8.5 (below) is permitted.
- (3) Except when conforming with established building lines, no main door of a garage which faces a road shall be within 6 metres of the front site line faced by the door.

- (4) Except when conforming with established building lines, no main door of a garage which faces a road shall be within 3 metres of the side site line faced by the door.

4.8.4 *Location and Size of Accessory Buildings (including private garages and carports)*

- (1) Detached accessory buildings in all **R** districts are subject to the following regulations:
 - (a) Accessory buildings located in the required rear yard shall not occupy more than forty (40) per cent of the required rear yard, and shall not obstruct access to any lane.
- (2) Detached accessory buildings in all zoning districts are subject to the following regulations:
 - (a) Detached accessory buildings are not to be located in any required front yard.
 - (b) Accessory building shall have a minimum rear yard setback of at least 1.5 metres from the rear site line, however, in no case shall any door, when opened or being opened, extend beyond the rear property line.
 - (c) Accessory building shall have a minimum side yard setback of at least 0.75 metres from the side site line, however, wherever a side site line abuts a street, a minimum setback shall be provided of at least 6.0 metres from that side site line adjacent to the flanking street.
 - (d) Detached accessory buildings shall be located at least 1.0 metre from the principal building.

4.8.5 *Number of Accessory Buildings*

- (1) In any **R** district, there shall be no more than three (3) accessory buildings on site.

4.8.6 *Membrane Covered Structures*

- (1) In all districts anchored membrane covered structures, as an accessory use, shall be permitted up to 18.6 square metres.
- (2) In the M1 and C2 districts, anchored membrane covered structures over 18.6 square metres are permitted.
- (3) Notwithstanding subsections (1) and (2), membrane covered structures may be placed in any district temporarily, for a period not to exceed seven (7) days.
- (4) Development applications for membrane covered structures must include a drawing stamped by a Professional Engineer to ensure the structure will meet the requirements of *The National Building Code of Canada*.
- (5) In all cases membrane covered structures shall comply with the site requirements for accessory buildings for the applicable zoning district.

4.8.7 Shipping Containers

- (1) Shipping containers shall be prohibited in all districts except the C2 and M1 districts.
- (2) Shipping container, permitted under subsection (1), shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable zoning district.
- (3) Shipping containers, permitted under subsection (1), shall:
 - (a) be properly anchored and maintained in good repair;
 - (b) be sided or sandblasted and repainted to a neutral colour prior to their placement, above grade, on a site;
 - (c) be located a minimum of 3.0 metres from, and behind the rear wall of, the principal building;
 - (d) meet the requirements of *The National Building Code of Canada* as applicable.

4.9 SIGNS

All signs shall be subject to the following regulations:

4.9.1 General

- (1) In addition to signs permitted as set out below, temporary election signs, and temporary signs bearing notice of sale or lease or other information relating to a temporary condition affecting the property, are permitted as long as the temporary condition exists for the property. Election signs shall be removed within five days following the official end of the relevant election period.
- (2) Except for government signs, memorial signs, signs advertising residential occupants or addresses and directional signs that bear no advertising, signs may only advertise commercial uses, home based businesses, the principal use of the site, or the principal products offered for sale on a site.
- (3) Signs shall not be located in sight triangles for intersections or driveways or in such a manner that they visually obstruct sight triangles or otherwise jeopardize public safety.
- (4) Except as otherwise provided, no sign shall project beyond the property lines of the site to which it pertains.
- (5) Subject to the general provisions governing their location, directional signs providing on-site directions for the convenience and safety of persons using the site shall be permitted.
- (7) Signs and billboards will be prohibited in any residential district.

4.10 SPECIAL REGULATIONS AND STANDARDS

This section addresses special provisions and specific development standards that apply to the following developments. These standards apply in addition to any standards of the district.

4.10.1 *Custodial Care Facilities, Adult Day Care Facilities and Residential Care Homes*

- (1) Custodial care facilities and residential care homes - types I and types II - may be approved as an ancillary use or as a principal use.
- (2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (3) No building or structure used for the purpose of a custodial care facility or a residential care home shall also be used for the purpose of keeping boarders or lodgers.
- (4) In addition to the development standards of the zoning district, custodial care facilities and residential care homes that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.10 of this Bylaw.

4.10.2 *Day Care Centres and Pre-Schools*

- (1) Day care centres and pre-schools may be approved as an ancillary use or as a principal use. 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..
- (2) In addition to the development standards contained within the zoning district, Section 3.10 of this Bylaw shall apply to the review and approval of day care centres and pre-schools which are listed as discretionary uses.

4.10.3 *Dwelling Groups* (also refer to Section 3.10.4 (2) if discretionary)

- (1) The minimum side yard shall be measured from the closest main wall of the principal building closest to the side site line.
- (2) All principal buildings forming part of the group shall be located from any other principal building in the group at a distance that meets *The National Building Code of Canada* and *The National Fire Code of Canada*.
- (3) Council may apply special development standards regarding "yard requirements" to reduce conflict with neighbouring uses.
- (4) All parking areas, private garages or vehicular access to units or sites within a dwelling group should be from a roadway which is common property internal to the parcel.
- (5) All dwelling groups should have vehicular access to a public street from at least two point which are sufficiently separated to provide accessible ingress and egress in case of

emergency.

4.10.4 Above Ground Fuel Storage Tanks

- (1) Above-ground fuel storage tanks which meet the standards of the National Fire Code may be permitted in association with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use.
- (2) The total storage capacity for above-ground fuel storage tanks on any single service station or gas bar shall not exceed the regulations and requirements set out by the National Fire Code.
- (3) Above-ground fuel storage tanks shall be:
 - (a) located at least 3 metres from any property line or building, unless the tank has a capacity of 5,000 litres or less, in which case it shall be located at least 1 metre from same;
 - (c) separated from each other and be accessible for firefighting purposes to the satisfaction of the Development Officer; and,
 - (d) located at least 15 metres from the boundary of any site within a Residential district.
- (4) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3 metres from any property line, at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.
- (5) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.
- (6) At service stations and gas bars, above-ground fuel storage tanks which are located in view of a front or flanking street shall be landscaped or screened to the satisfaction of the Development Officer.
- (7) The maximum height of an above-ground fuel storage tank shall be limited to the maximum permitted height of a free-standing sign in the zoning district.
- (8) Painted lettering or other forms of signage may be located on above-ground fuel storage tanks subject to the sign regulations in the zoning district.

4.10.5 Manufactured Homes

- (1) All manufactured homes must meet the standards set out in CSA A277 Procedure for Certification of Factory Built Houses, and amendments thereto. All manufactured homes must bear a label of a credible certification agency indicating compliance with this standard.
- (2) All attached and accessory structures shall require a building permit and shall comply with the National Building Code and Building Bylaw.

- (3) All attached or accessory structures such as porches, sun rooms, skirting and storage facilities shall be factory prefabricated units, or of an equivalent quality, and shall be painted or prefinished so the design and construction will complement the main structure.
- (4) All wheels, hitches, and running gear shall be removed from a manufactured home within 30 days of placement on the site and shall be skirted from the floor level to ground level in such a manner as to compensate for vertical movements and to prevent the entrance of rodents and other small animals.
- (5) All manufactured homes shall be placed on a permanent foundation comprised of a concrete or preserved wood grade beam / pile structure, such foundation being not less than 600 millimetres above recommended or established grade. Grade beam support shall be attached to the perimeter of the building.
- (6) All habitable structures must be above grade, basements are prohibited.
- (7) All manufactured homes shall be connected to the Town water and sewer services.

4.10.6 *Dwelling units in conjunction with and attached to any other permitted use*

- (a) Dwelling units, multiple unit dwellings, and rooming houses may be developed where located on a second or higher floor over commercial uses on the main floor;
- (b) The parking required for dwelling units, multiple unit dwellings, and rooming houses is additional to the parking required for the commercial uses;
- (c) The suitability of a proposal will be considered with respect to:
 - (i) adherence to any concept plan prepared for the proposed development area, including the proposed location of all forms of multiple unit dwellings;
 - (ii) the convenience of parking; and,
 - (iii) appropriate size and quality of proposed dwelling units.
- (d) Where the subject property was previously used for industrial purposes or where the Development Officer has reason to believe that the subject property may be contaminated, the Town shall require the applicant to submit an Environmental Site Assessment, prepared by a qualified professional, and, as a condition of approval, shall remediate the property to appropriate standards. The costs of such study and remediation shall be borne by the applicant.

