

RURAL MUNICIPALITY OF BIGGAR NO. 347

ZONING BYLAW

PREPARED FOR:

THE R.M. OF BIGGAR NO. 347

PREPARED BY:

CROSBY HANNA & ASSOCIATES
LANDSCAPE ARCHITECTURE AND PLANNING
SASKATOON, SK

MARCH 2010

The Rural Municipality of Biggar No. 347

Bylaw No. 1-2010



A Bylaw of the Rural Municipality of Biggar No. 347 to adopt a Zoning Bylaw.

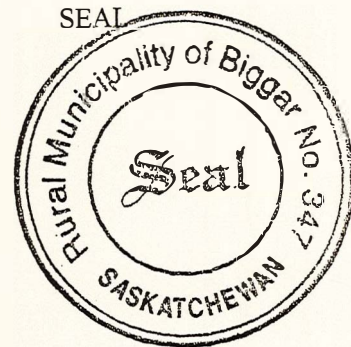
The Council of the Rural Municipality of Biggar No. 347, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Rural Municipality of Biggar No. 347 hereby adopts the Rural Municipality of Biggar No. 347 Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Reeve and Rural Municipal Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No.31A - 87, the Zoning Bylaw, and all amendments thereto, are hereby repealed.
- (4) This Bylaw shall come into force on the date of final approval by the Minister of Municipal Affairs.

Read a First Time the 16 day of March, 2010
 Read a Second Time the 11 day of May, 2010
 Read a Third Time the 11 day of May, 2010
 Adoption of this Bylaw this 11 day of May, 2010

[Signature]
 (Reeve)

[Signature]
 (Rural Municipal Administrator)



Certified a true copy of the Bylaw adopted by Resolution of Council
 On the 11 day of May, of the year 2010

(signature) [Signature], (date) May 12, 2010
 A Commissioner for Oaths in the Province of Saskatchewan
 My appointment expires October 31, 2014

The Rural Municipality of Biggar No. 347

Zoning Bylaw

Being Schedule "A" to Bylaw No. 1-2010
of the Rural Municipality of Biggar No. 347

M. King

(Reeve)

SEAL

Adrian Leonard

(Rural Municipal Administrator)



TABLE OF CONTENTS

TABLE OF CONTENTS	iii
LIST OF TABLES	vi
1. INTRODUCTION	1
1.1 Title	1
1.2 Scope	1
1.3 Purpose	1
1.4 Severability	1
2. INTERPRETATION	2
3. ADMINISTRATION	24
3.1 Development Officer	24
3.2 Application for Development Permit	24
3.3 Developments Not Requiring Permit	24
3.4 Other Permit Requirements	25
3.5 Application Requirements	25
3.7 Discretionary Use Applications	29
3.8 Validity of a Development Permit	31
3.9 Amending the Zoning Bylaw	31
3.10 Development Appeals Board	31
3.11 Minor Variances	32
3.12 Fees	32
3.13 Zoning by Agreement	33
3.14 Offences and Penalties	33
4. GENERAL REGULATIONS	34
4.1 Frontage on the Road	34
4.2 Development on Hazard Lands	34
4.3 Building to be Moved	34
4.4 Waste Disposal	35
4.5 Water	35
4.6 Storage of Chemicals, Fertilizers and Combustible Materials	35
4.7 One Principal Building Permitted on a Site	35
4.8 Non-Conforming Buildings, Sites and Uses	35
4.9 Mobile Homes	36
4.10 Regulations for Signs and Billboards	36
4.11 Public Works, Pipelines and Facilities of the Municipality	37
4.12 Vehicle Storage	37
4.13 Manure Disposal	38
4.14 Special Standards and Regulations	38
4.15 Setback from Centre Line of Roads	46
5. ZONING DISTRICTS	48
5.1 Classification of Zoning Districts	48
5.2 Zoning District Maps	48
5.3 Boundaries	48

5.4	Regulations	49
5.5	Transitional Zoning Provisions	49
5.6	Properties with More than One Zoning District	49
6.	A - AGRICULTURAL DISTRICT	50
6.1	Intent	50
6.2	Permitted Uses	50
6.3	Discretionary Uses	51
6.4	Accessory Buildings	52
6.5	Regulations	52
7.	HAMLET DISTRICT	56
7.1	Intent	56
7.2	Permitted Uses	56
7.3	Discretionary Uses	56
7.4	Prohibited Uses	57
7.5	Accessory Buildings and Uses	57
7.6	Regulations	57
7.7	Standards for Discretionary Uses	57
8.	CR1 - LOW DENSITY COUNTRY RESIDENTIAL DISTRICT	60
8.1	Intent	60
8.2	Permitted Uses	60
8.3	Discretionary Uses	60
8.4	Accessory Buildings	61
8.5	Regulations	61
8.6	Standards for Discretionary Uses	61
9.	CR2 - MEDIUM DENSITY COUNTRY RESIDENTIAL DISTRICT	64
9.1	Intent	64
9.2	Permitted Uses	64
9.3	Discretionary Uses	64
9.4	Accessory Buildings	65
9.5	Regulations	65
9.6	Standards for Discretionary Uses	65
10.	C - COMMERCIAL DISTRICT	68
10.1	Intent	68
10.2	Permitted Uses	68
10.3	Discretionary Uses	68
10.4	Accessory Buildings	69
10.5	Regulations	69
10.6	Standards for Discretionary Uses	69
10.7	Off-Street Parking and Loading	70
11.	M - INDUSTRIAL DISTRICT	75
11.1	Intent	75
11.2	Permitted Uses	75
11.3	Discretionary Uses	75
11.4	Accessory Buildings	76
11.5	Regulations	76

11.6	Standards for Discretionary Uses	76
11.7	Off-Street Parking and Loading	76

LIST OF TABLES

TABLE 6-1
A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS
..... 54

TABLE 7-1
H - HAMLET DISTRICT DEVELOPMENT STANDARDS
..... 59

TABLE 8-1
CR1 - LOW DENSITY COUNTRY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS
..... 63

TABLE 9-1
CR2 - MEDIUM DENSITY COUNTRY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS
..... 67

TABLE 10-1
C - COMMERCIAL DEVELOPMENT STANDARDS
..... 72

TABLE 11-1
M - INDUSTRIAL DEVELOPMENT STANDARDS
..... 78

1. INTRODUCTION

1.1 TITLE

This Bylaw shall be known as the "Zoning Bylaw of the Rural Municipality of Biggar No. 347".

1.2 SCOPE

All development within the limits of the Municipality shall be in conformity with the provisions of this bylaw, subject to the right of appeal provisions of the Act.

1.3 PURPOSE

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

1.4 SEVERABILITY

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

2. INTERPRETATION

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

Accessory Building or Use: means a building or use which:

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

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

Agroforestry: is a collective name for the practice of intentionally using trees within land use systems and practices in which woody perennials are deliberately integrated with crops and/or animals on the same land management unit either in a spatial or temporal sequence.

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

Amusement Park: means development including go-cart, paint ball and miniature golfing facilities, concessions and arcades, swimming pools, water slides, batting cages and other similar uses.

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

Animal, Exotic: means any animal that is not domesticated in Saskatchewan and is wild by nature.

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

KIND OF ANIMAL	NUMBER THAT EQUALS ONE ANIMAL UNIT
1. Poultry	
a) hens, cockerels, capons	100
b) chicks, broiler chicken	200
c) turkeys, geese, ducks	50
d) ostrich	7
e) emu	16
2. Hogs	
a) boars or sows	3
b) gilts	4
c) feeder pigs	6
d) weanling pigs	20
3. Wild Boars	
a) boars or sows	3
b) gilts	4
c) feeder pigs	6

	d) weanling pigs	20
4.	Sheep	
	a) rams or ewes	7
	b) lambs	14
5.	Goats, etc. (including llamas, alpacas, etc.)	7
6.	Cattle	
	a) cows or bulls	1
	b) feeder cattle	1.5
	c) replacement heifers	2
	d) calves	4
7.	Horses	
	a) colts or ponies	2
	b) other than colts or ponies	1
8.	Other	
	a) bison cows or bulls	1
	b) bison calves	4
	c) elk, reindeer	4
	d) deer	7

Apartment House: means a building divided into three (3) or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence, as distinct from a hotel or motel, but excluding townhouses and street townhouses as herein defined.

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

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

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

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

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

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

Building Bylaw: means any bylaw of the Rural Municipality of Biggar No. 347 regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

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

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

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

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

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

Campground: means 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 travellers and tourists.

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

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

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

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

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

Community Centre: means 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.

Communications Tower: means any structure used for receiving and transmitting electromagnetic radiation, including cell phone, radio and television signals.

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

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

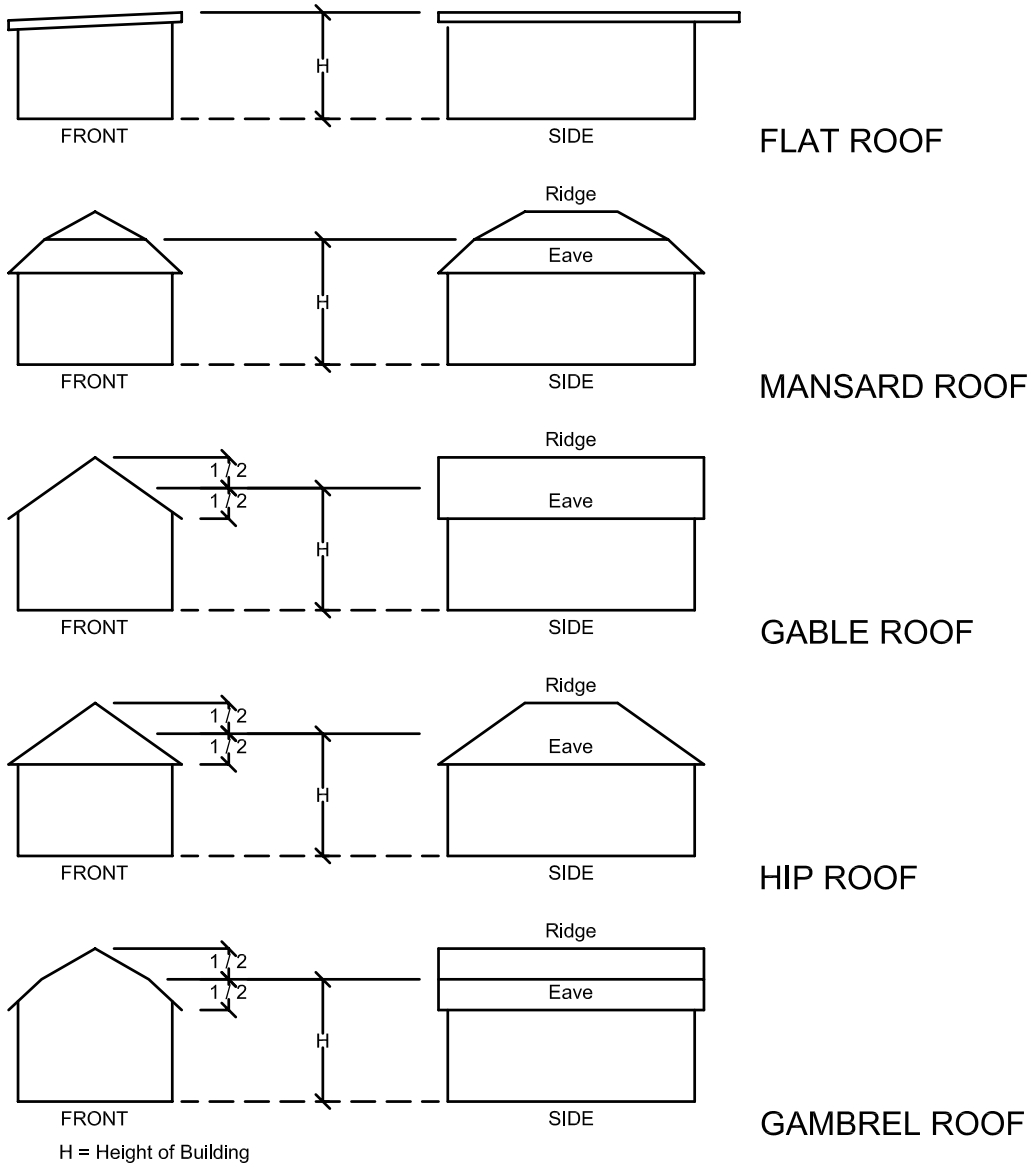


FIGURE 2-1: Interpretation of Building Height Measurement

Council: means the Council of the Rural Municipality of Biggar No. 347.

Cultural Institution: means an establishment such as a museum, art gallery, library and similar facilities of historical, educational or cultural interest.

