

# ZONING BYLAW



**RURAL MUNICIPALITY OF CAMBRIA NO. 6**

**RURAL MUNICIPALITY OF CAMBRIA No. 6**

**BYLAW NO. \_\_\_\_**

A Bylaw of the Rural Municipality of Cambria No. 6 to adopt a Zoning Bylaw.

The Council of the Rural Municipality of Cambria No. 6, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- 1) Pursuant to Section 46(1) of *The Planning and Development Act, 2007* the Council of the Rural Municipality of Cambria No. 6 hereby adopts the Rural Municipality of Cambria No. 6 Zoning Bylaw, identified as Schedule “A” to this bylaw.
- 2) The Reeve and Administrator are hereby authorized to sign and seal Schedule “A” which is attached to and forms part of this bylaw.
- 3) This bylaw shall come into force on the date of final approval by the Minister of Government Relations.

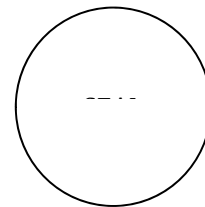
Read a First Time the \_\_\_\_ day of \_\_\_\_\_, 2020.

Read a Second Time the \_\_\_\_ day of \_\_\_\_\_, 2020.

Read a Third Time and Adopted the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_

REEVE



\_\_\_\_\_

ADMINISTRATOR

Schedule A

Rural Municipality of Cambria No. 6

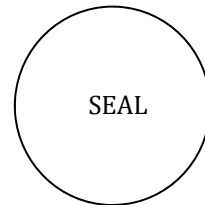
Zoning Bylaw

2020

Being Schedule "A" to Bylaw No. \_\_\_\_\_ of the Rural Municipality of Cambria No. 6

\_\_\_\_\_

REEVE



\_\_\_\_\_

ADMINISTRATOR

# Table of Contents

1	Introduction .....	6
1.1	Title.....	6
1.2	Purpose.....	6
1.3	Scope.....	6
1.4	Serverability .....	6
2	Definitions.....	7
3	Administration.....	17
3.1	Development Officer .....	17
3.2	Council.....	17
3.3	Interpretation .....	17
3.4	Bylaw Compliance.....	18
3.5	Application for a Development Permit.....	18
3.6	Referral of Application.....	19
3.7	Development Permit Procedure – Permitted Use.....	20
3.8	Development Permit Procedure – Discretionary Use .....	20
3.9	Temporary Development Permits .....	22
3.10	Minor Variance.....	23
3.11	Development Not Requiring a Permit.....	24
3.12	Application Fees and Advertising .....	25
3.13	Offences, Penalties, Stop Work Orders, and Compliance Orders .....	25
3.14	Development Appeals Board.....	25
3.15	Building Permits, Licenses, and Compliance with Other Bylaws.....	25
3.16	Effective Period for Issued Development Permit.....	25
3.17	Non-Conforming Buildings, Uses and Sites.....	26
3.18	Zoning Bylaw Amendments.....	26
3.19	Concept Plans.....	27
3.20	Servicing and Development Levy Agreements.....	28
3.21	Caveat, Performance Bond and Liability Insurance.....	28
4	General Regulations.....	29
4.1	General Development Standards.....	29
4.2	Hazard Lands .....	29
4.3	Groundwater Protection .....	30
4.4	Landscaping.....	30
4.5	Drainage .....	30
4.6	Air Quality.....	31
4.7	Heritage .....	31
4.8	Site Size Adjustments .....	31
4.9	Mobile and Modular Homes .....	31
4.10	Access and Frontage on Road .....	31
4.11	Principal Building or Use Permitted on a Site .....	32
4.12	Public Utilities and Municipal Facilities and Services.....	32
4.13	Building to be Moved.....	33
4.14	Signs and Billboards.....	33
4.15	Home Based Business.....	33
4.16	Solid and Liquid Waste Disposal Facilities .....	34
4.17	Intensive Livestock Operation (ILO) .....	35
4.18	Wind Farm.....	36
4.19	Wind Energy System.....	37
4.20	Geothermal Plants and Mineral Resource Developments.....	38
4.21	Sand and Gravel Extraction.....	39
4.22	Recreational Development.....	41
4.23	Commercial Development.....	41
4.24	Communication Tower .....	42
4.25	Development along Pipelines and Gas Transmission Lines.....	42
4.26	Railways .....	42
4.27	Cannabis .....	43

4.28	Solar, Accessory .....	43
4.29	Solar Farm .....	43
4.30	Fence, Hedge and Screening Devices.....	44
5	Zoning Districts and Zoning Bylaw Map.....	45
5.1	Zoning Districts.....	45
5.2	Uses and Regulations.....	45
6	A – Agricultural District.....	46
6.1	Intent.....	46
6.2	Permitted Uses .....	46
6.3	Discretionary Uses.....	47
6.4	District Regulations.....	48
6.5	Criteria for Discretionary Use Applications .....	50
7	R – Residential District .....	53
7.1	Intent.....	53
7.2	Permitted Uses .....	53
7.3	Discretionary Uses.....	53
7.4	District Regulations.....	53
7.5	Criteria for Discretionary Use Applications .....	55
8	C- Commercial District.....	56
8.1	Intent.....	56
8.2	Permitted Uses .....	56
8.3	Discretionary Uses.....	56
8.4	District Regulations.....	57
8.5	Criteria for Discretionary Use Applications .....	58
9	ES – Environmentally Sensitive District .....	59
9.1	Intent.....	59
9.2	Permitted Uses .....	59
9.3	Discretionary Uses.....	59
9.4	District Regulations.....	59
9.5	Criteria for Discretionary Use Applications .....	60

# 1 Introduction

## 1.1 Title

The Bylaw shall be known and may be cited as the “Zoning Bylaw” of the Rural Municipality of Cambria No.6.

## 1.2 Purpose

The purpose of this Zoning Bylaw is to regulate development in the Rural Municipality of Cambria No.6 so as to provide for the amenity of the area and for the health, safety and general welfare of the inhabitants of the municipality.

## 1.3 Scope

The regulations of this Zoning Bylaw shall apply to all lands within the incorporated area of the RM. All development within the limits of the RM shall hereafter conform to the provisions of this Zoning Bylaw.

## 1.4 Severability

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

## 2 Definitions

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:

- "Abattoir"** shall mean a facility used for the slaughtering of animals and the processing of meat products.
- "Accessory Building or Use"** shall mean a "building" or "use" which:
- a) is subordinate to and serves the principal building or use;
  - b) is subordinate in area or use served;
  - c) contributes to the comfort, convenience or necessity of the occupants of the principal building or use served; and
  - d) is located on the same site as the principal building or use served.
- "Act"** shall mean *The Planning and Development Act. 2007*, as amended.
- "Administrator"** shall mean the Administrator of the Rural Municipality of Cambria No. 6 pursuant to *The Municipalities Act*.
- "Agricultural Operation" or "Farming"** shall mean a site, or sites, the operation or principal use of which:
- a) is to derive produce directly from:
  - b) the cultivation of the soil for agriculture;
  - c) the raising of agricultural crops, plants, vegetables, trees, nuts, berries, and nursery and horticultural stock and/or livestock, animals, poultry, birds, fur bearing animals, insects and aquatic life.
  - d) involves the primary processing of agricultural products (e.g. egg production, milk production), which provides a source of livelihood and income to the site owner or operator.
- "Agriculture" or "Agricultural Use"** shall mean the use of land, buildings and structures for the production of plants, crops, trees, fruits, nuts, berries, vegetables, farm produce, nursery and horticultural stock; and for the raising of animals, livestock, poultry, birds, insects and aquatic life.
- "Alteration" or "Altered"** shall mean a building or structure to which an addition is made, or in which any structural change is made, except for changes which are required for safety purposes.
- "Animal Husbandry"** shall mean the rearing, confinement or feeding of poultry, hogs, horses, sheep or cattle on a site, but does not include intensive livestock operations.
- "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 Unit (A.U.)”**

shall mean the kind and number of animals calculated in accordance with the following table:

Kind of animal		Number of animals = 1 Animal Unit
Poultry	Hens, cockerels, capons, pigeons	100
	Chicks, broiler chickens	200
	Turkeys, geese, ducks	50
	Exotic birds	25
Hogs	Boars and Sows	3
	Gilts	4
	Feeder Pigs	6
	Weanling pigs	20
Sheep	Rams and ewes	7
	Lambs	14
Goats, etc.	All (including Llamas, alpacas, etc.)	7
Cattle	Cows and bulls	1
	Feeder cattle	1.5
	Replacement heifers	2
	Calves	4
Horses	Foals and ponies	2
	Other than foals or ponies	1
Bison	Cows and Bulls	1
	Calves	4
Other	Domesticated native ungulates (deer, elk, bison, etc.)	1

**"Applicant"**

shall mean a developer or person applying for a development permit, subdivision approval or a bylaw amendment.

**"Bed and Breakfast"**

A dwelling unit, licensed under The Public Accommodation Regulations, in which overnight accommodation within the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.



<b>"Billboard"</b>	shall mean a private free standing sign, including supporting structures, which advertises goods, products, services, organizations, or facilities that are available from, located on, or refer to, a site other than the site on which the sign is located, and which is greater than 2 square metres in facial area.
<b>"Building"</b>	shall mean a structure used for the shelter or accommodation of persons, animals, or goods.
<b>"Building, Accessory"</b>	shall mean a subordinate detached building, which serves a main building or main use and is located on the same site. The purpose of all accessory buildings is to provide better and more convenient function of the primary building or use.
<b>"Building Permit"</b>	shall mean any permit issued under a building Bylaw of a municipality authorizing the construction of all or part of any building or structure.
<b>"Building Site"</b>	shall mean the specific site on which the principal building is to be erected.
<b>"Campground"</b>	shall mean the seasonal operation of an area of land managed as a unit, for temporary, short-term use by travelers and tourists as accommodation in tents, tent trailers, travel trailers, recreational vehicles or campers.
<b>"Cannabis"</b>	as defined in The Cannabis Act (Canada).
<b>"Cannabis Facility"</b>	shall mean either: <ul style="list-style-type: none"> <li>a) a facility, licensed by the federal government, for the cultivation, synthesis, harvesting, altering, propagating, processing, packaging, labeling, storage and shipping of cannabis; or</li> <li>b) a facility, provincially authorized, for the warehousing and wholesale distribution of cannabis.</li> </ul>
<b>"Cannabis Production Facility"</b>	shall mean a facility, licensed by the federal government, for the cultivation, synthesis, harvesting, altering, propagating, processing, packaging, labeling, storage and shipping of cannabis.
<b>"Cannabis Retail Store"</b>	shall mean a retail store, provincially authorized, for selling cannabis to consumers.
<b>"Cannabis Warehouse and Distribution Facility"</b>	shall mean a facility, provincially authorized, for the warehousing and wholesale distribution of cannabis.
<b>"Communal Dwelling"</b>	shall mean the dwelling unit(s) on land owned by Hutterite colonies who use the land for agricultural, educational and other shared purposes.
<b>"Council"</b>	unless specifically stated otherwise in this Zoning Bylaw, shall mean the Council of the Rural Municipality of Cambria No. 6.
<b>"Decommissioning"</b>	shall mean the final shutting down, dismantling and removal of any infrastructure or development once it has reached the end of its operation life.
<b>"Developed Road"</b>	shall mean a registered public road developed to a standard deemed suitable by the municipality, and which meets municipal standards.

<b>"Developer"</b>	shall mean the person(s) or corporation responsible for undertaking development.
<b>"Development"</b>	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 the use of any building, structure or land.
<b>"Development Officer"</b>	shall mean the person appointed by Council of the Rural Municipality of Cambria No. 6.
<b>"Development Permit"</b>	shall mean a permit, issued by the Development Officer in writing, which authorizes development but does not include a building permit.
<b>"Discretionary Use"</b>	shall mean a use or development specified in this bylaw, which may be allowed following application to, and approval of the Council; and which complies with the development standards, as required by Council, contained in this bylaw.
<b>"Dwelling, Single Detached"</b>	shall mean a detached building consisting of one dwelling unit as herein defined and occupied or intended to be occupied as a permanent home, but shall not include a mobile home, modular home, or trailer coach as defined here.
<b>"Dwelling Unit"</b>	shall mean one or more habitable rooms constituting a self-contained unit, each unit having separate sleeping, cooking, and toilet facilities.
<b>"Farm Building"</b>	shall mean barns, implement sheds, repair shops, granaries and other such buildings associated with an agricultural operation, but shall not include dwellings.
<b>"Farm Consolidation"</b>	shall mean the joining together of two abutting farm parcels.
<b>"Farmstead Site"</b>	shall mean a site which includes the residence of the farm operators and those buildings or facilities which are related to the farm operation, and may include cropland and pastures.
<b>"Fence"</b>	shall mean a vertical structure providing screening or preventing unauthorized access but not providing protection against the elements (as distinguished from a building).
<b>"Flare Gas Energy System"</b>	shall mean any structure(s) accessory to an oil well used for the capture and conversion of flare gas into usable electricity.
<b>"Flood"</b>	shall mean a temporary rise in the water level that result in the inundation of an area not ordinarily covered by water.
<b>"Flood Hazard Area"</b>	shall mean an area that would be inundated by the design flood.
<b>"Flood Proofing"</b>	shall mean any combination of structural and non-structural modifications to structures, buildings, or land, which reduces or eliminates flood-related damage.

<b>"Floor Area"</b>	shall mean the maximum habitable area contained within the outside walls of a principal building excluding in the case of a dwelling unit, any private garage, porch, veranda, sunroom, unfinished attic or unfinished basement.
<b>"Frontage"</b>	shall mean the length of a street boundary measured along the front lot line, or the length of all sides of a lot adjacent to streets.
<b>"Garage, Private"</b>	shall mean a building or part of a building used or intended to be used for the storage of motor vehicles owned by the occupant for each dwelling unit to which the garage is accessory.
<b>"Garage, Public"</b>	shall mean a building or part of a building, other than a private garage, used for the storage, care, repair, servicing, or equipping of motor vehicles or where such vehicles are kept for remuneration, hire, sale, or display.
<b>"Garden Suite"</b>	shall mean a detached one unit dwelling which is temporarily located in the yard of an existing dwelling unit.
<b>"Geothermal Plant"</b>	shall mean a geothermal binary power plant that employs a closed-loop heat exchange system in which the heat of the geothermal fluid is transferred to the secondary fluid which is vaporized and used to drive a turbine/generator set and generate electricity. The geothermal plant shall include all activities and facilities involved in the exploration, production, gathering, processing, and storage of the geothermal resource and the construction of all associated facilities.
<b>"Hazard Land"</b>	means land that is contaminated, unstable, prone to flooding or otherwise unsuited for development or occupation because of its inherent danger to public health, safety or property.
<b>"Hazardous Waste"</b>	any waste or material that poses threats to public health or the environment.
<b>"Highway, Public"</b>	shall mean a road allowance or road, street, or lane dedicated to the Crown, which affords the principal means of legal, physical and convenient access to abutting sites.
<b>"Highway Sign Corridor"</b>	a strip of land parallel and adjacent to a provincial highway; where private signs may be permitted to advertise goods and services of local area businesses and attractions, as provided by regulations of the Ministry of Saskatchewan Highways and Infrastructure entitled "The Erection of Signs Adjacent to Provincial Highway Regulations, 1986, as may be amended or replaced from time to time.
<b>"Home Based Business"</b>	shall mean a secondary use carried on as a business conducted for gain in whole or in part in a dwelling unit or an accessory building to a dwelling unit.
<b>"Institutional Use"</b>	shall mean a use of land, buildings or structures for a public or non-profit purpose without limiting the generality of the foregoing, may include such uses as schools, places of worship, indoor recreation facilities, community centres, and government buildings.
<b>"Intensive Livestock"</b>	

<b>Operation (ILO)"</b>	the operation or facilities for the permanent rearing, confinement or feeding of poultry, bison, hogs, sheep, goats, cattle, horses, or domesticated game animals in such number that the facility and portion of a site used for the operation will contain one hundred or more animal units which are confined to a space of one animal unit to less than 370 square metres (4000 square feet), eleven animal units per acre.
<b>"Landfill"</b>	shall mean a site used for the disposal of solid waste.
<b>"Landscaping"</b>	shall mean the addition of lawns, trees, plants and other natural and man-made features, which enhance or make a site more safe, functional, decorative, aesthetic, or satisfying.
<b>"Livestock"</b>	shall mean farm animals, as identified under the definition of animal units, kept for use and profit.
<b>"Lot"</b>	shall mean a parcel of land with fixed boundaries which have been issued a certificate of title by Information Services Corporation. It shall also be referred to as a "site".
<b>"Mineral Resources"</b>	shall mean mineral resources as defined in <i>the Mineral Resources Act, 1985</i> and excludes geothermal development as defined herein.
<b>"Minister"</b>	The Minister of Government Relations for the Government of Saskatchewan.
<b>"Mobile Home"</b>	shall mean a trailer coach: <ul style="list-style-type: none"> <li>c) that is used as a dwelling</li> <li>d) that has water faucets and shower, or other bathing facilities, that may be connected to a water distribution system</li> <li>e) that is equipped with facilities for washing and water closet, or other similar facility, which may be connected to a sewage system.</li> <li>f) that complies with Canadian Standards Association Code CSA-Z240 MH.</li> </ul>
<b>"Modular Home"</b>	shall mean a non-motorized single detached dwelling, which is manufactured off-site, in one or more sections, assembled permanently on a permanent foundation and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard and shall not include a mobile home, recreation vehicle, or a tourist or camper trailer.
<b>"Moved-In Building"</b>	shall mean any residential, industrial, commercial or accessory building previously constructed and occupied on a site, which is to be relocated from that site and placed on another site.
<b>"Municipality"</b>	The Rural Municipality of Cambria No.6 (the RM)
<b>"Non-Conforming Building"</b>	shall mean a building: <ul style="list-style-type: none"> <li>a) that is lawfully constructed or lawfully under construction, or in respect of which all required permits have been issued, at the date the Zoning Bylaw or any amendment to this bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and</li> </ul>

b) that on the date this bylaw or any amendment to this bylaw becomes effective does not, or when constructed will not, comply with this bylaw.

**"Non-Conforming Site"**

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

**"Non-Conforming Use"**

shall mean any use of land, building or structure lawfully existing at the time of passing of this bylaw, but which no longer complies with all the regulations of this bylaw governing the zoning district in which it is located.

**"Permitted Uses"**

shall mean a use or form of development rightfully allowed in a zoning district, subject to the regulations contained in this bylaw.

**"Principal Building, Use Or Structure"**

shall mean the main building, structure or activity conducted on a site.

**"Product Processing- Large Scale"**

shall mean the processing and preparation of commodity or commodities produced off-site and may be sourced from multiple-locations.

**"Product Processing- On -Farm"**

shall mean the processing and preparation of commodity of commodities produced on the agricultural holding and may include up to a maximum of 50% commodity or commodities from other agricultural holdings.

**"Public Utility"**

shall mean a development, building, structure or use, which is owned or operated by:

- a) a government;
- b) a crown corporation;
- c) a public or private company, corporation, institution, agency or person, which by law, is authorized, regulated, franchised or licensed, to provide essential and general public facilities, systems, and services or "public works" as defined below:
  - i. systems for the production, distribution, or transmission of electricity;
  - ii. systems for the distribution, storage or transmission of natural gas or oil;
  - iii. facilities for the storage, transmission, treatment, distribution or supply of water;
  - iv. facilities for the collection, treatment, movement or disposal of sanitary sewage;
  - v. telephone or cable television distribution or transmission lines; or
  - vi. facilities for the collection, storage, movement and disposal of storm drainage.

but shall not include a wind energy system, or solar energy system (commercial or domestic).

**"Public Utility (Linear)"**

shall mean linear public utilities including roads and related facilities, rail lines, pipelines, powerlines, communication lines, and similar linear uses.

**"Quarter Section"**

shall mean 64.8 ha (160 acres) or a lesser amount that remains due to the original survey, road widening, road right-of-way or railway plans, drainage

ditch, pipeline or transmission line development, or natural features such as water courses or water bodies as defined by the Township Plan of Survey in the Land Titles Office.

**"Reconstruction"** shall mean the redevelopment, re-use, or rebuilding of an existing building, including re-arrangement or replacement of structural support elements except exterior walls, and without any structural additions to the original building.

**"Repair Shop"** shall mean any land, building or structure used for the purpose of rebuilding or overhauling motor vehicles, trailers, farm machinery and equipment, or any part thereof.

**"Residence"** shall mean a single detached dwelling, mobile home or modular home.

**"Residential Density"** shall mean the number of dwelling units permitted on a site or in a subdivision, expressed in dwelling units per acre or hectare.

**"Residential Site"** a site used primarily for housing purposes or other land uses that are integral to and supportive of residential use.

**"RTM (Ready to Move Home)"** a new single detached dwelling built off-site to national building code standards and moved on, and permanently attached to, a foundation meeting national building code standards.

**"Service Station"** shall mean a building used or intended to be used for the sale of gasoline, minor repairing, rental, washing, servicing, greasing, adjusting or equipping of automobiles or other motor vehicles, but not including painting or body work, available to the public and operated for gain.

**"Setback"** shall mean the perpendicular distance as measured between the parts of a building nearest to the front, side or rear property line of the building site. In the case of a setback involving a front yard, it means the distance measured perpendicularly from the front property line of the parcel to the nearest point of the building excluding the eaves and/or projections.

**"Sewage Lagoon"** shall mean the use of land for the purpose of collecting sewage.

**"Sign"** shall mean an object or device intended for the purpose of advertising or calling attention to any person, matter, thing or event.

**"Site"** shall mean a lot, parcel or tract of land with fixed boundaries and which has been registered in the Land Titles Office by Certificate of Title.

**"Site Corner Or Corner Site"** shall mean a site located at an intersection or junction of a public road allowance or highway.

**"Site Line, Front or Front Site Line"** shall mean the boundary that divides the site from the public road allowance, highway or street. In the case of a corner site, the site boundary that abuts the public road allowance, highway or street to the front of the principal building shall be deemed to be the front site line. Site frontage for a non-rectangular site shall be defined as the mean of the measured front and rear site lines.

**"Site Line, Rear or**

<b>Rear Site Line"</b>	shall mean the boundary at the rear of the site and opposite the front site line.
<b>"Site Line, Side or Side Site Line"</b>	shall mean a boundary other than a front or rear site line.
<b>"Solar Energy System"</b>	A system capable of collecting and converting solar radiation into electrical energy by the use of semiconductor devices, called photovoltaic cells, which generate electricity when exposed to sunlight. The system includes the electrical generating and accessory facilities including but is not limited to photovoltaic panels, mounting racks and hardware, cable and wiring, collection and supply equipment, transformer and a substation.
<b>"Solar Energy System, Ground-Mount"</b>	A solar energy system that is directly installed on specialized solar racking systems, which are attached to an anchor in the ground.
<b>"Solar Energy System, Roof-Mount"</b>	A solar energy system consisting of solar panels installed directly on the roof of a building. Solar panels are mounted and secured using racking systems specifically designed to minimize the impact on the roof and prevent any leaks or structural damage.
<b>"Solar Farm"</b>	A ground-mounted solar energy system designed and built to provide electricity for commercial sale and distribution to the electrical grid with a total nameplate capacity greater than 100 kilowatts (kW) per year.
<b>"Street" or "Road"</b>	shall mean a public road or thoroughfare registered by plan of survey which affords the principal means of access to abutting property, but shall not include an easement or lane.
<b>"Structure"</b>	shall mean anything that is built, constructed or erected, located in, on, or over the ground, or attached to something located in, on, or over the ground,
<b>"Subdivision"</b>	shall mean a division of land, and includes a division of a quarter section into legal subdivisions as described in the regulations made pursuant to <i>The Land Surveys Titles Act, 2000</i> .
<b>"Use"</b>	shall mean the purpose or activity for which land, buildings or structures are designed, arranged or intended, occupied, or maintained.
<b>"Use, Agriculture Related Commercial"</b>	shall mean a service to the agricultural community such as grain and seed cleaning and drying, fertilizer distribution, implement and machinery assemblage, sale and service, veterinary clinics, bulk fuel sales, stock yards, auction marts and other similar uses.
<b>"Use, Petroleum Related Commercial"</b>	shall mean a service to the petroleum and natural gas extraction industry such as drilling and oil well servicing operations, hauling services and storage facilities and other similar uses.
<b>"Use, Principal Agricultural"</b>	shall mean that the chief reason for the use and development of the land is its use for agricultural purposes, and that such use constitutes the chief source of income.
<b>"Water body"</b>	shall mean a lake, pond, reservoir, lagoon, swamp, marsh or any other area containing standing surface water, either permanently or intermittently.

<b>"Watercourse"</b>	shall mean a river, stream, creek, gully, ravine, spring, coulee, valley floor, drainage ditch or any other channel having a bed and sides or banks in which water flows either permanently or intermittently.
<b>"Wind Energy Development"</b>	includes towers, generators (turbines) and all equipment, machinery and structures used for the collection, conversion and transmission of wind energy to electrical energy for industrial, commercial, private or public uses.
<b>"Wind Energy System"</b>	shall mean any structure(s) used for the conversion, production, and transmission of wind energy into electrical energy and related facilities connected to a substation or metering point.
<b>"Wind Energy System Height"</b>	shall mean the height from ground level to the tip of the blade at its highest point.
<b>"Wind Farm"</b>	shall mean a wind energy generating system that entails the installation of two or more wind turbines that are physically interconnected, designed and built to provide electricity for commercial sale and distribution to the electrical grid.
<b>"Yard"</b>	shall mean the open, unoccupied space on a lot between the property line and the nearest wall of a building.
<b>"Yard, Front "</b>	shall mean a yard extending across the full width of a site between the front site line and the nearest main wall of the main building or structure on the site.
<b>"Yard, Rear"</b>	shall mean a yard extending across the full width of the site between the rear site line and the nearest main wall of a building or structure on the site.
<b>"Yard, Required"</b>	shall mean the minimum yard required by a provision of this bylaw.
<b>"Yard, Side"</b>	shall mean a yard extending from the front yard to the rear yard between the side line of the site and the nearest main wall of a building or structure.
<b>"Zone" or "Zoning District"</b>	shall mean: <ul style="list-style-type: none"> <li>a) a development category established in this bylaw; and</li> <li>b) a land area within the Municipality designated for specific and uniform development, subdivision standards and requirements.</li> </ul>



## 3 Administration

### 3.1 Development Officer

- 3.1.1 The Development Officer of the Rural Municipality of Cambria No. 6 shall be responsible to administer this bylaw and in his/her absence, the RM Council may appoint an alternate.
- 3.1.2 The Development Officer shall:
- a) Receive, record, and review development permit applications and issue decisions;
  - b) Maintain, for inspection by the public during office hours, a copy of the Official Community Plan (OCP) and associated maps, this bylaw, zoning bylaw map, amendments, and ensure that copies are available to the public at a reasonable cost;
  - c) Make available for public inspection during office hours a register of all development permits and subdivision applications and decisions;
  - d) Collect development fees, according to the fee schedule established by a separate bylaw;
  - e) Perform other duties as determined by Council.
- 3.1.3 The Development Officer shall be empowered to make a decision regarding a development permit application for a permitted use based on the provisions of this Zoning Bylaw.
- 3.1.4 The Development Officer shall receive, record, review and forward to Council:
- a) Development permit applications for discretionary uses;
  - b) Rezoning amendment applications and other amendment applications;
  - c) Subdivision applications circulated to the RM by the Ministry of Government Relations;
  - d) Development and servicing agreements; and
  - e) Applications for minor variances.

### 3.2 Council

- 3.2.1 Council shall make all decisions regarding discretionary uses, amendments, development and servicing agreements and minor variances.
- 3.2.2 Council shall make a recommendation regarding all subdivision applications circulated to it by the Ministry of Government Relations, prior to a decision being made by the Minister.
- 3.2.3 Council shall act on discretionary use, rezoning, other amendment, and subdivision applications in accordance with the procedures established by *The Planning and Development Act, 2007* and in accordance with the OCP and this bylaw.

### 3.3 Interpretation

- 3.3.1 Where any provision of this bylaw or the OCP appears unclear, Council shall make the final bylaw interpretation.

3.3.2 All bylaw requirements shall be based on the stated metric units. The imperial units shown in the OCP and this bylaw shall be approximate guidelines only.

### **3.4 Bylaw Compliance**

3.4.1 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 a Development Permit**

3.5.1 Every person shall obtain a development permit before commencing any development within the Municipality, except those listed in Section 3.11 of this bylaw.

3.5.2 A development permit shall not be issued for any use in contravention of any of the provisions of this bylaw or the OCP.

3.5.3 Development which is not specified in this bylaw as a permitted or discretionary use shall be prohibited.

3.5.4 The development application, permit and notice of decision shall be in the form as adopted or amended by resolution of Council.

3.5.5 The application shall have attached a layout or site plan, as required in the application form or by the Development Officer, together with any other descriptive information needed to assess the application. The Development Officer or Council may require the applicant to include:

- a) A description of the intended use or proposed development including any change in building use or land use change;
- b) Legal land description;
- c) The signature of the applicant and the registered landowner(s);
- d) A copy of the certificate of title or other proof of ownership;
- e) Estimated commencement and completion dates;
- f) Floor plans and elevations of the proposed development;
- g) Technical reports including, but not limited to:
  - i. Sewer and water services;
  - ii. Expected traffic impacts;
  - iii. Hydrogeological impacts and flood risk studies.
- h) Wildlife habitat studies;
- i) Heritage resource assessments; and
- j) Any other information deemed necessary by the Development Officer or Council to assess the application.

3.5.6 The attached site plan may be required to include:

- a) All adjacent roads, highways, service roads and access to the site;

- b) Rights-of-ways and easements (roads, gas, oil, power, drainage easements, etc.)
- c) All drainage courses;
- d) Location of proposed development;
- e) Existing development on the site;
- f) Landscaping details (existing trees, removal of trees, proposed plantings, berms, water features, etc.);
- g) Setbacks to property line, road, services and other development or features that may impact the development;
- h) Top of bank and water;
- i) Existing and proposed services;
- j) Location of well or cistern;
- k) Method and location of sewage disposal;
- l) Sign location and details;
- m) Parking and loading facilities;
- n) North arrow; and
- o) Any additional information deemed necessary by the Development Officer or Council.

3.5.7 Where an application for a development permit has been refused, the Council or the Development Officer, may refuse to accept another application for the same or similar development on the same site until 6 months from the date of the refusal. The Development Officer may refuse to accept another application for the same development until 12 months has passed from the date of a refusal by either the Development Appeals Board or the Saskatchewan Municipal Board.

## **3.6 Referral of Application**

- 3.6.1 The Development Officer may refer any application to Council for a decision on the interpretation of the bylaw or regarding special conditions provided for in the bylaw and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide further information necessary to render a decision.
- 3.6.2 The Development Officer or Council may refer the application to any internal or external departments, professionals or organizations for review or comment prior to making a decision on the application. The Development Officer may require the application to be reviewed by planning, engineering, legal or other professionals, with the cost of this review to be borne by the applicant.
- 3.6.3 Subdivision or development of a significant size, scale or intensity proposed within the joint planning area identified on the Future Land Use Map, attached to and forming part of the Official Community Plan, will be referred to the Village of Torquay for comment.
- 3.6.4 All submissions required are the responsibility of the developer. The final review of a subdivision or development application will not be completed prior to the receipt and evaluation of all required information by the Development Officer or Council, the Saskatchewan Health Authority and any other

relevant agency deemed necessary by the RM.

- 3.6.5 The Development Officer shall make available, in addition to plumbing permits and plan information, a copy of all approved development permit applications involving installation of water and sanitary services, should such information be requested by provincial officials under *The Public Health Act* and provincial regulations.

### **3.7 Development Permit Procedure – Permitted Use**

- 3.7.1 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.
- 3.7.2 Upon completion of the review of an application for development, the Development Officer shall:
- a) Issue a development permit in writing where the application conforms with the Zoning Bylaw, The Planning and Development Act, 2007 and The Statements of Provincial Interest, incorporating any regulations, criteria or standards authorized by this bylaw or the OCP; or
  - b) Issue a refusal in writing where the application does not comply with a regulation or standard of this bylaw, The Planning and Development Act, 2007 or The Statements of Provincial Interest, stating the reason for refusal.
- 3.7.3 The applicant shall be notified in writing of the decision of their application. The applicant shall be advised of their right to appeal a decision to the Development Appeals Board on a permitted use application and any terms and conditions attached to an application.
- 3.7.4 A permit shall expire one year from the date of issuance and may be extended by the Development Officer for one or more periods to a maximum of two additional years.

### **3.8 Development Permit Procedure – Discretionary Use**

- 3.8.1 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.
- 3.8.2 Applicants must file with the Development Officer the prescribed application form, a site plan, any other plans and supplementary information as required by the Development Officer or Council.
- 3.8.3 Upon receiving a complete application form and all required information, the Development Officer shall examine the application for conformance with the OCP, this bylaw and any other applicable policies and regulations. A report for Council shall be prepared identifying the proposal and criteria for consideration.
- 3.8.4 Notice for Discretionary use Application

Prior to Council’s consideration, the Development Officer shall circulate any application for a discretionary use to adjacent property owners and advertise in the local newspaper to obtain public input on the proposed development.

- a) The Development Officer will give notice by regular mail that the application has been filed to the assessed owner of each abutting property and each assessed owner of property within 75 metres (246 feet) of the boundary of the applicant’s land.
- b) The Development Officer shall publish a notice in a newspaper that is circulated in the Municipality;
- c) The notice shall describe the use applied for, describe the location of the use, and specify the date, time, and location of the Council meeting at which the application will be considered; and

- d) The notice shall be delivered and published at least seven days, and mailed at least 12 days, prior to the date of the meeting in which Council will consider the application.

3.8.5 In addressing a discretionary use application, Council shall:

- a) Consider the application together with the report of the Development Officer and any written or verbal submissions received;
- b) Make a decision on a discretionary use, by resolution, that approves or refuses the discretionary use on that site; and
- c) Instruct the Development Officer to:
  - i. Issue a development permit in writing incorporating any specific development standards set by Council, where the development complies with the regulations, criteria or standards authorized by this bylaw or the OCP, and stating the applicants right to appeal any conditions; or
  - ii. Issue a notice of refusal in writing to the applicant stating the reasons for the refusal, referencing the specific discretionary use criteria the application did not meet.

3.8.6 General Discretionary Use Criteria

- a) The proposal must be in conformance with all relevant sections of the OCP and Zoning Bylaw and meet all provincial requirements;
- b) The proposed location for the development shall be capable of accommodating the proposed use and providing sufficient separation to incompatible land uses;
- c) The proposal must be capable of being economically serviced including roadways and other applicable utilities, services and community facilities;
- d) The proposal must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property;
- e) The proposal, including the nature of the proposed site, the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs, must be generally compatible with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the general area, including safeguards to prevent noise, glare, dust, or odour from affecting nearby properties;
- f) The proposal must provide adequate access and circulation for the vehicle traffic the development will generate, as well as providing an adequate supply of onsite parking and loading spaces;
- g) The proposal must adequately address waste associated with the use and any receptacles required to do so may be required to be supplied by the developer; and
- h) The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.

3.8.7 Discretionary Use Development Standards

Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a development permit subject to any development standards prescribed by Council which shall be based on the following, the Act and other applicable development standards in this bylaw:

- a) Sites shall be landscaped, screened and fenced where necessary to maintain the character and amenity of the area;
- b) A buffer strip and landscaping requirements may be required to separate adjacent uses;
- c) Council may attach special conditions to the development permit to regulate site drainage;
- d) Adequate onsite parking and loading facilities shall be provided and maintained;
- e) Adequate receptacles for refuse and litter shall be supplied;
- f) Vehicle access points shall be provided in suitable locations so as to minimize traffic congestion and possible hazards;
- g) The density, size, height and location of principal or accessory structures may be regulated so as not to detract from the character and amenity of the area;
- h) Council may attach special conditions to the development permit to regulate sound, light, glare, heat, dust, or other emission, and limit hours of operation where it would detract from the amenity of the area.

### **3.9 Temporary Development Permits**

- 3.9.1 The Development Officer may issue a temporary development permit, with specified conditions for a specified period of time, to accommodate developments incidental to approved construction, temporary accommodation, or temporary gravel crushing, topsoil stripping, or asphalt plants.
- 3.9.2 Nothing in this bylaw shall prevent the use of land, or the erection or use of any building or structure incidental to and necessary for construction work on the site, but only for as long as such use, building or structure is necessary for such construction work as has not been finished or abandoned.
- 3.9.3 Every temporary development permit or use shall be approved for a specified period, but in no case shall it exceed 12 months.
- 3.9.4 Where a development permit for a temporary use is granted, the permit may be renewed at Council's discretion for another period of not more than 12 months.
- 3.9.5 Upon the expiration of the period for which the temporary use was approved, the use shall be discontinued and all temporary structures removed.
- 3.9.6 A temporary use may be approved for development in any zone, unless specified elsewhere in this bylaw.
- 3.9.7 If a development permit for the principal use is revoked, the temporary development permit shall also be revoked at that time.
- 3.9.8 Council may, at its discretion, revoke a temporary development permit should the use violate any of the permit conditions, conflict with adjacent land uses or cause a nuisance. Permanent structures shall not be permitted in association with a temporary development permit.
- 3.9.9 Temporary uses include, but are not limited to the following:
  - a) Developments established or erected for special holidays;
  - b) Temporary asphalt and asphalt mixing plants;
  - c) Small temporary, seasonally or periodically used gravel crushing and commercial topsoil stripping operations, including accessory equipment;

- d) Temporary Accommodation: Licensed contractors or developers may be authorized to erect a temporary accommodation, on or off site (e.g. campers, travel trailers, construction bunkhouse),
- e) Temporary Residence: Council may issue a development permit for a temporary residence where an existing residence is damaged or destroyed as a result of a disastrous situation (e.g. fire).

### **3.10 Minor Variance**

3.10.1 Council may vary the requirements of this bylaw subject to the following requirements:

- a) A minor variance may be granted for the following only:
  - i. Minimum required distance of a building from a lot line; and
  - ii. Minimum required distance of a building to any other building on the lot.
- b) The maximum amount of variance shall not exceed 10% variation from the requirements of this bylaw.
- c) The development must conform to all other requirements of this bylaw.
- d) The relaxation of the bylaw shall not injuriously affect neighbouring properties.
- e) No minor variance shall be granted in connection with an agreement to rezone or where it would be inconsistent with the Statements of Provincial Interest Regulations or other provincial land use policies.
- f) An application form for a minor variance shall be in a form prescribed by the Development Officer.
- g) Upon receipt of a minor variance application the Council 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.
- h) Terms and conditions imposed by Council shall be consistent with the general development standards in this bylaw.
- i) If the application is approved, with or without conditions, the Development Officer shall provide written notice, delivered by registered mail or personal service, to the applicant and to the assessed owners of property who have a common boundary with the applicant's subject land. The notice shall contain a summary of the application, reasons for approval, the effective date of the decision; and notice of their right to submit a written objection.
- j) The assessed property owners who have a common boundary with the applicant's subject land may lodge a written objection to the RM within 20 days after receipt of the notice. If an objection is lodged, the approval is deemed to be revoked and the Development Officer shall notify the development permit applicant, in writing, of the revocation of the approval and the applicants right to appeal to the Development Appeals Board within 30 days after receiving the notice.

- k) If the application is refused, the Development Officer shall provide written notice to the applicant and provide reason for the refusal. The applicant may appeal the refusal to the Development Appeals Board within 30 days of that decision.
- l) The Development Officer shall keep a record of all approved minor variance applications.