4.10.7 *Gas Bars*

- (1) Where operated as the principal use on a site, gas bars are subject to the regulations and standards for service stations.
- (2) Where a gas bar is allowed to operate in conjunction with another use on a site, the following standards and regulations apply:
 - (a) All fuel pumps and above ground storage tanks shall be at least five metres from any building on the site, and six metres from any site line;

- (b) The site shall have at least two separate entrances for vehicles, at least 15 metres apart; and,
- (c) Access to, and parking for, fuel dispensing apparatus shall not obstruct access to the site, or other required off-street parking spaces on the site.

4.10.8 *Service Stations*

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

4.10.9 *Agrichemical Sales and Storage, Bulk Petroleum Sales and Storage, Bulk Fertilizer Sales and Storage, and Seed Cleaning Plants* (also refer to Section 3.10.4(7) if discretionary)

- (1) Shall be located at least 91.4 metres from residential uses, schools, hospitals, hotels and motels.

4.10.10 *Auto Wreckers and Salvage Yards* (also refer to Section 3.10.4(6) if discretionary)

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

4.10.11 *Parking Lots*

- (1) No signs of any kind, other than those designating the parking lot name, entrances, exits, or conditions of use, may be erected or maintained.
- (2) All lighting fixtures must be oriented in a manner to direct light away from adjacent lots.
- (3) A durable surface must be provided and maintained and the lot must be graded to dispose of all surface water.
- (4) Where parking abuts a residential property boundary a minimum landscape buffer of 2.0 metres shall be provided.

4.11 HOME-BASED BUSINESSES

4.11.1 Without limiting the authority of the Development Officer to approve other types of homes based business application, the following uses are specifically permitted as home based businesses, subject to the applicable development standards contained herein:

- (1) art restoration;
- (2) administrative office only of a contractor, sub-contractor, or operator of a retail, wholesale or services business, but not including any product fabrication or assembly on the premises;
- (3) base operation for a limousine service;
- (4) beauty parlours and barber shops;
- (5) the creation of crafts for sale off-site, such as novelties and souvenirs, corsage and flower arrangements, gift baskets, and other handicrafts including but not limited to ceramics, pottery, leather goods and jewellery;
- (6) direct sellers who have no personal contact with clients at the home address and who maintain no inventory of stock-in trade for sale, and do not fabricate or assemble their products on the premises;
- (7) dressmaker, seamstress, or tailor;
- (8) electrology, acupuncture, reflexology, and massage therapy;
- (9) grooming and care of animals, but not including boarding of animals;
- (10) headquarters, dispatching, or base of operations of a trucking, taxi, delivery or towing operation;
- (11) the instruction of art, dancing, or music, limited to no more than three (3) students at a time;
- (12) office of a professional, or one who offers skilled services to clients and is not engaged in the sale of goods or products to clients;
- (13) photography studio;
- (14) typing, word processing, and computer programming services; and
- (15) upholstery services.

4.11.2 Without limiting the authority of the Development Officer to deny application for other types of homes based businesses which do not meet the requirements of this Bylaw, the following uses are prohibited as home based businesses, whether or not applications for such uses would otherwise comply with the applicable standards of this Bylaw:

- (1) businesses utilizing large power tools and machinery, or businesses involved in the mass production of similar items or products;
- (2) restaurants or tea rooms;
- (3) health or fitness clubs;
- (4) hotels and hospitals;
- (5) laundry services;
- (6) monument production;
- (7) motion picture cinemas or studios;
- (8) on-site sale of any products, goods or merchandise not associated with the approved home occupation;
- (9) printing, screen printing, engraving and embroidery services;
- (10) the painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery;
- (11) rental services
- (12) sign manufacturing and sign painting;

- (13) taxidermy;
- (14) veterinary services, boarding or care of animals; and
- (15) welding or metal works.

4.11.3 The following development standards apply to all Home Based Businesses:

- (1) No more than one non-resident person shall be employed in relation to home based businesses on any one site.
- (2) Home based businesses shall be conducted entirely indoors, and no more than 25% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 30 m², may be occupied by home based businesses.
- (3) An attached garage or detached accessory building may be occupied by a home based business, provided that the total area devoted to home based businesses does not exceed 60 m² on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.
- (4) There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the buildings and property except for one permitted sign which must be mounted flush with the dwelling unit, not exceeding 0.4 m² and which shall not be electrified or animated.
- (5) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building containing the home based business shall be produced.
- (6) One off-street parking space shall be required for a non-resident employee, and this space may be located in a required front yard. Additional off-street parking spaces may be required, where in the opinion of the Development Officer, due to the nature of the business or the site, the provision of parking is necessary to maintain the residential character of the area.
- (7) No more than one business related vehicle may be stored on or in the vicinity of the site, and the gross vehicle weight rating of the vehicle shall not be more than 5,000 kg and shall not be more than 6.0 metres in total length.
- (8) Regardless of the number of home based businesses that may be located on any one site, a total of no more than eight (8) client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 15,000 kg, or by a vehicle with a total length of more than 6.0 metres.
- (9) A total of no more than 2.0 cubic metres of storage may be permitted within a dwelling on any one site, and a total of no more than 4.0 cubic metres of storage may be permitted within an attached or detached accessory building in relation to home based businesses. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.

4.12 STORAGE OF MATERIALS AND UNLICENSED OR INOPERATIVE MOTOR VEHICLES

In any Residential district:

- 4.12.1 No front yard shall be used for the storage of unlicensed or uninsured motor vehicles or of materials or goods of any type.
- 4.12.2 No yard shall be used for storage or collection of hazardous material.
- 4.12.3 No yard or portion thereof shall be used for the storage of machinery not normally used for the maintenance of the residential property.
- 4.12.4 Outside storage of partially dismantled or inoperative motor vehicles is not permitted.
- 4.12.5 Only one unlicensed or uninsured motor vehicle may be stored outdoors on a residential site.

4.13 DEVELOPMENT ON HAZARD LANDS

- 4.13.1 Prior to a proposed development or subdivision is to be located on what Council considers may be hazard land, the applicant shall submit a report prepared by a qualified professional. The report shall assess the hazard land, the suitability of the land for the proposed development or subdivision and, identify any required mitigation measures.
- 4.13.2 Actions identified, in a report prepared pursuant to Section 4.15.1, for prevention, change, mitigation or remedy may be incorporated as conditions to issuance of any development permit that may be issued. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the conditions present on the hazard land or will result in excessive municipal costs.

4.14 BUILDINGS OR USES OCCUPYING MORE THAN ONE LOT

- 4.14.1 Where an application is made for development of a building or use that will occupy more than one lot as herein defined, the parcel of land comprised of said lots shall be considered a site for the purposes of administering this Bylaw.

4.15 EXISTING NONCONFORMING BUILDINGS AND SITES

- 4.15.1 Where a building has been erected on or before the effective date of this Zoning Bylaw on a site having less than the minimum site width or area, or having less than the minimum front yard, side yard or rear yard required or more than the maximum site coverage permitted in this Zoning Bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:
 - (1) the enlargement, reconstruction, repair or renovation does not further reduce the front yard, side yard, or rear yard, nor further increase the site coverage that does not conform to this Zoning Bylaw; and
 - (2) all other applicable provisions of this Zoning Bylaw are satisfied.

4.16 FRONTAGE ON ROAD

- 4.16.1 No development permit shall be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts or has frontage on and access to an existing public road.

4.17 BUILDING TO BE MOVED

- 4.17.1 No building shall be moved within or into the Town of Cudworth without the issuance of a development permit unless such building is exempt under Section 3.2.2 of this Bylaw.

4.18 DEMOLITION OF BUILDINGS

- 4.18.1 No building shall be demolished within the Town of Cudworth without the issuance of a demolition permit, unless it is exempt under Section 3.2.2.

4.19 GRADING AND LEVELLING OF SITES

- 4.19.1 Any site for which a development permit has been issued shall be graded and levelled at the applicant's expense to provide for surface drainage which does not adversely affect adjacent property.

