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# 1 INTRODUCTION

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## 1.1 TITLE

This Bylaw shall be known as the “Zoning Bylaw of the Rural Municipality of Blucher No. 343”.

## 1.2 AUTHORITY

Pursuant to Section 46 of *The Planning and Development Act, 2007*, the Council of the Rural Municipality of Blucher No. 343 hereby adopts Zoning Bylaw No. XX of the Rural Municipality of Blucher No. 343.

## 1.3 PURPOSE

The purpose of this Bylaw is to regulate the use and development of land and assist in implementing the Official Community Plan of the Rural Municipality of Blucher No. 343 to achieve fair, orderly, and economic development of land.

## 1.4 CONFORMITY WITH THE BYLAW

- a) No person shall commence any development within the Rural Municipality of Blucher No. 343 unless it is in accordance with the provisions of this Bylaw.
- b) Compliance with the requirements of this Bylaw does not exempt any person from the requirements of any adopted Statutory Plan.

## 1.5 OTHER LEGISLATIVE REQUIREMENTS

- a) In addition to meeting the requirements of this Bylaw, it is the responsibility of the applicant to obtain other such permits, approvals or licenses that may be required by the Rural Municipality of Blucher No. 343 or other applicable federal or provincial authority.
- b) The applicant is also responsible for complying with the conditions of any caveat, covenant, easement or other instrument affecting a building or land.
- c) The Rural Municipality of Blucher No. 343 is not responsible for, nor does the Rural Municipality of Blucher No. 343 have any obligation to determine the legislation that may apply to a development, nor to monitor or to enforce compliance with such legislation.

## 1.6 SEVERABILITY

In the event, any portion of this Bylaw is found invalid by a Court of Law or is overturned by a provincial or federal jurisdiction, the validity of the remaining portions of the Bylaw shall not be affected.

## 2 DEFINITIONS

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

**Abattoir:** Shall mean a building or structure licensed by a federal or provincial authority specifically designated to accommodate the penning and slaughtering of live animals and the processing of animal carcasses that may include but is not limited to the packing, treating, storing and sale of the product on the premises.

**Accessory Use:** Shall mean a building or use subordinate to the principal use or building and located on the same site with such principal use or building.

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

**Adjacent:** Shall mean land or portion of land that shares a property line with another site and includes land or a portion of land that would be contiguous if not for a river, stream, railway, road or utility right of way or reserve land.

**Agricultural:** Shall mean a use of land, buildings or structures for the purpose of animal husbandry, fallow, field crops, forestry, pasturage, greenhouses, market gardens, intensive livestock operations, sod farms, mushroom farms, nurseries and other similar uses, and includes the growing, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agricultural.

**Agricultural Holding:** Shall mean the accumulation of all sites owned by an agricultural operator where the principle use is agricultural.

**Agricultural Residence:** Shall mean a site or dwelling legally separated from an agricultural holding which is sized and located to enable small scale animal husbandry, hobby farming and other agriculturally related secondary uses.

**Agricultural Support Service:** Shall mean development providing products or services directly related to the agricultural industry including processing, distribution and sales. Without restricting the generality of the foregoing, this shall include such facilities as feed mills, farm implement dealerships, abattoirs, bulk fertilizer or fuel distributors, and livestock auctions.

**Agriculture, Intensive:** Shall an intensified system of tillage from the concentrated raising of crops for market and without restricting the generality of the above includes:

- a) sod farms;
- b) market gardens;
- c) commercial orchards or greenhouses; and
- d) nurseries and other similar uses.

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

**Applicant:** Shall mean a developer or person applying for a development permit or discretionary use under this Bylaw.

**Auction Mart:** Shall mean a building or structure or lands used for the storage of goods, materials, or livestock which are to be sold on the premises by auction and for the sale of the said goods, materials, and livestock by auction and on an occasional basis.

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

**Bare land Condominium:** Shall mean a condominium divided into bare land units, as defined by *The Condominium Property Act, 1993*.

**Bare land Unit:** Shall mean a bare land unit as defined in *The Condominium Property Act, 1993*.

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

**Billboard:** Shall mean a free-standing sign, including supporting structures, which advertises goods, products, services, organizations, or facilities that are available from, located on, or refer to, a site other than the site on which the sign is located, and which is greater than 2 m<sup>2</sup> in facial area.

**Buffer:** Shall mean a strip of land, vegetation or a land use that physically separates two or more different land uses.

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

**Building, Accessory:** Shall mean a subordinate detached building appurtenant to a main building or main use and located on the same site, the purpose of which is to enclose a use accessory to or part of the principal use.

**Building Permit:** Shall mean a permit issued under a Building Bylaw of the municipality authorizing the construction of all or part of any building.

**Building, Residential:** Shall mean a single detached, semi-detached, or ready-to-move dwelling unit.

**Building Site:** Shall mean the specific area on which the principal building is to be erected.

**Bulk Fuel Sales and Storage:** Shall mean a facility for the bulk storage and distribution of petroleum products and may include card lock retail sales.

**Bylaw:** Shall mean the Rural Municipality of Blucher No. 343 Zoning Bylaw.

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

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

**Clean Fill:** Shall mean clean and inert concrete, reinforced concrete, stone, bricks, cindercrete, tile/ceramics, soil and sand that does not cause any adverse environmental impacts or any public health or safety concerns.

**Clean Fill Site:** Shall mean a site to accommodate the disposal of clean fill from off-site sources

**Commercial Recreational Use:** Shall mean a recreational facility operated as a business and open to the public for a fee.

**Community Centre:** Shall mean 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.

**Comprehensive Development Review:** Shall mean a comprehensive review resulting in a land use plan created by a land developer for a specific local area that identifies social, environmental, health and economic issues which the proposed development addresses.

**Concept Plan:** Shall mean a plan appended to the Official Community Plan, based upon legislative authority provided within the Act prepared by or for Council for the examination of the future land uses, essential services and facilities, transportation systems, development density and sequencing of development for areas of the Rural Municipality of Blucher No. 343 exhibiting common future development opportunities and challenges, after designating land on the Future Land Use Map. A Concept Plan must be consistent with the Official Community Plan.

**Construction Yard:** Shall mean a building or structure or land for an establishment that provides service support for industries primarily engaged in the construction, repair, or renovation of buildings, structures, or civil works.

**Council:** Shall mean the Council of the Rural Municipality of Blucher No. 343.

**Country Residence:** Shall mean a site or dwelling primarily intended to support human occupation and residential activities in a country setting rather than relating directly to the continuation of agriculture.

**Day Care Centre:** Shall mean a facility providing for the care, supervision and protection of children or adults, but does not include the provision of overnight supervision.

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

**Development Agreement:** Shall mean the legal agreement between a developer and the Rural Municipality of Blucher No. 343 which specifies the obligations and the terms and conditions for the approval of a development pursuant to provisions of the Act.

**Development Officer:** Shall mean the Administrator or an employee of the Municipality appointed by Council to act as a Development Officer to administer this Bylaw.

**Development Permit:** Shall mean a document issued by the Development Officer authorizing a development pursuant to this Bylaw, but does not include a building permit.

**Discretionary Use:** Shall mean a conditional use or form of development, that may be allowed in a zoning district subject to a resolution of the Council.

**Disposal of Manure:** Shall mean the use of agricultural land for the disposal and recycling of manure produced by a permitted intensive livestock operation.

**Dwelling, Ready-to-Move (RTM):** Shall mean a factory built home that is manufactured as a whole or modular unit and is designed to be moved on a removable chassis to be used as one dwelling unit, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.

**Dwelling, Semi-Detached:** Shall mean two dwellings side by side in one building unit with a common party wall, which separates, without opening throughout the entire structure, the two dwelling units.

**Dwelling, Single Detached:** Shall mean a building containing one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, including an RTM when attached to a fixed foundation, but not including a mobile home as defined.

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

**Educational Institution:** Shall mean a post-secondary college, university or technical institution.

**Existing:** Shall mean in place, or taking place, on or before the date of the adoption of this Bylaw.

**Family Child Care Home:** Shall mean a childcare facility located in a building where the principal use is a dwelling unit, and pursuant to *The Child Care Act*.

**Farmstead Residential Development:** Shall mean the establishment of a residence on an agricultural holding in the absence of subdivision of where the residence remains directly appurtenant to the agricultural operation as a permitted accessory building.

**Farmstead Site:** Shall mean a site, which includes the residence of the farm operator and those buildings, or facilities, which are related to the farm operation.

**Flood Hazard Area:** Shall mean the flood hazard area below the 1:500 flood elevations. The flood hazard area has two zones; the Flood Fringe and the Floodway.

**Flood Fringe:** Shall mean a zone within the flood hazard area where some types of development may occur if suitably flood-proofed. The Flood Fringe is typically defined as that portion of the flood hazard area where:

- a) the depth of inundation by water above natural ground is less than 1.0 m;
- b) flow velocities are less than 1.0 metre per second; and,
- c) encroachment (fill) into the Flood Fringe would raise upstream water levels by less than 0.3 m.

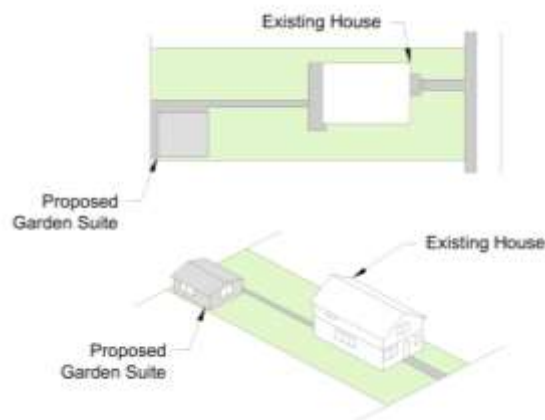
**Floodway:** Shall mean a zone within the flood hazard area where typically only necessary infrastructure is allowed (e.g. water intakes and outfalls, bridge piers and abutments, etc.) or development that is of low value and non-obstructive (e.g. parks, nature areas, parking lots, and recreational trails). The Floodway contains the deepest, fastest, and most destructive floodwaters and is typically defined as that portion of the flood hazard area where:

- a) depth of inundation by water above natural ground is more than 1.0 m;
- b) flow velocities are greater than 1.0 m per second; or,
- c) encroachment (fill) into the Floodway would raise upstream water levels by more than 0.3 m.

**Flood Proofing:** Shall mean techniques or measures taken to permanently protect a structure or development from flood damage. These can include measures such as elevating building (e.g. building on fill or piers), constructing dykes, creating upstream storage, diversions, and channelization.

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

**Garden Suite:** Shall mean a self-contained unit having a kitchen, eating area, living room, bathroom, and no more than two bedrooms to allow for the unit to operate independently of the main dwelling unit (except for the sharing of services). Garden suites shall be located in an accessory building or within a detached garage (at grade or above the garage).



**Hazardous Industry:** Shall mean a building, structure or use involved in the storage, transfer or processing of a provincially regulated amount of a hazardous substance as defined by *The Environmental Management and Protection Act, 2002*

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

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

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

**Home Based Business:** Shall mean a business, occupation, trade, profession, or craft located in a residential dwelling unit or an accessory building where residents operate the business and the use is secondary to the principal use of the premises.

**Home Occupation:** Shall mean a business, occupation, trade, profession, craft, or residential office conducted entirely with a dwelling unit and operated solely by the residents.

**Industry, General I:** Shall mean development principally involving one or more of the following activities:

- the processing of raw materials;
- the manufacturing or assembling of semi-finished or finished goods, products or equipment, but not food products;
- the storage, cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial, building or household use;
- terminals for the storage or trans-shipping of materials, goods and equipment;
- the distribution and sale of materials, bulk goods and equipment to institutions,
- industrial or commercial businesses for their direct use or to general retail stores or other use classes for resale to individual customers; or
- the training of personnel in general industrial operations.

General Industry I shall be limited to medium scale industries which may have periodic emissions that extend beyond the site boundaries and may on occasion extend beyond typical daytime business hours.

**Industry, General II:** Shall mean development principally involving one or more of the following activities:

- the processing of raw materials;
- the manufacturing or assembling of semi-finished or finished goods, products or equipment, but not food products;
- the storage, cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial, building or household use;
- terminals for the storage or trans-shipping of materials, goods and equipment;
- the distribution and sale of materials, bulk goods and equipment to institutions,
- industrial or commercial businesses for their direct use or to general retail stores or other use classes for resale to individual customers; or
- the training of personnel in general industrial operations.

General Industry II shall include large scale industries which exhibit a high potential to generate emissions that extend beyond the site boundaries and which operations often extend beyond typical daytime business hours.

**Intensive Livestock Operations:** Shall mean the rearing, confinement or feeding of more than 100 animal units of poultry, sheep, goats, cattle, hogs, horses, bison, deer, elk, wild boars, llamas or alpacas in an enclosure where the space per animal unit is less than 375 m<sup>2</sup>.

Type of Animal		Number of Animals = 1 Animal Unit
Poultry	Hens, cockerels, capons	100
	Chicks, broiler chickens	200
	Turkeys, geese, ducks	50
	Other birds	25

<b>Hogs</b>	Boras and sows	3
	Gilts	4
	Feeder pigs	6
	Weanling pigs	20
<b>Sheep</b>	Rams or ewes	7
	Lambs	14
<b>Goats</b>	All	7
<b>Cattle</b>	Cows and bulls	1
	Feeder cattle	1.5
	Replacement heifers	2
	Calves	4
<b>Horses</b>	All	1
<b>Other</b>	Domesticated ungulates	1

**Kenel(s):** Shall mean a building(s) and/or enclosure(s) used for the breeding, raising, storing or keeping of small-domesticated animals such as cats, dogs, etc.

**Landscaping:** Shall mean the provision of horticultural and other related compatible features or materials designed to enhance the visual amenity of a site or to provide a visual screen consisting of any combination of the following elements:

- a. soft landscaping consisting of vegetation such as trees, shrubs, vines, hedges, flowers, grass and ground cover;
- b. hard landscaping consisting of non-vegetative materials such as concrete, unit pavers, brick pavers or quarry tile, but does not include gravel, shale, or asphalt.

**Legal Access:** Shall mean for the purposes of development, a lot, or site adjacent to a municipally or provincially maintained roadway, and meeting the frontage requirements of appropriate Zoning District.

**Livestock:** Shall mean cattle, horses, sheep, goats and swine and includes domestic fowl, rabbits, mules, donkeys, buffalo and other domesticated animals.

**Manufacturing Establishments:** Shall mean the manufacturing or assembly of goods, products or equipment and or the processing of raw or finished materials, including the servicing, repairing or testing of materials, goods and equipment normally associated with the manufacturing, processing or assembly operation. It may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the principal use.

**Mineral Extraction:** Shall mean the extraction of mineral resources, excluding sand and gravel, and includes associated storage, stockpiling, transportation, crushing, washing and similar operations and facilities.

**Mobile Home:** Shall mean a trailer coach that is used as a dwelling for a permanent or year round living; has water faucets, a shower, or other bathing facilities and a toilet that may be connected to a water distribution and sewage collection system; and which is certified by the manufacturer to comply with *Canadian Standards Association Code CSA-Z240*.

**Mobile Home Park:** Shall mean any tract or parcel of land on which two or more occupied mobile homes are located, and includes any building or structure used or intended to be used as part of the equipment of such mobile home park.

**Municipality:** Shall mean the Rural Municipality of Blucher No. 343.

**Neighbourhood Recycling Collection Depot:** Shall mean a building or structure used for collection and temporary storage of recyclable household material such as bottles, cans, plastic containers and paper. The following shall not be allowed at a recycling collection depot:

- a) processing of recyclable material other than compaction;
- b) collection and storage of paints, oil, solvents or other hazardous material; and
- c) outdoor compaction or storage.

**Non-Conforming Building:** Shall mean a building:

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

**Non-Conforming Site:** Shall mean a lot, consisting of one or more contiguous parcels, that on the date the Bylaw or any amendment to this Bylaw becomes effective, contains a use that conforms to this Bylaw, but the lot area or lot dimensions do not conform to the standards of this Bylaw for that use.

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

**Official Community Plan:** Shall mean the Rural Municipality of Blucher No. 343 Official Community Plan.

**Open Space:** Shall mean passive and structured leisure and recreation areas that enhance the aesthetic quality and conserve the natural environment of the community including parks, recreation and tourism nodes, and natural areas.

**Permitted Use:** Shall mean the use of land or buildings or form of development that is prescribed in this Bylaw as a use that is allowed on a parcel.

**Personal Care Service:** Shall mean such as barber and beauty shops, that provide appearance care services to individual consumers.

**Place of Worship:** Shall mean a place used for worship and related religious, philanthropic or social activities and includes accessory rectories, convents, manses, meeting rooms and other buildings.

**Pre-school:** Shall mean a facility which provides a part-time program for pre-school aged children.

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

**Principal Use:** Shall mean the primary activity conducted on a site.

**Private Club:** Shall mean a place used for the meeting, social or recreational activities of the members of a non-profit philanthropic, social service, athletic, business or fraternal organization, and may include rooms for eating, drinking and assembly but shall not include onsite residences.

**Public Library:** Shall mean a library operated by the Wheatland Regional Library or other similar public agency.

**Public Utility:** Shall mean a system, work, plant, equipment or service, whether owned or operated by a government or by a private enterprise, which furnishes any of the following services and facilities to, or for the use of, all or a portion of the inhabitants of the Municipality:

- a) communication by way of telephone lines, optical cables, and cable television services;
- b) public transportation by bus or rail line,
- c) production, transmission and delivery of water, gas and electricity;
- d) communications transmission towers.

For the purposes of this Bylaw, public utilities shall include any use, building, structure, or facility owned or operated by the Municipality.

**Recreational Vehicle:** Shall mean a vehicle used for personal pleasure or travels which may or may not be towed behind a principal vehicle. Notwithstanding the generality of the above may include motor homes, camper trailers, boats, snowmobiles, or motorcycles.

**Reeve:** Shall mean the Reeve of the Rural Municipality of Blucher No. 343.

**Research Facility:** Shall mean a place where facilities are located for scientific research, investigation, testing or experimentation, but does not include facilities for the manufacturing or sale of products, except as incidental to the main purpose of the facility.

**Residential Care Facility:** Shall mean a facility licensed under provincial statute to provide, in a residential setting, 24-hour long term residential, social, physical or personal care, including accommodation, meals, supervision, or assistance for persons who have limits on ability for self-care or self-supervision, and who are unrelated to the operator or owner.

**Retail Store:** Shall mean the use of a building or portion thereof for the sale or display of merchandise to the public and includes the storage of merchandise on or about the premises in quantities sufficient only to supply the establishment, but does not include a confectionary or a retail food store.

**Right of Way:** Shall mean the land set aside for use as a municipal roadway or utility corridor.

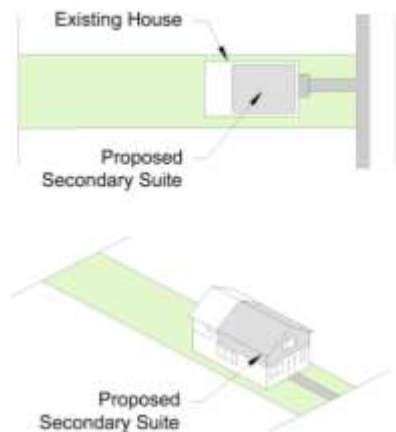
**Road:** Shall mean a public road allowance or a legally surveyed road vested in the name of Department of Highways.

**Rural Municipal Administrator:** Shall mean the Administrative Officer for the Rural Municipality of Blucher No. 343 pursuant to *The Municipalities Act*.

**Safe Building Elevation:** Shall mean the development of new buildings and additions must be at an elevation of 0.5 m above the 1:500 flood elevation of any watercourse or water body in the flood hazard area.

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

**Secondary Suite:** Shall mean a self-contained dwelling unit which is an accessory use to, and located exclusively within a single-detached dwelling unit and does not include a Garden Suite. Secondary suites will provide a kitchen, eating area, living room, bathroom, and no more than two bed rooms to allow for the suite to operate independently



**Servicing Agreement:** Shall mean the legal agreement between a developer and the Municipality which specifies the obligations and the terms and conditions for the approval of a subdivision pursuant to section 172 of the Act.

**Service Station:** Shall mean a facility for the service and repair of motor vehicles and/or for the retail sale of gasoline, lubricants, automotive accessories and associated petroleum products. This use may include accessory uses, such as a restaurant or carwash.

**Sight Triangle:** Shall mean that triangle formed by a straight line drawn between two points on the lot lines of a lot from the point where the lot lines intersect.

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

**Site:** Shall mean an area of land with fixed boundaries and which has been registered in the Land Titles Office by Certificate of Title.

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

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

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

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

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

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

**Tree Nursery:** Shall mean the use of land for raising shrubs, trees and bedding plants for the express purpose of commercial sale.

**Units of Measure** - units of measure in this Zoning Bylaw are metric abbreviated as follows:

m - metre  
m<sup>2</sup> - square metre(s)  
km - kilometres  
ha - hectare(s)

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

**Use, Agricultural Commercial:** Shall mean a service to the agricultural community such as research and development facilities; fertilizer sales; indoor implement and machinery assemblage, sale and service; veterinary clinics; welding, machine shops, and metal fabricating; storage facilities, warehousing, supply and distribution facilities; bulk fuel sales, and other similar uses.

