

2018

# Rural Municipality of Hoodoo No. 401 Zoning Bylaw



**Affidavit Confirming Consultation with a  
Community Planning Professional**

**CANADA  
PROVINCE OF SASKATCHEWAN  
TO WIT:**

I, Jennifer Chamberlin, of Regina in the province of Saskatchewan do solemnly declare as follows:

- 1) I am a Full Member of the Canadian Institute of Planners, in good standing.
- 2) I am licensed under *The Community Planning Profession Act* by the Saskatchewan Professional Planners Institute engage in the practice of professional community planning in the Province of Saskatchewan.
- 3) The attached Official Community Plan and Zoning Bylaw for the RM of Hoodoo was prepared in accordance with subsection 29(3) of *The Planning and Development Act, 2007*.
- 4) I confirm that the Official Community Plan and Zoning Bylaw submitted for approval to the Ministry of Government Relations meets all relevant requirements of *The Planning and Development Act, 2007*, and is consistent with any applicable provincial land use policies or statements of provincial interest.

I make this solemn declaration conscientiously believing it to be true, and knowing that it is the same force and effect as if made under oath.

DECLARED AT

The City of Regina

in the province of Saskatchewan

THIS 25th DAY OF September, 2018



(Affix Seal and signature of  
Community Planning Professional)

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# Zoning Bylaws for the Rural Municipality of Hoodoo No. 401

## Rural Municipality of Hoodoo No. 401

### Bylaw No. 14, 2018

A Bylaw of the Rural Municipality of Hoodoo No. 401 to adopt a Zoning Bylaw.

The Council of the Rural Municipality of Hoodoo No. 401, 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 Hoodoo No. 401 hereby adopts the Rural Municipality of Hoodoo No. 401 Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- 2) The Reeve and Rural Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- 3) Bylaw No. 3, 2000 and all amendments to is hereby repealed.
- 4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a first time the 8<sup>th</sup> day of August, 2018.

Read a second time the 12<sup>th</sup> day of September, 2018.

Read a third time the 12<sup>th</sup> day of September, 2018.

Adoption of this Bylaw this 12<sup>th</sup> day of September, 2018.

  
REEVE

  
ADMINISTRATOR

Certified a true copy of Bylaw 14, 2018

  
David Yorke, Administrator



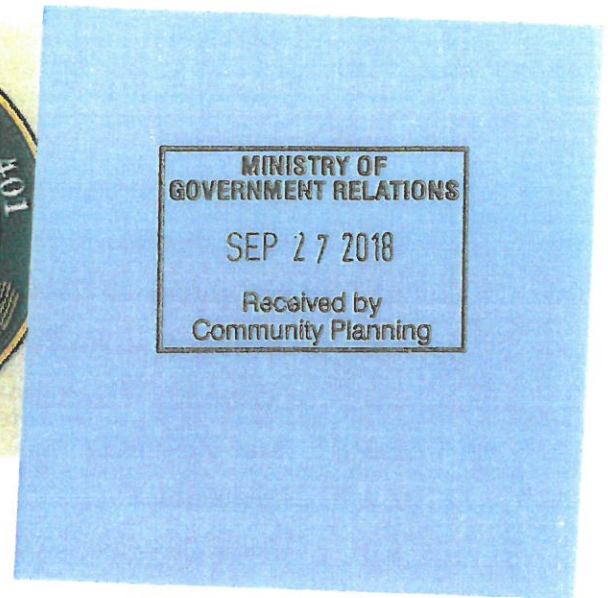
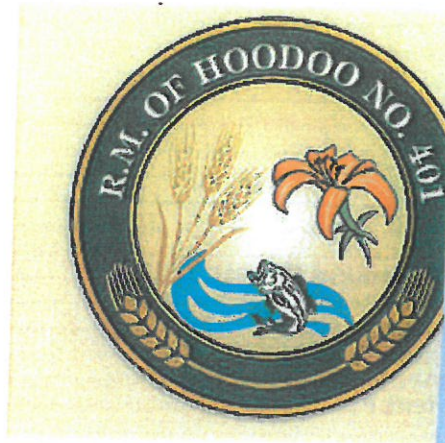


# Zoning Bylaws for the Rural Municipality of Hoodoo No. 401

## Schedule A

Rural Municipality of Hoodoo No. 401

Zoning Bylaw No. 14, 2018





## **1     *Introduction***

### **1.1     Title**

This bylaw shall be known as the “Zoning Bylaw of the Rural Municipality of Hoodoo No. 401” (bylaw).

### **1.2     Scope**

All development within limits of the municipality shall be in conformity with the provisions of this bylaw.

### **1.3     Severability**

If any part of this bylaw, including anything shown on the Zoning District Map, is declared to be invalid for any reason, by an authority of competent jurisdiction, that decision shall not affect the validity of the bylaw as a whole, or any other part, section or provision of this bylaw.

### **1.4     Intent and Purpose**

This bylaw is intended to implement the policies and objectives of the Official Community Plan. The purpose of the bylaw is to provide orderly control of the use of land to provide for the health, safety and general welfare of the people of the RM of Hoodoo No. 401 (RM).

## **2 Administration**

### **2.1 Development Officer**

- 2.1.1 The RM Administrator and/or any other person authorized by Council shall be the Development Officer responsible for the administration of this bylaw.

### **2.2 Referrals**

- 2.2.1 The Development Officer may submit any application to Council for a decision on the interpretation of the bylaw or with regard to 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 prior to making a decision on the development permit application.
- 2.2.2 Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.
- 2.2.3 The Development Officer may refer the application to any internal or external departments or organizations for review or comments prior to making a decision on the development permit application.

### **2.3 Application for a Development Permit**

- 2.3.1 Every person shall obtain a development permit before commencing any development within the municipality, except as listed in Section 2.4.
- 2.3.2 The application and requirements of the application shall be in the “Form A” as adopted or amended by resolution of Council.
- 2.3.3 Additional Information

Developers and applicants may be required to prepare and provide additional information, as requested by the Development Officer or Council, including:

- a) Technical reports including, but not limited to, sewer and water services, expected traffic impacts and, where appropriate, hydrogeological impacts, slope instability and flood risk studies;
- b) Wildlife habitat studies;
- c) Heritage resource studies; and
- d) Additional information, as required by the approving authority, to evaluate the proposal in conformity with this bylaw.

### **2.4 Development Not Requiring a Permit**

- 2.4.1 Development permits are not required for the following but shall conform to all bylaw requirements (e.g., setbacks, environmental and development standards):

- a) Accessory Farm Buildings and Structures: Farm buildings and structures where accessory to a permitted agricultural use or existing farmstead (but excluding any new dwelling or where located on a lakefront lot surrounding Waka Lake).
  - b) Public Utilities: Any operation for the purposes of inspecting, repairing, or renewing sewers, mains, cables, pipes, wires, tracks or small public works as required by a public utility and the installation of service connections to property in the municipality; (A permit is required for the installation of new transmission lines).
  - c) Municipal Facilities and Buildings. Any facility and/or building installed and operated by the municipality.
  - d) Signs subject to the provisions of Section 3.8 and where specified in each district.
  - e) Fences.
  - f) Field Crops.
  - g) Pastures for raising of livestock (excluding ILO's).
  - h) Non-commercial orchards and flower, vegetable, and fruit gardens; where accessory to a farmstead or residence or located in the Storage District.
  - i) Internal alterations and maintenance to buildings, including mechanical or electrical work, provided that the use, or intensity of use of the building, does not change or an increase in the number of dwelling units within the building or on the site. Structural alterations will require a permit.
- [Amended Bylaw 14, 2020](#)
- j) Recreational uses not installed or operated by the municipality which do not involve buildings or structures. Any non-municipal recreational use involving a building or structure shall require a development permit.

### 2.5 Temporary Development Permits

- 2.5.1 The Development Officer may issue a temporary Development Permit, with specified conditions for a specified period of time, to accommodate developments incidental to approved construction, temporary accommodation, or temporary gravel operations or asphalt plants.
- 2.5.2 Nothing in this bylaw shall prevent the use of land, or the erection or use of any building or structure for a construction camp, tool shed, scaffold, or other building or structure incidental to and necessary for construction work on the premises, but only for so long as such use, building, or structure is necessary for such construction work as has not been finished or abandoned.
- 2.5.3 Every temporary development permit or use shall be approved for a specified period, but in no case shall it exceed twelve (12) months.
- 2.5.4 Where a development permit for a temporary use is granted for less than twelve (12) months, the permit may be renewed at Council's discretion for another period of not more than twelve (12) months.

- 2.5.5 Upon the expiration of the period for which the temporary use was approved, the use shall be discontinued and all temporary structures removed.
- 2.5.6 A temporary use may be approved for development in any zone, unless specified elsewhere in this bylaw.
- 2.5.7 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.
- 2.5.8 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) Agriculturally supportive commercial and industrial development including fertilizer operations and similar uses;
  - d) Small temporary, seasonally or periodically used sand, gravel, gravel crushing and commercial topsoil stripping operations, including accessory equipment;
  - e) Temporary accommodation: licensed contractors or developers may be authorized to erect a temporary accommodation, on or off site (e.g. campers, travel trailers, construction bunk houses), excluding a mobile home;
  - f) 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).
- 2.5.9 Except in the Agricultural Resource District, buildings or structures shall not include a mobile home as a temporary use.
- 2.5.10 Temporary development approved under Section 2.5.8 must be allowed as a permitted use in the district in which the use is proposed and must comply with the regulations of this bylaw.