4.20 WATER

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

4.21 OUTSIDE STORAGE AND WASTE MATERIAL STORAGE

- 4.21.1 Where permitted in association with any approved industrial, commercial or residential land use, all outside storage, including storage of garbage or waste materials, is subject to the following requirements:
- (1) No outside storage shall be located in the front yard, except for the neatly arranged display of items for sale.
 - (2) Outside storage in a side or rear yard shall be screened from adjacent sites by a fence at least 1.9 metres in height, or a combination of fence and soft landscaping screening a minimum of 1.9 metres in height. Where adjacent to a public road, storage areas shall provide a landscaped strip of at least 2.0 metres in horizontal depth between the required fence and the required right of way.
 - (3) Unless otherwise directed by this Bylaw, garbage and waste material shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares.

4.22 SERVICING

- 4.11.1 Holding tanks, septic tanks and wells are not allowed in the areas of the Town which can be serviceable from existing municipal water and sewer lines.
- 4.11.2 Developments outside the serviceable areas shall be connected to a private sewage disposal system approved by the authority responsible for approval of such systems under *The Public Health Act, 1994*.

4.23 PROHIBITED USES

- 4.25.1 The following uses are prohibited in all districts:
- (1) The breeding of rats and other rodents, crickets and other insects.
 - (2) Park model trailers.
 - (3) Manufactured homes – Z240 models.

5 ZONING DISTRICTS

5.1 CLASSIFICATION OF ZONING DISTRICTS

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

<u>Districts</u>	<u>Symbols</u>
Low Density Residential	R1
Medium Density Residential	R2
Large Lot Residential	R3
Manufactured Home Residential	R4
Community Service	CS
Downtown Commercial	C1
Highway Commercial	C2
Industrial	M1
Parks and Recreation	PR
Future Urban Development	FUD

5.2 THE ZONING DISTRICT MAP

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

5.3 BOUNDARIES OF ZONING DISTRICTS

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

5.4 ZONING DISTRICTS

- 5.4.1 The uses or forms of development allowed within a zoning district, along with regulations or standards which apply, are contained in the District Schedules in Section 6.

5.5 PROPERTIES WITH MORE THAN ONE ZONING DISTRICT

- 5.5.1 Where a site or lot is divided into more than one zoning district, the development and use of any portion of the site shall be in accordance with the requirements of the applicable zoning district and subject to Section 4.3 herein.

5.6 TRANSITIONAL ZONING PROVISIONS

5.6.1 Existing Buildings

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

6 DISTRICT SCHEDULES

6.1 R1 – ONE UNIT RESIDENTIAL DISTRICT

6.1.1 *Purpose*

The objective of the **R1** – Low Density Residential district is to provide for residential development in the form of single detached dwellings as well as other community uses.

6.1.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-1.

6.1.3 *Accessory Uses*

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.1.4 *Standards and Regulations*

- (1) Site and building requirements are shown in Table 6-1.

6.1.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **R1** district with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

- (1) Off-street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities - type I, schools and places of worship, shall be located in a side or rear yard only and be screened if they are adjacent to a site used for residential purposes.

6.1.6 *Exceptions to Development Standards*

- (1) Where on a corner site, a side yard of at least 4.5 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.
- (2) Residential sites that lawfully existed prior to the passing of this bylaw that do not meet the minimum site width requirements outlined in Table 6-1, shall be a fully conforming building site whether or not it contains a building.

6.1.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.21.

**Table 6-1: R1 – One Unit Residential District Development Standards
for the Town of Cudworth**

<u>Principal Use</u>		Designation	Subject to Sections	<u>Development Standards</u>						
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Residential Uses										
(1)	Single detached dwellings	P		360	12	6	1.2 ⁽¹⁾	4.5	65	50
Commercial Uses										
(1)	Adult day care facilities - type I	P	4.10.1	360	12	6	1.2 ⁽¹⁾	4.5	65	50
(2)	Adult day care facilities – type II	D	4.10.1	360	12	6	1.2 ⁽¹⁾	4.5	65	50
(3)	Clubs	D	3.10.4 (1)	450	15	6	3 ⁽²⁾	4.5	--	--
(4)	Convenience stores	D	3.10.4 (9)	450	15	6	3 ⁽²⁾	4.5	--	--
(5)	Custodial care facilities	D	4.10.1	360	12	6	1.2 ⁽¹⁾	4.5	65	50
(6)	Daycare centres and preschools	D	4.10.2	360	12	6	1.2 ⁽¹⁾	4.5	65	50
(7)	Residential care homes – type I	P	4.10.1	360	12	6	1.2 ⁽¹⁾	4.5	65	50
(8)	Residential care homes – type II	D	4.10.1	360	12	6	1.2 ⁽¹⁾	4.5	65	50
Community Service, Municipal, Recreational, Institutional and Other Uses										
(1)	Ambulance stations	P		225	15	6	3 ⁽²⁾	4.5	--	--
(2)	Community centres	D	3.10.4 (1)	450	15	6	3 ⁽²⁾	4.5	--	--
(3)	Parks and playgrounds	P		--	--	--	3	3	--	--
(4)	Places of worship	D	3.10.4 (1)	450	15	6	3 ⁽²⁾	4.5	--	--
(5)	Public schools	P		--	--	6	3 ⁽²⁾	4.5	--	--
(6)	Public works and municipal facilities excluding offices, warehouses, storage yards and sewage lagoons	P		--	--	--	--	--	--	--

Use Designations:(P) - Permitted Use

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

(D) - Discretionary Use

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

Special limitations and standards regarding Table 6-1 and the R1 district:

- (1) except for corner sites, where the minimum side yard shall be 3.0 metres adjacent to the flanking street

- (2) or $\frac{1}{2}$ the average building height, whichever is greater

6.2 R2 - MEDIUM DENSITY RESIDENTIAL DISTRICT

6.2.1 Purpose

The objective of the **R2** - Medium Density Residential district is to provide for higher density residential development in the form of single detached, semi-detached, two-unit dwellings, multi-unit dwellings, as well as related community uses, in appropriate areas and adjacent to other higher density areas such as the downtown core.

6.2.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-2.

6.2.3 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.2.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-2.

6.2.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **R2** district with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

- (1) Off-street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities - type I, schools and places of worship, shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

6.2.6 Exceptions to Development Standards

- (1) Where on a corner site, a side yard of at least 4.5 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.
- (2) Residential sites that lawfully existed prior to the passing of this bylaw that do not meet the minimum site width requirements outlined in Table 6-2, shall be a fully conforming building site whether or not it contains a building.

6.2.7 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.21.

**Table 6-2: R2 - Medium Density Residential District Development Standards
for the Town of Cudworth**

<u>Principal Use</u>		<u>Development Standards</u>								
		Designation	Subject to Sections	Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Residential Uses										
(1)	Dwelling groups	D	3.10.4 (2) 4.10.3	116/ unit	18	6 ⁽¹⁾	1.2 ⁽²⁾	4.5	46/unit	60
(2)	Multiple unit dwellings (apartments)	P	3.10.4 (10)	116/unit	18	⁽¹⁾	1.2 ⁽²⁾⁽³⁾	4.5	46/unit	60
(3)	Multiple unit dwellings (townhouses)	P	3.10.4 (10)	255/unit	7.5/unit	⁽¹⁾	1.2 ⁽²⁾⁽³⁾	4.5	46/unit	60
(4)	Semi-detached dwellings	P		255	7.5	6	1.2 ⁽³⁾⁽⁴⁾	4.5	46	50
(5)	Single detached dwellings	P		360	12	6	1.2 ⁽⁴⁾	4.5	65	50
(6)	Street townhouse dwellings	P		255	7.5	6	1.2 ⁽³⁾⁽⁴⁾	4.5	46	60
(7)	Two unit dwellings	P		510	15	6	1.2 ⁽⁴⁾	4.5	46/unit	50
Commercial Uses										
(1)	Adult day care facilities – type I	P	4.10.1	360	12	6	1.2 ⁽⁴⁾	4.5	65	50
(2)	Adult day care facilities – type II	D	4.10.1	360	12	6	1.2 ⁽⁴⁾	4.5	65	50
(1)	Clubs	D	3.10.4 (1)	450	15	6	3 ⁽⁵⁾	4.5	--	--
(2)	Convenience stores	D	3.10.4 (9)	450	15	6	3 ⁽⁵⁾	4.5	--	--
(3)	Custodial care facilities	D	4.10.1	360	12	6	1.2 ⁽⁴⁾	4.5	65	50
(4)	Daycare centres and preschools	P	4.10.2	450	15	6	3 ⁽⁵⁾	4.5	--	--
(5)	Residential care homes - type I	P	4.10.1	360	12	6	1.2 ⁽⁴⁾	4.5	65	50
(6)	Residential care homes - type II	D	4.10.1	360	12	6	1.2 ⁽⁴⁾	4.5	65	50
Community Service, Municipal, Recreational, Institutional and Other Uses										
(1)	Ambulance stations	P		225	15	6	3 ⁽⁵⁾	4.5	--	--
(2)	Community centres	D	3.10.4 (1)	450	15	6	3 ⁽⁵⁾	4.5	--	--
(3)	Parks and playgrounds	P		--	--	--	3	3	--	--
(4)	Places of worship	D	3.10.4 (1)	450	15	6	3 ⁽⁵⁾	4.5	--	--
(5)	Public schools	P		--	--	6	3	4.5	--	--
(6)	Public works and municipal facilities excluding offices, warehouses, storage yards and sewage lagoons	P		--	--	--	--	--	--	--

