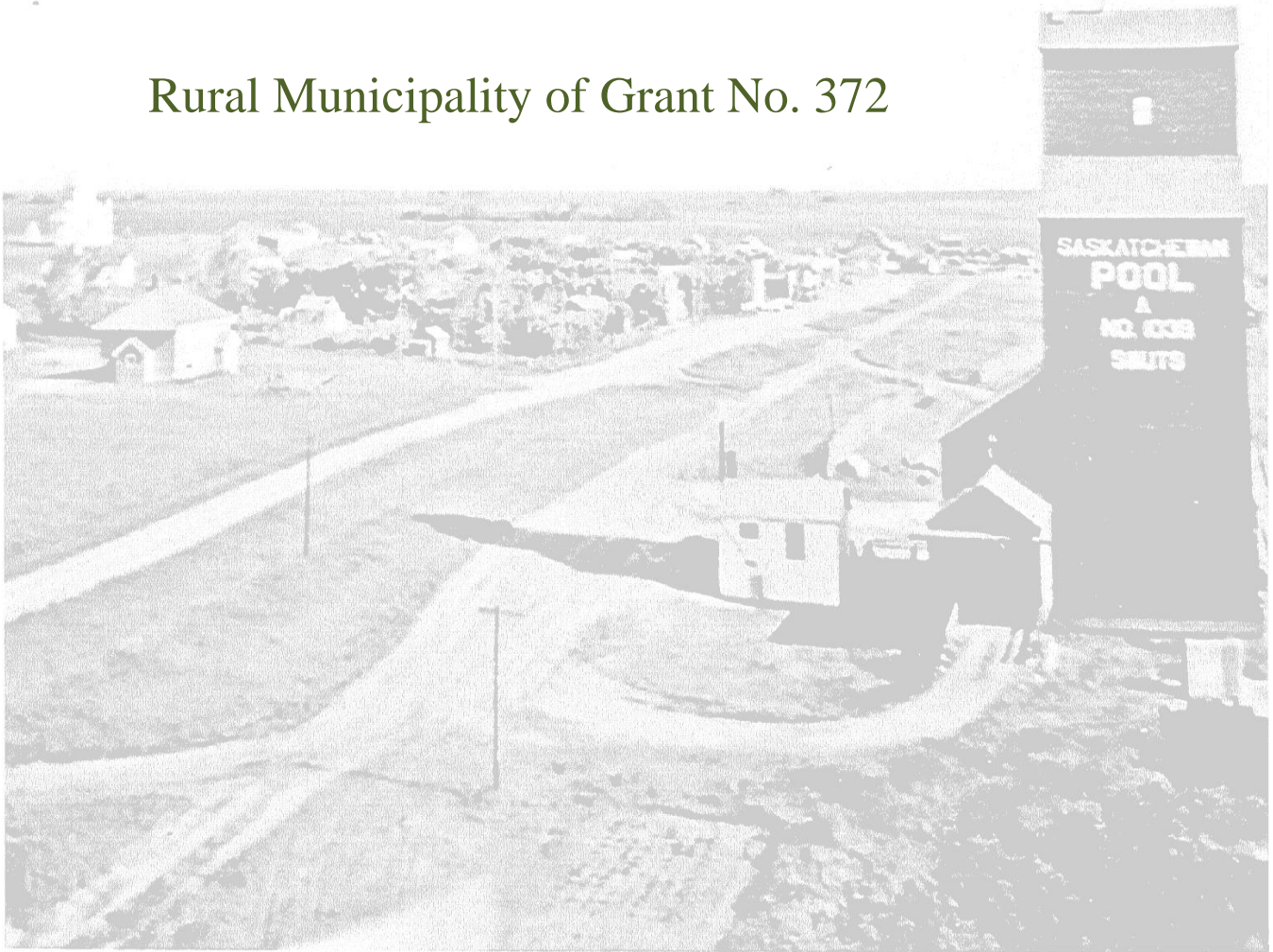


# Zoning Bylaw 2013

Rural Municipality of Grant No. 372



Prepared by:





**The Rural Municipality of Grant No. 372**  
**Bylaw No. \_\_\_\_\_**

A Bylaw of the Rural Municipality of Grant No. 372 to adopt a Zoning Bylaw.

The Council of the Rural Municipality of Grant, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Rural Municipality of Grant hereby adopts the Rural Municipality of Grant Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Reeve and Rural Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No.4-81, the Zoning Bylaw, and all amendments thereto, are hereby repealed.
- (4) Bylaw No. 7-2010, Controlling and Keeping of Livestock, Animals and Birds in Non-agricultural Areas, is hereby repealed.
- (5) This Bylaw shall come into force on the date of final approval by the Minister of Municipal Affairs.

Read a First Time the \_\_\_\_\_ day of \_\_\_\_\_,

Read a Second Time the \_\_\_\_\_ day of \_\_\_\_\_,

Read a Third Time the \_\_\_\_\_ day of \_\_\_\_\_,

Adoption of this Bylaw this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
(Reeve) (SEAL)

\_\_\_\_\_  
(Rural Municipality Administrator)

Certified a True Copy of the Bylaw adopted by Resolution of Council on the \_\_\_\_\_ day of \_\_\_\_\_,  
of the year \_\_\_\_\_

\_\_\_\_\_  
(Signature) (Date)



**ZONING BYLAW**

Being Schedule "A" to Bylaw No. \_\_\_\_\_  
Rural Municipality of Grant No. 372

\_\_\_\_\_  
(Reeve)

\_\_\_\_\_  
(Rural Municipality Administrator)



## TABLE OF CONTENTS

|  | <u>PAGE</u> |
|--|-------------|
| <b>Part 1 INTRODUCTION</b>   | <b>9</b>    |
| 1.1 Title  | 9           |
| 1.2 Scope  | 9           |
| 1.3 Severability   | 9           |
| <b>Part 2 ADMINISTRATION</b>   | <b>11</b>   |
| 2.1 Development Officer  | 11          |
| 2.2 Application for a Development Permit                             | 11          |
| 2.3 Referral of Development Permit Application                       | 13          |
| 2.4 Issuing Permits  | 13          |
| 2.5 Building Permits, Licenses and Compliance with other Bylaws      | 14          |
| 2.6 Appeals  | 14          |
| 2.7 Amending the Zoning Bylaw  | 16          |
| 2.8 Zoning Agreements  | 16          |
| 2.9 Servicing Agreements and Development Levies                      | 17          |
| 2.10 Fees and Advertising  | 17          |
| 2.11 Offences and Penalties  | 17          |
| 2.12 Minor Variances   | 17          |
| <b>Part 3 GENERAL REGULATIONS</b>                                    | <b>19</b>   |
| 3.1 Environmental Management and Hazard Lands                        | 19          |
| 3.2 Number of Principal Buildings and Uses on a Site                 | 20          |
| 3.3 Mobile and Modular Homes   | 20          |
| 3.4 Non-conforming Uses, Site and Buildings                          | 20          |
| 3.5 Signs and Billboards   | 21          |
| 3.6 Storage of Vehicles  | 22          |
| 3.7 Public Utilities, Pipelines and Facilities of the Municipality   | 22          |
| 3.8 Waste Disposal Facilities  | 22          |
| 3.9 Manure Application   | 23          |
| 3.10 Home Based Businesses   | 23          |
| 3.11 Kennel  | 24          |
| 3.12 Bed and Breakfast and Vacation Farm Operations                  | 24          |
| 3.13 Camping Facilities  | 25          |
| 3.14 Intensive Livestock Operations (ILO's)                          | 26          |
| 3.15 Gravel Pits and Gravel Crushing/Aggregate Extraction Operations | 29          |

|               |   |           |
|---------------|---|-----------|
| 3.16          | Dwelling Groups   | 30        |
| 3.17          | Livestock, Animals and Birds                                    | 30        |
| 3.18          | Water   | 31        |
| 3.19          | Storage of Chemical, Fertilizers and Combustible Materials      | 31        |
| 3.20          | Waste Disposal  | 31        |
| <b>Part 4</b> | <b>ZONING DISTRICTS</b>   | <b>33</b> |
| <b>Part 5</b> | <b>AGRICULTURAL DISTRICT (A)</b>                                | <b>35</b> |
| <b>Part 6</b> | <b>COUNTRY RESIDENTIAL DISTRICT (CR)</b>                        | <b>43</b> |
| <b>Part 7</b> | <b>HAMLET DISTRICT (H)</b>                                      | <b>49</b> |
| <b>Part 8</b> | <b>DEFINITIONS</b>  | <b>55</b> |
| <b>Maps</b>   | <b>ZONING DISTRICT MAP</b><br><b>MAP A – H- HAMLET DISTRICT</b> |           |

## **Part 1: Introduction**

### **1.1 Title**

This Bylaw shall be known as the “Zoning Bylaw of the Rural Municipality of Grant No. 372”

### **1.2 Scope**

The Zoning Bylaw reflects municipal and provincial regulations and policies, including the Rural Municipality of Grant’s Official Community Plan. Other bylaws, regulations and Acts must also be observed. These are referenced in the Zoning Bylaw where possible; however the municipality will work with developers to ensure that all relevant laws are observed. All development within the limits of the municipality shall be in conformity with the provisions of the Zoning Bylaw to ensure the municipality is able to achieve its development goals. Where the provisions in this Zoning Bylaw conflict with those of any other municipal, provincial or federal requirement, the higher and/or more stringent standards shall prevail.

