

CITY OF ESTEVAN

ZONING BYLAW



Building our community - Our Estevan

BYLAW 2022-2061

CONSOLIDATED TO MAY 2026

AMENDMENT TABLE		
Bylaw Number	General Purpose	Date Passed
2022-2061	General Update & Flood Plain Map	December 18, 2023
2024-2085	Amend Lot 1A-3A, Block 139, Plan 102371060 from R1 to C5 District	August 19, 2024
2025-2091	Lots created through 02SUB2025 to be amended from AG to R6	April 7, 2025
2025-2098	Schedule A1 – Architectural Requirements	July 14, 2025
2025-2099	Re-zone Lot1-7, Blk 204, Plan 102200577 from R1 to R4	August 11, 2025
2026-2106	General Update	February 23, 2026

Technical Amendments are classed as Minor Amendments under the Planning and Development Act. These consist of such matters as name changes and typographical updates. Technical amendments are not identified within the main text of this Bylaw.

Other updates are shown within the text as follows: *(Bylaw No. xxxx, year)*

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PART ONE: PREAMBLE

1.1) TITLE

This Bylaw may be cited as the “*City of Estevan Zoning Bylaw #2022-2061*” and shall be referred to as the “*Zoning Bylaw*”.

1.2) PREVIOUS BYLAW

The *City of Estevan Zoning Bylaw 2010-1834* and *City of Estevan Sign Bylaw No. 2003-1642*, and all amendments thereto, are hereby repealed in full as of the date of effect of this Bylaw.

1.3) EFFECTIVE DATE

This Bylaw becomes effective on the date of third and final reading by the Council for the City of Estevan and as approved by the Ministry of Community Relations.

1.4) RELATIONSHIP TO PLANS, BYLAWS AND LEGISLATION

This Zoning Bylaw is a regulatory document for the express purpose of implementing the *City of Estevan Official Community Plan Bylaw*, the *Statements of Provincial Interest* and the *Planning and Development Act* within the City of Estevan. Though this Bylaw has been prepared in a manner to be consistent and not frustrate provisions of Federal and Provincial Statutes and Regulations, it is acknowledged that where conflict does exist, Federal and Provincial Statutes shall prevail over this Bylaw.

1.5) JURISDICTION

This Bylaw is the primary land use regulatory Bylaw for all lands within the corporate boundary of the City of Estevan.

1.6) INTERPRETATION

When reading the regulatory provisions of this Zoning Bylaw and the action items contained therein, it is understood that they have been prepared within the following context:

- ✓ The word “should”, which precedes the regulations contained in the Zoning Bylaw means that the statement is an expression of desire by Council. It refers to what they would like to achieve but does not necessarily mean that the City will be responsible for the action.
- ✓ The word “shall” means that the action is mandatory.

- ✓ The word “may” means that the action is discretionary. These actions will be based upon sound planning goals and principles.

Where there are conflicting requirements within this Bylaw that are applicable to a development issue, the requirement that is most applicable in the opinion of the Development Authority shall apply.



Tip: Inserts into this Document such as this are not to be considered part of this Bylaw. They are meant to be used as a guide to understanding how this Bylaw works and is applied in day to day use.

In accordance with the provisions of the *Saskatchewan Legislation Act*, all references to dates such as the issuance of a public notice are inclusive of the date of mailing and the date of receipt. For example, a statutory 7 day notice is described as 9 days within this Bylaw. (*Bylaw 2026-2106*)

1.7) **MEASUREMENTS AND QUANTITIES**

All measurements within this Bylaw are in the appropriate metric format, with imperial measurements provided in “()”. Decisions shall be based upon the metric measurement provided on the application or the metric equivalent of the measurement provided.

1.8) **SEVERABILITY**

A decision of a Court of Law that one or more provisions of this Zoning Bylaw are invalid or inoperative does not render the remaining provisions invalid or inoperative.

1.9) **REVIEW AND AMENDMENT PROCESS**

Though the content of this Zoning Bylaw is intended for long term planning, the Zoning Bylaw will be reviewed and updated as required to ensure it remains an effective and relevant document. A general review shall follow a review of the Official Community Plan. Planning Staff reviews of this Bylaw are encouraged on an on-going basis to address current land use issues or technical issues within the Bylaw.

PART TWO: TERMINOLOGY

2.1) DEFINITIONS

ACCENT LIGHTING means outdoor lighting that is entirely used to illuminate architectural features, art, landscaping features, monuments, or trees and is only directed at such features.

ACCESSORY BUILDING means a building which is separate from the principal building on the parcel where both are located and subordinate to that of the principal building. Buildings that are separately defined and are not stated in the use specific regulations as being an accessory building shall be subject to their own unique definition and use provision within this bylaw.

ACCESSORY FOOD SERVICE means a temporary or permanent food service that is accessory, secondary, or complementary to the principal use on the parcel.

ACCESSORY LIQUOR SERVICE means a temporary or permanent liquor sales and consumption outlet that is accessory, secondary, or complementary to the principal use on the parcel.

ACCESSORY USE means a use that is incidental or subordinate to the principal use on the parcel.

ACT means the *Planning and Development Act, 2007*, as amended.

ACTIVE ADULT LIVING means a lifestyle usually targeted towards ‘empty nesters’ or persons entering into a retirement lifestyle.

AGRICULTURE means land for the growing of crops, intensive growing such as market gardens and greenhouses, aquaponics, aquaculture and the raising of animals. Agriculture within the corporate boundaries of the City of Estevan does not include any use that would be considered an intensive livestock operation as defined by the *Agricultural Operations Act*.

ALCOHOL MANUFACTURE means a brewery, winery or distillery for the manufacture of beer, wine and spirits under licence from the Province of Saskatchewan. The use may include storage, bottling, canning and shipping of products made on-site.

ALTERATION means a structural, use or change in occupancy class of a building.

AMENITY AREA or **AMENITY SPACE** means an area that shall be provided, indoor or outdoor, subject to the regulation of this bylaw; and which must be developed for passive or active recreation and enjoyment. Such an area may be for either private or communal use and may be under either individual, common, or public ownership.

ANIMAL CARE FACILITY (LARGE ANIMAL) means the accommodation and care or impoundment of animals which may include commercial livestock within an enclosed building including, but not limited to, veterinary clinics and a place to house or contain animals under the care of a veterinary clinic.

ANIMAL CARE FACILITY (SMALL ANIMAL) means the accommodation and care or impoundment of household pets within an enclosed building. May include, but not limited to, veterinary clinics, small animal shelters, and kennels.

ARTERIAL ROAD means a road that generally has no private access onto it other than those that are necessary to service vehicular traffic.

ASSISTED LIVING means a residential living model that requires additional services such as nursing, food and housekeeping services in addition to what is provided under a supportive living residence.

AUCTION SALES means a use for the purpose of auctioning goods and equipment, and may include a storage yard.

AUTOMOBILE SALES means a use for the display, purchase and sale of automobiles that are stored either or both indoor and outdoor on the parcel.

AUTOMOBILE SERVICE CENTRE means a building that may be a principal use or an accessory to another use on the same parcel where automobiles are sold.

BALCONY means a horizontal platform that is attached to and forms part of a building, is above grade, does not have direct access to the ground, and is intended for use as an outdoor amenity area.

BARE-LAND CONDOMINIUM means a condominium as defined under the *Condominium Property Act*, as amended. Generally, units of land are privately owned while parks, open spaces, roads and other property are jointly owned by the members of the condominium.

BARE-LAND UNIT means land described as a unit in a condominium plan by reference to boundaries governed by monuments placed pursuant to the provision of the *Land Survey's Act*.

BASEMENT means that portion of a building which is located below the first floor and is either partially or wholly below grade.

BASEMENT SUITE means a suite in the basement of a dwelling other than an apartment that can be rented by the owner of the dwelling, where both are registered under the same certificate of title and comply with applicable building code requirements. A basement

suite is listed as a secondary suite under the special use provisions and Zoning Districts of this Bylaw.

BAY WINDOW means a window that projects outward from the facade of a building, but does not include an opening that is intended to give access to a building.

BED AND BREAKFAST OPERATION means a minor and ancillary/subordinate commercial use of a residence where accommodation is provided for periods of fourteen (14) days or less in an approved guest room(s).

BUILDING BYLAW means a bylaw of the City of Estevan regulating the design, construction, and occupancy of new buildings, and the repair, addition, alteration, reconstruction, demolition, removal, relocation and occupancy of existing buildings.

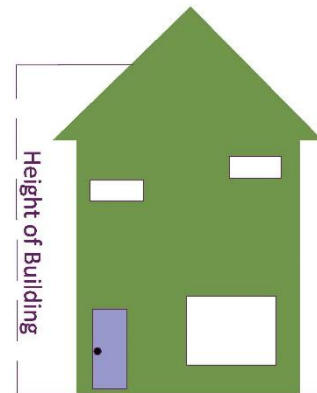
BUILDING COVERAGE means the area of a parcel which is covered by a building not including eaves and other projections more than 2.5 metres above grade.

BUILDING includes anything constructed or placed on, in, over or under land but does not include a street, lane, road, highway, overpass or bridge.

BUILDING HEIGHT means the vertical distance between the mean grade of the property at the foundation and the mean level between eaves and ridge of the pitched roof or the highest point on a flat roof not including parapets, chimneys, etc.

BUILDING OFFICIAL means that person appointed by Council to administer the National Building Code and *Construction Codes Act*.

BUILDING PERMIT means a permit issued under the authority of the City of Estevan Building Bylaw, authorizing construction of all or any part of a building or structure, but does not include a development permit unless specifically stated elsewhere in this bylaw.



BUILDING SETBACK means the distance from a property line to the point on a parcel where a building is located measured at a right angle from the property line to the nearest building coverage not including projections over yard.

BULK FUEL DISTRIBUTION CENTRE means a facility for the bulk storage and sale of oil and fuel products, including propane. A bulk fuel distribution centre is different from a petroleum facility in that it is much larger in size, primarily serves or is serviced by large trucks or pipelines, and may include both refined and un-refined products.

CAMPGROUND & R.V. PARK means the development of land which has been planned and improved for the temporary or seasonal occupation of holiday trailers, motor homes, park model homes, tents, campers, and similar recreation vehicles.

CANNABIS PLANT means a plant that belongs to the genus *Cannabis*.

CANNABIS COMMERCIAL CULTIVATION means the growing of cannabis on a large scale within a greenhouse facility for wholesale distribution.

CANNABIS MANUFACTURING means the manufacturing of cannabis products for wholesale distribution in accordance with legislation enacted by the Governments of Canada and Saskatchewan.

CANNABIS ONLINE SALES means the sale of cannabis products through on-line sales.

CANNABIS RETAIL SALES means a store front retail store where cannabis and other products as regulated by the Governments of Canada and Saskatchewan can be sold.

CANOPY means a projection extending from the outside wall of a building normally for the purpose of shielding a part of the building from the sun.

CAR WASH means a building or area used for the purpose of washing motor vehicles and other chattel such as smaller tow trailers.

CARPORT means a roofed structure used for storing or parking of not more than two private vehicles which has not less than 40% of its total perimeter open and unobstructed.

CEMETERY means a place where dead people or animals are buried. A cemetery is not an accessory use to a place of worship.

CHARACTER the unique attributes of the natural and built environment which establish a sense of place. It includes elements such as street width, street names and amenities, development intensity, land use type, the natural environment, neighbourhood design, community spaces and architecture.

CHATTEL means a moveable item of personal property.

CHILD CARE – Day Care means a licensed facility for the caring of children under *The Child Care Act*.

CHILD CARE – Home Day Care means a use that is devoted to the caring of children on a temporary basis within a residence.

CITY means the “City of Estevan”.

CITY OWNED / CONTROLLED PROPERTY means property either owned (titled) by the City or property constituting a public thoroughfare which may include streets, lanes, sidewalks, walkways and boulevards under the City's jurisdiction.

CIVIC SERVICES means a building or use(s) that are owned and offered by the City such as libraries, museums, curling rinks, swimming pools, gymnasiums, city hall, etc.

CIVIC UTILITY BUILDING means a building or buildings that contain offices, storage or functional equipment for the operation of municipal water and sewer plants, City construction equipment and city maintenance and repair facilities.

CLUSTER HOUSING means a group of dwellings, either detached or attached, located on a single parcel with shared yard and parking provisions.

COLLECTOR ROAD means a road that connects to an arterial road and is accessed primarily by local roads.

COMMERCIAL ACCOMMODATION means a hotel, motel, motor lodge or hostel from which rooms are rented on a short-term basis for the accommodation of the public. commercial accommodation units shall contain at least one bed for each unit and may include a kitchen. Commercial accommodation may also include restaurant services, laundry, meeting rooms, and recreational activities such as swimming pools, hot tubs, or fitness facilities.

COMMON PROPERTY means that portion of the condominium plan that is not public owned but is owned in common by the condominium membership. Common property may include parks, utility areas, roads and reserve land that is not intended for public access.

COMMUNITY GARDEN: means a lot or portion thereof on which fruits, vegetables, berries and/or grains are cultivated for consumption or distribution on a not-for-profit basis.

CONCESSION STAND - means a minor restaurant which services non-alcoholic beverages, contains no dedicated seating spaces, and includes operations as burger stands, ice cream stands, and other related developments.

CONDOMINIUM PROPERTY ACT means the *Condominium Property Act*, 1993, as amended.

CONDOMINIUM means individual ownership of a unit or units in a multi-unit building or a parcel of land that is part of a Condominium plan registered at Land Titles and includes ownership in a share of Common Property such as hallways, parking areas and landscaping areas administered by a Condominium association in accordance with provisions of the *Condominium Property Act*, as amended.

CONVENIENCE SERVICES means a variety store used for the retail sale of goods required by the neighbourhood residents or employees on a day-to-day basis, including: confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware, or printed matter.

CONTRACTOR SERVICES means the provision of building and trade services that include on-site storage of materials and vehicles for the provision of services off-site.

CORNER means the intersection of any two property lines of a parcel.

CORNER PARCEL means a parcel that abuts two streets which intersect at an angle not exceeding 135 degrees.

COUNCIL means the Council of the City of Estevan.

COURT HOUSE means the City of Estevan Court house which is a designated Provincial Historic Site.

CREMATORIUM means a building which includes a facility for the cremating of remains of the deceased.

CURB CUT the cutting or lowering of a curb, sidewalk, or boulevard, or any of these to provide a driveway for vehicular or pedestrian access to a site.

DECK means an uncovered horizontal structure with a surface height less than 0.6 metres (2 ft.) above grade at any point that is intended for use as an outdoor amenity area, but does not include a balcony.

DEDICATED LANDS means lands dedicated pursuant to the *Act* as buffer strips, environmental reserve, municipal reserve, public reserve and walkways.

DENSITY - means a quantitative measure of the average number of persons, families, or dwelling units per unit of area. Density may also mean the number of lots or units created per parcel, where applicable.

DEVELOPABLE AREA means an area of land suitable for a building site as defined in this Bylaw.

DEVELOPER means the person, organization or other legal entity responsible for the development of a parcel of land.

DEVELOPMENT means those buildings, uses or other activities as defined in the *Act*.

DEVELOPMENT AGREEMENT means an agreement that may be required between a developer and the City in the form of a signed document which establishes specific

requirements of the City for municipal improvements to be undertaken within the municipality in accordance with a development decision.

DEVELOPMENT LEVY AGREEMENT means an agreement that may be required as a condition of development permit approval in the form of a signed document which requires the developer to contribute towards an off-site improvement(s) pursuant to an Off-site Development Levy Bylaw.

DEVELOPMENT APPEALS BOARD means the City of Estevan Development Appeals Board, established by Bylaw.

DEVELOPMENT AUTHORITY means the Development Authority for the City of Estevan which consists of two parts: the Development Officer and Council. The Development Authority is responsible for the review and decision of development permits, appeals, amendments to this Bylaw and land use related enforcement matters. Where the term Development Authority appears in this Zoning Bylaw it is to mean Development Officer or Council depending on the context of the provision. As an example, the Development Authority on a subdivision matter is Council and the Development Authority on a permitted use development permit application is the Development Officer.

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 the use of any building or land.

DEVELOPMENT OFFICER means the Land Development Services Manager of the City of Estevan, or any other person authorized by Council to act on the Land Development Services Manager's behalf.

DEVELOPMENT PERMIT means a certificate or document permitting a specified Development. This permit is separate and distinct from a Building permit.

DISCONTINUED means the time at which substantial construction activity or a non-conforming use or conforming use has ceased.

DISCRETIONARY USE means a use of land or buildings provided for in the Zoning District regulations of this Bylaw, for which a Development Permit may be issued with or without conditions.

DISTRICT (ZONING DISTRICT) means a defined area or district or zone of the City as set out in this bylaw and shown on the City of Estevan Zoning District Map.

DOUBLE FRONTING PARCEL means a corner parcel that abuts two public streets (not alleys) which are parallel or nearly parallel where abutting the parcel.

DRIVE THROUGH means an accessory to an establishment which services customers traveling in motor vehicles driven onto the parcel without requiring the customer to leave their vehicle while being serviced.

DRIVEWAY means an entrance way, paved or unpaved which provides vehicle access from a street to a lot, lane, site, parking lot, parking pad, loading bay, garage, or other structure on a lot.

DWELLING MANUFACTURED HOME means a C.S.A.¹ certified dwelling unit which is constructed with a chassis that allows for the permanent or temporary attachment of a hitch and wheel assembly to enable relocation of the dwelling. A manufactured home may be a single Structure (single wide) or two parts which when put together (double wide) comprise a complete dwelling. A manufactured home does not include a mobile home, modular home or single detached dwelling as defined under this Bylaw.

DWELLING - MOBILE HOME means a C.S.A.² certified dwelling unit which is constructed with a chassis with a permanent hitch and wheel assembly to enable relocation of the dwelling. A Mobile Home does not include a Modular Home, Manufactured Home, temporary living accommodation or Single Detached Dwelling as described in this Bylaw. A Mobile Home may be a single Structure (single wide) or two parts which when put together (double wide) comprises a complete Dwelling.

DWELLING - MODULAR HOME means a single detached dwelling that is primarily constructed off-site in one or more pieces or modules.



Tip: The location where a dwelling is constructed is less important than if the home conforms to building codes and local standards.

DWELLING - SINGLE DETACHED means any dwelling used principally for human habitation and which is supported on a permanent foundation extending below ground level. A Dwelling – Single Detached, does not include a Mobile Home or Manufactured Home, but does include a Modular Home.

DWELLING - MULTI UNIT means a dwelling which forms part of a larger structure that includes (2) or more Dwellings and may include hallways, internal amenity areas or other accessory structures that are intended to service the occupants of the Building. A

¹ Canadian Standards Association, commonly referred to as the Z240 National Standard

² Canadian Standards Association, commonly referred to as the A277 National Standard in common use prior to 1991.

dwelling-Multi-Unit, shall feature separate external entrances or common entrances to an internal hallway, and may include:

- Duplex: two Dwellings located side by side or on top of each other with each storey being a separate dwelling;
- Triplex: three dwellings located side by side;
- Fourplex: four dwellings located side by side or on top of each other;
- Row Housing: more than four dwellings side by side; or
- Apartment: more than six dwellings with multi-storeys, separate entrances to the outdoors or internal hallway entrances. Apartments within the Central Business District may have less than six dwellings if the building is a mixed use structure.

DWELLING UNIT means a complete building or self-contained portion of a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms.

EASEMENT means a right to use land, generally for access to other property or as a right-of-way for a utility.

ELECTRONIC COMMUNICATION means communication through electronic media such as internet web-sites or social sites or e-mail.

ENTERTAINMENT ESTABLISHMENT (INDOOR) means any building or place or part thereof where patrons are normally, but not necessarily participants. Typical uses include, but are not limited to: billiard parlors, electronic games, arcades, bowling alleys, and theatres.

ENTERTRAINMENT ESTABLISHMENT (OUTDOOR) means a development providing outdoor facilities where patrons are normally, but not necessarily participants. Typical uses include, but are not limited to: amusement parks, go kart tracks, miniature golf establishments and golf courses.

ENVIRONMENTAL IMPACT STATEMENT (EIS) means a study that assesses the potential impact of a development proposal which is prepared by qualified professionals such as an environmental engineer, ecologist, wildlife biologist or hydrologist. An EIS provides a technical assessment of a development proposal explaining if and to what extent the proposed development might impact the biological and physical characteristics and functions of an area. An EIS identifies potential adverse impacts of a proposal and recommends ways to avoid, minimize or mitigate these impacts and, if possible, enhance the natural characteristics of the parcel.

ENVIRONMENTALLY SENSITIVE LANDS (ESL) – means land containing sensitive or significant environmental attributes that are established with the intent to protect natural features and functions, including, but not limited to wildlife and waterbodies.

EV CHARGING UNIT means a facility for the charging of an electric vehicle. Generally, an EV charging unit is fixed to a pedestal or mounted on a wall. Public EV Charging Units will normally include a dedicated parking stall for electric vehicles undergoing a charging cycle.

FINISHED GRADE means the elevation of the ground surface at the foundation of a building, or at a specific point on a lot/street, or between two specific elevations at any given location on a lot or street.

FLANKAGE means in the context of a corner lot, the longer of the two lines facing a street, unless both lines facing the street are of equal length then either lot line could be considered flankage, but not both.

FLOOD-FRIDGE means the land adjacent to the delineated floodway where the depth of water will be less than one meter or a velocity of less than 1.0m/sec. The Souris River flood-fringe elevation is currently set at 537.24m elevation.

FLOOD PLAIN means the area prone to flooding from the Souris River that comprises the combined area of flood-fringe and flood-way.

FLOOD-PROOFING means with respect to a structure; the use of construction techniques, or of design, or of devices, equipment or materials; and with respect to land, the adoption of measures to prevent damage to such structure or land by a 1:500 year design flood event.

FLOOD-WAY means the channel of a river and the adjacent land areas where depth of water will be greater than one meter or a velocity will be greater than 1.0m/sec. Note: There are currently no lands designated as flood-way within the corporate boundary of the City of Estevan.

FLOOR AREA means the greatest horizontal area of a Building above Grade within the outside surface of exterior walls or within the glassline of exterior walls and the centreline of fire walls but not including the floor areas of basements, attached garages, sheds, open porches, or breezeways.

FOUNDATION means the lower portion of a building, usually concrete or masonry, and includes the footings which transfer the weight of and loads on a building to the ground.

FRONT YARD SETBACK means the setback from the property line.

FRONTAGE means the linear length of a property line shared with a street.

FUNERAL HOME means a building used for viewing and funerals/memorials for the deceased by mourners. A funeral home does not include a crematorium.

GARAGE means an accessory building (detached garage) or part of the principal building, designed and used primarily for the storage of motor vehicles.

GARAGE SUITE means a self contained dwelling unit in compliance with building code standards that is located on the second floor of a garage or the main floor of an accessory building formerly used as a garage. This use is a type of secondary suite.

GAS BAR means a facility for the sale of gas on a retail basis for smaller vehicles.

GENERAL SALES YARD means a lot or parcel that is used for the sale, lease or rental of automobiles, agricultural equipment, industrial equipment, recreational vehicles and trailers.

GENERATIONAL HOUSING means a housing type that shall include two or more of the active adult living, supportive living and assisted living housing types. A generational housing development should include the following elements:

- a) amenity areas focused on residential entertainment;
- b) an eating facility;
- c) a fitness facility;
- d) an appropriate level of medical care; and
- e) ease of access to a full range of emergency medical services.

GRADE means the ground elevation established for the purpose of regulating the number of storeys and the height of a building. The building grade shall be the level ground adjacent to the walls of the building if the finished grade is level. If the ground is not entirely level the grade shall be determined by averaging the elevation of the ground for each face of the building.

GROSS FLOOR AREA means the total area of all floors of the building, excluding the area of basement floors, EXCEPT THAT basement suites in apartment buildings shall be included in the calculation of gross floor area.

GROSS LEASABLE FLOOR AREA means the gross floor area intended for exclusive use by a tenant. This does not include any parking area, common loading area, common mechanical equipment room, or any other public or common area.

In residential zoning districts with a maximum frontage of 9 metres and where a minimum of 50% of the height of the basement or cellar is at or above grade, the area of the basement or cellar may be included as part of the overall gross floor area. (Bylaw 2026-2106)

GROUP CARE FACILITY means a supervised residential building, licensed or approved under provincial statute, for the accommodation of individuals who may be physically challenged, aged, disabled, or in the need of supervision, and are provided appropriate living services in accordance with their needs.

HABITABLE ROOM means a room or enclosed space used or usable for human occupancy, including but not limited to kitchens, bedrooms, living rooms, family rooms and dens. Non-habitable rooms include bathrooms, laundries, pantries, foyers, hallways, entry ways, storage areas and rooms in basements and cellars used only for recreational purposes or any space in a dwelling providing a service function and not intended primarily for human occupancy.

HARD SURFACED LANDSCAPED AREA means an area with a surface consisting of materials that are generally regarded as impermeable and restrict water percolation to the soil or sub-soil. Typical surfaces would include: pavement, rock, brick, or cement.

HIGHWAY means Highways 18, 39A and 47 as designated by the Saskatchewan Ministry of Highways and Infrastructure.

HOME BASED BUSINESS means any occupation, business, trade, profession, or craft, including a bed and breakfast operation and home day care as defined in this Bylaw, carried on by an occupant of a residential building as a use secondary to the residential use of the building and which does not change the character thereof or have any exterior evidence of such secondary use.

HOME BASED BUSINESS (CLASS I) is generally characterized as a business that has no client visitations, uses light duty vehicles and a minimal amount of floor area within the residence.

HOME BASED BUSINESS (CLASS II) is generally characterized as a business that has client visitations and/or uses a larger area of the home or accessory business for business purposes.

HOUSING DENSITY means the number of housing units within a defined area usually expressed in housing units per hectare. Unless otherwise stated in this Bylaw, Housing density includes primary residents, secondary suites, rental apartments, granny suites and other forms of permanent accommodation.

IMPERVIOUS SURFACING means ground surfacing through which water cannot percolate.

INDUSTRIAL USE – LIGHT means development for the processing of raw materials; making, manufacturing or assembling of semi-finished or finished goods, products or equipment; the cleaning, servicing, repairing or testing of materials, goods or equipment

normally associated with industrial or commercial business; storage or materials, goods and equipment for transshipment; or the training of personnel in industrial operations.

INDUSTRIAL USE – HEAVY means industrial operations that are involved in the production or storage heavy products such as petroleum, agri-processing or fabrication.

INDUSTRIAL USE – NOXIOUS means development which by nature of the use may be offensive by virtue of its appearance, large size or operational characteristics such as noise, vibration, odor, dust or smoke. Typical uses include abattoirs, asphalt mixing plants, salvage yards and waste storage yards.

IN-FILL means the development and/or intensive refurbishment of vacant land within built up and fully serviced areas of existing neighbourhoods. An in-fill lot is often underutilized, aged and surrounded by a built up urban landscape.

INTENSIFICATION means the development of a property, site or area at a higher density than currently exists through redevelopment or in-fill development.

INTENSIVE AGRICULTURE means the commercial use of parcels of land for non-animal husbandry uses such as greenhouses, market gardens, sod farms, nurseries, tree farms, etc.

KENNEL means a development in which three or more dogs and/or cats over six months in age are maintained, boarded, bred, trained, or cared for in return for remuneration or kept for the purposes of sale.

LANDSCAPING means the modification and enhancement of a site.

SOFT LANDSCAPING means the use of living plant materials such as trees, shrubs, hedges, grass, and other ground covers plus the modification of the landform, such as berming or terracing.

HARD LANDSCAPING means the use of non-vegetative materials such as brick, stone, concrete, tile, or wood used in landscape architecture.

LANE means a roadway that is primarily intended to give access to the rear of buildings and parcels.

LEGAL TIES means lots or parcels (or portions thereof) are linked to one another and cannot be transferred with the other lot/parcel unless a subdivision is approved.

LIVE/WORK means a parcel that is designed to feature both a principal residence and a commercial use or building where the residents on the parcel are related to the operators of the business on the same property.

LIVESTOCK means cattle, swine, poultry, sheep, horses, fish, game, fur bearing animals and similar animals.

LOADING SPACE means an off-street space on the same parcel as a building or group of buildings, for the temporary parking of a commercial vehicle while commodities are being loaded or unloaded.

LOT means a parcel of land, the boundaries of which are separately described in a certificate of title, which may or may not be shown on a registered plan of subdivision. Lot may also be used to refer to a "unit" within a bare-land condominium as defined in the *Condominium Property Act*.

LOT COVERAGE (see building coverage).

LOT DEPTH means the horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line.

LOT LINE, FRONT means the boundary that divides the lot from the street line; for a corner lot, the front lot line means the narrowest boundary separating the lot from the street; for a through lot, the front lot line applies to both boundaries separating the lot from the street.

LOT LINE, REAR means the lot line or point of intersection of the side lot lines furthest from and opposite the front lot line.

LOT LINE, SIDE a lot line other than the front or rear lot line.

LOT, CORNER means a lot located at the intersection or junction of two (2) or more streets, a bay, close or cul-de-sac.

LOT, THROUGH means a lot bounded on opposite sides by streets.

LOW INTENSITY RECREATION means pathways and accessory recreation structures on environmentally sensitive lands owned by the City of Estevan.

MAIN BUILDING means a building housing the principal use on a lot, but does not include any accessory buildings. Also reference definition of Principal Building.

MANSE means a residence attached or located on the same parcel as a place of worship. A manse shall not be considered an accessory use in any Zoning District.

MANUFACTURING SERVICES means the making, fabricating or processing of raw materials into a finished product on a large scale.

MEDIA SERVICES include uses such as newspapers, radio stations, commercial printers and businesses that include as a primary service print, sign or on-line advertising services.

MEDICAL SERVICES means services provided to humans may include, but not necessarily be limited to in-patient and out-patient care and counseling offices.

MINI STORAGE means a development that provides walk-in sized cubicles for public rent or ownership in the form of a condominium, for the storage of goods.

MINOR means where added as a prefix to a permitted or discretionary use, a use which due to its nature or relatively small size will have a limited impact on surrounding uses; or which is intended to serve a small or local rather than a major or municipal area.

MINOR VARIANCE means a minor variance pursuant to Section 60 of the *Act* whereby the Development Authority may reduce the setback of a building to another building or property line.

MIXED USE means allowing more than one type of use in a building or set of buildings and may include one or more of the following uses: residential, commercial or institutional.

MODULAR CONSTRUCTION means a method of constructing whereby most of the parts of a building have been constructed in an off-site manufacturing facility and transported to a parcel where the parts are assembled and anchored to a permanent foundation.

MOVING OR CARTAGE means a commercial use or building that is integral to the movement of large quantities of goods by truck or railroad.

MUNICIPALITY means the City of Estevan.

NEIGHBOURHOOD PLAN means a concept plan prepared for a neighbourhood in accordance with Official Community Plan.

NEW CONSTRUCTION means construction that takes place on-site or in the case of a building that is re-located from another location, a building that is in good repair and condition and has never been used for the intended purpose.

NIGHTCLUB means a commercial business that allows for a combination of a dance hall, restaurant or accessory eating establishment and a tavern.

NON-CONFORMING BUILDING means a building that:

- a) is lawfully constructed or lawfully under construction, or in respect of which all required permits have been issued, at the date the Zoning Bylaw or any amendment to the Zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and

b) on the date the Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective does not, or when constructed will not, comply with the Zoning Bylaw.

NON-CONFORMING LOT means a lot or unit as the case may be; where the area, dimension or location of which was lawful prior to the adoption, revision or amendment of the bylaw, but which fails to conform to the requirement of the Zoning District in which it is located by reason of such adoption, revision or amendment.

NON-CONFORMING SITE means a site, consisting of one or more contiguous parcels, that, on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

NON-CONFORMING USE means a lawful specific use:

a) being made of land or building, or intended to be made of a building lawfully under construction, or in respect of which all required permits have been issued, at the date the Zoning Bylaw or any amendment to the Zoning Bylaw affecting the land or building becomes effective and;

b) that on the date the Zoning bylaw or any amendment to the Zoning Bylaw 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 the Zoning Bylaw.

NOTICE OF VIOLATION means a written notification to the recipient that the issuer of the notice believes the recipient committed one or more violations of this Bylaw and provides instructions to bring the subject violation into compliance.

OFFENSIVE OR OBJECTIONABLE means when used with reference to any use or development of any land, building or structure, means a use or development which from its nature or from the manner of carrying on same, creates or is liable to create, by reason of noise, vibration, smoke, dust or other particulate manner, odor, toxic or noxious matter, radiation hazards, heat, humidity or glare, or unsightly storage of goods, wares, merchandise, salvage, junk, waste or other materials, a condition which, in the opinion of Development Officer, may be or may become hazardous or injurious as it regards health or safety or which adversely affects the amenities of the neighborhood or interferes with or may interfere with normal enjoyment of any land, building or structure.

OFFICIAL COMMUNITY PLAN means the *City of Estevan Official Community Plan*, as amended, adopted pursuant to the *Act*.

OFF-SITE PARKING means vehicle parking provisions for a use which is located on a lot/site separate from the use through an agreement which may be registered against the applicable certificates of title for the subject properties.

OFF-STREET PARKING means an off-street facility for the parking of vehicles to accommodate the use on that parcel.

ONLINE SALES means a form of electronic commerce which allows consumers to directly buy goods or services from a seller over the internet using a web browser.

ONLINE RESELLER means a business where goods purchased online or through other means are then re-sold online.

ON-SITE SEWAGE COLLECTION AND DISPOSAL SYSTEM means a sewage collection and disposal system constructed in accordance with the Province of Saskatchewan on-site plumbing and sewage requirements.

ON-SITE WATER SUPPLY SYSTEM means a potable water source other than that provided by City's municipal water service, in accordance with Province of Saskatchewan requirements.

ON-STREET PARKING means parking accommodated on a public roadway within the City to accommodate parking demands from an approved use.

OPEN SPACE means any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space, but does not include streets, off-street parking areas, storm water facilities or any other areas required to be set aside for buffers or recreation areas by any other sections of this Bylaw.

OPEN HOUSE means a public meeting where a proposed subdivision, development or other land use issue is reviewed and discussed with the general public.

OUTDOOR SALES AND SERVICE means the use of larger tracts of land or parcel for the sale and servicing of large equipment or vehicles. This use will typically include farm and industrial equipment sales and service.

OVERLAY RESTRICTIONS means additional development regulations superimposed on specific areas of the Zoning Map, which supersede or add to the development regulations of the underlying zone.

PARCEL means a surface parcel as defined under the *Land Surveys Act, 2000*. Generally, a parcel is an aggregate of one or more pieces of land.

PARCEL AREA means the total area of a parcel.

PARCEL COVERAGE means the cumulative building coverage of all buildings and improvements on a parcel excepting sidewalks and driveways. May also be referred to as “Site Coverage”.

PARCEL TIE means an electronic code imposed by the Registrar to link two or more parcels together so as to prevent those parcels from being individually dealt with in the land titles registry or abstract directory.

PARCEL DEPTH means the length of a line joining the mid-points of the front property line and the rear property line.

PARCEL WIDTH means the distance between the side property lines of a parcel measured at a right angle to the mid-point of the shortest side property line.

PARK means an active or passive recreation area together with any accessory buildings or uses complimentary to the said recreational purpose. Though usually under public ownership, a park may be privately owned and operated upon approval from the City.

PARK MODEL HOME means a recreational vehicle designed to be transportable and primarily designed for long-term or permanent placement at a destination where an RV is allowed and shall not be used for full time residential use. When set up, park models are connected to the utilities necessary to operate home style fixtures and appliances. Park models are further defined by the Canadian Standards Association.

PARKING AREA/LOT means that portion of a lot/site covered by parking/loading stalls, and vehicle maneuvering areas.