Custodial Care Facility: means either:

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

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

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

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

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

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

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

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

Dwelling, Multiple Unit: means a building divided into three or more dwelling units as herein defined and shall include town or row houses and apartment houses but not hotels, or motels.

Dwelling, Semi-Detached: means a dwelling unit on its own site, attached to another dwelling unit on its own site, with a common wall dividing the two dwelling units throughout at least 40% of the length of the entire structure, measured from the front to the rear building lines.

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

Dwelling, Street Townhouse: means a dwelling unit on its own site, attached to two or more other dwelling units, each on their own sites, with a common wall dividing the dwelling units throughout at least 40% of the depth of the entire structure.

Dwelling, Two-Unit: means a detached building divided into two dwelling units as herein defined.

Dwelling Unit: means 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: means post-secondary college, university or technical institution, but shall not include a private school.

Estimated Peak Water Level (E.P.W.L.): means the calculated water level used to determine the flood hazard area. It is based on the 1;500 peak flow for rivers, and the higher of the 1:500 peak calm level or the 1:100 peak calm level with a 1:5 wind from the most critical direction for most lakes.

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

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

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

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

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

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

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

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

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

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

Foreshore: means the Crown Land lying between the shore of any watercourse and registered surface parcels.

Garden Suite: means a detached single unit dwelling which may include a modular home or a mobile home

and which is temporarily located on the same site as an existing dwelling unit to provide accommodation for a specific person or persons who are physically dependant on the residents of the existing dwelling unit or to provide accommodation for a caregiver of whom a specific person or persons residing in the existing dwelling unit is physically dependent.

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

Grain Elevator or Terminal: means a facility or area for temporary storage of grain and other agricultural products for transferral to trucks, train cars, or other modes of transportation.

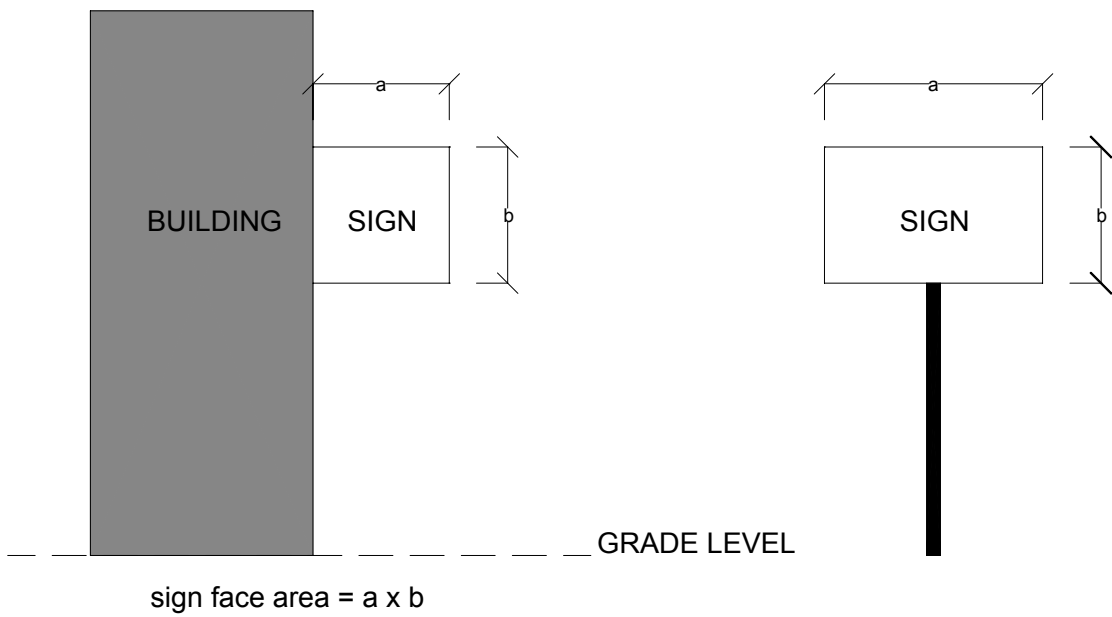


FIGURE 2-2: Calculation of Sign Face Area

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

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

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

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

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

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

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

Institutional Camp: means an area of land containing sleeping accommodations and facilities which are used to provide short term accommodation for persons engaged in passive or active recreation or leisure, which, without limiting the generality of the foregoing, shall include the following: children's camp or establishment, religious camp, artist's camp, retreat, educational camp, recreational camp, sports camp or other similar camp or establishment.

Intensive Agricultural Operation: means a principal use that produces a crop that is grown in buildings or under structures, using hydroponic techniques, or by use of intensive irrigation and fertilizer application, but not including an intensive livestock operation.

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

- (a) will contain 100 or more animal units; and
- (b) provides less than 370 m² of space for each animal unit contained therein.

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

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

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

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

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

Linear Park: means dedicated land developed in a linear fashion, between 15 and 35 metres in width, intended to facilitate pedestrian and cycling transportation, and may also facilitate the management of storm water.

Loading Space: means a space, measuring at least 2.4 metres in width and 8.4 metres in depth, located on a site, and having access to a street or lane, in which a vehicle may park to load or unload goods.

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

Lounge: means a room or area adjoining a restaurant that permits the sale of beer, wine or spirits for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted, either in the lounge or in the restaurant attached to the lounge.

Mall: means a single story commercial building in which, up to six (6) commercial uses are located together for their mutual benefit, each use having a separate entrance to the outside.

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

Mobile Home: means a trailer coach:

- (a) that is used as a dwelling all year round;
- (b) that has water faucets and shower or other bathing facilities that may be connected to a water distribution system;
- (c) that has facilities for washing and a water closet or other similar facility that may be connected to a sewage system; and,
- (d) that conforms to Canadian Standards Association, Construction Standard No. Z240.2.1-1979 and amendments thereto.

Mobile Home Court: means any parcel of land on which two or more occupied mobile homes are located and includes any structure used or intended to be used as part of the equipment of such mobile home court.

Mobile Home, Double Wide: means a mobile home consisting of two sections, separately towable, but designed to be joined together into one building.

Mobile Home, Single Wide: means a mobile home designed to be towed as a single load and less than 6.09

metres wide.

Mobile Home Site: means an area of land in a mobile home court for the placement of a mobile home.

Mobile Home Subdivision: means any residential subdivision of land containing lots under either freehold or leasehold tenure for the purpose of accommodating mobile homes in such a manner that each mobile home is situated on its own lot and in which all such lots, public open spaces, internal streets and lanes, buffer zones and other amenity areas form a contiguous area of development.

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

Modular Home: means 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 a one unit dwelling, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.

Modular Home, Single Wide: means a modular home that is designed to be moved and placed onto a permanent foundation as a whole unit in a single load and which is less than 5 metres in width.

Modular Home, Double Wide: means a modular home that is designed to be moved and place onto a permanent foundation in two or more modular units that, when joined together, exceed 8 metres in width.

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

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

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

Municipality: means The Rural Municipality of Biggar No. 347.

Nacelle: means the framing and housing at the top of a wind tower that enclose the gearbox and generator.

Non-Conforming Building: means a building:

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

Non-Conforming Site: means a site, consisting of one or more contiguous parcels, to which all required permits have been issued on the date that this Bylaw or any amendment to the Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Non-Conforming Use: means a lawful specific use:

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

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

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

Outfitting Equipment: means equipment and supplies, including boats, canoes and other water vessels, aircraft, motor vehicles, motors, fuel, fishing and hunting gear and any other equipment for use in:

- (a) hunting, taking or catching wildlife;
- (b) angling, taking or catching fish; and/or,
- (c) ecotourism, including the viewing and photographing of natural areas, flora and fauna.

Parking Lot: means an open area of land, other than a street, used for the temporary parking of more than four vehicles and available for public use whether cost-free, for a fee or for accommodation of clients or customers.

Parking, Off-Street: means accommodation for the parking of vehicles off a public street or lane.

Parking Space, Vehicle: means a space within a building or parking lot for the parking of one vehicle, having minimum dimensions of 2.4 metres wide by 5.5 metres deep, and which has access to a developed street or lane.

Passive Recreation Use: means a recreational land use that does not require significant development upon the site and does not lessen the natural character of the area.

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

Personal Care Home: means a facility licensed under *The Personal Care Homes Act* that provides long term residential, social and personal care, including accommodation, meals, supervision or assistance for persons who have some limits on ability for self-care, and are unrelated to the operator or owner.

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

Photography Studio: means a place used for portrait or commercial photography, including the developing and processing of film, and the repair or maintenance of photographic equipment.

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

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

Public Hospital: means a hospital operated by the Regional Health Authority.

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

Public Work: includes:

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

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

Principal Use: means the main activities conducted on a site.

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

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

Recreation Vehicle: means a unit intended to provide temporary living accommodation for campers or travellers; built as part of, or to be towed by, a motor vehicle; and includes truck campers, motor homes, tent trailers and travel trailers.

Recycling Collection Depot: means 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; nor,
- (c) outdoor compaction.

Reeve: means the Reeve of the Rural Municipality of Biggar No. 347.

Residential Care Facility: means a licensed or approved group care facility governed by Provincial regulations that provides, in a residential setting, 24 hour care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual.

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

Retail / Service Commercial: means the sale or display of merchandise to the public, including the storage of merchandise on or about the premises in quantities sufficient only to supply the establishment or establishments engaged in such merchandise sales ;or providing the care of a person or their apparel and accessories, including but not limited to childcare services, beauty salons and barber shops, massage services, health clubs, tanning beds, spas, aesthetics, laundry service, laundromats, dry cleaning, shoe repair, tailor or seamstress services, photographic studios and other similar uses, including the provision of health related services.

Rotor: means the blades and hubs of a wind turbine that rotate during its operation.

Rural Municipal Administrator: means the Rural Municipal Administrator for the Rural Municipality of Biggar No. 347.

Safe Building Elevation (S.B.E.): means the level defined by Municipal Affairs at the time of subdivision to which flood proofing must be undertaken for developments in the flood hazard area. The S.B.E. is calculated as the E.P.W.L. plus freeboard value. The freeboard allows for the uncertainties in the calculation, and for other possible hazards such as ice shove, ice jams and erosion. The Saskatchewan Watershed Authority usually recommends a freeboards of 0.5 m for most situations. For dykes used as flood proofing, a freeboard of 0.6 m is usually recommended. In areas with high uncertainty in the hydrology or hydraulic response of the lake or rive, a freeboard of up to 1.0 may be recommended.

School: means 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.

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

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

Sight Triangle: means the triangular area formed, on corner sites, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines.(refer to Figure 2-3).

Sign: means any writing (including letter or word), billboard, pictorial representation (including illustration or decoration), emblem (including devise, symbol or trademark), flag (including banner or pennant), or any other figure of similar character which:

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

(c) is visible from outside the building.

Sign, Billboard: means a large poster panel with a maximum single sign face not to exceed 23.23 m² or a painted bulletin and includes any structure, panel, board or object designed exclusively to support such poster, panel, or a painted bulletin. These signs typically advertise off-site products and services.