Use Designations:**(P) - Permitted Use**

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

(D) - Discretionary Use

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

Special limitations and standards regarding Table 6-2 and the R2 district:

- (1) for multiple unit dwellings up to and including three storeys, the front yard shall be 6 metres; for multiple unit dwellings over three storeys the front yard shall be 7.5 metres
- (2) for multiple unit dwellings and townhouses of one storey, the side yard shall be 1.2 metres; two to three storeys the side yard shall be 3 metres; over three storeys the side yard shall be $\frac{1}{2}$ the average building height to a maximum requirement of 6 metres; on corner sites, the side yards shall never be less than 3 metres along the flanking street
- (3) except that no side yard shall be required where a common wall divides two dwelling units
- (4) except for corner sites where it shall be 3 metres along the flanking street
- (5) or $\frac{1}{2}$ the average building height, whichever is greater

6.3 R3 – LARGE LOT RESIDENTIAL DISTRICT

6.3.1 Purpose

The purpose of the **R3** – Large Lot Residential district is to provide for large lot residential development in the form of single detached dwellings as well as other community uses.

6.3.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-3.

6.3.3 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.3.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-3.

6.3.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **R3** district with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

- (1) Off-street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities - type I, schools and places of worship, shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

6.3.6 Exceptions to Development Standards

- (1) Where on a corner site, a side yard of at least 4.5 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.
- (2) Residential sites that lawfully existed prior to the passing of this bylaw that do not meet the minimum site width requirements outlined in Table 6-3, shall be a fully conforming building site whether or not it contains a building.

6.3.7 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.21.

**Table 6-3: R3 – Large Lot Residential District Development Standards
for the Town of Cudworth**

<u>Principal Use</u>		<u>Development Standards</u>								
		<u>Designation</u>	<u>Subject to Sections</u>	<u>Minimum Site Area (ha)</u>	<u>Minimum Site Width (m)</u>	<u>Minimum Front Yard (m)</u>	<u>Minimum Side Yard (m)</u>	<u>Minimum Rear Yard (m)</u>	<u>Minimum Bldg Floor Area (m²)</u>	<u>Maximum Site Coverage (%)</u>
Residential Uses										
(1)	Single detached dwellings	P		0.2	25	10	5	10	65	50
Commercial Uses										
(1)	Adult day care facilities – type I	P	4.10.1	0.2	25	10	5	10	65	50
(2)	Adult day care facilities – type II	D	4.10.1	0.2	25	10	5	10	65	50
(1)	Clubs	D	3.10.4 (1)	450	15	6	3 ⁽¹⁾	4.5	--	--
(2)	Convenience stores	D	3.10.4 (9)	450	15	6	3 ⁽¹⁾	4.5	--	--
(3)	Custodial care facilities	D	4.10.1	0.2	25	10	5	10	65	50
(4)	Daycare centres and preschools	D	4.10.2	0.2	25	10	5	10	65	50
(5)	Residential care homes - type I	P	4.10.1	0.2	25	10	5	10	65	50
(6)	Residential care homes - type II	D	4.10.1	0.2	25	10	5	10	65	50
Community Service, Municipal, Recreational, Institutional and Other Uses										
(1)	Ambulance stations	P		225	15	6	3 ⁽¹⁾	4.5	--	--
(2)	Community centres	D	3.10.4 (1)	450	15	6	3 ⁽¹⁾	4.5	--	--
(3)	Parks and playgrounds	P		--	--	--	3	3	--	--
(4)	Places of worship	D	3.10.4 (1)	--	--	--	--	--	--	--
(5)	Public schools	P		--	--	6	3 ⁽¹⁾	4.5	--	--
(6)	Public works and municipal facilities excluding offices, warehouses, storage yards and sewage lagoons	P		--	--	--	--	--	--	--

Use Designations:

(P) - Permitted Use

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

(D) - Discretionary Use

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

Special limitations and standards regarding Table 6-3 and the R3 district:

- (1) or $\frac{1}{2}$ the average building height, whichever is greater

6.4 R4 – MANUFACTURED HOME RESIDENTIAL DISTRICT

6.4.1 *Purpose*

The objective of the **R4** – Manufactured Home Residential district is to provide for residential development in the form of manufactured homes and manufactured home courts.

6.4.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-4.

6.4.3 *Accessory Uses*

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.4.4 *Standards and Regulations*

- (1) Site and building requirements are shown in Table 6-4.

6.4.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **R4** district with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

- (1) Off-street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities - type I, schools and places of worship, shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

6.4.6 *Exceptions to Development Standards*

- (1) Where on a corner site, a side yard of at least 4.5 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.
- (2) Residential sites that lawfully existed prior to the passing of this bylaw that do not meet the minimum site width requirements outlined in Table 6-3, shall be a fully conforming building site whether or not it contains a building.

6.4.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.21.

Table 6-4: R4 – Manufactured Home Residential District Development Standards for the Town of Cudworth										
<u>Principal Use</u>		<u>Development Standards</u>								
		Designation	Subject to Sections	Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m²)	Maximum Site Coverage (%)
<i>Residential Uses</i>										
(1)	Manufactured homes	P		360	12	6	1.2 ⁽¹⁾	4.5	65	50
<i>Commercial Uses</i>										
(1)	Convenience stores	D	3.10.4 (9)	450	15	6	3 ⁽²⁾	4.5	--	--
(2)	Daycare centres and preschools	D	4.10.2	450	15	6	3 ⁽²⁾	4.5	--	--
(3)	Home based business	P	4.11	same as home						
(4)	Laundromats	D		450	15	6	3 ⁽²⁾	4.5	--	--
<i>Community Service, Municipal, Recreational, Institutional and Other Uses</i>										
(1)	Ambulance stations	P		225	15	6	3 ⁽²⁾	4.5	--	--
(2)	Community centres	D	3.10.4 (1)	450	15	6	3 ⁽²⁾	4.5	--	--
(3)	Parks and playgrounds	P		--	--	--	3	3	--	--
(4)	Places of worship	D	3.10.4 (1)	--	--	--	--	--	--	--
(5)	Public works and municipal facilities excluding offices, warehouses, storage yards and sewage lagoons	P		--	--	--	--	--	--	--

Use Designations:**(P) - Permitted Use**

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

(D) - Discretionary Use

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

Special limitations and standards regarding Table 6-4 and the R4 district:

- (1) except for corner sites where it shall be 3 metres along the flanking street
- (2) or ½ the building height, whichever is greater

6.5 CS – COMMUNITY SERVICE DISTRICT

6.5.1 *Purpose*

The purpose of the **CS** – Community Service district is to provide for development in the form of a range of community services and other compatible uses.

6.5.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-5.

6.5.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.5.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-5.

6.5.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **CS** district with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

6.5.6 *Exceptions to Development Standards*

6.5.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.21.