## 2.6 Issue of Permits

- 2.6.1 Upon completion of the review of an application for development, the Development Officer shall determine if the proposed development is a Permitted, Discretionary or Prohibited Use and apply the following:
- a) Permitted Use
    - i) Issue a development permit for a permitted use, where the application conforms to this bylaw, incorporating any special regulations, performance standards or development standards authorized by this bylaw; or
    - ii) Issue a refusal, where the application does not comply with a provision or regulation of this bylaw, stating the reason for refusal.
  - b) Discretionary Use

- i) The Development Officer will prepare a report for Council on the proposed development discussing or examining the criteria for consideration by Council.
  - ii) Unless otherwise noted in this bylaw, at least seven (7) days before the application is considered by Council, the Development Officer shall provide notice to the public for the discretionary use application. The notice must be provided to:
    - a. The assessed owners of property within 75 metres of the boundary with the applicant's land; and
    - b. Any other landowners the Development Officer feels may be affected by the development and who may have an interest in the lands.
  - iii) Council shall make a decision on a discretionary use, by resolution which instructs the Development Officer to either issue a development permit incorporating any specific development standards set forth by Council, subject to the limitations of *The Planning and Development Act, 2007* and in accordance with the provisions of this bylaw; or issue a notice of refusal to the applicant, stating the reasons for the refusal.
  - iv) Council is deemed to have granted discretionary approval to a use, or specific intensity of use, that becomes discretionary as a result of the adoption or amendment of this bylaw, as of the date that the bylaw or amendment comes into effect.
- c) Prohibited Use
- i) An application for a use not listed as either a permitted or discretionary use in the district in which the applicant is applying, shall be considered a prohibited use.
  - ii) A development permit for a prohibited use cannot be accepted by the municipality and there is no means of appeal.
- 2.6.2 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 Regulations.
- 2.6.3 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 twelve (12) month period or more;
  - c) The approved use does not commence within twelve (12) months of the issuance of the permit; or it may be extended for a time period of 1 year upon approval by the Development Officer.
  - d) The intensity of use increases.

## 2.7 Cancellation

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

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

### **2.8 Comprehensive Development Reviews**

- 2.8.1 All subdivisions of land for residential, commercial and industrial development in the municipality will be subject to the submission of a Comprehensive Development Review as outlined in “Appendix A” of this document to ensure that all the potential effects of development are identified.

### **2.9 Concept Plans (Comprehensive Development Plans)**

- 2.9.1 A concept plan (comprehensive development plan) shall be completed prior to consideration of an application by Council by any person proposing to rezone, subdivide, or re-subdivide land for country residential subdivisions, lakeshore, commercial or industrial purposes. The purpose of this review is to identify and address social, environmental, health and economic issues and to encourage the development of high quality developments. The scope and required detail of the concept plan shall align to any concept plan requirements outlined in the Official Community Plan, 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 municipality (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 channels;
  - f) Appropriate information specific to the particular land use (residential, commercial or industrial).
- 2.9.2 The concept plan (Comprehensive Development Plan) must be prepared in accordance with the overall goals and objectives of the Official Community Plan. Council shall not consider any development application until all required information has been received. The cost and responsibility for undertaking all technical investigations and hosting public meetings as required shall be borne solely by the applicant.

### **2.10 Additional Public Consultation**

- 2.10.1 Where deemed necessary by the municipality, any application for a development permit may be required to undertake additional public consultation prior to the provision of a development permit at the applicant's expense.

## **2.11 Minor Variances**

- 2.11.1 An application may be made to Council for a minor variance to the requirements of this bylaw in a form as prescribed by Council.
- 2.11.2 A minor variance may be granted for the following only:
  - a) Minimum required distance of a building from a lot line; and
  - b) Minimum required distance of a building from any other building on the lot.
- 2.11.3 The maximum amount of a minor variance shall be 10% variation from the requirements of this bylaw. The development must conform to all other requirements of this bylaw.
- 2.11.4 The relaxation of the bylaw requirements must not injuriously affect a neighbouring property.
- 2.11.5 The processing of an application for a minor variance shall be in accordance with Section 60 of *The Planning and Development Act, 2007*.
- 2.11.6 The Development Officer shall maintain a register of minor variance requests and approvals to record the location and detail in each instance.

## **2.12 Fees and Advertising**

- 2.12.1 The fees related to the Zoning Bylaw and Official Community Plan shall be set out in the Municipal Fees Bylaw.
- 2.12.2 All advertising shall be as per the requirements of *The Planning and Development Act, 2007*.

## **2.13 Building Permits, Licences, and Compliance with Other Bylaws**

- 2.13.1 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.
- 2.13.2 A required building permit shall not be issued for a development unless a required development permit has been issued.
- 2.13.3 Setback requirements may be increased where deemed necessary in order to comply with the National Building Code.

## **2.14 Development Appeals Board**

- 2.14.1 Council shall appoint a Development Appeals Board (the Board) in accordance with Sections 49 and 214 to 218 of *The Planning and Development Act, 2007*.
- 2.14.2 The development officer shall advise the applicant of the rights of appeal granted by *The Planning and Development Act, 2007*.
- 2.14.3 Anyone starting an appeal must send written notice of appeal and the appropriate fee to the secretary of the Development Appeals Board within:
  - c) 30 days of a Development Officer's decision being issued;



- d) 30 days of the failure of a Council to make a decision;
  - e) 30 days of receiving a permit with terms and conditions;
  - f) 15 days if appealed under *The Municipalities Act*, or 30 days under *The Planning and Development Act, 2007*, of an order being served to repair or correct contraventions;
  - g) 30 days of a refusal or revocation of a minor variance; or
  - h) 30 days of receiving a request for development levies or servicing agreement fees.
- 2.14.4 The Board must hold a public hearing on the appeal within 30 days of receiving a notice of appeal.
- 2.14.5 At least ten days before the hearing, the Board must notify affected parties about the hearing. The notice must be served by personal service, ordinary mail or registered mail.
- 2.14.6 In making an appeal to the Development Appeals Board, and hearing such appeal, the provisions of *The Planning and Development Act, 2007* shall apply.

### **2.15 Offenses and Penalties**

- 2.15.1 Any person who violates this bylaw is guilty of an offence and liable, on summary conviction, to the penalties set forth by *The Planning and Development Act, 2007*. The Development Officer may authorize action to stop any development which does not conform to this bylaw, a development or servicing agreement, a development permit or condition, or a caveat under this bylaw.

### **2.16 Caveats**

- 2.16.1 Council may require that development and servicing agreements and other documents be caveated on affected lands, to protect municipal and public interests.

### **2.17 Referral to Saskatchewan Health Authority**

- 2.17.1 All development permits that involve the installation of water and sanitary services, shall supply proof of approval from Saskatchewan Health Authority prior to the RM issuing a development permit.

### **2.18 Liability Insurance**

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

### **2.19 Performance Bonds**

- 2.19.1 Council may require a developer to post and maintain a performance bond to ensure developer performance and to protect the public interest.

## **2.20 Inspection of Premises**

- 2.20.1 The Development Officer, or any official or employee of the RM acting under their direction, is hereby authorized to enter, at all reasonable hours, upon any property or premises in or about which there is reason to believe that provisions of this bylaw are not being complied with, and for the purpose of carrying out their duties under this bylaw where consent of the owner, operator or occupant has been given or where a warrant has been issued by a justice of the peace or a judge of the Provincial Court of Saskatchewan.

### **3      *General Regulations***

#### Amended Bylaw 14, 2021

~~The following regulations shall apply to all zoning districts in this bylaw.~~

The provisions of this section shall apply broadly to subdivision and development throughout the RM to regulate and manage land use. Where provisions, regulations, or standards are provided herein for a specific use, they shall apply and may be supplemented by specific provisions within a Zoning District; the use must be provided for within the subject District.

#### **3.1      Flood Hazard Lands**

- 3.1.1      The Development Officer may refer an application to federal or provincial departments and other relevant environmental agencies or professionals for comments prior to reaching a decision for any development proposed on lands shown on the Zoning District Map as requiring screening for flood hazard potential or other lands that may be considered hazardous.
- 3.1.2      On hazard lands or lands considered potentially hazardous and or where development of a building is proposed within 150 metres (500 feet) of an area of potential hazard, the RM will require the applicant to obtain and determine the safe building elevation.
- 3.1.3      Development of new buildings and additions to buildings in the flood way of the 1:500 year flood elevation of any watercourse or waterbody will be prohibited.
- 3.1.4      Flood-proofing of new buildings and additions to buildings to an elevation of 0.5 metres above the 1:500 year flood elevation of any watercourses or waterbodies will be required in the flood fringe.
- 3.1.5      Sanitary landfills and lagoons shall not be located on hazard lands.
- 3.1.6      Actions to avoid, prevent, mitigate or remedy hazards may be incorporated as conditions of a development permit.
- 3.1.7      No person shall backfill, grade, deposit earth or other material, excavate, or store goods or materials on hazard lands nor plant any vegetation parallel to the water flow.
- 3.1.8      A development permit will be refused if the proposed actions by the developer are inadequate to address the adverse conditions or will result in excessive municipal costs.
- 3.1.9      For the purpose of this bylaw, appropriate flood proofing measures shall mean:
  - a)      That all buildings shall be designed to prevent structural damage by flood waters;
  - b)      The bottom of floor joists of all buildings shall be constructed above the designated safe building elevation; and
  - c)      All electrical and mechanical equipment within a building shall be located above the designated safe building elevation.

### **3.2 Slope Instability**

- 3.2.1 A development or subdivision proposed on potentially unstable slope areas shall require supporting evidence of slope stability by a professional engineer.
- 3.2.2 No new development shall be permitted in any readily eroded or unstable slope area if the proposed development will be affected by or increase the potential hazard presented by erosion or slope instability.
- 3.2.3 For the purpose of this bylaw, the area considered to present potential erosion and/or slope instability hazard includes but is not limited to the slopes of watercourses, creeks or any other tributary creeks and gullies extending from the edge of the flood plain in the valley to the ridge of the slope at the top. Council may require a surveyor to determine where this line or crest of valley is located at the developer's expense and development will be set back from that line at all points as determined by a geotechnical engineer.
- 3.2.4 The geotechnical engineer shall answer the following questions:
- d) Will the proposed development be detrimentally affected by natural erosion or slope instability?
  - e) Will the proposed development increase the potential for erosion or slope instability that may affect the proposed development, or any other property?
- 3.2.5 Unless the geotechnical engineer can answer "no" in response to both of the above questions, further analysis will be required. The required analysis must define the hazard as it may affect the proposed development and any other potentially affected property. The engineering report will identify hazard mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and slope stability impacts, and will identify and explain known and suspected residual hazards. The responsibility for monitoring and responding to monitored findings shall be resolved before approval is granted.
- 3.2.6 A development permit shall not be issued unless the report on the site, presented by the professional consultant, indicates that the site is suitable for development or outlines suitable mitigating measures and documents residual hazard.
- 3.2.7 If such an evaluation is not done, or having been done, Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, the Development Officer or Council shall not be required to approve the application for development.

### **3.3 One Principal Building or Use Permitted on a Site**

- 3.3.1 A principal use of the land must be established prior to any accessory buildings, structures or uses being permitted unless specifically stated elsewhere in this bylaw.
- 3.3.2 Not more than one principal building or use shall be permitted on any site except for:
- a) Farmyards/agricultural uses, institutional uses, parks, schools, hospitals, recreation uses, mineral and resource developments and approved communal or dwelling groups.
  - b) Temporary uses may be permitted on a site where a principal development already exists, at Council's discretion.

## Amended Bylaw 11, 2022

- c) Council may, at its discretion, issue a development permit for additional principal developments, uses or businesses in the Highway Commercial District and Agricultural District.

### **3.4 Buildings to be Moved**

- 3.4.1 No building shall be moved within or into the municipality without first obtaining a development permit from the Development Officer, unless the development is exempt from obtaining permit approval, as outlined in Section 2.4 of this Bylaw.

### **3.5 Access**

- 3.5.1 For the purpose of this section “developed road” shall mean an existing graded all-weather road on a registered right-of-way or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right-of-way to a standard approved by Council.
- 3.5.2 All new development is prohibited unless the site abuts a developed road, either existing or proposed as a condition of the permit.
- 3.5.3 A site to be created by subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.

### **3.6 Mobile Homes, Modular Homes and Park Model Trailers**

- 3.6.1 Wherever a dwelling is allowed it may be in the form of a mobile or modular home unless otherwise stated in this bylaw. Mobile and modular homes shall be prohibited in the Motor Home District and in campgrounds.
- 3.6.2 Park model trailers are only allowed where specifically identified as a permitted use.
- 3.6.3 Every mobile home shall bear CSA Z240 certification and shall be attached to a permanent foundation and be attached to an approved septic tank system prior to occupancy unless otherwise stated in this bylaw.
- 3.6.4 Every modular home shall bear CSA A277 certification and shall be attached to a permanent foundation.
- 3.6.5 Every park model trailer shall bear CSA Z241 certification and be required to have public utility hook ups to SaskPower and/or SaskEnergy.

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

- 3.7.1 The provisions of The *Planning and Development Act, 2007*, Sections 88-93 inclusive, apply to all non-conforming buildings, uses and sites.

## Amended Bylaw 13, 2021

- 3.7.2 Notwithstanding 3.7.1, any parcel which does not conform to the minimum site area requirement but existed in the Land Titles Office prior to the coming into force of this Bylaw shall be deemed conforming with regard to site area, density policy and regulation; but, shall

not include new subdivision or parcel tie removals. Any use existing on a parcel herein described and established prior to the coming into force of this Bylaw, may be established re-established, such as the case may be, as a permitted or discretionary use if so prescribed in the applicable Zoning District subject to conformance with any other applicable regulation.

### 3.8 Signs and Billboards

#### 3.8.1 Signs Located Along Provincial Highways

- a) Signs located in a highway sign corridor or along a provincial highway are regulated entirely by the requirements of *The Provincial Highway Sign Control Regulations, 2012* or amendments thereto.

#### 3.8.2 Signs Located on Private Property

- a) Signs may advertise agricultural commercial uses, home based businesses, the principal use of a site or the principal products offered for sale on a premise.
- b) 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 (37.67 square feet) and no higher than 6 metres (19.69 feet) in total height, unless otherwise identified in this bylaw.
- c) Government signs, memorial signs, and directional signs which bear no advertising including traffic control, no trespassing, hunting restriction and similar signs are exempt from restriction.
- d) Temporary signs and real estate signs are permitted only as long as the temporary conditions exist for the property.
- e) Billboard and other offsite advertising signs are prohibited except in a highway sign corridor.
- f) All private signs shall be located so that no part of the sign is over a public right of way.

### 3.9 Public Utilities and Municipal Facilities **[Amended Bylaw 05, 2020]** **Public Utilities, Pipelines, and Facilities of the Municipality**

~~3.9.1 Public utilities and facilities of the municipality, except solid and liquid waste disposal sites, shall be permitted uses in every zoning district and no minimum sites or yard requirements shall apply unless otherwise specified in the bylaw.~~

~~3.9.2 Where a pipeline or other utility or transportation facility will cross a municipal road and or road allowance, Council may apply such special design standards as it considers necessary to protect the municipal interest in the existing and future improvements to the road.~~

3.9.1 Public utilities and municipal facilities, except solid and liquid waste disposal sites, shall be permitted uses in every zoning district and no minimum site requirements shall apply.

3.9.2 No minimum yard requirements shall apply to linear public utilities. Buildings shall meet required setbacks unless exempt by Council.

- 3.9.3 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.

### 3.10 Solid and Liquid Waste Disposal Facilities

- 3.10.1 Development and maintenance of solid or liquid waste disposal facilities shall meet all provincial and federal standards.
- 3.10.2 Waste disposal facilities shall not be located on hazard lands or on environmentally sensitive lands.
- 3.10.3 No liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into the air. Precautions shall be taken to prevent pollution of ground water.
- 3.10.4 A buffer may be required around a waste disposal facility which may consist of landscaping, berming, fencing, vegetation or other types of screening. The RM will discuss requirements with provincial departments.
- 3.10.5 Solid waste disposal facilities shall be located in close proximity to a provincial highway and directly adjacent to a municipal roadway.
- 3.10.6 The development of any new disposal sites shall take into consideration the direction of prevailing winds.
- 3.10.7 Wastewater Treatment Systems:
- a) A subdivision developer may be required to provide private wastewater treatment systems if Council deems the land appropriate for such service. The requirements of the system will be set out in the servicing agreement.
  - b) Landowners are responsible for obtaining appropriate provincial permits from regulatory agencies and for connecting to the private wastewater treatment system.

### 3.11 Disposal of Manure (Related to Intensive Livestock Operation (ILO))

- 3.11.1 The use of agricultural land for the disposal and recycling of manure produced by an ILO is permitted, subject to the following regulations.
- a) Liquid manure shall be spread by direct injection into the soil.
  - b) In an emergency situation solid or liquid manure may be spread on snow covered or frozen ground with the approval of the RM Council.
- 3.11.2 Upon application to Council, other procedures for disposal of manure may be approved where the applicant establishes to the satisfaction of Council that the objectives of the Official Community Plan will be achieved to a similar standard. Council may specify a limited time during which the approval will be valid.
- 3.11.3 Council may exempt, in whole or in part, an applicant from this section where:
- a) The manure to be spread comes from an ILO of less than 300 animal units,



- b) The manure will be spread on land owned by the operator of the ILO, and
- c) Adverse weather conditions prevent the incorporation of manure in which case spreading of manure will be allowed until weather conditions permit incorporation.

### 3.12 Home Based Businesses

Home based businesses will be subject to the following special standards.

- 3.12.1 The use is clearly ancillary to the use of a farmstead as an agricultural operation or the dwelling unit as a private residence.
- 3.12.2 The owner of the business is a resident of the dwelling unit and, in the case of a farmstead only up to two non-resident employees may be employed at the site.
- 3.12.3 No variation in the residential character and appearance of the dwelling or land shall be permitted, except for permitted signs.
- 3.12.4 The permitted use shall be valid only during the period of time the property is occupied for residential purposes by the business owner.
- 3.12.5 All permits issued for home based business shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met.
- 3.12.6 A personal care home must be licensed under *The Personal Care Homes Act*.
- 3.12.7 A family child care home must meet the requirements of *The Child Care Act*.
- 3.12.8 Council may apply special standards in the issuing a development permit limiting the size of operation, buildings used for the operation, and number of non-resident employees. Any increase in the operation as applied for or approved shall require a new discretionary approval.

### 3.13 Bed and Breakfast and Vacation Farms

Bed and breakfast homes and vacation farms will be subject to the following development standards as may be specified by Council in the issuance of a permit.

- 3.13.1 Vacation farms shall be ancillary to an agricultural farm operation and located on the same site as a farmstead and may include bed and breakfast, cabins, and overnight camping areas.
- 3.13.2 A maximum of five cabins shall be permitted as part of a vacation farm operation.
- 3.13.3 Onsite signs shall be permitted in accordance with Section 3.8 of this bylaw. Offsite signs not exceeding 0.5 square metres (5 feet) may be permitted at the discretion of Council where necessary to provide directions from a highway to the operation.
- 3.13.4 Vacation farms and bed and breakfast operations shall be licensed pursuant to the Public Health Act.
- 3.13.5 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.

- 3.13.6 There shall be adequate onsite parking available for the operation.
- 3.13.7 Council may apply special standards in the issuing of a development permit limiting the number of rooms, cabins or camping spaces that may be permitted in conjunction with the operation.

### **3.14 Campgrounds**

Campgrounds will be subject to the following development standards as may be specified by Council in the issuance of a permit.

- 3.14.1 The operator of a campground shall provide the development officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and recreational vehicle or tent campsites with dimensions. The addition or rearrangement of campsites, the construction or moving of buildings or structures, the material change in use of portions of the 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.
- 3.14.2 A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 metres (14.76 feet) which shall contain no buildings.
- 3.14.3 The operator of a campground shall designate a campsite for each recreational vehicle or tent party, which shall be less than 150 square metres (1614.59 square feet) in area with its corners clearly marked.
- 3.14.4 No portion of any campsite shall be located within a roadway or required buffer area.
- 3.14.5 Each campsite shall have direct and convenient access to a developed roadway which is not located in any required buffer area.
- 3.14.6 Each recreational vehicle shall be located at least 4.5 metres (14.76 feet) from any other recreational vehicle and each campsite shall have dimensions sufficient to allow such location of recreational vehicles.
- 3.14.7 The space provided for roadways within a campground shall be at least 7.5 metres (24.61 feet) in width. No portion of any campsite, other use or structure shall be located in any roadway. The roadway design shall consider traffic flow, emergency vehicle access and evacuation requirements.
- 3.14.8 A campground may include ancillary uses such as a laundromat, confectionary, parks, sports field, playgrounds, picnic grounds, hiking and cross country trails, or a winter recreational vehicle storage site designed to meet the needs of campsite occupants and one single detached dwelling for the accommodation of the operator.
- 3.14.9 The Public Health Act and the regulations passed thereunder shall be complied with in respect to all operations and development of the campground.
- 3.14.10 The campground shall be accessible by a registered, developed all-weather road.
- 3.14.11 All recreational vehicles may be subject to trailer licensing fees as per the RM Trailer License Fee Bylaw.
- 3.14.12 Recreational vehicles shall not be made permanent through the removal of axels, hitches and/or wheels.

- 3.14.13 A campground must have onsite waste management systems which are approved by the Saskatchewan Health Authority.
- 3.14.14 Campsites shall be for temporary seasonal use only and not for permanent year-round basis.
- 3.14.15 Long term campground developments approved and existing prior to the adoption of this bylaw and which conformed to the regulations of Bylaw 5-2011 may include on each campsite:
- a) Two storage accessory buildings that do not exceed 9.29 sq. m (100 sq. ft) each; and
  - b) A deck under 2 feet in height that is no longer than the length of the recreational vehicle with a maximum width of 3.65 metres (12 feet). All decks must maintain a setback distance of 1.52 metres (5 feet) from the boundary of the campsite. The deck cannot be enclosed but may contain a roof with a maximum height of 3.65 metres (12 feet).

### 3.15 Wind Energy Systems

Wind energy systems are subject to the following requirements:

- 3.15.1 A site plan shall be submitted as part of the development permit application that includes:
- c) Property lines, existing uses and vegetation on the site;
  - d) Adjacent land uses within 500 meters;
  - e) Proposed wind energy system;
  - f) Associated development including but not limited to roads and access, cabling, distribution and transmission lines, power grid connections, fencing and proposed landscaping.
- 3.15.2 Development applications shall include the proposed wind turbine height as defined by this bylaw. A wind turbine shall not exceed the height recommended by the manufacturer or a Professional Engineer in Canada.
- 3.15.3 Development applications shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety from a Professional Engineer in Canada.
- 3.15.4 Prior to the review of the development permit application; the developer may be required to consult with adjacent property owners surrounding the proposal within a minimum 500 metre radius.
- 3.15.5 The following site suitability standards shall apply to wind energy systems:
- a) The minimum site size for the allowance of a wind energy system shall be 2.0 hectares (5 acres).
  - b) A wind energy system shall be setback a minimum of 90 metres (300 feet) from an intersection of any municipal road allowance or provincial highway or such greater distance as required by the Ministry of Highways and Infrastructure.
  - c) The minimum separation distance of 1.5 times the wind turbine height, as defined in this bylaw, shall apply to all:

- i) Dwelling units
  - ii) Municipal road allowances or railway corridors
  - iii) Property lines
  - d) Notwithstanding clause 3.15.5(c), Council will require a separation of 500 metres between the base of a wind turbine tower and a dwelling unit on adjacent sites where a wind farm is proposed.
  - e) The wind energy system shall not be located on environmentally sensitive lands.
- 3.15.6 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 other than those that are necessary for the operation of the system and to meet Transport Canada lighting requirements. Council may require the developer undertake studies to determine potential impacts and to implement mitigating measures to ensure the wind energy system produces minimal disturbance to the surrounding lands.
- 3.15.7 Landscaping and fencing shall be provided by the applicant, where deemed necessary by Council, to maintain safety, protection and the character of the surrounding lands.
- 3.15.8 The colour and markings for proposed wind energy systems including required lighting shall be in accordance with federal aviation requirements.
- 3.15.9 No advertising shall appear on the wind energy system.
- 3.15.10 When required by Council, as a condition of development, the developer shall enter into an agreement with the municipality to ensure all roads and accesses are constructed to municipal standards.
- 3.15.11 Any changes to the original development permit shall require a new permit to be issued.

### **3.16 Landscaping**

- 3.16.1 Developers and lot owners shall practice landscaping strategies that use native species to reduce irrigation needs, wherever possible.
- 3.16.2 Landscaping or structures of any kind shall not obstruct vehicular or pedestrian travel along a sidewalk or street.
- 3.16.3 During subdivision development, the developer shall integrate stormwater management into the landscape design where development will impact natural drainage.
- 3.16.4 Any landscaping shall not disrupt or change the existing drainage pattern without prior approval from the RM and provincial agencies as may be required.

### **3.17 Drainage**

- 3.17.1 A drainage study completed by a qualified professional, at the developer's expense, may be required as part of a subdivision or development application. The drainage study shall identify the expected impact on existing drainage systems and patterns on the proposed site and surrounding properties and the proposed method to address future drainage.

- 3.17.2 Where the stormwater runoff and drainage pattern may be detrimental to the environment and surrounding lots, the proposed development or subdivision may not be approved.
- 3.17.3 All lands shall be left in their natural state where possible. The developer shall work with the natural terrain and vegetation. Excluding standard agricultural practices, land clearing and changes to natural drainage will be discouraged.

### **3.18 Groundwater**

- 3.18.1 No development or use of land shall be permitted where the proposal will adversely affect domestic and municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the Saskatchewan Health Authority and/or the Water Security Agency.
- 3.18.2 If, in the opinion of Council, groundwater resources could be adversely affected by proposed development, a professional report shall be prepared at the cost of the developer. The report shall identify whether the proposed development would adversely affect the groundwater resource including but not limited to:
  - a) Contamination and impacts on an aquifer;
  - b) Water quality and quantity; and
  - c) Impacts to other developments and users.
- 3.18.3 Where a professional report is required for the review of a subdivision or development application, Council will consider the report's findings and recommendations along with municipal servicing costs.
- 3.18.4 Council may seek the assistance of the Ministry of Environment (MOE), the Water Security Agency (WSA) and Saskatchewan Health Authority or other relevant agencies in assessing an application and any associated report.

### **3.19 Grading and Leveling of Sites**

- 3.19.1 Any site proposed for excavation or filling requires a development permit and any grading and levelling will be at the owner's expense. All sites shall have adequate surface drainage that does not adversely affect adjacent property or the stability of the land.
- 3.19.2 All excavations or filling shall be re-vegetated immediately after other construction activities permit, with a suitable ground cover as may be necessary to prevent erosion.
- 3.19.3 Development may be restricted where excavation or filling is proposed for any development. Council may require the developer to provide an impact assessment report carried out by a qualified professional prior to making a decision on the development permit application.
- 3.19.4 All vegetation and debris in the area to be regraded must be removed from the site prior to site grading and leveling.
- 3.19.5 All topsoil from an area that is to be regraded must be stripped, stockpiled, and replaced on the regraded area or relocated to a site approved by Council.

### **3.20 Restoration to a Safe Condition**

- 3.20.1 Nothing in this bylaw shall prevent the strengthening or restoration to a safe condition of any building or structure, provided that such strengthening or restoration will not increase the height, area or volume so as to contravene the provisions of this bylaw or create issues with drainage.

### **3.21 Retaining Walls**

- 3.21.1 In the case of a fence constructed on top of a retaining wall, the combined height of the fence and the retaining wall shall not exceed 2 metres (6.56 feet) above the natural grade.
- 3.21.2 Riparian areas or shorelines of Wakaw Lake shall not be negatively affected or disturbed.
- 3.21.3 Drainage onsite or adjacent properties shall not be negatively affected by the construction of a retaining wall. If the existing drainage pattern will be altered, Council may require the developer to provide a detailed engineered drainage plan.
- 3.21.4 Engineering may be required for walls where the building inspector determines that the existing site conditions are problematic such as overburden or poor drainage or where the proposed retaining walls could be considered to be structural elements of a building within the National Building Code.
- 3.21.5 All applicable setbacks shall apply, unless implemented as a fence or identified as a drainage mitigation option by a professional engineer and approved by Council.
- 3.21.6 Retaining walls shall not encroach onto adjacent properties.

### **3.22 Parking Provisions**

- 3.22.1 Off street parking and loading facilities shall be provided for every use in the municipality in accordance with the following:
- a) Rural Dwellings: 2 parking spaces per dwelling unit
  - b) Resort Areas and Hamlets: 3 parking spaces per dwelling unit
  - c) Hotels and Motels: 1 parking space for each unit
  - d) Places of Assembly: 1 parking space for every 10 seats
  - e) Commercial Use: 1 parking space for every 18 square metres (194 square feet) of gross floor area
  - f) Recreation Uses: to be determined by Council on a case-by-case basis with consideration for projected average and peak use, safety and site plan factors.
- 3.22.2 The parking facility shall be located on the same site as the use for which it is intended and shall be reasonably accessible to the use and vehicles it is intended to serve.
- 3.22.3 All parking facilities shall be maintained by the owner of the property to the satisfaction of Council.

### **3.23 Private Garages, Carports, Sunrooms, Solariums, Greenhouses and Decks**

- 3.23.1 If attached to the main building and has a substantial roof structure the structure shall be considered as part of the main building and shall be subject to the regulations for the main building.
- 3.23.2 Unless otherwise stated in this bylaw, an attached closed deck (to either the dwelling unit or permitted accessory building) shall meet the setback criteria of the building it is attached to.

### **3.24 Prohibited and Noxious Uses**

- 3.24.1 The keeping of livestock shall not be allowed except where permitted as an agricultural use and were specifically addressed in the zoning district.
- 3.24.2 Notwithstanding anything contained therein, no land shall be used and no building or structure shall be erected, altered or used for any purpose which is noxious and, without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offense, or both:
  - a) By the creation of noise or vibration;
  - b) By reason of the emission of gas, fumes, smoke, dust or objectionable odour; or
  - c) By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery, or other such material;
- 3.24.3 Any use is prohibited which from its nature or the materials used therein is declared by *The Public Health Act and Regulations* to be a noxious trade, business, or manufacturer.

### **3.25 Communication Towers**

- 3.25.1 Communication towers shall not be permitted in, or located closer than 100 meters (330 feet) from any residential district.
- 3.25.2 The owner of a communication tower may be required to enter into a road maintenance agreement.
- 3.25.3 The minimum setback from the centerline of a developed road, municipal road allowance or provincial highway shall be 45 meters (148 feet).

### **3.26 Dedicated Lands**

Council shall consider the following for any development and/or uses on environmental and/or municipal reserve lands:

- 3.26.1 All development shall comply with the *Dedicated Lands Regulations* and *The Planning and Development Act, 2007*.
- 3.26.2 No development shall take place on any municipal or environmental reserve lands unless approved by Council.
- 3.26.3 There must be appropriate public access to the use.



- 3.26.4 Where lakefront developments are being proposed, Council will require portions of the land abutting the lake to be dedicated as municipal or environmental reserve.
- 3.26.5 Appropriate federal and/or provincial approvals shall be acquired prior to any alteration of or development adjacent to shorelands.
- 3.26.6 Development will not occur if the shoreline area in front of a lakefront property has been deemed environmentally sensitive or restricted from development by either the municipality or other government agency.

### Amended Bylaw 14, 2021

## **3.27 Swimming Pools and Hot Tubs**

- 3.27.1 A professional report may be required at the developer's expense to assess the geotechnical suitability of the site with any required mitigation measures. These measures may be attached as a condition for a development permit approval.
- 3.27.2 All development permit applications for a swimming pool shall include the swimming pool size, depth and location and a diagram of the fence.
- 3.27.3 For the protection of the general public, all swimming pools shall be fenced by an artificial enclosure with a height of 1.8 metres (6 feet). Any openings in the enclosure affording access to the pool shall have a gate containing a locking device.
- 3.27.4 Notwithstanding any general permit exemptions, a development is required for all swimming pools and hot tubs.
- 3.27.5 The water from any swimming pool or hot tub shall not be discharged: into any watercourse or waterbody, where discharge would negatively impact any ground or surface waters, or where discharged water would leave the site boundary.
- 3.27.6 Swimming pools shall not be considered as a general accessory use and are permitted only in those Zoning Districts where specifically prescribed.
- 3.27.7 Hot tubs may be considered as a generally accessory uses where accessory to a principal residential use.

## **3.28 Critical Wildlife Habitat Management**

- 3.28.1 Where development is proposed in an area identified as containing critical wildlife habitat the Development Officer may require the applicant provide additional information as required by *The Wildlife Habitat Protection Act (WHPA)* and any other relevant provincial regulations.
- 3.28.2 Critical wildlife conservation uses shall be permitted uses in all zoning districts. Council may prohibit development and recommend subdivision refusal where proposals may adversely affect long-term wildlife conservation.
- 3.28.3 Council may specify development and subdivision requirements based on reports from qualified consultants or officials from the provincial government.
- 3.28.4 All development and subdivision proposals on lands identified as containing critical wildlife habitat shall conform to any applicable:

- a) *Wildlife Habitat Protection Act (WHPA)* requirements;
- b) Ministry of Environment or responsible federal or provincial agency provisions and requirements; and
- c) Council specified wildlife development, management, conservation, mitigative and rehabilitation development standards to maximize long-term wildlife protection.

### 3.29 Dwelling Groups

- 3.29.1 Access to sites shall be from a road internal to the dwelling group parcel.
- 3.29.2 No dwelling shall be closer than 3 metres (10 feet) to any other dwelling.
- 3.29.3 All buildings on a dwelling group parcel shall maintain the required yards to the property lines of the parcel provided for in the district and the required setback to the centreline of a road.

### 3.30 Access

- 3.30.1 Every development shall have physical and legal access to a public highway or municipal road that is developed to a standard that, in the opinion of Council, is suitable for the proposed development.
- 3.30.2 For the purposes of this bylaw "developed road" shall mean an existing paved or graded all-weather road on a registered right-of-way, or a road for which a signed servicing 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.
- 3.30.3 Council may require applicants and developers to pay for any or all costs associated with road construction and maintenance where the cost is directly associated with the development or subdivision.
- 3.30.4 All site access 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.
- 3.30.5 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.
- 3.30.6 Development adjacent to a provincial highway shall meet all requirements of the Ministry of Highways and Infrastructure.

### 3.31 Sand and Gravel Operations

- 3.31.1 An approval for a sand and gravel extraction development permit will be issued for a maximum of 2 years and may be renewed at the discretion of Council through the development permit process.
- 3.31.2 Active open pit areas shall not exceed 5 acres (2.02 Hectares) in size.
- 3.31.3 No excavation or stockpiling shall occur:

- a) Within 100 metres (328 feet) of a lake;
- b) Within 50 metres (164 feet) of a road allowance or provincial highway;
- c) Where it will change or alter the natural course of any waterway on the land;
- d) Below the natural water table;
- e) Within 805 metres (0.5 miles) from any dwelling;
- f) Within 805 metres (0.5 miles) from any recreational development;
- g) 30 metres (100 feet) from any hazard land.

3.31.4 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.

### Amended Bylaw 6, 2020

~~3.31.5 Operation and reclamation plans shall accompany the development permit application and shall address:~~

- ~~a) Clearing and disposal of vegetation;~~
- ~~b) Stripping and conservation of topsoil;~~
- ~~c) Placement of overburden material, which shall be kept in piles in open acre areas and that will not result in erosion into a lake;~~
- ~~d) Phasing of extraction;~~
- ~~e) Phasing of remediation, progressive restoration is expected while extraction is ongoing in other sections of the pit;~~
- ~~f) Storage of extracted materials;~~
- ~~g) Final grading of the pit face and other slopes to no steeper than 4:1;~~
- ~~h) Rehabilitation of slopes to become part of the surrounding topography and local conditions;~~
- ~~i) Protection of slopes during and after construction to control slope instability and erosion potential;~~
- ~~j) Reapplication of topsoil;~~
- ~~k) Re-vegetation, grading or other methods of stabilizing the reclaimed surface from erosion;~~
- ~~l) Stormwater management;~~
- ~~m) Drainage control;~~
- ~~n) Erosion and sediment control;~~

~~e) Access and/or haul roads; and~~

~~p) Public safety, including a barrier consisting of a three strand wire fence, or equivalent, to restrict access to the site by the public.~~

3.31.5 Operation and reclamation plans shall accompany the development permit application and shall address:

- a) Clearing and disposal of vegetation;
- b) Stripping and conservation of topsoil;
- c) Placement of overburden material, which shall be kept in piles in open acre areas and that will not result in erosion into a lake;
- d) Phasing of extraction;
- e) Phasing of remediation, progressive restoration is expected while extraction is ongoing in other sections of the pit;
- f) Storage of extracted materials;
- g) Final grading of the pit face and other slopes to no steeper than 4:1;
- h) Rehabilitation of slopes to become part of the surrounding topography and local conditions;
- i) Protection of slopes during and after construction to control slope instability and erosion potential;
- j) Reapplication of topsoil;
- k) Re-vegetation, grading or other methods of stabilizing the reclaimed surface from erosion;
- l) Stormwater management;
- m) Drainage control;
- n) Erosion and sediment control;
- o) Access and/or haul roads; and
- p) Public safety, including a barrier consisting of a three strand wire fence, or equivalent, to restrict access to the site by the public.

3.31.6 The RM shall consider the size, scale, and location of the proposed sand and gravel operation in determining the requirements, as identified in Section 3.31.5, to be addressed in the operation and reclamation plan.

3.31.6 Where a sand and gravel development is proposed within the vicinity of a water source, the development permit application should be accompanied by appropriate hydrological studies and outline necessary mitigation measures.

- 3.31.7 In reviewing application for a development permit, the following will be considered by the RM:
- a) The effect on adjacent land and uses and the effect on municipal roads;
  - b) The manner in which the pit or quarry is to be operated;
  - c) The environmental implication of the operation on watercourses and drainage, wildlife habitat, erosion and sediment control, and slope stability;
  - d) Restoration/reclamation plans of the site that brings the lands back to or as close as possible to its original state;
  - e) Mitigation of dust, odour, smoke and noise;
  - f) Safety measures, such as fencing and signage;
  - g) Screening of sand and gravel development from nearby residential uses and transportation routes through the use of landscaping or other screening methods that Council finds appropriate;
  - h) Phasing of extraction; and
  - i) Hours of operation, crushing and hauling activities will only occur on weekdays 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. Upon request Council may give permission to operate on weekends where it is determined to be necessary and appropriate.
- 3.31.8 The following may be applied as conditions and standards for the development permit application:
- a) The inclusion of the operation and reclamation plan as a condition of development permit approval;
  - b) The requirement of a bond, letter of credit or other form of security to ensure the completion of a reclamation plan as a condition of approval;
  - c) The requirement of a bond, letter of credit or other form of security to ensure the developer exercises environmental responsibility and prudence as a condition of approval;
  - d) Trucks that will be hauling from the development site will have a name or logo on the doors, a minimum of 60 x 45 cm (24 x 18 inches);
  - e) Excavation sites will have a weigh scale installed to weigh the materials leaving the pit, copies of the daily scale tickets will be delivered to the RM office as determined by the RM;
  - f) 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;

- g) The requirement to enter into an agreement with the RM regarding the site and the sand and gravel extraction operation.

### Amended Bylaw 6, 2020

- h) The hours of operation, size and intensity of the development including, but not limited to, volume of gravel to be extracted annually.

### **3.32 Automotive Service Uses and Gas Pumps**

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

- 3.32.1 Gas pumps and islands shall be setback 6 metres (20 feet) from any site line;
- 3.32.2 Service stations shall locate underground storage tanks in accordance with The Fire Protection Act;
- 3.32.3 Propane and natural gas pumps (retail or wholesale) shall be setback according to provincial regulations;
- 3.32.4 Access/egress points shall not be continuous along a street and shall be at least 10 metres (32 feet) apart;
- 3.32.5 Traffic circulation shall be accommodated on the site; and
- 3.32.6 Vehicles and parts storage shall not be located in any yard abutting a road and must be screened from view by a solid fence with the location, height and materials being first approved by the Development Officer.

### **3.33 Accessory Buildings, Uses and Structures**

- 3.39.3 Subject to all other requirements of this bylaw, an accessory building, use or structure is permitted in any district when accessory to an established principal use which is a permitted or discretionary use in that same district, and for which a development permit has been issued.
- 3.39.4 No accessory building may be constructed, erected or moved on to any site prior to the time of construction of the principal building to which it is accessory.
- 3.39.5 Where a building on a site is attached to a principal building by a solid roof or by structural rafters, the building is deemed to be part of the principal building.
- 3.39.6 Unless otherwise specified in this bylaw, a residential use including living and sleeping accommodations shall not be considered an accessory use. Accessory structures shall not contain a dwelling unit unless explicitly identified in this bylaw and where the RM has approved such use.
- 3.39.7 Sewer and water connections to accessory buildings are prohibited in all districts with the exception of the Agricultural Resource District, Conservation District and Highway Commercial District.
- 3.39.8 Unless otherwise stated in this bylaw, an attached closed deck (to either the dwelling unit or permitted accessory building) shall meet the setback criteria of the building it is attached to.

### **3.34 Solid & Liquid Waste Disposal Facilities**

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

- 3.34.1 Development and site maintenance shall be in accordance with provincial environmental and health regulations.
- 3.34.2 Any solid waste disposal facility shall be located 457 metres (1500 feet) from any residence.
- 3.34.3 A buffer strip containing trees, shrubs or a berm shall be located surrounding a disposal area.
- 3.34.4 Any solid or liquid waste disposal facility shall be fenced.
- 3.34.5 Adequate precautions shall be taken to prevent pollution of groundwater by disposal operations.
- 3.34.6 Solid waste disposal facilities shall be located in proximity to a provincial highway and adjacent to an all-weather developed road.
- 3.34.7 The development of any new disposal sites shall take into consideration direction of prevailing winds.
- 3.34.8 Where approval has been deemed appropriate, Council may consider the following requirements within a development permit:
  - a) Place a limitation on the years, months, weeks, days and/or hours of operation;
  - b) Requirement to provide and maintain sufficient dust control to the satisfaction of the municipality;
  - c) Limitations to the height of the landfill development;
  - d) Specific requirements related to any stripping, filling, excavation and grading associated with a landfill development; and
  - e) Requiring development to adhere to any appropriate provincial health regulation or guideline.

### **3.35 Onsite Sewer Systems**

- 3.35.1 The location of all onsite sewer systems must be towards the main access to the site which will allow for appropriate access for the operation, repair and removal of the systems.
- 3.35.2 The Development Officer may require the location of a proposed onsite sewer system to be changed, where the location will require access onto municipal or environmental reserve for the operation, repair or removal of the system.



### 3.36 Sea and Rail Containers

#### Amended Bylaw 11, 2021

The following sea and rail container regulations must be met in all zoning districts where they are listed as a permitted or discretionary use:

- ~~3.36.1 No sea containers will be allowed in the Medium Density Country Residential District, High Density Country Residential District, Lakeshore Development District, and Motor Home District.~~
- ~~3.36.2 Sea and rail containers shall be an accessory use to a principal use on the site.~~
- ~~3.36.3 Sea and rail containers must meet the setback distances for the district.~~
- ~~3.36.4 The purpose of the sea and rail container must be for storage only.~~
- ~~3.36.5 The sea and rail containers must not be stacked one on top of the other.~~
- ~~3.36.6 No windows, plumbing, electrical and mechanical improvements or modifications are permitted.~~
- ~~3.36.7 No human or animal habitation will be permitted within a sea and rail container.~~
- ~~3.36.8 No dangerous or hazardous material or containers are permitted within the sea and rail container.~~

The following regulations, standards, and evaluation criteria shall apply to the use of Sea and Rail Containers:

- 3.36.1 With the exception of the AR - AGRICULTURAL RESOURCE DISTRICT where Sea and Rail Containers will be considered a permitted accessory use, the use of a container as a principal, accessory, or ancillary use, building, or structure will be at the discretion of Council in accordance with the following standards and regulation, the general evaluation criteria in 3.37, and supplementary criteria listed below.
- 3.36.2 Sea and Rail Containers shall not be placed on a site prior to, or in the absence of, an established principal use except as provided for in this bylaw.
- 3.36.3 Sea and Rail Containers shall be required to meet all the site and yard requirements, and regulations of the intended use for the zoning district in which it is located.
- 3.36.4 Where applicable in any circumstance, the use of any Sea and Rail Container shall meet the requirements of the *National Building Code of Canada*.
- 3.36.5 Sea and Rail Containers shall not be used for any form of occupation, dwelling, human habitation, or sleeping accommodation, nor shall they be connected to any water, sewage, plumbing, gas, or mechanical system(s).
- 3.36.6 With the exception of the AR - AGRICULTURAL RESOURCE DISTRICT, Sea and Rail Containers shall not be used to house any animal.

- 3.36.7 Where permitting is required, applicants shall submit photographs of the unit clearly showing all sides of the structure as part of a permit application; and where applicable, any visual aids illustrating the proposed modifications or exterior treatment of the container.
- 3.36.8 Any permit granted for a Sea and Rail container(s) is specific to the particular unit(s). Removal, replacement, or relocation within a site shall require a new permit.
- 3.36.9 Sea and Rail Containers shall be properly maintained and kept in good repair.
- 3.36.10 Sea and Rail Containers shall not be used as a sign or billboard except in accordance with any regulations pertaining to signs within this bylaw.
- 3.36.11 Sea and Rail Containers shall not be used to store dangerous or hazardous materials where located in any residential zoning district or zoning district principally intended for residential uses.
- 3.36.12 The following evaluation criteria, standards, and permit conditions shall apply in addition to those listed in 3.36.13:
- a) In the opinion of, and to the satisfaction, of Council, evaluation for compatibility, suitability, intended use, and placement within a site shall be based on:
    - i. the context in which the container will be located, and its ability to complement or detract from land uses in the vicinity;
    - ii. the condition of the container and any proposed treatment(s) given to improve its appearance,;
    - iii. the degree to which any proposed modification to the container, or combination of containers (eg. employed as structural building blocks), resembles traditional and contemporary building form; and
    - iv. the intended use of any screening or placement within the site to minimize any potential land use conflict, nuisance, or negative impact on the public realm.
  - b) To secure the objectives of this bylaw, and to minimize any negative impact on adjacent land uses and the public realm, Council may impose development standards or permit conditions related to the following:
    - i. the placement of the container within the site relative to other on-site development, or development on adjacent lands; and
    - ii. requirements for landscaping or screening.
- 3.36.13 A single Sea and Rail Container for personal storage use may be temporarily placed on a site in any district under the following conditions:
- a) During construction on a site when the container is utilized solely for the storage of supplies and equipment that are used on site in support of construction of the principal building or use, provided that a valid development permit, a renewal, or extension thereof, has been issued for the principal use or structure on that site, and that the shipping container has been identified within a permit application.
  - b) The container must be removed from the site upon first occurrence of any of the following for the principal use or structure: expiry or closure of the development permit; or final close-in for building inspection."

### 3.37 Discretionary Use Criteria and Standards

3.37.1 The following criteria must be considered in the review of discretionary use applications:

- a) The proposal must be in conformance with all relevant sections of the Official Community Plan and Zoning Bylaw;
- b) 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 supportive utilities 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, light, glare, heat, dust, odour or other emission from affecting nearby properties;
- f) The proposal must provide sufficient access and circulation for 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, where possible, shall preserve existing vegetation.

3.37.2 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 and the Act:

- a) Sites shall be landscaped, screened and fenced where necessary to maintain the character and amenity of the neighbourhood;
- 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; and
- i) Any other applicable standard identified in this bylaw.

### **3.38 Heritage Resource Screening**

- 3.38.1 The RM will refer a developer to the Heritage Conservation Branch's Exempt Activities Checklist for Private Landowners and the Heritage Conservation Branch's Developer's Online Screening Tool to determine if a proposed development is exempt from archaeological heritage screening.
- 3.38.2 A developer shall demonstrate clearance from the Heritage Conservation Branch prior to the RM issuing a development permit.

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### **3.39 Bare Land Condominiums**

- 3.39.1 The regulations and development standards for buildings, uses and sites in all zoning districts shall also apply to uses and bare land units that are part of an approved bare land condominium plan.
- 3.39.2 A single principal use is allowed per bare land unit.
- 3.39.3 Notwithstanding subsection 3.3, within a bare land condominium, common property areas may contain multiple uses (eg. recreation areas and facilities, parking, storage)."

## **4      *Zoning Districts***

### **4.1    Districts**

The municipality is divided into zoning districts for the purpose of applying this bylaw.

Amended Bylaw 14, 2020

AR	Agricultural Resource District
CA	Conservation District
MCR	Medium (Density) Country Residential District
HCR	High (Density) Country Residential District
LD	Lakeshore Development District
S	Storage District
HC	Highway Commercial District
MH	Motor Home District
RV	Recreational Vehicle District

### **4.2    Boundaries**

The boundaries of all zoning districts are shown on the map entitled “Zoning District Map” which is attached to and forms a part of this bylaw.

### **4.3    Regulations**

Regulations for zoning districts are outlined in the following sections.

## **5      *AR - AGRICULTURAL RESOURCE DISTRICT***

**INTENT:** to provide for and preserve large areas capable of accommodating a diversity of agricultural operations including field and forage crops, irrigation, small intensive agricultural operations and related activities. Council shall encourage and permit agricultural commercial uses at appropriate sites, if the uses will not conflict with other adjoining uses and which will not be prohibitively difficult or costly to service.

### **5.1    Permitted Uses**

\*Denotes no development permit is required but the use shall conform to all bylaw requirements (e.g., setbacks, environmental and development standards).

#### **5.1.1    Principal Uses**

- a)    Agricultural uses
  - i)    Field crops\*
  - ii)   Pasture for the raising of livestock (excluding ILO's)\*
  - iii)   One single detached dwelling or farmstead, where located on a site of one quarter section or more
- b)    Other Uses
  - i)    Places of worship, cemeteries and schools without dwelling units
  - ii)   Communication towers
  - iii)   Public parks and public recreational facilities
  - iv)   Historical and archaeological sites, and wildlife and conservation management areas
  - v)    Public utilities, excluding solid and liquid waste disposal sites\*
  - vi)   Municipal facilities and/or buildings\*
  - vii)   Protective service establishments, including a residence as an accessory use
  - viii) Mineral resource exploration and development

#### **5.1.2    Ancillary Uses**

- a)    Uses ancillary to a principal agricultural use on the same site
  - i)    Beehives and honey extraction facilities
  - ii)   Fish farming

#### **5.1.3    Accessory Uses and Buildings**

- a)    Farm buildings and structures for a principal agricultural use on the site\*

- b) Facilities for the preparation for sale and direct sale of crops grown by the agricultural operation to the consumer\*
- c) Non-commercial orchards and flower, vegetable, and fruit gardens, where accessory to a farmstead or residence\*
- d) Private garages, sheds and buildings accessory to any single detached dwelling on the site
- e) Accessory buildings and uses for other principal uses listed under 5.1.1(b), but not including a residence.
- f) Spreading manure from intensive livestock operations
- g) Signs\*
- h) Fences\*
- i) Sea and rail containers

Amended Bylaw 14, 2021

j) **Swimming pool**

### 5.2 Discretionary Uses

Amended Bylaw 11, 2022

**Note – this section is subject to Section 3.3.2 c)**

#### 5.2.1 Principal uses

- a) Agricultural uses
  - i) Intensive livestock operations
  - ii) Intensive agricultural operations, tree and garden nurseries, and market gardens
- b) Residential uses
  - i) One single detached dwelling or farmstead on a site of less than a quarter section
  - ii) Garden suites
  - iii) Vacation farms
  - iv) Bed-and breakfast homes
  - v) Communal dwellings
- c) Commercial uses
  - i) Agricultural product processing

- ii) Agricultural equipment, fuel, and chemical supply establishments
- iii) Agricultural services and contracting establishments
- iv) Grain elevators and related uses
- v) Construction trades, machine shops and metal fabricators
- vi) Machinery or automotive salvage or storage yards
- vii) Recreational commercial uses – such as golf courses, campgrounds, equestrian facilities and other similar uses
- viii) Motor vehicle dealers and service establishments
- ix) Wind energy systems
- x) Commercial uses related to resource development
- xi) Commercial storage sites
- d) Resource Development
  - i) Sand and gravel operation
  - ii) Mineral resource processing
- e) Other uses
  - i) Church residences, halls, and residential religious institutions
  - ii) School with dormitory or residences
  - iii) Institutional camps
  - iv) Airports and private airstrips
  - v) Solid and liquid waste disposal facilities, including soil farms for the rehabilitation of contaminated soils
  - vi) Community halls

### 5.2.2 Ancillary uses and buildings

- a) Home based business

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- b) One cemetery where ancillary to an approved communal dwelling

### 5.2.3 Accessory uses including buildings and structures accessory to a discretionary principal use



### 5.3 Regulations

#### 5.3.1 Site Requirements

- a) The maximum density of development in a quarter section shall be:
  - i) A maximum of 2 subdivisions, 3 separate sites per quarter section; and
  - ii) One additional site is allowed where the site to be added is physically separated from the remainder of the section by registered road plan or by a railway on registered right of way and the site has direct access to the developed road.
- b) The minimum site frontage shall be 30 metres (100 feet)
- c) The minimum site size for a communal dwelling is 16 hectares (40 acres)
- d) The minimum site size for other uses is 1 hectare (2.5 acres).
- e) Exemptions from minimum frontage and area requirements apply to sites for other uses listed in Sections 5.1.1(b) and 5.2.1(e)

#### 5.3.2 Setback Requirements

- a) The minimum setback of buildings, including dwellings, from the centreline of a developed road, municipal road allowance, or provincial highway shall be 45 metres (148 feet) (Note: A greater distance may be required by the Ministry of Highways and Infrastructure, all applications abutting a provincial highway will be referred).
- Amended Bylaw 13, 2019
- b) **Notwithstanding section 5.3.2(a), the minimum setback shall be 30 metres (98 feet) from the centerline of a developed road, municipal road allowance for all non-residential uses.**
  - c) The minimum setback of buildings, including a dwelling, from the intersection of the centrelines of two or more road right-of-ways shall be 92 metres (300 feet).
  - d) All dwellings shall be located in accordance with the following minimum separation distances. Separation distances may not apply to any dwelling unit that is permitted on the same site as the noted operation.
    - i) The separation distance to an intensive livestock operation as regulated in the Official Community Plan.
    - ii) 457 meters (1499 feet) from a solid waste disposal facility, sewage treatment plant or a sewage lagoon unless otherwise identified by regulatory agencies.
    - iii) 305 metres (1000 feet) to a non-refrigerated anhydrous ammonia facility licensed by regulatory agencies.
    - iv) 600 metres (1969 feet) to a refrigerated anhydrous ammonia facility licensed by regulatory agencies.
    - v) A minimum of 305 metres (1000 feet) from a honey processing facility.

- e) No dwelling or other building shall be located within the approach surface for any airport or airstrip.

### 5.3.3 Keeping of Animals

- a) Large animals (horse or cattle) will only be permitted on sites 4 hectare (10 acres) or more. 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 buildings or structures intended to contain birds or animals shall be located within 30 metres (100 feet) of a property line.

## 5.4 Discretionary Use Standards & Criteria

### 5.4.1 Intensive Livestock Operations (ILO)

- a) Council is governed by the policies contained in the Official Community Plan in issuing a discretionary development permit approval for an ILO.
- b) 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.
- c) The operation may include a dwelling on the same site.
- d) 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.
- e) In order to minimize conflict between intensive livestock operations and surrounding development, Council will apply the following criteria and development standards:
  - i) An ILO shall observe the separation distances from uses listed in Table 1. Separation distances shall also apply to the locating of the uses listed in Table 1.
  - ii) Council, at its discretion, may consider lesser separation distances than given in Table 1, subject to the following:
    - 1) Where written notice, approved by Council, has been given to landowners, hamlet board or Council of an urban municipality within the specified distance provided in Table 1 and there are no objections to the proposed separation distance.
    - 2) Where a lesser separation distance than described in Table 1 will not negatively impact the specific use or surrounding development. Prior to granting a reduction, the RM may consult with appropriate agencies.
  - iii) Where Council approves a lesser separation distance than given in Table 1, a written agreement shall be required between the ILO developer and any landowner or municipality consenting to the proposed development up to a specified size. The agreement shall be registered against the applicable parcel titles of both parties at the cost of the developer.

- iv) As a condition of approval Council shall specify the maximum number of animal units for which the approval is made, and may impose standards to reduce the potential for conflict with neighboring uses which specify the location of holding areas, buildings or manure storage facilities on the site.
- v) As a condition of approval Council may specify requirements based on development standards under Section 3.11 regarding the disposal of manure produced by the ILO or other measures intended to reduce odor, environmental concerns, or conflict with neighboring uses from an ILO. Development standards shall recognize manure application as a required practice for an ILO and not unduly restrict such practice.
- vi) The applicant must demonstrate to the satisfaction of Council that the water supply is sufficient for the development and the supply for neighbouring developments will not be adversely affected by the proposed operation.
- vii) Council may approve the proposed ILO where no objection is received or may refuse a proposed ILO where specific and defined locational issues are identified and cannot be sufficiently mitigated to the satisfaction of Council.
- f) The applicant may be required to enter into a road maintenance agreement, or other similar agreements that will provide for the additional costs of required municipal services and protection of municipal infrastructure.

**Table 1**  
**Minimum Separation Criteria for ILO's to Specific Uses (in metres)**

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

## 5.4.2 Intensive Agricultural Operations (IAO)

- a) In the application for an IAO the applicant shall identify the proposed supply of water for the operation where intensive irrigation is required. Such supply shall be sufficient to

meet the needs of that operation without detrimental effects on the supply or ground water used by neighbouring properties.

- b) The operation may include a farmstead or dwelling on the same site.

### 5.4.3 Commercial Uses

- a) Council may apply development standards as a condition of approval limiting the size of operation, buildings used for the operation, and number of employees.
- b) An increase in the area of land for a commercial use or the number or size of buildings used for the commercial operation shall require a new development permit.
- c) Council may require development standards for the location, setback or screening of any area devoted to the outdoor storage of materials, machinery, vehicles or vehicular parts including any salvage or vehicle storage yard.
- d) Council may require development standards to roads to meet the demands of the operation or enter into a road maintenance or heavy haul agreement that will provide for the additional costs of required municipal services and protection of municipal infrastructure.
- e) Council will require that all discretionary commercial uses be separated from a residence not occupied by the operator of the use 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 odors, dust, smoke or noise limiting the enjoyment or use of a nearby residence.
- f) Recreational Commercial
  - i) The developer of a recreational use shall submit to Council as part of the development permit application a plan that describes the details of the development, adjacent land uses and shall include a complete site plan.
  - ii) Insofar as possible, proposed recreational uses shall respond to the natural topography and drainage of the site and employ minimal clearing of native vegetation.
  - iii) Council will consider the following an asset in the development of a golf course or other manicured green space for recreational use:
    - 1) An alternative water source to potable water; and
    - 2) Water conserving irrigation systems.

