



# Zoning Bylaw RM of Weyburn No. 67

**NOTE:** This consolidation is not official.

Zoning Bylaw Amendments including Bylaws No. 13-2015, No. 9-2016, No. 12-2016, No. 9- 2017, No. 8-2018, No. 7-2019 and No. 1-2020 have been incorporated for convenience of reference and the original bylaws and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original bylaws and regulations, errors that may have appeared are reproduced in this consolidation.

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## 1 INTRODUCTION

### 1.1 AUTHORITY

Under the authority granted by *The Planning and Development Act, 2007*, the Reeve and Council of the Rural Municipality of Weyburn No. 67 in the Province of Saskatchewan, in open meeting, hereby enact as follows:

### 1.2 TITLE

This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Rural Municipality of Weyburn No. 67.

### 1.3 PURPOSE

- .1 The purpose of this Bylaw is to regulate development and to control the use of land in the Rural Municipality of Weyburn No. 67 in accordance with the Official Community Plan Bylaw 5-2013.
- .2 The intent of this Zoning Bylaw is to provide for the amenity of the area within The Rural Municipality of Weyburn No. 67 (hereinafter referred to as the Municipality) and for the health, safety, and general welfare of the inhabitants of the area:
  - a) To minimize land use conflicts;
  - b) To establish minimum standards to maintain the amenity of the Rural Municipality;
  - c) To ensure development is consistent with the physical limitations of the land;
  - d) To restrict development that places undue demand on the Rural Municipality for services; and
  - e) To provide for land use and development that is consistent with the goals, objectives and policies of the Rural Municipality of Weyburn Official Community Plan, Bylaw 5-2013.

### 1.4 SCOPE

This Bylaw applies to all land included within the boundaries of the Rural Municipality of Weyburn No. 67. All development within the limits of the Rural Municipality shall hereafter conform to the provisions of this Bylaw.

### 1.5 SEVERABILITY

A decision of a Court that one or more of the provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness, or enforceability of the other provisions or parts of the provisions of this Bylaw.



## 2 DEFINITIONS

Whenever the subsequent words or terms are used in the Official Community Plan, Bylaw No. 5-2013 and this Bylaw, they shall, have the following definition unless the context indicates otherwise.

**ABATTOIR:** a facility for butchering or slaughtering animals, and to dress, cut and inspect meats; refrigerate, cure, and manufacture by-products.

**ACCESSORY:** a building, structure or use of a specific site which is subordinate and exclusively devoted to the principal building, principal structure, or principal use of the same site.

**ACT:** *The Planning and Development Act, 2007* Province of Saskatchewan, as amended from time to time.

**ADJACENT:** contiguous or would be contiguous if not for a river, stream, railway, road or utility right-of-way or reserve land; and any other land identified in this Bylaw as adjacent land for the purpose of notifications.

**ADMINISTRATOR:** the Administrator of the Rural Municipality of Weyburn No.67.

**AGGREGATE RESOURCE:** raw materials including sand, gravel, clay, earth or mineralized rock found on or under a site.

**AGRICULTURAL:** a use of land, buildings or structures for the purpose of animal husbandry, fallow, field crops, forestry, market gardening, pasturage, private greenhouses and includes the growing, packing, treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agricultural.

**AGRICULTURE (INTENSIVE):** an agricultural production system characterized by high inputs relative to land area enabling a substantial increase in production using methods geared toward making use of economies of scale to produce the highest output at the lowest cost.

**AGRICULTURAL HOLDING OR FARM:** the cumulative total of all sites which are:

- owned by a person, and
- used for agricultural operations and production, and
- are situated within the rural municipality,

and shall not include a site, the principal use of which is residential or non-agricultural.

**AGRICULTURAL OPERATION:** a site, or sites, the principal use of which is to derive produce directly from the following activities, but shall not be residential in use.

- a) cultivating land;
- b) producing agricultural crops, including hay and forage;
- c) producing horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs, flowers, greenhouse crops and specialty crops, excluding cannabis;
- d) raising all classes of livestock, horses, poultry, fur-bearing animals, game birds and game animals, bees and fish;
- e) carrying on an intensive livestock operation;

- f) involved the primary processing of agricultural products which provide a primary source of livelihood and income to the site owner or operator;
- g) operating agricultural machinery and equipment, including irrigation pumps and noise-scare devices;
- h) conducting any process necessary to prepare a farm product for distribution from the farm gate;
- i) storing, handling and applying fertilizer, manure, organic wastes, soil amendments and pesticides, including both ground and aerial application;
- j) any other prescribed agricultural activity or process as defined by Council from time to time.

**AGRICULTURAL INDUSTRY:** those processing and distributing industries providing products or services directly associated with the agricultural business sector and without restricting the generality of the above may include:

- a) grain elevators
- b) feed mills
- c) abattoirs
- d) seed cleaning plants
- e) pelletizing plants
- f) bulk fertilizer distribution plants
- g) bulk agricultural chemical distribution plants
- h) anhydrous ammonia storage and distribution
- i) bulk fuel plants
- j) livestock holding stations
- k) retail sales of the goods produced or stored as part of the dominant use on the site.

**AGRICULTURAL COMMERCIAL:** a use related to the sale of products or machinery of an agricultural nature or the provision of services to the agricultural community, and without restricting the generality of the above may include livestock auction marts, farm implement dealerships, fruit stands, veterinary clinics and animal hospitals.

**AGRICULTURAL RESIDENCE:** a dwelling unit accessory to the use of land intended for a combined residential and agricultural purpose.

**AGRICULTURAL RESIDENTIAL DEVELOPMENT:** the establishment of a residence on an agricultural holding in the absence of subdivision of where the residence remains directly appurtenant to the agricultural operation.

**AGRICULTURAL TOURISM:** a tourism oriented commercial land use related to the retail sale of products or the provision of entertainment associated with an agricultural operation or a rural environment and without limiting the generality of the above includes historical and vacation farms, farm zoos, gift shops, restaurants, art galleries and cultural entertainment facilities.

**ALTERATION OR ALTERED (RENOVATION):** with reference to a building, structure or site means a change from one major occupancy class or division to another, or a structural change such as an addition to the area or height, or the removal of part of a building, or any change to the structure such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change to or closing of any required means of egress or a change to the fixtures, equipment, cladding, trim, or any other items regulated by this Bylaw such as parking and landscaping.

**ANCILLARY:** a building, structure or use of a specific site which is related in a subsidiary manner to the principal building, principal structure, or principal use of the same site.

**ANIMAL CLINIC (SEE CLINICS)**

**ANIMAL HOSPITAL (SEE CLINICS)**

**ANIMAL UNIT (A.U.)** the kind and number of animals calculated in accordance with the following table:

Animal Type	Number of Animals = 1 Animal Unit
<b>Poultry</b>	
• Hens, cockerels, capons	100
• Chicks, broiler chickens	200
• Turkeys, geese, ducks	50
• Exotic birds	25
<b>Hogs</b>	
• Boars and sows	3
• Gilts	4
• Feeder pigs	6
• Weanling pigs	20
<b>Sheep</b>	
• Rams or ewes	7
• Lambs	14
<b>Goats etc.</b>	
• All (including llamas, alpacas etc.)	7
<b>Cattle</b>	
• Cows and bulls	1
• Feeder cattle	1.5
• Replacement heifers	2
• Calves	4
<b>Horses</b>	
• Colts and ponies	2
• Other horses	1
<b>Other</b>	
• Domesticated native ungulates (deer, elk, bison, etc.)	1

**APPLICANT:** a developer or person applying for a development permit under this Bylaw, for a subdivision approval to an approving authority under *The Planning and Development Act, 2007*.

**ASPHALT PLANT (SEE CONCRETE PLANT)**

**AUCTION MART/MARKET:** means a building or structure or lands used for the storage of goods, materials and livestock which are to be sold on the premises by public auction and for the sale of the said goods, materials, and livestock by public auction and on an occasional basis.

**AUTO WRECKER:** an area where motor vehicles are disassembled, dismantled or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored or sold to the general public.

**BASEMENT:** that portion of a building between two floor levels, which is partly underground and has not more than one-half its height from the finished floor to finished ceiling, above finished grade.

**BED AND BREAKFAST:** a dwelling unit, licensed as a tourist home under *The Public Accommodation Regulations, 1997*, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

**BUFFER:** a strip of land, vegetation or land use that physically separates two or more different land uses.

**BUILDING:** a structure used for the shelter or accommodation of persons, animals, or chattels and includes any structure covered by a roof supported by walls or columns.

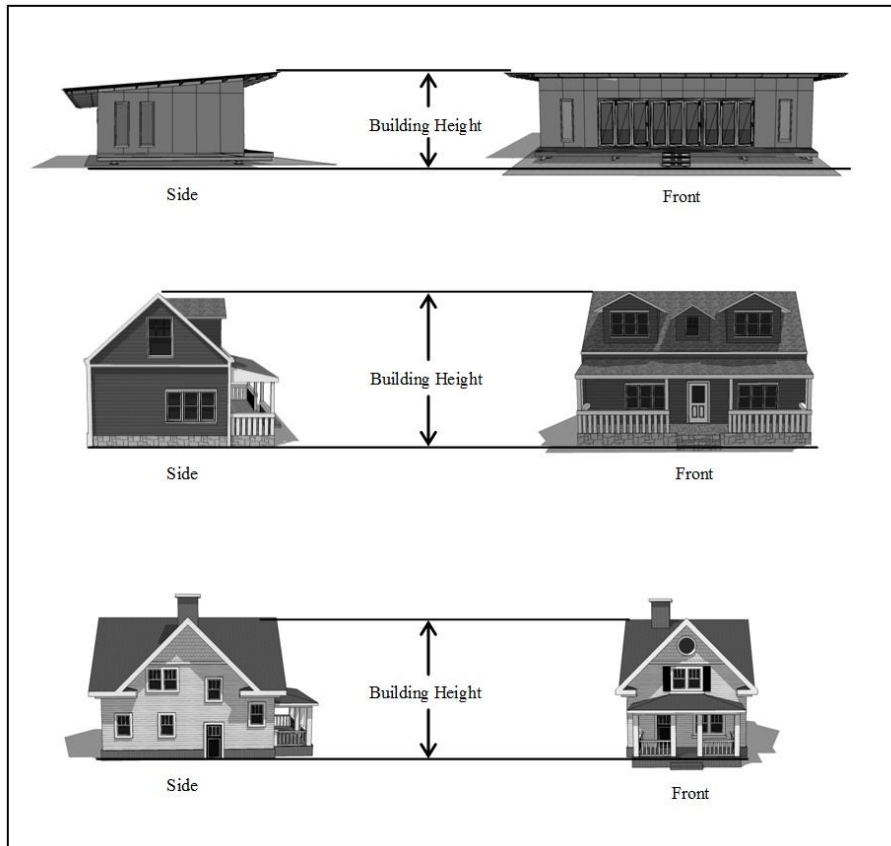
**BUILDING BYLAW:** the Bylaw of the Rural Municipality of Weyburn No.67 regulating the erection, alteration, repair, occupancy, maintenance or demolition of buildings and structures.

**BUILDING, FARM:** improvements such as barns, granaries, workshops, etc., situated on a parcel of land identified as an agricultural operation and used in connection with an agricultural operation.

**BUILDING FLOOR AREA:** the sum of the gross horizontal area of all floors of a building excluding the floor area used for or devoted to mechanical equipment, laundry, storage, swimming pools, and enclosed or underground parking facilities. All dimensions shall be measured between exterior faces of walls or supporting columns, or from the centre line of the walls or supporting columns separating two buildings. For the purpose of this Bylaw, the term 'storage' means the keeping or placing of trunks, luggage or similar articles in a place designed therefore, but shall exclude clothes closets, linen closets, broom cupboards, kitchen and bathroom cupboards of whatsoever nature.

**BUILDING FRONT LINE:** the line of the wall of the building or any projecting portion of the building and production thereof, excluding permitted obstructions, which faces the front site line.

**BUILDING HEIGHT:** the vertical distance measured from the grade level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof.



Building Height Measurements

**BUILDING PERMIT:** a permit issued under the Building Bylaw of the Rural Municipality of Weyburn No.67 authorizing the construction of all or part of any building or structure.

**BUILDING, PRINCIPAL:** a building in which is conducted the main or primary use of the site on which the said building is situated.

**BUILDING REAR LINE:** the line of the wall of the building or any projecting portion of the building and production thereof, excluding permitted obstructions, which faces the rear site line.

**BUILDING SIDE LINE:** the line of the wall of the building or any projecting portion of the building and production thereof, excluding permitted obstructions, which faces the side site line.

**BULK FUEL SALES AND STORAGE:** includes lands, buildings, and structures for the storage and distribution of fuels and oils including retail sales or key lock operations.

**BYLAW:** the Rural Municipality of Weyburn No. 67's Zoning Bylaw.

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

**CANADA LAND INVENTORY (C.L.I.) SOIL CLASS RATING SYSTEM:** provides an indication of the agricultural capability of land. The classes indicate the degree of limitation imposed by the soil in its use for mechanized agriculture. The C.L.I. class for each parcel of land is determined by the dominant C.L.I. class for the parcel, usually a quarter-section of land. Soil classes range from 1 to 7, with Class 1 soils having no significant limitations and Class 7 having severe limitations in terms of its capacity for arable culture or permanent pasture.

**(PRIME)LANDS:** Canada Land Inventory (C.L.I) Soil Class Rating System

Class 1 – Soils in this class have no significant limitations in use for crops.

Class 2 – Soils in this class have moderate limitations that restrict the range of crops or require moderate conservation practices.

Class 3 - Soils in this class have moderately severe limitations that reduce the choice of crops or require special conservation practices.

**(MARGINAL) LANDS:** Canada Land Inventory (C.L.I) Soil Class Rating System

Class 4 - Soils in this class have severe limitations that restrict the choice of crops, or require special conservation practices and very careful management, or both.

Class 5 - Soils in this class have very severe limitations that restrict their capability to producing perennial forage crops, and improvement practices are feasible.

Class 6 - Soils in this class are unsuited for cultivation, but are capable of use for unimproved permanent pasture.

Class 7 - Soils in this class have no capability for arable culture or permanent pasture.

**CANNABIS:** As defined in *The Cannabis Act (Canada)*.

**CANNABIS, CULTIVATION:** means the growing and harvesting of cannabis indoors or outdoors as licensed by the Federal or Provincial Government.

**CANNABIS, MICRO-CULTIVATOIN:** means a licensed small – scale facility where there is a limit to the maximum canopy area for growing of cannabis plants and harvesting of product authorized by the Federal or Provincial Government.

**CANNABIS NURSERY:** means the growing of cannabis for seed production where a total area may not exceed more than 50 m<sup>2</sup> must contain all parts of budding or flowering plants where a maximum production of flowering heads harvested are restricted by the production of license issued by the Federal or Provincial Government. Cultivation may occur indoors or outdoors.

**CANNABIS, PROCESSING:** the manufacturing, packing and labelling of cannabis products designed for direct sale to authorized distributors or wholesalers.

**CANNABIS RESEARCH & TESTING:** means a federally licensed facility for the research and testing of cannabis or cannabis products. On site cannabis production is only permitted as incidental to the main purpose of the facility for the research and testing of cannabis.

**CANNABIS RETAIL:** means a retail business operating from a storefront location which is provincially licensed selling any part of the cannabis plant, processed or unprocessed, including any derivative, concentrate or edible product originating from the cannabis plant.

**CANNABIS, STANDARD CULTIVATION:** means a licensed cannabis facility where the growing and cultivation is regulated by Provincial and Federal Government.

**CANNABIS WHOLESALE:** means a provincially licensed warehouse and distribution facility that purchases cannabis from federally licensed producers or other provincially licensed wholesales for storage, distribution, and sales to cannabis Retail Stores or other provincially licensed Cannabis Wholesalers.

**CEMETERY:** land that is set apart or used as a place for the interment of the dead or in which human bodies have been buried. "Cemetery" may include a structure for the purpose of the cremation of human remains and may include facilities for storing ashes or human remains that have been cremated or the interment of the dead in sealed crypts or compartments.

**CLEAN FILL:** uncontaminated non-water-soluble, non-decomposable inert solids such as rock, soil, gravel, concrete, glass and/or clay or ceramic products. Clean fill shall not mean processed or unprocessed mixed construction and demolition debris, including, but not limited to, wallboard, plastic, wood or metal or any substance deemed corrosive, combustible, noxious, reactive or radioactive.

#### **CLINICS / HOSPITAL, ANIMAL**

**ANIMAL CLINIC:** a building or part thereof used by a qualified veterinarian for the treatment of animal health needs where animals are not kept on the premises for surgery or kept overnight.

**ANIMAL HOSPITAL:** the premises of a veterinary surgeon where small, large domestic animals and livestock are treated or kept involving surgery and the keeping of animals in outdoor or indoor pens.

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

**CLUSTER:** where design allows for the concentration of development in pockets to preserve ecological areas and other open space while providing lower servicing cost and alternative development (ie. housing) patterns.

**COMMERCIAL:** the use of land, buildings, or structures for the purpose of buying and selling commodities, and supplying professional and personal services for compensation.

**COMMERCIAL INDOOR STORAGE:** a building or series of buildings comprising multiple storage bays intended for lease or rent by the general public for the purpose of indoor storage of private goods.

**COMMERCIAL, SMALL SCALE:** Commercial or Industrial land uses maintaining a lineal frontage less than 90 metres (295.28 feet).

**COMMUNICATION FACILITY (SEE (TELE) COMMUNICATION FACILITY)**

**COMMUNITY FACILITIES:** a building or facility used for recreational, social, educational or cultural activities and which is owned by a municipal corporation, non-profit corporation or other non-profit organization.

**COMPREHENSIVE DEVELOPMENT REVIEW (SEE CONCEPT PLAN)**

**CONCEPT PLAN (COMPREHENSIVE DEVELOPMENT REVIEW):** a land use concept plan for a specific local area that identifies social, environmental, health and economic issues which the proposed development must address.

**CONCRETE (ASPHALT) PLANT:** an industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production's process or of finished products manufactured on the premises and the storage and maintenance of required equipment.

**CONDOMINIUM:** as defined by *The Condominium Property Act, 1993*, means the land included in a condominium plan together with the buildings and units and the common property and common facilities belonging to them.

**CONDOMINIUM, BARE LAND (FREEHOLD):** involves dividing a parcel of land into individually owned 'bare land units'. Each bare land unit is shown on a survey plan. The balance of the parcel around the units is common property.

**CONDOMINIUM, TOWNHOUSE:** involves dividing a building into individually owned units with boundaries referenced to the walls, floors and ceilings. Each unit shall have its own entrance to the outside. Other parts of the building and the parcel containing the building are common property.

**CONSERVATION:** the planning, management and implementation of an activity with the objective of protecting the essential physical, chemical and biological characteristics of the environment against negative impacts.

**CONTRACTOR'S YARD:** the yard of a contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business.

**CONVENIENCE STORE:** a store offering for sale primarily food products, beverages, tobacco, personal care items, hardware and printed matter and which primarily provides a convenient day to day service to residents in the vicinity.

**COST OF REMOVAL:** means the total cost to remove the building in its completed form.

**COTTAGE WINERY:** an establishment primarily engaged in manufacturing wines, brandy, and brandy spirits from grapes, berries and other agricultural produce, the majority of which is grown on site. This includes the bottling, storage and sale wines.

**COUNCIL:** the Council of the Rural Municipality of Weyburn No.67.

**COUNTRY RESIDENCE:** a dwelling or site whose owner's principal source of household income is derived from a source other than the principal agricultural use of that site.



**COUNTRY RESIDENTIAL DEVELOPMENT:** residential development contained within a severance from an agricultural holding where the essential land requirement is for a residential building site and space rather than for productive agricultural purposes.

**COUNTRY RESIDENTIAL DEVELOPMENT, MULTI-PARCEL:** involves high density rural residential development and may include cluster, multi-unit, linear developments or other suitable design concepts along roadways where the essential land requirement is for a residential building site and space, rather than for productive agricultural purposes.

**CREMATORIUM:** a building fitted with the proper appliances for the purposes of the cremation of human and animal remains and includes everything incidental or ancillary thereto.

**DAYCARE CENTRE:** Any kind of group daycare programs including eldercare or aged adults, nurseries for children of working parents, nursery schools for children under the age for education in public schools or parent cooperative nursery schools and programs covering after school care for school children provided such an establishment is approved by the provincial government and conducted in accordance with provincial requirements.

**DEMOLITION PERMIT:** a permit issued for the removal or dismantling of a building or structure within the Municipality's boundaries as prescribed under Section 13 of *The Uniform Building and Accessibility Standards Act*.

**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 of any building or land, the moving of any building or structure onto land, the moving of a mobile home or trailer coach onto land, and the opening or stripping of land for the purpose of removing therefrom sand, gravel or other aggregate resources.

**DEVELOPMENT AGREEMENT:** the legal agreement between a developer and the Municipality which specifies the all obligations and the terms and conditions for the approval of a development pursuant to section 172 of *The Planning and Development Act, 2007*.

**DEVELOPMENT OFFICER:** an employee of the Municipality appointed by the Council to act as a Development Officer to administer this Bylaw.

**DEVELOPMENT PERMIT:** a permit issued by the Municipality that authorizes development, but does not include a Building Permit.

**DISCRETIONARY USE:** a use of land or buildings or form of development that is prescribed as a discretionary use in the Zoning Bylaw; and requires the approval of Council pursuant to Section 56 of *The Planning and Development Act, 2007*.

**DOMESTIC ANIMAL:** an animal, as the horse or cat, that has been tamed and kept by humans as a work animal, food source, or pet, especially a member of those species that have, through selective breeding, become notably different from their wild ancestors.

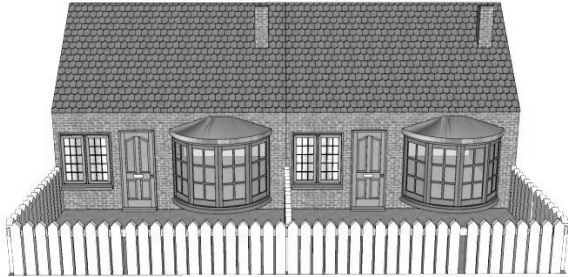
**DORMITORY:** sleeping quarters or entire buildings primarily providing sleeping and residential quarters for large numbers of people.

**DWELLING:** a building or part of a building designed exclusively for residential occupancy.

**DWELLING, DUPLEX:** a building that is divided into two (2) dwelling units, one upper and one lower, with separate entrances.

**DWELLING, MULTIPLE UNIT:** a building containing three (3) or more dwelling units and shall include condominiums, townhouses, row houses, and apartments as distinct from a rooming house, hotel, or motel.

**DWELLING, SEMI-DETACHED:** a building divided into two (2) dwelling units by a common vertical wall extending from the base of the foundation to the roofline.



Semi Detached Dwelling

**DWELLING, SINGLE-DETACHED:** a building containing only one (1) dwelling unit, as herein defined, and occupied or intended to be occupied as a permanent residence, including a RTM when attached to a conventional foundation on the site, but not including a mobile or modular home as defined.



Single-Detached Dwelling

**DWELLING, TOWN (ROW) HOUSE:** a dwelling, designed as one cohesive building in terms of architectural design, which contains three (3) or more similar attached dwelling units each of which fronts on a street, has direct access to the outside at grade and is not wholly or partly above another dwelling.



Town House Dwelling

**DWELLING GROUP:** a group of single-detached, semi-detached, or multiple unit dwellings clustered on one lot or site, built as one development.

**DWELLING UNIT:** a separate set of living quarters, whether occupied or not, usually containing sleeping facilities, sanitary facilities and a kitchen or kitchen components, but does not include boarding houses or rooming units. For the purposes of this definition, "kitchen components" include, but are not limited to, cabinets, refrigerators, sinks, stoves, ovens, microwave ovens or other cooking appliances and kitchen tables and chairs.

**ELEVATION:** the height of a point on the earth's surface above sea level.

**ENVIRONMENTAL RESERVE:** lands that have been dedicated to the Municipality by the developer of a subdivision as part of the subdivision approval process. Environmental Reserves are those lands that are considered undevelopable and may consist of a swamp, gully, ravine, coulee or natural drainage course, or may be lands that are subject to flooding or are considered unstable. Environmental Reserve may also be a strip of land, not less than 6.0 metres (19.69 feet) in width, abutting the bed and shore of any lake, river stream or other body of water for the purposes of preventing pollution or providing access to the bed and shore of the water body.

**ENVIRONMENTAL FARM PLANS (EFP):** are voluntary, confidential, self- assessment tools used by producers to raise awareness about environmental risks and opportunities on their operations. As part of their EFP, producers develop their own action plans to identify management practices that can reduce environmental risk on their operations.

**ENVIRONMENTALLY SENSITIVE LANDS (See Hazard Land):** areas designated as having potential environmental sensitivities or natural hazard conditions such as unstable slopes, excessive erodibility, or flooding, or lands that are in proximity to a waterbody, or a municipal or private water source.

**EQUESTRIAN FACILITY (RIDING STABLES):** the use of lands, buildings, or structures for the boarding of horses, the training of horses and riders, and the staging of equestrian events, with or without charge and with or without general public involvement, but does not include the racing of horses.

**ESSENTIAL YARD SITE FEATURES:** features of an existing farmstead which are deemed necessary for inclusion within a subdivision plan including but not limited to dugouts, shelterbelt plantings and water wells.

**EXISTING:** in place or taking place on the date of the adoption of this Bylaw.

**FAIRGROUND:** the use of land, buildings or structures where the temporary exhibition of music, art, goods, wares, vehicles and the like are displayed and made available for sale and may include a midway, place of amusement, rodeo or other similar activities.

**FARMERS' MARKET:** an occasional or periodic sales activity held in an open area where groups or individual sellers offer new and used goods, crafts or produce for sale directly to the public but does not include a retail store, shopping centre or greenhouse.

**FARMSTEAD/FARM YARD:** the buildings and adjacent essential grounds surrounding a farm.

**FARM YARD SITE (SEE ESSENTIAL YARD SITE FEATURES)**

**FEEDLOT:** a fenced area where livestock are confined solely for the purpose of growing or finishing, and are sustained by means other than grazing.

**FENCE:** any artificially constructed barrier erected to enclose or screen areas of land.

**FENCE, BARBED WIRE:** a wire or strand of wires having small pieces of sharply pointed wire twisted around it at short intervals, used for fencing in livestock, keeping out trespassers, etc.

**FENCE, CHAIN-LINK:** a mesh fence made of thick steel wire and having a diamond shape pattern.

**FENCE, ELECTRIC:** a wire fence electrically charged.

**FENCE, STRAND:** barbed wire, electric fence or any similar fence that once constructed does not visually shield, block or obscure one are from another.

**FILL:** soil, rock, rubble, or other approved, non-polluting waste that is transported and placed on the existing, usually natural, surface of soil or rock, following the removal of vegetation cover, topsoil, and other organic material.

**FINANCIAL SECURITY:** an amount paid to the Municipality to ensure compliance of the Bylaw.

**FLOOD:** a temporary rise in the water level that results in the inundation of an area not ordinarily covered by water.

**FLOOD HAZARD:** an area that would be inundated by the design flood.

**FLOOD, DESIGN:**

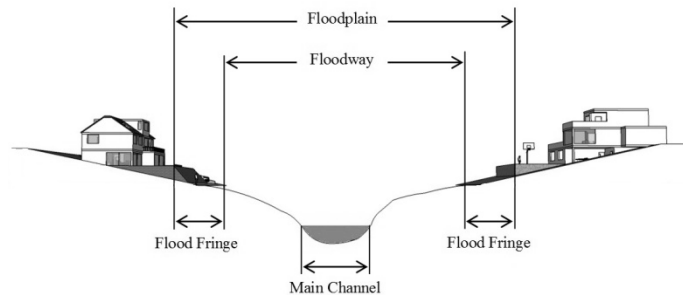
- a) a 1:500 year flood;
- b) a flood having a return period greater than 1:500 years;
- c) a recorded flood having a water surface elevation equal to or exceeding that of a 1:500 year flood.

**FLOOD LEVEL, DESIGN:** the elevation of the design flood.

**FLOOD-PROOFING:** any combination of structural and non-structural modifications to structures, buildings or land, which reduces or eliminates flood damage to structures, buildings, development, land, servicing, environmental and building-contents by using the freeboard elevation.

**FLOODWAY:** a water body or the channel of a water course, including adjoining lands, which are required to carry and discharge, or to contain, the design flood with a known hydraulic impact.

**FLOODWAY FRINGE:** that part of the flood hazard area which is outside a floodway, but which would be covered by flood waters.