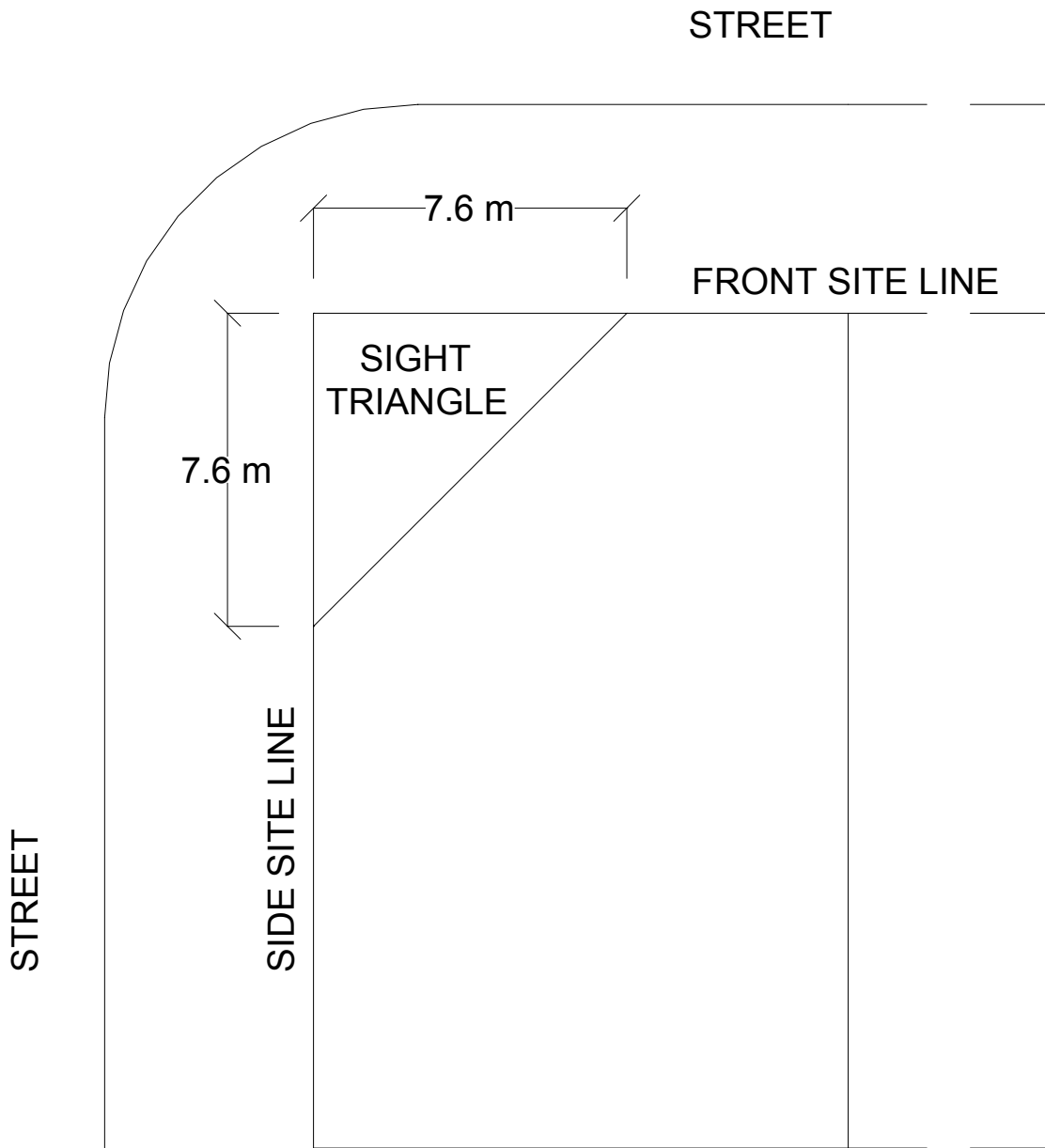


FIGURE 2-3: Sight Triangle

Sign Face Area: means the area of the single face of any sign.

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

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

Site, Corner: means a site at the intersection or junction of two (2) or more streets (refer to Figure 2-4).

Site, Interior: means a site other than a corner site (refer to Figure 2-4).

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

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

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

Site Frontage: for rectangular sites, means the horizontal distance between the side site lines of the site measured along the front site line. For non-rectangular sites, means the average of the horizontal distances between the side site lines of the site measured along the front and rear site lines.

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

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

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

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

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

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

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

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

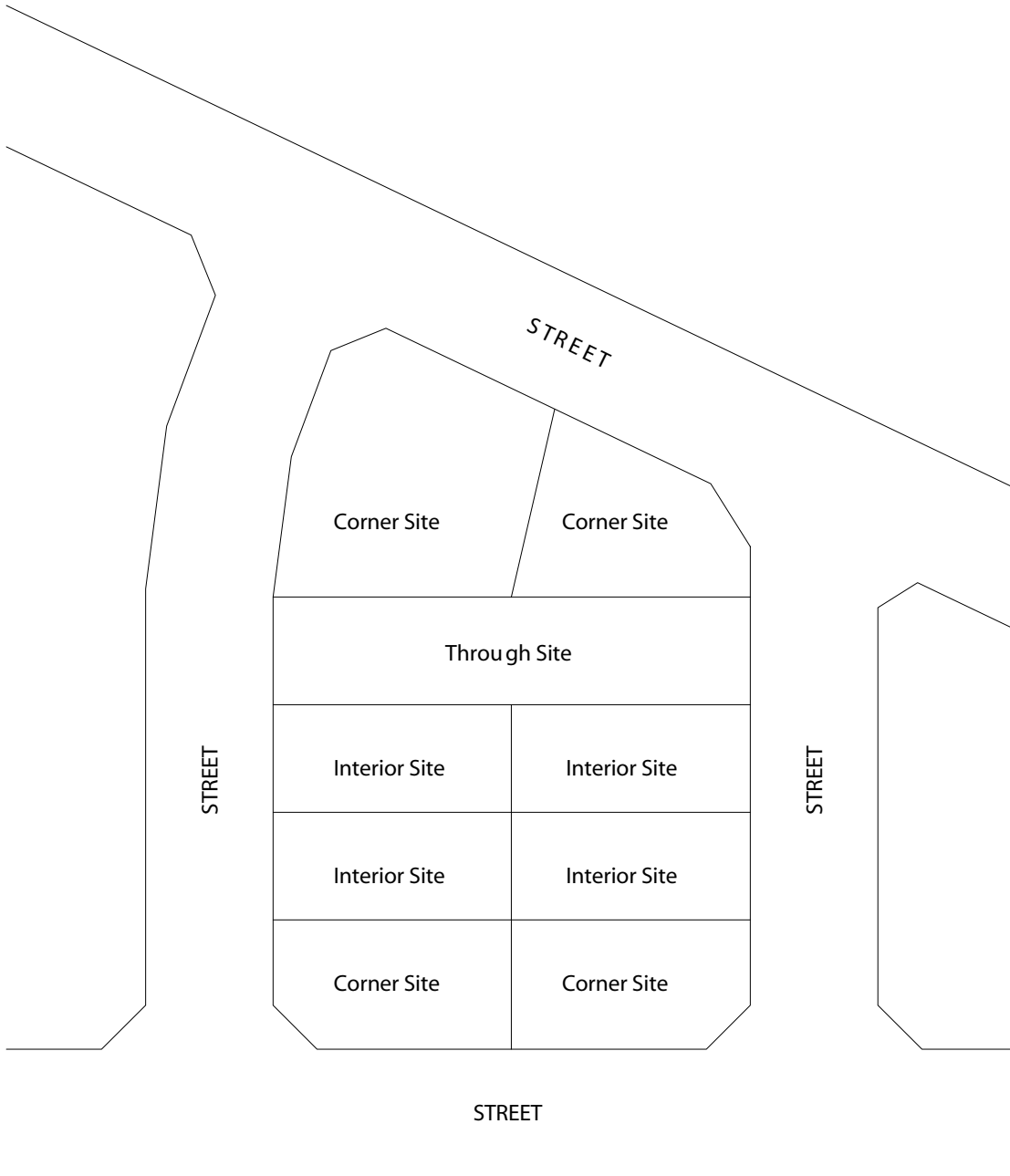


FIGURE 2-4: Illustration of Site Definition

Temporary Work Camp: means a temporary residential complex used to house camp workers by various contracting firms on a temporary basis of more than 28 days and less than one (1) year. The camp is usually made up of a number of mobile units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities.

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

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

Trailer Coach: means 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.

Trailer Court: means a site for the accommodation of two or more camp sites for trailer coaches, including any building or structure used or intended for use as part of the equipment for such trailer court, but does not include an industrial or construction camp.

Trapping: means the taking of fur animals by a trapper licensed under the *Wildlife Act, 1998* and associated regulations, by means of traps, where the trapper has several traps operating at one time and checks them in a planned and regular manner, and may include temporary accessory buildings secondary and accessory to the use.

Tree Nursery: means the use of land for raising shrubs, trees and bedding plants.

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

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

Use, General Industrial: means any of the following activities:

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

Use, Hazardous Industrial: means an industrial use involving the manufacturing, storage, processing, transshipment, collection, treatment or disposal of hazardous materials or chemicals (specifically excluding agricultural fertilizer, herbicide or pesticide warehousing and/or sales facilities, depots for the collection of farm chemical containers, and ethanol and biodiesel plants and associated production facilities).

Veterinary Clinic: means a place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization, but shall not include the keeping of animals in outdoor pens.

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

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

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

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

Wildlife Management Activities: means activities involved in the proper management of an area or region for the continuous production of wildlife therefrom.

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

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

Wind Turbine: means a device that converts kinetic energy of the wind into rotational energy to turn an

electrical generator shaft. A wind turbine typically consists of a rotor, nacelle and supporting tower. The height of a wind turbine tower is measured from the base of the tower foundation to the highest point of the blades at their apex.

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

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

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

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

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

3. ADMINISTRATION

3.1 DEVELOPMENT OFFICER

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

3.2 APPLICATION FOR DEVELOPMENT PERMIT

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

3.2.2 Farm residences do require a development permit.

3.2.3 Intensive livestock and poultry operations with 100 or more animal units shall be considered intensive livestock operations under this bylaw and will also require a development permit.

3.3 DEVELOPMENTS NOT REQUIRING PERMIT

3.3.1 Developments which do not require a development permit include:

- (1) Accessory Farm Buildings and Structures: Farm buildings and structures where accessory to a permitted agricultural use, but excluding any Intensive Livestock Operation structure or any new dwelling.
- (1) Small Accessory Buildings: Single storey accessory buildings with a building floor area less than 9.3 m².
- (2) Public Works: Any operation for the purposes of inspecting, repairing, or renewing sewers, mains, cables, pipes, wires, tracks or similar public works as required by a public utility, and the installation of service connections to property in the municipality.

Note: a permit is required for the installation of new transmission lines for public works defined herein.

- (3) Municipal Facilities: Any facility installed and operated by the Rural Municipality.
- (4) Signs: Subject to the provisions of Section 4.10 of this bylaw.
- (5) Maintenance: Maintenance and repairs that do not include any structural alterations.
- (6) Fences
- (7) Trapping
- (8) Temporary Confinement of Livestock: The temporary confinement of livestock during the

winter months as part of a farm operation which has been issued a valid development permit.

- 3.3.2 Development listed in Section 3.3.1 of this Bylaw must be allowed in the zoning district in which they are located and must comply with the regulations of this Bylaw.

3.4 OTHER PERMIT REQUIREMENTS

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

3.5 APPLICATION REQUIREMENTS

- 3.5.1 Except in the case of applications for a home based business, every application for a development permit and every application for a discretionary use shall be accompanied by the following:

- (1) the names, addresses and telephone numbers of the applicant, property owner and person or consultant who prepared the plans being submitted, including a local contact person.
- (2) the proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied, including the area of the proposed building or renovations.
- (3) the complete legal description of the subject property.
- (4) a copy of a site plan, drawn to scale with appropriate dimensions, showing the following information:
 - north arrow, roads adjacent to the site, all property boundaries, identified frontage of site, site area, site elevations, and the location of any existing buildings, structures, utility poles and wires, underground utilities, easements, building encroachments, and type and location of existing trees;
 - the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions where relevant;
 - the location and size of all entrances and exits to the site; and,
 - the method and location of on-site sewage disposal facilities and, where proposed, manure storage facilities.

- 3.5.2 For certain developments or discretionary uses, additional information shall be required in support

of the application, as follows:

- (1) The applicant for a development permit for a mobile home court, campground, tourism base camp, tourist camp, outfitter base camp or trailer court shall provide the Development Officer with a plan of the site, identifying any buildings, uses of land and the location of all roadways, buildings, structures, mobile home sites and campsites with dimensions. The addition or rearrangement of sites or accommodation facilities, the construction or moving of buildings, material changes in use of portions of land, or the filling or clearing of land shall require a development permit, and the applicant shall submit for approval an amended plan incorporating the proposed development.
- (2) An applicant for a discretionary use approval for an intensive livestock operation shall provide documentation, to Council's satisfaction:
 - of distances to the nearest land uses, development types and municipal limits, whether within the Municipality or within an adjacent municipality, listed in Section 6, Table 6-1 of the Official Community Plan and measured as specified in the notes to that table;
 - that the water supply is sufficient for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation;
 - of proposed methods of manure management, including on-site storage or stockpiling, transportation, and spreading, incorporation or disposal;
 - of proposed odour management and control measures, including proposed odour management and control related to earthen manure storage facilities and liquid manure lagoons, and odour management and control measures related to the ventilation of hog or poultry barns;
 - of the location and extent of sufficient lands to be used for the spreading of manure from the ILO, as well as proposals for the annual confirmation of the continued availability of such lands;
 - of the proposed methodology for monitoring on-site and neighbouring wells for water quality and quantity purposes after the ILO has begun operation, and for reporting on same to Council; and,
 - with applications for wild boar and other exotic species operations, expansions or alterations, a containment plan, setting out in detail the techniques and methods to be used to keep the animals contained.
- (3) An applicant for a discretionary use application for an intensive agricultural operation where intensive irrigation is required shall provide documentation, to Council's satisfaction, that the water supply is sufficient for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation.
- (4) An applicant for a discretionary use approval for a commercial or industrial use may be

required to provide documentation, to Council's satisfaction, as specified in Section 3.7.3(9) of the Official Community Plan and documentation that the locational criteria in Section 3.7.3(8) of the Official Community Plan are satisfied.