### **3.11 Development Not Requiring a Permit**

3.11.1 The following developments shall be exempt from requiring a development permit, but shall conform to all bylaw requirements (e.g., setbacks, environmental and development standards, and other applicable regulations in the relevant zoning district or this bylaw):

- a) Agricultural Uses: Field crops, pastures for the raising of domestic or exotic birds or livestock, beehives and honey extraction facilities, fish farming and other similar uses customarily carried out in the field of general agriculture but excluding intensive livestock operations (ILOs), poultry operations, feed lots, hatcheries, commercial gardens, mushroom farms, tree and garden nurseries;
- b) Accessory agricultural buildings and structures where accessory to a permitted agricultural use; excluding any structures that expand an intensive livestock operation or intensive agricultural use and excluding a dwelling unit or wind energy system;
- c) Accessory buildings or structures which are no more than 9.3 square metres (100 square feet) in size or 15 metres (50 feet) in height and are customarily accessory and subordinate to the principal use on the site, excluding a dwelling unit, wind energy system, or flare gas energy system;
- d) Non-commercial orchards and gardens where accessory to a farmstead or residence;
- e) Public utilities:
  - i. Any operation for the purposes of inspecting, repairing, or renewing sewers, mains, cables, pipes, wires, tracks or similar public works; and
  - ii. The installation of linear public utilities or service connections to property in the RM excluding:
    - a. Wind energy systems and solar energy systems;
    - b. New transmission lines;
    - c. Railway; and
    - d. Public utilities that cross or lie within the limits of a road allowance excluding distribution lines owned and operated by a crown corporation
- f) Any municipal facility, including buildings and structures, installed and operated by the RM;
- g) The use of all or part of a building as a temporary polling station, returning officer's headquarters, candidates' campaign office and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census;
- h) Fences, hedges, and screening devices;
- i) Signs in accordance with Section 4.14; and
- j) Maintenance and repairs that do not include any structural alterations or change the use or intensity of the use.



### **3.12 Application Fees and Advertising**

- 3.12.1 The fees related to the OCP and Zoning Bylaw shall be set out in a separate fees bylaw.
- 3.12.2 All advertising shall be as per the requirements of *The Planning and Development Act, 2007* unless otherwise identified in this bylaw.

### **3.13 Offences, Penalties, Stop Work Orders, and Compliance Orders**

- 3.13.1 Pursuant to Section 242 of the Act, the Development Officer may enforce the OCP and Zoning Bylaw, including the issuance of a written order for development that contravenes this Zoning Bylaw, and may issue an order pursuant to Section 242 of the Act to achieve compliance with the OCP and Zoning Bylaw.
- 3.13.2 Any person who violates this bylaw is guilty of an offence and liable, on summary conviction, to penalties outlined in Section 243 of the Act.

### **3.14 Development Appeals Board**

- 3.14.1 Council shall appoint a Development Appeals Board (the Board) in accordance with Sections 49 and 213 to 227.1 of *The Planning and Development Act, 2007* (the Act).
- 3.14.2 Council shall, by resolution, adopt a policy specifying the terms of office, the manner of filling of vacancies, remuneration and expenses to be paid, provision for the appointment of a secretary, the duties of the secretary, and the remuneration expenses to be paid to the secretary.
- 3.14.3 Council shall, by resolution, appoint a board and secretary to the board in accordance with the policy.
- 3.14.4 Should Council enter into an agreement to appoint a District Development Appeals Board in conjunction with one or more other municipalities to be the Development Appeals Board for the Municipality, members shall be appointed in accordance with that agreement, and the local Development Appeals Board shall cease to exist.
- 3.14.5 The Board may only hear appeals as provided for in the Act, which does not include an appeal of Council's decision to:
  - a) Refuse to rezone land;
  - b) Reject an application for approval of a discretionary use; or
  - c) Refuse an application for a prohibited use.

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

- 3.15.1 Nothing in this bylaw shall exempt any person from complying with a building bylaw or any other bylaw in force within the Municipality; or from obtaining any permission required by this or any other bylaw of the Municipality, the province or the federal government.
- 3.15.2 A building permit, where required, shall not be issued for a development unless a required development permit has been issued. A building permit issued before a development permit is not valid until the required development permit has been issued.
- 3.15.3 Compliance with the requirements of this bylaw shall not exempt any person from the requirements of any federal, provincial or municipal legislation or complying with any easement, covenant agreements, caveat or contract that affects the development site.
- 3.15.4 Where requirements in this bylaw conflict with those of any other municipal, provincial or federal requirements, the more stringent regulations shall prevail.

### **3.16 Effective Period for Issued Development Permit**

3.16.1 A new development permit approval is required when:

- a) The approved use ceases and is replaced by another use;
- b) The approved use ceases for a 12 month period or more;
- c) The approved development has not commenced within 12 months after the date of approval of the permit; or
- d) The construction of an approved building or structure is not completed within 24 months after the date of approval of the permit.

3.16.2 A development permit shall be automatically invalid and development shall cease when development is undertaken in contravention of this bylaw, the development permit or specified development standards.

3.16.3 Where development has been approved for a limited time as provided in this bylaw, and that time has expired, the development shall cease until such time as a new development permit is issued.

3.16.4 A development permit may be cancelled, and development shall cease when:

- a) The Development Officer is satisfied that a Development Permit was issued based on false or mistaken information; or
- b) When a developer requests a development permit modification.

3.16.5 When a written appeal notice is received by the Development Appeals Board secretary regarding the development permit development shall cease until a decision of the Development Appeals Board is provided.

### **3.17 Non-Conforming Buildings, Uses and Sites**

3.17.1 Any use of land or any building or structure lawfully existing at the time of passing this bylaw that is rendered non-conforming by the enactment of this bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with provisions of Section 88 to 93 inclusive of *The Planning and Development Act, 2007*.

3.17.2 No enlargement, additions, or reconstruction of a non-conforming use, building or structure shall be undertaken, except in conformance with these provisions.

### **3.18 Zoning Bylaw Amendments**

3.18.1 When an application is made to Council for an amendment to this bylaw, the applicant making the request shall bear the actual cost of advertising such zoning amendment as permitted by *The Planning and Development Act, 2007*. Council also may require the applicant to pay all costs incurred in professional review of the application and in carrying out public consultation or a public hearing. An application decision shall not be made, and the amendment process shall not be initiated, until all required information has been provided and reviewed.

3.18.2 Council may amend this bylaw, either upon request or at any time upon its own initiative, in order to achieve the application of the OCP goals, objectives and policies or to alter any zoning regulation or district while ensuring conformity with the OCP.

3.18.3 Every rezoning bylaw amendment application shall include:

- a) A completed application form;

- b) A copy of the certificate of title for the lands affected, copies of any registered interests, or other document verifying that the applicant has a legal interest in the land for at least the period of time necessary to process the application to a public hearing;
- c) Where the applicant is an agent acting for the owner, a letter from the owner shall be provided verifying the agent's authority to make the application;
- d) A statement of the reasons for the request to amend the bylaw;
- e) A payment for cost of advertising and other administrative costs, authorized by The Planning and Development Act, 2007, for processing the application;
- f) Vicinity Map: A properly dimensioned vicinity map indicating the site to be amended, its relationship to existing land uses within a 91 metres (300 feet) radius of the boundaries of the site and any prominent physical features, including but not limited to roads and public utilities;
- g) Additional Information: The Development Officer may request additional information to evaluate and make a recommendation regarding the application and to effectively administer this bylaw;
- h) Exemptions: The Council or Development Officer, at their sole discretion, may waive part of the application requirements when doing so will not jeopardize the OCP policies or Zoning Bylaw requirements.

### 3.19 Concept Plans

3.19.1 A concept plan may be required prior to consideration of an application by Council by any person proposing to rezone, subdivide, or re-subdivide land for multi-parcel residential, recreational, commercial or industrial uses. The purpose of this review is to identify and address social, environmental, health and economic issues and to encourage the development of high quality residential, recreational, commercial, and industrial developments. The scope and required detail of the concept plan will be based on the scale and location of the proposed development, and address such areas as the following:

- a) Proposed land use(s) for various parts of the area;
- b) The effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;
- c) The location of, and access to, major transportation routes and utility corridors;
- d) The provision of services respecting the planning for future infrastructure within the RM (water, sewer, power, gas, etc.);
- e) Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas such as drainage; and
- f) Information specific to the particular land use (residential, recreational, commercial or industrial) including but not limited to traffic, parking, and waste management.

### **3.20 Servicing and Development Levy Agreements**

- 3.20.1 Council may require a subdivision applicant to enter into a servicing agreement or development permit applicant to enter into a development levy agreement to ensure conformity with the OCP and Zoning Bylaw and to ensure adequate funding for onsite and offsite infrastructure development as allowed for in *The Planning and Development Act, 2007*.
- 3.20.2 Council will adopt a development levy bylaw in accordance with *The Planning and Development Act, 2007* prior to entering into a development levy agreement.
- 3.20.3 Council will ensure there is adequate municipal infrastructure and other public facilities prior to entering into the agreement with the applicant, which may include sewage disposal, garbage disposal, availability and adequacy of source of water, recreational facilities, etc.

### **3.21 Caveat, Performance Bond and Liability Insurance**

- 3.21.1 Council may require that agreements and other documents be caveated on affected lands to protect municipal and public interests.
- 3.21.2 Council may require a developer to post and maintain a performance bond, letter of credit or other form of security to ensure developer performance and to protect the public interest.
- 3.21.3 Council may require developers to provide and maintain liability insurance to protect the municipality, developer and the public.

## 4 General Regulations

The following regulations shall apply to all Zoning Districts in this bylaw:

### 4.1 General Development Standards

4.1.1 Upon approval of a development application, the Development Officer shall issue a development permit subject to any development standards prescribed which shall be based on the following, the Act, and any other applicable development standard in this bylaw:

- a) Sites shall be landscaped and fenced where necessary to maintain the character and amenity of the area. The RM may require screening, landscaping or buffering as a condition of approval;
- b) Adequate onsite parking and loading facilities shall be provided and maintained;
- c) Parking, storage and other non-landscaped areas shall be suitably screened from adjacent properties and roadways;
- d) Adequate receptacles for refuse and litter shall be supplied;
- e) Vehicle access points shall be provided in suitable locations to minimize traffic congestion and possible hazards;
- f) The density, size, height and location of principal or accessory structures shall be regulated so as not to detract from the character and amenity of the neighbourhood; and
- g) Special conditions may be attached to the development permit to regulate sound, light, glare, heat, dust, electrical interference, or other emission, and limit hours of operation, if in RM's opinion, it would detract from the amenity of the neighbourhood.

### 4.2 Hazard Lands

4.2.1 For any development proposed on land that is and/or may be considered hazard land, the Development Officer or Council may refer the application to federal or provincial departments and other relevant environmental agencies or professionals for comments prior to reaching a decision.

4.2.2 Development proposed on potential hazard land in proximity to Rafferty Reservoir or Long Creek, as shown on the Future Land Use Map attached to the OCP, shall be referred to the Water Security Agency for review and comments.

4.2.3 The RM may require the applicant to submit sufficient topographic and geotechnical information to determine if the development will be within 50 metres of any slopes that may be unstable, within the flood plain of any river or stream, or any other land that may be subject to flooding.

4.2.4 Prior to a permit being issued for development on a site referenced in Section 4.2.1, the applicant will be required to submit a report prepared by a professional that is competent to assess the suitability of a proposed development site with respect to:

- a) The potential for flooding up to the 1:500 flood elevation;
- b) The potential for slope instability before and after the development and any proposed improvements;
- c) The suitability of the location for the proposed use or building given the site constraints; and/or

d) The required mitigation measures for development on areas with a high water table.

4.2.5 Within any flood hazard area development will be restricted as follows:

a) New buildings and additions to buildings shall be prohibited in the flood way of the 1:500 year flood elevation of any watercourse or waterbody; and

b) Floodproofing will be required for new buildings and additions to buildings to an elevation of 0.5 metres above the 1:500 year flood elevation of any watercourse or waterbody in the flood fringe.

4.2.6 Sanitary landfills and lagoons shall not be located on hazard lands.

4.2.7 Actions to avoid, prevent, mitigate or remedy hazards may be incorporated as conditions of a development permit. The RM will refuse a permit for any development where the proposed actions are inadequate to address the adverse conditions or will result in excessive municipal costs.

### **4.3 Groundwater Protection**

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

4.3.2 If in the opinion of Council, the groundwater would be adversely affected a professional report shall be prepared at the cost of the developer. The report shall determine whether the proposed development would adversely affect the groundwater resource, the stability of the land and include conditions under which appropriate development may be approved.

### **4.4 Landscaping**

4.4.1 Developers and lot owners shall practice landscaping strategies that use native species to reduce irrigation needs, wherever possible.

4.4.2 Landscaping or structures of any kind shall not obstruct vehicular or pedestrian travel along any roadway.

4.4.3 During subdivision development, the developer shall integrate stormwater management into the landscape design where development will impact natural drainage.

4.4.4 Any landscaping shall not disrupt or change the existing drainage pattern without prior approval from the RM and provincial agencies as may be required.

### **4.5 Drainage**

4.5.1 The developer shall work with the natural terrain and vegetation. Excluding standard agricultural practices, land clearing and changes to natural drainage will be discouraged.

4.5.2 Elevation and drainage plans may be required at the time of subdivision and prior to development permits being issued to ensure lot grading and landscaping activities do not adversely affect adjacent properties.

4.5.3 Where stormwater runoff and drainage patterns may be detrimental to the environment or surrounding lots, the proposed subdivision or development may not be approved.

4.5.4 Where elevation and drainage plans are required, they shall be registered against the applicable parcel titles at the cost of the developer.

4.5.5 Where elevation and drainage plans are required, lot slope and elevations shall not be altered unless an updated drainage plan has been provided to and approved by Council.

4.5.6 The final lot grading and landscaping shall be the responsibility of the individual property owner who must comply with the elevations shown on any approved drainage plan.

#### **4.6 Air Quality**

4.6.1 No development shall cause or create air contaminants, odorous matter, visible emissions, vapour and gases, particulate emissions, toxic or hazardous emissions, or smoke, which would exceed federal, provincial, or municipal requirements.

#### **4.7 Heritage**

4.7.1 The RM may refer a development application and consult with the Heritage Conservation Branch of the Ministry of Parks, Culture and Sport, prior to issuing a development permit. Additional information may be required by the applicant to assess the application.

4.7.2 Where a proposed development is located in a potential heritage sensitive area, as identified on the Future Land Use Map attached to the OCP, the applicant shall demonstrate the development is exempt from requiring further analysis or clearance has been received from the Heritage Conservation Branch. The Heritage Conservation Branch's Exempt Activities Checklist for Private Landowners, the Developer's Online Screening Tool or other tools provided by the province may be used to assess the need for further analysis.

#### **4.8 Site Size Adjustments**

4.8.1 In all zones, all minimum site size requirements shall be as stated, except that the site size of the remnant shall be deemed to be conforming in any of the following instances:

- a) Where roads, railways, pipelines, and other linear public or private utilities, including their widening, are subdivided or registered as easements;
- b) Where adjustments are required due to irregularities in the primary survey system;
- c) Due to topographical features.

#### **4.9 Mobile and Modular Homes**

4.9.1 Wherever a dwelling is allowed, it may be in the form of a modular home, unless specifically prohibited in the district.

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

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

#### **4.10 Access and Frontage on Road**

4.10.1 No development permit shall be issued unless the site or parcel of land intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on a developed road, or an agreement has been made with the RM to construct a developed road prior to development commencing.

4.10.2 For the purposes of this section "developed road" shall mean an existing graded all-weather road on a registered right of way, or a road for which a signed agreement has been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council.

- 4.10.3 Where a developed road would be, in the opinion of Council, prohibitively expensive to construct or maintain, the RM will not be required to issue a development permit for any use.
- 4.10.4 The RM may consider entering into agreements with the developer for the construction and maintenance of a developed road, in accordance with *The Planning and Development Act, 2007* or *The Municipality Act*, as the case may be.
- 4.10.5 Site access shall be provided directly from a developed road. All site access from roads shall be to the satisfaction of the RM with respect to location, design, and construction standards. The RM shall take into account the physical capability and safety of the roads that are proposed to serve the development.
- 4.10.6 The requirement of a service road or internal subdivision roadway to provide access may be imposed as a condition of approval for any new development.
- 4.10.7 Development adjacent to a provincial highway shall meet all requirements of the Ministry of Highways and Infrastructure. All development applications within the areas of a provincial highway will be subject to review by the Ministry of Highways and Infrastructure prior to the issuance of a development permit.
- 4.10.8 When any development is approved on land adjacent to an unconstructed road allowance and access is required from said road allowance, the developer shall be responsible for all costs related to the construction of the road to a standard approved by Council.
- 4.10.9 All approaches to public roads require the approval of the RM. All approaches shall be constructed in accordance with the standards of the RM.
- 4.10.10 The RM will consider all approach applications and, based on location, drainage, traffic flow, sightlines, road standards, and safety considerations, may approve or refuse an application for an approach and may apply development standards respecting the location, design and construction standards.

#### **4.11 Principal Building or Use Permitted on a Site**

- 4.11.1 In any zoning district the principal use of the land must be established prior to any accessory buildings, structures or uses being permitted unless otherwise stated in this bylaw.
- 4.11.2 Not more than one principal building or use shall be permitted on any one site, except for:
- a) Public utilities and municipal facilities;
  - b) Mineral resource facilities;
  - c) Institutional uses;
  - d) Communal dwellings;
  - e) Recreational uses; or
  - f) Agricultural uses;
- 4.11.3 Council may, at its discretion, issue a development permit for additional principal buildings or uses for commercial, industrial and community uses.
- 4.11.4 Where any land, building, or structure is used for more than one purpose, all provisions of this bylaw relating to each use shall be complied with and no dwelling shall be located within 3 metres of any other building on the site except to a building accessory to such dwelling.

#### **4.12 Public Utilities and Municipal Facilities and Services**

- 4.12.1 Public utilities and municipal facilities, except solid and liquid waste disposal sites, shall be permitted uses in every zoning district.



- 4.12.2 No minimum site area or yard requirements shall apply to public utilities or municipal facilities unless otherwise specified by this bylaw.
- 4.12.3 Where a public utility will cross or lie within the limits of a municipal road allowance, Council may apply special design standards as considered necessary to protect the municipal interest in the existing and future improvements to the road.
- 4.12.4 Protective, emergency services and facilities may be established in all zoning districts.
- 4.12.5 Council may refuse a development or recommend refusal of a proposed subdivision where it requires the installation of new or upgrading of existing infrastructure or services, such as roads and in the opinion of Council the cost would be prohibitively expensive to construct or maintain the service.

#### **4.13 Building to be Moved**

- 4.13.1 No building shall be moved within or into or out of the RM without obtaining a development permit unless such building is exempt from permit approval under Section 3.11 of this bylaw.

#### **4.14 Signs and Billboards**

- 4.14.1 Signs located in a highway sign corridor shall be regulated entirely by the requirements of *The Provincial Highway Sign Control Regulations, 2012* or amendments thereto, and Subsection 4.14.2 shall not apply.
- 4.14.2 Signs, other than those located in a highway sign corridor, shall comply with the following:
- a) A sign may only advertise agricultural commercial uses, home based businesses, the principal use of a site, or the principal products offered for sale on the premises.
  - b) Government signs, memorial signs, and directional signs that bear no advertising including traffic control, no trespassing, hunting restriction and similar signs are exempt from restriction.
  - c) Temporary signs and real estate signs are exempt from restriction as long as the temporary condition exists for the property, in Council's opinion.
  - d) A maximum of 2 advertising signs are permitted on any site or quarter section and each sign shall be no larger than 3.5 square metres and no higher than 6 metres in total height.
  - e) All private signs shall be located so that no part of the sign is over a public right of way.
  - f) No sign shall be located in any manner that may, in the opinion of Council, visually obstruct or jeopardize the safety of others.
  - g) Signs with any neon, LED, or other similar lighting shall be designated to cast light downwards and located appropriately to prevent the creation of a hazardous situation related to vehicular traffic.

#### **4.15 Home Based Business**

- 4.15.1 A home based business shall be subject to the following regulations:
- a) The use shall clearly be accessory to the use of a farmstead as an agricultural operation or the dwelling unit as a private residence.
  - b) Only the residents of the dwelling unit and a maximum of three full-time employees or equivalent to, shall be employed in the home based business.
  - c) The adjacent properties shall not be disturbed by dust, noise, odour, smoke, traffic generated by the use or similar nuisances.

- d) Advertising signs may be limited in size and number in accordance with Section 4.8.
- e) The use shall not generate substantially more vehicular and/or pedestrian and vehicular parking than normal within the area.
- f) No use shall cause an increase in the demand placed on one or more utilities (water, sewer, electricity, telephone, garbage, etc.) such that the combined total consumption for a dwelling and the home based business substantially exceeds the average for residences in the area.
- g) Dumping of chemicals or other noxious materials into any sewer systems is strictly prohibited and shall be considered an offence.
- h) The home based business shall be valid only for the period of time the property is occupied as the residence of the owner for such permitted use.
- i) All permits issued for home-based businesses shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met.
- j) Any increase in the operation as originally applied for or approved shall require a new discretionary approval.
- k) Council may apply special standards in issuing a development permit limiting the size of the operation, hours of operation and buildings used for the operation.

## **4.16 Solid and Liquid Waste Disposal Facilities**

4.16.1 Development and maintenance of a solid or liquid waste disposal facility will be subject to the following considerations. The following standards do not apply to liquid manure storage facilities and the application of manure on agricultural lands where this use is deemed consistent with all other relevant sections of this bylaw.

- a) Development and site maintenance shall be in accordance with provincial environmental and health regulations and adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
- b) Any solid or liquid waste disposal facilities shall be located at least 457 metres (1500 ft.) from any residence.
- c) A buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area.
- d) Any solid or liquid waste disposal facility shall be fenced to provincial and municipal standards.
- e) Solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all-weather road.
- f) The development of any disposal sites shall take into consideration the direction of the prevailing winds.
- g) A lagoon or sanitary landfill disposal area shall be located outside the 1:500 flood hazard area.
- h) Where approval has been deemed appropriate, Council may consider the following requirements within a development permit:

- i. Place a limitation on years, months, weeks, days and/or hours of operation;
- ii. Limitations to the height of a landfill development;
- iii. The size of the buffer strip surrounding the disposal area;
- iv. Specific requirements related to any stripping, filling, excavation and grading associated with a landfill development; and
- v. Requiring development to adhere to any appropriate provincial health or environmental regulations.

#### 4.17 Intensive Livestock Operation (ILO)

- 4.17.1 All new or expanding intensive livestock operation shall comply with the policies set out in the Official Community Plan.
- 4.17.2 In considering whether a specific livestock operation should be considered as an ILO, Council shall exempt existing or proposed operations from compliance as an ILO if Council determines that the operation involves only the temporary confinement of livestock during winter months as part of a farming operation.
- 4.17.3 Approval of an ILO shall be for a specific maximum number of animal units specified by Council as a condition of the development permit. A new discretionary approval shall be required to expand the ILO, or to alter the kind of animals in the operation as defined under the definition of animal unit.
- 4.17.4 Council shall require information from the ILO applicant regarding the type, frequency, and technology proposed for, and land location of manure disposal.
- 4.17.5 Council may require that the applicant use only the specific areas of cropland or improved pasture which have been approved for manure disposal by the Province. Any subsequent change to the location or method of the manure disposal specified as a permit condition shall require the prior approval of Council and shall be added as a new condition to the original permit.
- 4.17.6 Council may require that manure not be spread on frozen ground and for manure to be incorporated into the soil within twenty four (24) hours of spreading, unless incorporation is prevented by adverse weather conditions, in which case incorporation shall take place as soon as practical.
- 4.17.7 Council may require the proponent to obtain recommendations from appropriate agencies regarding water supply quality and quantity considerations, manure management plans, and other issues that Council may require the proponent to address, for the purpose of ensuring public health and safety.
- 4.17.8 Council may require an applicant to demonstrate that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation.
- 4.17.9 In order to ensure ILO development occurs in acceptable locations, new ILO development proposed subsequent to the date of the adoption of this bylaw or a proposed expansion of an existing ILO shall comply with the location separation criteria in Table 4.17.

Table 4.17 – Minimum Separation Distances for Intensive Livestock Operations

Specific Use	Animal Units				
	100-299	300-499	500-2000	2000-5000	>5000
Residence, tourist accommodation, or campground	300 (450)	400 (600)	800 (1200)	1200 (1600)	1600 (2000)

Residential subdivision, hamlet or urban municipality with <100 population	400 (600)	800 (1200)	1200 (1600)	1600 (2400)	2000 (2400)
Urban municipality with 100-500 population	800 (1200)	1200 (1600)	1600 (2000)	2400 (2400)	2400 (2400)
Urban municipality with 501-5000 population	1200 (1600)	1600 (2000)	2400 (2400)	3200 (3200)	3200 (3200)
Urban municipality with >5000 population	1600 (2000)	2400 (2400)	3200 (3200)	3200 (3200)	3200 (3200)

- Distances are measured between livestock facilities and building development
- Numbers in brackets apply where open liquid manure storage facilities are used or proposed
- Distances do not apply to residences associated with the operation

#### 4.17.10 Location Separation Criteria Reduction

- a) Council, at its discretion, may apply a lesser separation distance than given in Table 4.17 considering the following:
  - i. A lesser separation distance than described in Table 4.17 will not negatively impact the specific use or surrounding development. Prior to granting a reduction, Council may consult with appropriate agencies and adjacent landowners, and may consider any written agreement to a lesser separation distance provided by adjacent land owners.
  - ii. Where Council approved a lesser separation distance than given in Table 4.17, a written agreement between the ILO developer and any landowner or municipality agreeing to the lesser separation distance may be registered against the applicable parcel titles of both parties at the cost of the developer.

### 4.18 Wind Farm

- 4.18.1 A site plan that shows the location of the wind energy system and associated development including but not limited to wind turbines, underground cabling, interconnection facilities, fencing, drainage, roads and access shall be submitted as part of the development permit application.
- 4.18.2 When required by Council, as a condition of development, the developer shall enter into an agreement with the RM to ensure all roads and accesses are constructed to municipal standards.
- 4.18.3 The developer is required to consult with the adjacent properties within a 5 kilometre (3 mile) radius surrounding the proposal prior to the review of the development permit application.
- 4.18.4 Minimum setback distances from a commercial wind turbine shall comply with the following:
  - a) From any property line: 1.5 times wind turbine/system height
  - b) From onsite dwelling 1.5 times wind turbine/system height
  - c) Setback distances may be decreased or increased, if deemed necessary through consultations and/or studies by qualified professionals, provincial agencies or in consideration of surrounding land uses, environmental areas, wetlands, or other protected areas.
- 4.18.5 Site Suitability:
  - a) The wind energy system shall not be located on hazard or environmentally sensitive lands.

- b) Council may require the developer to take mitigating measures to ensure the development produces minimal disturbance and environmental impacts to the surrounding lands and area.

#### 4.18.6 Other Specifications:

- a) Development permit applications for wind energy systems shall be accompanied by a manufacturer's engineering certificate of structural safety or certification of structural safety from a professional engineer. Installation plans (concrete specifications, anchoring specifications) shall be certified by a professional engineer.
- b) The proposed height of the wind turbines shall be included in the development permit application. Maximum total wind turbine height or total system height shall be at the discretion of Council and will be based on the surrounding land uses and consideration of the system requirements.
- c) There shall be no sounds, light, glare, heat or other emissions that will, in Council's opinion, detract from the amenity of the area.
- d) Landscaping and fencing shall be provided by the developer, where deemed necessary by Council, to maintain safety, protection and the character of the surrounding area.
- e) No advertising shall appear on wind turbine.
- f) Signs stating any potential danger shall be visible.
- g) Any changes to the original development permit shall require a new permit to be issued.
- h) A post construction reclamation plan as well as a decommissioning plan shall be required.
- i) A wind energy system is considered to be abandoned or defective if it has not been in operation for a period of one year. If abandoned or defective, the wind energy system shall be repaired by the owner or removed by the owner within the time period designated by the RM.
- j) Sites having potentially dangerous or hazardous developments will have visible signs stating any potential danger.

### 4.19 Wind Energy System

4.19.1 One small wind energy system shall be permitted as an accessory use to the principal use in the Agricultural District.

4.19.2 The minimum site size for the allowance of any small energy system shall be 8 hectares (20 acres).

4.19.3 Wind turbine minimum setbacks:

- a) From any property line: 1.5 times turbine/system height
- b) From onsite dwelling: 1.5 times turbine/system height
- c) From neighbouring dwellings: 1000 metres (3280 feet)

4.19.4 For residential applications, wind energy components and towers shall be erected in rear yards only.

4.19.5 The bottom point of an operating rotor shall be above grade level to manufacturer's specification at minimum. To provide for public safety, a greater distance of the operating rotor above grade level may be

required as a condition of approval.

- 4.19.6 All wind energy systems and towers may be required to be enclosed within a locked protective fence of a minimum height of 1.85 metres (6 feet).
- 4.19.7 Signs stating any potential danger shall be visible.
- 4.19.8 Development permit applications for a wind energy system shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety from a professional engineer. Installation plans (concrete specifications, anchoring specifications) shall be certified by a professional engineer.
- 4.19.9 The wind energy system shall be finished in a non-reflective matte colour or to the satisfaction of Council. No advertising shall appear on the wind turbine.

## **4.20 Geothermal Plants and Mineral Resource Developments**

- 4.20.1 Geothermal and mineral resource development shall be subject to all federal and provincial requirements and shall comply with the objectives and policies of the OCP.
- 4.20.2 The RM shall avoid duplication of regulation of activity and development governed by provincial agencies or departments.
- 4.20.3 All residential development shall be setback a minimum distance of 800 metres (0.5 mile) from a geothermal plant, mineral resource processing facility, or mine site.
- 4.20.4 Council, at its discretion, may apply a lesser separation distance than identified in section 4.20.3 considering the following:
  - a) A lesser separation distance will not injuriously affect the neighbouring properties. Prior to granting a reduction, Council shall require consultation with adjacent landowners and appropriate agencies and may consider any written agreement to a lesser separation distance provided by adjacent land owners.
  - b) Where Council approves a lesser separation distance than identified in section 4.20.3, a written agreement between the developer and adjacent landowner(s) agreeing to the lesser separation distance may be registered against the applicable parcel titles at the cost of the developer.
- 4.20.5 All buildings and structures are to be located a minimum of 45 metres (150 feet) from the centreline of any municipal road, road allowance, or provincial highway.
- 4.20.6 All buildings and structures are to be located a minimum of 91 metres (300 feet) from the intersection of the centrelines of any municipal roads or provincial highway or such greater distance as required to address site triangles.
- 4.20.7 All other setback distances of mineral resource developments from neighbouring land uses, including oil and gas wells, shall be based on provincial requirements or in consultation with appropriate provincial ministries or agencies.
- 4.20.8 Onsite parking and loading facilities shall be sufficient to address requirements. Parking on municipal roads shall not be permitted.
- 4.20.9 Site, operational and reclamation plans may be required by the RM as part of a development permit application for a geothermal plant, mineral resource processing facility, or mine site to ensure appropriate:
  - a) Access and haul roads;

- b) Parking and loading facilities;
- c) Clearing and disposal of vegetation;
- d) Stripping and conservation of topsoil;
- e) Stormwater management and drainage;
- f) Phasing of development;
- g) Restoration of the site to bring the land back to, or as close as possible, to its original state (progressive restoration is expected where applicable); and
- h) Public safety and land use conflict mitigation (fencing, signage, screening, etc.).

4.20.10 The following may be applied as conditions and standards for the development permit:

- a) The inclusion of the site, operation and reclamation plan;
- b) Safety measures such as fencing, signage, and onsite fire suppression infrastructure;
- c) Storm water management and drainage controls;
- d) Screening, landscaping, buffering and nuisance mitigation measures;
- e) Site restoration standards, including phasing and time requirements; and
- f) Council may require an agreement be entered into with the developer to ensure the development complies with all relevant requirements of this bylaw including any conditions of approval necessary to secure the objectives of the OCP or this bylaw.

#### **4.21 Sand and Gravel Extraction**

4.21.1 Sand and gravel operations shall be subject to all federal and provincial requirements and shall comply with the objectives and policies of the OCP.

4.21.2 An approval for a sand and gravel extraction development permit will be issued for a maximum of 5 years and may be renewed at the discretion of Council through the development permit process. Existing gravel pits that have been inactive for a period greater than 12 consecutive months will require a new development permit.

4.21.3 Land use incompatibility, public safety, dust, noise, nuisance and pollution shall be minimized by the use of appropriate routes, fencing, signage, buffers, screening and hours of operation.

4.21.4 Crushing and hauling activities shall only occur between 7:00 am and 7:00 pm, unless Council considers the area remote and the crushing and hauling will not affect adjacent landowners or uses.

4.21.5 All operations shall have efficient servicing, haul routes and have a high consideration for public safety.

4.21.6 Upon the request of the RM, the developer may be required to undertake an extraction study prior to development approval to determine specific development requirements and standards.

4.21.7 Where a sand and gravel development is proposed within the vicinity of a water source, the development permit application should be accompanied by an appropriate hydrological study which outlines necessary mitigation measures.

4.21.8 Fuel tank placement and servicing of equipment shall take place in areas where contaminated materials will not enter the pit, water sources or ground water.



4.21.9 Where applicable, Council will specify development conditions in conjunction with recommendations from provincial agencies and reports from a qualified person regarding site development, services, modifications to application and location of operation and any other mitigation measure deemed necessary.

4.21.10 Applicants may be required to provide:

- a) A plan showing the location of the proposed area of operation, site boundaries, vegetation clearing, storage of overburden and extracted materials, the depth of excavation and the quantity of topsoil to be removed;
- b) A description of the excavation, disposal, and stripping or grading operation;
- c) Detailed timing and phasing of the project including the length of the proposed operation and hours of operation;
- d) A description of the measures to be taken for the prevention or mitigation of dust, noise, public safety, erosion and other effects to surrounding land uses and the public, during and after the operation;
- e) Information that identifies the projected volumes of truck traffic on the roads, the proposed road impacts (e.g. road deterioration), and the proposed measures to minimize negative impacts (e.g. noise, dust, excessive speed) on other road users and the public;
- f) Method for stormwater management, drainage, erosion and sediment control; and
- g) Any other information that Council deems necessary.

4.21.11 A reclamation plan shall be provided and shall include the phasing of the remediation, final site conditions and post-development land use plan following the completion of the operation. Progressive restoration is expected while extraction is ongoing in other sections of the pit.

4.21.12 The restoration of the site shall commence immediately upon termination of the operation.

4.21.13 Council will specify conditions regarding cost recovery and cost-sharing of municipal road construction and maintenance expenses due to increased haulage by trucks carrying mineral resources. The applicant, operator or person that hauls the sand and gravel resources may be required by the RM to enter into a road maintenance agreement.

4.21.14 No mining, excavation or stockpiling shall occur:

- a) Within 75 metres (246 feet) from any residence. Council, at its discretion, may apply a lesser separation distance where a lesser separation distance will not negatively impact the specific use or surrounding development. Where Council approves a lesser separation distance an agreement between the owner of the residence and the developer consenting to a closer separation distance may be registered against the lands, at the cost of the developer;
- b) Within 91 metres (300 feet) from the limit of any road allowance or provincial highway;
- c) On hazard, environmentally sensitive lands, or below the natural water table unless in Council's opinion, such lands can be protected by following mitigation measures outlined by a professional study. Mitigation measures shall be incorporated as conditions for development approval.

4.21.15 All gravel operations shall have direct access to a developed road. Approaches to the development shall be located away from existing residences.



- 4.21.16 All development including any new excavation on existing gravel pits shall be reclaimed to a land capability that is equivalent to its pre-developed state or to a condition which is satisfactory to the RM. These procedures shall be in accordance with all applicable provincial requirements. The restoration of the site shall commence immediately upon termination of the operation or two years from the date of issuance of the development permit should the permit not be renewed.
- 4.21.17 In addition to the public notification requirement for discretionary uses contained in this bylaw, Council may require that details of the application be circulated to property owners adjacent to the proposed haul roads to obtain public input on the proposed site prior to development consideration.
- 4.21.18 The applicant shall keep the site in a clean and tidy condition free from rubbish and non-aggregate debris.
- 4.21.19 Council may require an agreement be entered into with the developer to ensure the sand and gravel development complies with all relevant requirements of this bylaw including any additional conditions of approval necessary to secure the objectives of the OCP or this bylaw.

## **4.22 Recreational Development**

- 4.22.1 Recreational opportunities shall be safe and minimize unnecessary public cost, environmental impacts, and land use conflicts.
- 4.22.2 Council may consider conditions for buffers, screening, setbacks, luminance controls, or defined operating hours or seasons.
- 4.22.3 Applicants shall address onsite and offsite stormwater retention and management.
- 4.22.4 Upgrading or installation of services for the development shall meet municipal standards.

## **4.23 Commercial Development**

- 4.23.1 Any unsightly outdoor storage of machinery, vehicles, or materials shall be adequately screened from the public's view.
- 4.23.2 There shall be a sufficient supply of water for the proposed use and Council may require the applicant to demonstrate this prior to approval of any application.
- 4.23.3 Services proposed for the use shall meet municipal standards and capacity of municipal services shall be sufficient, including but not limited to fire suppression and waste disposal services.
- 4.23.4 Parking for the use shall be contained on site and there shall be no parking along municipal roads.
- 4.23.5 As a condition of approval, the RM may require the applicant provide proof of any necessary provincial or federal approvals.
- 4.23.6 The RM may require the applicant provide information regarding the mitigation of any environmental concerns including but not limited to ground water contamination, air pollution, and run off. If the municipality is not satisfied with the method of mitigation, the application may be refused.

## **4.24 Communication Tower**

- 4.24.1 The maximum tower height on any site with a residence shall be 45.72 metres (150 feet).
- 4.24.2 All towers shall maintain a distance of 1.5 times the tower height from a dwelling unless otherwise exempt by Council.
- 4.24.3 The tower shall not be illuminated unless required by Transport Canada regulations and except for safety purposes shall not display any signage or advertising.
- 4.24.4 All towers shall meet Saskatchewan engineering standards and the RM may require validation by a professional engineer of the structural integrity of the proposed tower and foundation.

## **4.25 Development along Pipelines and Gas Transmission Lines**

- 4.25.1 Any development involving pipeline and/or transmission rights-of-way shall be sited to comply with all relevant Federal and Provincial legislation. Setbacks from pipelines and other utility corridors shall be in accordance with appropriate Provincial Regulations or Acts and any regulations or directives established by crown corporations. Refer to “Land Use Planning for Pipelines publication by Canadian Standards Association (CSA) PLUS663”, which may be amended from time to time.
- 4.25.2 Setbacks from the edge of the pipeline easement shall be 12 metres (40 feet) except for where provision has been made prior to this bylaw coming into effect or in consultation with the operator of the pipeline, a lesser separation may be allowed.
- 4.25.3 The National Energy Board has designated a setback area of 30 metres (100 feet) on either side of a pipeline in which, subject to exceptions for such things as normal agricultural activities, anyone proposing to conduct a ground disturbance/excavation must:
  - a) Ascertain whether a pipeline exists;
  - b) Notify the pipeline company of the nature and schedule of the excavation; and
  - c) Conduct the excavation in accordance with such regulations.

## **4.26 Railways**

- 4.26.1 Notwithstanding anything contained in this bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within 45 metres (150 feet) of the point of intersection of the centreline of both the railway and the street.
- 4.26.2 Residential developments in proximity to a railway shall take into consideration the Guidelines for New Development in Proximity to Railway Operations document.
- 4.26.3 Consultation with the railway may be required prior to issuing a permit for the proposed development or prior to proceeding with a subdivision in proximity to a railway. Consultation is needed in order to determine:
  - a) The location of the site in relation to the rail corridor;
  - b) The nature of the proposed development;
  - c) The frequency, types, and speeds of trains travelling within the corridor;
  - d) The potential for expansion of train traffic within the corridor;
  - e) Any issues the railway may have with the new development or with specific uses proposed for the new development;

- f) The capacity for the site to accommodate standard mitigation measures;
- g) Any suggestions for alternate mitigation measures that may be appropriate for the site;
- h) Proposed stormwater management and drainage; and
- i) The specification to be applied to the project.

#### **4.27 Cannabis**

- 4.27.1 Cannabis facilities and uses shall be prohibited unless explicitly identified and defined with reference to cannabis in this bylaw or permitted for personal use by the federal and provincial government.
- 4.27.2 Cannabis facilities shall meet all applicable federal and provincial regulations and the applicant shall provide proof of all required federal and provincial licenses and permits.
- 4.27.3 Cannabis facilities shall provide sufficient separation to adjacent properties. A buffer area, landscaping and screening may be required to separate adjacent uses.
- 4.27.4 Cannabis facilities shall have adequate water supply, waste disposal, utilities, access and onsite parking and loading spaces.
- 4.27.5 Any potential nuisances or hazards shall be disclosed to the RM including but not limited to sounds, light, glare, heat, odours, fumes, liquid effluence, traffic, dust or fire and explosion hazards. The applicant may be required to implement mitigation measures to address potential nuisances or hazards.
- 4.27.6 Cannabis production facilities shall be a discretionary use in the Agricultural District.
- 4.27.7 Cannabis warehouse and distribution facilities shall be a discretionary use in the Commercial District.

#### **4.28 Solar, Accessory**

- 4.28.1 Solar energy systems may be permitted as an accessory structure to an existing principal use if the solar system is:
  - a) Subordinate to the principal use and located on the same site as the principal use;
  - b) Used solely to produce electricity for the principal use(s) on the same site, including net metering;
  - c) Does not exceed a rated capacity of more than 100 kW; and
  - d) Complies with all applicable electrical codes and zoning district setbacks.

#### **4.29 Solar Farm**

- 4.29.1 A site plan and associated information shall be submitted as part of the development permit application that includes:
  - a) Property lines, existing uses and vegetation on the site;
  - b) Proposed solar farm including all solar energy system equipment, machinery and structures used for the collection, conversion and transmission of solar energy to electrical energy;
  - c) Associated development including but not limited to cabling, interconnection facilities, fencing, drainage, roads and access and proposed landscaping; and

- d) Confirmation of site ownership or, where the land is not owned by the applicant, evidence of site control and right to access through provisions of a lease or easement agreement with the landowner.

4.29.2 Solar farms shall meet the setback requirements of the zoning district.

4.29.3 The size, height, and location of the solar farm shall not inordinately remove high quality agricultural land from production or detract from the amenity of the area. Council may apply development standards limiting the size, height, and location of the solar farm.

4.29.4 Applicants are responsible for obtaining any required federal and provincial permits, licenses and approvals for construction and maintenance of the solar farm and must remit a copy to the RM.

4.29.5 Reasonable accessibility for emergency service vehicles shall be required.

4.29.6 Vegetative screening and/or a security fence to surround the perimeter of a solar farm may be required as a condition of the development permit.

4.29.7 Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the solar farm and shall not occur on any slopes greater than 15% to minimize erosion.

4.29.8 Council may require the developer to take mitigating measures to ensure the solar farm has minimal environmental impacts to the surrounding lands.

4.29.9 Lighting of a solar farm shall be limited for safety and operational purposes and shall be reasonably shielded from abutting properties to reduce light glare and pollution.

4.29.10 Landscaping and maintenance plans may be required as a condition of the development permit. Landscaping and maintenance plans shall include control measures to address weeds, rodents, refuse removal, and soil erosion.

4.29.11 There shall be no sounds, light, glare, heat, dust or other emissions that will, in Council's opinion, detract from the amenity of the area. Council may require the developer implement mitigating measures to ensure the solar farm produces minimal disturbance to the surrounding lands.

4.29.12 No advertising shall appear on the solar energy system.

4.29.13 A decommissioning plan may be required to address the manner of physical removal of the system and site restoration to a natural condition, should the solar farm be abandoned or become defective.

4.29.14 A solar farm is considered to be abandoned or defective if it has not been in operation for a period of one year. If abandoned, the solar farm shall be repaired by the owner or removed by the owner within the time period designated by the RM.

4.29.15 Any changes to the original development permit shall require a new permit to be issued.

### **4.30 Fence, Hedge and Screening Devices**

4.30.1 Fences, hedges, and screening devices shall be exempt from required yard setbacks.

4.30.2 Fences, hedges, and screening devices shall be located so that no part encroaches on a public right of way or interferes with the sightline of any intersection.

4.30.3 Fences, hedges, and screening devices shall not be erected past any property line.

## 5 Zoning Districts and Zoning Bylaw Map

### 5.1 Zoning Districts

- 5.1.1 For the purpose of applying this bylaw, the Rural Municipality of Cambria No.6 is divided into zoning districts, the boundaries of which are shown on the Zoning Bylaw Map attached to and forming part of this bylaw.
- 5.1.2 The boundaries of all zoning districts are shown on the map entitled Zoning Bylaw Map which is attached to and forms a part of this bylaw. Unless otherwise shown on the Zoning Bylaw Map, the boundaries of the districts are site lines, centre lines of streets, lanes, roads or such lines extended, and the boundaries of the Municipality. Unless otherwise shown on a zoning amendment map, the zoning district boundary, coincident with a parcel boundary, moves with a minor adjustment to that boundary.
- 5.1.3 Regulations for the zoning districts are outlined in the following sections.

A	Agricultural District
RD	Residential District
C	Commercial District
ES	Environmentally Sensitive District

### 5.2 Uses and Regulations

- 5.2.1 Uses which are not included as a permitted or discretionary use in this bylaw and which do not qualify as a legal non-conforming use as defined in the Act, shall be treated as a prohibited use.
- 5.2.2 Regulations for uses in each of the zoning districts are outlined in the following sections and the general regulations section of this bylaw.

## 6 A – Agricultural District

### 6.1 Intent

The intent of this district is to provide for the primary use of land in the form of agricultural development and associated farmsteads. Other uses compatible with agricultural development will also be provided to support the rural way of life. Resource development dependent on location within the rural area, will also be provided for. Fragmentation of agricultural land will generally be avoided in this district.

### 6.2 Permitted Uses

- a) Agricultural
  - i. Field crops, pastures for the raising of domestic or exotic birds or livestock, beehives and honey extraction facilities, fish farming and other similar uses customarily carried out in the field of general agriculture but excluding intensive livestock operations (ILOs), poultry operations, feed lots, hatcheries, commercial gardens, mushroom farms, tree and garden nurseries.
  - ii. Manure application
  - iii. Farmstead
- b) Agricultural Related Commercial
  - i. Implement and machinery sales and service
  - ii. On-farm product processing
  - iii. Grain and seed sales
  - iv. Chemical and fertilizer storage and mixing
  - v. Repair shop
  - vi. Machine shops and metal fabrication
- c) Residential
  - i. Single detached dwelling (including modular or RTM homes)
  - ii. Mobile home
- d) Other
  - i. Places of worship, cemeteries, public halls and buildings, and municipal facilities.
  - ii. Public utilities, excluding solid and liquid waste disposal sites
  - iii. Communication towers
  - iv. Historical and archaeological sites

- v. Wildlife and conservation management
- vi. Mineral resource exploration or extraction
- e) Accessory uses, buildings and structures customarily accessory and subordinate to the principal use on the site, excluding a dwelling.

### **6.3 Discretionary Uses**

- a) Solid and liquid waste disposal sites, including soil farms for the rehabilitation of contaminated soil
- b) Sand and gravel operations
- c) Mineral resource processing and related facilities
- d) Geothermal plant
- e) Abattoirs (including retail meat sales outlets), poultry operations, commercial gardens, tree and garden nurseries.
- f) Auction marts
- g) Private airstrips
- h) Railway
- i) Intensive livestock or agricultural operations, including accessory and ancillary buildings
- j) Residential
  - i. More than one residence on a farmstead
  - ii. Communal dwellings
- k) Wind farm, wind energy system
- l) Solar farm
- m) Cannabis production facilities
- n) Home based business
- o) Campground
- p) Recreational uses and agriculture tourism

## 6.4 District Regulations

### 6.4.1 Subdivision

- a) One subdivision from the remnant of the quarter section will be allowed (two separate titles per quarter section).
- b) Additional subdivision to a maximum of 3 subdivisions from the remnant of the quarter section may be allowed in the Agricultural District (four separate titles per quarter section) if:
  - i. All subdivided parcels of land are clustered together;
  - ii. The minimum size of the remnant of the quarter section is 32 hectares (80 acres) after the subdivision of any proposed cluster; and
  - iii. The subdivided parcels of land have direct access to an existing developed road.
- c) Council may consider additional subdivision where a part of a quarter section is physically separated from the remainder of the quarter section by a natural or man-made feature including but not limited to a railway, registered road, or waterbody.
- d) All subdivisions shall be serviced to meet municipal and provincial standards.
- e) A subdivided site shall not be located where, in the opinion of the Council, a developed road would be prohibitively expensive to construct or maintain.

### 6.4.2 Frontage

- a) Minimum site frontage shall be 20 metres (65 feet) for all parcels unless otherwise exempt in this bylaw.
- b) No minimum site frontage shall apply to public utilities, municipal facilities, mineral resource development, or geothermal plants.

### 6.4.3 Site Size Requirements for Specific Uses

- a) Agricultural Uses: Minimum 32 hectares (80 acres)
- b) Commercial Uses: Minimum 1 hectare (2.5 acres)
- c) Residential Uses (not on a site with an agricultural operation): Minimum 4 hectares (10 acres)  
Maximum 16 hectares (40 acres)
- d) All Other Uses: No minimum
- e) Sites which do not conform with the site size requirements, as set out in the regulations of this district, shall be deemed to be conforming with regard to site area, provided that a registered title for the site was registered with Information Services Corporation prior to the coming into force of this bylaw.

### 6.4.4 Access and Services

- a) All uses must demonstrate adequate access and egress to the provincial or municipal road system.



- b) Access may be required to be provided by a service road that meets provincial and municipal standards.
- c) A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
- d) Where a development or subdivision requires new or improved municipal services and roads, the developer shall be responsible for all costs associated with providing the services and roads. Council may establish the standards to which services and roads will be designed and constructed.

#### 6.4.5 Setback Requirements

- a) No person shall plant trees, place stone, earth piles, sumps, pits, portable structures, machinery or other objects/structures or building on private property, unless otherwise exempt in this bylaw, within:
  - i. 91 metres (300 feet) from the intersection of the centerlines of any municipal roads or provincial highway or such greater distance as required; for example site triangle.
  - ii. 45 metres (150 feet) from the centreline of any municipal road, road allowance, or provincial highway.
  - iii. 3 metres (10 feet) from side property line.
  - iv. 3 metres (10 feet) from rear property line.
- c) Council may exempt a proposed development from the setback requirements or reduce the minimum setback, where in the opinion of Council, compliance with it would be impractical or too costly for the applicant and the exemption or reduction is in the public interest. A greater distance may be required by the Ministry of Highways and Infrastructure near a provincial highway.
- d) No dwelling shall be located with less than a minimum separation distance to an operation, as follows:
  - i. The separation distance to an ILO as regulated in Section 4.17, unless the dwelling is owned by the ILO operator;
  - ii. 457 metres (1500 feet) from a solid or liquid waste disposal facility as regulated in Section 4.16;
  - iii. 305 metres (1000 feet) from a honey processing facility, unless the dwelling is owned by the operator;
  - iv. 305 metres (1000 feet) to a non-refrigerated anhydrous ammonia facility;
  - v. 600 metres (1969 feet) to a refrigerated anhydrous ammonia facility;
  - vi. Setback requirements to a geothermal plant or mineral resource development shall comply with Section 4.20.
  - vii. Setback requirements to sand and gravel development shall comply with Section 4.21.

- e) The distance between the location where manure is to be spread and the Village of Torquay shall be a minimum of 200 metres when injected, 400 metres when incorporated within 24 hours, and 800 metres where it is not incorporated.

#### 6.4.6 Keeping of Animals

- a) No large animal (horses or cattle) will be allowed on any site which is less than 2 hectares (5 acres). Two large animals will be permitted on a site of at least 2 hectares (5 acres). Four large animals will be permitted on a site of at least 4 hectares (10 acres). For each additional 1.2 hectares (3 acres), one additional large animal will be permitted. All other animals shall be limited to domestic pets of the residents of the site.
- b) Animals shall not be pastured within 15 metres (50 feet) of any dwelling not owned by the operator of the pasture or owner of the animals, and no building or structures intended to contain birds or animals shall be located within 30 metres (100 feet) of a property line.
- c) All animal wastes shall be disposed of according to provincial standards.
- d) No obnoxious odours, excessive noise, or nuisance shall be generated.

#### 6.4.7 Farmsteads

- a) A farmstead may contain the following where located on the same parcel as an agricultural operation:
  - i. One residence for the operator of an agricultural use;
  - ii. Facilities for the winter holding or pasturing of livestock; and
  - iii. Accessory buildings and structures customarily accessory and subordinate to the agricultural operation or residence of the operator, excluding a dwelling.

### 6.5 Criteria for Discretionary Use Applications

#### 6.5.1 Additional Residences on a Farmstead

- a) Council may specify the maximum number of dwelling units permitted to a maximum of 3 residences on an agricultural holding.
- b) Additional residences shall be for full-time employees or business partners of the operator engaged in the agricultural operation.
- c) There shall be suitable onsite parking and utilities, including water and waste disposal systems. The provision of water and disposal of wastewater is subject to provincial regulations and approvals.
- d) Wherever possible, additional residences must tie into the existing water, wastewater, access roads and approaches servicing the existing residence on the site.
- e) No residence shall be closer than 3 metres (10 feet) to any other residence.
- f) All residences are to be located on a parcel conforming to all requirements of this bylaw, including area, setbacks, frontage and access.