**FREEBOARD ELEVATION:** the elevation of the Estimated Peak Water Level plus an extra 0.50 metres (1.64 feet).

**FLOOR AREA:** the total area of all floors of a building or structure, excluding stairwells, elevator shafts, equipment rooms, interior vehicular parking, unloading areas and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

**GAME FARM:** land and facilities on which domestic game farm animals are held for commercial purposes. (See Harvest Preserve).

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

**GARDEN SUITE:** an additional dwelling unit that is separate from and secondary to the principal single detached dwelling on the residential lands; the unit is to be used by a relative (blood, marriage, or legal adoption) or caregiver of the resident of the principal single detached dwelling.

**GAS BAR:** a building or place used for, or intended for the provision of gasoline or diesel fuel and may or may not include a convenience store.

**GENERAL COMMERCIAL TYPE I:** those developments where activities and uses are primarily carried on within an enclosed building intended to provide for the merchandising of refined goods and services targeted for the travelling public and the surrounding community for financial gain.

**GENERAL COMMERCIAL TYPE II:** those developments where activities and uses are primarily carried on within an enclosed building intended to provide for the merchandising of refined goods and services and in addition may involve outside storage. Some minor manufacturing of goods may occur inside or outside.

**GENERAL INDUSTRY TYPE I:** those developments where activities and uses are primarily carried on within an enclosed building where no significant nuisance factor is created or is apparent outside an enclosed building. Developments of this type shall not pose, in the opinion of a Municipality, any significant risk of interfering with the amenity of adjacent sites because of the nature of the site, materials or processes and shall include but not be limited to the following activities:

- a) the assembling of goods, products or equipment;
- b) the limited processing of raw, value-added or finished materials;
- c) the storage or trans-shipping of materials, goods and equipment;.
- d) the training of personnel in general industrial operations.

It may include any indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial uses.

**GENERAL INDUSTRY TYPE II:** those developments in which all or a portion of the activities and uses are carried on outdoors, without any significant nuisance or environmental factors such as noise, appearance, or odor, extending beyond the boundaries of the site. Developments of this type shall not pose, in the opinion of a Municipality, any significant risk of interfering with the amenity of adjacent sites because of the nature of the site, materials or processes and shall include but not be limited to the following activities:

- a) manufacturing, fabricating, processing, assembly, finishing, production or packaging of materials, goods or products;
- b) the storage or trans-shipping of materials, goods and equipment;
- c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible in non-industrial districts.

**GENERAL INDUSTRY TYPE III (EXCLUSIONARY USES):** refers to certain industrial activities that maybe characterized as exhibiting a high potential for adversely affecting the safety, use, amenity or enjoyment of adjacent and nearby industrial and non-industrial sites due to their scale, appearance, noise, odor, emissions and hazard potential. Such activities are considered exclusionary when the only means of mitigating the associated negative effects on surrounding land uses is through spatial separation. Such uses would include but not be limited to the following: landfill, ethanol plant, transformer stations, uranium refiners, anhydrous ammonia storage and distribution centres.

**GEOTECHNICAL ASSESSMENT:** an assessment or estimation by a qualified expert of the earth's subsurface and the quality and/or quantity of environmentally mitigative measures that would be necessary for development to occur.

**GOLF COURSE:** a public or private area operated for the purpose of playing golf, and includes a par 3 golf course, club house and recreational facilities, accessory driving ranges, and similar uses.

**GREENHOUSE:** a building with glass or clear plastic walls and roof for the cultivation and exhibition of plants under controlled conditions.

**GREENHOUSE, COMMERCIAL:** a greenhouse that includes a retail aspect catering to the general horticultural needs of the general public for financial gain and includes outdoor storage of landscaping supplies, but excludes the growth of cannabis.

**GREENHOUSE, INDUSTRIAL:** a greenhouse intended to serve intermediate industrial and retail markets with large quantities of horticultural supplies, not including consumer retail or the growth of cannabis.

**GREENWAYS:** a linear park which may accommodate pathways principally for foot traffic and/or bicycles. Typically, greenways are planned along creeks, streams or rivers and managed as natural environments, or bikeways along landscaped roads.

**GROSS SURFACE AREA:** the area of the rectangle or square within which the face of a sign can be completely contained, exclusive of any supporting structure or, where a sign has more than one face or the face of the sign is not flat, the rectangle within which the largest area of the face of the sign in profile can be completely contained exclusive of any supporting structure.

**HALL:** a building or part of a building, in which facilities are provided for such purposes as meetings for civic, educational, political, religious or social purposes and may include a banquet hall, private club or fraternal organization.

**HAMLET:** a small, rural, unincorporated community that includes a limited number of land uses, typically single family dwellings and rural commercial, where infill, minor expansion and diversification of support services may occur.

**HARVEST PRESERVE:** an area of deeded private land fenced for the purpose of management, control, and harvesting of domestic game farm animals. Harvest preserves are regulated by *The Domestic Game Farm Animal Regulations*.

**HAZARD LAND:** land which may be prone to flooding, slumping, landslides, or erosion or any other instability, or is a flood plain or watercourse.

**HAZARDOUS SUBSTANCE:** a substance that, because of its quality, concentration or physical, chemical or infectious characteristics, either individually or in combination with other substances on the site is an existing or potential threat to the physical environment, to human health or to other living organisms.

**HAZARDOUS USES:** a development which may generate any of the following characteristics:

- a) Excessive noise, odor, dust, vibration;
- b) Offensive emissions;
- c) Involves dangerous or toxic materials, chemicals and wastes;
- d) Air, water or soil pollution;
- e) Land use incompatibility;
- f) Reduced public safety, and may include auto-wrecking, fertilizer, asphalt, chemical and grain handling uses.

**HELO-STOP (LIMITED USE):** any landing area used for the taking off and the landing of private helicopters for the purpose of picking up and discharging passengers or cargo and is not open to use by any helicopter without permission having been obtained.

**HERITAGE PROPERTY:** Any property, whether by a work of nature or of man, that is of interest for its archaeological, historic, cultural, environmental, aesthetic or scientific value, and includes a site where archaeological, historic, paleontological, cultural or scientific property is, or may reasonably be expected to be found, or as otherwise defined in *The Heritage Property Act* and regulations.

**HERITAGE RESOURCE:** the history, culture and historical resources of an area or community.

**HOME-BASED BUSINESS:** an accessory use carried on by occupant(s) as a business conducted for gain in whole or in part in a dwelling unit or an accessory building to a dwelling unit, excluding cannabis.

**HOME OCCUPATION:** an accessory use carried on as an occupation conducted for gain in a dwelling unit solely by the resident or residents, excluding cannabis.

**HORTICULTURE:** the culture or growing of garden plants. Horticulturists work in plant propagation, crop production, plant breeding and genetic engineering, plant biochemistry, plant physiology, and the storage, processing, and transportation of fruits, berries, nuts, vegetables, flowers, trees, shrubs, and turf.

**HOTEL/MOTEL:** A building or buildings or part thereof on the same site used to accommodate the traveling public for gain or profit, by supplying them with sleeping accommodation, with or without meals.

**HOUSE/SHOP COMBINATION BUILDING:** a building containing a one unit dwelling as well as separate shop space, and placed on a permanent foundation, constructed to National Building Code standards, with fire separations and safety measures as required by NBC.

**INCIDENTAL SIGNS (SEE SIGNS)**

**INDUSTRIAL PARK:** an industrial park is an area of land set aside for industrial development. Industrial parks are usually located close to transportation facilities, especially where more than one transport modality (inter-modal) coincides: highways, railroads, airports, and navigable rivers.

**INDUSTRIAL USE:** the use of land, buildings or structures for the manufacturing, assembling, processing, fabrication, warehousing or storage of goods and materials.

**INNOVATIVE DEVELOPMENT:** developments that include alternative design features.

**INSTITUTIONAL USE:** a use of land, buildings or structures for a public or non-profit purpose and without limiting the generality of the foregoing, may include such uses as schools, places of worship, indoor recreation facilities, community centres, and government buildings.

**INTENSIVE AGRICULTURE:** an intensified system of tillage and animal husbandry from the concentrated raising of crops or the concentrated rearing or keeping, on a continuous basis, of livestock, poultry or other products for market and without restricting the generality of the above includes:

- a) feed lots;
- b) livestock operation (hogs, chickens, etc.);
- c) sod farms;
- d) market gardens;
- e) greenhouses; and
- f) nurseries and other similar uses.

**INTERNAL SUBDIVISION ROAD:** a road that is integral to the traffic circulation of a particular subdivision.

**INTENSIVE LIVESTOCK OPERATION:** the confining of any of the following animals, where the space per animal unit is less than 370 m<sup>2</sup> (3,982.78 ft<sup>2</sup>):



- a) poultry
- b) hogs
- c) sheep
- d) goats
- e) cattle
- f) horses
- g) any other prescribed animals.

**INTERSECTION:** means an area where two or more streets or lands meet or cross at grade.

**IRRIGATION POND:** a pond established to hold water for irrigation in supporting landscape not to exceed an area of 2,500 ft<sup>2</sup>.

**KENNEL, BOARDING:** the temporary accommodation of dogs, cats or other domestic animals for commercial purposes.

**KENNEL, BREEDING:** the keeping of more than four dogs, cats or other domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

**KENNEL, ENCLOSURE:** an accessory building or enclosure intended to house one or more domestic animals.

**LANDFILL:** a specially engineered site for disposing of solid waste on land, constructed so that it will reduce hazard to public health and safety.

**LANDSCAPING:** the provision of horticultural and other related compatible features or materials designed to enhance the visual amenity of a site or to provide a visual screen consisting of any combination of the following elements:

- a) soft landscaping consisting of vegetation such as trees, shrubs, vines, hedges, flowers, grass and ground cover, and planters;
- b) hard landscaping consisting of non-vegetative materials such as concrete, curbing, unit pavers, brick pavers or quarry tile, but does not include gravel, shale, or asphalt.

**LANDSCAPING ESTABLISHMENT:** the yard of a landscaping contractor or company used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business.

**LAND USE MAP:** a comprehensive document compiled by a local government that identifies goals and strategies for future development or preservation of land. In its projections, the map specifies certain areas for residential growth and others for agriculture, industry, commercial and conservation.

**LAND USE ZONING DISTRICT:** divisions identified in the Zoning Bylaw establishing Permitted and Discretionary Uses of land or buildings with attendant regulations.

**LEGAL ACCESS:** a lot or parcel shall be considered as having legal access for the purposes of development when the lot or parcel is adjacent to a municipally maintained road, and meets the frontage requirements of appropriate Zoning District hosting the development.

**LIVESTOCK:** domesticated animals used primarily as beasts of burden or for the production of fur, hides, meat, milk, eggs or other product, or as breeding stock, but excluding companion animals.

**LOT:** a parcel of land of a subdivision, the plan of which has been filed or registered in the Land Titles Office.

**MANUFACTURED HOME (SEE MOBILE HOME)**

**MANUFACTURING ESTABLISHMENT:** a firm or business engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of components parts, the manufacturing of products and the blending of materials.

**MANUFACTURING AND/OR ASSEMBLY, LIGHT:** the manufacturing, processing, packaging or assembly of semi-finished or finished goods, products or equipment and includes the storage and transportation of such goods, products or equipment.

**MARGINAL LANDS (SEE CANADA LAND INVENTORY (C.L.I.) SOIL CLASS RATING SYSTEM)**

**MARKET GARDEN (SEE INTENSIVE AGRICULTURE)**

**MAUSOLEUM:** a building or other structure used as a place for the interment of the dead in sealed crypts or compartments.

**MINIMUM DISTANCE SEPARATION:** in respect to intensive livestock operations and heavy industrial land uses, the minimum distance separation required in the Zoning Bylaw from non-complementary uses.

**MINISTER:** the Minister as defined in *The Planning and Development Act, 2007*.

**MOBILE HOME (MANUFACTURED HOME):** A prefabricated dwelling supported on a longitudinal steel frame, typically constructed with 2' x 6' walls and mounted on a surface foundation, has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system, that may be used as a dwelling all year round. Generally mobile homes have a Length/Width ratio greater than 2.



Double-Wide Mobile Home

**MOBILE HOME PARK:** a site under single management for the placement of two or more mobile homes and shall include all accessory buildings necessary to the operation.

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

**MODULAR HOME:** a building that is manufactured in a factory as a whole or modular unit customarily assembled on-site to be used as one single dwelling unit and is certified by the manufacturer that it complies with the Canadian Standards Association standards, and is placed on a permanent foundation.



Modular (Manufactured) Home

**MULTI-PARCEL:** more than two (2) parcels.

**MUNICIPALITY:** the Rural Municipality of Weyburn No. 67.

**MUNICIPAL RESERVE:** are dedicated lands:

- a) that are provided to a Municipality pursuant to clause 189(a) of *The Planning and Development Act, 2007* for public use; or
- b) that were dedicated as public reserve and transferred to a Municipality pursuant to section 196, whether or not title to those lands has been issued in the name of the Municipality;

**MUNICIPAL ROAD:** a public road which is subject to the direction, control and management of the municipality, and includes an internal subdivision road.

**MUSEUM:** an institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instruction and enjoyment, a collection of artifacts of historical interest.

**NATURAL AREAS:** an area relatively undisturbed by human activities and characterized by indigenous species including remnant or self-sustaining areas with native vegetation, water, or natural features.

**NATURAL RESOURCES:** the renewable resources of Saskatchewan and includes:

- a) fish within the meaning of *The Fisheries Act*;
- b) wildlife within the meaning of *The Wildlife Act, 1998*;
- c) forest products within the meaning of *The Forest Resources Management Act*;
- d) resource lands and provincial forest lands within the meaning of *The Resource Lands Regulations, 1989*;
- e) ecological reserves within the meaning of *The Ecological Reserves Act*;

- f) other living components of ecosystems within resource lands, provincial forest lands and other lands managed by the department.

**NON-CONFORMING BUILDING:** a building that:

- a) 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) 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 a Zoning Bylaw or any amendment to a Zoning Bylaw affecting the land or building becomes effective; and
- b) that on the date a Zoning Bylaw or any amendment to a 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.

**NORMALLY ACCEPTED AGRICULTURAL PRACTICES:** a practice that is conducted in a prudent and proper manner that is consistent with accepted customs and standards followed by similar agricultural operations under similar circumstances, in conformance with *The Agricultural Operations Act, 1995*. This includes the use of innovative technology or advanced management practices in appropriate circumstances conducted in conformity with any standards established pursuant to the regulations and meets acceptable standards for establishment and expansion.

**OFFICE OR OFFICE BUILDING:** a building or part of a building used primarily for conducting the affairs of a business, profession, service, industry, or government in which no goods or commodities of business or trade are stored, trans-shipped, sold or processed.

**OPEN SPACE:** passive and structured leisure and recreation areas that enhance the aesthetic quality and conserve the environment of the community. Urban and rural open space includes parks, recreation and tourism nodes, and natural areas.

**PARK MODEL TRAILER/UNIT:** a unit designed to facilitate occasional relocation, with living quarters for a temporary or seasonal use; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. It has a gross floor area not exceeding 50 m<sup>2</sup> (540 ft<sup>2</sup>). CSA Number Z241.



Park Model Trailer 102



Park Model Recreational Unit

**PARKING LOT:** an open area, other than a street, used for the temporary parking of more than four vehicles and available for public use and the use of employees working on, or from, the site.

**PARKING SPACE:** a space within a building, parking lot or area used for the parking of one (1) vehicle, including convenient access to a public lane or road.

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

**PERMANENT FOUNDATION:** the lower portion of a building; usually concrete, masonry, or an engineered wood basement which renders the structure fixed and immobile.

**PERMITTED USE:** the use of land, buildings, or other structures that shall be permitted in a Zoning District where all requirements of this Zoning Bylaw are met.

**PERSONAL SERVICE TRADE:** a business associated with the grooming of persons or the maintenance or repair of personal wardrobe articles and accessories and may include:

- beauty salons and barber shops
- shoe repair
- self-serve laundry
- tailor or seamstress
- massage services
- tanning beds

but does not include the provision of health related services.

**PHOTOVOLTAICS (PV) OR CONCENTRATED PHOTOVOLTAICS (CPV):** is a technology that converts light directly into electricity.

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

**PLANNED UNIT DEVELOPMENT:** a comprehensive development which may be composed of a mixture of residential, commercial, industrial; and mixed uses with recreational and open space incorporated into the design.

**PRIME LANDS (SEE CANADA LAND INVENTORY (C.L.I.) SOIL CLASS RATING SYSTEM)**

**PRINCIPAL BUILDING/STRUCTURE:** means a building or structure which, in the opinion of the Council:

- a) Occupies the major central portion of a site; or
- b) Is the main building among one or more buildings on the site; or
- c) Constitutes by reason of its use the primary purpose for which the site is used; and

- d) There shall be no more than one principal building on each site unless approved by council as outlined in this Bylaw.

**PRINCIPAL USE:** means the main or primary activity, for which a site or its builds are designated, arranged, developed or intended, or for which it is occupied or maintained. There shall be no more than on principal use on a site unless approved by council as outlines in this Bylaw.

**PRIMARY ACCESS:** the principal means of vehicular entry to or from a site or building, but shall not include a lane.

**PROVINCE:** Province of Saskatchewan.

**PUBLIC UTILITY:** a system, work, plant, equipment, or service, whether owned or operated by the Municipality, or by a corporation under federal or provincial statute, that furnishes any of the following services and facilities to, or for the use of, the inhabitants of the Municipality:

- a) communication by way of telephone lines, optical cable, microwave, and cable television services;
- b) delivery of water, natural gas, and electricity;
- c) public transportation by bus, rail, or other vehicle;
- d) collection and disposal of sewage, garbage, and other wastes;
- e) fire and police services.

**PUBLIC UTILITY, LINEAR:** linear or private utilities including, but not limited to, roads, communication lines, rail, power and natural gas lines and similar linear uses.

**PUBLIC UTILITY, SERVICE:** those non-linear utilities which may potentially conflict with other land uses, including, but not limited to: airports, microwave or communication towers, wind towers, water reservoirs, sewage lagoons, landfills, gas compressor stations, large electrical transformer stations and similar potentially conflicting service utilities.

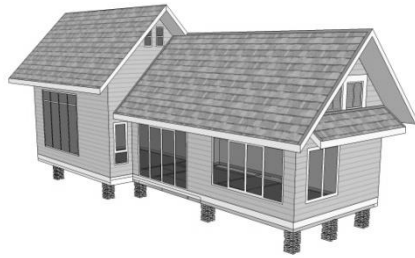
**PUBLIC WORKS:** a facility as defined under *The Planning and Development Act, 2007*.

**QUARTER SECTION:** 64.8 ha (160 acres) or a lesser amount that remains due to the original township survey, road widening, road right-of-way or railway plans, drainage ditch, pipeline or transmission line development, or other public utility; or natural features such as water courses or water bodies.

**RACETRACK:** a place designed and equipped for the racing of motorized vehicles or horses and includes facilities for administration and management of the business.

**RAILWAY FREIGHT YARDS:** the use of land, or building or structure or part thereof for activities directly associated with the operation of a railway. Without limiting the generality of the foregoing, such activities may include loading and off-loading freight, and maintenance and repair of railway cars.

**READY-TO-MOVE (RTM) DWELLING:** a new single detached, wood framed, conventional dwelling which construction is comparable to on-site construction but is constructed off-site to National Building Code standards to customarily be moved in one piece onto a new conventional permanent building foundation.



RTM (Ready to Move) Home

**REAL ESTATE SIGNAGE (SEE SIGNAGE)**

**REDESIGNATION:** rezoning.

**RECREATIONAL USE:** a public or private facility or amenity, a joint-use site or a park or playground that serves the surrounding neighbourhood or community.

**RECREATION, INTEGRATED:** public or private recreational facilities located in or adjacent to a multi-parcel country residential subdivision for the purpose of providing recreational opportunities and services to a local population.

**RECREATIONAL, COMMERCIAL:** a public or private facility or amenity, a joint-use site or a park or playground that serves the surrounding neighbourhood with an intent to produce financial gain.

**RECREATIONAL VEHICLE:** a vehicle used for personal pleasure or travels by an individual or a family which may or may not be towed behind a principle vehicle; notwithstanding the generality of the above may include:

- a) Motor homes
- b) Camper Trailers
- c) Boats
- d) Snowmobiles
- e) Motorcycles



Motor Home – Camping Trailer

**RECYCLING AND COLLECTION DEPOT (COMMERCIAL):** a building or series of buildings intended to accommodate the collection, sorting, processing and temporary storage of recyclable materials including: the collection and storage of oil, solvents or other hazardous materials, processing of recyclable material other than compaction, and accommodates outdoor compaction or storage.

**REEVE:** the Reeve of the Rural Municipality of Weyburn No.67.

**RENEWABLE ENERGY:** means the generation of energy for Commercial or Residential use, from wind, solar, geothermal, hydro or other sources that do not depend on finite, non-renewable resources, such as fossil fuels.

**RENOVATION (SEE ALTERATION)**

**RESIDENTIAL:** the use of land, buildings, or structures for human habitation.

**RESIDENTIAL CARE HOME:** a facility which:

- a) provides meals, lodging, supervisory personal or nursing care to persons who reside therein for a period of not less than thirty days; and
- b) is duly licensed by the Province of Saskatchewan or certified as approved by the Province of Saskatchewan under an Act which provides for such licensing or certification as the case may be; and
- c) may include only the principal residence of the operator or administrator.

**RESIDUAL PARCEL:** the acreage remaining in agriculture resulting and independent of the subdivision of an agricultural holding for non-agricultural purposes.

**RESTAURANT:** a building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building. However, limited facilities may be permitted to provide for a take-out food function provided such facility is clearly secondary to the primary restaurant use.

**RIGHT-OF-WAY:** the right-of-way is the land set aside for use as a roadway or utility corridor. Rights-of-way are purchased prior to the construction of a new road or utility line, and usually enough extra land is purchased for the purpose of providing mitigative features. Sometimes, road rights-of-way are left vacant after the initial roadway facility is constructed to allow for future expansion.

**RIPARIAN:** the areas adjacent to any streams, rivers, lakes or wetlands.

**ROADS, FLANKING:** a roadway constructed to the side of a lot, parcel or site.

**RTM (SEE READY-TO-MOVE DWELLING)**

**SALVAGE YARD (WRECKING):** a parcel of land where second-hand, discarded or scrap materials are bought, sold, exchanged, stored, processed or handled. Materials include scrap iron, structural steel, rags, rubber tires, discarded goods, equipment, appliances or machinery. The term also includes a site for collection, sorting, storing and processing of paper products, glass, plastics, aluminum or tin cans prior to shipment for remanufacture into new materials.

**SCALE OF DEVELOPMENT:** the total acreage intended to accommodate a multi-parcel country residential subdivision.

**SCHOOL:** a body of pupils that is organized as a unit for educational purposes under the jurisdiction of a board of education or of the Saskatchewan Ministry of Education and that comprises one or more instructional groups or classes, together with the principal and teaching staff and other employees assigned to such body of pupils, and includes the land, buildings or other premises and permanent improvements used by and in connection with that body of pupils.

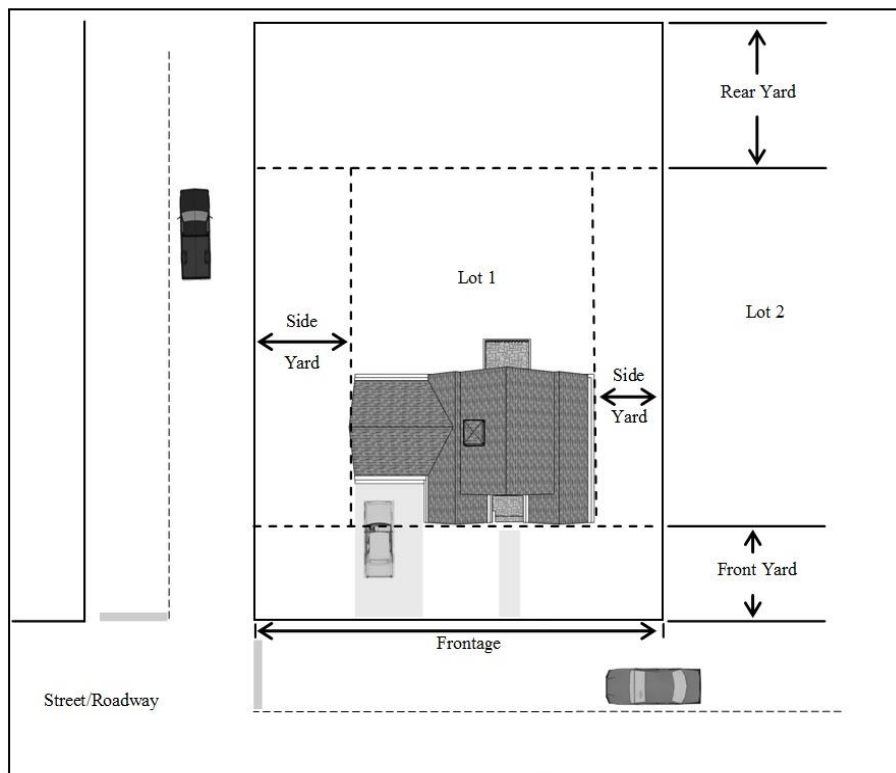


**SCREENING OR SCREENING DEVICE:** the use of vegetation, berms, fences, walls and similar structures to visually shield, block or obscure one area from another.

**SECONDARY SUITE:** an additional dwelling unit located within a principal single detached dwelling.

**SERVICE STATION:** a building or place used for, or intended to be developed primarily for supplying vehicles with gasoline, diesel fuel, grease, tires or other similar items and for the repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles, including painting, body work and major repairs.

**SETBACK:** the distance required to obtain the front yard, rear yard or side yard provisions of this Bylaw.



**Location and measurement of setbacks**

**SHOULD, SHALL OR MAY:**

- Shall is an operative word which means the action is obligatory.
- Should is an operative word which means that in order to achieve plan objectives, it is strongly advised that the action be taken.
- May is an operative word meaning a choice is available, with no particular direction or guidance intended.

**SIGN:** a display board, screen, structure or material having characters, letters or illustrations applied thereto or displayed thereon, in any manner not inside a building and includes the posting or painting of an advertisement or notice on a building or structure.

**SIGN, BILLBOARD:** a private free-standing sign, including supporting structures, which advertises goods, products, services, organizations, or facilities that are available from, located on, or refer to a site other than the site on which the sign is located.

**SIGN, DIRECTIONAL:** signage located off-site providing direction to and information about a specific enterprise or activity which does not contain general advertising.

**SIGN, FREE-STANDING:** a sign, except a billboard, independently supported and visibly separated from a building or other structure and permanently fixed to the ground.

**SIGN, HEIGHT OF THE:** the vertical distance measured from the highest point of the sign to grade level at the centre of the sign.

**SIGN, INCIDENTAL:** are signs located on a development site which are intended for the direction of control of traffic, pedestrians or parking and which do not contain any advertising.

**SIGN, OFF-PREMISE IDENTIFICATION:** a sign that is located separate and apart from the land on which the business or activity is located.

**SIGN, REAL ESTATE:** signage directly associated with the sale of property in which it is located and which maintains a gross surface area of less than 1 m<sup>2</sup>.

**SITE:** an area of land, consisting of one or more lots consolidated under a single Certificate of Title, considered as a unit devoted to a certain use or occupied by a building or a permitted group of buildings, and the customary accessories and open spaces belonging to the same.

**SITE AREA:** the total horizontal area within the site lines of a site.

**SITE CORNER:** a site at the intersection of two or more public streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side site lines) contain an angle of not more than one hundred and thirty-five degrees (135°). In the case of a curved corner, the corner of the site shall be that point on the street at the point of intersection of the said tangents.

**SITE DEPTH:** the horizontal distance between the front site and rear site lines, but where the front and rear site lines are not parallel the site depth is the length of a line joining the midpoint of such site lines.

**SITE DRAINAGE PLAN:** means a plan which shows the existing and proposed topography of a site, with contour intervals as drawn to scale, with appropriate dimensions and sufficient topographic spot elevations to adequately demonstrate to the Development Officer that the proposed drainage pattern will not have an adverse effect on neighbouring properties and streets.

**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 frontage does not mean front yard.

**SITE LINE:** any boundary of a site, front, rear or side.

**SITE TRIANGLE:** means the triangular area formed, on corner sites, by intersection front and rear site lines at an intersection (refer to section 4.26).

**SITE WIDTH:** the horizontal distance between the side boundaries of the site measured at a distance from the front lot line equal to the minimum front yard required for the district in which the site is located.