- (5) An applicant for a discretionary use approval for a hazardous industrial use shall provide documentation, to Council's satisfaction:
 - of distances to the nearest land uses, development types and municipal limits, whether within the Municipality or within an adjacent municipality, listed in Section 6, Table 6-1 of the Official Community Plan and measured as specified in the notes to that table (refer to Section 3.7.3(12) of the Official Community Plan); and
 - of the distance to the nearest permanent surface water course or permanent water body.
- (6) An applicant for a discretionary use approval for a public work in the form of a solid or liquid waste management or disposal facility shall provide documentation, to Council's satisfaction:
 - of distances to the nearest land uses, development types and municipal limits, whether within the Municipality or within an adjacent municipality, listed in Table 6-1 of the Official Community Plan and measured as specified in the notes to that table (refer to Section 3.2.3(9) of the Official Community Plan).
- (7) An application for a dwelling in any country residential zoning district shall provide a copy of a site drainage plan, drawn to scale, with appropriate dimensions except for the following:
 - (a) Development that does not involve the erection of any buildings or changes in site grades.
- (8) An application for a wind energy conversion facility shall provide documentation, to Council's satisfaction as follows:
 - (a) A site location plan showing the subject property, adjacent roads, railways, communications towers (to ensure avoidance of microwave transmission corridors), property lines and all habitable buildings within one (1) one mile of the proposal.
 - (b) A detailed site plan drawn to scale showing the location of the proposed wind turbine(s) and all associated facilities indicating cable locations for domestic useage and power grid connections, existing vegetation, proposed access and landscaping,
 - (c) Confirmation of site ownership by the proponent or where the land is not owned by the proponent evidence of site control and right to access through provisions of a lease or easement agreement with the owner.
 - (d) Proponents are responsible for obtaining any required federal or provincial permits, licences and approvals for construction and maintenance of wind energy conversion facilities and must remit a copy to the municipality.

- (e) Details respecting the color and markings for the proposed tower(s) including required lighting in accordance with federal aviation requirements.
- (f) Validation by a professional engineer of the structural integrity of the proposed supporting tower(s) and foundation or a description of required manufacturing specifications.
- (g) Proposals for wind farms may be required to provide additional information respecting:
 - (i) illustration of sight line vistas from residential buildings within one (1) mile of the proposed development utilizing photographic representations of the development area;
 - (ii) a decommissioning plan addressing the manner of physical removal of the facility, removal of any hazardous materials and site restoration to a natural condition, should the use of the facility be discontinued.

3.6 DEVELOPMENT PERMIT APPLICATION PROCESS

- 3.6.1 The Development Officer shall review all applications for completeness and shall inform an applicant whose application is not complete, of the information or documentation required to complete the application, and that the application will not be considered until it is complete.
- 3.6.2 The Development Officer may submit any application to Council for a decision on the interpretation of the bylaw, or on special conditions provided in the bylaw, and shall inform the applicant of this action. Council or the Development Officer may require the applicant to provide such further information as may be required to make a decision.
- 3.6.3 Upon completion of the review of a complete application for development, the Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Zoning Bylaw, the Official; Community Plan and *The Planning and Development Act, 2007*.
- 3.6.4 Where an application is made for a development permit with respect to a development for a discretionary use which has been approved by Council, the Development Officer shall issue a development permit subject to any specified development standards prescribed by Council pursuant to Section 56(3) of *The Planning and Development Act, 2007*.
- 3.6.5 Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.
- 3.6.6 The Development Officer may revoke a development permit where:
 - (1) the development permit has been issued in error; and/or,
 - (2) an approved development is not being developed or operated in accordance with the provisions of this Zoning Bylaw, or in accordance with the standards and conditions specified

in the development permit.

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

3.7 DISCRETIONARY USE APPLICATIONS

3.7.1 The following procedures shall apply to discretionary use applications:

- (1) The Development Officer shall review all applications for completeness and shall inform an applicant whose application is not complete, of the information or documentation required to complete the application, and that the application will not be considered until it is complete.
- (2) The application will be reviewed by the Development Officer for conformance with the Official Community Plan, this Zoning Bylaw and any other applicable policies and regulations, and will refer the application, along with a written report documenting the results of the review, to Council.
- (3) Council will review the application and Development Officer's report and may request comments or information from other government agencies to assist in Council's review of the application, where appropriate.
- (4) When Council has received requested comments or information from other agencies, the Development Officer shall set a date, time and location of the Council meeting at which the application will be considered.
- (5) The Development Officer shall advertise the proposed discretionary use by mailing a copy of a notice of the application to the assessed owner of each property within 75 metres of the proposal or to the assessed owner of each property within (1) mile of the proposed discretionary use for the following:
 - (a) any discretionary residence or any ancillary use, whether permitted or discretionary, to a farm operation or residence;
 - (b) a commercial use in a hamlet or residential district;
 - (c) any new intensive livestock operation or expansion or alteration to an intensive livestock operation;
 - (d) kennels; or
 - (e) wind energy conversion facilities including wind farms.
- (6) In addition to the mailing of the notice specified in (5) above, the Development Officer shall prepare an on-site notification poster, which must be placed on the site by the applicant and must remain on the site until the application is considered by Council.
- (7) The notices described in (5) and (6) above shall describe the use applied for, describe the location of the use and specify the date, time and location of the Council meeting at which the application will be considered.

- (8) The notices described in (5) and (6) above shall be mailed and posted no less than two weeks prior to the date of the Council meeting at which the application will be considered.

3.7.2 *Discretionary Use Evaluation Criteria*

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

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

3.7.3 *Terms and Conditions for Discretionary Use Approvals*

- (1) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. In approving a discretionary use application, Council may prescribe specific development standards to minimize land use conflict with respect to:
 - (a) site drainage of storm water;
 - (b) the location of buildings with respect to buildings on adjacent property;
 - (c) access to, number and location of parking and loading facilities including adequate vehicular access;
 - (d) control of noise, glare, dust and odour; and,
 - (f) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs to ensure compatibility with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the general area.
- (2) Council may approve discretionary use applications for a limited period of time where it is considered important to monitor and reevaluate the proposal and its conformance with the objectives of this Bylaw.
- (3) Council's approval of a discretionary use application is valid for a period of 12 months from the date of the approval. An approval shall be deemed to be invalid if the proposed use or proposed form of development has not commenced within that time or if the Council determines, within the 12 month period, that the proposed development is not proceeding in accordance with the terms and conditions of its approval. The Development Officer shall

advise the applicant and Council when a prior approval is no longer valid.

- (4) Council may direct that a discretionary use permit extension be granted for an additional 12 month period by the Development Officer.
- (5) If an approved discretionary use or form of development ceases to operate for a period of twelve (12) months or more, the discretionary use approval shall no longer be valid. The Development Officer shall advise the owner and Council when a prior approval is no longer valid.

3.8 VALIDITY OF A DEVELOPMENT PERMIT

3.8.1 If development authorized by a development permit is not commenced within twelve (12) months of the date of issue, the permit ceases to be valid.

3.8.2 A development permit extension may be granted for an additional twelve (12) month period by the Development Officer.

3.9 AMENDING THE ZONING BYLAW

3.9.1 Any person seeking to amend this Zoning Bylaw may submit an application for such amendment and, upon payment of the required fee, the Development Officer shall refer such application to Council for consideration.

3.9.2 Council may authorize an amendment to a zoning bylaw, and that amendment shall be adopted by bylaw.

3.9.3 Sections 206 - 212 of *The Planning and Development Act, 2007*, shall govern the process to be followed with respect to public notice and public participation in the adoption of a bylaw proposed to amend this Zoning Bylaw.

3.10 DEVELOPMENT APPEALS BOARD

3.10.1 Council shall appoint a Development Appeals Board in accordance with Sections 49(j) and 213 to 227 of *The Planning and Development Act, 2007*.

3.10.2 A person who wishes to appeal to the Development Appeals Board shall, within 30 days of the date of issuance of or refusal to issue a development permit, file a written notice of intention to appeal, and the appeal fee, with the secretary of the Development Appeals Board.

3.10.3 A person whose application for a discretionary use or development has been approved with prescribed development standards may appeal any development standards considered excessive, to the Development Appeals Board.

3.10.4 An appellant shall make the appeal within 30 days of the date of the issuance of, or refusal to issue, a development permit.

3.10.5 Nothing in this section authorizes a person to appeal a decision of the council:

- (1) refusing to rezone land; or,
- (2) rejecting an application for approval of a discretionary use.

3.10.6 In making an appeal to the Development Appeals Board, and hearing such appeal, the provisions of *The Planning and Development Act, 2007* shall apply.

3.11 MINOR VARIANCES

3.11.1 Council may grant a variance of up to 10% of any yard requirement or minimum required distances between buildings for a use that is a permitted use as specified in this bylaw. All such variances shall be subject to the conditions and granted in accordance with the procedures contained in Section 60 of *The Planning and Development Act, 2007*.

3.11.2 Council shall maintain a registry of the location and all relevant details of the granting of such variances.

3.12 FEES

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

3.12.2 *Application fees:*

- (1) An applicant for a development permit shall pay an application fee in accordance with the following:
 - (i) Permitted principal use: \$25.00
 - (ii) Permitted accessory use: \$0.00
 - (iii) Permitted ancillary use: \$25.00
 - (iv) Discretionary principal use \$50.00
 - (v) Discretionary accessory use \$50.00
 - (vi) Discretionary ancillary use: \$50.00
 - (vii) Development Appeal Fee up to \$50.00 as specified by the Development Appeals Board.

These fees shall be in addition to any fee required by Section 3.12.1 above.

- (2) Where a person applies to Council to amend the Zoning Bylaw, that person shall pay to the municipality the following fees, where applicable:
 - (i) Text amendments: \$200
 - (ii) Map amendments:
 Class 1 Districts: A
 Class 2 Districts: C, M
 Class 3 Districts: H, CR1, CR2

Zoning Map Amendments		To		
		Class 1	Class 2	Class 3
From	Class 1	\$100	\$200	\$400
	Class 2	\$100	\$200	\$400
	Class 3	\$100	\$200	\$300

Where an application to amend the Zoning Bylaw involves amendment within two or more of the above categories the sum of the amendment fees shall apply for all categories.

These fees shall be in addition to any fee required by Section 3.12.1 above.

3.13 ZONING BY AGREEMENT

3.13.1 A zoning designation which is subject to an agreement entered into pursuant to the provisions of Section 69 of *The Act* and Section 5.1.4 of the Official Community Plan, shall be indicated on the Zoning District Map by the addition of the bylaw number authorizing the agreement after the zoning district designation.

3.14 OFFENCES AND PENALTIES

3.14.1 Any person who violates this Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties provided by Section 243 of *The Act*.

4. GENERAL REGULATIONS

Except as noted, the following regulations shall apply to all zoning districts in this bylaw:

4.1 FRONTAGE ON THE ROAD

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

4.2 DEVELOPMENT ON HAZARD LANDS

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

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

4.2.2 Council may require that before a permit may be issued, the applicant shall submit a report prepared by a professional competent to assess the suitability of the site for a development described in Section 4.2.1, and which in the opinion of Council, shows that the proposed site and development is suitable with respect to the following where relevant:

- (a) the potential for flooding up to the Safe Building Elevation, to be determined from specific site investigations, or where not involving any building, such lower elevation as may be suitable for the proposed use.
- (b) the potential for slope instability.
- (c) the required mitigation measures for construction on areas of high water tables if any.

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

4.3 BUILDING TO BE MOVED

4.3.1 No building shall be moved within, or into, the municipality, without first obtaining a development permit from the Development Officer, except as exempt from requiring a development permit as specified in Section 3.3.1(1).

4.4 WASTE DISPOSAL

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

4.5 WATER

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

4.6 STORAGE OF CHEMICALS, FERTILIZERS AND COMBUSTIBLE MATERIALS

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

4.7 ONE PRINCIPAL BUILDING PERMITTED ON A SITE

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

- (1) Public works;
- (2) Institutional uses;
- (3) Agricultural uses;
- (4) Dwelling groups;
- (5) Mobile homes in mobile home courts;
- (6) Recreation facilities;
- (7) Schools; or
- (8) Ancillary uses as specifically provided for in this Bylaw.

4.8 NON-CONFORMING BUILDINGS, SITES AND USES

4.8.1 The adoption or amendment of this bylaw does not affect non-conforming buildings, sites and uses.

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

- 4.8.3 Non-conforming buildings or sites may continue to be used, maintained and repaired in their present form.