### **1.3 Severability**

If any part of this Bylaw, including anything shown on the Zoning District Map, is declared to be invalid for any reason, by an authority of competent jurisdiction, the validity of the Bylaw as a whole, or any other part, Section or provision of this Bylaw will not be affected.



## Part 2: Administration

### 2.1 Development Officer

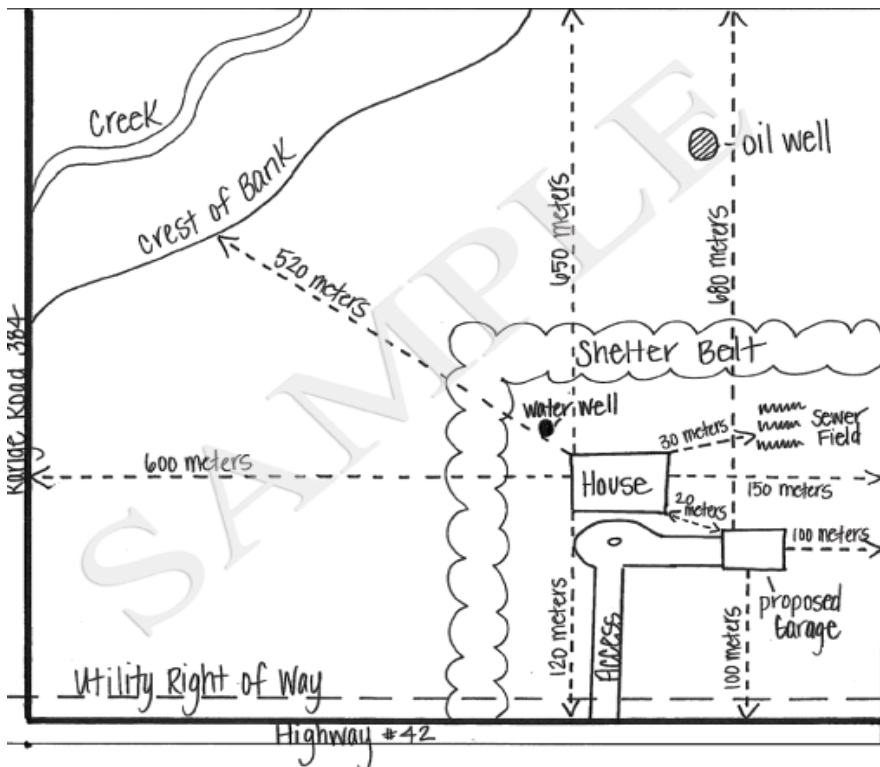
- a. The *Administrator* of the RM of Grant shall be the Development Officer responsible for the administration of this Bylaw and/or another duly appointed person by Council.
- b. The Development Officer shall be responsible for receiving all applications for development. The Development Officer shall make the decision on permitted use development permit applications based on the provisions of this Zoning Bylaw. All decisions for discretionary use development permit applications shall be made by Council and issued by the Development Officer.
- c. The Development Officer shall refer subdivision proposals, Zoning Bylaw amendments, Official Community Plan amendments and Servicing Agreements to Council for decision.
- d. The Development Officer may refer any planning inquiries, questions or permitted use applications for the purpose of clarification to Council for comment.

### 2.2 Application for a Development Permit

- a. Every person shall obtain a development permit before commencing any development within the Municipality, except those developments that are listed as exempt in each district.
- b. The completed development permit application shall include:
  - A description of the intended use or proposed development including any change in building use or land use change
  - Legal land description
  - The signature of the applicant and the registered landowner(s)
  - A copy of the Certificate of Title
  - Estimated commencement and completion dates
  - Floor Plans and elevations of the proposed development (which will be kept at the Municipal Office for future reference)
  - Any other information needed to assess the application.
  - An attached site plan which shall include:
    - All adjacent roads, highways, railways, service roads and access to the site (label on site plan)
    - Rights-of-ways and easements (gas, oil, power, drainage easements, etc)

- All drainage courses
- Location of proposed development
- Existing development on the site
- Landscaping details (existing trees, removal of trees, proposed plantings, berming, water features, etc)
- Setbacks to property line, road and services
- Top of bank and water
- Existing and proposed services:
- Location of well or cistern
- Method and location of sewage disposal
- Sign location and details like artwork, colors, size, lights, etc
- Parking and loading facilities
- Sidewalks, patios, playgrounds
- North arrow
- Any additional information deemed necessary by Council or the Development Officer

**SAMPLE SITE PLAN:**



## **2.3 Referral of Application**

- a. The Development Officer may refer any application to Council for a decision on the interpretation of the Bylaw or regarding special conditions provided for in the Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide further information necessary to render a decision.
- b. The Development Officer may refer the application to any internal or external departments or organizations for review or comment before making a decision. Any recommendations received, may be applied as conditions to the development permit.

## **2.4 Issuing Permits**

Upon completion of the review of an application for development, the Development Officer shall determine if the proposed development is either:

- a. Permitted Use:
  - i. The Development Officer will issue a development permit when the application conforms to the Zoning Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw
  - ii. The Development Officer will issue a refusal, when the application does not comply with a provision or regulation of this Bylaw and write a letter to the applicant stating the reason for refusal.
- b. Discretionary Use:
  - i. The Development Officer will prepare a report for Council on the proposal discussing or examining the criteria for consideration of that discretionary use and submit the application to Council for a decision.
  - ii. At least 7 days before the application is to be considered by Council, the Development Officer shall provide notice to the public for the discretionary use application. The notice must be provided to:
    - a. The assessed owners of property within 75 metres of the boundary with the applicant's land; and
    - b. Any other owners the Development Officer feels should be notified or who may have an interest in the lands.
  - iii. Council shall make a decision on a discretionary use, by resolution, that approves, approves with development standards or conditions, or refuses the discretionary use on that site and that instructs the Development Officer to:

1. Issue a development permit incorporating any specific development standards set by Council, where the development complies with the standards of this Bylaw
  2. Issue a notice of refusal to the applicant stating the reasons for the refusal, referencing the specific discretionary use criteria the application did not meet
  3. All applicants shall be provided the effective date of the decision and information on their right of appeal.
- c. A new development permit approval is required when:
- i. The approved use ceases and is replaced by another use
  - ii. The approved use ceases for a 12 month period
  - iii. The development or use is not started within 12 months
  - iv. The intensify of use increases
- d. Council is deemed to have granted discretionary approval to a use, or specific intensity of use, that becomes discretionary on a site as a result of the adoption or amendment of this Bylaw, as of the date that this Bylaw or amendment comes into effect.
- e. The Development Officer may revoke a development permit that has been issued in error.

## **2.5 Building Permits, Licenses, and Compliance with Other Bylaws**

- a. Nothing in this Bylaw shall exempt any person from: complying with a Building Bylaw or any other Bylaw in force within the Municipality; or from obtaining any permission required by this or any other Bylaw of the Municipality, the province or the federal government. Where applicable, regulations from other bylaws may be applied as conditions to a development permit.
- b. A building permit, where required, shall not be issued for a development unless a required development permit has been issued. A building permit issued before a development permit is not valid until the required development permit has been issued.

## **2.6 Appeals**

- a. The Rural Municipality has a functioning Development Appeals Board.
- b. The composition of the Board, the secretary, remuneration and expenses, powers, duties and responsibilities shall be determined by Council.

- c. The Development Appeals Board has the authority to hear an appeal based on:
  - i. The approval of a development permit where it is alleged the Development Officer misapplied the Zoning Bylaw in approving the proposal
  - ii. The refusal of the Development Officer to issue a development permit because the proposal contravenes the Zoning Bylaw
  - iii. Council's approval of a discretionary use with development standards or conditions (only the conditions or standards may be appealed)
  - iv. An order 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)
- d. The Development Appeals Board does not have the authority to hear an appeal based on:
  - i. A discretionary use application is refused
  - ii. Council refuses to amend a zoning bylaw or rezone land
  - iii. A decision concerns a subdivision application
- e. Anyone starting an appeal must send written notice of appeal to the Secretary of the Development Appeals Board within:
  - i. 30 days of a Development Officer's decision being issued;
  - ii. 30 days of the failure of a Council to make a decision;
  - iii. 30 days of receiving a permit with terms and conditions; or
  - iv. 15 days if appealed under *The Municipalities Act*, or 30 days under *The Planning and Development Act, 2007*, of an order being served to repair or correct contraventions.
- f. The Board must hold a public hearing on the appeal within 30 days of receiving a notice of appeal
- g. At least ten days before the hearing, the Board must notify affected parties about the hearing. The notice must be served by personal service, ordinary mail or registered mail.
- h. In making an appeal to the Development Appeals Board, and hearing such appeal, the provisions of *The Planning and Development Act, 2007* shall apply.