**SOLAR ARRAY:** means one or more Solar Panels plus the mounting structure for the devices.

**SOLAR ARRAY, GROUND MOUNT:** means a Solar Array that is mounted on a stand-alone structure mounted on the ground, on tower(s), or on pole(s) specifically intended for the array. A Solar Energy System incorporating a Solar Array, Ground Mount can be used to provide energy service to buildings located on or off site, or to the electrical grid.

**SOLAR ARRAY, ROOF MOUNT:** means a Solar Array that is mounted on the roof of a structure.

**SOLAR ENERGY SYSTEM:** means a system of components that convert energy contained in the sunlight to be converted into electricity.

**SOLAR PANEL:** a panel designed to absorb the sun's rays as a source of energy for generating electricity.

**SPORT FIELD:** an open space set aside for the playing of sports and may include benches or bleachers for observers but where there is no charge made for spectators.

**STRUCTURE:** anything that is erected, built or constructed of parts joined together and supported by the soil or any other structure requiring a foundation to hold it erect, but not including pavement, curbs, walks or open air surfaced areas.

**STAKEHOLDERS:** individuals, groups or organizations who have a specific interest or 'stake' in a particular need, issue, situation or project and may include members of the local community (residents, businesses, workers, representatives such as Councilors or politicians); community groups (services, interest groups, cultural groups clubs, associations, churches, mosques, temples); or local, state and federal governments.

**STOCKYARD:** an enclosed yard where livestock is kept temporarily.

**STOREY:** the space between the top of any floor and the top of the next floor above it; and if there is no floor above it, the portion between the top of the floor and the ceiling above it.

**STREET (ROAD):** a site owned by the Provincial Crown which provides the principal legal public vehicular access to abutting sites, but shall not include an easement or lane.

**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 Act, 2000*.

**TAVERN:** an establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food, and where no live entertainment or dance floor is permitted. A brew pub may be considered a tavern if beverage alcohol is manufactured and consumed on site under a valid manufacturer's permit in accordance with the *Alcohol Control Regulations*.

**(TELE)COMMUNICATION FACILITY:** a structure situated on a non-residential site that is intended for transmitting or receiving television, radio, or telephone communications, excluding those used exclusively for dispatch communications.

**TEMPORARY SIGN:** a sign which is not permanently installed or affixed in position, advertising a product or activity on a limited basis.

**TOWER:** any structure used for the transmission or reception of radio, television, telecommunications, mechanical or electrical energy for industrial, commercial, private or public uses, or for the storage of any substance of liquid.

**TOWER HEIGHT:** the height above-ground of the fixed portion of the tower, excluding any wind turbine and rotors.

**TRAFFIC CONTROL SIGNAGE:** a sign, signal, marking or any device placed or erected by the Municipality or Saskatchewan Ministry of Highways and Infrastructure.

**TRAILER COACH:** any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner as will permit the occupancy thereof as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked up.

**TRAILER COURT:** any site on which two or more occupied trailer coaches are permitted to be harboured, whether or not a charge is made or paid, and includes any building or structure used or intended for use as a part of the equipment of such trailer court, but shall not include an industrial or construction camp, or a mobile home park.

**TRUCKING FIRM ESTABLISHMENT:** the use of land, buildings or structures for the purpose of storing, servicing, repairing, or loading trucks, transport trailers and/or buses, but does not include automobile service stations or transportation sales or rental outlets.

**USE:** the purpose or activity for which any land, building, structure, or premises, or part thereof is arranged, designed, or intended, or for which these may be 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 in such a way 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, and the provision of electricity, potable water and toilet facilities to any of the persons, families, groups occupying any of such sites.

**VALUE-ADDED:** the increase in value generated by a company or individual through the additional processing or sale of raw materials along the production chain.

**VERTICAL INTEGRATION:** the accommodation of multiple complimentary activities which could be considered principal permitted uses under single or multiple ownership within one or more buildings on a single parcel where these uses are considered to provide additional processing and/or the sale of manufactured goods produced on-site.

**VETERINARY CLINICS (SEE CLINICS)**

**WAREHOUSE:** a building used for the storage and distribution or wholesaling of goods and materials.

**WASTE DISPOSAL FACILITY, LIQUID:** a facility to accommodate any waste which contains animal, aggregate or vegetable matter in solution or suspension, 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.

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

**WATERBODY:** any location where water flows or is present, whether or not the flow or the presence of water is continuous, intermittent or occurs only during a flood, and includes but is not limited to, wetlands and aquifers.

**WATERCOURSE:** a river, stream, creek, gully, ravine, spring, coulee, valley floor, drainage ditch or any other channel having a bed and sides or banks in which water flows either permanently or intermittently.

**WATERSHED:** the land area from which surface run-off drains into a stream, channel, lake, reservoir, or other body of water; also called a drainage basin.

**WETLAND:** land having the water table at, near, or above the land surface or which is saturated for a long enough period to promote wetland or aquatic processes as indicated by hydric soils, hydrophytes ("water loving") vegetation, and various kinds of biological activity which are adapted to the wet environment.

**WIND ENERGY SYSTEM (SMALL):** any wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of not more than 300 kW, and is intended to provide electrical power for use on-site (either behind the meter or off-grid) and is not intended or used to produce power for resale.

**WIND FARM:** a group of wind turbines in the same location used for the production of electric power. Individual turbines are generally interconnected with voltage power collection and transmission systems.

**WINDMILL:** A rotating machine which converts kinetic wind energy directly to mechanical energy for traditional agricultural purposes such as pumping water.

**WIND TURBINE/WIND POWER UNIT:** A rotating machine which converts kinetic wind energy into mechanical energy and then electrical energy primarily for private use.

**YARD:** the open, unoccupied space on a lot between the property line and the nearest wall of a building and any part of a site unoccupied and unobstructed by a principal building or structure, unless authorized in this Bylaw.

**YARD, FRONT:** that part of a site abutting a road which extends across the full width of a site between the front site line and the nearest main wall of a building or structure.

**YARD, REAR:** 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 which extends from a front yard to the rear yard between the side line of a site and the nearest main wall of a building or structure.

## METRIC CONVERSION TABLES

Distance (metres - feet)			
0.6 metres	2 ft	15 metres	49 ft
1.5 metres	5 ft	15.3 metres	50 ft
1.8 metres	6 ft	17.0 metres	55 ft
2.0 metres	7 ft	19.8 metres	65 ft
2.5 metres	8 ft	30 metres	98 ft
3.0 metres	10 ft	46 metres	150 ft
4.2 metres	14 ft	50 metres	164 ft
4.5 metres	15 ft	75 metres	246 ft
5.0 metres	16 ft	80 metres	262 ft
5.5 metres	18 ft	90 metres	295 ft
6.0 metres	20 ft	100 metres	328 ft
6.5 metres	21 ft	150 metres	492 ft
7.6 metres	25 ft	200 metres	656 ft
10 metres	33 ft	230 metres	755 ft
11 metres	36 ft	305 metres	1000 ft
12 metres	39 ft	467 metres	1532 ft

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Distance (kilometers – miles)		Area	
.5 km	.31 miles	1.0 m <sup>2</sup>	10.76 ft <sup>2</sup>
.6 km	.37 miles	5.0 m <sup>2</sup>	53.8 ft <sup>2</sup>
.8 km	.5 miles	9.3 m <sup>2</sup>	100 ft <sup>2</sup>
1 km	.62 miles	67 m <sup>2</sup>	721 ft <sup>2</sup>
1.6 km	1 mile	100 m <sup>2</sup>	1076.39 ft <sup>2</sup>
2.4 km	1.5 miles	178 m <sup>2</sup>	1916 ft <sup>2</sup>
3.2 km	2 miles	370 m <sup>2</sup>	.09 acre
		4,000 ft <sup>2</sup>	.09 acre
		43,560 ft <sup>2</sup>	1 acre
		0.8 hectare	2 acres
		1 hectare	2.47 acres
		2 hectares	5 acres
		8 hectares	20 acres
		64.8 hectares	160 acres



### 3 ADMINISTRATION AND INTERPRETATION

#### 3.1 DEVELOPMENT OFFICER

- .1 The Development Officer of the Rural Municipality of Weyburn No. 67 shall be appointed by the Council of the Rural Municipality of Weyburn No. 67.
- .2 The Development Officer shall:
  - a) Receive, record, and review Development Permit applications and issue decisions in consultation with Council, and particularly those involving subdivision, discretionary uses, Development Permit conditions, and development and servicing agreements;
  - b) Maintain, for inspection by the public during office hours, a copy of this Bylaw, Zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;
  - c) Make available, for public inspection during office hours, a register of all Development Permits and subdivision applications and decisions;
  - d) Collect development fees, according to the fee schedule established by a separate Bylaw;
  - e) Perform other duties as determined by Council.
- .3 The Development Officer shall be empowered to make a decision, in consultation with Council, regarding a Development Permit application for a "Permitted Use."

#### 3.2 COUNCIL

- .1 Council shall make all decisions regarding discretionary uses, development and servicing agreements, and Zoning Bylaw amendments.
- .2 Council shall make a recommendation regarding all subdivision applications circulated to it by Saskatchewan Ministry of Government Relations, prior to a decision being made by the Minister.
- .3 Council shall act on discretionary use, rezoning, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the Official Community Plan and Zoning Bylaw.

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### 3.3 APPLICATION FOR A DEVELOPMENT PERMIT

- .1 Unless the proposed development or use is exempt from Development Permit requirements, before commencing any principal or accessory use development, including a public utility use, every developer shall:
  - a) Complete and submit a Development Permit application, and (refer to Development Permit application form in Appendix A).
  - b) Receive a Development Permit for the proposed development.
- .2 A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw and the Official Community Plan.
- .3 Except where a particular development is specifically exempted by Section 3.5 of this Bylaw, no development or use shall commence without a Development Permit first being obtained.

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### 3.4 CONCURRENT PROCESSING OF DEVELOPMENT PERMITS, BUILDING PERMITS AND OTHER REQUIREMENTS

A Building Permit, where required, shall not be issued unless a Development Permit has been issued, or is issued concurrently. 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.

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### 3.5 DEVELOPMENT NOT REQUIRING A PERMIT

The following developments shall be exempt from Development Permit requirements, but shall conform to all other Bylaw requirements (e.g., setbacks, site triangles, environmental and development standards, etc.):

- .1 Agricultural Resource District
  - a) General agricultural uses including cropping, ranching, grazing of livestock, orchards, horticulture, or gardens and other similar uses;
  - b) Accessory buildings and structures under 13.3 m<sup>2</sup> (144 ft<sup>2</sup>) where applied to a principal use established by this Bylaw;
  - c) The erection of a fence or gate to a maximum height of 1.8 metres (6 feet);
  - d) Landscaping areas, driveways and parking lots, providing natural or designed drainage patterns of the site and adjacent sites are not adversely impacted;

- .2 Country Residential District & Hamlet District
  - a) Accessory buildings and structures under 13.3 m<sup>2</sup> (144 ft<sup>2</sup>) where applied to the principal use established by this Bylaw;
  - b) The erection of any fence or gate to a maximum height of 1.8 metres (6 feet);
  - a. Landscaping areas, driveways and parking lots, providing natural or designed drainage patterns of the site and adjacent sires are not adversely impacted;
- .3 High Profile Commercial Light Industrial District & Industrial District
  - a) Accessory buildings and structures under 13.3 m<sup>2</sup> (144 ft<sup>2</sup>) where applied to the principal use established by this Bylaw;
  - b) The erection of any fence or gate to a maximum height of 1.8 metres (6 feet);
  - c) Landscaping areas, driveways and parking lots, providing natural or designed drainage patterns of the site and adjacent sires are not adversely impacted;
- .4 Uses and buildings undertaken, erected, or operated by the Rural Municipality of Weyburn No. 67.
- .5 Public works, any operation for the purpose of inspecting, repairing or renewing sewers, mains, cables, pipes, wires, tracks or similar public works as required by the public utility, and the installation of service connections to property in the municipality.
- .6 Maintenance:
  - a. Maintenance and repairs such as painting, mechanical or electrical work, but do not include any structural alterations, or altering doorways or windows in accordance with the National Building Code.

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### 3.6 CONCEPT PLANS (COMPREHENSIVE DEVELOPMENT REVIEW)

- .1 A Concept Plan (Comprehensive Development Review) shall be completed prior to consideration of an application by Council by any person proposing to rezone, subdivide, or re-subdivide land for multi-parcel country residential, commercial or industrial purposes. The purpose of this review is to identify and address social, environmental, compatibility, health and economic issues and to encourage high quality development. The scope and required detail of the Concept Plan will be based on the scale and location of the proposed development, and address the following:
  - a) Proposed land use(s) for various parts of the area;
  - b) The effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;
  - c) The location of, and access to, major transportation routes and utility corridors;
  - d) The provision of services respecting the planning for future infrastructure;
  - e) Sustainable development and environmental management practices regarding surface and groundwater resources, flooding and protection of significant natural areas; and

- f) Appropriate information specific to the particular land use (residential, commercial or industrial).
2. The Concept Plan (Comprehensive Development Review) must be prepared in accordance with the overall goals and objectives of the Official Community Plan. Council shall not consider any development application until all required information has been received. The responsibility for undertaking all administrative reviews, technical investigations and hosting public meetings as required shall be borne solely by the applicant.

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### 3.7 DEVELOPMENT PERMIT PROCEDURE

- .1 Where an application for a Development Permit is made for a permitted or accessory use in conformity with this Bylaw, *The Planning and Development Act, 2007* and all other municipal Bylaws, the Council shall hereby direct the Development Officer to issue a Development Permit.
- .2 As soon as an application has been made for a Development Permit and prior to making a decision, the Development Officer may refer the application to whichever government agencies or interested groups Council may consider appropriate. The Development Officer may also require the application to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant.
- .3 A copy of all approved Development Permit applications, involving the installation of water and sanitary services, shall be sent to the Sun Country or appropriate local District Health Region.
- .4 Upon approval of a permitted or accessory use, the Development Officer shall issue a Development Permit for the use at the location and under such terms and development standards specified by the Official Community Plan and this Bylaw.
- .5 The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal a decision to the Development Appeals Board on a permitted or accessory use application and any terms and conditions attached to an application.
- .6 A Development Officer may incorporate specific development standards in a Development Permit for a permitted use to ensure development and application conformity with the Zoning Bylaw. The development standards shall be based on the provisions in the General Regulations section and other defined requirements of the Zoning Bylaw or Official Community Plan.
- .7 A Building Permit, where required, shall not be issued unless a Development Permit has been issued, or is issued concurrently.
- .8 A Development Permit is valid for a period of twelve (12) months unless otherwise stipulated when the permit is issued.

- .9 Where the Development Officer determines that a development is being carried out in contravention of any condition of the Official Community Plan or any provision of this Bylaw, the Development Officer shall suspend or revoke the Development Permit and notify the permit holder that the permit is no longer in force.
- .10 Where the Development Officer is satisfied that a development, the permit for which has been suspended or revoked, will be carried out in conformity with the conditions of the permit and the requirements of this Bylaw, the Development Officer may reinstate the Development Permit and notify the permit holder that the permit is valid and in force.

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### 3.8 DISCRETIONARY USE APPLICATION PROCEDURE

- .1 The following procedures shall apply to discretionary use applications:
- a) Applicants must file with the Development Officer the prescribed application form, a site plan, any other plans and supplementary information as required by the Development Officer and pay the required application and public hearing fees.
  - b) The Development Officer shall examine the application for conformance with the Official Community Plan, this Bylaw, and any other applicable policies and regulations and shall advise the Council as soon as practical.
  - c) Council may refer the application to whichever government agencies or interested groups, as Council may consider appropriate. Council also may require the application to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant.
  - d) The Development Officer will prepare a report concerning the application which may contain recommendations, including recommendations that conditions of approval be applied in accordance with Section 54 of *The Planning and Development Act, 2007*.
  - e) The Development Officer will set a date for the public hearing at which time the application will be considered by Council and if deemed necessary, provide notice to assessed owners of property indicating so within the information packages provided as part of the notification process.
  - f) The Development Officer will give notice by regular mail that the application has been filed to the assessed owners of property within 75.0 metres of the boundary with the applicant's land and provide notification of the upcoming public hearing and an opportunity for them to provide written comment on the proposal.
  - g) Council shall consider the application together with the reports of the Development Officer and any written or verbal submissions received by Council.
  - h) Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site.
  - i) The applicant shall be notified of Council's decision by regular mail addressed to the applicant at the address shown on the application form.
- .2 Discretionary uses, discretionary forms of development, and associated accessory uses shall conform to the development standards and applicable provisions of the Zoning District in which they are located.

- .3 The following criteria must be considered in the review of discretionary use applications:
- a) The proposal must be in conformance with all relevant sections of the Official Community Plan and Zoning Bylaw;
  - b) There must be a demand for the proposed use in the general area, and a supply of land currently available in the area capable of accommodating the proposed use;
  - c) The proposal must be capable of being economically serviced including roadways, water and sewer services, and other supportive utilities and community facilities; and
  - d) The proposal must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
- .4 In approving a discretionary use application, Council may prescribe specific development standards with respect to that use or form of development, provided those standards are necessary to secure the following objectives:
- a) The proposal, including the nature of the proposed site, the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs, must be generally compatible with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the general area, including safeguards to prevent noise, glare, dust, or odour from affecting nearby properties.
  - b) The proposal must provide adequate access and circulation for the vehicle traffic generated, as well as providing an adequate supply of on-site parking and loading spaces; and
  - c) The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- .5 Council may approve a discretionary use application for a limited time period where it is considered important to monitor and re-evaluate the proposal and its conformance with the provisions of this Bylaw.
- .6 Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a Development Permit for the discretionary use at the location and under such terms and development standards specified by Council in its resolution.
- .7 Council's approval of a discretionary use application is valid for a period of twelve (12) months from the date of the approval. If the proposed use or proposed form of development has not commenced within that time, the approval shall no longer be valid. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid.
- .8 The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal any terms and conditions attached to a discretionary use application to the Development Appeals Board.

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### 3.9 INTERPRETATION

- .1 Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.
- .2 All Bylaw requirements shall be based on the stated metric units. The imperial units shown in this Bylaw shall be approximate guidelines only.

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### 3.10 REFUSAL OF DEVELOPMENT PERMIT APPLICATION

- .1 An application for a Development Permit shall be refused if it does not comply with all Zoning Bylaw requirements. The reasons for a Development Permit refusal shall be stated on the refused Development Permit application.
- .2 Where an application for a Development Permit has been refused, the Council (in the case of a proposed discretionary use), or the Development Officer (in all other cases), may refuse to accept another application for the same or a similar development on the same site, until six (6) months from the date of the approving authority's decision. The Development Officer shall not accept another application for the same development until six (6) months have passed from the date of a refusal by either the local Development Appeals Board or the Saskatchewan Municipal Board.
- .3 The applicant shall be notified of the Right to Appeal a decision to the local Development Appeals Board in accordance with the requirements of *The Planning and Development Act, 2007*.

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### 3.11 DEVELOPMENT APPEALS BOARD

#### **Right to Appeal**

- .1 Section 67 of *The Planning and Development Act 2007*, provides the right to appeal the Zoning Bylaw where a Development Officer:
  - a) Is alleged to have misapplied the Zoning Bylaw in issuing a Development Permit;
  - b) Refuses to issue a Development Permit because it would contravene the Zoning Bylaw; or
  - c) Issues an order, based on inspection, to the owner, operator, or occupant of land, buildings, or premises considered to contravene the Zoning Bylaw.
- .2 Appellants also may appeal where they are of the opinion that development standards prescribed by the Municipality with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw and the Official Community Plan. This right of appeal extends thirty (30) days after the issuance or refusal of a Development Permit or order.

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### 3.12 DEVELOPMENT PERMIT APPLICATION FEES

- .1 An applicant seeking the approval of a Development Permit application shall pay an application fee in accordance with the fee schedule set in the Planning and Development Fees Bylaw or such amendments thereto, and reviewed annually. Separate fees may be charged for each type of permit (permitted use, discretionary use, accessory use, etc.).
- .2 Development Permit Applications that are exempt from Development Permit Fees include licenses for home occupations or other forms or any Provincial or Federal requirements and other applications outlined in the Planning and Development Fees Bylaw or such amendments thereto, and reviewed annually.

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### 3.13 DISCRETIONARY USE APPLICATION FEES

- .1 An applicant seeking a discretionary use approval shall pay the fees and related advertising costs in accordance with the fee schedule set in the Planning and Development Fees Bylaw or such amendments thereto, and reviewed annually

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### 3.14 FEE FOR ZONING AMENDMENT APPLICATION

When an application is made to Council for an amendment to this Bylaw, the applicant making the request shall bear the actual cost of advertising such zoning amendment as permitted by *The Planning and Development Act, 2007*. Council also may require the applicant to pay all costs incurred in administrative or professional review of the application and in carrying out a public hearing.

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### 3.15 HOLDING ZONE PROVISIONS

- .1 Where on the Zoning District Map the symbol for a zoning district has suffixed to it the holding symbol "H"; any lands so designated on the map shall be subject to a holding provision in accordance with Section 71 of *The Planning and Development Act, 2007*.
- .2 The purpose of the holding provisions shall be to enable Council to manage development and subdivision proposals in phases.
  - a) The application and management of the holding provision shall be at Council's discretion;
  - b) Council may rezone and manage development and subdivision in phases by designating portions of land with a holding symbol (e.g. "H"), in conjunction with any zone design (e.g. CR-H).
  - c) The holding provision and symbol shall mean that:



- i. Development shall be restrictively managed under the holding provision;
- ii. Existing uses may continue, subject to the Official Community Plan and Zoning bylaw development and subdivision standards.
- d) The holding designation may only be removed by amendment to the Zoning Bylaw. All bylaws removing the holding designation shall conform to the Official Community Plan and the provisions of *The Planning and Development Act, 2007*.

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### 3.16 PLANNED UNIT DEVELOPMENT

- .1 Specific zone regulations shall not apply to Planned Unit Development Contract Zoning. Uses permitted within a PUD include: residential, commercial, light industrial, recreation and open space. However, the project shall produce an environment of stable and desirable character, and shall incorporate at least equivalent standards of building separation, parking, height and other requirements and provisions of this Bylaw.
- .2 Planned Unit Development Contract Zoning shall be regulated through a Contract Zoning agreement which is registered as an Interest (caveated) on the title at Land Registry of Information Services Corporation (ISC).

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### 3.17 REFERRAL UNDER THE PUBLIC HEALTH ACT

- .1 The Development Officer shall make available, in addition to plan information, a copy of all approved Development Permit applications involving installation of water and sanitary services, should such information be requested by provincial officials under the *Public Health Act*.
- .2 The Development Officer, will not issue a Development Permit until the District Health Region has determined the suitability of a parcel proposed for subdivision to accommodate a private sewage treatment system during the subdivision review process. The review process indicates the level of assessment required and upon this determination provides the submittal requirements as well as identifies the qualifications required for the site assessor.
- .3 All submissions required are the responsibility of the developer. The final review of a subdivision will not be completed prior to the receipt and evaluation of all required information by the Development Officer, the District Health Region and any other relevant agencies deemed necessary by the Municipality.

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### 3.18 MINOR VARIANCES

- .1 The Development Officer may vary the requirements of this Bylaw subject to the following requirements:
  - a) A minor variance may be granted for the following only:
    - i. Minimum required distance of a building from a lot line; and
    - ii. The minimum required distance of a building from any other building on the lot, provided that all other Fire Safety and Building Code regulations can be met.
  - b) The maximum amount of a minor variance shall be 10% variation from the Requirements of this Bylaw.
  - c) The development must conform to all other requirements of this Bylaw.
  - d) The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property.
  - e) No minor variance shall be granted for a discretionary use or form of development, or in connection with an agreement to rezone pursuant to Section 60 of *The Planning and Development Act 2007*.
- .2 An application form for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee as set in the fee schedule set in the Planning and Development Fees Bylaw or such amendments thereto, and reviewed annually.
- .3 Upon receipt of a minor variance application the Development Officer may:
  - a) Approve the minor variance;
  - b) Approve the minor variance and impose terms and conditions on the approval; or
  - c) Deny the minor variance.
- .4 Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Bylaw.
- .5 Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.
- .6 Where a minor variance is approved, with or without terms, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.
- .7 The written notice shall contain:
  - a) A summary of the application;
  - b) Reasons for and an effective date of the decision;
  - c) Notice that an adjoining assessed owner has twenty (20) days to lodge a written objection with the Development Officer, which, if received, will result in the approval of the minor variance being revoked; and
  - d) Where there is an objection and the approval is revoked, the applicant shall be notified of the right to appeal to the Development Appeals Board.

- .8 A decision to approve a minor variance, with or without terms and conditions, does not take effect until twenty-three (23) days from the date the notice was provided.
- .9 If an assessed owner of a property having an adjoining property with the applicant's land objects to the minor variance in writing to the Development Officer within the prescribed twenty (20) day time period, the approval is deemed to be revoked and the Development officer shall notify the applicant in writing:
- a) Of the revocation of the approval; and
  - b) Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.
- .10 If an application for a minor variance is refused, or approved with terms or conditions, the applicant may appeal to the Development Appeals Board within thirty(30) days of the date of that decision.

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### 3.19 NON-CONFORMING BUILDINGS, USES AND SITES

- .1 Any use of land or any building or structure lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with provisions of Section 88 to 93 inclusive, of *The Planning and Development Act, 2007*.
- .2 No enlargement, additions, or reconstruction of a non-conforming use, building or structure shall be undertaken, except in conformance with these provisions.
- .3 No existing use, building or structure shall be deemed to be non-conforming by reason only of the conversion of this Bylaw from the Metric System of Measurement to the Imperial System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.
- .4 No existing non-conforming site shall be deemed to be non-conforming by reason only of its dimensions or area failing to at least equal the standards prescribed for proposed sites in the Zoning District in which the site is located.

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### 3.20 DEVELOPMENT PERMIT – INVALID

A Development Permit shall be automatically invalid and development shall cease, as the case may be:

- a) If the proposed development is not commenced within the period for which the Permit is valid;
- b) If the proposed development is legally suspended, or discontinued, for a period of six(6) or more months, unless otherwise indicated by Council or the Development Officer;
- c) When development is undertaken in contravention of this Bylaw, the Development Permit and specified development standards;
- d) When a written appeal notice is received by the Development Appeals Board secretary regarding the Development Permit.

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### 3.21 CANCELLATION

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

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

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### 3.22 STOP-WORK

The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a Development Permit or condition, or an Interest is Registered (caveat) under this Bylaw.

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### 3.23 OFFENCES AND PENALTIES

Any person who violates this Bylaw may be charged and liable on summary conviction to the penalties in *The Planning and Development Act, 2007*.

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### 3.24 INSPECTION OF PREMISES

The Development Officer, or any official or employee of the Municipality acting under their direction, is hereby authorized to enter, at all reasonable hours, upon any property or premises in or about which there is reason to believe that provisions of this Bylaw are not being complied with, and for the purpose of carrying out their duties under this Bylaw, in accordance with Section 242 of the *Planning and Development Act, 2007*.

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### 3.25 BYLAW COMPLIANCE

Errors and/or omissions by any person administering or required to comply with the provisions of this Bylaw do not relieve any person from liability for failure to comply with the provisions of this Bylaw.

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### 3.26 MOVING OF BUILDINGS

- .1 No building shall be moved within or into or out of the area covered by this Bylaw without obtaining a Permit from the Development Officer, unless the building is exempt under Section 3.5 of this Bylaw.
- .2 An applicant shall pay the fees in accordance with the Building Bylaw and Planning and Development Fees Bylaw or such amendments thereto, and any other Bylaw respecting buildings.
- .3 A separate Development Permit shall be required for any redevelopment on the site.

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### 3.27 DEMOLITION OF BUILDINGS

No building shall be demolished without first obtaining a Demolition Permit from the Development Officer in accordance with any Bylaws respecting buildings. Such Permit shall not be issued unless a proposal for the interim or long-term use or redevelopment of the site is also submitted, and the proposed use is in conformity with this Bylaw. A separate Development Permit is required for any redevelopment of the site.

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### 3.28 TEMPORARY DEVELOPMENT PERMITS

- .1 The Development Officer may issue a temporary Development Permit, with specified conditions for a specified period of time, to accommodate developments incidental to approved construction, temporary accommodation, or temporary gravel operations or asphalt plants. Nothing in this Bylaw shall prevent the use of land, or the erection or use of any building or structure for a non-residential construction or work camp, tool shed, scaffold, or other building or structure incidental to and necessary for construction work on the premises, but only for so long as such use, building, or structure is necessary for such construction work as has not been finished or abandoned.

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### 3.29 REGISTERING AN INTEREST (CAVEATS)

Council may require that development and servicing agreements and other documents such as restrictive covenants, be registered as an interest on affected lands, to protect municipal and public interests as provided under Section 175 of *The Planning and Development Act, 2007*.