PARKING FACILITY means the area or structure set aside for the storage and parking of vehicles and includes parking stalls, loading spaces, aisles, entrances and exits to the area, and traffic islands where they are part of the parking facility. Parking facilities are a separate land use on any lot where the parking component uses a majority of the area of the said lot or includes below grade and above grade.

PARKING SERVICES means the provision of parking services on a not-for-profit or for-profit purpose and that may provide parking opportunities for more than one business or residence on the same or nearby parcel. An approval for parking services includes the development of a parking facility as defined in this bylaw.

PARKING STALL means a space set aside for the parking of a vehicle.

PATIO means an uncovered horizontal structure at or with direct access to ground level, intended for use as an outdoor amenity area.

PERMITTED USE means a use of land or building that is listed as such use in a Zoning District.

PERSONAL CARE HOME means a home designed in conformance with the *Personal Care Homes Act* to assist or support adult living for residents that require assistance for daily living.

PERSONAL SERVICES means the provision of services related to the care and appearance of the body or the cleaning and repair of personal effects and may include services such as: barber shops, beauty salons, tailors, cobblers, or dry cleaning. Personal services do not include medical services.

PETROLEUM FACILITY means a parcel that is primarily used for the storage and sale of petroleum products in larger quantities than in a standard service station or gas bar.

PICK UP & DROP OFF STALL means a motor vehicle parking stall intended only for a motor vehicle to stop while picking up or dropping off passengers. These stalls are usually included as part of a loading space.

PLACE OF WORSHIP means development owned by a religious organization used for worship and related religious, philanthropic, or social activities including rectories, classrooms, dormitories, and accessory buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries.

POP-UP RETAIL means use of retail commercial space for temporary or seasonal business.

PORTABLE BUILDING means a canvas or tarp shed or movable garage comprised of a metal frame with the tarp or canvas stretched over it, and is designed to be used to shelter chattels from the outdoor weather. Portable buildings are accessory buildings under this Bylaw.

POSTAL/COURIER SERVICE means a service such as Canada Post, Purolator, UPS, DHL for the purpose of transporting small goods or mail from one location to another.

PRINCIPAL BUILDING means a building which:

- a) occupies the major or central portion of a site;
- b) is the chief or main building among one or more buildings on the site; or
- c) constitutes by reason of its use the primary purpose for which the site is used.

There shall be no more than one principal building on a site unless otherwise permitted in this Bylaw.

In a mixed-use site where more than one building could be regarded as a “principal building”, the building that is most consistent with the objectives of the subject Zoning District shall be considered the principal building.

PRINCIPAL USE means the primary purpose in the opinion of the Development Officer for which a building or site is used. There shall be no more than one principal use on each site unless specifically permitted in this bylaw.

In a mixed-use site where more than one use could be regarded as a “principal use”, the use that is most consistent with the objectives of the subject land use district shall be considered the principal use.

PRIVATE CLUB OR LODGE means a development used for a meeting, social or recreational activity of members of not-for-profit, philanthropic, social service, athletic, business or fraternal organizations, and does not include an on-site residence.

PRIVATE CONDOMINIUM ROADWAY means an area of land that provides access to a parcel and is contained within a condominium plan.

PRIVATE OUTDOOR SWIMMING POOLS includes all swimming pools, whirlpools, wading pools, jacuzzies, which are at least 60 cm (23.6 in) in depth, located above or below ground, are accessory to a principal residential use and are used for the private enjoyment of residents and guests.

PROFESSIONAL SERVICES means development for the provision of professional management, administrative, consulting and financial services such as legal, accounting, surveying, engineering, banks, government, or similar services.

PROHIBITED USE means a use of land or a building or form of development that is neither a permitted or discretionary use within a Zoning District, nor is it a “same or similar use” as defined in this Bylaw.

PROVINCIAL ROAD AUTHORITY means the *Province of Saskatchewan Ministry of Highways and Infrastructure*.

PUBLIC USE means a development which is publicly owned, supported, or subsidized involving public assembly or use. Public uses typically may include the following and similar uses as Parks, libraries, arenas, museums, art galleries, hospitals, cemeteries, tennis courts, swimming pools and other indoor and outdoor recreational activities, unless separately defined under this Bylaw.

PUBLIC UTILITY means the right-of-way for one or more of the following: telecommunications systems, water works systems, irrigation systems, systems for the distribution of gas, whether natural or artificial, systems for the distribution of artificial

light or electric power, heating systems, or sewage systems and any buildings incidental to these services, but not including an office as defined under “public utility building”.

PUBLIC UTILITY BUILDING means a building to house offices or service equipment necessary for public services.

REAL PROPERTY REPORT means a Surveyor's Real Property Report, a legal document that clearly illustrates permanent above-ground structures and registered easements in relation to property boundaries. The document consists of a plan showing the physical improvements with a written report outlining the details of the property.

REAR YARD SETBACK means the setback from the subject building or use to the rear property line, extending across the full width of the parcel.

RECREATION FACILITY means a public use that is oriented towards recreational needs and is normally offered by the City or a community organization.

RECREATIONAL VEHICLE means a vehicle that provides temporary accommodation for recreational or travel purposes and includes, but is not limited to fifth wheel trailers, motor homes, park model homes, tent trailers, etc.

RECREATION VEHICLE – MINOR means a vehicle for temporary accommodation or transport of recreational vehicles such as tent trailers, campers, smaller boat trailers, ATV/Snowmobile trailers and single axle utility trailers.

REDEVELOPMENT means replacement, remodelling or adaptive reuse of existing structures or lands to accommodate new development.

REGISTERED OWNER means:

- a) the purchaser of the fee simple estate in the land under an agreement for sale that is the subject of a caveat registered against the certificate of title in the land any assignee of the purchaser's interest that is the subject of a caveat registered against the certificate of title, or
- b) in the absence of a person described in paragraph (a), the person registered under the *Land Titles Act* as the owner of the fee simple estate in the land.

RELAXATION means a variance granted to a requirement such as minimum floor area, maximum floor area, building height or parking stall requirements. A relaxation shall not be applied towards a property line setback or the separation between buildings as defined by the minor variance provisions of the *Act* and the *Official Community Plan*.

RESTAURANT means a development that prepares and serves food and drink for consumption on and/or off-site. Restaurant services includes cafes, tea rooms, licensed restaurants and take out restaurants. On larger parcels restaurant services, may include catering services, dancing, or theatre. Restaurant services does not include drive through services.

RETAIL SERVICES means the retail sale of groceries, household goods, clothing, jewelry, furniture, appliances, apparel, hardware, printed matter, photography, postal services, gifts and souvenirs, office equipment and similar goods. Retail services does not include liquor or cannabis sales.

RETAINING WALL means a structure constructed to withstand lateral pressure in order to hold back earth, loose rock, or similar materials.

RIDE SHARE means a business that is licensed by the City of Estevan to operate ride sharing services through an internet app, using drivers that are operating as a home based business in compliance with the City of Estevan Taxi Bylaw.

RIGHT-OF WAY means the total width and length of the course of a street, utility alignment or other way and within which all improvements and right of access are confined.

R.M. means the Rural Municipality of Estevan No. 5.

ROOF means the top enclosure, above or within the vertical walls of a building.

SALVAGE YARD means a parcel where vehicles and other equipment is stored, dismantled, sold for parts or crushed for recycling.

SATELLITE DISH means an accessory structure capable of receiving satellite transmitted television and radio-waves.

SCHOOL AUTHORITY means the S.E. Cornerstone Public School Division No. 209 and the Holy Family Roman Catholic Separate School Division No. 140.

SCREEN, SCREENED & SCREENING means a visual or sound barrier to separate one building or use from another, usually on an adjoining parcel.

SCREENING, VISUAL the total or partial concealment of a building, use, or activity by landscaping as herein defined.

SECONDARY SUITE means a self-contained dwelling that is located within the dwelling or accessory building on a lot where the principal use is a single detached dwelling.

SENIOR'S RESIDENCE - means a residence other than an active adult residence or supportive living residence as defined in this Bylaw, for the housing of senior citizens. A senior's residence may include some minor out-patient medical services.

SERVICE STATION means a development that includes a gas bar and service area for repairs of vehicles; and may include a car wash and convenience Services.

SETBACK means the distance that a development, or a specified portion of it, must be setback from a property line. The setback shall be measured from the building foundation to front, rear, or side property lines.

SHIPPING CONTAINER (sea-can) means a standardized, reusable container that is or appears to be originally designed for or used in the packaging, shipping, movement or transportation of freight or commodities, or designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship. Intermodal containers made of corrugated metal and any shipping container used for storage is included in this definition.

SHOPPING CENTRE means a group of commercial establishments that are planned or managed as a unit and provide a wide variety of goods and professional, retail and personal services.

SHOW HOME means a permanent dwelling which is constructed for the temporary purpose of illustrating to the public the type or character of a dwelling or dwellings to be constructed in other parts of a subdivision or development area. Show homes may contain offices for the sale of other lots or dwellings in the area.

SHOW HOME AND SALES OFFICE means a home that serves to advertise a home builder product and provides an office to conduct the sale of property and homes within the neighbourhood.

SIDE YARD SETBACK means the setback from the subject building or use to the side property line, extending from the front yard to the rear yard setback line.

SIGN means an object or device intended for the purpose of advertising or calling attention to any person, matter, or event.

SIGN APPROVING AUTHORITY means the Development Officer.

SIGN GROUND CLEARANCE: means the vertical distance between the underside of a sign face, and ground elevation.

SIGN GROUND RENTAL AGREEMENT: means an agreement entered into between the sign owner or sign lessee, and the City of Estevan which set forth the terms and

conditions by which a sign may be erected and maintained on City owned/controlled properties.

SIGN OWNER means any person who is described on a sign; whose name, address or telephone number appears on a sign; who is in control of a sign; or who is the subject of or intended to benefit from a sign. There may be more than one sign owner of a sign.

SIGN ENCROACHMENT AGREEMENT: means an agreement entered into between the sign owner or sign lessee, and the City of Estevan which set forth the terms by which a sign may encroach across a property line onto property owned or controlled by the City of Estevan.

SIGN HEIGHT: means the vertical distance measured from the highest point of the sign or sign structure to the bottom of the sign or sign structure at ground elevation.

SIGN MAINTENANCE: means the cleaning, painting, repair, or replacement of any defective parts of a sign in a manner that does not alter the basic design or structure of a sign.

SIGN FACE: means the designated area of a sign on which advertising or informational copy is permitted to be placed.

SIGN TYPES:

- **SIGN – A – FRAME:** means a temporary 2 – panel sign which is hinged at the top and is self-supporting and may also be referred to as a sandwich board sign and rests on the ground.
- **SIGN – ADVOCACY:** means a sign whose content speaks in favour of, recommends, argues for a cause, supports or defends, or pleads on behalf of others.
- **SIGN - ANIMATED:** means any sign or part of a sign which changes physical position by a movement or rotation or which gives the visual impression of such movement or rotation.
- **SIGN - AWNING:** means a sign affixed to the surface of an awning, but does not include signage painted or otherwise directly imprinted onto any awning.
- **SIGN - BENCH:** means a sign affixed or forming part of a bench used for pedestrian rest stops.

- **SIGN - BILLBOARD:** means a free-standing sign located within a designated 'billboard sign corridor' as defined within this bylaw which draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold or offered at a location other than the premises on which the sign is located.
- **SIGN - CANOPY:** means a sign affixed to the surface of a canopy but does not include signage painted or otherwise directly imprinted onto any canopy.
- **SIGN - DIRECTIONAL:** means a sign which states safety or warning messages, traffic and/or parking directions, or other instructions, directions, or orders to persons making use of the premises on which the sign is located.
- **SIGN - ELECTION:** means a sign which promotes a candidate or party running in a municipal, school board, Provincial or Federal election.
- **SIGN - ELECTRONIC DISPLAY:** means a sign with the capability to display scrolling or changing words, images, and messages.
- **SIGN – FEATHER BANNER:** means a sign constructed of non-rigid material attached to the ground and supported on a rigid curved pole, but does not include a flag.
- **SIGN - GARAGE SALE:** means a sign advertising a sale of used personal items on a residential lot for a period of no more than three consecutive days.
- **SIGN - IDENTIFICATION:** means a sign which is exclusively used for purposes of identifying a property owner name and address or warning the public against trespassing or danger from animals.
- **SIGN – INFLATABLE:** means a sign or advertising device designed to be airborne and tethered to the ground, a vehicle or any other structure and shall include balloons and any other inflatable devices.
- **SIGN - ON-PREMISE GROUND:** means a free-standing sign supported by one or more up-rights or placed in the ground, and not attached to any building or other structure having a principle function other than supporting a sign, and which advertises or displays commercial information related to the use or ownership of the property on which the sign is located.

- **SIGN - OFF-PREMISE GROUND:** means a free-standing sign supported by one or more up-rights or placed in the ground, and not attached to any building or other structure having a principal function other than supporting a sign, and which draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other activity that is conducted, sold or offered at a location other than the premises on which the sign is located.
- **SIGN - PORTABLE:** means a sign that is mounted on a trailer, stand, or similar support structure which can be easily relocated to another location, and which usually has changeable copy.
- **SIGN - PROJECTING:** means a sign which is attached to and projecting more than 304 millimeters (12 inches) from an outside building wall.
- **SIGN – ROOF:** means a sign erected upon or above the roof or parapet of a building.
- **SIGN - ROTATING:** means any sign or portion thereof which moves in a rotating or revolving manner.
- **SIGN - REALTOR:** means a temporary sign owned a professional corporation that advertises real estate for sale.
- **SIGN - REALTOR OPEN HOUSE:** means a temporary sign owned by a professional corporation that advertises an open house that takes place on a property that is for sale by the same realtor for a period not exceeding 8 hours on a single day.
- **SIGN - TEMPORARY:** means any sign banner, pennant, valance or advertising display, with or without frames, intended to be displayed for temporary periods of time. This classification does not include a portable sign or a sign that is separately defined under this Bylaw.
- **SIGN - WALL/WINDOW:** means a sign attached flat and parallel to the outside face of a building wall so that no part projects more than 30.4 centimeters (12 inches) from an outside building wall.

SITE means one or more lots or parcels for which an application for a development permit or subdivision approval is made.

SITE TRIANGLE means that triangle formed by a straight line drawn between two points on the exterior boundaries of a parcel to a specific distance from the point where they intersect. The specified distance in a laneway intersection is 3.05 m (10 ft.) while the distance for other roads is 6.1 m. (20 ft.).

SOLAR COLLECTOR means any device used to collect sunlight that is part of a system used to convert radiant energy from the sun into thermal (solar-thermal) or electrical (solar-voltaic) energy.

SPLIT LEVEL means a dwelling that has three separate or more living areas, each separated from the next by one half-storey, not including the basement.

STOREY means the habitable space between the upper face of one floor and the next above it. The upper limit of the top storey shall be the ceiling above the topmost floor. A basement or cellar shall be considered a storey in calculating the height of a building if the upper face of the floor above it is more than 6.0 ft. (1.83 m) above grade.

STREET - means:

- a) any public road, including boulevards, sidewalks, and improvements, but excluding a Lane, bridge, or walkway; or
- b) a private condominium roadway; or
- c) the internal roadway within a residential park community.

STRUCTURE means a building as defined in this Bylaw.

SUBDIVISION means a division or combination of land that will result in the creation of a surface parcel, or the rearrangement of the boundaries or limits of a surface parcel.

SUBDIVISION AUTHORITY means City Council for the City of Estevan.

SUPPORTIVE LIVING means buildings or units in buildings that are intended for permanent residential living where an operator also provides or arranges for services in order to assist residents to live as independently as possible.

SURVEILLANCE SUITE means a single residential unit forming part of a development and used solely to accommodate a person or persons related as a family whose official function is to provide surveillance for the maintenance and safety of the development or business.

TAVERN means a place where people can purchase food and drink, including alcoholic drinks under license from the Province of Saskatchewan. Taverns are often restricted to

adult only admittance. Under this Bylaw a tavern and a bar are essentially the same land use.

TAXI SERVICES means development providing vehicle(s) for the delivery of people, goods or services on a short term basis. Typical uses include taxis, bus lines, messenger and courier services. Vehicles approved under this use are restricted to no more than 3,000 kg (6,613 lbs) GVW.

TECHNICAL AMENDMENT means an amendment that does not materially affect a Bylaw in principle or substance.

TEMPORARY BUILDING means a structure which is permitted to exist for a specific and limited time.

TRAVEL INFORMATION CENTRE means a building and use devoted to the advertising of tourism, cultural and business services available within the City and surrounding area. A travel information centre may include a retail service that is focused on travel related souvenirs.

TRUCK WASH means a vehicle washing unit designed for semi-trucks, trailers, tankers, large R.V.'s and construction equipment.

UNIT means a dwelling or a property as defined under the *Condominium Property Act*.

USE means a permitted, prohibited or discretionary use.

UTILITY BUILDING means a building in which the proprietor of a utility company maintains his office or offices and/or maintains or houses any equipment used in connection with the utility.

VETERINARY CLINIC means a medical facility that is designed to offer in-patient and out-patient services to pets and livestock. A kennel or animal holding pen is a separate Use from a veterinary clinic. Where the clinic includes livestock facilities, the use "*Animal Care Facility - Large Animal*" shall be included in the list of uses within the respective land use district.

VISITOR PARKING STALL means a vehicle parking stall intended only for the use of visitors to dwelling units and live/ work units.

WALK OUT BASEMENT means a basement in a building which has a door that exits directly from the basement to the exterior at grade that is substantially at the same level as the basement floor.

WAREHOUSE SALES means a large building used for storage and distribution of raw materials, processed or manufactured goods, and establishments providing services for those purposes.

WINDMILL means a machine that converts wind energy into rotational energy by means of vanes called sails or blades.

Windmills are classified as small ($\leq 3\text{KW}$), medium ($\leq 50\text{KW}$) and large ($>50\text{KW}$).

YARD – FRONT means that portion of the parcel extending across the full width of the Parcel from the front property line of the parcel to the front wall of the principal building.

YARD means a required open space unoccupied and unobstructed by any structure or portion of a structure above the general ground level of the graded lot, unless otherwise permitted by this Bylaw.

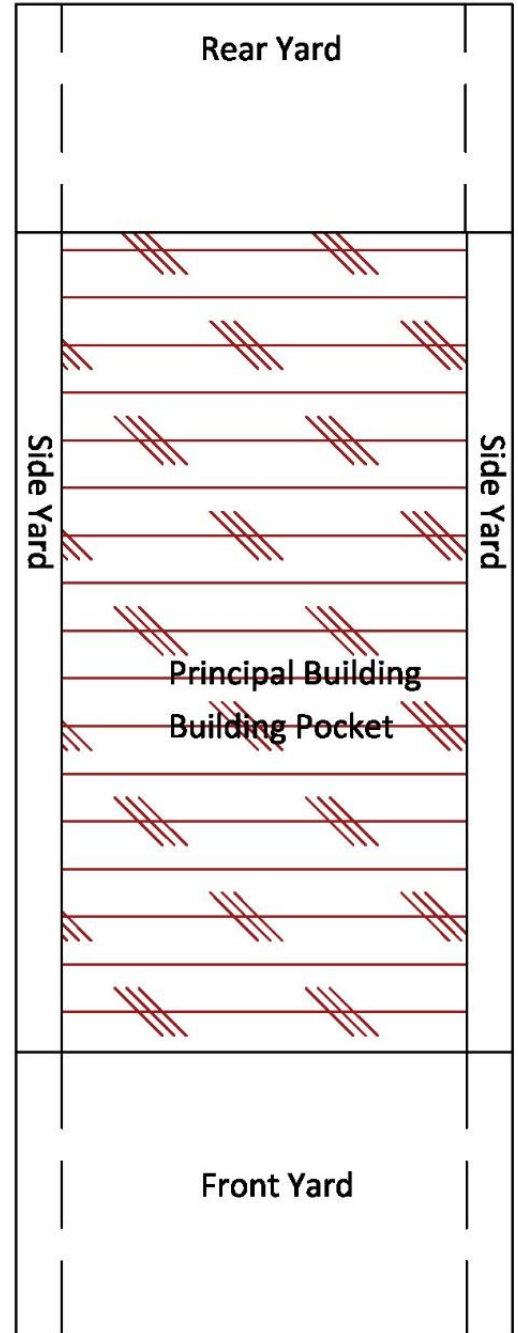
YARD - REAR means that portion of the yard extending across the full width of the parcel from the rear property line of the parcel to the exterior wall of the principal building.

YARD – SETBACK means a required open space unoccupied and unobstructed by any structure or use above the general ground level of the graded parcel, unless otherwise permitted in this bylaw. On irregular shaped lots the setback may be calculated as an average of the setback throughout the yard.

YARD – SIDE means that portion of the parcel extending from the front yard to the rear yard and lying between the side property boundary of the parcel to the exterior wall of the building.

ZERO LOT LINE means a lot line where the property line setback is reduced to 0.0 metres.

ZONE OF INFLUENCE means the sub-surface ground (approximately a maximum of 3.0 m. (9.8 ft.) from the well shaft on a geo-exchange well) from which heat is extracted by a geo-exchange well.



PART THREE: ADMINISTRATION

3.1) DEVELOPMENT OFFICER

- 1) The Development Officer is established through this Bylaw and appointed by the City Manager to administer this Zoning Bylaw. Duties include, but are not necessarily limited to:
 - a) administer, interpret and maintain records associated with this Bylaw;
 - b) receive and issue recommendations to Council, or issue a decision for all development permit applications;
 - c) receive, process and recommend to Council all proposed amendment applications proposed to this Bylaw;
 - d) conduct inspections of property to obtain information relating to violations and to ensure compliance with this Bylaw;
 - e) investigate complaints and alleged violations of this Bylaw, and initiate lawful action necessary to ensure compliance with or prevent violation of this Bylaw; and
 - f) perform all other duties as required under this Bylaw.

3.2) COUNCIL

- 1) Council shall be the approving authority for all discretionary uses, contract zoning decisions and direct control district decisions that are required under this Bylaw unless otherwise described in a Zoning District.
- 2) The Development Officer shall serve as the signing authority on behalf of Council for all development permit and enforcement decisions made by Council under this Bylaw.

3.3) DEVELOPMENT APPEALS BOARD

- 1) The Development Appeals Board is established through the *City of Estevan Development Appeals Board Bylaw*; and shall hear all appeals related to this Bylaw.
- 2) Decisions of the Development Appeals Board are final, subject to further appeal to the Saskatchewan Municipal Board.

3.4) AMENDMENT TO THIS BYLAW

- 1) Applications for amendment to this Bylaw shall be made to the Development Officer, who will be responsible for processing the proposed amendment and to submit a recommendation to Council for their consideration.
- 2) Applicants for an amendment to this Bylaw shall be required to consult with the Development Officer prior to submission of the amendment and the payment of the required fee. The Development Officer may require additional information to that which is required to be submitted with the application form.
- 3) All amendments to this Bylaw shall be reviewed in accordance with the requirements of the *Act*, the *Official Community Plan*, this Bylaw and applicable City policies.
- 4) Council may on behalf of the City initiate an amendment to this Bylaw through a directive provided to the Development Officer.
- 5) An application to amend this Bylaw, should it be denied, cannot be re-submitted for consideration in substantially the same form for a period of 12 months from the date of Council's decision.

3.5) FORMS

- 1) Application forms for re-zoning and development permit approval shall not require any information from the applicant that is not referenced in this Bylaw.

3.6) FEES

- 1) Fees for service under this Bylaw are as described within the *City of Estevan Planning Fees Bylaw*.
- 2) The City of Estevan is exempt from any fees described in 3.6(1).

3.7) DIRECT CONTROL DISTRICTS

- 1) Where Council determines that it is in the best interest of the City to exercise particular control over the use and development of land within an area, Council may designate an area as a Direct Control District pursuant to Section 63 of the *Act* and Section 4.27 of the *OCP*.

- 2) Unless the Zoning District schedule clearly delegates development authority, Council is the Development Officer for all development within a parcel designated to Direct Control.
- 3) Direct Control Districts shall be denoted on the Zoning Map as “DC”.

3.8) CONTRACT ZONING DISTRICTS

- 1) Pursuant to contract zoning provisions as provided in Section 69 of the *Act* and Section 4.27 of the *Official Community Plan*, Council may enter into a contract zoning agreement for the purpose of rezoning a parcel to accommodate a specific proposal.
- 2) A contract zone may be considered in situations where terms and conditions to the zoning change are appropriate and in accordance with the *Act* and the *OCP*.
- 3) A parcel zoned to a contract zone shall be denoted by the symbol “C”.
- 4) A contract Zoning District does not come into effect until the contract zone agreement has been registered against the certificate of title for the subject parcel.

3.9) HOLDING DISTRICTS

- 1) Pursuant to Section 71 of the *Act* and Section 4.27 of the *OCP*, Council shall use the “H” Holding symbol appended to the suffix of the primary Zoning District symbol.

3.10) OVERLAY DISTRICTS

- 1) Overlay Districts provide additional guidance and requirements for land use above the requirements of a traditional Zoning District. Where the overlay district conflicts with the traditional Zoning District, the provisions of the overlay district shall prevail.

3.11) HERITAGE PROPERTIES

- 1) Designation of heritage properties pursuant to the *Civic Heritage Bylaw* shall require an amendment to this *Zoning Bylaw* to include the property as part of a Heritage Property Overlay District or to add the heritage property to the City Zoning Map.
- 2) Development proposals on land adjacent or in proximity to a property with a heritage designation shall consider impacts of the proposed development on the subject heritage property.

3.12) PROPERTY ZONING MEMORANDUMS

- 1) Property zoning memorandums shall be provided upon receipt of a completed application, the fee as described in the *City of Estevan Fees Bylaw* and an original of a real property report no less than six (6) months old. Older real property reports may be accepted with a statutory declaration at the discretion of the Development Officer.
- 2) A property zoning memorandum will state whether or not improvements described on the real property report conform to property line setbacks, applicable use and special provisions of the current Zoning Bylaw. The property zoning memorandum may also include additional information related to servicing, building or other information as determined appropriate by the Development Officer.

3.13) CONTRAVENTION & ENFORCEMENT

- 1) This Bylaw may be enforced pursuant to the provisions of the Section 242 of the *Act*.
- 2) An Order to remedy a contravention as provided in Section 242 of the *Act*, may be appealed to the Development Appeals Board.
- 3) The Development Officer may register an Order against the Certificate of Title for the property subject to the Order.
- 4) Every person who contravenes any provision of this Bylaw is guilty of an offence.
- 5) Every person who is guilty of an offence is liable on summary conviction to:
 - a) In the case of an individual, a fine of not more than \$10,000.00;
 - b) In the case of a corporation, a fine of not more than \$25,000.00; or
 - c) In the case of a continuing offense, a maximum daily fine of not more than \$2,500.00 per day.
- 6) Conviction of a person for a contravention of this Bylaw does not relieve the person from compliance with any provision(s) of this Bylaw.
- 7) Where a sign is required to be removed from a property, the sign owner/property owner shall be liable for the cost of the removal, storage and site restoration, should the sign owner/property owner not comply with the directive to remove the sign.

3.14) COMPLIANCE WITH OTHER CITY BYLAWS

- 1) Where it is determined that other City Divisions such as Estevan Police Services, Estevan Fire Department and City Financial and Shared Services are unable to support an approval of a development permit application due to conflicts with City Bylaws under their management and control, an approval of the development permit application under this Zoning Bylaw shall not be granted.
- 2) Should the Development become non-compliant with another City Bylaw, the Development Officer may suspend or cancel the development permit in accordance with Section 6.16 of this Bylaw.



Tip: Other City Bylaws that have a role in the planning function include:

- *Property Maintenance Bylaw,*
- *Official Community Plan*
- *Development Appeals Board Bylaw*
- *Community Engagement Bylaw*
- *Planning Fees Bylaw*
- *Building Bylaw*
- *Business License Bylaw*
- *Massage & Body Rub Bylaw*
- *Taxi Bylaw*
- *Off-Site Development Levy Bylaw*
- *Noise Bylaw*

PART FOUR: SIGN CORRIDORS

4.1) REGULATION OF SIGNS WITHIN THE ESTEVAN SIGN CORRIDORS

- 1) The Estevan Sign Corridor is an agreement between the Ministry of Transportation and Infrastructure, the Rural Municipality of Estevan and the City of Estevan to regulate highway vicinity signage on provincial highways in proximity, but outside of the corporate boundary of the City of Estevan.
- 2) Matters related to signage within the Estevan Sign Corridor are not subject to this Zoning Bylaw.

PART FIVE: DEVELOPMENT PERMIT PROCEDURES

5.1) DEVELOPMENT CONTROL

- 1) No development other than that designated under Section 5.3: Development Permit Not Required shall be undertaken within the City of Estevan unless an application for it has been approved and a development permit has been issued.

5.2) SAME OR SIMILAR USES

- 1) Uses which are listed in the permitted and discretionary use columns under the Zoning Districts which form part of this Bylaw are not intended to be exclusive. Where a specific land use does not conform to the wording of any definition, the Development Officer may, at its discretion, determine that the use conforms to the spirit and intent of the purpose of the Zoning District and is determined to be same or similar to other uses in that Zoning District.
- 2) A same or similar use shall not be used in a Zoning District where the proposed use is clearly defined as an allowable use in a different Zoning District.
- 3) A Development Permit application for a same or similar use shall always be processed and determined as a discretionary use.



Tip: As an example, a post office can be regarded as an institutional use; but if post office appears as a separate use in a Zoning District it cannot be approved as an institutional use in any other Zoning District.

5.3) DEVELOPMENT NOT REQUIRING A PERMIT

- 1) Except as provided in subsection (2) no person shall commence any development unless he has been issued a development permit in respect thereof.
- 2) A development permit is not required for the following development provided that the proposed development conforms to all provisions of this Zoning Bylaw:
 - a) The maintenance or repair of any building if the work does not include structural alterations or the enlargement of a structure.
 - b) The completion of a development which was lawfully under construction in accordance with a lawful development permit issued at the effective date of this

Bylaw provided the development is completed within the time limit described on the permit.

- c) The completion, alteration, maintenance or repair of a street, lane or utility, undertaken upon a public thorough-fare or utility easement, or undertaken to connect the same with any lawful use of buildings or land.
- d) Landscaping where the proposed grades will not adversely affect the subject or adjacent properties, except where landscaping forms part of a development and requires a development permit.
- e) The erection or construction of gates, fences, walls or other means of enclosure (other than on corner parcels or where abutting on a road used by vehicular traffic) less than *1.2 metres (3.9 ft.)* in height above grade in front yards and less than 1.83 metres (6.0 ft.) in side and rear yards; and the maintenance improvement and other alterations of gates fences, or walls or other means of enclosure provided height maximums herein prescribed are not exceeded.
(Bylaw 2023-2078)
- f) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building or development for which a development permit has been issued under this Bylaw, provided that the temporary building shall be removed within 30 days of the completion of the construction for which the temporary building was used.
- g) The construction of sidewalks and driveways provided that such sidewalks and driveways are located in a manner where they do not constitute a traffic hazard and are maintained in a clean, tidy and safe condition.
- h) Hard surfacing of any yard area on a residential parcel for the purposes of providing a vehicular access from a public roadway to an on-parcel parking stall provided the hard surfacing conforms to approved storm water management and access requirements described in the City of Estevan Engineering Standards and site coverage requirements as described in this Bylaw.
- i) Construction or demolition of an accessory building less than 10m² (107.6 ft²) in area.

- j) Flag poles within any yard provided a minimum of 1.0 metre (3.2 ft.) property line setback is maintained, the height of the pole is not greater than 6.0 metres (19.7 ft.), and the structure is not located within a sight triangle or a vehicular access driveway.
- k) Personal use playground equipment, landscaping features, sand boxes, bird houses, etc.
- l) Renewable Energy systems compliant with Section 7.21 of this Bylaw.
- m) Above ground swim pools or portable hot tubs compliant with Section 8.30 of this Bylaw.
- n) Storm water works.
- o) A change of use where the proposed use:
 - i.) is a permitted use within the subject Zoning District;
 - ii.) has sufficient parking to accommodate the proposed use; and
 - iii.) the property has not been vacant for more than one year.



Tip: It is best to verify with Land Development Services whether a change of use situation exists when changing the land use within a building or parcel. As an example, a shoe store that converts to a dress shop within a year would not necessarily require a development permit.

- p) A downtown sidewalk display adjacent to the wall of the building that leaves a minimum of 1.8 metres (6 ft.) of sidewalk open for pedestrian traffic.
- q) Signs as described in Part XI of this Bylaw.
- r) Pop-up retail in a Zoning District that allows for pop-up retail for a period of no more than 4 consecutive operational days.
- s) Accessory buildings and uses which are to be developed on City owned land under the direction of the City of Estevan.
- t) Screening for solid waste receptacles.

- u) Portable buildings less than 32.5m² (350 ft.²).
- v) A pergola or arbor.
- w) An uncovered deck or patio.
- x) A community garden.
- y) A retaining wall less than 1.2 metres (46.8 in.) in height, measured from the lowest grade at any point adjacent to the retaining wall to the highest grade retained by the retaining wall.
- z) The removal of a single detached dwelling from a residential park in an R5-Residential Zoning District.

5.4) TRANSITION OF SIGN/BUILDING PERMITS

- 1) *City of Estevan Zoning Bylaw No. 2010-1834* provided for joint building/development permits to be issued by the City for development projects such as single detached dwellings, duplex dwellings, residential accessory buildings, decks and manufactured homes where the project was for a permitted use without any variances or relaxations. These approvals remain in force under this Zoning Bylaw.
- 2) *City of Estevan Sign Bylaw No. 2003-1642* provided regulatory authority for sign permits from 2003 to the passage of this Zoning Bylaw. Approvals under the sign bylaw remain in force under this Zoning Bylaw.

PART SIX: DEVELOPMENT PERMIT PROCESS

6.1) COMMUNITY ENGAGEMENT BYLAW

- 1) The *City of Estevan Community Engagement Bylaw* provides guidance on public notices and public notifications pursuant to Section 24 of the *Act*.

6.2) MAKING AN APPLICATION

- 1) An application for a development permit shall be made to the Development Officer in writing on the application form provided by the City of Estevan, and shall:
 - a) be signed by the registered owner or agent. Where required, the information shall be verified by a statutory declaration;
 - b) the Development Officer may accept a written authorization from the registered owner as an alternative to signing the permit form;
 - c) development permit applications for uses within a condominium may require a statement from a representative of the condominium board that the proposed use is conformant to condominium requirements; and
 - d) in the case of multiple owners on a property that are not listed as joint tenants the Development Officer may require consent from each landowner.
- 2) The applicant shall state the proposed use or occupancy of all of the land and building on the subject property, and such other information as may be reasonably required by the Development Officer.
- 3) Where a proposed development includes a mixture of permitted and discretionary uses/buildings, each type of use or building (permitted or discretionary) shall be on a separate application.
- 4) At the discretion of the Development Officer, the application shall include site plans at a scale satisfactory to the Development Officer. The site plan may require any or all of the following:
 - a) front, side, flanking and rear yards;
 - b) outlines of roof overhangs on all buildings;

- c) north arrow;
- d) legal description and municipal address of the property;
- e) scaled plans showing the location of existing and proposed municipal and private local improvements, principal buildings and other structures, parking spaces, garages, carports, fences, driveways, paved areas and buffering or screening areas;
- f) grades of the adjacent streets, lanes, and storm sewers servicing the property;
- g) exterior elevations showing the height, horizontal dimensions and finishing materials of all buildings; existing or proposed;
- h) the lowest finished floor elevation in either the basement or main floor in the principal and accessory buildings where applicable;
- i) the location of a proposed future driveway and garage or carport;
- j) storm drainage and grading plan;
- k) description of proposed development to take place within the amenity or landscaped areas; and
- l) Landscaping requirements as per Section 7.19.