**Use, Agricultural Support Services:** Shall mean any use that provides products or services directly related to the agricultural industry including processing, distribution and sales. Without restricting the generality of the foregoing, this shall include such facilities as feed mills, farm implement dealerships, bulk fertilizer distributors, grain elevators, seed cleaning, processing and drying plants, and livestock auctions.

**Use, Petroleum Related Commercial:** Shall mean a service to the petroleum and natural gas extraction industry such as drilling and oil well servicing operations, hauling services and storage facilities and other similar uses.

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

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

**Warehouse:** Shall mean a building or part of a building used primarily for the operation of general merchandise warehousing, cold storage, and other storage facilities and includes a center for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial or professional users; to other wholesalers.

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

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

**Waste Management and Remediation industry –** Shall mean establishments primarily engaged in providing waste management services involving the collection, disposition or processing of inert or organic waste materials, including but not limited to solid or liquid waste collection, treatment and disposal services; environmental remediation industry, septic tank pumping services and recycling.

**Watercourse:** Shall mean the bed and shore of a river, stream, creek or other natural body of water, and/or a canal, ditch or other man-made surface feature whether it contains water continuously or intermittently.

**Yard:** Shall mean the open, unoccupied space on a lot between the property line and the front, rear, or sidewall of a building.

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

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

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

## **3 GENERAL ADMINISTRATION**

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### **3.1 DEVELOPMENT OFFICER**

The Administrator of the Rural Municipality of Blucher No. 343 shall be the Development Officer responsible for the administration of this Bylaw and in the absence of the Administrator by such other employee of the Municipality as the Administrator, in consultation with Council, designates in writing to be the Development Officer.

The Development Officer shall:

- a) Receive, record, and review development permit applications and issue decisions in consultation with Council, particularly those decisions involving, rezoning, discretionary uses, and Bylaw matters;
- b) Maintain for inspection by the public during office hours, a copy of this Bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;
- c) Ensure accessibility of Bylaws and amendments;
- d) Make available for public inspection during office hours, a register of all development permits and subdivision applications and decisions;
- e) Collect application fees; and
- f) Perform other duties under this Bylaw as determined by Council.

### **3.2 COUNCIL**

- a) Council shall make all decisions regarding discretionary uses, contract zoning and zoning bylaw amendments.
- b) Council shall act in accordance with the procedures in *The Planning and Development Act, 2007* and the Official Community Plan.

### **3.3 REFERRAL TO COUNCIL**

The Development Officer may submit any application to Council for a decision on the interpretation of this Bylaw, or upon special conditions provided for in this Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide any further information necessary to render a decision.

### **3.4 DEVELOPMENT PERMIT**

- a) Prior to any development commencing every person shall complete and apply for a development permit, except if exempted by Section 3.5.
- c) A development permit shall not be issued if it is in contravention with any part of this Bylaw or the Official Community Plan.
- d) Farmstead residences shall require a development permit. Livestock and poultry operations exceeding 100 animal units shall be considered intensive livestock operations under this Bylaw and shall require a development permit.
- e) A building permit shall not be issued unless a development permit, where required, has also been issued.

### **3.5 DEVELOPMENTS NOT REQUIRING A PERMIT**

The following developments shall be exempt from development permit requirements, but shall conform to all other Bylaw requirements:

- a) Agricultural operations excluding intensive agriculture, intensive horticulture and intensive livestock;
- b) The erection of any fence, wall or gate; however, in a medium density or high density residential district the fence, wall or gate shall not be more than 2.5 m in height;
- c) Accessory buildings and structures less than 9.3 m<sup>2</sup> in area;
- d) The erection of a single residence wind turbine, satellite dish, television antennae or radio antennae; and
- e) Internal alterations and maintenance to a residential building, if the use, building footprint or intensity of use of the building including the number of dwelling units within the building or on the site does not change.

### **3.6 DEVELOPMENT PROCEDURES**

- a) Unless otherwise specified in this Bylaw, every application for a development permit shall be accompanied by two copies of a site or building plan showing dimensions of the site, the site size, the location on the site of any existing and all proposed development and the method and location of on-site sewage disposal facilities, and shall be submitted as prescribed in Section 3.4, for approval to the Development Officer together with such other information as may be required in support of the application.
- b) When an application for a development permit is made for a permitted or accessory use in conformity with this Bylaw, the Act and all other municipal bylaws, the Development Officer shall issue a development permit.
- c) When an application has been made for a development permit and prior to deciding, the Development Officer may refer the application to the appropriate government departments or agencies. The Development Officer may also require the application to be reviewed by planning, engineering, legal or other professionals, with the cost of this review to be borne by the applicant.
- d) A development permit shall be issued for the use at the location and under such terms and development standards specified by the Official Community Plan and this Bylaw.
- e) A permit to initiate development shall be valid for one (1) year from the date of issue.
- f) Where the Development Officer determines that a development is being carried out in contravention of any condition of approval or any provisions of the Official Community Plan or this Bylaw, the Development Officer may issue an order subject to the provisions of Section 242 of the Act to suspend or revoke the development permit and notify the permit holder that the permit is no longer in force.
- g) The applicant shall be notified in writing of the decision regarding the application.
- h) If the proposal conforms to the provisions of this Bylaw, a development permit shall be issued, subject to any development standards, special regulations, or performance standards that may be required. The applicant shall be advised of their right to appeal any terms and conditions to the Development Appeals Board.
- i) If the proposal is denied, the reasons for the refusal shall be stated and the applicant shall be advised of the right to appeal the decision to the Development Appeals Board, subject to the provisions of the Act.
- j) In the case of an application for mineral resources extraction (excluding sand and gravel extraction), the following is required:
  - i. A plan or description identifying the location and extent of known mineral resources including the location, number and extent of facilities associated with the mineral resource exploration, development and processing;
  - ii. A plan or description identifying the location and extent of existing mineral resource extraction and development including the location, number and extent of facilities associated with the mineral resource exploration, development and processing;

- iii. A plan or description identifying the location of the mineral resource exploration and development relative to existing roads and other municipal infrastructure;
- iv. A description identifying the benefits and potential impacts of the mineral resource development proposal; and
- v. A description to identify how the mineral resource development plans to address local concerns such as access, land use compatibility, potential off-site impacts, setbacks, servicing and rehabilitation;
- vi. How to mitigate issues, such as odour, dust, smoke, noise, traffic and periods of operation.

### **3.7 STOP WORK**

The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a development permit or condition, or an interest under this Bylaw.

### **3.8 COMPREHENSIVE DEVELOPMENT REVIEW**

- a) A Comprehensive Development Review (CDR) is required to be prepared and submitted in support of any application to rezone or subdivide land for the following purposes:
  - i. multi-parcel country residential subdivisions;
  - ii. commercial recreational developments;
  - iii. the establishment of an agriculturally related commercial or industrial activity within an Agricultural District where Council anticipates the proposed use may generate significant offsite impacts; or
  - iv. in any circumstance where Council deems it necessary due to the nature and/or complexity of a proposed development.
- b) CDRs shall be prepared in accordance with the Official Community Plan goals, objectives, and policies.
- c) CDRs shall be prepared in conformance with the RM's published CDR Guide.
- d) Applicants should consult with the Development Officer to confirm the scope and submission requirements on an application basis.
- e) The CDR shall at a minimum consider the following:
  - i. provision of a general description of the proposed development including the submission of a site plan illustrating the proposed distribution of land uses, roadways and open space within the development and/or subdivision; and
  - ii. confirm how the proposed development and/or subdivision complies with the Official Community Plan goals, objectives and policies; and
  - iii. inventory, assess and consider the influence of local physical, environmental, and heritage related conditions on the proposed subdivision and development; and
  - iv. acknowledge and consider ways in which the proposed subdivision and development may influence and may be influenced by existing development; and
  - v. define the servicing required to support the proposed subdivision and development including strategies for managing drainage, water distribution, wastewater collection and disposal and traffic management.
- f) Applicants shall provide evidence of significant and effective public consultation acknowledging and attempting to incorporate the findings within the development proposal wherever possible to ensure that the development is perceived as beneficial to the area.

### **3.9 DISCRETIONARY USE APPLICATION**

- a) Where the application for a development permit is for a Discretionary Use the applicant shall provide a written description of the proposed development, describing the intended use and operations, structures to be located on the site, required municipal services, and any other information that the Development Officer or Council determines is necessary to fully review the proposed development.
- b) In the case of an application for sand and gravel extraction, the following is required:
  - i. A plan showing the location of the area of the operation relative to site boundaries, the depth of excavation and the estimated quantity of material to be removed;
  - ii. A summary description of the proposed activities on the site including the method of excavation, stripping or grading operation proposed;
  - iii. A detailed description of the anticipated phasing for excavations and the overall operational lifespan for the operation;
  - iv. A plan showing the final site condition following completion of the operation and land reclamation procedure to be followed and the estimated cost of completing the reclamation;
  - v. A description of the measures to be taken for the prevention and lessening of dust and other nuisances during and after the operation;
  - vi. Road maintenance measures and proposed truck routes; and
  - vii. Compliance with all other municipal bylaws.
- c) Applicants must file with the Development Officer a development permit application in accordance with Section 3.4 and 3.6.
- d) The following evaluation criteria shall be considered by Council in the review of a discretionary use application:
  - i. the capacity of the existing roadway infrastructure to accommodate the proposed use;
  - ii. the potential effects of the proposed use on air resources, soil resources, water resources, and natural and heritage resources;
  - iii. the waste generated from the proposed use and the capacity of existing waste management resources; and
  - iv. how the proposed use contributes to the social, economic, and physical sustainability of the Municipality.
- e) Discretionary uses and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. In consideration of any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:
  - i. site drainage;
  - ii. the location of buildings with respect to buildings and uses on adjacent properties;
  - iii. the access to, number, surface treatment and location of parking and loading facilities including adequate access for pedestrian and vehicle traffic;
  - iv. the location and method of providing vehicle access and egress to a site to minimize traffic congestion and hazards;
  - v. the control of noise, glare, dust, refuse litter and odour;
  - vi. the screening of parking, storage and other non-landscaped areas from adjacent properties and roads; and
  - vii. landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties and to maintain the character and amenity of the neighbourhood.

- f) 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 and the Development Officer shall advise the Council as soon as practical.
- g) The Development Officer may refer the application to the appropriate government departments or agencies.
- h) The Development Officer shall set a date for the meeting at which the application will be considered by Council and shall give notice as set out below in this section.
  - i. A notice shall be published in a newspaper having a circulation in the municipality, and copies of the notice shall be mailed to the assessed owner of each property located within 6.4 km of the property that is the subject of the application, where the application is for an Intensive Livestock Operation, Abattoir, Airport or Private Airstrip or a Solid or Liquid Waste Disposal Facility.
  - ii. For all discretionary commercial uses (except home based businesses) in a hamlet, mobile home park, medium density and high density residential zoning districts, notice shall be mailed to the assessed owner of each property located in the hamlet, mobile home park or medium density or high density residential subdivision within which the application applies.
  - iii. For all other discretionary uses, notice shall be mailed to the assessed owner of each property, or portion thereof, within 0.80 km of the property that is the subject of the application.
  - iv. The notices referred to in this section shall describe the use applied for; the location of the use applied for; and specify the date, time and location of the meeting at which Council will consider the application.
  - v. Mailed notices shall be postmarked (using regular mail) at least three weeks before the date fixed for Council to consider the application. Where an adjacent rural or urban municipality is within the 1.6 km radius of the boundary of the subject application, the Development Officer shall provide written notice to the adjacent municipal administration for comment.
- i) The Development Officer may prepare a report for Council concerning the application including recommendations of conditions that may be applied to an approval.
- j) Council shall consider the application along with the recommendations of the Development Officer and any other written or verbal submissions received by Council.
- k) Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a development permit for the discretionary use at the location and under such terms and development standards as specified by Council.
- l) The applicant shall be notified of Council's decision by regular mail addressed to the applicant at the address shown on the application form and the applicant shall be advised of the right to appeal any terms and conditions attached to the approval of a discretionary use application to the Development Appeals Board.
- m) The Development Officer shall issue a notice of refusal of the development permit to the applicant, stating the reasons for the refusal, and advising the applicant of any right of appeal.
- n) Council may approve a discretionary use for a limited time where prescribed within this Bylaw.
- o) Where Council has approved a discretionary use for a limited time and that time has expired, the use of land or buildings on that property shall cease until Council gives a new discretionary use approval and a new development permit is issued. The applicant shall be solely responsible for arranging for all necessary permit renewals. Council shall not be held responsible for any interruption in a use requiring renewal.
- p) Discretionary uses and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. In consideration of any

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

- i. site drainage of storm water;
- ii. the location of buildings with respect to buildings on adjacent properties;
- iii. the access to, number, surface treatment and location of parking and loading facilities including adequate access for pedestrian and vehicle traffic;
- iv. vehicle access and egress points shall be provided in suitable locations to minimize traffic congestion and hazards;
- v. appropriate space for vehicle line ups for drive through commercial, business, or industrial facilities to reduce disruption of traffic flows on adjacent roadways;
- vi. the control of noise, glare, dust, refuse litter and odour;
- vii. the screening of parking, storage and other non-landscaped areas from adjacent properties and roads; and
- viii. landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties and to maintain the character and amenity of the neighbourhood.

### **3.10 VALIDITY OF DEVELOPMENT PERMIT**

- a) If development authorized by a development permit is not commenced within twelve (12) months of the date of issue, the development permit ceases to be valid unless extended by the Development Officer following receipt of a written request by the applicant.
- b) A development permit is deemed invalid if the proposed development is legally suspended.

### **3.11 MINOR VARIANCES**

- a) The Development Officer may vary the requirements of this Bylaw subject to the following requirements:
  - i. A minor variance may be granted for the relaxation of the minimum required distance of a building from a lot line;
  - ii. The maximum amount of a minor variance shall be 10% variation from the requirements of this Bylaw;
  - iii. The development must conform to all other requirements of this Bylaw;
  - iv. The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property; and
  - v. No minor variance shall be granted for a discretionary use or form of development in connection with an agreement to rezone pursuant to the Act.
- b) Upon receipt of a written request for a variance the Development Officer may:
  - i. Approve the minor variance;
  - ii. Approve the minor variance and impose terms and conditions on the approval; or
  - iii. Refuse the minor variance.
- c) Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.
- d) Where a minor variance is approved, with or without terms and conditions, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval. The written notice shall contain:
  - i. A summary of the application;
  - ii. Reasons for and an effective date of the decision;

- iii. Notice that an adjoining assessed owner has 20 days from the date of the decision to lodge a written objection with the Development Officer, which, if received, will result in the approval of the minor variance being revoked; and
  - iv. Where there is an objection and the approval is revoked, the applicant shall be notified in writing of the revocation and of the right to appeal to the Development Appeals Board within 30 days.
- e) A decision to approve a minor variance, with or without terms and conditions, does not take effect until 30 days from the date the notice was mailed.
  - f) If an application for a minor variance is refused or approved with terms and conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

### **3.12 DEVELOPMENT APPEALS**

- a) Council shall appoint a Development Appeals Board in conformity with the provisions of the Act.
- b) In addition to any other right to appeal provided by the Act, a person affected thereby may appeal to the board where a Development Officer:
  - i. Is alleged to have misapplied the Bylaw in issuing a development permit; or
  - ii. Refuses to issue a development permit because it would contravene this Bylaw.
- c) Appellants also may appeal where they believe development standards prescribed by the Council with respect to a discretionary use exceed those necessary to secure the objectives of this Bylaw and the Official Community Plan. This right of appeal extends 30 days after the issuance or refusal of a development permit or order.
- d) The Development Appeals Board may confirm, revoke, or vary the decision or development permit or any condition attached to any of these, or substitute a decision or permit that it considers advisable.
- e) Where a person wishes to appeal to the Board, they shall file a written notice of their intention to appeal with the secretary of the Board, together with any sum of not more than \$50.00 that the Board may specify, to be applied to the expenses of the appeal.
- f) In making an appeal to the Development Appeals Board, and hearing such appeal, the provisions of the Act shall apply.

### **3.13 AMENDMENT OF THE ZONING BYLAW**

Council may amend this Bylaw at any time, upon its own initiative or upon request, if the amendments are in keeping with the intent of the Official Community Plan.

### **3.14 FESS FOR APPLICATION**

- a) An applicant proposing development as defined in this Bylaw shall be subject to the following fees:
  - i. Application for a Permitted Principal or Accessory Use Development Permit \$50.00;
  - ii. Application for a Discretionary Use Development Permit \$75.00;
  - iii. Application for a Minor Variance \$50.00;
  - iv. Application for a Zoning Bylaw Textual Amendment \$300.00;
  - v. Application for a Zoning Bylaw Map Amendment for up to two (2) parcels \$300.00;
  - vi. Application for a Zoning Bylaw Map Amendment for greater than two (2) parcels \$500.00;
  - vii. Application for Development Appeals \$50.00

- b) In addition to the above noted fees, the applicant shall be solely responsible for all of the costs associated with:
  - i. satisfying all public notification requirements as required for the above noted applications;
  - ii. engagement of the necessary planning, engineering, legal or other professional expertise necessary to review an application and/or implement Council's decision, including the cost of preparing agreements; and
  - iii. registration of an interest on the title of the property proposed for development, amendment, or subdivision as prescribed by the Information Services Corporation (Land Titles).
- c) The above noted fees may be refunded at Council's discretion, by a request of the applicant, if the cost has not yet been incurred by the RM.
- d) All fees shall be paid with submission of the applications mentioned above to the RM office.
- e) Council may undertake any additional public consultations that it considers desirable respecting a proposed amendment to the Official Community Plan or Zoning Bylaw, at its own cost.

### **3.15 BUILDING PERMITS**

- a) A building permit, where required, shall not be issued unless a development permit, where required, has been issued.
- b) Where the provisions in this Bylaw conflict with those of any other municipal, provincial or federal requirement, the higher or more stringent standards shall prevail.

### **3.16 OFFENCES AND PENALTIES**

Any person who contravenes any of the provisions of this Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties in the Act.

### **3.17 BYLAW COMPLIANCE**

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

### **3.18 DEVELOPMENT AGREEMENTS**

Where a development requiring a permit is proposed in the absence of subdivision that results in additional capital costs incurred by the Municipality, the developer shall be required to enter into a development agreement to address the specifications of the development and provisions for payment of any levies deemed necessary by Council pursuant to the provisions of the Act.

### **3.19 SERVICING AGREEMENTS**

- a) Where a development proposal involves a subdivision, the Municipality may require a developer to enter into a servicing agreement to ensure appropriate servicing pursuant to the Act.
- b) The agreement may provide for:
  - i. specifications for the installation and/or construction of all services within the proposed subdivision as required by Council;
  - ii. for the payment by the applicant of fees that the Council may establish as payment in whole or in part for the capital cost of providing, altering, expanding or upgrading sewage, water, drainage and other utility services, municipal roadway facilities, or park and recreation space facilities, located within or outside the proposed subdivision, and that directly or indirectly serve the proposed subdivision;

- iii. time limits for the completion of any work or the payment of any fees specified in the agreement, which may be extended by agreement of the applicant and the Municipality;
- iv. provisions for the applicant and the Municipality to share the costs of any work specified in the agreement; and
- v. any assurances as to performance that the Council may consider necessary.

### **3.20 INTEREST REGISTRATION**

Council may require that development and servicing agreements and other documents or agreements be registered as an interest on the title of affected lands, to protect municipal and public interests at the full expense of the developer.

### **3.21 FINANCIAL ASSURANCE**

Council may require that a letter of credit, performance bond or other type of unencumbered assurance that Council considers necessary, including the registration of an interest on the title of the affected lands, is to ensure that the development is constructed and completed in accordance with the timeframe and in accordance with the development standards provided for in the development permit.

### **3.22 LIABILITY INSURANCE**

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

## 4 GENERAL REGULATIONS

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### 4.1 LICENSES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS

Nothing in this Bylaw shall exempt any person from complying with the requirements of a building bylaw, or any other bylaw in force within the municipality, or from obtaining any permission required by this, or any other bylaw of the Municipality, the province or the federal government. Where the provisions in this Bylaw conflict with those of any other municipal, provincial or federal requirement, the higher or more stringent standards shall prevail.

### 4.2 NUMBER OF PRINCIPAL BUILDINGS OR USES PER SITE

Unless otherwise permitted within this Bylaw, no person shall construct or cause to be constructed, more than one principal use per site.

### 4.3 ACCESSORY USES, BUILDINGS AND STRUCTURES

- a) Subject to all other requirements of this Bylaw, an accessory building, use, or structure is permitted in any district when accessory to an established principal use which is a permitted or discretionary use in that same district, and for which a development permit has been issued.
- b) Unless otherwise exempted herein, a development permit shall be issued prior to the initiation or construction of an accessory building, use, or structure.
- c) No accessory building or structure may be constructed, erected or moved on to any site prior to the time of construction of the principal building to which it is accessory unless the accessory building is essential for the completion of the construction of the principal building and where a building and development permit for the principal use has been issued.
- d) Where a building on a site is attached to a principal building by a solid roof or by structural rafters, and where the solid roof or rafters extend at least one third of the length of the building wall that is common with the principal building, the building is deemed to be part of the principal building.
- e) Accessory structures shall not be used as a residential dwelling unit unless otherwise provided for in this Bylaw.