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### 3.30 DEVELOPMENT AGREEMENTS

Council may request a developer to enter into a development agreement to ensure development conformity with the Official Community Plan, and this Bylaw, pursuant to Section 171 to 176 inclusive, of *The Planning and Development Act, 2007*.

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### 3.31 SERVICING AGREEMENTS

- .1 Where a development proposal involves subdivision, Council may require by resolution, a developer to enter into a servicing agreement to ensure appropriate servicing pursuant to *The Planning and Development Act, 2007*. Council may direct the Administration to vary the agreement on a case-by-case basis.
- .2 In accordance with Sections 172 to 176 inclusive, *The Planning and Development Act, 2007*, the agreement may provide for:
  - a) The undertaking and installation of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, signage, graded, graveled or paved streets and lanes, connections to existing services, area grading and leveling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities, or other works that Council may require, including both on-site and off-site servicing;
  - b) The payment of fees and charges, in whole or in part, for the capital cost of providing, altering, expanding or upgrading sewage, water, drainage and other utility services, public highway facilities or park and recreation space and facilities located within or outside the proposed subdivision and that directly or indirectly serve the proposed subdivision.

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### 3.32 PERFORMANCE BONDS

The Municipality may require a developer, including host owners of property where an accessory dwelling or Garden Suite is located or a Temporary Work Camp or other developments which may have an impact on servicing needs, to post and maintain a performance bond to ensure developer performance and to protect the public interest.

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### 3.33 LIABILITY INSURANCE

Council may require developers to provide and maintain liability insurance to protect the Municipality, developer and public.

## 4 GENERAL REGULATIONS

The following regulations shall apply to all Zoning Districts in this Bylaw.

### 4.1 LICENSES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

- .1 In their interpretation and application, the provisions of this Bylaw shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and general welfare.
- .2 Nothing in this Bylaw shall exempt any person from complying with the requirements of a Building Bylaw or any other Bylaw in force within the Rural Municipality of Weyburn No.67, or law within the Province of Saskatchewan or Canada; or from obtaining any license, permission, permit, authority, or approval required by this or any other Bylaw of the Rural Municipality of Weyburn No. 67 or any law of the Province of Saskatchewan or Canada.
- .3 Where requirements in this Bylaw conflict with those of any other municipal, provincial, or federal requirements, the more stringent regulations shall prevail.

### 4.2 NUMBER OF PRINCIPAL BUILDINGS OR USE PER SITE

- .1 Unless otherwise permitted within this Bylaw, no person shall construct or cause to be constructed, more than one principal building or use per site.
- .2 Notwithstanding section 4.2.1 at councils discretion the following uses may have more than one principal building to accommodate the use:
  - a) Farmyards
  - b) Public utility uses
  - c) A private institution
  - d) A multi-unit residential use
  - e) Recreational uses
  - f) An agricultural use
  - g) Commercial or industrial uses
  - h) Uses allowed in a "Contract Zoning" Agreement.
- .3 Temporary Uses may be permitted on a site where a principal development already exists, at council's discretion.

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### 4.3 ACCESSORY BUILDINGS, USES AND STRUCTURES

- .1 In all Zoning Districts in this Bylaw, the principal use of land must be established prior to any accessory buildings, structures or uses being permitted; unless otherwise specified in Section 4.3.6.
- .2 No accessory building may be constructed, erected or moved on to any site prior to the time of construction of the principal building to which it is accessory; unless specified in Section 4.3.6.
- .3 Where a building on a site is attached to a principal building by a solid roof or by structural rafters, and where the solid roof or rafters extend at least one third of the length of the building wall that is common with the principal building, the building is deemed to be part of the principal building.
- .4 An accessory structure shall not be used as a dwelling unless further specified in this Bylaw.
- .5 Notwithstanding other provisions of this Bylaw, a Development Permit may be issued simultaneously for the principal and accessory uses provided that proof of purchase of the principal use is provided to the municipality prior to issuance of permit.
  - a) Where council has approved a permit for principal and accessory uses, as provided in this Bylaw, and that time period has expired, that use of land and/or use of building on that land shall cease until such time as council gives a new discretionary use approval and a new development permit is issued or the building or use has been removed or the site is brought into compliance of this bylaw.
- .6 Notwithstanding other provisions of this Bylaw, accessory buildings being constructed prior to the principal use within the **Agricultural Resource District (AR) or Country Residential District (CR)** are subject to the following standards:
  - a) An applicant shall be required to enter into a development agreement with the Municipality to ensure the accessory building complies with all relevant requirements of this Bylaw including the provision of financial security, to be held by the Municipality. This agreement shall be placed on title by the Municipality and only removed once the site is in compliance of this bylaw either by completion of principal use or removal of accessory building.
  - b) The financial security amount shall be equal to the cost of removal of the accessory building. The cost of removal shall be the responsibility of the owner by providing the Municipality a minimum of two removal quotes from separate companies and being approved by council and the Municipality shall use the average of the quotes to calculate the amount to be held by the Municipality.
  - c) Any approval of an accessory building prior to the construction of the primary/principal use shall be for a maximum of five (5) years and may be renewed for one (1) additional year at the discretion of council; providing the requirements of this bylaw continue to be met. The renewal request must be submitted to the RM of Weyburn Office prior to date of permit expiry and is the landowner's responsibility.
  - d) Once the landowner believes they are in compliance with this Bylaw they may make an application to the Municipality to have the financial security in 4.3.6 b) refunded.



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#### 4.4 USES PERMITTED IN ALL ZONING DISTRICTS

- .1 Nothing in this Bylaw shall prevent the use of any land as a public street or public park.
- .2 Nothing in this Bylaw shall prevent the erection of any properly authorized traffic sign or signal, or any sign or notice of any local or other government department or authority.
- .3 Nothing in this Bylaw shall prevent the use of any land for the erection of buildings or structures, or the installation of other facilities, essential to the operation of public works or utilities, provided that such use, building, or structure shall be in substantial compliance with the relevant provisions of this Bylaw and shall not adversely affect the character or amenity of the area in which the same is located.

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#### 4.5 APPLICATION OF OVERLAY DISTRICTS

- .1 The Overlay Districts shall be in addition to all other Zoning Districts where they are applied so that any parcel of land lying in an Overlay District shall also lie in one or more of the other Districts provided for by this Bylaw. The effect is to create a new District which has the characteristics and limitations of the underlying Districts together with the characteristics and limitations of the Overlay District.
- .2 Unless specifically exempted, the regulations, standards and criteria of the Overlay District shall supplement and be applied in addition to but not instead of, any regulations, standards and criteria applicable to the underlying Zoning District.
- .3 In the event of conflict between the requirements of any Overlay District and those of the underlying Zoning District, the Overlay requirements shall apply.

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#### 4.6 RESTORATION TO A SAFE CONDITION

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

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#### 4.7 GRADING AND LEVELING OF SITES

- .1 Every development shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent properties, or the stability of the land.

- .2 All excavations or filling shall be re-vegetated immediately after other construction activities conclude, with a suitable ground cover as may be necessary to prevent erosion.
  - a) All vegetation and debris in an area to be re-graded or filled must be removed from the site prior to site grading and leveling; and
  - b) All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by the Municipality.
- .3 Where excavation or filling is proposed for any development in a Flood-hazard area as illustrated on the Appendix Maps in the OCP, the Municipality may request comments of the Water Security Authority or relevant agency, prior to making a decision on the Development Permit application.

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#### 4.8 HEIGHT OF BUILDINGS

Where a maximum height of buildings is specified in any Zoning District, the maximum height shall be measured from average grade level to the highest point on the building exclusive of any chimney or antenna.

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#### 4.9 RESTRICTIONS ON CHANGES

- .1 The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected, and no land shall be severed from any site, if such change, erection or severance creates a situation that contravenes any of the provisions of this Bylaw applicable to each individual remaining building, accessory building, site, or lot.
- .2 Notwithstanding the provisions of clause (.1) of this subsection, no person shall be deemed to have contravened any provision of this Bylaw if only part or parts of any site or lot has, or have, been conveyed to, or acquired by, the Municipality or the Province of Saskatchewan for a public work.

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#### 4.10 SIGNAGE ON NATURAL AND HUMAN HERITAGE SITES

Small plaques, markers, and interpretation signs will be encouraged on properties that have significant natural or human heritage resources, with the approval of the owner, and where the signage is appropriate in scale, design, and placement with the site and surrounding area, and does not cause safety concerns or negatively impact the heritage value of the site.

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#### 4.11 HERITAGE AND SENSITIVE AND CRITICAL WILDLIFE HABITAT

Where development is proposed in an area identified as containing critical wildlife habitat or heritage sensitive areas, (See the Environmentally Sensitive Lands) and Heritage Resource (HR) Mapping in OCP Appendices, the Development Officer may require the applicant provide additional information as required by *The Wildlife Habitat Protection Act* (WHPA) and *The Heritage Property Act* or any other relevant provincial regulations.

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#### 4.12 FENCE AND HEDGES

- .1 Notwithstanding the other provisions in this section, barbed wire fences, or similar strand fences, shall be exempt from the required yard setbacks in all Zoning Districts in accordance with any other municipal bylaw respecting municipal road setbacks. On corner lots, that portion of a lot contiguous to a public road allowance shall be considered as a front yard area for the purpose of applying the regulations herein.
- .2 Screening devices shall not locate within a sight triangle as defined in this Bylaw. Screen fences shall be consistent and complement the quality of building design and materials of the primary building. Height Restriction (i.e. shall not exceed 2.4 metres in height.)
- .3 Subject to traffic sight lines, the following limitations shall apply to fences, walls, chain-link fences and hedges in all Country Residential Districts.
  - a) No hedge, fence or other structure shall be erected past any property line.
- .4 Fences intended to contain animals in all Zoning Districts shall be in compliance with the provisions of *The Stray Animals Act* and *The Line Fence Act* of Saskatchewan and related Regulations.

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#### 4.13 LANDSCAPE BUFFERS

- .1 Landscape buffers are intended to improve land use compatibility and environmental quality by recurring noise, lighting glare and other nuisances, or facilitating natural drainage.
- .2 The Development Officer may require or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials or other similar uses.
- .3 For any non-residential use, Council may establish landscaping requirements for any permitted or discretionary use or Development Permit to achieve:
  - a) Maximum public safety
  - b) Zero nuisance
  - c) Environmental quality

- .4 Council may establish specific landscaping requirements to include berms, natural vegetation, planted vegetation, landscaping, trees, shrubs, fences, private signs and similar amenities.
- .5 Council may require all sites along Highway No.'s 13, 35, and 39 and associated service roads, which are developed for non-agricultural purposes, to be landscaped in the front yard. These requirements are provided in the individual Zoning Districts.
- .6 Country Residential acreages shall be encouraged to establish a shelterbelt, or vegetative landscape buffer around the residential use to reduce land use conflicts with adjacent uses and activities and to recognize the need for a windbreak.
- .7 The Development Officer may require that site landscaping be provided in conjunction with, and addressed as part of any Development Permit approval in any Zoning District.

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#### 4.14 KEEPING OF DOMESTIC ANIMALS

- .1 The keeping of small domestic animals (ie. cats, dogs) is permitted in all Zoning Districts, subject to relevant Bylaws and legislations governing noise and public health; however, breeding kennels and boarding kennels are discretionary uses within select Zoning Districts.
- .2 On residential sites or sites proposed for subdivision for a residential use, animals shall not be pastured within 15.0 metres of any dwelling or well, not owned by the owner of the animals. No buildings or structures intended to contain birds or animals shall be located within 30.0 metres of a dwelling, property line or well for potable water.

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#### 4.15 BUILDING AND SITE MAINTENANCE

- .1 All sites at all times shall be maintained clean and free from waste and debris in accordance with any noise or nuisance bylaw in the Municipality.
- .2 The outdoor storage or collection of goods and materials is prohibited in a front yard in any Commercial, Industrial, or Country Residential District. Outdoor storage is permitted in a side or rear yard in a Country Residential District only when the goods or material being stored are clearly accessory and incidental to the principal use of the property.
- .3 The Development Officer may prescribe or approve screening for uses which involve the outdoor storage of goods, machinery, vehicles, building materials, waste materials and other similar uses, in a Commercial or Industrial District, or where other landscaping and screening requirements would be appropriate as determined by the Development Officer. The use of landscaping may be required adjacent to exterior storage areas within industrial developments to provide a natural screening of activities that are visible from public roads.

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#### 4.16 PROHIBITED AND NOXIOUS USES

- .1 Any use is prohibited which, by its nature or the materials used therein, is declared by The Public Health Act and Regulations to be a noxious trade, business, or manufacture.
- .2 Notwithstanding any use contained within a building, no land shall be used and no building or structure shall be erected, altered or used for any purpose that is noxious and, without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offence, or both:
  - a) by the creation of noise or vibration;
  - b) by the emission of light and glare;
  - c) by reason of the emission of gas, fumes, smoke, dust or objectionable odour;
  - d) by reason of the unsightly storage of goods, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery, or other such material;
  - e) by any combination of things in this subsection.

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#### 4.17 DISPOSAL OF WASTES

- .1 Subject to all Acts and Regulations pertaining in any way to the storage, handling, and disposal of any waste material or used item, and except as permitted by these Acts and Regulations, no liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into the air.
- .2 No development or use of land which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by Saskatchewan Ministries of Health, Environment and the Water Security Agency, or relevant agencies. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by the Saskatchewan Ministries of Saskatchewan Agriculture, Environment, Health and the Water Security Agency, or relevant agencies.

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#### 4.18 SITE DEVELOPMENT REGULATIONS FOR DEVELOPMENT NEAR WATER SOURCES

- .1 If the proposed development will be within 150.0 metres of any public well, or private or public dam which is licensed by the Water Security Agency, or relevant agency, including Nickle Lake and the Souris River, as identified in the OCP, Council may also require additional information from the applicant to ensure that the existing water supplies will not be jeopardized.
- .2 Council may require that before a permit may be issued, the applicant shall submit a report prepared by a professional who is competent to assess the suitability of the site for a development and that the development is suitable with respect to the required mitigation

measures to develop in areas of high water table, near public wells, waste disposal sites or a private or public dam which is licensed by the Water Security Agency, or relevant agency, and identified in the OCP.

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#### 4.19 PUBLIC UTILITIES AND MUNICIPAL SERVICES

- .1 Public utilities except solid waste disposal, liquid waste disposal and clean fill sites, unless otherwise specified by this Bylaw, shall be exempt from the provisions of every Zoning District.
- .2 Protective, emergency, municipal services and other public works and facilities may be established in all Zoning Districts.

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#### 4.20 CLOSINGS

In the event a dedicated street or lane shown on the Zoning District Map forming part of this Bylaw is closed, the property formerly in such street or lane shall be included within the Zoning District of the adjoining property on either side of such closed street or lane. If a closed street or lane is the boundary between two or more different Zoning Districts, the new district boundaries shall be the former centre line of the closed road or street.

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#### 4.21 ROADWAYS

- .1 Council may establish regulations or other policies, apart from the Zoning Bylaw, to establish standards for road construction. Road standards may be established to provide service to specific forms of development.
- .2 Council may require applicants and developers to pay for any or all costs associated with road construction and short-term maintenance where the cost is directly associated with the development or subdivision.
- .3 Development adjacent to a provincial highway shall meet all setback requirements of the Saskatchewan Ministry of Highways and Infrastructure. Notwithstanding any regulations passed by the Province of Saskatchewan which apply to highways, this Bylaw may establish a higher standard than those required by the Province for developments adjacent to highways and intersections.
- .4 Notwithstanding the setback provisions contained in the Zoning District Schedules, Council may reduce the 46.0 metre (150 feet) setback for buildings and structures on municipal roadways where physical circumstances make it unrealistic to maintain the 46.0 metre setback.

- .5 The requirement of a service road or internal subdivision roadway to provide access may be required as a condition of approval for any new development.
- .6 When any development is approved on land adjacent to an unconstructed road allowance and access is required from the said road allowance, the owner/applicant shall be responsible for all costs related to the construction of the road to the standards set out by the Municipality.

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#### 4.22 FRONTAGE AND ACCESS/APPROACHES

- .1 A Development Permit shall not be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on a graded all-weather registered road, or unless satisfactory arrangements have been made with the Council for the improvement or building of a road.
- .2 All site access from roads shall be to the satisfaction of Council with respect to location, design, and construction standards. Council shall take into account the physical capability and safety of the roads that are proposed to serve the development.
- .3 All approaches to public roads require the approval of the Municipality. All approaches shall be constructed in accordance with the engineering standards of the Municipality.
- .4 The Municipality shall decide upon all approach applications and, based on location, drainage, traffic flow, sight lines, road standards, and safety considerations, may approve or refuse an application for an approach.
- .5 Where an approach for a Commercial, Industrial, or Country-Residential lot within a multi-parcel subdivision accesses onto a paved road or highway, the approach shall be paved from the edge of the road surface to 5.0 metres into the lot.

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#### 4.23 ROAD CROSSINGS

The Municipality may apply special standards as outlined in *The Rural Municipality Act, 1989*, or subsequent legislation, to protect the municipal interest when transportation, utility and pipeline facilities cross municipal roads or when seismic activity is proposed on roads or road allowances.

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#### 4.24 HEAVY HAUL ROADS

The Municipality may use *The Rural Municipality Act, 1989* to ensure that any trucking activity cover the cost of road repair caused by their usage of a rural municipal road.

#### 4.25 RAILWAY CROSSINGS AND SIGHT DISTANCES

Notwithstanding anything contained in this Bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within 46 metres of the point of intersection of the centre line of both the railway and the street.

#### 4.26 SIGHT TRIANGLE

- .1 In all Zoning Districts, no building, structure or any other visual obstruction shall be constructed, erected or placed within the area defined by the clear site triangle.
- .2 The sight line triangle area shall be calculated by connecting straight lines, which are measured from the intersection of centerlines of various types of roads and railways to points established along these centerlines.
- .3 Trees planted new or parallel to any site line outlined of a clear site triangle shall be setback sufficiently from the site line to estimate overhang outside the property boundaries.
- .4 Strand fences may be considered by the Municipality to be located within the site line triangle if they do not obstruct visibility at the intersection.
- .5 Exceptions may be considered for existing encroachments where traffic speed or regulations can be adjusted to provide safe intersection visibility or where an engineering study recommends alternatives acceptable to Council.

**Table 1: Sight Triangle Distances**

Road Type	Design Speed	Stopping Site Distance S.S.D.
<b>Heavy Haul &amp; High Volume Primary Municipal Grids</b>	100 km/hr	190 metres (623.0 feet)
	90 km/hr	160 metres (525.0 feet)
	80 km/hr	130 metres (426.5 feet)
	70 km/hr	105 metres (344.5 feet)
<b>Main Farm Access &amp; Internal Subdivision Roads</b>	60 km/hr	80 metres (262.5 feet)
	50 km/hr	60 metres (197.0 feet)
	40 km/hr	45 metres (148.0 feet)
	30 km/hr	30 metres (98.5 feet)



#### 4.27 DEVELOPMENT ALONG PIPELINES AND GAS TRANSMISSION LINES

- .1 Any development involving pipeline and /or power line transmission rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial Regulations or Acts and any regulations or directives established by crown corporations. Refer to “Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663”, which may be amended from time to time.
- .2 Setbacks from pipelines shall be **12.0 metres** except for where provision has been made in the previous bylaw or in consultation with the operator of the pipeline, a lesser separation may be allowed.
- .3 The National Energy Board has designated a review area of **30.0 metres** on either side of a pipeline in which, subject to exceptions for such things as normal agricultural activities, anyone proposing to conduct a ground disturbance/excavation must:
  - a) Ascertain whether a pipeline exists;
  - b) Notify the pipeline company of the nature and schedule of the excavation; and
  - c) Conduct the excavation in accordance with such regulations.

The following figure provides the setbacks required by the Canadian Standards Association. Source: Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663.

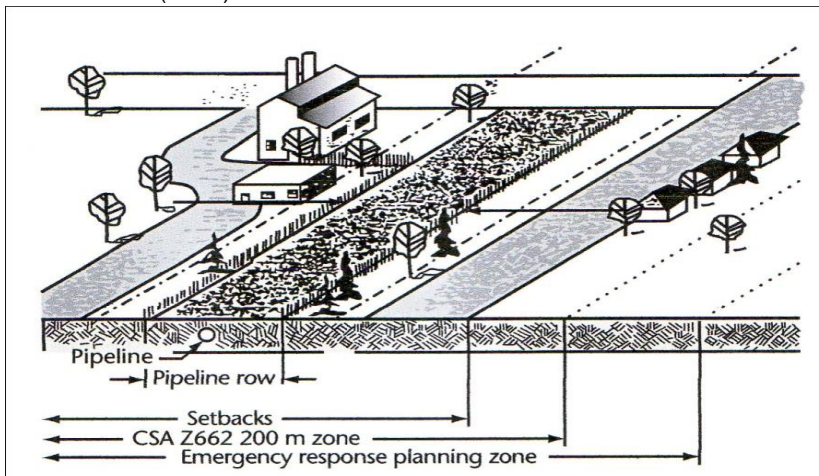


Figure 2: Land Use Areas

#### 4.28 COMMUNICATION TOWERS

- .1 The erection of cellular telephone transmission towers shall not be permitted in, or closer than 100.0 metres to any Country Residential District or Hamlet.
- .2 Satellite dishes may be erected in Agricultural Resource, Commercial or Industrial Districts for communications purposes or re-broadcasting of television signals subject to any provisions in the Zoning District. Public Utilities are generally exempt from site size and setback provisions.

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#### 4.29 USES OR OBJECTS PROHIBITED OR RESTRICTED IN YARDS

- .1 No development or use of land which requires the disposal of solid waste, liquid waste, gaseous waste or clean fill shall be permitted unless it has received all required federal and provincial approvals.
- .2 The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary requirements and permits must be met and obtained prior to issuance of a Development Permit.
- .3 A Development Permit for residential, commercial, recreational or industrial buildings shall not be permitted except in accordance with the recommended separation distances of the "Regulations Respecting Anhydrous Ammonia-Saskatchewan Regulations 361/77" which may be amended from time to time. Residences and buildings which are an integral part of the fertilizer operation are not subject to the foregoing buffer requirement.

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#### 4.30 VEHICLE STORAGE

- .1 Notwithstanding anything contained in this Bylaw, no person shall use any site in any Zoning District for the parking or storage of any vehicle that is not in running order, except that not more than five (5) such vehicles may be stored on any site in an Agricultural, Commercial or Industrial District, except in the case of permitted vehicle storage establishments or auto wreckers.
- .2 Notwithstanding anything contained in this Bylaw, no person shall use any site in any district for the parking or storage of any vehicle that is not in running order, except that not more than two (2) such vehicles may be stored on any site in a Country Residential or Hamlet District or Agricultural Resource site of twenty (20) acres or less.
- .3 Where any outside storage of vehicles is proposed, the site shall be kept in a tidy and neat manner. The Municipality may require that the outside storage of vehicles be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof. The screening, where required, shall also include any individual parts of a vehicle and any equipment or machinery involved with the storage of such vehicles.

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#### 4.31 TRAILERS, BOX CARS, SEA AND RAIL CONTAINERS

- .1 No person shall park or store on any part of a site, any unlicensed rail or sea container, truck, bus or coach body for the purpose of advertising within any Zoning District.
- .2 Mobile Storage containers may be accommodated for warehousing or storage purposes under the following conditions:

- a) are accommodated only in Agricultural Resource, Commercial and Industrial, and Country Residential Districts;
- b) containers must be painted a solid colour, and complementary to the other buildings on the site, as well as to the amenity of the neighborhood in the Country Residential District;
- c) containers may be permitted only if a Development Permit is obtained;
- d) must be properly anchored;
- e) shall be located a minimum of 3.0 metres from the primary building and behind the rear wall of the primary building;
- f) containers determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality;
- g) must meet the National Building Code Standards as applicable.

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#### 4.32 LIGHTING

- .1 All outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties; interfere with the use and enjoyment of neighbouring lands; or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.
- .2 Appropriate lighting of Commercial and Industrial development shall be undertaken to provide security and to add visual interest. Lighting standards and fixtures shall be of consistent design and complimentary to the overall architecture.

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#### 4.33 SIGNAGE

- .1 A Development Permit is required for the erection, display, alteration, relocation or replacement of any temporary or permanent signs, unless exempt as follows:
  - a. Address signs or residential name plates: one (1) address designation per use, denoting the numerical address and/or name of the occupant(s);
  - b. Regular maintenance including painting and repairs;
  - c. Municipal and provincial agency signs;
  - d. Traffic control signage;
  - e. Incidental signs containing traffic and/or pedestrian controls;
  - f. Signage intended to regulate hunting or trespassing on private property;
  - g. Works of art containing no advertising;
  - h. Memorial signs, plaques tablets or headstones;
  - i. Temporary construction signs not exceeding thirty (30) days;
  - j. Temporary real estate signage;
  - k. Temporary agricultural related signage including herbicide, insecticide or seed advertising;
  - l. Temporary election signs that are to be removed 24 hours after voting stations have closed;
- .2 The following General Sign Regulations shall pertain to temporary and permanent signs in **all Zoning Districts** unless otherwise stated:

- a. A Development Permit shall be obtained from the Development Officer prior to any sign being erected or structurally altered, unless otherwise exempted in this bylaw;
- b. All signs situated along a provincial highway shall comply with *The Highways and Transportation Act, 1986*, or amendments thereto;
- c. Signs shall not be located in sight triangles for intersections or driveways or in such manner that they visually obstruct or otherwise jeopardize public safety;
- d. Signs shall not be located in such manner as to impede the view of any pedestrian or vehicular right of way, or rail crossing;
- e. Except otherwise provided, no sign shall project beyond the property lines of the site which it pertains;
- f. No permanent sign shall be placed on or over public property unless specifically permitted within this Bylaw;
- g. Signs shall be constructed in a permanent manner, of materials suitable for the purpose of life of the sign and shall be maintained and mounted in a condition that is safe, neat and clean and not unsightly or dangerous;
- h. Signs which are deemed to be in disrepair shall be properly maintained or removed at the discretion of the Municipality;
- i. Offensive statements, words or pictures that do not conform to the amenities of the location shall be prohibited;
- j. Signs or sign structures shall not be located where they may interfere with, distract from or obstruct the view of, or be confused with any authorized traffic sign, signal or device;
- k. Signs shall not be erected, attached or mounted upon trees or utility poles, or drawn or painted on rocks or other natural features;
- l. All illuminated signs shall be discretionary in ALL Zoning Districts;
- m. All illuminated signs shall be designed to cast light downwards and located appropriately to prevent the creation of a hazardous situation related to vehicular traffic;
- n. Incidental signs shall not exceed 0.5 m<sup>2</sup> (5.4 ft<sup>2</sup>) of gross surface area and shall not contain any advertising;
- o. Where a building maintains direct exposure to more than one public right of way, a second attached sign may be permitted at councils discretion;

.3 Signs located in a **Sign Corridor**

- a. Signs located in a R.M. of Weyburn Sign Corridor shall be administered by the City of Weyburn in accordance with this Bylaw and *The Highways and Transportation Act, 1986* or amendments thereto and any other regulations.

.4 Temporary

- a. Temporary signs may be placed in public right of ways for the purpose of advertising special events and will be limited to the following:
  - i. Temporary, portable and real estate signs are permitted as long as the temporary condition exists for the property
  - ii. Signs can be erected for ten (10) days prior to an event and must be removed within forty-eight (48) hours of the event's end.
  - iii. Signage will maintain a direct separation distances of:
    - a. 10.0 metres from another temporary or permanent sign;
    - b. 3.0 metres from a site access point;

- c. 10.0 metres from any intersection.
  - iv. Election signage is permitted as temporary signage and is permitted only if it is erected no earlier than thirty (30) days prior to the date of the election, by-election, referendum or plebiscite and removed twenty-four (24) hours following the closure of voting stations.
- .5 Discretionary Uses with Discretionary Use Criteria or Standards of Development that includes sign regulations shall apply the sign regulations identified in the criterial or standards.

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#### 4.34 ZONING DISTRICT SIGN REGULATIONS

- .1 The specific Zoning District sign regulations are located in the appropriate Zoning District and will be in conjunction with Section 4.33 General Sign Regulations.

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#### 4.35 LOADING REQUIREMENTS

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods, or merchandise, adequate space for such vehicles to stand for loading and unloading without restricting access to all parts of the site shall be provided on the site.

