

THE RURAL MUNICIPALITY OF GLENSIDE NO. 377

BYLAW NO. 2-2017

A bylaw to amend Bylaw No. 6-2015 known as the Zoning Bylaw.

The Council of the RM of Glenside No. 377, in the Province of Saskatchewan, enacts to amend Bylaw No. 6-2015 as follows:

1. **Section 2: “Definitions”**, is amended by adding the following definition “Non-Farm Residential” after the definition known as “Non-conforming use”. The Non-Farm Residential definition will include the following:

***Non-Farm Residential:** A dwelling unit located in the AR – Agricultural Resource District that has a separate title through subdivision and whose owner’s principal source of household income is derived from a source other than the principal agricultural use of that site.*
2. **Section 7: “Agricultural Resource District (AR)”**, is amended by removing it in its entirety and is replaced with the following new Section:

7. AGRICULTURAL RESOURCE DISTRICT (AR)

The purpose of the Agricultural Resource District (AR) is to provide for and preserve large areas capable of accommodating a diversity of general agricultural operations including field and forage crops, irrigation, small intensive agricultural operations, and related agricultural diversification activities.

7.1 PERMITTED USES

In any Agricultural Resource District (AR), no person shall use any land, building or structure, or erect any building or structure except in accordance with the following provisions.

7.1.1 Agricultural Principal Uses

- a. *Field crops, animal and poultry raising, ranching, grazing, and other similar uses customarily carried out in the field of general agriculture, including the sale on the agricultural holding of any produce grown or raised on the agricultural holding;*
- b. *Farmstead residential including one detached one unit dwelling, RTM, modular or mobile home following the placement thereof on a permanent foundation.*

7.1.2 Agricultural Accessory Uses

- a. *Uses, buildings, and structures accessory to the foregoing agricultural principal uses and located on the same site with the main use.*

7.1.3 Resource-Based Uses

- a. *Oil and gas-related;*
- b. *Petroleum pipelines and related facilities;*
- c. *Petroleum exploration wells or extraction wells and related facilities.*

7.1.4 Other Principal Uses

- a. *Aggregate resource extraction, storage, and processing.*

7.1.5 Public Works and Municipal Facilities

- a. Public works buildings and structures including offices, warehouses, storage, yards.

7.2 DISCRETIONARY USES

The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 of the General Administration of this Bylaw.

7.2.1 Agricultural Principal Uses

- a. Market garden, nurseries, or green houses;
- b. Harvest preserves (refer to Section 5.18);
- c. Intensive livestock operations (refer to Section 5.20);
- d. Agricultural tourism (refer to Section 5.6);

7.2.2 Other Principal Uses

- a. Non-farm residential including one detached one unit dwelling, RTM, modular or mobile home following the placement thereof on a permanent foundation;
- b. General campgrounds (refer to Section 5.11);
- c. Institutional and recreational uses;
- d. Cemetery, crematorium;
- e. Solid and liquid waste disposal facility (refer to Section 5.14)

7.2.3 Agricultural Accessory Uses

- a. Two Accessory agricultural residence (refer to Section 5.5);
- b. Private airstrips;

7.2.4 Other Accessory Uses

- a. Home occupation or home based business (refer to Section 5.3);
- b. Residential care homes (refer to Section 5.4);
- c. Temporary campgrounds (refer to Section 5.12);
- d. Wind energy facilities (refer to Section 5.16).

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a Development Permit from the Development Officer.

7.3 SITE REGULATIONS

Permitted Uses

	Agricultural Principal Uses	Resource-Based Uses	Other Principal Uses	Public Works and Municipal Facilities
Minimum site area	4.05 hectares (10 acres) Other than traditional grain farm, ranching agricultural operation, or agricultural holding (refer to Section 7.6)	No minimum. See Section 7.8.	No minimum. See Section 7.9.	No minimum

Maximum Site area	14.16 hectares (35 acres)	No maximum	No maximum	No maximum
Minimum site frontage	30 metres (98 ft)			
Minimum front yard	All buildings shall be set back a minimum of 45.72 metres (150 ft) from the centre line of any developed road, municipal road allowance, and/or a minimum of 90 metres (295 ft) from the intersection of the centre lines of any municipal roads, or such greater distance as required by the Ministry of Highways and Transportation.			
Minimum rear yard	10 metres (33 ft) or 25% of the depth of the site whichever is the lesser.			
Minimum side yard	10 metres (33 ft) except where a side yard abuts a municipal road allowance or a Provincial highway, the front yard requirements shall apply.			
Minimum setback for trees, shelterbelts and other	All shelterbelts and tree plantings shall be setback 3 meters (10 feet) from the site lines. Portable structures, machinery and the storage of aggregate materials shall comply with the same setback requirements as the principal building.			
Fence Lines	Fence lines shall be setback 0.3 meter (1.0 ft.) from the site line that abuts any municipal right-of-way. For site lines that do not abut any municipal right of way, fence lines may be built right up to, but not on top of, the site line.			