### 4.4 NONCONFORMING BUILDINGS, USES AND STRUCTURES

The provisions of *The Planning and Development Act, 2007*, Sections 88 to 93 inclusive, shall apply to all non-conforming buildings, uses and structures.

### 4.5 FRONTAGE ON ROADWAYS

A development permit shall not be issued unless the site intended to be, used, or upon which a building or structure is to be erected, abuts, or has frontage and has direct access, via a road approach, to a graded all-weather municipal road, or unless satisfactory arrangements have been made with Council for the improvement or building of a road.

### 4.6 DEVELOPMENT ALONG ROADWAYS

- a) Setbacks from provincial highways shall be determined by the regulations of the Saskatchewan Ministry of Highways and Infrastructure.
- b) Trees, dugouts and fences shall be setback a minimum of 22.5 m from the centre line of a municipal road allowance, grid road, or main farm access road on all sites. Setbacks from

provincial highways shall be determined by the regulations of the Saskatchewan Ministry of Highways and Infrastructure.

- c) Notwithstanding 4.6 b), wire fences excluding chained link fences which will not hinder snow movement or obstruct the view of motorists may be constructed along the property boundary.

#### **4.7 DEVELOPMENT ON HAZARD LANDS**

- a) Development proposed on or within 30 m of the crest of a slope greater than 20% shall require supporting evidence of slope stability by a Professional Engineer licensed to practice in the Province of Saskatchewan.
- b) The Development Officer in consultation with a geotechnical engineer may impose special conditions on a development permit, including but not limited to, engineered footings or specialized drainage and or septic systems to protect against erosion and or stability of the bank.
- c) Trees or vegetation shall not be cleared from any land within 20 m of any watercourse, water body, escarpment, or of the crest of a slope greater than 20% where the removal could have a negative impact on the water body or bank stability.
- d) Where a site borders on or contains a water body of 8 ha or more, the setback from the bank of the water body shall not be less than 30 m.
- e) All non-agricultural development proposed on flood prone lands outside of a defined floodway shall be constructed at or above the 1:500 flood levels as defined by the Water Security Agency.

#### **4.8 BUILDINGS TO BE MOVED**

No building requiring a development permit pursuant to this bylaw shall be moved within, or into the municipality, without first obtaining a development permit from the Development Officer.

#### **4.9 BUILDINGS TO BE DEMOLISHED**

- a) No building shall be decommissioned or removed from a property within the municipality without first obtaining a demolition permit from the Development Officer.
- b) A building shall not be decommissioned or removed from a property until the Development Officer is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated.

#### **4.10 WASTE DISPOSAL**

No liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into the air as per all Acts and Regulations related to the storage, handling and disposal of any waste material.

#### **4.11 WATER**

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 Saskatoon Health Region and/or the Water Security Agency.

#### **4.12 STORAGE OF CHEMICALS, FERTILIZERS, AND COMBUSTIBLE MATERIAL**

The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary requirements and permits must be met and obtained prior to issuance of a development permit.

#### **4.13 HERITAGE SENSITIVE LANDS**

Prior to issuing a development permit for an application on land deemed by Council as having strong potential for containing archaeological resources, Council shall require that the developer/proponent submit a heritage resource assessment, prepared by a qualified archaeologist with a permit issued by the Saskatchewan Heritage Branch. Such assessment shall:

- i. describe any heritage resources found in the area that is the subject of the proposed development;
- ii. assess the impact of the proposed development on the heritage resources, if any; and
- iii. identify the actions required to prevent, change, mitigate or remedy the adverse effects of the proposed development on the heritage resources, if any.

Identified actions for prevention, change, mitigation or remedy shall be incorporated as conditions to issuance of a development permit.

#### **4.14 GRADING AND LEVELING OF A SITE**

- a) Every development shall be graded and levelled at the owner's expense to provide adequate surface drainage that does not adversely affect adjacent property or the stability of the land.
- b) All excavation or filling shall be re-vegetated as soon as possible after construction concludes with a suitable ground cover as may be necessary to prevent erosion and the proliferation of noxious weeds.
- c) All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area or relocated to a site approved by the Development Officer.

#### **4.15 OUTDOOR STORAGE**

Notwithstanding anything contained in this bylaw, no person shall use any site in any district for the parking or storage of any vehicle that is not in running order, except that not more than six such vehicles may be stored on any site in a high or medium density country residential or hamlet district and not more than twelve such vehicles shall be stored in any site in the commercial or industrial district, except in the case of permitted vehicle storage establishments or auto wreckers. Council may require that such vehicles be screened from roadways or neighboring properties by landscape features or fences or a combination thereof.”

#### **4.16 COMMERCIAL, BUSINESS, AND INDUSTRIAL LANDSCAPING REQUIREMENTS**

The following standards shall apply where commercial, business or industrial development is proposed to establish the principal use of a site or where the development proposes to change the principal use of a site:

- a) Development permit applications shall be accompanied by a landscape plan that clearly indicates and accurately identifies the following:
  - i. site plan drawn to scale, including dimensions and distances, a north arrow and necessary interpretive legends;
  - ii. boundaries and dimensions of the site; location and name of adjacent streets;
  - iii. location of all buildings or structures and all structure-to-property line setbacks distances;
  - iv. location and type of all light fixtures both attached and detached;
  - v. the location of all attached and detached signage;
  - vi. location of off-street parking and loading areas;
  - vii. location of proposed screening including materials and height;

- viii. type and quantity of existing plant materials to be retained; and
  - ix. location of all soft landscaping proposed, identifying the common and botanical name, location, quantity and spacing;
- 
- b) Site development should wherever possible seek to preserve and incorporate existing trees and vegetation.
  - c) Where a development fronts on a public road; a mixture of coniferous and deciduous trees shall be planted within a minimum 5-metre-wide landscaped boulevard located along the site frontage entirely within the development site. Within this landscaped boulevard, one tree shall be provided for every 40.0 m<sup>2</sup> of landscaped area at a proportion of approximately 1:1 of coniferous and deciduous trees. Where shrubs are considered as an alternative to trees, one shrub shall be provided for every 60.0 m<sup>2</sup> of landscaped area at a proportion of approximately 2:1 of deciduous and coniferous shrubs. All tree and shrub plantings shall be setback a minimum of 2 m from the front site line to ensure that the plantings do not hinder snow clearing along municipal roadways.
  - d) A single row shelterbelt planting shall be employed along and within the side and rear site lines as a requirement of approval for the development for each individual commercial, business or industrial site.
  - e) All commercial, business and industrial developments situated along the south side of Cheviot Road, shall construct an engineered earthen berm a minimum 3.0 m in height from the existing grade along the rear site line of properties located adjacent to lands not designated for commercial, business or industrial development.
  - f) Notwithstanding the above, the Development Officer may consider an alternative method of visual screening and noise attenuation only where it can be clearly demonstrated that the alternative provides equal or enhanced performance, is maintenance free and permanent. To be considered, the alternative method must also be supported by the appropriate studies or a qualified professional opinion.
  - g) The earthen berm shall be designed with a maximum 4:1 side slope and a minimum 2 m top and shall not impede surface water drainage.
  - h) All plant material shall be hardy, drought resistant and of a species capable of healthy growth in the RM of Blucher. All new plantings shall meet the following minimum standards at full growth:
    - i. deciduous trees shall be at least 60 mm caliper;
    - ii. coniferous trees shall have a minimum height of 2.5 m,
    - iii. coniferous shrubs shall have a minimum spread of 450 mm; and
    - iv. deciduous shrubs shall have a minimum height of 450 mm.
  - i) A 3.0 m fire break shall be provided along any common site boundary. Within this corridor, only non-combustible goods and materials may be stored and all vegetation must meet Fire Smart Canada requirements.
  - j) Any outdoor lighting shall be located, arranged and designed so that no direct rays of light are directed at any adjoining properties which in the opinion of the Development Officer interfere with the use and enjoyment of adjacent lands.
  - k) All waste materials or unsightly elements shall be enclosed by buildings, or screened by landscape features, fences, or a combination thereof to the satisfaction of the Development Officer.
  - l) The owner of the property, or his agent, or tenant shall be responsible for the maintenance of all landscaping. Plants shall be maintained in good condition to present a healthy, neat, and orderly appearance and shall be kept free from refuse, debris, and weeds.
  - m) Plants, trees and vegetation which are required by the approved landscape plan and which are diseased or have died shall be replaced with like kind and size in a timely manner.

- n) As a condition of approval for a development permit, the applicant shall be required to provide the RM with an unencumbered and irrevocable financial guarantee equal to 110% of the estimated landscaping costs to ensure that the landscaping presented in the approved landscaping plan is provided and maintained for two growing seasons following completion of the entire landscaping project.
- o) The applicant shall provide written notice to the RM when the landscaping is substantially complete and following confirmation from the RM that the landscaping is substantially complete, the two-year maintenance period will begin.
- p) The applicant shall be responsible for providing written notice to the RM that the two-year maintenance period has been completed. A site inspection will be conducted by the Development Officer or his representative during the normal growing season, approximately April 15 through October 15 to confirm that the landscaping has been appropriately maintained. If the Development Officer or his representative is satisfied that the landscaping has been maintained, the financial guarantee shall be released.
- q) In the event the applicant does not complete the required landscaping, or if the applicant fails to maintain the landscaping in the healthy condition to the satisfaction of a Development Officer for the specified period, the RM may draw from the financial guarantee to complete the required work to bring the site into compliance with the landscaping plan without any obligation to compensate the applicant.

#### **4.17 LIGHTING**

- a) All outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties; interfere with the use of neighbouring lands; or interfere with the effectiveness of any traffic control devices or the vision or safety of motorists.
- b) All outdoor lighting fixtures shall be shielded at the top of the fixture to minimize direct uplight and to ensure that the area of direct illumination is limited to the subject property and does not contribute to over-illumination of night skies.
- c) Outdoor lighting shall be encouraged to utilize the minimum intensity needed for the purpose intended.

#### **4.18 SIGNAGE**

- a) Signs located in a Highway Sign Corridor
  - i. Signs located in a highway sign corridor shall comply with *The Erection of Signs Adjacent to Provincial Highway Regulations, 1986* as may be amended from time to time.
- b) Signs not located in a Highway Sign Corridor
  - i. Temporary signs and real estate signs are permitted only if the temporary condition exists.
  - ii. Signs shall not be located that will impede the view of any pedestrian or vehicular right of way or railway crossing or sight triangle.
  - iii. No intermittent flashing signs shall be permitted in any Zoning District and all illuminated signs shall cast light downwards and located appropriately to prevent creation of a hazardous situation related to pedestrian and vehicular traffic.
  - iv. All private signs shall be located so that no part of the sign is over a public right of way.
  - v. Signs shall be mounted and maintained in a condition that is safe and clean.
- c) Hamlet, Mobile Home and Rural Residential Districts
  - i. Signs and billboards that are not located in a highway sign corridor will be prohibited in any hamlet, mobile home park or rural residential district in the municipality excepting signs advertising products and services associated with any permitted or discretionary use.
  - ii. Permitted signs shall require a development permit subject to the following requirements:
    - 1. No more than one (1) sign shall be permitted on the premises.

2. No sign shall be more than 1.5 m<sup>2</sup>.
  3. The sign may be double sided.
  4. No sign shall be illuminated unless the source of light is steady and suitably shielded.
  5. The maximum height of any sign shall be 2.0 m.
- d) Non-Residential Districts
- i. Signs and billboards that are not located in a highway sign corridor, a hamlet, mobile home park or a rural residential district that advertise products and services associated with any permitted or discretionary use shall require a development permit subject to the following requirements:
  - ii. No more than two (2) signs shall be permitted on the premises
  - iii. No sign shall be more than 6 m<sup>2</sup> in area, but the two permitted signs may be combined and the total facial area shall not exceed 12 m<sup>2</sup>. Each sign may be double faced.
  - iv. No sign shall be illuminated unless the source of light is steady and suitably shielded
  - v. The maximum height of any sign shall be 6 m.
- e) Signs not requiring a permit:
- i. Government signs;
  - ii. Traffic control signs;
  - iii. Signage intended to regulate hunting or trespassing on private property;
  - iv. Real estate signs;
  - v. Signs containing traffic or pedestrian controls;
  - vi. Address signs;
  - vii. Election signs;
  - viii. Memorial signs;
  - ix. Construction signs – permitted on a temporary basis; and
  - x. Agricultural related sign - permitted on a temporary basis such as herbicide or insecticide or seed advertising promotional signs.

#### **4.19 PUBLIC UTILITIES**

- a) Public utilities, excepting solid waste disposal, liquid waste disposal and clean fill sites, shall be listed as a permitted or discretionary use in every zoning district and no minimum site area or yard requirements shall apply.
- b) Permit approvals for communications transmission towers will only be issued following completion of the public consultation and approval process conducted as required by Industry Canada.
- c) Where a pipeline or other utility or transportation facility will cross a municipal road, Council may apply special design standards to protect the municipal interest in the existing and future improvements to the road.

#### **4.20 OFF-STREET PARKING**

- a) Off-street parking shall be provided in accordance with Table 4-1 below, and associated regulations.
- b) All off-street parking and loading facilities are intended for the vehicles of residents, members, employees or customers of the principal building or use for which the parking and loading facilities are intended.
- c) Required off-street parking spaces may be located on a separate site that is within a convenient walking distance to a maximum of 150 m of the principal building or use.
- d) Each parking space shall be 2.5 m and 6.0 m long, except parallel parking spaces shall be 6.5 m long.

- e) Every parking area shall be provided with direct, unobstructed access to and from a road.
- f) The design of a parking lot shall be such that all grades and drainage shall dispose of surface water and shall have no detrimental effect to adjoining properties from such water disposal.

LAND USE	PARKING SPACES REQUIRED (minimum)
Dwelling unit, mobile home	1 space / unit
Dwelling Group/Multi-unit	2 spaces / unit
Secondary suite	1 space / unit
Bed and breakfast homes/Vacation Farms	1 space / guest room
Elementary school	1 space / classroom
High school, collegiate	4 spaces/classroom
Home Based Business	1 space per each client, non-resident employee, home based business vehicle
Places of Worship, Community Halls	3 spaces / 10 fixed seats or 1 space / 20 m <sup>2</sup> of floor area, whichever is the greater
Restaurants	1 space / 4 seats
Commercial/Business Use	1 space / 28 m <sup>2</sup> of gross floor area
Motel or Hotel	1 space / unit
Industrial Use	1 space / 46.5 m <sup>2</sup> of gross floor area
Retail	1 space / 28 m <sup>2</sup> of gross floor area
All Other Commercial/Business Uses	1 space / 28 m <sup>2</sup> of gross floor area

Table 4-1: Parking Requirements

**4.21 OFF-STREET LOADING FACILITIES**

- a) In any Commercial, Business, or Industrial District, where the use of a building involves the receipt, distribution or dispatch of materials, goods or merchandise from vehicles, adequate space for such vehicles to stand for loading or unloading facility shall be provided on the site in accordance with Table 4-2.
- b) Loading spaces shall be located within or abutting the building containing the use.
- c) The loading space shall be of adequate size so that materials and commodities can be easily loaded or unloaded.

GROSS FLOOR AREA	LOADING SPACES REQUIRED
100 m <sup>2</sup> to 1,500 m <sup>2</sup>	1 loading space
1,501 m <sup>2</sup> to 3,000 m <sup>2</sup>	2 loading spaces

Over 3,000 m<sup>2</sup>

2 loading spaces plus 1 for each 6,000 m<sup>2</sup> (or part thereof over 3,000 m<sup>2</sup>)

Table 4-2: Loading Spaces

## 5 DEVELOPMENT STANDARDS

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### 5.1 HOME OCCUPATION

Notwithstanding other provisions of this Bylaw, a Home Occupation is subject to the following development standards:

- a) The home occupation is incidental and secondary to the use of the dwelling unit as a residence.
- b) The home occupation shall be conducted entirely within the dwelling unit and shall not have any exterior evidence of a secondary use on the site.
- c) There shall be no outside storage or exterior display of goods, materials, or equipment associated with the home occupation.
- d) External advertising shall be in accordance with signage requirements contained herein.
- e) The character of the district in which the home occupation is located shall not be disturbed by any dust, noise, smoke or smell generated by the use.
- f) Only the residents of the dwelling unit shall be employed in the home occupation.
- g) The home occupation shall not generate more than six (6) vehicle trips per day.
- h) Offsite parking is prohibited.
- i) A development permit for a home occupation shall only be valid during the time the property is occupied by the applicant for the use.
- j) A development permit issued for a home occupation shall be subject to the condition that the development permit may be revoked at any time subject to the provisions of Section 242 of the Act, if in the opinion of the Development Officer, the operation has not met the regulations and standards applicable to home occupations contained in this Bylaw.

### 5.2 HOME-BASED BUSINESS

Notwithstanding other provisions of this Bylaw, a Home-Based Business is subject to the following development standards:

- a) The home-based business is incidental and secondary to the principal residential use of the site.
- b) No variation in the residential character and appearance of the dwelling, ancillary residential building, or land shall be permitted.
- c) External advertising shall be in accordance with signage requirements contained herein.
- d) The use shall not create or become a public nuisance.
- e) A resident of the dwelling unit must be employed in the home-based business and not more than four (4) persons other than the residents of the dwelling unit shall be employed in the home-based business.
- f) The use shall not generate substantially more traffic and parking than is normal for the district in which it is located.
- g) Offsite parking is prohibited.
- h) Council may impose conditions requiring the applicant to screen any outdoor storage and display of raw or unfinished goods or equipment.
- i) A development permit for a home-based business use shall be valid only for the period of time the property is occupied by the applicant for such permitted use.
- j) Council may place a limit on the time period for the approval of the use.
- k) A development permit issued for home based business shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the use is or has become detrimental to the residential character and amenities of the neighbourhood.

### **5.3 BED AND BREAKFAST HOMES AND VACATION FARMS**

Notwithstanding other provisions of this Bylaw, a Bed and Breakfast Home and Vacation Farm is subject to the following development standards:

- a) Vacation farms shall be accessory to an agricultural operation or a single parcel residential use and may include bed and breakfast, cabins, and overnight camping areas.
- b) A maximum of five cabins shall be permitted as part of a vacation farm.
- c) External advertising for vacation farms and bed and breakfast homes shall be in accordance with signage requirements provided herein.
- d) Vacation farms shall be licensed by the Department of Health and shall have a fire safety inspection report prior to occupancy as a vacation farm.
- e) Bed and breakfast operations shall be in a detached dwelling unit used as the operator's principal residence and are subject to *The Public Accommodation Regulations*.
- f) Council shall place any additional conditions for approval deemed necessary based upon a specific application to secure the objectives of this bylaw.