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#### 4.36 PARKING

- .1 All required parking and loading facilities are intended for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the principal building or use for which the parking and loading facilities are provided. Parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind.
- .2 Required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site.
- .3 The parking facility shall be located on the same site as the use for which it is intended. It shall be developed such that:
  - a) It is reasonably accessible to the use and vehicles it is intended to serve;
  - b) It meets the satisfaction of the Municipality regarding design;
  - c) It is appropriately landscaped to the satisfaction of the Municipality.
  - d) All parking facilities shall be maintained to the satisfaction of the Municipality by the owner of the property.

- e) Each parking space within a parking facility shall be a minimum of 2.5 metres wide and 6 metres long except that parallel parking spaces shall be a minimum of 6.5 metres long.
  - f) Where two or more uses are permitted on any one site or where two or more uses are to share common parking facilities, the off-street parking requirements for each use shall be calculated as if each is a separate use and the total number of off-street parking spaces so calculated shall be provided; and
  - g) One (1) barrier free(e.g. Handicap) parking space shall be provided for any required parking facility accommodating between 4 and 100 parking spaces.
- .4 Any parking facility shall be developed to the satisfaction of the Municipality within one(1) year of the completion of the development for which the Development Permit was issued.
- .5 When a building is enlarged or altered in such a manner as to cause an intensification or change of use, provisions shall be made for additional parking spaces as required by the previous subsection.

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#### 4.37 MULTI-PARCEL SUBDIVISIONS AND DEVELOPMENTS

- .1 Subject to all other requirements of this Bylaw, all multi-parcel development shall be subject to providing sufficient topographic information on the Plan of Proposed Subdivision.
- .2 Subject to all other requirements of this Bylaw, all multi-parcel developments shall construct a drainage plan.
- .3 Subject to all other requirements of this Bylaw, all multi-parcel developments will require an internal subdivision road to provide access to the proposed lots, unless otherwise discussed with and approved by council.

## 5 DISCRETIONARY USE STANDARDS FOR DEVELOPMENT

This Section addresses special provisions and specific development standards that apply to the following developments. These criteria, provisions and development standards apply in addition to any standards of the relevant Zoning District.

### 5.1 HOME-BASED BUSINESSES AND OCCUPATIONS

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Home Based Business or Occupation:

- The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- The use shall be conducted entirely within the dwelling unit or an accessory building to the dwelling unit.
- There shall be no external advertising other than a sign of not more than 1.0 m<sup>2</sup> (10.75 ft<sup>2</sup>) erected in accordance with the Sign Regulations contained herein.
- In Country Residential Districts, there shall be no external storage of goods, materials or equipment associated with the applied use.
- The use shall not create or become a public nuisance.
- The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.
- No use requiring electrical or mechanical equipment shall cause a substantial fire rating change in the structure or the district in which the home-based business is located.
- The use shall be valid only for the period of time the property is occupied by the applicant for such use.
- All permits issued for home based businesses or occupations shall be subject to the condition that the Development Permit may be revoked at any time, if in the opinion of Council, the operation has not met the regulations and standards applicable to home-based businesses or occupations contained in the Bylaw, or the special standards applied by Council at the time of approval.
- Council shall place any additional conditions for approval deemed necessary based upon a specific application.

### 5.2 AGRICULTURAL TOURISM USES

Agricultural tourism uses shall be accessory to an agricultural farm operation or other dwelling allowed in the Agricultural Resource Zone.

- Agricultural tourism uses shall display a high visual quality and shall be integrated into the rural environment by virtue of appropriate design, location and landscaping.
- Agricultural tourism uses may only be approved where they would not:
  - unduly interfere with the surrounding character of the agricultural area;
  - materially interfere with or affect the use and enjoyment of adjacent properties;
  - adversely impact upon the environment; or

- result in excessive demand on municipal services, utilities or public roadway access;
- Agricultural tourism uses shall comply with all provincial environmental and health regulations.

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### 5.3 GARDEN SUITES

A single Garden Suite may be placed in the back yard of a single-detached residential development under the following conditions in an Agricultural Resource or Country Residential District:

- The Garden Suite dwelling unit is a temporary use and shall be permitted for a five (5) year term, which may be renewed at Council's discretion. The landowner shall enter into an agreement that the land shall not be considered for subdivision.
- The owner(s) of the host residence shall live on the site.
- The occupant(s) of the Garden Suite should be able to benefit from the informal care and support of relatives or a caregiver in the primary residence, or provide care and support to relatives or a care-receiver in the primary residence.
- The floor area of the Garden Suite dwelling shall not be less than 35 m<sup>2</sup> (375 ft<sup>2</sup>) and not greater than 90 m<sup>2</sup> (1000 ft<sup>2</sup>). The Garden Suite may be a single width mobile or modular home.
- The Garden Suite shall not be located on a permanent foundation to allow the structure to be removed from the property when it is no longer required by a relative or caregiver of the permanent resident.
- The maximum height of the Garden Suite shall not exceed 5.0 metres from grade level and shall have only one story.
- Garden Suite dwellings shall only be located on sites where the dwelling can be serviced by existing utilities and can be hooked up to the services of the host residence where possible.
- Residents of the Garden Suite must have access to the rear yard amenities.
- The accessory dwelling shall be placed so that all other setback requirement of this Zoning Bylaw are met.
- A parking space shall be provided on-site for the resident(s) of the Garden Suite dwelling.
- There shall be direct and separate access to the Garden Suite dwelling by on-site driveway, or by public roadway or alley.
- Garden Suites may only be approved where they would not:
  - change the character of the neighbourhood;
  - adversely affect the natural environment;
  - result in any increase in demand on municipal services, or public utilities.
- An applicant for a Garden Suite shall be required to sign an Agreement with the Municipality or post a Performance Bond to ensure that the Suite will comply with all Bylaw requirements.
- The Municipality shall at its own cost, file a copy of a Discretionary Use approval as an Interest against the title of the land on which the Garden Suite has been allowed.



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#### 5.4 RESIDENTIAL CARE HOMES

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Residential Care Home:

- The use shall be clearly incidental and secondary to the use of the dwelling unit as a private residence.
- Required parking spaces may be located in a required front yard.
- No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.
- The use shall be conducted entirely within the dwelling unit and shall not have any exterior evidence of a secondary use.
- There shall be no outside storage or exterior display of goods, materials or equipment associated with the applied use.
- The use shall not generate substantially more traffic and parking than is normal for the district in which the use is located.

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#### 5.5 BED & BREAKFAST HOMES

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Bed & Breakfast:

- Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead site or country residence.
- No more than three (3) guest rooms shall be allowed in a bed and breakfast home.
- Only one sign, not exceeding 1.0 m<sup>2</sup> (10.76 ft<sup>2</sup>) advertising the vacation farm or bed and breakfast home and located on-site, is permitted.
- The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.
- The operation of the bed and breakfast home shall be subordinate and incidental to the principal use of a single detached dwelling as an owner occupied residence. No one other than the occupant and his/her immediate family members may be involved or employed in the operation of the bed and breakfast home.

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#### 5.6 SALVAGE YARDS (AUTO WRECKERS)

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Salvage Yard/Auto Wrecker or similar operation.

- This includes salvage yards, auto wreckers, auto repair shop, body shops and similar uses, all salvage vehicles and materials, vehicles waiting repair, salvage or removal and similar uses.
- No vehicles or parts thereof shall be located in the front yard;

- All salvage yards shall be totally hidden from the view of the travelling public, provincial highways, any public road by utilizing distance and careful location, natural or planted vegetation, an earth berm, opaque fence, or other appropriate methods approved by Council.
- All salvage or auto wrecking yards adjacent to a Country Residential or Hamlet District shall be totally enclosed by a sturdy fence built to a minimum height of 2.0 metres and constructed of material suitable to conceal from view the materials stored on site. No materials shall be stacked above the height of the fence.
- A Performance Bond may be required by Council to ensure the development meets the required development standards.

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### 5.7 AUTOMOTIVE SERVICE USES AND GAS PUMPS

Automotive service development and gas pumps and associated buildings, structure and vehicular movement shall conform to the following standards:

- Gas pumps and islands shall be set back 6.0 metres from any site line;
- Service Stations shall locate underground storage tanks in accordance with *The Fire Protection Act*;
- Propane and natural gas pumps (retail or wholesale) shall be set back according to Provincial regulations;
- Access/egress points shall not be continuous along a street and shall be separated by at least 10.0 metres;
- Traffic circulation for auto-related services shall be accommodated on the site;
- Vehicles and parts storage shall not be located in any yard abutting a road and must be screened from view by a solid fence. The location, height and screening materials must be first approved by the Development Officer.

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### 5.8 ANIMAL KENNELS

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for an Animal Kennel:

- The maximum number of animals not normally attributed to the host site to be kept on-site shall be at the discretion of Council.
- No building or exterior exercise area(s) to be used to accommodate the animals shall be allowed within 300 metres of any dwelling located on adjacent lots.
- All facilities, including buildings and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council.
- Pens, rooms, exercise runs and holding stalls may be soundproofed to the satisfaction of Council.
- All dog facilities shall be visually screened from existing dwellings on adjoining lots.
- No animals shall be allowed outdoors between the hours of 9:00 p.m. to 7:00 a.m. daily. During this time period, all animals shall be kept indoors.
- A boarding use shall at no time unduly interfere with the character of the neighbourhood or the general enjoyment of adjoining sites.
- Details of animal waste disposal shall be included in the application.

- One sign located on-site advertising the kennel is permitted subject to the General Sign Regulations in Section 4.33.
- Council shall place any additional conditions for approval deemed necessary based upon a specific application.
- Animal kennels shall be subject to relevant Bylaws and legislation governing noise and public health.
- All permits issued shall be valid for a two (2) year period from the date of issuance and shall be subject to cancellation by the Municipality for due cause.
- Failure to comply with any of the above regulations or the conditions of a Development Permit may result in the revoking of the permit by the Municipality.

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## 5.9 EQUESTRIAN FACILITIES

The following additional considerations shall be made for all applications for an Equestrian Facility:

- The Development Permit shall set the maximum number of horses and cattle, if applicable, that may be kept on the site.
- An animal is kept, for purposes of this section, when it is on the site overnight.
- That the number of animals allowed, as a condition of the permit, to participate in an event are in addition to the number that are allowed to be kept on the site.
- The Development Permit shall set out conditions that address garbage and manure control, pasture management, water supply and sewage disposal, on-site stock trailer parking, participant and spectator parking.
- The application shall include an animal waste and drainage plan for all areas of the parcel of land disturbed during or as a result of the development of the Equestrian Centre and supporting facilities.
- The application shall include a traffic impact analysis that includes current and projected traffic for the next ten years in the vicinity. A condition of the Development Permit may require there be a contribution towards upgrading of access roads should the road network require upgrading because of the impact of the facility.

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## 5.10 CAMPGROUNDS

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Campground:

- The operator of a campground shall provide the Development Officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach or tent campsites with dimensions. The addition or rearrangement of campsites, the construction or moving of buildings, and the material change in use of portions of land, or the filling or clearing of land shall require a Development Permit, and the operator shall submit for approval an amended plan incorporating the development.
- *The Public Health Act* shall be complied with in respect to all operations and development of the campground. All water and waste disposal must meet all regulatory requirements and garbage removal and weed and pest control must be outlined in the development permit application.

- A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 metres which shall contain no buildings.
- The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 m<sup>2</sup> in area with its corners clearly marked.
- One sign located on-site advertising the campground is permitted subject to the General Sign Regulations in Section 4.33.
- No portion of any campsite shall be located within a roadway or required buffer area.
- Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.
- Each trailer coach shall be located at least 3.0 metres from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.
- The space provided for roadways within a campground shall be at least 7.5 metres in width. No portion of any campsite, other use or structure shall be located in any roadway.
- A campground may include as accessory uses a laundromat or confectionary designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.

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#### 5.11 TEMPORARY WORK CAMPS

- Temporary Work Camps are an accessory use to an industrial or resource development.
- A Development Permit for a Work Camp may be issued for up to 1 (one) year, at which time an application must be made for the continuance of the use for 1 (one) additional year, after which time a new Development Permit approval is required.
- An application for a Development Permit must provide the following information and a Concept Plan for the development:
  - i. The location, type and purpose of the camp;
  - ii. Adjacent land uses;
  - iii. The method of supplying water and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the Saskatchewan Onsite Waste Water Disposal Guide and in accordance with the Saskatchewan *Public Health Act*;
  - iv. The number of persons proposed to live in the camp;
  - v. The method of providing garbage disposal and pest control in the camp;
  - vi. The start date for development, date of occupancy by residents and removal date of the camp.
- A Temporary Work Camp for accommodation purposes must be:
  - i. Linked to a specific project for which a valid and current Development Permit has been issued and can only accommodate workers for this project;
  - ii. Accommodate a minimum of twenty(20) persons and a maximum of three-hundred (300) persons;
  - iii. Secured by the installation of appropriate fencing around the project accommodation and on-site security staff;
  - iv. Provide adequate on-site parking for private vehicles;
  - v. Separated (buffered) from adjacent land uses.
- The final review of an application will not be completed prior to the receipt and evaluation of all required information by the Development Officer, the District Health Region and any other relevant agency deemed necessary by the Municipality.

- The Work Camp buildings and structures must be removed from site when the project is completed.
- The Developer must post a Performance Bond of sufficient amount to remove and/or reclaim the site to ensure that:
  - i. The Work Camp accommodation remains on-site after the project is either completed or if work has stopped, to the extent that the need for the camp no longer exists; or
  - ii. To reclaim the site if necessary after the Work Camp has been removed from the site.

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## 5.12 DOMESTIC WIND ENERGY SYSTEMS

- The Developer shall submit a site plan that shows the legal land description, the size of the site, the location of the private wind energy system in relationship to the property lines and other structures or buildings, including roads, underground cabling, overhead lines, fencing and access.
- Council will require the developer to consult with the adjacent property owners surrounding the proposed site prior to reviewing the Development Permit application.
- The Rural Municipality may seek approval of this development from both internal and external referral agencies.
- Development and Building Permit applications for Wind Energy systems shall be accompanied by a manufacturer's engineering certificate of structural safety and certification of structural safety from a Saskatchewan Professional Engineer.
  - i. Installation plans (concrete specifications, anchoring specifications) shall be certified by a Saskatchewan Professional Engineer & must meet with R.M. approval.
  - ii. An approved Electrical Permit from Sask. Power shall be obtained and provided to the Municipality for all wind energy systems.
- All buildings and structures shall be set back at least 90.0 metres from an intersection of any Municipal road allowance, or Provincial highway or such greater distance as required by the Saskatchewan Ministry of Highways.
- All infrastructure, roads and accesses required to facilitate the implementation of the wind energy facilities shall be proposed by the developer as part of the Development Permit application.
- Any proposed development within a municipal road allowance, ie. underground lines or overhead poles/lines, must be proposed by the developer as part of the Development Permit application and adhere to the Rural Municipality road crossing policy.
- Setback distance for the Domestic Wind Energy System shall be a minimum distance of the height of the wind energy system plus 50.0 metres from the property line.
- Approaches for access roads to the wind energy facilities must be perpendicular to established road allowances.
- The setback related to Municipal road allowances and the wind energy generator (turbine) shall be no less than the length of the blade plus 10.0 metres.
- The minimum distance from an Agricultural, Country Residential dwelling or Hamlet shall be:
  - 500 metres (1,604 feet) for up to two towers, where the residence's owner is hosting the tower(s).
  - 1500 metres (4,921 feet) for up to two towers, where the residences owner is not hosting the tower(s) and from any neighboring residences.

- 2,000 metres (6,561 feet) for all residences, where three or more towers are combined in a quarter section. This applies to residences on the subject lands and on neighboring properties.
- The separation distance from a Commercial or Industrial principal use to a wind energy generator (turbine) shall be a minimum distance of 550 metres.
- Upon request, where Council considers that a lesser separation distance than described above will not negatively impact the specific use or surrounding development, Council may consider a reduction of the required separation distance. Prior to granting a reduction, Council may consult with appropriate agencies.
- Where Council considers a lesser separation distance than required above, the developer of the wind energy system may be required to enter into an agreement with the owner of any residence that does not meet the required distance and the Municipality consenting to the proposed development, as a condition of the approval. Council may require that an interest protecting the parties to the agreement be registered against the title of the residence and the titles of any other affected parcels.
- The Municipality may require the developer to take mitigating measures to ensure the development produces minimal disturbances to the surrounding lands as per Saskatchewan Environment guidelines.
- The proposed height of the domestic wind energy system shall be included in the Development Permit application. The maximum total tower height shall be:
  - i. 45.0 metres above grade level in the Agricultural Resource Zoning District.
  - ii. 6.0 metres in a Hamlet or Country Residential, Commercial or Industrial District.
  - iii. A maximum of one domestic wind energy system per lot may be permitted.
  - iv. For residential applications, wind energy components and towers shall be erected in rear yards only.
- There shall be no sounds, light, glare, heat, dust or other emissions that detract from the amenity of the area other than those that are necessary for the operation of the system.
- Sites having potentially dangerous or hazardous developments shall have visible signs stating any potential dangers. No hazardous waste shall be stored on the site.
- Substations are required to be fenced. All wind energy facilities shall be enclosed within a locked protective chain link fence of a minimum height of 2.0 metres and the design shall be included in the Development Permit application.
- Council may require the developer to take mitigating measures to ensure the development produces minimal environmental impacts to the surrounding lands.
- A decommissioning plan shall be submitted with the development application.
- Any changes to the original Development Permit shall require a new permit to be issued.

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### 5.13 COMMERCIAL WIND ENERGY SYSTEMS

In addition to the regulations for Domestic (Privately Owned) Wind Energy Systems in 5.12, the following regulations shall apply:

- Where a number of Wind Energy Systems are proposed to operate in close proximity to each other as a Wind Farm and the electrical power that is generated will be sold to a Public or Private Utility, the proposed development shall be deemed a Discretionary Use in the Agricultural Resource District.
- The Developer shall submit a site plan that shows the legal land description, the size of the site, the location of the Commercial wind energy system in relationship to the property lines

and other structures or buildings, including roads, underground cabling, overhead lines, fencing and access.

- Council will require the developer to consult with the adjacent property owners within a 5.0 kilometre radius surrounding the proposal prior to reviewing the Development Permit application.
- The minimum site size for the allowance of any wind energy system shall be 2.0 hectares.
- Wind energy systems must be a minimum distance of 1.0 kilometer from any residence or group of residences.
- The developer is required to enter into a road use agreement with the Municipality for the construction period to ensure roads are maintained in condition agreeable by both parties.
- The developer shall undertake required consultations and/or studies to determine appropriate setback distances from environmentally sensitive areas, wetlands, or other protected or sensitive areas.
- The Developer shall submit a site plan that shows the location of the wind energy systems including roads, underground cabling, fencing, overhead lines, drainage and access.
- Landscaping shall be provided by the developer, where deemed necessary by Council, to maintain safety, protection and the character of the surrounding area.
- Accessory outdoor storage shall be screened from adjacent residential dwellings and public highways and the location of the storage shall be shown on the sketch that forms part of the Development Permit application.
- Development applications must be accompanied by a report of any public information meetings or other process conducted by the developer.
- A post-construction reclamation plan as well as a decommissioning plan shall be submitted with the development application.

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#### 5.14 COMMUNICATION TOWERS

- All towers with a height of 15.0 metres (50 feet) or more shall be considered at the discretion of Council and shall require a Development Permit.
- All towers shall be located on the same site as the intended signal user.
- All towers shall be erected in rear yards only.
- The tower shall not be illuminated unless required by Transport Canada Regulations, and except for a manufacturer's logo, shall not exhibit or display any advertising.
- The maximum total tower height shall be:
  - i. 6.0 metres above grade level in Hamlets and Country Residential Districts;
  - ii. 46.0 metres above grade level in all other Districts.
- Guy-wire anchors shall be setback at least 1.0 metres from the property line.
- All towers that require a Development Permit shall be enclosed within a locked protective chain link fence of a minimum height of 2.0 metres and the design of the fence shall be included in the Development Permit application for Council's approval.
- Council, at its discretion, may seek approval of this development from both internal and external referral agencies.

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#### 5.15 SOLID & LIQUID WASTE DISPOSAL FACILITIES

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for a Solid or Liquid Waste Disposal Facility. The following standards do not apply to liquid manure

storage facilities and the application of manure on agricultural lands where this use is deemed consistent with all other relevant sections of this Bylaw.

1. Development and site maintenance shall be in accordance with provincial environmental and health regulations.
2. Any solid waste disposal facility shall be located 457.0 metres from any residence unless relaxation of this requirement is agreed to by affected parties.
3. A buffer strip containing trees, shrubs or a berm shall be located surrounding a disposal area.
4. Any solid or liquid waste disposal facility shall be fenced.
5. Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
6. Solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all-weather road.
7. The development of any new disposal sites shall take into consideration direction of prevailing winds.
8. Council shall place any additional conditions for approval deemed necessary based upon a specific application.
9. Where approval has been deemed appropriate, Council may consider the following requirements within a Development Permit:
  - place a limitation on the years, months, weeks, days and/or hours of operation;
  - requirement to provide and maintain sufficient dust control to the satisfaction of the Municipality;
  - limitations to the height of the landfill development;
  - specific requirements related to any stripping, filling, excavation and grading associated with a landfill development.

**Table 4: Minimum Separation Distances Relating to all Solid and Liquid Waste Disposal**

Other Uses	Solid Waste Facility	Liquid Waste Facility
<b>Single residence, tourist accommodation</b>	457 metres	457 metres
<b>Multi-Parcel Country Residential subdivision or Hamlet or urban Municipality</b>	1 kilometre	457 metres
<b>Commercial or Industrial use</b>	N/A	N/A

**5.16 ACCESSORY RESIDENCE TO CONTRACTOR’S YARDS AND TRUCKING FIRM ESTABLISHMENTS**

- .1 The principal use of the land must be established prior to any accessory buildings, structures, or uses being permitted.



- .2 The Development Officer may issue a Development Permit for one (1) accessory dwelling on a parcel subject to the Discretionary Use process if:
- (a) the accessory dwelling is located only on a site where the accessory dwelling can be serviced by existing utilities;
  - (b) this provision does not permit the subdivision of this dwelling, unless it conforms to provisions of this Bylaw with respect to residential subdivision;
  - (c) a Development Agreement is entered into between all affected parties, where considered necessary, to assure applicable development standards are adhered to;
  - (d) in compliance with the requirements of the Saskatchewan Ministry of Health or government agencies respecting water and waste connections, and disposal concerns.

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#### 5.17 CANNABIS

- .1 Cannabis Cultivation and Facilities are all subject to the following development standards:
- a. The use should have consideration for the impact on adjacent uses with regards to design, intensity and operation.
  - b. The use shall not create or become a nuisance or create any conflict with the surrounding uses in terms of noise, dust, refuse matter, odor, traffic and storage of hazard or combustible materials. The applicant may be required to implement mitigation measure to address potential nuisances or hazards.
  - c. The building and/or site shall display a high visual quality and shall be integrated into the surrounding environment by virtue or appropriate design, location and landscaping.
  - d. In order for the safety and security of the building and/or site the applicant must demonstrate that the perimeter of the site is secured in a manner that prevents unauthorized access, including physical barriers, as per Health Canada.
  - e. The applicant shall provide the Municipality with evidence of compliance with any applicable Provincial and Federal Legislation or Regulations including approvals where required.
  - f. There must be adequate infrastructure and utility services to serve the proposed use including roads, power, natural gas, telecommunications, water supply and wastewater disposal systems. If upgrades are required, the applicant shall be solely responsible for the cost and the undertaking of such upgrades.
  - g. Outdoor storage of cannabis or cannabis related products or materials is prohibited.
  - h. There must be acceptable access for emergency services.
  - i. The use shall have consideration for delivery of products to and from the site and shall have adequate on-site parking and loading areas for the proposed use.
- .2 All cannabis operations re prohibited as Home Occupation or Home Based Businesses.
- .3 Where a Cannabis Facility is proposed in an area defined as environmentally sensitive a geotechnical study may be required.

- .4 An applicant may be required to enter into an agreement with the Municipality to ensure the use complies with all relevant requirements of this bylaw including any additional conditions of approval.
- .5 The Municipality may require, as a condition of the Development Permit, a waste management plan, completed by a qualified professional that includes details on:
  - a. The disposal of waste products and airborne emissions, including small;
  - b. The quality and characteristics of liquid waste and material waste discharged by the facility; and
  - c. The method and location of collection and disposal of liquid waste and material.
- .6 Cannabis Facilities are required to obtain permits from the Municipality.
- .7 The facility may be indoor or outdoor as indicated on the permit issued by Health Canada.
- .8 Where a Cannabis Facility ceases operation; the facility and building(s) shall be decommissioned and remediated in accordance with applicable Provincial and Federal Regulations. A decommission plan may be required at the time the Development Permit Application is submitted or at the time of decommission request.
- .9 Signage
  - a. Only one permanent attached sign shall be permitted on the primary building face;
  - b. The size, design and placement of any exterior sign shall be subject to the approval of the Municipality;
  - c. Sign regulations in other districts shall not apply to cannabis retail operations.
- .10 Setbacks
  - a. The Municipality shall use the Setbacks set by the Provincial and Federal Regulations;
  - b. In the absence of setbacks noted in a. the minimum setbacks contained in the appropriate District of this Bylaw shall be used, subject to c;
  - c. The Municipality may require greater setback when there are adjacent properties, but not limited to, with uses or similar uses as listed below:
    - i. Educational Facilities
    - ii. Parks/Playgrounds
    - iii. Public Recreational facilities
    - iv. Daycare centers
    - v. Libraries
    - vi. Community Centers/Youth Centers
    - vii. Places of Worship
    - viii. Dwellings
    - ix. Private Schools
    - x. Private Recreational Facilities

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5.18 GROUND MOUNT SOLAR ARRAY SYSTEMS

- .1 Ground Mount Solar Array shall be enclosed by perimeter fencing to restrict unauthorized access;
- .2 The manufactures' or installer' identification and appropriate earning signage shall be posted at the site in a clearly visible manner;
- .3 Ground Mount Solar Systems are to adhere to the setbacks and height restrictions of the district in which they are located;
- .4 The following requirements shall be met for permit applications:
  - a. A descriptive site plan including setbacks, panel sizes, locations of property lines, buildings, roads, and access points.
  - b. An agreement or evidence between the lot owner and the facility owner or operator confirming that the owner or operator has permission of the property owner to apply for necessary permits for construction and operation of the project.
  - c. Any other relevant studies, reports, certificates and approvals may be reasonably requested by the Municipality, but not limited to design review.
- .5 The following requirements shall be met for decommissioning:
  - a. Ground Mount Solar Systems which have not been active or continuous service for a period of one (1) year shall be removed at the owners or operators expense.
  - b. The site shall be restored to as natural condition as possible within six (6) months of the removal.

**6 ZONING DISTRICTS AND ZONING MAPS**

**6.1 ZONING DISTRICTS**

For the purpose of this Bylaw, the Rural Municipality of Weyburn No. 67 is divided into several Zoning Districts that may be referred to by the appropriate symbols.

Zoning Districts	Symbol	Overlay Districts	Symbol
Agricultural Resource	AR	Environmentally Sensitive	ES
Country Residential	CR	Heritage Resource	HR
Hamlet District	H		
High Profile Commercial	HPC		
Light Industrial			
Industrial	IND		

**6.2 ZONING DISTRICT MAPS**

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 6-2013" adopted by the Rural Municipality of Weyburn No.67, signed by the Reeve and Administrator under the seal of the Rural Municipality, shall be known as the "Zoning Districts" map, and such map is hereby declared to be an integral part of this Bylaw.