6.3) PERMITTED USE ADVANCE NOTIFICATION

- 1) At the discretion of the Development Officer, notification of a proposed permitted use development may be provided to affected agencies, landowners within 75 metres of the subject property, or other stakeholders to obtain comments and/or recommendations on land use issues related to the proposed development.

6.4) DEVELOPER CONSULTATION

- 1) As part of the review process for a subdivision application, development permit application or proposed amendment to this Bylaw the Development Officer may require the applicant to prepare and execute a consultation plan pursuant to the *City of Estevan Community Engagement Policy*.



Tip: Some permitted uses can be large in scope and impact neighbourhoods even if all bylaw requirements are met. The allowance for a notification allows for greater community awareness and allows for issue identification and response within the limits imposed for placing conditions on a permitted use.

Public notification is discussed in detail through the City's Community Engagement Policy.

- 2) The final report from the completion of the consultation plan shall be deemed to be public information and shall form part of the background information used for deciding the application.

6.5) PERMITTED USE OR BUILDING APPROVAL CONDITIONS

- 1) A permitted use or building that is fully compliant with all aspects of this Bylaw shall be approved by the Development Officer.
- 2) As a condition of a permitted use or building approved under this section, the Development Officer may require the applicant to:
 - a) connect to all municipal and franchise utilities that are necessary to service the proposed development;
 - b) provide vehicular and pedestrian access to the parcel;
 - c) submit a phasing plan for a development that is anticipated to be developed in multiple stages or phases;
 - d) develop all identified landscaping and amenity areas;
 - e) post a civic address in accordance with *City of Estevan Property Maintenance Bylaw*;

- f) ensure that the site is tidy and orderly;
 - g) specify an expiry date for a development that is intended to run for a limited amount of time;
 - h) commence the development within a single year from the date of approval;
 - i) ensure that the site is not a safety hazard to the public; and
 - j) comply with all other federal, provincial and municipal laws, bylaws and regulations that are applicable to the proposed development.
- 3) The Development Officer may require that the following be prepared to the satisfaction of Land Development Services and City Engineering Services as part of the consideration of a permitted use development permit application:
- a) an environmental site assessment;
 - b) a geotechnical evaluation;
 - c) a storm water report;
 - d) river flood and/or storm assessment and evaluation;
 - e) an evaluation of water supply needs and sanitary sewer requirements;
 - f) an evaluation of traffic flows that will result from the proposed development;
 - g) a haul road agreement for fill and other materials that will be transported to or from the development site; and
 - h) tie-ins and repair of all public infrastructure adjoining the development site that is impacted by the proposed development.

6.6) DISCRETIONARY USE OR BUILDING APPROVAL CONDITIONS

- 1) In addition to the list of conditions that may be applied towards a permitted use (Section 6.5), Council shall apply the following when reviewing a discretionary use application for development permit approval.
 - a) The proposed use or building must be consistent with the *City of Estevan Official Community Plan*;
 - b) The proposed use or building must be an allowable use under the definitions section of this Bylaw;
 - c) The proposed use must be capable of being adequately serviced;
 - d) The intensity of use and density within the subject Zoning District must be compatible with the overall intent of the subject Zoning District;
 - e) The proposed use or building shall be consistent with the *Statements of Provincial Interest*, the *Planning and Development Act* and its regulations; and
 - f) The proposal must not be detrimental to the health, safety, convenience or general welfare of residents residing in the vicinity of the subject parcel.

6.7) DIRECT CONTROL APPLICATIONS

- 1) Direct Control Zoning Districts are intended to address land use concerns that are unable to be effectively dealt with through traditional Zoning Districts. Council may establish through this Bylaw a Direct Control District for a parcel. The Direct Control District shall include the following elements:
 - a) A general purpose for the district;
 - b) Defined objectives and policy directions;
 - c) Requirements for a completed development permit application that are in addition to that described in Section 6.2; and
 - d) Development standards that can be applied towards future development proposals.

- 2) Council may delegate approving authority for certain land uses and buildings within a Direct Control District to the Development Officer which shall be described in a specific provision of the applicable Direct Control Zoning District.
- 3) As a condition of approval, the Developer may be required to enter into a development agreement pursuant to Section 65(2) of the *Act* with respect to the land or building proposed to be developed.

6.8) PERFORMANCE REQUIREMENTS

- 1) The Development Officer may require as a condition of approval a performance deposit to ensure that the development is constructed and completed in accordance with the time frames and required development standards.
- 2) In the case of a moved in building, the performance deposit shall be sufficient to cover all costs related to upgrading the building to comply with the current building code.



Tip: Best practice is to conduct most renovations off-site so that performance deposit and on-site construction can be minimized.

- 3) The performance deposit shall be fully refundable upon a final inspection being conducted and all work completed to the satisfaction of the Development Officer.
- 4) Performance deposits must be issued as cash or a letter of credit issued through a Chartered Bank or Credit Union operating within the Province of Saskatchewan.
- 5) Performance deposits in excess of \$5,000 shall be determined through a professional evaluation of the costs required to satisfy the purpose of the deposit.

6.9) REFERRALS

- 1) As part of the review process for a development permit application the Development Officer may refer the proposal to a government agency for review and comment. Referrals will typically be made on the following types of applications:
 - a) Saskatchewan Health: Any permit application that involves food handling, child care, body piercing or similar uses.

- b) Saskatchewan Highways and Infrastructure: Proposals adjacent to provincial regulated highways or that generate traffic flows that may impact on a provincial highway.
 - c) Saskatchewan Education: Proposals for day cares, home child care or uses that may impact existing or future school sites.
 - d) School Division: Proposals that may impact existing or future school sites.
 - e) Transport Canada: Proposals for development in proximity to the flight paths for the St. Joseph Hospital.
 - f) Saskatchewan Environment / Water Security Agency: Proposals that may impact Crown owned steams, watercourses, wetlands or other water bodies.
 - g) Saskatchewan Parks, Culture and Sport: Proposals on larger greenfield properties that have not been examined for the presence of historical or cultural resources and proposals related to historical sites. *(see Saskatchewan Developer's Online Screening Tool)*.
- 2) Referrals to government agencies shall be with a response deadline of no less than 14 days; with the ability for the agency to request a time extension.
 - 3) The Development Officer may require the Developer to consult with the above agencies to identify issues and possible solutions as part of the application for a development permit or zoning amendment.
 - 4) A public notice may be issued as part of the processing for a permitted use development permit application or any other planning matter. The public notice would be distributed for the purpose of obtaining comments, recommendations and promoting community awareness of projects that are of particular interest or impact to a neighbourhood.

6.10) NOTIFICATION STANDARDS

Notification standards are described in detail in the City of Estevan Community Engagement Bylaw.

- a) The minimum notification area is 75 metres from the outer boundary of the parcel subject to the matter related to the notification. All properties which are wholly or

partially within the 75 metre notification distance are to be included in the notification area.

- b) At the discretion of the Development Officer, the notification area may be increased should it be determined to be in the public interest to do so.
- c) A public notice for a development permit application shall contain:
 - i.) a detailed description of the land use issue or bylaw under consideration;
 - ii.) a description of the ways in which further information can be obtained or comments on the proposal may be submitted;
 - iii.) dates and times including deadlines for receipt of comments;
 - iv.) legal description, civic address and a map of the subject property/area;
 - v.) zoning classification of the subject property; and
 - vi.) a map showing the subject property and adjoining lots.
- d) In the case of an application that is determined by Council, the notice shall include information on how to address Council in person or through written submission.
- e) A public notice for a proposed bylaw shall include:
 - i.) a description of the proposed bylaw and a summary of the reasons for it being considered;
 - ii.) a date, time and location where the matter is to be determined by council;
 - iii.) and indication of where and when information in support of the proposed bylaw may be examined along with any supporting information or maps that may be available; and
 - iv.) the procedure by which the public hearing will be conducted.

6.11) POST-DECISION NOTIFICATION

- 1) A notice of decision to the applicant shall document the decision and any applicable development standards and conditions or time limits that apply in accordance with this *Zoning Bylaw*. The notice of decision shall also provide an effective date of the decision and describe the applicant's right to appeal the decision to the *City of Estevan Development Appeals Board*.
- 2) A notice of decision that is for a refusal of a development permit application, in whole or in part, shall include the reasons for the refusal and a description of the applicant's right to appeal the decision to the *City of Estevan Development Appeals Board*.



Tip: The City of Estevan Community Engagement Policy provides rationale and policy directions for the notification standards applied within the City of Estevan. This includes matters related to:

- *Content of a notice of decision, including reasoning behind refusal of a permit application, in whole or in part,*
- *Notification procedures for minor variances and relaxations, and*
- *Options to appeal a decision on a development permit application.*

Note: A refusal of a development permit by Council has very limited options for an appeal.

6.12) PUBLIC NOTICE ISSUANCE AND TIMELINES

Pre-Decision Notifications:

- 1) Where a notice is sent by regular mail or registered mail for a proposed discretionary use, the notice should be issued a minimum of 9 days prior to the date upon which a recommendation is submitted for Council consideration; and a minimum of 9 days prior to the date a decision is made by Council.
- 2) Where a notice is sent by regular mail or registered mail for a proposed permitted use application, the notice shall be issued a minimum of 9 days prior to a decision being made by the Development Officer.
- 3) As a standard of practice, a notification period of a minimum of 16 days prior to the date of decision should be used for all development permit notifications.
- 4) The Development Officer may extend the notice period should it be determined to be in the public interest.

Post-Decision Notifications:

- 5) Where a development permit application that includes a minor variance or relaxation is approved, the notice of decision shall be issued:
 - a) Through registered mail to adjoining property owners in the case of a minor variance;
 - b) Through regular mail to adjoining property owners in the case of a relaxation; or
 - c) Through registered mail to adjoining land-owners where both a minor variance and relaxation is approved.

- 6) Notice through regular mail shall be issued to those landowners that were notified of the proposed development and are not notified through (a) above.
- 7) The deadline provided for application to the Development Appeals Board shall be 32 days from the date of issuance of the notice of decision.

6.13) EFFECTIVE DATE

- 1) The effective date of a development permit shall be the date following upon which the ability to appeal the notice of decision has expired.
- 2) Any development that takes place prior to the effective date is solely at the risk of the applicant.
- 3) A development permit shall remain in effect until:
 - a) the date of its expiry should an expiry date be clearly marked on the notice of decision;
 - b) it is suspended or cancelled; or
 - c) it lapses upon the failure of the applicant to commence development as required on the notice of decision.

6.14) TRANSFERABILITY OF PERMITS

- 1) Permits generally “run with the land”. Change of ownership of the property will not impact a development permit approval except where otherwise clearly marked on the notice of decision. Examples of uses that may not run with the land include some home based businesses or the content of a sign when the general purpose of the sign changes in a significant manner.

6.15) MANDATORY REFUSALS

- 1) The Development Officer shall refuse a development permit application when the proposed development:
 - a) is neither a permitted or discretionary use or building in the applicable land use district; and/or

- b) is not adequately serviced by infrastructure and cannot be adequately serviced through the fulfillment of conditions of approval on an approved development permit.

6.16) SUSPENSION OR CANCELLATION OF DEVELOPMENT PERMITS

- 1) If, following the issuance of a development permit, the Development Officer becomes aware that:
 - a) the application for the development permit contained a misrepresentation;
 - b) facts concerning the application or the development were not disclosed which should have been disclosed at the time the application was considered;
 - c) the development permit was issued in error; or
 - d) the development is no longer in compliance with other municipal bylaws.

the Development Officer may suspend or cancel the notice of decision or the development permit by notice, in writing, to the holder of the permit.

- 2) The applicant may request that a permit be suspended through written notice provided that the commencement of the use or development or construction has not occurred.
- 3) If a developer fails to comply with a notice under this section, the Development Officer may suspend or cancel an existing development permit by notice, in writing to the holder of the permit.
- 4) A person whose development permit is suspended or cancelled under this section through written notice may appeal to the Development Appeals Board.

6.17) APPEALS

Appeals of decision made pursuant to this Bylaw shall be made to the *City of Estevan Development Appeals Board Bylaw*.

6.18) NON-CONFORMING USE OR BUILDING

- 1) Non-conforming uses and buildings are generally regulated through Sections 88-93 of the *Act*. A framework for building or site relaxations and minor variances is described in Section 4.26 of the *Official Community Plan*.
- 2) The following improvements may be made to a non-conforming building on a discretionary basis, subject to conformance with this Bylaw, provided the element of non-conformity is not increased:
 - a) additions to a building, provided the addition does not increase the floor area of the building by more than 10%;
 - b) new exterior openings to a building;
 - c) replacement of a maximum of 10% of the structural elements in a building; or
 - d) replacement or repair of existing structural elements that serve the purpose of providing occupant safety or security of the building.



Tip: The intent is to allow non-conforming uses or buildings to be able to do minor updates so that the use or building can remain in reasonable repair and condition.

- 3) Where the principal building on a property has been lawfully removed, the largest accessory building on the property shall become the principal building and a discretionary use under the subject Zoning District until such time as a new principal building is developed on the site. The former accessory building may be considered for improvements under 6.16(2) of this bylaw through the development permit process.



Example: A house and detached garage are located on a lot. The house is demolished. Afterwards, the garage could be modified through a development permit within the provisions of Section 6.18(3). A key requirement would be that a site for a new principal building, in this case a residence, be available for future development.

- 4) Repairs, maintenance or installations that do not alter the size of the building or involve the rearrangement or replacement of structural supporting elements are not structural alternations under this Bylaw.

6.19) NON-CONFORMING SITES

- 1) A non-conforming building on a conforming or non-conforming site may continue to be used and any structural repairs, alterations and additions that conform to the requirements of the zoning bylaw may be made, but the element of non-conformity must not be increased by those repairs, alterations or additions.
- 2) If the sole reason for a building being non-conformant is the setback distance of the building from the property line being less than the standard required under the applicable Zoning District; the Development Officer may consider a minor variance to the building as part of a new development permit application.
- 3) Where a minor variance is approved pursuant to Section 6.19, the building shall no longer be considered non-conforming with respect to property line setback standards.
- 4) Where the total lot area for a duplex dwelling conforms to the required standard for a duplex on a single lot, but does not conform to a duplex with each unit being on a separate lot, the Subdivision or Development Authority, as the case may be, may consider the approval of the subdivision or building with the appropriate relaxation as part of the subdivision approval process.



Tip: An intent of this Section is to provide for unusual situations where a building is fully conformant except for an issue that can be effectively dealt with under the development permit process.

6.20) MINOR VARIANCES AND RELAXATIONS

- 1) Pursuant to Section 60 of the *Act* and Section 4.26 of the *Official Community Plan*, the Development Officer may consider a minor variance as part of a development permit application.
- 2) A minor variance shall not be considered to a non-conforming element of a building where a minor variance was previously approved for the said non-conforming element under a previous development permit approval without an amendment to this Bylaw.
- 3) Pursuant to Section 70 of the *Act* and Section 4.26 of the *Official Community Plan*, the Development Officer may consider a relaxation as part of a development permit application.

- 4) Public notification requirements for a minor variance or relaxation are provided in the City of *Estevan Community Engagement Policy Bylaw*.



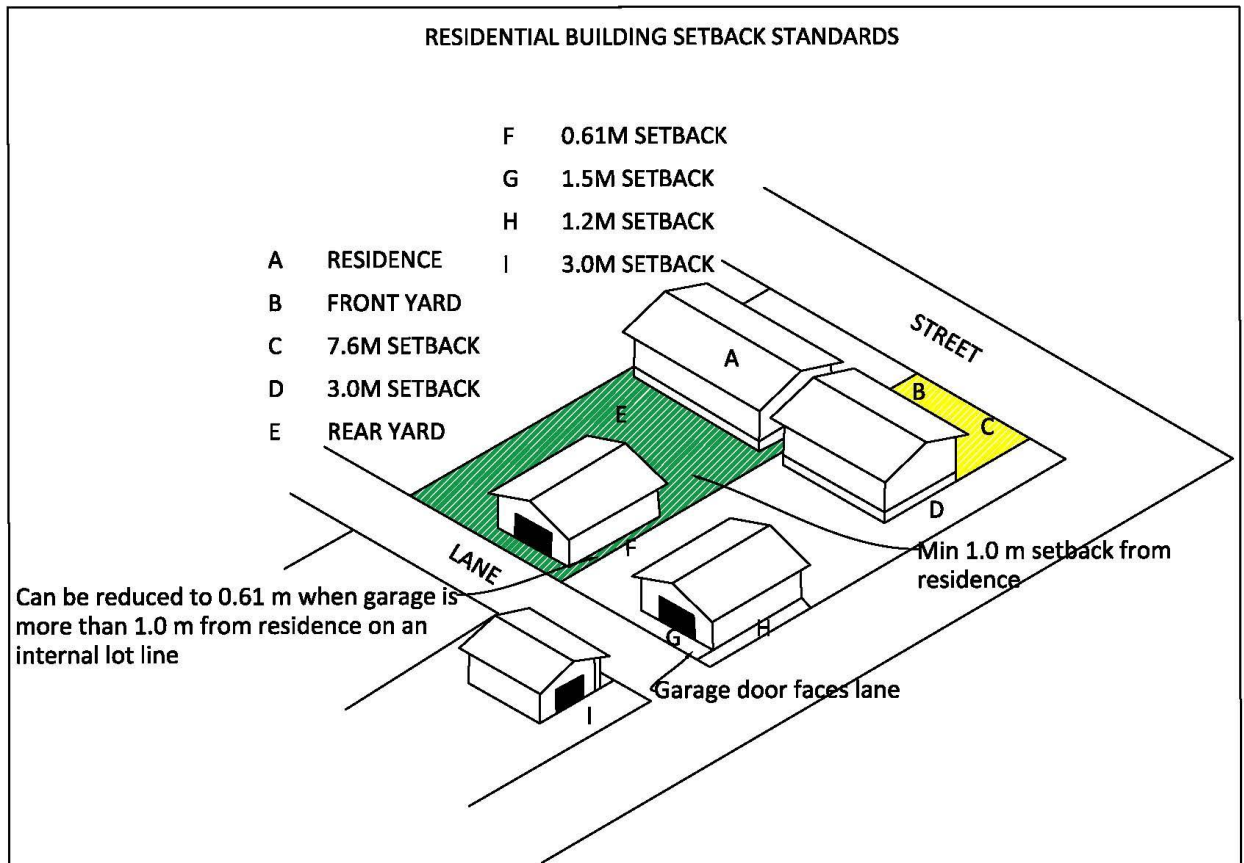
Tip: Minor variances are discussed in detail in Section 4.26 of the Official Community Plan and within the Act.

PART SEVEN: GENERAL REGULATIONS

7.1) ACCESSORY BUILDINGS

Accessory buildings and uses are generally regulated through the following provisions of this Bylaw. Accessory buildings, structures and uses shall complement an existing principal use and not detract from the use of the subject Zoning District, neighbouring properties, public health and safety.

1) General Standards:



- a) An accessory building shall not be a principal use or building on the same lot except as provided in Section 6.18(3) of this Bylaw.
- b) An accessory building or use shall not include a residential use unless authorized elsewhere in this Bylaw.
- c) An accessory building that is structurally attached to the principal building or is detached and separated from the principal building by less than 1.0 metre (3.28 ft.) shall be determined to be part of the principal building or structure

and is subject to the same property line setback requirements as the principal building.

- d) An accessory building shall not be located in the front yard of any land use zone unless specifically permitted elsewhere through this Bylaw.
- e) An accessory building shall be subordinate or accessory to the principal building on the same lot.
- f) No more than 50% of any lot may be developed with an imperviable surface (building footprint, pavement, etc) unless approved by City Engineering. Decks and other improvements which allow storm water to drain to a permeable surface underneath the deck or improvement are not considered an impermeable surface.

2) Residential Districts:

- a) Accessory buildings on a lot with a single detached dwelling in a residential Zoning District other than the Residential Estate (R6) Zoning District shall have a combined maximum gross floor area no greater than 110 m² (1184 ft²).
- b) Within the Residential Estate (R6) Zoning District accessory buildings may have a combined maximum gross floor area no greater than 150 m² (1,615 ft²).
- c) Accessory structures shall not exceed 4.0 metres (13.1 ft.) in height except where specifically permitted elsewhere through this Bylaw.
- d) Within the R6-Residential Estate Zoning District, accessory structures shall not exceed 5.0 metres (16.4 ft.) in height.

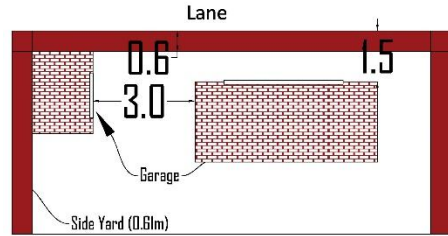


Tip: Please refer to landscaping standards in Section 7.19 and the definition of building height in Section 2.1.

3) Residential Garages and Carports

- a) *Accessory structures* located a minimum of 1.83 metres (6.0 ft.) from the principal building shall have a setback from the side yard property line of 0.61 metres (2.0 ft).

Accessory structures located less than 1.83 metres (6.0 ft.) from the principal building shall have a setback from the side yard property line of 1.2 metres (3.93 ft). *(Bylaw 2026-2106)*



- b) A detached garage **vehicle** door facing a laneway shall be no less than 1.5 metres (4.9 ft) from the laneway property line. *(Bylaw 2026-2106)*
- c) A detached garage or carport with the door or exit perpendicular to the laneway shall have a minimum setback of 0.61 metres (2.0 ft) from the laneway property line.
- d) *An accessory building* shall not be any closer to a flanking yard than the principal building on the lot *except where a lesser setback of 0.6 metres (2.0 ft.) is determined to not interfere with the aesthetics or character of the neighbourhood.* *(Bylaw 2026-2106)*
- e) Vehicle access to a detached garage or carport shall not be less than 5.5 metres (18.0 ft) from a sidewalk or where there is no sidewalk, 7.0 metres (23.0 ft) from the curb.
- f) *Accessory buildings that do not have a vehicle door facing an alley shall have a rear yard setback of 0.6 metres (2.0 ft.)* *(Bylaw 2026-2106)*



Tip: The additional space allows for a sidewalk to be constructed at a future date without interfering with private development.

4) Other Districts:

- a) Accessory buildings shall not be located in the front yard of any lot.
- b) An Accessory building shall not be located less than 3.0 metres (9.8 ft.) from a side or rear property line except where permitted pursuant to another provision of this Bylaw.
- c) Parcel coverage requirements are as per the respective zoning district, where provided.

7.2) CHARACTER AND APPEARANCE

- 1) The design, character and appearance of any building, or series of buildings, structure or sign proposed to be erected or located in any Zoning District shall:
 - a) be compatible with other buildings in the vicinity unless the building is setting a new standard for the Zoning District in which it is located;
 - b) be suited to the purpose of the Zoning District in which it is located;
 - c) comply with the provisions of the *OCP*, applicable neighbourhood plan or heritage standards applicable to the design, character or appearance of the building; and
 - d) unless forming part of a single project which has been designed and approved under one development application, no single detached dwellings of identical or, in the opinion of the Development Officer, similar roof or front elevations and fronting on either side of a road, shall be located adjacent to each other.

7.3) BUILDING DEMOLITION

- 1) The Development Officer may require a performance deposit in accordance with Section 6.8 of this Bylaw to ensure the satisfactory completion of the demolition to a condition as approved on the subject building permit.



- 2) Any building demolition shall include a statement or plan that indicates how:
 - i.) the operation will be carried out so as to create a minimum of dust or other nuisance, and
 - ii.) the final reclamation of the parcel will be completed.
- 3) An application for a demolition permit is a permitted use in all Zoning Districts.

- 4) Council consent prior to issuance of a demolition permit is required where the subject building has a heritage designation or candidate status pursuant to the *City of Estevan Civic Heritage Bylaw*.
- 5) As part of a demolition permit, the applicant shall state which building(s), if any, will remain on site.
- 6) Demolition permits issued under Section 7.3(1) shall clearly describe conditions of approval that are pursuant to this Bylaw and provide notification on how the Zoning Bylaw related provisions of the permit may be appealed to the Development Appeals Board.

7.4) BUILDING HEIGHT

- 1) No building shall be constructed that exceeds 11 metres (36 ft.) in height above the grade of the property unless:
 - a) it is serviced with a standpipe and sprinkler system; and
 - b) is serviced for fire and rescue in a manner satisfactory to the City Fire Chief.
- 2) Portions of buildings that are not normally accessible by persons such as communication towers, windmills, steeples or façade improvements, antennae or chimneys are exempt from height restrictions in this Bylaw other than those described in Section 7.15.
- 3) Where a development within an R4 District is adjoining a low density residential district and is to be more than 11 metres (36 ft.) above grade, the setback from the common property line shall be increased at a rate of 0.8 m (2.6 ft.)/ storey.

7.5) LANDOWNER & CONDOMINIUM ASSOCIATIONS

- 1) For the purpose of this section, common property means common property as defined under the *Condominium Property Act*, as amended; or property that is owned in common by all landowners (landowner association) within a community.
- 2) The City of Estevan is not obligated to enforce any provision of a condominium bylaw or a landowner association bylaw except where the said provision is

included in the Condominium Bylaw as a requirement of the City and the City has formally assumed the authority to enforce the said provision.

- 3) Condominium associations and landowner associations may require a higher standard of development than what is required under this Bylaw.

7.6) COMMUNITY ENTRANCE FEATURE

- 1) A community entrance feature may be placed on a property where:



- a) The owner of the land consents to the placement of the feature on the property;
 - b) The feature is constructed of maintenance free-materials whenever possible; and
 - c) Does not encroach upon a right of way without City authorization or impact traffic safety.
- 2) The City of Estevan may require the landowner, landowner association or condominium association to enter into an agreement for maintenance and liability issues should the community entrance feature be located on public land.
 - 3) Subject to Section 7.7, a community entrance feature may encroach into the setback requirements of a parcel.

7.7) CORNER PARCELS

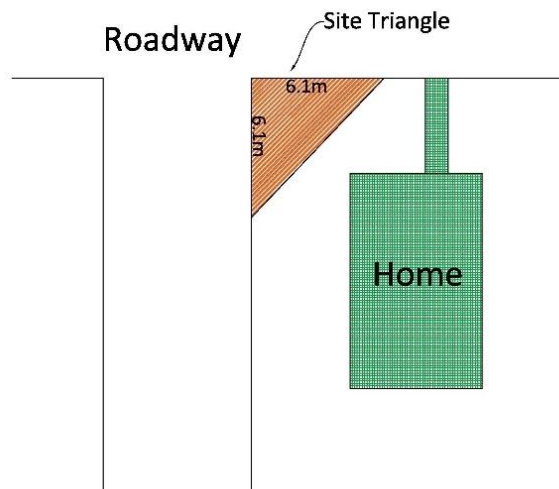
- 1) The front yard on a corner parcel shall be the yard facing a street that is regarded as the front of the principal building.

- 2) At the discretion of the Development Officer, a flanking yard may be subject to a setback of 3.0 metres (9.8 ft.).



- 3) No person shall erect, place or maintain within the site triangle a wall, fence, shrub, tree, hedge or other object over 0.9 metres (3.0 ft) in height above the street grade adjacent to a residential intersection.

- 4) Finished grades within a site triangle shall not exceed the general elevation of the roadway by more than 0.6 m (2.0 ft.)³



7.8) CURB CUTS

- 1) Curb cuts shall be provided as required by City Engineering in accordance with City servicing standards.

³ Further information on site triangles is found in the definition section of this Bylaw.

7.9) DEVELOPMENT NEAR SLOPES

- 1) No permanent buildings shall be allowed within or in proximity to any slope that is in excess of 15% unless the proposal is supported by a report prepared by a qualified geotechnical engineer registered within the Province of Saskatchewan.
- 2) The Development Officer may require that a restrictive covenant in favour of the City that addresses the slope issue be registered against the certificate of title for the proposed property as a condition of approval.
- 3) Where the design of a building may impact a sloped area, the Development Authority may require that the design for the building and foundation be approved by a professional engineer registered to practice in the Province of Saskatchewan.



7.10) DWELLING UNITS ON A PARCEL

- 1) Except for the following, a maximum of one (1) dwelling is to be allowed on a single parcel:
 - a) secondary suites to a maximum of one per lot or condominium unit,
 - b) multi-unit dwellings such as duplexes, senior's homes, care facilities, row housing or apartments including mixed use buildings,

- c) a residential park, or
- d) a structural condominium.

7.11) EMERGENCY ACCESS TO BUILDINGS

- 1) All parcels shall be developed with safe, unrestricted access for fire fighting vehicles and equipment is afforded to all buildings and parcels in accordance with municipal and provincial fire authorities having jurisdiction.

7.12) EXCAVATION, STRIPPING AND GRADING

- 1) Excavation for a purpose other than construction on the same parcel may include, but be limited to: sand and gravel mining, top-soil stripping, removing trees and construction of artificial bodies of water.
- 2) An application for a development permit for the excavation, stripping or grading of land which is proposed without any other development on the same land, shall include with the development permit application all of the following information:
 - a) The portion of the parcel where the excavation, stripping or grading is proposed;
 - b) The type and purpose of the excavation, stripping or grading proposed, showing the dimensions of the operations and/or the area of the land and depth to which the topsoil is to be removed;
 - c) The location on the parcel where the excavation, stripping or grading is to take place; and
 - d) The condition in which the excavation or grading is to be left when the operation is complete and the use of the area from which the topsoil is removed.

7.13) EXCLUSIVE USE AREAS

- 1) An exclusive use area, where approved by the Development Officer or Subdivision Authority, shall be regarded as a private area for the benefit of a property owner that is granted exclusive use. An example of an exclusive use area is a lot divided between the two halves of a duplex under a structural condominium ownership model where the common property is divided between the two duplex units..

- 2) An exclusive use area shall be described and registered against the certificate of title for all affected properties.

7.14) FENCING AND SCREENING

1) In a residential Zoning District:

- a) No fence shall be constructed that:
 - i.) is higher than 1.83 metres (6.0 ft.) for that portion of the fence that does not extend forward beyond the foremost portion of the principal building on the site, or
 - ii.) is higher than 1.22 metres (4.00 ft.) for that portion of the fence that extends into the front yard beyond the foremost portion of the principal building on the site.

- b) A flanking property line that is treated as a side yard for yard setback purposes shall also be treated as a side yard for fence height requirements.

Where hedges, trellises, arbours and similar things are located on or adjacent to a parcel line, they shall comply with the height requirements for fence.

- c) Barbed, electric, chicken or pig wire fencing on property lines is prohibited within residential Zoning Districts. Chicken or pig wire may be used in the rear interior of a lot for uses such as pet cages or gardening.
- d) Fence posts shall be located on the facing side, or may be open to either/both sides where both lot owners are in agreement with the fence design at the time of construction.
- e) Fence height is as viewed from the facing side.
- f) Fencing has to be consistent in design and materials with those in neighbouring properties.

2) All other Zoning Districts

a) Barbed wire and/or electric fencing may be allowed within land use districts where extensive agriculture is an allowable use and the fence line does not abut a parcel within a residential Zoning District; and

b) A solid or chain link fence shall be erected to a height of no less than 1.22 meters (4.0 ft.) and no more than 1.83 metres (6 ft.) on the property line that separates a commercial, industrial, public or quazi-public use not including a park from a residential area.

3) Over-height Fences

a) As an accessory use, the owner of a property may apply through a development permit to allow for a fence height in excess of 1.83 metres (6 ft.). An application for an over-height fence shall be processed as a discretionary use.

7.15) HELIPORT FLIGHT PATH PROTECTION

1) The Height limitations Map establishes maximum height limits for buildings within the designated approach path to the St. Josephs' Hospital helipad.

2) All buildings constructed within the approach path shall comply with the height limitations described on Helipad Height Limitation Map No. 2.

3) The horizontal component of the height limitation is measured from the outer boundary of the helipad to the centre of the building to be constructed. The vertical component is the building height as defined under this Bylaw.

4) A relaxation of the helipad height limitation shall include consultation with St. Joseph's Hospital.

5) This section does not apply to lands within the Rural Municipality of Estevan No. 5.



Tip: For locations greater than 100 metres from the helipad, the height limitation is 1 metre (vertical) for every 20 metres (horizontal). Mapping for the helipad restriction area is on Map #2.

7.16) RAILWAY VICINITY DEVELOPMENT

- 1) The Development Officer may require a boundary fence to be located on the common property line with a railway right of way a minimum of 1.83 metres (6.0 ft.) in height and/or an acoustic safety berm should it be recommended by an acoustic report.
- 2) No development may be located within a railway right of way without the consent of the owner of the right of way.
- 3) No greenfield residential lot may be created adjoining a railway line unless the building pocket for the property allows for a minimum 75 metre setback from the edge of the railway right of way to the residence.
- 4) A setback less than 75 metres may be considered where the proposed subdivision or development is supported by an acoustic and vibration assessment and recommendations⁴ that can be implemented to mitigate noise and vibration to the satisfaction of the Development Officer.
- 5) Property drainage shall not be directed onto a railway right of way unless consented to by the owner of the right of way.



7.17) HAZARDOUS MATERIALS

- 1) Industrial and commercial uses which involve storing, handling, distributing or disposing of chemical materials or products shall not be located on parcels which would be considered unsafe or may have the potential to adversely impact neighbouring properties due to a release, spill or flood event.

⁴ Guidelines for New Development in Proximity to Railway Operations, Federation of Canadian Municipalities and Transport Canada May 2013.

2) The applicant applying for a use pursuant to this section shall provide a approved emergency response plan satisfactory to the City.

3) All pressure vessel containers shall be compliant with the *Boiler and Pressure Vessel Act* and its regulations.



4) This section does not apply to pressure vessels and other hazardous materials that are lawfully transported through the City on railway right of ways or dangerous goods routes.

5) Creosote treated wood such as railway ties are prohibited within the City of Estevan as a construction material except within railway right of ways.

7.18) RESIDENTIAL IN-FILL

1) Residential In-fill development shall conform to the policy directions provided in Section 4.3 of the City of Estevan Official Community Plan and is applicable to lands zoned to the Residential (R2) Zoning District.

2) Residential in-fill capacities shall be calculated as follows:

a) The receiving area shall be calculated as all low to medium density residential lots within or intersected by a boundary extended 75 metres from the outer boundary of the parcel subject to the in-fill application.

b) The base number of residences within the receiving area shall be



calculated at a rate of one housing unit per lot, not including secondary suites.

- c) Where a neighbourhood plan does not exist in-fill as a discretionary use shall not increase the housing unit density within the receiving neighbourhood by more than 30%.
- 3) Increasing in-fill housing density beyond the limits described in (2)(c) should require the preparation of a neighbourhood plan pursuant to the *Official Community Plan*.
- 4) Where a neighbourhood plan that includes in-fill density guidelines has been adopted by Council, the guidelines within the neighbourhood plan shall apply.
- 5) An in-fill development should not exceed the floor area of single detached dwellings (not incl. basements) on adjoining side yards by more than 50%. For this calculation, a single detached dwelling shall use a minimum grade level footprint of 93 m² (1,001 ft²).