Table 6-5: CS – Community Service District Development Standards for the Town of Cudworth										
Principal Use		Development Standards								
		Designation	Subject to Sections	Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Commercial Uses										
(1)	Adult daycare facilities	P	4.10.1	450	15	6	3 ⁽¹⁾	4.5	--	--
(2)	Clubs	P		450	15	6	3 ⁽¹⁾	4.5	--	--
(3)	Custodial care facilities	D	4.10.1	450	15	6	3 ⁽¹⁾	4.5	--	--
(4)	Daycare centres and preschools	D	4.10.2	450	15	6	3 ⁽¹⁾	4.5	--	--
(5)	Parking lots	D	4.10.11	--	--	--	3	--	--	--
(6)	Private schools	P		450	15	6	3 ⁽¹⁾	4.5	--	--
(7)	Residential care homes	P	4.10.1	450	15	6	3 ⁽¹⁾	4.5	--	--
Community Service, Municipal, Recreational, Institutional and Other Uses										
(1)	Ambulance stations	P		225	15	6	3 ⁽¹⁾	4.5	--	--
(2)	Community centres	P		450	15	6	3 ⁽¹⁾	4.5	--	--
(3)	Health centres and health clinics	P		450	15	6	3 ⁽¹⁾	4.5	--	--
(4)	Hospitals	P		450	15	6	3 ⁽¹⁾	4.5	--	--
(5)	Parks and playgrounds	P		--	--	--	3	3	--	--
(6)	Public and private recreation facilities	P		450	15	6	3 ⁽¹⁾	4.5	--	--
(7)	Places of worship	P		--	--	--	--	--	--	--
(9)	Public schools	P		450	15	6	3 ⁽¹⁾	4.5	--	--
(9)	Public works and municipal facilities excluding offices, warehouses, storage yards and sewage lagoons	P		--	--	--	--	--	--	--
(10)	Special care home	P		450	15	6	3 ⁽¹⁾	4.5	--	--

Use Designations:**(P) - Permitted Use**

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

(D) - Discretionary Use

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

Special limitations and standards regarding Table 6-5 and the CS district:

- (1) or ½ the average building height, whichever is greater

6.6 C1 - DOWNTOWN COMMERCIAL DISTRICT

6.6.1 *Purpose*

The purpose of the **C1** - Downtown Commercial district is to provide for a range of commercial, institutional and residential uses in the downtown area.

6.6.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-6.

6.6.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.6.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-6.

6.6.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **C1** district with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.6.6 *Exceptions to Development Standards*

6.6.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.21.

**Table 6-6 C1 - Downtown Commercial District Development Standards
for the Town of Cudworth**

<u>Principal Use</u>		<u>Development Standards</u>								
		Designation	Subject to Sections	Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Residential Uses										
(1)	Dwelling units in conjunction with and attached to any other permitted use	D	4.10.6	Same as principal use						
(2)	Multiple unit dwellings	D	3.10.4 (10)	116/unit	18	(1)	1.2 ⁽²⁾	4.5	46/unit	60
Commercial Uses										
(1)	Bakeries with retail sales	P		225	6	--	(3)	(4)	--	--
(2)	Car washes	D	3.10.4 (8)	225	6	--	(3)	(4)	--	--
(3)	Clubs	P		225	6	--	(3)	(4)	--	--
(4)	Commercial recreation facilities	P		225	6	--	(3)	(4)	--	--
(5)	Convenience stores	P		225		--	(3)	(4)	--	--
(6)	Day care centres & preschools	P	4.10.2	225	6	--	(3)	(4)	--	--
(7)	Financial institutions	P		225	6	--	(3)	(4)	--	--
(8)	Funeral homes	P		225	6	--	(3)	(4)	--	--
(9)	Fitness centres	P		225	6	--	(3)	(4)	--	--
(10)	Gas bars	P	4.10.4 4.10.7	225	6	--	(3)	(4)	--	--
(11)	Health care clinics	P		225	6	--	(3)	(4)	--	--
(12)	Hotels	P		225	6	--	(3)	(4)	--	--
(13)	Medical, dental and optical laboratories	P		225	6	--	(3)	(4)	--	--
(14)	Motels	P		225	6	--	(3)	(4)	--	--
(15)	Offices and office buildings	P		225	6	--	(3)	(4)	--	--
(16)	Personal service shops	P		225	6	--	(3)	(4)	--	--
(17)	Printing plants and newspaper offices	P		225	6	--	(3)	(4)	--	--
(18)	Private schools	P		225	6	--	(3)	(4)	--	--
(19)	Recycling collection depots	D	3.10.4 (4)	225	6	--	(3)	(4)	--	--
(20)	Rental stores	P		225	6	--	(3)	(4)	--	--
(21)	Restaurants	P		225	6	--	(3)	(4)	--	--

**Table 6-6 C1 - Downtown Commercial District Development Standards
for the Town of Cudworth**

<u>Principal Use</u>		<u>Development Standards</u>								
		<u>Designation</u>	<u>Subject to Sections</u>	<u>Minimum Site Area (m²)</u>	<u>Minimum Site Width (m)</u>	<u>Minimum Front Yard (m)</u>	<u>Minimum Side Yard (m)</u>	<u>Minimum Rear Yard (m)</u>	<u>Minimum Bldg Floor Area (m²)</u>	<u>Maximum Site Coverage (%)</u>
(22)	Retail stores	P		225	6	--	(3)	(4)	--	--
(23)	Service stations	P	4.12.5 4.12.10	225	6	--	(3)	(4)	--	--
(24)	Special care homes	P		225	6	--	(3)	(4)	--	--
(25)	Tourist information centres and booths	P		225	6	--	(3)	(4)	--	--
(26)	Undertaking establishments	P		225	6	--	(3)	(4)	--	--
(27)	Autobody shops	D	3.10.4 (11)	225	6	--	(3)	(4)	--	--
(28)	Motor vehicle, mobile home, and recreational vehicle sales and service	D	3.10.4 (12)	225	6	--	(3)	(4)	--	--
<i>Community Service, Government, Recreational, Institutional and Other Uses</i>										
(1)	Ambulance stations	P		225	6	--	(3)	(4)	--	--
(2)	Community centres	P		225	6	--	(3)	(4)	--	--
(3)	Cultural institutions	P		225	6	--	(3)	(4)	--	--
(4)	Educational facilities	P		225	6	--	(3)	(4)	--	--
(5)	Places of worship	D	3.10.4 (1)	225	6	--	(3)	(4)	--	--
(6)	Public recreational facilities	P		225	6	--	(3)	(4)	--	--
(7)	Parks and playgrounds	P		--	--	--	3	3	--	--
(8)	Public works and municipal facilities, excluding warehouses, storage yards and sewage lagoons	P		--	--	--	--	--	--	--

Use Designations:

(P) - Permitted Use

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

(D) - Discretionary Use

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

Special limitations and standards regarding Table 6-6 and the C1 district:

- (1) for multiple unit dwellings up to and including three storeys, the front yard shall be 6 metres; for multiple unit dwellings over three storeys the front yard shall be 7.5 metres
- (2) for multiple unit dwellings and townhouses of one storey, the side yard shall be 1.2 metres; two to three storeys the side yard shall be 3 metres; over three storeys the side yard shall be $\frac{1}{2}$ the building height to a maximum requirement of 6 metres; on corner sites, the side yards shall never be less than 3 metres along the flanking street
- (3) where the side site line of a site in the **C1** district abuts any Residential district without an intervening street or lane: 1.5 metres, otherwise no requirements
- (4) where the rear site line of a site in the **C1** district abuts any Residential district without an intervening street or lane: 4.5 metres, otherwise no requirements
- (5) Outdoor markets and concessions shall be limited to uses which are otherwise permitted in the **C1** district.

6.7 C2 – HIGHWAY COMMERCIAL DISTRICT

6.7.1 *Purpose*

The purpose of the **C2** – Highway Commercial district is to provide a wide range of commercial and related uses serving motor vehicle oriented consumers.

6.7.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-7.

6.7.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.7.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-7.

6.7.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **C2** district with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.7.6 *Exceptions to Development Standards*

6.7.6 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.21.