Discretionary Uses

	Agricultural Principal Uses	Non-Farm Residential	Campgrounds
Minimum site area	0.81 hectares (2 acres)	2.02 hectares (5 acres)	4.05 hectares (10 acres)
Maximum	14.15 ha (35 acres) No maximum for ILOs	4.05 hectares (10 acres)	14.15 ha (35 acres)
Minimum site frontage	30 metres (98 ft)		
Minimum front yard	All buildings shall be set back a minimum of 45.72 metres (150 ft) from the centre line of any developed road, municipal road allowance, and/or a minimum of 90 metres (295 ft) from the intersection of the centre lines of any municipal roads, or such greater distance as required by the Ministry of Highways and Transportation.		
Minimum rear yard	10 metres (33 ft) or 25% of the depth of the site whichever is the lesser.		

Minimum side yard	<i>10 metres (33 ft) except where a side yard abuts a municipal road allowance or a Provincial highway, the front yard requirements shall apply.</i>
Minimum setback for trees, shelterbelts and other	<i>All shelterbelts and tree plantings shall be setback 3 meters (10 feet) from the site lines. Portable structures, machinery and the storage of aggregate materials shall comply with the same setback requirements as the principal building.</i>
Fence Lines	<i>Fence lines shall be setback 0.3 meter (1.0 ft.) from the site line that abuts any municipal right-of-way. For site lines that do not abut any municipal right of way, fence lines may be built right up to, but not on top of, the site line.</i>

- .1 *No dwelling shall be located with less than a minimum separation distance to an operation of other than the residence of the operation as follows:*
 - a. *The separation distance to an intensive livestock operation as regulated in Section 7.10;*
 - b. *457 metres (1499 ft) from a licensed public or private liquid waste disposal facility;*
 - c. *457 metres (1499 ft) from a licensed public or private solid waste disposal facility;*
 - d. *305 metres (1001 ft) from a honey processing facility;*
 - e. *550 metres (1804 ft) from a wind energy facility;*
 - f. *Council may reduce the minimum separation distance to the operations listed above, as a special standard where the applicant submits a written agreement to Council between the land owner of the dwelling and the owner of the operation agreeing to the reduced separation (Council shall maintain a register of all such agreements);*
 - g. *305 metres (1001 ft) to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan; or*
 - h. *600 metres (1969 ft) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan.*
- .2 *No dwelling or other building shall be located within the approach surface for any airport or airstrip.*

7.4 ACCESSORY BUILDINGS AND USES

- .1 *A permitted accessory use/building shall be defined as any buildings, structures, or a use which is customarily accessory to the principal use of the site, though only if the principal permitted use or discretionary use has been established.*
- .2 *Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.*
- .3 *Manure applications associated with livestock and agricultural composting are considered accessory to an agricultural operation where the spreading occurs on the parcel in which it is produced.*
- .4 *Facilities for the direct sale of crops grown by the agricultural operation including orchards and market gardens shall be considered accessory to a farmstead or residence in the Agricultural Resource District.*

7.5 SIGNAGE

Large scale agricultural uses	A maximum of two (2) freestanding signs are permitted on any site, or quarter section and each sign shall be no larger than 12 m² (129 ft²) and no higher than 6.0 metres (20 ft) in total height. One (1) attached sign shall be permitted not exceeding 5.6 m² (60 ft²) in facial area. Where a building maintains direct exposure to more than one (1) public right-of-way, a second attached sign shall be allowed following the previous regulations.
Institutional / recreational uses	Free standing signs shall not exceed a facial area of 6.0 m² (65 ft²) and a height of 3.5 metres (11 ft). One (1) attached sign shall be permitted not exceeding 6.0 m² (65 ft²) in facial area. Signage shall maintain a separation distance of 12.0 metres (39 ft) for every square metre of area of the larger of the two (2) signs.
Farm related commercial and home businesses	One (1) per building frontage to a maximum facial area of 1.0 m² (11 ft²) for an approved commercial use. Maximum 2.5 metres in height. Illumination limited to 75 watts and shall not include electronic message boards.