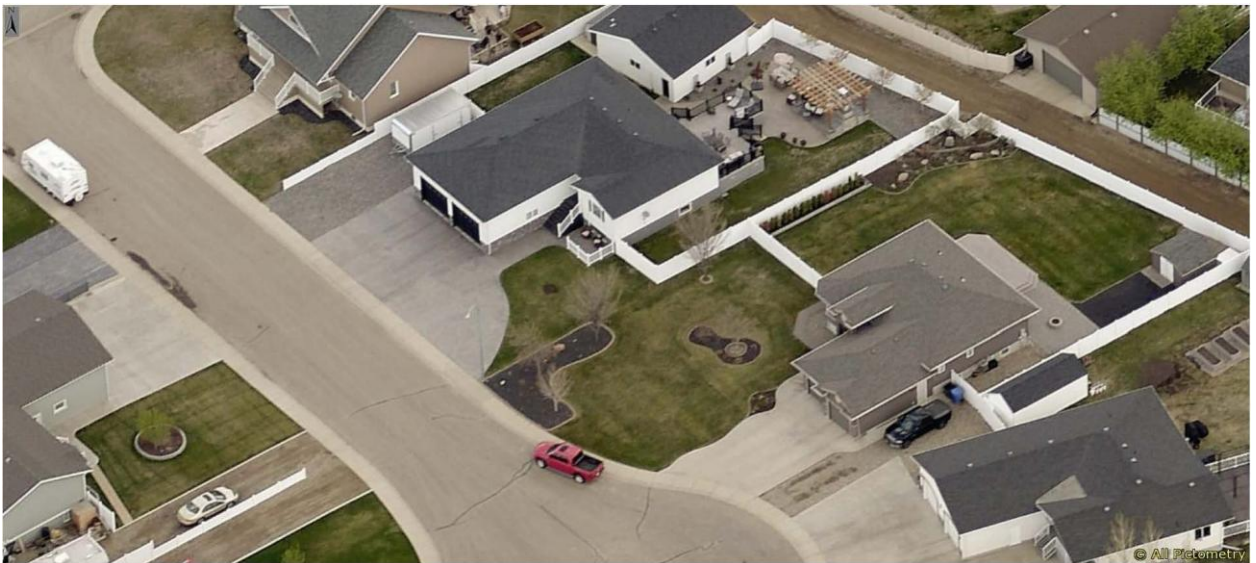
Tip: The objective is to ensure that in-fill housing is consistent in size with other homes in the neighbourhood. As an example, if the adjoining homes on a side yard are 600 ft² and 1300 ft² at grade level, the maximum grade level floor area on an in-fill would be 1,501 ft². 1,501 ft² would be consistent with the larger home. It is assumed that the smaller home would be subject to an in-fill application within a reasonable time frame when the lot is re-developed to a larger footprint.

- 6) In-fill development where the overall housing density increases is a discretionary use described by “In-fill Housing” within the list of discretionary uses in the subject residential zoning district.

7.19) LANDSCAPING

- 1) All land within a parcel that is not covered by a building, portable building, parking area, retaining wall or driveway shall be landscaped.
- 2) The minimum landscaped area of a parcel shall be:
 - a) Single-unit residential properties– 35%.
 - b) Multi-unit residential properties – 20%.

- c) Commercial properties – 5% except where zero lots lines are used.
 - d) Other: as per the requirements of the Development Officer.
- 3) A development permit approval is required for the removal of topsoil from a property.
- 4) As part of an initial development permit application for the development of a parcel, the application shall include:
- a) the location of all existing and proposed retaining walls;
 - b) sidewalks and open parking areas;
 - c) amenity areas; and
 - d) general parcel grading and drainage plan.



- 5) The Development Officer may make Section 7.19(4) a pre-construction requirement of a development approval as an alternative to a requirement of a development permit application.
- 6) Commercial parcels with off-street parking lots shall be landscaped by the planting of shrubs, trees, or other features to the satisfaction of the Development Officer.
- 7) Vegetative landscaping shall not impair public safety or pedestrian movement.

- 8) All landscaping shall be completed by the end of one construction season (May to October) following the occupancy or commencement of use of the building unless an extension is provided by the Development Officer.
- 9) Screening and buffering shall be required to provide a separation from incompatible land uses. Buffering for separation purposes shall be no less than 1.5 metres above grade.
- 10) Landowners are responsible to maintain screens, buffering and adjoining city boulevards as per the *City of Estevan Property Maintenance Bylaw*.
- 11) The Development Officer may require screening fencing such as chain link with privacy slats for screening of commercial and industrial properties as viewed from a public roadway.

7.20) LANEWAY ACCESS

- 1) Laneway access is to be secondary to the main street access to a property. A secondary suite or other dwelling shall not use a laneway as the sole form of legal access to a property.
- 2) Where a residential zoned property fronts King Street between Souris Avenue and Bannatyne Avenue; and features both a lane and street access developed for vehicular access, the street access should be removed as part of the re-development of the principal use on that property. Land Development Services will prepare a recommendation to Council and City Engineering on access management where access removal is being considered.

7.21) RENEWABLE ENERGY SYSTEMS

- 1) Renewable energy systems include solar thermal, solar voltaic, wind and geo-exchange (geothermal). Biomass energy converters are considered an industrial use and are not contemplated under this Section of the Zoning Bylaw.
- 2) Except where otherwise described under this Section or where described in a specific Zoning District, renewable energy systems are permitted accessory uses.
- 3) Wind Power:

- a) small wind power installations shall be subject to conformance with other provisions of this Bylaw such as property line setbacks.
- b) Wind power installations shall require a development permit.
- c) Medium sized wind power installations are a discretionary use that must be denoted as a distinct use in any Zoning District where they may be located.

- d) A small wind power windmill blade must be entirely within the property line setback for an accessory structure.



- e) A small wind power vertical windmill blade shall be no less than 5.0 metres (16.4 ft.) above grade unless mounted on a building.

- f) Medium sized windmill installations shall not be located within 500 metres of a parcel designated as residential under the *Official Community Plan Future Land Use Map*.
- g) Agreements with impacted landowners may be used in support of a relaxed setback for a windmill in Section 7.21(3)(e).
- h) All windmill applications are subject to the obtaining of an approval from applicable provincial authorities, where required.
- i) Windmills shall be removed from the site and the site shall be reclaimed once it is no longer required for the proposed use.
- j) Windmill structures shall not interfere with the operations of the St. Josephs Hospital helipad or flight paths to and from the facility.
- k) A development permit application for a windmill system shall include, at the discretion of the Development Officer:

- i.) A site plan at scaled elevation showing the proposed tower or installation height, rotor diameter, colour and proximity to property lines and buildings;
 - ii.) Manufacturer specifications for noise and vibration;
 - iii.) An analysis for noise in the case of a medium or large wind power installation; and
 - iv.) Specifications for anchor design, foundation, and guy wires.
- l) Large sized windmill turbines are not permitted within the corporate boundary of the City of Estevan.



4) Solar Panels:

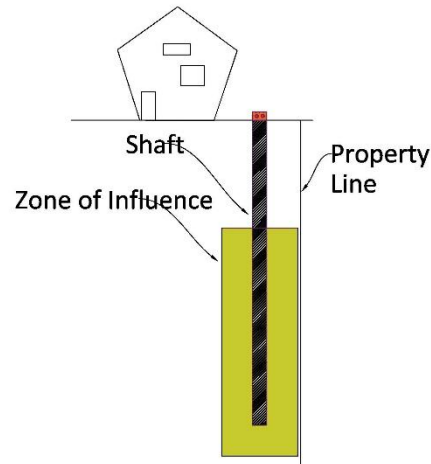
- a) Solar panels affixed to a roof or wall of an existing building shall not require a development permit approval.
- b) Solar panels as stand-alone structures are prohibited on a residential parcel.
- c) Solar panels as a stand-alone structure shall require a development permit approval and shall be subject to the following standards:
 - i.) the panel foundation shall be a minimum of 3.0 metres from a property line and no part of the panel shall be closer than 1.2 metres to a property line when in operation.
- d) Proposals to construct solar installations above public land or public/private parking areas shall require a detailed engineering report with

recommendations to ensure the safe and continued operation of the existing land use after development.

- e) Solar panels are subject to compliance with architectural requirements and applicable neighbourhood design standards described in this Bylaw.

5) Geo-exchange/Geothermal:

- a) The “zone of influence” for a geo-exchange circulation well shall be contained entirely within the property boundary of the subject property unless a variance is agreed to by the landowner for the adjoining property.
- b) All proposed geo-exchange systems shall be professionally engineered.



6) Renewable Energy Communities:

- a) Where a district heating/cooling system is to be installed in place of a conventional energy system such as natural gas or electricity, the City of Estevan may require security for the installation of the system to the satisfaction of City Engineering Services.
- b) Renewable energy communities shall include standards for mitigation or shading of solar panels from vegetation and nearby structures.

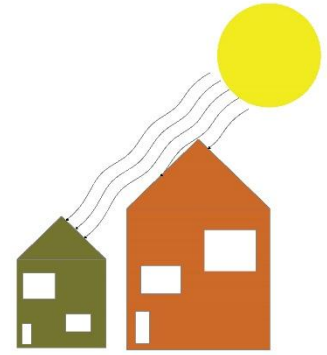
7) Energy onto Grid:

- a) Applicants who wish to produce energy and sell it to a utility grid shall consult with the applicable utility regulator and provider prior to applying for development permit approval should an approval be required. Details of the consultation shall be provided to Land Development Services as part of the development permit application.

- b) Large scale Solar Farms are permitted in the Renewable Energy Zoning District.

8) Neighbourhood impacts:

- a) The placement of solar panels on the roof line of a building or a structure shall not impose a height restriction on buildings on adjoining lots.



- b) The Development Officer shall not require a reduction in the maximum height of a building to mitigate shading of solar panels on an adjacent property.

7.22) ON-SITE SERVICING

- 1) All properties within the corporate limits of the City of Estevan are to be serviced with municipal piped services for water and sanitary sewer and shall have an approved storm water drainage system.
- 2) Existing on-site serviced lots may continue where no municipal piped service is available.
- 3) On-site servicing may be used on a temporary basis should the Development Officer approve a development permit for a proposed use that cannot be effectively serviced with municipal services at the time of development.
- 4) Agricultural operations may continue to be serviced on-site on all lands where agriculture is a permitted use.
- 5) The Development Officer may require an agreement to be registered against the certificate of title for the subject property that will require connection to the municipal service once it is available.

7.23) OUTSIDE STORAGE & DISPLAY

- 1) Outside storage of goods, products, materials, or equipment shall be kept in a clean and orderly condition at all times and shall be screened by means of

a solid fence or wall from adjoining residential uses to the satisfaction of the Development Officer.

- 2) Temporary outdoor display of products for sale, lease or hire shall be arranged and maintained in a neat and tidy manner.

7.24) PARKING LOT REQUIREMENTS

- 1) Provision shall be made with any new use or development for on-site vehicular parking or garage spaces in accordance with the regulations of this section.
- 2) Parking spaces for the physically disabled shall be provided in accordance with the *Construction Codes Act*.
- 3) Parking stalls for light duty vehicles shall have a minimum width of 2.7 metres and a minimum depth of 5.5 metres.
- 4) Parking areas shall provide driving aisles between parking stalls with a minimum width of 7.5 metres for 90-degree parking, 5.5 metres for 60-degree parking and 3.6 metres for 45-degree parking.
- 5) Where parking stalls are located directly off a lane, the required driveway aisle may be reduced by the width of the lane provided the entire parking stall is contained within the site.
- 6) All parking lot/areas which abut a constructed street or roadway shall have a physical barrier between the property/street lines to prevent vehicle egress/ingress at locations other than approved driveway accesses. The type of barrier shall require the approval of the Development Officer.



Tip: Detailed parking and loading provisions such as parking lot design and parking stall requirements by land use are provided in Part Nine: Parking and Loading.

7.25) POLLUTION MANAGEMENT

- 1) In any Zoning District, no use of land or development may be undertaken in a manner that would, in the opinion of the Development Officer:

- a) unduly interfere with the amenities and character of the neighbourhood;

- b) injuriously affect neighbouring properties; and

- c) all light fixtures used for external yard or parking lot lighting shall be shielded in a manner that will direct lighting downwards and will prevent lighting (glare) from extending beyond the subject parcel or adjoining public laneway. (Bylaw 2026-2106)*

by reason of potential for contamination of the water supply for the city, excessive noise, smoke, steam, odour, glare, dust, vibration, refuse matter or other noxious emissions or unsuitable containment of hazardous materials.

7.26) PRINCIPAL BUILDING OR USE

- 1) Except where noted in this section, there shall be no more than one principal building or use on a parcel.
- 2) Where multiple buildings or uses qualify for consideration as the principal use the building or use that is the most consistent with the purpose of the Zoning District shall be the principal building or use.
- 3) Where a commercial or industrial parcel is developed, an adjacent parcel under the same ownership and Zoning District may be used for storage and display purposes where the uses are integrated into a single business operation.
- 4) An accessory building or use where there is no principal building or use on the property shall be a prohibited use in all Zoning Districts except where Section 7.26(3) or Section 6.18(3) apply.

7.27) PROJECTIONS INTO YARDS

- 1) A principal building shall not encroach or project over or onto a front yard, side yard, rear yard or required setback except where described below:

- a) Except where otherwise noted below, projections are allowed to a maximum encroachment of 0.61 metres (2.0 ft.) provided the encroachment is not into a side yard that is required for vehicular access unless the encroachment is greater than 2.5 metres (8.2 ft.) above grade.
 - i.) An unenclosed verandah, porch, deck, eave or canopy or open balcony individually supported by cantilever, projecting no more than 1.22 metres (4.0 ft.) into a front yard or 3.0 metres (9.8 ft.) into a rear yard.
 - ii.) Unenclosed steps or wheelchair ramp provided it is less than 0.5m (1.6 ft.) above grade and not located in a side yard that is intended to provide vehicular access provided the side yard is not reduced by more than 0.6 metres (2.0 ft.)
 - iii.) A grade level patio or other similar development may project into a yard setback up to the property line, subject to overall site coverage limitations and stormwater drainage requirements.
 - iv.) In a commercial district, a canopy or extension over a front or side yard may project into the yard in accordance with sign regulation standards.
 - v.) In a commercial district a canopy or extension into a rear yard shall not obstruct the normal use of the yard and shall be a minimum of 3.65 metres (12 ft.) above grade.

7.28) PUBLIC UTILITIES

- 1) Public utilities and structures are not subject to the property line setback requirements of this Bylaw. All setbacks are at the discretion of the Development Authority.
- 2) Public utility structures and equipment are a permitted use in all Zoning Districts except where specifically regulated elsewhere in this Bylaw.

7.29) RELOCATION OF BUILDINGS

- 1) The relocation of a building to or within the parcel other than structures noted in Section 5.3: Development Not Requiring a Permit, shall require Development Permit Approval prior to the relocation taking place.
- 2) An application to relocate a building from one parcel to another shall require:

- a) a colour photograph of the building;
 - b) a statement of the current location of the building;
 - c) a statement from a building inspector identifying the improvements that are required to bring the building into compliance with building code standards;
 - d) notification of the route, date, and time that the relocation is to take place; and
 - e) a site plan showing where the subject building is to be located within the parcel.
- 3) The Development Officer may require that some or all renovations be completed prior to the relocation of the building. Upon relocation, all remaining renovations shall be completed within one year of the issuance of the development permit.
 - 4) Notwithstanding a permitted use classification in the applicable Zoning District, a relocated building shall be processed and determined as a discretionary permit.
 - 5) Relocated buildings are subject to neighbourhood architectural requirements as described in Architectural Design Standards: Schedule “A” and are prohibited where the said design standard requires new on-site construction.
 - 6) All relocated buildings shall be compatible with respect to age and appearance with other buildings on the parcel and adjoining parcels once renovations are complete.
 - 7) Buildings that are located on sales lots and have not been used for the intended purpose (i.e., a residence on a sales lot that has never been lived in), are in good condition and repair, and comply with current building code standards shall be treated as new construction and not a relocated building.
 - 8) Where the receiving parcel is subject to an architectural standard that requires new construction, a relocated building that is not in new condition is prohibited.

7.30) RESIDENTIAL STANDARDS

- 1) Dwellings as new construction shall include the following design standards:

- a) all components or modules must be consistent in construction standards and appearance;
- b) all exterior walls of any residence must be dimensioned at less than or equal to 2.5:1.
- c) minimum width of any portion of a dwelling shall be 4.8 metres (16 feet), not including eaves, decks, or porches to be included as part of the overall length to width ratio;
- d) all buildings shall conform to the Construction Codes Act (CCA);
- e) continuous horizontal roof lines facing the front and rear lot lines shall not exceed 6.0 metres (20 ft.) in length. Continuous roof lines facing side yards shall not exceed 9.1 (30 ft.) in length;
- f) roof pitches shall be varied and consistent to roof pitches on neighbouring buildings. Flat roofs may be permitted in neighbourhoods that include flat roofs in their architectural design standards;



- g) skirting shall only be used around dwellings that are normally designed for that type of exterior finishing and where skirting is widely used in the neighbourhood; and
- h) parging shall be applied on all foundation/basement finishes as a minimum standard where this form of finishing is common in the surrounding neighbourhood.

- 2) Dwellings which do not conform to Section 7.30(1)(b) shall be restricted to Zoning Districts that allow for dwellings greater than a 2.5:1 length to width ratio.
- 3) Residential dwellings considered under this section shall be aesthetically compatible with other dwellings in the surrounding neighbourhood.
- 4) The height above grade of a single detached dwelling shall not vary more than 2.0 metres (6.6 ft.) from the height above grade of a single detached dwelling on an adjoining side yard.
- 5) Except where described in an architectural overlay district, single detached residential dwellings shall have a minimum grade floor area of 93 m² (1,001 ft²).

7.31) STREET (CIVIC) ADDRESS

- 1) All developed lots shall be signed with the applicable civic address sign pursuant to *City of Estevan Bylaw Property Maintenance Bylaw*, as amended.
- 2) The City shall only assign a civic address to a secondary suite where the suite is a lawful and conforming use under this Bylaw.

7.32) UNDERGROUND SPRINKLER SYSTEMS

Except as provided below, underground sprinkler systems shall be regarded as Development that does not require a development permit.

- 1) Underground sprinkler systems within or adjacent to land that is designated within the Official Community Plan as being sensitive to slope failure shall require a development permit approval and may require a geotechnical evaluation in accordance with Section 4.12(4) of the *OCP*.
- 2) The Development Officer may include conditions on a development permit approval to address concerns with slope stability.

7.33) VEHICLE ACCESS MANAGEMENT

- 1) Every parcel created shall have vehicular access to a street or avenue.
- 2) All properties shall have access from a public road restricted to approved access(es) through landscaping, berms, fences or other design features.

- 3) All accesses shall be designed in compliance with City Engineering Standards.
- 4) Development permits for buildings that are designed for vehicular access shall, where applicable, require curb cuts as a condition of approval to allow for vehicular access to a roadway.

7.34) YARD SETBACK REDUCTIONS

- 1) The designated front yard shall be the yard that features the main entrance to the principal building on the lot.

- 2) Where the front yard is not a yard that accesses a street within a property zoned to an industrial district, the Development Officer may apply a setback of 3.0 metres in place of the standard district setback for existing principal buildings and proposed accessory buildings on the property.



- 3) Where a lot is situated between two lots which contain a principal building that project beyond the minimum required front yard depth, the front yard required on the lot being developed may be reduced to an average of the two established front yards on the adjoining lots.
- 4) When developing a residential neighbourhood as a greenfield or in-fill development; as part of an approved neighbourhood plan the front yard setback for the entire frontage of the block may be reduced.
- 5) Where a front yard setback reduction is granted pursuant to 7.34(4), the new setback shall not be less than 5.0 metres (16.4 ft.).
- 6) Setback reductions in accordance with 7.34(4) and 7.34(5) shall be noted by legal description in the applicable Zoning District.
- 7) *For residential lots having frontage that includes an inward curve, the minimum front yard setback may be averaged across the frontage. Should the average*

setback generally conform to the standard required in the applicable zoning district and the minimum front yard setback for an attached garage (where applicable) be maintained, the necessary relaxation may be accepted as conforming to the applicable standard. (Bylaw 2026-2106)

7.35) ZERO SIDE YARD REQUIREMENTS

Zero-side yards are commonly found in the following locations: commercial lots which have multiple bays, stores sharing a common wall, a duplex with a property line running through the common wall or a multiple bay structural condominium.

Where a zero-side yard is proposed, the regulations of this section shall supersede Zoning District setback regulations.

A development for a zero-side yard building shall include plans showing the grading and drainage onto adjoining parcels or streets.

- 1) Where two buildings are separated by a common wall, the City may require a party wall agreement to be registered against both certificates of title.
- 2) Separate parcels with a common wall shall have individual municipal service connections.
- 3) Easements prepared to the satisfaction of the City of Estevan dealing with encroachments, drainage or other matters may be required as a condition of development approval.
- 4) A building with a zero-side yard shall be constructed to conform to current fire and building regulations that pertain to separation distances between buildings.

PART EIGHT: LAND USE SPECIFIC REGULATIONS

8.1) APPLICATION OF USE SPECIFIC REGULATIONS

- 1) Use regulations described in Part Eight of this Bylaw are specific and take priority over general regulations provided in other sections of this Bylaw.

8.2) ACCESSORY FOOD SERVICE

- 1) An accessory food service:
 - a) Should be no more than 20m² (65.6 ft²) in area to accommodate food preparation and seating area,
 - b) Shall be subordinate or accessory to the principal use in the building,
 - c) Shall operate in conjunction with another approved use,
 - d) Should use the same entrance/exit as the principal use when in a building.
 - e) Shall not require parking stalls in addition to those provided for the principal use on the property, and
 - f) Shall comply with all applicable health and safety regulations.
- 2) An accessory food service is exempt from this bylaw where the service is addressed through other City Bylaws for community events.

8.3) ACCESSORY LIQUOR SERVICE

- 1) An accessory liquor service shall:
 - a) be located within the premises used for the sale and consumption of alcoholic beverages for the patrons of another approved use;
 - b) serve only the patrons attending events or performances at the site;
 - c) must not provide permanent seating area for patrons;
 - d) not require parking stalls in addition to those provided for the principal use; and

- e) comply with all applicable health, safety and Saskatchewan Liquor and Gaming Authority requirements.
- 2) An accessory liquor service is exempt from this Bylaw where the service is addressed through other City Bylaws for community events.

8.4) ALCOHOL MANUFACTURE

- 1) Alcohol manufacture may be allowed as a principal use in the M1 – Industrial Zoning District and the GP – Glen Peterson Business Park.
- 2) Alcohol manufacture may be a subordinate use to a restaurant in any Zoning District other than Neighbourhood Commercial and the Medical Services District; provided the floor area dedicated to the restaurant is larger than the area used for the alcohol manufacturing business.
- 3) A restaurant may be a subordinate use to an alcohol manufacturing business within the Glen Peterson Business Park.
- 4) An alcohol manufacturing facility may be allowed within the Commercial (C2-Midtown) Zoning District as the principal land use on the property.

8.5) AMENITY AREAS

- 1) Amenity areas as defined in this Bylaw may be located in a buildings' interior, attached to the exterior or be outdoor.
- 2) Amenity areas may be shared with landscaping areas where the subject land meets both purposes.



- 3) Outdoor amenity area requirements in multi-unit structures may be reduced by 50% where the parcel is within 100 metres (328 ft) of a public park or commercial spaces that provide a recreational or social amenity to the residents of the building.

- 4) Where an indoor amenity area is included in a development it shall be applied towards any minimum required amenity area for the development.
- 5) An outdoor amenity area shall be provided in the rear of a parcel or the front yard of a parcel where the front yard is established as the principal recreation area of the parcel.
- 6) A communal amenity area may be established within a bare land condominium with the area applicable towards any amenity area per unit requirements.
- 7) Within a condominium, the amenity area may include a combination of communal amenity areas and private amenity areas.
- 8) A private amenity area may include an “exclusive use area” registered against the certificate of title on a common property or jointly owned property.
- 9) Amenity space shall not be used for the purpose of vehicle storage, parking, loading, vehicle repair, garbage collection or maintenance buildings.
- 10) To be included as an amenity space a balcony shall have a minimum width of 1.8 metres (5.9 ft.) and a minimum area of 5.0 m². (53.8 ft²).

8.6) AMUSEMENT ESTABLISHMENTS SCREENING

- 1) An amusement establishment shall not have any openings, except emergency exits, loading bay doors or non-opening windows on a façade that faces a residential Zoning District, or abuts a lane separating the parcel from a residential Zoning District.

8.7) BED AND BREAKFAST

- 1) A bed and breakfast shall:
 - a) have a maximum of three (3) guest bedrooms at any one time;
 - b) not have more than one employee that is not a resident of the principal residential dwelling;
 - c) not include any cooking facilities in a guest bedroom; and

- d) not display any signs on the parcel unless approved by the Development Officer.
- 2) A bed and breakfast establishment shall include a common amenity/recreation space within the building and/or yard for guest use.
- 3) A bed and breakfast may share a maximum of two parking stalls in tandem with other vehicle parking stalls located on the site.
- 4) The bed and breakfast and residential use shall have sufficient parking to satisfy full occupancy without the need for off-street parking.
- 5) Home swapping services on an intermittent vacation basis are not considered a bed and breakfast service and does not require development permit approval.
- 6) Bed and Breakfasts shall not be located within 50 metres (164 ft.) of an existing Bed and Breakfast, Group Home, or Child Care Service (principal use) unless it can be shown that the character of the residential neighbourhood is not adversely impacted.



Tip: Non residential uses in a residential neighbourhood have the potential to impact the character of the neighbourhood. A separation distance between these uses and community consultation will provide an opportunity to address impacts of the proposed use.

8.8) CAMPGROUNDS AND R.V. PARKS

- 1) A campground means a use:
 - a) where spaces are provided for temporary accommodation in recreational vehicles or tents;
 - b) that may include an administration building, laundry or other buildings and structures related to the campground use;

- c) that is serviced in a manner acceptable to municipal standards; and
 - d) that has a minimum of one parking stall per camping space and one visitor stall per seven camping spaces that cannot be used for long term accommodation.
- 2) When considering a campground use, the Development Officer may place specific conditions on the development permit to address:
- a) hours of operation,
 - b) cleanliness and appearance,
 - c) security,
 - d) length of stay,
 - e) emergency response and emergency access, and
 - f) amenity areas and recreation.
- 3) A minimum of 10% of the gross area of the campground shall be dedicated to recreational use including amenity area(s).
- 4) The City may through agreement with the campground operator allow longer term use stays within the campground to address seasonal housing shortages, if permitted through an appropriate condition on the development permit.

8.9) CANNABIS RELATED LAND USES

Under Saskatchewan Liquor and Gaming (SLGA) regulations, licensing of cannabis sales, production and manufacturing businesses is the responsibility of the SLGA. The City of Estevan has jurisdiction on matters related to location, servicing standards and other land use criteria. Cannabis is subject to the following land use regulations:

Cannabis Cultivation, Manufacture and Sale Requirements:

- 1) All commercial cannabis related operations shall require as part of the development permit application and review process:
- i.) legal authorization under the laws of the Government of Canada;

- ii.) legal authorization under the laws of the Province of Saskatchewan; and
 - iii.) approved licensing from the Government of Canada and/or the Province of Saskatchewan, as required under statute.
- 2) Commercial retail sales businesses shall be subject to a building setback of no less than 200 metres from a school and shall be clearly visible from and near a public roadway.
 - 3) Development permit applications for a cannabis related business shall include a plan view or rendering showing the portion of the building facing the street, and examples of signage, flagging or sandwich boards that are to be used to advertise the business.
 - 4) Commercial cannabis development is subject to the character and appearance requirements of this Bylaw.
 - 5) Cannabis online retail sales shall be considered an accessory use to a cannabis retail sales outlet.
 - 6) Cannabis cultivation permits shall include conditions related to vegetative waste management.

8.10) CHILD CARE SERVICES

- 1) A child care service as a principal use shall:
 - a) Have an indoor/outdoor amenity area that is screened from adjoining residential properties;
 - b) Include 1.0 parking stalls per two (2) employees and one stall per 10 children, whichever is greater;
 - c) Include a minimum of 1.0 pick up and drop-off stalls per 10 children;
 - d) Include an emergency response plan acceptable to the City of Estevan;
 - e) Be approved or licensed by the appropriate provincial approving authority and comply with applicable provincial day care standards concerning site requirements and standards for operation and development; and

- f) Child Care Service (principal use) shall not be located within 50 metres (164 ft.) of an existing Bed and Breakfast, Child Care Service (principal use) or Group Home unless it can be shown that the character of the residential neighbourhood is not adversely impacted.



Tip: Child Care Services for less than 9 children that do not require a provincial license are generally classed as a Home Based Business Class II use in most residential Zoning Districts.

Child Care Services that require a provincial license regardless of the size are classified as a Home Day Care within applicable Zoning Districts.

Accessing the Canada-Saskatchewan Early Learning Funding Agreement requires a provincial license.



Tip: Non-residential uses in a residential neighbourhood have the potential to impact the character of the neighbourhood. A separation distance between these uses and community consultation will provide an opportunity to address impacts of the proposed use.

- 2) As a secondary use in a residential parcel, a child care service shall:
- a) have no employees other than the occupant of the dwelling;
 - b) Include one off-street pick up and drop-off stall;
 - c) be approved or licensed by the appropriate provincial approving authority and comply with applicable provincial day care standards concerning site requirements and standards for operation and development; and

- d) include an indoor/outdoor amenity area that is screened from adjoining residential properties.
- 3) The Development Officer, when determining an application for child care service, shall consider:
 - a) traffic impacts in the subject neighbourhood;
 - b) proximity to parks and open spaces; and
 - c) mitigation measures proposed by the applicant to minimize impacts on adjoining residential properties where the child care service is to be located in a residential district.
- 4) Child care services that require licensing and/or approvals from the Ministry of Education shall not be eligible for consideration as a home-based business.
- 5) Child care services within a residence in a residential district is listed as a “Home Day Care” in the list of uses in all residential land use districts.

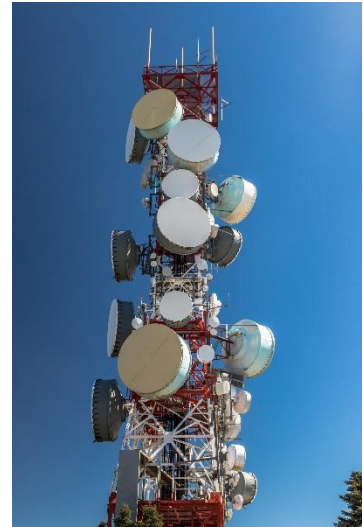
8.11) COMMERCIAL ACCOMMODATIONS

- 1) A commercial accommodation shall have a minimum parcel area of 140m² (1,506 ft²) for a single storey structure and 930 m² (9,902 ft²) for a two-storey structure. Parcel areas for facilities greater than two storeys is at the discretion of the Development Officer.
- 2) A commercial accommodation use does not require an indoor or outdoor amenity space.

8.12) COMMUNICATION TOWERS

- 1) Prior to submission of a development permit application for a telecommunication tower, antenna, building or equipment as regulated through this Bylaw, the applicant shall submit to the Development Officer a report regarding the position or opinion of persons living within 200 metres (656 ft) of the proposed development site. The report shall describe the history of previous applications in the area, the size of the proposed development and impacts on nearby landowners.

- 2) Initial notification of landowners required under (1) shall include:
 - a) a notice in a locally circulated newspaper. The notification shall include a description of the proposal, legal location, civic address, and how interested parties may contact the applicant or submit concerns, and
 - b) A written notice may be hand delivered, mailed or posted in the lobby of multi-unit residential buildings whether they be condominium or rental.
- 3) Developers are encouraged, where possible, to share towers and use existing structures as an alternative to new towers.
- 4) Freestanding towers are to be designed to discourage climbing sliding and their base, if at ground level, shall be fenced.
- 5) The use of towers for signage other than what is directly related to the tower such as warning or equipment information is prohibited.
- 6) When telecommunication towers, buildings or antenna equipment become obsolete it is required that they shall be removed, and the development site reclaimed.
- 7) Telecommunication towers within residential and recreational zoning districts shall be no greater than 60 metres above grade.



8.13) DRIVE THROUGH BUSINESSES

- 1) Speakers as part of a drive through service shall not be closer than 20 metres (65.6 ft.) from a property line to a parcel zoned to a residential district unless the speaker is separated from the residential district by a building or fence that mitigates sound from the speaker to an acceptable level, in the opinion of the Development Officer.
- 2) A drive through shall be screened from any adjoining residential district.
- 3) Pedestrian access from a street across a drive through into the main premises is prohibited.

- 4) A drive through must be screened to prevent lighting from vehicles to interfere with traffic on public roadways.
- 5) An applicant for a business that includes a drive through may be required to submit a traffic study in accordance with City Engineering standards.
- 6) A drive through must have a minimum of four (4) vehicle stacking spaces to the ordering window and a minimum of two (2) parking stalls.



8.14) GROUP HOMES

- 1) A group home (personal care home):
 - a) shall comply with provincial standards and licensing procedures including the Ministry of Social Services;
 - b) shall be of similar design and conform to housing unit density and architectural standards for the subject Zoning District; and
 - c) shall accommodate staff on off-street parking.
- 2) The Development Officer shall consider proximity to parks and other amenities as part of a site evaluation for a group home.
- 3) Where a group home was formerly a residential building, the minimum amenity area for a group home shall be that of the former residence.
- 4) The construction of a building for use as a group home shall include an indoor/outdoor amenity area equivalent to a residence of the same floor area and number of bedrooms.
- 5) The Development Officer may require the proponent for a group home to host an open house for the neighbourhood where the group home is to be situated.
- 6) A Group Home shall not be located within 50 metres (164 ft.) of an existing Bed and Breakfast, Child Care Service (principal use) or existing Group Home unless it can be shown that the character of the residential neighbourhood is not adversely impacted.



Tip: Non-residential uses in a residential neighbourhood have the potential to impact the character of the neighbourhood. A separation distance between these uses and community consultation will provide an opportunity to address impacts of the proposed use. When deciding Group Home proposals, it is important to remember that zoning bylaws are intended to manage land and buildings, not occupants.

- 7) Security and public safety as it applies to the residents of a group home and the general community is addressed through the Estevan Police Service and the Ministry of Social Services. They are not planning considerations under this Bylaw.

8.15) HOME BASED BUSINESSES

General Provisions:

- 1) A home-based business shall be operated as a secondary use only and shall not change the principal character and external appearance of the dwelling in which it is located.
- 2) A home-based business may be located in a dwelling unit or a detached residential accessory building.
- 3) A home-based business shall not create any dust, traffic congestion, late visitations, noise, odour, noxious fumes, interference with telecommunications or vibrations emanating from the premise which is not normally produced by a residential use.
- 4) A home-based business shall not generate any pedestrian activity, vehicular traffic or parking demand that is a source of inconvenience to adjacent landowners or tenants.
- 5) Storage of materials, commodities or finished products shall be within the dwelling or an accessory building, not including commodities that are typically associated with a residential setting such as garden produce.
- 6) A maximum of one vehicle may be used for the home-based business at one time.
- 7) A home-based business permit does not “run with the land” and expires when the business is discontinued or the operator no longer resides in the dwelling.
- 8) Retail sales of goods shall be limited to goods, merchandise or products which are manufactured within the property with the exception of on-line re-sellers.

- 9) Child care home based businesses are not permitted in cases where provincial licensing is required.
- 10) Business licence and development permit approval shall be applied for under a joint application which is determined concurrently.
- 11) A home-based business within a condominium, residential park or apartment facility shall require written consent from the landowner and/or condominium board as part of the development permit application.
- 12) No trailers or vehicles of the home-based business shall be parked on a public roadway.
- 13) The Development Officer shall consider for approval a maximum of one home-based business with client visitations per property.
- 14) The residential property shall have the capacity to accommodate parking for all vehicle(s) and trailer(s) used in the home-based business.
- 15) A home-based business shall be reviewed upon receipt of a complaint by an affected landowner. A permit for a home-based business may be suspended or revoked on the basis of non-compliance on 30 days notice.
- 16) The following uses are not eligible for consideration as a home-based business:
 - a) cannabis online sales, and
 - b) multi-vehicle and/or driver taxi services.
- 17) Work for the home-based business within the property shall be performed entirely by resident(s) of the dwelling. Non-residents are not permitted to perform work for the home based business within the dwelling.
- 18) An application for a Class II Home Based Business shall include the total floor area to be used for the business.