### **5.4 SAND, GRAVEL, AND MINERAL RESOURCE EXTRACTION**

Notwithstanding other provisions of this Bylaw, Sand, Gravel, and Mineral Resource Extractions are subject to the following development standards:

- a) Sites shall have regard for adjacent land uses and excavations, stockpiling and loading activities shall be:
  - i. located along and serviced by an all-weather road;
  - ii. located near a provincial highway;
  - iii. located a minimum of 305 m from a country residence or from the closest common site line for an undeveloped country residential site; and
  - iv. located a minimum of 215 m from a farmstead or agricultural residence from the closest common site line for an undeveloped agricultural residential site.
- b) When all landowners located within the above noted separation distance are in written agreement, the strict application of the separation distances may be relaxed at the discretion of Council.
- c) No excavation or resource development shall be permitted within 46 m, or lesser amount if approved by Council resolution, of the centre line of any highway or municipal road, or municipal right of way.
- d) No stockpiling or structures shall be permitted within 46 m of the centre line of any highway or municipal road, or municipal right of way.
- e) No materials processing shall be permitted within 46 m of any site line not adjacent to a highway or municipal road or municipal right of way.
- f) The operator shall make every attempt to locate material storage and processing activities within the site to provide a visual barrier and to attenuate noise from adjacent residential sites.
- g) No material is to be stored or piled on any road allowance or within 30 m of the bank of any river or watercourse or the shore of any water body.
- h) The owner of the land and the operator shall be required to enter a sand and gravel extraction agreement or mineral extraction agreement and a restoration agreement with the municipality, subject to the following:
  - i. The extraction agreement and restoration agreement shall be based on a detailed restoration plan, which must be submitted to and approved by the Municipality including the estimated cost of this reclamation.
  - ii. The objective of pit restoration is to achieve an appropriate and productive after use of the disturbed site. Depending on the area involved, this normally consists of some combination

- of the following: smoothing and contouring slopes, restoring subsoil and topsoil, and re-vegetating.
- iii. Restoration should be recognized as an integral part of extraction, and should be included in pre-excitation planning. As part of this process a practical after-use should be selected as early as is possible. Factors to consider include: pit location and characteristics, availability of topsoil and water, the surrounding area, zoning and similar restrictions, and practicality and cost-effectiveness. The operator, landowner or another individual to whom title to the depleted pit will be transferred (if known), and the municipality should undertake this planning jointly.
  - iv. Progressive restoration, in which depleted sections of a pit are restored while extraction is ongoing in other sections of the same pit, is encouraged, particularly for large pits.
  - v. Post-excitation ownership of a pit or the restorative procedures and designated after-use which will be required by the municipality may be in substantial doubt prior to and during excavation. Where this is the case, it may be advisable for the operator to delay intensive restoration or designation of any unusual or highly specialized after-use until final agreements are reached. This does not reduce the necessity for basic environmental protection and restoration during excavation to ensure public safety, slope stability, overburden management, drainage, and erosion and weed control. Similarly, progressive restoration should not be delayed where the designated after-use does not require intensive restoration (e.g. an unimproved wildlife area).
  - vi. Rehabilitative earthwork normally should include the covering of bare rock and subsoil. Non-usable or nonsalable materials, including overburden, screenings and rocks, should be placed in the pit bottom. Re-contoured slopes generally should be no steeper than 4:1 where reasonably attainable and consistent with surrounding terrain and planned after use.
  - vii. Topsoil should be applied to newly re-contoured slopes to a minimum depth of 5 cm to 10 cm.
  - viii. Re-vegetation as soon as possible following re-contouring is the best way to stabilize slopes, control weeds, minimize erosion and promote an aesthetic and productive after use.
  - ix. The most essential aspect of re-vegetation is rapid establishment of a ground cover. Grasses are usually the best species for doing this. Fertilizers, including manure, will enhance growth. Spreading of slash on re-contoured slopes will speed natural re-vegetation.
  - x. Underwater slopes should have a gentle grade where wildlife are to be encouraged.
  - xi. The operator should restore, in a mutually agreeable manner, access and haul roads constructed by the operator and considered unnecessary by the final land owner.
  - xii. Restoration normally should be finished within three years of completing excavation.
- i) The extraction operator and any person who hauls the sand, gravel or aggregate shall be required to enter a road maintenance agreement with the municipality.
  - j) The extraction operator must report the amount of sand, gravel or aggregate extracted by December 15 of each year or the end of the hauling season whichever comes first.
  - k) To ensure performance of the operator in accordance with the above provisions, Council shall require the extraction operator to provide a performance guarantee, subject to the following:
    - i. The guarantee shall be equal to the estimated cost of reclamation as stated in the application and accepted by Council.
    - ii. The guarantee may take the form of cash, performance bond, irrevocable letter of credit or other form acceptable to Council.
    - iii. Arrangements will be made for the guarantee to remain in effect for six months beyond the termination of the extraction, restoration and road maintenance agreements relating to the operation, to allow a discovery period by the municipality.

- iv. Any performance bond which forms a part or all the performance guarantee shall be renewed thirty (30) days before its date of expiry. Failure to provide written confirmation of renewal may lead to the municipality requiring a payout of the performance bond.
- l) An approval of an extraction development shall be for a maximum period of five years and may be renewed at the discretion of Council providing the requirements of this Bylaw continue to be met and the applicant can provide evidence that progressive reclamation has occurred.

### **5.5 CLEAN FILL**

Notwithstanding other provisions of this Bylaw, Clean Fill operations are subject to the following development standards:

- a) Development and site maintenance shall be in accordance with all federal and provincial requirements.
- b) In addition to the public notification provisions for discretionary uses contained in this Bylaw, Council shall require that the application be circulated to property owners adjacent to the proposed haul roads, other than Provincial Highways, to obtain public input on the proposed site;
- c) Sites should be directed to locations that would:
  - i. permit an excavated area to be reclaimed, and
  - ii. allow for inter-municipal or regional use;
- d) Adequate precautions shall be taken to prevent pollution of ground water by the disposal operations;
- e) Sites shall have regard for adjacent land uses and shall be:
  - i. located adjacent to and serviced by an all-weather road;
  - ii. located near a provincial highway;
  - iii. located a minimum of 305 m from a country residence or from the closest common site line for an undeveloped country residential site; and
  - iv. located a minimum of 215 m from a farmstead or agricultural residence from the closest common site line for an undeveloped agricultural residential site.
- f) When all landowners located within the above noted separation distance are in written agreement, the strict application of the separation distances may be relaxed at the discretion of Council.
- g) No excavation, stockpiling or structures shall be permitted within 46 m of the centre line of any highway or municipal road, or municipal right of way;
- h) No materials processing shall be permitted within 46 m of any site line not adjacent to a highway or municipal road or municipal right of way.
- i) The operator shall make every attempt to locate material storage and processing activities within the site to provide a visual barrier and to attenuate noise from adjacent residential sites.
- j) A buffer strip containing trees, shrubs or a berm shall be located surrounding a disposal area;
- k) No material is to be deposited within 30 m of the bank of any river or watercourse;
- l) The site shall be:
  - i. fenced and gated with a locking gate;
  - ii. appropriately staffed and no unsupervised access to the site shall be permitted;
  - iii. signed to identify hours of operation and acceptable clean fill materials permitted on site; and
  - iv. if required by Council, landscaped to the satisfaction of Council;

- m) The owner of the land and the site operator shall be required to enter a Development Agreement to ensure the site complies with all relevant requirements of this Bylaw including the appropriate restoration of the site.
- n) A restoration plan must be submitted to and approved by the municipality including an estimate of the cost of reclamation. The following guidelines shall be followed in the preparation of a restoration plan:
  - i. The objective of site restoration is to achieve an appropriate and productive after use of the disturbed site. Depending on the area involved, this normally consists of some combination of the following: smoothing and contouring slopes, restoring subsoil and topsoil, and re-vegetating.
  - ii. Restoration should be recognized as an integral part of extraction, and should be included in pre-excavation planning. As part of this process a practical after-use should be selected as early as is possible. Factors to consider include: site location and characteristics, availability of topsoil and water, the surrounding area, zoning and similar restrictions, and practicality and cost-effectiveness. The operator, landowner or other individual to whom title to the site will be transferred (if known), and the municipality should undertake this planning jointly.
  - iii. Progressive restoration, in which sections of a site are restored while operations are ongoing in other sections of the same site, is encouraged, particularly for large sites.
  - iv. Post-excavation ownership of a site or the restorative procedures and designated after-use which will be required by the municipality may be in substantial doubt prior to and during operations. Where this is the case, it may be advisable for the operator to delay intensive restoration or designation of any unusual or highly specialized after-use until final agreements are reached. This does not reduce the necessity for basic environmental protection and restoration during excavation to ensure public safety, slope stability, overburden management, drainage, and erosion and weed control. Similarly, progressive restoration should not be delayed where the designated after-use does not require intensive restoration (e.g. an unimproved wildlife area).
  - v. Rehabilitative earthwork normally should include the covering of bare rock and subsoil. Non-usable or nonsalable materials, including overburden, screenings and rocks, should be placed in the pit bottom. Re-contoured slopes generally should be no steeper than 4:1 where reasonably attainable and consistent with surrounding terrain and planned after use.
  - vi. Topsoil should be applied to newly re-contoured slopes to a minimum depth of 5 cm to 10 cm.
  - vii. Re-vegetation as soon as possible following re-contouring is the best way to stabilize slopes, control weeds, minimize erosion and promote an aesthetic and productive after use.
  - viii. The most essential aspect of re-vegetation is rapid establishment of a ground cover. Grasses are usually the best species for doing this. Fertilizers, including manure, will enhance growth. Spreading of slash on re-contoured slopes will speed natural re-vegetation.
  - ix. Underwater slopes should have a gentle grade where wildlife are to be encouraged.
  - x. The operator should restore, in a mutually agreeable manner, access and haul roads constructed by the operator and considered unnecessary by the final land owner.
  - xi. Restoration normally should be finished within three years of completing operations.
- o) The site operator and any person who hauls clean fill may be required to enter a road maintenance agreement; and
- p) Council may require financial assurance as per Section 3 (20) to guarantee adherence to the above noted agreements subject to the following.

- i. The guarantee shall be equal to the estimated cost of reclamation as stated in the application and accepted by Council.
  - ii. The guarantee may take the form of cash, performance bond, irrevocable letter of credit or other form acceptable to Council.
  - iii. Arrangements will be made for the guarantee to remain in effect for six months beyond the termination of mineral extraction, restoration and road maintenance agreements relating to the operation, to allow a discovery period by the municipality.
  - iv. Any performance bond which forms a part or all the performance guarantee shall be renewed thirty (30) days before its date of expiry. Failure to provide written confirmation of renewal may lead to the municipality requiring a payout of the performance bond.
- q) An approval of a clean fill development shall be for a maximum period of two years and may be renewed at the discretion of Council providing the requirements of this Bylaw continue to be met.

### **5.6 INTENSIVE LIVESTOCK OPERATIONS**

Notwithstanding other provisions of this Bylaw, Intensive Livestock Operations (ILO) are subject to the following development standards:

- a) An application for an ILO shall conform to the regulations provided within The Agricultural Operations Act.
- b) The applicant shall be responsible for submitting a site plan and detailed written information for applications for a new ILO and the expansion of an existing ILO including the following:
  - i. the size and type of facility;
  - ii. a sketch plan showing the location of existing and proposed buildings and the distance from the development site to every residence within 1.6 km;
  - iii. the number and type of animals including identification of any risks of disease;
  - iv. manure storage and disposal strategies including identification of all land application parcels intended to host the disposal;
  - v. identification of surface water and residential development on or adjacent to the parcels intended for hosting the disposal of manure;
  - vi. copies of any of written agreements with land owners for all parcels intended to host the disposal of manure where the parcels are not controlled by the operator;
  - vii. identification of the location of potentially affected surface and groundwater sources on and adjacent to the site including distance measurements to these watercourses;
  - viii. identification of the reason for this site being selected including what characteristics exist that makes it suitable for hosting the operation as well as a brief discussion of the potential conflicts associated with the operation in addition to any actions to be taken to minimize these effects on adjacent land uses;
  - ix. servicing requirements associated with the operation including but not limited to road upgrades and availability of adequate water sources; and
  - x. type, volume and frequency of traffic associated with the transportation of animals, food, products and manure to and from the site.
- c) As a condition of approval, the Council shall specify the maximum number of animal units for which the approval is made, specify land which may or may not be used for the disposal or storage of manure from an ILO to minimize potential land use conflicts with neighbouring uses and may require execution of a development agreement to formalize these conditions.
- d) Council will consider an approval in conjunction with the location separation criteria provided within the RM of Blucher No. 343 Official Community Plan.

- e) The ILO operator must re-submit the documentation noted in subsection 9 (ii) for Council's approval should any aspect of the operation change including the maximum number of animal units or the land which may or may not be used for the disposal or storage of manure.

### **5.7 MANURE DISPOSAL**

Notwithstanding other provisions of this Bylaw, Manure Disposal is subject to the following development standards:

- a) Liquid manure shall be spread by direct injection.
- b) Solid manure shall be incorporated into the soil within 24 hours.
- c) Manure shall not be spread on ground that is frozen or covered in frost or snow.
- d) Upon application to Council, other procedures for disposal of manure may be approved where the applicant establishes to the satisfaction of Council that they are consistent with the objectives and policies in the Official Community Plan.
- e) Council may specify a limited time during which the approval will be valid.
- f) Council may exempt, in whole or in part, an applicant from this section where adverse weather conditions prevent the incorporation of manure, in which case spreading of manure will be allowed until weather conditions permit incorporation.

### **5.8 SECONDARY SUITES**

Notwithstanding other provisions of this Bylaw, Secondary Suites are subject to the following development standards:

- a) No person shall construct or cause to be constructed, a secondary suite within a principal, single detached residential dwelling unit unless otherwise permitted within this Bylaw.
- b) The minimum floor area of the secondary suite shall not be less than 35m<sup>2</sup>.
- c) The maximum number of bedrooms for a secondary suite is two (2).
- d) The resident owner of the principal single detached residential dwelling unit shall sign and submit a statutory declaration stating that he/she is the resident of the principal dwelling unit and occupancy of the principal dwelling unit by the owner shall be a condition of a development permit for a secondary suite.
- e) A secondary suite shall be developed in such a manner that the exterior of the principal residential dwelling unit containing the secondary suite shall appear as a single dwelling.
- f) A secondary suite must have an entrance separate from the entrance to the principal residential dwelling unit, either from a common indoor landing or directly from the side or rear of the building.
- g) A secondary suite shall not be subject to separation from the principal residential dwelling unit through a condominium conversion or subdivision.
- h) A minimum of one (1) off-street parking space shall be provided for the exclusive use of the secondary suite.
- i) A secondary suite shall be connected to utility services (e.g. gas, power, water, sewage disposal) or the principal residential dwelling unit, where possible.
- j) A secondary suite shall not jeopardize the existing utility services associated with either the principal residential dwelling unit on the same parcel or neighbouring parcels.
- k) The secondary shall not:
  - i. unduly interfere with the amenities or change the character of the neighbourhood;
  - i. materially interfere with or affect the use and enjoyment of adjacent properties;
  - ii. adversely impact upon the environment; or
  - iii. result in excessive demand on municipal services, utilities or municipal roadway access.

- l) Only one of a secondary suite, garden suite or secondary residential dwelling unit may be developed in conjunction with a principal single detached residential dwelling unit.
- m) A secondary suite shall not be developed within a principal single detached residential dwelling unit dwelling containing an accommodation service, home based business – bed and breakfast or a community care facility.
- n) A secondary suite shall only be located on a parcel or site deemed to be a safe building site.
- o) In developing a secondary suite, the owner shall comply with all relevant requirements of the National Building Code. The issuance of a development permit does not relieve the applicant of the requirement to comply with the *National Building Code*.
- p) Council shall place any additional conditions for approval deemed necessary to secure the objectives of this Bylaw.

### **5.9 GARDEN SUITES**

Notwithstanding other provisions of this Bylaw, Garden Suites are subject to the following development standards:

- a) Evidence shall be provided by the applicant to the Municipality that the occupant(s) of the garden suite require care and support provided by the residents of the principal residential dwelling unit, or are required to provide care and support to residents of the principal residential dwelling unit.
- b) The floor area of a detached garden suite shall not be less than 35 m<sup>2</sup> and not greater than 111 m<sup>2</sup> constructed on grade without a basement.
- c) The maximum height of a detached garden suite shall not exceed 5 m and shall have only one story.
- d) A garden suite shall only be located on a site where it can be serviced by existing utilities.
- e) The garden suite shall not:
  - i. unduly interfere with the amenities or change the character of the neighborhood;
  - ii. materially interfere with or affect the use and enjoyment of adjacent properties;
  - iii. adversely impact upon the environment; or
  - iv. result in excessive demand on municipal services, utilities or municipal roadway access.
- f) Any approval of a garden suite shall be for a maximum period of four years and may be renewed at the discretion of Council providing the requirements of this Bylaw continue to be met.
- g) An applicant shall be required to enter a development agreement with the Municipality to ensure the garden suite complies with all relevant requirements of this Bylaw including the provision of financial security, to be held by the Municipality, equal to the cost of removing the garden suite.
- h) A mobile home shall only be approved as a garden suite in agricultural districts and shall be no greater in size than 113 m<sup>2</sup>.
- i) Council shall place any additional conditions for approval deemed necessary to secure the objectives of this Bylaw.

### **5.10 SOLID AND LIQUID WASTE DISPOSAL FACILITIES**

Notwithstanding other provisions of this Bylaw, Solid and Liquid Waste Disposal Facilities are subject to the following development standards:

- a) Development and site maintenance shall be in accordance with provincial environmental and health regulations;
- b) A buffer strip containing trees, shrubs or a berm shall be located surrounding a disposal area;
- c) A solid or liquid waste disposal facility shall be fenced;

- d) Adequate precautions shall be taken to prevent pollution of ground water by disposal operations;
- e) Solid waste disposal facilities shall be in proximity to a provincial highway and adjacent to an all-weather road;
- f) The development of any new disposal sites shall take into consideration direction of prevailing winds.

## 6 ZONING DISTRICTS

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For the purposes of this Bylaw, The Rural Municipality of Blucher No. 343 is divided into the following Zoning Districts, the boundaries of which are shown on the map entitled, “Zoning District Map”. Such districts may be referred to by the appropriate symbols.

<b>Symbols</b>	<b>District</b>
A	Agricultural
AR	Agricultural Residential
MDR	Medium Density Residential
HDR	High Density Residential
H	Hamlet
MH	Mobile Home Park
C	Highway Commercial
B	Business
IL	Light Industrial
IH	Heavy Industrial
RD	Reservoir Development

Unless otherwise shown on the map, the boundaries of the said districts are site lines, centre lines of streets, lands, roads or such lines extended and the boundaries of the municipality.

# SCHEDULE A: A- AGRICULTURAL DISTRICT

The intent of the Agricultural District is to support the use of land for agricultural purposes and related activities.

## 1. Principal Uses

In the A – Agricultural District, only the following uses and their respective accessory uses shall be permitted. Discretionary uses and their respective accessory uses may be permitted, but only by resolution of Council and only in locations and with development standards specified by Council in accordance with this Bylaw.

1. Principal Permitted Uses	2. Principal Discretionary Uses
<ul style="list-style-type: none"> <li>a) Field crops, bee keeping, animal and poultry raising, ranching, grazing, and other similar uses customarily carried out in the field of general agriculture, including the sale on the agricultural holding, of any produce grown or raised on the agricultural holding, but not including intensive agriculture or agricultural support use</li> <li>b) Historical and archeological site</li> <li>c) Home occupation</li> <li>d) Public utilities</li> <li>e) Radio, television and microwave tower</li> <li>f) Research facilities</li> <li>g) Single parcel residential uses existing prior to the passage of this Bylaw to which a development permit has been previously issued</li> <li>h) Wildlife and conservation management areas</li> </ul>	<ul style="list-style-type: none"> <li>a) Airports or private air strip</li> <li>b) Clean fill</li> <li>c) Equestrian facility</li> <li>d) Fruit, vegetable and produce stands or roadside store</li> <li>e) Home based business <sup>(1)</sup></li> <li>f) Intensive agriculture uses</li> <li>g) Kennel <sup>(1)</sup></li> <li>h) Manure disposal <sup>(2)</sup></li> <li>i) Places of worship and ancillary hall</li> <li>j) Recreational uses – including sports fields, golf courses, tourist camp grounds, parks and other similar uses</li> <li>k) Sand or gravel development</li> <li>l) Secondary suite <sup>(1)</sup></li> <li>m) Solid or liquid waste disposal facility <sup>(3)</sup></li> <li>n) Veterinary clinics and animal hospitals as a home-based business</li> </ul>

- (1) For the purposes of this District, establishment of a home-based business, a secondary suite or a kennel is contingent upon the establishment of an accessory farmstead residence on agricultural holding.
- (2) Refers to the use of land for disposal of manure associated with an intensive livestock operation located in another jurisdiction.
- (3) Excludes a transfer station owned and operated by the Municipality.

## 2. Accessory Uses

The following accessory uses are permitted:

- a) Buildings, structures or uses secondary to, and located on the same site with a permitted use.
- b) A maximum of two (2) farmstead residential single detached dwelling units or mobile homes on a permanent foundation are permitted as an accessory use to the principal agricultural use.
- c) Additional single detached dwellings or mobile homes required to accommodate full-time workers engaged in the principal agricultural use of the land will be permitted, subject to a resolution of Council.
- d) Dormitory dwelling(s) will be permitted, as required, to accommodate full-time workers engaged in a principal agricultural use of the land.

- e) Where multiple accessory farmstead residences are considered on a single agricultural holding, the residences must be located on the agricultural holding to enable the potential future application of the Agricultural Residential District yard requirements.
- f) The temporary confinement of livestock on an agricultural holding, in numbers and densities that correspond to those in Intensive Livestock Operations, during the period of November 1 – April 30 as part of a permitted use mixed farm operation.

**3. Site Area Regulations:**

Minimums	Agricultural Uses	Intensive Agricultural Uses
Site Area (ha)	Minimum – 64.0 <sup>(1)(2)(3)(4)</sup> Or Equivalent	Minimum – 4.0 <sup>(4)</sup> Maximum – 16.2 <sup>(4)</sup>
Site Frontage (m)	N/A	100.0
Yard, Front (m)	45.0 <sup>(5)(6)(7)</sup>	45.0 <sup>(5)(6)(7)</sup>
Yard, Rear (m)	15.0 <sup>(7)</sup>	15.0 <sup>(7)</sup>
Yard, Side (m)	15.0 <sup>(5)(7)</sup>	15.0 <sup>(5)(7)</sup>

- (1) Or equivalent, which shall mean 64 ha or such lesser amount as remains in an agricultural holding because of the registration of road widening, road right-of-way or railway plans or pipeline development, or natural features such as streams or bodies of water, or because of subdivision, as permitted herein.
- (2) Any site that does not conform to the minimum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed in the Land Titles Office prior to the coming into force of this Bylaw.
- (3) A site with an area less than that required under (1) may be subdivided for agricultural purposes based on a recommendation of Council.
- (4) Except that the minimum or maximum site area may be amended depending on existing physical circumstances, i.e. natural (river, creek, coulee, etc.) or man-made (roadway, railway, etc.) barriers.
- (5) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.
- (6) The minimum front yard is measured from the center line of any municipal road allowance, municipal grid road, main farm access road, or provincial highway, or such greater distance as required by the Ministry of Highways and Infrastructure.
- (7) The yard requirements shall not apply to any public utility or recreational use.