**Table 6-7: C2 – Highway Commercial District Development Standards
for the Town of Cudworth**

Principal Use		Development Standards								
		Designation	Subject to Sections	Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Residential Uses										
(1)	Dwelling units accessory to permitted uses and integrated as part of principal buildings, for the use of caretakers, owners or managers	D	4.12.7	Same as principal use; see Section 4.12.7						
Commercial Uses										
(1)	Autobody shops	P		900	30	6	3	6	--	--
(2)	Automobile, marine, recreational vehicle and equipment, agricultural equipment and mobile home sales and service establishments	P		900	30	6	3	6	--	--
(3)	Automotive and industrial supply stores	P		900	30	6	3	6	--	--
(4)	Agricultural implement dealerships	P		900	30	6	3	6	--	--
(5)	Bingo halls	P		900	30	6	3	6	--	--
(6)	Bulk fuel dealerships and storage	D	4.10.4	900	30	6	3	6	--	--
(7)	Car washes	P	3.10.4 (8)	900	30	6	3	6	--	--
(8)	Clubs	P		900	30	6	3	6	--	--
(9)	Commercial recreation facilities	P		900	30	6	3	6	--	--
(10)	Construction trades	P		900	30	6	3	6	--	--
(11)	Convenience stores, with or without associated gas bars	P		900	30	6	3	6	--	--
(12)	Freight handling facilities	D	3.10.1 (13)	900	30	6	3	6	--	--
(13)	Funeral homes	P		900	30	6	3	6	--	--
(14)	Gas bars, with or without associated convenience stores	P	4.10.4 4.10.7	900	30	6	3	6	--	--
(15)	Health care clinics	P		900	30	6	3	6	--	--
(16)	Hotels	P		900	30	6	3	6	--	--
(17)	Indoor storage rental facilities	P		900	30	6	3	6	--	--
(18)	Lumber yards, home improvement centres and building supply establishments	P		900	30	6	3	6	--	--
(19)	Motels	P		900	30	6	3	6	--	--

**Table 6-7: C2 – Highway Commercial District Development Standards
for the Town of Cudworth**

<u>Principal Use</u>		<u>Development Standards</u>								
		Designation	Subject to Sections	Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
(20)	Nurseries, greenhouses and garden centres	P		900	30	6	3	6	--	--
(21)	Offices and office buildings	P		900	30	6	3	6	--	--
(22)	Personal service shops	P		900	30	6	3	6	--	--
(23)	Public garages	P		900	30	6	3	6	--	--
(24)	Recycling collection depots	D	3.10.4 (4)	900	30	6	3	6	--	--
(25)	Rental stores	P		900	30	6	3	6	--	--
(26)	Repair services, restricted to the repair of household goods and appliances	P		900	30	6	3	6	--	--
(27)	Restaurants	P		900	30	6	3	6	--	--
(28)	Retail stores	P		900	30	6	3	6	--	--
(29)	Service stations	P	4.10.8	900	30	6	3	6	--	--
(30)	Shopping centres	P		900	30	6	3	6	--	--
(31)	Tourism information centres and booths	P		--	--	6	3	6	--	--
(32)	Trucking operations	P		900	30	6	3	6	--	--
(33)	Warehouses	D	3.10.4 (13)	900	30	6	3	6	--	--
(34)	Welding and machine shops	D	3.10.4 (11)	900	30	6	3	6	--	--
Community Service, Municipal, Recreational, Institutional and Other Uses										
(1)	Ambulance stations	P		900	30	6	3	6	--	--
(2)	Cultural institutions	P		900	30	6	3	6	--	--
(3)	Community centres	P		900	30	6	3	6	--	--
(4)	Parks and playgrounds	P		--	--	--	--	--	--	--
(5)	Places of worship	P		900	30	6	3	6	--	--
(6)	Recreational facilities	P		900	30	6	3	6	--	--
(7)	Public works and municipal facilities, excluding sewage lagoons	P		--	--	--	--	--	--	--

Use Designations:

(P) - Permitted Use

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

D) - Discretionary Use

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

Special limitations and standards regarding Table 6-7 and the C2 district:

|

6.8 M1 – INDUSTRIAL DISTRICT

6.8.1 Purpose

The purpose of the **M1** – Industrial district is to provide for a range of light industrial uses that do not create land use conflicts or nuisance conditions during the normal course of operations.

6.8.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-8.

6.8.3 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.8.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-8.

6.8.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **M1** district with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards as follows in this section.

- (1) Discretionary commercial and industrial uses are subject to the following criteria:
 - (a) The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited, to the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or,
 - (iv) utilization of hazardous substances
 - (v) access to lots shall be located to ensure that heavy truck traffic takes access to or from arterial or collector streets or designated truck routes;
 - (vi) bulk petroleum or fertilizer storage tanks are to be located in accordance with the National Fire Code of Canada, 1990, including any appendices and errata, as amended from time to time;
 - (vii) agrichemical sales and storage facilities are to be constructed and operated in compliance with the Agrichemical Warehouse Standards Association's Warehousing Audit Protocols and User Guide, as amended from time to time;
 - (viii) all operations shall comply with all regulations of the Ministry of Environment and Public Safety governing their development and

- operation; and/or
- (ix) all outside storage shall be fenced and where the area abuts a residential area without an intervening street or lane, the storage area shall be screened with a solid fence or hedge at least 2 m (6.56 ft) in height.

6.8.6 *Exceptions to Development Standards*

6.8.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.21.

**Table 6-8: M1 – Industrial District Development Standards
for the Town of Cudworth**

Principal Use		Development Standards								
		Designation	Subject to Sections	Minimum Site Area (m²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m²)	Maximum Site Coverage (%)
Residential Uses										
(1)	Dwelling units accessory to permitted uses and integrated as part of principal buildings, for the use of caretakers, owners or managers	D	4.10.6	Same as principal use						
Industrial Uses										
(1)	Agrichemical sales and storage	D	3.10.4 (7)	1100	30	6	3	6 ⁽¹⁾	--	--
(2)	Agricultural implement and equipment sales and servicing	P		1100	30	6	3	6 ⁽¹⁾	--	--
(3)	Auction markets, excluding livestock auction facilities	P		1100	30	6	3	6 ⁽¹⁾	--	--
(4)	Autobody shops	P		1100	30	6	3	6 ⁽¹⁾	--	--
(5)	Automobiles, marine, recreational vehicle and equipment, agricultural equipment and mobile homes sales and service establishments	P		1100	30	6	3	6 ⁽¹⁾	--	--
(6)	Automotive and industrial supply stores	P		1100	30	6	3	6 ⁽¹⁾	--	--
(7)	Auto wreckers and salvage yards	D	3.10.4 (6)	1100	30	6	3	6 ⁽¹⁾	--	--
(8)	Bingo halls	D		1100	30	6	3	6 ⁽¹⁾	--	--
(9)	Bulk fertilizer operations	D	3.10.4 (7)	1100	30	6	3	6 ⁽¹⁾	--	--
(10)	Bulk fuel dealerships and storage	D	3.10.4 (7) 4.10.4	1100	30	6	3	6 ⁽¹⁾	--	--
(11)	Car and truck washes	P		1100	30	6	3	6 ⁽¹⁾	--	--
(12)	Concrete and asphalt plants	D	3.10.4 (14)	1100	30	6	3	6 ⁽¹⁾	--	--
(13)	Construction trades	P		1100	30	6	3	6 ⁽¹⁾	--	--
(14)	Convenience stores, with or without associated gas bars	P		1100	30	6	3	6 ⁽¹⁾	--	--
(15)	Gas bars, with or without associated convenience stores	P	4.10.4 4.10.7	1100	30	6	3	6 ⁽¹⁾	--	--
(16)	Industrial equipment storage, sales and service	P		1100	30	6	3	6 ⁽¹⁾	--	--
(17)	Light manufacturing	P		1100	30	6	3	6 ⁽¹⁾	--	--