Class I:

- 19) The business may have a maximum of one vehicle to a maximum GVWR⁵ of no more than 4535 kg (9,998 lbs). (Class 1-2B).
- 20) Client visitations to the dwelling are prohibited.
- 21) The maximum floor area of a dwelling or accessory building used for business purposes shall be 28m² (301 ft²), not including bathroom, entrance or hallways.
- 22) A ride sharing use is classified as a home-based business, subject to conformity with other applicable City Bylaws.
- 23) A Taxi service with a single vehicle may be considered, subject to conformity to other applicable City Bylaws.

Class II:

- 24) The home-based business shall not use more than 25% of the gross floor area of the dwelling, not including entrance, hallways, washroom and storage areas.
- 25) One accessory building may be used for home-based business use. Where an accessory building is primarily used for home based business purposes, the floor area of the dwelling that may be used for home based business purposes is restricted to 28m² (301 ft²).
- 26) A home-based business shall not have more than 5 client visitations per day to the residence except where specifically approved (i.e., music classes, home day cares).
- 27) Sufficient off-street parking shall be provided for the residential need, business vehicle and client vehicle. Tandem parking may be considered.



Tip: A building with a Class II Home Based Business may be subject to commercial assessment for the purpose of municipal taxation.

Details on the classification and approval process for child care services is provided in Section 8.10.5

⁵ GVWR means Gross Vehicle Weight Rating. The Province of Saskatchewan uses the following scale: 1-2 (Light Duty), 3-6 (Medium Duty) and 7-8 (Heavy Duty).

- 28) The business may have a maximum of one vehicle with a GVWR of no more than 8,845 kg. (19,000 lbs) (Class 1-5), not including commercial style vehicles such as vans or semi-trucks.

8.16) ACTIVE ADULT LIVING

1) Active Adult Living

- a) as a residential use may consist of one or more residential dwellings in buildings that are specifically designed and include amenity areas for the proposed use; and
- b) may be developed as the principal use in a residential park or bare land condominium.

2) Detached Dwelling units shall include:

- a) a private amenity area of no less than 30 m² (322 ft².)/ dwelling; and
- b) a housing design that can accommodate mobility access to and from the building in a barrier free manner.

3) Condominium units may also include common and amenity areas.

4) A single unit residential dwelling which forms part of a community (multiple single detached units) designed for active adult living may be designed to include additional supportive services such as grounds maintenance and common amenity areas for its residents.

5) A multi-unit building for active adult living shall include the requirements of Section 8.5 of this Bylaw and:

- a) an indoor amenity space of no less than 10% of the gross floor area, not including hallways, entryways and utility areas; and
- b) elevators for multi-storey buildings.

8.17) KENNELS

- 1) Veterinary clinics, pet hospitals, pet shops and kennels shall:
 - a) not be a source of smell or noise or other emissions that can adversely impact neighbouring properties or uses;
 - b) be equipped with adequate sound proofing of pens, rooms and runs; and
 - c) have indoor exercise runs that are sufficient to accommodate the maximum number of animals that can be housed.
- 2) The Development Officer shall recommend that building plans include a separate air extractor system in the animal holding area so that heating/air conditioning is separate from the remainder of the building.
- 3) The keeping of dogs and other animals in a kennel shall be in accordance with all other municipal bylaws and regulations.
- 4) No kennels shall be permitted within a residential district or within 35.0 metres (114.5 ft.) of a property line to a parcel within a residential Zoning District unless the design of the kennel mitigates impacts on neighbouring parcels to a reasonable degree.

8.18) LIVE / WORK COMMUNITY

- 1) A live/work community shall not be located adjacent to an existing residential district or area designated under the Official Community Plan for future residential development.
- 2) A live/work community shall consist of a minimum of three (3) parcels that include:
 - a) a principal residence;
 - b) a commercial use and/or building; and
 - c) an outdoor amenity area of no less than 93m² (1,000 ft²).
- 3) A commercial building within a live/work community shall include a separate holding tank to accommodate any liquid waste products that are not suitable for municipal sanitary sewer systems.

- 4) The initial development plan for a live/work parcel shall include both a main residential building and a commercial use appropriate for the district.

8.19) MIXED USE DEVELOPMENT

- 1) Mixed use residential/commercial development may have either the residential or commercial use as the principal use on the parcel.
- 2) A commercial use may be a mixed use within an institutional or public use where the commercial use is accessory to the principal use on the property. At the discretion of the Development Authority, the requirement for a separate entrance for the commercial use may be waived.
- 3) The principal use in a mixed use development is the use that most closely aligns with the purpose of the applicable Zoning District.
- 4) Residential and commercial uses (as a principal use) shall have independent entrances to street level in a mixed use building.
- 5) The commercial use shall be the principal use on the main floor of the mixed use building in a multi-storey mixed use building.
- 6) The Development Officer shall consider lighting, ventilation, privacy and visibility between the mixed land uses and adjoining parcels when reviewing a development plan for a mixed use building.
- 7) A residential amenity area of no less than 6.0 m² (64.6 ft²) shall be provided and may consist of indoor and/or outdoor space in a mixed use development with a residential component.
- 8) Parking for residential uses in commercial areas shall be off-street. Tandem parking stalls may be considered.
- 9) Commercial parking requirements shall be determined in accordance with Part IX of this Bylaw.

10) In a mixed commercial/residential use building, the residential use shall not encroach onto the commercial use area.

11) Where the land use is a multi-storey building with the commercial use on the main floor and multiple units of residential dwellings on the upper floor(s), the residential dwellings shall comply with Section 8.20.



12) The principal use in a mixed use building shall be accessible directly from the street on the ground floor.

8.20) MULTI-UNIT RESIDENTIAL

1) The Development Officer may require the following as part of an application for a multi-unit residential dwelling,

i.) as prepared by a professional engineer licensed to practise in the Province of Saskatchewan;

a) a geotechnical report for multi-storey buildings;

b) a traffic impact assessment; and

c) a servicing plan prepared by a professional engineer.

ii.) as prepared by a land surveyor licensed to practice within the Province of Saskatchewan;

a) a grading plan prepared by a land surveyor.

; and

iii.) a professionally prepared:

a) landscaping and vegetation plan; and

- b) outdoor amenity area development plan.
- 2) The Development Officer shall be provided with scaled plans describing:
- a) the location of all existing and proposed buildings and structures on the site;
 - b) the location and design of existing and proposed permanent signage;
 - c) the location and design of parking spaces, access and egress onto the parcel, pedestrian walkways, refuse storage areas, amenity areas, landscaped areas and fencing;
 - d) the location of stand pipe access, fire fighting equipment access;
 - e) the location of exterior lighting including the parking lot and landscaped areas, and
 - f) how the development will comply with Section 7.30: Residential Standards.
- 3) Where allowed under the subject Zoning District, the main floor of a multi-floor residential building may be used for commercial purposes.
- 4) Where the total lot area for a duplex dwelling conforms to the required standard for a duplex on a single lot, but does not conform to a duplex with each unit being on a separate lot, the Subdivision Authority may consider the approval of a subdivision to separate the two parts of the duplex on the basis that the amount of open space land for each unit within the duplex would not change from its pre-subdivision state.

8.21) PETROLEUM FACILITIES

- 1) Petroleum facilities shall not be located in any area that is determined by the Development Officer to be a safety risk, have inappropriate vehicle circulation or access to and from public roadways.

- 2) An application for a petroleum facility shall include scaled drawings showing:
- a) Internal traffic circulation;

- b) Off-street parking areas;

- c) Loading areas;

- d) Landscaping areas;

- e) Signage locations; and

- f) The placement of security barriers/fences.



- 3) The minimum area for a gas bar shall be 1,200 m² (12,917 ft.²).
- 4) The minimum area for a service station shall be 1,450 m² (15,607 ft.²).
- 5) Multi-use facilities shall have a minimum area of no less than the required minimum area for the use with the largest minimum area requirement, plus an additional 75% of the minimum area requirement for each additional use.
- 6) The maximum parcel coverage for buildings, loading areas, parking areas, drive through, etc. shall be 80% of the parcel.
- 7) Land not included in parcel coverage shall be landscaped and vegetated to the satisfaction of the Development Officer.
- 8) 15% of the parking requirements for a multi-use facility under this section may be shared between various land uses on the parcel.
- 9) A minimum of 6.0 metre (19.7 ft.) setback from the property line shall be maintained for all pump and pump housing units.
- 10) The installation of petroleum tanks shall conform to provincial standards. Permit approval from the provincial approving authority, where required, shall be provided as supporting information for the development permit application.
- 11) Lighting for the site shall not be directed towards any adjoining parcel without the prior approval of the owner listed on the certificate to title for the said parcel.

8.22) PLACES OF WORSHIP

- 1) All portions of the property that are not used for parking, pedestrian access or a building shall be landscaped.
- 2) A manse or other place of worship related residence should be located in a manner that would allow for the future separation of the manse from the greater place of worship property.
- 3) The exterior finish of a place of worship building shall be compatible to that of the surrounding neighbourhood.
- 4) A manse attached to a place of worship, must be of a style and finish same or similar to the place of worship when located on the same property.
- 5) A manse detached from a place of worship shall, if not of a style and finish same or similar to the place of worship, be of a style and finish same or similar to housing in the adjoining residential parcel.
- 6) A manse shall not be permitted on a property where the place of worship is not the principal use on the lot nor on any lot zoned to an industrial Zoning District.

8.23) PORTABLE BUILDINGS

- 1) A portable building may also be referred to as a tarp shed or canvas garage.
- 2) A maximum of one portable building may be allowed on a single parcel.
- 3) A portable building is an accessory building for the purposes of this Bylaw and in all Zoning Districts.
- 4) A portable building is included as part of the parcel coverage calculation as applicable in all Zoning Districts.

- 5) Portable buildings must be maintained and in good repair. A portable building may be ordered for removal from the parcel should the structure be determined by the Development Officer to be unsightly or derelict.
- 6) A portable building shall not have a floor area greater than 32.5 m² (350 ft².) in a residential zoning district.
- 7) A development permit shall be required for a portable building in any district that exceeds 32.5m² (350ft².)
- 8) A development permit for a portable building shall not be issued for a time period in excess of 2 years in a commercial or industrial zoning district



8.24) RESIDENTIAL PARKS

- 1) A residential park shall provide sites for a minimum of five dwellings.
- 2) Each residential dwelling shall have a minimum of two (2) parking stalls
- 3) One (1) visitor parking stall is required for every seven (7) dwellings.
- 4) Each residential site shall have a minimum area of 445.9 m² (4,800 ft²).
- 5) All sites shall be clearly marked to distinguish the boundary of adjoining sites and common lands.
- 6) All homes within a residential park shall be sized to comply with the setback requirements of the applicable Zoning District.
- 7) A common amenity space shall be provided to a minimum of 10% of the gross area of the residential park. The space shall be developed to service the intended residential use such as family or active adult living.
- 8) All utility lines shall be placed underground and as-built plans shall be submitted to the City of Estevan. Utilities that are to be used for City use such as fire hydrants shall be constructed to City standards.

- 9) All internal roads and pedestrian walkways within a residential park shall be hard surfaced, drained and maintained to an approved standard.



- 10) Conversion of a residential park to a residential community with each residence on a separate lot shall require all sites to conform to the minimum lot and servicing standards of the receiving Zoning District.
- 11) A screened and fenced storage area should be included as part of any residential park and be accessed only from within the parcel.

8.25) SECONDARY SUITES

- 1) A secondary suite shall be connected to the municipal sanitary and water system in addition to franchise utilities. Where practical, the servicing shall be through the principal dwelling and not through direct access to service mains on the adjoining road allowance.
- 2) The secondary suite shall be conformant to the character and appearance provisions of this Bylaw.
- 3) The secondary suite shall have a separate entrance from the dwelling or accessory building and a clear pedestrian route to the front entrance to the lot.
- 4) Mail-boxes for an accessory suite shall be located in the front yard of the residential lot where door to door mail delivery is provided through the front yard.
- 5) A secondary suite may be located as a second storey to a garage provided the gross floor area of the suite is no more than 78 m² (840 ft²).

- 6) Secondary suites in accessory buildings are subject to the provisions of Section 7.1: Accessory buildings and Section:7.2 Character and appearance of this Zoning Bylaw.
- 7) A secondary suite shall have a minimum floor area of 25 m² (269 ft²), not including internal/external stairway entrances.
- 8) A secondary suite shall include sufficient off-street parking to accommodate the proposed tenant.
- 9) Within a Zoning District that allows for a mixed-use, a secondary suite is restricted to parcels where a residential dwelling is the principal use.
- 10) A maximum of one secondary suite is permitted within a residential lot.
- 11) A secondary suite may only be constructed on a lot where the principal building is a single detached dwelling.

8.26) SHIPPING CONTAINERS

Temporary Use:

- 1) Shipping containers used as temporary storage related to renovations of an existing building or as part of the construction process for a new building may be placed in any district for a maximum of 30 days without the requirement for a development permit. A permit is required for a longer period that shall not exceed six months. Containers are to be removed from the site when the construction is complete.



- 2) Shipping containers may be located on any property for a maximum of 10 days for the purpose of loading or unloading the said container(s).

- 3) Shipping containers are prohibited for placement in any residential zoned district except through (1) and (2) above unless the container(s) have been approved as an accessory building.
- 4) Where a shipping container has been modified as follows:
 - a) conforms to the *Construction Code Act*, and its' regulations as a storage shed or accessory building;
 - b) finished in a same or similar fashion to other buildings on the parcel;
 - c) is compatible with the character of the receiving neighbourhood;
 - d) conformance to all other accessory building provisions of this Bylaw;
 - e) has a standard swing-style door, known as a "man-door"; and
 - f) in a residential zoning district or mixed use zoning district where residential is the principal use, has a roof of same or similar appearance to the principal building on the property;

a development permit may be issued as an accessory building.
- 5) Shipping containers shall not be used as a fence in any land use district.
- 6) Shipping containers shall not eliminate or interfere with parking, loading or the manoeuvring of vehicles or pedestrians on the site.
- 7) Shipping containers may be used as a residential use, subject to Section 7.30 of this Bylaw, conformance with the *Construction Codes Act*, and the location is within a residential neighbourhood that has architectural requirements that specifically allow for shipping container structures.
- 8) Where a shipping container is proposed to be located on a commercial or industrial lot in proximity to the rear or side yard which abuts a parcel that is also zoned to a commercial or industrial zoning district, and a zero yard setback does not apply; the side yard setback may be reduced to 0.2m (8 in.).

- 9) Where 8.26 is considered the owner of the adjoining parcel shall be provided notice of the proposed development and provided an opportunity to comment on the proposal prior to the development permit application being determined.

8.27) SIDEWALK CAFÉ

- 1) A Sidewalk café may be permitted as an accessory use to an approved restaurant or tavern within the Central Business District.
- 2) Sidewalk cafés shall comply with City Engineering standards and have minimal interference with pedestrian travel adjoining the café.
- 3) A development permit for a sidewalk café may be issued on a seasonal basis in its first year. Subsequent applications for a sidewalk café may be allowed seasonally on a multi-year basis.
- 4) A sidewalk café shall not interfere with traffic or pedestrian movements or traffic control devices.
- 5) A sidewalk café shall be removed from the site between September 15th and April 30th or upon receipt of written notice by the City of Estevan.
- 6) Fencing around a sidewalk café shall be no more than 1.0 metre (39 in.) in height.
- 7) The sidewalk café shall not impede access to storm grates and storm water run-off.
- 8) A minimum of 1.8 metres (5.9 ft.) walkway for pedestrians shall be provided to ensure ease of access.
- 9) Umbrellas and awnings shall not extend beyond the outer boundary of the sidewalk café.
- 10) Barriers shall be constructed to the satisfaction of the City of Estevan Roads and Drainage Division to restrict vehicular access to the sidewalk café and/or pedestrian wrap-a-round.
- 11) The sidewalk café shall be limited to the frontage of the host business.
- 12) The City may assign additional conditions to a development permit to ensure that safety regulations are met.

- 13) Sidewalk Cafés require liability insurance satisfactory to the City’s insurer and a public land use permit from the City Engineer.
- 14) The owner/operator shall maintain licenses from all applicable provincial licensing agencies.

8.28) SUPPORTIVE LIVING

- 1) A supportive living community shall comply with the following criteria:
 - a) an indoor amenity area equivalent to a minimum 5% of the floor area of the development and that can seat 40% of the residents,
 - b) one or more common areas, and
 - c) an outdoor amenity area that is focused on residential wellness, such as walking trails, viewing areas, raised common garden areas or a commercial business area.
- 2) Dwelling units shall be designed to include accessibility standards as described in the Construction Codes Act.
- 3) Bachelor dwellings shall have a minimum floor area of 40m² (430.5ft²). One bedroom dwellings shall have a minimum floor area of 50m² (538.2 ft²).
- 4) The owner/operator shall maintain licenses from all applicable Provincial Licensing Agencies such as provided in the *Personal Care Homes Act*.

8.29) SURVEILLANCE SUITES

- 1) A surveillance suite shall not interfere with the future development of land uses on adjoining properties.
- 2) Where a surveillance suite is attached to the principal building it shall be considered part of that building.
- 3) Property line setbacks for surveillance suites shall be as per the regulation in the applicable Zoning District.

- 4) Surveillance suites as detached buildings shall have a minimum 1.8 (6.0 ft) setback from other buildings on the same or adjoining property.
- 5) Surveillance suites shall be finished and maintained in a manner that is compatible with other buildings on the subject property and surrounding neighbourhood.
- 6) The sole purpose of a surveillance suite shall be to monitor the safety and security of the property within which the suite is located.
- 7) During land or large building construction, a surveillance suite may be considered an accessory use to the construction operation.

8.30) SWIM POOLS & HOT TUBS

- 1) Swimming pools do not require a development permit if they:
 - a) are located within all accessory building property line setbacks as described in Section 7.1 of this Bylaw;
 - b) are above ground and less than 1.5m (39.37 in.) in depth;
 - c) are designed for seasonal use; and
 - d) are secured against entry by the public other than owners, tenants or guests.
- 2) A plumbing permit shall be required where the drain or intake of the swim pool or hot tub is to be connected through a plumbing connection to a municipal utility.
- 3) Disposal of water from a hot tub or swimming pool shall not be onto a neighbouring property.
- 4) Pools that are partially or wholly below grade shall be treated as an accessory building for permit requirements.

8.31) USE OF CITY BOULEVARDS

- 1) Vegetation, parking pads and minor development such as benches and fences may be developed on City Boulevards provided authorization is granted in writing from

the City of Estevan and the development complies with other provisions of this Bylaw.

- 2) The City may require the registration of an interest against the certificate of title for the adjoining property, at the developer's expense, that requires the removal of the improvement from the property should the City require the land for infrastructure improvements.

8.32) VEHICLE WASHING FACILITIES

1) Car Wash:

- a) A vehicle exit door on a car wash shall not be closer than 23.0 metres (75.5 ft.) of the property line of a parcel zoned to a residential district.
- b) An automatic car wash shall provide a minimum of four (4) vehicle stacking spaces per bay and a drying/vacuum area in the form of one (1) parking stall for each car wash bay.
- c) A manual car wash shall provide a minimum of two (2) parking spaces per bay. Where a drying/vacuum area is not located within the wash bay, a drying/vacuum parking space shall be provided for each wash bay.
- d) The parcel size shall be appropriate for the proposed use and associated uses such as gas bars and service stations.
- e) As part of an application for a car wash, the applicant may be required to provide a site plan that describes the proposed traffic flows within the parcel.

2) Truck Wash & Washouts:

- a) Tanker truck washing shall be carried out on an impervious pad with curbs on all sides that prevent any discharge of waste to the environment.
- b) All liquid within the pad shall be directed to a collection point where it can be recovered.
- c) The operator in consultation with the City of Estevan shall prepare a list of waste materials that is acceptable to be transferred directly to the municipal sanitary system.

- d) Truck washes and washouts that include waste materials that are not pre-approved by the City of Estevan shall not be transferred to the City of Estevan sanitary system. Those materials shall be disposed of at a facility approved by the host municipality and the Province of Saskatchewan.
- e) Truck wash and washouts may be located within an industrial or business park Zoning District.
- f) An application for a truck wash shall include a site plan that describes proposed traffic flows within the parcel.



PART NINE: PARKING AND LOADING

Preamble: The intent of this part of the Zoning Bylaw is to establish minimum on-site parking and loading space requirements necessary to meet the parking demands of various land uses, and to establish standards for the development of on-site parking and landing areas. The minimum space requirements will reduce vehicle congestion on streets and the standards will reduce the potential for conflicts to occur between pedestrian and vehicle traffic.

1) General Provisions

- a) Parking stalls and loading spaces shall be clearly marked and regularly maintained in the parking facility.
- b) Except where exempted through specific development permit approval, all off-street parking areas shall be separated from streets/sidewalks by a landscaped buffer at least 1.0m (3.0 ft.) in width.
- c) Necessary curb-cuts shall be constructed to City Engineering standards.
- d) Parking areas shall be graded in a manner that will not direct surface water flows across the parcel boundary unless where approved by City Engineering.
- e) Parking facilities shall be adequately lighted. Lighting shall not be directed towards parcels designated under the OCP to a residential use or other parcels where the lighting may adversely impact the parcel or its use.
- f) Parking spaces designed for access mobility shall be designed in accordance with the Construction Codes Act.
- g) A lane may be used for a driveway aisle.
- h) All parking lots/areas which abut a constructed street or roadway (not a lane) shall have a physical barrier between the property/street lines in order to prevent vehicle egress/ingress at locations other than approved driveway access. The type of barrier shall be acceptable to the Development Officer.
- i) All parking structures shall conform to City Engineering standards.
- j) *Parking stalls used for E.V. charging stations in commercial parking lots are included in the overall parking requirements. (Bylaw 2026-2106)*

- k) Parking stalls dedicated for communal EV charging stations are in addition to minimum requirements in a residential parking lot. (Bylaw 2026-2106)*

2) Parking Facility Design Requirements:

- a) All parking areas shall conform to the following design standards.

Table 1: Parking Stall Standards

Parking Angle	Width of Stall	Depth of Stall Perpendicular to Manoeuvring Aisle	Width of Stall Parallel to Manoeuvring Aisle	Width of Manoeuvring Aisle
0°	2.7 m (8.85 ft)	2.59 m (8.5 ft)	6.71 m (22.0 ft)	One Way 3.51 m (11.5 ft)
30°	2.7 m (8.85 ft)	4.88 m (16.0 ft)	5.18 m (17.0 ft)	One Way 3.51 m (11.5 ft)
45°	2.7 m (8.85 ft)	5.49 m (18.0 ft)	3.57 m (11.7 ft)	One Way 3.51 m (11.5 ft)
60°	2.7 m (8.85 ft)	5.79 m (19.0 ft)	2.83 m (9.3 ft)	One Way 5.79 m (19 ft)
90°	2.7 m (8.85 ft)	5.79 m (19.0 ft)	2.59 m (8.5ft)	One Way 7.01 m (23 ft)

- b) Driveway access at the street line shall be located no closer than 7.5 metres (24.6 ft.) from the point of intersection of two curb lines at a street intersection.
- c) Parking areas with five or more parking stalls shall include a vegetative perimeter screen.
- d) All parking stalls shall be clearly marked.
- e) Where possible, parking areas shall be designed to eliminate hazardous maneuvers including the prevention of vehicles having to back directly onto streets or across pedestrian walkways in order to exit the site.

3) Landscaping Requirements:

- a) Parking areas with twenty or more parking stalls shall provide a minimum area of landscaped islands equivalent to one parking stall per twenty or more parking stalls in the form of landscaped islands. Islands shall be distributed through the parking lot to break the view of long rows of parked cars.
- b) Traffic islands shall be a combination of shrubs/ground cover and trees with a clearance of no less than 2.0 metres (6.6 ft.).

- c) Where multiple existing parking areas are connected and allow for traffic movements from one parking area to another, the aggregate parking areas may be treated as a single parking area for the purpose of perimeter screening.
 - d) Vegetation that extends onto walkways or parking stalls shall have a minimum clearance of 2.0 metres (6.6 ft.).
- 4) **Surfacing Requirements:**
- a) Except as provided below, all driveways and parking areas shall be hard surfaced to municipal standards.
 - i.) Storage areas on industrial lots that don't have regular vehicular traffic may be surfaced with gravel and appropriate dust control.
 - ii.) Where the volume of traffic on an industrial use is not increased through a change of use and the lot is not hard surfaced, gravel surfacing with dust control is an acceptable alternative to hard surfacing.
 - b) Landowners may enter into an agreement with the City of Estevan to defer hard surfacing projects to future years with Council approval.
 - c) Parking areas which access directly onto a roadway may have the requirement for hard surfacing deferred until the fronting roadway is hard surfaced; after which the parking area would have to be hard surfaced within one year of the date the roadway was hard surfaced.
- 5) **Off-site Parking:**
- a) Where a site is unable to provide sufficient on-site parking, additional parking spaces may be accessed on a different property within 200 metres (656 feet) of the property.
 - b) Where 5(a) is applied, a contract for the parking area should be prepared and registered as an interest against the applicable certificates of title where appropriate.

- 6) Tandem Parking:
- a) The City may consider multi-use or tandem use of parking stall(s) as a means to provide a more efficient parking resource for mixed use or other developments where parking availability is restricted.
- 7) Pick/Up Drop Off Stalls:
- a) Pick up / Drop off stalls may be used at the discretion of the Development Officer to reduce the number of parking stalls required to service the proposed use.
- 8) Shopping Centres:
- a) Where a neighbourhood concept plan has been approved for a shopping centre and it encourages the redevelopment of parking spaces for another land use, the aggregate minimum number of parking spaces required to support the shopping centre may be reduced to accommodate the development described in the neighbourhood plan.
- 9) Loading Docks:
- a) All multi-unit residential, commercial, institutional and industrial developments shall provide a minimum of (1) loading stall for each loading/unloading door.
- b) Loading stalls shall not interfere with pedestrian traffic and have a clearly identified traffic aisle.
- c) Loading docks shall have a minimum clearance of 5.5 metres (18 ft.)
- d) Loading docks shall be screened on each side adjoining or fronting any parcel in a residential district by a hedge, wall, earth berm or fence of no less than 1.52 m (5.0 ft.) in height to the satisfaction of the Development Officer.
- 10) Minimum Parking Requirements:

Table 2: Parking Requirements

USE OF BUILDING OR SITE	(# stalls/dwelling)
RESIDENTIAL USES	
Low Density	2
Medium Density	2
High Density	1/bedroom to a maximum of 2/dwelling. 1 visitor stall/per 8 dwellings.
Seniors	0.5/dwelling

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Mixed-Use	1/dwelling, tandem parking allowed
Downtown Residential	1/dwelling
Child care	1/employee + 1 pick up/drop off/5 children
Group Homes (single dwelling)	2 stalls for employee, 1 stall for resident/visitor
USE OF BUILDING OR SITE	(# stalls/seats or /gross leasable floor area)
COMMERCIAL USES	
Offices	3.3 stalls / 100m ²
General Retail Services (Bldg. < 325m ²)	2.2 stalls/100m ²
General Retail Services (Bldg. ≥ 325m ²)	3.2 stalls/100m ²
Bed and Breakfast	1 stall/bedroom
Day care	1/10 pupils
Convenience Store	1 stall/20m ²
Restaurant / Tavern	1 stall / 4 seats
Hotel / Motel	1 stall/room
Shopping Centre	1 stall/ 20m ²
Commercial Entertainment Services	1 stall / 20m ²
Commercial School	1/100m ²
Fast Food Service	¼ seats
Service Station	4 stalls/service bay
Gas Bar	1/20m ² and 1/gas pump
Auto body and paint shop	1/20m ²
Warehouse sales	1/40m ²
Taxi Services	1/fleet vehicle

USE OF BUILDING OR SITE	(# stalls/seats or /gross floor area)
PUBLIC INSTITUTIONAL	
Recreation facility, private club, library or similar use	1 stall/10 public seating capacity or 1 stall/10m ² , whichever is greater.
Place of worship	1/5 seats
Public Education Services	1 stall/classroom and 1 stall/10m ² of gross floor area of gymnasium or auditorium
+Public Education Services (Secondary)	an additional 4 stalls/classroom
Protective and Emergency Services	1/employee on maximum work shift
City Hall, Fire Hall, Police	1/employee at maximum shift
Hospital	1/100m ²
Funeral Home	1/10 seats

USE OF BUILDING OR SITE	(# stalls/seats or /gross floor area)
INDUSTRIAL	
General Industrial	1 stall/100m ²
Storage use	1/400m ²

11) Land Use Parking Requirement Adjustment

- a) Where the proposed use is of a nature that requires significantly less regular business parking than what is required under (9), the Development Officer may reduce the number of parking stalls required.



Example: A business that primarily caters to minors and receives clients through a pick-up/drop off may have their parking stall requirements reduced.

- b) Where a parking stall requirement relaxation is provided under this section, the number of parking stalls required may be reviewed if the nature of the business changes. Should the review indicate that additional permanent parking stalls are required it will be necessary for a new development permit to be applied for the sole purpose of addressing the parking requirements.
- c) Parking requirements within the Central Business District may be exempted from the parking requirements in Table 2 where on-site parking is unavailable and street parking and public parking areas are available in sufficient quantity within a reasonable distance.

12) Payment in Lieu of Parking Requirements

- a) Where parcel size or other site restrictions do not allow a proposed development to provide the requirement number of on-site parking stalls as stipulated in the Bylaw, the City may exempt the requirement for a specified number of on-site stalls subject to the Developer paying to the City a fee as established by Council pursuant to the *City of Estevan Planning Fees Bylaw* per exempted parking space.
- b) Parking facilities that are subject to in-lieu payments shall be described in a policy document approved by Council such as a neighbourhood plan; and as a regulatory schedule as part of this Bylaw pursuant to Section 61 of the *Act*.

PART TEN: ZONING DISTRICT REGULATIONS

- 1) The City of Estevan is divided into Zoning Districts and the boundary of each and every district is described on the Zoning District Map which forms part of this Bylaw.
- 2) Where uncertainty arises as to the precise location of the boundary of any district as shown on the Zoning Map, the following rules apply:
 - a) Rule 1: Where the boundary is shown as following a public roadway or lane it shall be determined to follow the near side right of way boundary of the roadway or lane,
 - b) Rule 2: Where a boundary is shown as approximately following a property line, it shall be determined to be following the said property line, and
 - c) Rule 3: In circumstances not covered by Rule 1 and Rule 2, the location of the District boundary shall be determined by:
 - i.) dimensions set out within the Zoning District Map, or
 - ii.) dimensions as established through an amendment to this Bylaw.
- 3) Where a Zoning District is set to an approximate boundary that is later established through the subdivision process, the Zoning District boundary shall be established by the property line shown on future registered plan of survey.
- 4) Flood plain elevations are approximate and are described for information purposes. Where there may be doubt as to whether or not a location in a property is within a floodplain, floodway or flood-fringe area, it may be determined by a surveyed elevation and confirmation with the Saskatchewan Water Security Agency.
- 5) Zoning District regulations do not apply to public roadways, lanes or public utilities.
- 6) Standards within the various Zoning Districts are superseded where a special use regulation, historical designation or architectural control are applicable.
- 7) Table 3: Land Use Guide provides a description of the various land uses and buildings that may be constructed in each Zoning District within the City.

- 8) P⁷ or D⁷ within the list of uses or building within each zoning district signifies that the sub-section on that zoning district that matches the number (D⁷) is an important consideration.

Table 3: Zoning Districts

RESIDENTIAL ZONING DISTRICTS	
R1	Residential – Single Detached
R1S	Residential – Single Detached Small Lot
R2	Residential – Low Density (Mixed)
R3	Residential – Medium Density
R4	Residential – High Density
R5	Residential – Park
R5S	Residential – Park Subdivision
R6	Residential – Estate
COMMERCIAL ZONING DISTRICTS	
C1	Commercial – Central Business District
C2	Commercial – Midtown
C3	Commercial – Arterial
C4	Commercial – Shopping Centre
C5	Commercial – Medical Services
C6	Commercial – Neighbourhood Commercial
CRM1	Mixed-Use District
CRM2	Mixed-Use District
LW*	Live/Work
BUSINESS PARK	
GP	Glen Peterson Business Park
INDUSTRIAL ZONING DISTRICTS	
M1	Light Industrial
M2	Heavy Industrial
RE*	Renewable Energy District
SPECIALTY DISTRICTS	
AG	Agricultural
REC	Parks and Recreation
US	Urban Services
NA	Natural Area
RL	Railway Lands
UH	Urban Holding
OVERLAY DISTRICTS	
ES	Environmentally Sensitive Overlay
AC	Architectural Control Overlay
HER*	Heritage Overlay District

Zoning Districts that have no land zoned to them are denoted by a “”.*

SECTION 10.1: R1 – RESIDENTIAL SINGLE DETACHED

1) **PURPOSE:** The purpose of this Zoning District is to provide for an exclusive residential neighbourhood for single detached homes. Secondary buildings and uses are to be compatible with the character of the neighbourhood.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>P</i>
Communication Tower	<i>D</i>
Dwelling – Single Detached	<i>P</i>
Group Home	<i>D</i>
Home Based Business	<i>P</i>
Home Day Care	<i>D</i>
Park	<i>P</i>
Place of Worship	<i>D</i>
Secondary Suite	<i>D</i>
Show Home & Sales Office	<i>D</i>
Surveillance Suite	<i>D</i>

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	1.2 m	3.9 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL (<i>min.</i>)	METRIC	IMPERIAL
Area	460 m ²	4,961 ft ²
Frontage	15 m	49.2 ft
Depth	30 m	323 ft
(Max) Coverage	50%	50%

5) GENERAL REQUIREMENTS

- a) Floor area of the residential portion of the home not including garages, decks or porches shall not be less than 93m² (1,001 ft²).
- b) Accessory building parcel coverage subject to Section 7.1.
- c) Maximum building height is 11 m (36 ft.).
- d) Maximum length to width ratio for residences is 2.5:1.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.
- c) All residences subject to Section 7.30: Residential Standards.

SECTION 10.2: R1-S RESIDENTIAL SINGLE DETACHED (SMALL LOT)

1) **PURPOSE:** The purpose of this Zoning District is to provide for an exclusive residential neighbourhood for single detached homes. Secondary buildings and uses are to be compatible with the character of the neighbourhood. The R1S District encourages smaller homes and lot sizes.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>P</i>
Communication Tower	<i>D</i>
Dwelling – Single Detached	<i>P</i>
Group Home	<i>D</i>
Home Based Business	<i>P</i>
Home Day Care	<i>D</i>
Park	<i>P</i>
Place of Worship	<i>D</i>
Secondary Suite	<i>D</i>
Show Home Sales and Service	<i>D</i>
Surveillance Suite	<i>D</i>

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front*	7.5 m	24.6 ft
Side	1.2 m	3.9 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL (<i>min.</i>)	METRIC	IMPERIAL
Area	300 m ²	3,229 ft ²
Frontage	9 m	29.5 ft
Depth	30 m	98.4 ft
Max. Coverage	50%	50%

5) GENERAL REQUIREMENTS

- a) Floor area of the residential portion of the home not including garages, decks or porches shall not be less than 85m² (915 ft²).
- b) Accessory building parcel coverage subject to Section 7.1.
- c) Maximum building height is 11 m (36 ft.).
- d) Maximum length to width ratio for residences is 2.5:1.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.
- c) All residences subject to Section 7.30: Residential Standards.

