

2018



Zoning Bylaw

TOWN OF CHURCHBRIDGE

Zoning Bylaw for the Town of Churchbridge

Town of Churchbridge

Bylaw No. 2017-011

A bylaw to adopt a Zoning Bylaw for the Town of Churchbridge.

WHEREAS, Section 46 of *The Planning and Development Act, 2007* (the Act) authorizes Council to prepare and adopt a zoning bylaw for all or part of the municipality in conjunction with the adoption of an official community plan;

WHEREAS, the Council of the Town of Churchbridge in accordance with Part X of the Act held a public hearing on February 12, 2018, in regards to the proposed Zoning Bylaw, which was advertised in a weekly paper on January 10, 2018, and January 17, 2018, in accordance with the public participation requirements of the Act;

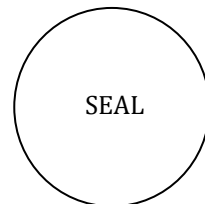
WHEREAS, in order to ensure the orderly development of the Town of Churchbridge the Council deems it necessary to adopt a Zoning Bylaw;

WHEREAS, this bylaw repeals and replaces Zoning Bylaw No. 5-83.

THEREFORE, the Council of the Town of Churchbridge in the Province of Saskatchewan in open meeting enacts as follows:

1. Schedule "A" attached hereto is hereby adopted as the "Town of Churchbridge Zoning Bylaw."
2. Schedule "B" attached hereto is hereby adopted as the "Zoning Bylaw Map for the Town of Churchbridge."
3. This Bylaw shall come into force on the date of final approval by the Minister of Governmental Relations.

MAYOR



ADMINISTRATOR

BYLAW No.2017-011 SCHEDULE A
TOWN OF CHURCHBRIDGE ZONING BYLAW

Table of Contents

1 Introduction 5

1.1 Title..... 5

1.2 Scope..... 5

1.3 Purpose..... 5

1.4 Severability 5

2 Definitions 6

3 Administration 18

3.1 Development Officer 18

3.2 Council..... 18

3.3 Development Permit..... 19

3.4 Development Permit Procedure..... 19

3.5 Limitations On Discretionary Uses..... 21

3.6 Development Not Requiring a Permit..... 22

3.7 Referrals 22

3.8 Servicing Agreements and Development Levies 23

3.9 Development Appeals Board..... 23

3.10 Fees and Advertising 24

3.11 Non-Conforming Uses, Buildings and Sites 25

3.12 Minor Variances..... 25

3.13 Enforcement, Offences and Penalties..... 28

3.14 Revocation of Decision..... 28

3.15 Development Permit Invalid 28

3.16 Cancellation 29

3.17 Stop-Work 29

3.18 Interpretation 29

4 General Regulations 30

4.1 Licenses, Permits and Compliance with other Bylaws and Legislation 30

4.2 Number of Principal Buildings Permitted on a Lot..... 30

4.3 Building to be Moved..... 30

4.4 Demolition of Buildings..... 30

4.5 Grading and Levelling of a Site..... 30

4.6 Restoration to a Safe Condition 31

4.7 Water Supply and waste Disposal 31

4.8 Hazard Lands 32

4.9 Municipal Facilities..... 32

4.10 Satellite Dish, Solar and Small Wind Energy Systems for Personal Use 33

4.11 Day Care Centres and Pre-Schools 33

4.12 Multi Unit Dwellings 33

4.13 Mobile and Modular Homes 34

4.14 Approaches/Driveways..... 34

4.15 Discretionary Uses..... 34

4.16 Bed and Breakfast..... 35

4.17 Home Based Business 36

4.18 Service Stations and Gas Bars..... 37

4.19 Signs 38

4.20 Off-Street Parking and Loading..... 41

4.21 Fences and Hedges 42

4.22 Swimming Pools 43

4.23 Garden/Granny Suites and Lofts..... 44

4.24 Dog Exercise Areas/Runs 44

4.25 Campgrounds..... 44

4.26 Accessory Building 45

4.27 Shipping Containers..... 46

Zoning Bylaw for the Town of Churchbridge

4.28	Outdoor Storage.....	47
5	Zoning Districts.....	48
5.1	Classification of Zoning Districts.....	48
5.2	Zoning Bylaw Map	48
5.3	Boundaries of Zoning Districts.....	48
6	Zoning District Schedules	49
6.1	R – Residential District	49
6.2	C1 – Downtown Commercial District.....	53
6.3	C2 – Highway Commercial District.....	57
6.4	I – Industrial District.....	60
6.5	UR – Urban Reserve District.....	63
7	Schedule B - Zoning Bylaw Map.....	64

1 Introduction

Under the authority of *The Planning and Development Act, 2007* (the Act), the Council of the Town of Churchbridge (Town) in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.1 Title

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

1.2 Scope

This Bylaw pertains to all lands within the Town. Development shall be permitted within the limits of the Town when it is in conformity with the provisions of this Bylaw.

1.3 Purpose

1.3.1 The purpose of this Bylaw is to regulate development and to control the use of land in the Town in accordance with the Town's Official Community Plan (OCP) Bylaw No. _____.

1.3.2 The intent of the Zoning Bylaw is to provide for the amenity of the area within the Town and for the health, safety and general welfare of the inhabitants of the Town and area:

- a) To minimize land use conflicts;
- b) To establish minimum standards to maintain the amenity of the Town;
- c) To ensure development is consistent with the physical limitations of the land;
- d) To restrict development that places undue demand on the Town for services; and
- e) To provide for land use and development that is consistent with the goals and objectives of the Town.

1.4 Severability

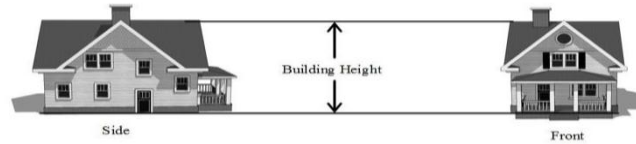
If any section, clause or provision of this Bylaw, including anything shown on the Zoning Bylaw Map for the Town, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Bylaw as a whole or any part thereof, other than the section, clause or provision, including anything on the Zoning Bylaw Map for the Town, declared to be invalid.

2 Definitions

Wherever in this Bylaw and the Official Community Plan, the following words or terms are used, they shall, unless the context otherwise provides, be held to have the following meaning:

Accessory Use:	A use which is incidental and subordinate to, and is customarily associated with the principal use or building and is conducted on the same lot with the principal use or building.
Act:	<i>The Planning and Development Act, 2007.</i>
Administrator:	As defined by the Municipalities Act.
Alteration:	Any structural change or addition made to any building.
Ancillary Use:	A secondary and subordinate use to the principle use, which is specifically allowed, and may include an associated building that is specifically allowed pursuant to this Bylaw.
Apartment:	A building divided into three or more dwelling units, each of which is occupied or intended to be occupied as the permanent home or residence, not including a hotel or rooming house.
Applicant:	A developer or person applying for a Development Permit under this Bylaw or for a subdivision approval to an approving authority under <i>The Planning and Development Act 2007.</i>
Approved:	Approved by the Council of the Town of Churchbridge.
Awning:	A canvas or similar flexible material stretched over a frame, plastic, vinyl or lightweight metal shelter projecting from a wall over a window or entrance to a building.
Bed and Breakfast:	A bed and breakfast facility in a single detached dwelling licensed as an itinerant use accommodation under <i>The Public Accommodation Regulations</i> in which overnight accommodation with in the dwelling unit, along with one meal served before noon, is provided to the traveling public for a charge.
Beverage Room:	An establishment, licensed by the Province of Saskatchewan, in which alcoholic beverages are served for a fee for consumption on the premises and may include a licensed lounge that is ancillary to a restaurant. Food preparation or serving of food may be an accessory use to the drinking establishment but is subject to all applicable provincial regulations.
Building:	A structure constructed or placed on, in or over land, but not including a highway.
Building, Accessory:	A building, or portion of a building accessory to a principal building or principal use and located on the same lot. Typically includes garages, sheds, greenhouses etc., irrespective of being attached or detached to the principal use building.
Building Bylaw:	A bylaw of the Town of Churchbridge regulating the erection, alteration, repair, occupancy or maintenance of buildings and structures adopted pursuant to <i>The Uniform Building and Accessibility Standards Act.</i>

Building Height: The vertical distance of a building measured from grade level to the highest point of the roof.



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

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

Campground: An area used for a range of overnight camping experiences, from tenting to serviced trailer sites, including accessory facilities, which support the use, such as administration offices and laundry facilities, though not including the use of mobile homes or trailers on a permanent year-round basis.

Canopy: A non-retractable permanent roof like structure constructed of durable material extending from part or all of a building.

Club: A service club or private club which involves recreational, social, cultural or athletic activities.

Commercial Entertainment Establishment: A recreation or amusement facility operated as a business and open to the general public for a fee such as an amusement arcade, bowling alley, theatre, billiard parlor and bingo hall (where licensed by the Saskatchewan Liquor and Gaming Authority).

Commercial Use: The use of land, building(s), or structure(s) for the purpose of buying and selling commodities and supplying professional and personal services for compensation.

Community Centre: A facility operated by the Municipality or a non-profit organization for meetings, recreational activities and similar uses and open to the general public.

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

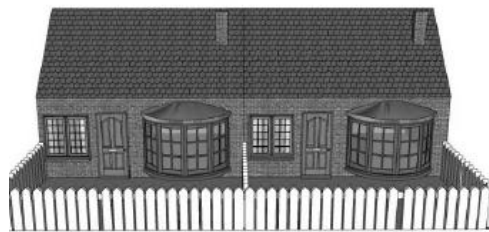
Council: The Council of the Town of Churchbridge.

Day Care Centre: An establishment providing for the care, supervision and protection of children (or adults) though does not include the provision for overnight supervision.

Deck: Any raised floor structure at least 0.31 metres (1 ft.) above the average ground level upon which it is constructed, either adjacent to a building or free-standing with stairway, ramp, or similar access.

Development: The carrying out of the placement, removal, demolition, or construction of a building or structure. Development also includes excavation, landscaping, mining, or other operations in, on or over land, or the making of any material change in the intensity of use of any building or land.

Development Officer:	The officer of the Town of Churchbridge appointed to administer this Bylaw.
Development Permit:	A permit issued by the Town of Churchbridge or its designate that authorizes development but does not include a building permit.
Development Standard Interest:	An interest registered on the title of a parcel that identifies a standard to which development on such parcel must adhere.
Discretionary Use:	A use or form of development specified in the zoning district, which may be allowed at Council's discretion, following application to, and approval by the Council and subject to specific development standards provided in this bylaw and prescribed by Council.
Dwelling:	A building or part of a building intended for residential occupancy.
Dwelling Unit:	One or more habitable rooms used, or fully capable of being used as a residence, where each unit provides sleeping, cooking and toilet facilities.
Dwelling, Multiple Unit:	A building divided into two or more dwelling units as defined here and shall include, amongst others, town or row houses and apartments as distinct from a rooming house, hotel or motel.
Dwelling, Semi-Detached:	A building divided vertically into two (2) dwelling units by a common wall extending from the base of the foundation to the roofline.