## **2.7 Amending the Zoning Bylaw**

- a. Any person who seeks to amend this Zoning Bylaw must submit an application for amendment to the Development Officer who shall review and then refer the application to Council for consideration.
- b. The amendment application is subject to fees as set out in the Rural Municipality of Grant's Fees Bylaw.
- c. Prior to Council's review, the Development Officer may refer the amendment application to any internal or external departments or organizations for review or comment (ie. provincial departments, interested stakeholders, etc).
- d. The process for public notification and public participation during the Bylaw adoption process shall be as per the regulations of *The Planning and Development Act, 2007*.
- e. Premature rezoning of land for development shall not be practiced.
- f. Council shall consider Zoning Bylaw amendments to accommodate proposals, only when specific development proposals, subdivision applications, servicing agreement and other information, as the case may be, have been presented to and reviewed by Council.

## **2.8 Zoning Agreements**

- a. Where an application is made to Council to rezone land to carryout a specific development, Council may request that the applicant enter into a Zoning Agreement pursuant to Section 69 of *The Planning and Development Act, 2007*.
- b. The agreement will describe the lands and the proposal for the lands and will also outline:
  - i. The uses of the land and buildings or other forms of development that are proposed.
  - ii. The site layout and design of external design (yard or lot)
  - iii. Time limits
- c. The agreement shall run with the land, regardless of the landowner.
- d. Council will register an interest on the title of the land when the Zoning Bylaw amendment is approved.

## **2.9 Servicing Agreements and Development Levies**

- a. Council may require a subdivision applicant to enter into a Servicing Agreement or development permit applicant to enter into a Development Levy agreement to ensure conformity with the Official Community Plan and Zoning Bylaw and to ensure adequate funding for on-site and off-site infrastructure development as allowed for in *The Planning and Development Act, 2007*.
- b. 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.
- c. Council may require the applicant to provide and maintain liability insurance to protect the applicant, municipality and the public.
- d. Council will ensure there are 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.

## **2.10 Fees and Advertising**

- a. The fees related to the Zoning Bylaw and Official Community Plan shall be set out in the Rural Municipality of Grant's Fees Bylaw.
- b. All advertising shall be as per the requirements of *The Planning and Development Act, 2007*.

## **2.11 Offences and Penalties**

- a. Pursuant to Section 242 of *The Planning and Development Act, 2007* the Development Officer may issue a written order to the owner, operator or occupant of the land, building or premises for any contravention to this Zoning Bylaw or the Official Community Plan.
- b. Any person who violates this Zoning Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties outlined in Section 243 of *The Planning and Development Act, 2007*.

## **2.12 Minor Variance**

- a. Council is authorized to provide for minor variances as per the conditions and procedures outlined in *the Act*:
  - i. a 10% variance for the minimum required distance of a building from the lot line

- ii. a 10% variance for the minimum required distance of a building to any other building on the lot.
- b. Applications for a minor variance may be made on the Development Permit Application Form, giving specifics as to the request, and that application shall be brought to the next regular meeting of The Rural Municipality of Grant No. 372. Council can:
  - i. approve the minor variance;
  - ii. approve the minor variance and impose terms and conditions on the approval;  
or
  - iii. refuse the minor variance.
- c. Written notice shall be provided to the application and adjacent properties as outlined in Section 60 of *the Act*.
- d. A record shall be maintained by the Rural Municipality of Grant No. 372 of all minor variance applications in accordance with *the Act*.

## Part 3: General Regulations

The following regulations shall apply to all lands within the Rural Municipality of Grant No. 372:

### 3.1 Environmental Management and Hazard Lands

- a. Any development proposed on lands that have the potential to be considered hazard lands or environmentally sensitive lands, the Development Officer may refer the application to federal or provincial departments and other relevant environmental agencies for comments prior to reaching a decision.
- b. Where the development of a building is proposed within 150 m of an area of potential hazard lands or environmentally sensitive lands, Council will require the applicant to submit sufficient supporting information to determine if the development is appropriate for the lands.
- c. Supporting information shall be in the form of a report, prepared by a professional that is competent to assess the suitability of the proposed development site with respect to:
  - i. the potential for flooding up to the 1:500 flood elevation
  - ii. the potential for slope instability before and after the development and any proposed improvements (geotechnical report)
  - iii. the suitability of the location for the proposed use or building given the site constraints
  - iv. other environmental hazards
  - v. the required mitigation measures if development is allowed to proceed. These measures may be attached as a condition for the development permit approval.
- d. No new buildings or additions to building shall be located in the flood way of the 1:500 year flood elevation of any watercourse or water body.
- e. Flood proofing of new buildings and addition to buildings shall be to an elevation of 0.5 metres above the 1:500 flood elevation of any watercourse or water in the flood fringe.
- f. Sanitary landfills and lagoons shall not be located on hazard lands.
- g. Actions to avoid, prevent, mitigate or remedy hazards may be incorporated as conditions of a development permit.

- h. A development permit will be refused if the proposed actions by the developer are inadequate to address the adverse conditions or will result in excessive municipal costs.

### **3.2 Number of Principal Buildings and Uses on a Site**

- a. Not more than one principal building, use and residence shall be allowed on any one titled area excluding:
  - i. principal agricultural and industrial uses, public use and private institution(s)
  - ii. a second residence on an agricultural parcel of at least 32.37 ha (80.0 ac) in size, agriculture is the principal use of the parcel, and the residence is to be occupied by a person who is engaged in the agricultural operation;
  - ii. a multiple dwelling unit (where it is allowed in accordance with this Bylaw);
  - iii. a communal dwelling (where it is allowed in accordance with this Bylaw).  
The maximum number of residences and uses for communal dwellings on one titled site may be determined at the discretion of Council.
- b. A development permit application for an additional residence will not be approved unless the additional residence is designed, sited, constructed, and finished in a manner that is visually compatible and harmonious with the character of the surrounding residential developments.

### **3.3 Mobile and Modular Homes**

- a. A mobile or modular home is considered a residence for the purpose of this bylaw.
- b. All residences, including mobile and modular homes, shall be attached to a permanent foundation.
- b. Every mobile home shall bear CSAZ240 certification (or replacement thereof) and every modular home shall bear CSA A277 certification (or replacement thereof).

### **3.4 Non-conforming Uses, Sites and Buildings**

- a. Any lands which do not conform to the site requirements as set out in this Bylaw shall be deemed to be conforming with regards to site size, provided that a registered title for the site existing prior to the coming into force of this Bylaw.

- b. An existing non-conforming use or intensity of use may continue if the use existed when this Bylaw was adopted and has not been discontinued for 12 consecutive months.
- c. Non-conforming buildings or sites may continue to be used, maintained and repaired in their present form.
- d. All other regulations for non-conforming buildings, sites and uses shall be dealt with subject to the provisions of the *Act*.

### **3.5 Signs and Billboards**

- a. Signs located in a Highway Sign Corridor shall be regulated entirely by the requirements of "The Erection of Signs Adjacent to Provincial Highway Regulations, 1986" or amendments thereto, and do not require a development permit from the RM of Grant .
- b. Applications for signs within the highway sign corridor shall be referred to Saskatchewan's Ministry of Highways and Infrastructure for review and comment.
- c. All signs not located within the highway sign corridor may only advertise agricultural commercial uses, home based businesses, the principal use of the site or the principal products offered for sale on a site and shall be required to obtain development permit approval prior to erection and shall not exceed a maximum height of 3.5 meters in height and shall not exceed the total facial area of 3 meters squared.
- d. Signs not requiring a permit include:
  - i. Government and public utility signs
  - ii. Real Estate Signs – on properties for sale
  - iii. Memorial Signs
  - iv. Directional Signs
  - v. Address Signs
  - vi. Election Signs
  - vii. Construction Signs
- e. All signs, including those listed in Section 7.4 above, shall be located so that no part of the sign encroaches on a public right of way or interferes with the sight line of any intersection.
- f. Signs within residential and hamlet areas shall not be in excess of 3 sq. m., be greater than 3.5 m in height, or be illuminated

### **3.6 Storage of Vehicles**

- a. Notwithstanding anything contained in this Bylaw, no site shall be used for the parking or outside storage of junked vehicles, which includes any automobile, tractor, truck, trailer or other vehicle that is not in running order except that not more than four such vehicles may be stored on any site in a Country Residential District and not more than twelve such vehicles shall be stored on any site in an Agricultural District.
- b. Section 3.6 (a) shall not apply to lands that have received a development permit for a salvage yard or similar type development.
- c. All storage of vehicles including permitted salvage yards may be required to be screened from roadways or neighbouring properties with landscaping, fences or a combination of both.
- d. The use of an abandoned vehicle, or unlicensed vehicle or truck trailer unit for the purpose of a sign is prohibited.

### **3.7 Public Utilities, Pipelines, and Facilities of the Municipality**

- a. Public utilities and facilities of the Municipality, except solid and liquid waste disposal sites, shall be allowed in all districts unless otherwise specified by this Bylaw and no minimum site area or yard requirements shall apply.
- b. Where a pipeline, other utility or transportation facility, crosses a municipal road Council may apply special design standards as considered necessary to protect the municipal interest in the road, including but not limited to requiring the pipeline to be punched under the road.