**6.3 BOUNDARIES OF ZONING DISTRICTS**

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

## 7 AGRICULTURAL RESOURCE DISTRICT (AR)

*The purpose of the Agricultural Resource District (AR) is to provide for and preserve large areas capable of accommodating a diversity of general agricultural operations and natural resource extraction and related activities.*

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



### 7.1 PERMITTED USES

- a) Field crops, animal and poultry raising, ranching, grazing, and other similar uses customarily carried out in the field of general agriculture, including the sale on the agricultural holding of any produce grown or raised on the agricultural holding but excluding intensive livestock, P.M.U. and poultry operations, feed lots, hatcheries, and mushroom farms;
- b) One detached one unit dwelling, RTM, modular or mobile home on a quarter section or equivalent, following the placement thereof on a permanent foundation;
- c) Uses, buildings and structures accessory to the principal building or use;
- d) Small-scale facilities for the processing and direct sale of crops grown or products raised by the agricultural operation;
- e) Intensive Agricultural Activities ie. tree and garden nurseries, market gardens, greenhouses, orchards, vegetable, horticultural or fruit gardens;
- f) Beehives and honey extraction facilities;
- g) Fish farming;
- h) Oil and gas wells, but excluding intensive oil and gas developments;
- i) Pipelines and related facilities;
- j) Mining operations including, but not limited to, mine offices, maintenance and processing buildings, head frames, wells, pipelines and storage facilities;
- k) Petroleum extraction development including wells, pipelines, compressor stations and storage facilities;
- l) Institutional uses and facilities;
- m) Public parks and recreational uses;
- n) Places of worship;
- o) Cemeteries;
- p) Historical and archaeological sites;
- q) Wildlife and conservation management areas;
- r) Public utilities, buildings, and structures, warehouses and storage yards excluding solid and liquid waste disposal facilities
- s) Roof Mount Solar Array

### 7.2 DISCRETIONARY USES

The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 and with regard to the discretionary use criteria provided in Section 5 of this Bylaw:

- a) Intensive Livestock Operations (over 300 Animal Units);
- b) P.M.U. and poultry operations;
- c) Feedlots and hatcheries;
- d) Agricultural commercial;
- e) Home-based businesses and home occupations;
- f) Ag-related light manufacturing, assembly, or machine shops;
- g) Stand-alone grain storage sites (greater than 100,000 bushels);
- h) Agricultural industry;
- i) Aggregate resource extraction (sand and gravel), storage and processing;
- j) Contractor's yards;
- k) Trucking firm establishments;
- l) Clean fill sites;
- m) Oil and gas related commercial and other similar uses;
- n) One (1) agricultural accessory residence, including a mobile home;
- o) Non-farm residential on sites less than a quarter(1/4) section;
- p) Agricultural tourism;
- q) Residential care homes;
- r) Bed and breakfast homes, where part of a single detached dwelling;
- s) Garden suites;
- t) RV parks and campgrounds;
- u) Temporary work camps;
- v) Communication towers;
- w) Private airstrip;
- x) Domestic and commercial wind energy systems;
- y) Solid and liquid waste disposal facilities;
- z) Kennels;
- aa) Harvest preserves (game farms);
- bb) Asphalt plant;
- cc) One (1) accessory residence to i) and j);
- dd) Shooting ranges;
- ee) Commercial recreational activities;
- ff) Licensed Cannabis Cultivation;
- gg) Licensed Micro-Cannabis Cultivation;
- hh) Licensed Cannabis Processing Facility;
- ii) Licensed Cannabis Nursery;
- jj) Licensed Cannabis Research & Testing Facility;
- kk) Licensed Cannabis Wholesaler
- ll) Ground Mount Solar Array

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

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### 7.3 PROHIBITED USES

- a) All uses of buildings and land except those specifically noted as permitted or discretionary.

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### 7.4 ACCESSORY BUILDINGS AND USES

- .1 A permitted accessory use/building shall be defined as any buildings, structures or a use which is customarily accessory to the principal use of the site, but only if the principal permitted use or discretionary use has been established unless otherwise specified in Section 4.3.
- .2 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- .3 Manure applications associated with livestock and agricultural composting are considered accessory to an agricultural operation where the spreading occurs on the parcel in which it is produced or on other lands included in the Agricultural Operation.
- .4 Facilities for the direct sale of crops grown by the agricultural operation including orchards and market gardens shall be considered as an accessory use to a farmstead or agricultural residence in the Agricultural Resource District.
- .5 Large accessory buildings used for such uses as Ag-related light manufacturing, assembly or machine shops are a discretionary use and shall be located adjacent to a developed all-season road.
- .6 Mobile Storage Containers such as Sea Cans are accommodated as an accessory as either a permitted or discretionary use.

7.5 SUBDIVISION AND SITE REGULATIONS

<b>Minimum site area</b>	<p><b>Two subdivided non-farm residential sites per quarter section.</b></p> <p><b>Resource Activity:</b> no minimum</p> <p><b>Intensive Agricultural activities:</b> 1.0 hectare</p> <p><b>Farm and Non-farm Residential:</b> 1.0 hectare (2.47 acres) to a maximum of 8 hectares (20 acres) except that, by resolution of Council, the maximum site area may be a greater area depending on existing physical circumstances such as highway cut off, shelter belt, or as a result of boundary line readjustment.</p> <p><b>All other discretionary uses:</b> 1.0 hectare (2.47 acres) and a maximum of 8 ha (20 acres) except that, by resolution of Council, the maximum site area may be a greater area depending on existing physical circumstances such as highway cut off, shelter belt, or the required space needs of the intended use, livestock operations under 300 Animal Units exempted.</p>
<b>Minimum site frontage</b>	30.0 metres

<b>Minimum front yard</b>	All buildings shall be set back a minimum of 46.0 metres from the centre line of any developed road, municipal road allowance or provincial highway and/or a minimum of 90.0 metres from the intersection of the centre lines of any municipal roads or provincial highway or such greater distance as required for e.g. Site triangle.
<b>Minimum rear yard</b>	All buildings shall be set back a minimum of 15.0 metres or 25% of the depth of the site whichever is the lesser
<b>Minimum side yard</b>	All buildings shall be set back a minimum of 15.0 metres except where a side yard abuts a municipal road allowance or a provincial highway, the front yard requirements shall apply
<b>Minimum setback for trees, shelterbelts, grain bags, dugouts and other</b>	<p><b>All shelterbelts and tree plantings</b> shall comply with the same setback requirements as for buildings <b>except:</b></p> <p>1) where the side or rear yard abuts an internal subdivision road the setback for trees shall be 15 metres from the centre line of the road; and</p> <p>2) where the side or rear yard does not abut a road the setback shall be 3 metres from the property line.</p> <p><b>All portable structures, machinery, dugouts, and the storage of aggregate materials or grain bags</b> shall comply with the same setback requirements as for buildings.</p> <p>Council may reduce setback by resolution if physical circumstances dictate.</p>
<b>Fence Lines</b>	All fences shall be set back a minimum of 46.0 metres from the centre line of any developed road, municipal road allowance or provincial highway. Barbed wire fences where permitted are exempt.
<b>Public Works and Facilities</b>	There shall be no minimum site area required for cemeteries, radio or communication towers or related facilities.

- .1 Notwithstanding the setback provisions contained in the Zoning District Schedules, Council may reduce the 46.0 metre (150 feet) setback for buildings and structures on municipal roadways where physical circumstances make it unrealistic to maintain the 46.0 metre setback.
- .2 The Development Officer may require a greater setback for a Permitted or Discretionary Use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent sites.



- .3 No dwelling shall be located with less than a minimum separation distance to an operation of other than the residence of the operation as follows:
- a) The separation distance to an Intensive Livestock Operation as regulated in Section 7.9;
  - b) 457 metres from a licensed public or private liquid waste disposal facility;
  - c) 457 metres from a licensed public or private solid waste disposal facility;
  - d) 305 metres from a honey processing facility;
  - e) 400 metres from an Aggregate Resource extraction operation;
  - f) 1.0 kilometer from sour gas wells and 75 metres from other gas and oil wells;
  - g) 500 metres from an Ethanol, Fertilizer or Potash development;
  - h) 305 metres to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan;
  - i) 600 metres to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan.

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## 7.6 SUPPLEMENTARY DEVELOPMENT STANDARDS FOR AGRICULTURAL USES

- .1 The minimum site area constituting an agricultural operation or agricultural holding shall be 64.8 hectares (160 acres) or equivalent. Equivalent shall mean 64.8 ha (160 acres) or such lesser amount as remains in an agricultural holding because of the original township survey, road widening, road right-of-way or railway plans, drainage ditch, pipeline or transmission line development or government action, natural features such as water courses or water bodies, or as a result of subdivision as permitted herein.
- .2 Any existing agricultural site which does not conform to the minimum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation (ISC) prior to the coming into force of this Bylaw.
- .3 A reduced agricultural site area below 64.8 hectares(160 acres), may be permitted at Council's discretion for the purpose of farmland consolidation, estate planning settlement, farm debt restructuring or as a result of a permitted or discretionary subdivision or due to topographical or physical limitations. This does not confer the right to further develop on these parcels. Development must comply with the provisions of the Zoning District.

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## 7.7 FARMSTEADS

- .1 A maximum of one (1) farm-related, single detached dwelling will be permitted on agricultural sites and farmsteads. A farmstead may contain the following where located on the same parcel:
- a) a residence for the operator of an agricultural use;
  - b) a dormitory residence for employees or business partners of the operator engaged in the agricultural operation;
  - c) facilities for the temporary holding of livestock raised in an operation, in lesser numbers than constitutes an ILO (unless approved as an ILO);

- d) buildings for permitted accessory and ancillary uses.
- .2 The Development Officer may issue a Development Permit for more than one (1) dwelling on a parcel if:
- a) it is an accessory agricultural residential dwelling to be occupied by a person or persons who are engaged on a full-time basis for at least six (6) months of each year in the agricultural operation;
  - b) the additional dwelling is located on a parcel which is a permitted agricultural operation;
  - c) accessory dwellings shall only be located on sites where the accessory dwelling can be serviced by existing utilities. Development criteria regarding Garden Suites are provided in Section 5.3.;
  - d) this provision does not permit the subdivision of this dwelling, unless it conforms to provisions of this Bylaw with respect to residential subdivision.
- .3 Notwithstanding the provisions of this Bylaw and the Official Community Plan, a mobile home may be permitted on an existing farmstead or non-farm residential site within this Zoning District, for a time period to be determined by, and subject to a, resolution of Council, provided that the following criteria is met:
- a) adherence to any permit or Building Bylaw or licensing requirement in effect in the Municipality;
  - b) issuance of a Development Permit to the landowner where the said mobile home is located;
  - c) the entering into of a Development Agreement between all affected parties, where considered necessary, to assure applicable development standards are adhered to;
  - d) compliance with any requirement of the Saskatchewan Ministry of Health or government agencies respecting water and waste connections, and disposal concerns.
- .4 Each mobile home shall comply with the Canadian Standards Association (CSA) document CAN/CSA - 240.2.1-M86 "Structural Requirements for Mobile Homes" and shall be anchored but shall not be placed on a permanent foundation.
- .5 The keeping of livestock on non-farm residential sites shall be permitted in the Agricultural Resource District (AR) in accordance with the following schedule. Any operation involving the keeping of livestock numbers greater than the maximums shown below, will be required to make an application for an Intensive Livestock Operation (ILO) in accordance with section 7.10.1(a).

Parcel Size	Maximum Number of Animal Units Permitted
Minimum 2 hectares	Two (2) Animal Units or a maximum of 100 Poultry
Between 2 and 25 hectares	Two (2) additional Animal Units will be permitted for each incremental increase of 2 hectares in the site size for the raising of up to 50 animal units of Poultry,

Sheep, Goats or Hogs.

- .6 Animals shall not be pastured within 15.0 metres of any dwelling or well not owned by the owner of the animals, and no buildings or structures intended to contain birds or animals shall be located within 30.0 metres of a dwelling, property line or well for potable water.

## 7.8 TEMPORARY USES

- .1 A Trailer Coach used for farm employees during the farming season shall be accommodated as a temporary/seasonal use on a permitted agricultural site.
- .2 In the case of an existing, currently habitable dwelling, which is being replaced by a new one, the existing dwelling, may, as a condition of the new Development Permit and any related Development Agreement, be allowed to be occupied during construction, only until the new one is habitable. At that point, the existing dwelling must be demolished or moved off the site within six (6) months after occupancy of that dwelling. An extension request may be made to council a minimum of thirty (30) days prior to the six (6) month expiry.
- .3 Grain Storage Bags:
- a) shall not be used or stored in any required yard setbacks;
  - b) shall not become a nuisance or impede visibility at the approach of an intersection or obstruct snow plowing or road maintenance activities.

## 7.9 NON-FARM RESIDENTIAL SUBDIVISION OF AGRICULTURAL LANDS

- .1 A maximum of two (2) sites may be subdivided for non-farm residential use per quarter section 64.8 ha (160 acres) in the AR- Agricultural Resource District in addition to one farmstead. Such subdivisions shall not exceed the creation of more than two (2) legal residential parcels, unless rezoned to an appropriate zoning district.
- .2 When a site for an existing or proposed single detached dwelling is subdivided from the agricultural site or farmstead, the development or subdivision of such non-farm residential uses must meet the following:
- a) a site to be created by subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a developed road, including any road to be developed at the sole expense of the developer or under a signed servicing agreement.
  - b) a farmstead which contains a residence proposed for subdivision as a separate site shall provide sufficient land area to provide for an on-site waste disposal system.
- .3 **Subdivision proposing to establish more than two (2) new non-farm, single parcel residential sites shall be subject to rezoning to a Country Residential District and**

**compliance with all relevant area, frontage and setback requirements of that Zoning District.**

- .4 The subdivision of parcels of agricultural land which are physically isolated from the majority of the quarter section by a road, rail-line or watercourse will be allowed. To preserve viable agricultural sites, such parcels should be consolidated with other adjoining agricultural land.
- .5 All proposed non-farm residential subdivisions shall observe the minimum separation distances from intensive livestock operations and aggregated extraction operations, potash, oil and gas and ethanol plant developments.
- .6 Any parcel which does not conform to the minimum site area requirement but existed in the Information Services Corporation (Land Titles Office) prior to the coming into force of this Bylaw shall be deemed conforming with regard to site area.
- .7 At the request of the current owner of the site proposed to be subdivided Council may increase the maximum site size requirement where the change:
  - a) is required to include additional land required for water supply or waste disposal systems which exist on or are proposed for the site;
  - b) is requested to include or facilitate any existing landscaping, buildings, structures or natural features on the proposed site;
  - c) would not unnecessarily reduce, or negatively affect the existing use, size, servicing, or access to the balance of the quarter section, or equivalent as defined in this Bylaw; and
  - d) would not negatively affect the existing use, servicing, or access to any neighbouring land which abuts the proposed new site.

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#### 7.10 INTENSIVE LIVESTOCK OPERATIONS

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for an Intensive Livestock Operation:

- .1 For the purpose of this section, an Intensive Livestock Operation (ILO) shall be defined as the rearing, sustaining, finishing or breeding by means other than grazing of more than 300 animal units of livestock or where the space per animal unit is less than 370m<sup>2</sup> (4000 ft<sup>2</sup>), including buildings and structures directly related to the operation but not including a residence, seasonal feeding or bedding sites.
  - a) In addition to the general requirements for a discretionary use as provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for:
    - i) New ILOs;
    - ii) Expansion of Existing ILOs;

- iii) Any operation involving the raising of more than 300 animal units which are Cattle, Horses or Domesticated Ungulate animals on less than 160 acres of land;
  - iv) Any operation involving the raising of more than 50 animal units which are Poultry, Sheep, Goats or Hogs on less than 160 acres of land;
  - v) Any temporary facility or part of a site; or
  - vi) The alteration of an animal species in an approved operation.
- b) In addition to any requirements contained herein, all applications for an ILO shall conform to the regulations provided within *The Agricultural Operations Act, 1995*.
- c) As a condition of approval, the Municipality shall specify the maximum number of animal units for which the approval is made and specify land which may or may not be used for the disposal or storage of manure from an ILO in order to minimize potential land use conflicts.
- d) The applicant shall be responsible for submitting a site plan and narrative including the following:
- i) The size and type of facility;
  - ii) A sketch plan showing the location of existing and proposed buildings and the distance from the development site to every residence within 1.6 km (1 mile);
  - iii) The number and type of animals including identification of any risks of disease;
  - iv) Manure storage and disposal strategies including identification of all parcels including their acreage intended to host the disposal;
  - v) Identification of surface water and residential development on or adjacent to the parcels intended for hosting the disposal of manure;
  - vi) Provide a copy of written agreements with land owners for all parcels intended to host the disposal of manure where the parcels are not controlled by the operator;
  - vii) Identification of the location of potentially affected surface and groundwater sources on and adjacent to the site including distance measurements to these watercourses;
  - viii) Identification of the reason for this site being selected including what characteristics exist that makes it suitable for hosting the operation. The Municipality may, at its discretion, require the submission of a soils and water test conducted by a qualified agricultural engineer to confirm that the site selected is capable of accommodating the activities proposed;
  - ix) Identification of socioeconomic benefits of the operation to the area as well as a brief discussion of the potential conflicts associated with the operation in addition to any mitigative actions to be taken to minimize these effects on adjacent land uses;
  - x) Servicing requirements associated with the operation including but not limited to road upgrades, utility provisioning and availability of adequate water sources;
  - xi) Type, volume and frequency of traffic associated with the transportation related to the operation.
- e) When considering the operational/environmental aspects of an application, the Rural Municipality shall refer all Development Permit applications to Saskatchewan Ministry of Agriculture for their review and recommendation regarding waste storage, nutrient and mortality management.
- f) The Municipality may require the applicant to pay for the public advertisement of a proposal that will result in an intensive livestock operation and for the cost of a public hearing or information session on the proposal.

- g) The Municipality may require an applicant to demonstrate that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation.
- h) ILOs shall adhere to the following recommended minimum distance separations:

**Table 5: ILO Separation Distances**

Type of Development	10-49 Animal Units	50-299 Animal Units	300-499 Animal Units	500-2000 Animal Units	2000+ Animal Units
<b>Single family dwelling not owned by the ILO operator</b>	600 metres	800 metres	670 metres	670 metres (1 mile)	2400 metres (1.5 miles)
<b>Multi-Parcel Country Residential subdivision</b>	600 metres	1200 metres	670 metres	2400 metres (1.5 miles)	2400 metres (1.5 miles)
<b>City of Weyburn, Hamlet of North Weyburn</b>	800 metres	1200 metres	2400 metres (1.5 miles)	3200 metres (2 miles)	3200 metres (2 miles)

- i) The Municipality may grant a reduction of the separation distance criteria where it can be proven that a proposal will not negatively impact adjacent land uses. Prior to granting a reduction, the Municipality will consult with all agencies deemed appropriate and will require registered written agreement from all land owners directly affected by the reduction.
  - i. Council may approve a separation distance that is up to 10% less than the relevant separation distance shown above, where the applicant submits a copy of a signed agreement between the owner of the Intensive Livestock Operation, and the owner of the other development, the hamlet, village, or city residents, agreeing to the reduced separation distance.
  - ii. Such agreements must contain a provision that the parties to the agreement will register an interest on the titles of all affected lands owned by, or within the jurisdiction of, both parties.
- j) In determining proximity to a multi-parcel residential subdivision, hamlet, village, city, or recreational use, separation distances shall be measured from the area of confinement of the animals to the property boundary of the closest developable parcel.
- k) In determining proximity to a single family dwelling located on agricultural property or to a residence within a single parcel residential subdivision not owned by the Intensive Agricultural Operator, separation distances shall be measured from the area of confinement of the animals to the residential dwelling.
- l) ILO's existing at the time of the adoption of this Bylaw shall continue with their current operation. Any expansion of the operation or change of animal species or type of operation is required to obtain written approval from the Municipality in accordance with the requirements and conditions of this Bylaw.
- m) The operator may be required to enter into a road maintenance agreement to pay for the maintenance of roads required to provide access to the development.

- n) The minimum separation distance between occupied dwellings, riparian areas and the location where manure is to be spread is listed below. Distances are measured between edge of the manure application area and the edge of a nearest property boundary.

**Table 6: Location Separation Criteria for Manure Spreading to Dwellings**

<b>Method of Manure Application</b>	<b>Injected</b>	<b>Incorporated within 24 hours</b>	<b>No incorporation</b>
<b>City of Weyburn, Hamlet of North Weyburn, Multi-Parcel Country Residential Acreages and Riparian areas</b>	200 metres	400 metres	800 metres

- o) Crop land or improved pasture may be used for the disposal of wastes from an intensive livestock operation by spreading of manure and such manure shall be incorporated into the soil within twenty-four (24) hours of spreading; unless such incorporation is prevented by adverse weather conditions, in which case incorporation shall take place as soon as practical thereafter.
- p) The Rural Municipality may require or allow an applicant to utilize manure injection into the soil or other technology rather than conventional stockpiling and spreading. The Municipality may consult Saskatchewan Agriculture, regarding the suitability of such technology.

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### 7.11 AGGREGATE EXTRACTION (SAND, GRAVEL, TOPSOIL)

In addition to the general requirements regarding discretionary use applications provided in Section 3 of this Bylaw, the following additional considerations shall be made for all applications for an Aggregate Extraction activity.

- a) For the purpose of this section, Aggregate Resource extraction shall mean, excavation other than for construction, building or for purposes of creating an artificial body of water, including but not limited to, sand and gravel mining, or topsoil stripping.
- b) An application proposing a new aggregate extraction use or an expansion to an existing aggregate extraction operation shall be a temporary and discretionary use and shall adhere to all appropriate Provincial and Federal regulations.
- c) In reviewing applications for Aggregate Resource extraction operations, the environmental implications of the operation including plans for site restoration shall be considered.
- d) An approval of an aggregate resource extraction activity shall be for a maximum period of two (2) years and may be renewed at the discretion of Council providing the requirements of this Bylaw continue to be met.
- e) The applicant shall submit plans and a narrative including:
- i) The location and area of the site where the excavation is to take place;

- ii) The expected life of the deposit if applicable;
  - iii) The type and dimensions including average depth of the proposed excavation, and the effect on existing drainage patterns on and off the site;
  - iv) Identification of the outdoor noise and the discharge of substances into the air;
  - v) The methods for preventing, controlling, or reducing erosion;
  - vi) Proposed access and hauling activities (including number of trucks, tonnage, and hours of hauling);
  - vii) Proposed extraction, operation, and staging (including years, dates and hours of operation);
  - viii) The condition in which the site is to be left when the operation is complete, including the action which is to be taken for restoring the condition of the surface of the land to be affected.
- f) Aggregate Resource extraction industries are permitted in accordance with the following conditions:
- i) The applicant shall ensure that dust and noise control measures are undertaken to prevent such items from becoming an annoyance to neighbouring land owners. The applicant shall conduct dust control procedures at the request of and to the satisfaction of the Rural Municipality. In this regard stock piles shall be located in a position to act as a sound barrier. Also, the applicant shall attempt to minimize the noise created by machinery and equipment.
  - ii) The applicant shall keep the area subject to the Development Permit in a clean and tidy condition free from rubbish and non-aggregate debris.
  - iii) Access routes into extraction areas shall be located away from residential areas.
  - iv) A disturbed area shall be reclaimed to a land capability equivalent to the pre-disturbance land capability (e.g. agricultural land) or a post-disturbance condition and land use (e.g. conversion to wetland) which are satisfactory to the Municipality. These conservation and reclamation procedures shall be in accordance with the *Guidelines for Environmental Protection During Development and Restoration of Sand and Gravel Pits, Saskatchewan Environment and Public Safety, 1983*.
  - v) Any Aggregate Resource extraction industry proposed to be located within 100.0 metres of any municipal road, provincial highway or major waterbodies or riparian areas, shall be permitted only where it would not adversely impact the environment, or materially interfere with or affect adjacent lands.
  - vi) Aggregate Resource extraction industries shall have regard to adjacent land uses and no material is to be stored or piled on any road allowance or within 30.0 metres of the bank of any river or watercourse, and in conformance with the provisions set out in Sec. 7.5 of this Bylaw.
  - vii) The general resource extraction operator and any person who hauls the aggregate may be required to enter into a road maintenance agreement. The Municipality may require the developer to sign an agreement for road maintenance pursuant to *The Municipalities Act, 2005* as a condition of the approval.
  - viii) The Aggregate Resource extraction operator must report the amount of aggregate extracted by November 1 of each year or the end of the hauling season whichever comes first.
  - ix) The Municipality may require the Aggregate Resource extraction operator to post a performance bond to guarantee adherence to the above noted agreements.

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## 7.12 OIL AND GAS DEVELOPMENT



- .1 Petroleum extraction development including wells, pipelines, compressor stations and storage facilities will be accommodated as a permitted use. Related processing and service related development (land farms for contaminated soil, oil storage batteries, etc.) will be accommodated as a permitted use, if such uses are already regulated by Provincial or National Departments or Agencies.
- .2 Other related processing and service related development, which is not regulated by those Departments or Agencies shall be accommodated as Discretionary uses.
- .3 Exploration and development of oil and gas shall be subject to all Federal and Provincial requirements, and such activity must comply with the objectives and policies outlined in the Official Community Plan.
- .4 Upon approval by the Municipality, the owner of the pipeline shall provide the Municipality at least forty-eight (48) hours' notice of the owner's intention to commence work. Written request must be made to the Rural Municipality before construction begins and the owner shall obtain the required municipal standards for construction for approaches and for pipelines (flow lines) crossing road allowances.
- .5 Temporary Development Permits may be issued specifying time lines and conditions for such uses of a temporary nature such as oil and gas, mineral seismic or exploratory activities, or other ecotourism/seasonal activities. In no way should the issuance of these permits construe approval of projects other than that which is outlined specifically in the permit. Council has the right to revoke said permits if any of the conditions are not met. Temporary permits will not be issued if the use is not acceptable within the appropriate zoning designation or incompatible with the provisions of the Official Community Plan.
- .6 The Rural Municipality may apply special standards as outlined in *The Municipalities Act, 2005* to protect the municipal interest when transportation, utility and pipeline facilities cross Municipal roads, or when seismic activity is proposed on roads or road allowance.
- .7 To minimize conflict between mineral resource extraction, or oil and gas operations and surrounding land uses, the separation distances provided in Section 7.5 shall be adhered to. These separation distances shall be used to ensure adequate separation distances between Mineral resource extraction, oil and gas operations and other uses which may conflict with this industry or land uses which should not be developed due to problems with air quality or proximity to pipelines (ie. oil batteries).

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### 7.13 SIGNAGE REGULATIONS

- .1 In addition to Section 4.33 General Sign Regulations for Signs and Billboards contained in this bylaw, the following additional development standards shall apply to the placement or erection of signage within the AR District;
- .2 Large Scale Agricultural, Commercial or Industrial Resource Use:

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- a. Free standing signs shall not exceed a gross surface area of 11.0 m<sup>2</sup> (118.4 ft<sup>2</sup>) and a height of 7.5 metres.
  - b. One (1) attached sign shall be permitted not exceeding 5.6 m<sup>2</sup> (60.27 ft<sup>2</sup>)
- .3 Recreational Use:
- a. Free standing signs shall not exceed a gross surface area of 5.0 m<sup>2</sup> (53.82 ft<sup>2</sup>) and a height of 2.5 metres.
  - b. One (1) attached sign shall be permitted not exceeding 5.6 m<sup>2</sup> (60.27 ft<sup>2</sup>)
- .4 Ag-Commercial and Home Based Businesses Use:
- a. One (1) sign per building frontage to a maximum gross surface area of 1.0 m<sup>2</sup> (10.76 ft<sup>2</sup>) for an approved use and a height of 2.5 metres.
  - b. Illumination limited to 75 watts and shall not include electronic message boards
- .5 All other Permitted and Discretionary Uses:
- a. One (1) multi-faced standing sign shall be permitted per building frontage not exceeding a gross surface area of 3.0 m<sup>2</sup> (32.2 ft<sup>2</sup>) and a height of 2.5 metres.
  - b. Where a building maintains direct exposure to more than one public right of way, a second free standing shall be allow at Council's discretion and shall meet the regulations.

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### 7.14 POTASH, FERTILIZER AND ETHANOL PLANT DEVELOPMENT

- .1 Potash mining operations including, but not limited to, mine offices, maintenance and processing building, head frames, wells, pipelines and storage facilities will be accommodated as a permitted use. Fertilizer plants or the development of an ethanol plant, whether in association with potash mining or fertilizer operations or as an independent operation, will be accommodated as a permitted use
- .2 Other related processing and service related development (tailing ponds, tailings piles, etc.) will be considered as accessory uses to mining operations and also accommodated as permitted use, if such uses are already regulated by Provincial or National Departments or Agencies. Other related processing and service related development which is not regulated by those Departments or Agencies shall be accommodated as discretionary uses.
- .3 The regulations contained in Section 7.5 shall be used to ensure adequate separation distances between potash, fertilizer and ethanol operations and other uses. Council shall determine which uses may conflict with this industry.

**7.15 SEPARATION DISTANCES BETWEEN MINERAL, POTASH OR OIL AND GAS DEVELOPMENT AND OTHER USES**

- .1 To minimize conflict between mineral extraction, ethanol, potash or oil and gas operations and surrounding land uses, the following separation distances shall be adhered to. However, the separation distances may be altered by Council as a condition of a permitted or discretionary use permit where authorized by the Zoning Bylaw.
  