**Table 6-8: M1 – Industrial District Development Standards
for the Town of Cudworth**

<u>Principal Use</u>		<u>Development Standards</u>								
		Designation	Subject to Sections	Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
(18)	Lumber yards, home improvement centres and building supply establishments	P		1100	30	6	3	6 ⁽¹⁾	--	--
(19)	Manufacturing, fabricating, processing, assembly, finishing, production or packaging of materials, goods or products	P		1100	30	6	3	6 ⁽¹⁾	--	--
(20)	Nurseries, greenhouses and garden centres	P		1100	30	6	3	6 ⁽¹⁾	--	--
(21)	Offices and office buildings	P		1100	30	6	3	6 ⁽¹⁾	--	--
(22)	Public garages	P	4.12.5	1100	30	6	3	6 ⁽¹⁾	--	--
(23)	Recycling depots	P		1100	30	6	3	6 ⁽¹⁾	--	--
(24)	Restaurants	P		1100	30	6	3	6 ⁽¹⁾	--	--
(25)	Sand and gravel operations	D	3.10.4 (14)	1100	30	6	3	6 ⁽¹⁾	--	--
(26)	Seed cleaning plants and feed mills	D	3.10.4 (7)	1100	30	6	3	6 ⁽¹⁾	--	--
(27)	Self-serve storage units	P		1100	30	6	3	6 ⁽¹⁾	--	--
(28)	Service stations	P	4.10.8	1100	30	6	3	6 ⁽¹⁾	--	--
(29)	Trucking operations	P		1100	30	6	3	6 ⁽¹⁾	--	--
(30)	Warehouses, storage yards and supply depots	P		1100	30	6	3	6 ⁽¹⁾	--	--
(31)	Welding and machine shops	P		1100	30	6	3	6 ⁽¹⁾	--	--
(32)	Wholesale establishments	P		1100	30	6	3	6 ⁽¹⁾	--	--
<i>Community Service, Municipal, Recreational, Institutional and Other Uses</i>										
(1)	Parks and playgrounds	P		--	--	--	--	--	--	--
(2)	Public works and municipal facilities, excluding sewage lagoons	P		--	--	--	--	--	--	--

Use Designations:

(P) - Permitted Use

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

(D) - Discretionary Use

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

Special limitations and standards regarding Table 6-8 and the M1 district:

- (1) except in the case of abutting a railway, in which case no minimum is required

6.9 PR – PARKS AND RECREATION DISTRICT

6.9.1 *Purpose*

The purpose of the **PR** – Parks and Recreation district is to provide for parks, open space, and recreational development and compatible uses in specific areas, with standards for such development.

6.9.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-9.

6.9.3 *Accessory Uses*

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.9.4 *Standards and Regulations*

- (1) Site and building requirements are shown in Table 6-9.

6.9.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **PR** district with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

- (1) Discretionary uses in the **PR** district will only be permitted where Council is assured that such development will be compatible with the future use of the area, as indicated in the Official Community Plan Bylaw.

6.9.6 *Exceptions to Development Standards*

6.9.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.21.

**Table 6-9: PR – Parks and Recreation District Development Standards
for the Town of Cudworth**

<u>Principal Use</u>		<u>Development Standards</u>								
		<u>Designation</u>	<u>Subject to Sections</u>	<u>Minimum Site Area (ha)</u>	<u>Minimum Site Width (m)</u>	<u>Minimum Front (m)</u>	<u>Minimum Side Yard (m)</u>	<u>Minimum Rear Yard (m)</u>	<u>Minimum Bldg Floor Area (m²)</u>	<u>Maximum Site Coverage (%)</u>
Commercial Uses										
(1)	Market gardens	D		450	15	6	3	6	--	--
(2)	Nurseries, greenhouses, and garden centres	D		450	15	6	3	6	--	--
Community Service, Municipal, Recreational, Institutional and Other Uses										
(1)	Municipal facilities	P		--	--	--	--	--	--	--
(2)	Nature interpretation trails and associated facilities	P		--	--	--	--	--	--	--
(3)	Public works, excluding sewage lagoons	P		--	--	--	--	--	--	--
(4)	Public recreation facilities	D	3.10.4 (1)	--	--	--	--	--	--	--
(5)	Sports fields, parks and playgrounds	P		--	--	--	--	--	--	--
(6)	Tourist information centres and booths	P		225	6	--	3	6	--	--
(7)	Walking, hiking, and/or ski trails and associated facilities	P		--	--	--	--	--	--	--

Use Designations:**(P) - Permitted Use**

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

(D) - Discretionary Use

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

Special limitations and standards regarding Table 6-9 and the PR district:

6.10 FUD - FUTURE URBAN DEVELOPMENT DISTRICT

6.10.1 *Purpose*

The purpose of the **FUD** – Future Urban Development district is to provide for interim limited development on lands which have the potential for future development.

6.10.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-10.

6.10.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.10.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 6-10.

6.10.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **FUD** district with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.10.6 *Exceptions to Development Standards*

6.10.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.21.

**Table 6-10: FUD - Future Urban Development District Development Standards
for the Town of Cudworth**

Principal Use		Designation	Parking Category	Subject to Sections	Development Standards						
					Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Residential											
(1)	Dwelling units accessory to permitted uses and integrated as part of principal buildings, for the use of caretakers, owners or managers	D	1	4.10.6	Same as principal use; see Section 4.12.7						
Agricultural Uses											
(1)	Agricultural operations excluding intensive livestock operations	P	0		16	60	6 ⁽¹⁾	3 ⁽¹⁾	6	--	--
(2)	Intensive agricultural uses, including vegetable and fruit production, excluding intensive livestock operations	D	0	3.10.4 (5)	16	60	6 ⁽¹⁾	3 ⁽¹⁾	6	--	--
(3)	Recreational vehicle storage yards	P	0		4	30	6 ⁽¹⁾	3 ⁽¹⁾	6	--	--
Community Service, Municipal, Recreational, Institutional and Other Uses											
(1)	Campgrounds	D	0		4	30	6 ⁽¹⁾	3 ⁽¹⁾	6	--	--
(2)	Cemeteries	P	0		--	--	--	3 ⁽¹⁾	6	--	--
(3)	Golf courses	P	0		4	30	6 ⁽¹⁾	3 ⁽¹⁾	6	--	--
(4)	Municipal facilities	P	0		--	--	--	--	--	--	--
(4)	Parks and playgrounds	P	0		--	--	--	3 ⁽¹⁾	--	--	--
(5)	Public works, excluding sewage lagoons and municipal facilities	P	0		--	--	--	--	--	--	--
(6)	Sports fields and fair grounds	P	0		--	--	--	3 ⁽¹⁾	6	--	--
(7)	Sewage lagoons	D	0		--	--	6 ⁽¹⁾	3 ⁽¹⁾	6	--	--