### **3.8 Waste Disposal Facilities**

- a. Development of a new solid or liquid waste disposal facility or expansion of an existing facility will be subject to the following, as specified by Council upon issuing a permit:
  - i. a buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area
  - ii. a lagoon or sanitary landfill disposal area shall be located outside the 1:500 flood elevation level
  - iii. any solid or liquid waste disposal facility shall be fenced to provincial standards
- b. Criteria for approving a lagoon or sanitary landfill disposal area:

- i. a municipal or regional landfill or lagoon project must undergo a provincial environmental impact assessment and a public hearing process to determine if the proposal is considered suitable for the area.
- ii. any necessary mitigation measures will be specified as conditions of the permit approval
- iii. private landfills and lagoons will be considered, provided they meet provincial requirements, and are located so they will not interfere with existing or future residential, recreational, or tourism development
- iv. sanitary landfills and lagoons shall not be located on hazard lands as defined by this bylaw.

**3.9 Manure Application**

The minimum separation distance between occupied residences, other than the residence of the applicator, and the location where manure is to be spread is listed within Table 3.9.

**Table 3.9  
Location Separation Criteria for Manure Spreading to Dwellings (in metres)**

| Method of Manure Application                                  |          |                              |                  |
|---|----------|------------------------------|------------------|
| Distance between manure application and the nearest residence | Injected | Incorporated within 24 hours | No incorporation |
| Communities of 1-1000 people                                  | 200      | 400                          | 800              |
| Communities of 1001-5000 people                               | 400      | 800                          | 1200             |
| Communities of >5001 people                                   | 400      | 800                          | 1600             |

**3.10 Home Based Businesses**

- a. A home based businesses shall be a secondary use on the property.
- b. The agricultural use or residential use shall be established on the property prior to the establishment of the home based business.
- c. A home based businesses shall cause no variation in the residential or agricultural character or the appearance of the residence, accessory residential building, or land, except for permitted signs.
- d. All permits issued for a home based business shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under

which the permit was originally issued are no longer met. Where a permit is revoked the use shall cease immediately.

### **3.11 Kennel**

- a. A Kennel shall not be located within or adjacent to a multi-parcel residential subdivision or closer than 304.8 m (1,000.0 ft) from the boundary of a multi-parcel residential subdivision. Exceptions may be made when a highway, arterial road or secondary road bisects the 304.8 m (1,000.0 ft) separation distance.
- b. All facilities shall meet provincial regulations, when necessary.
- c. No facility or exterior exercise area used to accommodate the animals shall be located within 25.0 m (82.0 ft) of any property line of the parcel on which the facility is to be sited;
- d. All exterior exercise areas (runs) shall be enclosed with a fence with a minimum height of 1.8 m (6.0 ft);
- e. All facilities, including buildings and exterior exercise areas, shall be required to be sited behind the residence
- f. All facilities shall be visually screened from existing dwellings on adjoining parcels.

### **3.12 Bed-and-Breakfast and Vacation Farm Operations**

- a. A bed and breakfast or vacation farm operation shall be a secondary use on the property.
- b. The agricultural use or residential use shall be established on the property prior to the establishment of the operation.
- c. The operation may include rooms, cabins, and overnight camping areas.
- d. The maximum number of rooms, cabins or overnight camping areas permitted will be specified as a condition of the development permit.
- e. On-site signs will be permitted in accordance with Section 3.5.
- f. All operations shall be licensed pursuant to *The Public Health Act*, where tourist accommodations require health approval and obtaining this license will be a condition of approval.
- g. Bed-and-breakfast operations shall be located in a residence used as the operator's principal residence, or located in a dwelling accessory to and established on the same site as the operator's principal residence.

### **3.13 Camping Facilities**

- a. The operator of a camping facility shall provide the Development Officer with a plan of the development, identifying:
  - i. any buildings
  - ii. uses of land
  - iii. changes to the land, grading/drainage, stormwater management
  - iv. location of garbage collection
  - v. location of washroom facilities and utilities
  - vi. emergency evacuation plan
  - vii. location of all roadways
  - viii. campsites with dimensions.
- b. The addition or rearrangement of campsites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a new development permit, and the operator shall submit, for approval, an amended plan incorporating the changes.
- c. There shall be a buffer area abutting the boundary of not less than 4.5 m, which shall contain no buildings and shall be left in its natural state
- d. No portion of any campsite shall be located within a roadway or required buffer area.
- e. Each campsite shall have direct and convenient access to the internal developed roadway.
- f. The space provided for roadways within a campground shall be at least 7.5 m in width.
- g. The development may include uses such as laundry facilities or a confectionery designed to meet the needs of the occupants of the campsites, and one residence for the accommodation of the operator.
- h. All provincial regulations, including *The Public Health Act*, shall be complied with in respect to all operations and development of the camping facility.

### **3.14 Intensive Livestock Operations (ILOs)**

- a. Applications for ILO's are received by Saskatchewan Agriculture. As part of the review process, a referral will be sent to the RM as well as to Community Planning. Community

Planning will review the application for compliance with the municipal bylaws. The RM will also have a chance to respond to the application.

- b. The RM of Grant will also require the developer to apply for a municipal development permit.
- c. In order to manage the development of ILOs and surrounding land use interests, Council will consider applications for development of an ILO, including any rendering facility or abattoir.
- d. Location Separation Criteria
  - i. In order to ensure ILO development occurs in acceptable locations, new ILO development proposed subsequent to the date of the adoption of this Bylaw or a proposed expansion of an existing ILO (existing at the date of adoption of this Bylaw) Council will consider an approval in conjunction with the location separation criteria in this Section and in Table 3.14:

**Table 3.14  
Maximum Separation Criteria for ILO to Specific Uses (in metres)**

| Specific Use   | Animal Units |         |          |           |       |
|--|--------------|---------|----------|-----------|-------|
|  | 100-299      | 300-499 | 500-2000 | 2000-5000 | >5000 |
| Residence, tourist accommodation, or campground  | 300          | 400     | 800      | 1200      | 1600  |
| Area authorized for a multi-parcel residential subdivision, hamlet, urban municipality <100 population | 400          | 800     | 1200     | 1600      | 2000  |
| Urban municipality 100-500 population  | 800          | 1200    | 1600)    | 2400)     | 2400  |
| Urban municipality 501-5000  | 1200         | 1600    | 2400     | 3200      | 3200  |
| Urban municipality >5000   | 1600         | 2400    | 3200     | 3200      | 3200  |

- Distances are measured between livestock facilities and building/site development
- Distances do not apply to residences associated with the operation.

- e. Location Separation Criteria Reduction
  - i. Council, at its discretion, may consider lesser separation distances than given in Table 3.14, subject to the following:
    - 1. Where a lesser separation distance than described, in Table 3.14 will not negatively impact the specific use or surrounding development, Council

may grant a reduction of the location separation criteria. Prior to granting a reduction, Council will consult with appropriate agencies.

2. The developer shall provide written notice, approved by Council, to the owners of all residences within the distance provided in Table 3.14, and to the hamlet board of a hamlet or Council of urban municipality within the specified distance
3. Where the separation distances is significantly, in Council's opinion, less than the criteria of Table 3.14, Council will require the developer of a proposed ILO to enter into an agreement with the owner of a residence and/or the Municipality consenting to the proposed development up to a specified size, as a condition of the approval. Council will require that an interest protecting the parties to the agreement, be registered against the residence and the ILO parcel titles at the cost of the developer.

f. Public consultation

- i. Council will advertise any proposal for an intensive livestock operation, as defined by this Bylaw, in the local newspaper and will provide an opportunity for public comment for a minimum of 21 days prior to making a decision. All costs associated with advertising will be the responsibility of the developer.
- ii. Council will encourage developers to hold a separate public open house prior to development permit consideration to provide information to affected landowners.
- iii. If the developer does not hold a public open house, Council will hold a separate public meeting prior to development permit consideration to ensure community interests are considered before a decision is made by the Council, at the cost of the developer.
- iv. Council will make a decision on a proposed livestock operation within 45 days of receiving all information necessary to make a decision. If an extension is required, Council will notify the developer in writing, including reasons for the extension, and the length of the extension.

g. Water Supply and Protection

- i. There shall be a water supply adequate for the proposed development and the development shall not contaminate any water supply source. Prior to approval, Council may:
  1. Require the applicant to demonstrate that appropriate measures will be in place to minimize the risk of contamination of water sources
  2. Require the applicant to demonstrate an adequate water supply is available for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation.

- h. Additional Information
  - i. Council may require the applicant to obtain recommendations from appropriate agencies and address issues regarding water supply, quality and quantity considerations and manure management plans to evaluate the suitability of the site
  - ii. *The Agricultural Operations Act* and other provincial legislation may apply to the development of an ILO. When considering the operational or environmental aspects of a proposed project that does not trigger a provincial review, Council may wish to refer a development permit application to the appropriate agencies for advice and recommendations.
- i. Application of manure will be carried out in accordance with Section 3.9.
- j. Permit conditions
  - i. As a condition of approval, Council shall specify the maximum number of animal units for which the approval is made to reduce the potential for land use conflicts with neighbouring uses.
  - ii. Council may impose development standards which specify the location of holding areas, buildings or manure storage facilities on the site, the locations may vary from the separation criteria in Table 3.14
- k. Existing Livestock Operations
  - i. ILOs existing at the time of the adoption of this Bylaw may continue, however if there is any expansion of the operation or change of animal species or type of operation the developer will be required to obtain approval from Council in accordance with the requirements and conditions of this Bylaw.
- l. Development permits are required for any proposed:
  - i. New ILO
  - ii. Expansion of an existing ILO
  - iii. Any temporary facility or part of a site
  - iv. Change of animal species or type of operation

### **3.15 Gravel Pits and Gravel Crushing/Aggregate Extraction Operations**

- a. All gravel operations and aggregate extraction operations shall meet provincial requirements and guidelines as well as municipal requirements

- b. Land use incompatibility, nuisance and pollution shall be minimized by considering appropriate routes, buffers, screening, etc.
- c. All operations shall have efficient servicing, haul routes and have a high consideration for public safety
- d. Council will specify development conditions in conjunction with recommendations from provincial agencies and reports from qualified person regarding site development, services, modifications to application and location of operation;
- e. Council will specify conditions regarding cost recovery and cost-sharing of municipal road construction and maintenance expenses due to increased haulage by trucks carrying mineral resources.
- f. The minimum crushing and/or screening setback is 200 metres (656 feet) from any occupied dwelling, recreational or heritage lands or hazard lands.
- g. Excavation and aggregate extraction setback distances:
  - i. Property line: No minimum setback.
  - ii. Road Allowance: No setback up to the road allowance. Where the RM is the developer of the operation, development may extend into the road allowance.
  - iii. Occupied Dwelling: No less than 100 meters (328 ft.).
- h. Re-sloping shall be determined by Council and attached as a condition to the development.
- i. All gravel and aggregate extraction operations shall have direct access to a municipal road suited to the operation or access shall be addressed in an agreement between the operator/owner and the RM.
- j. Council may grant a reduction in the setback distances for crushing, screening, excavation and/or aggregate extraction where the developer of the proposed gravel operation enters into an agreement with the affected landowner. A copy of the agreement shall be provided to the RM. Prior to granting a reduction, Council will consult with the appropriate Provincial Agency (ies).
- k. Applicants will be required to provide:
  - i. a plan showing the location of the proposed area of operation, site boundaries, the depth of excavation and the quantity of topsoil to be removed;

- ii. a description of the excavation, stripping or grading operation, which includes a decommissioning plan;
- iii. a detailed timing and phasing of the project including the length of the proposed operation;
- iv. a plan showing the final site conditions and post-development land use plan following the completion of the operation;
- v. a description of the measures to be taken for the prevention or mitigation of dust, noise, public safety, erosion and other effects to surrounding land uses and the public, during and after the operation;
- vi. information that identifies the projected volumes of truck traffic on roads, the proposed road impacts (e.g. road deterioration), and the proposed measures to minimize negative (e.g. noise, dust, excessive speed) impacts on other road users and the public.

### **3.16 Dwelling Groups**

- a. Access to sites shall be from a road internal to the dwelling group parcel
- b. No dwelling shall be closer than 6 m to any other dwelling
- c. All buildings on a dwelling group parcel shall maintain the required yards to the property lines of the parcel provided for the District and the required set back to the centre line of a road.

### **3.17 Livestock, Animals and Birds**

- a. On any site located within a Country Residential and Hamlet District it shall be permissible to keep or raise the following number of animals per site acre:
  - Horses: 2 per ten acres and one horse for every 2 acres thereafter
  - Rabbits: 5 per five acres
  - Poultry (not including exotic bird): 1 per acre
  - Cats and Dogs: 2 of each species unless otherwise approved by Council.
- b. No person shall herd or graze livestock at any time within the limits of any Country Residential or Hamlet District within the Municipality.
- c. For the purposes of calculating the number of permitted animals, a fractional allocation shall be rounded up to the next whole number.

- d. Notwithstanding the foregoing, on any site located within a Country Residential or Hamlet District which is 40 acres or more in size, it shall be permissible to substitute cattle of up to half of the allowable number or horse, and to substitute sheep and/or goats for up to two thirds of the allowable number of Rabbits.
- e. No person shall keep, raise, harbour or have custody of any animal in any Country Residential or Hamlet District (save for dogs and cats), except as expressly allowed by this bylaw.

### **3.18 Water**

- a. No development or use of land shall be permitted where the proposal will adversely affect domestic and municipal water supplies, or where a suitable, potable water supply cannot be furnished to meet provincial requirements.

### **3.19 Storage of Chemicals, Fertilizers and Combustible Materials**

- a. The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary approvals from other regulatory agencies must be obtained prior to issuance of a development permit.

### **3.20 Waste Disposal**

- a. No development or use of land which requires sewage disposal or landfill facilities shall be permitted unless those facilities are approved by the Regional Health Authority and/or Saskatchewan Environment. Disposal of liquid, solid or gaseous waste shall be governed by provincial legislation.



## Part 4: Zoning Districts

### 4.1 Districts

- a. For the purpose of applying this Bylaw, the Municipality is divided into Zoning Districts.
- b. All parts of the Municipality shall be designated as A - Agricultural District except those areas specifically designated on the detailed Zoning District Maps as another District, attached to and forming part of this bylaw.

### 4.2 Boundaries

- a. The boundaries of all Zoning Districts are shown on the map entitled, "Zoning District Map" which is attached to, and forms a part of this Bylaw. Unless otherwise shown on the Map, the boundaries of the Districts are site lines, centre lines of streets, lanes, roads or such lines extended, and the boundaries of the Municipality. Unless otherwise shown on a Zoning Amendment Map, the Zoning District boundary, coincident with a parcel boundary, moves with a minor adjustment to that boundary.

### 4.3 Regulations

- a. Regulations for the Zoning Districts are outlined in the following Sections:
  - i. Agricultural District - A
  - ii. Country Residential District - CR
  - iii. Hamlet District - H



## Part 5: Agricultural District – (A)

The objective of this district is to provide for the primary use of land in the form of agricultural development and associated agricultural uses. Other uses compatible with agricultural development are also provided for as well as location dependent natural resource development. Fragmentation of agricultural land in this district generally will be avoided.

**5.1 Permitted Uses that are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:**

- a. Agricultural Uses including:
  - i. Field crops
  - ii. Pastures for the raising of livestock (excluding ILOs)
  - iii. Keeping of animals
  - iv. Facilities for the direct sale of field crops
  - v. Manure application subject to Section 3.9.
  - vi. Agriculture service and contracting establishments
- b. Accessory uses and buildings related to:
  - i. An established agricultural use
  - ii. An established residential use (private garages, sheds, and associated out buildings)
  - iii. Orchards and vegetable, horticultural or fruit gardens
- c. Installation and repair of public utilities
- d. Development and expansion of municipal facilities
- e. Signs, subject to Section 3.5
- f. Wire fences that are no closer to the roadway than the edge of the municipal road right-of-way.
- g. Parking of private or agricultural vehicles on private lands

- h. Landscaping on private lands
- i. Sidewalks, steps, patios, decks
- j. Antenna and telecommunication tower to a maximum of 15.24m (50 ft)

**5.2 Permitted Uses that require development permit approval:**

- a. Residence (up to two on a parcel of 80 acres or more)
- b. Resource based uses:
  - i. Petroleum exploration, extraction wells and related facilities
  - ii. Petroleum pipelines and related facilities
  - iii. Mineral resource exploration and extraction facilities

**5.3 Discretionary Uses**

The following uses will be permitted at Council's discretion:

- a. Agricultural Uses
  - i. New or expanding Intensive Livestock Operation (ILO)
  - ii. Intensive agricultural operations
  - iii. Commercial agricultural operations
  - iv. Agricultural product processing
  - v. Agricultural equipment, fuel and chemical supply establishment
- b. Residential Uses
  - i. Residence (for more than two on 80 acres or more)
  - ii. Bed and breakfast
  - iii. Vacation farm
- c. Accessory uses and buildings related to:
  - i. An established Intensive Livestock Operation

- ii. An established Intensive Agricultural Operation
- iii. An established Commercial Agricultural Operation
- iv. Honey extraction facilities
- v. Home Based Business
- vi. Kennel
- vii. Solid and liquid waste disposal facilities
- d. Resource based uses:
  - i. Mineral resource processing facilities
  - ii. Gravel pits and crushing operations
- e. Commercial Uses:
  - i. Salvage and storage yards
  - ii. Recreational commercial uses (sports arenas, golf courses, tourist campgrounds, or similar type uses)
- f. Community Uses:
  - i. Places of worship, cemeteries, and non-residential schools
  - ii. Radio, television and microwave towers
  - iii. Public parks and public recreational facilities
  - iv. Historical sites, archaeological sites, wildlife and conservation management areas
  - v. Institutional camps
- g. Communal Dwellings

## 5.4 Regulations

### a. Subdivision

- i. The subdivision of any land within the Agricultural District is subject to the policies contained in the Official Community Plan.
- ii. Only one subdivision, which separates the existing or proposed residence from the remnant of the quarter section, will be allowed in this district.
- iii. Additional sites may be considered where the site to be added is physically separated from the remainder of the parcel by a registered road plan or by a railway on registered right of way, and the separated site has direct access to a developed road

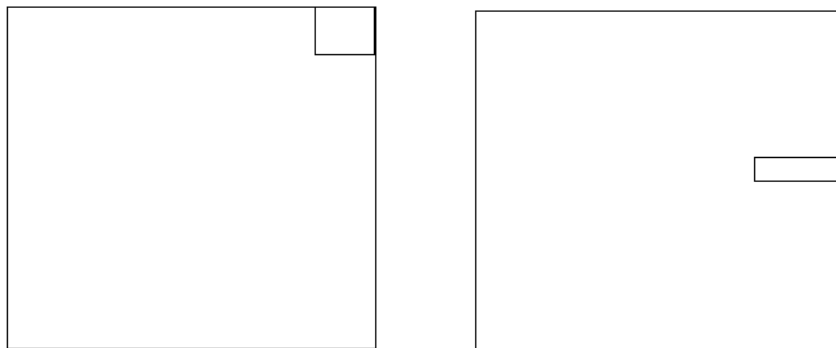
### b. Frontage

- i. Minimum site frontage shall be 20 m for all parcels
- ii. Exemptions from minimum frontage may be considered by Council for resource based uses and community uses, as listed in Section 5.3

### c. Site Size

- i. Minimum site size shall be 0.8 ha (2 acres)
- ii. Maximum subdivided site size shall be 32 ha (80 acres)
- ii. Exemptions from minimum area requirements may be considered by Council for resource based uses and community uses, as listed in Section 5.3

#### EXAMPLE OF SUBDIVISION SITES



- i. All development requires access to a developed road and must be in accordance with the RM of Grant's Road Policy. As a condition of development, Council may make satisfactory arrangements with the applicant for improvements or building of a road, where required.
  - ii. For the purposes of Bylaw "developed road" shall mean an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council
  - iii. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
  - iv. Where an all-weather access road would be, in the opinion of Council, prohibitively expensive to construct or maintain, Council shall not be required to issue a development Permit for any residential, commercial or industrial building, unless the proponent agrees to pay to the Municipality the full or such portion of the costs as Council may determine for the construction of such access road in accordance the Municipality's Act.
  - v. For newly proposed developments and/or subdivisions, development permits may be denied until the roads have been completed to a standard approved by Council.
- e. Setback Requirements
- i. The minimum setback of buildings, including a residence, from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 m (150 ft).
  - ii. The minimum setback of buildings, including a residence, from the intersection of the center lines of two or more municipal road right-of-ways shall be 92 m (300 ft)
  - iii. Trees, shrubs, stone piles, portable structures, machinery or other objects, such as wells, dugouts, or reservoirs on private property shall also adhere to the regulations in 5.4(e)(i) and 5.4(e)(ii) unless stated otherwise in this Bylaw.
  - iv. No residence shall be located with less than a minimum separation distance to an operation, other than the residence of the operation, as follows:
    - 1. The separation distance to an ILO as regulated in Section 3.14
    - 2. 305 m from a licensed public or private liquid waste disposal facility

3. 457 m from a licensed public or private solid waste disposal facility
4. 305 m from a honey processing facility.
5. 305 m to a non-refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan
6. 600 m to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan
7. no dwelling or other building shall be located within the approach surface for any functional airport or airstrip.

### **5.5 Criteria for Discretionary Use Applications**

Council shall use the following criteria in making a decision on a discretionary use development permit application:

- a. A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- b. The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.
- c. No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
- d. The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- e. Commercial Uses, including Commercial Agricultural Developments:
  - i. Any proposed commercial development or commercial agricultural development must have access to provincial highway within 3 miles of driving distance, unless the development is tied to the particular location by a natural resource or rail infrastructure.
  - ii. Any unsightly outdoor storage of machinery, vehicles, or materials including any salvage or vehicle storage yard shall be adequately screened from the public's view.
  - iii. A road of a standard that meets the demands of the operation shall provide access to the site. If required, the operator will enter into a heavy haul agreement with the RM.

- iv. In the application for an intensive operation, the applicant shall identify the proposed supply of water for the operation where intensive irrigation is required, showing that the supply shall be sufficient to meet the needs of that operation without adverse effects on the supply of water used by neighbouring properties
- f. Home Based Businesses:
- i. No heavy construction or industrial equipment or supplies shall be on any site for a home based business in this District.
  - ii. Any increase in the operation as applied for or approved shall require a new discretionary use approval
- g. Bed-and-breakfast and Vacation Farm:
- i. The proposed structures are suitable and comfortable for the proposed development
  - ii. There shall be a water source suitable for public consumption at the facility
  - iii. There shall be suitable utilities and sewage disposal system for the facility
  - iv. There shall be appropriate levels of access to the site and off-street or road parking for the users of the facility
  - v. The development shall not be in conflict with adjacent uses or uses currently on site.
- h. Camping Facilities
- i. Each site shall have access from an interior roadway
  - ii. A water source for public consumption shall be available on site
  - iii. Suitable utilities, sewage disposal systems and facilities shall be available on site
  - iv. The development shall not conflict with adjacent uses or uses currently on site
  - v. An emergency services plan shall been discussed and agreed to by the service providers and the applicant
- i. Additional Residence:
- i. If there are two residences on an agricultural parcel of 80 acres or more, Council may consider allowing more if agriculture is the principal use of the parcel, and

the additional residence is to be occupied by a person who is engaged in the agricultural operation full time.

- j. Other requirements of this bylaw specific to the proposed use are met.
- k. Communal Dwellings
  - i. All dwelling(s) are to be located on a parcel conforming to all requirements of the zoning bylaw, including area, setbacks/ frontage, and access.
  - ii. No new or expanded dwelling(s) will be located in the 1:500 flood elevations.
  - iii. Utilities, including sewage disposal system(s) must meet provincial standards.

## **5.6 Mineral Resource Exploration, Development and Processing**

- a. To provide appropriate access/egress, sewage, water, stormwater and/or drainage works the construction of or upgrades to municipal infrastructure may be required at the developer's expense.
- b. Land use incompatibility, nuisance and pollution including odour and dust shall be minimized by considering appropriate routes, buffers, screening, etc.
- c. Signage, fencing, lighting restrictions or other safety measures may be required at the developer's expense.
- d. The developer shall submit to the RM a copy of the proposed reclamation or rehabilitation plan.

## Part 6: Country Residential District - (CR)

The objective of this district is to provide for the subdivision and development of Country Residential development. It will be used to accommodate residential development where there are more sites proposed than are allowed in the Agricultural District. The Country Residential District will be used for residential purposes with limited agricultural uses allowed on the sites.

### **6.1 Permitted Uses that are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:**

- a. Installation and repair of public utilities, except solid and liquid waste disposal facilities
- b. Development and expansion of municipal facilities
- c. Signs, subject to Section 3.5
- d. Wire fences that are no closer to the roadway than the edge of the municipal road right-of-way.
- e. Landscaping on private lands
- f. Sidewalks, steps, patios, decks
- g. Keeping of Animals
  - i. Limited to domestic pets of the residents of the site

### **6.2 Permitted Uses that require development permit approval:**

- a. Residence
- b. Dwelling Groups
- c. Residential Accessory Buildings and Uses
  - i. Private garages
  - ii. Private garden sheds
  - iii. Private greenhouses
  - iv. Orchards, vegetable, horticultural or fruit gardens
  - v. Accessory uses and buildings related to an approved discretionary use

- d. Recreational uses:
  - i. Public sports fields and parks
  - ii. Other public or non-profit recreational facilities

### **6.3 Discretionary Uses:**

The following uses will be permitted at Council's discretion:

- a. Solid and liquid waste disposal facilities.
- b. Bed-and-breakfast Operations
- c. Home Based Businesses
- d. Keeping of animals on the same site as an established residence (as per section 3.17 Livestock, Animals and Birds)

### **6.4 Regulations**

- a. Subdivision
  - i. The subdivision of any land that does not meet the subdivision requirements within the Agricultural District will be required to be rezoned to this district and are subject to the policies contained in the Official Community Plan for Residential Lands.
  - ii. All residential subdivisions shall be located adjacent to an existing transportation corridor
  - iii. All residential subdivisions shall be serviced to meet municipal standards.
  - iv. A buffer strip of 3 meters (10 feet) may be required, at Council's discretion, in all residential subdivisions to separate residential uses and existing agricultural development.
- b. Frontage
  - i. Minimum site frontage shall be 30 m for all parcels
  - ii. Minimum site frontage may be reduced to 20 m for residential locations on the end of a cul-de sac, or the outside curve of a curved or deflected street provided the parcel is at least 30m in width at the location of a principal building.
  - ii. Exemptions from minimum frontage may be considered by Council for public utility uses and municipal facilities.

c. Site Size

- i. Minimum site size shall be 4 ha (10 acres)
- ii. Maximum site size shall be 21 ha (50 acres)
- iii. Minimum site size for Dwelling Groups shall be 4 ha for each unit or site, plus 20% for communal facilities and access
- iii. Exemptions from minimum area requirements may be considered by Council for public utility uses and municipal facilities.

d. Access:

- i. All development requires access to a developed road and must be in accordance with the RM of Grant's Road Policy. As a condition of development, Council may make satisfactory arrangements with the applicant for improvements or building of a road, where required.
- ii. For the purposes of Bylaw "developed road" shall mean an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council
- iii. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
- iv. All lots within a subdivision may be required, at Council's discretion, to have access from an internal subdivision road. The number of accesses from the municipal road will be limited to provide for the safety of the travelling public.
- v. Where an all-weather access road would be, in the opinion of Council, prohibitively expensive to construct or maintain, Council shall not be required to issue a development Permit for any residential, commercial or industrial building, unless the proponent agrees to pay to the Municipality the full or such portion of the costs as Council may determine for the construction of such access road in accordance the Municipality's Act.
- vi. For newly proposed developments and/or subdivisions, development permits may be denied until the roads have been completed to a standard approved by Council.

e. Setback Requirements

i. Front Yard:

1. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects such as wells, dugouts, or reservoirs on private property from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 m (150 ft).
2. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects such as wells, dugouts, or reservoirs on private property from the intersection of the center lines of two or more municipal road right-of-ways shall be 90 m (300 ft)
3. The minimum setback for buildings or other objects on private property from the internal subdivision road shall be 7.6 m (25 ft)
4. No outside storage shall be permitted in the front yard.

ii. Side and Rear Yard:

1. The minimum setback for buildings or other objects on private property from any side or rear yard shall be a 3 m (10 ft)
2. Outside storage located in a side or rear yard shall be screen by landscaping or vegetation so as not to be visible from a road.

iii. No residence shall be located with less than a minimum separation distance to an operation, other than the residence of the operation, as follows:

1. The separation distance to an ILO as regulated in Section 3.14
2. 305 m from a licensed public or private liquid waste disposal facility
3. 457 m from a licensed public or private solid waste disposal facility
4. 305 m from a honey processing facility.
5. 305 m to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan
6. 600 m to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan
7. no dwelling or other building shall be located within the approach surface for any functional airport or airstrip.

## **6.5 Criteria for Discretionary Use Applications**

- a. A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- b. The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.
- c. No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
- d. The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- e. Home Based Businesses:
  - i. No home based business in this District shall include auto body repair or repainting operations
  - ii. No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this District
  - iii. Council may apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation.
  - iv. Any increase in the operation as applied for or approved shall require a new discretionary use approval
- f. Bed-and-breakfast Operation
  - i. The proposed structures are suitable and comfortable for the proposed development
  - ii. There shall be a water source suitable for public consumption at the facility
  - iii. There shall be suitable utilities and sewage disposal system for the facility
  - iv. There shall be appropriate levels of access to the site and off-street or road parking for the users of the facility
  - v. The development shall not be in conflict with adjacent uses or uses currently on site.

- g. Solid and liquid waste disposal facilities will only be permitted in the Country Residential District if there are no suitable sites within the Agricultural District.
- h. Other requirements of this bylaw specific to the proposed use are met.

## Part 7: Hamlet District - (H)

The objective of this district is to provide for urban density development of residential and associate commercial or industrial development that do not directly support agriculture. The Hamlets of Smuts and St. Denis are zoned as Hamlet Districts within the RM.

**7.1 Permitted Uses that exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:**

- a. Installation and repair of public utilities, except solid and liquid waste disposal facilities
- b. Development and expansion of municipal facilities
- c. Signs, subject to Section 3.6
- d. Landscaping on private lands
- e. Sidewalks, steps, patios, decks
- f. Keeping of Animals
  - i. Limited to domestic pets of the residents of the site

**7.2 Permitted Uses that require development permit approval:**

- a. Residence
  - i. Single detached dwelling
  - ii. Semi-detached dwelling
  - iii. Apartments
- b. Accessory Uses and Buildings:
  - i. Private garages
  - ii. Private garden sheds
  - iii. Private greenhouses
  - iv. Accessory uses and buildings related to an approved discretionary use

### **7.3 Discretionary Uses**

- a. Recreational uses:
  - i. Public sports fields
  - ii. Parks
  - iii. Rinks.
- b. Community uses:
  - i. Community halls, public museums, and libraries
  - ii. Non-residential schools and educational institutions
  - iii. Places of worship.
- c. Commercial Uses:
  - i. Retail stores, commercial retail services, restaurants
  - ii. Liquor sales, beverage room, restaurants, and lounges
  - iii. Grocery store
  - iv. Care facilities
  - v. Personal service shops
  - vi. Motels and hotels.
- d. Industrial Uses:
  - i. Agricultural equipment, motor vehicle, or recreational equipment dealers and service establishments
  - ii. Agricultural seed, fuel, and chemical supply establishments
  - iii. Agricultural product storage, transshipment, service and contracting establishments, excluding facilities for the handling of large animals
  - iv. Construction trades
  - v. Manufacturing or processing establishments

- vi. Welding, machine shops, and metal fabricating.
- e. Residential Uses:
  - i. Bed-and-breakfast Operation
  - iii. Home based business
- f. Keeping of animals on the same site as an established residence (as per section 3.17 Livestock, Animals and Birds)

#### **7.4 Regulations**

- a. Subdivision
  - i. New subdivision shall not take place within or adjacent to the Hamlet Districts until existing vacant land within the Hamlets has been developed to its full potential.
  - ii. Council will look favorably at the consolidation of existing lots to achieve larger lot sizes to facilitate new residential, commercial or recreational development.
  - ii. All subdivisions shall be located adjacent to an existing transportation corridor
  - iii. All subdivisions shall be serviced to meet municipal standards.
- b. Frontage
  - i. Minimum site frontage shall be 7.6 m (25 ft) m for all parcels
  - ii. Exemptions from minimum frontage may be considered by Council for public utility uses and municipal facilities.
- c. Site Size
  - i. Minimum site size shall be 1 acre (0.4 ha)
  - ii. Maximum site size shall be 10 acres (4ha)
  - iii. Exemptions from area requirements may be considered by Council for public utility uses and municipal facilities.
- d. Access:
  - i. All development requires access to a developed road and must be in accordance with the RM of Grant's Road Policy. As a condition of development, Council

may make satisfactory arrangements with the applicant for improvements or building of a road, where required.

- ii. For the purposes of Bylaw "developed road" shall mean an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council
  - iii. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
  - iv. All lots within a subdivision may be required to have access from an internal subdivision road. The number of accesses from the municipal road will be limited to provide for the safety of the travelling public.
  - v. Where an all-weather access road would be, in the opinion of Council, prohibitively expensive to construct or maintain, Council shall not be required to issue a development Permit for any residential, commercial or industrial building, unless the proponent agrees to pay to the Municipality the full or such portion of the costs as Council may determine for the construction of such access road in accordance the Municipality's Act.
  - vi. For newly proposed developments and/or subdivisions, development permits may be denied until the roads have been completed to a standard approved by Council.
- e. Setback Requirements
- i. Front Yard:
    - 1. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects on private property from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 m (150 ft).
    - 2. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects on private property from the intersection of the center lines of two or more municipal road right-of-ways shall be 90 m (300 ft)
    - 3. The minimum setback for buildings on private property from the hamlet road shall be 6.0 m (20 ft)
    - 4. No outside storage shall be permitted in the front yard.

- ii. Side Yard:
  - 1. The minimum setback for buildings on private property from any side yard shall be a 1.5 m (5 ft)
- iii. Rear Yard
  - 1. The minimum setback for residences and commercial buildings on private property from any rear yard shall be a 6 m (20 ft)
  - 2. The minimum setback for recreational uses, residential and commercial accessory buildings, portable structures, or other objects on private property from any side yard shall be a 1.5 m (5 ft)
- iii. No residence shall be located with less than a minimum separation distance to an operation, other than the residence of the operation, as follows:
  - 1. The separation distance to an ILO as regulated in Section 3.14
  - 2. 305 m from a licensed public or private liquid waste disposal facility
  - 3. 457 m from a licensed public or private solid waste disposal facility
  - 4. 305 m from a honey processing facility.
  - 5. 305 m to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan
  - 6. 600 m to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan
  - 7. no dwelling or other building shall be located within the approach surface for any functional airport or airstrip.

## **7.5 Criteria for Discretionary Use Applications**

- a. A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- b. The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.
- c. No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.

- d. The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- e. Council will apply the criteria of the Official Community Plan when considering locations for commercial and industrial uses
- f. Home Based Businesses:
  - i. No home based business in this District shall include auto body repair or repainting operations
  - ii. No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this District
  - iii. Council may apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation.
  - iv. Any increase in the operation as applied for or approved shall require a new discretionary approval
- g. Bed-and-breakfast Operation
  - i. the proposed structures are suitable and comfortable for the proposed development
  - ii. there is a water source suitable for public consumption at the facility
  - iii. there are suitable utilities and sewage disposal system for the facility
  - iv. there are appropriate levels of access to the site and off-street or road parking for the users of the facility
  - v. the development will not be in conflict with adjacent uses or uses currently on site.
- h. Other requirements of this bylaw specific to the proposed use are met.

## Part 8 -Definitions

In this Bylaw when the following words or terms are used, they have the following meaning, unless the context provides otherwise:

**Accessory Use** – a use customarily incidental, subordinate, and exclusively devoted to the principal use or building and is located on the same site with such principal use or building.

**Act** – *The Planning and Development Act, 2007.*

**Alteration** – any structural change or addition made to any building or structure.

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

**Administrator** – the official administrator for the Municipality pursuant to *The Municipalities Act.*

**Applicant** – a developer or person applying for a development permit under this Bylaw, for a subdivision approval to an approving authority under The Act.

**Bed-and-Breakfast Operation**– a residence, licensed as a tourist home under *The Public Accommodation Regulations*, in which overnight accommodation within the unit, along with one meal served before noon, is provided to the travelling public for a charge.

**Beverage Room** – an establishment, licensed by the Province of Saskatchewan, in that 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 maybe an accessory use to the drinking establishment but is subject to all applicable provincial regulations.

**Building** – a structure used for the shelter or accommodation of persons, animals, or goods.

**Building, Accessory** – a subordinate detached building apart from the main building or main use and located in the same site, which provides better and more convenient function of the main building or main use.

**Building Permit** – a permit issued under a building Bylaw of the Municipality authorizing the construction of all or part of any building.

**Camping Facility** – the seasonal operation of an area of land managed as a unit, providing temporary short-term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers, used by travellers and tourists.

**Care Services** means development to provide daytime personal care and education to children or elderly persons, but does not include overnight accommodation. Typical facilities would include daycare or "elder care" centres, day nurseries, family day home child care, nursery schools and play schools.

**Communal Dwelling:** - is identified as the dwelling unit(s) on land owned by Hutterite, Mennonite or any other type of colony who use the land for agricultural, educational, and other shared purposes.

**Council** – the Council of the Rural Municipality of Grant No. 372.

**Dwelling, Single Detached** – a detached building consisting of one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, but shall not include a mobile home, modular home, or trailer coach as defined here.

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

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

**Development Permit** – a document authorizing a development issued pursuant to this Bylaw.

**Discretionary Use** – means a use of land or buildings or form of development that:

- (a) is prescribed as a discretionary use in this Bylaw; and
- (b) requires the approval of Council pursuant to Section 56 of the Act and this Bylaw.

**Dwelling Group** – a group of principal buildings used as dwellings, located on a single parcel, developed as a project, that may include rental, condominium or bare land condominium forms of tenure.

**Flood Plain** – means the area prone to flooding from a waterbody or watercourse that comprises the combined area of the flood way and flood fringe.

**Flood Proofed** – means a measure, or combination of structural and non structural measures, incorporated into the design of a structure that reduces or eliminates the risk of flood damage to a defined elevation.

**Flood Way** – means the portion of the flood plain adjoining the channel where the waters in the 1:500 year flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second.

**Flood Fringe** – means the portion of the flood plain 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.

**Floor Area** – the sum of horizontal area contained within the outside of the outside walls of a building at each floor level at or above grade, excluding in the case of a dwelling, any private garage, porch, veranda, sun lounge, or unfinished room or attic.

**Grocery Store** – the use of a building, or a portion of a building, for the sale of foodstuffs and convenience goods to serve the needs of the surrounding residents and the traveling public.

**Hazard Land** – land which may be prone to flooding, slumping, subsidence, landslides, erosion, any other instability, or is located within the flood level of a river, stream or lake.

**Home Based Business** – an occupation carried on by the occupants of a residence or agricultural operation and is a use secondary to the permitted use.

**Hotel** – a building which provides sleeping accommodation for which a fee is charged and may also contain commercial uses, facilities or services such as a restaurant, dining room, room service or convention room.

**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 Ministry of Saskatchewan Highways and Infrastructure entitled *The Erection of Signs Adjacent to Provincial Highway Regulations, 1986*, as may be amended or replaced from time to time.

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

**Intensive Livestock Operation (ILO)** – the operation or facilities for the permanent or temporary rearing, confinement or feeding of poultry, hogs, sheep, goats, cattle, horses, or domesticated game animals in such numbers that the facility and portion of a parcel or site used for the operation does any of the following conditions:

- (a) will contain 100 or more animal units
- (b) provides less than 370 m<sup>2</sup> of space for each animal unit

- (c) will contain more than 20 animal units for 10 or more days of the month within 300 m of water body not controlled by the operator
- (d) will contain more than 20 animal units for 10 or more days of the month within 30 m of a domestic well not controlled by the operator.

**Junked Vehicles** – any automobile, tractor, truck, trailer or other vehicle that:

- (a) has no valid license plate
- (b) is in rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or abandoned condition
- (c) is not contained within a permitted building
- (d) does not form part of a permitted business

**Kennel** - development used for the breeding, boarding, caring or training of dogs. Typical facilities include dog boarding and dog training establishments, and animal rescue homes.

**Liquor Sales** – the wholesale or retail sale or distribution to the public of any and all types of alcohol spirits/beverages.

**Livestock**- includes horses, cattle, sheep and goats.

**Mobile Home** – a trailer coach bearing CSA Z240 certification for mobile homes (or a replacement thereof):

- (a) that is used as a dwelling
- (b) that has water faucets and shower, or other bathing facilities, that may be connected to a water distribution system
- (c) that is equipped with facilities for washing and water closet, or other similar facility, which may be connected to a sewage system.

**Modular Home** – a factory built home that is manufactured as a whole or modular unit and is designed to be moved on a removable chassis to be used as one dwelling unit, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.

**Motel** – means 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 adjoining conveniently located parking stall.

**Municipality** – the Rural Municipality of Grant No.372

**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
- (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
- (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.

**Outside Storage** – the storing, stockpiling or accumulating of goods, equipment or material in an area that is open or exposed to the natural elements.

**Pasture** – a site that is used for the raising and feeding of livestock by grazing.

**Permitted Use** – a use or form of development rightfully allowed in a zoning District, subject to the regulations contained in this Bylaw.

**Personal Service Shops** – a facility for providing a service to individuals, including but not limited to barbershops, professional services, medical clinics, drycleaners, etc.

**Poultry**- includes turkeys, ducks, geese, chickens, swans, pigeons, pheasants and includes all domestic fowl.

**Principal Use** – the main activities conducted on a site.

**Principal Building** – the main building in which the principal use of the site is conducted.

**Public Road** – a road allowance or a legally surveyed road vested in the name of Ministry of Highways and Infrastructure.

**Public Utility** – a government or private enterprise, which provides a service to the general public.

**Quarter Section** – a quarter Section as defined by the Township Plan of Survey in the Land Titles Office, exclusive of any registered road, road widening, or railway right of way, but including any partial quarter Section defined on the Township Plan of Survey.

**Reeve** – the Reeve of the Rural Municipality of Grant No. 372

**Residence** – a single detached dwelling, mobile home or modular home

**Residential-** an area zoned CR- Country Residential under the Rural Municipality of Grant Zoning Bylaw

**School** – a site, building or other premises and improvements that is utilized for the purposes of educating students with a faculty.

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

- (a) is a structure or any part thereof, or is attached to, painted on, or in any manner represented on a building
- (b) is used to announce or direct attention to, or advertise
- (c) is visible from outside the building.

**Site** – an area of land with fixed boundaries that has been registered in the Land Titles Office by Certificate of Title, and for which all portions of the land are consolidated under a single title.

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

**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.

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

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

**Subdivision** – a division of land, and includes a division of a quarter Section into legal subdivisions as described in the regulations made pursuant to *The Land Surveys Titles Act, 2000*.

**Trailer Coach** – any vehicle or dwelling that has been modified to allow for both transportation upon public roads or highways and also be utilized as a dwelling or sleeping place for one or more persons.

**Units of measure** – units of measure in this Bylaw are metric abbreviated as follows:

|                |                   |
|----------------|-------------------|
| m              | - metre(s)        |
| m <sup>2</sup> | - square metre(s) |
| km             | - kilometre(s)    |
| ha             | - hectare(s)      |
| ac             | - acre(s)         |
| ft             | - foot (feet)     |

**Use** – the purpose or activity for which a piece of land or its buildings are designed, arranged or intended, occupied or maintained.

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

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

**Waste Disposal Facility, Liquid** – a facility to accommodate any liquid waste from residential, commercial, institutional and industrial sources, but does not include a septic system for a single residence or farmstead, or a manure storage area for an intensive livestock operation.

**Waste Disposal Facility, Solid** – a facility, not including a waste transfer station or a temporary storage facility, to accommodate discarded materials, substances or objects which originated from residential, commercial, institutional and industrial sources which

are typically disposed of in municipal or private landfills, but not including dangerous goods, hazardous waste or biomedical waste.

**Yard** – the open, unoccupied space on a lot between the property line and the nearest wall of a building.

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

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

**Yard, Required** – the minimum yard required by a provision of this Bylaw.

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

**Zoning District-** a zoning district pursuant to the Rural Municipality of Grant No. 372 Zoning Bylaws.