Dwelling, Single-Detached:	A building containing only one dwelling unit and shall not include a mobile home as herein defined.
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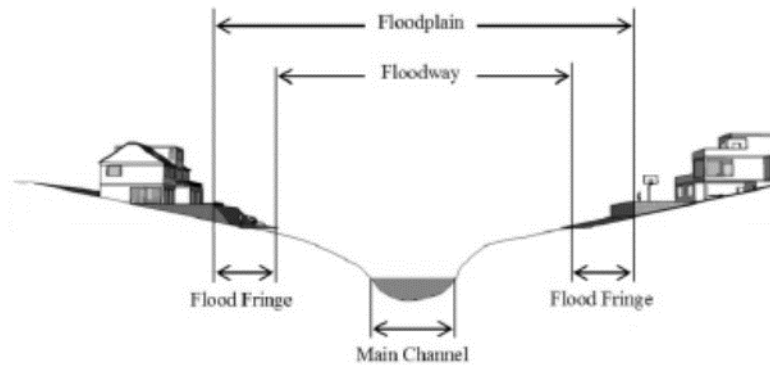
Family Child Care Home:	A child care facility located in a building where the principal use is a dwelling unit and which is licensed by the Province of Saskatchewan pursuant to <i>The Child Care Act</i> .
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Fence:	An artificially constructed barrier erected to enclose or screen areas of land.
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Flood:	A temporary rise in the water level that results in the inundation of areas not ordinarily
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covered by water.

Flood Fringe: The portion of the floodplain where the waters in the 1:500 year flood are projected to be less than a depth of one metre or a velocity of one metre per second.



Flood Plain: Means the area prone to flooding from a water body or watercourse that comprises the combined area of the flood way and flood fringe.

Flood Proofing: Any combination of structural and non-structural additions, changes or adjustments to structures or land that will significantly reduce or eliminate flood damage to real estate or improved real property and their contents up to and including the design flood level plus a freeboard of 0.5 metre (1.64 feet).

Flood Way: As defined by the Statements of Provincial Interest.

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

Frontage: The length of the site line front; however, in the case of a corner lot the shorter of the sides shall be the frontage.

Future Land Use Map: A map which denotes current or future land use or policy areas. The Future Land Use Map for the Town of Churchbridge is attached as Appendix "A" in the Official Community Plan.

Garage, Private: A building or part of a building used or intended to be used for the storage of motor vehicles and wherein neither servicing nor repairing of such vehicles are carried on for remuneration.

Garage, Public: A building or place where motor vehicles are stored or repaired for remuneration but does not include car washing establishments, an auto sales lot or an automobile service station.

Garage, Temporary: A temporary prefabricated shelter constructed with a metal or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic cover used primarily for the storage of vehicles or other equipment accessory to a residential use only.

Gas Bar: A building or place where fuel and automotive fluids are sold and may be added to a

	vehicle on the property, and which may have a convenience store and/or restaurant.
Grade:	The average elevation of the natural ground level at the walls of a building or structure as determined by the elevation of the four outside corners of the building.
Greenhouse, Commercial:	A building for the growing of flowers, plants, shrubs, trees and similar vegetation that are not necessarily transplanted outdoors on the same site, but are sold directly at wholesale or retail from the site.
Greenhouse, Private:	A building for the growing of flowers, plant, shrubs, trees and similar vegetation that are transplanted outdoors on the same site containing such greenhouse(s), and where greenhouse products may not be offered for sale.
Gross Floor Area:	The total floor area in a principal building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each story below, at, and above grade, excluding attics, balconies, boiler rooms, electrical or mechanical rooms, and basement areas used exclusively for parking or storage.
Hazardous Industry/Substance:	A substance that, because of its quality, concentration or physical, chemical or infectious characteristics, either individually or in combination with other substances on the site is an existing or potential threat to the physical environment, to human health or other living organisms.
Hazard(ous) Land:	Land having inherent environmental hazards; land subject to flooding, earth movement, or slope instability, land with poor natural drainage, ground water seepage, erosion, steep slopes, rock formations, or other similar features.
Health Service Facility (Health Clinic):	A building or part thereof used by qualified health service practitioners for the treatment of human health needs.
Height of The Sign:	The vertical distance measured from the highest point of the sign to grade level at the centre of the sign.
Heritage Resource:	The history, culture and historical resources of an area and its residents.
Highway Commercial:	Commercial activities normally located along highways, major roadways and in other locations considered strategic by the type of business involved serving the needs of local residents and the traveling public.
Highway Sign Corridor:	A strip of land parallel and adjacent to a provincial highway; where private signs may be permitted to advertise goods and services of local area businesses and attractions, as provided by regulations of the Department of Highways entitled <i>The Provincial Highway Sign Control Regulations, 2012</i> as may be amended from time to time.
Home Based Business:	A business, occupation, trade, profession or craft customarily conducted entirely within a residential building or accessory building by the inhabitants of the dwelling, and where the use is clearly ancillary and secondary to the residential use and does not create or become a public nuisance as a result of noise, traffic, pollution, or parking.
Hotel:	A building or structure or part of a building or structure in which sleeping accommodation with or without meals is provided for tourists or travelers, and where a guest register or record is kept, but does not include a motel or rooming house.
Lane:	A secondary public thoroughfare intended primarily to give access to the rear or side of the abutting property.

Lot:	An area of land with fixed boundaries and that is of record held by Information Services Corporation by Certificate of Title.
Lot Coverage:	The percentage of the area of a lot that is covered by all primary, accessory and ancillary use buildings or structures.
Lot Line, Front:	The line that divides the lot from the street. In the case of a corner lot the front lot line shall be the line separating the narrowest street frontage of the lot from the street.
Lot Line, Rear:	The line at the rear of the lot and opposite the front lot line.
Lot Line, Side:	A lot line other than a front or rear lot line.
Mayor:	The Mayor of the Town of Churchbridge.
Mini Mall:	A single story structure, including a strip mall, in which a minimum of two of the permitted and discretionary uses of the zoning district are located together, each use having a separate entrance to the outside, and having a gross floor area of less than 3,000 square metres (3587.97 square yards).
Minister:	The member of the Executive Council to whom, for the time being, is assigned the administration of <i>The Planning and Development Act, 2007</i> .
Mobile Home:	A prefabricated trailer coach supported by a steel frame that conforms to the Canadian Standards Association # Z240 MH. A trailer coach may be: <ul style="list-style-type: none">a) Used as a dwelling;b) Equipped with water faucets and shower, or other bathing facilities, that may be connected to a water distribution system; andc) Equipped with facilities for washing and water closet, or other similar facility that may be connected to a sewage system.



Double-Wide Mobile Home

Modular Manufactured Home:	A residential dwelling that is constructed off site in a yard or factory, in one or more sections, transported to a site for permanent installation on a permanent foundation (may have a basement), having architectural features similar to permanent residential dwelling built on site in the Town, and conforming to the Canadian Standards Association (CSA) # A277.
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Motel:	A building or group of buildings on a site designed and operated to provide temporary accommodation and contains separate sleeping units, each of which is provided with an
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adjoining conveniently located parking stall.

Municipality: The Town of Churchbridge.

Non-Conforming Building:

- A building:
- a) That is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a zoning bylaw or any amendment to a zoning bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and
 - b) That on the date a 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 Site: 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:

- A lawful specific use:
- a) being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to 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 with respect to which all required permits have been issued will not, comply with the zoning bylaw.

Parking Space: A space for the parking of one (1) vehicle within a building, or parking lot with unobstructed access to the adjacent road.

Park Model Trailer: A unit, of a cottage style having a pitched roof, designed to facilitate occasional relocation, with living quarters for a seasonal use; has water faucets and shower or other bathing facilities that maybe connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. Maximum length no greater than 14.6 metres (48 feet). Park Model Trailers must meet or exceed CSA – Z241 standards and bear a label of certification from the Canadian Standards Association.



Park Model Trailer 102



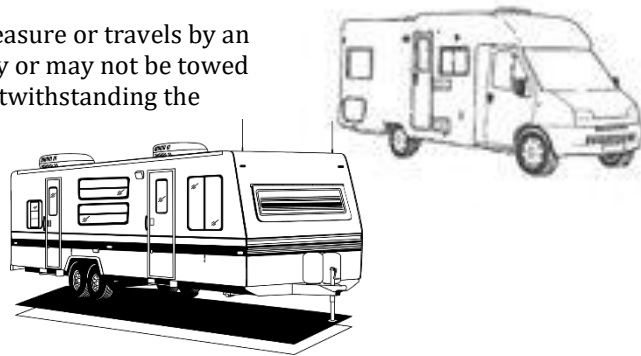
Park Model Recreational Unit

Patio: Any hard surface or floor structure less than 0.3 metres (1 ft.) above the average ground level upon which is constructed.

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

owner.

- Personal Service Establishment:** A development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects, including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, laundromats, shoe repair shops, photographers, but excluding any adult or sexually explicit services.
- Permitted Use:** A use or form of development other than a discretionary use specifically permitted in the zoning district and subject to the regulations of the zoning district.
- Principal Use:** The main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which is occupied and/or maintained.
- Public Works/Utility:** A system, works, plant, equipment or service, whether owned or operated by or for the Municipality, or by a corporation under agreement with the Municipality, or under a federal or provincial statute, which furnishes any of the following services and facilities to the residents of the Municipality:
- a) systems for the production, distribution or transmission of electricity;
 - b) systems for the distribution, storage, or transmission of natural gas or oil;
 - c) facilities for the storage, transmission, treatment, distribution or supply of water;
 - d) facilities for the collection, treatment, movement or disposal of sewage and garbage;
 - e) telephone or light distribution lines;
 - f) microwave and cell phone tower communication facilities; and
 - g) facilities for optical cable, or cable television services.
 - h) Railway facilities
- Real Property Surveyor's Report:** A report prepared by a certified Saskatchewan Land Surveyor, certifying both the accurate location of the foundation and that the proposed elevation of all floors, including basements, is above the Safe Building Elevation as defined herein.
- Recreational Use:** The use of land for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks and curling rinks, athletic fields, golf courses, picnic areas, swimming pools, day camps, community centres and all similar uses, together with the necessary and accessory buildings and structures; though does not include the racing of animals or motorized vehicles.
- Recreation Vehicle:** A vehicle used for personal pleasure or travels by an individual or family which may or may not be towed behind a principal vehicle. Notwithstanding the generality of the above a recreational vehicle includes motor homes, camper trailers, truck campers, 5th wheels and tent trailers.

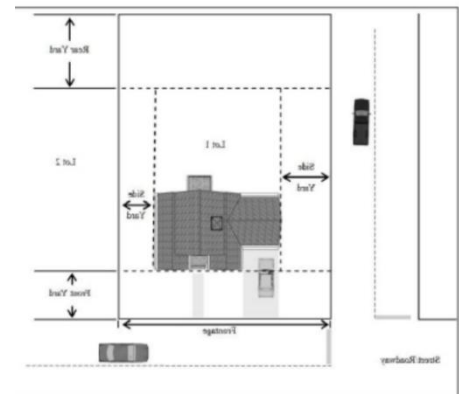


Zoning Bylaw for the Town of Churchbridge

Retail Store:	Establishments engaged in selling goods or merchandise to the general public for personal or household use; and rendering services incidental to the sale of goods such as groceries, hardware, dry goods, sporting goods, novelties, jewellery, household appliances, books, magazines.
Residential Use:	The use of land, buildings or structures for human habitation.
Rooming House:	A building that is the primary residence of the owner and in which rooming units are provided by the owner, for permanent occupancy and compensation, to persons not related by blood, marriage, or adoption to the owner.
RTM (Ready to Move) Home:	A new single detached dwelling constructed off-site to National Building Code or CSA-A277 standards to be moved onto a new permanent residential site building foundation.