**4. Supplementary Regulations**

- a) Kennel(s) shall not be located closer than 305 m from any dwelling unit not owned by the owner of the kennel(s).
- b) In addition to the development standards for Manure Disposal, the following addition standards shall apply in the Agricultural District:
  - i. Liquid manure shall be spread by direct injection into the soil;
  - ii. Solid manure shall be incorporated into the soil within 24 hours;
  - iii. Solid or liquid manure shall not be spread on snow covered or frozen ground;
  - iv. The Development Officer may exempt, in whole, or in part, an applicant from these requirements where adverse weather conditions prevent the incorporation of manure, in which case spreading of manure will be allowed until weather conditions permit incorporation.

**5. Supplementary Regulations for Highway 316 Concept Plan Area**

- a) Development of A – Agricultural zoned sites which are designated for future industrial, business, or commercial use within the Highway 316 Concept Plan are subject to the following additional regulations:
  - i. Unless otherwise stated, only the principal permitted uses defined herein shall apply to these lands.
  - ii. No new residential development shall be permitted.
  - iii. Clean fill and sand and gravel development shall be considered at the discretion of Council where the use is temporary or is intended to prepare the site for its future use.

## SCHEDULE B: AR- AGRICULTURAL RESIDENTIAL DISTRICT

The Agricultural Residential District is intended support the subdivision of large lot residential parcels in areas where agriculture remains the predominant use.

### 1. Principal Uses

In the AR – Agricultural Residential District, only the following uses and their respective accessory uses shall be permitted. Discretionary uses and their respective accessory uses may be permitted, but only by resolution of Council and only in locations and with development standards specified by Council in accordance with this Bylaw.

1. Principal Permitted Uses	2. Principal Discretionary Uses
<ul style="list-style-type: none"> <li>a) Home occupation</li> <li>b) Mobile home</li> <li>c) Public utilities</li> <li>d) Radio, television and microwave tower</li> <li>e) Single detached dwelling unit</li> </ul>	<ul style="list-style-type: none"> <li>a) Bed and breakfast home <sup>(1)</sup></li> <li>b) Cemetery</li> <li>c) Clean fill</li> <li>d) Community centre</li> <li>e) Day care centre <sup>(1)</sup></li> <li>f) Equestrian facility</li> <li>g) Family child care home <sup>(1)</sup></li> <li>a) Fruit, vegetable and produce stands or roadside stores as a home-based business</li> <li>h) Garden suite <sup>(1)</sup></li> <li>i) Home based business <sup>(1)</sup></li> <li>j) Kennel <sup>(1)</sup></li> <li>k) Libraries, museums, and cultural facilities</li> <li>l) Neighborhood recycling collection depot</li> <li>m) Places of worship and ancillary hall</li> <li>n) Pre-schools, schools, and other educational facilities</li> <li>o) Recreational uses – including sports fields, golf courses, tourist camp grounds, parks and other similar uses</li> <li>p) Residential care facility <sup>(1)</sup></li> <li>q) Sand or gravel development</li> <li>r) Secondary suite <sup>(1)</sup></li> <li>s) Veterinary clinic or animal hospital</li> </ul>

(1) For the purposes of this District, a bed and breakfast home, daycare, family child or residential care facility, home based business, equestrian facility, garden, secondary suite or a kennel shall only be considered as an accessory use; but only where the principal residence has first been established on the site.

### 2. Accessory Uses

The following accessory uses are permitted:

- a) Buildings, structures or uses secondary to and located on the same site with the principal are permitted, including:
  - i. Garages, whether detached or attached to a dwelling unit;
  - ii. Garden sheds used for the storage of non-industrial yard maintenance equipment;

- iii. Greenhouses;
- iv. Barns and stables associated with the keeping of animals as permitted in this District;
- v. Small scale agricultural uses, not including intensive agricultural uses.

**3. Site Area Regulations:**

- a) Density Requirements
  - i. A maximum of 3 sites shall be permitted in any quarter section.

Minimums	All Uses
Site Area (ha)	Minimum – 4.04 <sup>(1)(2)</sup> Maximum – 8.09 <sup>(1)(2)</sup>
Site Frontage (m)	100.0
Yard, Front (m)	45.0 <sup>(3)(5)</sup>
Yard, Rear (m)	15.0 <sup>(5)</sup>
Yard, Side (m)	15.0 <sup>(4)(5)</sup>

- (1) Any site that does not conform to the site area requirements shall be deemed conforming with regard to site area, provided that a registered title for the site existed in the Land Titles Office prior to the coming into force of this Bylaw.
- (2) Except that the minimum or maximum site area may be amended depending on existing physical circumstances, i.e. natural (river, creek, coulee, etc.) or man-made (roadway, railway, etc.) barriers.
- (3) The minimum front yard is measured from the center line of any municipal road allowance, municipal grid road, main farm access road, or provincial highway, or such greater distance as required by the Ministry of Highways and Infrastructure.
- (4) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.
- (5) The yard requirements shall not apply to any public utility, radio, television or microwave tower or recreational use.

**4. Keeping of Animals**

- a) Two (2) large animals (horses or cows) will be permitted per hectare of site area.
- b) Birds and small animals to be limited in numbers to the proportional per animal equivalent as defined by the Pollution (By Livestock) Control Act.
- c) Animals shall not be pastured within 15 m of any dwelling not owned by the owner of the animals and no buildings or structures intended to contain birds or animals shall be located within in 30 m of a dwelling or 15 m of a property line.

## SCHEDULE C: MDR- MEDIUM DENSITY RESIDENTIAL DISTRICT

The Medium Density Residential District is intended to accommodate a medium density form of country residential development where the primary purpose is to provide land and buildings for human occupation and residential focused activities.

### 1. Principal Uses

In the MDR – Medium Density Residential District, only the following uses and their respective accessory uses shall be permitted. Discretionary uses and their respective accessory uses may be permitted, but only by resolution of Council and only in locations and with development standards specified by Council in accordance with this Bylaw.

1. Principal Permitted Uses	2. Principal Discretionary Uses
<ul style="list-style-type: none"> <li>a) Home occupation</li> <li>b) Mobile home</li> <li>c) Public utilities</li> <li>d) Single detached dwelling unit</li> </ul>	<ul style="list-style-type: none"> <li>a) Bed and breakfast home <sup>(1)</sup></li> <li>b) Community centre</li> <li>c) Day care centre <sup>(1)</sup></li> <li>d) Family child care home <sup>(1)</sup></li> <li>e) Garden suite <sup>(1)</sup></li> <li>f) Home based business <sup>(1)</sup></li> <li>g) Neighbourhood recycling collection depot</li> <li>h) Pre-schools, schools, and other educational facilities</li> <li>i) Recreational uses – including sports fields, golf courses, tourist camp grounds, parks and other similar uses</li> <li>j) Radio, television and microwave tower</li> <li>k) Residential care facility <sup>(1)</sup></li> <li>l) Secondary suite <sup>(1)</sup></li> </ul>

(1) For the purposes of this District, establishment of a bed and breakfast home, day care centre, family child or residential care home, garden suite, home-based business, garden suite or a secondary suite shall only be considered following the establishment of the principal residence.

### 2. Accessory Uses

The following accessory uses are permitted:

- a) Buildings, structures or uses secondary to and located on the same site with the principal are permitted, including:
  - i. Garages, whether detached or attached to a dwelling unit;
  - ii. Garden sheds used for the storage of non-industrial yard maintenance equipment;
  - iii. Greenhouses;
  - iv. Barns and stables;
  - v. Small scale agricultural uses, not including intensive agricultural uses.

### 3. Site Area Regulations:

- a) Density Requirements
  - ii. A minimum of 5 sites and a maximum of 15 sites shall be permitted in any quarter section.

b) Site Area

Minimums	Residential Uses	All Other Uses
Site Area (ha)	Minimum – 2.0 <sup>(1)</sup> Maximum – 8.10 <sup>(1)</sup>	Minimum – 222.0 m <sup>(1)</sup>
Site Frontage (m)	30.0 <sup>(1)</sup>	15.0 <sup>(1)</sup>
Yard, Front (m)	45.0 <sup>(2)(3)</sup>	6.0 <sup>(2)(3)(4)</sup>
Yard, Rear (m)	3.0	4.5 <sup>(4)</sup>
Yard, Side (m)	3.0 <sup>(3)</sup>	3.0 <sup>(3)(4)</sup>

- (1) Any site which does not conform to the site area requirements or minimum frontage requirement shall be deemed to be a conforming site if a Certificate of Title existed in the Land Titles Office prior to the coming into force of this Bylaw.
- (2) The minimum front yard is measured from the center line of any municipal road allowance, municipal grid road, main farm access road, or provincial highway, or such greater distance as required by the Ministry of Highways and Infrastructure. Where a site fronts on an internal subdivision road with a posted speed limit of 50 kph or less, a minimum 15 m front yard setback applies.
- (3) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.
- (4) The yard requirements shall not apply to any public utility, radio, television, or microwave tower or recreational use.

**4. Supplementary Regulations**

- a) The maximum cumulative floor area of all detached accessory buildings shall not exceed the greater of 111.5 m<sup>2</sup> or the cumulative total developed residential floor area of the principal dwelling.
- b) No outside storage shall be permitted in any yard abutting a road.
- c) Outside storage located in the rear or side yard shall be screened by landscaping or vegetation so it is not visible from a road or abutting property.
- d) A maximum of one (1) large animal (horses or cows) maybe kept on any site for every hectare of site area.
- e) The keeping of birds and small animals shall be limited to the proportional equivalent per animal unit as determined by the regulations prescribed in The Pollution (By Livestock) Control Act.
- f) Animals shall not be pastured within 15 m of any dwelling not owned by the owner of the animals and no animals shall be housed within 30 m of a dwelling or within 15 m of a property line.
- g) The use of a vacant residential site for pasturing animals is prohibited.

## SCHEDULE D: HDR- HIGH DENSITY RESIDENTIAL DISTRICT

The High Density Residential District is intended to accommodate a high density form of country residential development where the primary purpose is to provide land and buildings for human occupation and residential focused activities.

### 1. Principal Uses

In the HDR – High Density Residential District, only the following uses and their respective accessory uses shall be permitted. Discretionary uses and their respective accessory uses may be permitted, but only by resolution of Council and only in locations and with development standards specified by Council in accordance with this Bylaw.

1. Principal Permitted Uses	2. Principal Discretionary Uses
a) Home occupation	a) Bed and breakfast home <sup>(1)</sup>
b) Mobile home	b) Community centre
c) Public utilities	c) Day care centre <sup>(1)</sup>
d) Single detached dwelling unit	d) Family child care home <sup>(1)</sup>
	e) Garden suite <sup>(1)</sup>
	f) Home based business <sup>(1)</sup>
	g) Neighbourhood recycling collection depots
	h) Pre-schools, schools, and other educational facilities
	i) Recreational uses – including sports fields, golf courses, tourist camp grounds, parks and other similar uses
	j) Radio, television and microwave tower
	k) Residential care facility <sup>(1)</sup>
	l) Secondary suite <sup>(1)</sup>

(1) For the purposes of this District, establishment of a bed and breakfast home, day care centre, family child or residential care home, garden suite, home-based business, garden suite or a secondary suite shall only be considered following the establishment of the principal residence.

### 2. Accessory Uses

The following accessory uses are permitted:

- a) Buildings, structures or uses secondary to and located on the same site with the principal are permitted, including:
  - i. Garages, whether detached or attached to a dwelling unit;
  - ii. Garden sheds used for the storage of non-industrial yard maintenance equipment;
  - iii. Greenhouses;
  - iv. Barns and stables;
  - v. Small scale agricultural uses, not including intensive agricultural uses.

### 3. Site Area Regulations:

- a) Density Requirements
  - i. A maximum of 40 sites shall be permitted in any quarter section.

b) Site Area

Minimums	Residential Uses	All Other Uses
Site Area (ha)	Minimum – 0.61 <sup>(1)</sup> Maximum – 8.10 <sup>(1)</sup>	Minimum – 222.0 m <sup>(1)</sup>
Site Frontage (m)	30.0 <sup>(1)</sup>	15.0 <sup>(1)</sup>
Yard, Front (m)	45.0 <sup>(2)(3)</sup>	6.0 <sup>(2)(3)(4)</sup>
Yard, Rear (m)	3.0	4.5 <sup>(4)</sup>
Yard, Side (m)	3.0 <sup>(3)</sup>	3.0 <sup>(3)(4)</sup>

- (1) Any site which does not conform to the site area requirements or minimum frontage requirement shall be deemed to be a conforming site if a Certificate of Title existed in the Land Titles Office prior to the coming into force of this Bylaw.
- (2) The minimum front yard is measured from the center line of any municipal road allowance, municipal grid road, main farm access road, or provincial highway, or such greater distance as required by the Ministry of Highways and Infrastructure. Where a site fronts on an internal subdivision road with a posted speed limit of 50 kph or less, a minimum 15 m front yard setback applies.
- (3) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.
- (4) The yard requirements shall not apply to any public utility, radio, television, or microwave tower or recreational use.

**4. Supplementary Regulations**

- a) The maximum cumulative floor area of all detached accessory buildings shall not exceed the greater of 111.5 m<sup>2</sup> or the cumulative total developed residential floor area of the principal dwelling.
- b) No outside storage shall be permitted in any yard abutting a road.
- c) Outside storage located in the rear or side yard shall be screened by landscaping or vegetation so it is not visible from a road or abutting property.
- d) A maximum of one (1) large animal (horses or cows) maybe kept on any site for every hectare of site area.
- e) The keeping of birds and small animals shall be limited to the proportional equivalent per animal unit as determined by the regulations prescribed in The Pollution (By Livestock) Control Act.
- f) Animals shall not be pastured within 15 m of any dwelling not owned by the owner of the animals and no animals shall be housed within 30 m of a dwelling or within 15 m of a property line.
- g) The use of a vacant residential site for pasturing animals is prohibited.

## SCHEDULE E: H- HAMLET DISTRICT

The intent of the H – Hamlet District is to provide for a variety of compatible land uses in established Hamlets.

### 1. Principal Uses

In the H – Hamlet District, only the following uses and their respective accessory uses shall be permitted. Discretionary uses and their respective accessory uses may be permitted, but only by resolution of Council and only in locations and with development standards specified by Council in accordance with this Bylaw.

1. Principal Permitted Uses	2. Principal Discretionary Uses
<ul style="list-style-type: none"> <li>a) Home occupation</li> <li>b) Outdoor recreational uses</li> <li>c) Public utilities</li> <li>d) Single detached dwelling unit</li> <li>e) Semi-detached dwelling unit</li> <li>f) Secondary suite</li> </ul>	<ul style="list-style-type: none"> <li>a) Bed and breakfast home <sup>(1)</sup></li> <li>b) Community centre</li> <li>c) Day care centre <sup>(1)</sup></li> <li>d) Emergency facility</li> <li>e) Establishments for the servicing, storage and sale of motor vehicles, farm machinery and equipment</li> <li>f) Family child care home <sup>(1)</sup></li> <li>g) Garden suite <sup>(1)</sup></li> <li>h) General Industry I</li> <li>i) Grain elevator</li> <li>j) Home based business <sup>(1)</sup></li> <li>k) Hotel and motel</li> <li>l) Libraries, museums, historical, cultural facilities</li> <li>m) Mobile home</li> <li>n) Neighbourhood recycling collection depot</li> <li>o) Places of worship and ancillary halls</li> <li>p) Pre-schools, schools and other educational facilities</li> <li>q) Private club</li> <li>r) Radio, television and microwave tower</li> <li>s) Recreational use</li> <li>t) Residential care facility <sup>(1)</sup></li> <li>u) Restaurants and confectionary</li> <li>v) Retail store</li> <li>w) Secondary suite</li> <li>x) Solid or liquid waste disposal facility</li> <li>y) Special needs housing</li> </ul>

(1) For the purposes of this District, establishment of a bed and breakfast home, day care centre, family child or residential care home, garden suite, home-based business, garden suite or a secondary suite shall only be considered following the establishment of the principal residence.

### 2. Accessory Uses

- a) Buildings, structures or uses secondary to and located on the same site with the principal building or use.

### 3. Site Area Regulations

Minimums	All Uses
Site Area (m <sup>2</sup> )	Minimum - 222.0 <sup>(1)</sup>
Site Frontage (m)	15.0 <sup>(1)</sup>
Yard, Front (m)	6.0 <sup>(2)(4)</sup>
Yard, Rear (m)	6.0 <sup>(2)(4)</sup>
Yard, Side (m)	1.5 <sup>(3)(4)</sup>

- (1) Any site which does not conform to the site area or minimum frontage requirements shall be deemed to be a conforming site if a Certificate of Title existed in the Land Titles Office prior to the coming into force of this Bylaw
- (2) The minimum front yard is measured from the center line of any municipal road allowance, municipal grid road, main farm access road, or provincial highway, or such greater distance as required by the Ministry of Highways and Infrastructure.
- (3) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.
- (4) The yard requirements shall not apply to any public utility, radio, television, or microwave tower or recreational use.

### 4. Supplementary Regulations

- a) Pumps and other devices associated with establishments for servicing, storage and sale of motor vehicles, farm machinery and equipment shall be located at least 6 m from the any street, lot line, or road, and all automobile parts, dismantled vehicles and similar articles shall be stored within a building or located in a side or rear yard which shall be suitably screened to the satisfaction of Council.
- b) No outside storage shall be permitted in any yard abutting a road.
- c) Outside storage located in the rear or side yard shall be screened by landscaping or vegetation so it is not visible from a road or abutting property.

# SCHEDULE F: MH- MOBILE HOME DISTRICT

The intent of the MH – Mobile Home Park District is to provide the opportunity for the development of mobile home parks.

## 1. Principal Uses

In the MH – Mobile Home Park District, only the following uses shall be permitted. Discretionary uses and their respective accessory uses may be permitted, but only by resolution of Council and only in locations and with development standards specified by Council in accordance with this Bylaw.

1. Principal Permitted Uses	2. Principal Discretionary Uses
<ul style="list-style-type: none"> <li>a) Home occupation</li> <li>b) Mobile home</li> <li>c) Outdoor recreational use</li> <li>d) Public utilities</li> </ul>	<ul style="list-style-type: none"> <li>a) Community centre</li> <li>b) Confectionary</li> <li>c) Day care centre</li> <li>d) Emergency facilities</li> <li>e) Family child care home <sup>(1)</sup></li> <li>f) Home based business <sup>(1)</sup></li> <li>g) Neighbourhood recycling collection depot</li> <li>h) Pre-schools, schools and other educational facilities</li> <li>i) Recreational uses</li> <li>j) Residential care facility <sup>(1)</sup></li> </ul>

(1) For the purposes of this District, establishment of a day care centre, family child or residential care home or home based business shall only be considered following the establishment of the principal residence.

## 2. Accessory Uses

- a) Buildings, structures or uses secondary to and located on the same site with the principal building or use.

## 3. Site Area Regulations

- a) General Regulations:
  - i. No accessory building shall be placed in any front yard.
  - ii. A minimum of 10 percent of the total of the mobile home park shall be set aside as open space for use by the park residents.
  - iii. All roadways in a mobile home park shall have a minimum 12-meter right-of-way and the roadway shall be hard-surfaced and well drained.
- b) Site Regulations

Minimums	All uses
Site Area (ha)	Minimum – 4.05 <sup>(4)</sup>
Site Frontage (m)	15.0
Yard, Front (m)	4.5 <sup>(1)(2)</sup>
Yard, Rear (m)	4.5 <sup>(1)</sup>
Yard, Side (m)	10 % of lot width <sup>(1)(3)</sup>

- (1) The yard requirements shall not apply to any public utility, municipal facility, or recreational use.
- (2) The minimum front yard is measured from the center line of any municipal road allowance, municipal grid road, main farm access road, or provincial highway, or such greater distance as required by the Ministry of Highways and Infrastructure.
- (3) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.

- c) Any mobile home park developed after the date of adoption of this Bylaw shall be developed in accordance with the following requirements:
- i. Each mobile home space in a mobile home park shall:
    - a. abut an internal road and have a driveway with a minimum width of 4.5 m;
    - b. be clearly defined on the ground by permanent markers and permanently addressed with a number; and
    - c. have a minimum area of 240 m<sup>2</sup> with a minimum mean width of 9 m;
    - d. be provided with a mobile home stand upon which a mobile home may be suitably installed, and each stand shall be located:
      - i. a minimum of 5 m from any adjacent mobile home stand;
      - ii. a minimum of 3 m from any park boundary;
      - iii. a minimum of 3 m from any internal road;
      - iv. a minimum of 15 m from any mobile home stand or permanent park structure located on the opposite side of a park street.
  - ii. A minimum of 10 percent of the total area of a mobile home park shall be provided in a suitable location for the recreational use and the enjoyment of the park occupants.
  - iii. A mobile home park shall be provided with adequate internal roadways, street lighting and other utility services to the satisfaction of the RM's Development Officer.

# SCHEDULE G: C- HIGHWAY COMMERCIAL DISTRICT

The intent of the C – Highway Commercial District is to provide for a broad range of retail and service related businesses serving the travelling public and local populations focused along major transportation routes.