4.9 MOBILE HOMES

- 4.9.1 Wherever a single detached dwelling is allowed in any commercial, industrial or agricultural district, it may be in the form of a mobile home, or a modular home subject to Sections 4.9.2, 4.9.3 and 4.9.4 of this Bylaw.
- 4.9.2 Every mobile home shall bear CSA Z240 certification, or a replacement thereof, and shall be attached to a permanent foundation, or securely anchored to the ground and skirted, prior to occupancy.
- 4.9.3 Every modular home shall bear CSA A277 certification, or a replacement thereof, and shall be attached to a permanent foundation.
- 4.9.4 Mobile homes and modular homes are prohibited in any residential district.

4.10 REGULATIONS FOR SIGNS AND BILLBOARDS

4.10.1 Signs Located in Highway Sign Corridor

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

4.10.2 Signs Other Than in a Highway Sign Corridor

- (1) Any sign located in other than a highway sign corridor, may only advertise agricultural commercial uses, home based businesses, the principal use of a site, or the principal products offered for sale on a site.
- (2) Government signs, memorial signs, signs identifying residential occupants or addresses and directional signs that bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs, are exempt from restriction.
- (3) Temporary signs and real estate signs are permitted only as long as the temporary condition exists for the property.
- (4) All private signs shall be located so that no part of the sign is over a public right of way.

4.10.3 Signs in Residential Districts

- (1) Signs and billboards will be prohibited in any residential district in the municipality except for signs advertising the principal use of a site or the principal products offered for sale on a site. Permitted signs shall be subject to the following requirements:
 - (a) No more than two (2) signs shall be permitted on the premises.
 - (b) No sign shall be in the excess of 3 m² in sign face area, but the two permitted signs

may be combined and the total sign face area shall not exceed 6 m². Each sign may be double faced.

- (c) No sign shall be illuminated unless the source of light is steady and suitably shielded.
- (d) The maximum height of any sign shall be 3.5 metres.

4.10.4 Signs in Other Districts

- (1) Signs and billboards that are not located in a highway sign corridor or a residential district, and that advertise agricultural commercial uses, farm or home based businesses, the principal use of a site or the principal products offered for sale on a site, are subject to the following requirements:
 - (a) No more than two (2) signs shall be permitted on the premises.
 - (b) No sign shall be in the excess of 6 m² in sign face area, but the two permitted signs may be combined and the total sign face area shall not exceed 12 m². Each sign may be double faced.
 - (c) No sign shall be illuminated unless the source of light is steady and suitably shielded.
 - (d) The maximum height of any sign shall be 6 metres.

4.11 PUBLIC WORKS, PIPELINES AND FACILITIES OF THE MUNICIPALITY

- 4.11.1 Public works and facilities of the Municipality, except solid and liquid waste disposal sites, shall be permitted uses in every zoning district, and unless otherwise specified by this bylaw, no minimum site or yard requirements shall apply.
- 4.11.2 Where a pipeline or other utility or transportation facility will cross a municipal road, Council may apply such special design standards as it considers necessary to protect the municipal interest in the existing and future improvements to the road.

4.12 VEHICLE STORAGE

- 4.12.1 Notwithstanding anything contained in this Bylaw, no person shall use any site in any residential or hamlet district, for the parking or storage of more than two (2) unlicensed vehicles outside of an enclosed building .
- 4.12.2 Section 4.12.1 shall not apply to permitted machinery or automotive salvage yards, auction markets or agricultural implement, recreational vehicle, automobile, marine and mobile home sales and service establishments.
- 4.12.3 Council may require that such vehicles be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof.

4.13 MANURE DISPOSAL

4.13.1 The use of agricultural land for the disposal and recycling of manure produced by an approved intensive livestock operation is permitted subject to the following regulations:

- (1) Liquid manure shall be spread by direct injection into the soil.
- (2) Solid manure shall be incorporated into the soil within 24 hours.
- (3) Manure (solid nor liquid) shall not be spread on ground that is frozen or covered in frost or snow.

4.13.2 Upon application to Council, other procedures for disposal of manure may be approved where the applicant establishes to the satisfaction of Council that the objectives of the Official Community Plan will be achieved to a similar or better standard. Council may specify a limited time during which the approval will be valid.

4.13.3 Council may exempt in whole or in part an applicant from this section where each of the following are true:

- (1) the manure to be spread comes from an ILO of less than 300 animal units.
- (2) the manure will be spread on land owned by the operator of the ILO.
- (3) adverse weather conditions prevent the incorporation of manure in which case incorporation of the spread manure may be delayed until weather conditions permit.

4.14 SPECIAL STANDARDS AND REGULATIONS

4.14.1 Home Based Businesses and Farm Based Businesses

- (1) Home based businesses and farm based businesses shall be subject to the following development standards:
 - (a) The use is clearly ancillary to the use of a farm as an agricultural operation or the dwelling unit as a private residence.
 - (b) The operator of the business is a resident of the dwelling unit and, in the case of a farm based business only, up to five (5) non-resident employees may be employed at the site. Any employee shall be directly under the hire and management of the operator of the business. Where the business is of a building or service contractor, additional employees may be involved only at the client building site.
 - (c) No variation in the residential or residential farm character and appearance of the dwelling, ancillary residential building, or land shall be permitted, except for permitted signs.
 - (d) The permitted use shall be valid only during the period of time the property is

occupied as a residence of the applicant for such permitted use.

- (e) All permits issued for home based businesses shall be subject to the condition that the permit may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met.

4.14.2 Campgrounds, Tourist Camps and Trailer Courts

- (1) The applicant for a development permit for a campground, tourist camp or trailer court shall provide the Development Officer with a plan of the site, identifying any buildings, uses of land and the location of all roadways and recreation vehicle or tent campsites sites with dimensions. The addition or rearrangement of sites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a development permit, and the applicant shall submit for approval an amended plan incorporating the proposed development.
- (2) A campground, tourist camp or trailer court shall have, within its boundaries, a buffer area abutting the boundary of not less than 4.5 metres in width, which shall contain no buildings.
- (3) A site for each recreation vehicle and campsite permitted in the campground, tourist camp or trailer court shall be designated and clearly marked on the ground.
- (4) Each site shall have a minimum area of 150 square metres.
- (5) No portion of any campsite shall be located within an internal roadway or required buffer area.
- (6) Each site shall have direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
- (7) Each recreation vehicle shall be located at least 4.5 metres from any other recreation vehicle and each site shall have dimensions, location and orientation sufficient to allow for such location of recreation vehicles.
- (8) The space provided for roadways within a campground, tourist camp or trailer court shall be at least 7.5 metres in width. No portion of any site, other use or structure shall be located in any roadway.
- (9) A campground, tourist camp or trailer court may include, as an ancillary use, a laundromat or a confectionary designed to meet the needs of occupants of the sites and a one unit dwelling for the accommodation of the operator.
- (10) No recreation vehicle shall be stored on any campsite when the campground is not open.
- (11) *The Public Health Act*, and Regulations passed thereunder, shall be complied with in respect of all operations and development of campgrounds.

4.14.3 Mobile Home Courts

- (1) Mobile home courts shall have, within their boundaries, a buffer area abutting the boundary which shall:
 - (a) have a minimum depth of not less than 7.5 metres in width, which shall contain no buildings or structures.
 - (b) not contain any roads, except those which connect a public roadway to the road system within the mobile home court.
- (2) Each mobile home site permitted in a mobile home court shall be designated and clearly marked on the ground.
- (3) Each mobile home site shall have a minimum area of 379.8 square metres.
- (4) No portion of any mobile home site shall be located within an internal roadway or required buffer area.
- (5) Each mobile home site shall have direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
- (6) Each mobile home shall be located at least 4.5 metres from any other mobile home and each mobile home site shall have dimensions, location and orientation sufficient to allow for such location of mobile homes.
- (7) The space provided for roadways within a mobile home court shall be at least 7.5 metres in width. No portion of any mobile home site, other use or structure shall be located in any roadway.
- (8) A mobile home court may include, as an ancillary use, a laundromat or a confectionary designed to meet the needs of occupants of the mobile home court and a one unit dwelling for the accommodation of the operator.
- (9) *The Public Health Act*, and Regulations passed thereunder, shall apply to all operations and development of mobile home courts.

4.14.4 Public Works in the Form of Solid and Liquid Waste Management or Disposal Facilities

- (1) Development and maintenance of a public work in the form of a solid or liquid waste disposal facility will be subject to the following special standards:
 - (a) A buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area.
 - (b) Any solid or liquid waste disposal facility shall be fenced.

4.14.5 *Bed and Breakfast Homes and Vacation Farms*

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

4.14.6 *Custodial Care Facilities and Residential Care Facilities*

- (1) Custodial care facilities and residential care facilities may be approved as an accessory use or as a principal use.
- (2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (3) Required parking spaces shall not be located in a required front yard.
- (4) No building or structure used for the purpose of a custodial care facility or a residential care facility shall be used for the purpose of keeping boarders or lodgers.
- (5) In addition to the development standards of the zoning district, custodial care facilities and residential care facilities that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.7 of this Bylaw.

4.14.7 *Service Stations*

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

4.14.8 Gas Bars

- (1) Where operated as the principal use on a site, gas bars are subject to the regulations and standards for service stations.
- (2) Where a gas bar is allowed to operate in conjunction with another use on a site, the following standards and regulations apply:
 - (a) All fuel pumps and above ground storage tanks shall be at least five metres from any building on the site, and six metres from any site line.
 - (b) The site shall have at least two separate entrances for vehicles, at least 15 metres apart.
 - (c) Access to, and parking for, fuel dispensing apparatus shall not obstruct access to the site, or other required off street parking spaces on the site.

4.14.9 Above Ground Fuel Storage Tanks

- (1) Above-ground fuel storage tanks which meet the standards of the National Fire Code may be permitted in association with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use.
- (2) The total storage capacity for above-ground fuel storage tanks on any single service station or gas bar shall not exceed the regulations and requirements set out by the National Fire Code.
- (3) Above-ground fuel storage tanks shall be:
 - (a) located at least 3.0 metres from any property line or building; however, for uses other than gas bars and service stations, the 3.0 metre separation distance may be reduced to 1.0 metre for tanks with a capacity of 5,000 litres or less.
 - (b) separated from each other and be accessible for fire fighting purposes to the satisfaction of the Development Officer.
- (4) Notwithstanding (3) above, above ground fuel storage tanks associated with a gas bar or service station shall be:
 - (a) located at least 6 metres from any property line or building.
 - (b) separated from each other and be accessible for fire fighting purposes to the satisfaction of the Development Officer.
 - (c) at least 15 metres from the boundary of any site within a Residential District.
- (5) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3.0 metres from any property line, at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.

- (6) Notwithstanding (5) above, above ground fuel storage tanks associated with a gas bar or service station shall be located at least 6.0 metres from any property line, at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.
- (7) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.

4.14.10 Accessory Uses, Buildings and Structures

- (1) Accessory uses and buildings shall be subordinate to, and located on the same site at the principal building or use, and used in conjunction with that principal use.
- (2) Accessory buildings shall not include any dwelling units or habitable rooms except as permitted in Sections 6.3.2, 10.3.2 and 11.3.2 of this Bylaw.
- (3) **Time of Construction:**

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

- (a) Where a Development Permit has been issued for a principal building, Council may, at its discretion, allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed in the time period required, the accessory building is to be removed.
- (4) **Height of Accessory Buildings:**
 - (a) Detached accessory buildings in any country residential or hamlet district are not to exceed a height of 10 metres.
 - (b) Detached accessory buildings in any agricultural district, commercial or industrial district - no height restrictions.
- (5) **Area of Accessory Buildings:**
 - (a) The combined building floor area of all accessory buildings, including garden suites, on any site in a residential or hamlet district shall not exceed 140 square metres.
 - (b) Detached accessory buildings in any agricultural district, commercial district or industrial district - no area restrictions.
 - (c) In any zoning district other than A - Agriculture District, the building floor area of a garden suite shall not exceed 60 square metres. In the A - Agriculture District, the building floor area of garden suites shall not exceed 113 square metres.