- g) The approval of additional residences for agricultural employees or partners shall not be construed, in any way, as consent or approval for future subdivision.
- h) Council may apply conditions in the issuing of a development permit limiting the size of the bunkhouse or residence and the timeframe or conditions in which the permit is valid.

#### 6.5.2 Communal Dwellings

- a) Communal dwellings shall be associated with an agricultural operation or institutional use.
- b) Council may specify the maximum number of dwelling units permitted.
- c) Council may require communal dwellings to be served by an internal road to a standard acceptable to Council.
- d) No dwelling shall be closer than 3 metres (10 feet) to any other dwelling.
- e) All dwellings are to be located on a parcel conforming to all requirements of this bylaw, including area, setbacks, frontage and access.
- f) There shall be suitable onsite parking and utilities, including water and waste disposal systems. The provision of water and disposal of wastewater is subject to provincial regulations and approvals.

#### 6.5.3 Private Airstrips

- a) The application will be required to provide information to Council to verify that all provincial and federal regulations are adhered to.
- b) No dwelling or other building shall be located within the approach surface for any airstrip. Where a dwelling or other building is proposed in proximity to an airstrip or vice versa, a site analysis by a professional may be required at the cost of the developer to determine the approach surface area.

#### 6.5.4 Campgrounds

- a) The operator of a campground shall provide the Development Officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach or tent campsites with dimensions. The addition or rearrangement of campsites, the construction or moving of buildings, and the material change in use of portions of land, or the filling or clearing of land shall require a development permit and the operator shall submit for approval an amended plan incorporating the development.
- b) A campground area shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 metres (15 feet) which shall contain no buildings.
- c) The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 square metres (1615 square feet) in area with its corners clearly marked.
- d) Two signs located onsite advertising the campground are permitted subject to the sign regulations contained in this bylaw.
- e) No portion of any campsite shall be located within a roadway or required buffer area.
- f) Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.

- g) Each trailer coach shall be located at least 3 metres (10 feet) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.
- h) The space provided for roadways within a campground shall be at least 7.5 metres (25 feet) in width. No portion of any campsite, other use or structure shall be located in any roadway.
- i) No trailer coach shall be stored on any campsite when the campground is not open.
- j) A campground may include accessory uses, such as, a laundromat, shower facilities or confectionary designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.
- k) The Public Health Act and provincial regulations shall be complied with in respect to all operations and development of the campground.

6.5.5 Other requirements of this bylaw and the OCP shall be met for the specific proposal.

## 7 R – Residential District

### 7.1 Intent

The intent of this district will be to provide for the subdivision and development of residential land use as the primary use of the land.

### 7.2 Permitted Uses

- a) Residential
  - i. Single detached dwelling (including modular or RTM homes)
  - ii. Mobile home
- b) Other
  - i. Places of worship, cemeteries, public halls and buildings, and municipal facilities.
  - ii. Public utilities, excluding solid and liquid waste disposal sites
  - iii. Wildlife and conservation management
- c) Accessory uses, buildings and structures customarily accessory and subordinate to the principal use on the site, excluding a dwelling and wind energy system.

### 7.3 Discretionary Uses

- a) Home based business
- b) Bed and breakfast homes
- d) Recreational uses
  - i. Public sports fields and parks
  - ii. Other public or non-profit recreational facilities

### 7.4 District Regulations

#### 7.4.1 Subdivision

- a) All subdivisions shall be serviced to meet municipal and provincial standards.
- b) The site shall not be located where, in the opinion of Council, a developed road would be prohibitively expensive to construct or maintain.
- c) A buffer strip or landscaping may be required to separate residential uses from existing agricultural development and other incompatible land uses.
- d) No further subdivision of the original lot shall be permitted without a new concept plan and approval from Council.

#### 7.4.2 Frontage

- a) Minimum site frontage shall be 20 metres (65 feet) for all parcels unless otherwise exempt in this bylaw.
- b) No minimum site frontage shall apply to public utilities or municipal facilities.

#### 7.4.3 Site Size

- a) Minimum: 0.8 hectares (2 acre)
- b) Maximum: 4 hectares (10 acres)
- c) No minimum site size requirements shall apply to public utilities or municipal facilities.

7.4.4 Sites which do not conform with the site size and frontage requirements, as set out in the regulations of this district, shall be deemed to be conforming with regard to site area, provided that a title for the site was registered with Information Services Corporation prior to the coming into force of this bylaw.

#### 7.4.5 Access and Services

- a) All uses must demonstrate adequate access and egress to the provincial or municipal road system.
- b) A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
- c) Access may be required to be provided by a service road or an internal subdivision road that meets provincial and municipal standards. The number of accesses may be limited to provide for safety of the traveling public.
- d) Where a development or subdivision requires new or improved municipal services and roads, the developer shall be responsible for all costs associated with providing the services and roads. Council may establish the standards to which services and roads will be designed and constructed.

#### 7.4.6 Setback Requirements

- a) Minimum front yard: 6 metres (20 feet) from front property line.
- b) Minimum side yard: 3 metres (10 feet) from side property line.
- c) Minimum rear yard: 3 metres (10 feet) from rear property line.
- d) 45 metres (150 feet) from the centreline of any municipal road, road allowance, or provincial highway and 6 metres (20 feet) abutting any other road.
- e) 91 metres (300 feet) from the intersection of the centerlines of any municipal road or provincial highway or such greater distance as required; for example site triangle.
- f) No minimum setback requirements for public utilities, municipal facilities.
- g) Council may exempt a proposed development from the setback requirements or reduce the minimum setback, provided that a title for the site was registered with Information Services Corporation prior to the coming into force of this bylaw and compliance would be impractical or too costly for the applicant.

#### 7.4.7 Keeping of Animals

- a) Other than domestic pets, no animals shall be allowed on sites within this district.
- b) All animal wastes shall be disposed of according to provincial standards.
- c) No obnoxious odours, excessive noise, or nuisance shall be generated.

### 7.5 Criteria for Discretionary Use Applications

#### 7.5.1 Home Based Business

- a) Automotive painting, repair, outside storage of materials and industrial uses shall not be allowed in this district.

#### 7.5.2 Bed and Breakfast Homes

- a) Bed and breakfast operations shall be licensed and comply with The Public Accommodation Regulations and any other applicable provincial regulations.
- b) Bed and breakfast operations shall be located in a single detached dwelling used as the operator's principal residence or located in an approved dwelling accessory to and established on the same site as the hosts principal residence.
- c) There shall be adequate onsite parking available for the operation.
- d) Council may apply special standards in the issuing of a development permit limiting the size of the operation and number of rooms that may be permitted in conjunction with the operation.

#### 7.5.3 Other requirements of this bylaw and the OCP shall be met for the specific proposal.

## 8 C- Commercial District

### 8.1 Intent

The intent of this district is to provide for the development of commercial and industrial land uses. Residential uses and agricultural uses will generally be avoided in this district, except if secondary to the principal commercial use.

### 8.2 Permitted Uses

- a) Commercial Uses
  - i. Agricultural services, contracting and supply establishments
  - ii. Agricultural seed, fuel, and chemical supply establishments
  - iii. Agricultural equipment dealers and service establishments
  - iv. Commercial nurseries or greenhouses, including retail
  - v. Services stations with or without confectionary
  - vi. Motor vehicle dealers and service establishments
  - vii. Motels and hotels
  - viii. Restaurants
  - ix. Retail stores
  - x. Storage facilities, warehousing, supply and distribution facilities
- b) Other
  - i. Places of worship, public halls and buildings, and municipal facilities
  - ii. Public utilities, excluding solid and liquid waste disposal sites
  - iii. Communication towers
- c) Accessory uses, buildings and structures customarily accessory and subordinate to the principal use on the site, excluding a dwelling and wind energy system.

### 8.3 Discretionary Uses

- a) Agricultural product processing
- b) Grain storage and elevators
- c) Veterinary clinics and hospitals
- d) Abattoirs



- e) Auction marts
- f) Agricultural air spraying facilities
- g) Asphalt and cement plants
- h) Commercial trucking establishments
- i) Manufacturing
- j) Welding, machine shops, and metal fabricating
- k) Salvage yards, auto and machinery wreckers
- l) Commercial recreation facilities
- m) Cannabis warehouse and distribution facilities

## **8.4 District Regulations**

### **8.4.1 Subdivision:**

- a) All subdivisions shall be serviced to meet municipal and provincial standards.
- b) The site shall not be located where, in the opinion of the council, a developed road would be prohibitively expensive to construct or maintain.
- c) A buffer strip or landscaping may be required to separate commercial or industrial uses from incompatible land uses.

### **8.4.2 Frontage:**

- a) Minimum site frontage shall be 30 metres (100 feet) for all parcels unless otherwise exempt in this bylaw.
- b) No minimum site frontage shall apply to public utilities or municipal facilities.

### **8.4.3 Site Size:**

- a) Minimum: 1,000 m<sup>2</sup> (0.25 acre)
- b) Maximum: 4 hectares (10 acres)
- c) No minimum site size requirements shall apply to public utilities or municipal facilities.

### **8.4.4 Access and Services**

- a) All uses must demonstrate adequate access and egress to the provincial highway or developed road.
- b) Access may be required to be provided by a service road or an internal subdivision road that meets provincial and municipal standards. The number of accesses may be limited to provide for safety of the traveling public.

- c) A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed agreement.
- d) Where a development or subdivision requires new or improved municipal services and roads, the developer shall be responsible for all costs associated with providing the services and roads. Council may establish the standards to which services and roads will be designed and constructed.

#### 8.4.5 Setback Requirements

- a) Minimum front yard: 6 metres (20 feet)
- b) Minimum side yard: 3 metres (10 feet)
- c) Minimum rear yard: 6 metres (20 feet)
- d) 45 metres (150 feet) from the centreline of any municipal road, road allowance, or provincial highway and 6 metres (20 feet) abutting any other road.
- e) 91 metres (300 feet) from the intersection of the centerlines of any municipal road or provincial highway or such greater distance as required; for example site triangle.
- f) All uses shall be separated from a residence by a minimum distance of 300 metres (984 feet) unless the applicant can establish to the satisfaction of Council that the use will not emit noxious odours, dust, smoke, light, or noise limiting the enjoyment or use of the residence.
- g) No minimum setback requirements for public utilities, municipal facilities.

8.4.6 All outdoor storage areas or compounds shall be screened from view, and shall require the approval of Council to ensure that they will be safely located and do not conflict with other uses in this District or with uses in an adjoining District.

8.4.7 Onsite parking and loading facilities shall be sufficient to address requirements. Parking on municipal roads shall not be permitted.

### 8.5 Criteria for Discretionary Use Applications

8.5.1 Council may apply special standards as conditions of approval regarding screening, location of storage, location of vehicles on display, machinery and parts to avoid an unsightly premise.

8.5.2 Other requirements of this bylaw and the OCP shall be met for the specific proposal.

## 9 ES – Environmentally Sensitive District

### 9.1 Intent

The intent of the ES- Environmentally Sensitive District is to protect the land adjacent to the Rafferty Reservoir and the Estevan Cambria Community Pasture from unsuitable development. There are certain lands within this District which should not be developed upon due to hazards such as pollution to water supplies, flooding or site instability.

### 9.2 Permitted Uses

- a) Agricultural
  - i. Field crops, pastures for the raising of domestic or exotic birds or livestock, beehives and honey extraction facilities, fish farming and other similar uses customarily carried out in the field of general agriculture but excluding intensive livestock operations (ILOs), poultry operations, feed lots, hatcheries, commercial gardens, mushroom farms, tree and garden nurseries.
- b) Mineral resource extraction
- c) Public utilities, excluding solid and liquid waste disposal sites
- d) Historical and archaeological sites
- e) Wildlife and conservation management
- f) Accessory signs and fences

### 9.3 Discretionary Uses

- a) Recreational
  - i. Public sports fields and parks
  - ii. Other public or non-profit recreational facilities

### 9.4 District Regulations

#### 9.4.1 Subdivision

- a) The subdivision of lands within this district will not be allowed, unless approved by the provincial agency responsible for the management of the Rafferty Reservoir.

#### 9.4.2 Setback Requirements

- a) No person shall plant trees or place stone, earth piles, sumps, pits, portable structures, machinery or other objects/structures or buildings on private property, unless otherwise exempt in this bylaw, within:
  - i. 91 metres (300 feet) from the intersection of the centrelines of any municipal roads or such greater distance as required; for example site triangle.

ii. 45 metres (150 feet) from the centreline of any municipal road or road allowance.

9.4.3 Access

- a) All uses must demonstrate adequate access and egress to the provincial or municipal road system.
- b) Access may be required to be provided by a service road that meets provincial and municipal standards.

9.4.4 All development permit applications shall be referred to the authority responsible for managing the Rafferty Reservoir for approval.

9.4.5 The Estevan Cambria Community Pasture, as shown on the Future Land Use Map attached to the OCP shall be preserved and any development of these lands shall require Council approval.

**9.5 Criteria for Discretionary Use Applications**

9.5.1 The location, size and intensity of the use shall be appropriate to the site and shall not be intrusive for the District. Any increase in size or intensity shall require a new discretionary use permit.

9.5.2 The proposed development shall respond to the natural topography and drainage of the site and employ minimal clearing of native vegetation.

9.5.3 Mitigation measures and recommendations from the authority responsible for managing the Rafferty Reservoir may be attached as conditions of approval.

9.5.4 Other requirements of this bylaw and the OCP shall be met for the specific proposal.