- .2 The Municipality may grant a reduction of the separation distance criteria where it can be proven that a proposal will not negatively impact adjacent land uses. Prior to granting a reduction, the Municipality will consult with all agencies deemed appropriate and will require registered written agreement from all land owners directly affected by the reduction.
  - a) Council may approve a separation distance that is up to 10% less than the relevant separation distance shown, where the applicant submits a copy of a signed agreement between the owner of the potash or oil and gas operation, the owners of adjacent developments, and the Hamlet or Urban Municipality, agreeing to the reduced separation distance.
  - b) Such agreements must contain a provision that the parties to the agreement will then be registered as an interest agreement to the titles of all affected lands owned by, or within the jurisdiction of, both parties at Land Registry of Information Services Corporation (ISC).
  - c) Where the minimum separation would not be sufficient, but the potential land use conflict would be reduced to acceptable levels, or eliminated with a greater separation distance, Council may require a greater separation than shown. This would only apply where an unacceptable land use conflict would result between existing or future operations and developments as shown on the Future Land Use Map in the OCP.

**Table 7: Minimum Separation Distances Relating to Potash, Fertilizer, Ethanol Development, Oil and/or Gas Operations as per *The Oil and Gas Conservation Regulations, 2012* and *The Subdivision Regulations, 2014***

<b>Land Uses</b>	<b>Oil and Gas Development</b>	<b>Potash, Fertilizer or Ethanol Development</b>
<b>Single dwelling or tourist accommodation</b>	500.0 metres from sour gas wells 125.0 metres from other gas and oil wells	500 metres (0.5 kilometer)
<b>Multi-Parcel Country residential subdivisions, Town, Village, or Hamlets</b>	1.0 kilometer from sour gas wells 125.0 metres from other gas and oil wells	1.0 kilometer
<b>Commercial Uses</b>	At Council's discretion	At Council's Discretion
<b>Recreational Uses</b>	At Council's discretion	At Council's Discretion
<b>Fertilizer, Potash or</b>	800 metres	n/a

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<b>Ethanol Development</b>		
<b>Oil and Gas Development</b>	n/a	800 metres

## 8 COUNTRY RESIDENTIAL DISTRICT (CR)

*The purpose of the Country Residential District (CR) is to accommodate a low density rural acreage development where the essential land requirement is for a building site, open space and rural lifestyle option rather than for productive agricultural purposes.*

**In any Country Residential District (CR), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:**



### 8.1 PERMITTED USES

- a) One detached one unit dwelling or RTM per site following the placement thereof on a permanent foundation;
- b) Uses, buildings and structures accessory to the principal building or use;
- c) Open spaces and parks;
- d) Public utilities, buildings, and structures, warehouses and storage yards excluding solid and liquid waste disposal facilities
- e) Roof Mount Solar Array

### 8.2 DISCRETIONARY USES

The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 and with regard to the discretionary use criteria provided in Section 5 of this Bylaw. Multi-Parcel Country Residential development;

- a) Multi-parcel Country Residential development;
- b) Bare land condominium development;
- c) Residential care home;
- d) Home-based business or occupation;
- e) Artisan or craft workshop;
- f) Bed and breakfast homes, where part of a single detached dwelling;
- g) Vacation farms;
- h) Garden suites;
- i) Equestrian facilities;
- j) Domestic wind energy system;
- k) All discretionary uses deemed to be conforming at the time of the passage of this Bylaw;
- l) electric fences;
- m) irrigation ponds;
- n) Modular Home;
- o) Mobile or manufactured home;
- p) Any dwelling under 1,000 ft<sup>2</sup>;
- q) House/shop combination building;
- r) Sea and rail containers
- s) Ground Mount Solar Array

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

### 8.3 PROHIBITED USES

The following uses shall be strictly prohibited within any Country Residential District (CR):

- a) all uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions;
- b) all uses of buildings and land except those specifically noted as permitted or discretionary.

### 8.4 SUBDIVISION AND SITE REGULATIONS

<b>Minimum site area</b>	1.0 hectares (2.47 acres)
<b>Maximum site area</b>	8 hectares (20 acres) or by resolution of Council based on topographical and physical site limitations, or as a result of boundary line readjustment.
<b>Minimum site frontage</b>	30.0 metres
<b>Bare land Condominium developments</b>	Site areas to be evaluated on a case-by-case basis.
<b>Minimum Front Yard</b>	<p><b>All buildings and ponds where the front yard abuts the following roads shall be set back a minimum of:</b>                      60 metres from the centre line of a Provincial highway                      36 metres from the property line of a Highway Frontage Road                      46 metres from the centre line of a Municipal Road                      30 metres from the centre line of an Internal Subdivision Road</p> <p>A minimum of 90 meters is required from the <b>intersection</b> of the centre lines of any municipal roads or provincial highway or such greater distance as required for e.g. site triangle.</p> <p><b>All shelterbelts, tree plantings, and fences</b> shall comply with the same setback requirement as for buildings; <b>except</b> where the front yard abuts an internal subdivision road, the setback for trees shall be 15 metres from the centre line of the road.</p>
<b>Minimum Side &amp; Rear Yard</b>	<p><b>All buildings and ponds</b>                      1) where the side yard abuts the following roads shall be set</p>

	<p><b>back a minimum of:</b>                      55 metres from the centre line of a Provincial highway;                      15 metres from the property line of a Highway Frontage Road;                      46 metres from the centre line of a Municipal Road;                      30 metres from the centre line of an Internal Subdivision Road;</p> <p><b>2) where the side yard does not abut a road shall be set back a minimum of:</b> 8 metres from property line.</p> <p><b>All shelterbelts, tree plantings, and fences</b> shall comply with the same setback requirement as for buildings <b>except:</b>                      1) where the side yard abuts an internal subdivision road the setback for trees shall be 15 metres from the centre line of the road; and                      2) where the side yard does not abut a road the setback shall be 3 metres from the property line.</p>
<b>Maximum Principal Building height</b>	10.0 metres
<b>Public utilities, recreational, Institutional land uses</b>	Exempted from minimum frontage and site area requirements.
<b>Fence Lines</b>	<p><b>All fences abutting a road shall</b> comply with the same setback requirement as for buildings. Barbed wire fences or similar strand fences, where permitted and which abut a road, are exempt.</p> <p><b>Where a fence does not abut a road, all fences shall be:</b>                      - set back a minimum of 3 m if the fence is intended to contain livestock;                      - permitted at the property line if the fence is for landscaping purposes.</p>

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**8.5 SUPPLEMENTARY REGULATIONS OR SPECIAL PROVISIONS**

- .1 The final subdivision design and approved lot density of development in the CR Zoning District shall be determined by the carrying capacity of the lands proposed for development as identified within the submission of a Concept Plan. Further subdivision of existing CR developments will be reviewed on a case by case basis and the provisions are addressed in the Official Community Plan.
- .2 Each Country Residential (multi-parcel) subdivision shall be in a clustered form to facilitate servicing and shall not exceed all requisite standards provided by the Sun Country or local District Health Region for on-site wastewater disposal systems.

- .3 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent sites.
- .4 No dwelling shall be located with less than a minimum separation distance to an operation of other than the residence of the operation as follows:
  - a) the separation distance to an Intensive Livestock Operation as regulated in Section 7.10;
  - b) 457 metres from a licensed public or private liquid waste disposal facility;
  - c) 457 metres from a licensed public or private solid waste disposal facility;
  - d) 305 metres from a honey processing facility;
  - e) 400 metres from an Aggregate Resource extraction operation;
  - f) 1.0 kilometer from sour gas wells and 75 metres from other gas and oil wells;
  - g) 1.0 kilometer from an ethanol, fertilizer or potash development;
  - h) 305 metres to a non-refrigerated anhydrous ammonia facility or 600 meters to a refrigerated facility licensed by Province of Saskatchewan.
- .5 Country Residential parcels may be exempted from these requirements in the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as watercourses or water bodies. In these cases there shall be no maximum site area.
  - a) Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers;
  - b) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.

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## 8.6 ACCESSORY BUILDINGS AND USES

- .1 A permitted accessory use/building shall be defined as any buildings, structures or a use which is customarily accessory to the principal use of the site, but only if the principal permitted use or discretionary use has been established unless otherwise specified in Section 4.3.
- .2 All accessory uses, buildings or structures (ie. detached garages) require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- .4 The ceiling height for large accessory buildings (workshops) located on Country Residential (CR) sites may not exceed a maximum of 18 feet. The floor area for large accessory buildings (workshops) located on Country Residential (CR) sites may not exceed a maximum of:



- 3,000 ft<sup>2</sup> on parcels up to 5 acres;
- 4,000 ft<sup>2</sup> on parcels greater than 5 acres and up to 10 acres;
- 5,000 ft<sup>2</sup> on parcels greater than 10 acres and up to 20 acres.

- .5 All workshop-related activities shall be conducted within an enclosed building. No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

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## 8.7 LEGAL ACCESS

- .1 Development of a residential dwelling, bed and breakfast home, or bare land condominium development is prohibited unless the site abuts a developed road. In the case of a bare land condominium development, only the outer portion of the land to be owned by the condominium corporation requires this legal access, not the separate bare land units.
- .2 For the purposes of this section "developed road" shall mean an existing graded all-weather road on a registered right-of-way, or a road for which a signed servicing agreement has been made by the developer with Council to provide for the construction of the road on a registered right-of-way to a standard approved by Council.
- .3 A subdivision shall not be recommended for approval by Council unless the proposed sites and any un-subdivided remnant of the land being subdivided has frontage on a developed road, including any road which is required to be registered and developed as a public road under a signed servicing agreement.

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## 8.8 TEMPORARY USES

- .1 Notwithstanding the provisions of this bylaw and the Official Community plan, a mobile home or trailer coach may be permitted for a period of up to one (1) year on an existing non-farm or country residential site within this Zoning District, subject to a resolution of Council, provided that the following criteria is met:
- a) adherence to any permit or building bylaw or licensing requirement in effect in the Municipality;
  - b) issuance of a Development Permit to the landowner, where the said trailer is located, and the entering into of a development agreement between all affected parties, where considered necessary, to assure that applicable development standards are adhered to;
  - c) compliance with any requirement of the Ministry of Health or government agencies respecting water and waste connections, and disposal concerns;
  - d) wherever a mobile home or trailer coach is allowed by Council as a temporary discretionary use during construction of a single detached dwelling, it shall be removed within 30 days after occupancy of that dwelling;
  - e) each mobile home shall comply with the Canadian Standards Association (CSA) document CAN/CSA - 240.2.1-M86 "Structural Requirements for Mobile Homes" and shall be anchored but shall not be placed on a permanent foundation.

- .2 In the case of an existing, currently habitable dwelling, which is being replaced by a new one, the existing dwelling, may, as a condition of the new Development Permit, be allowed to be occupied during construction, only until the new one is habitable. At that point, the existing dwelling must be demolished or moved off the site within six (6) months after occupancy of that dwelling. An extension request may be made to council a minimum of thirty (30) days prior to the six (6) month expiry.

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**8.9 KEEPING OF LIVESTOCK**

- .1 The keeping of livestock shall be permitted in any Country Residential District (CR) in accordance with the following schedule:

<b>Parcel Size</b>	<b>Maximum Number of Animal Units Permitted</b>
2 hectares	Two (2) Animal Units
Greater than 2 hectares	2 Animal Units per each incremental increase of 2 hectares to a maximum of five (5) Livestock or 100 Poultry

- .2 Animals shall not be pastured within 15.0 metres of any dwelling or well not owned by the owner of the animals. No buildings or structures intended to contain birds or animals shall be located within 30.0 metres of a dwelling, property line or well for potable water.

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**8.10 SWIMMING POOL REGULATIONS**

- .1 All swimming pools, maintenance equipment and appurtenances thereto shall be constructed and located so as to have a yard not less than 3.0 metres in width on all sides except where the pool is attached to or part of a principal structure. No swimming pool shall be located in a required front or side yard setback.
- .2 For the protection of the general public, all swimming pools shall be effectively fenced by an artificial enclosure not less than 1.8 metres in height. Any openings in the enclosure affording access to the pool proper shall have a gate containing an automatic or manual locking device affixed in such a manner so as to exclude small children.

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**8.11 SIGNAGE REGULATIONS**

RM of Weyburn 6-2013

- .1 In addition to Section 4.33 General Sign Regulations for Signs and Billboards contained in this bylaw, the following additional development standards shall apply to the placement or erection of signage within the CR District;
- .2 One (1) non-illuminated multi-faced free standing sign is permitted per site and shall not exceed a gross surface area of 1.0 m<sup>2</sup> (10.76 ft<sup>2</sup>) and a height of 2.0 metres.
- .3 In the case of a home occupation, an additional permitted sign is permitted in a window of a dwelling.
- .4 Billboards shall be prohibited in the Country Residential (CR) Zoning District.

## 9 HAMLET DISTRICT-H

*The purpose of the Hamlet District (H) is to accommodate the existing Hamlets of North Weyburn and Hamlet of Ralph which provide an alternative residential lifestyle choice.*



**In any Hamlet District (H), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions**

### 9.1 PERMITTED USES

- a) One detached one unit dwelling;
- b) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- c) Playgrounds and parks;
- d) Public works, buildings, and structures, warehouses and storage yards, excluding solid and liquid waste disposal sites
- e) Roof Mount Solar Array

### 9.2 DISCRETIONARY USES

The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 and with regard to the discretionary use criteria provided in Section 5 of this Bylaw.

- a) Semi-detached or duplex dwellings;
- b) Personal service trade (ie. hair stylist);
- c) Small scale commercial activities (i.e. landscape business);
- d) Bed and breakfast home;
- e) Recreational (ie. sports fields, rinks, tennis courts, and other similar uses);
- f) Lodges, social clubs, service clubs;
- g) Places of worship and community halls;
- h) Home-based business or occupation;
- i) Artisan or craft workshop;
- j) Large accessory buildings (floor area greater than 67 m<sup>2</sup> to a maximum of 178 m<sup>2</sup>)
- k) Ground Mount Solar Array

### 9.3 PROHIBITED USES

The following uses shall be strictly prohibited within a Hamlet District (H):

- a) All uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions;
- b) the keeping of livestock;
- c) all uses of buildings and land except those specifically noted as permitted or discretionary.

9.4 SUBDIVISION AND SITE REGULATIONS

<b>Minimum site area</b>	<p><b>Single Detached Dwellings:</b> 464.5 m<sup>2</sup> with a lane, 557.4 m<sup>2</sup> without a lane</p> <p><b>Institutional and Recreational:</b> Minimum: 0.4 hectares (1 acre)</p> <p>In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum site area.</p> <p><b>Public utilities</b> shall have no minimum or maximum area requirement.</p> <p><b>Other Uses</b> to be determined on specific land use needs</p>
<b>Minimum site frontage</b>	15.3 m with a lane, 19.8 metres without a lane
<b>Minimum front yard</b>	All buildings shall be set back a minimum of 7.6 metres from the property line.
<b>Minimum side yard</b>	All buildings shall be set back a minimum of 1.5 metres from the property line.
<b>Minimum rear yard</b>	Principal buildings shall be set back a minimum of 6.0 metres) from the rear property line. Accessory Buildings 1.5 metres.
<b>Maximum building height</b>	Principal buildings: 10.0 metres. Accessory buildings: 7.6 metres as measured from the finished grade to the bottom of the eave of the building e.g. not including the eaves of the building.
<b>Public Utilities and Institutional Uses</b>	Exempted from minimum frontage and site area requirements.

- a) The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent sites.
- b) Re-development of former residential sites shall be determined by the availability of potable water and wastewater treatment carrying capacity of the lands proposed for development. The developer shall ensure that there is an available water supply, access to an existing sewage disposal facility, or an on-site wastewater disposal system which meets all requisite standards provided by the District Health Region, and that meets *The Public Health Act and Regulations* requirements.
- c) Where minimum front, side or rear yards are required in a Hamlet District the following yard encroachments shall be permitted:
  - i. uncovered and open balconies, terraces, verandas, decks, and patios having a maximum projection from the main wall of 1.8 metres into any required front or rear yard;
  - ii. window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 metres into any required yard.

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### 9.5 ACCESSORY BUILDINGS AND USES

- a) A permitted accessory use/building shall be defined as any building, structure or a use which is customarily accessory to the principal use of the site, but only if the principal permitted use or discretionary use has been established.
- b) All accessory uses, buildings or structures require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- c) General performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- d) Permitted accessory buildings located on a single site in this District shall not exceed a floor area of 67 m<sup>2</sup>.
- e) The building floor area for discretionary large accessory buildings (workshops) may not exceed 178 m<sup>2</sup> (1920 ft<sup>2</sup>) except at Council's discretion where a larger building will not adversely affect neighboring properties and meets required setbacks and separation distances.
- f) All workshop-related activities shall be conducted within an enclosed building.
- g) No exterior storage of materials, goods, or waste products is permitted, except within a waste disposal bin for collection.

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### 9.6 FENCE AND HEDGE HEIGHTS

- .1 No hedge, fence or other structure shall be:
  - a) erected past any property line;
  - b) 2.0 metres for the portion of the fence that does not extend beyond the foremost portion of the principle building on the site; and
  - c) 1.0 metres for the portion of the fence that extends beyond the foremost portion of the principal building on the site.
- .2 Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 metres.
- .3 No barbed wire or razor wire fences shall be allowed.

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### 9.7 OUTDOOR STORAGE

- a) The outdoor storage or collection of goods and materials is prohibited in a front yard in any Hamlet District.
- b) Outdoor storage is permitted in a side or rear yard in a Hamlet District only when the goods or material being stored are clearly accessory and incidental to the principal use of the property.
- c) Council may apply special standards as a condition or for a discretionary use approval regarding the location of areas used for storage for that use.

- d) No wrecked, partially dismantled vehicles or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material.
- e) Council may require special standards for the location, setback or screening of any area devoted to the outdoor storage of vehicles including equipment and machinery normally used for the maintenance of the residential property, vehicles or vehicular parts.
- f) Provision shall be made for the owner of the property to temporarily display a maximum of either one (1) vehicle or recreational vehicle in operating condition that is for sale at any given point in time.

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## 9.8 SIGNAGE REGULATIONS

- .1 In addition to Section 4.33 General Sign Regulations for Signs and Billboards contained in this bylaw, the following additional development standards shall apply to the placement or erection of signage within the H District;
- .2 One (1) sign is permitted per site and shall not exceed a gross surface area of 1.0 m<sup>2</sup> (10.76 ft<sup>2</sup>) and a height of 2.0 metres;
- .3 In the case of home occupation, an additional permitted sign is permitted in a window of a dwelling.
- .4 Temporary signs exceeding 1.0 m<sup>2</sup> (10.76 ft<sup>2</sup>) advertising the sale or lease of the property or other information regarding to a temporary condition affecting the property are permitted.
- .5 Billboards shall be prohibited in the Hamlet (H) District.

## 10 HIGH PROFILE COMMERCIAL LIGHT INDUSTRIAL DISTRICT (HPC)

*The purpose of the High Profile Commercial Light Industrial District (HPC) is to accommodate Highway-related Commercial and Light Industrial activities located primarily along provincial highways and municipal roadways.*

**In the High Profile Commercial Light Industrial District (HPC), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:**



### 10.1 PERMITTED USES

- a) Uses, buildings and structures accessory to the principal building or use;
- b) Offices and professional office buildings;
- c) General Commercial Type I;
- d) Agricultural commercial;
- e) Service station, car wash or gas bar;
- f) Hotels or motels;
- g) Market gardens, tree nurseries;
- h) Lumber and building supply uses;
- i) Home improvement centres;
- j) Sales, rental, leasing and associated servicing of automobiles, trucks, motorcycles, recreational vehicles, industrial equipment and agricultural implements;
- k) Small scale repair services;
- l) Greenhouses or landscape nursery stock farms (including sales of plants, trees, shrubs and plant supplies such as fertilizers and related products);
- m) Veterinary clinics;
- n) Tourist facilities;
- o) Self-storage facilities;
- p) Energy and communication service depots;
- q) Intensive recreation uses (e.g. arenas, sports stadium) and similar uses;
- r) Public works, buildings, and structures, warehouses and storage yards, excluding solid and liquid waste disposal facilities
- s) Roof Mount Solar Array

### 10.2 DISCRETIONARY USES

The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 and with regard to the discretionary use criteria provided in Section 5 of this Bylaw.

- a) Bulk fuel sales and storage;
- b) Bulk agricultural chemical distribution facilities;
- c) General Industry Type I;
- d) General Commercial Type II;
- e) Animal kennels and domestic animal boarding facilities;
- f) Trucking firm establishments;



- g) Auctioneering establishments;
- h) Concrete and asphalt plants;
- i) Feed pelleting plants and feed mills;
- j) Seed cleaning plants;
- k) Mobile storage containers including sea and rail containers;
- l) Domestic wind energy systems;
- m) Communication towers;
- n) Campgrounds;
- o) Contractor's yard.
- p) Aggregate Storage
- q) Ground Mount Solar Array

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

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### 10.3 PROHIBITED USES

The following uses shall be strictly prohibited within the *High Profile Commercial Light Industrial District (HPC)*:

- a) All uses of buildings and land except those specifically noted as permitted or discretionary;
- b) All uses of land, buildings or industrial processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions;
- c) Any structure to be used as a dwelling unit including RV, and camper trailers;
- d) "Hazardous Substances and Waste Dangerous Goods" are prohibited, as defined by the Hazardous Substances and Waste Dangerous Goods Control Regulations of the Environmental Management and Protection Act of Saskatchewan.

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### 10.4 SUBDIVISION AND SITE REGULATIONS

<b>Minimum site area</b>	0.4 hectare (1.0 acre). The minimum site size may be reduced based on physical circumstances unique to the site.
<b>Maximum site area</b>	4.0 hectares (10 acres) or greater depending upon physical circumstances unique to the site
<b>Minimum site frontage</b>	25.0 metres
<b>Minimum Front Yard</b>	<b>All buildings where the front yard abuts the following roads shall be set back a minimum of:</b> 55 metres from the centre line of a Provincial highway 15 metres from the property line of a Highway Frontage Road 46 metres from the centre line of a Municipal Road 15 metres from the property line of an Internal Subdivision

	<p>Road</p> <p>A minimum of 90 meters is required from the <b>intersection</b> of the centre lines of any municipal roads or provincial highway or such greater distance as required for e.g. site triangle.</p> <p><b>All shelterbelts, tree plantings, and other</b> shall comply with the same setback requirement as for buildings; <b>except</b> where the front yard abuts an internal subdivision road the setback for trees shall be 5 metres from the property line.</p>
<p><b>Minimum Side Yard</b></p>	<p><b>All buildings</b></p> <p><b>1) where the side yard abuts the following roads shall be set back a minimum of:</b></p> <p>55 metres from the centre line of a Provincial highway;          15 metres from the property line of a Highway Frontage Road;          46 metres from the centre line of a Municipal Road;          10 metres from the property line of an Internal Subdivision Road;</p> <p><b>2) where the side yard does not abut a road shall be set back a minimum of: 8 metres from property line.</b></p> <p><b>All shelterbelts, tree plantings, and other</b> shall comply with the same setback requirement as for buildings <b>except:</b></p> <p>1) where the side yard abuts an internal subdivision road the setback for trees shall be 5 metres from the property line of the road; and          2) where the side yard does not abut a road the setback shall be 3 metres from the property line.</p>
<p><b>Minimum rear yard</b></p>	<p><b>Buildings</b></p> <p>Same setbacks as Side Yard except where <b>the side yard does not abut a road</b> shall be set back a minimum of 6 metres from property line.</p> <p><b>All shelterbelts, tree plantings, and other</b> where the side yard does not abut a road the setback shall be 3 metres from the property line.</p>
<p><b>Portable structures, machinery and the storage of aggregate materials</b></p>	<p>Shall comply with the same setback requirement as for buildings.</p>

**Public utilities, recreational,  
Institutional land uses**

Exempted from minimum frontage and site area requirements.

## 10.5 ACCESSORY BUILDINGS AND USES

- .1 A permitted accessory use/building shall be defined as any buildings, structures or a use which is customarily accessory to the principal use of the site, but only if the principal permitted use or discretionary use has been established.
- .2 All accessory uses, buildings or structures require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- .4 Mobile Storage Containers including Sea Containers:
  - a) Shall require a Development Permit;
  - b) Must be properly anchored;
  - c) Shall be located a minimum of 3.0 metres from the primary building and behind the rear wall of the primary building; and
  - d) Containers determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Rural Municipality.

## 10.6 SUPPLEMENTARY REGULATIONS OR SPECIAL PROVISIONS

- .1 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent sites.
- .2 Any existing parcel which does not conform to the minimum or maximum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation (Land Titles Office) prior to the coming into force of this Bylaw.
  - a) Commercial parcels may be exempted from these requirements in the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as watercourses or water bodies. In these cases, there shall be no maximum site area.

- .3 No development or use of land shall be permitted where the proposal will adversely affect domestic or municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the local District Health Region and/or Saskatchewan Ministry of Environment.
- .4 Notwithstanding any other requirements contained in this Bylaw, Service Stations shall locate underground storage tanks in accordance with *The Fire Protection Act*.
- .5 The Development Officer may allow a building to be occupied by a combination of one or more of the permitted or discretionary uses listed within this Zoning District; however, each use shall obtain a separate Development Permit.
- .6 All areas to be used for vehicular traffic shall be designed and constructed to the satisfaction of Council.

#### 10.7 PARKING REQUIREMENTS

<b>Commercial Use</b>	One (1) parking space for every 18m <sup>2</sup> of gross floor area; minimum five spaces.
<b>Industrial Use</b>	One and one-half (1.5) parking spaces for every 90m <sup>2</sup> of gross floor area, but there shall not be less than one (1) parking space for every three (3) employees.

#### 10.8 LOADING REQUIREMENTS

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods, or merchandise, adequate space for such vehicles to stand for loading and unloading without restricting access to all parts of the site shall be provided on the site.

##### Off-Street Loading Spaces

<b>Width</b>	5.5 metres
<b>Length</b>	12 metres
<b>Height Clearance</b>	4.2 metres

##### Required Loading Spaces

<b>Between 93m<sup>2</sup> and 800m<sup>2</sup> of gross floor space</b>	1 space
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<b>Between 800m<sup>2</sup> and 5,500 m<sup>2</sup> of gross floor space</b>	2 spaces
<b>Between 5,501m<sup>2</sup> and 10,000m<sup>2</sup> of gross floor space</b>	3 spaces
<b>Greater than 10,000m<sup>2</sup> of gross floor area</b>	3 spaces plus one for each additional 4,000m <sup>2</sup> of gross floor area or fraction thereof.

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### 10.9 LANDSCAPING/ BUFFER STRIP REQUIREMENTS

- .1 In addition the requirements contained within Section 4.13 of the General Regulations, the following additional conditions shall be met for developments within a High Profile Commercial Light Industrial District (COM):
- i. where a Commercial site abuts any Country Residential District, City, Village or Hamlet without an intervening road, there shall be a strip of land adjacent to the abutting site line of not less than 3.0 metres in depth throughout, which shall not be used for any purpose except landscaping.

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### 10.10 OUTSIDE STORAGE

- .1 Outdoor storage is permitted in side and rear yards.
- .2 The storage and display of goods shall be permitted in a front yard where it is deemed essential to facilitate a permitted or approved discretionary use.
- .3 All outdoor commercial displays shall be a minimum of 5.0 metres from any site line and not block the vision of drivers both on-site and within a sight triangle.
- .4 All outdoor storage must be screened from view from adjacent roadways and public lands by a solid fence, landscape materials, berm, vegetative plantings or any combination of the above at least 2.0 metres in height.
- .5 Commercial vehicles and equipment associated with an approved use may be stored on-site provided the area used for storage of these vehicles does not exceed the area of the building used by the business to carry out its operations. No vehicles, materials or equipment shall be in a state of disrepair.

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### 10.11 OILFIELD SUPPLY AND SERVICE, BULK PETROLEUM STORAGE AND AGRICHEMICAL STORAGE SITES

- a) All operations shall comply with all regulations of the Saskatchewan Ministry of Environment and other appropriate governmental departments or agencies

responsible for regulating public safety with regard to their development and operation.

- b) Bulk petroleum storage tanks are to be located in accordance with the National Fire Code of Canada, 1990, as amended from time to time.
- c) Agrichemical sales and storage facilities are to be constructed and operated in compliance with The Agrichemical Warehouse Standards Association's Warehousing Audit Protocols and User Guide, as amended from time to time.

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## 10.12 SIGNAGE REGULATIONS

- .1 In addition to Section 4.33 General Sign Regulations for Signs and Billboards contained in this bylaw, the following additional development standards shall apply to the placement or erection of signage within the HPC District;
- .2 One (1) sign is permitted per site and shall not exceed a gross surface area of 11.0 m<sup>2</sup> (118.4 ft<sup>2</sup>) and a height of 17.0 metres;
- .3 One (1) attached sign shall be permitted not exceeding 5.6 m<sup>2</sup> (60.27 ft<sup>2</sup>) in gross surface area;
- .4 Illumination limited to 75 watts;
- .5 Were a building maintains direct exposure to more than one public right of way a second attached sign shall be at Council's discretion.