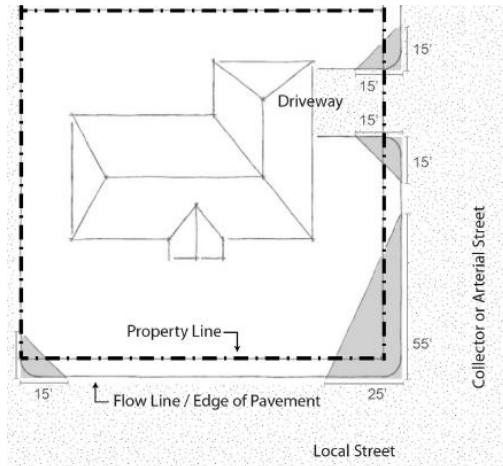
Safe Building Elevation:	The Safe Building Elevation (SBE) is the lowest permitted elevation of the top of any concrete pads, grade beams, piles or foundation walls. The SBE is determined from a site specific assessment conducted by a qualified professional engineer or the Water Security Agency.
Satellite Dish:	A parabolic antenna utilized for the reception of satellite transmitted television or radio waves.
Service Station:	A building, which is a principal use or a structure which is an accessory use, where gasoline or other motor fuels are kept for sale and delivery directly into a motor vehicle. If the service station is a principal use on the site, it may also include the servicing and repairing of motor vehicles.
Setback:	The distance required to obtain the front yard, rear yard or side yard provisions of this Bylaw.



Shipping Container:	An article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation. It includes but is not limited to intermodal shipping containers, body of transport trailer or strait truck box but
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does not include a motor vehicle.

Site Triangle: The area at the intersection of two streets, the intersection of a driveway and a street, or the intersection of an alley and a street. In this triangular area, a clear zone must be maintained to minimize obstructions to view. This can affect the permitted height and location for improvements such as fences, buildings, landscaping or signs.



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

Sign, Billboard: A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the site on which the sign is located.

Sign, Construction: A temporary sign erected by a person or company on the premises undergoing construction, identifying pending development and information relating to construction process, labour services, materials or financing, name of building, as well as the owner and participants in the development project, but not including the advertisement of any products.

Sign, Directional: Any sign:

- Displaying safety or warning messages;
- Directing traffic or providing parking directions; and
- Giving instructions, directions or orders to persons making use of premises.

Sign, Face: The entire area of a sign on which a copy could be placed. In the case of multi-faced signs, each facial side of the sign shall be included in determining the total sign surface area. In the case of a painted wall sign the smallest geometric figure which describes the area enclosed by the sign face.

Sign, Free Standing: A sign structurally supported by one or more up-rights or braces placed in the ground and not attached to any building.

Sign, Identification: A sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or in the institution, or the occupation of the occupant.

Sign, Mobile:	A free-standing sign which is capable of being relocated and which may have lettering that can be changed manually, but does not include vehicles and trailers not originally designed as a sign, but which have been converted or used for that purpose.
Sign, Real Estate:	A temporary sign that advertises for sale, rent, or lease the land, property or premises on which the sign is displayed.
Sign, Temporary:	A sign advertising a message applicable for a defined period of time and not exceeding 6 months.
Sign, Wall:	A sign attached to or painted on the wall of a building or structure or its fascia in such a manner that the wall is the supporting structure for or forms the background surface of the sign and which does not project more than 0.5 metres (1.64 feet) from such building or structure.
Site:	One (1) or more contiguous lots under one ownership and used, or intended to be used, by a single principal use or principal building.
Site Coverage:	The percentage of the site area covered by all the buildings above the ground level including decks, patios, swimming pools and other similar accessory uses.
Site Line, Front:	The boundary that divides the site from the street, in the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site.
Site Line, Rear:	The boundary at the rear of the site and opposite the front site line.
Site Line, Side:	A site boundary other than a front or rear site line.
Site Plan:	A plan showing the location of existing and proposed buildings on a site in relationship to the site lines.
Small Wind Energy System:	Any wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and is intended to provide electrical power for use on-site (either behind the metre or off-grid) and is not intended or used to produce power for resale.
Solar Energy System:	Any solar collector panel, film, shingle, or other solar energy device or solar structural component mounted on a building or on the ground and including other appurtenant structures and facilities, whose primary purpose is to provide for the collection, storage, and distribution of solar, or radiant, energy received from the sun to provide electrical power for use on-site (either behind the metre or off-grid).
Special Care Home:	A facility licensed pursuant to The Regional Health Services Act which provides full-time convalescent or chronic care to persons who, by reason of advanced age, chronic illness or infirmity are unable to care for themselves, including nursing homes.
Street:	A public thoroughfare which affords the principal means of access to the abutting property.
Structural Alteration:	The construction or reconstruction of supporting elements of a building or other structure.
Structure:	Anything that is built, constructed or erected, located on the ground, or attached to something located on or in the ground.
Town:	Town of Churchbridge

Units of Measure:	Metric abbreviated as follows: <ul style="list-style-type: none">○ m metre(s)○ m² square metre(s)○ km kilometre(s)○ ha hectare(s)
Use:	The activity or purpose for which any land, building, structure, premises or part thereof is arranged, designed, intended, occupied or maintained.
Wind Turbine:	The individual component of a wind energy conversion system that converts kinetic energy from the wind into electrical energy, independent of the electrical conductors, electrical storage system, electrical metering or electrical inverters.
Yard:	Any part of a lot unoccupied and unobstructed by any principal building.
Yard, Front:	A yard extending across the full width of a lot between the front lot line and the nearest main wall of the principal building or structure on the lot.
Yard, Rear:	A yard extending across the full width of the lot between the rear lot line and the nearest main wall of the principal building or structure on the lot.
Yard, Required:	The minimum size of a front, side or rear yard required under this bylaw.
Yard, Side:	A yard extending from the front yard to the rear yard between the side lot line and the nearest wall exclusive of the eaves of the principal building on the lot.
Zoning District:	A specifically delineated area of the municipality within which certain uniform requirements and regulations, various combinations thereof, govern the use, placement, spacing and size of land or structures.

3 Administration

3.1 Development Officer

3.1.1 The Administrator of the Town, including any person acting under the authority, direction, and with the consent of the Administrator, shall be the Development Officer responsible for the administration of this Bylaw.

3.1.2 The Development Officer shall:

- a) Receive, record, and review development permit applications and issue decisions in consultation with Council involving subdivision, discretionary uses, minor variances and development and servicing agreements;
- b) Maintain, for inspection by the public during office hours, a copy of the Official Community Plan and Future Land Use Map, this Bylaw, Zoning Map and amendments, and ensure that copies are available to the public at a reasonable cost;
- c) Make available, for public inspection during office hours, a register of all development permits and subdivision applications and decisions;
- d) Collect development fees, according to the Town's Planning & Development Fees Bylaw; and
- e) Perform other duties as determined by Council.

3.1.3 Where an application for a development permit is made for a permitted or accessory use in conformity with this Bylaw, *The Planning and Development Act, 2007* and all other municipal bylaws, the Council shall hereby direct the Development Officer to issue a development permit.

3.2 Council

3.2.1 Council shall make all decisions regarding discretionary uses, minor variances, development and servicing agreements, and Zoning Bylaw amendments.

3.2.2 Council shall make a recommendation regarding all subdivision applications circulated to it by the Saskatchewan Ministry of Government Relations, prior to a decision being made by the Minister.

3.2.3 Council shall act on discretionary use, rezoning, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the Official Community Plan.

3.3 Development Permit

- 3.3.1 Except as provided in Section 3.6 no person shall undertake a development or commence a use unless they obtain a development permit. No development permit is valid unless it conforms to the Zoning Bylaw.
- 3.3.2 A building permit shall not be issued unless a development permit, where required, has also been issued.
- 3.3.3 A development permit is valid for a period of twelve months. If the development has not commenced within twelve (12) months, the permit is deemed void unless an extension has been granted prior to its expiry. Once a development has been started, it shall be completed within twelve (12) months unless an extension has been granted by the Town.
- 3.3.4 No new development application will be considered on lots or parcels of land where there is a pending development application or a decision that has yet to be ruled on by the Council or an appeal board.

3.4 Development Permit Procedure

- 3.4.1 An application for a Development Permit shall be made in writing to the Development Officer in the form prescribed by Council.
- 3.4.2 The completed development permit application shall include, where applicable:
 - a) A description of the intended use or proposed development including any change in building use or land use change;
 - b) Legal land description;
 - c) The signature of the applicant and the registered landowner(s);
 - d) A copy of the Certificate of Title;
 - e) Estimated commencement and completion dates;
 - f) Floor plans and elevations of the proposed development (which will be kept at the Town office for future reference);
 - g) Real Property Surveyor's Report at the cost of the applicant/developer;

- h) An attached site plan which shall include:
 - 1) All adjacent roads, highways, service roads and access to the site (label on site plan);
 - 2) Rights-of-ways and easements (gas, oil, power, drainage easements, etc.);
 - 3) All drainage courses;
 - 4) Location of proposed development;
 - 5) Existing development on the site;
 - 6) Landscaping details (existing trees, removal of trees, proposed plantings, berming, water features, etc.);
 - 7) Setbacks to property line, road and services;
 - 8) Top of bank and water;
 - 9) Existing and proposed services;
 - 10) Location of well or cistern;
 - 11) Method and location of sewage disposal;
 - 12) Sign location and details like artwork, colors, size, lights, etc.;
 - 13) Parking and loading facilities;
 - 14) Sidewalks, patios, playgrounds;
 - 15) North arrow.
- i) Any additional information deemed necessary by Council or the Development Officer and needed to assess the application.

3.4.3 Where an application for a Development Permit is made for a permitted use, the Development Officer shall issue a permit where the development is in conformity with this Bylaw and refuse the permit where the development is not in conformity with this Bylaw.

3.4.4 Where an application for a Development Permit is made for a discretionary use, the Development Officer shall:

- a) Review the application for completeness;
- b) Review the application for conformance with the Official Community Plan and this Bylaw and any other applicable policies and regulations;

- c) Refer the application when necessary;
- d) Prepare a report including recommendations for conditions that may be applied to an approval;
- e) Set a date for the meeting at which the application will be considered by Council;
- f) Provide notice for at least seven (7) days prior to the application being considered by Council to the assessed owners of property within 75 metres (246 feet) of the boundary with the applicant land; then
- g) Present the application to Council for a decision.

3.4.5 Council may approve the discretionary use application with or without conditions or refuse the application.

3.4.6 The applicant of any Development Permit (discretionary or permitted use) shall be notified of the decision by regular mail addressed to the applicant at the address shown on the application form and notice of any right to appeal.

3.4.7 The notice of decision shall specify any standards or conditions, as allowed for in this Bylaw.

3.4.8 The Development Officer shall forward a copy of all approved Development Permit applications involving the installation of water and sanitary services to the local office of the Department of Health.

3.5 Limitations On Discretionary Uses

3.5.1 Where the application is for a discretionary use the applicant shall, in addition, provide a written description of the proposed development, describing the intended use and operations, structures to be located on the site, required municipal services, and any other information that Council determines is necessary to fully review the proposed development.

3.5.2 Validity of Discretionary Use Approvals

A new discretionary use approval is required from Council where Council has previously approved a discretionary use, or a specific discretionary intensity of use, and:

- a) The use ceased and was replaced by another use;
- b) The use ceases for a twelve (12) month period;
- c) The use is not started within twelve (12) months of the date that the development permit was issued; or

- d) The applicant applies to increase the specifically approved intensity of use.

3.5.3 Time Limited Discretionary Uses

- a) Where Council has approved a discretionary use for a limited time as provided in the Bylaw, and that time has expired, that use of land or use of buildings on that property shall cease until such time as Council gives a new discretionary use approval and a new development permit is issued.

3.6 Development Not Requiring a Permit

3.6.1 A development permit is not required for the following, provided that all other provisions and regulations of the Bylaw are conformed to:

- a) The maintenance and construction/installation of a public utility by the Town or crown corporation;
- b) A municipal facility/building/structure installed and operated by the Town;
- c) Maintenance and repairs that do not include structural alterations;
- d) The installation of fences;
- e) Accessory buildings under 10 square metres (107 square feet);
- f) Signs in residential districts which conform to Part(a) and (b) of Section (4.18.1);
- g) Swimming pools which conform to Section 4.21.1.
- h) Internal alterations to a residential building, provided that such alterations do not result in a change of use or increased square footage; or
- i) Internal alterations and maintenance to other buildings, including mechanical or electrical work provided that the use, or intensity of use of the building, does not change.