7.6 SUPPLEMENTARY DEVELOPMENT STANDARDS

Agricultural Use

- .1 The minimum site area constituting a traditional grain farm or ranching agricultural operation or agricultural holding shall be 16.19 ha (40 acres) or equivalent. Equivalent shall mean 16.19 ha (40 acres) or such lesser amount as remains in an agricultural holding because of the original township survey, road widening, road right-of-way or railway plans, drainage ditch, pipeline or transmission line development or government action, natural features such as water courses or water bodies, or as a result of subdivision as permitted herein.
- .2 A person not meeting the minimum agricultural area requirement of 16.19 hectares (40 acres) or equivalent in the Rural Municipality, though who owns land in an adjoining Rural Municipality may qualify to meet the minimum area requirements of this Bylaw.
- .3 The minimum site area constituting an agricultural operation or holding other than a traditional grain farm or ranching operation shall be 16.19 hectares (40 acres).
- .4 Any agricultural site which does not conform to the minimum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation (ISC) prior to the coming into force of this Bylaw.
- .5 A reduced agricultural site area below 16.19 hectares (40 acres), may be permitted at Council's discretion for the purpose of farmland consolidation, estate planning settlement, farm debt restructuring or as a result of a permitted or discretionary subdivision or due to topographical or physical limitations.

Farmstead/Agricultural Residence

- .6 One (1) farm-related, single-detached dwelling will be permitted on agricultural sites and farmsteads.

- .7 *A farmstead may contain the following where located on the same parcel:*
 - a. *A residence for the operator of an agricultural use.*
 - b. *A bunkhouse or additional residence for employees or business partners for the operator engaged in the agricultural operation.*
 - c. *Facilities for the temporary holding of livestock raised in an operation, in lesser numbers than constitutes an I.L.O. (unless approved as an I.L.O.)*
 - d. *Buildings for permitted accessory and ancillary uses.*
- .8 *The Development Officer may issue a Development Permit for up to two (2) accessory agricultural dwellings on a parcel if:*
 - a. *It is an accessory agricultural residential dwelling to be occupied by a person or persons who are engaged on a full-time basis for at least six (6) months of each year in the agricultural operation; and*
 - b. *The additional dwelling is located on a parcel which is a permitted agricultural operation.*

Temporary Uses

- .8 *A trailer coach used for farm employees during the farming season shall be accommodated as a temporary/seasonal use on a permitted agricultural site.*
- .9 *In the case of an existing, currently habitable dwelling, which is being replaced by a new one, the existing dwelling, may, as a condition of the new Development Permit, be allowed to be occupied during construction, only until the new one is habitable. At that point, the existing dwelling must be demolished or moved off the site within thirty (30) days after occupancy of that dwelling.*
- .10 *Grain storage bags:*
 - a. *Shall not be used or stored in any required yard setbacks;*
 - b. *Shall not become a nuisance or impede visibility at the approach of an intersection or obstruct snow plowing or road maintenance activities.*
- .11 *Mobile storage containers including sea containers:*
 - a. *Shall require a Development Permit;*
 - b. *Must be properly anchored;*
 - c. *Shall be located a minimum of 3.0 metres (10 ft) from the primary building and behind the rear wall of the primary building; and*
 - d. *Containers determined by the municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Rural Municipality.*

All Other Uses

- .12 *Where a subdivision is proposed to establish a discretionary use, the area proposed for subdivision shall comprise a minimum of 0.81 hectare (2 acres) and a maximum of 4.05 ha (10 acres) exempting intensive livestock operations, intensive agricultural operations, which may exceed the maximum allowable where it is demonstrated to Council's satisfaction that additional space is necessary for a viable agricultural operation.*
- .13 *A site to be created by subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a developed road, including any road to be developed under a signed servicing agreement.*

- .14 Subdivision proposing to separate title for a farmstead existing prior to the coming into force of this Bylaw shall be considered.
- .15 A maximum of three (3) subdivisions may be permitted per quarter section 64.75 ha (160 acres) in the AR – Agricultural Resource Zoning District for any permitted or discretionary use in addition to one farmstead, unless otherwise stated elsewhere in this District. Such subdivisions shall not exceed the creation of more than four legal parcels, unless it is rezoned to its appropriate zoning district.
- .16 For non-farm residential development, a maximum of one (1) site may be subdivided per quarter section 64.75 ha (160 acres) in the AR – Agricultural Resource Zoning District in addition to one farmstead. Such subdivisions shall not exceed the creation of more than two (2) legal residential parcels, unless rezoned to an appropriate zoning district.
- .17 Subdivision proposing to establish more than one (1) new non-farm, single parcel country residential site shall be subject to re-zoning to the Country Residential Zoning District and must comply with all relevant area, frontage, and setback requirements of that Zoning District.
- .18 There shall be no minimum area required for a subdivision facilitating cemeteries, crematoria and mausoleums, radio, television towers, or related facilities.
- .19 The keeping of livestock on sites other than farmsteads shall be permitted in the Agricultural Resource District (AR) in accordance with the following schedule. Any operation involving the keeping of livestock numbers greater than the maximums shown below will be required to make an application for an Intensive Livestock Operation in accordance with Section 5.20.

Parcel Size	Maximum Number of Animal Units Permitted
Minimum 2 hectares	Two (2) Animal Units or a maximum of 100 Poultry
Between 2 and 4 hectares	Two (2) additional Animal Units will be permitted for each incremental increase of 2 hectares in the site size for the raising of up to 50 animal units of Poultry, Sheep, Goats or Hogs.

7.7 HARVEST PRESERVES

- .1 In addition to the general requirements regarding discretionary use applications provided in Sections 3 and 5.2 of this Bylaw, the following additional considerations shall be made for all applications for a harvest preserve:
- Shall be ancillary to an agricultural farm operation or rural residence;
 - Shall be located a minimum of 1.6 kilometres from any other residential site;
 - Shall comply with all Federal and Provincial legislation and regulation;
 - Shall comply with the Agricultural Tourism Development requirements in Section 5.6; and
 - Council may apply special standards as a condition of discretionary approval limiting the size of operation, buildings used for the operation, and any other measures deemed necessary.

7.8 OIL AND GAS WELL ACTIVITIES

- .1 Exploration and development of oil and gas shall be subject to all Federal and Provincial requirements, and such activity must comply with the objectives and policies outlined in the Official Community Plan and the Bear Hills District Plan.*
- .2 The Municipality may apply special standards as outlined in The Municipalities Act, 2005, to protect the municipal interest when transportation, utility and pipeline facilities cross Municipal roads, or when seismic activity is proposed on roads or road allowance.*
- .3 To minimize conflict between natural resource extraction, or oil and gas operations and surrounding land uses, no development shall be approved within 125 metres (410 ft) of an existing, proposed, abandoned, or reclaimed well or facility as defined by the Oil and Gas Conservation Regulations, 2012.
 - a. The Minister may approve development less than, or greater than, the required setback, depending on specific circumstances.**
- .4 Permanent structures or other improvements (including all temporary structures) are to be placed at a minimum of 45.7 metres (150 ft) from the centre of the road and a minimum of 91.4 metres (300 ft) from the centre of the road at intersections.*

7.9 AGGREGATE EXTRACTION

- .1 In addition to the general requirements regarding discretionary use applications provided in Sections 3 and 5.2 of this Bylaw, the following additional considerations shall be made for all applications for an aggregate extraction activity:
 - a. For the purpose of this section, Aggregate Extraction shall mean, excavation other than for construction, building or for purposes of creating an artificial body of water, including though not limited to, sand and gravel mining, and topsoil stripping;*
 - b. An application proposing a new aggregate extraction use or an expansion to an existing aggregate extraction operation shall be a temporary and discretionary use and shall adhere to all appropriate Provincial and Federal regulations;*
 - c. In reviewing applications for aggregate resource extraction operations the environmental implications of the operation including plans for site restoration shall be considered;*
 - d. The applicant shall submit plans and a narrative including:
 - i. The location and area of the site where the excavation is to take place;*
 - ii. The expected life of the deposit if applicable;*
 - iii. The type and dimensions including average depth of the proposed excavation, and the effect on existing drainage patterns on and off the site;*
 - iv. Identification of the outdoor noise and the discharge of substances into the air;*
 - v. The methods for preventing, controlling, or reducing erosion;*
 - vi. proposed access and hauling activities (including number of trucks, tonnage, and hours of hauling);*
 - vii. proposed extraction, operation, and staging (including years, dates and hours of operation); and*
 - viii. The condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected.***