## 11 INDUSTRIAL DISTRICT (IND)

*The purpose of the Industrial District (IND) is to facilitate the development of light, and heavy industrial activities located primarily along provincial highways and municipal roadways.*



**In any Industrial District (IND), no person shall use any land, building or structure or erect any building or structure except in accordance with the following provisions:**

### 11.1 PERMITTED USES

- a) General Industry Type I;
- b) General Industry Type II;
- c) Agricultural industry;
- d) Uses and buildings accessory to the principal building or use;
- e) Agricultural commercial;
- f) Seed processing and cleaning activities;
- g) Feed mills and feed pellet plants;
- h) Trucking firm establishments;
- i) Storage yards (excluding asphalt or cement plants);
- j) Contractor's yard;
- k) Aggregate storage;
- l) Energy and communication service depots and facilities;
- m) Warehouses, supply depots and similar uses;
- n) Mobile storage containers including sea and rail containers;
- o) Public works, buildings, and structures, warehouses and storage yards excluding liquid and solid waste disposal facilities
- p) Roof Mount Solar Array

### 11.2 DISCRETIONARY USES

The following uses shall be considered by Council subject to the completion of the discretionary use process as outlined in Section 3 and with regard to the discretionary use criteria provided in Section 5 of this Bylaw.

- a) General Industry Type III;
- b) General Commercial I and II
- c) Ethanol plants;
- d) Fertilizer plants;
- e) Agricultural supply depots;
- f) Oilfield equipment parking lot and staging area;
- g) Grain storage terminals and elevators;
- h) Bulk petroleum sales and storage;
- i) Bulk agricultural chemical distribution facilities;
- j) Petroleum or mineral processing facilities;
- k) Metallic or non-metallic mineral (ie. potash) mines or extraction facilities including pumping stations;

- l) Service stations, car wash or gas bar;
- m) Sales, rental, leasing and associated servicing of farm machinery, automobiles, trucks, motorcycles, recreational vehicles, industrial equipment and agricultural implements;
- n) Restaurants;
- o) Asphalt or cement plants;
- p) Salvage yards and machine wrecker operations;
- q) Domestic (private) wind energy systems;
- r) Communication towers;
- s) Auctioneering establishments;
- t) Livestock holding stations;
- u) Anhydrous ammonia storage and distribution;
- v) Bulk propane storage and distribution;
- w) Abattoirs, poultry eviscerating and processing/packing plants;
- x) Solid and liquid waste disposal facility
- y) Ground Mount Solar Array

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

### 11.3 PROHIBITED USES

The following uses shall be strictly prohibited within an Industrial District (IND):

- a) All uses of land, buildings or processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions.
- b) Any structure to be used as a dwelling unit including RV's, Camper Trailers.
- c) All uses of buildings and land except those specifically noted as permitted or discretionary.

### 11.4 SUBDIVISION AND SITE REGULATIONS

<b>Minimum site area</b>	0.8 ha (2 acres). The minimum site size may be reduced based on physical circumstances unique to the site.
<b>Minimum site frontage</b>	30.0 metres
<b>Minimum Front Yard</b>	<p><b>All buildings where the front yard abuts the following roads shall be set back a minimum of:</b></p> <p>55 metres from the centre line of a Provincial highway                      15 metres from the property line of a Highway Frontage Road                      46 metres from the centre line of a Municipal Road                      15 metres from the property line of an Internal Subdivision Road</p>



	<p>A minimum of 90 meters is required from the <b>intersection</b> of the centre lines of any municipal roads or provincial highway or such greater distance as required for e.g. site triangle.</p> <p><b>All shelterbelts, tree plantings, and other</b> shall comply with the same setback requirement as for buildings; <b>except</b> where the front yard abuts an internal subdivision road the setback for trees shall be 5 metres from the property line.</p>
<p><b>Minimum Side Yard</b></p>	<p><b>All buildings</b>  <b>1) where the side yard abuts the following roads shall be set back a minimum of:</b>                      55 metres from the centre line of a Provincial highway;                      15 metres from the property line of a Highway Frontage Road;                      46 metres from the centre line of a Municipal Road;                      10 metres from the property line of an Internal Subdivision Road;</p> <p><b>2) where the side yard does not abut a road shall be set back a minimum of: 8 metres from property line.</b></p> <p><b>All shelterbelts, tree plantings, and other</b> shall comply with the same setback requirement as for buildings <b>except:</b>                      1) where the side yard abuts an internal subdivision road the setback for trees shall be 5 metres from the property line of the road; and                      2) where the side yard does not abut a road the setback shall be 3 metres from the property line.</p>
<p><b>Minimum rear yard</b></p>	<p><b>Buildings</b>                      Same setbacks as Side Yard except where <b>the side yard does not abut a road</b> shall be set back a minimum of 6 metres from property line.</p> <p><b>All shelterbelts, tree plantings, and other</b> where the side yard does not abut a road the setback shall be 3 metres from the property line.</p>
<p><b>Portable structures, machinery and the storage of aggregate materials</b></p>	<p>Shall comply with the same setback requirement as for buildings.</p>
<p><b>Public utilities or recreational land uses</b></p>	<p>Exempted from minimum frontage and site area requirements.</p>

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### 11.5 ACCESSORY BUILDINGS AND USES

- .1 A permitted accessory use/building shall be defined as any buildings, structures or a use which is customarily accessory to the principal use of the site, but only if the principal permitted use or discretionary use has been established.
- .2 All accessory uses, buildings or structures require the submission of an application for a Development Permit prior to commencing the use or construction unless it is identified as exempt from this process in Section 3 of the General Administration of this Bylaw.
- .3 Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.
- .4 Mobile Storage Containers including Sea Containers:
  - a) Shall require a Development Permit;
  - b) Must be properly anchored;
  - c) Shall be located a minimum of 3.0 metres from the primary building and behind the rear wall of the primary building; and
  - d) Containers determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Rural Municipality.

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### 11.6 SUPPLEMENTARY REGULATIONS OR SPECIAL PROVISIONS

- .1 The Development Officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent sites.
- .2 Any parcel which does not conform to the minimum or maximum site area requirement shall be deemed conforming with regard to site area, provided that a registered title for the site existed at Information Services Corporation (Land Titles Office) prior to the coming into force of this Bylaw.
- .3 Industrial parcels may be exempted from these requirements in the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as watercourses or water bodies. In these cases, there shall be no maximum site area. Existing industrial parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers.
- .4 No development or use of land shall be permitted where the proposal will adversely affect domestic or municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the local District Health Region and/or Saskatchewan Ministry of Environment.

- .5 Notwithstanding any other requirements contained in this Bylaw, Service Stations shall locate underground storage tanks in accordance with *The Fire Protection Act*.
- .6 The Development Officer may allow a building to be occupied by a combination of one or more of the permitted or discretionary uses listed within this Zoning District; however each use shall obtain a separate Development Permit.
- .7 All areas to be used for vehicular traffic shall be designed and constructed to the satisfaction of Council.

**11.7 LOADING REQUIREMENTS**

Where the use of a building or site involves the receipt, distribution, or dispatch by vehicles of materials, goods, or merchandise, adequate space for such vehicles to stand for loading and unloading without restricting access to all parts of the site shall be provided on the site.

**On-Site Loading Spaces**

<b>Width</b>	5.5 metres
<b>Length</b>	12 metres
<b>Height Clearance</b>	4.2 metres

**Required Loading Spaces**

<b>Between 93m<sup>2</sup> and 800m<sup>2</sup> of gross floor space</b>	1 space
<b>Between 800m<sup>2</sup> and 5,500 m<sup>2</sup> of gross floor space</b>	2 spaces
<b>Between 5,501m<sup>2</sup> and 10,000m<sup>2</sup> of gross floor space</b>	3 spaces
<b>Greater than 10,000m<sup>2</sup> of gross floor area</b>	3 spaces plus one for each additional 4,000m <sup>2</sup> of gross floor area or fraction thereof.

**11.8 PARKING REQUIREMENTS**

<b>Commercial Use</b>	One (1) parking space for every 18m <sup>2</sup> of gross floor area; minimum five spaces.
<b>Industrial Use</b>	One and one-half (1.5) parking spaces for every 90m <sup>2</sup> of gross floor area, but there shall not be less than one (1) parking space for every three (3) employees.

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### 11.9 LANDSCAPING/ BUFFER STRIP REQUIREMENTS

- .1 In addition the requirements contained within Section 4.13 of the General Regulations, the following additional conditions shall be met for developments within an Industrial District:
- i. Where an Industrial site abuts any Country Residential District, City, Village or Hamlet, without an intervening road, there shall be a strip of land adjacent to the abutting site line of not less than 3.0 metres in depth throughout, which shall not be used for any purpose except landscaping.

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### 11.10 OUTDOOR STORAGE

- a) External storage of goods or material is permitted if kept in a neat and orderly manner or suitably enclosed by a fence or wall to the satisfaction of the Municipality. No storage shall be permitted in the front yard.
- b) Outdoor storage is permitted in side and rear yards.
- c) Open air operations, storage and display of goods or material are prohibited in any front yard. The storage and display of goods shall be permitted in a front yard where it is deemed essential to facilitate a permitted or approved discretionary use.
- d) All outside storage shall be fenced and where the area abuts a City, Village, Hamlet, or Country Residential District without an intervening street or lane, the storage area shall be screened with a solid fence or hedge at least 2.0 metres in height;
- e) A space to be used exclusively for garbage storage and pickup, having minimum dimension of 3.0 metres by 6.0 metres shall be provided on each site to the satisfaction of the Development Officer.
- f) All automobile parts, dismantled vehicles, storage drums and crates, stockpiled material, and similar articles and materials shall be stored within a building or suitably screened.
- g) Industrial vehicles and equipment associated with an approved use may be stored on-site.
- h) Access to lots shall be located to ensure that heavy truck traffic is directed to designated truck routes.
- i) By resolution of Council, aggregate storage may be required to be screened or other appropriate measures taken to ensure the safety and security of site.

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### 11.11 OILFIELD SUPPLY AND SERVICE, BULK PETROLEUM STORAGE AND AGRICHEMICAL STORAGE SITES

- a) All operations shall comply with all regulations of Saskatchewan Ministry of Environment and other appropriate governmental departments or agencies responsible for regulating public safety with regard to their development and operation.
- b) Bulk petroleum storage tanks are to be located in accordance with the National Fire Code of Canada, 1990, as amended from time to time.

- c) Agrichemical sales and storage facilities are to be constructed and operated in compliance with The Agrichemical Warehouse Standards Association's Warehousing Audit Protocols and User Guide, as amended from time to time.

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#### 11.12 PERFORMANCE STANDARDS

An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:

- a) Noise - emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
- b) Smoke - no process involving the use of solid fuel is permitted;
- c) Dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted;
- d) Odor - the emission of any odorous gas or other odorous matter is prohibited;
- e) Toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
- f) Glare or heat - no industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot;
- g) Industrial wastes - waste which does not conform to the standards established from time to time by Rural Municipal Bylaws shall not be discharged into any municipal lagoons; and
- h) The onus of proving to the authority having jurisdiction and Council's satisfaction that a proposed development does and will comply with these requirements rests with the developer.

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#### 11.13 SIGNAGE REGULATIONS

- .1 In addition to Section 4.33 General Sign Regulations for Signs and Billboards contained in this bylaw, the following additional development standards shall apply to the placement or erection of signage within the IND District;
- .2 One (1) sign is permitted per site and shall not exceed a gross surface area of 11.0 m<sup>2</sup> (118.4 ft<sup>2</sup>) and a height of 17.0 metres;
- .3 One (1) attached sign shall be permitted not exceeding 5.6 m<sup>2</sup> (60.27 ft<sup>2</sup>) in gross surface area;
- .4 Illumination limited to 75 watts;
- .5 Were a building maintains direct exposure to more than one public right of way a second attached sign shall be at Council's discretion.

## 12 ENVIRONMENTALLY SENSITIVE LANDS OVERLAY (ES)

*The intent of this Overlay area is to address development in areas that are considered Environmentally Sensitive. The following provisions are intended to apply supplementary standards for development in areas designated as having potential environmental sensitivities (ie. water sources) or natural hazards conditions (unstable slopes, flooding) in order:*

- To manage development in identified and potentially environmentally sensitive areas;
- To limit development in areas that are considered hazardous for development in order to minimize property damage due to flooding;
- To limit development in areas that are considered hazardous for development for reasons of excessive soil erodibility and/or ground instability.



### 12.1 AREAS WITHIN THE ES OVERLAY DISTRICT

- **All land within the Environmentally Sensitive Overlay District and shown on Reference Maps in Appendices and any other maps included in the OCP which may be amended from time to time to reflect flood hazard, and Environmentally Sensitive areas, and are also identified on the Zoning Map;**
- All land within 150 metres of any public, commercial/industrial wells, or public water source (Nickle Lake, Souris River).
- All land within 457 metres of any waste disposal sites.
- All land within 457 metres of any of the municipal, commercial or industrial sewage lagoons, and the existing ILO Lagoon.

### 12.2 OVERLAY DISTRICT REGULATIONS

- .1 All the regulations of the District, which underlies the ES District, shall be used by Council as a guideline in establishing conditions, which may be applied to location-sensitive Development Permits for the specific use being requested.
- .2 Where a proposed development of a new use and any required access driveway is located within 150.0 metres of an area defined as Environmentally Sensitive land in the OCP or as an Environmentally Sensitive (ES) District on the Zoning Map, Council may require the applicant to submit sufficient topographic or other information to determine if the development will be within 50.0 metres of any slopes that may be unstable, or within any river or stream flood plain, or other land that may be subject to flooding.
- .3 Identified actions for hazard avoidance, prevention, mitigation or remedy for any development proposed in an ES Overlay District may be incorporated as special conditions of a Development Permit. Where such special conditions conflict with any other regulation of this Bylaw, the special conditions shall take precedence. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the adverse effects or may result in excessive costs for the Municipality.

**No person shall within an Environmentally Sensitive Lands Overlay District or, as identified on reference maps, use any land, or erect, alter or use any building or structure, except in accordance with the following provisions.**

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### 12.3 PERMITTED USES

- a) Agricultural uses, but not including buildings and structures accessory thereto; and does not include irrigation works or Intensive Livestock Operations;
- b) Recreational uses;
- c) Wildlife habitats and sanctuaries.

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### 12.4 DISCRETIONARY USES

The following uses may be permitted only by resolution of Council and only in locations specified by Council:

- a) One detached one unit dwelling, RTM or modular home following the placement thereof on a permanent foundation, and buildings accessory thereto subject to appropriate site development regulations (slope instability or flood proofing);
- b) Home occupations;
- c) Large accessory buildings.

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### 12.5 SITE DEVELOPMENT REGULATIONS FOR SLOPE INSTABILITY AREAS

- .1 No new development shall be permitted in any readily eroded or unstable slope area if the proposed development will be affected by or increase the potential hazard presented by erosion or slope instability.
- .2 For the purpose of this Bylaw, the area considered presenting potential erosion and/or slope instability hazard includes but is not limited to the slopes of Souris River and Weyburn Watercourses, Nickle Lake and the Tatagwa Parkway and any tributary creeks and gullies. Council may require a surveyor to determine where this line or crest of valley is located at the developer's expense and development will be set back from that line at all points.
- .3 Any application for a Development Permit on any parcel of land that lies wholly or partially within an area identified in the "Environmentally Sensitive Lands Overlay Area" must be accompanied by a detailed site analysis prepared by a geotechnical engineer registered in the Province of Saskatchewan. The site analysis shall indicate topography, surface drainage, geological, and geotechnical conditions at the site of the proposed development and related to the conditions of the general area as they relate to slope instability and erosion hazards.
- .4 The geotechnical engineer shall answer the following questions:
  - a) Will the proposed development be detrimentally affected by natural erosion or slope instability?

- b) Will the proposed development increase the potential for erosion or slope instability that may affect the proposed development, or any other property?
- .5 Unless the geotechnical engineer can answer “no” in response to both of the above questions, further analysis will be required. The required analysis must define the hazard as it may affect the proposed development and any other potentially affected property. The engineering report will identify hazard mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and slope stability impacts, and will identify and explain known and suspected residual hazards. The responsibility for monitoring and responding to monitored findings shall be resolved before approval is granted.
- .6 A Development Permit shall not be issued unless the report on the site, presented by the professional consultant, indicates that the site is suitable for development or outlines suitable mitigating measures and documents residual hazard.
- .7 If such an evaluation is not done, or having been done, Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, Council shall not be required to approve the application for development.
- .8 Where a parcel of land borders on or contains a water body, the setback from the bank of the water body shall be determined by the Municipality but shall not be less than 30.0 metres from a water body of 8 hectares or more.

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## 12.6 SITE DEVELOPMENT REGULATIONS FOR FLOOD HAZARD CAUTIONARY AREAS

- .1 For all proposed development in this cautionary area, the developer shall be responsible to obtain and determine the 1:500 year Estimated Peak Water Level to determine the Safe Building Elevation. The Saskatchewan Water Security Agency will assist and provide comment when possible. The developer shall be responsible for the cost of providing this information.
- .2 If Saskatchewan Water Security Agency is unable to provide the require information, developers will be required to provide professional, certified environmental, geotechnical and/or hydrological reports to address development hazards and may require a preliminary analysis by a professional engineer or environmental scientist to identify which hazards may exist in the area of a proposed development. Council may refuse to authorize development of structures on such land or may authorize such developments only in accordance with recommended preventative mitigation measures which eliminate the risk or reduce the risk to an acceptable level and remedial measures.
- .3 No person shall use any land, erect, alter or use any building or structure within a Flood Hazard land area without a Development Permit. A Development Permit shall not be issued for any land use, erection, alteration or use of any building or structure unless the



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site/development meets approved flood-proofing measures to the 1:500 design flood elevation, plus an additional 0.5 m freeboard.

No person shall backfill, grade, deposit earth or other material, excavate, or store goods or materials on these lands nor plant any vegetation parallel to the water flow.

- .4 "Hazardous Substances and Waste Dangerous Goods" are prohibited, as defined by the Hazardous Substances and Waste Dangerous Goods Control Regulations of the *Environmental Management and Protection Act of Saskatchewan*.

## 13 HERITAGE RESOURCE OVERLAY (HR)

*The Intent of the Heritage Resource Overlay district is to ensure the protection of significant heritage resources located on land proposed for development. The following regulations are intended to apply supplementary standards for development in areas designated as having significant heritage resource potential.*



### 13.1 DEFINING THE BOUNDARY

Archaeological, historic features and paleontological sensitive lands within the Rural Municipality include:

- a) Lands located within the same quarter-section as, or within 500 metres of, a Site of a Special Nature as defined in *The Heritage Property Act*.
- b) Lands within 500 metres of other previously recorded sites, unless they can be shown to be of low heritage significance.
- c) All known heritage sites, based on archaeological records, shown on the website and available “**Developer’s Online Screening Tool**” and any Reference Maps in Appendix “C” of the Official Community Plan.

### 13.2 SITE REGULATIONS IN THE HERITAGE RESOURCES OVERLAY AREA

- .1 The Municipality will require the developer to search and identify any known heritage sites within 500 metres of any recorded heritage sensitive lands and to comply with all Province of Saskatchewan legislation.
- .2 Any substantive development that lies within these sensitive lands shall be referred to the Provincial Heritage Unit for a heritage review.
- .3 Should a Heritage Resource Impact Assessment be required, it is the responsibility of the developer to have it carried out by a qualified professional under an approved investigation permit. The study should establish:
  - a) The presence of heritage sites within the project areas;
  - b) Suitable mitigation measures that could be implemented;
  - c) The content, structure, and importance of those heritage sites; and
  - d) The need for a scope of any mitigative follow-up.
- .4 If such an assessment is not done or having been done, Council may defer the issuance of a Development Permit until such time as all mitigation requirements have been met.
- .5 Heritage resource development shall be a discretionary use in all zones. Heritage resource development shall be exempted from site and frontage area requirements.



**ZONING MAP**

**APPENDIX "A"**

**DEVELOPMENT PERMIT APPLICATION REQUIREMENTS**

**Development Permit application shall include:**

— **1. Application Form**

A completed application form.

— **2. Site Plan**

Two copies of a proposed development site plan showing with labels, the following existing and proposed information (as the case may be):

- a) a scale and north arrow;
- b) a legal description of the site;
- c) mailing address of owner or owner's representative;
- d) site lines and required site line setbacks;
- e) front, rear, and side yard requirements;
- f) site topography and special site conditions (which may require a contour map), including ponds, streams, other drainage runs, culverts, ditches, and any other drainage features;
- g) the location of any buildings, structures, easements, and dimensioned to the site lines;
- h) the location and size of trees and other vegetation, especially natural vegetation;
- i) proposed on-site and off-site services;
- j) landscaping and other physical site features;
- k) a dimensioned layout of parking areas, entrances, and exits;
- l) abutting roads and streets, including service roads and alleys;
- m) an outline, to scale, of adjacent buildings on adjoining sites;
- n) the use of adjacent buildings and any windows overlooking the new proposal;
- o) fencing or other suitable screening;
- p) garbage and outdoor storage areas; and
- q) other, as required by the Development Officer or Council to effectively administer this Bylaw.

— **3. Building Plan**

A plan showing with labels, the elevations, floor plan, and a perspective drawing of the proposed development.

— **4. Landscape Plan**

A landscape plan showing, with labels, the following:

- a) the existing topography;
- b) the vegetation to be retained and/or removed;
- c) the type and layout of:
  - i) hard (e.g., structures) and soft (e.g., vegetation) landscaping;
  - ii) the open space system, screening, berms, slopes;

- iii) other, as required, to effectively administer this Bylaw;
- d) areas to be damaged or altered by construction activities and proposed methods of restoration;
- e) a schedule of site stripping and grading, construction, and site restoration, including methods to be employed to reduce or eliminate erosion by wind, water, or by other means; and historical and archaeological heritage resources and management areas.

## — 5. Vicinity Map

A vicinity map showing, with labels, the location of the proposed development in relation to the following features within three (3) kilometers:

- a) Nearby municipal roads, highways and railways;
- b) Urban Municipalities or Residential Developments;
- c) Significant physical features, environmentally sensitive areas, and more or less pristine natural areas or features, especially undisturbed grassland, wooded ravines, and water feature or stream courses;
- d) Critical wildlife habitat and management areas;
- e) Mineral extraction resources and management areas; and
- f) Other as required, to effectively administer this Bylaw.

## — 6. Certificate of Title

A copy of the Certificate of Title, indicating ownership and all encumbrances.

## — 7. Valid Interest

Development Permit applicants shall be required to provide information, to the Development Officer's or Council's satisfaction, that they have a current, valid interest in the land proposed for development. Proof of current valid interest may include:

- a) proof of ownership
- b) an agreement for sale
- c) an offer or option to purchase
- d) a letter of purchase
- e) a lease for a period of more than 10 years
- f) other, as determined and accepted by Council, or the Development Officer.

## — 8. Site Description

- a) A proposed plan of subdivision prepared by a Saskatchewan Land Surveyor or Professional Community Planner and signed by the registered site owner or appointed agent;
- b) A Site Plan that identifies setbacks, neighbouring buildings and any natural features accompanied by an accurate sketch and air photo image (ie. Google image);
- c) Photographic Information and photographs showing the site in its existing state.

APPENDIX "B"  
Development Permit Application

The Zoning Bylaw provides for permitted and discretionary uses in each zoning district. Every person is required to obtain a development permit before commencing any construction or use of land except provided within the Zoning Bylaw.

***Application Fee:***

The R.M. of Weyburn No. 67 outlines the fees within the Planning and Development Fee Bylaw.

Where additional fees are required to obtain a permit, the additional fee shall be paid in full prior to issuance of such permit.

***Application Requirements:***

The following information is required in order to make an application:

- a) Completed application form;
- b) Submission of any additional necessary appendices;
- c) Receipt of full payment of applicable fee;
- d) Provide a detailed site plan, drawing to scale, on a separate sheet showing, in detail, the site for proposed development including the following at a minimum:
  - a. North arrow;
  - b. Boundaries of parcel including approximate dimensions;
  - c. Location and dimensions of existing buildings and structures and distances from the property boundaries;
  - d. Location of trees or other vegetation or screening devices and distances from property boundaries;
  - e. Location of all existing and proposed utilities;
  - f. Location of all existing and proposed approached and driveways;
  - g. Site topography and special site conditions distinguishing physical features located on or adjacent to the property including but not limited to sloughs, streams, culverts, drainage ways, wetlands, slopes, bluffs, etc. (depending on circumstances may require contour map or additional information);
  - h. A dimensional layout of parking areas, entrances and exits;
  - i. Others, as required by the Development Officer or Council to effectively administer this Bylaw.

## Development Permit Application

**APPLICANT:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

**REGISTERED OWNER:**

As Above:

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

**Legal Description** of land proposed for development:

All/Part of \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ W2

LSD(s): \_\_\_\_\_ Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_ Registered Plan Number: \_\_\_\_\_

Existing Land Use:

- Agricultural Resource (AR)
- Country Residential (CR)
- Hamlet (H)
- High Profile Commercial (HPC)
- Industrial (IND)

**Detailed Description of current land use:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Proposed new use of land and/or buildings:**

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**Size of Building (If required):** Length: \_\_\_\_\_ Width: \_\_\_\_\_ Height: \_\_\_\_\_

**Additional Information:**

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**Declaration by Applicant:**

I, \_\_\_\_\_ of \_\_\_\_\_  
in the Province of Saskatchewan, solemnly declare that all of the above statements  
within the application are true, and I make this solemn declaration conscientiously  
believing to be true, and knowing that it is of the same force and effect as made  
under oath, and by virtue of "The Canada Evidence Act."

I agree to indemnify and hold harmless the Rural Municipality of Weyburn No. 67  
from and against any claims, damage, liabilities, costs and damages related to the  
development undertaken pursuant to this application.

Date:

Signature:

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APPENDIX "C"

Notice of Decision

Approval of Development Permit

Application No. \_\_\_\_\_

Date: \_\_\_\_\_

**APPLICANT:**

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

**REGISTERED OWNER:**

As Above:

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

**Legal Description:**

All/Part of \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ W2

LSD(s): \_\_\_\_\_ Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_ Registered Plan Number: \_\_\_\_\_

**Proposed Development:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Decision:** Permitted Use – Approved – Date: \_\_\_\_\_

Discretionary Use – Approved by Resolution No. \_\_\_\_\_ Date: \_\_\_\_\_

**Conditions of Approval:**

- 1)

**General Comments:**

If any digging or excavating is to be done SaskTel, SaskPower, and SaskEnergy must be contacted for a free cable, power, and pipeline locations service. Please contact SASK 1<sup>st</sup> CALL at 1-866-828-4888 for line locates. If any construction plans conflict with these facilities, the owner will be required to contact the corporation to discuss details regarding the possibility of moving the facilities and related costs.

*Note: This Permit expires 1 (one) year from the above date.*

*Approval of this application and issuance of a Development Permit does not absolve the applicant of obtaining other permits and approvals as may be required according to other Municipal, Provincial and Federal government legislation.*

**Development Officer:**

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APPENDIX "D"

Notice of Decision

Development Permit or Zoning Bylaw Amendment

**Application No.**

**Date:**

Applicant:

Address:

This is to advise you that your application for a:

- Permitted Use of Form of Development
- Discretionary Use of Form of Development
- Request for a Zoning Bylaw Amendment

Has Been:

- Approved
- Approved subject to conditions or Development Standards as listed in the attached schedule:
- Refused for the following reasons:

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If your application has been approved with or without conditions, this form is considered to be the Development Permit granted pursuant to the Zoning Bylaw.

*Note: This Permit expires 1 (one) year from the above date.*

*Approval of this application and issuance of a Development Permit does not absolve the applicant of obtaining other permits and approvals as may be required according to other Municipal, Provincial and Federal government legislation.*

*A building permit is also required for a building construction.*

#### Right of Appeal

Please be advised that under Section 59 of *The Planning and Development Act, 2007*:

- You may NOT appeal the refusal of your application for a use or form of development that is not permitted within the zoning district of the application.
- You may NOT appeal the refusal of your application for a Discretionary Use of form of development.
- You MAY APPEAL those standards that you consider excessive in the approval of the discretionary use of or for of development.
- You MAY APPEAL the refusal of your application if you feel that the Development Officer has misapplied that Zoning Bylaws in the issuing of this permit.

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Date:

Development Officer: