

**Rural Municipality of LeRoy No. 339**  
Zoning Bylaw

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# **PART A – Introduction & Administration**

## **Section 1.0 INTRODUCTION**

### **Section 1.1 TITLE**

1.1.1  
This Zoning Bylaw shall be known as “The Rural Municipality of LeRoy No. 339 Zoning Bylaw” and may be referred to as the “Zoning Bylaw”.

### **Section 1.2 PURPOSE**

1.2.1  
The purpose of this Zoning Bylaw is to regulate the use of land and the locations and use of buildings and other structures in the Rural Municipality of LeRoy so as to provide for the amenity of the Municipality and the health, safety and general welfare of the inhabitants.

1.2.2  
In all cases, this Zoning Bylaw is subject to the policies contained in the Official Community Plan and to the staging schedule of the Plan. No new zoning amendment will be permitted in any district except in accordance with those policies and the development staging schedule.

### **Section 1.3 METRIC SYSTEM**

1.3.1  
The System International (SI) Metric System of measurement is the final and binding system of measurement used in this Zoning Bylaw.

1.3.2  
No existing use, building or structure shall be deemed to be non-conforming by reason only of the conversion from the Canadian Imperial System of measurement to the System International Metric of measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.

### **Section 1.4 SCOPE**

1.4.1  
No building or structure shall hereafter be erected or structurally altered, nor shall any building, structure, land or premises hereafter be used in whole or in part within the limits of the Municipality, except in conformity with the provisions and regulations of this Zoning Bylaw.

1.4.2  
Where this Zoning Bylaw sets out two or more regulations that could apply to a situation, the most restrictive regulation shall apply.

#### 1.4.3

Where this Zoning Bylaw sets out both general and specific regulations that could apply to a situation, the specific regulation shall apply.

### **Section 1.5 LEGISLATIVE COMPLIANCE**

#### 1.5.1

Compliance with the requirements of this Zoning Bylaw does not exempt any person from compliance with the requirements of any federal, provincial or municipal legislation, the requirements of any other Bylaw in force within the Municipality or from obtaining any permit, license, permission, authority or approval required by this or any other Bylaw of the Municipality in force from time to time. Nor does compliance exempt any person from compliance with any easement, covenant, agreement or contract affecting the development.

### **Section 1.6 APPLICATION OF REGULATIONS**

#### 1.6.1

The provision of this Zoning Bylaw shall not be so construed as to limit or interfere with the operation, replacement, and maintenance for public utility purposes, of water and gas pipes, mains and conduits, electric light and electric power transmission and distribution lines, oil pipe lines, sewer connections and sewer mains, and incidental appurtenances or the construction and installation of any such services on public road allowances.

#### 1.6.2

Nothing in this Zoning Bylaw shall be interpreted so as to interfere with the use of land for the construction, maintenance and operation of any essential public service (Fire Department, Municipal, Provincial or Federal police service). However, the Development Officer shall require that administrative buildings and buildings accessory thereto constructed by the agencies noted in this section are generally compatible with properties in the vicinity in terms of height, setbacks, landscaping, and parking.

### **Section 1.7 SEVERABILITY**

#### 1.7.1

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

### **Section 1.8 EFFECTIVE DATE OF THIS ZONING BYLAW**

#### 1.8.1

This Zoning Bylaw repeals and replaces the Zoning Bylaw No. 9-97 and all subsequent amendments thereto, is adopted pursuant to *The Act*, and shall come into force on the date of final approval by the Minister of Government Relations.

## Section 2.0 DEFINITIONS

For the purpose of this Zoning Bylaw, unless a contrary intention appears, certain terms or words shall be interpreted as follows:

Words used in the present tense include the future tense. The singular includes the plural. The word "person" includes a corporation as well as an individual. The word "lot" includes the word "plot" or "parcel" or "site". The term "shall" is always mandatory. The word "used" or "occupied" as applied to any land or buildings shall be construed to include the words "intended, arranged, or designed to be used or occupied".

### Abattoir

Means a building or structure specifically designed to accommodate the penning and slaughtering of live animals and preliminary processing of animal carcasses.

### Above Ground Fuel Storage Tank:

Means a storage tank, any portion of which is above grade and containing gasoline, diesel fuel, or propane.

### Accessory Building or Use

Means a building or use which:

- a) is subordinate to and serves the principal building or principal use;
- b) is subordinate in area, extent and purpose to the principal building or principal use served;
- c) contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and
- d) is located on the same site as the principal building or principal use served.

### Act

Means *The Planning and Development Act, 2007*, as amended.

### Agricultural-related Commercial Use

Means a service to the agricultural community such as:

- a) fertilizer distribution;
- b) agricultural implement and machinery assemblage, sales and service;
- c) veterinary clinics;
- d) bulk fuel depots and sales;
- e) stock yards and auction markets; and
- f) other uses which, in the opinion of the Development Officer, are agriculturally-related.

### Agricultural-related Industrial Uses

Means a use characterized by agricultural-related industrial operations, including:

- a) grain and seed cleaning and drying, including seed storage;
- b) fertilizing mixing sales (subject to provincial regulations);
- c) livestock and poultry breeding services;
- d) abattoirs;
- e) food processing plants;
- f) grain elevators;
- g) hatcheries;
- h) apiaries;

- i) feed mills;
- j) oil seed processing plants; and
- k) other industrial uses which, in the opinion of the Development Officer, are agriculturally-related.

**Alteration**

With reference to a building, structure or site, means:

- a) a change or rearrangement in the structural parts or in the existing facilities in any building or structure;
- b) any enlargement in any building or structure, whether by extending on a side or by increasing in building height;
- c) the moving of any building or structure from one location or position to another;
- d) a change from one use class to another; or
- e) any change which is affected by Electrical, Plumbing, and/or Building Code.

**Animal Unit**

Means the kind and number of animals calculated in accordance with the following:

<i>Kind of Animal</i>	<i>Number That Equals One Animal Unit</i>
Poultry <ul style="list-style-type: none"> <li>• Hens, cockerels, capons</li> <li>• Chicks, broiler chicken</li> <li>• Turkeys, geese, ducks</li> <li>• Ostriches</li> <li>• Emus</li> </ul>	100 200 50 7 16
Hogs <ul style="list-style-type: none"> <li>• Boars, sows</li> <li>• Gilts</li> <li>• Feeder pigs</li> <li>• Weanling pigs</li> </ul>	3 4 6 20
Sheep <ul style="list-style-type: none"> <li>• Rams, ewes</li> <li>• Lambs</li> <li>• Goats, Llamas, Alpacas, etc.</li> </ul>	7 14 7
Cattle <ul style="list-style-type: none"> <li>• Cows, bulls</li> <li>• Feeder cattle</li> <li>• Replacement heifers</li> </ul> Calves	1 1.5 2 4
Horses	

<ul style="list-style-type: none"> <li>• Colts, ponies</li> <li>• Other than colts or ponies</li> </ul>	<p>2</p> <p>1</p>
<p>Other</p> <ul style="list-style-type: none"> <li>• Bison cows, bison bulls</li> <li>• Bison calves</li> <li>• Elk, reindeer</li> <li>• Deer</li> </ul>	<p>1</p> <p>4</p> <p>4</p> <p>7</p>

**Amusement Establishments – Indoors**

Means a development providing facilities within an enclosed building for various table games or electronic games played by patrons for entertainment. Typical uses include billiard parlours, bowling alleys, roller skating rinks, simulated golf, electronic game arcades, and bingo halls. This class does not include Participant Recreation - Indoors, nor:

- a) such establishments which sell such devices, provided that such devices are not available on the premises for use on a commercial basis by the public;
- b) establishments where such devices are made available as an accessory use provided that the floor area occupied by the device does not exceed 5% of the total leasable floor area of the establishment, but in no case shall the number of devices accessory to another use exceed four.

**Amusement Establishments – Outdoors**

Means a permanent development providing facilities for entertainment and amusement activities, which primarily take place out-of-doors, where patrons are primarily participants. This use class does not include drive-in motion picture theatres, go-cart or motorcycle tracks, carnivals or circuses. Typical uses include amusement parks and miniature golf establishments.

**Applicant**

Means a developer, landowner, or person with an enforceable proprietary interest, submitting an application for development.

**Application for Development**

Means any application filed with any approving authority for any approval, authorization or permit which is a prerequisite to initiating development in the Municipality.

**Asphalt Plant**

Means an industrial establishment used for the production of asphalt, or asphalt products used in building or construction and includes facilities for the administration and management of the business, the stockpiling of bulk materials used in the production process or a finished product manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt.

**Attached Covered Patio**

Means a single storey patio which is covered with a permanent roof structure which may be enclosed by walls, windows or screens and which is not integrated into the dwelling unit by virtue of the extension of the dwelling unit's heating or cooling system or the removal of the exterior door between the patio and the dwelling unit. In addition, 50% of the walls must be openings and no basement may be constructed under the patio. Typically an attached covered patio would provide up to three-season use and would not provide fully furnished livable space.



### **Auto and Minor Recreation Sales & Rental**

Means a development used for the retail sale or rental of new or used automobiles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational vehicles or crafts, together with incidental maintenance services, sales of parts, automotive accessories, accessory recreational equipment and supplies. This use class typically includes but is not limited to automobile dealerships, car rental agencies and motorcycle dealerships. This use class does not include dealerships for the sale or rental of exclusively trucks or exclusively motor homes.

### **Basement**

Means the portion of a building or structure which is wholly or partially below grade, having above grade no more than 1.85 m of its clear height which lies below the finished level of the floor directly above.

### **Bed and Breakfast**

Means a dwelling unit in which the occupants thereof use a portion of the dwelling unit for the purpose of providing, for remuneration, sleeping accommodation and one meal per day to members of the general public, for periods of one week or less, and in which:

- a) not more than three bedrooms within the dwelling unit are used to provide such sleeping accommodation;
- b) the dwelling unit is the principal residence of the persons receiving the remuneration and providing the sleeping accommodation and one meal per day; and
- c) the meal which is provided is served before noon each day.

### **Board**

Means the Development Appeals Board as established under this Zoning Bylaw and pursuant to the Act.

### **Boarding or Lodging Home**

Means a dwelling in which the proprietor supplies either room, or room and board, for compensation to no more than four persons and which is not open to the general public, as distinct from a hotel, motel, or apartment building.

### **Buffer**

Means a strip of land, vegetation or a land use that physically separates two or more different land uses by a distance as identified in this Zoning Bylaw.

### **Building**

Means any structure constructed or placed on, in or over land, and including any structure covered by a roof and supported by walls or columns.

### **Building Bylaw**

Means any current bylaw of the Municipality which regulates the erection, alteration, repair, occupancy or maintenance of buildings and structures.

### **Building Height**

Means the vertical distance measured from the grade level in front of the building to:

- a) the highest point of a flat roof;
- b) the mean level between eaves and ridge of a pitched roof; or
- c) the deck line of a mansard roof.

### **Building Line – Established**

Means a line, parallel to the front site line (and, in the case of corner sites, a line, parallel to the side site line along the flanking street), and set back the average distance from the edge of the street to the main walls of the existing buildings on a side of any block of the street where more than half the lots have been built on.

### **Building Permit**

Means a permit issued under a building bylaw of the municipality authorizing the construction or renovation of all or part of any building (including electrical, plumbing, and structural changes).

### **Building – Principal**

Means a building which serves as the main or primary use of the site on which the building is situated.

### **Bulk Fuel Depots**

Means a development where refined or crude oil, fuel, or liquid or solid chemical is stored outdoors, and includes the storage of hazardous substances / dangerous goods, as defined by the Transportation of Dangerous Goods Act and the Major Industrial Accidents Council of Canada (MIACC). The development may include facilities for cleaning, blending or packaging of bulk oil, fuel, or chemicals, but does not include manufacture of the products.

### **Campground**

Means the seasonal operation of an area of land managed as a unit, providing temporary short-term accommodation for cabins, tents, tent trailers, travel trailers, recreational vehicles and campers, used by visitors to the municipality and temporary construction workers.

### **Cemetery**

Means a development of a parcel of land primarily as landscaped open space for the entombment of the deceased, and may include the following accessory developments: crematories, cinerarium, columbarium, and mausoleums. Typical uses in this class include memorial parks, burial grounds and gardens of remembrance.

### **Club**

Means a group of people organized for a common purpose, to pursue common goals, interests or activities, usually characterized by certain membership qualifications, payment of dues or fees, regular meetings, and a constitution and bylaws; and shall include lodges and fraternal organizations.

### **Commercial Accessory Dwelling**

Means the development of one dwelling unit contained within a building used primarily for commercial purposes and intended for use by the operator of one or more businesses in that building.

### **Commercial Education Facilities**

Means a development used for training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning the school. This use class does not include schools defined as public education or private education. Typical uses include computer training, secretarial, business, hairdressing, beauty culture, and dancing or music schools.

### **Community Facility**

Means a building or facility used for recreational, social, educational or cultural activities and which is owned by a municipal corporation, or other non-profit organization. This use category includes:

- a) auditoriums;
- b) libraries;

- c) museums and art galleries;
- d) cemeteries; and
- e) other similar uses at the discretion of the Development Officer.

### **Council**

Means the Council of the Rural Municipality of LeRoy.

### **Deck**

Means a raised open platform, with or without rails, attached to a principal building.

### **Density**

Means a measure of the intensity of development to the area of the site, including the number of units on a site measured in unit/area or floor area ratio, as the case may be.

### **Development**

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

### **Development Appeals Board**

Means a Board required by the Act to be established in every zoning bylaw, which may be a District Development Appeals Board if municipalities have authorized an agreement pursuant to subsection 214(3) of the Act.

### **Development Officer**

Means the Officer appointed by Section 3.1 of this Zoning Bylaw and pursuant to the Act.

### **Development Permit**

Means a permit, issued by the Development Officer, which authorizes development or the use of a building or site for the purpose stated in the permit.

### **Discretionary Use**

Means the use of land, a building or other structure that may be permitted in a district only at the discretion of and only at the location or locations and under the conditions specified by Council.

### **District (Zoning District)**

Means a defined area or district of the Rural Municipality as set out in this Zoning Bylaw and shown on the Rural Municipality of LeRoy Zoning Districts Map, Schedule Z-1.

### **Dwelling – Farm**

Means an accessory dwelling on a farm that is intended to accommodate farm workers.

### **Dwelling – Multiple Unit**

Means a building divided into three or more dwelling units and shall include, among others, townhouses and apartment buildings, as distinct from a boarding, lodging or rooming house, hotel or motel.

### **Dwelling – Semi-Detached**

Means a residential development of two dwelling units joined side by side to one another with a common wall and each dwelling unit having at least one separate entrance.

### **Dwelling – Single Detached**

Means a detached building consisting of not more than one dwelling unit and includes a modular home.

### **Dwelling – Townhouse**

Means a residential development of three or more separate dwelling units joined side by side, and/or with units being placed over top of other units in whole or in part, with common walls and individual and separate entrances to each dwelling.

### **Dwelling Unit**

Means a complete building or self-contained portion of a building used as a household, containing sleeping, cooking, and sanitary facilities intended as a permanent residence and having an independent entrance either directly from the outside of the building or through a common area inside the building. This use does not include a room in a hotel, motel, hostel or any other development where rooms are rented on a short-term basis.

### **Environmentally Sensitive Lands and Areas**

Means lands or areas with natural features where precautions, mitigation or constraints are needed to minimize impacts. These include the following:

- a) a ravine, coulee, swamp, natural drainage course or creek bed;
- b) wildlife habitat, environmentally sensitive or significant natural or heritage areas;
- c) flood-prone or potentially unstable land; or
- d) land abutting lakes streams or rivers for pollution prevention, bank preservation or development protection from flooding.

### **Essential Public Services and Utilities**

Means a system, works, plant, equipment or service, whether owned or operated by or for the Municipality, or by a corporation under agreement with or under a franchise from the Municipality or under a Federal or Provincial statute, which furnishes services and facilities available at approved rates to or for the use of all the inhabitants of the Municipality, including but not limited to:

- a) systems for the production or distribution of electricity;
- b) systems for the distribution of natural gas or oil;
- c) facilities for the storage, transmission, treatment, distribution or supply of water;
- d) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- e) telephone or light distribution lines; or
- f) temporary facilities, operations and related structures for the construction of public infrastructure.

### **Family Child Care Home**

Means the principal place of residence of a family child care provider and shall further mean a provincially licensed place where the care and supervision of not less than three and not more than 12 children, (including the children of the caretaker) who do not reside on the premises, is provided for less than 24 hours per day by a person or persons other than a parent or parents of said children, for compensation.

### **Farm**

Means development, the primary use of which is for the production of farm products such as dairy products, livestock or field crops, or undeveloped land. The primary use also incorporates the residence of the farm operator.

### **Farm Dwelling**

Means an accessory dwelling on a farm that is intended to accommodate farm workers.

## **Farm Operation**

Means conditions or activities which occur on a farm in connection with the commercial production of farm products, including agroforestry, agricultural research, and all buildings and machinery, not including intensive livestock operations or intensive agricultural operations.

## **Farm Product**

Means those plants and animals useful to man and including, but not limited to:

- a) forages and sod crops;
- b) grains and feed crops;
- c) dairy and dairy products;
- d) poultry and poultry products;
- e) livestock, including breeding and grazing;
- f) fruits;
- g) vegetables;
- h) flowers;
- i) seeds;
- j) grasses;
- k) trees;
- l) apiaries and honey production;
- m) equine and other similar products; and
- n) other product which incorporate the use of food, feed, fibre or fur.

## **Fence**

Means an artificially constructed barrier erected to enclose or screen areas of land.

## **Financial Institution**

Means a bank, credit union, trust company, or similar establishment.

## **Flankage**

Means the side site line of a corner site which abuts the street.

## **Flood Plain**

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

## **Floor Area**

Means the total floor area of every room and passageway contained in a building, but not including the floor areas of basements, attics, walls, sheds, open porches or breezeways. Basement and attic floor areas shall be included only when they contain habitable rooms or storage.

## **Food Processing Plant**

Means a facility that includes operations by which raw foodstuffs are made suitable for consumption, cooking, or storage.

## **Garage – Private**

Means a garage used for storage purposes only, where no business, occupation or service is conducted, other than an approved home based business, and in which no space is rented for commercial vehicles to a non-resident of the premises.

### **Garage – Public**

Means any garage available to the public, operated for gain, and which is used for repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles, including painting, body work and major repairs.

### **Garage – Storage**

Means a garage exclusively used for the storage of motor vehicles for a fee and where no repair facilities are maintained.

### **Government Services**

Means a development providing for Crown Corporation, municipal, provincial or federal government services directly to the public. Typical uses include but are not limited to taxation offices, courthouses, postal stations, manpower and employment offices, and social service offices, which result in a significant client visitation. This does not include protective and emergency services, liquor stores, detention and correction services, and education services.

### **Grade Level**

Means the average level of the finished surface of the ground adjacent to the exterior walls of the building or structure. In the case of single detached, semi-detached and duplex dwellings with a walk out basement, grade level shall be the average elevation of the finished surface of the ground adjacent to the sidewalls of the building.

### **Greenhouse and Plant Nursery**

Means a development for the growing, acclimating, propagating, harvesting, displaying and selling of bedding, household, and ornamental plants and may include accessory uses related to the storing, displaying, and selling of gardening, nursery and related products.

### **Gross Floor Area**

Means the total floor area in a principal building or structure measured between the exterior faces of the exterior walls of the building or structure at the level of each storey below, at and above grade, excluding the area used for off-street parking, loading, mechanical equipment, stairways or shafts.

### **Hazard Land**

Means land that is contaminated, unstable, prone to flooding or otherwise unsuited for development or occupation because of its inherent danger to public health, safety or property.

### **Hazardous Substance or Dangerous Goods**

Means any product, substance or organism which, because of its quantity, concentration or its physical, chemical or infectious characteristics, either individually or in combination with other substances is an existing or potential threat to the physical environment, to human health or to other living organisms, including:

- a) explosives;
- b) gases (either compressed, deeply refrigerated, liquefied, or dissolved under pressure);
- c) flammable and combustible liquids;
- d) flammable solids (including substances liable to spontaneous combustion and substances, which on contact with water, emit flammable gases);
- e) oxidizing substances and organic peroxides;
- f) poisonous and infectious substances;
- g) radioactive material;
- h) corrosives; or

- i) other substances of similar nature.

### Health Services

Means a development used for the provision of physical and mental health services on an outpatient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative or counseling nature. Typical uses include medical and dental offices and diagnostic services.

### Home Based Business

Means any occupation, trade, profession or craft conducted for gain from a dwelling unit, which use is incidental and secondary to the residential use of the dwelling and does not change the character thereof.

### Hotel

Means a building or part of a building used as place for sleeping accommodation with or without meals, and which may have a licensed beverage room, but does not include a motel, a boarding, lodging or rooming house.

### Highway Sign Corridor

Means a strip of land parallel and adjacent to a provincial highway where private signs may be permitted to advertise goods and services of local area businesses and attractions, as provided by regulations of the Department of Highways and Transportation entitled "*The Provincial Highway Sign Control Regulations, 2012*", as may be amended from time to time.

### Industrial Use – General

Means any of the following activities:

- a) the processing of raw or finished materials;
- b) the manufacturing or assembly of goods, products or 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 with non-industrial development;
- d) the storage or transshipping of materials, goods and equipment, including warehouses;
- e) the training of personnel in general industrial operations; and
- f) indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial use.

### Industrial Use – Hazardous

Means an industrial use involving the manufacturing, storage, processing, transshipment, collection, treatment or disposal of hazardous materials or chemicals (specifically excluding agricultural fertilizer, herbicide or pesticide warehousing and/or sales facilities, depots for the collection of farm chemical containers, and ethanol and biodiesel plants and associated production facilities).

### Intensive Agricultural Operation

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

### **Intensive Livestock Operation (ILO)**

Means the operation or facilities for rearing, confinement or feeding of poultry, hogs, sheep, goats, cattle, horses or domesticated game animals, in such numbers that the facility and portion of a site used for the operation:

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

### **Intersection**

Means an area where two or more public roadway allowances meet or cross at grade.

### **Junk and Salvage Yard**

Means uses including, but not limited to, uses involved in salvaging, storing or selling scrap metal, paper, plastic, glass, wood and other waste material, as well as unlicensed vehicles, used vehicle, machinery and machinery parts.

### **Kennel**

Means development used for the accommodation, boarding, and/or breeding of small animals and uses associated with the shelter and care of small animals, or training.

### **Landscaping**

Means the modification and enhancement of a site through the use of any or all of the following elements:

- a) hard landscaping: means landscaping consisting of non-vegetative materials, such as brick, stone, concrete, tile and wood, but excluding monolithic concrete and asphalt.
- b) soft landscaping: means landscaping consisting of vegetation, such as trees, shrubs, hedges and grass.
- c) architectural elements: means landscaping consisting of wing walls, sculptures, etc.

### **Lane**

Means a public road or thoroughfare registered by plan of survey which affords a secondary means of access to abutting properties.

### **Loading Space**

Means that part of a site or structure on which a single vehicle may be loaded or unloaded.

### **Lot**

Means a parcel of land with fixed boundaries and which is of record with the Information Services Corporation by Certificate of Title.

### **Lot – Corner**

Means a lot with at least two adjacent sides abutting upon intersecting streets or other public spaces.

### **Lot – Interior**

Means a lot which either fronts on one street or opposite sides of two streets, and any other lot which is not a corner lot.

### **Lot Line**

Means a line of record bounding a lot that divides one lot from another or from a public street or any other public space.



## **Maintenance**

Means cleaning, painting, repair, or replacement of any defective parts in a manner that does not alter the basic design or structure.

## **Minister**

Means the Minister of the Executive Council to whom is assigned the administration of the Act.

## **Manure Storage Facility**

Means a confinement locale, constructed either as an open lot or enclosed, roofed structure, associated with modern livestock production facilities. Manure storage facilities are now classified primarily on the type and consistency of manure to be handled in the system (liquid and solid).

## **Mobile Home**

Means a trailer coach:

- a) that is used as a dwelling all year round;
- b) that has water faucets and shower or other bathing facilities that may be connected to a water distribution system;
- c) that has facilities for washing and a water closet or other similar facility that may be connected to a sewage system; and
- d) that conforms to Canadian Standards Association, Construction Standard No. Z240.2.1-1979 and amendments thereto.

## **Mobile Home Court**

Means any parcel of land on which two or more occupied mobile homes are located and includes any structure used or intended to be used as part of the equipment of such mobile home court.

## **Mobile Home – Double Wide**

Means a mobile home consisting of two sections, separately towable, but designed to be joined together into one building.

## **Mobile Home – Single Wide**

Means a mobile home designed to be towed as a single load and less than 6.09 m wide.

## **Mobile Home Site**

Means an area of land in a mobile home court for the placement of a mobile home.

## **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 a manner that each mobile home is situated on its own lot and in which all such lots, public open spaces, internal streets and lanes, buffer zones and other amenity areas form a contiguous area of development.

## **Modular Home**

Means a manufactured home, certified by the manufacturer that it complies with the Canadian Standards Association Code CSA A277 and which:

- a) shall be built on a wood-web truss floor system;
- b) shall be finished and painted drywall; and
- c) shall be attached to a permanent foundation.

### **Motel**

Means a building or group of buildings on a site designed and operated to provide temporary accommodation and contains separate sleeping units, each of which is provided with an adjoining conveniently located parking stall.

### **Municipal Facility**

Means land and / or structures owned by the Municipality that is used for:

- a) office and meeting space;
- b) storage of municipal equipment and supplies;
- c) recreation; and
- d) other institutional purposes.

### **Municipality**

Means the Rural Municipality of LeRoy.

### **Non-conforming Building**

Means a building that:

- a) is lawfully constructed or lawfully under construction, or in respect of which all required permits have been issued, at the date the Zoning Bylaw or any amendment to the Zoning Bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and
- b) on the date the Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective does not, or when constructed will not, comply with the Zoning Bylaw.

### **Non-conforming Site**

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

### **Non-conforming Use**

Means a lawful specific use:

- a) being made of land or a building, or intended to be made of a building lawfully under construction, or in respect of which all required permits have been issued, at the date the Zoning Bylaw or any amendment to the Zoning Bylaw or any amendment to the Zoning Bylaw affecting the land or building becomes effective; and
- b) that on the date the Zoning Bylaw or any amendment to the Zoning Bylaw becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued, will not comply with the Zoning Bylaw.

### **Nuisance**

Means anything that in the opinion of Council interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

### **Occupant**

Means a person residing at a property or a person entitled to the property's possession if there is no person residing there and a leaseholder.

### **Offensive or Objectionable**

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

### **Official Community Plan (OCP)**

Means the Official Community Plan Bylaw for the R.M. of LeRoy No. 339.

### **Open Space**

Means any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighbouring such open space, provided that such areas may be improved with only those buildings, structures and other improvements that are designed to be incidental to the natural openness of the land, but not including street, off-street parking areas, storm water facilities or any other areas required to be set aside for buffers or recreation areas by any other sections of this Zoning Bylaw.

### **Outfitting**

Means a business providing equipment, supplies, lodging, and often trained guides for hunting.

### **Owner**

Means any individual, firm, association, organization, co-partnership, corporation or trust having sufficient proprietary interest in the land to be developed in order to commence and maintain proceedings to subdivide the same under this Zoning Bylaw.

### **Parcel**

Means any quantity of land, consisting of one or more lots, that is capable of being described with such definiteness that its location and boundaries may be established.

### **Participant Recreation – Indoors**

Means a development providing facilities within an enclosed building for sports and active recreation where patrons are predominately participants and any spectators are incidental and attend on a non-recurring basis. Typical uses include, but are not limited to, athletic clubs, health and fitness clubs, recreational courses or training, curling, roller-skating and hockey rinks, swimming pools, and small bore rifle, pistol, or archery ranges, and racquet clubs.

### **Participant Recreation – Outdoors**

Means a development providing facilities, which are available to the public at large for sports and active recreation, conducted outdoors. This use class does not include amusement establishments. Typical uses include, but are not limited to, golf courses, driving ranges, ski hills, ski jumps, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, boating facilities, outdoor swimming pools, bowling greens, archery ranges, riding stables and fitness trails.

### **Parking – Off-Street**

Means accommodation for the parking of vehicles off a public road or highway.

### **Parking Lot**

Means an open area of land, other than a street, used for the temporary parking of more than four vehicles and available for public use whether cost-free, for a fee or for accommodation of clients or customers.

### **Parking Space (Stall)**

Means a space exclusive of driveway, ramps or columns, but including convenient access to a public lane or street, for the parking of one motor vehicle.

### **Performance Guaranty**

Means any security, in accordance with the requirements of this Zoning Bylaw, which may be accepted in lieu of a requirement that certain improvements be made before the R.M. approves a plan, including performance bonds, escrow agreements, letters of credit and other similar collateral or surety agreements.

### **Permit**

Means an official document or certificate issued by the authority having jurisdiction and authorizing performance of a specified activity.

### **Permitted Use**

Means the use of land, a building or other structure that is permitted in a district by this Zoning Bylaw and which conforms to the regulations applicable to the district in which the land, building or other structure is located.

### **Personal Service Establishment**

Means a development used for the provision of personal services to an individual, which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This use class includes barbershops, hairdressers, beauty salons, tanning salons, tailors, dressmakers, shoe repair shops, minor appliance repair shops and dry cleaning establishments and laundromats.

### **Police, Fire and Emergency Services**

Means a development, which is required for the public protection of persons and property from injury, harm or damage, together with the incidental storage of emergency equipment and vehicles. An establishment in which vehicles equipped for transporting the injured or sick are stored and which may contain living quarters, offices, to assist in the delivery of the service. Typical uses include police stations, fire stations and ancillary training facilities.

### **Principal Building**

Means a building which:

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

### **Principal Use**

Means the main purpose for which a building, structure or site is used.

### **Professional Office**

Means a development primarily used for the provision of professional services but does not include financial institutions and business support services, health services or government services. Typical uses include the offices of lawyers, accountants, financial advisers, engineers, architects and photographers.

### **Public Education Services**

Means development which is publicly supported or subsidized involving public assembly for educational, training or instruction purposes, and includes the administration offices required for the provision of such services on the same site. This use class includes public and separate schools, community colleges, universities and technical and vocational schools, and their administrative offices. This use class does not include commercial education facilities.

### **Public Park / Playground**

Means development of public land specifically designed or reserved for the general public for active or passive recreation and includes all natural and man-made landscaping, facilities, playing fields, buildings and other structures that are consistent with the general purposes of public parkland, whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements with the public authority owning the park. Typical uses include tot lots, picnic grounds, pedestrian trails and paths, landscaped buffers, playgrounds and water features.

### **Public Utility**

Means a government, municipality or corporation under Federal or Provincial statute which operates a public work.

### **Public Works**

Means:

- a) systems for the production, distribution or transmission of electricity;
- b) systems for the distribution, storage or transmission of natural gas or oil;
- c) facilities for the storage, transmission, treatment, distribution or supply of water;
- d) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- e) telephone, internet, cable television or light distribution or transmission lines;
- f) facilities for the collection, storage, movement and disposal of storm drainage; and
- g) temporary facilities, operations and related structures for the construction of public infrastructure.

### **Railway Facility**

Means an area containing a network of railway track and sidings for storage and maintenance of cars and engines. Includes spurs for loading and shipment of goods from adjacent commercial or industrial buildings.

### **Recreational Vehicle Sales / Rentals / Service**

Means a development used for the sale or rental of new or used motorhomes and recreational vehicles, together with incidental maintenance services and the sale of parts and accessories. This use class includes dealerships for the sale or rental of motor homes with a gross vehicle rating of 4,000 kilograms or greater.

### **Recycling Depot**

Means a development used for the buying and temporary storage of bottles, cans, newspapers, and similar household goods for reuse where all storage is contained within an enclosed building.

### **Religious Assembly**

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

### **Mineral Mines and Extraction Facilities**

Means operations and associated facilities related to the extraction of raw materials including, but not limited to: sand, gravel, clay, earth or mineralized rock found on or under a site. Such operations shall not be permitted within 0.5 km from a dwelling.

### **Residential Care Home**

Means a licensed or approved care home governed by Provincial regulations which is the primary place of residence of the care provider, that provides, in a residential setting, 24-hour care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual in which the number of residents, excluding staff, does not exceed four.

### **Restaurants and Drinking Establishment**

Means development where prepared food and beverages are offered for sale to the public from establishments which offer either eat-in, drive-through or take-out facilities. Typical uses include neighbourhood pubs, licensed restaurants, cafes, delicatessens, tearooms, lunchrooms, refreshment stands, take-out restaurants and catering services, fast-food eateries and banquet facilities.

### **Retail Store**

Means development used for the retail sale of groceries, baked goods, beverages, household goods, furniture and appliances, hardware, printed matter, confectionery, family video rentals, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment, stationery and similar goods from within an enclosed building. Minor public services, such as postal services and film processing depots are permitted within retail stores. This use class does not include developments used for the sale of gasoline, new or used vehicles, heavy agricultural and industrial equipment or second hand goods or developments defined as warehouse sales.

### **Roof**

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

### **Roof Structure**

Means any enclosed structure on or above the roof of any part of a building.

### **Screening**

Means the total or partial concealment of a structure or activity by a solid fence, wall, berm or soft landscaping.

### **Service Station**

Means a building or clearly defined space on a site for the retail sale of gasoline, lubricating oils and motor vehicle accessories, for the servicing and minor repairing of motor vehicles and for a restaurant or other eating establishment, but excluding motor vehicle sales lots as principal uses. All sales and storage of motor vehicle accessories or repairing and servicing shall be conducted within a building.

### **Setback**

Means the distance between the street line and the building line.

### **Setback Line**

Means the line that is established a minimum horizontal distance from the lot line and beyond which the building or part of a building is not permitted to extend toward the lot lines. All setbacks from public streets shall be measured from the proposed right-of-way width as shown on the adopted survey.

## Sign

Means any object, device, display, or structure or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. Signs do not include the flag or emblem of any nation, organizations of nations, provincial, Municipality or any fraternal organizations; merchandise, pictures or models of products or services incorporated in a window display; works of art which in no way identify a product; or scoreboards located on athletic fields. The following definitions refer to types of signs and interpretation of regulations relating to them:

- a) "Area of Sign" means the total surface area within the outer periphery of the said sign, and in the case of a sign comprised of individual letters or symbols shall be calculated as the area of a rectangle enclosing the letters or symbols. Frames and structural members not bearing advertising matter shall not be included in computation of surface area;
- b) "Billboard" means a structure, primarily self-supporting, which is used for the display of general advertising, the subject matter of which is not necessarily related to the use or ownership of the property on which the structure is located;
- c) "Fascia Sign" means a sign placed flat and parallel to the face of the building so that no part projects more than 0.5 m from the building;
- d) "Free-standing Sign" means a sign on a standard or column permanently attached to the ground and which is not connected in any way to any building or other structure;
- e) "Portable Sign" means a sign, excluding temporary signs, which can be carried or transported from one site to another. This includes electric and changeable copy;
- f) "Projecting Sign" means a sign, which is attached to a building or structure so that part of the sign projects more than 0.5 m from the face of the building or structure. This includes theatre marquees; and
- g) "Temporary Sign" means a sign or banner that is not permanently installed or affixed, advertising a product.

## Site

Means one or more contiguous lots under one title and used, or intended to be used, by a single principal use.

## Site Area

Means the area of the land contained within the boundaries of the site as shown on a plan.

## Site – Corner

Means a site at the intersection or junction of two or more streets and where a side site line may be separated from the street by a buffer strip.

## Site Coverage

Means that portion of the site that is covered by principal and accessory buildings.

## Site Depth

Means the average distance between the front and rear site lines and, in the case of a triangular site, the perpendicular distance from the front site line to the apex of the angle formed by the intersection of the side site lines.

### **Site Frontage**

- a) for rectangular sites: means the horizontal distance between the side site lines of the site measured along the front site line.
- b) for non-rectangular sites: means the average of the horizontal distances between the side site lines of the site measured along the front and rear site lines.

### **Site – Interior**

Means a site other than a corner site.

### **Site – Through**

Means a site not more than one lot in depth, having a frontage on two streets more or less parallel.

### **Site Line – Front**

Means the boundary at the front of the site.

### **Site Line – Rear**

Means the boundary at the rear of the site and opposite the front site line.

### **Site Line – Side**

Means a site boundary other than a front or rear site line.

### **Site Plan**

Means a plan, to scale, showing uses and structures proposed for a parcel of land. It includes lot lines, streets, building sites, preserved open space, buildings, major landscape features, and locations of proposed utility lines.

### **Sight Triangle**

Means the portion of land being bounded by the street lines for a distance to be determined by the Development Officer from their common point of intersection and the diagonal which joins the two extreme points.

### **Site Width**

Means the average distance between the side site lines and, in the case of a triangular site, the perpendicular distance from the one side site line to the apex of the angle formed by the intersection of the front and rear site lines.

### **Storey**

Means that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it.

### **Storey, First (Main Floor)**

Means the storey with its floor closest to grade and having its ceiling 1.5 m or more above grade.

### **Storey, Half**

Means a storey of which two opposite exterior walls are not more than 1.2 m in height.

### **Storey, Second**

Means the storey located immediately above the first storey.



## Street

Means a public thoroughfare, which affords the principal means of access to abutting properties. By type means:

- a) "arterial street", a street that serves major traffic flows between the principal areas of traffic generation with direct access to adjacent development being limited;
- b) "collector street", a street that serves traffic between local and arterial streets with access to adjacent development generally allowed;
- c) "local street", a street providing direct access to abutting properties along its length and not intended to carry through traffic, other than to adjoining streets;
- d) "minor street" means a local street not exceeding 500 m in length (includes a cul-de-sac).

## Storage Compound / Facility

Means a development used for the enclosed interior or screened and enclosed exterior storage of vehicles, personal items, or products.

## Structure

Means anything constructed or erected that is located on or in the ground or attached to something located on or in the ground but not including pavements, walks, curbs, open air surfaced areas.

## Subdivision

Means the division of a lot, tract or parcel of land into two or more lots, tracts, parcels, or other divisions of land for sale or development.

## Swimming Pool

Means an artificially created basin intended to contain water for the use of persons for swimming, diving, wading or other similar activity, which is at least 600 mm in depth, and includes pools situated on top of the ground and hot tubs.

## Telecommunications Facility

Means:

- a) microwave towers, including mobile (cellular) phone towers and associated facilities;
- b) internet receiving and/or transmittal towers and associated facilities;
- c) radar stations;
- d) radio and television towers and associated facilities; and
- e) any other tower or structure used for receiving and/or transmitting electromagnetic radiation.

## Temporary Relocatable Work Camp

Means the development of one or more buildings for the purposes of housing workers of various contracting firms on a temporary basis, generally less than 10 years in length. This may include sleeping, food preparation, recreation, administration and parking areas required for the functioning of the camp. Typically, this use will be required to support the short-term housing demands of large-scale resource-based construction workforce for projects such as the commissioning or expansion of a mine or seasonal paving crews.

## Trailer Coach

Means 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.

## Use

Means the purpose for which land, a building or other structure is arranged, designed or intended, or for which either land, a building or other structure may be occupied or maintained.

## Vacation Farm

Means 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 rental accommodation in the principal residential dwelling unit 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.

## Veterinary Clinic

Means a place for the care and treatment of small and/or large animals involving out-patient care and medical procedures involving hospitalization, and may include the temporary keeping of animals in outdoor pens.

## Waste Management or Disposal Facility – Liquid

Means a facility to accommodate any waste which contains animal, mineral or vegetable matter in solution or suspension, but does not include a manure storage area for an intensive livestock operation.

## Waste Management or Disposal Facility – Solid

Means a facility, not including a waste transfer station, 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.

## Watercourse

Means any natural depression with visible banks, or wetland with or without visible banks, which contain water at some time; and include any lake, river, stream, creek, spring, swamp, gulch or surface source of water whether containing fish or not; and include intermittent streams; and includes surface drainage works.

## Warehouse Facility

Means a development used for the indoor storage and/or distribution of goods and merchandise, excluding any hazardous materials.

## Warehouse Sales

Means development used for the wholesale or retail sale of a limited range of bulky goods from within an enclosed building where the size and nature of the principal goods being sold typically require large floor areas for direct display to the purchaser or consumer. This use class includes developments where principal goods being sold are such bulky items as furniture, carpet, major appliances and building materials. This use class also includes developments used for the retail sale of food or a broad range of goods for personal or household use.

## Wind Turbine

Means a device that converts kinetic energy of the wind into rotational energy to turn an electrical generator shaft. A wind turbine typically consists of a rotor, nacelle and supporting tower. The height of a wind turbine tower is measured from the base of the tower foundation to the highest point of the blades at their apex.

### **Yard**

Means a part of a lot upon or over which no building or structure other than a boundary fence is erected, unless otherwise hereinafter permitted.

### **Yard – Front**

Means a yard extending across the full width of a lot and situated between the front lot line and the nearest portion of the building.

### **Yard – Rear**

Means a yard extending across the full width of a lot and situated between the rear lot line and the nearest portion of the building.

### **Yard – Side**

Means a yard extending across the front yard to the rear yard and situated between the side lot lines and the nearest portion of the building.

### **Zoning Districts Map**

Means the map delineating the boundaries of the districts set out in this Zoning Bylaw and marked "Schedule Z-1 – Rural Municipality of LeRoy Zoning Districts Map".

## **Section 3.0 ADMINISTRATION & ENFORCEMENT**

### **Section 3.1**

#### **AUTHORITY AND RESPONSIBILITY OF THE DEVELOPMENT OFFICER**

##### 3.1.1

A duly authorized Development Officer shall administer this Zoning Bylaw.

##### 3.1.2

The Administrator for the Rural Municipality of LeRoy shall be the Development Officer responsible for the administration of this Zoning Bylaw and in their absence by such other persons as the Council designates from time to time. The Administrator may appoint a Development Officer subject to the approval of Council to whom duties in the administration of the Zoning Bylaw may be delegated.

### **Section 3.2**

#### **DEVELOPMENT PERMIT APPLICATIONS: PERMITTED USES**

##### 3.2.1

Applications for a development permit shall be submitted to the Development Officer in accordance with the requirements of this Zoning Bylaw.

##### 3.2.2

All applications for a development permit shall be submitted on the prescribed form (see Part D). Applications shall include all required information, and a non-refundable application fee, in accordance with Schedule A.

##### 3.2.3

All applications for a development permit shall include a scaled site plan showing, in detail, the following at a minimum:

- a) boundaries of the parcel including approximate dimensions;
- b) location and dimensions of existing buildings and structures;
- c) location of proposed activity on the property including proposed buildings and structures and distances from the property boundaries;
- d) location of all existing and proposed utilities; and
- e) location of all existing and proposed approaches, driveways, parking, and outdoor storage areas.

##### 3.2.4

The Development Officer shall issue a development permit for a permitted use that complies in all respects with the requirements of this Zoning Bylaw, other applicable Municipal bylaws, the R.M of LeRoy OCP, Statements of Provincial Interest and the Act, and all amendments thereto.

##### 3.2.5

The Development Officer shall not issue a development permit if the proposed development does not meet the requirements of this Zoning Bylaw for the zoning district in which the development is located.

##### 3.2.6

Where an application for a development permit for a permitted use is not approved, the applicant shall be notified accordingly of the reasons for refusal (in writing) and shall be advised of any rights to appeal that refusal to the Development Appeals Board, subject to the provisions of the Act.

### 3.2.7

No Development Permit shall be valid unless it conforms with the Zoning Bylaw and the provisions of the Act, and all amendments thereto.

### 3.2.8

Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.

### 3.2.9

The Development Officer is hereby authorized, after reasonable notice to the owner or occupant or apparent occupant of the property in question, to enter at all reasonable hours for the purposes of inspection.

### 3.2.10

The Development Officer may revoke a development permit where:

- a) the development permit has been issued in error;
- b) an approved development is not being developed or operated in accordance with the provisions of this Zoning Bylaw, or in accordance with the standards and conditions specified in the development permit; or
- c) a development is subject to an agreement that has been canceled by Council pursuant to the Act.

### 3.2.11

The Development Officer shall give the reasons for denying or revoking a development permit.

### 3.2.12

If the development authorized by a development permit is not substantially commenced within one year from the date of issue, the permit shall be expired.

## **Section 3.3**

### **NO DEVELOPMENT PERMIT REQUIRED**

A development permit is not required for the following activities, subject to conformance with all applicable provisions of this and other Municipal Bylaws and policies:

#### 3.3.1

The construction of a single storey accessory building with a gross floor area of 9.5 m<sup>2</sup> or less.

#### 3.3.2

Any facility installed and operated by the Rural Municipality.

#### 3.3.3

The erection of any fence or gate.

#### 3.3.4

The development of a temporary building, the sole purpose of which is incidental to the erection, alteration, or marketing of a building for which a development permit has been issued and is still valid.

#### 3.3.5

The carrying out of works of maintenance or repair to any building, if such works do not include structural alteration or major works or renovations, i.e. electrical, gas.

### 3.3.6

The use of any building or land attached to or used in conjunction with a dwelling for any purpose incidental to the enjoyment of the dwelling as such.

### 3.3.7

Maintenance and repair of public works.

### 3.3.8

The establishment of a home based business provided it complies with all other Bylaw requirements.

### 3.3.9

The erection of farm buildings and structures where accessory to a permitted agricultural use, but excluding any intensive livestock operation structure or any new farm dwelling. Farm dwellings require a development permit.

## **Section 3.4 MINOR VARIANCES**

### 3.4.1

All applications for a minor variance shall be submitted on the prescribed form and shall include a non-refundable application fee.

### 3.4.2

The Development Officer is authorized to approve, deny, or approve with conditions, any applications for minor variances, pursuant and subject to the Act. The conditions for doing so are outlined as follows:

- a) a minor variance may be granted for variation of:
  - 1) the minimum required distance of a building from the lot line; and
  - 2) the minimum required distance of a building to any other building on the lot.
- b) the maximum amount of the variance for the above shall be 10% of this Zoning Bylaw's requirements;
- c) the development shall conform to this Zoning Bylaw with respect to the use of land;
- d) the relaxation of this Zoning Bylaw shall not injuriously affect neighbouring properties; and
- e) no minor variance shall be granted for a discretionary use or discretionary form of development, or in connection with an agreement on rezoning entered into pursuant to the Act.

### 3.4.3

On receipt of an application for minor variance, the Development Officer shall:

- a) approve the minor variance;
- b) approve the minor variance and impose terms and conditions;
- c) refuse the minor variance; or
- d) refer the matter to Council.

### 3.4.4

Where the Development Officer imposes terms or conditions on an approval pursuant to subsection 3.4.3, the terms and conditions shall be consistent with the general development standards of this Zoning Bylaw.

### 3.4.5

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

#### 3.4.6

Where an application for a minor variance is approved, with or without terms and conditions being imposed, the Development Officer shall provide written notice to the applicant and to the assessed owners of property having a common boundary with the applicant's land that is the subject of the application.

#### 3.4.7

The written notice required pursuant to subsection 3.4.6 shall:

- a) contain a summary of the application for minor variance;
- b) provide a reason for and an effective date of the decision;
- c) indicate that an adjoining assessed owner may, within 20 days, lodge a written objection with the Development Officer; and
- d) where there is an objection described in clause (c), advise that the applicant will be notified of the right of appeal to the Development Appeals Board.

#### 3.4.8

The written notice required pursuant to subsection 3.4.6 shall be delivered by registered mail or personal service.

#### 3.4.9

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

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

#### 3.4.10

If an assessed owner of property having a common boundary with the applicant's land that is the subject of the application objects in writing to the Development Officer respecting the approval of the minor variance within the time periods prescribed in subsection 3.4.9, the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:

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

#### 3.4.11

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

## **Section 3.5**

### **DEVELOPMENT PERMIT APPLICATIONS: DISCRETIONARY USES**

#### 3.5.1

Council shall consider development applications for discretionary uses in accordance with the Act, and subject to the following regulations as outlined below.

#### 3.5.2

All applications made for a development permit with respect to a discretionary use shall be submitted on the prescribed form, shall include all required information, and shall include a non-refundable application fee, in accordance with Schedule A.

#### 3.5.3

In addition to the requirements of a development permit for a permitted use the Development Officer may require a letter describing the following aspects a discretionary use:

- a) an estimation of traffic volumes generated to the property as a result of the proposed use;
- b) lighting and signage requirements including identifying their location on the site plan;
- c) operational details including projected number of employees, seasons, days, and hours of operation;
- d) identification of safeguards that may be required to minimize nuisances to adjacent properties including dust, noise, and odours;
- e) identification of the source and assessment capacity of the available water supply to accommodate the proposed use; and
- f) method of disposal of solid and liquid waste generated from the use.

#### 3.5.4

The discretionary use application may be referred by the Development Officer to:

- a) any Municipal Department for review and comment; and
- b) Council for authorization to proceed with advertising and to establish a date for a public hearing to be held prior to final approval.

#### 3.5.5

All discretionary use applications are required to be posted once in the Municipal office prior to final approval by Council.

#### 3.5.6

All assessed landowners within 75 m of the boundary of the site for which application is being made shall be notified by registered mail or personal service of the application, and the date on which Council will hold a public hearing regarding the application. If, in the opinion of the Development Officer, it is warranted to notify assessed landowners within a greater distance of the boundary of the site, a wider notification may be required. All notification costs shall be borne by the applicant.

#### 3.5.7

At least seven days' notice shall be provided before the application is to be considered by Council.

All public notification shall contain the following information:

- a) the legal description and civic address of the land which is the subject of the application;
- b) the purpose of the proposed application; and
- c) the date, place, and time that Council will hold a public hearing on the application.

#### 3.5.8

Council will apply the following general criteria in the assessment of the suitability of an application for a discretionary use or discretionary form of development:

- a) the proposal must be in conformance with all relevant sections of the OCP and this Bylaw.



- b) site layout and density:
  - 1) the scale and intensity of the proposed use must be relatively consistent with uses allowed in the Zoning District and with any existing uses and developments in the vicinity of the proposal;
  - 2) the size and location of buildings and improvements is to comply with the regulations set out in the Zoning District;
  - 3) any outside storage areas will be appropriately buffered and screened from adjoining land uses;
  - 4) retention or provision of vegetation and landscaping to enhance the appearance of the site; and
  - 5) signs will comply with sign requirements for the Zoning District and proposed use.
- c) the use must be capable of being serviced with existing municipal infrastructure, including:
  - 1) water in terms of consumption and demand;
  - 2) sewer in terms of volume generated;
  - 3) storm drainage in terms of volume and where directed;
  - 4) solid waste in terms of volume and types created;
  - 5) utilities;
  - 6) schools; and
  - 7) roadways.
- d) traffic generation:
  - 1) the volume and vehicle type of traffic generated by the use will not vary significantly from the existing traffic type and volume in the area;
  - 2) parking requirements for the use will not vary significantly from other uses in the vicinity; and
  - 3) access to and from the site must be located appropriately to avoid any traffic hazards.
- e) environmental and public safety:
  - 1) types and volumes of goods and materials to be kept or stored on site must not pose any danger to the surrounding properties;
  - 2) emissions from the use in terms of noise, dust, odour, light will not adversely affect the environment or adjoining land uses;
  - 3) storm water runoff from the site will not adversely affect surface or ground water;
  - 4) fire protection requirements will not be significantly different than that required for surrounding uses;
  - 5) fuel wood or timber should be salvaged where appropriate; and
  - 6) preservation of existing wildlife habitat and wetlands should be considered.
- f) consultations:
  - 1) Council will consider any comments received from the public relative to the proposal; and
  - 2) evidence of any applicable permit or approvals from the Ministries of Highways and Infrastructure, Environment, or Health.
- g) impact mitigation:
  - 1) if the proposed use will create any negative effects in relation to the above criteria, consideration will be given to any measures that may mitigate those effects in making a decision on the proposal.

### 3.5.9

Council, after considering:

- a) the requirements of Section 3.5.8;
- b) any representations made at the public hearing;
- c) the OCP, or other regulatory plan or bylaw affecting the application and the provisions of this Zoning Bylaw;
- d) any other relevant information and documents, may proceed to:
  - 1) reject the application;
  - 2) approve the application;
  - 3) approve the application for a limited time; or

4) approve the application with specific development standards.

3.5.10

If Council refuses a discretionary use application, the Municipality shall not accept another application on the same land for the same or similar purpose until six months have passed after the date of such refusal.

3.5.11

Where an application is received for multiple discretionary uses on the same site, the necessary advertising and review process may be completed together and concurrently at the discretion of the Development Officer. If however, in the opinion of the Development Officer the two uses require a separate review, they may be advertised and reviewed both separately, and/or consecutively.

3.5.12

Upon approval of a discretionary use by Council, the Development Officer shall issue a development permit for the discretionary use at the location or locations and under the conditions specified by Council in its approval.

3.5.13

Where Council does not approve an application for a development permit for a discretionary use, the decision by Council is final and binding, and the applicant shall be notified in writing of the decision by the Development Officer.

3.5.14

Where an application for a discretionary use has been approved by Council with prescribed development standards and the applicant is of the opinion that the development standards prescribed exceed those necessary to secure the objectives of the Zoning Bylaw, the applicant may, within 30 days of the date of Council's approval, appeal those development standards which have been prescribed to the Development Appeals Board.

3.5.15

Within any district, any existing use of land, building or structure which is listed as a discretionary use within the district shall not, as a result of the passage of this Zoning Bylaw, be non-conforming but shall be a permitted use at that location. The use of the land, building or structure at the location shall not be changed except in conformity with this Zoning Bylaw.

3.5.16

Discretionary uses shall comply with the development standards for each Zoning District, as well as the Special Use Provisions (where applicable) that apply to each use, building or structure.

3.5.17

Discretionary Use Development Standards

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

- a) site drainage of storm water;
- b) the location of buildings with respect to buildings on adjacent properties;
- c) access to, number and location of Parking and loading facilities;
- d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
- e) control of noise, glare, dust, and odor; and
- f) landscaping, screening, and fencing to buffer adjacent properties.

## **Section 3.6 ZONING BYLAW COMPLIANCE CERTIFICATE**

### **3.6.1**

All applications for a Zoning Compliance Certificate shall be submitted on the prescribed form and shall include a non-refundable application fee, in accordance with Schedule A.

### **3.6.2**

The Development Officer may issue a Zoning Bylaw Compliance Certificate for any use, building or structure which is in conformance with this Zoning Bylaw or is deemed to be a legal non-conforming use, building or structure.

### **3.6.3**

The applicant for a Zoning Bylaw Compliance Certificate may be required to provide the Development Officer with information regarding the existing and past use of the land or buildings on the property, and a real property report prepared by a registered Saskatchewan Land Surveyor.

## **Section 3.7 AMENDING THE ZONING BYLAW**

### **3.7.1**

Council may amend this Zoning Bylaw in accordance with the Act.

### **3.7.2**

All applications for a Zoning Bylaw amendment shall be submitted on the prescribed form and shall (if for a purpose other than a clarification of an existing provision of this Zoning Bylaw) include a non-refundable application fee, in accordance with Schedule A.

### **3.7.3**

Applications for amendments to this Zoning Bylaw shall be submitted on the prescribed form, stating:

- a) reasons in support of the amendment;
- b) the legal description and civic address of the property as well as the contact information of the applicant and the registered owners of the property; and
- c) information regarding the surrounding land uses.

### **3.7.4**

At the discretion of the Development Officer, additional information may be required in order for Council to make a decision on the application.

### **3.7.5**

The amendment application may be referred by the Development Officer to:

- a) any Municipal Department for review and comment; and
- b) Council for first and second reading and to establish a date for a public hearing to be held prior to third reading.

### **3.7.6**

All amendment applications are required to be advertised once per week for two successive weeks in a newspaper circulating within the Municipality prior to third reading by Council. The first notice shall be placed no earlier than 21 days prior to the date set by Council for a public hearing regarding the proposed amendment. All advertising costs are to be borne by the applicant.

### 3.7.7

If the amendment involves the rezoning of land to a different zoning district, all land owners within 75 m of the boundary of the site for which application is being made shall be notified by registered mail of the application, and the date on which Council will hold a public hearing regarding the application. If, in the opinion of the Development Officer, it is warranted to notify assessed landowners within a greater distance of the boundary of the site, a wider notification may be required. All notification costs shall be borne by the applicant.

### 3.7.8

All public notification shall contain the following information:

- a) the legal description and civic address of the land which is the subject of the application (if applicable);
- b) the purpose of the proposed amendment;
- c) one or more places where a copy of the proposed amendment may be inspected by the public during reasonable hours;
- d) the date, place, and time that Council will hold a public hearing on the proposed amendment; and
- e) an outline of the procedures to be followed by anyone wishing to be heard at the public hearing.

### 3.7.9

Council, after considering any representations made at the public hearing, other relevant information and documentation, and/or the OCP, or other regulatory plan or bylaw affecting the application and the provisions of this Zoning Bylaw, may proceed to alter the proposed amendment, pass the proposed amendment, defer the amendment application for more information, or defeat the proposed amendment.

### 3.7.10

Any alterations to the amendment application are required to be re-advertised in accordance with Section 3.7.6 of this Zoning Bylaw and the Act.

### 3.7.11

If Council refuses an application for an amendment, the Municipality shall not accept another application on the same land for the same or similar purpose until six months have passed after the date of such refusal.

### 3.7.12

If deemed necessary, and in accordance with the provisions of the Act, the Municipality may initiate an amendment to this Zoning Bylaw affecting any parcel of land without the owner's consent.

### 3.7.13

Pursuant to Section 3.7.10, Council shall, prior to consideration of an application, notify the affected landowner in writing of the proposed amendment and provide a summary of the effects of the amendment.

## **Section 3.8 SUBDIVISIONS**

### 3.8.1

All applicants for subdivision should contact the Community Planning Branch of Saskatchewan Ministry of Government Relations.

## **Section 3.9 DEVELOPMENT AGREEMENTS**

### **3.9.1**

Pursuant to the Act, Council may authorize the use of development levies by adopting a Development Levies Bylaw. The purpose of the Development Levies Bylaw shall be to recover all or part of the municipality's capital costs of providing, altering, expanding or upgrading the following services associated, either directly or indirectly, with a proposed development:

- a) sewage, water, or drainage works;
- b) public highways and other municipal roads;
- c) parks; and
- d) recreational facilities.

## **Section 3.10 DEVELOPMENT APPEALS BOARD**

### **3.10.1**

Council shall appoint a Development Appeals Board or a District Development Appeals Board to hear appeals pursuant to and in accordance with the provisions of the Act.

### **3.10.2**

The Development Officer shall make available to all interested persons copies of the provisions of the Act, respecting decisions of the Development Officer and the right of appeal.

## **Section 3.11 NON-CONFORMING BUILDINGS AND USES**

### **3.11.1**

Any building or structure lawfully existing at the time of passing this Zoning Bylaw that is rendered non-conforming by the enactment of this Zoning Bylaw or any subsequent amendments, may be continued, transferred, or sold.

### **3.11.2**

Any use lawfully existing at the time of passing this Zoning Bylaw that is rendered non-conforming by the enactment of this Zoning Bylaw or any subsequent amendments, may be continued; but, where that use is discontinued for a period of at least 12 consecutive months, any future use of the land or building shall conform with any current Zoning Bylaw.

### **3.11.3**

A non-conforming use of part of a building may be extended throughout the building but the building, whether or not it is a non-conforming building, shall not be enlarged or added to and no structural alterations except those required by statute or bylaw are to be made to or in that building. Repairs, maintenance or installation that do not alter the size of the building or involve the rearrangement or replacement of structural supporting elements are not considered to be structural alterations.

### **3.11.4**

Any non-conforming building may continue to be used and any structural alterations and additions, which conform to the requirements of this Zoning Bylaw, may be made, but the element of non-conformity is not to be increased by those alterations or additions.

3.11.5

Where the extent of damage to a non-conforming building is more than 50% of the value of the building above its foundation, the building is not to be repaired or rebuilt except in accordance with this Zoning Bylaw.

## **Section 3.12 OFFENSES AND PENALTIES**

3.12.1

All offenses and penalties shall be subject to the provisions of the Act.

## **Section 3.13 ENFORCEMENT**

3.13.1

The Development Officer is authorized to undertake necessary actions in order to ensure compliance with this Zoning Bylaw, pursuant to the Act.

# Part B – Provisions & Regulations

## Section 4.0 GENERAL PROVISIONS

### Section 4.1 MOVED BUILDINGS

#### 4.1.1

No building shall be moved within, or into the Rural Municipality, without first obtaining a Development Permit from the Development Officer.

### Section 4.2 DEVELOPMENT ON HAZARD LANDS

#### 4.2.1

Where a proposed development of a building is to be located on land within 150 m of an area defined in the District Official Community Plan, the OCP, or any other land identified in consultation with the Saskatchewan Water Authority (SWA) as potential hazard land, the Development Officer shall require the applicant to submit sufficient topographic information to determine if the development will be within:

- a) the 1:500 flood hazard level; or
- b) 50 m of any slope that may be unstable.

#### 4.2.2

The Development Officer may require that, before a Development Permit be issued on hazard lands, the applicant submit a report prepared by a professional competent to assess the suitability of the site for a development described in 4.2.1 above and, which in the opinion of the Development Officer, shows that the proposed site and development is suitable with respect to the following where relevant:

- a) the potential for slope instability;
- b) the required mitigation measures for construction on slopes; and
- c) the required mitigation measures for construction on areas of high water tables.

#### 4.2.3

The Development Officer shall require that before a permit is issued on hazard lands, in flood risk areas, as identified in 4.2.1(a) above, development shall be subject to the following:

- a) all development, redevelopment or major alterations and additions shall be adequately flood proofed to at least 0.5 m above the provincial safe building elevation;
- b) the bottom of the joists on the first floor, or the bottom surface of the slab on grade, of the building or structure shall be at least 0.5 m above the provincial safe building elevation;
- c) basements are prohibited, except where flood proofing is undertaken. The basement shall be designed to withstand any forces generated by flood water up to and including 0.5 m above the provincial safe building elevation;
- d) plumbing outlets may be permitted in basement below the provincial safe building elevation, provided they contain an automatic shut-off valve approved by the Plumbing Inspector;
- e) electrical outlets may be permitted in basements below the provincial safe building elevation, provided they contain an independent switch for each outlet. The main switch box, heating plants and air conditioning units shall be located above the provincial safe building elevation level plus 0.5 m freeboard; and
- f) foundations and walls of any building or structure shall be adequately flood proofed to at least 0.5 m above the provincial safe building elevation. All plans for development such shall be certified by a Professional Engineer or Architect.

## **Section 4.3 DISPOSAL OF MANURE**

### **4.3.1**

As a condition of approval for a development involving the disposal of manure, Council may:

- a) specify land which may, or may not, be used for the disposal of manure from an intensive livestock operation by spreading of manure, in order to minimize potential land use conflicts such as residences, planned residential development, recreational areas, tourist sites, etc.; and
- b) require manure to be incorporated into the soil within 72 hours of spreading, unless such incorporation is prevented by adverse weather conditions, in which case incorporation shall take place as soon as practical thereafter or by any other normal acceptable agricultural practice that Council may approve.

## **Section 4.4 ONE PRINCIPAL BUILDING OR USE PERMITTED ON A SITE**

### **4.4.1**

Not more than one principal building or use shall be permitted on any one site except for:

- a) public utility uses;
- b) institutional uses;
- c) agricultural uses; and
- d) accessory uses as specifically provided for in this Zoning Bylaw.

## **Section 4.5 PUBLIC UTILITIES, PIPELINES, AND FACILITIES OF THE MUNICIPALITY**

### **4.5.1**

Public utilities and facilities of the municipality, except solid and liquid waste disposal sites, shall be permitted uses in every zoning district, and unless otherwise specified by this Zoning Bylaw, no minimum site area or yard requirements shall apply.

### **4.5.2**

Where a pipeline, or other utility or transportation facility, will cross a municipal road, Council may apply such special design standards as it considers necessary to protect the municipal interest in the existing and future improvements to the road.

## **Section 4.6 SIGNS AND BILLBOARDS**

### **4.6.1**

Signs located in a highway sign corridor shall be regulated entirely by the requirements of "*The Provincial Highway Sign Control Regulations, 2012*" or amendments thereto, and subsection 4.6.2 shall not apply.

### **4.6.2**

Signs other than those located in a Highway Sign Corridor shall comply with the following:

- a) all signs situated along a highway are required to comply with "*The Provincial Highway Sign Control Regulations, 2012*" as may be amended from time to time;
- b) any sign located in other than in a highway sign corridor, may only advertise agricultural commercial uses, home based businesses, the principal use of a site, or the principal products offered for sale on a premises;
- c) a maximum of two advertising signs is permitted on any site, or quarter section;



- d) government signs, memorial signs, and directional signs that bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs, do not require a permit;
- e) temporary signs and real estate signs are permitted only as long as the temporary condition exists for the property;
- f) billboard and other off site advertising signs are prohibited, except in a highway sign corridor; and
- g) all private signs shall be located so that no part of the sign is over a public right of way.

## **Section 4.7 SOLID AND LIQUID WASTE DISPOSAL FACILITIES**

### **4.7.1**

Development and maintenance of a solid or liquid waste disposal facility will be subject to the following special standards as may be specified by Council on issuing a permit:

- a) a buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area; and
- b) any solid or liquid waste disposal facility shall be fenced.

## **Section 4.8 STORAGE OF VEHICLES**

### **4.8.1**

Except for Junk and Salvage Yards, no person shall use any site in any district, for the parking or storage outside of an enclosed building of more than 4 vehicles that are not in running order.

### **4.8.2**

This section shall not apply to junk and salvage yards.

### **4.8.3**

Council shall require that such vehicles be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof.

## Section 5.0 PARKING AND LOADING PROVISIONS

### Section 5.1 OFF-STREET PARKING

#### 5.1.1 Parking Standards

When any new development is commenced or when any existing development is enlarged or existing use changed, provision shall be made for off-street vehicular parking spaces in accordance with the standards described in the table below.

<i>Building or Site Use</i>	<i>Minimum Number of Spaces</i>
<b><i>Residential Use</i></b>	1 per dwelling unit
<b><i>Public and Community Use</i></b>	
Elementary Schools	1 per classroom
High Schools	4 per classroom
Hospitals	1 per 3 beds
Special Care Homes	1 per 5 beds
Community Halls	4 per 10 seats or 9.0 m <sup>2</sup> of gross floor area
Churches and Places of Worship	4 per 10 seats
Cultural Institutions	1 per 35 seats or 9.0 m <sup>2</sup> of gross floor area
Theatres	1 per 4 seats
Clubs	1 per 45 m <sup>2</sup> of gross floor area
<b><i>Recreational Use</i></b>	
Arena	1 per 25 seats
Curling Rink	4 per sheet of ice
Other	1 per 45 m <sup>2</sup> of gross floor area
<b><i>Commercial Use</i></b>	
Offices	1 per 45 m <sup>2</sup> of gross floor area
Restaurants and Cafes	1 per 4 seats
Bed and Breakfasts and Vacation Farms	1 per rentable room
Other Commercial	1 per 45 m <sup>2</sup> of gross floor area
<b><i>Industrial Use</i></b>	
Warehousing	1 per 90 m <sup>2</sup> of gross floor area
Other Industrial	1 per 55 m <sup>2</sup> of gross floor area or 1 per employee
<b><i>Agricultural Use</i></b>	No minimum parking requirements

#### 5.1.2 Parking for Non-Residential Uses

Where in this Zoning Bylaw parking facilities are required for other than detached dwellings, the parking area shall:

- a) have visible boundaries and be suitably drained;
- b) be provided on the same site;
- c) Individual parking spaces shall have:
  - 1) a minimum width of 2.5 m and a minimum length of 5.5 m;
  - 2) clearly-marked approaches or driveways and be defined by a fence, curb or other suitable boundary designed to provide a neat appearance;
  - 3) an entrance driveway with minimum width of 7.5 m; and
  - 4) be constructed so that the location of vehicular approach ramps or driveways at the street line are no closer than 7.5 m from the point of intersection of two property lines at a street intersection.

### 5.1.3 Parking for Residential Uses

Where in this Zoning Bylaw parking facilities are required for single detached and bare land condominium dwelling units, the parking area shall;

- a) be provided on the same site;
- b) have a minimum required area for each parking space of 15 m<sup>2</sup>, a minimum width of 2.5 m, and a minimum length of 5.5 m; and
- c) be constructed so that the location of vehicular approach ramps or driveways at the street line are no closer than 7.5 m from the point of intersection of two property lines at a street intersection.

## Section 5.2 LOADING PROVISIONS

### 5.2.1

When any new commercial or industrial development occurs or when any existing commercial or industrial use is changed, enlarged or increased in capacity, a minimum of one off-street vehicular loading and unloading space shall be provided and maintained in accordance with the following provisions:

- a) the minimum size for an off-street loading space shall be:
  - 1) for buildings with a gross floor area of 1400 m<sup>2</sup> or less, a minimum area of 17 m<sup>2</sup> and a minimum width of 3.0 m; and
  - 2) for buildings with a gross floor area of more than 1400 m<sup>2</sup>, a minimum area of 33.5 m<sup>2</sup>, a minimum width of 3.0 m and minimum clear height of 4.25 m.
- b) loading spaces must be located either within or abutting the building containing the use;
- c) no loading spaces shall be provided within a minimum front yard;
- d) loading spaces provided within the minimum side yard shall be open and uncovered; and
- e) if an applicant can demonstrate, to the satisfaction of the Development Officer, by nature of the proposed use, that loading and unloading are not required; these provisions may be waived by the Development Officer.

## **Section 6.0 LANDSCAPING PROVISIONS**

### **Section 6.1 GENERAL PROVISIONS**

#### **6.1.1**

Where a site is within a Hamlet district, the front and side yards shall be landscaped to the satisfaction of Council or the Development Officer.

## **Section 7.0 SPECIAL USE PROVISIONS**

### **Section 7.1 BED AND BREAKFAST AND VACATION FARMS**

#### 7.1.1

Vacation farms shall be accessory to an agricultural farm operation and located on the same site as a farmstead, and may include bed and breakfast, cabins, and overnight camping areas.

#### 7.1.2

Council may specify the maximum number of cabins permitted as part of a vacation farm operation.

#### 7.1.3

On-site signs shall be permitted in accordance with Section 4.6. Off-site signs not exceeding 0.5 m<sup>2</sup> may be permitted at the discretion of Council where necessary to provide directions from a highway to the operation.

#### 7.1.4

Vacation farms and bed-and-breakfast operations shall be licensed pursuant to *The Public Health Act*, where tourist accommodations require health approval.

#### 7.1.5

Bed-and-breakfast operations shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead or residence; or located in a dwelling accessory to and established on the same site as the host principal residence.

### **Section 7.2 CAMPGROUNDS**

#### 7.2.1

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

#### 7.2.2

A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 m, which shall contain no buildings.

#### 7.2.3

No portion of any campsite shall be located within a roadway or required buffer area.

#### 7.2.4

Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.

#### 7.2.5

Each trailer coach shall be located at least 4.5 m from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.

#### 7.2.6

The space provided for roadways within a campground shall be at least 7.5 m in width. No portion of any campsite, other use or structure shall be located in any roadway.

#### 7.2.7

A campground may include as accessory uses a Laundromat or a confectionery designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.

#### 7.2.8

*The Public Health Act*, and the Regulations passed there under, shall be complied with in respect to all operations and development of the campground.

### **Section 7.3 FAMILY CHILD CARE HOMES**

#### 7.3.1

Family child care homes may be approved as an accessory use in a single detached dwelling and are subject to the following regulations:

- a) all family child care homes must be licensed and approved under Provincial statutes;
- b) all family child care homes must be inspected and approved by the Fire Inspector and the Building Inspector in order to ensure compliance with the National Building Code, and are subject to re-inspection at any reasonable time thereafter;
- c) all family child care homes shall provide at least 3.25 m<sup>2</sup> of fenced on-site outdoor play space, suitably maintained, for each child present in the home at any one time;
- d) an operator of a family child care home may have up to two persons who reside outside the dwelling employed, with or without compensation, in the operation of the family child care home, provided that one parking stall for the dwelling and one parking stall for every two employees is provided on the property; and
- e) in addition to the development standards of the zoning district, family child care homes that are listed as discretionary uses shall be reviewed and considered in accordance with Section 3.5 of the Zoning Bylaw.

### **Section 7.4 HOME BASED BUSINESSES**

#### 7.4.1

Home based businesses shall clearly be uses accessory to the use of a farmstead as an agricultural operation or the dwelling unit as a private residence.

#### 7.4.2

Home based businesses shall cause no variation in the residential or residential farm character and appearance of the dwelling, accessory residential building, or land shall be permitted, except for permitted signs.

#### 7.4.3

All permits issued for home based business shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met.

**Section 7.5  
INTENSIVE AGRICULTURAL OPERATIONS**

7.5.1

In the application for an intensive agricultural operation, the applicant shall identify the proposed supply of water for the operation where intensive irrigation is required, which supply shall be sufficient to meet the needs of that operation without detrimental effects on the supply or ground water used by neighbouring properties.

**Section 7.6  
INTENSIVE LIVESTOCK OPERATIONS**

In order to manage the development of intensive livestock operations and surrounding land use interests, Council will consider applications for development of an intensive livestock operation (ILO) and apply the following criteria:

7.6.1 - Location Separation Criteria

In order to ensure ILO development occurs in acceptable locations, new ILO development proposed subsequent to the date of the adoption of this Zoning Bylaw or a proposed expansion of an existing ILO (existing at the date of adoption of this Zoning Bylaw) shall comply with the location separation criteria in Table 7.6.

7.6.2 - Location Separation Criteria Reduction

Council, at its discretion, may consider lesser separation distances than given in Table 7.6, subject to the following:

- a) where Council considers that a lesser separation distance than described, in Table 7.6, will not negatively impact the specific use or surrounding development, Council may grant a reduction of the location separation criteria. Prior to granting a reduction, Council will consult with the agencies Council considers appropriate in the specific case; and
- b) the developer shall provide written notice that has been approved for notification by Council to the owner of a residence within the distance provided in Table 7.6, and to the Hamlet Board of a hamlet or Council of urban municipality within the specified distance.

**Table 7.6  
Location Separation Criteria for ILO to specific uses, in metres\***

Specific Use	Animal Units				
	100-299	300-499	500-2000	2000-5000	>5000
Dwelling, tourist accommodation, or campground	300 (450)	400 (600)	800 (1200)	1200 (1600)	1600 (2000)
Area authorized for a multi-parcel country residential subdivision, hamlet, urban municipality	400 (600)	800 (1200)	1200 (1600)	1600 (2400)	2000 (2400)

<100 population					
Urban Municipality 100-500 population	800 (1200)	1200 (1600)	1600 (2000)	2400 (2400)	2400 (2400)
Urban Municipality 501-5000	1200 (1600)	1600 (2000)	2400 (2400)	3200 (3200)	3200 (3200)

\*Distances are measured between livestock facilities and building development, or site occupied for campground purposes. Numbers in brackets apply where open liquid manure storage facilities are used or proposed. Distances do not apply to residences associated with the operation.

#### 7.6.3 - Public Consultation:

- a) Council will advertise any proposal for an intensive livestock operation, as defined by this Zoning Bylaw, and will provide an opportunity for public comment for a minimum of 21 days;
- b) Council may hold a public meeting to provide information and to ensure community interests are considered before a decision is issued by the Council; and
- c) Council will make a decision on a proposed livestock operation within 45 days. If an extension is required, Council will notify the developer in writing, including reasons for the extension, and the length of the extension.

#### 7.6.4 - Additional Information Requirements

Council may require the applicant to obtain recommendations from appropriate agencies regarding water supply quality and quantity considerations, manure management plans, reclamation or remediation plans, and other issues that Council may require the proponent to address, for the purpose of ensuring public health and safety.

#### 7.6.5 – Operational and Environmental Considerations

The Agricultural Operations Act and other provincial legislation may apply to the development of an ILO. When considering the operational and environmental aspects of a proposed project, Council may refer a development permit application to the appropriate agencies for advice and recommendations.

#### 7.6.6 - Water Supply and Protection

As a condition of approval, Council may:

- a) require the project to undertake appropriate measures to minimize the risk of pollution of water sources; and
- b) require the applicant to demonstrate an adequate water supply is available for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation.

#### 7.6.7 - Manure Spreading and Incorporation

As a condition of approval, Council may:

- a) specify land which may, or may not, be used for the disposal of manure from an intensive livestock operation by spreading of manure, in order to minimize potential land use conflicts such as residences, planned residential development, recreational areas, tourist sites, etc.; and
- b) require manure to be incorporated into the soil within 72 hours of spreading, unless such incorporation is prevented by adverse weather conditions, in which case incorporation shall



take place as soon as practical thereafter or by any other normal acceptable agricultural practice that Council may approve.

#### 7.6.8 - Permit Conditions

As a condition of approval, Council shall specify the maximum number of animal units for which the approval is made, and may impose development standards to reduce the potential for conflict with neighbouring uses which specify the location of holding areas, buildings or manure storage facilities on the site.

#### 7.6.9 - Development Permits Required

Development permits are required for any proposed:

- a) new ILO;
- b) expansion of an existing ILO;
- c) any temporary facility or part of a site; or
- d) alteration of animal species in the operation, if it meets the definition of an ILO, as defined within this Zoning Bylaw.

## **Section 7.7**

### **KENNELS**

#### 7.7.1

The operation of a kennel shall be subordinate and incidental to the principal use of the site as an owner occupied agricultural.

#### 7.7.2

The maximum number of animals that the kennel may keep shall be determined at the discretion of Council.

#### 7.7.3

An animal is kept, for purposes of this section, when it is kept overnight.

#### 7.7.4

No building, structure, or exterior exercise areas, to be used to accommodate animals shall be allowed within 300 m of any dwelling unit located on adjacent sites.

#### 7.7.5

All facilities, including buildings, structures and exterior exercise areas, shall be sited behind the principal building unless otherwise approved by Council.

#### 7.7.6

Council may require all buildings, structures and exercise areas to be soundproofed to their satisfaction.

#### 7.7.7

All facilities shall be visually screened from existing residential dwelling units on adjacent sites through the use of appropriate landscaping and fencing.

#### 7.7.8

No animals shall be allowed outdoors between the hours of 10:00 p.m. to 6:00 a.m. daily. During this period, all animals shall be kept indoors. Council at its discretion may prescribe a more restrictive time period where deemed necessary to achieve the objectives of this Bylaw

#### 7.7.9

The kennel shall at no time unduly interfere with the character of the area or the general use and enjoyment of adjacent sites.

#### 7.7.10

Council may approve a kennel for a limited time period in order to evaluate and monitor its operation and the approval may be renewed at the discretion of Council providing the requirements of this Bylaw are being met.

#### 7.7.11

All permits for a kennel 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 kennels contained in this Bylaw, or the special standards applied by Council at the time of approval.

#### 7.7.12

Council shall place any additional conditions for approval deemed necessary based on a specific application to secure the objectives of this Bylaw.

## **Section 7.8**

### **MINERAL MINES OR EXTRACTION FACILITIES**

#### 7.8.1

Notwithstanding other provisions of this Zoning Bylaw, mineral mines or extraction facilities proposed under this use class are subject to the following development standards:

- a) in reviewing an application, Council shall consider the environmental implications of the operation including plans for site restoration;
- b) in addition to the public notification provisions for discretionary uses contained in this Zoning Bylaw, Council shall require that details of the application be circulated to property owners adjacent to the proposed haul roads to obtain public input on the proposed site;
- c) the applicant shall ensure that dust and noise control measures are undertaken to the satisfaction of the Municipality, to prevent the operation from becoming an annoyance to neighbouring land owners;
- d) the applicant shall apply appropriate methods for minimizing the noise created from machinery and equipment through proper location and property screening including locating stock piles to act as a noise barrier;
- e) the applicant shall keep the site in a clean and tidy condition free from rubbish and non-aggregate debris;
- f) the disturbed area shall be progressively reclaimed to a land capability equivalent to the pre-disturbance land capability (for example, agricultural land) or a post disturbance condition and land use (for example, conversion to wetland) which are satisfactory to the Municipality. These conservation and reclamation procedures shall be in accordance with applicable provincial guidelines and the approved reclamation plan;
- g) property approaches shall be located away from existing residential dwelling units;
- h) the applicant shall be responsible for providing an estimate and a corresponding financial guarantee, in a form acceptable to the Municipality, equal to the cost of reclamation of the pit, to be held by the Municipality for the lifespan of the operation;
- i) sand and gravel extraction shall have regard to adjacent land uses and no material is to be stored or piled on any road allowance or within 30 m of the bank of any river or watercourse;
- j) the applicant, operator, or any person who hauls the sand and gravel may be required by the Municipality to enter into a road maintenance agreement;
- k) by November 1 of each year or the end of the hauling season, whichever comes first, the applicant or operator must report the amount of material extracted by the operation that year to the Director of Operations;
- l) any approval for sand and gravel extraction shall be for a period of two years or longer and may be renewed at the discretion of Council providing the requirements of this Zoning Bylaw continue to be met; and
- m) an applicant shall be required to enter into a development agreement with the Municipality to ensure the sand and gravel extraction complies with all relevant requirements of this Zoning Bylaw including any additional conditions of approval necessary to secure the objectives of this Zoning Bylaw.

## **Section 7.9**

### **MOBILE AND MODULAR HOMES**

#### 7.9.1

Wherever a dwelling is allowed, it may be in the form of a modular home. Mobile homes are permitted in the Agriculture District only.

#### 7.9.2

Every mobile home shall bear CSA Z240 certification (or an equivalent thereof) and shall be attached to a permanent foundation, or securely anchored to the ground and skirted, prior to occupancy.

### 7.9.3

Every modular home shall bear CSA A277 certification (or an equivalent thereof) and shall be attached to a permanent foundation.

## **Section 7.10 RESIDENTIAL CARE HOMES**

Residential care homes may be approved as an accessory use in a single detached dwelling and semi-detached dwelling and are subject to the following regulations:

### 7.10.1

All residential care homes must be licensed and approved under Provincial statutes.

### 7.10.2

All residential care homes must be inspected and approved by the Fire Inspector and the Building Inspector in order to ensure compliance with the National Building Code and are subject to re-inspection at any reasonable time thereafter.

### 7.10.3

No exterior alterations shall be undertaken to a dwelling or former dwelling that would be inconsistent with the residential character of the building or property.

### 7.10.4

Surface parking and loading spaces for residential care homes shall be located at least 2.0 m from any bedroom window and at least 1.0 m from all other windows, doors and balconies.

### 7.10.5

No building or structure used for the purpose of a residential care home shall be used for the purpose of keeping boarders or lodgers.

### 7.10.6

An operator of a residential care home may have up to two persons who reside outside the dwelling employed, with or without compensation, in the operation of the residential care home, provided that one parking stall for the dwelling and one parking stall for every two employees is provided on the property.

### 7.10.7

In addition to the development standards of the zoning district, residential care homes that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.5 of this Zoning Bylaw.

## **Section 7.11 SERVICE STATIONS**

Service stations may be approved as a principal use, or an accessory use and must meet the following regulations for approval:

### 7.11.1

Service stations shall only be permitted on corner lots, except where the access to the property is from a service road which services a highway or major roadway in the Municipality, or where the service station is an accessory use to the principal building or use.

7.11.2

Any canopies over pump islands shall be a minimum of 3.0 m from any property line (such requirement does not limit the ability of the Municipality to require additional or greater setbacks in individual zoning districts).

7.11.3

All automobile parts, dismantled vehicles and similar articles shall be stored within a building. In industrial sites, all outdoor storage shall be appropriately screened by landscaping and or / fencing.

7.11.4

In addition to the development standards of the zoning district, service stations that are listed as discretionary uses shall be reviewed and approved in accordance with subsection 3.5 of this Zoning Bylaw.

7.11.5

All above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.

7.11.6

The maximum height of an above-ground fuel storage tank shall be limited to the maximum permitted height of a freestanding sign in the zoning district.

7.11.7

Painted lettering or signage may be located on above-ground fuel storage tanks subject to this Zoning Bylaw.

## **Section 7.12**

### **TEMPORARY RELOCATABLE WORK CAMPS**

Temporary relocatable work camps may be approved as a principal use and must meet the following regulations for approval:

7.12.1

A development permit application must be submitted for the work camp that contains the following information, to the satisfaction of Council:

- a) the location, type and purpose of the camp which shall include a site plan specifying the number of buildings and their location;
- b) method of supplying water, sewage and waste disposal facilities, which must comply with provincial regulations;
- c) the number of persons proposed to live in the camp;
- d) the start date of construction, the date of occupancy and the removal date; and
- e) reclamation measures once the camp is no longer needed.

7.12.2

The developer is to maintain any existing natural buffers (trees, natural topography, etc.), where possible.

7.12.3

The developer shall provide Council with information regarding the necessity of the work camp in attracting and attaining skilled workers.

7.12.4

The developer shall be responsible for any roadway upgrades that may be required to support traffic generated by the proposed work camp.

7.12.5

The site shall provide adequate on-site parking to accommodate the temporary camp residents and associated support workers, to the satisfaction of Council.

## Section 8.0 Zoning Provisions

### Section 8.1 GENERAL INTENT OF DISTRICTS

Where the general intent is outlined for any zoning district and doubt as to the purpose or intent of the district arises, the specific uses listed as permitted uses shall over-rule any other written intent.

### Section 8.2 CLASSIFICATION OF DISTRICTS

#### 8.2.1

The area within the boundaries of The Rural Municipality of LeRoy No. 339 shall be divided into zoning districts.

#### 8.2.2

The actual name of each zone provided for in this Zoning Bylaw is set out in Table 8.2.2, and the inclusion of the common names to the right is for convenience only.

ACTUAL NAME	COMMON NAME
AG	Agricultural
CR	Country Residential
H	Hamlet

#### 8.2.3

The permitted and discretionary uses are outlined in table format within the specific regulations for each zoning district. The development standards for each use are also contained within each section. Both the uses and specific standards for any given use may vary from one district to the next. Additional development standards and other provisions may be located within other sections of the individual zoning district regulations, and within other relevant portions of the Zoning Bylaw. Any reference to a specific section within the General Provisions, or Special Use Provisions does not limit the applicability of other relevant sections of this Zoning Bylaw.

### Section 8.3 ZONING DISTRICTS MAP

The zoning districts are delineated on a map titled “Schedule Z-1 – Rural Municipality of LeRoy Zoning Districts Map”, and are part of this Zoning Bylaw.

## **Section 8.4**

### **DETERMINING ZONING DISTRICT BOUNDARIES**

#### 8.4.1

A district boundary shown approximately at a lot, road or highway is at the boundary of the lot, road or highway.

#### 8.4.2

A district boundary shown approximately at the centreline of a road or highway is at the centreline of the road or highway.

#### 8.4.3

A district boundary shown within a lot, or on unsubdivided land, unless specifically noted, is fixed by the scale of the zoning map.

#### 8.4.4

A district boundary shown following approximately a shoreline or the centreline of a creek, stream or channel follows the shoreline or centreline and moves with any change in such shoreline.

#### 8.4.5

Where a single site or lot is divided into more than one zoning district, each portion of the site or lot shall be developed and used in accordance with the provisions of the applicable zoning district.



## Part C – Zoning Districts

### Section 9.0 AGRICULTURAL DISTRICT (AG)

The Agricultural District is designed to establish and preserve areas of primarily agricultural activity, while allowing for a mix of other compatible commercial, industrial and resource-based, public and community, residential and accessory uses. Council shall utilize the criteria identified in Section 3.5.8 to assess the suitability of discretionary use applications within the district. The permitted and discretionary uses in the Agricultural District are outlined in the table below:

9.1.1 Permitted Uses	9.1.2 Discretionary Uses
<i>Agricultural Uses</i>	<i>Agricultural Uses</i>
9.1.1.1 Farm Operation	9.1.2.1 Intensive Agricultural Operations (Section 7.5)
	9.1.2.2 Intensive Livestock Operations (Section 7.6)
	9.1.2.3 Abattoir
<i>Commercial Uses</i>	
9.1.1.2 Family Child Care Homes (Section 7.3)	<i>Commercial Uses</i>
9.1.1.3 Home Based Businesses (Section 7.4)	9.1.2.4 Agricultural-related Commercial Uses
	9.1.2.5 Bed and Breakfasts (Section 7.1)
<i>Public and Community Uses</i>	9.1.2.6 Campgrounds (Section 7.2)
9.1.1.4 Essential Public Services and Utilities	9.1.2.7 Kennels (Section 7.7)
	9.1.2.8 Service Stations (Section 7.11)
<i>Other Uses</i>	9.1.2.9 Vacation Farms (Section 7.1)
9.1.1.5 Uses Accessory to Permitted Uses	9.1.2.10 Outfitting
9.1.1.6 Uses Accessory to Discretionary Uses	9.1.2.11 Lodges, Boarding & Rooming
	<i>Industrial and Resource-based Uses</i>
	9.1.2.12 Agricultural-related Industrial Uses
	9.1.2.13 Industrial Uses – General
	9.1.2.14 Industrial Uses – Hazardous
	9.1.2.15 Junk and Salvage Yards
	9.1.2.16 Mineral Mines or Extraction Facilities (Section 7.8)

9.1.1 Permitted Uses	9.1.2 Discretionary Uses
	<i>Industrial and Resource-based Uses</i>
	9.1.2.17 Railway Facilities and Uses
	9.1.2.18 Recycling Depots
	9.1.2.19 Storage Compounds and Facilities
	9.1.2.20 Asphalt Plant
	<i>Public and Community Uses</i>
	9.1.2.21 Community Facilities
	9.1.2.22 Participant Recreation – Indoor
	9.1.2.23 Participant Recreation – Outdoor
	9.1.2.24 Public Education Facilities
	9.1.2.25 Public Parks and Playgrounds
	9.1.2.26 Religious Assembly
	9.1.2.27 Solid and Liquid Waste Disposal Facilities
	<i>Residential Uses</i>
	9.1.2.28 Single Detached Dwellings
	9.1.2.29 Residential Care Homes (Section 7.10)
	9.1.2.30 Temporary Relocatable Work Camps (Section 7.12)
	9.1.2.31 Mobile Homes (Section 7.9)
	<i>Other Use</i>
	9.1.2.32 Telecommunications Facilities
	9.1.2.33 Wind Turbine

## Section 9.2

### AG DISTRICT DEVELOPMENT STANDARDS

#### 9.2.1

##### Minimum Lot Dimensions

USE	WIDTH	DEPTH
9.2.1.1 Essential Public Services and Utilities	No minimum lot sizes	
9.2.1.2 All Other Uses	Minimum 4.0 ha	

#### 9.2.2

##### Minimum Setback Requirements

USE	FRONT	SIDE	REAR
9.2.2.1 Essential Public Services and Utilities	No setback requirements		
9.2.2.2 Intensive Livestock Operations	Subject to the requirements of Section 7.5		
9.2.2.3 All Other Uses	35 m	20 m	20 m

#### 9.2.3 – Frontage

No person shall plant trees or shrubs or place stone, earth or gravel piles, portable structures, machinery or other objects on private property within 90 meters from the intersection of two or more roads, and not within 60 meters from the centerline of any road.

