TOWN OF MIDALE

ZONING BYLAW

September 2026

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September 2026

TOWN OF MIDALE

ZONING BYLAW No. 2026-05

A Bylaw of the Town of Midale to adopt a Zoning Bylaw.

The Council of the Town of Midale, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

(1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Town of Midale hereby adopts the Town of Midale Zoning Bylaw, identified as Schedule "A" to this Bylaw.

(2) The Mayor and Town Administrator are hereby authorized to sign and seal Schedule "A" and Schedule “B” which are attached to and form part of this Bylaw.

(3) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the _____ day of _____, _____

Read a Second Time the _____ day of _____, _____

Read a Third Time the _____ day of _____, _____

Adoption of the Bylaw this _____day of _____, _____

_____
Mayor

SEAL

_____
Administrator

Certified a True Copy of the Bylaw adopted by Resolution of Council

On the _____ day of _____, of the year _____

THE TOWN OF MIDALE

ZONING BYLAW

Being Schedule “A” to Bylaw No. 2026-05
of The Town of Midale

_____
Mayor

SEAL

_____
Administrator

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1 INTRODUCTION

Under the authority of *The Planning and Development Act, 2007*, and Bylaw No. 2026-04, the Official Community Plan for the Town of Midale, the Council of the Town of Midale in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.1 TITLE

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

1.2 SCOPE

Development shall be permitted within the limits of the Town of Midale only when in conformity with the provisions of this Bylaw subject to the right of appeal provisions of *the Act*.

1.3 PURPOSE

This is a Bylaw to control the use and development of the land in the municipality and assist in implementing the Official Community Plan for the Town of Midale.

1.4 SEVERABILITY

If any section, clause or provision of this Bylaw, including anything shown on the *Zoning District Map*, is for any reason declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Bylaw as a whole or in part, other than the section, clause, provision or anything shown on the *Zoning District Map*, declared to be invalid.

2 INTERPRETATION

Whenever in this Bylaw the following words or terms are used, they shall, unless the context otherwise provides, be held to have the following meaning:
Abutting: Shall mean touching and sharing a common site line or boundary.

Abattoir: Shall mean a facility for the slaughtering of animals and the processing, packaging, and storage of meat and meat products, and may include the rendering the animal by-products and the retail sale of meat products produced on site.

Administrator: Shall mean the Administrator for the Town of Midale.

Accessory Building or Use: Shall mean 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.

Accessory Dwelling Unit (ADU): Shall mean a self-contained dwelling unit that is subordinate and accessory to a principal single detached dwelling on the same site. An ADU features its own separate cooking, sleeping, and bathing facilities and cannot be separately titled from the principal dwelling. An ADU may take the form of an Internal ADU or a Detached ADU.

Accessory Dwelling Unit, Internal (Secondary Suite): Shall mean an Accessory Dwelling Unit located within the principal single detached dwelling.

Accessory Dwelling Unit, Detached (Garden or Garage Suite): Shall mean an Accessory Dwelling Unit located in a detached accessory building on the same site as the principal dwelling. This includes single-storey units built at grade (Garden Suites) and units built above or attached to a detached garage (Garage Suites).

Act: Shall mean *The Planning and Development Act, 2007*.

Adult Entertainment Facility: Shall mean, whether as a principal, accessory or ancillary use, a venue which features live entertainment, motion pictures, video tapes, video discs, slides or similar electronic or photographic reproductions of adult entertainment including striptease, wet clothing contests or similar adult performances.

Agricultural Use: Shall mean the non-intensive use of lands, buildings or structures for the production of crops, animal husbandry or other similar uses normally associated with agriculture.

Alteration: Shall mean any structural change in, or addition to, a building or structure, and shall include a change from one type of use to another.

Ambulance Station: Shall mean a facility for receiving requests for ambulance service and for the stationing of one or more ambulances until dispatched in response to calls for service, which is operated by a person or corporation having a valid and subsisting ambulance licence issued pursuant to *The Ambulance Act* and having a current contract with the Regional Health Authority.

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

Animal Hospital: Shall mean a place used for the care and treatment of small and large animals involving out-patient care, medical procedures involving hospitalization, and/or the keeping of animals in outdoor pens.

Assisted Living Facility: shall mean a residential development providing private dwelling units alongside shared communal areas and non-medical support services, such as meals, housekeeping, and personal care. This use expressly excludes hospitals, licensed personal care homes, and long-term care facilities providing 24-hour skilled nursing.

Autobody Shop: Shall mean an establishment for the repair, restoration, or painting of the bodies or frames of motor vehicles. This use includes fender and body repair, chassis straightening, and automotive glass installation, but excludes the dismantling of vehicles for the salvage of parts.

Balcony: Shall mean a platform, projecting from the face of a wall, cantilevered or supported by columns or brackets and usually surrounded by a railing.

Basement, Walkout: Shall mean that portion of a building which is partly underground, but which has more than 50% of the floor area not greater than 0.6 metres below grade or which has an entrance at finished floor level. This definition shall only apply to sites which have been designed to accommodate a walkout basement.

Bed and Breakfast Home: Shall mean a dwelling unit in which the occupants thereof use a portion of the dwelling unit for the purpose of providing, for remuneration, sleeping accommodations and one meal per day to members of the general public, for periods of two weeks 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 person or 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.

Boulevard: Shall mean the strip of land between the curb and the property line, or in the absence of a curb, the strip of land between the road/pavement edge and the property line. The boulevard is located within the road right-of-way.

Building: Shall mean a structure constructed or placed on, in, or over land, but does not include a public highway, and includes any structure covered by a roof and supported by walls or columns.

Building Bylaw: Shall mean any Bylaw of the Town of Midale regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

Building Front Line: Shall mean the line of the wall of the building, or any projecting portion of the building, and production thereof excluding permitted obstructions which face the front site line.

Building Height: Shall mean the vertical distance of a building measured from grade level, 0.3 metres back from the principal building to the highest point of the roof surface.

Building Line, Established: Shall mean 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: Shall mean a permit issued under a Building Bylaw of the Town of Midale authorizing the construction of all or part of a building or structure.

Building, Principal: Shall mean the building which is conducted as the main or primary use of the site on which said building is situated.

Building, Rear Line: Shall mean the line of the wall of the building or any projecting portion of the building and production thereof excluding permitted obstructions which face the rear site line.

Building, Sideline: Shall mean the line of the wall of the building, or any projecting portion of the building and production thereof excluding permitted obstructions, which face the side site line.

Building Supply Establishment: Shall mean a facility for the retail sale or wholesale of materials used in the construction, maintenance, or decoration of buildings, such a masonry, plumbing, electrical, heating and hardware supplies.

Bulk Fertilizer Operation: Shall mean a facility for the storage, handling, and distribution of fertilizer in bulk quantities, which may include the wholesale or retail sale of products for off-site application, but does not include the manufacturing or chemical processing of fertilizer products.

Bulk Fuel Sales and Storage: Shall mean lands, buildings, and structures for the storage and distribution of fuels and oils including retail sales or key lock operations.

Bylaw, this: Shall mean the *Zoning Bylaw of the Town of Midale*

Cannabis Production Facility: Shall mean a facility, approved under federal and provincial regulations, that is used in whole or in part for the planting, cultivation, testing, harvesting, processing and distribution of the cannabis plant and any of its derivatives.

Cannabis Retail Store: Shall mean a retail store, approved under federal and provincial regulations that sells cannabis and any of its derivatives.

Carport: Shall mean a roofed enclosure for the parking of a motor vehicle or motor vehicles which has less than 60% of the total perimeter enclosed by walls, doors or windows and is attached to a principal building.

Car Wash: Shall mean a building or portion of a building which is used for the washing of vehicles, including full service, automatic and hand operated facilities.

Cemetery: Shall mean property used for the interment of the dead and may include facilities for the storage of ashes of human remains that have been cremated.

Child Care Centre: Shall mean a principal use facility that provides for the non-parental care, supervision, and instruction of children on a daily basis, and which is licensed under *The Early Learning and Child Care Act, 2023* or *The Education Act, 1995*, but does not include a Family Child Care Home or Group Family Child Care Home.

Club: Shall mean 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.

Common Wall: Shall mean a vertical wall without an opening, separating two dwelling units between the top of the footings to the underside of the roof deck, and shall be common to both dwelling units over at least 40% of the length of each dwelling unit.

Communication Facility: Shall mean an Industry Canada regulated communication facility, including radio television cellular telephone and microwave transmission towers and accessory buildings.

Community Centre: Shall mean a building or facility used for recreational, social, educational or cultural activities and which is owned by a municipal corporation, non-profit corporation or other non-profit organization.

Community Garden: Shall mean an area of land that is managed and maintained by a formal or informal group of individuals to grow and harvest food crops and/or non-food ornamental crops for personal or group use, consumption, donation or sale at a farmers' market or farm stand. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

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

Convenience Store: Shall mean a store offering the sale of primarily food products, beverages, tobacco, personal care items, hardware and printed matter and which primarily provides a convenient day-to-day service to residents in the vicinity.

Corner Site: Shall mean a site at the intersection or junction of two or more streets or a street and a lane.

Council: Shall mean the Council of the Town of Midale.

Cultural Institution: Shall mean an establishment such as a museum, art gallery, library and similar facilities of historical, educational or cultural interest which are not commercially operated.

Custodial Care Facility: Shall mean either:

(a) a facility for the temporary detention or open custody of persons pursuant to the provisions of *The Youth Criminal Justice Act (Canada)* or *The Summary Offences Procedure Act, 1990 (Saskatchewan)*; or,

(b) a facility for the accommodation of persons participating in a community training program pursuant to *The Correctional Services Act, 2012 (Saskatchewan)*, in which the number of persons in detention, custody or residence does not exceed four (4).

Deck: Shall mean a raised platform, with or without rails, for use by those occupying the principal building.

Deck or Patio, Covered: Shall mean a single-story patio or deck that is attached to the dwelling unit and that is covered by a permanent roof, which may be enclosed using walls, windows or screens.

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

Development Permit: Shall mean a document authorizing a development, issued pursuant to this *Zoning Bylaw*.

Discretionary Use: Shall mean a use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, contained in this Bylaw.

Dwelling, Apartment: Shall mean a multiple-unit dwelling divided into three or more dwelling units, where the units share a common indoor entrance and corridor, and where at least one dwelling unit is located wholly or partially above another.

Dwelling, Business: shall mean a dwelling unit accessory to a commercial or industrial use in a commercial or industrial zoning district that is intended to accommodate an owner, manager, or employee of the business operating on the same site.

Dwelling: Shall mean a building used or intended for residential occupancy and may include a Modular Dwelling or a Ready-to-Move Dwelling, but excluding a Manufactured Dwelling or Mobile Home, as herein defined.

Dwelling Group: Shall mean a group of two or more single detached dwellings, two-unit dwellings or multiple unit dwellings or combinations thereof occupying the same site, regardless of the type of land tenure or ownership (such as freehold or condominium).

Dwelling, Manufactured/Mobile Home: Shall mean a dwelling that conforms to the *CSA Standard No. Z240* and amendments thereto.

Dwelling, Modular: Shall mean a dwelling which is constructed of prefabricated parts, unit modules and/or finished sections built in a factory, conforming to CSA Standard A277, and which are transported to the site for assembly on a fixed approved foundation which complies with the requirements of *The National Building Code of Canada*.

Dwelling, Multiple Unit: Shall mean a building divided into three or more dwelling units as herein defined and shall include town houses and apartment dwellings but not hotels or motels.

Dwelling, Multiple Unit Townhouse: Shall mean a multiple-unit dwelling consisting of three or more attached units, where each unit is separated by a vertical common party wall from the foundation to the roof, and where each unit has an independent, direct entrance to the outside at grade.

Dwelling, Ready-to-Move (RTM): Shall mean a ready-to-move one or two unit dwelling which is built to completion off-site using conventional lumber and building practices according to the current *National Building Code of Canada,* and which is transported to the site as a complete unit for placement on a fixed approved foundation which complies with the requirements of *The National Building Code of Canada*.

Dwelling, Secondary Suite: Shall mean a self-contained dwelling unit that is an accessory use to, and located within, a building in which the principal use is a single detached dwelling.

Dwelling, Semi-Detached: Shall mean a dwelling on its own site, with a common wall dividing the two dwelling units through at least 40% of the depth of the entire structure, measured from the front to the rear building lines.

Dwelling, Single Detached: Shall mean a detached building consisting of one dwelling unit as herein defined but shall not include a manufactured home as herein defined.

Dwelling, Street Townhouse: Shall mean a multiple-unit dwelling consisting of three or more attached units designed as one cohesive building, where each unit is separated by a vertical common party wall from the foundation to the roof, and where each unit fronts directly on a street and has an independent, direct entrance to the outside at grade.

Dwelling, Two-Unit: Shall mean a building divided into two separate dwelling units on the same site but not including single detached dwellings which contain a secondary suite as defined herein.

Dwelling Unit: Shall mean a separate set of living quarters, whether occupied or not, usually containing sleeping facilities, sanitary facilities and a kitchen or kitchen components. For the purposes of this definition, 'kitchen components' include, but are not limited to, cabinets, refrigerators, sinks, stoves, ovens, microwave ovens or other cooking appliances.

Educational Institution: Shall mean a post-secondary college, university or technical institution, but shall not include a private school.

Electrical Vehicle Charging Station: shall mean a parking space that is served by battery charging station equipment where the primary purpose is the transfer of electrical energy to a battery or other energy source device in an electrical vehicle.

Exotic Animal: shall mean an animal not indigenous to Canada and not commonly kept as a household pet in Canada.

Family Child Care Home: shall mean an accessory use to a dwelling where the occupants of the dwelling provide childcare services, supervision, or pre-school services for up to eight (8) children, and which is licensed under *The Early Learning and Child Care Act, 2023*.

Farmers' Market: Shall mean a permanent structure or group of farm stands, operated on a seasonal or year-round basis, which allows for agricultural or horticultural producers to retail their products and other agriculture-related items, including those produced in a community garden, directly to consumers and enhance income through value-added products, services, and activities.

Farm Stand: Shall mean a seasonal direct-marketing operation without a permanent structure and offering outdoor shopping for the sale of locally produced agricultural products including those produced in a community garden, enhanced agricultural products, and handmade crafts.

Fence: Shall mean an artificially constructed barrier erected to enclose or screen areas of land.

Financial Institution: Shall mean a bank, credit union, trust company, or similar establishment.

Flanking Side Yard: Shall mean the area of a corner lot extending from the front yard to the rear yard, situated between the flanking side site line (the street) and the nearest wall of the principal building.

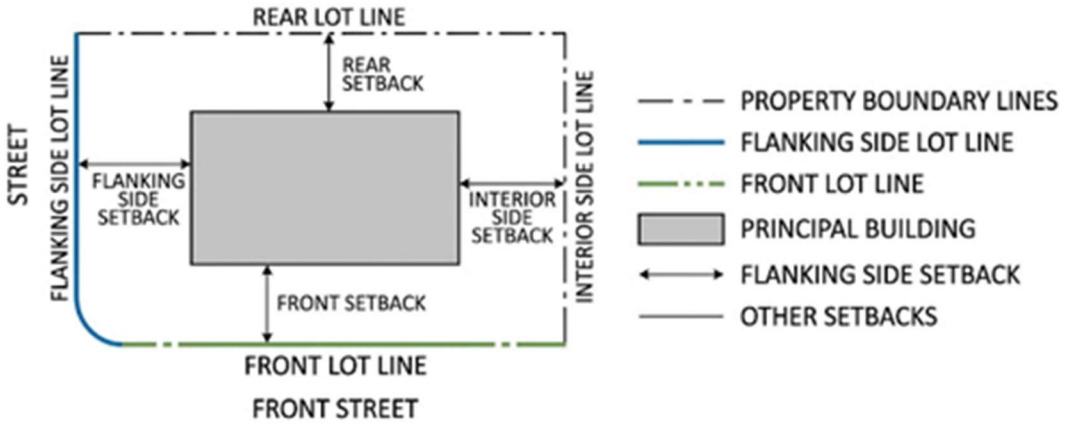


Figure 2-1: Flanking Side Yard

Flood fringe: Shall mean the portion of the flood plain inundated by the 1:200-year flood that is not floodway.

Flood plain: Shall mean the area inundated by water from a watercourse or water body during a 1:200-year flood and is made up of the floodway and flood fringe.

Floodway: Shall mean the portion of the flood plain adjoining the channel where the waters in the 1:200-year flood are projected to:

(a) meet or exceed a depth of one metre; or,
(b) meet or exceed a velocity of one metre per second

Floor Area: Shall mean the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling unit any private garage, unfinished attic or unfinished basement.

Food Processing and Packaging Plant: Shall mean a facility used to process, package, and distribute food products and may include outdoor and indoor storage.

Freight Handling Facility: Shall mean a premises used as an origin or destination point for the loading, unloading, assembling, or transferring of goods transported by truck or rail.

Frontage: Shall mean the side of a site abutting a street and, in the case of a corner site, the narrower of the two sides is the frontage. In the event that the lot is square, it would be the side chosen as the front, provided it is a corner site.

Fuel Storage Depot, Bulk: Shall mean a facility for the storage and distribution of petroleum and petrochemical products in bulk quantities, but not including retail sales or processing, and may include key-card pumps.

Fuel Storage Tank, Above Ground: Shall mean a storage tank, any portion of which is above grade, which contains gasoline, diesel fuel, propane, or other petroleum products for distribution, retail sale, or dispensing into motor vehicles.

Fuel Storage Tank, Underground: Shall mean a storage tank, which is constructed below grade, which contains gasoline, diesel fuel, propane, or other petroleum products for distribution, retail sale, or dispensing into motor vehicles.

Garden Suite: Shall mean a small, ground-oriented dwelling unit located in the rear yard of a single detached dwelling and contained within a detached accessory building that has cooking, food preparation, sleeping and sanitary facilities which are separate from those of the single detached dwelling.

Garage, Private: Shall mean a garage used for storage purposes only, where no business, occupation or service is conducted for gain, other than an approved home-based business, and in which no space is rented to or by a non-resident of the premises.

Garage, Public: Shall mean 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 major repairs.

Garage Suite: Shall mean a dwelling unit which is attached to or made a part of a detached accessory building located in the rear yard of a single detached dwelling that has cooking, food preparation, sleeping and sanitary facilities which are separate from those of the single detached dwelling.

Gas Bar: Shall mean a building or facility used for the retail sale of motor vehicle fuels from fixed

pumps.

Geothermal Energy System: Shall mean a system that provides a renewable source of energy that taps deep into the heat of the earth's crust.

Grade Level: Shall mean the average level of the finished surface of the ground adjacent to the exterior walls of the building or structure. In the case of one-unit dwellings, two-unit dwellings and semi-detached dwellings with a walk-out basement, grade level shall be the average elevation of the finished surface of the ground adjacent to the side walls of the building.

Gross Floor Area: Shall mean the sum of the gross horizontal area of the building measured at each floor level. All dimensions shall be measured between exterior faces of exterior walls.

Gross Floor Space Ratio: Shall mean the ratio of the gross floor area of the principal building, exclusive of any parking area, divided by the site area.

Group Family Child Care Home: Shall mean an accessory use to a dwelling where the occupants of the dwelling, with the assistance of an employee, provide childcare services, supervision, or pre-school services for up to twelve (12) children, and which is licensed under *The Early Learning and Child Care Act, 2023*.

Habitable: Shall mean any room in a dwelling, such as a bedroom, bathroom, kitchen or living room, other than a non-habitable room.

Habitable, Non: Shall mean a space in a dwelling providing a service function and not intended primarily for human occupancy, including entry ways, corridors or storage areas.

Hazard Land: Shall mean land which is subject to flooding, ponding, subsidence, landslides, erosion or contamination.

Hazardous Material: Shall mean any product, substance or organism which, because of its quantity, concentration or risk of spill, 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 living organisms, including but not limited to:

(a) Corrosives;
(b) Explosives;
(c) Flammable and combustible liquids;
(d) Flammable solids; substances liable to spontaneous combustion; substances that on contact with water emit flammable gases;
(e) Gases, compressed, deeply refrigerated, liquefied or dissolved under pressure;
(f) Oxidizing substances; organic peroxides;
(g) Poisonous (toxic) or infectious substances;
(h) Radioactive materials;
(i) Waste Dangerous Materials; and/or,
(j) Any other environmentally hazardous substance.

Health Care Clinic: Shall mean a facility or institution engaged in the provision of services for health

maintenance, diagnosis or treatment of human pain, injury or other physical condition on an out-patient basis.

Highway Corridor Sign: Shall mean an off-site advertising sign which is located in a designated Highway Sign Corridor under *The Highways and Transportation Act, 1997*.

Home Based Business: Shall mean an accessory use a dwelling unit by a resident of the dwelling for a business which is secondary and incidental to the primary use of the dwelling as a residence and does not change the residential character of the buildings or site.

Home Based Business – Type I: Shall mean a home-based business owned and operated by a resident or residents of the dwelling unit.

Home Based Business – Type II: Shall mean a home-based business owned and operated by a resident or residents of the dwelling unit, but where no more than one non-resident person may be employed on the site.

Home Improvement Centre: Shall mean a large-scale retail establishment providing a comprehensive range of goods for home repair and maintenance, including building materials, hardware, electrical supplies, garden centres, and household appliances.

Hotel: Shall mean a building or part of a building used as a place for sleeping accommodation with or without meals, and which may have a licensed beverage room, but does not include a motel.

Indoor Storage Rental Facility: Shall mean a building or buildings containing separate secured storage units designed to be rented or leased for private storage of personal goods, materials and equipment, household goods, furniture, general merchandise and vehicles, excluding:

(a) highly flammable materials, chemicals, odorous, explosive or other inherently dangerous or noxious goods; and
(b) hazardous materials as defined in this Bylaw.

Industrial Complex: Shall mean a group of two or more detached principal buildings located on the same site, provided that each form of development comprising the industrial complex is a permitted or discretionary industrial use in the zoning district.

Industrial, General Use: Shall mean any of the following uses:

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 of 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 transshipment of materials, goods and equipment, including warehouses.
e) The training of personnel in general industrial operations;

f) Indoor display, office, technical or administrative support areas or any sales operation

Intensive Agricultural Use: Shall mean 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 a livestock facility.

Intersection: Shall mean an area where two or more streets or lanes meet or cross at grade.

Junk and Salvage Yards: Shall mean an establishment or premises used for the collection, storage, dismantling, crushing, or sale of scrap metal, tires, batteries, paper, plastic, glass, and other waste materials. This use includes the storage and processing of unlicensed or inoperable motor vehicles, and the retail or wholesale of used vehicle parts.

Kennel, Boarding: Shall mean the temporary accommodation of dogs, cats or other domestic animals for commercial purposes.

Landscaping: Shall mean the provision of horticulture and other related compatible feature or material designed to enhance the visual amenity of a site or to provide a visual screen.

Landscaping, Hard: Shall mean landscape features consisting of non-vegetative materials such as brick, stone, concrete, tile and wood, excluding gravel, loose rock, outdoor carpeting, or monolithic concrete and asphalt.

Landscaping, Soft: Shall mean landscape features consisting of vegetation such as trees, shrubs, hedges, and grass.

Lane: Shall mean a public highway vested in the Crown as a secondary level of access to a lot or parcel of land.

Light Manufacturing: Shall mean a light industrial use where all processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building. This includes, but is not limited to, the production of apparel, food and beverage products, electronics, and jewelry, provided the operation does not create a nuisance or generate unacceptable levels of noise, dust, or odours beyond the exterior walls of the building.

Licensed Drinking Facility: Shall mean a facility licensed by the Saskatchewan Liquor and Gaming Authority (SLGA) to sell alcoholic beverages for consumption on or off site. A licensed drinking facility may include night clubs, taverns, tasting rooms or lounges.

Loading Space: Shall mean a space, measuring at least 3.0 metres in width and 7.5 metres in depth, located on a site, and having access to a street or lane, in which a vehicle may park to load or unload goods.

Lot: Shall mean an area of land with fixed boundaries and which is of record with the Information Services Corporation by Certificate of Title.

Lounge: Shall mean a room or area adjoining a restaurant that permits the sale of beer, wine or spirits

for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted, either in the lounge or in the restaurant attached to the lounge. The area of a lounge may not exceed 50% of the public assembly area in the adjoining restaurant.

Lumber Yard: Shall mean an establishment primarily engaged in the storage and sale of lumber and related wood products, which may include the outdoor storage of materials.

Mall: Shall mean a single-story commercial building in which either permitted or discretionary uses are located together for their mutual benefit, each having their own entrance to the outside, otherwise known as a strip mall.

Mayor: Shall mean the Mayor of the Town of Midale

Medical, Dental and Optical Laboratories: Shall mean a place fitted with medical and scientific equipment and used for the conduct of medical, dental or optical investigations, experiments, and tests; or for the manufacture of medicines or medical aid devices but does not include the manufacture of industrial chemicals.

Membrane Covered Structures: shall mean a structure consisting of a frame that is covered with a plastic, fabric, canvas or similar non-permanent material, which is used to provide storage for vehicles, boats, recreational vehicles, or other personal property. The term shall also apply to structures also commonly known as hoop houses, canopy covered carports, tent garages and can be fully or partially covered, but does not include gazebos.

Minister: Shall mean the member of the Executive Council who, for the time being, is assigned the administration of *The Planning and Development Act, 2007*.

Mobile Home: Shall mean a manufactured dwelling (see dwelling, manufactured), as herein defined.

Manufactured Home Court: Shall mean any parcel of land where two or more occupied manufactured homes are permitted and including any accessory buildings or structures but does not include a temporary industrial or construction camp.

Motel: Shall mean an establishment consisting of a group of attached or detached living or sleeping accommodations each with a bathroom, located on a lot or site and designed for use by the public, and may include a restaurant or licensed dining room and living accommodations for the owner or operator.

Motor Vehicle: Shall mean a vehicle propelled or driven by any means other than muscular power.

Municipal Facility: Shall mean land and/or structures owned by the Municipality including, but not limited to, land and/or structures used for the following:

(a) Office and/or meeting space;
(b) Storage of municipal equipment and/or supplies; and/or
(c) Other institutional purposes.

Municipality: Shall mean the Town of Midale

Night Club: Shall mean a building or portion thereof, where beer, wine or spirits are served to patrons for consumption on the premises, with or without food, and where a designated area for entertainment or dancing, but not including adult entertainment, during certain hours of operation may also be provided.

Nonconforming Building: Shall mean a building:

(a) that is lawfully constructed or lawfully under construction, or in respect to which all required permits have been issued, on the date that this Bylaw or any amendment to the Bylaw affecting the building or land on which the building is situated or will be situated, becomes effective; and,

(b) that on the date this Bylaw or any amendment hereto becomes effective does not or when constructed will not comply with this Bylaw.

Nonconforming Site: Shall mean a site, consisting of one or more contiguous parcels, to which all required permits have been issued on the date that this Bylaw or any amendment to the Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Nonconforming Use: Shall mean a lawful specific use:

(a) being made of land or a building or intended to be made of a land or of a building lawfully under construction, or in respect to which all required permits have been issued, on the date this Bylaw or any amendment hereto becomes effective; and,

(b) that on the date this Bylaw or any amendment hereto 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 this Bylaw.

Office and Office Building: Shall mean a building or part of a building used primarily for conducting the affairs of a business, profession, service, industry, or government in which no goods or commodities of business or trade are stored, transhipped, sold or processed.

Official Community Plan: Shall mean the *Town of Midale Official Community Plan*.

Parapet: means a low wall or railing built along the edge of a roof or a structure. For the purposes of this bylaw, it refers to the portion of a vertical all extending above the roofline.

Parking Lot: Shall mean an open area of land, other than a street, used for the temporary parking of vehicles and available for public use whether free, for charge, or for accommodation of clients or customers.

Parking, Off-street: Shall mean accommodation for the parking of vehicles off a public street or lane.

Parking Space, Vehicle: Shall mean a space within a building or parking lot for the parking of one vehicle and which has access to a developed street or lane, having minimum dimensions of 2.7 metres wide by 6.7 metres deep with direct lane access; 3.0 metres wide by 6.7 metres deep for a parallel space; and 2.7 metres wide by 6.0 metres deep for all other.

Parks and Playgrounds: The use of land for public active or passive recreational activities and may include sports fields and courts, public washrooms, picnic areas, playground equipment, storm water ponds, skating rinks, pedestrian and bicycle paths, open space and landscaped areas.

Patio: Shall mean an open horizontal, artificially surfaced area adjacent to the principal building, usually at grade level, intended for use as an outdoor private amenity space.

Permitted Use: Shall mean any use or form of development, other than a discretionary use or a non-conforming use, specifically allowed in a zoning district subject to the regulations applicable to that zoning district.

Personal Care Home: Shall mean a facility licensed under *The Personal Care Homes Act* that provides long-term residential, social, and personal care for persons who have some limits on their ability for self-care.

Personal Service Shop: Shall mean a business associated with the grooming of persons or the maintenance or repair of personal wardrobe articles and accessories and may include:

(a) beauty salons and barber shops;
(b) shoe repair;
(c) dry-cleaning pick-up depots;
(d) self-serve laundry;
(e) tailor or seamstress;
(f) massage services;
(g) photography studios;
(h) tanning beds; and
(i) tattoo parlours,

but does not include the provision of health-related services.

Pet Grooming Establishment: Shall mean a business associated with the grooming of small domestic animals not prohibited by the Animal Control Bylaw with the confinement of animals restricted to indoors; but not including kennels for overnight boarding.

Photography Studio: Shall mean a place used for portrait or commercial photography, including the developing and processing of film, and the repair `or maintenance of photographic equipment.

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

Pole Shed: Shall mean a temporary structure characterized by the lack of a formal foundation which makes use of poles dug into the ground, set in place using a stabilizing agent such as cement or

concrete, to support the structures roof and walls. Typical uses for this type of structure include, but are not limited to, equipment storage, garages or workshops.

Pre-school: Shall mean a facility which provides a program for pre-school aged children.

Public Utility: Shall mean any system, works, plant, equipment, or service, whether owned or operated by the Municipality, a neighbouring municipality, or by a corporation under Federal or Provincial statute, that furnishes essential services to the public, including communications, water, natural gas, electricity, public transportation, waste management, and emergency services.

Public Work: Shall mean the physical facilities, infrastructure, and equipment required for the provision of a Public Utility, including but not limited to substations, pumping stations, water reservoirs, sewage treatment plants, storage facilities, and utility lines or towers.

Recreational Use: Shall mean a place designed and equipped for indoor or outdoor sports and other leisure time activities, operated as a business and open to the public for a fee, but does not include permanent midways or fairgrounds.

Recreational Use, Commercial: Shall mean a commercial recreational use privately owned and operated on a commercial or "for-profit" basis.

Recreational Use, Public: Shall mean a recreational use operated by the Town of Midale or another public agency.

Recreational Vehicle: Shall mean a unit intended to provide temporary living accommodation for campers or travellers; built as part of, or to be towed by, a motor vehicle; and includes truck campers, motor homes, tent trailers and travel trailers.

Recycling Collection Depot: Shall mean a building or structure used for collection and temporary storage of recyclable household material such as bottles, cans, plastic containers and paper. The following shall not be permitted at a recycling collection depot:

(a) processing of recyclable material other than compaction;
(b) collection and storage of oil, solvents or other hazardous material;
(c) outdoor compaction.

Residential Care Home: Shall mean a residence licensed or approved by the province that provides 24-hour care for not more than four (4) persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living.

Residential Care Facility: Shall mean a residence licensed or approved by the province that provides 24-hour care for more than four (4) persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living.

Restaurant: Shall mean a place where food and beverages are prepared and served to patrons seated at tables or counters, in a motor vehicle on the premises, or for off-site consumption, and may include a drive-through service window.

Retail Store: Shall mean a place where goods, wares, or merchandise are offered for sale or rent, and may include the manufacturing of products to be sold on site, provided the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

Sandblasting: Shall mean the cleaning, smoothing, roughening or removing of part of the surface of any article by the use of an abrasive, jet of sand, metal shot, grit or other material propelled by compressed air, steam or by a wheel.

School, Private: Shall mean a facility which meets Provincial requirements for elementary, secondary, or higher education, and which does not secure the majority of its funding from taxation or any governmental agency, and may include vocational and commercial schools, music or dance schools and other similar schools.

School, Public: Shall mean a facility which meets Provincial requirements for elementary or secondary education, and which secures the majority of its funding from taxation.

Screening: Shall mean the use of a continuous fence, wall, berm or landscaping feature to visually shield, obscure or buffer one area of use from another.

Service Station: Shall mean a place where petroleum products are kept for retail sales for automobiles and other motor vehicles and where repairs, rental, servicing, greasing, adjusting or equipping of automobiles or other motor vehicles may be performed, but not including painting, body work and major repairs.

Shipping Container: Shall mean a prefabricated metal container or box specifically constructed for the transport of goods by rail, ship or transport truck and used for storage.

Shopping Centre: Shall mean a building, or group of buildings located on the same site that are managed as a single unit, all for mutual benefit, including the use of off-street parking and other joint facilities; and where more than two approved permitted or discretionary uses are located on that site.

Short-Term Vacation Rental: A dwelling unit which is not the principal residence of the host but is used to provide rental accommodations to guests for tenancies of one day or more.

Sight Triangle: Shall mean the triangular area formed within a site by the intersecting front and side site lines at a street intersection, an intersection of a street and a flanking lane, or an intersection of a street and a driveway, and the straight line joining said site lines at points which are a measured distance along both site lines (refer to Figure 2-2 below). In the case of a street intersection, at a corner site, the measured distance shall be 7.6 m. In the case of a lane or driveway intersecting a street, the measured distance shall be 4.5 m.

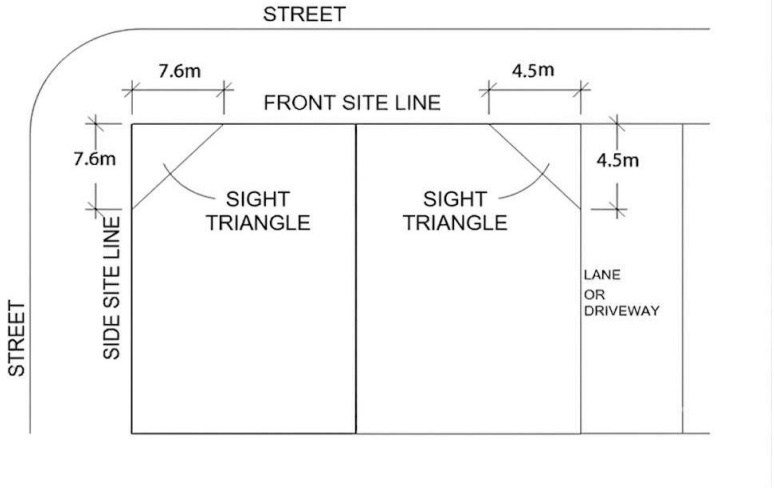


Figure 2-2: Sight Triangle

Sign: Shall mean any device, letters, figures, symbols, emblems, or pictures which are affixed to, or represented directly or indirectly upon a building or structure, which identify or advertise any object, product, place, activity, person, organization or business; and which is visible on or from a street or public thoroughfare.

Sign, Awning: Shall mean a sign made from canvas, plastic or similar non-rigid material affixed to a frame and attached to a building wall (refer to Figure 2-3).

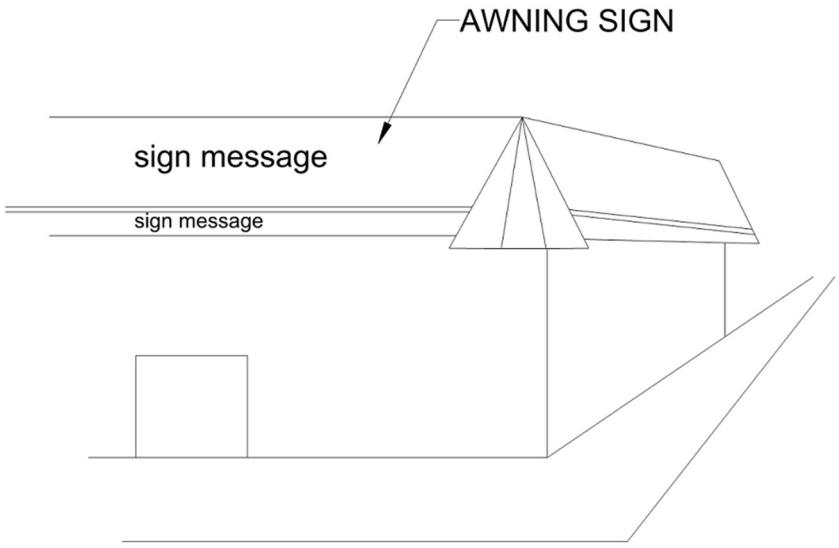


Figure 2-3: Illustration of Awning Sign

Sign, Canopy: Shall mean a sign consisting of a rigid, multi-sided structure supported by columns or posts embedded in the ground (refer to Figure 2-4).

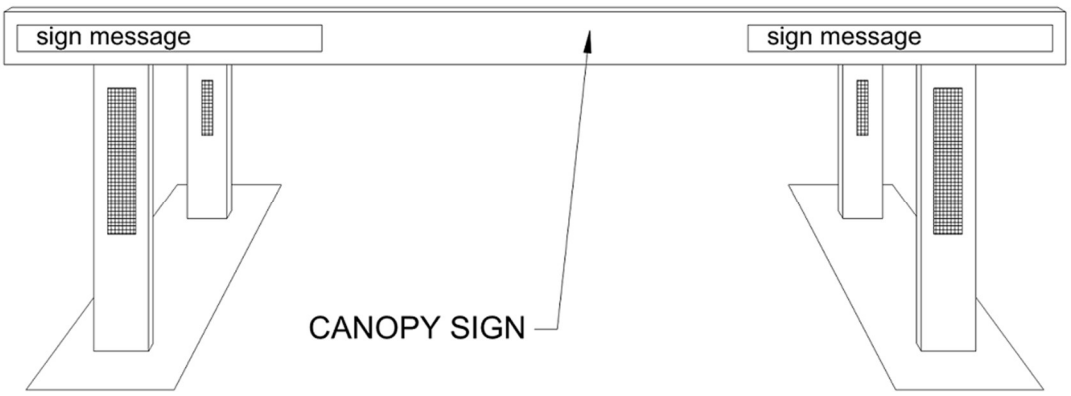


Figure 2-4: Illustration of Canopy Sign

Sign, Directional / Information: Shall mean any sign giving directions, instructions or facility information. These signs direct and advise and do not advertise.

Sign, Electronic Message Centre: Shall mean a variable message sign that utilizes computer-generated messages involving letters, words, graphics, animation, video or dynamic text. These signs include digital displays, using incandescent lamps, LED's, LCD's, plasma or related technology, whereby the message can be altered by electric or electronic means.

Sign, Face Area: Shall mean the area of the single face of any sign and is calculated using the illustration in Figure 2-5.

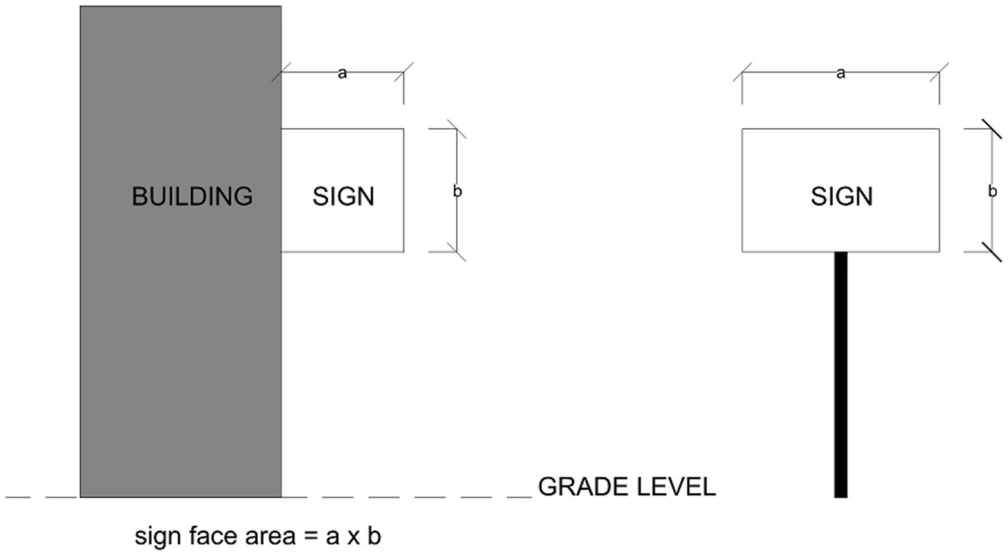


Figure 2-5: Calculation of Sign Face Area

Sign, Fascia: Shall mean a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the

sign, and which does not project more than 0.25 metres from such building or structure.

Sign, Free-Standing: Shall mean a non-movable sign, not affixed to a building, and which is supported by a pole or similar structure.

Sign, Free-Standing Height: Shall mean the vertical distance of a freestanding sign measured from grade level to the highest point of the sign.

Sign, Marquee: Shall mean a sign that is mounted or painted on, or attached to an awning, canopy, or marquee.

Sign, Off Premise: Shall mean any sign displaying copy that directs attention to a business, activity, product, service, or entertainment that cannot be considered as the principal products sold nor a principal business, activity, service or entertainment provided on the premises or site where the sign is displayed.

Sign, Portable: Shall mean a portable, free-standing sign, mounted on a wide based frame, with a single sign face area no greater than 4.5 m^2 or a total gross area no greater than 9.0 m^2, which can be readily moved or transported to various locations (refer to Figure 2-6).

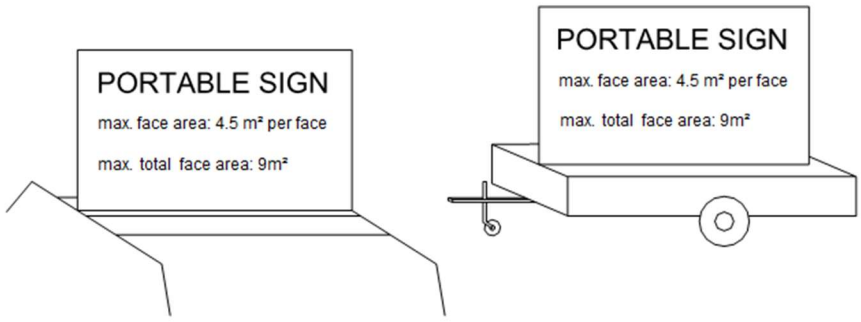


Figure 2-6: Illustration of Portable Signs

Sign, Projecting: Shall mean a sign which is wholly or partially dependent upon a building for support and which projects more than 0.25 metres beyond the wall of the building (refer to Figure 2-7).

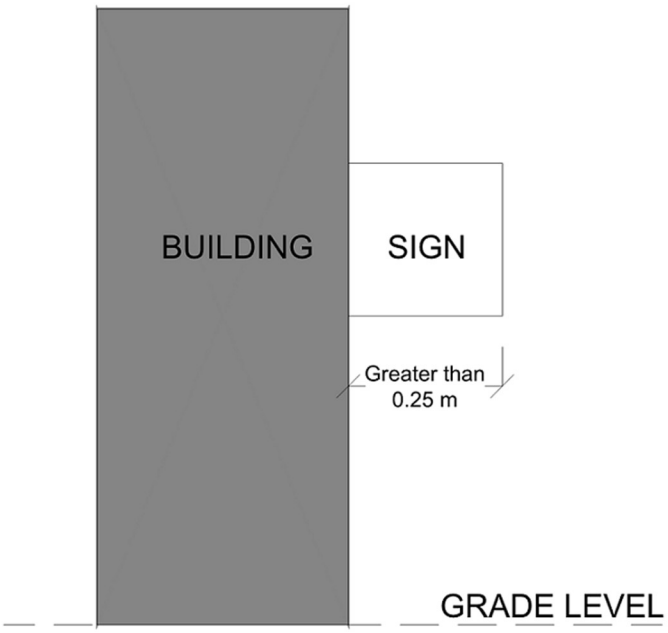


Figure 2-7: Illustration of Projecting Sign

Sign, Roof: Shall mean a sign that is mounted on the roof of a building, or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.

Sign, Temporary: Shall mean an election sign or temporary sign bearing notice of sale or lease or other information relating to a temporary condition affecting the property.

Sign, Total Face Area: Shall mean the total amount of sign face area on a sign including all sides.

Site: Shall mean an area of land, consisting of one or more lots consolidated under a single certificate of title, occupied or intended to be occupied by a principal building or group of buildings, together with such accessory buildings, open spaces, and yards as required under this Bylaw.

Site, Corner: Shall mean a site at the intersection of two or more streets (refer to Figure 2-8).

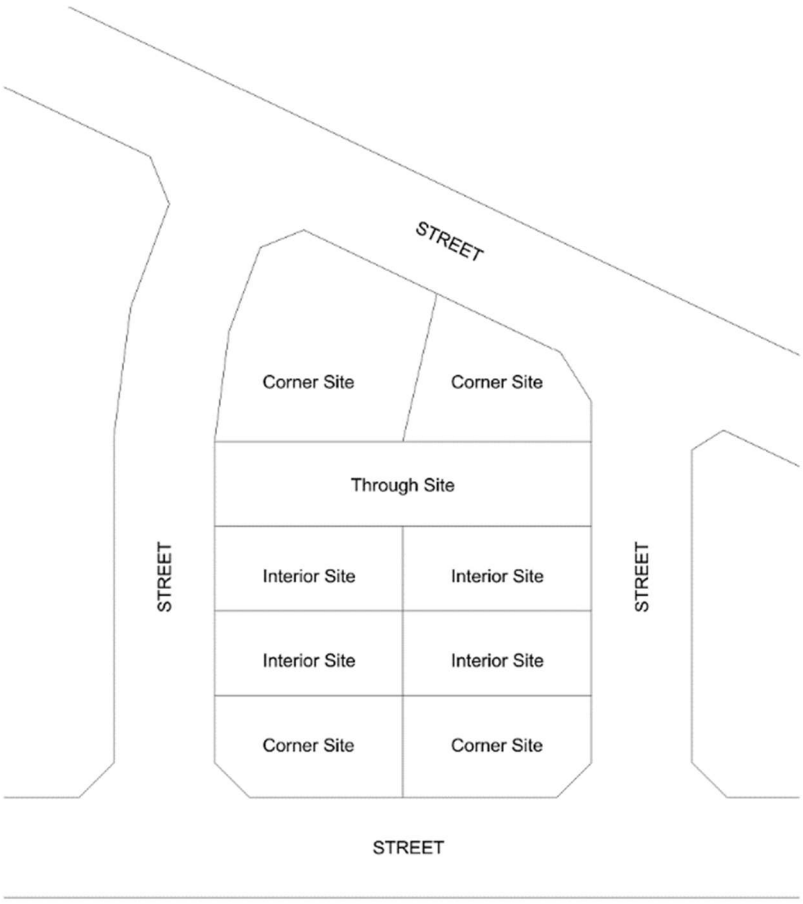


Figure 2-8: Illustration of Site Definitions

Site, Interior: Shall mean a site other than a corner site (refer to Figure 2-8).

Site Coverage: Shall mean that portion of the site that is covered by principal and accessory buildings, including covered patios and covered decks.

Site Line, Front: Shall mean the line that divides the site from the street right-of-way. In the case of a corner site, the front site line shall mean the line separating the narrowest street frontage of the site from the street right-of-way.

Site Line, Rear: Shall mean the line (or point) at the rear of the site adjacent to a rear lane and opposite the front site line or in the case of no rear lane, the line or point at the rear of the site and opposite the front site line (refer to Figure 2-9).

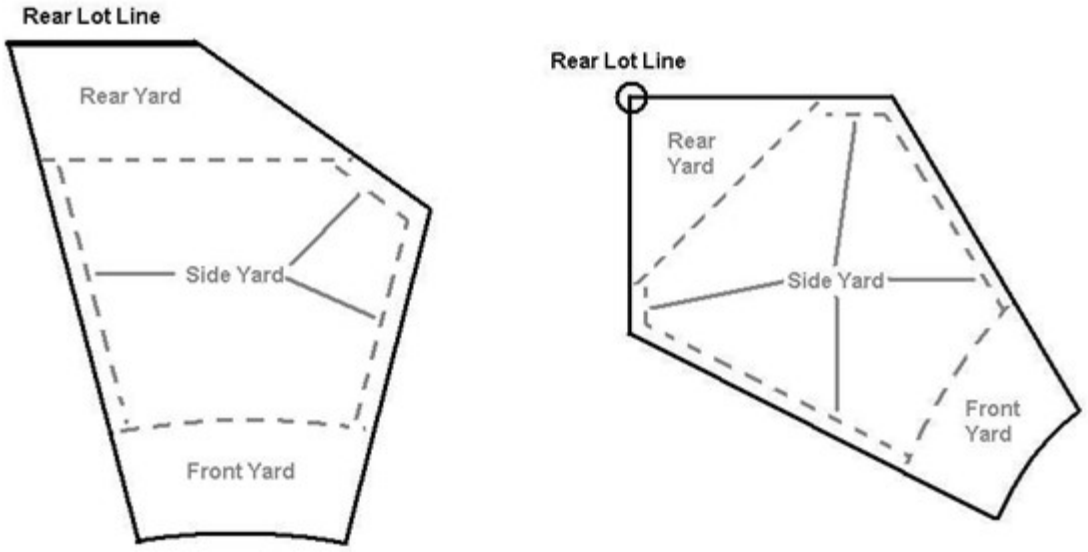


Figure 2-9: Illustration of Rear Site Lines

Site Line, Side: Shall mean a site line other than a front or rear site line.

Site, Through: Shall mean a site not more than one lot in depth, having a frontage on two or more streets (refer to Figure 2-8).

Site Width: Shall mean the horizontal distance between the side boundaries of the site measured at a distance equal to the required minimum front yard from the front site line for the district in which the site is located (refer to Figure 2-10).

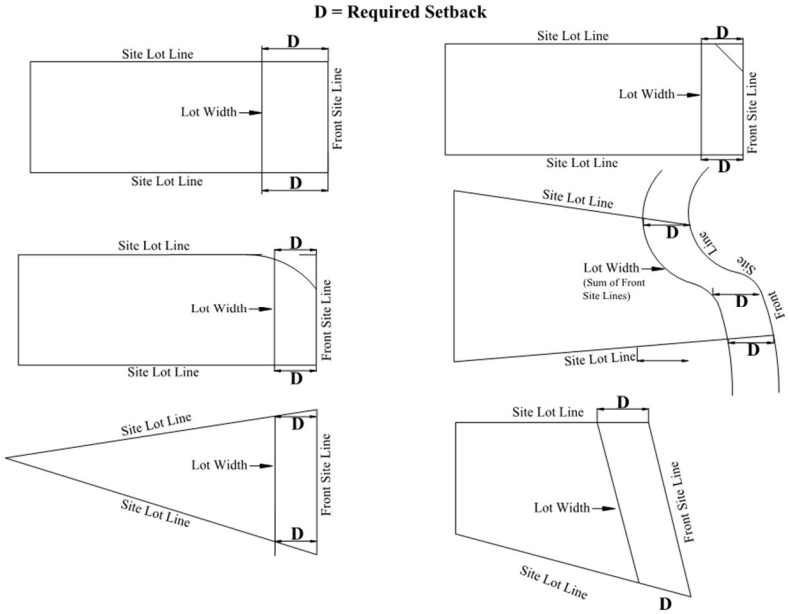


Figure 2-10: Illustrations of Site Width

Solar Energy System: Shall mean any solar collector, panel, shingle, or other solar energy device or ancillary equipment mounted on a building or a free-standing structure, whose primary purpose is to provide for the collection, storage, and distribution of solar energy.

Special Care Home: shall mean a facility designated under *The Provincial Health Authority Act* providing a higher level of 24-hour nursing and medical supervision than a personal care home.

Storage Rental Facility, Indoor: Shall mean a building or part of a building containing separate individual, and self-contained storage compartments, which are leased or rented to the public for the storage of personal property. All storage must be contained entirely within a building.

Storage Rental Facility, Outdoor: Shall mean a facility providing for the storage of goods, materials, or equipment on a lot or a portion thereof, which may include the lease or rent of space for the storage of recreational vehicles, boats, and motor vehicles. This use must be operated in conjunction with a permanent on-site office.

Storage Yard: Shall mean a facility used to store goods, commodities, supplies and equipment.

Storey: Shall mean 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. A basement or cellar shall not be counted as a storey if it is designed or used for ancillary activities such as long-term storage, mechanical rooms, stairways, janitorial rooms, or parking garage; and at least one half of the height of the basement or cellar, from finished floor to finished ceiling, is located below grade level.

Street: Shall mean the whole and entire width of every highway, public road, or road allowance, vested in the Crown or dedicated to public use, and shown as such on a plan of survey registered in the Land Titles Office.

Streetscape: Shall mean the physical elements of the street, as seen from a human perspective, that help define the character, perception, scale, and overall "feel" of the street or neighbourhood, including:

(a) trees and other vegetation;
(b) sidewalks, medians, and boulevards, including textural elements;
(c) street furniture and decoration;
(d) frontages, façades, massing, scale, and architectural aesthetic of buildings;
(e) pedestrians and bicyclists;
(f) moving and parked vehicles;
(g) roadways and lanes;
(h) signage; and
(i) utility elements.

Structural Alteration: Shall mean the construction or reconstruction of supporting elements of a building or other structure.

Structure: Shall mean anything erected or constructed, the use of which requires temporary or

permanent location on, or support of, the soil, or attached to something having permanent location on the ground or soil; but not including pavements, curbs, walks or open-air surfaced areas.

Swimming Pool, Private: Shall mean an artificially created basin lined with concrete, fibreglass, vinyl, metal or similar material, intended to contain water for the use of persons for swimming, diving, wading, or other similar activity, which is at least 600mm in depth, and includes above ground pools, hot tubs and whirlpools.

Swimming Pool, Public: Shall mean an artificially created basin, including a swimming pool, wading pool, hot tub, or whirlpool, operated by a public authority, club, or commercial entity, which is open to the general public or members, and which is subject to provincial *Public Health Act* regulations.

Tasting Room: Shall mean a licensed facility, typically accessory to a beverage manufacturing use, where alcoholic beverages produced on-site are served to patrons for consumption on the premises, and which may include the retail sale of those products.

Tavern: Shall mean a building or portion thereof where beer, wine, or spirits are served to patrons for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted.

Taxidermy: Shall mean the business of preparing, stuffing and mounting the skins of animals, birds, or fish for display, and includes the temporary storage of such specimens, provided all operations are conducted entirely within an enclosed building.

Temporary Development: Shall mean a building or use that may operate for a period of time determined by the Town and which complies with all relevant development standards. A Development Permit may be issued for a maximum of 12 months, after which time the Development Permit may be extended or re-issued at the discretion of the Town.

Theatre: Shall mean a place devoted to showing motion pictures or dramatic, dance, musical or other live performances.

Tourist Campground: Shall mean a tract or parcel of land which provides for the location of tents or recreation vehicles used by travellers and tourists for overnight accommodation.

Town: Shall mean the Town of Midale.

Trailer: Shall mean a vehicle, other than a semi-trailer, farm machinery, or a recreational vehicle that is drawn on a highway by a motor vehicle and that is designated for the conveyance of goods. Examples of a trailer include but are not limited to small utility trailers (open or enclosed), and trailers to carry boats, snowmobiles, all-terrain vehicles, jet-skis, or motorcycles.

Use: Shall mean the purpose or activity for which a piece of land, or its building is designed, arranged, occupied or maintained.

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

Use, Discretionary: a use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, contained in this bylaw

Use, General Industrial: shall mean any of the following activities:

(a) the processing of raw or finished materials;
(b) the manufacturing or assembly of goods;
(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 trans-shipping of materials, goods and equipment, including warehouses;
(e) the training of personnel in general industrial operations; and/or,
(f) indoor display, office technical or administrative support areas or any sales operation accessory to the general industrial use.

Use, Permitted: any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations applicable to that zoning district.

Use, Principal: the main activities conducted on a site.

Use, Prohibited: any use or form of development that is not allowed because it is not listed as a permitted or discretionary use within a given zoning district, or because it is specifically prohibited elsewhere in this bylaw.

Vehicle: Shall mean a device in or by which a person or thing may be transported or drawn on a street and includes motor vehicles, trailer coaches, semi-trailers; but does not include railway cars and other motor vehicles running only upon rails or tracks or solely upon railway company property.

Veterinary Clinic: Shall mean a place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization but shall not include the keeping of animals in outdoor pens.

Wall Height: Shall mean the vertical distance of a building measured at the outermost building face, from grade level to the top of the wall, not including the roof.

Warehouse: Shall mean a building used primarily for the storage of goods and materials.

Welding and Machine Shops: Shall mean an establishment primarily engaged in the fabrication, joining, and shaping of metal parts through welding, machining, or similar processes. This includes the repair of heavy equipment and the custom manufacturing of metal components.

Wholesale Establishment: Shall mean the sale of commodities to retailers or jobbers and shall include the sale of commodities for the purpose of carrying on any trade or business.

Yard: Shall mean an unoccupied space open to the sky on the same site with a building or structure.

Yard, Front: Shall mean the area between the side site lines and the front site line to the front building line.

Yard, Rear: Shall mean the area between the side site lines, and the rear site line to the rear building line.

Yard, Required: Shall mean a yard or yards required by this Bylaw and within which, unless specifically permitted, no building or structure, or part of a building or structure shall be erected.

Yard, Side: Shall mean the area between the front and rear yards and between the side site line and the side building line.

Zoning District: Shall mean a specifically delineated area of the municipality within which certain uniform requirements and regulations or various combinations thereof govern the use, placement, spacing and size of land and structures.

3 ADMINISTRATION

3.1 Development Officer

(1) The Municipal Administrator shall be the Development Officer responsible for the administration of this Bylaw. The Administrator may appoint a Development Officer subject to the approval of Council, to whom the duties in the administration of the Zoning Bylaw may be delegated.

(2) The Development Officer shall:

(a) Receive, record, and review Development Permit applications and issue decisions in consultation with Council, particularly those decisions involving Subdivision, Discretionary Uses, Development Permit conditions, Minor Variances, and Development and Servicing Agreements;

(b) Maintain a copy of this Bylaw, Zoning Maps and amendments for public inspection during office hours, and ensure that copies are available to the public at a reasonable cost;

(c) Collect application and development fees;

(d) Maintain a record of approved discretionary use and minor variance applications; and

(e) Perform any other duties as determined by Council.

(3) The Development Officer shall be empowered to make a decision, regarding a Development Permit application for a Permitted Use.

(4) The Development Officer shall receive, record, review and forward the following to Council:

(a) Development Permit Applications for Discretionary Uses;
(b) Rezoning Applications;
(c) Zoning Bylaw and Official Community Plan Amendments;
(d) Subdivision Applications;
(e) Development and Servicing Agreements; and
(f) Applications for Minor Variances.

(5) The Development Officer, as applicable and at their sole discretion, may waive part of the application requirements stated in this Bylaw and Official Community Plan,

when doing so will not jeopardize compliance with the Official Community Plan goals, objectives, policies or Zoning Bylaw requirements.

3.2 Council

(1) Council shall make all decisions regarding Discretionary Uses, development and servicing agreements and OCP and Zoning Bylaw amendments.

(2) Council shall make a recommendation regarding all subdivision applications referred to it by the Ministry of Government Relations – Community Planning Branch, prior to a decision being made by the approving authority.

(3) Council shall act on Discretionary Use, Rezoning, and Subdivision applications in accordance with the procedures established by *The Act* and in accordance with the goals, objectives and policies as stated in the Official Community Plan.

3.3 Interpretation

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

(2) All Bylaw requirements shall be based on the stated metric units.

(3) No existing development or site shall be deemed non-conforming due to non-compliance with the metric units used in the Zoning Bylaw.

3.4 Bylaw Compliance

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

3.5 Application for Development Permit

(1) Except as provided in Section 3.6 no person shall undertake a development or commence a use unless a Development Permit has first been obtained. A Development Permit cannot be issued in contravention of any of the provisions of this Bylaw, subject to Section 62 of *The Act*.

3.6 Development Not Requiring a Permit

(1) Development Permits are not required for the following developments, but all developments shall conform to all other Bylaw requirements (i.e. Building Permits, setbacks, environmental and development standards):

(a) Municipal Facilities: Routine maintenance, repairs, or minor accessory structures undertaken by the Municipality; however, new municipal buildings or major facility expansions shall be subject to the development permit process to ensure compliance with zoning standards.

(b) Public Works and Linear Utilities: The installation, maintenance, inspection, repair, or renewal of any Public Work or Linear Public Utility (including but not limited to sewers, water mains, electrical cables, gas pipes, or communication wires), located within a public right-of-way, provided that such work is carried out in accordance with all other municipal bylaws.

(c) Maintenance and repairs that do not include structural alterations, or a change in occupancy;

(d) Accessory buildings under 10m^2 in area,

(e) Fences; and,

(f) Landscaping, excavation, stripping or site grading that is a condition of an approved development permit or forms part of a fully executed Servicing Agreement.

(2) Developments listed in Section 3.6 (1) of this Bylaw must be allowed in the zoning district in which they are located and must comply with the regulations of this Bylaw and must comply with all other municipal bylaws.

3.7 Development Permit Application Requirements

(1) Every application for a Development Permit shall be accompanied by the following, unless otherwise stated by the Development Officer:

(a) a completed development application form with the names, addresses and telephone numbers of the applicant, property owner and person or consultant who prepared the plans being submitted, including a local contact person.

(b) the proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied, including the area of the proposed building or renovations.

(c) a current copy of the title to the land, showing the complete legal description, ownership and all encumbrances.

(d) a site plan, drawn to scale with appropriate dimensions, showing the following information:

(i) north arrow, streets and lanes adjacent to the site, key plan showing nearby lot patterns, all property boundaries, identified frontage of site, site area, site elevations and the location of any existing buildings structures, utility poles and wires, fire hydrants, underground utilities, easements, building encroachments, and the type and location of existing vegetation;

(ii) the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions where relevant;

(iii) the location and size of all proposed parking spaces, aisles and vehicle circulation areas, loading spaces and entrances and exits to the site;

(iv) the location of commercial signage.

(e) scaled plans, showing the dimensioned floor plans and elevations, including both interior and exterior wall and floor dimensions and room areas and dimensions.

(f) landscaping plan clearly indicating the following:

(i) the location and description of other landscape improvements, such as, but limited to earth berms, drainage swales, catch basins, walls, fences screens, sculptures, fountains, site furnishings, screened refuse containment areas, and bicycle racks;

(ii) location, type and quantity of existing plant materials;

(iii) the location, type, quantity and spacing of new plant material showing a list of plant material to be planted identifying caliper size and height at planting and a table indicating the minimum site landscaping requirements of the site and the actual landscaping provided. The planting and installation details as necessary to ensure conformance with all requirements;

(iv) footprint of existing and proposed structures along with signage driveways, overall parking areas, sidewalks, curbs, and refuse collection areas. The surface materials proposed for the property shall be indicated;

(v) location, type and quantity of existing plant materials including caliper size and height at planting;

(vi) snow removal storage and drainage plans.

(g) For applications involving a sign, the applicant shall provide a graphic rendering of the proposed sign, including dimensions and details of illumination.

(h) payment of the applicable development fees.

(2) The Development Officer may require any other information as specified within this Bylaw.

3.8 Development Permit Application Process

(1) The Development Officer shall review all applications for completeness and shall inform an applicant whose application is not complete, of the information or documentation required to complete the application, and that the application will not be considered until it is complete.

(2) The Development Officer shall examine the application for conformance with the Official Community Plan, this Bylaw, and other applicable policies and regulations.

(3) The Development Officer may refer any application to government agencies, neighbouring municipalities, the municipal solicitor or affected groups for consideration and comment.

(4) Where it is determined that a proposed development requires a technical, engineering, environmental, or legal assessment, the Development Officer may require the applicant to provide, at the applicant's sole expense, the technical reports or studies prepared by qualified professionals to support the application. The application shall not be considered complete until such

required reports have been submitted.

(5) The Development Officer may submit any application to Council for a decision on the interpretation of this Bylaw, or on special conditions provided in the Bylaw, and shall inform the applicant of this action. Council or the Development Officer may require the applicant to provide such further information as may be required to make a decision.

(6) Upon completion of the review of a complete application for development, the Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Bylaw, the Official Community Plan and *The Act*.

(7) The Development Officer may incorporate specific development standards in a Development Permit for a permitted use to ensure development and application conformity with this Bylaw. The development standards shall be based on the provisions of the General Development Standards and other defined requirement of the Zoning Bylaw or Official Community Plan.

(8) Where an application is made for a development permit with respect to a development for a discretionary use which has been approved by Council, the Development Officer shall issue a development permit subject to any specified development standards prescribed by Council pursuant to Section 56(3) of *The Act*.

(9) 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. The applicant shall be advised of their right to appeal a decision to the Development Appeals Board.

3.9 Additional Information

(1) Applicants may be required to prepare and provide additional information as part of any application to the municipality relating to development, as requested by the Development Officer or Council, as applicable, including:

(a) Concept Plan
(b) Geotechnical Report
(c) Engineered Water and Sewer Plan
(d) Storm-water Management Plan
(e) Fire and Protective Services Capacity Report
(f) Site Grading and Elevation Plan

(g) Hydrogeological Impact Assessment and Flood Risk Study
(h) Traffic Impact Assessment
(i) Environmental Impact Assessment
(j) Landscaping Plan
(k) Compaction Tests, Study and Plans
(l) Water Testing
(m) Noise and Vibration Impact Study
(n) Historical and Cultural Analysis
(o) Heritage Resource Impact Assessment (HRIA)
(p) Pedestrian Access Plan
(q) Public Consultation Plan
(r) Comment and recommendations from other Government Agencies
(s) Any other professional study, report, assessment or analysis which would provide additional information to assist the Development Officer or Council with the examination of the proposed development application.

3.10 Discretionary Use Application

(1) The following procedures shall apply to discretionary use applications:

(a) Applicants must file with the Development Officer a Development Permit application, a site plan, any other plans and information as required by this Bylaw as well as pay the required application fees.

(b) The application will be examined by the Development Officer for conformance with the Official Community Plan, this Bylaw, and any other applicable policies and regulations.

(c) The Development Officer may refer any application to government agencies, neighbouring municipalities, the municipal engineer or solicitor or any affected groups for consideration and comment.

(d) Where it is determined that a proposed development requires a technical, engineering, environmental, or legal assessment, the Development Officer may require the applicant to provide, at the applicant's sole expense, the technical reports or studies prepared by qualified professionals to support the application. The application shall not be considered complete until such required reports have been submitted.

(e) The Development Officer will set a date for the meeting at which the application will be considered by Council and will give notice by ordinary mail to assessed owners of property within seventy-five (75)

metres of the boundary of the applicant's land.

(f) The Development Officer will prepare a report concerning the application including a summary of any written submissions received and recommended conditions that may be applied to an approval.

(g) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council.

(h) Council may reject the application with reasons, or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site.

(i) The Development Officer shall notify the applicant of Council's decision in writing. Where an application for a discretionary use is approved by resolution of Council, the Development Officer shall issue a Development Permit subject to any conditions prescribed by Council. The applicant shall be advised of their right to appeal any terms and conditions to the Development Appeals Board.

(j) The Development Officer shall maintain a registry of the location and special conditions respecting the granting of a discretionary use approval.

3.11 General Discretionary Use Evaluation Criteria

Council will apply the following general criteria, and where defined, use-specific criteria, in the assessment of suitability of an application for a discretionary use or discretionary form of development.

(1) The proposal must be in conformance with all relevant sections of the Official Community Plan and Zoning Bylaw and must demonstrate that it will maintain the character, density and purpose of the zoning district and surrounding area.

(2) The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.

(3) The proposal must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.

(4) The proposal must provide sufficient buffers, landscaping and screening, and, wherever possible, shall preserve existing vegetation.

(5) The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made to ensure no adverse parking or access effects occur.

(6) Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise or other impacts not in keeping with the character of the adjacent area.

(7) Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.

(8) All operations shall comply with all applicable provincial or federal requirements which govern their operation and development.

(9) Proposals for discretionary uses which may result in heavy truck traffic, particularly in commercial and industrial districts, should be located to ensure that such traffic takes access to or from major streets or designated truck routes.

3.12 Terms and Conditions for Discretionary Use Approvals

(1) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. 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 property;

(c) access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic;

(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 odour;

(f) landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties;

(g) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs;

(h) prescribed specified time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and,

(i) intensity of use.

(1) Council may approve discretionary use applications for a limited period of time where it is considered important to monitor and re-evaluate the proposal and its conformance with the standards of this Bylaw.

(2) Upon approval of a Discretionary Use by resolution of Council, the Development Officer shall issue a Development Permit at the location and under such terms and conditions as specified by Council in its resolution.

(3) If the discretionary use or form of development associated with a Development Permit has not commenced within twelve (12) months from the date of issue, it will no longer be valid unless otherwise stipulated on the permit.

(4) Upon receiving a written request from the applicant prior to the permit expiry, Council may authorize the Development Officer to grant a discretionary use permit extension of up to twelve (12) months.

3.13 Use-Specific Discretionary Use Evaluation Criteria

Council will apply the following use-specific criteria to the assessment of the suitability of

an application for a particular discretionary use or discretionary form of development:

(1) Community centres, clubs, places of worship, cultural institutions, schools, and public and commercial recreation facilities:

(a) Schools, clubs and places of worship should, where possible, be located on corner sites to facilitate access.

(b) Public elementary and secondary schools should, where possible, be located adjacent to public open spaces.

(c) The site should be accessible from arterial or collector streets to avoid heavy traffic volumes on residential streets.

(d) Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent land uses.

(e) Parking and loading areas shall be landscaped to minimize their impact on the streetscape and to improve the visual appearance of the site.

(2) Dwelling Groups:
(also refer to Section 5.8)

(a) Dwelling groups should have vehicular access to a public street from at least two points which are sufficiently separated to provide accessible ingress and egress in case of emergency.

(b) The suitability of a proposal will be considered with respect to:

(i) the capacity of the adjoining street system to handle the expected traffic volumes;

(ii) the density of the proposed dwelling group, the arrangement on the site of the proposed buildings, on-site parking and traffic considerations, and access for fire-fighting and other emergency equipment.

(3) Multiple unit dwellings:

(a) The suitability of a proposal will be considered with respect to:

(i) adherence to any concept plan prepared for the proposed

development area, including the proposed location of all forms of multiple unit dwellings;

(ii) the convenience of parking; and,

(iii) the size, quality, and amenities provided for the proposed dwelling units.

(4) Licensed Drinking Facilities:

(a) The location of a licensed facility including a night club, tavern, lounge, or tasting room will only be favourably considered where it can be demonstrated that the use will have a minimal impact on the amenity of the surrounding district and adjacent areas and that these areas will not be unreasonably compromised.

(b) The character of adjacent **Residential** districts, along the zone interface, shall, where possible, be protected and maintained through the provision of buffer areas, separation distances and / or screening.

(c) Licensed drinking facilities shall maintain the character, density and purpose of the surrounding area and the district they lay within.

(5) Shopping centres and malls:

(a) Shopping centres and malls shall have clearly defined pedestrian walkways between the sidewalk and building entrances.

(b) It must be demonstrated to the satisfaction of Council that mitigation of vehicular traffic impacts has been addressed.

(c) Parking lots, service areas, and loading zones shall be appropriately screened from view of the street.

(d) Primary access to shopping centres shall be from a collector or arterial street.

(e) The number and location of vehicle entrances to a commercial development shall be consistent with the existing or anticipated design of adjacent streets and consideration shall be given to the minimum number of entrances needed to move traffic onto and off the site safely and efficiently.

(6) Auto body shops, welding and machine shops, taxidermy uses, lumber yards, home improvement centres, building supply establishments and construction trades:

(a) The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:

(i) municipal servicing capacity;

(ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;

(iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and,

(iv) utilization of hazardous substances.

(b) All materials and goods shall be stored within an enclosed building or within an area hidden from view by screening.

(7) Light manufacturing:

(a) All materials and goods used in conjunction with light manufacturing plants shall be stored within an enclosed building, or within an area hidden from view by screening.

(b) All manufacturing and assembly operations in conjunction with a light manufacturing plant shall be conducted within an enclosed building.

(8) Indoor and outdoor storage rental facilities and recycling depots:

(a) The use shall be located where practical, in a non-highly visible area, and screened to avoid any adverse visual impact. Landscaping and screening acceptable to Council shall be provided in all yards facing a public roadway or properties in residential use.

(9) Accessory Dwelling Unit:

(a) Dwelling units attached to commercial or industrial establishments shall have a main entrance separate from that of the commercial or industrial establishment. An emergency exit must be provided in addition to the main entrance.

(b) The minimum floor area of each dwelling unit shall be 28 square metres.

(10) Bulk fuel storage depots and fertilizer operations:

(a) Bulk fuel sales and storage and bulk fertilizer operations shall be located at least 91.4 metres from residential areas, schools, hospitals, and motels.

(11) Parking Lots

(a) No sign of any kind, other than those designating the parking lot name, entrance, exits, or conditions of use, may be erected or maintained.
(b) All lighting fixtures must be oriented in a manner to direct the light away from adjacent lots.
(c) A durable surface must be provided and maintained, and the lot must be graded to ensure the effective drainage of all surface water.
(d) Parking lots shall be landscaped to improve visual appearance of the site.
(e) Where the parking lot abuts a residential property boundary a minimum landscape buffer of 2.0 metres shall be provided.

(12) Intensive Agricultural Uses:

(a) The location of intensive agricultural uses will only be favourably considered where it can be demonstrated that the use and intensity of use is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas of the Town. Consideration may be given, but is not limited to the following effects:

(i) municipal servicing capacity;

(ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting,

glare, vibration or other emissions emanating from the operation;

(iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or

pedestrians; and

(i) utilization of hazardous substances.

(13) Freight handling facilities and warehouses

(a) The location of the use will only be favourably considered where it can be demonstrated that the use and intensity of use is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas of the Town. Consideration may be given, but is not limited to the following effects:

(i) municipal servicing capacity;

(ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;

(iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and

(ii) utilization of hazardous substances.

(b) All materials and goods used in conjunction with trades shall be stored within an enclosed building, or within an area hidden from view by screening.

(c) Warehouses and freight handling facilities shall be accessible from a major road network to avoid heavy traffic volumes on access roads. Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints; and,

(d) No outside storage is permitted for a wholesale establishment.

(14) Car and truck washes:

(a) The location of the car or truck wash will only favourably be considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas, particularly along the residential zone interface. Consideration may be given, but is not limited to the following effects:

(i) municipal servicing capacity;

(ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation; and/or,

(iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians.

3.14 Refusal of a Development Permit

(1) An application for a Development Permit shall be refused if it does not comply with all Zoning Bylaw requirements.

(2) The reasons for a Development Permit refusal shall be stated in writing on the Development Permit form. The applicant shall be advised of their right to appeal a decision to the Development Appeals Board.

3.15 Development Appeals Board

(1) Council shall appoint a Development Appeals Board in accordance with Sections 49(j) and 213 to 227 of *The Act*.

(2) A person who wishes to appeal to the Development Appeals Board shall, within thirty (30) after the date of the issuance of, or refusal, of a development permit, shall file a written notice of appeal, along with the appeal fee, to the secretary of the Development Appeals Board.

(3) A person whose application for a discretionary use or development has been approved with prescribed development standards may appeal any development standards considered excessive, to the Development Appeals Board.

(4) An appellant shall make the appeal within thirty (30) days of the date of the issuance of, or refusal to issue, a development permit.

(5) Nothing in this section authorizes a person to appeal a decision of the council:

(a) refusing to amend the Zoning Bylaw; or,

(b) rejecting an application for approval of a discretionary use.

(6) In making an appeal to the Development Appeals Board, and hearing such appeal,

the provisions of *The Act* shall apply.

3.16 Invalidation and Cancellation of a Development Permit

(1) A Development Permit shall be automatically invalid, and development shall cease, in the following cases:

(a) If the proposed development has not commenced within the period of time for which the Permit is valid.

(b) If the proposed development had commenced at one time, but has been legally suspended, or discontinued, for a period of six (6) or more months, unless otherwise indicated by Council or the Development Officer.

(2) Council or the Development Officer may cancel a development permit:

(a) Where the Development Officer or Council determines that a Development Permit was issued based on false or mistaken information;

(b) Where new information is identified pertaining to the suitability of the site for the specific type of development; and/or

(c) When the applicant requests a cancellation or modification to the permit.

(3) In the event of cancellation, once the issue impeding the developer has been resolved to the satisfaction of the Development Officer or Council, as applicable, a new Development Permit application for the proposed development must be submitted and a new Development Permit issued.

3.17 Development Permit Enforcement and Stop Work

(1) The Development Officer may authorize action to stop any development which does not conform to this Bylaw, the Official Community Plan, a development or servicing agreement, a Development Permit or condition, or a caveat under this Bylaw. The notice that all action on the development or a specific action, actions, activity or activities must cease shall be provided in the form of a Stop Work Order.

(a) In any case where, in the opinion of the Development Officer, the contravention causes immediate safety concern, nuisance or may require considerable additional investment on the part of the developer, the Development Officer shall immediately take enforcement action in the form of a Stop Work Order.

(b) In any case where, in the opinion of the Development Officer, the contravention does not cause immediate public safety concern or nuisance or does not significantly impact project investment by the developer, the municipality shall send written notice to the applicant to provide notification of the contravention and the expected remedy prior to the issuance of a Stop Work Order. If possible, the notice shall provide options for how the contravention may be remedied. The notice shall also provide a deadline for the remedial action to be complete.

3.18 Minor Variance

(1) The Development Officer may vary the requirements of this Bylaw subject to the following requirements:

(a) A minor variance may only be granted for the following:

(i) the minimum required distance of a building from a property lot line; or

(ii) the minimum required distance of a building to any other building on the lot.

(2) The maximum amount of a minor variance shall be a ten percent (10%) variation from the requirements of this Bylaw.

(3) The development must conform to all other requirements of this Bylaw.

(4) The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property.

(5) No minor variance shall be granted for a discretionary use or discretionary form of development, or in connection with an agreement for contract zoning entered into pursuant to Section 69 of *The Act*; and

(6) An application for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee as specified in the *Planning Fees Bylaw*.

(7) Upon receipt of an application for minor variance, the Development Officer may:

(i) approve the minor variance;

(ii) approve the minor variance and impose terms and conditions on the approval; or

(iii) deny the minor variance.

(8) Where the Development Officer imposes terms and conditions on an approval, the terms and conditions shall be consistent with the general development standards in this Bylaw.

(9) Where an application for a minor variance is refused, the Development Officer shall notify the applicant in writing of the refusal with reasons.

(10) Where an application for a minor variance is approved, with or without terms and conditions, 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.

(11) The written notice shall contain:

(i) a summary of the application;

(ii) reasons for and an effective date of the decision;

(iii) notice that an adjoining assessed owner has twenty (20) days to submit a written objection to the Development Officer, which will result in the approval of the minor variance being revoked; and

(iv) where there is an objection received and the approval is revoked, the applicant shall be notified of the right of appeal to the Development Appeals Board.

(12) A decision to approve a minor variance, with or without conditions, does not take effect until twenty-three (23) days from the date the notice was provided.

(13) If an assessed owner of property having an adjoining property with the applicant’s land objects to the minor variance in writing to the Development Officer within the prescribed twenty (20) days, the approval is deemed to be revoked, and the Development Officer shall notify the applicant in writing:

(i) Of the revocation of the approval; and

(ii) Of the applicant's right to appeal the revocation to the Development Appeals Board within thirty (30) days of receiving the notice.

(14) 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 thirty (30) days of the date of that decision.

3.19 Nonconforming Uses, Buildings and Sites

(1) Any use of land, any building or structure, or any site lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with the provisions of Section 88 to 93, inclusive, of *The Act*.

(2) Any existing non-conforming use may be continued if the use conformed to the Bylaw that was in effect at the time of the development and has not been discontinued for twelve (12) consecutive months.

(3) Non-conforming buildings or sites may continue to be used, maintained and repaired in their present form.

(4) No enlargement, additions or reconstruction of a non-conforming use, building or structure shall be undertaken, except in conformance with this Bylaw.

(5) No existing use, building or structure shall be deemed to be nonconforming by reason only of the conversion of this Bylaw from the Imperial System of Measurement to the Metric System of Measurement.

(6) No existing non-conforming site shall be deemed to be non-conforming by reason only of its dimensions or area failing to at least equal the standards prescribed for the proposed sites in the zoning district in which the site is located.

3.20 Zoning Compliance, Offences and Penalties

(1) Pursuant to Section 242(1) of *The Act*, the Development Officer may inspect any development suspected of contravening *The Act,* or any regulation or bylaw made pursuant to *The Act*.

(2) If it is determined that a contravention exists, the Development Officer may notify the owner in writing and instruct the owner to correct the contravention within a set period of time. If for any reason the contravention has not been corrected within that time, the Development Officer may extend the time period or issue a zoning compliance order pursuant to Section 242(2) of *The Act* to achieve bylaw conformance.

(3) Any person who violates this Bylaw may be charged and liable on summary conviction to the penalties as stated in Section 243 of *The Act*.

3.21 Fees

(1) Every application made in accordance with this Bylaw shall be accompanied by payment of a fee established in accordance with the *Planning Fees Bylaw*. Separate fees may be charged for each type of permit (permitted and discretionary uses).

3.22 Zoning by Agreement

(1) A zoning designation which is subject to an agreement entered into pursuant to the provision of Section 69 of *The Act* shall be indicated on the Zoning District Map by the addition of the Bylaw number authorizing the agreement after the zoning district designation.

4 GENERAL REGULATIONS

4.1 Licences, Permits and Compliance with Other Bylaws and Legislation

Nothing in this Bylaw shall exempt any person from complying with the requirement of any other municipal or provincial regulations and requirements nor from obtaining any licence, permission, permit, authorization or approval required by such requirements or regulations.

4.2 Building Lines

Where a building line in a residential district has been established by existing buildings in a block having at least one half the lot built upon, the front yard requirement for the applicable zoning district will be considered to be the existing building line.

4.3 Number of Principal Buildings Permitted on a Site

4.3.1 No person shall construct, place, or retain more than one principal building or structure on a single site.

4.3.2 Exceptions may be permitted for multiple principal buildings on a single site in Commercial, Industrial, Institutional, or Multi-Unit Residential districts, provided that:

(a) All buildings comply with the setback, lot coverage, and parking requirements of the applicable Zoning District.

(b) The development is approved as a single, comprehensive site plan by the Development Officer or Council.

4.4 Height Restrictions

4.4.1 Maximum Building Height

Except as otherwise provided in this Bylaw, the maximum height of a principal building in each zoning district shall be as follows:

(1) **R1** – Low Density Residential District: 10.0 metres

(2) **R2** – Medium Density Residential District: 10.0 metres for single detached, semi-detached, and two-unit dwellings; 15.0 metres for multiple-unit dwellings, townhouses, and non-residential uses

(3) **CS** – Community Service District: 12.0 metres

(4) **C1** – Downtown Commercial District: 12.0 metres (10.0 metres for single detached dwellings)

(5) **C2** – Highway Commercial District: 12.0 metres

(6) **M** – Industrial District: 15.0 metres (excluding grain elevators)

(7) **FUD** – Future Urban Development District: 10.0 metres

4.4.2 Exemptions from Building Height Requirements

Any height limitations or regulations shall not apply to the following:

(1) Chimneys, flagpoles, spires, cupolas, television antennas, or other appurtenances usually required to be placed above the roof level and are not intended for human occupancy.

(2) Mechanical penthouses, provided they are erected only to such heights as is necessary and provided they do not cover more than 25% of the gross roof area upon which they are located.

4.4.3 Walk-Out Basements

Where a single detached dwelling has a walkout basement oriented to the rear yard, building height shall be determined as follows:

(1) The maximum height of any building elevation facing a front yard or flanking street is not more than 10.0 metres.

(2) The height for the lowest floor or walk-out basement at the rear elevation shall not exceed 3.6 metres measured from the approved rear yard building grade to the top of the finished floor above the slab. In addition, the total height of the rear building elevation shall not exceed 13.6 metres measured from the approved rear yard building grade.

4.5 Visibility Clearance at Intersections (Sight Triangles)

4.5.1 In any district, no building, structure, earth pile, fence, wall, tree, or shrub shall be erected, placed, planted, or allowed to grow so as to obscure the vision of drivers within the area labelled as a “Sight Triangle”.

4.5.2 This restriction applies to any potential obstruction between the heights of 1.0 metre and 3.0 metres above the elevation of the centre of the abutting street or lane. Distances establishing the Sight Triangle shall be measured in accordance with Figure 2-2 in Section 2 of this Bylaw.

4.6 Required Yards and Open Space

4.6.1 Minimum Yards Required

No portion of any yard or open space required for any principal building or use shall provide any portion of a yard or open space for any other principal building or use.

4.6.2 Permitted Obstructions in Required Yards

The following shall not be considered to be obstructions and shall not be considered in the determination of yard dimensions or site coverage:

(1) *In all yards:*

(a) steps or ramps of 1.6 metres or less above grade level which are necessary for access to a building or for access to a site from a street or lane; trees; shrubs; walks; non-covered driveways; fences; trellises; flag poles and wheelchair ramps.

(2) *In front yards:*

(a) overhanging eaves and gutters projecting not more than 1.0 metre into the required front yard;

(b) lighting fixtures and lamp posts;

(c) non-covered raised patios and non-covered decks measuring 0.6 metres or less above grade;

(d) non-covered raised patios and non-covered decks more than 0.6 metres above grade, projecting not more than 1.8 metres into the required front yard;

(e) canopies or balconies projecting not more than 1.8 metres into the required front yard; and,

(f) architectural features, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the required front yard.

(3) *In rear yards:*

(a) non-covered raised patios and non-covered decks measuring 0.6 metres in height above grade or less, provided they are located at least 3.0 metres from the rear site line;

(b) non-covered raised patios and non-covered decks measuring more than 0.6 metres in height above grade, projecting not more than 3.0 metres into a required rear yard, provided they are located at least 3.0 metres from the rear site line;

(c) canopies or balconies, provided they are located at least 3.0 metres from the rear site line;

(d) overhanging eaves and gutters, architectural features, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 1.0 metre into the required rear yard;

(e) laundry drying equipment, recreational equipment, garbage stands and private swimming pools and sport courts when open to the sky.

(f) On interior sites, enclosed private swimming pools, projecting not more than 3.0 metre into the required rear yard;

(4) *In side yards:*

(a) non-covered raised patios measuring 0.6 metres or less in height above grade;

(b) non-covered raised patios measuring more than 0.6 metres in height

above grade and non-covered decks provided they are located at least 0.6 metres from the side site line;

(c) architectural features, eaves, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the required side yard subject to compliance with all requirements of *The National Building Code*;

(d) laundry drying equipment, recreational equipment, garbage stands and private swimming pools and sport courts when open to the sky.

(e) Central air conditioning units and heat pumps, provided they are at least 0.6 metres from the property line.

4.7 Fences

4.7.1 In any **Residential or Downtown Commercial** district, no wall, fence or similar structure shall be erected in a front yard or on a site line adjacent to a front yard to a height of more than 1.0 metres above grade level as illustrated in Figure 4-1.

4.7.2 In any **Residential or Downtown Commercial** district, no wall, fence, screen or similar structure, except permitted accessory buildings, shall be erected in a required side or rear yard, or on a site line adjacent to a required side or rear yard, to a height of more than 2.0 metres above grade level as illustrated in Figure 4-1.

4.7.3 In **any Highway Commercial, Industrial, or Future Urban Development** district, no wall, fence or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 3.0 metres above grade level.

4.7.4 On a corner lot in any district, no hedge planting, tree, wall, fence, or similar structure, not being a building, shall be erected, placed, planted, or maintained within the Sight Triangle, as described in Figure 2-2 and Section 4.5 of this bylaw, to a height greater than 1.0 metre as illustrated in Figure 4-1.

4.7.5 The use of barbed wire, razor wire, or electrified fencing is prohibited in all **Residential** and **Downtown Commercial Zoning Districts**. Barbed wire may be permitted in **Highway Commercial, Industrial** or **Future Urban Development Districts**, provided it is located entirely at the top of a standard security fence and is at least 2.0 metres above grade.

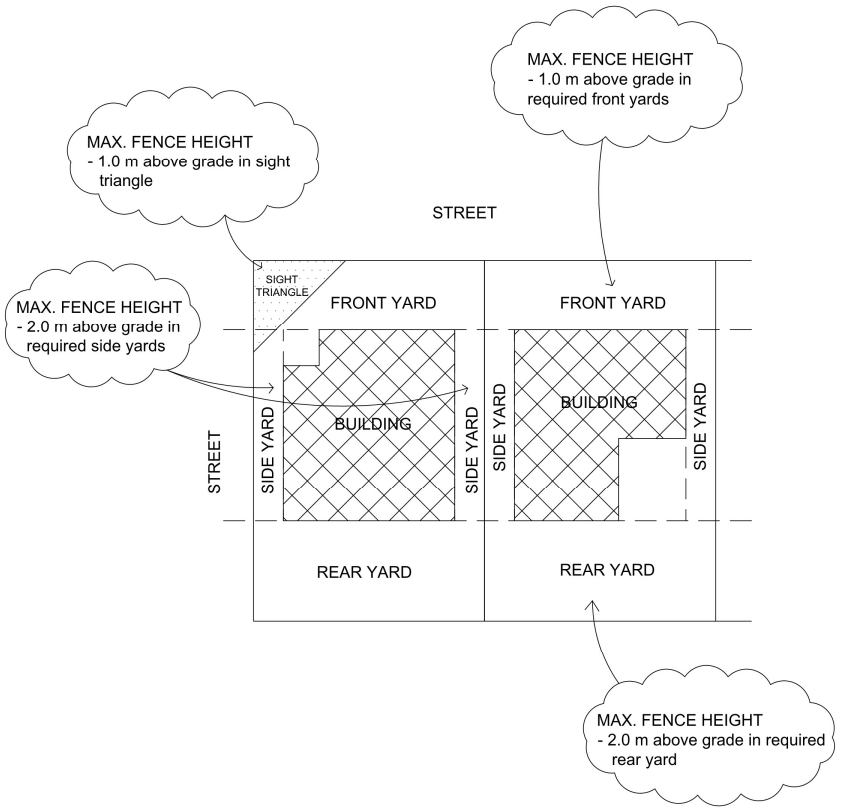


Figure 4-1: Fence Requirements

4.8 Accessory Buildings and Structures

4.8.1 Accessory buildings shall be subordinate to, and located on, the same site as the principal building or use, and used in conjunction with that principal use.

4.8.2 Time of Construction

Accessory buildings shall not be constructed or placed on any site prior to the construction of the principal building except in the following cases:

(1) Where a Development Permit has been issued for a principal building, Council shall allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed within the effective time period of the Development Permit for the associated principal building, the accessory building shall be removed, or an interest recognizing the zoning contravention shall be registered on the property title.

4.8.3 Height of Accessory Buildings

(1) In any non-residential district accessory buildings are not to exceed the height of the principal building.

(2) In all **Residential** zoning districts, accessory buildings are not to exceed the height of the principal building. In no case shall the height of an accessory building exceed 5.0 metres from the floor or grade level to the peak height of the roof.

4.8.4 Private Garages and Carports

(1) Private garages and carports, attached to the principal building by a substantial roof structure, are considered as part of the principal building and subject to the regulations governing the principal building.

(2) In any **Residential** district only one detached garage, not exceeding the floor area of the principal dwelling and in no case exceeding 100 square metres, shall be permitted.

(3) Except when conforming to established building lines, no vehicle door of a garage which faces a street shall be within 6.0 metres of front site line faced by the door.

(4) Except when conforming to established building lines, no vehicle door of a garage which faces a street shall be within 3.0 metres of the side site line faced by the door.

4.8.5 Location and Size of Accessory Buildings

(1) Detached accessory buildings in all **Residential** districts are subject to the following regulations:

(a) Accessory buildings shall not be located in any required front yard.

(b) The minimum rear yard setback of an accessory building shall be 0.6 metres, except where the vehicle door faces the rear site line, the minimum setback shall be 1.2 metres.

(c) Accessory buildings shall have a minimum side yard setback of 1.5 metres. However, if the accessory building is located entirely behind the rear wall of the principal building, the minimum side yard setback may

be reduced to 1.2 metres. In all cases, where an accessory building abuts a flanking street on a corner lot, the minimum side yard setback shall be 3.0 metres.

(d) Accessory buildings located in a rear yard shall not occupy more than 40% of the rear yard.

(e) Detached accessory building shall be located a minimum of 1.0 metre from a principal building.

(2) Detached accessory buildings in all non-residential districts are subject to the following regulations:

(a) On a corner site, no accessory building shall be erected in or encroach on the required side yard which is adjacent to the street.

(b) An accessory building or structure on a site in a non-residential district that abuts a site in a Residential district shall not be less than 1.5 metres from the boundary of the site in the **Residential** district.

(c) No accessory building may be placed in an area designated for required landscaping.

4.8.6 Number of Accessory Buildings

In any Residential district and on all residential sites, there shall be no more than three (3) accessory buildings on a site, including no more than one detached private garage. Fabric covered structures, pool sheds, and shipping containers are considered accessory buildings.

4.8.7 Accessory Membrane Covered Structures and Pole Sheds

(1) In all **Residential** districts, no more than one fabric-covered structure with a maximum area of 18.6 m^2 shall be permitted as an accessory structure.

(2) Fabric-covered structures and pole sheds shall be permitted as an accessory structure in the **C2 and M** districts.

(3) Notwithstanding subsections (1) and (2), fabric-covered structures may be placed in any district for use as a public recreational use, public school or education facility.

(4) In addition to a Development Permit, fabric-covered structures and pole

sheds require a valid Building Permit prior to installation or construction to ensure compliance with the *National Building Code of Canada*.

4.8.8 Temporary Membrane Covered Structures

In any District, temporary fabric-covered structures exceeding 18.6 m^2 in area shall be allowed for a period not to exceed seven (7) days in a calendar year, or such period of time as may be approved by resolution of Council.

4.8.9 Shipping Containers

(1) No shipping container shall be used, placed, or stored on any site other than a site in the **Highway Commercial - C2 and Industrial - M Districts**.

(2) The maximum shipping container size in the **Highway Commercial** or **Industrial District** is a 6.1 metre (20-foot) industry standard container size.

(3) Shipping containers shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable zoning district.

(4) Shipping containers shall:

(a) be properly anchored and maintained in good repair;

(b) be sandblasted and repainted to a neutral colour or complement the colours of the principal building prior to their placement, above grade, on a site;

(c) be located a minimum of 3.0 metres from, and behind the rear wall of, the principal building; and

(d) meet the requirements of *The National Building Code of Canada* as applicable.

(5) Only one (1) shipping container shall be permitted per site.

(6) Shipping containers shall be located in the side or rear yard only. They shall not project beyond the building front line of the primary building.

(7) Shipping containers shall be kept clean, level, maintained, and placed in an orderly manner.

(8) A Development Permit must be obtained prior to placing a shipping container on a site. Once placed, a shipping container shall not be relocated to a different position on the same site without the prior approval of a new Development Permit. All applications must include current photographs of the container.

(9) Shipping containers shall be prohibited for use as human habitation.

(10) Shipping containers shall not block, obstruct, or reduce exits, windows, parking spaces, or driveways.

(11) Shipping containers shall not be used for the purpose of screening or fencing.

(12) Shipping containers shall not be stacked on top of one another.

(13) Shipping containers shall not be used for the purpose of display or advertising.

(14) Notwithstanding subsection (1), shipping containers may be temporarily placed on a site in any district:

(a) during active construction on a site where the shipping container is used solely for the storage of supplies and equipment that are used for construction operations on site, provided that a valid building permit has been issued for construction, and provided that the shipping container is removed from the site upon completion of construction.

(15) When placed on a site pursuant to subsection (14), the shipping containers shall:

(a) be located so as not to create a safety hazard;

(b) not be placed on a public right-of-way or dedicated lands; and

(c) not be located within 1.2 metres of any property line.

(d) Be located so it is readily accessible at all times to be removed.

4.8.10 Private Swimming Pools

(1) Private swimming pools are permitted in all **Residential** districts subject to the following requirements:

(a) private swimming pools shall not be located in any required front yard;

(b) private swimming pools shall not be located any closer than 1.5 metres

from any side or rear property line;

(c) private swimming pools shall not be located upon any easement or right-of-way, or on top of any utility lines;

(d) a private swimming pool shall be located so as to provide a minimum 750 mm walkway around its perimeter and the walkway shall not be obstructed by any object which will restrict walking around the entire perimeter;

(e) any mechanical or electrical equipment, associated with a private swimming pool, shall be located so as not to create any nuisance for neighbouring properties;

(f) all private swimming pools shall be enclosed by an enclosure, a non-climbable fence being not less than 1.8 metres in height, either around the pool area or perimeter of the site and shall include a security gate;

(g) the enclosure shall be in place prior to the pool being filled with water;

(h) the enclosure shall be properly maintained at all times;

(i) any alteration to an enclosure, for which a development permit has been issued, must be approved by the Town, prior to any alterations being made;

(j) the enclosure shall not contain any gaps or openings, which will permit a spherical object of 100 mm in diameter to pass through;

(k) chain link fencing used in an Enclosure shall not have a mesh size exceeding 50 mm or a wire core of less than 11 gauge;

(l) gates, which form part of an enclosure, shall comply with the following:

(i) all gates shall be installed to swing outward in the direction away from the swimming pool;

(ii) all gates shall be equipped with a self-closing device designed to return the gate to the closed position after each use, a self-latching device designed to hold the gate in the closed position after each use and have the capacity of being locked;

(iii) the self-closing and self-latching devices shall be maintained in working order at all times;

(iv) all gates shall be anchored to fixed posts or secure structures both on the hinge and latch side;

(v) when a private swimming pool is not attended by the owner or occupant, all gates or other entrances to the Enclosure shall be locked;

(m) in the case of a private swimming pool, which is a hot tub or whirlpool, the requirements of subsection (l), above, shall not apply provided all of the following provisions are provided:

(i) the hot tub or whirlpool has a cover with the strength to support the weight of an adult walking across the top;

(ii) the hot tub or whirlpool has a lockable device to prevent access to the water by unauthorized persons; and

(iii) the cover is maintained in place and locked at all times when the hot tub or whirlpool is unsupervised.

(n) Every owner or occupant shall have and utilize a discharge system that allows the private swimming pool to drain into the municipal sewer system safely and securely. Swimming pool discharge shall be restricted to non-peak times, specifically evenings after 8:00pm or weekends after 10:00am. The rate of discharge shall not exceed 90 litres per minute.

(o) no occupant or owner shall drain the water of a private swimming pool into any adjacent public or private property or any street, lane, walkway, natural watercourse or waterbody.

(p) no private swimming pool shall have a direct connection to the Town's water distribution system.

(q) all private swimming pools shall meet the standards of any applicable provincial regulations regarding swimming pools.

4.8.11 Easements

All buildings or structures shall be located on a site so as to comply with the requirements of any easement or other development restriction registered as an interest on the title of the subject property. It shall be the responsibility of the

property owner and the person or corporation who has registered the interest to ensure compliance with said easement or restriction.

4.8.12 Business Dwellings

(1) Business Dwelling shall be considered as a discretionary use to accommodate a dwelling unit as a residence for an operator, manager, an employee and/or partner engaged in a commercial or industrial operation in a commercial or industrial zoning districts, subject to the following provisions:

(a) the dwelling unit must be physically attached to, or located within, the primary building where commercial or industrial operations are underway;

(b) the business dwelling shall have a main entrance separate from that of the commercial or industrial establishment;

(c) an emergency exit must be provided in addition to the main entrance; and

(d) the minimum floor area of each dwelling unit shall be $45m^2$ and shall not exceed forty-nine percent (49%) of the buildings total floor area.

(e) Off-street parking for the Business Dwelling shall be provided in accordance with the parking requirements of this Bylaw; however, Business Dwellings located within **the C1 – Downtown Commercial District** are exempt from providing dedicated off-street parking.

4.9 Off-Street Parking and Loading

4.9.1 Required Parking and Loading Spaces

(1) No person shall erect, enlarge, or extend any building or structure permitted under this Bylaw, unless the required parking and loading spaces are provided and maintained in connection with the new, enlarged, or altered building or structure.

(2) When the intensity of use of any building, structure, or premises is increased through the addition of dwelling units, floor area, seating capacity, or other specified units of measurement for required parking and loading facilities, parking and loading facilities as required in this Bylaw shall be provided for any increase in intensity of use.

(3) Wherever the existing use of a building or structure is changed to a new use, parking and loading facilities shall be provided as required for the new use; however, if the building or structure was erected prior to the effective date of this Bylaw, additional parking and loading facilities are mandatory only in the amount by which the requirements for the new use exceed the requirements for the existing use.

(4) All required parking facilities shall be located on the same site as the principal building or use, with the exception of lands within the **C1 or C2 districts**, where required parking spaces may be located on a remote site. In the **C1 or C2 districts,** remote parking may be approved where the remote site is within 150 metres of the principal building or use and where the remote site is located within a Commercial or Industrial district. As a condition of approval of a remote parking site, the Town shall register an interest against the title of the remote parking lot to ensure the land remains designated as a required parking facility in accordance with Section 235 of *The Act*. All costs associated with the registration of this interest shall be borne by the applicant, in accordance with the Town's Planning Service Fees Bylaw.

(5) When the calculation of parking requirements results in a fractional required parking space, this fractional requirement shall be rounded to the next whole number.

4.9.2 General Regulations for Off-street Parking and Loading

(1) All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the principal building or use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access/egress, commercial repair work or long-term display, signage, sale or storage of goods of any kind.

(2) Required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site. Such facilities shall comply with the following design, development and maintenance standards:

(a) All required parking and loading facilities shall be clearly demarcated and have adequate storm water drainage and storage facilities.

(b) All non-required parking and loading facilities shall be appropriately surfaced by gravel, asphalt, concrete or other similar material.

(c) Where warranted, on-site traffic signs shall be provided.

(d) In situations where lighting of off-street parking and loading facilities is to be provided, the lighting shall be arranged, installed and maintained to deflect, shade and focus light away from any adjacent land used or intended to be used for **Residential** purposes.

(e) All required parking and loading spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions, and shall conform to the minimum dimensions set out in Table 4-1.

Table 4-1: Parking and Loading Space Dimension Requirements

Type of Space	Minimum Dimension	Minimum Vertical Clearance
Parking spaces having direct access to a registered lane	2.7 metres x 6.0 metres	2.0 metres
Parallel parking spaces	3.0 metres x 6.7 metres	2.0 metres
Barrier free parking spaces	3.9 metres x 6.0 metres for one space, or 6.3 metres x 6.0 metres for two spaces side by side	2.0 metres
Parking spaces other than those described above	2.7 metres x 6.0 metres	2.0 metres
Loading space	3.0 metres by 7.5 metres	4.0 metres

(f) All required parking and loading spaces shall, without excessive vehicular manoeuvring, have direct access to a driveway, aisle or registered lane leading to a public street. Driveways and aisles which provide access to parking or loading spaces shall conform to the following minimum dimensions:

Parking Angle in Degrees	Width of Aisle or Driveway
75 to 90	6.0 metres (two-way traffic)
50 to 74	5.5 metres (two-way traffic)

49 or less	3.7 metres (one-way traffic only)

For the purpose of the above minimum dimensions, angles shall be measured between the centre line of the parking or loading space and the centre line of the driveway or aisle.

(g) All entrances to and exits from a required parking facility shall be designed in such a manner to minimize traffic congestion and interference with traffic movement along public streets.

(h) Driveways leading to a public street or public right-of-way or to an internal private roadway, aisle, ramp or parking space shall be of sufficient length and width to accommodate expected vehicle volumes and therefore minimize traffic congestion and interference of traffic movement within the required parking facility and along public streets. The length, width and slope of such driveways shall be based upon accepted engineering roadway design principles.

(i) For multiple unit dwellings, all parking spaces shall be suitably screened from view from adjacent streets, and all required visitor parking spaces shall be clearly marked or signed as such.

4.9.3 Required Off-street Parking and Loading in All Districts

(1) The minimum off-street parking requirements for all districts are set out in Table 4-2. The required off-street parking categories are then cross-referenced by use in the District Development Standards tables throughout Section 7 of this Bylaw.

(2) In all **Residential** districts, required off-street parking shall not be located in any required front yard. This provision shall not apply to single detached, two-unit, semi-detached, and town house developments.

(3) The surfacing of all required driveways, aisles, ramps, and required parking and loading spaces shall comply with the following:

(a) For all uses within the **C1 – Downtown Commercial District**, and for all multi-unit dwellings in any district, surfacing shall consist of asphalt, concrete, paving stones, or a similar hard-surfaced material.

(b) For single-detached residential uses, two-unit dwellings, and uses within the **C2 – Highway Commercial and M – Industrial Districts**, surfacing may consist of crushed gravel or a similar dust-free, all-

weather surface, provided it is graded and maintained to ensure adequate drainage.

(4) Each non-residential building with a floor area greater than 500 m^2 shall provide one off-street loading space.

4.9.4 Parking and Storage of Vehicles in Residential Areas

(1) Any vehicle parked or stored in a required front yard shall be located on a surfaced area, consisting of gravel, asphalt, concrete, or other similar material.

(2) Large recreation vehicles may be parked in front, side and rear yards on a residential site provided the vehicle is not within 1.2 metres of the interior edge of the sidewalk or from the interior edge of the curb in cases where no sidewalk exists.

4.9.5 Barrier Free Parking Requirements

(1) For uses other than a multiple unit dwelling, a minimum of one barrier free parking space shall be provided for any required parking facility accommodating more than three parking spaces. A minimum of one percent of total required parking capacity shall be barrier free for parking facilities accommodating more than 100 parking spaces.

(2) Barrier free parking spaces shall be located not more than 50 metres from a main entrance to the principal building or use on the subject site.

(3) Barrier free parking spaces shall be designated as reserved for use by persons with physical disabilities by the international symbol to identify accessible parking stalls, and where surfaces are paved, have the international symbol of accessibility marked on the pavement of the stall and access aisle.

4.9.6 Bicycle Parking

Bicycle parking structures should be provided for uses such as schools, public recreation uses, libraries, multiple-unit apartment dwellings and community service.

4.9.7 Reduced Parking for Multiple-unit Dwellings and Dwelling Groups

A reduction in required parking may be provided for multiple-unit dwellings or

dwelling groups operated by a nonprofit corporation or public authority and used exclusively for the domestic habitation of senior citizens, disabled persons, occupants of subsidized housing, or the cohabitant spouse and children of persons noted above. The minimum parking requirement shall be determined by Council, however, in no case shall the required parking rate be less than 0.25 spaces per dwelling unit.

Table 4-2: Off-Street Parking Requirements in All Districts	
Parking Category	**Off-Street Parking Spaces Required**
0	No off-street parking required
1	1 space per dwelling unit
2	1 space per dwelling unit plus 0.1 space per dwelling unit for visitors
3	1 space plus 1 space for each guest room
4	1 space per 50 m^2 of gross floor area
5	1 space per 28 m^2 of gross floor area
6	1 space per 4 beds plus 1 space per employee
7	3 spaces per 10 seats in main assembly area (or (where no fixed seating is provided) 1 space per 2.5 m^2 of gross floor area devoted to main assembly area.
8	1 space per 4 seats intended for patrons' use
9	1 space per 2 guest rooms plus 1 space per 15m^2 of gross floor area devoted to the public assembly plus the applicable parking requirements for any other use contained on the site.
10	1 space per 50 m^2 of gross floor area, or 1 space per 3 employees, whichever is greater.
11	1 space per 90 m^2 of gross floor area
12	1 space plus one space per 5 persons enrolled in the facility
13	1 space for 8 patrons at design capacity
14	1 space plus 1 additional space for every 10 persons enrolled in the facility per day
15	1 space per 10 seats in main assembly area or (where no fixed seating is provided) 1 space per 7.5 m^2 of gross floor area devoted to main assembly area
16	1 space per non-resident employee

Table 4-2: Off-Street Parking Requirements in All Districts	
Parking Category	**Off-Street Parking Spaces Required**
17	1 space per staff member
18	1 space per staff member plus 3 spaces for each classroom, with parking permitted in a front, side and/or rear yard
19	1 space per bay
20	1.2 spaces per classroom plus 1 space per 8 students at design capacity
21	1 space per 50 m^2 of gross floor area, excluding garage area
22	1 space per 50 m^2 of gross floor area or, for primarily outdoor recreational uses, 1 space per 8 patrons at design capacity
23	1 space per dwelling unit plus 1 space for every two renters

4.10 Signs

All signs shall be subject to the following regulations:

4.10.1 General

(1) In addition to signs permitted as set out below, temporary election signs, and temporary signs bearing notice of sale or lease or other information relating to a temporary condition affecting the property, are permitted.

(2) Signs shall not be located in sight triangles for intersections or driveways or in such a manner that they visually obstruct sight triangles or otherwise jeopardize public safety, subject to Section 4.5 of this Bylaw.

(3) Except when otherwise provided, no sign shall project beyond the property lines of the site to which it pertains.

(4) Subject to the general provisions governing their location, directional signs providing on-site directions for the convenience and safety of persons using the site shall be permitted.

(5) Permitted home based businesses may display one (1) fascia sign, not exceeding 0.4 m^2 in area, identifying the name of the home-based business. Such signs shall not be illuminated and shall be affixed to the principal building. (**Note**: On multiple unit residential buildings, other permission may

be required to display a home-based business sign and no right to place such a sign in such situations is conveyed in this Bylaw).

(6) Signs for Cannabis Production Facilities and Cannabis Retail Stores shall not contain any images but may include the business name in alpha-numeric characters and are subject to the additional regulations in Section 5.16.

(7) Off-site signage, except where provided for in Section 4.10.9, Highway Corridor Signs is prohibited.

(8) Signs shall be kept in a reasonable state of repair

4.10.5 On any site in any **Residential** or **Future Urban Development** district, signs may be erected as follows:

(1) Sign provisions applying to permitted principal residential uses, commercial uses and community service uses in any **Residential** or **Future Urban Development** district are set out in Table 4-3. The following provisions apply:

(a) No roof signs shall be permitted;

(b) Illuminated signs shall have a steady internal light source or a steady external light source shielded so that the light is directed only at the face of the sign;

(c) Signs applying to community service uses shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m.; and

(e) Signs applying to community service uses must not display advertising of any commercial service or product.

(f) Permitted home-based businesses may display one fascia or window sign, not exceeding 0.4 m^2 in area, identifying the name of the home-based business. Such sign shall not be illuminated and shall be affixed to the principal building. (**Note:** on multiple-unit residential buildings, other permissions may be required to display a home based business sign and no right to place such a sign in such situations is conveyed in this bylaw.)

Table 4-3: Sign Regulations in Residential and Future Urban Development Districts

Use	Max. # of Signs	Max. Total Sign Face Area (m^2)	Max # of Freestanding Signs	Max. Height of Freestanding Signs (m)	Max Sign Face Area for Freestanding Signs (m^2)	
					Per Face	Total
All principal residential uses for which a permit has been issued	1 (1)	0.4 (1)	1(1)	2(1)	1	2
All principal commercial uses for which a permit has been issued	2	6	1	2.5	2	4
All principal community service uses for which a permit has been issued	2	10	1	3	2.5	5

(1) Multiple-unit dwellings and dwelling groups are permitted one additional sign, up to 1.0 m^2 in area, showing the name of the building or group.

4.10.6 On any site in any **Commercial** or **Industrial** district, signs may be erected as follows:

(1) Sign provisions applying to permitted principal commercial/industrial uses, community service uses and residential uses in **Commercial** and **Industrial** districts are set out in Table 4-4. The following provisions also apply:

(a) Illuminated signs applying to commercial or industrial uses shall have an internal light source or an external light source shielded so that the light is directed only at the face of the sign;

(b) A free-standing sign applying to a commercial or industrial use may be located in a required yard provided that the Development Officer is satisfied that it does not create an obstruction to vehicle or pedestrian traffic or a hazard to public safety;

(c) Free-standing signs shall maintain a minimum vertical clearance of 3.0 m above grade over any vehicle circulation area on the site;

(d) Signs other than free standing signs shall have a minimum vertical clearance of 2.7 m above grade where they project more than 75 mm from the building face;

(e) Awning signs shall not project more than 1.8 m from the building face;

(f) Projecting signs shall not project more than 1.8 m above the eaves or parapet of a supporting building;

(g) Electronic message centre signs are permitted in the **C1 – Commercial District** and **C2 – Highway Commercial District** subject to compliance with the following requirements:

(i) Electronic message centre signs shall be equipped with a dimmer switch, which must be adjusted in accordance with any direction given by the Development Officer;

(ii) Flashing images or flashing lights are not permitted on electronic message centre signs;

(iii) Sound, live video feeds, or video clips exceeding 10 seconds in length are not permitted on an electronic message centre sign;

(iv) Electronic message centre signs shall be located at least 50 metres from any residential property line;

(h) Signs applying to community service uses must not display advertising of any commercial service or product;

(i) Except in the **C1 – Commercial District**, no sign shall project beyond the property lines of the site to which it pertains. The following provisions for signs in the **C1 – Commercial District** shall apply:

(i) No projecting sign may project perpendicularly from the property line more than 3.0 m or beyond a point 0.6 m from the building side of the curb line, whichever is less;

(ii) No projecting sign may be suspended less than 2.6 m above the surface of a public sidewalk or pedestrian right-of-way;

(iii) Any projecting sign referred to in subsections (i) and (ii), above shall require the approval of council prior to construction and may be required to enter into a License of Occupation agreement with the Town.

(j) Roof signs are permitted only on a principal building on any site and only one roof sign shall be permitted on each principal building; and,

(k) No portion of any roof sign may project beyond any exterior wall or parapet of the building upon which it is placed.

Table 4-4: Sign Regulations in Commercial and Industrial Districts						
Use	**Max. # of Signs**	**Max. Total Sign Face Area (m^2)**	**Max # of Freestanding Signs**	**Max. Height of Freestanding Signs (m)**	**Max Sign Face Area for Freestanding Signs (m^2)**	
					Per Face	**Total**
All principal commercial / industrial uses for which a permit has been issued	n/a	n/a	(1)	(2)	(3)	(3)
All principal community service uses for which a permit has been issued	3	18	1	3	6	12
All principal residential uses for which a permit has been issued	1 (4)	0.4 (4)	0	n/a	n/a	n/a

(2) Regulations for Freestanding Signs for Commercial and Industrial Uses:

(a) In the **C1** district, a maximum of one (1) free standing sign shall be permitted on sites with a minimum site width of 20 metres.
(b) In the **C2** and **M** districts, a maximum of one (1) free standing sign shall be permitted.

(c) Notwithstanding subsection (b), sites within the **C2** and **M** districts with a minimum site area of 3.2 hectares shall be permitted a maximum of two (2) freestanding signs.

(d) Maximum Height:
  (ii) In the **C1** district: 6 m
  (iii) In the **C2** and **M** districts: 10 m

(e) Maximum Sign Face Area:
  (i) **C1** District**:** Maximum 5 m^2 sign face area and 10 m^2 total sign face area.

(ii) **C2** and **M** Districts**:** Maximum 9 m^2 sign face area and 18 m^2 total sign face area.

(iii) For the additional free-standing sign permitted on sites with a minimum site area of 3.2 hectares in the **C2** and **M** districts, the sign may have a maximum of 25 m^2 sign face area and 50 m^2 total sign face area.

(3) Multiple-unit dwellings and dwelling groups located with Commercial or Industrial districts are permitted one (1) additional sign, up to one (1.0) square metre, showing the name of the building or group.

4.10.7 On any site in any **CS - Community Service District**, signs may be erected as follows:

(1) Sign provisions applying to permitted principal community service uses, residential uses, and commercial uses in the **Community Service District** are set out in Table 4-5. The following provisions also apply:

(a) No roof signs shall be permitted;

(b) Illuminated signs shall have a steady internal light source or a steady external light source shielded so that the light is directed only at the face of the sign;

(c) Signs applying to community service uses must not display advertising of any commercial service or product.

Table 4-5: Sign Regulations in Community Service Districts

Use	Max. # of Signs	Max. Total Sign Face Area (m^2)	Max # of Freestanding Signs	Max. Height of Freestanding Signs (m)	Max Sign Face Area for Freestanding Signs (m^2)	
					Per Face	Total
All principal residential uses for which a permit has been issued	1 (1)	0.4 (1)	1 (1)	2 (1)	1	2
All principal commercial uses for which a permit has been issued	2	18	1	3	6	12
All principal community service uses for which a permit has been issued	3	18	1	3	6	12

(1) Multiple unit dwellings and dwelling groups are permitted one (1) additional freestanding sign, up to 1.0 m^2 area and a maximum of 2.0 m in height, identifying the name of the building or group.

4.10.8 Portable Sign Regulations

(1) No portable sign shall have a single face area greater than 4.5 m^2 or a gross face area greater than 9.0 m^2.

(2) No portable sign shall have a height greater than 2.0 m above grade.

(3) No portable sign shall occupy any space required for off-street parking unless the site contains off-street parking in excess of that required under this bylaw.

(4) On any single site, no portable sign may be located closer than 20 m to any other portable sign.

4.10.9 Highway Corridor Signs

(1) Off-site advertising shall be designed in a manner to allow easy access for personnel and equipment to maintain the area, grass and foliage beneath the sign.

(2) Other standards and regulations:

(i) the owner of the highway corridor sign shall be responsible for ensuring that the sign meets all other provincial standards and regulations;

(ii) in cases where other standards or regulations are inconsistent with this Bylaw, Provincial or Federal standards or regulations will supersede the requirements of this bylaw.

(3) The design and construction of highway corridor signs require a Development Permit approved by the Development Officer, unless the sign is owned by the Town.

(4) Each highway corridor sign shall be a minimum of 5.0 metres away from the nearest highway corridor sign.

(5) Electronic message centre signs are permitted in Highway Sign Corridors subject to compliance with the following requirements:

(i) Electronic message centre signs shall be equipped with a dimmer switch, which must be adjusted in accordance with any direction given

by the Development Officer.

(ii) Flashing images or flashing lights are not permitted on electronic message centre signs.

(iii) Sound, live video feeds, or video clips exceeding 10 seconds in length are not permitted on an electronic message centre sign.

(iv) Electronic message centre signs shall be located at least 50 metres from any residential property line.

(6) Dimensions

(i) highway corridor signs shall be at least 3.0 metres in height and shall not exceed 2.5 metres in width measured on the side of the sign face; and

(ii) highway corridor sign faces shall not exceed 2.5 metres in height or 3.5 metres in width.

(iii) each sign may include an additional sign face, which shall not exceed 0.75 metres in height or 2.5 metres in width, which shall be restricted to advertising community events.

4.10.10 Neighbourhood Identification Sign Regulations

(1) Neighbourhood identification signs shall have:

(a) a maximum single face area of 4.5 m^2;

(b) a maximum total sign face area of 9.0 m^2;

(c) a maximum height above grade of 2.0 m;

(d) not less than 40% of any sign face area devoted to the neighbourhood theme.

(2) Neighbourhood identification signs may be illuminated by non-flashing, indirect illumination only.

4.11 On-Site Servicing

4.11.1 Holding tanks, septic tanks and private wells are prohibited on any site that can be serviced by existing municipal water and sewer infrastructure, except where Council is satisfied that physical, topographic, or engineering constraints prevent standard connection to the gravity sewer system.

4.11.2 Developments on sites outside the municipal serviceable area, or within areas where municipal gravity servicing is technically unfeasible as determined by the Town, shall be connected to a private sewage disposal system approved by the appropriate provincial regulatory authority under *The Public Health Act, 1994*.

(a) As a condition of development approval for a private system, the Town may require the owner to enter into an agreement, to be registered as an interest on title, acknowledging that the property must connect to municipal services at the owner's expense when such services become available.

4.11.3 When municipal water or sewer becomes available and technically feasible to a site, any private sewage disposal system shall be decommissioned in accordance with *The Public Health Act, 1994,* and the development shall be connected to municipal services in accordance with the Town's applicable utility bylaw.

4.11.4 Notwithstanding Sections 4.11.1 through 4.11.3, existing private or alternative sewage systems legally established prior to the passage of this Bylaw may continue to operate and be maintained or replaced in accordance with provincial health standards, provided they do not pose a risk to public health or the environment.

4.12 Outside Storage and Screening

4.12.1 Where permitted in association with any approved industrial, commercial or residential land use, all outside storage, including storage of garbage or waste materials, is subject to the following requirements:

(1) No outside storage shall be located in the front yard, except for the neatly arranged display of items for sale.

(2) Outside storage in a side or rear yard shall be screened from adjacent sites by a fence at least 1.8 metres in height, or a combination of fence and soft landscaping screening a minimum of 1.8 metres in height. Where adjacent to a public road, storage areas shall provide a landscaped strip of at least 2.0 metres in horizontal depth between the required fence and the required right

of way.

(3) Unless otherwise directed by this Bylaw, garbage and waste material shall be stored in weatherproof and animal-proof containers and may be required to be visually screened from all adjacent sites and public thoroughfares to the satisfaction of the Development Officer.

4.13 Development on Hazard Lands

4.13.1 Where a proposed development of a building is to be located on land considered by Development Officer or Council to be potentially hazardous - including but not limited to a wetland, water body or watercourse where flooding may occur, the land shall be deemed hazardous. The applicant shall be required to submit sufficient topographic information to determine if the development will be within 50 metres of:

(a) any slope(s) that may be unstable;

(b) any river or stream flood plain; and/or,

(c) any other land that may be subject to flooding or hazardous conditions otherwise unsuited for development or occupation because of its inherent danger to public safety or property.

4.13.2 Where a site is deemed hazardous or falls within the 50-metre threshold identified in subsection 4.13.1, the applicant shall submit a professional report prepared and stamped by a Professional Engineer registered to practice in Saskatchewan. The applicant shall be responsible for all costs associated with this report. The report shall assess the geotechnical and hydrological suitability of the site and demonstrate that the proposed development is safe, specifically addressing the following where relevant:

(1) The potential for flooding up to the 1:200-year flood elevation as identified in *The Statements of Provincial Interest Regulations*, determined from specific site investigations;

(2) the potential for slope instability; and

(3) the required mitigation measures for construction in areas of high-water tables, on unstable slopes, or within the flood fringe.

4.13.3 Where a proposed development is to be located on lands considered by Council or the Development Officer to be potentially contaminated (soil, water, etc.), an Environmental Site Assessment shall be prepared by a qualified Environmental Professional registered in Saskatchewan. If the lands are deemed unsuitable,

Council shall require a report detailing the necessary subsequent steps for remediation as outlined by the Saskatchewan Ministry of Environment. The applicant shall bear all costs associated with the assessment and required remediation.

4.13.4 Actions identified in a professional report for the prevention, mitigation, or remedy of hazards may be incorporated as conditions to the issuance of a Development Permit. Council may refuse a permit for any development where, in Council's opinion, the proposed mitigation is inadequate, will result in excessive municipal costs, or if sufficient information has not been submitted to prove the site is suitable for development.

4.13.5 Where a proposed development is to be located on hazard lands, the Development Officer may refer the application to the Saskatchewan Water Security Agency, the Ministry of Environment, or other relevant federal or provincial agencies for comment prior to issuing a decision.

4.13.6 Where a proposed development is to be located on land within the 1:200 flood plain, the following regulations shall apply:

(a) no development shall adversely affect another property in terms of drainage or flooding;
(b) **Flood Fringe**: New buildings and additions to buildings shall be flood-proofed to an elevation of 0.5 metres above the 1:200-year flood elevation of any watercourse or waterbody.
(c) **Flood Way:** New buildings and additions to buildings within the flood way of the 1:200-year flood elevation are strictly prohibited.

4.14 Frontage on Roads

4.14.1 No Development Permit shall be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts or has frontage on and access to an existing public road right-of-way.

4.15 Building to Be Moved

4.15.1 No building shall be moved within or into the Town without the issuance of a Development Permit. Any moved-in building shall conform to the regulations of the zoning district in which it is to be located and is subject to all applicable requirements of the Town's Building Bylaw.

4.16 Excavation, Stripping and Grading

4.16.1 Any site for which a Development Permit has been issued shall be graded and levelled in accordance with the elevations provided within the approved Development Permit at the applicant's expense to provide for surface drainage which does not adversely affect adjacent properties. Any interim earth work must be done in a manner to contain erosion, runoff and debris from negatively impacting any adjacent properties.

4.16.2 A Development Permit is required for the excavation, stripping and grading of land and the modification of wetlands.

4.16.3 Excavation shall include, but is not limited to sand and gravel extraction, topsoil stripping, the grading of land for drainage purposes, the grading of land, the clearing of vegetation from land and any similar activity, but does not include:

(a) excavation for construction or building purposes associated with a valid Development Permit or a valid certificate of approval for subdivision; or

(b) excavation or the removal of vegetation for maintenance or landscaping purposes on a site where a Development Permit has previously been issued;

4.16.4 A person wishing to excavate, strip or grade land, or modify wetlands shall provide the following information in their application for a Development Permit:

(1) the location and area of the site on which the excavation, stripping, grading or modification of wetlands is to take place;

(2) where required by the Development Officer, the existing land use, wetlands and vegetation, including a natural areas screening report; and

(3) the amount and type of vegetation, soil or other material to be removed or relocated, and the condition in which the land is to be left when the excavation is complete.

4.16.5 Except as provided for in Section 4.16.6, a Development Permit shall not be issued unless there is an approved Concept plan, subdivision or development permit for the area.

4.16.6 The Development Officer may issue a Development Permit for the excavation, stripping and grading of land when satisfied that the excavation is necessary for the interim use, development or maintenance of the subject land, prior to a Concept plan

or subdivision being approved for the area.

4.17 Garage and Yard Sales

4.17.1 Garage or yard sales are permitted as an accessory use on any site in a **Residential** district, provided the sale is conducted by a resident of the dwelling on the subject site, or by a non-profit group associated with a place of worship, public school, community association or other similar group or organization.

4.17.2 No more than four (4) sales may be conducted from one site in single calendar year, and any individual sale may not last for more than three (3) consecutive days.

4.18 Water

4.18.1 No development or use of land shall be permitted where the proposal will adversely affect domestic and municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the Saskatchewan Health Authority and the Saskatchewan Water Security Agency.

4.19 Trailer Coaches and Tents

4.19.1 Trailer coaches and tents may be occupied as temporary overnight sleeping accommodations only in the following situations:

(a) in a permitted tourist campground;

(b) in any **Residential** district, one trailer coach or tent may be located on any one site for the temporary overnight sleeping accommodation of the occupants of the principal dwelling or guests of the occupants of the principal dwelling, provided the trailer coach or tent is not rented or made available for compensation, and that the persons sleeping in the trailer coach or tent have full access to all of the facilities and amenities of the principal dwelling;

(c) for the purposes of subsection (b), above, temporary overnight sleeping accommodation shall mean a period not exceeding 14 consecutive days in any three-month period.

4.20 Landscaping

4.20.1 General Regulations for Landscaping

(1) Required landscaping shall be installed and maintained in accordance with the following standards and policies:

(a) Landscaped areas required to be provided within any front or side yard shall not be used for any purpose except for signs or structures otherwise permitted, or driveways leading to a parking or loading facility.

(b) The landscaping area shall be developed within the next growing season after occupancy or partial occupancy of the building or the site.

(c) All plant materials shall be a species capable of healthy growth in Saskatchewan and shall conform to the standards of the Canadian Nursery Landscape Association.

(d) All areas set aside for plant materials and turf shall be provided with an adequate means of irrigation, with at least one outside spigot for each principal building.

(e) All trees provided for planting shall be a minimum 45 mm caliper for deciduous trees and 1800 mm in height for coniferous trees.

(f) All shrubs provided for planting shall have a minimum height and spread of 450 mm.

(g) Continuous raised or precast curbing of not less than 150 mm in height shall be placed along the perimeter of any landscaped area abutting a driveway or off-street parking or loading facility.

(h) Trees shall be planted in the overall minimum ratio of one tree per 45 square metres of landscaped area or fraction thereof provided. Spacing between trees shall not obstruct traffic sight lines, signs, or essential services at full maturity.

(i) Shrubs shall be planted in the overall minimum ratio of one shrub per 20 square metres of required site landscape area or fraction thereof.

(j) Hard landscaping shall not cover more than 15% of a required landscaped area.

(2) The provision of landscaping shall be a condition of the issuance of a Development Permit wherever the existing use of a building or structure is significantly enlarged, undergoes a significant increase in intensity, or is changed to a new use. In these cases, the Development Permit will not be issued until the landscaping plan is approved by the Development Officer.

(3) Landscaping shall be designed and constructed to allow compliance with an approved site drainage plan.

4.20.2 Required Landscaping in Residential and Community Service Districts

(1) A landscaped strip of not less than 3.0 metres in depth throughout lying parallel to and abutting the front site line shall be provided on every site.

(2) On corner sites, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.

4.20.3 Required Landscaping in Commercial Districts

(1) In the **C1 – Commercial District**, any front yard or side yard which is not covered by a building or required driveway access, shall be landscaped.

(2) In the **C2 – Highway Commercial District** a landscaped strip of not less than 3.0 metres in depth throughout lying parallel to and abutting the front site line shall be provided on every site.

(3) In the **C2 – Highway Commercial District,** on corner sites, in addition to the landscaping required in the front yard, a landscaped strip of not less than 1.5 metres in width throughout lying parallel to and abutting the flanking street shall be landscaped.

(4) In the **C1 – Commercial District** and **C2 – Highway Commercial District**, where a site abuts any site zoned to a Residential district without intervening dedicated lands or registered lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres which shall not be used for any purpose except landscaping. This strip shall include a landscape screen consisting of a solid fence or densely planted hedge at least 1.8 metres in height.

4.20.4 Required Landscaping in the Industrial District

(1) In the **M – Industrial District** a landscaped strip of not less than 3.0 metres in depth throughout lying parallel to and abutting the front site line shall be provided on every site.

(2) In the **M – Industrial District**, on corner sites, in addition to the landscaping required in the front yard, a landscaped strip of not less than 1.5 metres in width throughout lying parallel to and abutting the flanking street shall be landscaped.

(3) In the **M – Industrial District**, where a site abuts any site zoned to an **R** or **CS** district without intervening dedicated lands or a registered lane, there shall be a strip of land adjacent to the abutting site line of not less than 3.0 metres which shall not be used for any purpose except landscaping. This strip shall include a landscape screen consisting of a solid fence or a densely planted hedge at least 1.8 metres in height.

4.21 Lighting of Sites

4.21.1 Outdoor lighting for all developments shall be located and arranged so that no direct rays of light are pointed at nearby properties or interfere with the safe operation of nearby roadways or traffic control devices.

4.22 Prohibited Uses

4.22.1 The following uses are prohibited in all districts:

(a) Abattoirs and slaughterhouses

(b) Auto wrecking, salvage, or scrap yards

(c) Intensive Livestock Operations

(d) Outdoor sandblasting. This provision shall not apply to the sandblasting of outdoor building facades as a part of building maintenance.

(e) Temporary work camp

(f) The keeping or breeding of rats, crickets or any exotic animals

(g) The storage, handling or distribution of anhydrous ammonia.

4.23 Storage of Chemicals, Fertilizers and Combustible Materials

The storage of chemicals, fertilizers and combustible materials is subject to the requirements of both the federal and provincial governments. All necessary approvals from other regulatory agencies must be obtained prior to issuance of a Development Permit. Development Permit conditions may include the requirement that all permits or licenses required by other regulatory agencies be obtained before development proceeds.

4.24 Development In Proximity To Rail Lines

4.24.1 To mitigate potential land-use conflicts and ensure public safety, any new development proposed in proximity to a railway right-of-way shall incorporate the recommended setbacks, acoustic barriers, and vibration mitigation measures outlined in the Federation of Canadian Municipalities (FCM) and Railway Association of Canada (RAC) *Guidelines for New Development in Proximity to Railway Operations*.

4.24.2 The Development Officer may require an applicant to submit a professional report, prepared by a qualified engineer, demonstrating how the proposed development complies with the FCM/RAC Guidelines prior to the issuance of a Development Permit.

4.25 Development In Proximity To Lagoons & Landfills

4.25.1 No new development for a residential use shall be permitted within 457 metres of the property line of an existing or approved municipal sewage lagoon or solid waste disposal facility.

4.26 Temporary Development

4.26.1 The Development Officer may issue a Development Permit for a Temporary Development, with specified conditions and for a specified period of time, to accommodate temporary uses, including developments incidental to approved construction (such as the placement of a temporary site office or accommodations

unit).

4.26.2 The Development Officer shall take the following factors into account when determining if a building, structure, or use is temporary:

(a) The nature of the principal use, if any, with which it is associated;

(b) The practicality of removing the development at the end of the approval period, considering factors such as time of year and the equipment required; and

(c) The actual duration of similar uses in the municipality.

4.26.3 Every permit for a Temporary Development shall be approved for a specified period not exceeding twelve (12) months. Upon request, and at the discretion of the Development Officer, a permit may be renewed up to two times, resulting in a maximum total duration of no more than three (3) years from the initial date of issue.

4.26.4 All buildings or structures permitted as part of a Temporary Development shall be movable (with or without assembly and disassembly). Permanent buildings and structures shall only be permitted through standard Development Permit or Discretionary Use applications.

4.26.5 All temporary developments shall be located on an existing site; no subdivision shall be permitted.

4.26.6 Any buildings, structures, or materials placed on a site to facilitate a temporary development shall be removed on or before the expiry of the permit. The site shall be restored to the same condition as it was prior to the beginning of the temporary development.

4.26.7 The Town may require the applicant to enter into a Development Agreement and/or provide a performance bond or irrevocable letter of credit to ensure the development complies with all bylaw requirements and that acceptable site remediation occurs.

5 SPECIAL REGULATIONS AND STANDARDS

5.1 Above and Underground Fuel Storage Tanks

5.1.1 Above ground and underground Fuel Storage Tanks are subject to the following:

(1) Above ground fuel storage tanks which meet the standards of *The National Fire Code of Canada* may be permitted in association with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use.

(2) Underground storage tanks may be permitted as principal or accessory uses, provided they are installed in accordance with the *National Fire Code of Canada* and applicable provincial regulations.

(3) The total storage capacity for above and below-ground fuel storage tanks on any single service station or gas bar shall not exceed the regulations and requirements set out by *The National Fire Code of Canada*.

(4) Above-ground fuel storage tanks shall be:

(a) located at least 3.0 metres from any property line or building unless the tank has a capacity of 5,000 litres or less, in which case it shall be located at least 1.0 metre from same;

(b) located at least 6.0 metres from any property line or building in the case of a tank used in association with a service station or gas bar;

(c) separated from each other and be accessible for firefighting purposes to the satisfaction of the local Fire Chief; and,

(d) located at least 15.0 metres from the boundary of any site where the principal use is residential.

(5) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3.0 metres from any property line or 6.0 metres from any property line in the case of a service station or gas bar, at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.

(6) Where the setback or separation requirements of the *National Fire Code of Canada* or applicable provincial regulations are more restrictive than the requirements of this bylaw, the more restrictive regulations shall apply.

(7) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, bollards, guardrails or other similar means.

(8) At service stations and gas bars, above-ground fuel storage tanks which are located in view of a front or flanking street shall be landscaped or screened to the satisfaction of the Development Officer.

(9) The maximum height of an above-ground fuel storage tank shall be limited to the maximum permitted height of a free-standing sign in the zoning district.

(10) Painted lettering or other forms of signage may be located on above-ground fuel storage tanks subject to the sign regulations in the applicable zoning district

5.2 Service Stations and Gas Bars

(1) Fuel pumps and other apparatus for dispensing or storage of fuel, located all or partly above grade level, shall be at least six metres from a site line.

(2) All automobile parts, dismantled vehicles and similar articles or equipment shall be stored within a building.

(3) Where service stations occupy a corner site, only one access point shall be on the flanking street.

(4) Where operated as the principal use on a site, gas bars are subject to the regulations and standards for service stations.

(5) Where a gas bar is allowed to operate in conjunction with another use on a site, the following standards and regulations apply:

(a) All fuel pumps and above ground storage tanks shall be at least 6.0 metres from any building on the site or any site line;

(b) The site shall have at least two separate entrances for vehicles, at least 15.0 metres apart; and,

(c) Sites shall be designed so that the delivery and unloading of bulk fuel shall not obstruct access to the fuel pumps or create obstructions on any adjacent street.

5.3 Bed and Breakfast Homes

(1) A bed and breakfast home may be located in a detached one-unit dwelling or in a two-unit dwelling. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building, property, or streetscape.

(2) The bed and breakfast home shall be operated by a permanent resident of the principal dwelling.

(3) A maximum of three (3) guest bedrooms shall be permitted in a bed and breakfast home

(4) Where otherwise permitted, required parking spaces may be located on a permitted driveway in a front yard and shall comply with the requirements in Section 4.9.

(5) Section 3.10 of this Bylaw shall apply to the review and approval of bed and breakfast homes that are listed as discretionary uses.

(6) The operator of the bed and breakfast home may advertise with a small, static sign subject to Section 4.10.

5.4 Short term Vacation Rentals

(1) No alteration shall be made to the external appearance of any principal or accessory structures that is inconsistent with the residential character of the neighbourhood.

(2) Short-Term Vacation Rentals shall meet the off-street parking requirements of the district in which they are located.

(3) Individual guest rooms shall not contain cooking facilities.

(4) The Development Permit for a Short-Term Vacation Rental may be issued for a specified, limited time period at the discretion of Council to allow for the evaluation of the use's compatibility with the surrounding neighbourhood.

(5) The applicant shall provide the municipality with current contact information so that the owner, operator, or local property manager of the Short-Term Vacation Rental can be contacted on a 24/7 basis.

(6) As a condition of Development Permit approval, the applicant shall provide proof of a satisfactory fire and life safety inspection conducted by a certified fire inspector, a licensed building official or the local fire authority.

5.5 Assisted Living, Personal Care & Residential Care Facilities

(1) Assisted living facilities, personal care homes, residential care facilities, adult day programs, and custodial care facilities may be approved as an ancillary use or as a principal use.

(2) In any Residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building, property, or streetscape.

(3) Required parking spaces shall not be located in a required front yard.

(4) All assisted living facilities, personal care homes, and residential care facilities shall be licensed and approved by the Province of Saskatchewan, where applicable. The Town may require proof of valid provincial licensing as a condition of Development Permit approval.

(5) Section 3.10 of this Bylaw shall apply to the review and approval of these facilities where they are listed as discretionary uses.

5.6 Family Child Care Homes & Group Family Child Care Homes

(1) Family child care homes and group family child care homes may be approved as an accessory use to a dwelling.

(2) The home shall provide at least 3.25 m^2 of fenced on-site outdoor play space for each child present in the facility at one time.

(3) In any Residential district, no exterior alterations shall be undertaken to a dwelling which would be inconsistent with the residential character of the building or property.

(4) All family child care homes and group family child care homes shall be licensed and approved by the Province of Saskatchewan, where applicable. The Town may require proof of valid provincial licensing as a condition of Development Permit

approval.

5.7 Child Care Centres & Pre-Schools

(1) Child care centres and pre-schools may be approved as an ancillary use or as a principal use.

(2) In any Residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building, property, or streetscape.

(3) Required parking spaces shall not be located in a required front yard and shall comply with the parking requirements in Section 4.9.

(4) All child care centres and pre-schools shall be licensed and approved by the Province of Saskatchewan, where applicable. The Town may require proof of valid provincial licensing as a condition of Development Permit approval.

(5) In addition to the development standards contained within the zoning district, Section 3.10 of this Bylaw shall apply to the review and approval of child care centres and pre-schools that are listed as discretionary uses.

5.8 Dwelling Groups

(1) The minimum side yard shall be measured from the closest main wall of the principal building closest to the side site line.

(2) All principal buildings forming part of the dwelling group shall be located at least 3.0 m from any other principal building in the group, or as required by the *National Building Code of Canada,* whichever is greater.

(3) Where a dwelling group is listed as a discretionary use, Council may apply special development standards to reduce conflict with neighbouring uses. These special development standards may include increased setback requirements, enhanced landscaping and fencing, the location and screening of parking areas and waste receptacles and the location of vehicular access points.

5.9 Multiple Unit Dwellings

(1) Multiple unit dwelling shall be of size, scale, and outward appearance that is consistent with the character of the neighbourhood.

(2) Multiple unit dwellings shall provide landscaping that is compatible with surrounding residential properties and consistent with the character of the neighbourhood.

(3) Up to two (2) required parking and loading spaces may be located in a required front yard, with the remainder of the required spaces located in side or rear yard.

5.10 Accessory Dwelling Units

5.10.1 General Standards for All Accessory Dwelling Units (ADU's)

(1) Accessory Dwelling Units, whether internal or detached, shall be prohibited in all districts except residential districts, where they shall be a permitted use.

(2) No more than one (1) Accessory Dwelling Unit shall be permitted on a site. A site shall not contain both an internal secondary suite and a detached garden/garage suite.

(3) An Accessory Dwelling Unit shall contain a maximum of two (2) bedrooms, a full bathroom, and a kitchen.

(4) An Accessory Dwelling Unit shall not be separated from the principal dwelling through condominium conversion or subdivision of land.

(5) One (1) off-street parking space is required for an Accessory Dwelling Unit in addition to the required parking for the principal dwelling. On sites with a rear or side lane, the parking space shall be accessed from the lane. If no lane access exists, the space may be located in the front yard provided it is surfaced to match the principal driveway.

(6) A Building Permit is required for all Accessory Dwelling Units, and they shall comply with the *National Building Code of Canada*, subject to the approval of the municipal Building Official.

5.10.2 Specific Standards for Internal ADUs (Secondary Suites)

(1) In order to accommodate an internal ADU, a single detached dwelling must have a gross floor area, including the area of any basement, of at least 100 m^2.

(2) The maximum floor area of an internal ADU shall be no more than 50% of the gross floor area (including the basement) of the principal building, or 65 m^2, whichever is less.

(3) The exterior finishing shall be consistent with the remainder of the principal dwelling.

Where an internal ADU has a separate entrance, it may only be located on a side or rear wall.

5.10.3 Specific Standards for Detached ADUs (Garden and Garage Suites)

(1) All habitable areas of a detached ADU shall be above grade.

(2) The maximum floor area of a detached ADU shall not exceed 77 m^2 or the area of the principal dwelling, whichever is less.

(3) The maximum building height of a garden suite (ground level) shall be 4.3 metres and shall not exceed one storey. The maximum height of a garage suite (above a garage) shall be 5.0 metres or the height of the principal dwelling, whichever is less.

(4) Detached ADUs shall be located in the rear yard and set back a minimum of 4.0 metres from the principal dwelling.

(5) The minimum side yard setback shall be 1.2 metres. On a corner site where a detached ADU abuts a flanking street other than a lane, the required side yard shall match the requirement for the principal dwelling.

(6) The minimum rear yard setback shall be 2.0 metres, which may be reduced to 1.2 metres on sites with a rear lane.

(7) The cumulative floor area of a detached ADU and all other accessory buildings shall not occupy more than 50% of the rear yard.

(8) No portion of a detached ADU may be located on, under, or over a registered easement. Mechanical units (e.g., air conditioners) shall be located so as not to constitute a nuisance to adjacent properties.

(9) Windows and doors shall be sized and located to minimize the loss of privacy for residents of adjacent sites.

(10) The site plan must detail utility service connections and site drainage. Wherever possible, there should be only one water and sewer service from the street to serve both the principal dwelling and the detached ADU.

5.11 Home Based Businesses

5.11.1 All applications for home-based businesses shall be categorized as either Type I or Type II.

(1) Without limiting the authority of the Development Officer to approve other similar applications, the following uses are specifically permitted as home-based businesses, subject to the applicable development standards:

(a) art restoration;

(b) beauty parlours, barber shops;

(c) the creation of crafts for sale off-site, (e.g., ceramics, pottery, leather goods, jewellery);

(d) dressmaker, seamstress, or tailor;

(e) electrology, acupuncture, reflexology, and massage therapy;

(f) the instruction of art, dancing, or music (limited to no more than three students at a time);

(g) office of a professional, or skilled service provider not engaged in the on-site sale of physical goods;

(h) photography studios; and

(i) administrative, typing, word processing, and computer programming services.

(2) The following uses are strictly prohibited as home-based businesses, regardless of whether they might otherwise comply with the standards of this Bylaw:

(a) businesses utilizing large power tools and machinery, or businesses involved in mass production;

(b) restaurants, drinking establishments or tea rooms;

(c) health or fitness clubs;

(d) headquarters or base of operations of a taxi, trucking, delivery, or towing operation;

(e) hotels, motels and hospitals;

(f) laundry services;

(g) motion picture or recording studios;

(h) the painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or heavy machinery;

(i) equipment rental services;

(j) upholstery services;

(k) veterinary services, boarding or grooming of animals;

(l) welding or metal works;

5.11.2 General Standards for All Home-Based Businesses (Type I and Type II)

(1) Home-based businesses shall be conducted entirely indoors.

(2) There shall be no exterior storage on the site in relation to the business, and no exterior alterations that are inconsistent with the residential character of the building or property.

(3) No noise, vibration, smoke, dust, odours, air pollution, heat, glare, bright light, hazardous/unacceptable waste, or electrical/television/radio interference shall be detectable by sensory perception or scientific instruments at or beyond the property line, or beyond the unit walls within a multiple unit dwelling.

(4) No more than one (1) business-related vehicle and one (1) business-related trailer, each with a gross vehicle weight of no more than 5,000 kg and a total length of no more than 6.0 metres, may be stored on or in the vicinity of the site.

(5) No deliveries of merchandise, goods, or equipment shall be made to the business by a vehicle exceeding 5,000 kg in gross vehicle weight or 6.0 metres in length.

(6) A maximum of 2.0 cubic metres of business-related storage is permitted within a dwelling, and a maximum of 4.0 cubic metres is permitted within an attached or detached accessory building. No storage of hazardous, explosive, or flammable materials is permitted.

(7) Where the operator is not the owner of the subject property, the operator shall provide the Town with a letter of authorization from the property owner. If the dwelling is part of a condominium, a letter of authorization from the condominium board is also required.

5.11.3 Specific Standards for Type I Home-Based Businesses

(1) No persons other than the residents of the dwelling shall be employed in the business

on the site.

(2) The business shall occupy no more than 20% of the gross floor area of the dwelling (including the basement and any attached garage), up to a maximum of 30 m^2. An accessory building may be utilized provided the cumulative business area on the site does not exceed 30 m^2 and no required parking spaces are displaced.

(3) Regardless of the number of home-based businesses located on a site, a maximum of seven (7) client or business-related visits per day are permitted.

5.11.4 Specific Standards for Type II Home-Based Businesses

(1) No more than one (1) non-resident person shall be employed in relation to the business on the site.

(2) The business shall occupy no more than 20% of the gross floor area of the dwelling (including the basement and any attached garage), up to a maximum of 40 m^2. An accessory building may be utilized provided the cumulative business area on the site does not exceed 40 m^2 and no required parking spaces are displaced.

(3) Regardless of the number of home-based businesses located on a site, a maximum of fourteen (14) client or business-related visits per day are permitted.

(4) One (1) off-street parking space shall be required for the non-resident employee. This space may be located in a required front yard if otherwise permitted by this Bylaw. The Development Officer may require additional off-street parking spaces if deemed necessary to maintain the residential character of the area.

5.12 Parking Lots

(1) No sign of any kind, other than those designating the parking lot name, entrances, exits, or conditions of use, may be erected or maintained on the site.

(2) All lighting fixtures shall be oriented in a manner to direct light away from adjacent properties and public roadways.

(3) The lot must be graded and provide adequate drainage, as determined by the Town, to manage all surface water without discharging it onto adjacent properties.

(4) Parking lots shall be landscaped to improve the visual appearance of the site.

(5) Where a parking lot abuts a residential property boundary, a minimum landscape buffer of 2.0 metres, which complies with the requirements contained in Section 4.20, shall be provided.

5.13 Renewable Energy Systems

5.13.1 Solar Energy Systems

(1) The installation and operation of solar energy systems and their supporting structures shall be a permitted use in all zoning districts, subject to the following:

(a) A Development Permit is required for the installation of any solar energy system.

(b) Roof or Wall-Mounted: Roof-mounted or wall-mounted solar energy systems shall not project beyond the maximum permitted building height of the zoning district.

(c) Ground-Mounted: In all districts except the M – Industrial District, ground-mounted (freestanding) solar energy systems shall not be located in any required front or side yard. In the case of a corner site, ground-mounted systems shall not be placed in any portion of the rear yard which is within 3.0 metres of the side property line adjacent to a flanking street.

(d) All ground-mounted solar structures shall be placed a minimum distance of 1.2 times the total height of the structure away from any site line, and in no case shall the total height of the freestanding system exceed the height of the principal building.

5.13.2 Wind Generators

(1) Wind generators and their supporting structures shall be prohibited in any **Residential** district.

(2) In any **Commercial or Industrial** district, wind generators and their supporting structures shall not be located in any required front yard or side yard, and in the case of a corner site, in any portion of the rear yard which is within 3.0 metres of the side property line adjacent to a flanking street unless it is screened from the flanking street to the satisfaction of the Development Officer.

(3) In any Commercial or Industrial district, freestanding wind generators and their supporting structures shall not exceed a maximum height of 24.4 metres

above grade level. Any freestanding wind generator shall be set back from all property lines a minimum distance equal to 1.1 times the total height of the structure (measured to the highest point of the rotor blade).

(4) In any **Commercial or Industrial** district, wind generators and their supporting structures, attached to a principal building, shall not exceed a height of 5.0 metres above the lowest elevation of the roof surface of a flat roof; the decking of a mansard roof; or the eaves of a gable, hip or gambrel roof.

(5) In any **Commercial or Industrial** district, wind generators and their supporting structures, attached to an accessory building, shall not exceed the maximum permitted height of the accessory building.

5.13.3 Geothermal Energy Systems

(1) All plumbing, reservoirs and pumps and other requirements associated with Geothermal Energy Systems shall require plumbing, electrical and building permits, as required, and shall meet all applicable requirements of the *National Building Code*.

(2) Plans for Geothermal Energy Systems shall be stamped by a qualified professional engineer or have the system and installation certified by an accredited member of the Canadian GeoExchange Coalition.

(3) Geothermal Energy Systems shall comply with CSA Standard C448 and subsequent amendments. Exceptions may be allowed, at the discretion of the Town, provided documented proof is provided that shows that the exception meets or exceeds CSA Standard C448.

(4) All Geothermal Energy Systems shall be a closed loop system. Open loop systems shall not be permitted.

(5) Heat transfer fluids used within a Geothermal Energy System shall be the most environmentally friendly type available at the time of installation, such as propylene glycol. In no case may an ethylene glycol-based fluid be used, nor shall any flammable or combustible agent such as methanol, ethanol, natural gas, or propane be used.

(6) Brand names or advertising associated with a Geothermal Energy System or the system's installation shall not be visible from any public area or roadway.

(7) Upon abandonment or termination of any Geothermal Energy System, the facility and components associated with the use of the system, above grade

and 0.6 m below grade, shall be removed and the site restored at the owner's expense.

(8) Only vertical geothermal energy systems will be permitted.

(9) All components of the Geothermal Energy System must be a minimum of 0.6 metres away from any property line.

5.14 Electric Vehicle Charging Stations

5.14.1 Electric Vehicle Charging Stations (EVCS) are permitted as an accessory use to any established principal use on a site.

(1) The following standards apply to Electric Vehicle Charging Stations:

(a) All electrical installation work shall conform to the requirements of the latest prescribed edition of the Canadian Electrical Code, as amended, and requires all applicable municipal electrical and building permits.

(b) An off-street parking space served by an EVCS shall be counted toward the minimum off-street parking requirements of the principal use.

(c) EVCS charging cords and cables shall not cross, overhang, or obstruct public sidewalks, pathways, or municipal rights-of-way.

5.14.2 The physical EVCS equipment (such as pedestals and charging cabinets) are subject to the following setback regulations:

(1) The equipment may project a maximum of 2.0 metres into any required front yard.

(2) The minimum side yard and rear yard setback for any EVCS equipment shall be 0.6 metres.

5.15 Manufactured Home Courts

(1) Internal road rights-of-way within manufactured home courts shall be at least 15.0 metres in width, with hard-surfaced roadways of a minimum 6.0 metres in width and shall have adequate drainage.

(2) A minimum of 10% of the total area of the manufactured home court shall be set

aside as communal open space or devoted to recreational facilities.

(3) All site and yard requirements for individual manufactured homes shall comply with the development standards of the zoning district in which the manufactured home court is located.

(4) All operations and development of a manufactured home court shall comply with *The Public Health Act, 1994*, and any regulations passed thereunder.

5.16 Cannabis Retail Stores

Cannabis retail stores shall maintain a minimum separation distance of 150 metres from any school or playground. This distance shall be measured from the closest property line of the site containing the cannabis retail store to the closest property line of the site containing the school or playground.

5.17 Bulk Fertilizer Operations

(1) Bulk fertilizer operations shall comply with the *National Fire Code of Canada* and all other applicable provincial and federal environmental and safety regulations.

(2) Prior to the issuance of a Development Permit, the applicant shall provide the Development Officer with documentation demonstrating that the proposed facility will be constructed and operated in compliance with the current, applicable *Fertilizer Canada Codes of Practice* (as amended).

5.18 Cannabis Production Facilities

(1) The location of cannabis production facilities will only favourably be considered where it can be demonstrated that the use and intensity of use is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas of the Town. Consideration may be given, but is not limited to, the following effects:

(a) municipal servicing capacity;
(b) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
(c) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and utilization of hazardous substances.

6 ZONING DISTRICTS

6.1 Classification of Zoning Districts

In order to carry out the purpose and provisions of this Bylaw, the Town of Midale is divided into the following zoning districts, the boundaries of which are shown on the "Zoning District Map". Such districts may be referred to by the appropriate symbols.

District	Symbol
Low Density Residential	**R1**
Medium Density Residential	**R2**
Community Service	**CS**
Downtown Commercial	**C1**
Highway Commercial	**C2**
Industrial	**M**
Future Urban Development	**FUD**

6.2 The Zoning District Map

The map, bearing the statement "The Zoning District Map as attached hereto and forming part of this Bylaw adopted by the Council and signed by the Mayor and Administrator, and under the seal of the Town shall be known as the "Zoning District Map" and such map is declared to be an integral part of this Bylaw.

6.3 Boundaries of Zoning Districts

6.3.1 The boundaries of such districts referred to, together with explanatory legend, notation and reference, are shown on the map entitled "Zoning District Map".

6.3.2 All streets, lanes and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

6.3.3 Streets, lanes, and road allowances which are shown on the *Zoning District Map,* and which have been permanently closed pursuant to Section 13 of *The Municipalities Act*, shall be in the same district as the land abutting both sides of the permanently closed street, lane or road allowance. If the land abutting each side of the permanently closed street, land or road allowance was located in different zoning districts before the said street, lane or road allowance was permanently closed, the centre line of such permanently closed street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

6.3.4 On un-subdivided land, the zoning district boundary shall be determined by the scale shown on the *Zoning District Map*.

6.4 Zoning Districts

The uses or forms of development allowed within a zoning district, along with regulations or standards which apply, are contained in the District Schedules in Section 7.

6.5 Transitional Zoning Provisions

Buildings lawfully existing at the time of the approval of this Bylaw shall be limited in terms of site width, front and rear yard setback, site coverage and off-street parking and loading requirements to the regulations of the zoning district in which they are located, or to their current dimensions, whichever is the least restrictive.

7 ZONING DISTRICT SCHEDULES

7.1 R1 - Low Density Residential District

7.1.1 Purpose

The purpose of the **R1 - Low Density Residential District** is to provide for residential development in the form of single detached, semi-detached and two-unit dwellings and other compatible uses.

7.1.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 7-1.

7.1.3 Accessory Uses

Accessory buildings and uses including:

(1) Accessory buildings and structures subject to section 4.8
(2) Garage and yard sales subject to section 4.17
(3) Trailer coaches and tents subject to section 4.19
(4) Bed and breakfast homes subject to section 5.3
(5) Short-term vacation rentals subject to section 5.4
(6) Family Child Care Homes subject to section 5.6
(7) Accessory Dwelling Units subject to 5.10
(8) Home-based businesses subject to section 5.11

7.1.4 Standards and Regulations

Site and building requirements are shown in Table 7-1.

7.1.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **R1** district with respect to Section 3.11 – General Discretionary Use Evaluation Criteria, Section 3.13 – Use-Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

7.1.6 Exceptions to Development Standards

Where on a corner site, a side yard of at least 6.0 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3.0 metres.

7.1.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

7.1.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.12.

7.1.9 Landscaping

Landscaping is subject to Section 4.20.

Table 7-1: R1 – Low Density Residential District Development Standards

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards: Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m^2)	Maximum Site Cvg (%)
Residential Uses											
(1)	Single detached dwellings	P	1	- -	360(1)	12(2)	7.5	7.5	1.2(4)	70	40
(2)	Semi-detached dwelling	P	1	- -	360(1)	12(2)	7.5	7.5	1.2(4)	70	40
(3)	Two-unit dwelling	P	1	- -	360(1)	12(2)	7.5	7.5	1.2(4)	70	40
(4)	Assisted Living/Personal care home	P	6	5.5	360(1)	12(2)	7.5	4.5	1.2(4)	70	40
(5)	Residential care facility	D	6	5.5	360(1)	12(2)	7.5	4.5	1.2(4)	70	40
(6)	Group Family Childcare home	P	6	5.5	360(1)	12(2)	7.5	4.5	1.2(4)	70	40
Commercial Uses											
(1)	Convenience stores	D	5	- -	360(1)	12(2)	7.5	7.5	3(4)	- -	40
(2)	Day care centres and pre-schools	D	14	5.7	360(1)	12(2)	7.5	7.5	1.2(4)	70	40
Community Service, Municipal, Recreational, Institutional and Other Uses											
(1)	Ambulance stations	D	11	- -	225	6	6	4.5	3(4)	- -	- -
(2)	Community centres	D	4	3.13(1)	720	24	7.5	7.5(5)	3(4)	- -	40
(3)	Municipal facilities	P	0	- -	- -	- -	- -	- -	- -	- -	- -
(4)	Parks and playgrounds	P	0	- -	- -	- -	- -	- -	3(4)	- -	10
(5)	Places of worship	P	15	3.13(1)	720	24	7.5	7.5(5)	3(4)	- -	- -
(6)	Public schools	D	18	3.13(1)	- -	- -	7.5	7.5(5)	3(4)	- -	40
(7)	Public works excluding offices, warehouses,	P	0	- -	- -	- -	- -	- -	- -	- -	- -

	storage yards and sewage lagoons										

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) – Discretionary Use: Any use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, and contained in this zoning bylaw.

Special limitations and standards regarding Table 7-1 and the R1 district:

(1) where the site is serviced by a rear lane; otherwise 450m^2
(2) where the site is serviced by a rear lane; otherwise, 15.0m
(3) except for corner sites, where it shall be 3.0m along the flanking street
(4) or ½ the building height, whichever is greater.
(5) or 25% of the depth of the site, whichever is greater

7.2 R2 – Medium Density Residential District

7.2.1 Purpose

The purpose of the **R2 – Medium Density Residential District** is to provide for residential development in the form of triplex, fourplex, townhouses, multiple unit dwellings, dwelling groups and other compatible uses.

7.2.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 7-2.

7.2.3 Accessory Uses

Accessory buildings and uses including:

(1) Accessory buildings and structures subject to section 4.8
(2) Garage and yard sales subject to section 4.17
(3) Trailer coaches and tents subject to section 4.19
(4) Bed and breakfast homes subject to section 5.3
(5) Short-term vacation rentals subject to section 5.4
(6) Family Child Care Homes subject to section 5.6
(7) Accessory Dwelling Units subject to 5.10
(8) Home-based businesses subject to section 5.11

7.2.4 Standards and Regulations

Site and building requirements are shown in Table 7-2.

7.2.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **R2** district with respect to Section 3.11 – General Discretionary Use Evaluation Criteria, Section 3.13 – Use-Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

7.2.6 Exceptions to Development Standards

Where on a corner site, a side yard of at least 3.0 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3.0

metres.

7.2.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

7.2.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.12.

7.2.9 Landscaping

Landscaping is subject to Section 4.20.

Table 7-2: R2 – Medium Density Residential District Development Standards

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards: Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m^2)	Maximum Site Cvg (%)
Residential Uses											
(1)	Dwelling Group	D	2	5.8	255/unit[14]	21	7.5	- -	3.5	40/unit	40
(2)	Dwelling, Apartment	D	2	5.9	185/ unit	6/unit[1]	[12]	- -	[2]	40/unit	60
(3)	Dwelling, Multiple Unit Townhouse	P	2	5.9	255/unit[14]	17[10]	[12]	- -	[8]	46/unit	60
(4)	Dwelling, Street Townhouse	P	2	- -	255[6]	8.5[7]	7.5	7.5	1.2[5][8]	46	40
(5)	Residential care home	P	6	5.5	360[3]	12[4]	7.5	7.5	1.2[5]	70	40
(6)	Residential care facility	D	6	5.5	360[3]	12[4]	7.5	7.5	1.2[5]	70	40
(7)	Group Home	P	6	5.6	360[3]	12[4]	7.5	7.5	1.2[5]	70	40
Commercial Uses											
(1)	Convenience stores	D	5	- -	360[3]	12[4]	7.5	7.5	3[11]	- -	40
(2)	Child care centres and pre-schools	D	14	5.7	360[3]	12	7.5	7.5	1.2[5]	70	40
(3)	Health care clinics	D	5	- -	360[3]	12[4]	7.5	7.5	3[11]	- -	40
Community Service, Municipal, Recreational, Institutional and Other Uses											
(1)	Ambulance stations	D	11	- -	- -	- -	7.5	7.5	3[11]	- -	40
(2)	Clubs	D	4	3.13 (1)	720	24	7.5	7.5[13]	3[11]	- -	40
(3)	Community centres	D	4	3.13 (1)	720	24	7.5	7.5	3[11]	- -	40
(4)	Cultural institutions	D	4	0	- -	- -	7.5	7.5	3[11]	- -	40
(5)	Custodial care facilities	D	12	5.6	360[3]	12[4]	7.5	7.5	1.2[5]	70	40

(6)	Municipal facilities	P	0	- -	- -	- -	- -	- -	- -	- -	- -
(7)	Parking lots	D	0	3.13(11) 5.12	360[3]	12[4]	7.5	7.5	3[11]	- -	- -
(8)	Parks	P	0	- -	- -	- -	- -	- -	3	- -	10
(9)	Places of worship	P	15	3.13 (1)	720	24	7.5	7.5[13]	3[11]	- -	40
(10)	Public schools	D	18	3.13 (1)	- -	- -	7.5	7.5[13]	3[11]	- -	40
(11)	Public recreation facilities	D	22	3.13 (1)	720	24	7.5	7.5[13]	3[11]	- -	40
(12)	Public works excluding warehouses, storage yards and sewage lagoons	P	0	- -	- -	- -	- -	- -	- -	- -	- -

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) – Discretionary Use: Any use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, and contained in this zoning bylaw.

Special limitations and standards regarding Table 7-2 and the R2 district:

(1) to a maximum requirement of 21.0 m

(2) for the multiple unit dwellings of one storey, the side shall be 1.8 m; for multiple unit dwellings of two or three storeys, the side yard shall be 3.0 m; for multiple unit dwellings over three storeys, the side yard shall be ½ the building height to a maximum of 6.0 m; on corner sites, the side yard shall never be less than 3.0 m along the flanking street

(3) where the site is served by a rear lane; otherwise, 450m^2

(4) where the site is served by a rear lane; otherwise, 15.0m

(5) except for corner sites, where it shall be 3.0m along the flanking street

(6) where the site is serviced by a rear lane, otherwise 315 m^2

(7) where the site is serviced by a rear lane; otherwise, 10.5 m

(8) except that no side yard shall be required where a common wall divides the two dwelling units

(9) where the site is serviced by a lane, otherwise 630

(10) where the site is served by a rear lane; otherwise, 21

(11) or ½ the building height, whichever is greater.

(12) for multiple unit dwellings up to and including 3 storeys, the front yard shall be 6 m; for multiple unit dwellings over 3 storeys, the front yard shall be 7.5 m

(13) or 25% of the depth of the site, whichever is greater

(14) where the site is served by a lane; otherwise, 315 per unit

7.3 CS – Community Service District

7.3.1 Purpose

The objective of the **CS – Community Service District** is to provide for a range of community services and other compatible uses.

7.3.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 7-3.

7.3.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

7.3.4 Standards and Regulations

Site and building requirements are shown in Table 7-3.

7.3.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **CS** district with respect to Section 3.11 – General Discretionary Use Evaluation Criteria, Section 3.13 – Use-Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

7.3.6 Exceptions to Development Standards

Multiple-use public facilities are not subject to the minimum side yard and minimum rear yard requirements

7.3.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

7.3.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.12.

7.3.9 Landscaping

Landscaping is subject to Section 4.20.

Table 7-3: CS – Community Service District Development Standards												
Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards							
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m^2)	Maximum Site Cvg (%)	
Residential Uses												
(1)	Dwelling groups	D	2	3.13 5.8	4000	- -	- -	- -	3.5(2)	- -	40	
(2)	Dwelling, Multi-unit (Apartment)	D	2	3.13 5.9	185/unit	6/unit(1)	(5)	7.5	(4)	40/unit	60	
(3)	Dwelling, Multi-unit (Townhouse)	D	2	3.13 5.9	255/unit	- -	(5)	7.5	(3)(4)	46/unit	60	
(4)	Dwelling, Semi-detached	D	1	- -	255(6)	8.5(7)	7.5	7.5	1.2(3)(8)	46	40	
(5)	Dwelling, Single detached	D	1	- -	360(9)	12(10)	7.5	7.5	1.2(8)	70	40	
(6)	Dwelling, Street townhouse	P	1	- -	228	6	6	4.5	1.8(4)	46/unit	50	
(7)	Dwelling, Two-unit	D	1	- -	510(11)	17(12)	7.5	7.5	1.25(3)(8)	92	40	
Community Service, Municipal, Recreational, Institutional and Other Uses												
(1)	Ambulance stations	P	11	- -	- -	- -	7.5	7.5(13)	3(2)	- -	- -	
(2)	Cemeteries	P	0	- -	- -	- -	7.5	7.5(13)	3(2)	- -	- -	
(3)	Community centres	P	4	3.13 (1)	- -	- -	7.5	7.5(13)	3(2)	- -	- -	
(4)	Cultural institutions	P	4	3.13 (1)	- -	- -	7.5	7.5(13)	3(2)	- -	- -	
(5)	Custodial care facilities	D	6	5.5	450	15	7.5	7.5(13)	3(2)	70	40	
(6)	Educational institutions	P	17	- -	- -	- -	7.5	7.5(13)	3(2)	- -	- -	

(7)	Municipal facilities	P	0	- -	- -	- -	- -	- -	- -	- -	- -
(8)	Park	P	0	- -	- -	- -	7.5	- -	3(2)	- -	10
(9)	Places of worship	P	15	3.13(1)	- -	- -	7.5	7.5(13)	3(2)	- -	10
(10)	Public schools	P	18	- -	- -	- -	7.5	7.5(13)	3(2)	- -	- -
(11)	Public works excluding warehouses, storage yards and sewage lagoons	P	0	- -	- -	- -	7.5	7.5	- -	- -	- -
(12)	Public hospitals	P	6	- -	- -	- -	7.5	7.5(13)	3(2)	- -	- -
(13)	Public recreational facilities	P	22	- -	- -	- -	7.5	- -	- -	- -	- -
(14)	Special care homes	P	6	- -	- -	- -	7.5	7.5(13)	3(2)	- -	- -
(15)	Telecommunication towers	P	0	- -	- -	- -	- -	- -	- -	- -	- -
Commercial Uses											
(1)	Group Homes	P	14	5.6	225	6	6	4.5	3(2)	- -	- -
(2)	Bed and breakfast homes	D	3	5.3	450	15	7.5	7.5	1.2	70	40
(3)	Clubs	P	5	3.13(1)	- -	- -	7.5	3	3(2)	- -	40
(4)	Commercial recreation facilities	P	22	3.13(1)	450	15	7.5	7.5(13)	3(2)	70	40
(5)	Convenience stores, with or without associated gas bars	D	5	- -	450	15	7.5	- -	3(2)	- -	40
(6)	Child care centres and pre-schools	P	14	5.7	360	15	7.5	7.5	3(2)	70	40
(7)	Funeral homes	P	15	- -	450	15	7.5	7.5(13)	3(2)	70	40
(8)	Health care clinics	P	28	- -	450	15	7.5	7.5(13)	3(2)	70	40
(9)	Medical, dental and optical laboratories	P	5		450	15	7.5	7.5(13)	3(2)	70	40
(10)	Parking lots	D	0	3.13(11) 5.12	450	15	7.5	3	3	- -	- -

(11)	Private schools	P	18	- -	- -	- -	7.5	7.5[13]	3[2]	- -	40
(12)	Restaurants, with or without associated lounges	P	8	- -	450	15	7.5	7.5[13]	3[2]	70	40
(13)	Residential care home	P	6	5.5	- -	15	7.5	7.5[13]	3[2]	- -	40
(14)	Retail stores	P	4	- -	225	6	6	4.5	3[2]	- -	- -

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) – Discretionary Use: Any use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, and contained in this zoning bylaw.

Special limitations and standards regarding Table 7-3 and the CS district:

(1) to a maximum requirement of 21.0 m
(2) or ½ the average building height, whichever is greater
(3) except that no side yard shall be required where a common wall divides two dwelling units
(4) for multiple unit dwellings of one storey, the side yard shall be 1.8 m; for multiple unit dwellings of two or three storeys, the side yard shall be 3.0 m; for multiple unit dwellings over three storeys, the side yard shall be ½ the building height to a maximum requirement of 6 m; on corner sites, the side yard shall never be less than 3.0 m along the flanking street
(5) for multiple unit dwellings up to and including three storeys, the front yard shall be 6 m; for multiple unit dwellings over three storeys, the front yard shall be 7.5 m
(6) where the site is served by a lane; otherwise, 315m^2 per unit
(7) where the site is served by a lane; otherwise, 10.5m
(8) except for corner sites, where it shall be 3.0m along the flanking street
(9) where the site is served by a lane; otherwise, 450m^2
(10) where the site is served by a lane; otherwise, 15.0m
(11) where the site is served by a lane; otherwise, 63 m^2
(12) where the site is served by a lane; otherwise, 21.0m
(13) or 25% of the depth of the lot, whichever is greater

7.4 C1 – Downtown Commercial District

7.4.1 Purpose

The objective of the **C1 – Downtown Commercial District** is to provide for a range of commercial, community service and residential uses in the downtown area.

7.4.2 Permitted and Discretionary Use

Uses are listed and designated in Table 7-4.

7.4.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

7.4.4 Standards and Regulations

Site and building requirements are shown in Table 7-4.

7.4.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **C1** district with respect to Section 3.11 – General Discretionary Use Evaluation Criteria, Section 3.13 – Use-Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

7.4.6 Exceptions to Development Standards

7.4.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

7.4.8 Outside Storage

Outside storage is prohibited in the C1 District.

7.4.9 Landscaping

Landscaping is subject to Section 4.20.

Table 7-4: C1 –Commercial District Development Standards

	Principal Use	Designation	Parking Category	Subject to Section(s)	Development Standards: Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Maximum Site Coverage (%)
Commercial Uses										
(1)	Bakeries with retail sales	P	0	- -	278	7.5	0	0[(1)]	[(2)]	- -
(2)	Bus terminals	P	0	- -	278	7.5	0	0[(1)]	[(2)]	- -
(3)	Car and truck washes	D	0	3.13 (14)	510	15	7.5	0[(1)]	[(2)]	- -
(4)	Cannabis retail stores	P	5	5.16	278	7.5	0	0[(1)]	[(2)]	- -
(5)	Clubs	P	0	0	278	7.5	0	0[(1)]	[(2)]	- -
(6)	Commercial recreation facilities, excluding golf courses	P	0	3.13(1)	278	7.5	0	0[(1)]	[(2)]	- -
(7)	Convenience stores	P	0	- -	278	7.5	0	0[(1)]	[(2)]	- -
(8)	Child care centres and pre-schools	P	0	5.7	278	7.5	0	0[(1)]	[(2)]	- -
(9)	Financial institutions	P	0	- -	278	7.5	0	0[(1)]	[(2)]	- -
(10)	Fitness centres	P	0	- -	278	7.5	0	0[(1)]	[(2)]	- -
(11)	Funeral homes	P	0	- -	278	7.5	0	0[(1)]	[(2)]	- -
(12)	Gas bars	P	0	5.2	510	15	7.5	0[(1)]	[(2)]	- -
(13)	Health care clinics	P	0	- -	278	7.5	0	0[(1)]	[(2)]	- -
(14)	Hotels and motels	P	0	- -	278	7.5	0	0[(1)]	[(2)]	- -

(15)	Laundromats	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(16)	Lumber yards, home improvement centres and building supply establishments	D	0	3.13(6)	929	7.5	0	0(1)	0(2)	- -
(17)	Malls	D	0	3.13(5)	923	15	7.5	0(1)	0(2)	- -
(18)	Medical, dental and optical labs	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(19)	Night clubs	D	0	3.13(4)	278	7.5	0	0(1)	0(2)	- -
(20)	Offices and office buildings	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(21)	Parking lots	D	0	3.13(11) 5.12	278	15	0	0(1)	0(2)	- -
(22)	Personal service shops	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(23)	Photography studios	P	0		278	7.5	0	0(1)	0(2)	- -
(24)	Printing plants and newspaper offices	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(25)	Radio and television studios	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(26)	Repair services restricted to the repair of household goods and appliances	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(27)	Restaurants, with or without associated lounge	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(28)	Retail service commercial	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(29)	Service stations	P	0	5.2	923	30	7.5	0(1)	0(2)	- -
(30)	Shopping centres	D	0	3.13 (5)	923	15	7.5	0(1)	0(2)	- -
(31)	Taverns	P	0	3.13(4)	278	7.5	0	0(1)	0(2)	- -
(32)	Theatres	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(33)	Tourist information centres and booths	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(34)	Veterinary clinics	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(35)	Welding and machine shops	D	0	3.13 (6)	230	7.5	0	0(1)	0(2)	- -
Community Service and Other Uses										
(1)	Protective services	P	0	- -	278	7.5	0	0(1)	0(2)	- -
(2)	Community centres	P	0	3.13 (1)	278	7.5	0	0(1)	0(2)	- -
(3)	Cultural institutions	P	0	- -	278	7.5	0	0(1)	0(2)	- -

(4)	Daycare Centres	P	0	- -	230	7.5	0	0[1]	0[2]	- -
(5)	Municipal facilities	P	0	- -	278	7.5	0	0[1]	0[2]	- -
(6)	Parks and playgrounds	P	0	- -	278	7.5	0	0[1]	0[2]	- -
(7)	Places of worship	P	0	3.13 (1)	278	7.5	0	0[1]	0[2]	- -
(8)	Public recreational facilities	P	0	- -	278	7.5	0	0[1]	0[2]	- -
(9)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0	- -	- -	- -	0	- -	0[2]	- -
Residential Uses										
(1)	Dwelling units in conjunction with and attached to any other permitted use	D	0	3.13(9)	same as principal use					
(2)	Single Detached Dwelling	D	1	- -	360	12	7.5	7.5	1.2	40
(3)	Dwelling, Multiple unit (Apartments)	D	2	3.13(3) 5.9	185/unit	6/unit[3]	[5]	- -	[5]	60
(4)	Dwelling, Multiple unit (Townhouses)	D	2	3.13(3) 5.9	228/unit	6/unit	[5]	[4]	[5]	60

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) – Discretionary Use: Any use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, and contained in this zoning bylaw.

Special limitations and standards regarding Table 7-4 and the C1 district:

[1] where the rear line of a site in any C1 - Commercial District abuts any Residential District without an intervening street or lane, 6.0 m to a maximum of 21.0 m

[2] where the sideline of a site in any C1 - Commercial District abuts any Residential District without an intervening street or lane, 1.5 m

[3] Same as principal use.

[4] for multiple unit dwellings up to and including three storeys, the front yard shall be 6.0 m; for multiple unit dwellings over three storeys, the front yard shall be 7.5 m

[5] for multiple unit dwellings of one storey, the side yard shall be 1.8 m; for multiple unit dwellings of two or three storeys, the side yard shall be 3.0 m; for multiple unit dwellings over three storeys, the side yard shall be ½ the building height to a maximum requirement of 6.0 m; on corner sites, the side yard shall never be less than 3.0 m along the flanking street

7.5 C2 – Highway Commercial District

7.5.1 Purpose

The purpose of the **C2** – **Highway Commercial District** is to provide for a range of highway commercial and other compatible uses.

7.5.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 7-5.

7.5.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

7.5.4 Standards and Regulations

Site and building requirements are shown in Table 7-5.

7.5.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **C2 District** with respect to Section 3.11 – General Discretionary Use Evaluation Criteria, Section 3.13 – Use-Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follow in this section.

7.5.6 Exceptions to Development Standards

7.5.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

7.5.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.12.

7.5.9 Landscaping

Landscaping is subject to Section 4.20.

Table 7-5 C2 – Highway Commercial District Development Standards

Principal Use		Development Standards							
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
Commercial Uses									
(1)	Auto body shops	D	5	3.13(6)	730	20	7.5	6	3
(2)	Automobile, marine, recreational vehicle, agricultural equipment, and mobile home sales and service establishments	P	5		1,100	30	7.5	6	3
(3)	Automotive and industrial supply stores	P	5		730	20	7.5	6	3
(4)	Fuel storage depots, bulk	D	11	3.13(10) 5.17	1100	30	7.5	6	3
(5)	Bulk fertilizer operations	D	11	3.13(10) 5.17	730	20	7.5	6	3
(6)	Bus terminals	P	5		730	20	7.5	6	3
(7)	Car washes	P	19		730	20	7.5	6	3
(8)	Cannabis retail stores	D	5	5.16	730	20	7.5	6	3
(9)	Commercial recreational uses	P	5		730	20	7.5	6	3
(10)	Convenience stores	P	5		730	20	7.5	6	3
(11)	Construction trades	P	5		730	20	7.5	6	3
(12)	Drive-in theatres	P	5		730	20	7.5	6	3
(13)	Freight handling facilities	D	4	3.13(13)	1100	30	7.5	6	3
(14)	Gas bars	P	5		1100	30	7.5	6	3
(15)	Gravel and Cement Operations	D	11	3.13 (6)	730	20	7.5	6	3
(16)	Health care clinics	P	5		730	20	7.5	6	3
(17)	Hotels	P	9		730	20	7.5	6	3
(18)	Indoor and outdoor storage rental facilities	D	4	3.13(8)	730	20	7.5	6	3
(19)	Licensed drinking facilities	D	8		730	20	7.5	6	3
(20)	Light manufacturing	D	11	3.13(7)	730	20	7.5	6	3
(21)	Lumber yards, home improvement centres, and	P	4		730	20	7.5	6	3

Table 7-5 C2 – Highway Commercial District Development Standards

	Principal Use	Development Standards							
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
	building supply establishments								
(22)	Malls	D	5	3.13(5)	730	20	7.5	6	3
(23)	Motels	P	9		930	30	15	6	3
(24)	Nurseries, greenhouses, and garden centres	P	4		730	20	7.5	6	3
(25)	Offices and office buildings	P	5		730	20	7.5	6	3
(26)	Parking lots	P	0	3.13(11) 5.12	- -	- -	3	3	3
(27)	Pet grooming establishments	P	5		730	20	7.5	6	3
(28)	Recycling collection depots	D	4	3.13(8)	730	20	7.5	6	3
(29)	Rental stores	P	5		730	20	7.5	6	3
(30)	Repair services restricted to household goods and appliances	P	5		730	20	7.5	6	3
(31)	Restaurants, with or without associated lounges	P	8		730	20	7.5	6	3
(32)	Retail stores	P	5		730	20	7.5	6	3
(33)	Service stations and public garages	P	5		930	30	7.5	6	3
(34)	Shopping centres	D	5	3.13(5)	730	20	7.5	6	3
(35)	Storage garages	D	4	3.13 (8)	730	20	7.5	6	3
(36)	Taxidermy and accessory tanning of hides	D	5	3.13(6)	730	20	7.5	6	3
(37)	Tourist information centres and booths	P	4		730	20	7.5	6	3
(38)	Trucking operations	D	4		730	20	7.5	6	3
(39)	Veterinary clinics and animal hospitals	P	5		730	20	7.5	6	3
(40)	Warehouses	D	4		730	20	7.5	6	3
(41)	Wholesale establishments	P	4		730	20	7.5	6	3
(42)	Welding and machine shops	D	4	3.13(6)	730	20	7.5	6	3
Residential Uses									

Table 7-5 C2 – Highway Commercial District Development Standards

	Principal Use	Development Standards							
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)
(1)	Dwelling units accessory to permitted uses and integrated as part of a principal building for the use of caretakers, owners or managers	D	1	3.13(9)	same as the principal use				
Community Service and Other Uses									
(1)	Ambulance stations	P	21		730	20	7.5	6	3
(2)	Municipal facilities	P	0		- -	- -	- -	- -	- -
(3)	Parks and playgrounds	P	0		- -	- -	- -	- -	- -
(4)	Places of Worship	P	15		730	20	7.5	6	3
(5)	Public recreational uses	P	22		730	20	7.5	6	3
(6)	Public works	P	0		- -	- -	- -	- -	- -

Use Designations:

(P) - Permitted Use
Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) - Discretionary Use
Any use or form of development that may be allowed in a zoning district following application to, and approval of, the Council, and which complies with the development standards as required by Council and contained in this zoning bylaw.

Special limitations and standards regarding Table 7-5 and the C2 District:

7.6 M – Industrial District

7.6.1 Purpose

The purpose of the **M** – **Industrial District** is to provide for development in the form of a range of industrial and other compatible uses.

7.6.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 7-6.

7.6.3 Accessory Uses

Accessory buildings and uses shall be permitted subject to Section 4.8.

7.6.4 Standards and Regulations

Site and building requirements are shown in Table 7-6.

7.6.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **M** district with respect to Section 3.11– Discretionary Use General Evaluation Criteria and to Section 3.13 – Discretionary Use-Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

7.6.6 Exceptions to Development Standards

7.6.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

7.6.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.12.

7.6.9 Landscaping

Landscaping is subject to Section 4.20.

Table 7-6 M – Industrial District Development Standards										
Principal Use					Development Standards					
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Maximum Site Coverage (%)
Industrial / Commercial Uses										
(1)	Airports	D	- -	- -	- -	- -	4.5	- -	- -	- -
(2)	Animal hospitals	P	5	- -	1115	25	4.5	(1)	3 (2)	- -
(3)	Auction markets, excluding livestock auction facilities	P	4	- -	1115	25	4.5	(1)	3 (2)	- -
(4)	Auto body shops	P	11	3.13(6)	465	15	4.5	(1)	3 (2)	- -
(5)	Automobile, marine, recreational vehicle and equipment, agricultural equipment, and mobile home sales and service establishments	P	4	- -	465	15	4.5	(1)	3 (2)	- -
(6)	Boarding kennels	P	11	- -	1115	25	4.5	(1)	3 (2)	- -
(7)	Bulk fertilizer sales and storage	D	11	5.1 3.13(10)	1115	25	4.5	(1)	3 (2)	- -
(8)	Bulk fuel storage depots	D	11	5.1 3.13(10)	1115	25	4.5	(1)	3 (2)	- -
(9)	Cannabis production facilities	D	10	5.18	465	15	4.5	(1)	3 (2)	- -
(10)	Car washes	P	11	- -	465	15	4.5	(1)	3 (2)	- -
(11)	Cement and concrete plants	P	11	- -	1115	25	4.5	(1)	3 (2)	- -
(12)	Coal yards	D	11	- -	1115	25	4.5	(1)	3 (2)	- -
(13)	Consignment centres	P	11	- -	1115	25	4.5	(1)	3 (2)	- -

(14)	Construction trade	P	11	- -	465	15	4.5	(1)	3 (2)	- -
(15)	Foundry and boiler works	D	4	- -	1115	25	4.5	(1)	3 (2)	- -
(16)	Freight handling facilities	P	4	- -	1115	25	4.5	(1)	3 (2)	- -
(17)	Gas bars	P	5	5.2	465	15	4.5	(1)	3 (2)	- -
(18)	General industrial uses	P	4	- -	1115	25	4.5	(1)	3 (2)	- -
(19)	Grain elevators	P	11	- -	1115	25	4.5	(1)	3 (2)	- -
(20)	Indoor storage rental facilities	P	11	3.13(8)	1115	25	4.5	(1)	3 (2)	- -
(21)	Industrial equipment training facilities	P	4	- -	1115	25	4.5	(1)	3 (2)	- -
(22)	Industrial complexes	P	4	- -	1115	25	4.5	(1)	3 (2)	- -
(23)	Light manufacturing	P	11	3.13(7)	1115	25	4.5	(1)	3 (2)	- -
(24)	Livestock auction facilities	D	12	- -	1115	25	4.5	(1)	3 (2)	- -
(25)	Lumber yards, home improvement centres and building supply establishments	P	4	- -	465	15	4.5	(1)	3 (2)	- -
(26)	Manufacturing or processing operations	P	11	- -	1115	25	4.5	(1)	3 (2)	- -
(27)	Meat packing plants	D	4	- -	1115	25	4.5	(1)	3 (2)	- -
(28)	Nurseries, greenhouses and garden centres	P	4	- -	1115	25	4.5	(1)	3 (2)	- -
(29)	Indoor/Outdoor storage compounds	P	0	- -	1115	25	4.5	(1)	3 (2)	- -
(30)	Parking lots	P	0	(11) 5.12	465	15	4.5	3	3 (2)	- -
(31)	Pet food processing plants	D	4	- -	1115	25	4.5	(1)	3 (2)	- -
(32)	Public garages	P	4	- -	1115	25	4.5	(1)	3 (2)	- -
(33)	Railway and ancillary facilities	P	10	- -	- -	- -	4.5	3	3 (2)	- -
(34)	Recycling collection depots	P	11	- -	465	15	4.5	(1)	3 (2)	- -
(35)	Repair services	P	5	- -	465	15	4.5	(1)	3 (2)	- -
(36)	Restaurants	P	8	- -	1115	25	4.5	(1)	3 (2)	- -

(37)	Sand and gravel operations and gravel yards	D	11	- -	1115	25	4.5	(1)	3 (2)	- -
(38)	Seed cleaning plants and feed mills	D	11	- -	1115	25	4.5	(1)	3 (2)	- -
(39)	Service stations	P	4	5.2	465	15	4.5	(1)	3 (2)	- -
(40)	Stockyards	D	11	- -	1115	25	4.5	(1)	3 (2)	- -
(41)	Taxidermy and accessory tanning of hides	D	11	3.13(6)	1115	25	4.5	(1)	3 (2)	- -
(42)	Telecommunication towers	P	0	- -	- -	- -	4.5	(1)	3 (2)	
(43)	Trucking operations	P	4		1115	25	4.5	(1)	3 (2)	
(44)	Transportation terminals and yards	P	4	- -	1115	25	4.5	(1)	3 (2)	- -
(45)	Veterinary clinics	P	4	- -	465	15	4.5	(1)	3 (2)	- -
(46)	Warehouses and supply depots	P	11	- -	1115	25	4.5	(1)	3 (2)	- -
(47)	Welding and machine shops	P	11	- -	465	15	4.5	(1)	3 (2)	- -
(48)	Wholesale establishments	P	11	- -	465	15	4.5	(1)	3 (2)	- -
Community Service and Other Uses										
(1)	Municipal facilities	P	0	- -	- -	- -	- -	- -	- -	- -
(2)	Parks and playgrounds	P	0	- -	- -	- -	4.5	- -	3 (2)	- -
(3)	Public works excluding sewage lagoons	P	0	- -	- -	- -	- -	- -	- -	- -
Residential										
(1)	Dwelling, Business	D	1	3.13(9)	same as principal use					

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) – Discretionary Use: Any use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and

which complies with the development standards, as required by Council, and contained in this zoning bylaw.

Special limitations and standards regarding Table 7-6 and the M district:

(1) 10% of the depth of the site except where the rear yard abuts a railroad track or railroad yard, in which case no rear yard is required
(2) except, in the case of a corner site, where the minimum requirement shall be 4.5 m on the side abutting the flanking street

7.7 FUD – Future Urban Development District

7.7.1 Purpose

The purpose of the **FUD – Future Urban Development District** is to provide for interim land uses where the future use of the land or the timing of development is uncertain due to issues of servicing, transitional use or market demand.

7.7.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 7-7.

7.7.3 Accessory Uses

Accessory buildings and uses including:

(1) Accessory buildings and structures subject to Section 4.8
(2) Trailer coaches subject to section 4.19
(3) Family child care homes subject to section 5.6
(4) Home based businesses subject to section 5.11

7.7.4 Standards and Regulations

Site and building requirements are shown in Table 7-7.

7.7.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **FUD** district with respect to Section 3.11 – General Discretionary Use Evaluation Criteria and to Section 3.13 – Use-Specific Discretionary Use Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

7.7.6 Exceptions to Development Standards

7.7.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

7.7.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.12.

7.7.9 Landscaping

Landscaping is subject to Section 4.20.

Table 7-7: FUD – Future Urban Development District Development Standards												
Principal Use					**Development Standards**							
		Designation	Parking Category	Subject to Section(s)	Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Building Floor Area (m^2)	Maximum Site Coverage (%)
Residential Uses												
(1)	Single detached dwellings	D	1	- -	255 square metres[(1)]	12[(2)]	7.5	1.2[(3)]	7.5[(4)]	70	40
Other Uses												
(1)	Agricultural fair grounds	D	0	- -	16	- -	7.5	- -	- -	- -	- -
(2)	Agricultural uses including crop farming, grazing and pasturage, and cultivation of land, but not including intensive livestock or poultry operations nor grazing or pasturing within 200 m of any street or Highway	P	0	- -	16	- -	7.5	- -	- -	- -	- -
(3)	Municipal facilities	P	0	- -	- -	- -	7.5	- -	- -	- -	- -
(4)	Nurseries, greenhouses and garden centres	D	3	- -	16	- -	7.5	- -	- -	- -	- -
(5)	Public works excluding sewage lagoons	P	0	- -	- -	- -	7.5	- -	- -	- -	- -
(6)	Sand and gravel operations	D	0	- -	16	- -	7.5	- -	- -	- -	- -
(7)	Parks	D	0	- -	16	- -	7.5	- -	- -	- -	- -
(8)	Radio, television and telecommunication towers and ancillary facilities	D	0	- -	- -	- -	7.5	- -	- -	- -	- -

(9)	Tourist campgrounds	D	0	- -	16	- -	7.5	- -	- -	- -	- -
(10)	Cemeteries	D	0	- -	- -	- -	7.5	- -	- -	- -	- -

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

(D) – Discretionary Use: Any use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, and contained in this zoning bylaw.

Special limitations and standards regarding Table 7-7 and the FUD district

(1) where the site is serviced by a lane; otherwise 315 m^2
(2) where the site is serviced by a lane; otherwise 15.0 m
(3) except for corner sites, where it shall be 3.0 along the flanking street
(4) on a corner site the minimum rear yard may be reduced to 3.0 m where a side yard of at least 4.5 m is provided adjacent to the flanking street

8 ZONING DISTRICT MAP

8.1 Zoning District Map

TOWN OF MIDALE

ZONING DISTRICT MAP

Legend

- R1 — LOW DENSITY RESIDENTIAL
- R2 — MEDIUM DENSITY RESIDENTIAL
- CS — COMMUNITY SERVICE
- C1 — DOWNTOWN COMMERCIAL
- C2 — HIGHWAY COMMERCIAL
- M — INDUSTRIAL
- FUD — FUTURE URBAN DEVELOPMENT
- MUNICIPAL BOUNDARY

This Zoning District Map accompanies Bylaw Number _____ adopted by the Town of Midale.

_____
Mayor

_____
Administrator

crosbyhanna
www.crosbyhanna.ca DESIGN LANDSCAPE PLANNING
407C 1ST AVE N SASKATOON SK S7K 1X5 1 306 665 3441

PROJECT NO.:	CHA 24046
MAP PROJECTION:	UTM ZONE 13
HORIZONTAL DATUM:	NAD 83 CSRS 98

DATE: September 2026

REVISION DATE:

N