Use Designations:**(P) - Permitted Use**

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

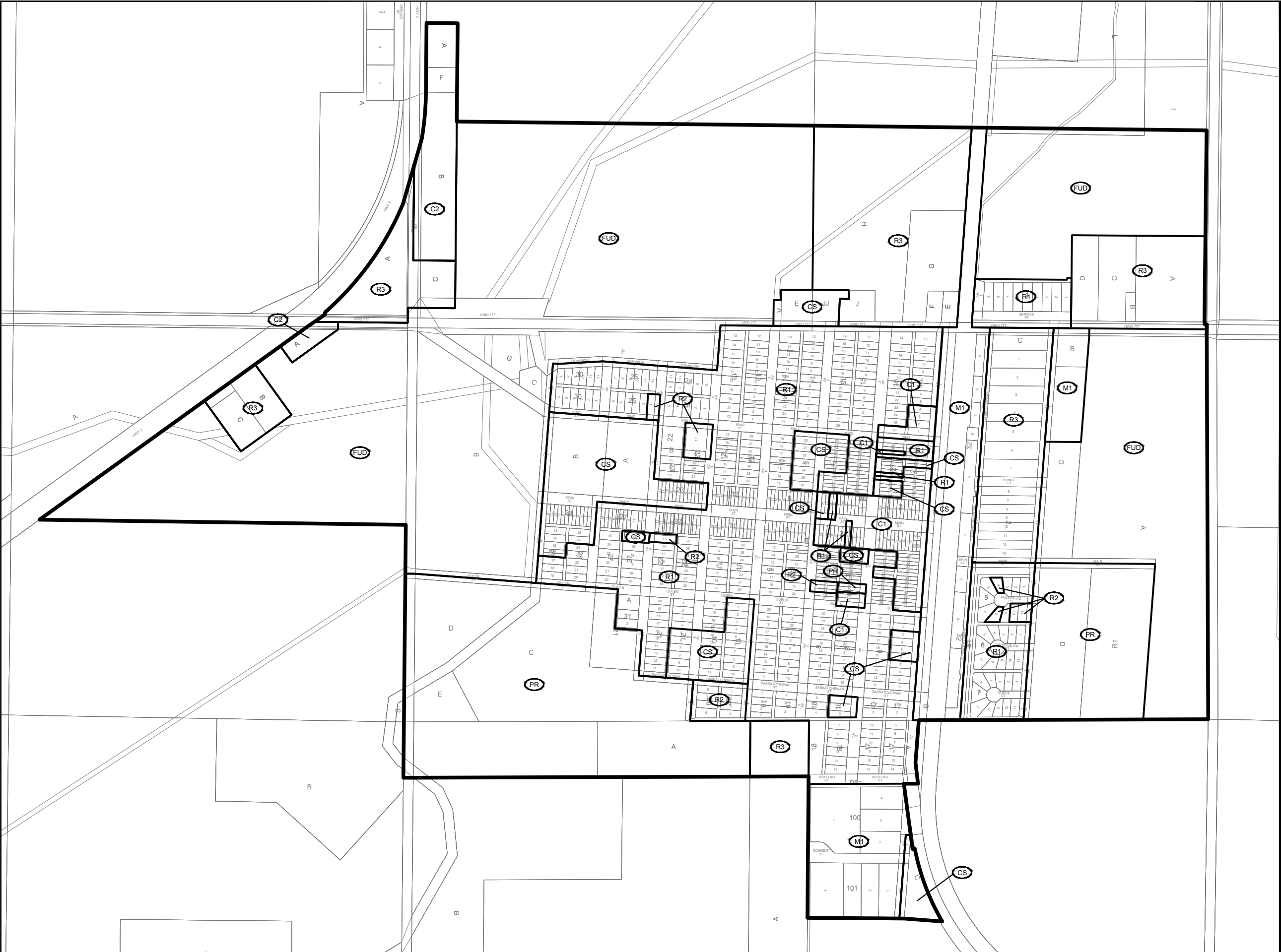
(D) - Discretionary Use

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

Special limitations and standards regarding Table 6-10 and the FUD district:

- (1) except for sites abutting a highway where the minimum shall be 15 metres

7 MAPS



Town of Cudworth
SASKATCHEWAN

ZONING DISTRICT MAP

ZONING DISTRICTS

R1

ONE UNIT RESIDENTIAL

R2

MEDIUM DENSITY RESIDENTIAL

R3

LARGE LOT RESIDENTIAL

R4

MANUFACTURED HOME RESIDENTIAL

CS

COMMUNITY SERVICE

C1

DOWNTOWN COMMERCIAL

C2

HIGHWAY COMMERCIAL

M1

INDUSTRIAL

PR

PARKS AND RECREATION

FUD

FUTURE URBAN DEVELOPMENT

• This is the Zoning District Map which accompanies Bylaw Number _____ adopted by the Town of Cudworth.

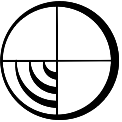
Mayor _____

Administrator _____

• Approved on the _____ day of _____.

Minister
Saskatchewan Government Relations

CROSBY
HANNA
& ASSOCIATES



407 1st Ave. North
Saskatoon SK S7K 1X5
www.crosbyhanna.ca

LANDSCAPE ARCHITECTURE
COMMUNITY PLANNING

T (306) 665-3441
F (306) 652-9613

Sheet 1 (Overview)

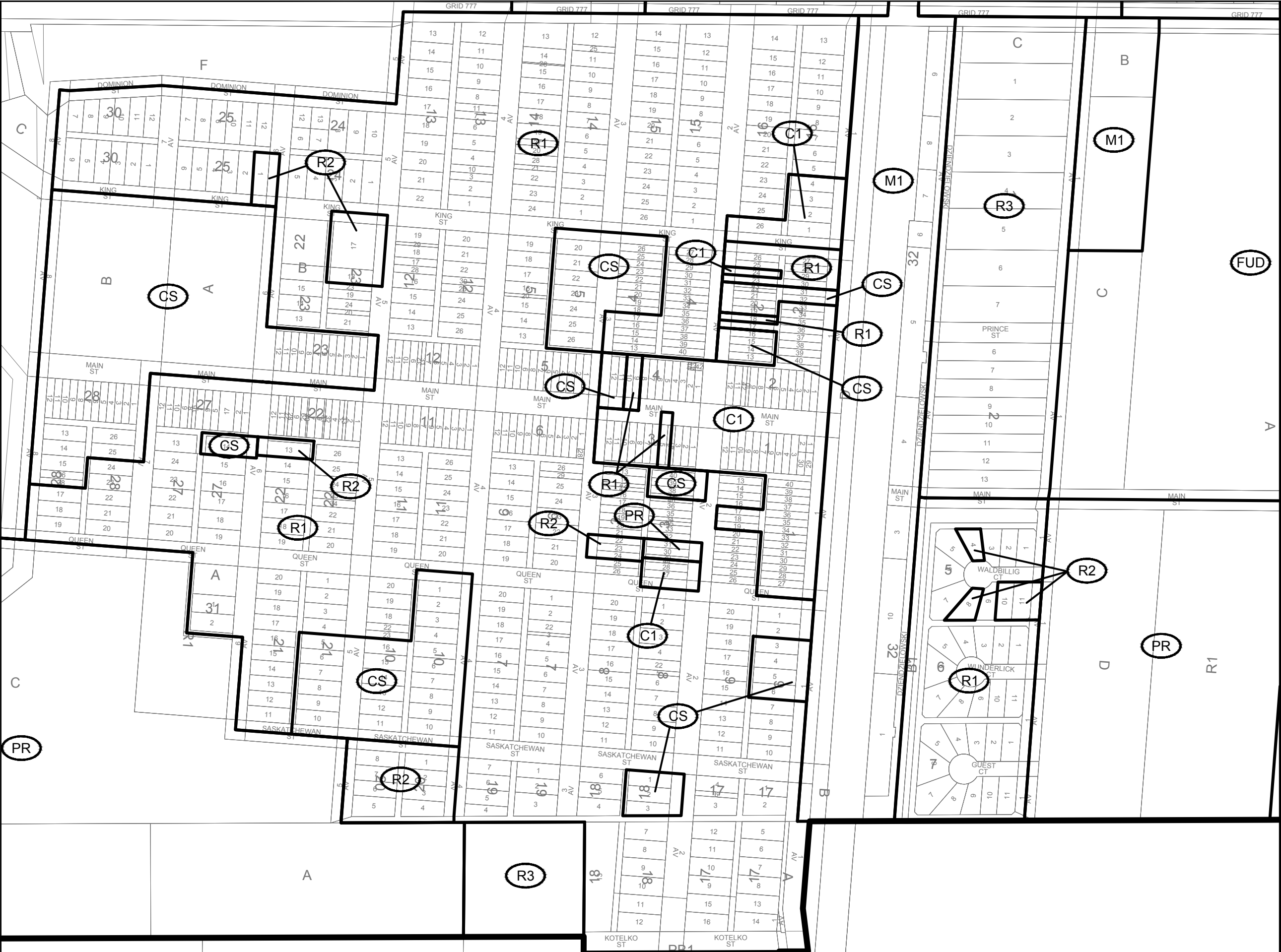


DATE
March 2016

PROJECT NO.
CHA 14012



0 25 50 100 250 m



Town of Cudworth
SASKATCHEWAN

ZONING DISTRICT MAP

ZONING DISTRICTS

R1

ONE UNIT RESIDENTIAL

R2

MEDIUM DENSITY RESIDENTIAL

R3

LARGE LOT RESIDENTIAL

R4

MANUFACTURED HOME RESIDENTIAL

CS

COMMUNITY SERVICE

C1

DOWNTOWN COMMERCIAL

C2

HIGHWAY COMMERCIAL

M1

INDUSTRIAL

PR

PARKS AND RECREATION

FUD

FUTURE URBAN DEVELOPMENT

• This is the Zoning District Map which accompanies Bylaw Number _____ adopted by the Town of Cudworth.

Mayor _____

Administrator _____

• Approved on the _____ day of _____.

Minister
Saskatchewan Government Relations

CROSBY
HANNA
& ASSOCIATES

LANDSCAPE ARCHITECTURE
COMMUNITY PLANNING

407 1st Ave. North
Saskatoon SK S7K 1X5
www.crosbyhanna.ca

T (306) 665-3441
F (306) 652-9613

Sheet 2 (Detail)

DATE
March 2016

PROJECT NO.
CHA 14012

02550100 m