SECTION 10.3: R2 RESIDENTIAL LOW DENSITY (MIXED)

1) **PURPOSE:** The purpose of this Zoning District is to provide for a mixed low-density neighbourhood consisting primarily of single and two unit dwellings.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	P
Bed and Breakfast	D
Communication Tower	D
Dwelling – Duplex	P ⁶
Dwelling – Semi-Detached	P ⁶
Dwelling – Single Detached	P ⁶
Group Home	D
Home Based Business	P
Home Day Care	D
In-fill Housing	D ⁷
Park	P
Place of Worship	D
Private Club	D
Secondary Suite	D
Show Home Sales and Service	D
Surveillance Suite	D

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	1.2 m	3.9 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL (<i>min.</i>)	METRIC	IMPERIAL
Area	300 m ²	3,229 ft ²
Frontage	9 ⁸ m	32.8 ft
Depth	30 m	98.4 ft
Max. Coverage	50%	50%

5) GENERAL REQUIREMENTS

- a) Floor area of the residential portion of the home not including garages, decks or porches shall not be less than 85m² (915 ft²).
- b) Accessory building parcel coverage subject to Section 7.1.
- c) Maximum building height is 11 m (36 ft.).
- d) Maximum length to width ratio for residences is 2.5:1.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.
- c) All residences subject to Section 7.30: Residential Standards.
- d) Dwellings that are defined as in-fill are subject to Section 7.18. Permitted or discretionary use depending on dwelling density within receiving area.

7) IN-FILL DEVELOPMENT

- a) Development of dwellings that increase the housing density on a property are subject to in-fill requirements described in Section 7.18.

8) Frontages

- a) Frontages for duplex and semi-detached shall be sufficient to accommodate a building with a minimum width of 6.0 m (19.8 ft.) per dwelling unit.

SECTION 10.4: R3 - RESIDENTIAL MEDIUM DENSITY

1) **PURPOSE:** The purpose of this Zoning District is to establish standards for medium density residential development.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>P</i>
Active Adult Living	<i>P</i> ⁷
Apartment	<i>D</i>
Bed and Breakfast	<i>D</i>
Communication Tower	<i>D</i>
Day Care	<i>D</i>
Dwelling – Fourplex	<i>P</i> ⁸
Dwelling – Row Housing	<i>P</i> ⁸
Dwelling – Single Detached	<i>D</i>
Dwelling – Duplex	<i>D</i>
Dwelling – Semi Detached	<i>D</i>
Dwelling – Triplex	<i>P</i> ⁸
Group Home	<i>D</i>
Home Based Business	<i>P</i>
Home Day Care	<i>D</i>
Park	<i>P</i>
Place of Worship	<i>D</i>
Private Club	<i>D</i>
Secondary Suite	<i>D</i>
Show Home Sales and Service	<i>D</i>
Supportive Living	<i>D</i> ⁷
Surveillance Suite	<i>D</i>

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	1.2 m	3.9 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL (<i>min.</i>)	METRIC	IMPERIAL
Area/dwelling	180 m ²	1,938 ft ²
Frontage	9 ⁹ m	29.5 ft
Depth	30 m	98.4 ft
Max. Coverage	50%	50%

5) GENERAL REQUIREMENTS

- a) Floor area of the residential portion of the home not including garages, decks or porches shall not be less than 85m² (915 ft²).
- b) Accessory building parcel coverage subject to Section 7.1.
- c) Maximum building height is 11 m (36 ft.).
- d) Maximum length to width ratio for residences is 2.5:1.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.
- c) All residences subject to Section 7.30: Residential Standards.

7) Seniors Housing

- a) Active Adult and Supportive Living are subject to Sections 8.16 and 8.28.

8) Multi-Unit Housing

- a) Multi-unit dwellings are restricted to a maximum of 9 dwellings per building.
- b) Blk K, Plan 102235845 (West Valley Village) shall require an approved site plan prior to any future development.

9) Frontages

- a) Frontages shall be sufficient to accommodate the building with a minimum width of 6.0 m (19.8 ft.) per dwelling unit.

SECTION 10.5: R4 - RESIDENTIAL HIGH DENSITY

1) **PURPOSE:** The purpose of this Zoning District is to provide for a high-density residential neighbourhood with associated commercial uses.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	P
Active Adult Living	P
Assisted Living	P
Apartment	P ¹⁰
Communication Tower	D
Convenience Store	D ⁹
Day Care	D ⁹
Dwelling – Apartment	P ⁷
Generational Housing	P ⁸
Home Based Business	P
Medical Services	D
Park	P
Personal Services	D
Professional Services	D
Place of Worship	D
Private Club	D
Restaurant	D ⁹
Show Home Sales and Service	D
Supportive Living	D
Surveillance Suite	D
Tavern	D ⁹

3) YARD REQUIREMENTS

YARD (min.)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	1.2 m	3.9 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL (min.)	METRIC	IMPERIAL
Area	300 m ²	3,229 ft ²
Frontage	20 m	65.6 ft
Depth	30 m	98.4 ft
Max. Coverage	50%	50%

5) GENERAL REQUIREMENTS

- Floor area of the residential portion of the home not including garages, decks or porches shall not be less than 85m² (915 ft²).
- Accessory building parcel coverage subject to Section 7.1.
- Maximum building height is 11 m (36 ft.) for non apartment buildings. Apartments are subject to Section 7.4.

6) SUPPLEMENTARY REGULATIONS

- Requirements of this Zoning District may be superseded by an applicable overlay district.
- Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

7) DWELLING AREAS

- A range of sizes (i.e., bachelor, one and multi-bedroom units are encouraged)

8) GENERATIONAL HOUSING

- Generational Housing development may be required to maintain an on-site temporary water supply and electrical generational capacity.

9) COMMERCIAL USES

- Commercial uses within an apartment block shall be located on the ground floor.

10) DWELLING DENSITY

- Apartments shall have 10 or more dwellings.

SECTION 10.6: R5 - RESIDENTIAL PARK

1) **PURPOSE:** The purpose of this Zoning District is to provide for a residential park which allows for multiple dwellings and secondary uses on a single parcel.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	P
Communication Tower	D
Convenience Store	D ⁷
Day Care Service	D ⁷
Dwelling – Duplex	P
Dwelling – Manufactured Home	P
Dwelling – Single Detached	P
Home Based Business	P
Home Day Care	D
Personal Services	D ⁷
Park	P
Place of Worship	D
Private Utility Building	P
Public Utility Building	P
Secondary Suite	D
Show Home Sales and Service	D
Surveillance Suite	D

3) YARD REQUIREMENTS

YARD (min.)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	1.2 m	3.9 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL (min.)	METRIC	IMPERIAL
Area	0.8 ha.	2.0 ac.
Frontage	8.5 m	27.8 ft

5) GENERAL REQUIREMENTS

- Floor area of the residential portion of the home not including garages, decks or porches shall not be less than 85m² (915 ft²).
- Accessory building parcel coverage subject to Section 7.1.
- Maximum building height is 11 m (36 ft.).
- Dwellings within a residential park neighbourhood must all be of a same or similar design and appearance.
- All residences within this Zoning District shall be of the same dimension range (>2.5:1 or ≤2.5:1) length to width ratio.

6) SUPPLEMENTARY REGULATIONS

- Requirements of this Zoning District may be superseded by an applicable overlay district.
- Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.
- All residences subject to Section 8.24: Residential Park Standards.

7) COMMERCIAL DEVELOPMENT

- Commercial development shall be located at a central location within the park to primarily service park residents.
- Commercial development shall be limited to those uses which primarily support park residences such as laundry facilities, day care and convenience stores.

SECTION 10.7: R5S - RESIDENTIAL PARK SUBDIVISION/CONDOMINIUM

1) **PURPOSE:** The purpose of this Zoning District is to provide for a residential park in the context of a subdivision or bare-land condominium.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	P
Commercial Accommodation	D ⁷
Communication Tower	D
Convenience Store	P ⁷
Day Care	D ⁷
Dwelling – Duplex	P
Dwelling – Manufactured Home	P
Dwelling – Single Detached	P
Home Based Business	P
Home Day Care	D
Medical Services	D
Park	P
Place of Worship	D
Private Utility Building	P
Private Utility Lagoon	D
Secondary Suite	D
Show Home Sales and Service	D
Surveillance Suite	D

3) YARD REQUIREMENTS

YARD (min.)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	1.2 m	3.9 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL (min.)	METRIC	IMPERIAL
Area	0.8 ha.	2.0 ac.
Frontage (lot)	8.5 m	27.8 ft

5) GENERAL REQUIREMENTS

- Floor area of the residential portion of the home not including garages, decks or porches shall not be less than 85m² (915 ft²).
- Accessory building parcel coverage subject to Section 7.1.
- Maximum building height is 11 m (36 ft.).
- Dwellings within a residential park neighbourhood must all be of a same or similar design and appearance.
- All residences within this Zoning District shall be of the same dimension range (>2.5:1 or ≤2.5:1) unless supported by an approved neighbourhood concept plan.

6) SUPPLEMENTARY REGULATIONS

- Requirements of this Zoning District may be superseded by an applicable overlay district.
- Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

7) COMMERCIAL DEVELOPMENT

- Commercial development shall be located at a central location within the park to primarily service park residents.
- Commercial accommodation within West Valley Village restricted to Block K, Plan 102235945.

8) CONDOMINIUMS

- Bare-land condominiums shall comply with City municipal standards for all infrastructure and services.

SECTION 10.8: R6 - RESIDENTIAL ESTATE

1) **PURPOSE:** The purpose of this Zoning District is to provide serviced acreage developments within the City of Estevan.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>P</i>
Communication Tower	<i>D</i>
Dwelling – Single Detached	<i>P</i>
Home Based Business	<i>P</i>
Home Day Care	<i>D</i>
Place of Worship	<i>D</i>
Secondary Suite	<i>D</i>

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	3.0 m	9.8 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL	Hectares	Acres
Area (range)	0.16 - 0.25	0.4 – 0.62
Frontage (min)	30 m	98 ft

- a) Lots shall not have a length to width ratio exceeding 3:1

5) GENERAL REQUIREMENTS

- a) Floor area of the residential portion of the home not including garages, decks or porches shall not be less than 130m² (1,399 ft²).
- b) Accessory building parcel coverage subject to Section 7.1.
- c) Maximum building height is 11 m (36 ft.).
- d) Maximum length to width ratio for residences is 2.5:1.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

7) CONDOMINIUMS

- a) Bare-land condominiums shall comply with City municipal standards for all infrastructure and services.

SECTION 10.9: C1 - CENTRAL BUSINESS DISTRICT

1) **PURPOSE:** The purpose of this Zoning District is to accommodate high density, and compact commercial uses in an attractive and functional manner.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	D
Alcohol Manufacture	D
Cannabis Retail and Online Store	D
Commercial School	P
Communication Tower	D
Convenience Store	P
Custom Workshop	P
Day Care	D
Dwelling	D ⁷
Dwelling – Apartment	D ⁷
Dwelling -Single Detached	D ⁷
Entertainment Establishment (indoor)	P
Gas Bar	P
Government Services	P
Home Based Business	P
Mail / Courier Services	P
Media Services	P
Medical Services	D
Nightclub	D
Park	P
Parking Structure	D
Personal Services	P
Place of Worship	D
Pop-up Retail	P
Professional Services	P
Public Utility Building	P
Restaurant	P
Retail Services	P
Service Station	P
Sidewalk Café	P
Tavern	P
Taxi Services	D

3) YARD REQUIREMENTS

- a) At the discretion of the Development Officer. All yards may be reduced to zero.

4) PARCEL REQUIREMENTS

PARCEL	METRIC	IMPERIAL
Area (range)	275m ²	2960 ft ²
Frontage (min)	6 m	19.7 ft

5) GENERAL REQUIREMENTS

- a) Maximum building height is 11 m (36 ft.) for single detached dwellings. No height limit for commercial buildings.
- b) Maximum lot coverage of 100% for commercial buildings. Residential buildings as in R1S Zoning District.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

7) MIXED USE DEVELOPMENT

- a) Residential development may be allowed subject to parking availability and conformity with mixed-use regulations.
- b) Commercial shall be the principal use on the main floor of the building.
- c) An existing dwelling may be replaced as a principal use on a discretionary basis.

SECTION 10.10: C2 – MIDTOWN

1) **PURPOSE:** The purpose of this Zoning District is to accommodate general commercial uses on parcels in proximity to the Central Business District.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	D
Alcohol Manufacture	D
Automobile sales and service	P
Cannabis Retail and Online Store	D
Commercial School	P
Communication Tower	D
Convenience Store	P
Crematorium	D
Custom Workshop	P
Day Care	D
Dwelling	D ⁷
Dwelling - Apartment	D ⁷
Dwelling – Single Detached	D ⁷
Entertainment Establishment (indoor)	P
Funeral Home	P
Gas Bar	P
Government Services	P
Home Based Business	P
Hotel	P
Mail / Courier Services	P
Media Services	P
Medical Services	D
Motel	P
Nightclub	D
Park	P
Parking Structure	D
Personal Services	P
Place of Worship	D
Pop-up Retail	P
Professional Services	P
Public Utility Building	P
Recreation Vehicle sales/service	D
Restaurant	P
Retail Services	P
Service Station	P
Sidewalk Café	P
Tavern	P
Taxi Services	D
Veterinary Clinic (Small Animal)	D
Warehouse sales	D

3) YARD REQUIREMENTS

a) At the discretion of the Development Officer.

4) PARCEL REQUIREMENTS

PARCEL	METRIC	IMPERIAL
Area (range)	545 m ²	5,866 ft ²
Frontage (min)	15 m	49 ft

5) GENERAL REQUIREMENTS

- a) Maximum building height is 15 m (49 ft.).
- b) Dwelling – Single Detached maximum height is 11m (36 ft.).
- c) Lot coverage maximum of 90% for non-residential parcels.
- d) Low density residential site standards are as provided in the R1S Zoning District.
- e) Residential development is subject to the provision of adequate parking capacity.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.
- c) Dwelling – Single Detached may continue or be replaced, but a dwelling shall not replace a commercial building

7) MIXED USE DEVELOPMENT

- a) Residential development may be allowed in accordance with Section 8.19 and parking availability.
- b) Commercial shall be the principal use on the main floor of the building.

SECTION 10.11: C3 - ARTERIAL

1) **PURPOSE:** The purpose of this Zoning District is to accommodate general commercial uses on parcels adjoining or in proximity to designated arterial corridors.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	P
Alcohol Manufacture	D
<i>Assisted Living (Bylaw 2026-2106)</i>	D
Automobile sales and service	P
Bulk Fuel Distribution Facility	D
Cannabis Retail and Online Store	D
Commercial School	P
Communication Tower	D
Contractor Services	P
Convenience Store	P
Crematorium	D
Custom Workshop	D
Day Care	D
Dwelling	D ⁷
Dwelling – Single Detached	D ⁷
Entertainment Establishment (indoor)	P
Gas Bar	P
General Sales Yard	D
Funeral Home	P
Government Services	P
Home Based Business	P
Hotel	P
Medical Services	D
Motel	P
Parking Structure	D
Personal Services	P
Place of Worship	D
Pop-up Retail	P
Professional Services	P
Public Utility Building	P
Recreation Vehicle sales/service	D
Restaurant	P
Retail Services	P
Service Station	P
Sidewalk Café	D
Taxi Services	D
Veterinary Clinic (Small Animal)	D
Warehouse sales	D

3) YARD REQUIREMENTS

YARD (min.)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	3.0 m	9.8 ft
Rear	3.0 m	9.8 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL	METRIC	IMPERIAL
Area (range)	830 m ²	8,934 ft ²
Frontage (min)	22 m	237 ft

5) GENERAL REQUIREMENTS

- a) Maximum building height is 15 m (49 ft.). 11metres (36 ft.) for single detached dwellings.
- b) Lot coverage maximum of 70%.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

7) MIXED USE DEVELOPMENT

- a) Residential development may be allowed in accordance with Section 8.19 and parking availability.
- b) Dwelling units shall be in the rear or above ground floor of the building.
- c) Dwelling – Single Detached may continue or be replaced, but a dwelling shall not replace a non-residential building.

SECTION 10.12: C4 - SHOPPING CENTRE

1) PURPOSE: The purpose of this Zoning District is to accommodate uses and buildings designed to operate as a cohesive unit with common services and parking facilities.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory building or Use	D
Active Adult Living ^{GP}	D
Alcohol Manufacture	D
Cannabis Retail and Online Store	D
Convenience Store	P
Day Care	D
Dwelling	D
Dwelling - Apartment ^{GP}	D
Entertainment Establishment (indoor)	P
Entertainment Facility (outdoor) ^{GP}	D
Gas Bar	P
Government Services	P
Home Based Business	P
Hotel	P
Medical Services	D
Motel	P
Parking Structure	D
Personal Services	P
Place of Worship	D
Pop-up Retail ^{GP}	P
Professional Services	P
Public Utility Building	P
Restaurant	P
Retail Services	P
Service Station	P
Supportive Living ^{GP}	D

3) YARD REQUIREMENTS

YARD (min.)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	3.0 m	9.8 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL	METRIC	IMPERIAL
Area (range)	1,090 m ²	11,732 ft ²
Frontage (min)	30 m	98 ft

5) GENERAL REQUIREMENTS

- a) Maximum building height is 15 m (49 ft.) except hotel, motel, apartment and supportive living which are limited to 20 metres (65 ft.)
- b) Lot coverage maximum of 70%.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

7) MIXED USE DEVELOPMENT

- a) Single unit residential development may be allowed in accordance with Section 8.19 and parking availability.

8) NEIGHBOURHOOD PLAN ^{GP}

- a) Uses denoted by ^{GP} apply to the lands within the Glen Peterson Neighbourhood Plan.
- b) Parking requirements as described in Part IX are entirely at the discretion of the Development Officer.

SECTION 10.13: C5 - MEDICAL SERVICES

1) PURPOSE: The purpose of this Zoning District is to encourage land use which is supportive and complementary to the St. Joseph's Hospital site.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>D</i>
Convenience Store	<i>D</i>
Day Care	<i>D</i>
Gas Bar	<i>D</i>
Generational Housing	<i>D</i>
Government Services ⁷	<i>P</i>
Medical Services	<i>D</i>
Personal Services	<i>D</i>
Place of Worship	<i>D</i>
Professional Services ⁷	<i>P</i>
Public Utility Building	<i>P</i>
Restaurant	<i>D</i>
Supportive Living Housing	<i>D</i>

3) YARD REQUIREMENTS

YARD (min.)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	3.0 m	9.8 ft
Rear	3.0 m	9.8 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL	METRIC	IMPERIAL
Area (range)	835 m ²	8,988 ft ²
Frontage (min)	30 m	98 ft

5) GENERAL REQUIREMENTS

- a) Maximum building height is 11 m (36 ft.).
- b) Lot coverage maximum of 50%.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

7) MEDICAL SERVICES

- a) Government and professional services are restricted to those that conform to the general purpose of this District.

SECTION 10.14: C6 - NEIGHBOURHOOD COMMERCIAL

1) PURPOSE: The purpose of this Zoning District is to allow for convenience services within a residential neighbourhood.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>D</i>
Convenience Store	<i>P</i>
Day Care	<i>D</i>
Dwelling	<i>D</i>
Gas Bar	<i>D</i>
Home Based Business	<i>P</i>
Medical Services	<i>D</i>
Personal Services	<i>P</i>
Place of Worship	<i>D</i>
Pop-up Retail	<i>P</i>
Private Club	<i>D</i>
Professional Services	<i>P</i>
Public Utility Building	<i>P</i>
Restaurant	<i>D</i>

3) YARD REQUIREMENTS

YARD (min.)	METRES	FEET
Front*	7.5 m	24.6
Side	3.0 m	9.8
Rear	5.0 m	16.4
Flanking	3.0 m	9.8

4) PARCEL REQUIREMENTS

PARCEL	Metres²	Feet²
Area (range)	545	1,788
Frontage (min)	15 m	49 ft

5) GENERAL REQUIREMENTS

- a) Maximum building height is 11 m (36 ft.).
- b) Lot coverage maximum of 65%.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

7) LOCATION CRITERIA

- a) Council should require a minimum separation distance of 1,000 metres (3,280 ft.) from a parcel zoned to a commercial district as measured by road.
- b) Neighbourhood commercial parcels shall not have an aggregate area larger than 0.5 hectares (1.2 acres).

SECTION 10.15: CRM1 – MIXED USE DISTRICT

1) **PURPOSE:** The purpose of this Zoning District is to allow for the continuation of a mixed commercial, low and medium residential community, generally described as those lands adjacent to 4th Street and south of 5th Street, east of Souris Avenue.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	P
Alcohol Manufacture	D
Animal Care Facility (Small Animal)	D
Automobile sales and service	P
Bulk Fuel Distribution Facility	D
Cannabis Retail and Online Store	D
Commercial School	P
Communication Tower	D
Convenience Store	P
Custom Workshop	P
Day Care	D
Dwelling	P
Dwelling – Duplex	P
Dwelling – Semi-Detached	P
Dwelling – Single Detached	P ^s
Entertainment Establishment (indoor)	P
Gas Bar	P
General Sales Yard	D
Government Services	P
Home Based Business	P
Home Day Care	D
Hotel	P
Mail / Courier Services	P
Media Services	P
Medical Services	D
Motel	P
Parking Structure	D
Personal Services	P
Place of Worship	D
Professional Services	P
Public Utility Building	P
Recreation Vehicle sales/service	D
Restaurant	P
Retail Services	P
Secondary Suite	D
Service Station	P
Taxi Services	D

USES: CONTINUED

Veterinary Clinic (Small Animal) D

3) YARD REQUIREMENTS

YARD (min.)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	1.2 m	3.9 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL (min.)	METRIC	IMPERIAL
Area	546 m ² .	5,877 ft ²
Frontage	15 m	49.2 ft
Depth	30 m	323 ft
(Max) Coverage	75%	75%

5) GENERAL REQUIREMENTS

- a) Floor area of the residential portion of the home not including garages, decks or porches shall not be less than 93m² (1,001 ft²).
- b) Maximum building height is 11 m (36 ft.).
- c) Maximum length to width ratio for residences is 2.5:1.
- d) A minimum of 10% of the parcel area shall be landscaped.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.
- c) All residences subject to Section 7.3: Residential Standards.

SECTION 10.16: CRM2 – MIXED USE DISTRICT

1) **PURPOSE:** The purpose of this Zoning District is to allow for the continuation of a mixed commercial, low and medium residential community, generally described as those lands with mixed uses near and within the Central Business District.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	P
Alcohol Manufacture	D
Automobile sales and service	P
Commercial School	P
Communication Tower	D
Convenience Store	P
Custom Workshop	P
Day Care	D
Dwelling	P
Dwelling - Duplex	P ⁵
Dwelling – Semi-Detached	P ⁵
Dwelling – Single Detached	D ⁵
Entertainment Establishment (indoor)	P
Gas Bar	P
Government Services	P
Home Day Care	D
Home Based Business	P
Hotel	D
Mail / Courier Services	P
Media Services	P
Medical Services	P
Motel	D
Parking Structure	D
Personal Services	P
Place of Worship	D
Professional Services	P
Public Utility Building	P
Recreation Vehicle sales/service	D
Restaurant	P
Retail Services	P
Secondary Suite	D
Service Station	P
Taxi Services	D
Warehouse sales	D

3) YARD REQUIREMENTS

YARD (min.)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	1.2 m	3.9 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL (min.)	METRIC	IMPERIAL
Area	546 m ² .	5,877 ft ²
Frontage	15 m	49.2 ft
Depth	30 m	323 ft
(Max) Coverage	75%	75%

5) GENERAL REQUIREMENTS

- Floor area of the residential portion of the home not including garages, decks or porches shall not be less than 93m² (1,001 ft²).
- Maximum building height is 11 m (36 ft.) for residential dwellings as a principal use.
- Maximum length to width ratio for residences is 2.5:1.
- A minimum of 10% of the parcel area shall be landscaped.
- Maximum lot coverage for residential buildings is 50%.

6) SUPPLEMENTARY REGULATIONS

- Requirements of this Zoning District may be superseded by an applicable overlay district.
- Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.
- All residences subject to Section 7.3: Residential Standards.

SECTION 10.17: LW - RESIDENTIAL LIVE / WORK

1) **PURPOSE:** The purpose of this Zoning District is to provide for low-density mixed-use development in the form of a live/work community.

2) **USES:** Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>P</i>
Dwelling – Single Detached	<i>P</i>
Home Based Business	<i>P</i>
Home Day Care	<i>D</i>
Kennel	<i>P</i>
Live/Work	<i>P^s</i>
Secondary Suite	<i>D</i>
Veterinary Clinic (Large Animal)	<i>D</i>
Veterinary Clinic (Small Animal)	<i>P</i>

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	1.2 m	3.9 ft
Rear	6.0 m	19.7 ft
Flanking	7.5 m	24.6 ft

4) PARCEL REQUIREMENTS

PARCEL (<i>min.</i>)	METRIC	IMPERIAL
Area	0.1 ha.	0.25 ac.
Frontage	15 m	49.2 ft
Depth	30 m	323 ft
(Max) Coverage	75%	75%

5) GENERAL REQUIREMENTS

- a) Floor area of the residential portion of the home not including garages, decks or porches shall not be less than 93m² (1,001 ft²).
- b) Maximum building height is 11 m (36 ft.).
- c) Maximum length to width ratio for residences is 2.5:1.
- d) A minimum of 10% of the parcel area shall be landscaped.
- e) Commercial uses within this Zoning District should be limited to:
 - i.) Owner/operator businesses that have a maximum of 3 off-site employees on-site at the same time.
- f) Commercial uses shall be limited to the first storey of a building and shall have a separate outside entrance from that of the residential use if sharing the same building.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.
- c) All residences subject to Section 7.3: Residential Standards.
- d) Noise such as diesel engines running during the evening, loading of construction equipment and other similar noise impacts are acceptable and in keeping with the characteristics of the District.

SECTION 10.18: GP - GLEN PETERSON BUSINESS PARK

1) PURPOSE: The intent this district is to support a business park that includes light industrial, manufacturing, educational and other land uses that are consistent with the vision of the Glen Peterson Prairie Meadows Neighbourhood Plan.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	P
Agricultural Sales and Service	P
Alcohol Manufacture	P
Auto-body Repair	P
Automobile Sales & Service	P
Cannabis Commercial Cultivation	D
Cannabis Manufacturing	D
Commercial School	P
Communication towers	D
Contractor Services	P
Convenience Store	D ⁶
Entertainment Establishment (indoor)	D
Gas Bar	P
General Sales Yard	P
Industrial Equipment Sales & Service	P
Place of Worship	D
Private Club	D
Professional Services	P
Public Utility Building	P
Recreation Vehicles Sales & Service	P
Restaurant	D ⁶
Tavern	D ⁶
Taxi Services	P
Truck Wash	P
Veterinary Clinic (Small Animal)	P
Warehouse Sales	P

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	3.0 m	9.8 ft
Rear	7.5 m	24.6 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL	METRIC	IMPERIAL
Area (range)	540 m ²	5,812 ft ²
Frontage (min)	15 m	49 ft

5) GENERAL REQUIREMENTS

- a) Maximum building height is 15 m (49 ft.).
- b) Lot coverage maximum of 75%.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.
- c) Restaurants and convenience stores shall be secondary to another use.
- d) All uses shall be consistent with the Glen Peterson Neighbourhood Plan.

SECTION 10.19: M1 - LIGHT INDUSTRIAL

1) PURPOSE: The intent of the light industrial zone is to provide suitable areas for development of light industrial and service uses on smaller lots which do not include extensive amounts of outdoor storage and activity.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	P
Agriculture	D
Agricultural Sales and Service	P
Alcohol Manufacture	P
Auto-body repair and paint shops	P
Automobile Service and Repair	P
Bulk Fuel Distribution Facility	P
Cannabis Commercial Cultivation	D
Cannabis Manufacturing	D
Commercial School	D
Communication towers	D
Contractor Services	P
Custom Workshop	D
Gas Bar	D
General Sales Yard	P
Industrial Use – Light	P
Industrial Equipment Sales & Service	P
Kennels	D
Private Club	D
Professional Services	P
Protective and Emergency Services	P
Public Utility Building	P
Recreation Vehicle Sales & Service	P
Surveillance Suite	D
Taxi Services	D
Truck Wash	D
Veterinary Clinic (Large/Small Animal)	D
Warehouse Sales	P

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front*	7.5 m	24.6 ft
Side	3.0 m	9.8 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL	METRIC	IMPERIAL
Area (range)	540 m ²	5,812 ft ²
Frontage (min)	15 m	49 ft

5) GENERAL REQUIREMENTS

- a) Maximum building height is 15 m (49 ft.).
- b) Lot coverage maximum of 75%.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

SECTION 10.20: M2 - HEAVY INDUSTRIAL

1) PURPOSE: The intent of the heavy industrial zone is to provide for a wide range of industrial services, processing and manufacturing, including those which may be offensive or negatively impact other land uses.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>P</i>
Agricultural Equipment Sales and Service	<i>D</i>
Auction Sales	<i>P</i>
Auto-body repair and paint shops	<i>P</i>
Automobile Service and Service	<i>D</i>
Bulk Fuel Distribution Facility	<i>P</i>
Cannabis Commercial Cultivation	<i>D</i>
Commercial School	<i>D</i>
Communication towers	<i>D</i>
Contractor Services	<i>P</i>
Custom Workshop	<i>P</i>
Gas Bar	<i>D</i>
Industrial Equipment Sales & Service	<i>P</i>
Industrial Use – Heavy	<i>P</i>
Industrial Use - Light	<i>P</i>
Industrial Uses - Noxious	<i>D</i>
Kennels	<i>D</i>
Professional Services	<i>D</i>
Protective and Emergency Services	<i>P</i>
Public Utility Building	<i>P</i>
Railway Operations	<i>P</i>
Recreation Vehicles Sales & Rentals	<i>D</i>
Surveillance Suite	<i>D</i>
Taxi Services	<i>D</i>
Truck Wash	<i>D</i>
Veterinary Clinic (Large/Small Animal)	<i>D</i>
Warehouse Sales	<i>P</i>

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	3.0 m	9.8 ft
Rear	7.5 m	24.6 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

PARCEL	METRIC	IMPERIAL
Area (range)	1,080 m ²	11,625 ft ²
Frontage (min)	30 m	98 ft

5) GENERAL REQUIREMENTS

- a) Maximum building height is 15 m (49 ft.).
- b) Lot coverage maximum of 75%.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded by an applicable overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

SECTION 10.21: RE - RENEWABLE ENERGY DISTRICT

1) PURPOSE: The intent this district is to support solar farms as a principal use on a property. Agriculture is permitted as a secondary use.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>P</i>
Agriculture	<i>D</i>
Private Utility Building	<i>P</i>
Protective and Emergency Services	<i>P</i>
Public Utility Building	<i>P</i>
Solar Farm	<i>P</i>

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front*	7.5 m	24.6 ft
Side	6.0 m	19.7 ft
Rear	6.0 m	19.7 ft
Flanking	6.0 m	19.7 ft

4) PARCEL REQUIREMENTS

PARCEL	METRIC	IMPERIAL
Area (range)	2-64 ha.	5-160 ac.

5) GENERAL REQUIREMENTS

a) Proponent to enter into decommissioning agreement with the City if the solar farm is located on City Land. A decommissioning agreement shall include provisions for recycling and disposal of equipment, restoration of the land to its previous use and security to ensure that sufficient funds are in place to ensure compliance with all provisions of the agreement related to the decommissioning of the site.

b) Proponent to include dust/pest/weed control program for property.

6) SUPPLEMENTARY REGULATIONS

a) Solar Panels to be low-glare to minimize impacts on traffic and aviation.

SECTION 10.22: AG - AGRICULTURE

1) PURPOSE: The intent of this district is to allow for the continuation of extensive agriculture and non-animal husbandry intensive agricultural uses such as greenhouses and market gardens.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>P</i>
Cannabis Commercial Cultivation	<i>D</i>
Communication Tower	<i>D</i>
Entertainment Establishment (outdoor)	<i>D</i>
Extensive Agriculture	<i>P</i>
Farm Buildings	<i>P</i>
Greenhouse (commercial scale)	<i>D</i>
Kennel	<i>D</i>
Market Garden	<i>D</i>
Park	<i>P</i>
Public Utility Building	<i>P</i>
Tourist Campsite	<i>D</i>

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	3.0 m	9.8 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

a) At the discretion of the Subdivision Authority.

5) GENERAL REQUIREMENTS

a) Maximum building height is 15 m (49 ft.) not including silos.

6) SUPPLEMENTARY REGULATIONS

a) Requirements of this Zoning District may be superseded where the property is subject to an overlay district.

b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

c) Development permits are not required for farm buildings within this District provided they can be re-located in the future.

d) Non-agricultural subdivision is not permitted within this District unless supported by a Neighbourhood Plan; and it can be shown that the subdivision will not prejudice the future economical subdivision, development or servicing of the parcel.

SECTION 10.23: REC - RECREATION

1) PURPOSE: The intent of this district is to provide for intensive municipal or community oriented owned and/or operated recreation facilities such as playgrounds, pathways, exhibition grounds, pools, arenas and sports fields on municipal lands.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory building or Use	<i>P</i>
Communication Tower	<i>D</i>
Entertainment Establishment (indoor)	<i>P</i>
Entertainment Establishment (outdoor)	<i>P</i>
Park	<i>P</i>
Public Utility Building	<i>P</i>
Recreation Facility	<i>P</i>

3) DISTRICT REGULATIONS

YARD (<i>min.</i>)	METRES	FEET
Front	7.5 m	24.6 ft
Side	3.0 m	9.8 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

- a) At the discretion of the Subdivision Authority.

5) GENERAL REQUIREMENTS

- a) At the discretion of the Development Officer.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded where the property is subject to an overlay district.
- b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

SECTION 10.24: US - URBAN SERVICES

1) PURPOSE: The intent of this district is to provide for institutions and community services that are offered by the City of Estevan, community organizations and the Province of Saskatchewan.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	P
Assisted Living	P
Cemetery	D
Civic Services	P
Commercial School	P
Communication Tower	D
Community Garden	P
Day Care Facility	D ⁶
Emergency and Protective Services	P
Generational Housing	P
Group Home	D
Hospital	P
Park	P
Place of Worship	D ⁶
Professional Services	D ⁶
Public Utility Building	P
Restaurant	D ⁶
School	D
Supportive Living	P
Tourism Centre	P
Water Treatment Plant and Ponds	P ⁶

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	3.0 m	9.8 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) PARCEL REQUIREMENTS

a) At the Discretion of the Subdivision Authority.

5) GENERAL REQUIREMENTS

a) Maximum building height is 15 m (49 ft.) not including silos.

6) SUPPLEMENTARY REGULATIONS

a) Requirements of this Zoning District may be superseded where the property is subject to an overlay district.

b) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.

c) Mixed-uses that are only accessible within an existing building and are listed as an allowable use within this District are permitted accessory uses (i.e., a restaurant within a hospital).

d) Water Treatment Plant and Ponds restricted to land within SW22 and NW15-02-08-2.

8) Historical Resources

a) Court house is designated as a Provincial Historical Resource (1040 Fourth Street).

SECTION 10.25: NA - NATURAL AREA

1) PURPOSE: The intent of this District is to identify lands that have a primary purpose of enhancing biodiversity and passive recreational opportunities within the City while restricting traditional urban development. Typical lands include land prone to slope failure, ravines and the flood plain of the Souris River.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>P</i>
Extensive Agriculture	<i>D</i>
Entertainment Establishment (outdoor)	<i>D</i>
Public Utility Building	<i>P</i>
Railway right of way	<i>P</i>
Kennel ⁶	<i>P</i>

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRES	FEET
Front	7.5 m	24.6
Side	3.0 m	9.8
Rear	6.0 m	19.7
Flanking	3.0 m	9.8

4) PARCEL REQUIREMENTS

- a) At the Discretion of the Subdivision Authority.

5) GENERAL REQUIREMENTS

- a) At the discretion of the Development Officer.