- (6) Location of Accessory Buildings:
- (a) Detached accessory buildings in any country residential district are subject to the following regulations:
 - (i) Yard, front: minimum - 15 metres
 - (ii) Yard, rear: minimum - 5 metres
 - (iii) Yard, side: minimum - 5 metres
 - (b) Detached accessory buildings in any agricultural or commercial district are subject to the following regulations:
 - (i) Yard, front: minimum - same as principal use
 - (ii) Yard, rear: minimum - 3 metres, except trailer courts, campgrounds and tourist camps where the minimum shall be 4.5 metres and mobile home courts where the minimum shall be 7.5 metres.
 - (iii) Yard, side: minimum - 3 metres, except trailer courts, campgrounds and tourist camps where the minimum shall be 4.5 metres and mobile home courts where the minimum shall be 7.5 metres.
- (7) Accessory dwelling units shall only be permitted to accommodate:
- (a) a residence for an operator, or for employees and/or partners engaged in farm operation, intensive livestock operation, or intensive agricultural operation, subject to Section 3.4.3 (4) of the *Official Community Plan*
 - (b) a residence for an operator, or for employees and/or partners engaged in a commercial use, subject to 10.3.2, or for an industrial use, subject to 11.3.2 of this bylaw.
 - (c) a garden suite, subject to the following provisions:
 - (i) Garden suites shall be constructed on grade and without a basement.
 - (ii) Modular homes and mobile homes, subject to all wheels and axles being removed, may be allowed as garden suites in the **A** - Agricultural District; they are not permitted as garden suites in other districts.
 - (iii) Services:
 - (iii-a) *Water and Sewer:*

A garden suite shall be connected to the water and sewer service of the principal residential buildings.

(iii-b) *Other Services:*

All other services (cable, electrical, natural gas, telephone) may have separate connections or connect to those services of the principal residential building.

- (iv) A minimum of one offsite parking stall shall be provided for a garden suite.

(8) Satellite Dishes and Solar Collectors:

(a) Satellite Dishes and Solar Collectors:

The installation and operation of a free standing satellite dish or solar collector, and their supporting structures shall be permitted in all zoning districts, subject to the following:

- (i) in any District such structures shall not be located in any front yard, side yard and in the case of a corner site, in any portion of the rear yard which is within three (3) metres of the side property line adjacent to a flanking street unless it is screened from the flanking street to the satisfaction of the Development Officer;
- (ii) in any District such structures, if freestanding, shall not exceed a height of ten (10) metres above grade level;
- (iii) in any District such structures if attached to a principal building, shall not exceed a height of ten (10) metres above the lowest elevation of: roof surface of a flat roof; the decking of a mansard roof; and the eaves of a gable, hip or gambrel roof; and,
- (iv) in any District such structures, if attached to or erected upon an accessory building, shall not exceed the maximum permitted height of the accessory building upon which such structure is attached or erected.

4.14.11 *Outfitter Base Camps and Tourism Base Camps*

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

- (5) A use that is established as an ancillary use to an agricultural operation shall cease to be permitted when the operator ceases to be resident on the site.

4.14.12 Dugouts, Sewage Lagoons and Manure Storage Pits

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

4.14.13 Wind Energy Conversion Facilities and Wind Farms

Wind energy conversion facilities, shall be accommodated as a discretionary use in each zoning district in this Bylaw, except the hamlet district, either as an accessory use to an established principal use on a site or as the principal use of a site. Wind farms shall be accommodated as a discretionary use in only the agricultural and industrial districts in the municipality. The following standards apply to wind energy conversion facilities and wind farms:

- (1) Wind turbines are limited to a maximum height of 30 metres.
- (2) Wind turbines shall be separated or kept clear of all property lines, accessory buildings and habitable buildings on the site by a distance of 1.5 times its height.
- (3) Wind turbines shall be set back a distance of 50 metres from a municipal road allowance or railway right of way. Facilities adjacent to a provincial highway are subject to the setback requirements of the Ministry of Highways and Infrastructure.
- (4) Wind turbines shall be located 250 metres from a habitable dwelling situated on an adjoining property. This requirement may be reduced where the Council is satisfied that site terrain or vegetation will effectively reduce the noise level of the turbine or where the proponent furnishes a noise projection by a qualified professional engineer which estimates a recommends a reduced setback based on projected sound levels.

4.15 SETBACK FROM CENTRE LINE OF ROADS

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

4.16 BUILDING LINES

Where a building line in a hamlet district has been established by existing buildings in a block having at least one half of the lots built on, new development may conform to this line.

5. ZONING DISTRICTS

5.1 CLASSIFICATION OF ZONING DISTRICTS

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

Districts	Symbols
Agriculture	A
Hamlet	H
Low Density Country Residential	CR1
Medium Density Country Residential	CR2
Commercial	C
Industrial	M

5.2 ZONING DISTRICT MAPS

5.2.1 The map, bearing the statement “This is the Zoning District Map which accompanies Bylaw No. _____” adopted by the Rural Municipality of Biggar No. 347 and signed by the Reeve and Rural Administrator under the seal of the Rural Municipality shall be known as the “**Zoning District Map**” and such map is hereby declared to be an integral part of this Bylaw.

5.3 BOUNDARIES

5.3.1 The boundaries of such districts referred to, together with explanatory legend, notation and reference, are shown on the map entitled “**Zoning District Map**”.

5.3.2 All streets, lanes and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

5.3.3 Streets, lanes, and road allowances which are shown on the “**Zoning District Map**” and which have been permanently closed pursuant to Section 13 of *The Municipalities Act*, shall be in the same district as the land abutting both sides of the permanently closed street, lane or road allowance. If the land abutting each side of the permanently closed street, lane or road allowance was located in different zoning districts before the said street, lane or road allowance was permanently closed, the centre line of such permanently closed street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

5.3.4 In unsubdivided land, the zoning district boundary shall be determined by the scale shown on the “**Zoning District Map**”.

5.4 REGULATIONS

5.4.1 Regulations for the zoning districts are outlined in the following sections of this Bylaw.

5.5 TRANSITIONAL ZONING PROVISIONS

5.5.1 Former Permitted and Discretionary Uses

Land uses or developments in existence on a site that were listed as permitted or discretionary uses under Zoning Bylaw No. 31A - 87, or any amendment thereto, and are listed as discretionary uses under this bylaw, shall be considered permitted uses; however, no alteration or enlargement of the land use or development shall take place except in conformity with relevant development standards in this Bylaw.

5.6 PROPERTIES WITH MORE THAN ONE ZONING DISTRICT

5.6.1 Where a site or lot is divided into more than one zoning district, each portion of the site or lot shall be developed and used in accordance with the provisions of the applicable zoning district, subject to Section 4.7 herein.

6. A - AGRICULTURAL DISTRICT

6.1 INTENT

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

6.2 PERMITTED USES

The following uses are permitted in this district:

6.2.1 *Agricultural Uses:*

- (1) Farm operations.

6.2.2 *Resource Based Uses:*

- (1) Petroleum exploration or extraction wells and related facilities.
- (2) Petroleum pipelines and related facilities.
- (3) Mineral exploration and extraction, excluding gravel pits.

6.2.3 *Residential Uses*

- (1) Single detached dwelling as a principle use.

6.2.4 *Other Uses:*

- (1) Places of worship.
- (2) Cemeteries.
- (3) Schools.
- (4) Communication towers.
- (5) Parks.
- (6) Recreation facilities.
- (7) Historical and archaeological sites.
- (8) Wildlife and ecological conservation areas.
- (9) Public works, excluding solid and liquid waste disposal sites.
- (10) Municipal facilities.
- (11) Community halls.

6.3 DISCRETIONARY USES

The following uses are discretionary in this district:

6.3.1 Agricultural Uses:

- (1) Intensive livestock operations.
- (2) Intensive agricultural operations.
- (3) Manure disposal for an ILO.

6.3.2 Residential Uses:

- (1) Dwelling units as an accessory use.
- (2) Garden suites.
- (3) Mobile home courts.

6.3.4 Commercial Uses:

- (1) Agricultural equipment, fuel, and chemical supply establishments including bulk fuel sales and storage.
- (2) Agriculture servicing and contracting establishments.
- (3) Grain elevators or terminals.
- (4) Gravel pits and gravel crushing operations.
- (5) Machine shops and metal fabricators.
- (6) Golf courses.
- (7) Campgrounds.
- (8) Tourist camps.
- (9) Outfitter base camps.
- (10) Tourism base camps.
- (11) Vacation farms.
- (12) Bed-and-breakfast homes.
- (13) Personal care homes.
- (14) Custodial care facilities.
- (15) Residential care facilities.
- (16) Home based businesses and farm based businesses.
- (17) Kennels.

6.3.5 Other Discretionary Uses:

- (1) Institutional camps.
- (2) Airports and private airstrips.
- (3) Solid and liquid waste disposal facilities including soil farms for the rehabilitation of contaminated soils.
- (4) Wind energy conversion facilities, including wind farms.

6.4 ACCESSORY BUILDINGS

6.4.1 Accessory buildings and uses, except garden suites and dwelling units as an accessory use, shall be permitted and subject to Section 4.14.10 of this Bylaw.

6.5 REGULATIONS

6.5.1 *Site Requirements*

The minimum and maximum site size and yard requirements are shown in Table 6-1.

6.5.2 Principal Use Requirements

The site area of principal and non-agricultural ancillary uses must be constrained by a single boundary.

6.6 Standards for Discretionary Uses

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

6.6.1 *Intensive agricultural operations* including, but not limited to, *intensive livestock operations* subject to Section 3.4.3 of the Official Community Plan.

6.6.2 *Manure disposal* subject to Section 4.13 of this Bylaw.

6.6.3 *Solid and liquid waste disposal facilities* subject to Section 4.14.4 of this Bylaw and Section 3.2.3 (4) and 3.2.3 (9) of the Official Community Plan.

6.6.4 *Mobile home courts* subject to Section 4.14.3 of this Bylaw.

6.6.5 *Home businesses and farm based businesses* subject to Section 4.14.1 of this Bylaw.

6.6.6 *Bed and breakfast homes and vacation farms* subject to Section 4.14.5 of this Bylaw.

6.6.7 *Custodial care facilities and residential care facilities* subject to Section 4.14.6 of this Bylaw

6.6.8 *Campgrounds, tourist camps and trailer courts* subject to Section 4.14.2 of this Bylaw.

6.6.9 *Personal care homes* shall be licensed under *The Personal Care Homes Act*.

6.6.10 *Dwelling units as an accessory use and garden suites* subject to Section 4.14.10 of this Bylaw.

6.6.11 *Outfitter base camps and tourism base camps* subject to Section 4.14.11 of this Bylaw.

6.6.13 *Discretionary Commercial Uses:*

- (1) Where ancillary to a farm operation, or single detached dwelling, Council may prescribe specific development standards in the issuing of a development permit limiting the size of operation, buildings used for the operation, and number of non-resident employees. Any increase in the area of land for a commercial use, or the number or size of buildings used for the commercial operation, shall require a new discretionary approval by Council.
- (2) Council may specify specific development standards for the location, setback, or screening of any area devoted to the outdoor storage of machinery, vehicles, or vehicular parts in conjunction with a commercial operation including any salvage or vehicle storage yard.

6.6.14 Wind energy conversion facilities, including wind farms, subject to Section 4.14.13 of this Bylaw.

TABLE 6-1 A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS						
Principal Use	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Frontage (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Farm operations	64.75 ⁽¹⁾	no maximum	30	15	10	10
Single detached dwellings	2.03	4.04	30	15	10	10
Vacation farms	2.03	4.04	30	15	10	10
Bed and breakfast homes	2.03	4.04	30	15	10	10
Personal care homes	2.03	4.04	30	15	10	10
Custodial care facilities	2.03	4.04	30	15	10	10
Residential care facilities	2.03	4.04	30	15	10	10
Intensive agricultural operations	0.8	no maximum	30	15	10	10
Intensive livestock operations	0.8	no maximum	30	15	10	10
Mobile home courts	0.4	no maximum	30	15	10	10
Agricultural equipment, fuel, and chemical supply establishments including bulk fuel sales and storage.	0.4	no maximum	30	15	10	10
Agricultural servicing and contracting establishments	0.4	no maximum	30	15	10	10
Grain elevators or terminals	0.4	no maximum	30	15	10	10
Golf courses	0.8	no maximum	no minimum	15	10	10
Campgrounds	0.4	no maximum	30	15	10	10
Tourist camps	0.4	no maximum	30	15	10	10
Outfitter base camps	0.4	no maximum	30	15	10	10
Tourism base camps	0.4	no maximum	30	15	10	10
Machine shops and metal fabricators	0.4	no maximum	30	15	10	10
Institutional camps	0.4	no maximum	30	15	10	10
Kennels	0.4	no maximum	30	15	10	10
Airports and private airstrips	no minimum	no maximum	no minimum	15	10	10
Communication towers	0.8	no maximum	no minimum	15	10	10

TABLE 6-1 A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS						
Principal Use	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Frontage (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Recreation facilities, community halls, places of worship and schools.	0.4	no maximum	30	15	10	10
Petroleum exploration or extraction wells and related facilities, petroleum pipelines and related facilities, mineral exploration, cemeteries, parks, municipal facilities, historical and archaeological sites, wildlife and ecological conservation areas, public works and gravel pits.	no minimum	no maximum	no minimum	no minimum	no minimum	3

Notes: (1) or lessor site size that is permitted under Section 3.4.3(6) of the Official Community Plan

7. HAMLET DISTRICT

7.1 INTENT

The objective of this district is to provide for limited residential and commercial growth in the form of infilling of existing vacant land in the hamlets of Springwater and Duperow.