3.7 Referrals

3.7.1 The Development Officer may refer permitted use development permit applications to Council for review and comment.

3.7.2 Prior to making a decision on any application, the Development Officer may refer the application to any internal or external departments for review and comment. Conditions may be attached to a development based on any internal or external departments comments.

3.7.3 Council shall make all decisions with regards to discretionary uses, minor variances, development and

servicing agreements and bylaw amendments in accordance with the procedures established in *The Planning and Development Act, 2007* and in accordance with the Official Community Plan and this Bylaw.

- 3.7.4 Where deemed necessary by the Town, an application for a development permit may be required to undertake additional public consultation and professional studies/reports prior to the provision of a development permit.

3.8 Servicing Agreements and Development Levies

- 3.8.1 Council may require a subdivision applicant to enter into a servicing agreement or development permit applicant to enter into a development agreement to ensure conformity with the Official Community Plan and Zoning Bylaw and to ensure adequate funding for onsite and offsite infrastructure development as allowed for in *The Planning and Development Act, 2007*.
- 3.8.2 Council will create and adopt a development levy bylaw to provide guidance when entering into development agreements.
- 3.8.3 Council may require the applicant to post and maintain a performance bond, irrevocable letter of credit or similar legal mechanism to ensure performance and to protect the public interest.
- 3.8.4 Council will require the applicant to provide and maintain liability insurance to protect the applicant, Town and the public.
- 3.8.5 Council will ensure there is adequate municipal infrastructure and other public facilities prior to entering into the agreement with the applicant, which may include sewage disposal, garbage disposal, availability and adequacy of source of water, recreational facilities, etc.

3.9 Development Appeals Board

3.9.1 Authority

- a) A Development Appeals Board of the Town shall be appointed in accordance with Section 213 to 227 of the Act.
- b) The Development Appeal Board has the powers given by the Act to allow variances to the standards of this Bylaw, including standards and conditions as specified for a permitted use or a discretionary use.
- c) Nothing in this section allows a Development Appeal Board to vary a refusal to grant a use or an appeal for a use or intensity of use not permitted in a zoning district.
- d) Nothing in this section allows a Development Appeal Board to vary a refusal by Council to approve a discretionary use or intensity of a discretionary use provided for in the Bylaw for a zoning district.

- 3.9.2 *The Planning and Development Act, 2007* provides the right to appeal a decision made in respect of the Zoning

Bylaw in accordance with the following:

- a) Where an application for a permitted use has been refused;
- b) Where an application for a discretionary use has been approved with conditions or standards the conditions or standards may be appealed;
- c) Where an application for a minor variance has been approved with or without conditions or refused;
- d) Where an order has been issued to repair or correct contraventions under a Nuisance Bylaw, Property Maintenance Bylaw and/or Zoning Bylaw adopted under *The Municipalities Act* (Sections 364 and 365) or *The Planning and Development Act, 2007* (Section 242).

3.9.3 A person who wishes to appeal to the Development Appeal Board shall within thirty (30) days of a Development Officer's decision on a development permit, or issuance of an order, file a written notice of intention to appeal and the appeal fee with the secretary of the Board.

3.9.4 An application for a development permit for a permitted use shall be deemed to be refused when the Development Officer has not issued a decision more than forty (40) days from the date the application was received by the Development Officer in its complete and final form. An appeal may then be made as though the application had been refused at the end of forty (40) days.

3.10 Fees and Advertising

3.10.1 Where a person requests Council to amend the Official Community Plan, Zoning Bylaw, or other planning bylaw, that person shall pay to the Town a fee equal to the costs associated with the public advertisement of the proposed amendment, pursuant to the requirements of the Act. Council also may require the applicant to pay all costs incurred in a professional review of the application and in carrying out a public hearing.

3.10.2 The following provisions apply to the advertisement of a discretionary use application:

- a) The Development Officer shall advertise the proposed discretionary use by posting a notice of the application conspicuously on the front of the property in question, and by mailing or delivering a copy of the notice to the assessed owner of each property within 75 metres of the subject property.

- b) In addition to the requirements specified in clause (a), the Development Officer shall publish a notice in a newspaper that is circulated in the Town.
- c) The notice shall describe the use applied for, describe the location of the use, and specify the date, time, and location of the Council meeting at which the application will be considered.
- d) The notice shall be posted, delivered, and published at least seven days, and mailed at least twelve days, prior to the date of the meeting.
- e) The applicant shall pay a fee equal to the costs to the Town associated with the public advertisement.

3.10.3 An applicant for a development permit shall pay an application processing fee in accordance with the Town's Planning & Development Fees Bylaw.

3.11 Non-Conforming Uses, Buildings and Sites

3.11.1 Non-conforming uses, non-conforming buildings and non-conforming sites shall be subject to Sections 88- 93 inclusive of the Act.

3.11.2 No existing building, site or use shall be deemed to be non-conforming by reason only of the conversion from the Imperial System of Measurement to the International System of Units (S.I.) where such nonconformity results solely from such conversion and is reasonably equivalent to the S.I. standard herein established. Where a building was constructed or a site created under a bylaw using the Imperial System of Measurement, a standard under that bylaw that was converted and rounded to an approximate metric measure in a subsequent bylaw, shall be deemed equivalent for the purpose of regulation of that site or building.

3.12 Minor Variances

3.12.1 An application for a minor variance shall be made to the Development Officer for a minor variance to the Zoning Bylaw in a form as prescribed by the Development Officer.

3.12.2 The Development Officer shall forward the application for minor variance to Council and maintain a register of all minor variance applications.

3.12.3 Council may vary the requirements of the Zoning Bylaw subject to the following conditions:

- a) A minor variance may be granted for a variation in:
 - 1) The minimum required distance of a building from the site line; or
 - 2) The minimum required distance of a building to any other building on the site.
- b) The maximum amount of minor variance shall not exceed a 10% variation of the bylaw requirements of the Zoning Bylaw.
- c) The development shall conform to the Zoning Bylaw with respect to the use of the land.
- d) The relaxation of the Zoning Bylaw shall not injuriously affect neighbouring properties.

3.12.4 No minor variance is allowed in connection with an agreement on rezoning entered into pursuant to this Bylaw.

3.12.5 A minor variance must conform to any applicable provincial land use policies or statements of provincial interest, adopted pursuant to the Act.

3.12.6 On receipt of an application for a minor variance, Council may:

- a) Approve the minor variance;
- b) Approve the minor variance and impose terms and conditions on the approval; or
- c) Refuse the minor variance.

3.12.7 Where Council imposes terms and conditions on an approval, the terms and conditions shall be consistent with:

- a) Minimizing adverse impacts on neighbouring properties, including any potential change in fire rating requirements;
- b) Providing adequate separation between buildings for safety reasons; and
- c) Avoiding encroachment into adjoining property, by reduction of allowable projects or other potential encroachments.

3.12.8 Where an application for a minor variance is refused, the Development Officer shall notify the applicant in writing of the refusal and provide reasons for the refusal.

3.12.9 Where an application for a minor variance is approved, with or without terms and conditions being imposed, the Development Officer shall provide written notice to

the applicant and to the assessed owners of property having a common boundary with the land that is the subject of the application.

3.12.10 The written notice required shall:

- a) Contain a summary of the application for minor variance;
- b) Provide a reason for and an effective date of the decision;
- c) Indicate that an adjoining assessed owner may within twenty (20) days, lodge a written objection with the development officer; and
- d) Where there is an objection described in clause (c), advise the public that the applicant will be notified of the right of appeal to the Development Appeal Board.

3.12.11 The written notice required pursuant to Subsection (3.12.8) shall be delivered:

- a) By registered mail; or
- b) By personal service.

3.12.12 A decision approving a minor variance, with or without terms and conditions, does not take effect:

- a) In the case of a notice sent by registered mail, until twenty three (23) days from the date the notice was mailed; or
- b) In the case of a notice that is delivered by personal service, until twenty (20) days from the date the notice was served.

3.12.13 If an assessed owner of property having a common boundary with the land that is the subject of the application, objects in writing to the Town respecting the approval of the minor variance within the time period prescribed the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:

- a) Of the revocation of the approval; and
- b) Of the applicant's right to appeal the revocation to the Development Appeal Board within 30 days of receiving the notice.

3.12.14 If an application for a minor variance is refused, or approved with terms and conditions, the applicant may appeal to the Development Appeal Board within thirty (30) days of the date of that decision.

3.13 Enforcement, Offences and Penalties

3.13.1 Any person who violates this Bylaw is guilty of an offence and liable on summary conviction to the penalties of the Act.

3.13.2 Where the Development Officer has reasonable grounds to believe that development of property contravenes any provision of the Zoning Bylaw, the Development Officer may at a reasonable time, and with the consent of the owner, operator, or occupant, or having been refused consent, with a warrant, enter any land, building, or premises for the purpose of inspection.

3.13.3 Order by the Development Officer

- a) Where the Development Officer has determined that a violation of this Bylaw has occurred, the Development Officer may issue an order to correct the violation pursuant to Section 242 of the Act.
- b) The order shall specify the contravention, and may require the owner, operator, or occupant to do any or all of the following: discontinue the development, alter the development so as to remove the contravention, restore the land, building or premises to its condition immediately prior to the development or form of development, and complete the work necessary to comply fully with the Zoning Bylaw.
- c) The order shall specify the time when the actions required are to be complete and shall advise of the rights of appeal.
- d) The Development Officer may register an interest against the title of the property, based on the order, and shall discharge interest once the order is complied with.
- e) The Development Officer may apply to the Court of Queen's Bench to enforce the order.

3.14 Revocation of Decision

3.14.1 Where an approved development is not being developed in accordance with the provisions of this Bylaw, or with the standards and conditions specified in the development permit, Council may revoke or suspend the development permit. The development permit shall not be reissued or reinstated until all deficiencies have been corrected.

3.15 Development Permit Invalid

3.15.1 A development permit shall be automatically invalid and development shall cease, as the case may be:

- a) If the proposed development is not commenced within the period for which the permit is valid;

- b) If the proposed development is legally suspended, or discontinued, for a period of 6 months or more, unless otherwise indicated by Council or the Development Officer;
- c) When development is undertaken in contravention of this Bylaw, the development permit and specified development standards; and/or
- d) When a written appeal notice is received by the Development Appeals Board secretary regarding the development permit.

3.16 Cancellation

3.16.1 Council or the Development Officer may cancel a development permit, and when cancelled, development shall cease:

- a) Where the Development Officer or Council is satisfied that a development permit was issued based on false or mistaken information;
- b) Where new information is identified pertaining to environmental protection, flood potential, or slope instability; and/or
- c) When a developer requests a development permit modification.

3.17 Stop-Work

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

3.18 Interpretation

3.18.1 Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.

3.18.2 All Bylaw requirements shall be based on the stated metric units. The imperial units shown in this Bylaw shall be approximate guidelines only.

4 General Regulations

4.1 Licenses, Permits and Compliance with other Bylaws and Legislation

- 4.1.1 Nothing in this Bylaw shall exempt any person from complying with the requirements of any other municipal, provincial or federal regulation or bylaw and requirement of obtaining any license, permission, permit, authorization or approval required by such requirements or regulations. Where provisions in this Bylaw conflict with those of any other municipal or provincial requirement, the higher more stringent regulations shall prevail.

4.2 Number of Principal Buildings Permitted on a Lot

- 4.2.1 Not more than one principal use shall be established and not more than one principle building shall be placed on any one lot, with the exception of schools, hospitals, curling and skating rinks, community centres, approved commercial building groups or shopping centres, special care homes, personal care homes and approved dwelling groups.

4.3 Building to be Moved

- 4.3.1 No building, including, but not limited to any residential, commercial or industrial building, shall be moved within or into the area covered by this Bylaw without first obtaining a development permit, subject to the standards required for new construction, and to obtaining any other required municipal or provincial permit.

4.4 Demolition of Buildings

- 4.4.1 No building shall be demolished within the area covered by this Bylaw without obtaining a development permit. A development permit shall be granted where all requirements of the Building Bylaw are met and the building is not designated a heritage building which is not to be demolished.

4.5 Grading and Levelling of a Site

- 4.5.1 Unless specified otherwise, any site proposed for development requires a development permit and shall be graded and leveled at the owner's expense to provide

for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land and shall comply with the requirements of the Town respecting design and location of flow from the property.

- 4.5.2 All excavations or filling shall be revegetated immediately after other construction activities permit, with a suitable ground cover as may be necessary to prevent erosion.
- 4.5.3 Where excavation or filling is proposed for any development, development may be restricted. Council may require the developer to provide an impact assessment report carried out by a qualified professional prior to making a decision on the development permit application.
- 4.5.4 All vegetation and debris in the area to be regraded must be removed from the site prior to site grading and leveling.
- 4.5.5 All topsoil from an area that is to be regraded must be stripped, stockpiled, and replaced on the regraded area, or relocated and shall not encroach on municipal roads or property.

4.6 Restoration to a Safe Condition

- 4.6.1 Nothing in this Bylaw shall prevent the strengthening or restoration to a safe condition of any building or structure, provided that such strengthening or restoration will not increase the height, area or volume so as to contravene the provisions of this Bylaw.

4.7 Water Supply and waste Disposal

- 4.7.1 Subject to the Acts and Regulations administered by the Ministries responsible for Health and Environment, no liquid, solid or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto any land or into the air.
- 4.7.2 Where available, every residence, and every building containing washroom facilities shall be connected to the municipal sewer and water supply system at the owner's expense.

4.8 Hazard Lands

4.8.1 No development of new buildings including additions shall take place in the floodway of the 1:500 year flood elevation of any watercourse.

4.8.2 Flood proofing techniques shall be required for new buildings including additions in the flood fringe of the 1:500 year flood elevation of any watercourse.

4.8.3 Conditions for mitigating measures for development in the flood fringe shall include the following:

- a) Services to the development shall be designed to withstand flooding;
- b) Drainage areas shall be protected at all times;
- c) There shall be no development or opening elevations allowed below the known flood levels;
- d) Engineered flood proofing techniques may be applied as conditions to development permit applications;
- e) Requirements for professional reports to assess site suitability of the hazard land shall be as per the Official Community Plan; and
- f) Actions identified in any assessment prepared which prevent, change, mitigate or remedy hazards in lands deemed hazardous may be incorporated as conditions to issuance of any development permit that may be issued. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the adverse effects or will result in excessive municipal costs.

4.9 Municipal Facilities

4.9.1 Municipal offices, public works, facilities and buildings of the Town are permitted in any zoning district subject to the site regulations for public works in that zoning district. Signs erected by the Town are permitted in any location in the Town and may be of any appropriate size as determined by Council.

4.10 Satellite Dish, Solar and Small Wind Energy Systems for Personal Use

- 4.10.1 The installation and operation of a solar energy system and its supporting structure shall be a permitted accessory use in all Zoning Districts.
- 4.10.2 The installation and operation of satellite dishes 0.91 metres (3 feet) or smaller in diameter shall be permitted accessory use in all Zoning Districts. Satellite dishes larger than 0.91 metres (3 feet) in diameter will be at the discretion of Council.
- 4.10.3 The installation and operation of small wind energy systems will be at the discretion of Council.
- 4.10.4 The installation of a satellite dish, solar energy system and small wind energy systems will be subject to the following:
- a) It shall not encroach onto adjacent property lines or municipal roads;
 - b) It shall not be located in any front yard, side yard and in the case of a corner site, in any portion of the rear yard which is within 3 metres (9.84 feet) of the side property line adjacent to a flanking street unless it is screened from the flanking street to the satisfaction of the Development Officer;
 - c) Its height shall be at the discretion of the Development Officer and/or Council and shall be based on the material of the structure, surrounding uses, the consistency with the surrounding lots and the requirements of the structure to function accurately.

4.11 Day Care Centres and Pre-Schools

- 4.11.1 Day care centres and pre-schools and private in home day cares may be allowed in the Residential District as a home based business.

4.12 Multi Unit Dwellings

- 4.12.1 All multi-unit dwellings shall comply with the minimum site area and yard setbacks as stated in the residential district. However, Council may apply special development standards regarding “yard requirements” to reduce conflict with neighbouring uses. Council will consider the impacts and compatibility with surrounding adjacent land uses.
- 4.12.2 The use may include private open space and accessory buildings for the residents of the development which shall be subject to the yard requirements in the district in which it is located.
- 4.12.3 All principal buildings forming part of the group shall be located at least 3.5 metres (11.48 feet) from any other

principal building in the group.

4.13 Mobile and Modular Homes

- 4.13.1 Wherever a dwelling is allowed, it may be in the form of a modular home only where attached to a permanent foundation to the satisfaction of the Development Officer, prior to occupancy.
- 4.13.2 Mobile homes will be a discretionary use in the Residential District and will require a development permit; any additions or alterations will require a new development permit application.
- 4.13.3 Every mobile home shall bear CSA Z240 certification for mobile homes (or replacement thereof) and every modular home shall bear CSA A277 certification for modular homes (or replacement thereof).
- 4.13.4 All mobile and modular homes shall be securely anchored to the ground.
- 4.13.5 The undercarriage of all mobile and modular homes shall be completely screened from view by the foundation, skirting or other means that is of a manufactured or similar type to harmonize visually with the unit. This foundation or skirting shall permit the circulation of air beneath the unit.
- 4.13.6 All subsequent additions, accessory buildings and structures to a mobile shall equal or exceed the quality and appearance of the home and shall harmonize with the home's exterior.

4.14 Approaches/Driveways

- 4.14.1 All approaches and driveways to public roads require the approval of the Town.
- 4.14.2 The developer or landowner will be responsible for approaches and driveways.
- 4.14.3 All approaches and driveways shall not affect drainage patterns, traffic flow and sight lines.

4.15 Discretionary Uses

- 4.15.1 The following criteria must be considered in the review of discretionary use applications:

- a) The proposal must be in conformance with all relevant sections of the Official Community Plan and Zoning Bylaw;
- b) There must be a supply of land currently available in the area capable of accommodating the proposed use;
- c) The proposal must be capable of being economically serviced including roadways and other supportive utilities and community facilities;
- d) The proposal must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity;
- e) The proposal, including the nature of the proposed site, the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs, must be generally compatible with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the general area, including safeguards to prevent noise, glare, dust or odour from affecting nearby properties;
- f) The proposal must provide sufficient access and circulation for the vehicle traffic generated, as well as providing an adequate supply of on-site parking and loading spaces; and
- g) The proposal must provide sufficient landscaping and screening, and, where possible, shall preserve existing vegetation.

4.15.2 In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:

- h) Site drainage of storm water;
- i) The location of buildings with respect to buildings on adjacent properties;
- j) Access to as well as the number and location of parking and loading facilities;
- k) Appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
- l) Control of noise, glare, dust and odour; and
- m) Landscaping, screening and fencing to buffer adjacent properties.

4.16 Bed and Breakfast

4.16.1 Bed and breakfast homes shall be licensed by the Ministry of Health and shall have a fire safety inspection report issued prior to occupancy as a bed and breakfast home.

4.16.2 In issuing discretionary use approval for a bed and breakfast home, Council may specify the maximum

number and specific location in the dwelling of approved guest rooms. Any increase in number of guest rooms shall require a new discretionary use approval.

4.16.3 One off-street parking space shall be provided and available to the use of the guest for each guest bedroom in the bed and breakfast home, in addition to any off street parking used for the operator of the facility.

4.16.4 Signs for Bed and Breakfast home shall comply with Section 4.18 of this Bylaw

4.16.5 Council will consider applications with respect to the following criteria:

- a) The proposed structures are suitable and comfortable for the proposed development;
- b) There is adequate space on the site for the proposed facility;
- c) There are appropriate levels of access to the site and off street parking is available for the users of the facility and for the operator;
- d) The development will compliment adjacent residential uses; and
- e) Use as a bed and breakfast home will be considered an asset in the preservation of heritage buildings, where applicable.

4.17 Home Based Business

4.17.1 Home based businesses will be a discretionary use in the residential district and will require a development permit. Any change in use or expansion will require a new development permit application.

4.17.2 Home based businesses may be located in a dwelling used as the owner's residence, or in a building accessory to the dwelling.

4.17.3 A home based business shall clearly be secondary and ancillary to the use of a dwelling unit as a private residence.

4.17.4 A home based business shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property.

4.17.5 A home based business shall be conducted entirely within the dwelling or accessory building.

- 4.17.6 A home based business shall not create any conflict with residential area in terms of emission of noise, glare, dust, odour, radio interference, or disturbance between the hours of 10 p.m. and 7 a.m. that would be disruptive to the surrounding residential uses.
- 4.17.7 A home based business shall not require the parking of more than two client vehicles at any time. Off street parking shall be provided on site for any resident vehicles.
- 4.17.8 The home occupation shall not have any outdoor storage or materials, or exterior variation from the residential character of the residence or its accessory building.
- 4.17.9 Persons employed within the dwelling in the home based business shall be full time residents of the dwelling. Council may, in its approval, provide for up to two other persons employed by the home based business where such persons are employed to work off-site.
- 4.17.10 No more than 25% of the gross floor area of the principal building, and 50% of the gross floor area of an accessory building or site shall be used for the home based business.
- 4.17.11 A permit issued for home based businesses shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met. Where a permit is revoked, the use shall cease immediately.
- 4.17.12 The discretionary use approval for a home based business shall cease to be valid when the operation ceases or where the operator relocates to another site. A new discretionary use approval is required before the home based business may restart operation.
- 4.17.13 Signs for Home Based Businesses shall comply with Section 4.18.4 of this Bylaw.

4.18 Service Stations and Gas Bars

- 4.18.1 Fuel pumps and accessory equipment including any fuel sales kiosk on a pump island shall be located at least 6 metres (20 feet) from any street or other property

boundary.

- 4.18.2 All storage materials shall be kept within a building or screened to the satisfaction of Council.
- 4.18.3 All business shall be conducted and all goods stored completely within an enclosed building except as required in the servicing of motor vehicles while under the car and control of the vehicle operator.
- 4.18.4 The Development Officer may specify in the issuing of a development permit, as a special condition of the development permit, the location and design of access to the property and to the fuel pumps and service bays, to avoid conflict with traffic on abutting streets and lanes.

4.19 Signs

4.19.1 Development Permit

- a) A development permit is required for any sign except as follows:
 - 1) Official signs erected by a public agency for a public purpose;
 - 2) Real estate signs advertising the sale, lease, or rental of the real property on which it is located and related information;
 - 3) Temporary signs of less than 1 square metre (10.76 square feet) in surface area;
 - 4) Directional or safety signs bearing no advertising information;
 - 5) Address signs, name of building signs, and name of residential occupant signs all containing no advertising information;
 - 6) Election signs during the period of an election campaign, and seven (7) days thereafter;
 - 7) Temporary signs located inside a building window, exclusive of any electrified sign greater than 0.5 square metre (5.38 square feet) in area;
 - 8) Signs visible only from the interior of a building; and
 - 9) Construction signs, located on the site of the construction to which they refer.
- b) All signs, whether requiring a permit or not are subject to the sign regulations and size limits of the District in which they are located.

4.19.2 General Sign Regulations

- a) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.

- b) Official signs erected by a public agency for a public purpose shall be of a size and placed at a location appropriate to that public purpose and shall be exempt from any sign regulation of this Bylaw.
- c) Except as specifically provided for in this bylaw, all signs shall be located within the limits of the parcel on which they are located and shall not project over the site lines.
- d) Private signs shall not be placed on public rights of way, or attached to public utilities, or other public facilities, except where space is specifically rented by the Town for the purpose of advertising.
- e) A sign located in a street sight triangle or a driveway sight triangle shall be less than 0.75 m (2.46 ft.) above grade at its top or shall be at least 2.5 metres (8.2 feet) above grade at its lower edge, so as to not obstruct its view from and of a vehicle.
- f) No sign shall cover, obscure, or in any way detract from the visibility and function of an official sign or traffic control device.
- g) Real estate and construction signs shall be removed once the contract is completed and the property is occupied by the new owner, lessee or tenant.
- h) Billboard signs shall comply with provincial requirements.
- i) A permit for a temporary sign is valid for the period of the temporary event to which it refers or a period of two (2) months, whichever comes first. The sign shall be removed once the permit expires, unless a new permit is first obtained.
- j) In Commercial, Industrial and Urban Reserve Districts
 - 1) No more than two (2) permanent signs are permitted per principal use;
 - 2) The facial area of a sign may not exceed 3.5 square metres (37.67 square feet);
 - 3) A sign may be double faced;
 - 4) No sign shall exceed 6 metres (19.68 feet) in total height above the ground;
 - 5) Signs advertising the principal use or the principal products offered for sale on the premises are permitted;
 - 6) Illuminated signs shall have an internal light source or an external light source shielded so that the light is directed at the face of the sign;
 - 7) One sign per lot may project over the abutting sidewalk not closer, in horizontal distance, than 0.3 metres (1 foot) to the edge of the curb. Such signs shall have a clearance of not less than 2.5 metres (8.20 feet) above the sidewalk; and
 - 8) One (1) permanent free standing sign is permitted per 30 metres (98.42 feet) or part thereof of property frontage.
- k) In the Residential District

- 1) One (1) permanent sign is permitted per lot;
- 2) In the case of a home occupation, an additional permanent sign is permitted in a window of a dwelling; and
- 3) The facial area of a sign may not exceed 0.5 square metres (5.38 square feet).

4.19.3 Signs for Home Based Businesses

- a) Signs shall only be erected in the window of a dwelling/building for Home Based Businesses.
- b) The facial area of the sign shall not exceed 0.28 square metres (3 square feet).

4.20 Off-Street Parking and Loading

4.20.1 General Regulations

- a) No person within any District shall erect, enlarge, substantially alter, or extend any building permitted under this Bylaw, unless the required off-street parking and loading spaces are provided and maintained in connection with the development.
- b) When the intensity of use of any building or use is increased by the addition of dwelling units, floor area, seating capacity or other unit of measurement, that specifically affects the requirements for parking and loading facilities, the number of parking and loading spaces shall be increased by the additional number of spaces required by this Bylaw.
- c) Whenever the use of a building is changed, the parking and loading spaces shall be provided as required for the new use. However, if the building was erected prior to the effective date of this Bylaw, additional parking and loading spaces are required only by the number of spaces that the requirements for the new use exceed those of the existing use.
- d) Any conforming or legal non-conforming building, which is in existence on the effective date of this Bylaw, that is damaged to the extent of 75% or more of its value, upon re-establishment shall provide off-street parking and loading facilities in accordance with this Bylaw.
- e) Driveways must be directly connected to the main municipal street/road to ensure off street parking is on the primary street side and not alleyway.

4.20.2 Off-Street Parking

- a) Off-street parking shall be provided in accordance with the Table 1 Parking Schedule below. Except where specifically noted, all floor areas represent gross floor areas. One space is required for each rate unit or part of a unit. For shopping centres the rate required applies to the entire shopping centre including restaurants or offices.
- b) Off-street parking spaces shall be provided on the site of the principal use to which the parking pertains to in the Residential District.
- c) Required off-street parking spaces in the Commercial Districts may be located on a separate site that is within a convenient walking distance to a maximum of 150 metres (492.13 feet) of the principal building or use, provided such spaces are located within a commercial or industrial district.
- d) Where the necessary off-street parking space is provided on a parcel that is separate from the principal use, an agreement between the Town and the owner of the site on which the parking is to be located shall be recorded in the Town office. The agreement shall bind the owner and his heirs and successors to the use of the site for the purposes of off-street parking so long as the main use or building for which the parking is provided exists; and an interest based on the agreement shall be registered against the titles on behalf of the Town.

Table 1 – Parking Schedule

Zoning District	Land Use	Parking Spaces Required (minimum)
R – Residential	Residential	One (1) per dwelling unit
	Schools	One (1) per staff member plus three (3) per high school classroom
C1 – Central Commercial	Auditoriums, churches, and places of assembly	Three (3) per ten (10) seats provided for patrons
	Stores, shops, office	One (1) for each 18.5 square metre (199.13 square feet) of building floor area
	Restaurants & other eating places	One (1) for each four (4) seats
	Theatres, Churches, and other Public Places of Assembly	One (1) for each four (4) seats
	Hotels	One (1) for each two (2) guest sleeping room
	Dwellings	One (1) for each dwelling unit
	Motels	One (1) for each unit
	All other buildings	One (1) for each 27.5 square metre (296.01 square feet) of building floor area
	C2 – Highway Commercial	Restaurants & other eating places
Theatres, Churches, and other Public Places of Assembly		One (1) for each four (4) seats
Hotels		One (1) for each two (2) guest sleeping room
Dwellings		One (1) for each dwelling unit
Motels		One (1) for each unit
All other buildings		One (1) for each 27.5 square metre (296.01 square feet) of building floor area
I – Industrial	Restaurants & other eating places	One (1) for each four (4) seats
	All principal buildings	One (1) for each 27.5 square metres (296.01 square feet) of gross floor area, or one (1) for each of three (3) employees, whichever is greater

4.20.3 All off-street loading spaces shall be located on the site and be of a sufficient size so that materials and commodities can be easily loaded or unloaded without creating interference to vehicular traffic on a public roadway.

4.21 Fences and Hedges

4.21.1 Walls, fences, hedges or shrubs may be erected, placed, planted, maintained or grown in any required yard on

owner's property and shall be subject to the regulations identified herein unless otherwise specified.

4.21.2 Residential District

- a) Maximum height in any required yard except in a required front yard: 2 metres (6.56 feet)
- b) Maximum height in any required front yard
 - 1) Corner Lot: 1 metre (3.28 feet)
 - 2) Interior Lot: 1.3 metres (4.27 feet)
- c) Notwithstanding subsection 4.20.2.a.1, the maximum height in any front yard of a corner lot may be expanded to 1.3 metres (4.27 feet), if transparent materials are used (example: chain link).
- d) In case of a corner lot, no wall, fence, hedge or shrub shall be placed so as to create a visual obstruction in an established intersection sight triangle.

4.21.3 All Other Districts

- a) Maximum height: 2 metres (6.56 feet)
- b) In the case of a corner lot, no wall, fence, hedge, or shrub shall be placed so as to create a visual obstruction in an established sight triangle.

4.21.4 No hedge, fence or other structure shall be erected past any property line.

4.21.5 No barbed wire, or razor wire fences shall be allowed in any District.

4.22 Swimming Pools

4.22.1 Temporary swimming pools holding less than 1135 litres (300 gallons) or a depth of less than 1 meters (3.2 feet) are a permitted accessory use in the Residential District and do not require a development permit.

4.22.2 Permanent swimming pools or swimming pools with a capacity to hold 1135 litres (300 gallons) or more are a discretionary use in the Residential District and will be subject to the following:

- a) Side and rear yard setbacks shall be 1.2 metres (4 feet).
- b) The maximum height of such pool shall be 1.2 metres (4 feet) above the average finished grade level of the ground adjoining the pool.

- c) Any building or structure, other than a dwelling, required for changing clothing or for pumping or filtering facilities, or other similar accessory uses, shall comply with the provisions in the applicable District of this Bylaw, respecting accessory buildings.
- d) Every swimming pool shall be enclosed by a non-climbable fence of at least 1.8 metres (6 feet) in height and not more than 10 centimetres (3.9 inches) from the ground, and located at a distance of not less than 1.5 metres (5 feet) from the pool.
- e) Any deck attached to or abutting a swimming pool shall:
 - 1) Be considered as part of the swimming pool;
 - 2) Have a minimum side and rear yard of 1.2 metres (4 feet).

4.23 Garden/Granny Suites and Lofts

- 4.23.1 Suites in accessory buildings, lofts above garages or any other similar form of granny/garden suite are a discretionary use in the Residential District.
- 4.23.2 Building code and fire regulations shall be met and there must be access for emergency services.

4.24 Dog Exercise Areas/Runs

- 4.24.1 Dog exercise areas and runs shall be a permitted use in all districts.
- 4.24.2 All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building.
- 4.24.3 An exercise area shall at no time unduly interfere with the character of the neighbourhood or the general enjoyment of adjoining sites.
- 4.24.4 Where any person establishes a dog structure, enclosure, pen or run in which a dog or dogs are kept, such kennel, structure, enclosure, pen or run shall be kept in a clean and sanitary condition and free of refuse of any kind at all times so as to prevent odours and shall be kept free of flies or vermin at all times.

4.25 Campgrounds

- 4.25.1 The operator of a campground shall provide the Development Officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach or tent campsites with dimensions. The addition or rearrangement of

campsites, the construction or moving of buildings, and material change in use of portions of land, or the filling or clearing of land shall require a Development Permit, and the operator shall submit for approval an amended plan incorporating the development.

- 4.25.2 A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 metres (14.76 feet) and the buffer area shall contain no buildings.
- 4.25.3 The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 square metres (1614.59 square feet) in area with its corners clearly marked.
- 4.25.4 One (1) permanent sign located on site advertising the campground is permitted per site;
- 4.25.5 No portion of any campsite shall be located within a roadway or required buffer area.
- 4.25.6 Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- 4.25.7 Each trailer coach shall be located at least 3 metres (9.84 feet) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.
- 4.25.8 The space provided for roadways within a campground shall be at least 7.5 metres (24.61 feet) in width.
- 4.25.9 No portion of any campsite, other use or structure shall be located in any roadway.
- 4.25.10 A campground may include as ancillary uses a laundromat or a confectionery designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.
- 4.25.11 The Public Health Act shall be complied with in respect to all operations and development of the campground.

4.26 Accessory Building

- 4.26.1 Attached to Principal Building

Accessory buildings or structures attached to principal building by a substantial roof structure shall be considered as part of the principal building and shall be subject to the regulation for the principal building.

4.26.2 Doors to Lane

Accessory buildings with a door or doors opening onto a lane shall be located not less than 1.5 metres (4.92 feet) from the lot line abutting the lane.

4.26.3 Doors to Street

Accessory buildings with a door or doors opening into a street are not to be located in the front yard.

4.26.4 Side Lot Line

Accessory buildings shall be located not less than 1.2 metres (3.94 feet) from the side lot line.

4.26.5 Carport/Garage

Only one carport or private garage, not exceeding 60 square metres (645.84 square feet) in area shall be permitted unless otherwise permitted at Council's discretion.

4.26.6 Residential District

In the Residential District, no structure shall be located:

- a) In the required front yard;
- b) In the rear yard, less than 1.2 metres (3.94 feet) from side lot line; and
- c) Less than 1 metre (3.28 feet) from the lane.

4.27 Shipping Containers

4.27.1 No person shall park or store on any part of a site any unlicensed shipping container (rail or sea), semi-trailer with wheels, truck, bus or coach body for the purposes of advertising or warehousing within the Residential District.

4.27.2 Shipping containers may be used as a permitted accessory use in the Industrial, Downtown Commercial, Highway Commercial and Urban Reserve Districts.

4.27.3 Shipping containers may be used as an accessory use in the Residential District at the discretion of Council.

4.27.4 No shipping containers may exceed 3 metres (10 ft) in height, 2.46 metres (8 ft) in width and 12.5 metres (41 ft) in length;

- 4.27.5 Shipping containers shall be located in the side or rear yard only, they may not project beyond the front line of the primary building. In addition, the containers must comply with the rear and side yard setbacks as required;
- 4.27.6 The exterior of the shipping container must have a finish that matches or compliments the exterior finish of other buildings on the site;
- 4.27.7 The shipping containers must be kept in a clean, orderly manner, and placed on a level, secure surface;
- 4.27.8 Shipping containers are prohibited from being used as a dwelling;
- 4.27.9 Shipping containers may not be stacked and prohibited from storage of junk, trash, or other forms of refuse;
- 4.27.10 Shipping containers must comply with all provincial and national acts and regulations including the *National Building Code* and the *Uniform Building and Accessibility Standards Act*;
- 4.27.11 Shipping containers shall not block or obstruct any exits, windows, parking spaces, driveways, or access to public utilities and/or right of ways;
- 4.27.12 Notwithstanding Section 4.26.3, shipping containers may be temporarily placed in any District under the following circumstances:
 - a) During construction when the container is used solely for the storage of supplies and equipment that are used for the site, provided a building permit has been issued for the construction of the site; and
 - b) For the purpose of loading and unloading items associated with the principal use for a period of not more than 10 days. The Development Officer may grant one extension of up to 10 days for the extreme circumstances. All temporary shipping containers must be located a minimum of 1.2 metres (4 ft) from any property line.

4.28 Outdoor Storage

- 4.28.1 In the Residential District, only outdoor storage incidental to the principal use shall be permitted.
- 4.28.2 No outdoor storage shall be permitted in the required front yard of any lot, but this shall not limit the customary display of any goods permitted to be sold on the lot.
- 4.28.3 As a condition of development permit approval, special

standards for the location, setback or screening of any area devoted to outdoor storage may be required.

5 Zoning Districts

5.1 Classification of Zoning Districts

In order to carry out the purpose and provisions of this Bylaw, the municipality is divided into the following Zoning Districts and the boundaries of which are shown on the Zoning Bylaw Map. The Zoning Districts may be referred to by the appropriate symbols as hereinafter defined.

R	Residential District
C1	(Central) Commercial District
C2	(Highway) Commercial District
I	Industrial District
UR	Urban Reserve District

5.2 Zoning Bylaw Map

The map bearing the statement Zoning Bylaw Map adopted by the Town and signed by the Mayor and the Administrator under the seal of the municipality, shall be known as the Zoning Bylaw Map and such map forms part of this Bylaw.

5.3 Boundaries of Zoning Districts

- 5.3.1 The boundaries of the Districts referred to in this Bylaw, together with an explanatory legend are show on the map entitled Zoning Bylaw Map.
- 5.3.2 Unless otherwise shown, the boundaries of Zoning Districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the Town.
- 5.3.3 Where a boundary of a District crosses a parcel, the boundaries of the Districts shall be determined by the use of the scale shown on the map.
- 5.3.4 Where the boundary of a District is also a parcel boundary and the parcel boundary moves by the process of subdivision, the District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Bylaw.

6 Zoning District Schedules

6.1 R – Residential District

The purpose of this District is to provide for a mix of different densities of residential development and related uses.

6.1.1 Permitted Uses

- a) Residential uses
 - 1) Single detached dwelling
 - 2) Semi-detached and duplex dwelling
 - 3) RTM/Modular home
- b) Recreational and public uses
 - 1) Parks and playgrounds
 - 2) Public utilities (excluding offices, warehouses and storage yards)
 - 3) Municipal facilities
 - 4) Schools and educational institutions
 - 5) Hospitals
 - 6) Libraries
 - 7) Offices of federal, provincial and municipal government
 - 8) Special care homes
 - 9) Personal care homes
 - 10) Police stations
- c) Accessory uses that are secondary to the principal permitted use; including accessory buildings and structures that are lesser in size to the principal building.
- d) Dog exercise areas/runs
- e) Public parking on Lot 12 Block 25

6.1.2 Discretionary Uses

- a) Residential uses
 - 1) Multi unit dwellings

- 2) Mobile homes
 - 3) Home based business where ancillary to a dwelling
 - 4) Rooming houses
 - 5) Bed and breakfast
 - 6) Granny/garden suites
- b) Institutional uses
- 1) Places of worship and religious institutions
 - 2) Medical clinic
 - 3) Lodges, fraternal organization, social clubs, community centres
- c) Accessory uses
- 1) Buildings, structures or uses secondary to and located on the same lot with the discretionary use
 - 2) Additional carport or private garage
 - 3) Permanent swimming pools or swimming pools with a capacity to hold 1135 litres (300 gallons) or more
 - 4) Shipping containers

6.1.3 Regulations

- a) Site requirements
- 1) Residential

Single Detached / Mobile Home	
Lot area minimum	360 square metres (3875.01 square feet) with lane 475 square metres (5112.86 square feet) without lane
Lot frontage minimum	12 metres (39.37 square feet) with lane 15 metres (49.21 square feet) without lane
Front yard minimum	7.5 metres (24.61 feet) excepting Parcel J Plan 3604 and Blocks 13,34 and 35 Plan 83Y01582 where the front yard minimum will be 6 metres (19.66 feet) and in Lots 12-18 Block 8 Plan 82Y00451, where the front yard minimum shall be 4.5 metres (14.76 feet).
Rear yard minimum	6 metres (19.66 feet) single detached 5 metres (16.40 feet) mobile home
Side yard minimum	1.2 metres (3.94 feet)
Semi Detached / Duplex	
Lot area per unit minimum	255 square metres (2744.80 square feet) with lane 315 square metres (3390.63 square feet) without lane
Lot frontage minimum	8.5 metres (27.89 feet) with lane

	10.5 metres (34.45 feet) without lane
Front yard minimum	7.5 metres (24.61 feet) excepting Parcel J Plan 3604 and Blocks 13,34 and 35 Plan 83Y01582 where the front yard minimum will be 6 metres (19.66 feet)
Rear yard minimum	6 metres (19.66 feet)
Side yard minimum	1.2 metres (3.94 feet)
Multiple Unit/& Rooming House	
Lot area minimum	550 square metres (5920.15 square feet)
Lot frontage minimum	20 metres (65.62 feet)
Front yard minimum	7.5 metres (24.61 feet) excepting Parcel J Plan 3604 and Blocks 13,34 and 35 Plan 83Y01582 where the front yard minimum will be 6 metres (19.66 feet)
Rear yard minimum	7.5 metres (24.61 feet)
Side yard minimum	3.5 metres (11.48 feet) or 50% of the average wall height whichever is greater

2) Public or Institutional

Lot Area Minimum	455 square metres (1492.78 square feet)
Lot Frontage Minimum	15 metres
Front Yard Minimum	6 metres (feet)
Rear Yard Minimum	7.5 metres (24.61 feet)
Side Yard Minimum	3.5 metres (feet) or 50% of the average wall height whichever is greater

3) Recreational, Public Utilities and Municipal Facilities: None

6.1.4 Projections in Yards

The following projections in required yards are permitted subject to the setback or construction requirements of the *National Building Code*.

a) In Front Yards:

- 1) Maximum of 0.6 metres (1.96 feet) projection of cantilevered bay windows or bow windows, chimney chases, gutters, windowsills, canopies, eaves, or fire escapes.
- 2) Maximum of 1.8 metres (5.9 feet) projection from the main wall for open cantilevered balconies, open porches, decks or open stairs.
- 3) Wheelchair ramps to main floor level.
- 4) Fences less than 1 metre (3.28 feet) in height unless provided otherwise in this Bylaw.
- 5) Light standards, flagpoles, and permitted signs.

b) In Rear Yards:

- 1) Cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, windowsills, canopies, eaves, and fire escapes to a maximum projection of 1.5 metres (4.92 feet).

- 2) Unenclosed decks no higher than 0.6 metres (1.96 feet) balconies, porches, and steps to a maximum projection from the main wall of 3 metres (9.84 feet).
 - 3) A satellite dish, radio tower or television antenna where attached to a principal dwelling having a maximum projection of 0.6 metres (1.96 feet).
 - 4) Wheelchair ramps to main floor level.
 - 5) Fences less than 2 metres (6.56 feet) in height unless provided otherwise in this Bylaw.
- c) Side Yards:
- 1) Fire escapes, chimney chases, windowsills, belt courses, cornices, eaves, and gutters to a maximum projection of 0.6 metres (1.96 feet) or half of the required yard whichever is less.
 - 2) Walkways and steps less than 0.6 metres (1.96 feet) in height.
 - 3) Wheelchair ramps to main floor level.
 - 4) Fences not more than 2 metres (6.56 feet) in height unless provided otherwise in this Bylaw.
- d) Handrails are permitted in all yards for uncovered driveways or walkways.
- e) No side or front yard shall be used for outdoor storage.

6.1.5 Increased Site Coverage

- a) The total permitted site coverage may be increased for attached covered patios and decks or attached enclosed swimming pools by the percentage of the area covered by such patio, deck or swimming pool, but the total site coverage shall not exceed 55% unless specified otherwise by Council.

6.2 C1 – Downtown Commercial District

The purpose of this District is to regulate and encourage commercial development in the downtown core.

6.2.1 Permitted Uses

- a) Retail, commercial service, and office uses
 - 1) Banks, financial services, and business offices
 - 2) Bakeries with retail sales
 - 3) Broadcasting media and commercial communication studios and offices
 - 4) Bus terminals
 - 5) Cafes, restaurants including drive-in, lounges and licensed beverage rooms and other places for the sale and consumption of beer, wine and other spirits with or without food.
 - 6) Construction trades, artisans, and craft shop offices and workshops
 - 7) Government and professional service offices
 - 8) Medical, dental, and other health service offices and clinics
 - 9) Personal service establishments
 - 10) Printing and publishing offices, including related printing presses and equipment
 - 11) Retail stores
 - 12) Rental stores
 - 13) Travel agents
 - 14) Funeral homes
- b) Tourism, recreational, and cultural uses
 - 1) Art galleries
 - 2) Commercial entertainment establishments
 - 3) Libraries, cultural institutions
 - 4) Hotels, motels
 - 5) Museums
 - 6) Dance halls

- c) Transportation and vehicle services
 - 1) Gas bars with or without car washes
 - 2) Gas bars with or without confectionaries
- d) Institutional and public uses
 - 1) Community centres
 - 2) Day care centres
 - 3) Lodges, fraternal organizations, clubs
 - 4) Places of worship, religious institutions
 - 5) Public utilities
 - 6) Municipal facilities
- e) Accessory uses that are secondary to the principal permitted use; including accessory buildings and structures that are lesser in size to the principal building. This may include a dwelling unit attached to the principal building.
- f) Shipping containers
- g) Dog exercise areas/runs

6.2.2 Discretionary Uses

- a) Multiple unit dwellings
- b) Sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery
- c) Additional carport or private garage as an accessory use
- d) Accessory buildings, structures or uses related to a principal discretionary use

6.2.3 Regulations

- a) Site requirements for all permitted and discretionary uses other than public utilities and municipal facilities.

Lot area minimum	929 square metres- service stations 232 square metres all other uses
Lot frontage minimum	30 metres service stations 7.5 metres all other uses
Front yard minimum	7.5 metres service stations No requirements for all other uses
Rear yard minimum	No minimum except where the rear lot abuts any Residential District without an intervening street or

	lane, in which case a rear yard of at least 1.5 metres shall be provided
Side yard minimum	No minimum except where the rear lot abuts any Residential District without an intervening street or lane, in which case a side yard of at least 1.5 metres shall be provided

- b) Public Utilities and Municipal Facilities: None

6.2.4 Projections in Yards

- a) Projections into required minimum rear or side yards are permitted subject to the setback or construction requirements of the *National Building Code* where they consist of any of the following: eaves and gutters of 0.6 m or less, chimney chases, fire escapes, or steps, provided that any of the projections will not extend beyond the property line.
- b) Signs, as allowed pursuant to this Bylaw, are permitted in required yards.
- c) For gas bars and service stations an open canopy may extend over a portion of required yards provided the supports are not located in the required yards and the edge of the canopy is at least 0.6 m (1.96 ft.) from the property line.
- d) Sale or demonstration goods in the form of a building, whether temporary or permanent, shall comply with any yard requirements.
- e) Sale or demonstration goods, or signs, whether temporary, permanent, or mobile, shall not occupy a required parking stall, loading space or access aisle.

6.2.5 Construction Trades, Artisans, and Craft Shop Offices and Workshops

- a) All operations related to construction trades, artisans, and craft shop offices and workshops shall be conducted within an enclosed building.
- b) No exterior storage of materials, goods, or waste products is permitted, or shall be screened to suitable standards approved by Council or the Development Officer.

6.2.6 Transportation and Vehicle Sales and Services

- a) Service stations and gas bars shall comply with Section 4.18.
- b) Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery will be encouraged to locate on vacant land in the Commercial District.

6.2.7 Development Standards and Criteria for Multiple Unit Dwellings

- a) Multiple unit dwellings may be developed where located on a second or higher floor over office, retail, restaurant, cafe, and personal serve uses on the main floor.

- b) All dwelling units shall have an entrance separate from that of the commercial establishment. Dwelling units must be provided with a fire exit secondary to the required entrance.
- c) The parking required for the multiple unit dwelling is additional to parking for the commercial uses.
- d) Council will consider applications with respect to the following criteria:
 - 1) Inclusion of ground level commercial development in the proposal;
 - 2) Convenience of parking;
 - 3) Appropriate size and quality of proposed dwelling units.

6.2.8 Accessory Dwelling Units Attached to Stores or Commercial Establishments

- a) One accessory dwelling unit accessory to a retail or commercial use may be permitted where the unit is used for the operator of the business to which the dwelling unit is accessory.
- b) The accessory dwelling unit shall be located in the principle building.
- c) Accessory dwelling units shall have an entrance separate from that of the store or commercial establishment, and provided a fire exit secondary to the required entrance.

6.2.9 Mini Malls

- a) Council may consider a mini mall development where a major portion of an entire block is being proposed for development or redevelopment.
- b) Parking stalls for mini mall clients shall be accessible from the street by way of on-site access lanes and not directly from the street.

6.3 C2 – Highway Commercial District

The purpose of this District is to accommodate the orderly development of commercial establishments requiring medium to large lots and commercial development adjacent to highways.

6.3.1 Permitted Uses

- a) Retail, commercial service, and office uses
 - 1) Restaurants
 - 2) Veterinary hospitals and clinics
 - 3) Furniture and appliance sales and service
 - 4) Shops of plumbers, pipefitters, metal workers and other industrial tradespeople
 - 5) Lumber and building supply establishments
- b) Tourism, recreational, and cultural uses
 - 1) Commercial entertainment establishments
 - 2) Hotels, motels
- c) Transportation and vehicle sales and services
 - 1) Service stations with or without car washes
 - 2) Gas bars with or without confectionaries
 - 3) Sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery
 - 4) Auto body shops
- d) Institutional and public uses
 - 1) Community centres
 - 2) Lodges, fraternal organizations, clubs
 - 3) Public utilities
 - 4) Municipal facilities
- e) Accessory uses that are secondary to the principal permitted use; including accessory buildings and structures that are lesser in size to the principal building, but not including dwellings.
- f) Shipping containers

- g) Dog exercise areas/runs

6.3.2 Discretionary Uses

- a) Places of worship/religious institutions
- b) Campgrounds
- c) Additional carport or private garage as an accessory use
- d) Accessory dwelling units attached to stores or commercial establishments
- e) Accessory buildings, structures or uses related to a principal discretionary use
Sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery

6.3.3 Regulations

- a) Site requirements

- 1) Site requirements for all permitted and discretionary uses other than public utilities and municipal facilities.

Lot area minimum	1,115 square metres (12001.76 square feet)
Site frontage minimum	30 metres (98.43 feet)
Front yard minimum	7.5 metres (24.61 feet)
Rear yard minimum	6 metres (19.69 feet)
Side yard minimum	2.5 metres (8.20 feet)

- 2) Public Utilities and Municipal Facilities: None

6.3.4 Projections in Yards

- a) Projections into required minimum, rear or side yards are permitted subject to the setback or construction requirements of the *National Building Code* where they consist of any of the following: eaves and gutters of 0.6 metre (1.97 feet) or less, or chimney chases, fire escapes, or steps, provided that any of the projections will not extend beyond the property line.
- b) Signs, as allowed pursuant to this Bylaw, are permitted in required yards.
- c) For gas bars and service stations an open canopy may extend over a portion of required yards provided the supports are not located in the required yards and the edge of the canopy is at least 0.6 metre (1.97 feet) from the property line.
- d) Sale or demonstration goods in the form of a building, whether temporary or permanent, shall comply with any yard requirements.
- e) Sale or demonstration goods, or signs, whether temporary, permanent, or mobile, shall not occupy a required parking stall, loading space or access aisle.

6.3.5 Construction Trades

- a) All operations related to construction trades offices and workshops shall be conducted within an enclosed building.
- b) No exterior storage of materials, goods, or waste products is permitted, or shall be screened to suitable standards approved by Council or the Development Officer.

6.3.6 Lumber Yards and Building Supply Establishments

- a) No outside storage is permitted for a wholesale establishment or shall be screened to suitable standards approved by Council or the Development Officer.

6.3.7 Transportation and Vehicle Sales and Services

- a) Service stations and gas bars shall comply with Section 4.18.
- b) Establishments for the sale, storage and servicing of motor vehicles, recreational vehicles or trailers, or farm machinery will be encouraged to locate on vacant land in the Commercial District.

6.3.8 Accessory Dwelling Units Attached to Stores or Commercial Establishments

- a) One accessory dwelling unit accessory to a retail or commercial use may be considered by Council where the unit is used for the operator of the business to which the dwelling unit is accessory.
- b) The accessory dwelling unit shall be located in the principle building.
- c) Accessory dwelling units shall have an entrance separate from that of the store or commercial establishment, and provided a fire exit secondary to the required entrance.

6.3.9 Mini Malls

- c) Council may consider a mini mall development where a major portion of an entire block is being proposed for redevelopment.
- d) Parking stalls for mini mall clients shall be accessible from the street by way of on site access lanes, and not directly from the street.

6.4 I – Industrial District

The purpose of this District is to accommodate the development of industrial and service establishments including a reasonable level of outdoor storage, but which are not of an obnoxious, hazardous or offensive nature.

6.4.1 Permitted Uses

- a) Retail, commercial service, and office uses
 - 1) Establishments for the sale, storage and servicing of motor vehicles, trailers, machinery or equipment
 - 2) Veterinary hospitals and clinics
 - 3) Furniture and appliance sales and service
 - 4) Lumber yards and building supply establishments
 - 5) Grain elevators
 - 6) Shops of plumbers, pipefitters, metal workers and other industrial tradespeople
 - 7) Machine shops and welding shops
 - 8) Manufacturing establishments
- b) Transportation and vehicle sales and services
 - 1) Service stations with or without car washes
 - 2) Gas bars with or without confectionaries
 - 3) Establishments for the sale, storage, rental or servicing of motor vehicles, trailers, farm machinery, equipment and recreational vehicles
 - 4) Auto body shops
- c) Institutional and public uses
 - 1) Public utilities
 - 2) Municipal facilities
- d) Accessory uses that are secondary, subordinate and lesser in extent to the principal permitted use; including accessory buildings and structures that are secondary, subordinate and lesser in size to the principal building, but not including dwellings.
- e) Shipping containers
- f) Dog exercise areas/runs

6.4.2 Discretionary Uses

- a) Truck and freight terminals
- b) Cold storage and locker plants
- c) Bulk fertilizer sales subject to the appropriate provincial regulations
- d) Accessory buildings, structures or uses related to a principal discretionary use
- e) Additional carport or private garage as an accessory use

6.4.3 Regulations

- a) Site requirements

- 1) Commercial

Lot area minimum	1,115 square metres (12001.76 square feet)
Lot frontage minimum	30 metres (98.43 feet)
Front yard minimum	7.5 metres (24.61 feet)
Rear yard minimum	6 metres (19.69 feet)
Side yard minimum	3 metres (9.84 feet)

- 2) Public Utilities and Municipal Facilities: None

6.4.4 Projections in Yards

- a) Projections into required minimum, rear or side yards are permitted subject to the setback or construction requirements of the *National Building Code* where they consist of any of the following: eaves and gutters of 0.6 metre (1.97 feet) or less, chimney chases, fire escapes, or steps, provided that any of the projections will not extend beyond the property line.
- b) Signs, as allowed pursuant to this Bylaw, are permitted in required yards.
- c) For gas bars and service stations an open canopy may extend over a portion of required yards provided the supports are not located in the required yards and the edge of the canopy is at least 0.6 metre (1.97 feet) from the property line.
- d) Sale or demonstration goods in the form of a building, whether temporary or permanent, shall comply with any yard requirements.
- e) Sale or demonstration goods, or signs, whether temporary, permanent, or mobile, shall not occupy a required parking stall, loading space or access aisle.

6.4.5 Lumber Yards and Building Supply Establishments

- b) No outside storage is permitted for a wholesale establishment or shall be screened to suitable standards approved by Council or the Development Officer.

6.4.6 Transportation and Vehicle Sales and Services

- a) Service stations and gas bars shall comply with Section 4.18.

6.5 UR – Urban Reserve District

The purpose of this District is to reserve land that has not yet been subdivided and/or undeveloped lands within the Town for future urban development.

6.5.1 Permitted Uses

- a) Agricultural uses which includes cropping but does not include grazing, intensive livestock or poultry operations.
- b) Public utilities (excluding offices, warehouses and storage yards)
- c) Shipping containers
- d) Dog exercise areas/runs
- e) Accessory uses that are secondary to the principal permitted use; including accessory buildings and structures that are lesser in size to the principal building, but not including dwellings.

6.5.2 Discretionary Uses

- a) Veterinary hospitals and clinics
- b) Cemeteries
- c) Places of worship
- d) Sanitary landfill areas
- e) Radio and television buildings, transmitters and other similar communication uses
- f) Recreational uses including community centres, curling rinks, skating rinks, parks, golf courses, sports field
- g) Campgrounds
- h) Additional carport or private garage as an accessory use
- i) Accessory buildings, structures or uses secondary and subordinate to, and located on the same lot with the principal discretionary use.

6.5.3 Regulations

- a) Site requirements
 - 1) Minimum lot area
 - Agriculture sites: 8 Hectares
 - 2) Public utilities and municipal facilities: none

7 *Schedule B - Zoning Bylaw Map*