#### 9.2.4 – Maximum Height

The maximum principal building height is 115 metres.

#### 9.2.5 – Maximum Site Coverage

The maximum land area that may be built upon shall be 5%.

#### 9.2.6 – Maximum Number of Single Parcel Subdivisions per Quarter Section

The maximum number of single detached dwelling sites per quarter Section of Land (approximately 64 ha) shall be limited to four.

#### 9.2.7 – Keeping of Animals and Birds on Site

The following regulations shall apply to the keeping of animals on single detached dwelling sites:

- a) large animals, which include only horses, cattle, sheep, goats, llamas and alpacas, will be permitted, in numbers not exceeding four animal units, on a site of at least 4.0 ha. For each additional 1.2 ha, one additional large animal will be permitted. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit; and
- b) animals shall not be pastured within 15 m of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 m of a property line.

## Section 10.0 COUNTRY RESIDENTIAL DISTRICT (CR)

The Country Residential District is designed to establish and preserve areas of acreage residential uses within identified subdivisions, while allowing for a limited range of agricultural, commercial, public and community, and accessory uses. This district is intended for sites which meet the locational criteria identified in the Official Community Plan for such sites, at the discretion of Council. Criteria include, but are not necessarily limited to: quality of agricultural soils; proximity to services (power, telephone, school bus and emergency services); adequate and appropriate infrastructure; access (with preference for existing paved road or highway access); separation distance from conflicting and incompatible uses (flood-prone areas, hazard lands, ILOs, sensitive wildlife habitats, etc.); and overall financial impact on the municipality.

Subdivision and development may be serviced by on-site systems, except in the case of single detached dwelling sites smaller than 2.0 ha, in which case servicing must be provided by communal piped water and sewer systems. In addition to these considerations, Council shall utilize the criteria identified in Section 3.5.8 to assess the suitability of discretionary use applications within the district.

The permitted and discretionary uses in the CR District are outlined below:

10.1.1 Permitted Uses	10.1.2 Discretionary Uses
<i>Residential Uses</i>	<i>Residential Uses</i>
10.1.1.1 Single Detached Dwellings, on sites 2.0 ha or larger	10.1.2.1 Single Detached Dwellings, on sites smaller than 2.0 ha
<i>Public and Community Uses</i>	<i>Agriculture Uses</i>
10.1.1.2 Essential Public Services and Utilities	10.1.2.2 Farm Operation
10.1.1.3 Public Parks and Playgrounds	
	<i>Commercial Uses</i>
<i>Commercial Uses</i>	10.1.2.3 Bed and Breakfasts (Section 7.1)
10.1.1.4 Home Based Businesses (Section 7.4)	10.1.2.4 Family Child Care Homes (Section 7.3)
<i>Other Uses</i>	<i>Public and Community Uses</i>
10.1.1.5 Uses Accessory to Permitted Uses	10.1.2.5 Community Facilities
10.1.1.6 Uses Accessory to Discretionary Uses	10.1.2.6 Religious Assemblies
	10.1.2.7 Residential Care Homes (Section 7.10)

## Section 10.2 CR DEVELOPMENT STANDARDS

### 10.2.1 Minimum Lot Dimensions

USE	WIDTH	DEPTH	AREA
10.2.1.1 Essential Public Services and Utilities	No minimum lot sizes		
10.2.1.2 Public Parks and Playgrounds	No minimum lot sizes		
10.2.1.3 Single Detached Dwellings	30 m	100 m	0.5 ha
10.2.1.4 All Other Uses	30 m	100 m	2.0 ha

### 10.2.2 Minimum Setback Requirements

USE	FRONT	SIDE	REAR
10.2.2.1 Essential Public Services and Utilities	No setback requirements		
10.2.2.2 Public Parks and Playgrounds	No setback requirements		
10.2.2.3 From a property line abutting a Public Roadway Allowance	20 m		
10.2.2.4 All Other Uses	10 m	10 m	10 m

### 10.2.3 – Maximum Height

The maximum principal building height is 12 m and three storeys.

### 10.2.4 – Maximum Site Coverage

Essential Public Services and Utilities	No maximum site coverage
All Other Uses	10%

### 10.2.5 – Minimum Floor Area

The minimum floor area per single detached dwelling unit shall be 74 m<sup>2</sup>.

- ### 10.2.6 – Country Residential Subdivision Regulations
- The following regulations shall apply to the design of Country Residential subdivisions:
- Country Residential developments in this district shall consist of a minimum of four single detached dwelling lots;
  - developments shall be accessed by roads offering shared access to multiple lots, limiting to the extent possible the number of required accesses to public roads and highways. The construction of such roads shall be the responsibility of the developer;

- c) Country Residential subdivisions shall not create remnant parcels which are impractical for agricultural activity. Preferred subdivision locations are at the corners of Sections of Land adjacent to the intersections of public roadways. Where a subdivision is proposed in a location other than the corner of a Section of Land, the boundaries of the subdivision shall be located a minimum of 200 m from any intersection or junction of public road allowances; and
- d) Country Residential subdivisions shall not be approved adjacent to approved ILO's if the proposed subdivision is within the required separation distance identified in Table 7.6.

#### 10.2.7 – Keeping of Animals

The following regulations shall apply to the keeping of animals on Country Residential sites:

- a) large animals, which include only horses, cattle, sheep, goats, llamas and alpacas, will be permitted, in numbers not exceeding:
  - 1) two animal units on a site of at least 4.0 ha; and
  - 2) one additional animal unit for each additional 1.2 ha.
- b) all other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit;
- c) animals shall not be pastured within 15 m of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 m of a property line; and
- d) the use of vacant residential sites for pasture of animals is prohibited.

#### 10.2.8 – Special Regulations for Small Lot Country Residential Development

Subdivisions for Country Residential development including or comprised of lots smaller than 2.0 ha may be considered if the following criteria are met:

- a) the subdivision is serviced by communal piped water and sewer systems, whether extended from existing systems or constructed new, which meet a standard satisfactory to Council and the Regional Health Authority ; and
- b) the extension of existing water distribution and wastewater collection systems, or the construction of new systems, will be the responsibility of the developer.

## Section 11.0 HAMLET DISTRICT (H)

The Hamlet District is designed to establish and preserve areas of primarily residential uses within identified hamlets, while allowing for a mix of limited commercial, industrial, public and accessory uses. Council shall utilize the criteria identified in Section 3.5.8 to assess the suitability of discretionary use applications within the district. The permitted and discretionary uses in the H District are outlined below:

<b>11.1.1 Permitted Uses</b>	<b>11.1.2 Discretionary Uses</b>
<i>Residential Uses</i>	<i>Residential Uses</i>
11.1.1.1 Single Detached Dwellings	11.1.2.1 Semi-Detached Dwellings
<i>Public and Community Uses</i>	<i>Commercial Uses</i>
11.1.1.2 Essential Public Services and Utilities	11.1.2.2 Auto & Minor Recreation Sales and Rentals
11.1.1.3 Public Education Facilities	11.1.2.3 Bed and Breakfasts (Section 7.1)
11.1.1.4 Public Parks and Playgrounds	11.1.2.4 Family Child Care Homes (Section 7.3)
	11.1.2.5 Financial Institutions
<i>Commercial Uses</i>	11.1.2.6 Hotels and Motels
11.1.1.5 Home Based Businesses (Section 7.4)	11.1.2.7 Personal Service Establishments
	11.1.2.8 Professional Offices
<i>Other Uses</i>	11.1.2.9 Restaurant and Drinking Establishments
11.1.1.6 Uses Accessory to Permitted Uses	11.1.2.10 Retail Stores
11.1.1.7 Uses Accessory to Discretionary Uses	11.1.2.11 Service Stations (Section 7.11)
	<i>Public and Community Uses</i>
	11.1.2.12 Community Facilities
	11.1.2.13 Health Services
	11.1.2.14 Participant Recreation – Indoors
	11.1.2.15 Participant Recreation – Outdoors
	11.1.2.16 Religious Assemblies
	11.1.2.17 Residential Care Homes (Section 7.10)
	<i>Other Uses</i>
	11.1.2.18 Telecommunications Facilities

## Section 11.2 H DEVELOPMENT STANDARDS

### 11.2.1 Minimum Lot Dimensions

USE	WIDTH	DEPTH
11.2.1.1 Essential Public Services and Utilities	No minimum lot sizes	
11.2.1.2 Hotels and Motels	30 m	40 m
11.2.1.3 Public Parks and Playgrounds	No minimum lot sizes	
11.2.1.4 Semi-detached Dwellings		
A. Corner Lot	8.5 m	34 m
B. Interior Lot	7.5 m	34 m
11.2.1.5 Single Detached Dwellings	15 m	34 m
11.2.1.6 Service Stations	30 m	23 m
11.2.1.7 All Other Uses	10 m	23 m

### 11.2.2 Minimum Setback Requirements

USE	FRONT	SIDE	REAR
11.2.2.1 Essential Public Services and Utilities	No setback requirements		
11.2.2.2 Public Parks and Playgrounds	No setback requirements		
11.2.2.3 Residential Uses			
a) 1 & 1.5 Storey	6.0 m	1.2 m	6.0 m
b) 2 & 2.5 Storey	6.0 m	1.8 m	6.0 m
c) 3 Storey	6.0 m	2.5 m	6.0 m
d) Corner Lot (regardless of height)	6.0 m	3.0 m (flanking road)	6.0 m
11.2.2.4 Any Site Abutting a Railway	All sites which abut a railway shall have a minimum yard setback requirement of 7.5 m from the property line which abuts the railway corridor or use.		
11.2.2.5 Any Site Abutting a Site with Residential Uses	All non-residential sites which abut a site with residential uses shall have a minimum yard setback requirement of 3.0 m from the property line which abuts the residential property. residential property.		



11.2.2.6 All Other Uses	No setback requirements provided that all other requirements of this Zoning Bylaw have been met.
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11.2.3 – Maximum Height

The maximum principal building height is 10.5 m and three storeys.

11.2.4 – Maximum Site Coverage

<i>Commercial Uses</i>	There shall be no maximum site coverage provided that all other requirements of this Zoning Bylaw have been met.
<i>All Other Uses</i>	The maximum land area that may be built upon shall be no more than 50%.

11.2.5 – Minimum Floor Area

The minimum floor area per dwelling unit shall be as follows:

- a) Single Detached Dwellings, 74 m<sup>2</sup>; and
- b) Semi-Detached Dwellings, 42 m<sup>2</sup> per unit

11.2.6 – Mean Site Width

Where minimum site width and depth measurements are required, the number stated as such requirement shall refer to the mean width and depth of the site, and the minimum measurement for a site width or depth line shall be no less than 70% of the required mean width or depth.

11.2.7 – Increased Site Coverage

The total permitted site coverage may be increased for attached covered patios or attached enclosed swimming pools by the percentage of the area covered by such patio, deck or swimming pool, but the total site coverage shall not exceed 60%.

## PART D – Schedules & Forms

### Fees Schedule (Schedule B)

**PART 1.0** – The required fee as set out in this Schedule shall accompany all planning and development applications.

#### Part 1.1 – FEES

Type of Application	Fee
1.1.1 – Minor Variance Permit	\$100.00
1.1.2 – Permitted Use Application	\$100.00
1.1.3 – Discretionary Use Application	\$150.00
1.1.4 – Zoning Memorandum Certificate	\$50.00 Per property
1.1.5 – Rezoning and Zoning Bylaw Amendment Application Fees (A refundable portion of 50% shall be returned to the applicant in the event that the application is cancelled or withdrawn prior to Council’s initial consideration of the application.)	\$500.00
1.1.6 – Official Community Plan Bylaw Amendment Application Fees (A refundable portion of 50% shall be returned to the applicant in the event that the application is cancelled or withdrawn prior to Council’s initial consideration of the application.)	\$500.00
1.1.8 – Advertising and Notification: A) Where the advertising and notification requirements of the Zoning Bylaw can be satisfied through notice posted in the Municipal Office, there shall be no fee. B) Where the advertising and notification requirements of the Zoning Bylaw cannot be satisfied through notice posted in the Municipal Office, the applicant shall bear all costs of advertisement and notification.	No fee  Borne by applicant

**Part 2.0** – Where the required fee is not listed in Schedule B, the fee shall be consistent with those fees listed in Part 1.0 for similar uses and developments within the same or similar use class.

**Part 3.0** – Where an application is substantially revised, the applicant, prior to the reconsideration of the application, shall pay a fee equal to fifty percent (50%) of the initial application fee specified in the fee schedule, except that such additional fee shall not be required in instances where improvements suggested by the Development Officer result in substantial revision.

**Land Use Map (Schedule Z-1)**

**Map of Mid-Sask Municipal Planning District (Schedule Z-2)**

**Development Permit Application (Form A)**

**Development Permit Application – Minor Variance (Form B)**