7.2 PERMITTED USES

The following uses are permitted in this district:

7.2.1 *Residential Uses:*

- (1) Single detached dwellings.

7.2.2 *Recreational Uses:*

- (1) Public parks.
- (2) Recreation facilities.

7.2.3 *Institutional Uses:*

- (1) Community halls, public museums, and libraries.
- (2) Schools without residences for students or staff.
- (3) Places of worship.
- (4) Municipal facilities.

7.2.4 *Other Uses:*

- (1) Historical and archaeological sites.
- (2) Public works, except solid and liquid waste disposal facilities.
- (3) Parking lots.

7.3 DISCRETIONARY USES

The following uses are discretionary in this district:

7.3.1 *Commercial Uses:*

- (1) Convenience stores, with or without associated gas bars.
- (2) Gas bars.
- (3) Retail / service commercial uses.
- (4) Restaurants.
- (5) Hotels.
- (6) Motels.
- (7) Service stations.

- (8) Veterinary clinics and hospitals.
- (9) Bed and breakfast homes.
- (10) Home based businesses.
- (11) Offices and office buildings.
- (12) Tourist camps.

7.4 PROHIBITED USES

7.4.1 Animals:

- (1) The keeping, handling, sale or transshipment of cattle, horses, pigs, goats, llamas, alpacas, poultry, sheep or other livestock is prohibited within this district.

7.5 ACCESSORY BUILDINGS AND USES

7.5.1 Accessory buildings and uses shall be permitted and subject to Section 4.14.10 of this Bylaw.

7.6 REGULATIONS

7.6.1 Site Requirements

The minimum site size and yard requirements are shown in Table 7-1.

7.6.2 Site Coverage

The maximum site coverage requirements are shown in Table 7-1.

7.7 STANDARDS FOR DISCRETIONARY USES

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

7.7.1 All Commercial Uses:

- (1) Council may apply special standards in the issuing a development permit for screening of storage areas or fencing adjacent to residential uses.
- (2) Council may apply special development standards regarding yard requirements” to reduce conflict with neighbouring uses.

7.7.2 Home Based Businesses:

- (1) Home based businesses subject to Section 4.14.1 of this Bylaw.
- (2) No home based business in this district shall include auto body repair or repainting operations.

- (3) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district.
- 7.7.4 *Bed and breakfast homes shall* subject to Section 4.14.5 of this Bylaw.
- 7.7.5 *Gas bars* subject to Sections 4.14.8 and 4.14.9 of this Bylaw.
- 7.7.6 *Service stations* subject to Sections 4.14.7 and 4.14.9 of this Bylaw.

**TABLE 7-1
H - HAMLET DISTRICT DEVELOPMENT STANDARDS**

Principal Use	Minimum Site Area (m²)	Minimum Site Width (m)	Minimum Front Yard (m)⁽³⁾	Minimum Rear Yard (m)⁽³⁾	Minimum Side Yard (m)	Maximum Site Coverage (%)
Single detached dwellings ⁽¹⁾	450	15	6	4.5	1.5	50 ⁽²⁾
Bed and breakfast homes	450	15	6	4.5	1.5	50 ⁽²⁾
Convenience stores	225	7.5	6	4.5	1.5	no maximum
Gas Bars	900	30	6	4.5	1.5	no maximum
Retail / service commercial	225	7.5	6	4.5	1.5	no maximum
Restaurants	225	7.5	6	4.5	1.5	no maximum
Service stations	900	30	6	4.5	1.5	no maximum
Veterinary clinics and hospitals	225	7.5	6	4.5	1.5	no maximum
Hotels	900	30	6	4.5	1.5	no maximum
Tourist camps	900	7.5	6	4.5	1.5	no maximum
Offices and office buildings	225	7.5	6	4.5	1.5	no maximum
Motels	900	30	6	4.5	1.5	no maximum
Public parks, recreation facilities, community halls, public museums, libraries, places of worship, municipal facilities, historical and archaeological sites, public works and parking lots.	no minimum	no minimum	6	4.5	1.5	no maximum

- Notes:**
- (1) the development standards in Table 7-1 that apply to sites and single detached dwellings shall also apply to bare land units and single detached dwellings that are part of an approved bare land condominium.
 - (2) the floor area of all principal and accessory buildings on a site shall not exceed the maximum site coverage.
 - (3) or as may be permitted in Section 4.16 of this Bylaw.

8. CR1 - LOW DENSITY COUNTRY RESIDENTIAL DISTRICT

8.1 INTENT

The objective of this district is to provide for low density, multiple-lot country residential development and other compatible development in specific areas with standards for such development which does not directly support agriculture.

8.2 PERMITTED USES

The following uses are permitted in this district:

8.2.1 Residential Uses:

- (1) Single detached dwellings.

8.2.2 Recreational Uses:

- (1) Parks.
- (2) Recreation facilities.

8.2.3 Institutional Uses:

- (1) Community halls.
- (2) Places of worship.
- (3) Municipal facilities.

8.2.4 Other Uses:

- (1) Historical and archaeological sites.
- (2) Wildlife and ecological conservation areas.
- (3) Public works, except solid and liquid waste disposal facilities.

8.3 DISCRETIONARY USES

The following uses are discretionary in this district:

8.3.1 Commercial Uses:

- (1) Bed and breakfast homes.
- (2) Personal care homes.

8.3.2 *Other Uses:*

- (1) Wind energy conversion facilities.

8.4 ACCESSORY BUILDINGS

8.4.1 The following accessory buildings and uses shall be permitted and subject to Section 4.14.10 of this Bylaw.

- (1) Private garages, whether detached or attached to a dwelling unit.
- (2) Garden sheds used for the storage of non-industrial yard maintenance equipment.
- (3) Greenhouses where accessory to a residential use.
- (4) Keeping of animals on the same site as the residence, subject to Section 8.5.2 of this Bylaw.
- (5) Barns and stables for animals permitted by Section 8.5.2 of this Bylaw.
- (6) Orchards and vegetable, horticultural or fruit gardens, where accessory to a residence.
- (7) Field crops.

8.5 REGULATIONS

8.5.1 *Site Requirements*

The minimum and maximum site size and yard requirements are shown in Table 8-1.

8.5.2 *Keeping of animals:*

- (1) Large animals, which include only horses, cattle, sheep, goats, llamas and alpacas, will be permitted, in numbers not exceeding 4 animal units, on a site of at least 4 ha. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.
- (2) Animals shall not be pastured within 15.25 metres of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 metres of a property line.
- (3) The use of vacant residential sites for pasture of animals is prohibited.

8.6 STANDARDS FOR DISCRETIONARY USES

Council will consider discretionary use applications in the CR1 - Low Density Country Residential District with regard to Section 3.7.2 Discretionary use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

8.6.1 *Home Based Businesses:*

- (1) Home based businesses subject to Section 4.14.1 of this Bylaw.

- (2) No home based business in this district shall include auto body repair or repainting operations.
- (3) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district.

8.6.2 *Bed and breakfast homes* subject to Section 4.14.5 of this Bylaw.

8.6.3 *Personal care homes* shall be licensed under *The Personal Care Homes Act*.

8.6.4 *Wind energy conversion facilities*, subject to Section 4.14.13 of this Bylaw.

TABLE 8-1 CR1 - LOW DENSITY COUNTRY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS						
Principal Use	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Frontage (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Single detached dwellings ⁽¹⁾	4.05	8.08	61	15	10	10
Bed and breakfast homes	4.05	8.08	61	15	10	10
Personal care homes	4.05	8.08	61	15	10	10
Recreation facilities, community halls, and places of worship.	0.4	no maximum	30	15	10	10
Parks, historical and archaeological sites, wildlife and ecological conservation areas, municipal facilities and public works.	no minimum	no maximum	no minimum	no minimum	no minimum	3

Notes: (1) the development standards in Table 8-1 that apply to sites and single detached dwellings shall also apply to bare land units and single detached dwellings that are part of an approved bare land condominium.

9. CR2 - MEDIUM DENSITY COUNTRY RESIDENTIAL DISTRICT

9.1 INTENT

The objective of this district is to provide for medium density, multiple-lot country residential development and other compatible development in specific areas with standards for such development which does not directly support agriculture.

9.2 PERMITTED USES

The following uses are permitted in this district:

9.2.1 Residential Uses:

- (1) Single detached dwellings.

9.2.2 Recreational Uses:

- (1) Parks.
- (2) Recreation facilities.

9.2.3 Institutional Uses:

- (1) Community halls.
- (2) Places of worship.
- (3) Municipal facilities.

9.2.4 Other Uses:

- (1) Historical and archaeological sites.
- (2) Wildlife and ecological conservation areas.
- (3) Public works, except solid and liquid waste disposal facilities.

9.3 DISCRETIONARY USES

The following uses are discretionary in this district:

9.3.1 Commercial Uses:

- (1) Bed and breakfast homes.
- (2) Personal care homes.

9.3.2 Other Uses:

- (1) Wind energy conversion facilities.

9.4 ACCESSORY BUILDINGS

9.4.1 The following accessory buildings and uses shall be permitted and subject to Section 4.14.10 of this Bylaw.

- (1) Private garages, whether detached or attached to a dwelling unit.
- (2) Garden sheds used for the storage of non-industrial yard maintenance equipment.
- (3) Greenhouses where accessory to a residential use.
- (4) Keeping of animals on the same site as the residence, subject to Section 9.5.2 of this Bylaw.
- (5) Barns and stables for animals permitted by Section 9.5.2 of this Bylaw.
- (6) Orchards and vegetable, horticultural or fruit gardens, where accessory to a residence.
- (7) Field crops.

9.5 REGULATIONS

9.5.1 Site Requirements

The minimum and maximum site size and yard requirements are shown in Table 9-1.

9.5.2 Keeping of animals:

- (1) Large animals, which include only horses, cattle, sheep, goats, llamas and alpacas, will be permitted, in numbers not exceeding 2 animal units, on a site of at least 2 ha. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.
- (2) Animals shall not be pastured within 15.25 metres of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 metres of a property line.
- (3) The use of vacant residential sites for pasture of animals is prohibited.

9.6 STANDARDS FOR DISCRETIONARY USES

Council will consider discretionary use applications in the CR2 - Medium Density Country Residential District with regard to Section 3.7.2 Discretionary use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

9.6.1 Home Based Businesses:

- (1) Home based businesses subject to Section 4.14.1 of this Bylaw.
- (2) No home based business in this district shall include auto body repair or repainting operations.
- (3) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district.

9.6.2 *Bed and breakfast homes* subject to Section 4.14.5 of this Bylaw.

9.6.3 *Personal care homes* shall be licensed under *The Personal Care Homes Act*.

9.6.4 *Wind energy conversion facilities* subject to Section 4.14.13 of this Bylaw.

TABLE 9-1 CR2 - MEDIUM DENSITY COUNTRY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS						
Principal Use	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Frontage (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Single detached dwellings ⁽¹⁾	2.03	4.04	30	15	10	10
Bed and breakfast homes	2.03	4.04	30	15	10	10
Personal care homes	2.03	4.04	30	15	10	10
Recreation facilities, community halls, and places of worship.	0.4	no maximum	30	15	10	10
Parks, historical and archaeological sites, wildlife and ecological conservation areas, municipal facilities and public works.	no minimum	no maximum	no minimum	no minimum	no minimum	3

Notes: (1) the development standards in Table 9-1 that apply to sites and single detached dwellings shall also apply to bare land units and single detached dwellings that are part of an approved bare land condominium.

10. C - COMMERCIAL DISTRICT

10.1 INTENT

The objective of this district is to provide for commercial, light industrial and other compatible development in specific areas, with standards for such development.

10.2 PERMITTED USES

The following uses are permitted in this district:

10.2.1 Commercial Uses:

- (1) Retail / service commercial.
- (2) Convenience stores, with or without gas bars.
- (3) Agricultural implement, recreational vehicle, automobile, marine and mobile home sales and service establishments.
- (4) Lumber yards, home improvement centres and building supply establishments.
- (5) Drive-in theatres.
- (6) Gas bars subject to Sections 4.14.8 and 4.14.9 and service stations subject to Sections 4.14.7 and 4.14.9.
- (7) Motels.
- (8) Nurseries, greenhouses and garden centres.
- (9) Restaurants.
- (10) Veterinary clinics and animal hospitals.
- (11) Car and truck washes.
- (12) Recreation facilities.
- (13) Repair services.
- (14) Auction markets, excluding livestock auction facilities .
- (15) Hotels.