## 1. Principal Uses

In the C – Highway Commercial District, only the following uses shall be permitted. Discretionary uses and their respective accessory uses may be permitted, but only by resolution of Council and only in locations and with development standards specified by Council in accordance with this Bylaw.

1. Principal Permitted Uses	2. Principal Discretionary Uses
<ul style="list-style-type: none"> <li>a) Agricultural support service <sup>(1)</sup></li> <li>b) Auction mart <sup>(2)</sup></li> <li>c) Commercial storage</li> <li>d) Establishments for the servicing, storage, and sale of motor vehicles, marine and farm equipment and machinery, car wash establishments</li> <li>e) Hotels and motels</li> <li>f) Nurseries, greenhouses, and veterinary clinics</li> <li>g) Office or professional use</li> <li>h) Personal care service business</li> <li>i) Public utilities</li> <li>j) Research facility</li> <li>k) Restaurant and confectionary</li> <li>l) Retail store</li> </ul>	<ul style="list-style-type: none"> <li>a) Caretaker or security residence <sup>(5)</sup></li> <li>b) Manufacturing establishment <sup>(3)</sup></li> <li>c) Neighbourhood recycling and collection depot</li> <li>d) Solid or liquid waste disposal facilities</li> <li>e) Warehousing supply and distribution facility</li> <li>f) Welding, machine shops, and metal fabricating <sup>(4)</sup></li> </ul>

- (1) For the purposes of this district agricultural support services shall be limited to uses involving the storage, sale or distribution of substantially processed agricultural goods or agricultural related services.
- (2) For the purposes of this district an auction mart shall not include the storage or sales of livestock.
- (3) For the purposes of this district, a manufacturing establishment shall be limited to final product assembly and all production activities shall be completely contained within the principal or accessory building.
- (4) For the purposes of this district, all production related activity associated with welding, machine shops, and metal fabricating shall be fully contained within the principal or accessory building.
- (5) For the purposes of this district, a caretaker or security residence shall only be considered where it is deemed to be accessory to another principal use

## 2. Accessory Uses

- a) Buildings, structures or uses secondary to and located on the same site with the principal building or use.

## 3. Site Area Regulations

Minimums	Principal Permitted or Discretionary Uses
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Site Area (m <sup>2</sup> )	Minimum – 1,114.8 <sup>(1)(4)</sup>
Site Frontage (m)	30.5 <sup>(1)(4)</sup>
Yard, Front (m)	45.7 <sup>(2)(3)(4)</sup>
Yard, Rear (m)	10 % of the depth of the side <sup>(4)</sup>
Yard, Side (m)	3.0 <sup>(3)(4)</sup>

- (1) Any site which does not conform to the site area or minimum frontage requirements shall be deemed to be a conforming site if a Certificate of Title existed in the Land Titles Office prior to the coming into force of this Bylaw.
- (2) The minimum front yard is measured from the center line of any municipal road allowance, municipal grid road, main farm access road, or provincial highway, or such greater distance as required by the Ministry of Highways and Infrastructure.
- (3) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.
- (4) The yard requirements shall not apply to a public utility.

#### **4. Supplementary Regulations**

- a) No operation or activity associated with any use in the C – Highway Commercial District shall be permitted which would create a nuisance extending beyond the site boundary in terms of light, noise, dust or odour.
- b) Fuel pumps or fuel storage shall be located at least 6 m from any street, lot line, or road, and all automobile parts, dismantled vehicles and similar articles shall be stored within a building or located in a side or rear yard which shall be suitably screened to the satisfaction of Council.

#### **5. Landscaping and Screening**

- a) Prior to the issuance of a development permit for any permitted or discretionary use within a C – Commercial District, the applicant shall be required to submit a landscape plan with a schedule of completion which is satisfactory to the Development Officer and prepared in compliance with the Commercial, Business, and Industrial Landscape Standards contained herein.
- b) In addition to the Commercial, Business, and Industrial Landscape Standards, where a commercial site abuts a residential site, a fully landscaped and vegetated buffer shall be constructed to provide a full visual separation between the sites.

#### **6. Wastewater Disposal**

- a) Unless otherwise provided in this Bylaw, wastewater disposal shall be managed exclusively through the installation of a sewage holding tank where a development is intending to utilize a private onsite wastewater disposal system.
- b) Approval of any alternative form of private onsite wastewater disposal may only be considered where the applicant can provide written confirmation that the method of disposal has been approved by the applicable provincial regulatory agency.

## SCHEDULE H: B – BUSINESS DISTRICT

The intent of the B – Business District is to provide for a broad range of businesses and small scale industrial uses where outdoor storage and processing of raw and unfinished goods is not required and which have a low probability to generate emissions that extend beyond the site boundaries.

### 1. Principal Uses

In the B – Business District, only the following uses shall be permitted. Discretionary uses and their respective accessory uses may be permitted, but only by resolution of Council and only in locations and with development standards specified by Council in accordance with this Bylaw.

1. Principal Permitted Uses	2. Principal Discretionary Uses
<ul style="list-style-type: none"> <li>a) Agricultural support service <sup>(1)</sup></li> <li>b) Commercial greenhouse</li> <li>c) Commercial storage facilities</li> <li>d) Establishments for the servicing, storage, and sale of motor vehicles, marine and farm equipment and machinery, car wash establishment</li> <li>e) Hotels and motels</li> <li>f) Nurseries and greenhouse</li> <li>g) Office or Professional use</li> <li>h) Public utilities</li> <li>i) Research facility</li> <li>j) Restaurant and confectionary</li> <li>k) Veterinary clinic</li> <li>l) Warehousing supply and distribution</li> <li>m) Wholesale</li> <li>n) Recycling depot</li> </ul>	<ul style="list-style-type: none"> <li>a) Architectural, engineering and related services</li> <li>b) Auction mart <sup>(2)</sup></li> <li>c) Caretaker or security residences <sup>(3)</sup></li> <li>d) Contractor or construction yard <sup>(4)</sup></li> <li>e) Food Processing</li> <li>f) General Industry I</li> <li>g) Manufacturing establishment <sup>(5)</sup></li> <li>h) Solid and liquid waste disposal facilities</li> <li>i) Welding, machine shops, and metal fabricating <sup>(6)</sup></li> </ul>

- (1) For the purposes of this district, agricultural support services shall be limited to uses involving the storage, sale or distribution of substantially processed agricultural goods or services.
- (2) For the purposes of this district, an auction mart shall not include the storage or sales of livestock.
- (3) For the purposes of this district, a caretaker or security residence shall only be considered where it is deemed to be accessory to another principal use.
- (4) For the purposes of this district, a contractor or construction yard shall be limited to the onsite storage of materials, mobile equipment or vehicles normally associated with contractor services.
- (5) For the purposes of this district, a manufacturing establishment shall be limited to final product assembly and all production activities shall be completely contained within the principal or accessory building.
- (6) For the purposes of this district, all production related activity associated with this use shall be fully contained within the principal or accessory building.

### 2. Accessory Uses

- a) Buildings, structures or uses secondary to and located on the same site with the principal building or use.

### 3. Site Area Regulations

Minimums	Principal Permitted or Discretionary Uses
Site Area (ha)	Minimum – 0.4 <sup>(1)(4)</sup>
Site Frontage (m)	30.5 <sup>(1)(4)</sup>
Yard, Front (m)	45.7 <sup>(2)(4)</sup>
Yard, Rear (m)	10 % of the depth of the side <sup>(4)</sup>
Yard, Side (m)	3.0 <sup>(3)(4)</sup>

- (1) Any site which does not conform to the site area or minimum frontage requirements shall be deemed to be a conforming site if a Certificate of Title existed in the Land Titles Office prior to the coming into force of this Bylaw.
- (2) The minimum front yard is measured from the center line of any municipal road allowance, municipal grid road, main farm access road, or provincial highway, or such greater distance as required by the Ministry of Highways and Infrastructure.
- (3) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.
- (4) The yard requirements shall not apply to a public utility.

#### 4. Supplementary Regulations

- a) Fuel pumps or fuel storage shall be located at least 6 m from any street, lot line, or road, and all automobile parts, dismantled vehicles and similar articles shall be stored within a building or located in a side or rear yard which shall be suitably screened to the satisfaction of Council.

#### 5. Landscaping and Screening

- a) Prior to the issuance of a development permit for any permitted or discretionary use within a B – Business District, the applicant shall be required to submit a landscape plan with a schedule of completion which is satisfactory to the Development Officer and prepared in compliance with the Commercial, Business, and Industrial Landscape Standards contained herein.

#### 6. Wastewater Disposal

- a) Unless otherwise provided in this Bylaw, wastewater disposal shall be managed exclusively through the installation of a sewage holding tank where a development is intending to utilize a private onsite wastewater disposal system.
- b) Approval of any alternative form of private onsite wastewater disposal may only be considered where the applicant is able to provide written confirmation that the method of disposal has been approved by the applicable provincial regulatory agency.

# SCHEDULE I: LI- LIGHT INDUSTRIAL DISTRICT

The intent of the LI – Light Industrial District is to provide for a broad range of medium scale industrial uses, requiring limited outdoor storage and processing of raw and unfinished goods and which on occasion may generate emissions that extend beyond the site boundaries.

## 1. Principal Uses

In the LI – Light Industrial District, only the following uses shall be permitted. Discretionary uses and their respective accessory uses may be permitted, but only by resolution of Council and only in locations and with development standards specified by Council in accordance with this Bylaw.

1. Principal Permitted Uses	2. Principal Discretionary Uses
<ul style="list-style-type: none"> <li>a) Agricultural support service</li> <li>b) Architectural, engineering and related services</li> <li>c) Auction marts</li> <li>d) Bulk fertilizer or fuel storage and sales</li> <li>e) Commercial storage</li> <li>f) Establishments for the servicing, storage, and sale of motor vehicles, marine and farm equipment and machinery, car wash establishments</li> <li>g) General industry I</li> <li>h) Manufacturing establishment</li> <li>i) Nurseries and greenhouses</li> <li>j) Public utilities</li> <li>k) Recycling depot</li> <li>l) Research facilities</li> <li>m) Retail store</li> <li>n) Veterinary clinic</li> <li>o) Warehousing supply and distribution</li> <li>p) Wholesale</li> <li>q) Welding, machine shops, and metal fabricating</li> </ul>	<ul style="list-style-type: none"> <li>a) Caretaker or security residences</li> <li>b) Contractor or construction yard</li> <li>c) Food processing</li> <li>d) Outdoor storage yards</li> <li>e) Petroleum products and storage yards, coal yards, and gravel yards</li> <li>f) Solid or liquid waste disposal facilities</li> <li>g) Trucking and logistics industry</li> </ul>

## 2. Accessory Uses

- a) Buildings, structures or uses secondary to and located on the same site with the principal building or use.

## 3. Site Area Regulations

Minimums	Principal Permitted or Discretionary Uses
Site Area (ha)	Minimum – 2.0 <sup>(1)(4)</sup>
Site Frontage (m)	30.5 <sup>(1)(4)</sup>
Yard, Front (m)	45.7 <sup>(2)(4)</sup>
Yard, Rear (m)	10 % of the depth of the side <sup>(4)</sup>
Yard, Side (m)	4.0 <sup>(3)(4)</sup>

- (1) Any site which does not conform to the site area or minimum frontage requirements shall be deemed to be a conforming site if a Certificate of Title existed in the Land Titles Office prior to the coming into force of this Bylaw.
- (2) The minimum front yard is measured from the center line of any municipal road allowance, municipal grid road, main farm access road, or provincial highway, or such greater distance as required by the Ministry of Highways and Infrastructure.
- (3) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.
- (4) The yard requirements shall not apply to a public utility.

#### **4. Supplementary Regulations**

- a) Fuel pumps or fuel storage shall be located at least 6 m from any street, lot line, or road, and all automobile parts, dismantled vehicles and similar articles shall be stored within a building or located in a side or rear yard which shall be suitably screened to the satisfaction of Council.

#### **5. Landscaping and Screening**

- a) Prior to the issuance of a development permit for any permitted or discretionary use within a LI – Light Industrial District, the applicant shall be required to submit a landscape plan with a schedule of completion which is satisfactory to the Development Officer and prepared in compliance with the Commercial, Business, and Industrial Landscape Standards contained herein.

#### **6. Wastewater Disposal**

- a) Unless otherwise provided in this Bylaw, wastewater disposal shall be managed exclusively through the installation of a sewage holding tank where a development is intending to utilize a private onsite wastewater disposal system.
- b) Approval of any alternative form of private onsite wastewater disposal may only be considered where the applicant can provide written confirmation that the method of disposal has been approved by the applicable provincial regulatory agency.

# SCHEDULE J: HI- HEAVY INDUSTRIAL DISTRICT

The intent of the HI – Heavy Industrial District is to provide for a broad range of large scale industrial uses, some of which requiring outdoor storage and processing of raw and unfinished goods and which exhibit a high potential to generate emissions that extend beyond the site boundaries.

## 1. Principal Uses

In the HI – Heavy Industrial District, only the following uses shall be permitted. Discretionary uses and their respective accessory uses may be permitted, but only by resolution of Council and only in locations and with development standards specified by Council in accordance with this Bylaw.

1. Principal Permitted Uses	2. Principal Discretionary Uses
<ul style="list-style-type: none"> <li>a) Abattoir</li> <li>b) Agricultural support service</li> <li>c) All permitted and discretionary uses provided in the Light Industrial District</li> <li>d) Cement plant</li> <li>e) Contractor or construction yard</li> <li>f) Food processing</li> <li>g) General Industry II</li> <li>h) Heavy manufacturing</li> <li>i) Junk yard or auto wrecker</li> <li>j) Outdoor storage yard</li> <li>k) Petroleum products and storage yard, coal yard, and gravel yard</li> <li>l) Public utilities</li> <li>m) Railyard and ancillary functions</li> <li>n) Trucking and logistics Industry</li> <li>o) Welding, machine shops, and metal fabricating</li> </ul>	<ul style="list-style-type: none"> <li>a) Caretaker or security residences</li> <li>b) Chemical manufacture, processing or storage</li> <li>c) Rendering plant</li> <li>d) Solid or liquid waste disposal facilities</li> </ul>

## 2. Accessory Uses

- a) Buildings, structures or uses secondary to and located on the same site with the principal building or use.

## 3. Site Area Regulations

Minimums	Principal Permitted or Discretionary Uses
Site Area (m <sup>2</sup> )	Minimum – 2.0 <sup>(1)(4)</sup>
Site Frontage (m)	30.5 <sup>(1)(4)</sup>
Yard, Front (m)	45.7 <sup>(2)(4)</sup>
Yard, Rear (m)	10 % of the depth of the side <sup>(4)</sup>
Yard, Side (m)	4.0 <sup>(3)(4)</sup>

(1) Any site which does not conform to the site area or minimum frontage requirements shall be deemed to be a conforming site if a Certificate of Title existed in the Land Titles Office prior to the coming into force of this Bylaw.

- (2) The minimum front yard is measured from the center line of any municipal road allowance, municipal grid road, main farm access road, or provincial highway, or such greater distance as required by the Ministry of Highways and Infrastructure.
- (3) Where a side yard abuts a municipal road allowance or provincial highway, the front yard requirements shall apply.
- (4) The yard requirements shall not apply to a public utility.

#### **4. Specific Development Standards for Permitted Uses**

- a) Fuel pumps or fuel storage shall be located at least 6 m from any street, lot line, or road, and all automobile parts, dismantled vehicles and similar articles shall be stored within a building or located in a side or rear yard which shall be suitably screened to the satisfaction of Council.

#### **5. Landscaping and Screening**

- a) Prior to the issuance of a development permit for any permitted or discretionary use within a HI – Heavy Industrial District, the applicant shall be required to submit a landscape plan with a schedule of completion which is satisfactory to the Development Officer and prepared in compliance with the Commercial, Business, and Industrial Landscape Standards contained herein.

#### **6. Wastewater Disposal**

- a) Unless otherwise provided in this Bylaw, wastewater disposal shall be managed exclusively through the installation of a sewage holding tank where a development is intending to utilize a private onsite wastewater disposal system.
- b) Approval of any alternative form of private onsite wastewater disposal may only be considered where the applicant can provide written confirmation that the method of disposal has been approved by the applicable provincial regulatory agency.

# SCHEDULE K: RD – RESERVOIR DISTRICT

The intent of the RD – Reservoir District is to guide development on lands surrounding the Bradwell Reservoir.

## 1. Principal Uses

In the RD – Reservoir Development District, only the following uses and their respective accessory uses shall be permitted. Discretionary uses and their respective accessory uses may be permitted, but only by resolution of Council and only in locations and with development standards specified by Council in accordance with this Bylaw.

1. Principal Permitted Uses	2. Principal Discretionary Uses
a) Field Crops, bee keeping, animal and poultry raising, ranching, grazing, and other similar uses customarily carried out in the field of general agriculture, including the sale on the agricultural holding, of any produce grown or raised on the agricultural holding, but not including intensive agriculture, agricultural support or agricultural commercial uses b) Historical and archeological sites c) Wildlife and conservation management areas	a) Outdoor recreational uses, including tourist campgrounds, outfitters, golf courses and other similar type uses b) Public utilities

## 2. Accessory Uses

- a) Buildings, structures or uses secondary to and located on the same site with the principal building or use.

## 3. Site Area Regulations

- a) The site regulations pertaining to the RD – Reservoir Development District as governed by *The Water Security Agency Act* and any regulations under *the Act*, shall apply to this district. Council will inform prospective developers that an application for development in the RD – Reservoir Development District must be submitted to The Water Security Agency.

## **EFFECTIVE DATE OF THE BYLAW**

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- a) This bylaw shall come into force and effect on the date of final approval by the Minister of Government Relations.
- b) This bylaw repeals Bylaw No. 4-2001 and all subsequent amendments.
- c) Adopted by a majority vote of the Council of the Rural Municipality of Blucher No. 343 this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

d) Council Readings and Adoption:

Read a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Read a third time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_

**Reeve**

\_\_\_\_\_

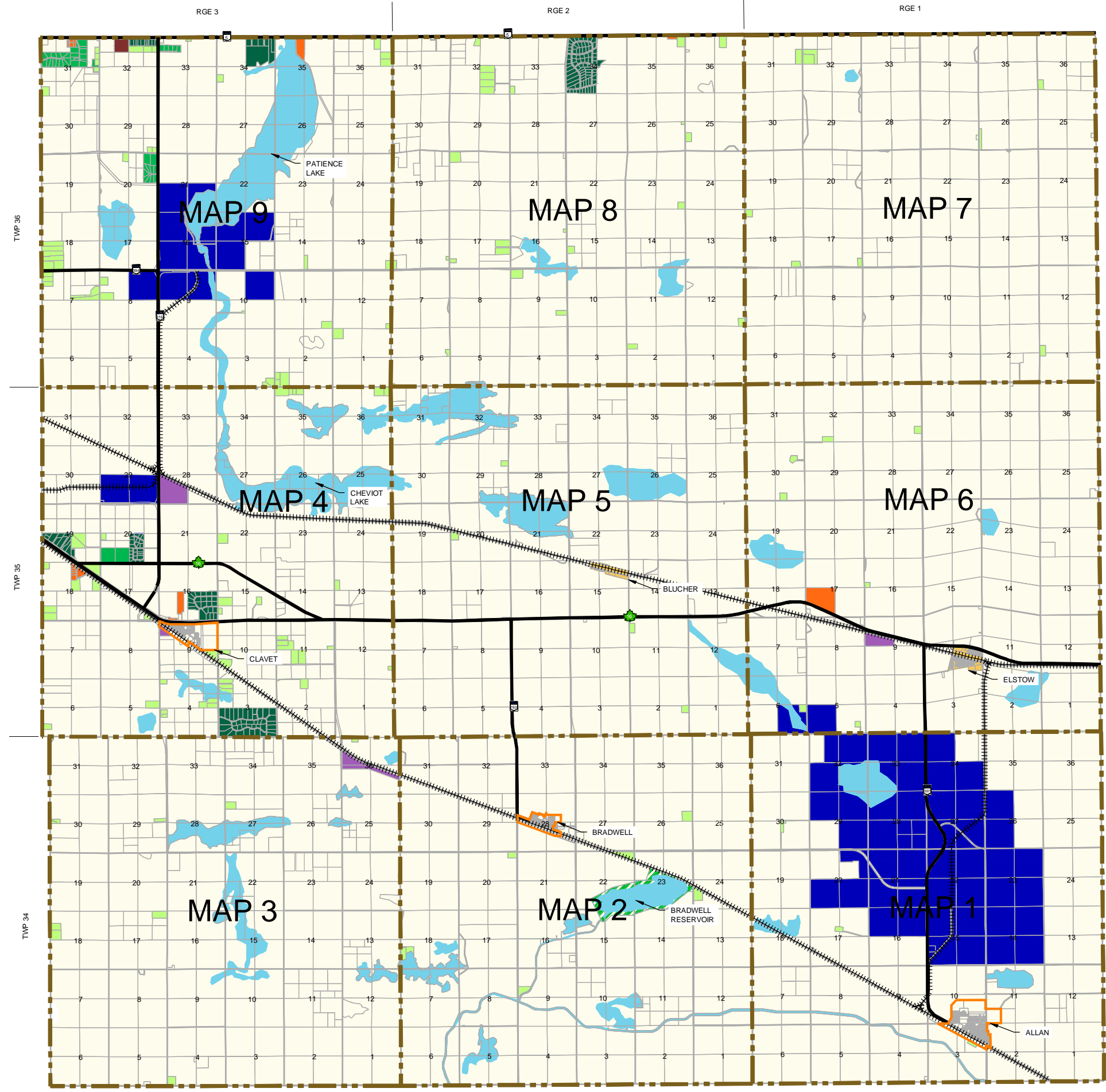
**Administrator**

\_\_\_\_\_

**Bill Delainey, RPP**

IF NOT 25 mm ADJUST SCALES

SCALES SHOWN ARE INTENDED FOR TABLORD (11X17) SIZE DRAWINGS UNLESS NOTED OTHERWISE



### ZONING DISTRICTS

- AR - AGRICULTURAL RESIDENTIAL
- MDR - MEDIUM DENSITY RESIDENTIAL
- HDR - HIGH DENSITY RESIDENTIAL
- H - HAMLET
- MH - MOBILE HOME PARK
- C - COMMERCIAL
- B - BUSINESS
- LI - LIGHT INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- A - AGRICULTURAL
- RD - RESERVOIR DISTRICT
- URBAN BOUNDARY
- PROVINCIAL HIGHWAY
- RAILWAY

THIS IS THE ZONING DISTRICT KEY MAP WHICH ACCOMPANIES BYLAW NUMBER \_\_\_\_\_ ADOPTED BY THE R.M. OF BLUCHER NO. 343.