6) SUPPLEMENTARY REGULATIONS

- a) Requirements of this Zoning District may be superseded where the property is subject to an overlay district.
- b) All land within this District is subject to the Environmentally Sensitive Overlay District.
- c) Applicable buildings or uses are subject to Part Eight: Land Use Specific Regulations.
- d) Kennel as a use is restricted to the current Estevan Humane Society site located at Block A&C, Plan AH5483 within NE14-02-08-2.

SECTION 10.26: RL - RAILWAY LANDS

1) PURPOSE: The intent of this district is to recognize the railway lands within the City of Estevan and the jurisdiction of the Railways Act and Transport Canada on those lands.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>P</i>
Public Utility Building	<i>P</i>
Railway Right of Way	<i>P</i>
Railway Accessory Facilities	<i>P</i>
Railway Yard	<i>P</i>

3) YARD REQUIREMENTS

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	3.0 m	9.8 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) Legislative Authority

- a) The City recognises that most land use issues within the railway lands are governed through the Railway Act and not the Planning and Development Act.

SECTION 10.27: UH - URBAN HOLDING

1) PURPOSE: Urban holding lands are smaller parcels that may be subdivided further prior to development. It is important to limit development within urban holding areas to that which supports a well planned community pursuant to the *Official Community Plan*.

2) USES: Permitted (P) and Discretionary (D) Uses are provided in the Table Below:

Accessory Building or Use	<i>P</i>
Entertainment Establishment (outdoor)	<i>D</i>
Extensive Agriculture	<i>P</i>
Farm Buildings	<i>D</i>
Greenhouse (commercial scale)	<i>D</i>
Home Based Business	<i>P</i>
Kennel	<i>D</i>
Market Garden	<i>D</i>
Park	<i>P</i>
Public Utility Building	<i>P</i>
Dwelling – Single Detached	<i>D</i> ⁴
Industrial Storage	<i>D</i> ⁴
Tourist Campsite	<i>D</i>

3) SUPPLEMENTAL REGULATIONS:

YARD (<i>min.</i>)	METRIC	IMPERIAL
Front	7.5 m	24.6 ft
Side	3.0 m	9.8 ft
Rear	6.0 m	19.7 ft
Flanking	3.0 m	9.8 ft

4) SUPPLEMENTAL REGULATIONS:

- a) Minimum parcel size to be established by the Subdivision Authority.
- b) No subdivision or development shall be considered unless it is determined that the subdivision will not adversely impact the development of adjoining lands.
- c) Single detached dwelling are only to be considered for approval in areas that are designated for future residential development.
- d) Industrial storage use shall only be considered on lands designated for future industrial use under the *Official Community Plan*.
- e) All uses to be determined in accordance with their compatibility with the receiving neighbourhood.

5) OVERLAY PREVAILS:

- a) Where the provisions of this Zoning District conflict with the Zoning District applicable to the site, the provisions of this Zoning District shall prevail.

SECTION 10.28: ES - ENVIRONMENTALLY SENSITIVE OVERLAY

- 1) **PURPOSE:** This overlay zone affects lands that have been determined by the City of Estevan to be environmentally sensitive due to factors such as slope failure hazards, abandoned coal mines or flooding potential.
- 2) **SUPPLEMENTAL REGULATIONS:**
 - a) Development within identified flood plains shall be limited to passive recreational and agricultural uses unless the land is brought into compliance with Section 4.12 & 4.13 of the *Official Community Plan*.
 - b) All development within slope hazard areas shall be subject to ensuring that the development will not cause or exacerbate slope stability on the subject parcel or adjoining lands.
 - c) All land within the Natural Area Zoning District is determined to be environmentally sensitive and subject to this Zoning Overlay District unless shown otherwise through a professional on-site evaluation.
 - d) Lands that are determined to be environmentally sensitive are to be described on the Zoning District Map.
 - e) Land that has been identified as being a former mining site shall be reclaimed to the City's satisfaction prior to any development taking place.
- 3) **OVERLAY PREVAILS:**
 - a) Where the provisions of this Zoning District conflict with the Zoning District applicable to the site, the provisions of this Zoning District shall prevail.

SECTION 10.29: HER - HISTORICAL RESOURCES OVERLAY DISTRICT

1) PURPOSE: The purpose of this overlay district is to identify and protect those parcels that have been formally designated or given candidate status as a historical site pursuant to the *City of Estevan Civic Heritage Bylaw*.

2) HERITAGE DESIGNATION

- a) A parcel with a Heritage Overlay Zone designation shall be subject to Section 4.8 of the Official Community Plan.
- b) When referencing the Zoning District for a heritage designated property, “-HER” shall be attached as a suffix to the applicable zoning. For example, within a C4 – Commercial District a heritage building would be referenced as “C4-HER”
- c) Development adjacent to a property with a HER designation shall be considerate of the general purpose and objectives of the heritage property and shall not adversely impact the identified heritage feature(s).

3) HERITAGE CANDIDATES

- a) A parcel with a Heritage Overlay Zone candidate property designation shall be subject to Section 4.8 of the Official Community Plan.
- b) When referencing the Zoning District for a heritage candidate property designation property, “-CHER” shall be attached as a suffix to the applicable zoning. For example, within a C4 – Commercial District a candidate heritage building would be referenced as “C4-CHER”
- c) All developers of land within a heritage designation should prepare a detailed plan that respects the heritage values of the subject property and will not degrade identified heritage features.
- d) Development adjacent to a property with a CHER designation should be considerate of the general purpose and objectives of the heritage property and should not adversely impact the heritage features.

4) OVERLAY PREVAILS:

- a) Where the provisions of this Zoning District conflict with the Zoning District applicable to the site, the provisions of this Zoning District shall prevail.
- b) No subdivision or development within a HER designated property may take place unless it conforms to the requirements of the underlying Zoning District.

SECTION 10.30: AC – ARCHITECTURAL CONTROL OVERLAY DISTRICT

- 1) PURPOSE:** The intent of this district is to provide for specific architectural control on properties within the City that are designed to benefit from a common design theme or standard.
- 2) APPROVING AUTHORITY**
 - a) Council delegates development authority for all lands within this overlay district in the manner provided for the underlying Zoning District.
 - b) All buildings shall follow the theme for the subject parcel as provided in Schedule “A” of this Bylaw.
 - c) Where there is a conflict between the requirements of this overlay district and elsewhere in this Bylaw, the more restrictive provisions shall prevail.
- 3) CONDITIONS OF APPROVAL**
 - a) Terms and conditions on a development permit shall be consistent with the general development standards provided through this overlay district.
- 4) SUPPLEMENTARY REGULATIONS**
 - a) When referencing the Zoning District for a property subject to the architectural overlay district, the property shall be described by a suffix to the applicable Zoning District. For example, within the R2 – Residential District a property subject to architectural control would be referenced as “R2-AC”.
- 5) HISTORICAL DESIGNATIONS**
 - a) A historical designation with architectural controls described on an interest registered against the certificate of title shall prevail over architectural controls provided in this overlay district.

PART ELEVEN: SIGN REGULATIONS

11.1) GENERAL SIGN PROVISIONS

- 1) Signs within the City of Estevan are regulated pursuant to this Bylaw. No sign shall be erected, changed or structurally altered except in conformity with this Bylaw.
 - a) In addition to the general requirements for a development permit as described in Section 6.1 of this Bylaw, a development permit for a sign shall include a description of the sign type, dimensions, foundation, sign height, ground clearance, projection, illumination, animation, rotation or lighting within or on the exterior of the sign;
 - b) The Development Officer may require the operator of illuminated signs to minimize the amount of white lighting as a means to minimize impacts on traffic or adjoining residences.
 - c) Unless approved by the City of Estevan, all signs shall be located and maintained within the legal boundaries of private property in accordance with the provisions of this Bylaw.
 - d) All signs, including the property around the signs shall be maintained in a state of good condition and repair at all times, as determined by the Development Officer.
 - e) All support foundations for ground signs and/or proposed structural attachments to buildings (for projecting signs, canopies, awnings, canopy signs & awning signs.
 - f) Any sign that is electrified shall be constructed, erected, installed and maintained in accordance with any applicable Canadian sign construction standard(s) and the applicable electrical and fire code regulations adopted by the Province of Saskatchewan.
 - g) Any sign overhanging above an on-site driving lane or parking area shall maintain a minimum ground clearance of 4.87 m (16 ft.).
 - h) Any sign located within 3.0 metres (9.8 ft.) of a site access approach shall be void of any landscaping or visible obstruction measured from 0.75m (2.5 ft.) above grade to 1.8 m (8 ft.) above grade.

- i) No banner shall be located across any street without the prior approval of the City of Estevan.
- j) All election signs shall be removed within seven (7) calendar days following the day of the election.
- k) In the absence of evidence to the contrary, a person, business, operation, or establishment which is promoted by a sign and the owner of the premises on which the sign is located shall be determined to be responsible for the sign.
- l) All advocacy signs shall include contact information from the proponent of the sign to be prominently displayed on the sign.
- m) The City may restrict or prohibit advocacy signs on public land where the location is determined to be inappropriate by the City due to proximity to a business, organization or facility that offers a service related to the issue being advocated. (Bylaw 2026-2016)*

11.2) DEVELOPMENT PERMIT (SIGN) EXEMPTIONS

- 1) The following signs shall not require a development permit, but must comply with all other applicable regulatory requirements of this Bylaw.
 - a) Signs erected by or on behalf or pursuant to the authorization of a Federal, Provincial or Municipal Government body; including legal notices, identification and information signs, traffic, directional, warning or regulatory signs;
 - b) Official signs of a non-commercial nature erected by Public Works;
 - c) Flags, pennants or insignia of any governmental or non-profit organization when not displayed in connection with a commercial promotion or as an advertising device;
 - d) Election signs that are not posted on frontages adjoining City property;
 - e) Real Estate signs identifying property for sale, an open house or rent provided the sign is on the subject property;

- f) Wall and window signs in non-residential zoning districts;
- g) Awning and canopy signs;
- h) Temporary signs;
- i) Portable signs located off City-owned or controlled properties;
- j) Construction signs that signify impending or on-going construction work on a site;
- k) On-premise signs which identify any religious, cultural, educational or other public institution;
- l) Direction signs;
- m) Advertising signage in or on an operational and licensed vehicle or trailer;
- n) Identification signs;
- o) Feather banner signs on a commercial or industrial property for a period not exceeding seven (7) consecutive days;
- p) Inflatable signs on commercial or industrial properties;
- q) Inflatable signs on City owned/controlled property for City approved events;
- r) Garage sale signs; and
- s) Decals or other forms of signage painted on, or directly imprinted onto any window, wall or other architectural/structure building feature in a non-residential zoning district.

11.3) PROHIBITED SIGNAGE

- 1) No sign shall be permitted to remain in a condition which the Development Officer determines to be a nuisance, unsightly or unsafe as a result of improper sign maintenance, disrepair, damage or any other cause.

- 2) No sign, which by nature of it's shape, character, animation, or illumination shall interfere, obscure or cause confusion with any signage used for traffic management purposes.
- 3) No sign shall be erected or maintained in a manner than may obstruct a fire escape, emergency access, window, door or other building opening used for access or ventilation purposes.
- 4) No animated, flashing, rotating or illuminated sign or intermittent beacon shall, by virtue of its placement and/or operation, cause any negative impact or interference with any adjacent use of private property.
- 5) No sign shall be attached to or supported by any tree or other vegetation except where approved by the City of Estevan.
- 6) No sign which commercially advertises, or draws attention to any commercial business or service shall be located in a residential zoned district unless such signage is located on a site specifically approved for a non-residential use or occupancy. For the purpose of this Section, an approved home based business shall not constitute a non-residential occupancy.

11.4) CITY OWNED AND/OR CONTROLLED PROPERTY

- 1) Where a sign applicant proposes the placement of a sign on City-owned or controlled properties, or where a sign will extend, overhang, project, or otherwise encroach into City controlled properties, the request shall be forwarded to City Council for consideration of landowner consent.
- 2) Any sign which City Council authorizes for placement on City-owned or controlled properties, shall be subject to a ground rental agreement between the City and sign applicant, and that agreement shall set forth provisions respecting the use and maintenance of the sign on the property, in addition to the payment of the associated ground rental fees by the sign applicant to the City, the amount of which is herein established under the City of Estevan Planning Fees Bylaw.
- 3) Any sign which the approving authority authorizes to extend, overhang, project, or otherwise encroach into City controlled properties, shall be subject to an encroachment agreement between the City and sign applicant, and that agreement shall set forth any provisions deemed necessary by the Approving Authority to satisfactorily deal with the encroachment, in addition to the payment of a specified encroachment fee by the sign applicant to the City, the amount of which is herein established under the City of Estevan Planning Fees Bylaw.

- 4) Any sign which has been unlawfully placed within City-owned or controlled properties or which extends, overhangs, projects or otherwise encroaches onto City controlled properties without a requisite permit may be subject to immediate removal by the City, without compensation to the sign applicant and/or sign owner.
- 5) The City may require the owner of a sign located on City owned and/or controlled property to obtain public liability insurance in an amount no less than \$2.0 million CAD or as established by the City's insurer.
- 6) Notwithstanding Sections 11.4.1, 11.4.2 and 11.4.3, Realtor signs, Realtor Open House Signs and Garage Sale Sign placement on City Owned or City Controlled Properties may be delegated by City Council to Land Development Services, subject to the following criteria where the sign:
 - a) does not interfere with pedestrian movements along sidewalks;
 - b) is temporary and will be removed from the City property within:
 - i.) 7 days of the completion of the sale of land in the case of a realtor sign,
 - ii.) 24 hrs. of the completion of a realtor open house in the case of an open house realtor sign,
 - iii.) 7 days of the completion of an election in the case of an election sign, or
 - iv.) 2 hrs. of the completion of a garage sale.
 - c) is related to a specific activity on the adjoining property in the case of a realtor sign;
 - d) has no reasonable location within the adjoining privately owned property that would have near equivalent visibility from the fronting roadway;
 - e) the location of the sign on City land would be less of a driving distraction than if the sign were located on the subject private property;
 - f) the sign would not reasonably interfere with access to parked vehicles on the adjoining roadway; and
 - g) the sign does not interfere with traffic signage, lights, pedestrian crossing or other traffic infrastructure.



Tip: Clause 6(e) is the key element in this provision. If a private property alternative is more appropriate signage on City Land will not be permitted.

- 7) City owned and/or controlled property shall not be used at any time to advertise land for rent or lease.
- 8) In the case of a garage sale or a realtor open house sign, a single directional sign may be placed on City owned and/or controlled land to direct vehicles to the location of the open house or garage sale.

- 9) Other than election signage authorized by the municipal election authority (i.e., polling centre direction signage or signage advertising that an election vote is occurring) all municipal campaign signage is prohibited on City owned land.
- 10) Signage advertising commercial events such as merchandise sales must be removed within 24 hrs. of the conclusion of the event.
- 11) Realtor open houses and garage sale signage shall be removed from the property within 24 hrs. following the conclusion of the realtor open house or garage sale.
- 12) The poster and/or owner of a sign posted on City property where the sign interferes with traffic sight lines, or in the case of a sign placed in a roadway, a traffic hazard; liability for a traffic accident resulting from the sign placement shall be to the person responsible for posting the sign in that location.

11.5) SPECIFIC SIGN REGULATIONS

The following regulations are specific to particular sign types.

- 1) A – FRAME signs:
 - a) shall not exceed a height of 1.25 metres (4.1 ft.) and a maximum width of 0.8 metres (2.6 ft.) or have an area per side in excess of 0.7 m² (7.5 ft²);
 - b) Shall be secured or anchored to prevent incidental movement due to wind; and
 - c) May be located on a public sidewalk with City authorization provided a minimum of 1.8 metres (5.9 ft.) of sidewalk width is available for pedestrian travel.
- 2) ANIMATED signs:
 - a) Shall not be placed in such a manner that they obscure or detract from the road user's view or understanding of any other traffic control devices; and
 - b) Shall not be installed on the front, rear, adjacent to or around a traffic control device.
- 3) AWNING sign:
 - a) Awning signs shall provide a clearance of 2.5 metres (8.2 ft.) above grade and shall not be located within 0.9 metres (3.0 ft.) to a vertical line from the curb face.

4) BENCH sign:

- a) Shall be maintained in a manner that allows for pedestrian resting.

5) BILLBOARD sign:

- a) All billboards shall conform to the following standards:
 - i.) A face area of 18.58 m² (200 ft²),
 - ii.) A face width of 6.10 m (20 ft.),
 - iii.) A face height of 3.048 m (10 ft.),
 - iv.) A total height about grade of 4.87 m (16 ft.), and
 - v.) Sign supports and their foundations should be constructed in accordance with professional engineer design requirements and specifications.
- b) No auxiliary sign or display may be placed on or attached to the billboard sign;
- c) Billboard signs may be dual faced; and
- d) All billboards shall have a unique identifying number and ownership identification attached to the board or frame.

6) CANOPY:

- a) Canopy signs shall provide a clearance of 2.5 metres (8.2 ft.) above grade and shall not be located within 0.9 metres (3.0 ft.) to a vertical line from the curb face.

7) ELECTRONIC DISPLAY signs:

- a) Shall not be placed in a manner that obscures or detracts from the road user's view or understanding of traffic control devices;
- b) Shall not be installed on the front, back, adjacent to or around a traffic control device, including traffic signs, signals or traffic control device posts;
- c) The following message types shall be allowed to be displayed:
 - i.) Scrolling, images, letters and numbers,
 - ii.) Full colour,
 - iii.) Changing images and/or animation, and
 - iv.) Video clips less than 10 seconds in length.

- d) The following message types shall not be allowed to be displayed:
 - i.) Live video;
 - ii.) Strobe or flashing lights;
 - iii.) Messages or symbols that resemble official traffic control devices; and
 - iv.) Video clips greater than 10 seconds in length.

8) FEATHER BANNER signs:

- a) A development permit shall be obtained for a feather banner sign located on commercial and/or industrial property for a period in excess of 7 consecutive days;
- b) A permit for a feather banner sign shall not be issued for a period exceeding 30 consecutive days;
- c) The number of feather banner signs that may be included on a single development permit is at the discretion of the Development Officer; and
- d) Where a development permit is not required, upon the expiry of the event, sale or the expiry of the development permit for the feather banner sign(s), the sign(s) shall be immediately removed.

9) IDENTIFICATION signs:

- a) Shall not exceed 1.2 metres (3.9 ft.) in height above grade.

10) INFLATABLE signs:

- a) The number of inflatable signs that may be included on a single development permit is at the discretion of the Development Officer; and
- b) Power cords and/or supporting devices for inflatable signs shall not be placed on or over parking areas or pedestrian areas.

11) ON-PREMISE GROUND signs:

- a) Signs are permitted to a maximum of 7.5 metres (25 ft.) of lot frontage;
- b) The maximum area of sign face per on-premise sign shall not exceed 7.5 m² (80.7 ft²);

- c) On-premise ground signs shall not exceed 12.0 metres in height above grade; and
- d) On-premise ground sign supports shall maintain a minimum 300 millimetre setback inside the legal boundary of the site.

12) OFF-PREMISE GROUND sign:

- a) A maximum of one (1) off-premise ground sign per 30 metres (98 ft.) of lot frontage may be approved provided it does not aesthetically conflict with other signage, building(s) or use(s) on the subject property; and
- b) Off-premise ground signs are subject to the regulations of this Bylaw that apply to the sign type being used.

13) PORTABLE signs:

- a) Shall be located and maintained within the legal boundaries of private property and shall not be placed on any City owned and/or controlled property without City consent;
- b) Shall be no closer than 7.5 metres to another portable sign on the same or adjacent site; and
- c) Shall be fixed to the ground to prevent overturning should the sign not be on a wheel and chassis assembly.

d) Portable signs to have a surface area no greater than 6 metres² (64.6 ft²). (Bylaw 2026-2106)

14) PROJECTING signs:

- a) Shall not exceed 9 m² (29.5 ft².) on any one side, and may be double-faced;
- b) Shall not project a distance greater than 1.82 m (6 ft.) from the building on which the sign is supported; and
- c) Shall provide for a minimum ground clearance of 2.5 m. (8.2 ft.) and may not be located closer than 0.9 m (2.95 ft.) to a vertical line from the curb face.

15) ROOF signs:

- a) shall provide a minimum clear space of 1.0 metre (3.3 ft.) between the roof and the bottom of the sign; and
- b) shall be properly secured to or bear upon masonry walls, columns, girders or roof joists.

The following maps comprise the Zoning District designations for the City of Estevan. A separate large format map is available upon request.



ZONING BYLAW

ZONING DISTRICT MAP

MAP INDEX

INDEX ZONING MAPS 1-9
DOWNTOWN MAP 1A
FLOOD PRONE AREAS MAP 1B

CITY BOUNDARY



ZONING BYLAW

ZONING DISTRICT MAP

RESIDENTIAL

- R1 - Single Detached
- R3 - Medium Density
- R4 - High Density
- R5 - Park
- R5S - Park Subdivision

COMMERCIAL

- C3 - Arterial
- C5 - Medical Services

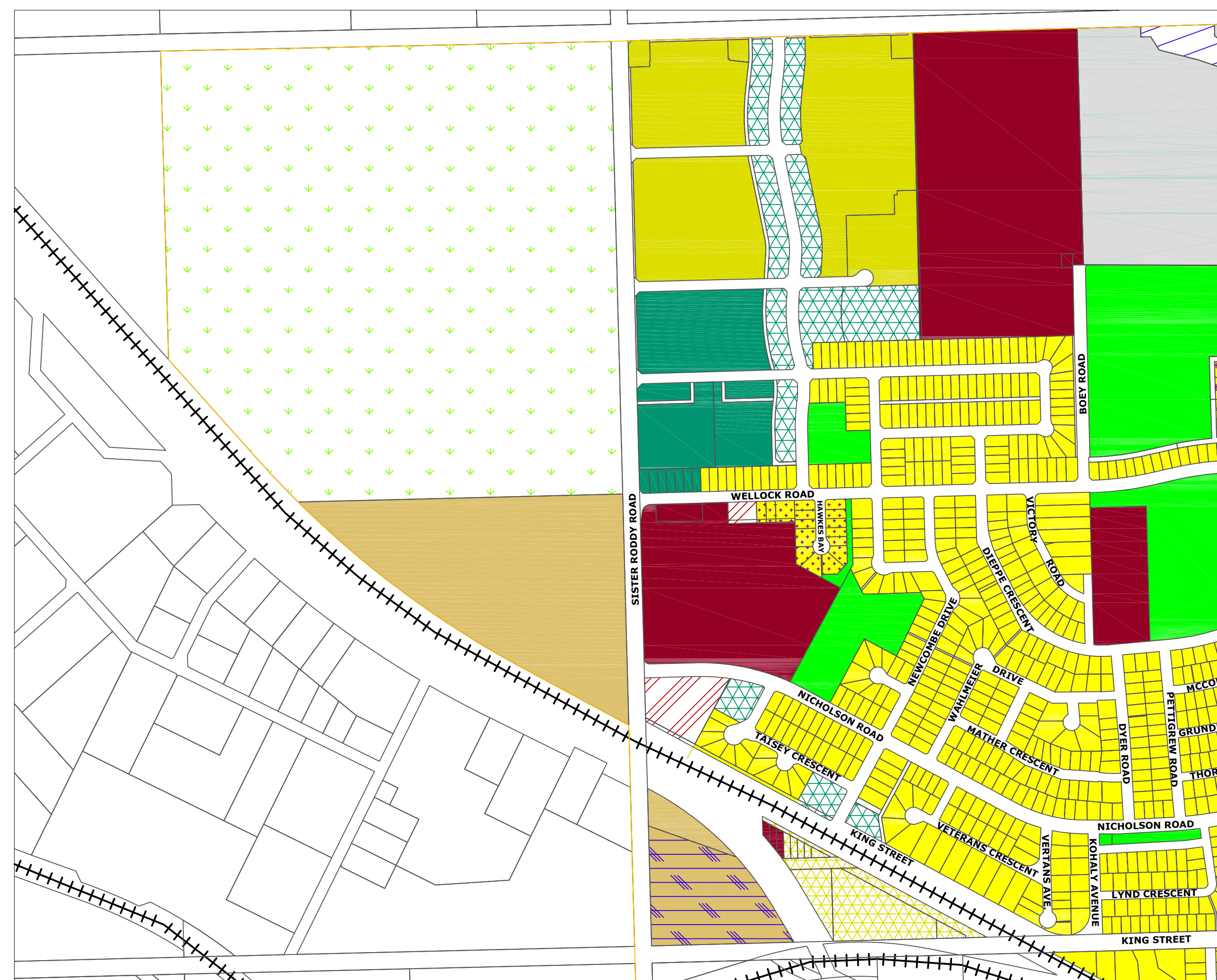
SPECIALTY ZONES

- Ag - Agricultural
- REC - Recreation
- US - Urban Services
- RL - Railway Lands

OVERLAY DISTRICT

- AC - Architectural Control
- ES - Environmentally Sensitive

CITY BOUNDARY



ZONING BYLAW

ZONING DISTRICT MAP

RESIDENTIAL

- R1 - Single Detached
- R2 - Low Density Mixed
- R3 - Medium Density
- R4 - High Density
- R6 - Estate

COMMERCIAL

- C3 - Arterial
- C4 - Shopping Centre
- C6 - Neighbourhood

INDUSTRIAL

- M1 - Light

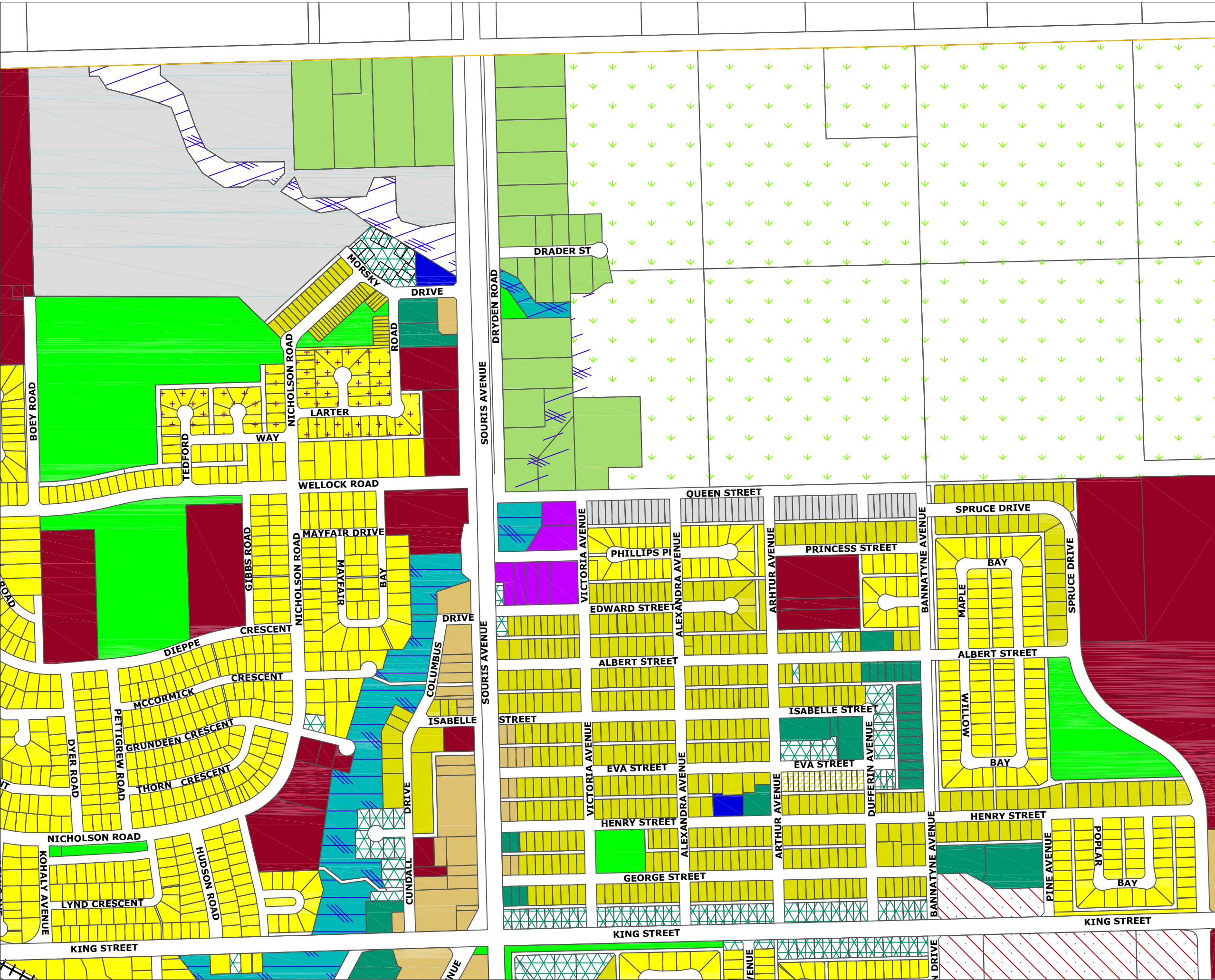
SPECIALTY ZONES

- Ag - Agricultural
- NA - Natural Areas
- REC - Recreation
- UH - Urban Holdings
- US - Urban Services

OVERLAY DISTRICT

- AC - Architectural Control
- ES - Environmentally Sensitive

CITY BOUNDARY



ZONING BYLAW

ZONING DISTRICT MAP

RESIDENTIAL

- R1 - Single Detached
- R2 - Low Density Mixed
- R3 - Medium Density
- R4 - High Density

COMMERCIAL

- C3 - Arterial
- C4 - Shopping Centre
- CRM1 - Mixed Use

INDUSTRIAL

- M2 - Heavy

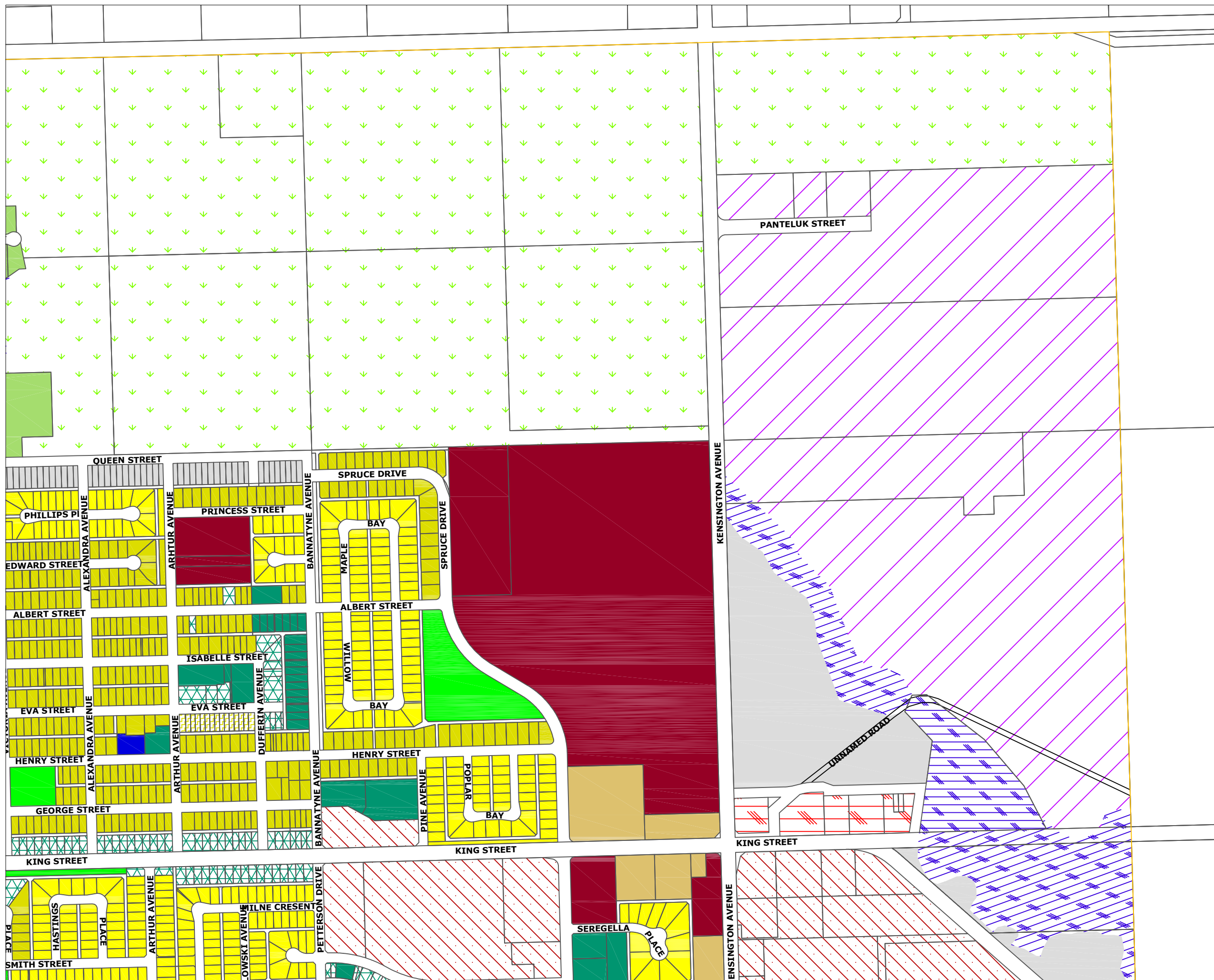
SPECIALTY ZONES

- Ag - Agricultural
- REC - Recreation
- UH - Urban Holdings
- US - Urban Services

OVERLAY DISTRICT

- ES - Environmentally Sensitive

CITY BOUNDARY



ZONING BYLAW

ZONING DISTRICT MAP

RESIDENTIAL

- R1 - Single Detached
- R2 - Low Density Mixed
- R3 - Medium Density
- R4 - High Density

COMMERCIAL

- C1 - Central Business District
- C2 - Midtown
- C3 - Arterial
- CRM2 - Mixed Use

SPECIALTY ZONES

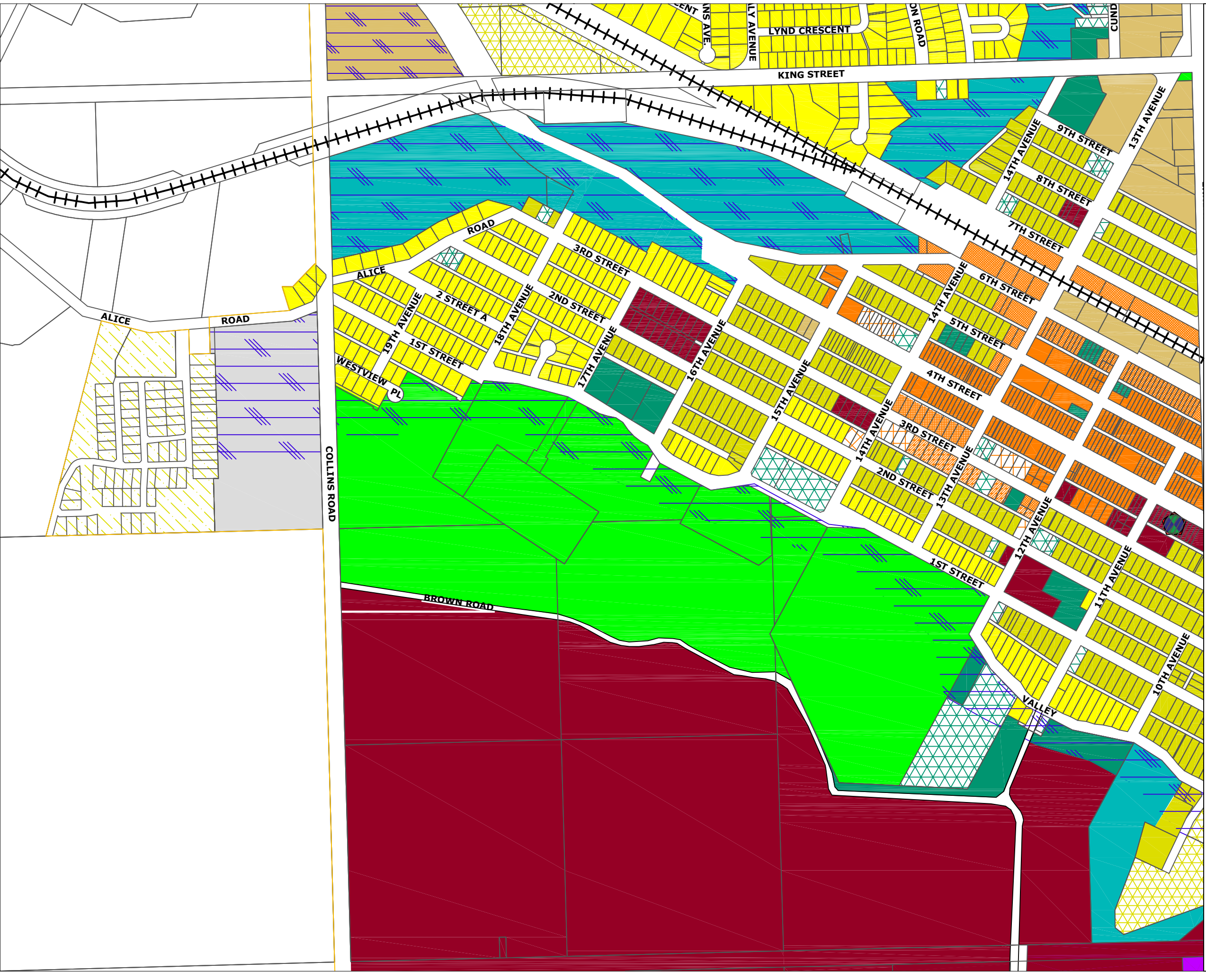
- NA - Natural Areas
- REC - Recreation
- UH - Urban Holdings
- US - Urban Services
- RL - Railway Lands