10.2.2 Other Uses:

- (1) Public works, except solid and liquid waste disposal facilities.
- (2) Municipal facilities.

10.3 DISCRETIONARY USES

The following uses are discretionary in this district:

10.3.1 Light Industrial Uses:

- (1) Agricultural equipment, fuel, and chemical supply establishments.
- (2) Transportation, trucking and freight handling establishments.
- (3) Commercial and industrial warehouse, supply depot and storage establishments.

- (4) Construction trades establishments.
- (5) Indoor storage rental facilities.
- (6) Warehouses and storage yards.
- (7) Bulk fuel sales and storage.
- (8) Agricultural product processing.
- (9) Welding and machine shops.
- (10) Wholesale establishments.
- (11) Veterinary clinics and animal hospitals.
- (12) Machinery or automotive salvage and storage yards.

10.3.2 Residential Uses:

- (1) Dwelling units accessory to principal uses, as part of principal buildings, for the use of caretakers, owners or managers.

10.3.3 Other Uses:

- (1) Solid and liquid waste disposal facilities including soil farms for the rehabilitation of contaminated soils.
- (2) Wind energy conversion facilities.

10.4 ACCESSORY BUILDINGS

10.4.1 Accessory buildings and uses, except accessory dwelling units, shall be permitted and subject to Section 4.14.10 of this Bylaw.

10.5 REGULATIONS

10.5.1 Site Requirements

The minimum and maximum site size and yard requirements are shown in Table 10-1.

10.6 STANDARDS FOR DISCRETIONARY USES

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

10.6.1 Accessory dwelling units:

- (1) Dwelling units attached to commercial or industrial establishments shall have a main entrance separate from that of the commercial or industrial establishment. An emergency exit must be provided in addition to the main entrance.
- (2) Subject to Section 4.14.10 of this Bylaw.

10.6.2 *All operations* shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.

10.6.3 *Industrial uses* subject to Section 3.7.3(8) of the Official Community Plan.

10.6.4 *Wind energy conversion facilities* subject to Section 4.14.13 of this Bylaw.

10.7 OFF-STREET PARKING AND LOADING

10.7.1 *Location of Required Parking and Loading Facilities:*

All required parking and loading facilities shall be located on the same site as the principal building or use.

10.7.2 *Minimum Dimensions of Required Off-Street Parking and Loading Spaces:*

- (1) All required off-street parking spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions and shall have minimum dimensions of 2.7 metres by 6.7 metres.
- (2) All required off-street loading spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions and shall have minimum dimensions of 3.0 metres by 7.5 metres.

10.7.3 *Calculation of Parking Requirements:*

When the calculation of parking requirements results in a fractional required parking space, this fractional requirement shall be rounded up to the next whole number.

10.7.4 *Commercial and Industrial Uses:*

- (1) Restaurants: Off-street parking shall be provided at a minimum rate of 1 space per 4 seats intended for patrons' use.
- (2) Motels and hotels: Off-street parking shall be provided at a minimum rate of 1 space per guest unit.
- (3) Retail / service commercial: Off-street parking shall be provided at a minimum rate of 1 space per 9.3 m² of building floor area.
- (4) All other commercial and industrial uses: Off-street parking shall be provided at a minimum rate of 1 space per 46 m² of building floor area or 1 space per 5 employees, whichever is greater.

10.6.5 *Residential Uses:*

In addition to off-street parking spaces otherwise required, 1 off-street parking space shall be provided for each accessory dwelling unit.

10.7.6 Required Loading Spaces:

Each principal building with a building floor area greater than 500 m² shall provide one off-street loading space.

TABLE 10-1 C - COMMERCIAL DEVELOPMENT STANDARDS					
Principal Use	Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Retail / service commercial	0.4	30	8	(1)	3
Convenience Stores with or without Gas Bars	0.4	30	8	(1)	3
Agricultural Implement, recreational vehicle, automobile, marine and mobile home sales and service establishment	0.4	30	8	(1)	3
Lumber yards, home improvement centres and building supply establishments	0.4	30	8	(1)	3
Drive-in theatres	0.4	30	8	(1)	3
Gas bars and service stations	0.4	30	8	(1)	3
Motels	0.4	30	8	(1)	3
Nurseries, greenhouses and garden centres	0.4	30	8	(1)	3
Restaurants	0.4	30	8	(1)	3
Veterinary clinics and animal hospitals	0.4	30	8	(1)	3
Car and truck wash	0.4	30	8	(1)	3
Recreation facilities	0.4	30	8	(1)	3
Repair services	0.4	30	8	(1)	3
Auction markets, excluding livestock auction facilities	0.4	30	8	(1)	3
Hotels	0.4	30	8	(1)	3
Public Works, except solid and liquid waste disposal facilities	No Minimum	No Minimum	No Minimum	No Minimum	No Minimum
Municipal facilities	No Minimum	No Minimum	No Minimum	No Minimum	No Minimum

TABLE 10-1 C - COMMERCIAL DEVELOPMENT STANDARDS					
Principal Use	Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Agricultural equipment, fuel and chemical supply establishments	0.4	30	8	(1)	3
Transportation, Trucking and freight handling establishments	0.4	30	8	(1)	3
Veterinary clinics and animal hospitals	0.4	30	8	(1)	3
Commercial and industrial warehouses, supply depots and storage establishments	0.4	30	8	(1)	3
Construction trades establishments	0.4	30	8	(1)	3
Indoor storage rental facilities	0.4	30	8	(1)	3
Warehouses and storage yards	0.4	30	8	(1)	3
Bulk fuel sales and storage	0.4	30	8	(1)	3
Agricultural product processing	0.4	30	8	(1)	3
Welding and Machine Shops	0.4	30	8	(1)	3
Wholesale establishments	0.4	30	8	(1)	3
Machinery or automotive salvage and storage yards	0.4	30	8	(1)	3

TABLE 10-1 C - COMMERCIAL DEVELOPMENT STANDARDS					
Principal Use	Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Dwelling units accessory to principal uses, as part of principal buildings, for the use of caretakers, owners or managers	0.4	30	8	(1)	3
Solid and liquid waste disposal facilities including soil farms for the rehabilitation of contaminated soil	0.4	30	8	(1)	3

Notes: (1) 10% of the depth of the site

11. M - INDUSTRIAL DISTRICT

11.1 INTENT

The objective of this district is to provide for light industrial, heavy industrial and other compatible development in specific areas, with standards for such development.

11.2 PERMITTED USES

The following uses are permitted in this district:

11.2.1 Industrial Uses:

- (1) Agricultural equipment, fuel, and chemical supply establishments including bulk fuel sales and storage.
- (2) Agricultural implement, recreational vehicle, automobile, marine and mobile home sales and service establishments.
- (3) Agricultural product processing.
- (4) Agricultural service and contracting establishments.
- (5) Auction markets, including livestock auction facilities.
- (6) Car and truck washes.
- (7) Commercial and industrial warehouse, supply depot and storage establishments.
- (8) Construction trades establishments.
- (9) Gas bars and service stations.
- (10) General Industrial Use.
- (11) Indoor storage rental facilities.
- (12) Lumber yards, home improvement centres and building supply establishments
- (13) Repair services.
- (14) Transportation, trucking and freight handling establishments.
- (15) Veterinary clinics and animal hospitals.
- (16) Warehouses and storage yards.
- (17) Welding and machine shops.
- (18) Wholesale establishments.

11.2.2 Other Uses:

- (1) Public works, except solid and liquid waste disposal facilities.

11.3 DISCRETIONARY USES

The following uses are discretionary in this district:

11.3.1 Industrial Uses:

- (1) Abattoirs, hide defleshing, tanning facilities and stock yards.
- (2) Grain elevators or terminals.
- (2) Mineral resource processing or refinement facilities.
- (3) Petroleum refinement or processing facilities.

11.3.2 Residential Uses:

- (1) Dwelling units accessory to principal uses permitted, as part of principal buildings, for the use of caretakers, owners or managers.

11.3.3 Other Uses:

- (1) Wind energy conversion facilities, including wind farms.

11.4 ACCESSORY BUILDINGS

11.4.1 Accessory buildings and uses shall be permitted and subject to Section 4.14.10 of this Bylaw.

11.5 REGULATIONS

11.5.1 Site Requirements

The minimum and maximum site size and yard requirements are shown in Table 11-1.

11.6 STANDARDS FOR DISCRETIONARY USES

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

11.6.1 Accessory dwelling units:

- (1) Dwelling units attached to commercial or industrial establishments shall have a main entrance separate from that of the commercial or industrial establishment. An emergency exit must be provided in addition to the main entrance.
- (2) Subject to Section 4.14.10 of this Bylaw.

11.6.2 Wind energy conversion facilities, including wind farms subject to Section 4.14.13 of this Bylaw.

11.6.3 All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.

11.7 OFF-STREET PARKING AND LOADING

11.7.1 Location of Required Parking and Loading Facilities:

All required parking and loading facilities shall be located on the same site as the principal building or use.

11.7.2 Minimum Dimensions of Required Off-Street Parking and Loading Spaces:

- (1) All required off-street parking spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions and shall have minimum dimensions of 2.7 metres by 6.7 metres.
- (2) All required off-street loading spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions and shall have minimum dimensions of 3.0 metres by 7.5 metres.

11.7.3 Calculation of Parking Requirements:

When the calculation of parking requirements results in a fractional required parking space, this fractional requirement shall be rounded up to the next whole number.

11.7.4 Industrial Uses:

- (1) All industrial uses: Off-street parking shall be provided at a minimum rate of 1 space per 46 m² of building floor area or 1 space per 5 employees, whichever is greater.

11.7.5 Residential Uses:

In addition to off-street parking spaces otherwise required, 1 off-street parking space shall be provided for each accessory dwelling unit.

11.7.6 Required Loading Spaces:

Each principal building with a building floor area greater than 500 m² shall provide one off-street loading space.

TABLE 11-1 M - INDUSTRIAL DEVELOPMENT STANDARDS						
Principal Use	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Frontage (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Agricultural equipment, fuel and chemical supply establishments including bulk fuel sales and storage	0.4	(1)	30	10	(2)	4
Agricultural implement, recreational vehicle, automotive, marine and mobile homes sales and service establishments	0.4	(1)	30	10	(2)	4
Agricultural product processing	0.4	(1)	30	10	(2)	4
Agricultural service and contracting establishments	0.4	(1)	30	10	(2)	4
Auction markets, including livestock auction facilities	0.4	(1)	30	10	(2)	4
Car and truck washes	0.4	(1)	30	10	(2)	4
Commercial and industrial warehouses, supply depots and storage establishments	0.4	(1)	30	10	(2)	4
Construction trades establishments	0.4	(1)	30	10	(2)	4
Gas bars and service stations	0.4	(1)	30	10	(2)	4
General industrial use	0.4	(1)	30	10	(2)	4
Grain elevators or terminals	0.4	(1)	30	10	(2)	4
Indoor storage rental facilities	0.4	(1)	30	10	(2)	4
Lumber yards, home improvement centres and building supply establishments	0.4	(1)	30	10	(2)	4
Repair services	0.4	(1)	30	10	(2)	4
Transportation, trucking and freight handling establishments	0.4	(1)	30	10	(2)	4

TABLE 11-1 M - INDUSTRIAL DEVELOPMENT STANDARDS						
Principal Use	Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Frontage (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Veterinary clinics and animal hospitals	0.4	(1)	30	10	(2)	4
Warehouses and storage yards	0.4	(1)	30	10	(2)	4
Welding and machine shops	0.4	(1)	30	10	(2)	4
Wholesale establishments	0.4	(1)	30	10	(2)	4
Public works, except solid and liquid waste facilities	No minimum	No maximum	No Minimum	No Minimum	No Minimum	No Minimum
Abattoirs, hide defleshing, tanning facilities and stock yards	0.4	(1)	30	10	(2)	4
Mineral resource processing or refinement facilities	0.4	(1)	30	10	(2)	4
Petroleum refinement or processing facilities	0.4	(1)	30	10	(2)	4

- Notes:** (1) As determined by demonstrated space requirements
(2) 10% of the depth of the side, except where rear yard abuts railway track or railway yard, in which case no rear yard is required

12. MAPS

ZONING DISTRICT MAP

ZONING DISTRICTS

- (A) Agriculture District
- (H) Hamlet District
- (CR1) Low Density Country Residential District
- (CR2) Medium Density Country Residential District
- (C) Commercial District
- (M) Industrial District

This is the Zoning District Map which accompanies Bylaw Number _____ adopted by the Rural Municipality of Biggar No. 347.

Reeve _____

Rural Administrator _____

Approved on the _____ day of _____, _____.

Minister of Saskatchewan Municipal Affairs



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