REEVE \_\_\_\_\_

ADMINISTRATOR \_\_\_\_\_

APPROVED ON THE \_\_\_\_ DAY OF \_\_\_\_\_

MINISTER SASKATCHEWAN GOVERNMENT OF RELATIONS \_\_\_\_\_

### ZONING DISTRICT KEY MAP

RM OF BLUCHER NO. 343  
DIRECTORY MAP

CIVIL  
PLANNING  
SHEET 1 of 10

<b>AE PROJECT No.</b>	20134287-01
<b>SCALE</b>	N.T.S.
<b>APPROVED</b>	B. DELAINEY
<b>DATE</b>	2016NOV18
<b>REV</b>	A
<b>DESCRIPTION</b>	ISSUED FOR REVIEW



**ZONING DISTRICTS**

- AR - AGRICULTURAL RESIDENTIAL
- MDR - MEDIUM DENSITY RESIDENTIAL
- HDR - HIGH DENSITY RESIDENTIAL
- H - HAMLET
- MH - MOBILE HOME PARK
- C - COMMERCIAL
- B - BUSINESS
- LI - LIGHT INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- A - AGRICULTURAL
- RD - RESERVOIR DISTRICT
- URBAN BOUNDARY
- PROVINCIAL HIGHWAY
- RAILWAY

THIS IS THE ZONING DISTRICT KEY MAP WHICH ACCOMPANIES BYLAW NUMBER ADOPTED BY THE R.M. OF BLUCHER NO. 343.

REEVE \_\_\_\_\_

ADMINISTRATOR \_\_\_\_\_

APPROVED ON THE \_\_\_\_ DAY OF \_\_\_\_\_

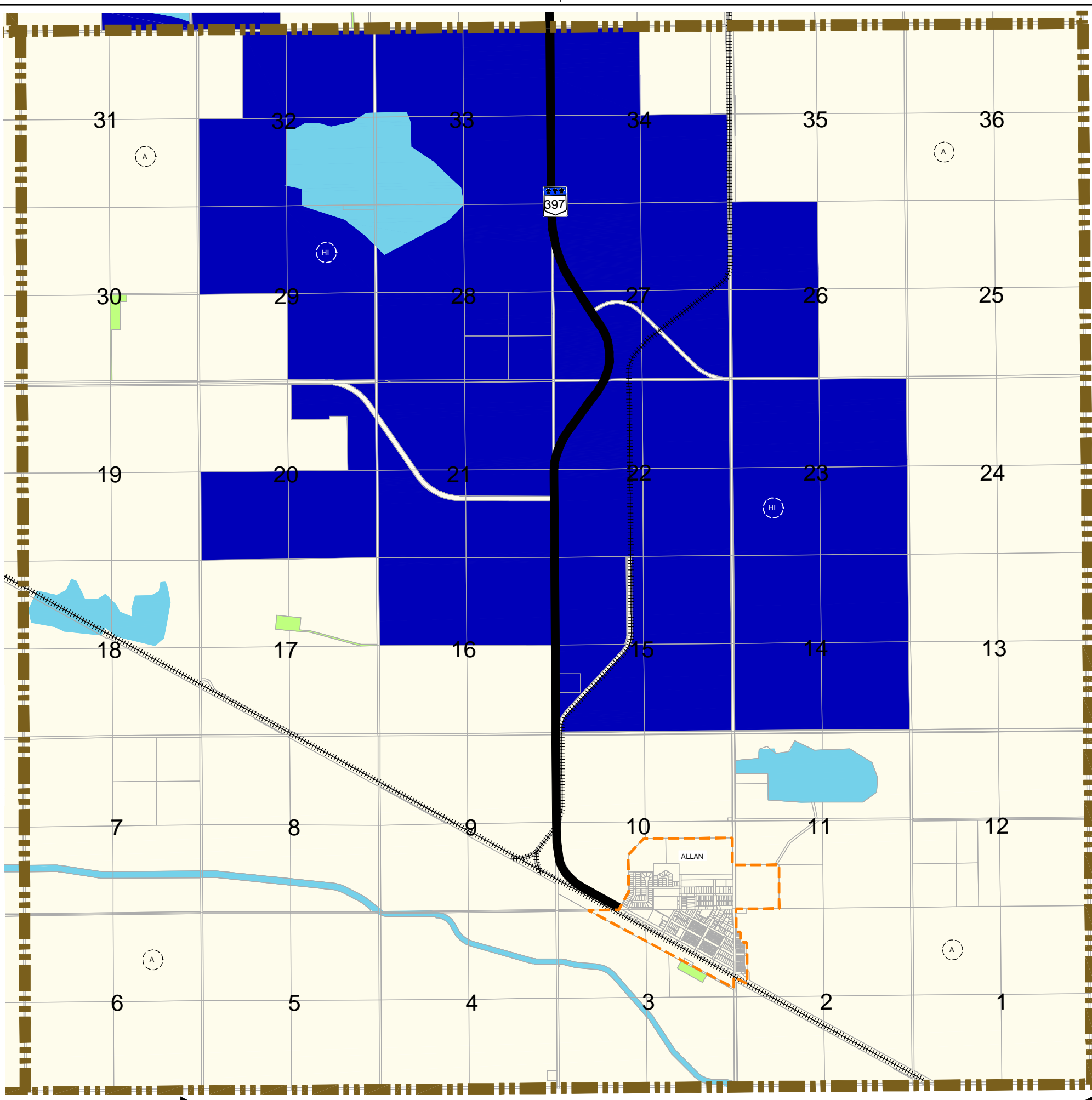
MINISTER  
 SASKATCHEWAN GOVERNMENT OF RELATIONS

**ZONING DISTRICT MAP 1**

RM OF BLUCHER NO. 343  
 TWP 34 - RGE 1 - W3M

CIVIL  
 PLANNING  
 SHEET 2 of 10

<b>AE PROJECT No.</b>	20134287-010
<b>SCALE</b>	1:38000
<b>APPROVED</b>	B. DELAINEY
<b>DATE</b>	2016NOV18
<b>REV</b>	A
<b>DESCRIPTION</b>	ISSUED FOR REVIEW



IF NOT 25 mm ADJUST SCALES  
 SCALES SHOWN ARE INTENDED FOR TABLOID (11x17) SIZE DRAWINGS UNLESS NOTED OTHERWISE



MAP 2 ↑



**ZONING DISTRICTS**

- AR - AGRICULTURAL RESIDENTIAL
- MDR - MEDIUM DENSITY RESIDENTIAL
- HDR - HIGH DENSITY RESIDENTIAL
- H - HAMLET
- MH - MOBILE HOME PARK
- C - COMMERCIAL
- B - BUSINESS
- LI - LIGHT INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- A - AGRICULTURAL
- RD - RESERVOIR DISTRICT
- URBAN BOUNDARY
- PROVINCIAL HIGHWAY
- RAILWAY

THIS IS THE ZONING DISTRICT KEY MAP WHICH ACCOMPANIES BYLAW NUMBER ADOPTED BY THE R.M. OF BLUCHER NO. 343.

REEVE \_\_\_\_\_

ADMINISTRATOR \_\_\_\_\_

APPROVED ON THE \_\_\_\_ DAY OF \_\_\_\_\_

MINISTER  
SASKATCHEWAN GOVERNMENT OF RELATIONS

**ZONING DISTRICT MAP 2**

RM OF BLUCHER NO. 343  
TWP 34 - RGE 2 - W3M

CIVIL  
PLANNING  
SHEET 3 of 10

<b>AE PROJECT No.</b>	20134287-010
<b>SCALE</b>	1:38000
<b>APPROVED</b>	B. DELAINEY
<b>DATE</b>	2016NOV18
<b>REV</b>	A
<b>DESCRIPTION</b>	ISSUED FOR REVIEW



IF NOT 25 mm ADJUST SCALES  
SCALE(S) SHOWN ARE INTENDED FOR TABLOID (11X17) SIZE DRAWINGS UNLESS NOTED OTHERWISE



MAP 3 ↑

MAP 1 ↓



**ZONING DISTRICTS**

- AR - AGRICULTURAL RESIDENTIAL
- MDR - MEDIUM DENSITY RESIDENTIAL
- HDR - HIGH DENSITY RESIDENTIAL
- H - HAMLET
- MH - MOBILE HOME PARK
- C - COMMERCIAL
- B - BUSINESS
- LI - LIGHT INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- A - AGRICULTURAL
- RD - RESERVOIR DISTRICT
- URBAN BOUNDARY
- PROVINCIAL HIGHWAY
- RAILWAY

THIS IS THE ZONING DISTRICT KEY MAP WHICH ACCOMPANIES BYLAW NUMBER ADOPTED BY THE R.M. OF BLUCHER NO. 343.

REEVE \_\_\_\_\_

ADMINISTRATOR \_\_\_\_\_

APPROVED ON THE \_\_\_\_ DAY OF \_\_\_\_\_

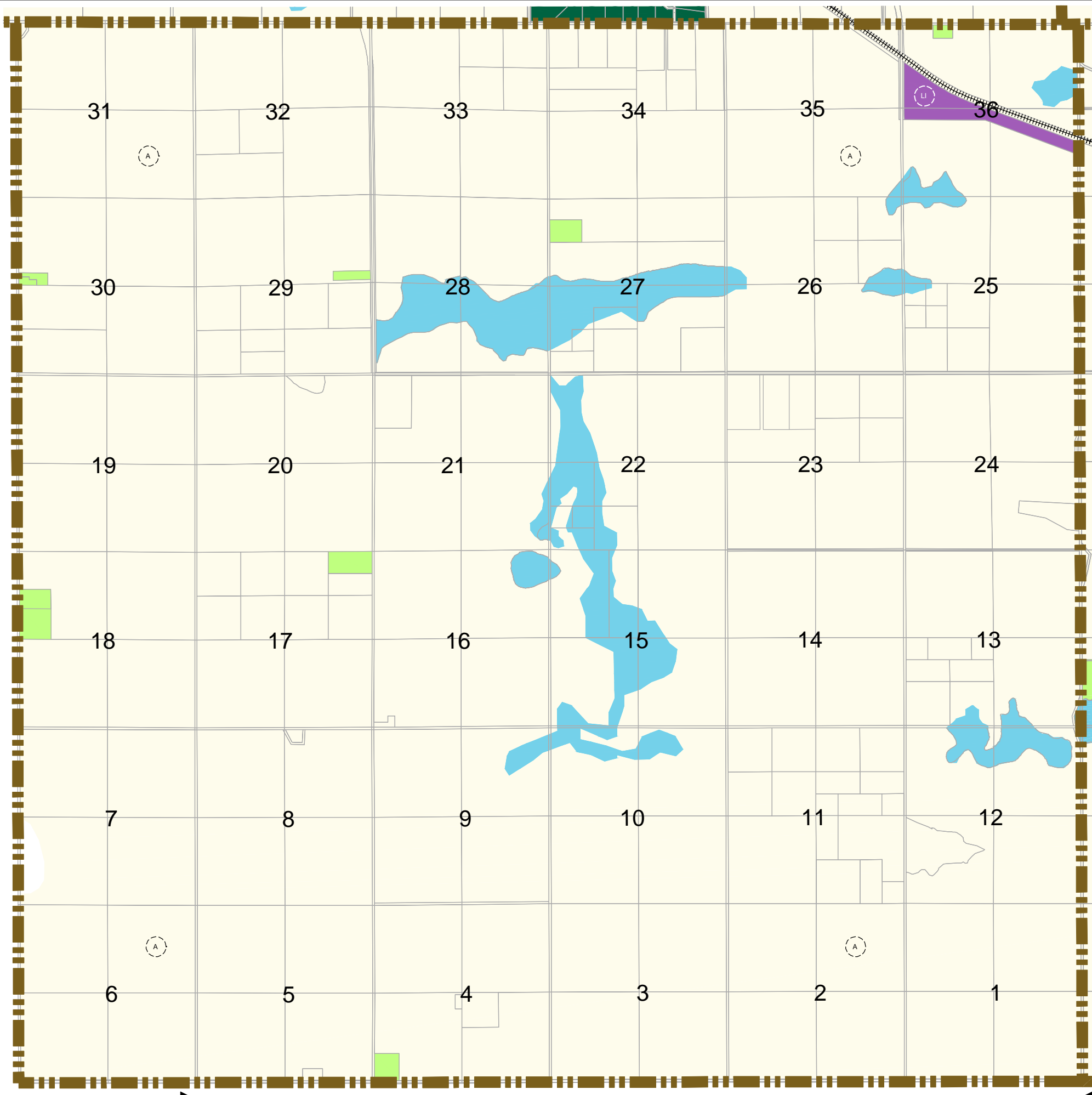
MINISTER  
SASKATCHEWAN GOVERNMENT OF RELATIONS

**ZONING DISTRICT MAP 3**

RM OF BLUCHER NO. 343  
TWP 34 - RGE 3 - W3M

CIVIL  
PLANNING  
SHEET 4 of 10

<b>AE PROJECT No.</b>	20134287-010
<b>SCALE</b>	1:38000
<b>APPROVED</b>	B. DELAINEY
<b>DATE</b>	2016NOV18
<b>REV</b>	A
<b>DESCRIPTION</b>	ISSUED FOR REVIEW



IF NOT 25 mm ADJUST SCALES

SCALE(S) SHOWN ARE INTENDED FOR TABLOID (11X17) SIZE DRAWINGS UNLESS NOTED OTHERWISE

MAP 2 ↓



### ZONING DISTRICTS

- AR - AGRICULTURAL RESIDENTIAL
- MDR - MEDIUM DENSITY RESIDENTIAL
- HDR - HIGH DENSITY RESIDENTIAL
- H - HAMLET
- MH - MOBILE HOME PARK
- C - COMMERCIAL
- B - BUSINESS
- LI - LIGHT INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- A - AGRICULTURAL
- RD - RESERVOIR DISTRICT
- URBAN BOUNDARY
- PROVINCIAL HIGHWAY
- RAILWAY

THIS IS THE ZONING DISTRICT KEY MAP WHICH ACCOMPANIES BYLAW NUMBER \_\_\_\_\_ ADOPTED BY THE R.M. OF BLUCHER NO. 343.

REEVE \_\_\_\_\_

ADMINISTRATOR \_\_\_\_\_

APPROVED ON THE \_\_\_\_ DAY OF \_\_\_\_\_

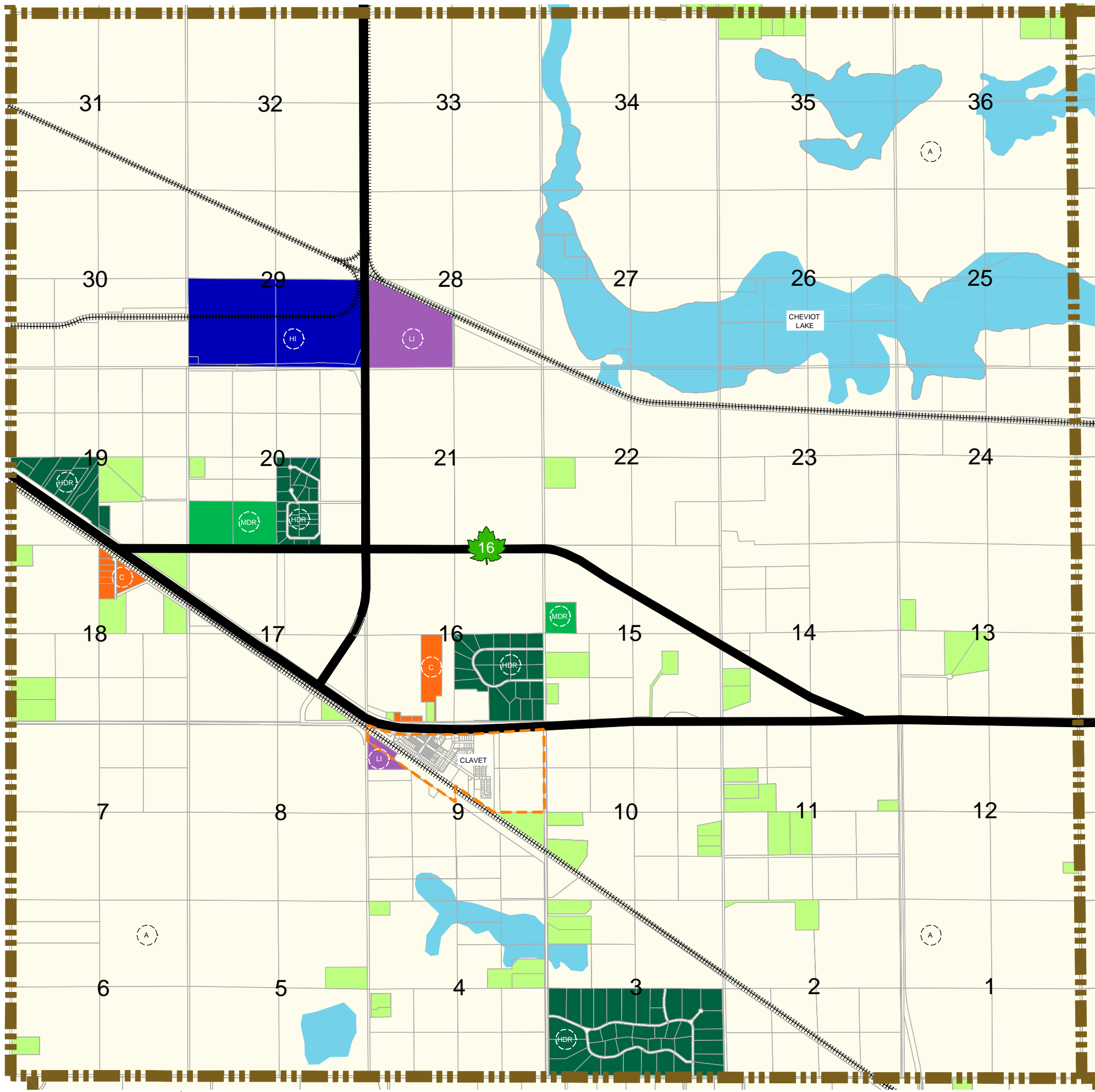
MINISTER  
SASKATCHEWAN GOVERNMENT OF RELATIONS

### ZONING DISTRICT MAP 4

RM OF BLUCHER NO. 343  
TWP 35 - RGE 3 - W3M

CIVIL  
PLANNING  
SHEET 5 of 10

<b>AE PROJECT No.</b>	20134287-010
<b>SCALE</b>	1:38000
<b>APPROVED</b>	B. DELAINEY
<b>DATE</b>	2016NOV18
<b>REV</b>	A
<b>DESCRIPTION</b>	ISSUED FOR REVIEW



IF NOT 25 mm ADJUST SCALES

SCALE(S) SHOWN ARE INTENDED FOR TABLOID (11X17) SIZE DRAWINGS UNLESS NOTED OTHERWISE



MAP 5 ↓



**ZONING DISTRICTS**

- AR - AGRICULTURAL RESIDENTIAL
- MDR - MEDIUM DENSITY RESIDENTIAL
- HDR - HIGH DENSITY RESIDENTIAL
- H - HAMLET
- MH - MOBILE HOME PARK
- C - COMMERCIAL
- B - BUSINESS
- LI - LIGHT INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- A - AGRICULTURAL
- RD - RESERVOIR DISTRICT
- URBAN BOUNDARY
- PROVINCIAL HIGHWAY
- RAILWAY

THIS IS THE ZONING DISTRICT KEY MAP WHICH ACCOMPANIES BYLAW NUMBER \_\_\_\_\_ ADOPTED BY THE R.M. OF BLUCHER NO. 343.