- e. *Aggregate resource extraction industries are permitted in accordance with the following conditions:*
- i. *The applicant shall ensure that dust and noise control measures are undertaken to prevent such items from becoming an annoyance to neighbouring land owners. The applicant shall conduct dust control procedures at the request of and to the satisfaction of the Rural Municipality. In this regard stock piles shall be located in a position to act as a sound barrier. Also, the applicant shall apply methods of minimizing the noise created from machinery and equipment;*
 - ii. *The applicant shall keep the area subject to the development permit in a clean and tidy condition free from rubbish and non-aggregate debris;*
 - iii. *Access routes into extraction areas shall be located away from residential areas;*
 - iv. *A disturbed area shall be reclaimed to a land capability equivalent to the pre-disturbance land capability (e.g. agricultural land) or a post-disturbance condition and land use (e.g. conversion to wetland) which are satisfactory to the Municipality. These conservation and reclamation procedures shall be in accordance with Saskatchewan Environment Reclamation Guidelines for Sand and Gravel Operators;*
 - v. *Any aggregate resource extraction industry proposed to be located within 100 metres (328 ft) of any municipal road, Provincial highway, creek, or lake shall be permitted only where it would not adversely impact the environment, or materially interfere with or affect adjacent lands;*
 - vi. *Aggregate resource extraction industries shall have regard to adjacent land uses and no material is to be stored or piled on any road allowance or within 30.0 metres (98 ft) of the bank of any river or watercourse;*
 - vii. *The general resource extraction operator and any person who hauls the aggregate may be required to enter into a road maintenance agreement;*
 - viii. *The aggregate resource extraction operator must report the amount of aggregate extracted by November 1 of each year or the end of the hauling season whichever comes first;*
 - ix. *The Council may require the aggregate resource extraction operator to post a performance bond to guarantee adherence to the above noted agreements; and*
 - x. *An approval of an aggregate resource extraction industry shall be for a maximum period of two (2) years and may be renewed at the discretion of Council providing the requirements of this Bylaw continue to be met.*

7.10 INTENSIVE LIVESTOCK OPERATIONS

- .1 *In addition to the general requirements regarding discretionary use applications provided in Sections 3 and 5.2 of this Bylaw, the following additional considerations shall be made for all applications for an intensive livestock operation:*
- a. *For the purpose of this section, an intensive livestock operation (ILO) shall be defined as the rearing, sustaining, finishing, or breeding by means other than grazing of more than 100 animal units of livestock and where the space per animal unit is less than 371.6 m² (4000 ft²), including buildings and structures directly related to the operation though not including a residence, seasonal feeding, or bedding sites.*
 - b. *In addition to any requirements contained herein, all applications for an ILO shall conform to the regulations provided within The Agricultural Operations Act, 1995.*
 - c. *Identification of the reason for this site being selected including what characteristics exist that makes it suitable for hosting the operation. The Municipality may, at its discretion, require the submission of a soils and water test conducted by a qualified*

agricultural engineer to confirm that the site selected is capable of accommodating the activities proposed;

- d. Servicing requirements associated with the operation including, though not limited to, road upgrades and availability of adequate water sources;
- e. Type, volume, and frequency of traffic associated with the transportation of animals and food/feed to and from the site;
- f. The applicant shall be responsible for submitting a site plan and narrative including the following:
 - i. The size and type of facility;
 - ii. A sketch plan showing the location of existing and proposed buildings and the distance from the development site to every residence within 1.6 km (1 mile);
 - iii. The number and type of animals;
 - iv. Manure storage and disposal strategies including identification of all parcels;
 - v. Identification of surface water and residential development on or adjacent to the parcels intended for hosting the disposal of manure; and
 - vi. Identification of the location of potentially affected surface and groundwater sources on and adjacent to the site including distance measurements to these watercourses.
- g. The minimum separation distance between occupied dwellings riparian areas and the location where manure is to be spread is listed below. Distances are measured between edge of the manure application area and the edge of a nearest property boundary in metres.

Method of Manure Application	Injected	Incorporated within 24 hours	No incorporation
Multi-Parcel Country Residential Acreages and riparian areas	200 metres (656 ft)	400 metres (1312 ft)	800 metres (2625 ft)

- h. When considering the operational/environmental aspects of an application, the Municipality shall refer all development permit applications to the Ministry of Agriculture for review and recommendation regarding waste storage, nutrient, and mortality management;
- i. ILOs shall refer to the following recommended minimum distance separations:

Type of Development	300-499 Animal Units	500-2000 Animal Units	2000-5000 Animal Units	>5000 Animal Units
Single family dwelling not owned by the ILO operator, tourist accommodation or campground	800 metres (2625 ft)	800 metres (2625 ft)	1600 metres (5249 ft)	3200 metres (10,499 ft)
Adjacent to a Town, Hamlet or Multi-parcel Country Residential Acreages	800 metres (2625 ft)	1600 metres (5249 ft)	2400 metres (7874 ft)	3200 metres (10,499 ft)

- Read a first time on this 10th day of May, 2017
- Read for a second time on this 31st day of May, 2017
- Read for a third time and passed on this 31st day of May, 2017