HISTORICAL DESIGNATION

OVERLAY DISTRICT

- ES - Environmentally Sensitive

CITY BOUNDARY



ZONING BYLAW

ZONING DISTRICT MAP

RESIDENTIAL

-  R1 - Single Detached
-  R1S - Small Lot
-  R2 - Low Density Mixed
-  R3 - Medium Density
-  R4 - High Density
-  R5S - Park Subdivision

COMMERCIAL

-  C1 - Central Business District
-  C2 - Midtown
-  C3 - Arterial
-  C4 - Shopping Centre
-  CRM1 - Mixed Use
-  CRM2 - Mixed Use

INDUSTRIAL

-  M1 - Light

BUSINESS PARK

-  Glen Peterson

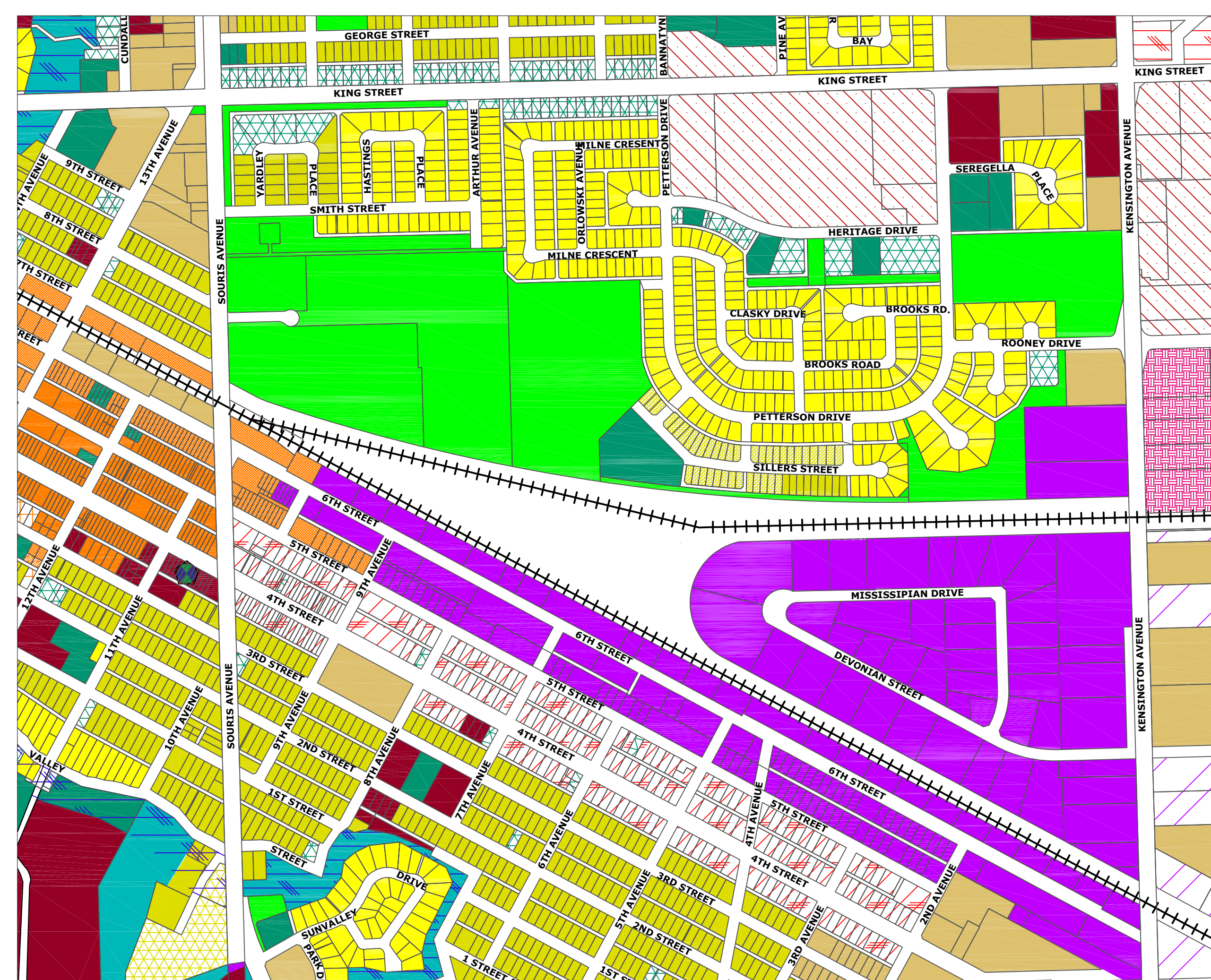
SPECIALTY ZONES

-  NA - Natural Areas
-  REC - Recreation
-  RL - Railway Lands
-  US - Urban Services
-  HISTORICAL DESIGNATION

OVERLAY DISTRICT

-  ES - Environmentally Sensitive

 CITY BOUNDARY



ZONING BYLAW

ZONING DISTRICT MAP

RESIDENTIAL

 R1 - Single Detached

COMMERCIAL

 C3 - Arterial

 C4 - Shopping Centre

 CRM1 - Mixed Use

INDUSTRIAL

 M1 - Light

 M2 - Heavy

BUSINESS PARK

 Glen Peterson

SPECIALTY ZONES

 Ag - Agricultural

 REC - Recreation

 RL - Railway Lands

 UH - Urban Holdings

 US - Urban Services

OVERLAY DISTRICT

 ES - Environmentally Sensitive

 CITY BOUNDARY



ZONING BYLAW

ZONING DISTRICT MAP

RESIDENTIAL

- R1 - Single Detached
- R2 - Low Density Mixed
- R4 - High Density
- R5 - Park
- R5S - Park Subdivision
- R6 - Estate

COMMERCIAL

- C3 - Arterial

INDUSTRIAL

- M1 - Light

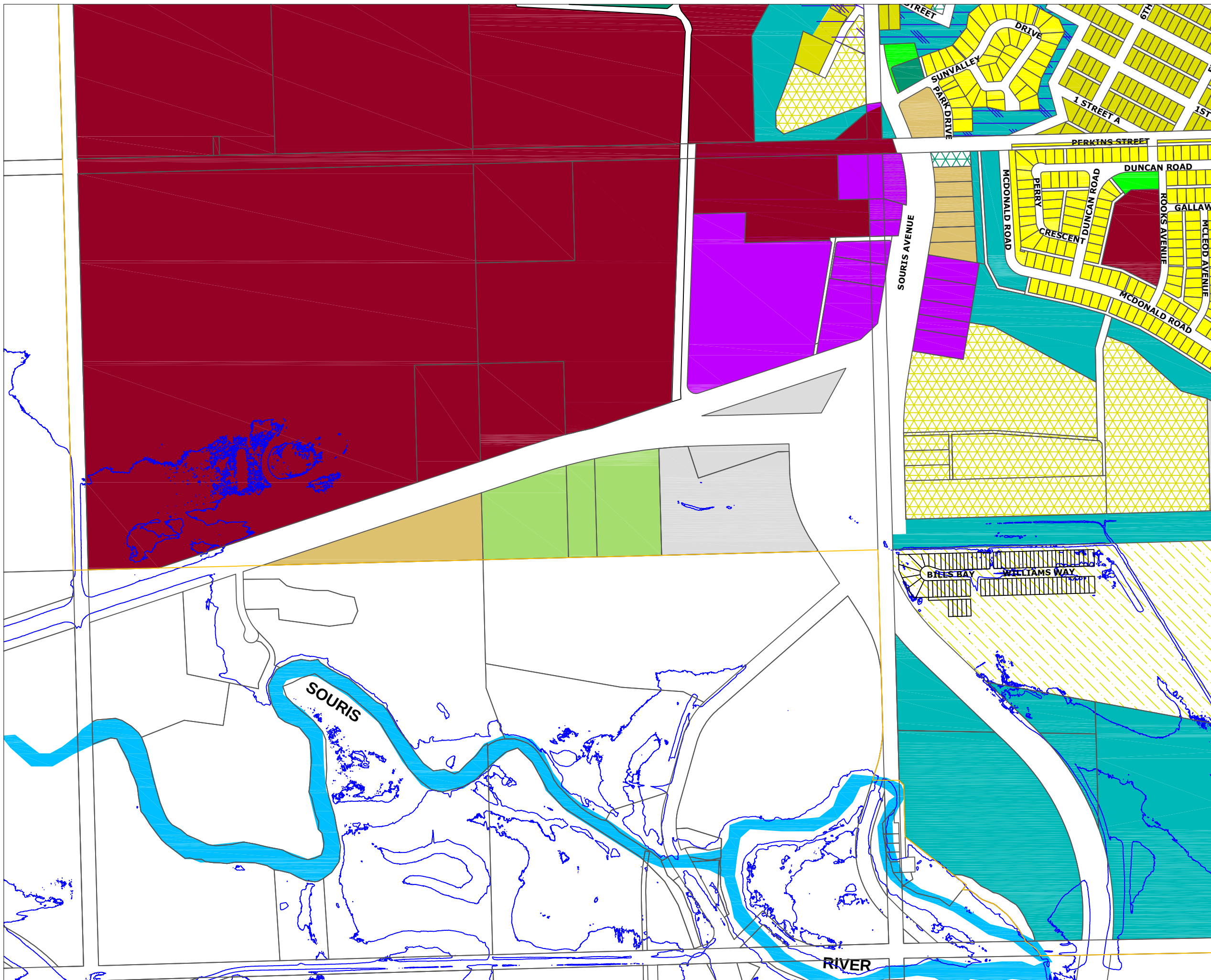
SPECIALTY ZONES

- NA - Natural Areas
- REC - Recreation
- UH - Urban Holdings
- US - Urban Services

OVERLAY DISTRICT

- ES - Environmentally Sensitive

CITY BOUNDARY



ZONING BYLAW

ZONING DISTRICT MAP

RESIDENTIAL

- R1 - Single Detached
- R2 - Low Density Mixed
- R3 - Medium Density
- R4 - High Density
- R5 - Park
- R5S - Park Subdivision
- R6 - Estate

COMMERCIAL

- C3 - Arterial

INDUSTRIAL

- M1 - Light
- M2 - Heavy

SPECIALTY ZONES

- NA - Natural Areas
- REC - Recreation
- RL - Railway Lands
- UH - Urban Holdings
- US - Urban Services
- HISTORICAL DESIGNATION

OVERLAY DISTRICT

- ES - Environmentally Sensitive

CITY BOUNDARY



ZONING BYLAW

ZONING DISTRICT MAP

COMMERCIAL

 C3 - Arterial

INDUSTRIAL

 M2 - Heavy

SPECIALTY ZONES

 Ag - Agricultural

 NA - Natural Areas

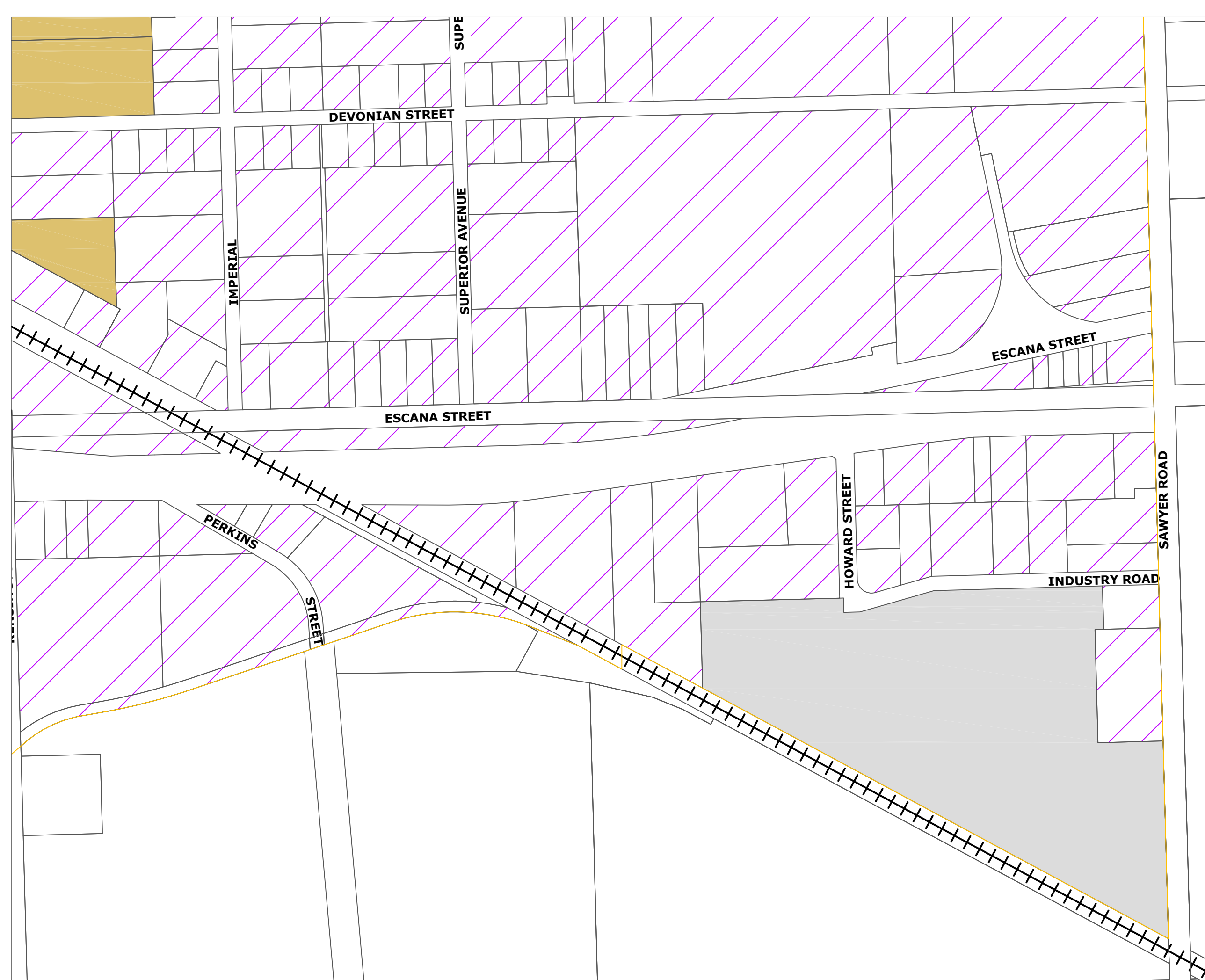
 REC - Recreation

 RL - Railway Lands

 UH - Urban Holdings

 US - Urban Services

 CITY BOUNDARY



ZONING BYLAW

ZONING DISTRICT MAP

RESIDENTIAL

- R1 - Single Detached
- R2 - Low Density Mixed
- R3 - Medium Density
- R4 - High Density

COMMERCIAL

- C1 - Central Business District
- C2 - Midtown
- C3 - Arterial
- CRM1 - Mixed Use
- CRM2 - Mixed Use

INDUSTRIAL

- M1 - Light

SPECIALTY ZONES

- REC - Recreation
- RL - Railway Lands
- US - Urban Services



HISTORICAL DESIGNATION

OVERLAY DISTRICT

- ES - Environmentally Sensitive

CITY BOUNDARY



ZONING BYLAW

ZONING DISTRICT MAP

FLOOD PLAN OVERLAY AREAS

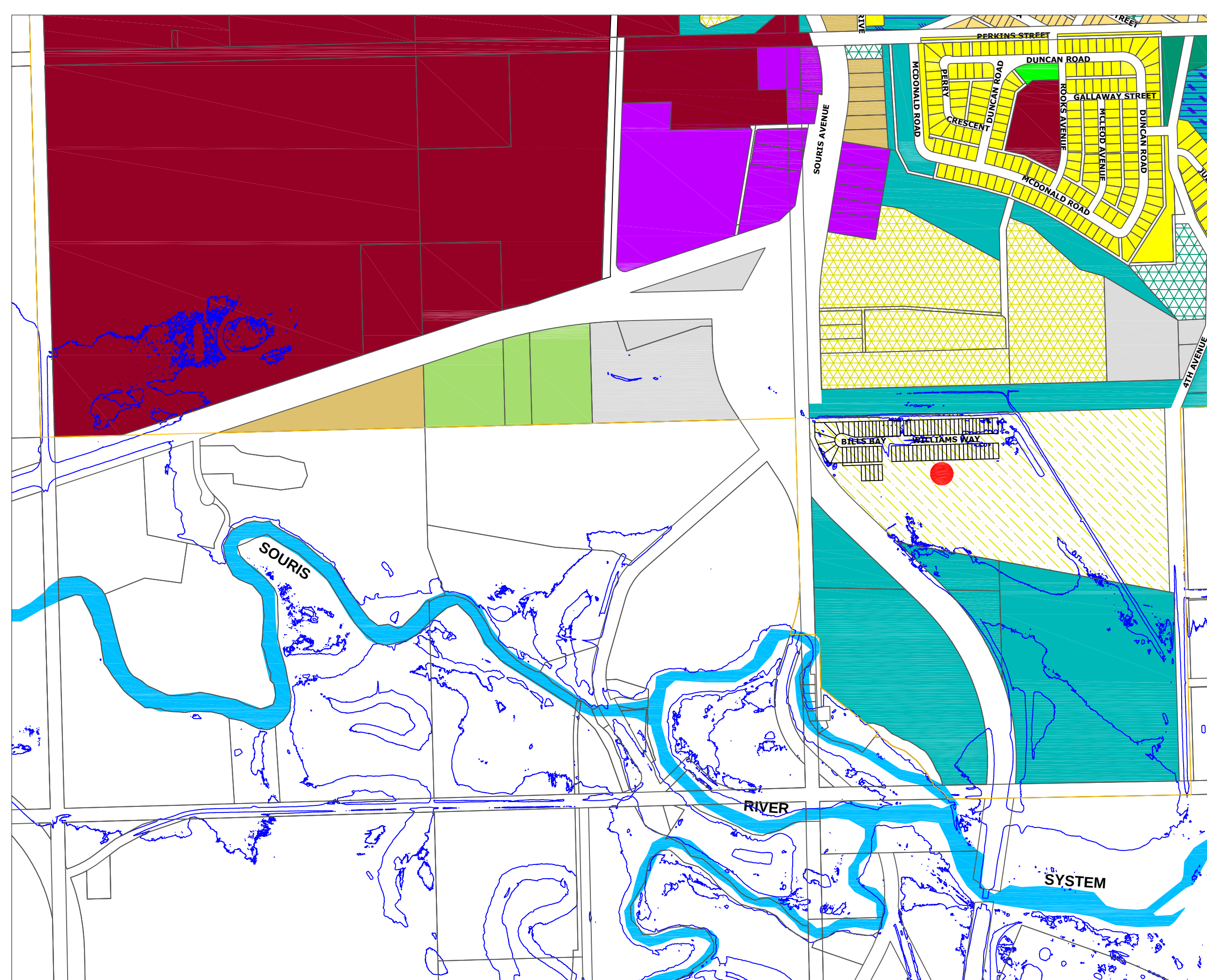
- 537.25m Flood Elevation
- 538m Flood Elevation

Note: 537.24m is the current flood fringe elevation. The flood elevation contour provided is 537.25m. It is recommended that site specific height elevations be determined to evaluate flood fringe status on any lands in proximity to the contour.

● Skyview Point: Please refer to spot height elevations that have been provided for each property within the condominium by the developer, circa 2020.

— CITY BOUNDARY

Note: 537.25 contour
Horizontal Datum: NAD83(CSRS),
Epoch 2010.00
Vertical Datum: CGVD28
Projection: UTM Zone 13N
Units: metres



HELIPAD
HEIGHT LIMITATION

Height is measured from landing lights on the helipad at a ratio of 1:20. 1 meter vertical elevation for every 20 metres horizontal.

Height limitations are not applicable in the Rural Municipality of Estevan No. 5.

- A: 324°
B: 172°
Outer Boundary of Helipad

CITY BOUNDARY



PART TWELVE: ARCHITECTURAL DESIGN OVERLAYS

PREAMBLE

- 1) The following subdivisions are subject to architectural controls. Development and re-development of parcels within these areas are subject to the requirements of this schedule.
- 2) The design and building standards provided in this Schedule are intended to promote a theme that was established as part of the creation of the neighbourhood.
- 3) Design requirements in this Schedule are intended to supplement existing standards provided in the Zoning Bylaw.
- 4) Design standards provided in this Schedule shall apply if conflict exists with the underlying Zoning District requirements.

COLOUR TABLES FOR USE IN SCHEDULE – A

TABLE ONE: MUTED EARTH TONE CLASSIFICATIONS

CYAN	MAGENTA	YELLOW	BLACK		RED	GREEN	BLUE
<i>30</i>	<i>50</i>	<i>60</i>	<i>80</i>		<i>36</i>	<i>25</i>	<i>20</i>
<i>20</i>	<i>30</i>	<i>40</i>	<i>50</i>		<i>102</i>	<i>89</i>	<i>77</i>
<i>10</i>	<i>15</i>	<i>30</i>	<i>30</i>		<i>161</i>	<i>152</i>	<i>125</i>
<i>20</i>	<i>70</i>	<i>90</i>	<i>70</i>		<i>61</i>	<i>23</i>	<i>8</i>
<i>15</i>	<i>50</i>	<i>90</i>	<i>50</i>		<i>65</i>	<i>38</i>	<i>8</i>
<i>5</i>	<i>20</i>	<i>40</i>	<i>20</i>		<i>194</i>	<i>163</i>	<i>122</i>
<i>10</i>	<i>80</i>	<i>100</i>	<i>50</i>		<i>115</i>	<i>25</i>	<i>0</i>
<i>0</i>	<i>5</i>	<i>50</i>	<i>5</i>		<i>242</i>	<i>230</i>	<i>121</i>
<i>55</i>	<i>25</i>	<i>85</i>	<i>70</i>		<i>34</i>	<i>57</i>	<i>11</i>
<i>25</i>	<i>0</i>	<i>40</i>	<i>5</i>		<i>182</i>	<i>242</i>	<i>145</i>
<i>55</i>	<i>30</i>	<i>20</i>	<i>50</i>		<i>57</i>	<i>89</i>	<i>102</i>
<i>30</i>	<i>15</i>	<i>10</i>	<i>30</i>		<i>125</i>	<i>152</i>	<i>161</i>
<i>20</i>	<i>10</i>	<i>10</i>	<i>10</i>		<i>184</i>	<i>207</i>	<i>207</i>

*Colours are derived from CMYK colour tables and RGB colour tables.

SCHEDULE A1 -HAWKES BAY ARCHITECTURAL CONTROL

LEGAL DESCRIPTION:

**PLAN 102154069, 102358043 & 102371060
BLOCK 139
LOTS 4A – 22**

GENERAL REQUIREMENTS:

Construction Style	<ul style="list-style-type: none"> • Single detached home with attached garage only • Pre-assembled (Modular) or moved in dwellings are prohibited within the Hawkes Bay cul-de-sac. • Pre-assembled (Modular) or moved in dwellings within the residential properties fronting Wellock Road are discretionary development permit decisions. • Development of the corner lot fronting Hawkes Bay shall be oriented towards Hawkes Bay.
Floor Area	<ul style="list-style-type: none"> • Minimum 111.5 m² (1,200 ft²)
Overall Design	<ul style="list-style-type: none"> • The development should foster a compatible and positive relationship with the neighbourhood as well as with the scale and character of existing developments.
Garage	<ul style="list-style-type: none"> • Front or side attached double bay garage
Driveways	<ul style="list-style-type: none"> • Shall be hard surfaced.
Access	<ul style="list-style-type: none"> • Alley or rear access prohibited
Colouring	<ul style="list-style-type: none"> • Colours must be consistent with Table 1: Muted Earth Tones. Bright colours are not permitted.
Façade Build Outs	<ul style="list-style-type: none"> • Sufficient build outs such as bay windows or dormers, projections or appreciable architectural detailing are to be provided to the satisfaction of the City in order to avoid unarticulated building facades with continuous flat wall surfaces. Use of window grills, shutters, lintels, recessed entrances arches/columns and balconies are encouraged.
Roofs	<ul style="list-style-type: none"> • A variety of roof lines and designs will be allowed provided they are pitched or sloping and integrate well into the overall dwelling appearance. Variations in roof pitch or height of roof planes are encouraged to avoid monotony and create visual interest. Dwellings shall have a minimum 4:12 roof pitch and minimum 0.61 m (24 in.) eave overhang. • Metal roofing is discretionary.
Roof Coverings	<ul style="list-style-type: none"> • Asphalt shingles are permitted in addition to clay tile, cedar or pine shakes in stained or natural colour.
Floor Elevation	<ul style="list-style-type: none"> • Buildings shall be no less than 0.92 metres (3 ft.) and no more than 1.52 metres (5 ft.) above the buildings finished landscape grade.

Alternative Technologies	<ul style="list-style-type: none">• Where an alternative technology is proposed and meets the spirit and intent of applicable architectural requirements, the alternative technology may be allowed at the discretion of the Development Officer.
Solar Panels	<ul style="list-style-type: none">• Solar Panels may be attached onto a roof that has been finished in accordance with these architectural standards.
Landscaping	<ul style="list-style-type: none">• All ground including adjacent City boulevards shall be landscaped within 1 year of the issuance of an occupancy permit. Landscaping shall be to City standards.

HAWKES BAY:

**LEGAL DESCRIPTION: PLAN 102154069, 102358043 & 102371060
 BLOCK 139
 LOTS 4A-22**



SCHEDULE AMENDED THROUGH BYLAW NO. 2025-2098

Map updated to exclude westernmost parcel.

**SCHEDULE A2 -DOMINION HEIGHTS PHASE II
ACRHITECTURAL CONTROL**

LEGAL DESCRIPTION:

**PLAN 102070257
BLOCK 168
LOTS 5-13, 14-23**

**PLAN 102070257
BLOCK 169
LOTS 24-30**

GENERAL REQUIREMENTS:

Construction Style	<ul style="list-style-type: none"> • Single detached home with attached garage only • Pre-assembled (Modular) or moved in dwellings are not permitted within Block 169, Lots 5-23
Floor Area	<ul style="list-style-type: none"> • Minimum 111.5 m² (1,200 ft²) for bungalow, bi-level or split level dwelling. • Minimum 92.9 m² (1,000 ft²) for two storey dwelling.
Overall Design	<ul style="list-style-type: none"> • The development should foster a compatible and positive relationship with the neighbourhood as well as with the scale and character of existing developments.
Garage	<ul style="list-style-type: none"> • Front or side attached double bay garage
Driveways	<ul style="list-style-type: none"> • Shall be hard surfaced
Access	<ul style="list-style-type: none"> • Alley or rear access prohibited
Colouring	<ul style="list-style-type: none"> • Colours must be consistent with Table 1: Muted Earth Tones. Bright colours are not permitted.
Façade Build Outs	<ul style="list-style-type: none"> • Sufficient build outs such as bay windows or dormers, projections or appreciable architectural detailing are to be provided to the satisfaction of the City in order to avoid unarticulated building facades with continuous flat wall surfaces. Use of window grills, shutters, lintels, recessed entrances arches/columns and balconies are encouraged.
Roofs	<ul style="list-style-type: none"> • A variety of roof lines and designs will be allowed provided they are pitched or sloping and integrate well into the overall dwelling appearance. Variations in roof pitch or height of roof planes are encouraged to avoid monotony and create visual interest. • Metal roofing is prohibited. • Dwellings shall have a minimum 0.61 m (24 in.) eave overhang
Roof Coverings	<ul style="list-style-type: none"> • Asphalt shingles are permitted in addition to clay tile, cedar or pine shakes in stained or natural colour.
Floor Elevation	<ul style="list-style-type: none"> • Buildings shall be no less than 0.92 metres (3 ft.) and no more than 1.52 metres (5 ft.) above the Buildings finished landscape grade.

**Alternative
Technologies**

- Where an alternative technology is proposed and meets the spirit and intent of applicable architectural requirements, the alternative technology may be allowed at the discretion of the Development Officer.

Solar Panels

- Solar Panels may be attached onto a roof that has been finished in accordance with these architectural standards.

Landscaping

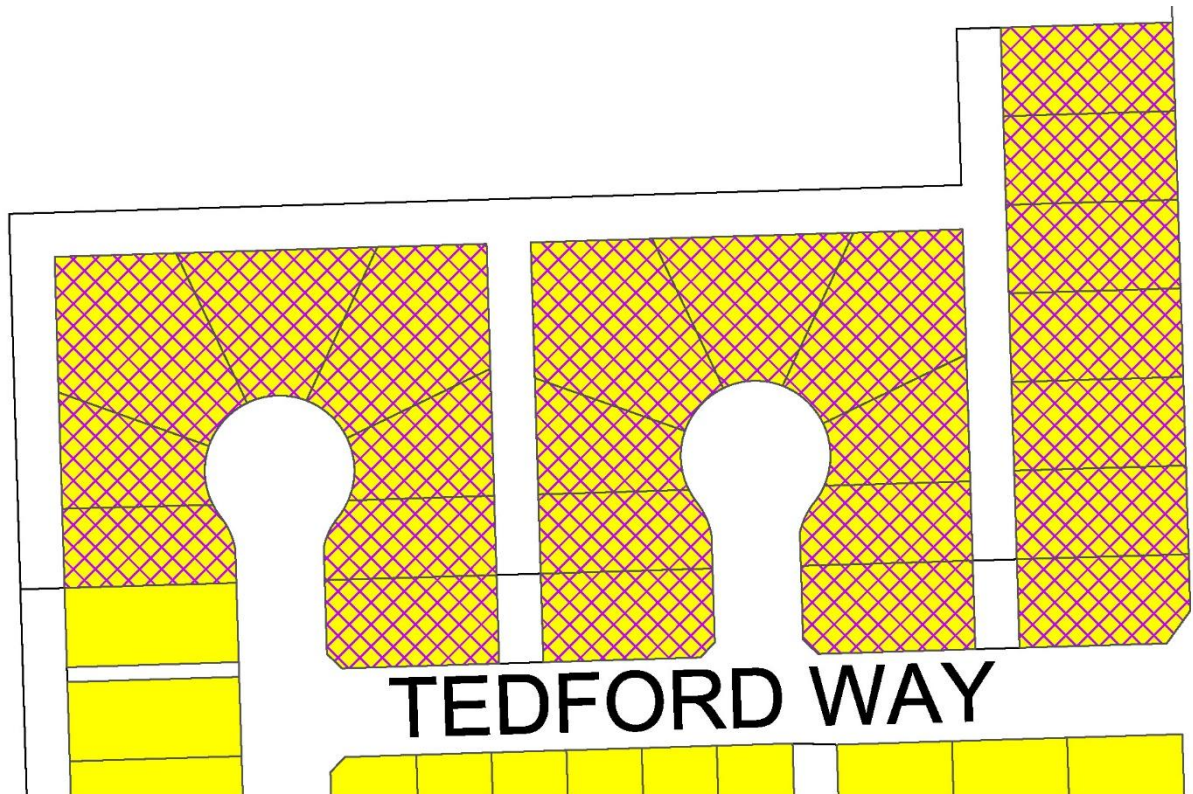
- All ground including adjacent City boulevards shall be landscaped within 1 year of the issuance of an occupancy permit. Landscaping shall be to City standards.

DOMINION HEIGHTS PHASE II

LEGAL DESCRIPTION:

**PLAN 102070257
BLOCK 168
LOTS 5-13, 14-23**

**PLAN 102070257
BLOCK 169
LOTS 24-30**



**SCHEDULE A3 -DOMINION HEIGHTS PHASE III
ARCHITECTURAL CONTROL**

LEGAL DESCRIPTION:

**PLAN 102100431
BLOCK 171
LOTS 1-19, 23**

**PLAN 102140019
BLOCK 171
LOTS 20A, 21A**

GENERAL REQUIREMENTS:

Construction Style	<ul style="list-style-type: none"> • Single Detached Dwelling
Floor Area	<ul style="list-style-type: none"> • Min. 111.5 m² (1,200 ft²)
Overall Design	<ul style="list-style-type: none"> • The development should foster a compatible and positive relationship with the neighbourhood as well as with the scale and character of existing developments.
Garage	<ul style="list-style-type: none"> • Double Attached, ≤50% of main floor area of dwelling. • Front or side attached.
Driveways	<ul style="list-style-type: none"> • Hard surfaced
Colouring	<ul style="list-style-type: none"> • Colours must be consistent with Table 1: Muted Earth Tones. Bright colours are not permitted.
Façade Build Outs	<ul style="list-style-type: none"> • A variety of roof lines and designs will be allowed provided they are pitched or sloping and integrate well into the overall dwelling appearance. Variations in roof pitch or height of roof planes are encouraged to avoid monotony and create visual interest.
Roofs	<ul style="list-style-type: none"> • A variety of roof lines and designs will be allowed provided they are pitched or sloping and integrate well into the overall dwelling appearance. Variations in roof pitch or height of roof planes are encouraged to avoid monotony and create visual interest. • Metal roofing is prohibited. • Dwellings shall have a minimum 0.61 m (24 in.) eave overhang
Roof Coverings	<ul style="list-style-type: none"> • Asphalt shingles are permitted in addition to clay tile, cedar or pine shakes in stained or natural colour.
Floor Elevation	<ul style="list-style-type: none"> • Buildings shall be no less than 0.92 metres (3 ft.) and no more than 1.52 metres (5 ft.) above the buildings finished landscape grade.
Alternative Technologies	<ul style="list-style-type: none"> • Where an alternative technology is proposed and meets the spirit and intent of applicable architectural requirements, the alternative technology may be allowed at the discretion of the Development Officer.
Solar Panels	<ul style="list-style-type: none"> • Solar Panels may be attached onto a roof that has been finished in accordance with these architectural standards.

Landscaping

- All ground including adjacent City boulevards shall be landscaped within 1 year of the issuance of an occupancy permit. Landscaping shall be to City standards.

**DOMINION HEIGHTS PHASE III
LEGAL DESCRIPTION:**

**PLAN 102070257
BLOCK 168
LOTS 5-13, 14-23**

**PLAN 102070257
BLOCK 169
LOTS 24-30**