REEVE \_\_\_\_\_

ADMINISTRATOR \_\_\_\_\_

APPROVED ON THE \_\_\_\_ DAY OF \_\_\_\_\_

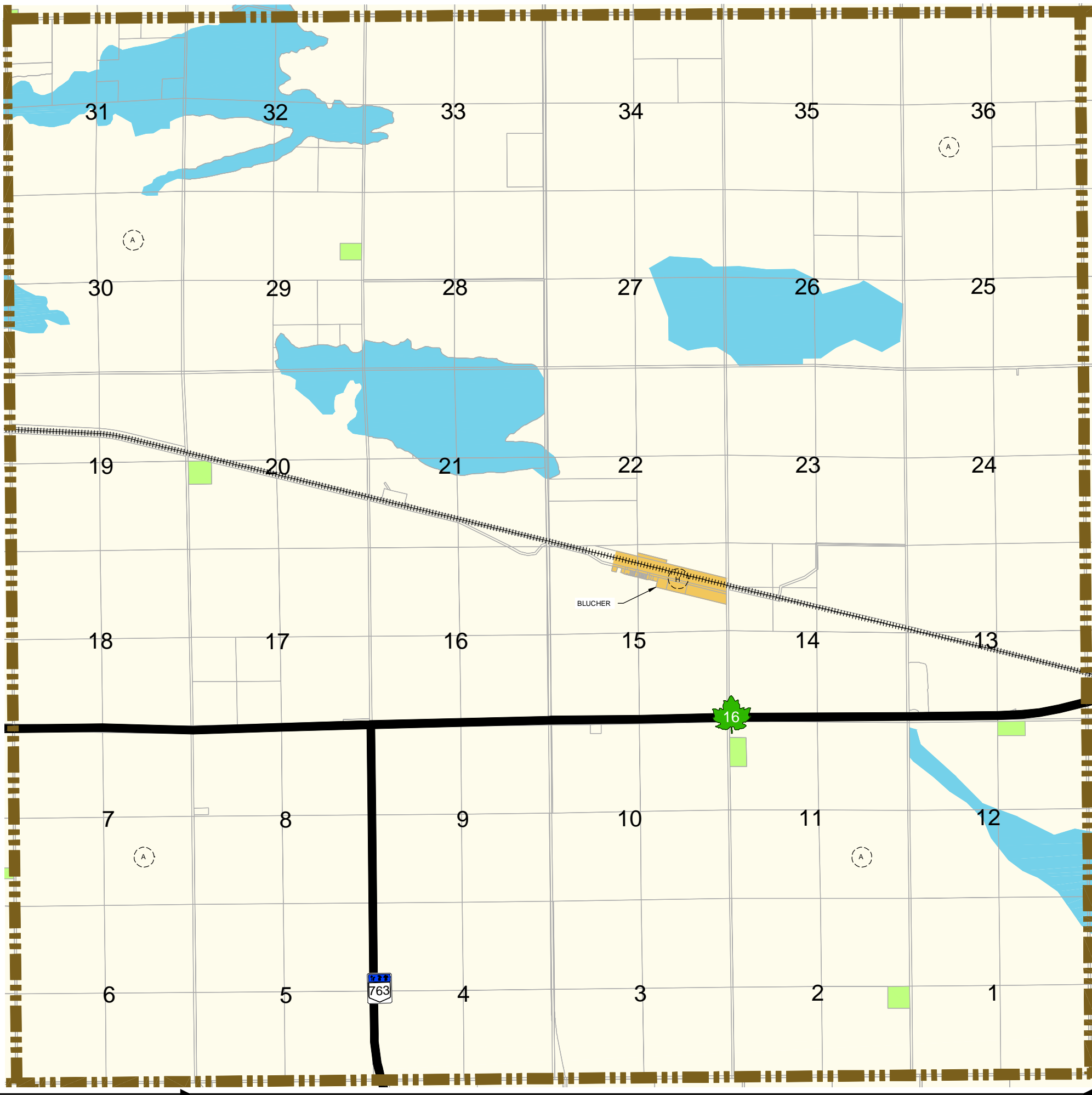
MINISTER  
SASKATCHEWAN GOVERNMENT OF RELATIONS

**ZONING DISTRICT MAP 5**

RM OF BLUCHER NO. 343  
TWP 35 - RGE 2 - W3M

CIVIL  
PLANNING  
SHEET 6 of 10

<b>AE PROJECT No.</b>	20134287-010
<b>SCALE</b>	1:38000
<b>APPROVED</b>	B. DELAINEY
<b>DATE</b>	2016NOV18
<b>REV</b>	A
<b>DESCRIPTION</b>	ISSUED FOR REVIEW



IF NOT 25 mm ADJUST SCALES

SCALES SHOWN ARE INTENDED FOR TABLOID (11X17) SIZE DRAWINGS UNLESS NOTED OTHERWISE



MAP 4 ↑

MAP 6 ↓



**ZONING DISTRICTS**

- AR - AGRICULTURAL RESIDENTIAL
- MDR - MEDIUM DENSITY RESIDENTIAL
- HDR - HIGH DENSITY RESIDENTIAL
- H - HAMLET
- MH - MOBILE HOME PARK
- C - COMMERCIAL
- B - BUSINESS
- LI - LIGHT INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- A - AGRICULTURAL
- RD - RESERVOIR DISTRICT
- URBAN BOUNDARY
- PROVINCIAL HIGHWAY
- RAILWAY

THIS IS THE ZONING DISTRICT KEY MAP WHICH ACCOMPANIES BYLAW NUMBER \_\_\_\_\_ ADOPTED BY THE R.M. OF BLUCHER NO. 343.

REEVE \_\_\_\_\_

ADMINISTRATOR \_\_\_\_\_

APPROVED ON THE \_\_\_\_ DAY OF \_\_\_\_\_

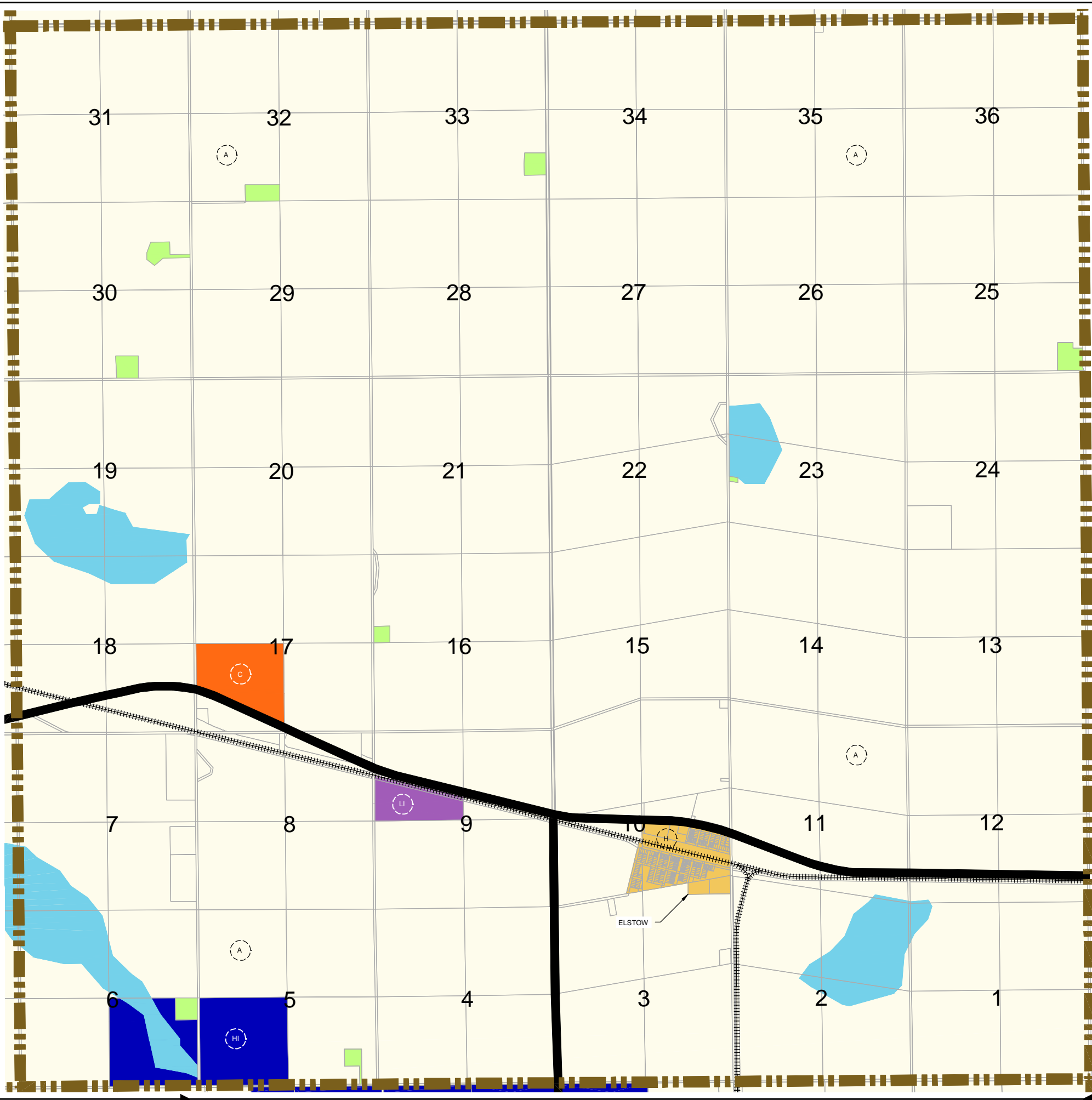
MINISTER SASKATCHEWAN GOVERNMENT OF RELATIONS \_\_\_\_\_

**ZONING DISTRICT MAP 6**

RM OF BLUCHER NO. 343  
TWP 35 - RGE 1 - W3M

CIVIL  
PLANNING  
SHEET 7 of 10

<b>AE PROJECT No.</b>	20134287-010
<b>SCALE</b>	1:38000
<b>APPROVED</b>	B. DELAINEY
<b>DATE</b>	2016NOV18
<b>REV</b>	A
<b>DESCRIPTION</b>	ISSUED FOR REVIEW



MAP 5 ↑



IF NOT 25 mm ADJUST SCALES

SCALE(S) SHOWN ARE INTENDED FOR TABLOID (11X17) SIZE DRAWINGS UNLESS NOTED OTHERWISE

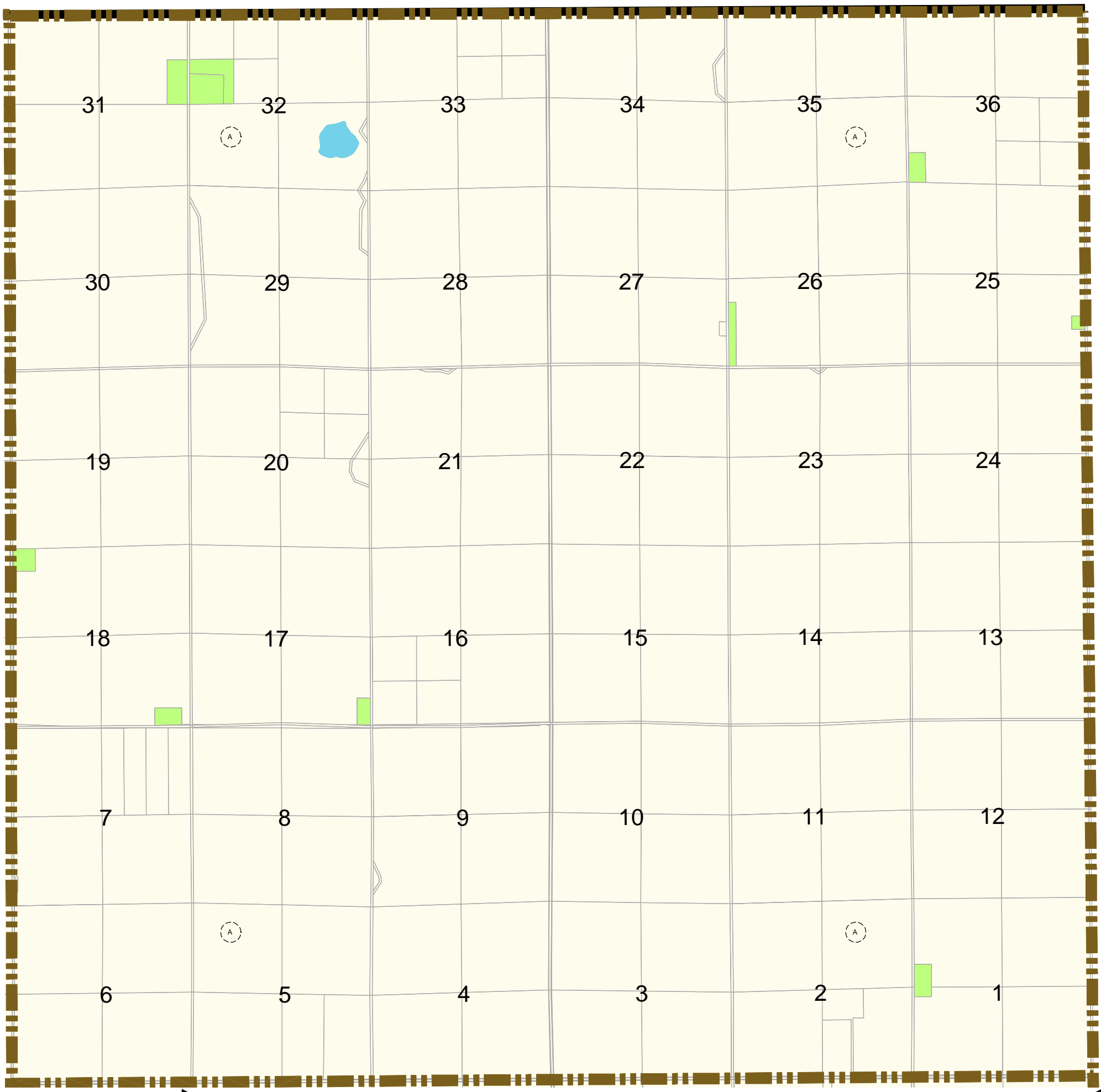
IF NOT 25 mm ADJUST SCALES

SCALE(S) SHOWN ARE INTENDED FOR TABLOID (11x17) SIZE DRAWINGS UNLESS NOTED OTHERWISE



MAP 8 ↑

MAP 6 ↓



**ZONING DISTRICTS**

- AR - AGRICULTURAL RESIDENTIAL
- MDR - MEDIUM DENSITY RESIDENTIAL
- HDR - HIGH DENSITY RESIDENTIAL
- H - HAMLET
- MH - MOBILE HOME PARK
- C - COMMERCIAL
- B - BUSINESS
- LI - LIGHT INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- A - AGRICULTURAL
- RD - RESERVOIR DISTRICT
- URBAN BOUNDARY
- PROVINCIAL HIGHWAY
- RAILWAY

THIS IS THE ZONING DISTRICT KEY MAP WHICH ACCOMPANIES BYLAW NUMBER \_\_\_\_\_ ADOPTED BY THE R.M. OF BLUCHER NO. 343.

REEVE \_\_\_\_\_

ADMINISTRATOR \_\_\_\_\_

APPROVED ON THE \_\_\_\_ DAY OF \_\_\_\_\_

MINISTER  
SASKATCHEWAN GOVERNMENT OF RELATIONS

**ZONING DISTRICT MAP 7**

RM OF BLUCHER NO. 343  
TWP 36 - RGE 1 - W3M

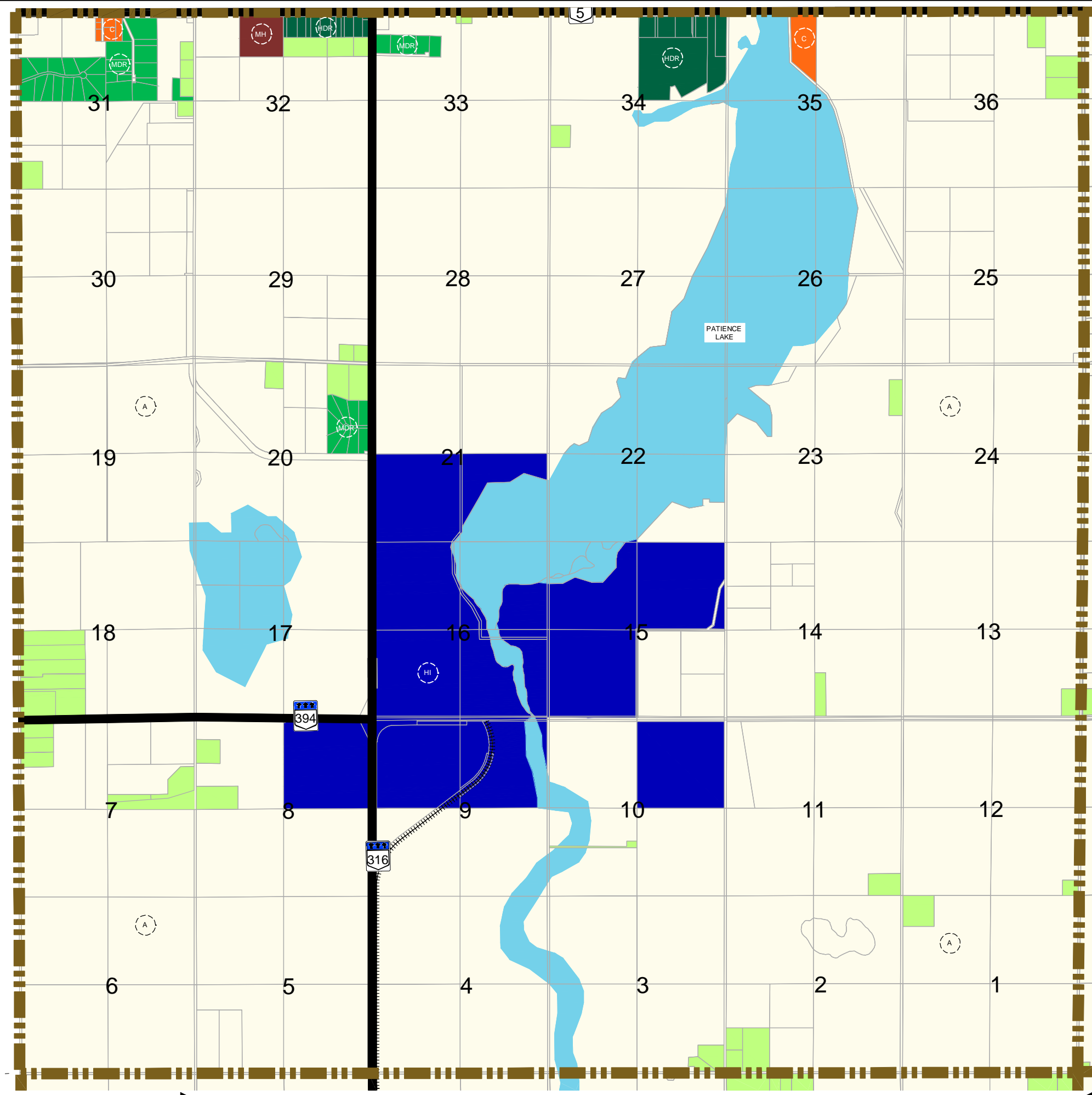
CIVIL  
PLANNING  
SHEET 8 of 10

<b>AE PROJECT No.</b>	20134287-010
<b>SCALE</b>	1:38000
<b>APPROVED</b>	B. DELAINEY
<b>DATE</b>	2016NOV18
<b>REV</b>	A
<b>DESCRIPTION</b>	ISSUED FOR REVIEW



IF NOT 25 mm ADJUST SCALES

SCALE(S) SHOWN ARE INTENDED FOR TABLOID (11x17) SIZE DRAWINGS UNLESS NOTED OTHERWISE



MAP 4 ↓

MAP 8 ↑



### ZONING DISTRICTS

- AR - AGRICULTURAL RESIDENTIAL
- MDR - MEDIUM DENSITY RESIDENTIAL
- HDR - HIGH DENSITY RESIDENTIAL
- H - HAMLET
- MH - MOBILE HOME PARK
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- LI - LIGHT INDUSTRIAL
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- A - AGRICULTURAL
- RD - RESERVOIR DISTRICT
- URBAN BOUNDARY
- PROVINCIAL HIGHWAY
- RAILWAY

THIS IS THE ZONING DISTRICT KEY MAP WHICH ACCOMPANIES BYLAW NUMBER \_\_\_\_\_ ADOPTED BY THE R.M. OF BLUCHER NO. 343.

REEVE \_\_\_\_\_

ADMINISTRATOR \_\_\_\_\_

APPROVED ON THE \_\_\_\_ DAY OF \_\_\_\_\_

MINISTER  
SASKATCHEWAN GOVERNMENT OF RELATIONS

### ZONING DISTRICT MAP 9

RM OF BLUCHER NO. 343  
TWP 36 - RGE 3 - W3M

CIVIL  
PLANNING  
SHEET 10 of 10

<b>AE PROJECT No.</b>	20134287-010
<b>SCALE</b>	1:38000
<b>APPROVED</b>	B. DELAINEY
<b>DATE</b>	2016NOV18
<b>REV</b>	A
<b>DESCRIPTION</b>	ISSUED FOR REVIEW