### 5.4.4 Equestrian Facilities (Riding Arenas and Stables)

- a) The development permit shall set the maximum number of horses and cattle that may be kept onsite.
- b) An animal is kept, for purposes of this section, when it is on the site overnight.
- c) The number of animals allowed, as a condition of the permit, to participate in an event are in addition to the number that are allowed to be kept onsite.

- d) The development permit shall set out conditions that address garbage and manure control, pasture management, onsite stock trailer parking and participant and spectator parking.
- e) The application shall include a stormwater management plan for all areas disturbed during or as a result of the development of the equestrian facility and supporting facilities.
- f) The application shall include a traffic impact analysis that includes current and projected traffic for the next ten years in the vicinity.
- g) A condition of the development permit may require there be a contribution towards upgrading of access roads should the road network require upgrading because of the impact of the facility.
- h) Details of water supply and sewage disposal shall be included with the application.
- i) Riding arenas shall only be permitted on parcels of land that exceed 4 hectares (10 acres).
- j) Riding arenas shall be sited a minimum of 30 metres (98 feet) from all property lines.
- k) All riding arenas open to the public shall receive the appropriate provincial approvals and building permits.

### 5.4.5 Garden Suites

- a) A single garden suite may be located on the same site as a principal residence.
- b) The garden suite building shall be placed or constructed on grade, without a basement and shall not exceed 70 square metres (753.5 square feet) in total floor area, and shall at no time exceed the size of the principal residence.
- c) Adequate water supply, sewage disposal and utilities shall be provided.
- d) There shall be direct access to the garden suite.
- e) The garden suite shall be a temporary use and shall be permitted for a five year term, which may be renewed at Council's discretion. Subdivision of land separating the garden suite from the principal dwelling shall be prohibited.
- f) An applicant shall be required to enter into an agreement with the municipality to ensure the garden suite complies with all relevant requirements of this bylaw.
- g) A garden suite shall be removed from the property upon cessation of the development permit, or contravention of the requirements of this section.

### 5.4.6 Communal Dwellings

- a) Communal dwellings shall be associated with a farm operation or intensive livestock operation.
- b) Council may specify the maximum number of dwelling units permitted.

- c) Council may require a communal dwelling 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 the zoning bylaw, including area, setbacks/ frontage, and access.
- f) There shall be suitable onsite parking and utilities, including potable water and sewage disposal system(s). The provision of potable water and treatment and disposal of wastewater is subject to provincial regulations and approval.

### Amended Bylaw 1, 2021

- g) Notwithstanding 5.1.1 b) i), there shall be a maximum of one cemetery associated with any one communal dwelling arrangement, devoted exclusively to the interment of its residents and will be evaluated based on the criteria prescribed in 3.37.
  - i. Any structures or burial plots shall be subject to any yard or setback requirement prescribed in this bylaw.
  - ii. No crematorium will be permitted in association with a cemetery as an ancillary use to a communal dwelling.

5.4.7 All discretionary uses are subject to Section 3.37 of this bylaw.

## **6 CA - Conservation District**

**INTENT:** The intent of the Conservation District is to provide an area around the shoreline of Wakaw Lake, outside the limits of existing lakeshore subdivisions. This area will limit uses to help conserve and promote the natural environment around Wakaw Lake.

### **6.1 Permitted Uses**

\*Denotes no development permit is required but the use shall conform to all bylaw requirements (e.g., setbacks, environmental and development standards).

#### 6.1.1 Agricultural uses

- a) Field crops\*
- b) Pasture for raising of livestock (excluding ILO's)\*
- c) One single detached dwelling or farmstead, where located on a site of one quarter section or more

#### 6.1.2 Historical and archaeological sites, and wildlife and conservation management areas

#### 6.1.3 Water drainage and irrigation projects

#### 6.1.4 Public utilities, excluding solid and liquid waste disposal facilities\*

#### 6.1.5 Municipal facilities and/or buildings\*

#### Amended Bylaw 13, 2021

#### ~~6.2.1~~ **6.1.6** Accessory/Ancillary Uses

- a) Beehives and honey extraction facilities
- b) Farm buildings and structures for a principal agricultural use on the site\*
- c) Facilities for the preparation for sale and direct sale of crops grown by the agricultural operation to the consumer\*
- d) Non-commercial orchards and flower, vegetable, and fruit gardens, where accessory to a farmstead or residence\*
- e) Viewing platforms and shelters
- f) Private garages, sheds and buildings accessory to any single detached dwelling on the site
- g) Signs\*
- h) Fences\*

## Amended Bylaw 14, 2021

- i) Swimming pool

## **6.2 Discretionary Uses**

### Amended Bylaw 13, 2021

#### ~~6.2.2~~ 6.2.1 Principal Uses

- a) Any residence or farmstead on a site of less than a quarter section
- b) Nature, cross country, snowmobile and hiking trails
- c) Open space passive recreation activities

### Amended Bylaw 3, 2019

- d) Resource Development
  - i. Sand and gravel

## **6.3 Regulations**

### Amended Bylaw 13, 2021

#### ~~5.3.4~~ 6.3.1 Site Requirements

- a) The maximum density of development in a quarter section shall be:
  - i) A maximum of 1 subdivision, 2 separate sites per quarter section; and
  - ii) One additional site is allowed where the site to be added is physically separated from the remainder of the section by registered road plan or by a railway on registered right of way and the site has direct access to the developed road.
- b) Size
  - i) The minimum site size for agricultural and residential uses is 16 hectares (40 acres)
  - ii) All other uses: Minimum – none
- c) Frontage
  - i) Agricultural and residential uses: Minimum - 30 metres (100 feet)
  - ii) All other uses: Minimum - none

#### ~~6.3.1~~ 6.3.2 Setback Requirements

- a) For the purpose of this section, a lakefront lot shall include any lot that abuts the bank of the lake, or abuts public, municipal or environmental reserve land that abuts the bank of the lake.



- b) The minimum setback of buildings, including dwellings, from the centreline of a municipal road allowance, or provincial highway shall be 45 metres (148 feet) (Note: A greater distance may be required by the Ministry of Highways and Infrastructure, all applications abutting a provincial highway will be referred).
- c) The minimum setback of buildings, including a dwelling, from the intersection of the centerlines of two or more highway or municipal road right-of-ways shall be 92 metres (300 feet).
- d) Lakefront lots
  - i) Rear yard (lake side) setbacks: Minimum – 15 metres (50 feet)
  - ii) Yard abutting a street: Minimum – 6 metres (20 feet)
  - iii) Any other yard: Minimum – 3 metres (10 feet).

### Amended Bylaw 3 of 2019

~~iv) The yard requirements shall not apply to any public utility, municipal facility, or public recreational use.~~

iv) The yard requirements shall not apply to any public utility, municipal facility, or public recreational use, or resource development.

### Amended Bylaw 13, 2021

#### ~~9.3.1~~ 6.3.3 Floor Area

- a) For the purpose of this section, a lakefront lot shall include any lot that abuts the bank of the lake, or abuts public, municipal or environmental reserve land that abuts the bank of the lake.
- b) Lakefront lots
  - i) Single detached dwelling: Minimum – 70 square metres (753 square feet)
  - ii) Detached garages: Maximum – 70 square metres (753 square feet)
  - iii) All other accessory buildings: Maximum – 20 square metres (215 square feet)
  - iv) Exemptions from floor area requirements may be applied at the discretion of Council where the building is located a minimum of 150 meters (500 feet) from the bank of the lake.

#### ~~6.3.2~~ 6.3.4 Removal of Trees

The removal of trees within 90 metres (295 feet) of a shoreline shall not be permitted except for the purpose of construction of access ways, pathways, trails or buildings and the clearing of dead or diseased trees.

### ~~6.3.3~~ 6.3.5 Riparian Areas

A buffer zone of native grasses, shrubs and trees of a minimum of 10 metres (32 feet) wide shall be required on sites adjacent to Wakaw Lake. Yard requirements shall be in addition to the required riparian area.

### ~~6.3.4~~ 6.3.6 Keeping of Animals

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 buildings or structures intended to contain birds or animals shall be located within 30 metres (100 feet) of a property line.

## 6.4 Discretionary Use Standards & Criteria

- 6.4.1 The location, size and intensity of the use shall be appropriate to the site and shall not be intrusive for the Conservation District or Waka Lake. Council will consider the additional pressure and impacts the development would place on the lake and surrounding environment. Development will only be favourably considered where impact will be minimal.
- 6.4.2 Council will assess the location of entry and exit points to the site and their interrelation with existing intersections or land constraints. The proposal shall provide safe and sufficient access and circulation for vehicle traffic and avoid hazards.
- 6.4.3 The proposed development shall respond to the natural topography and drainage of the site and employ minimal clearing of native vegetation.
- 6.4.4 Council will consider the capacity of existing road infrastructure and utilities to service the development and assess the impacts on the environment where new roads or utilities are required to service the development. The location of the development will only be favourably considered where minimal impact is required to service the development.
- 6.4.5 Recreational uses shall be integrated into the environment by virtue of appropriate design, location and landscaping.
- 6.4.6 All discretionary uses are subject to Section 3.37 of this bylaw.

## **7 MCR - MEDIUM (DENSITY) COUNTRY RESIDENTIAL DISTRICT**

**INTENT:** The purpose of the Medium (Density) Country Residential District is to accommodate large lot multi-parcel residential development and subdivision proposals.

### **7.1 Permitted Uses**

\*Denotes no development permit is required if Section 2.4 of this bylaw is satisfied.

#### **7.1.1 Principal Uses**

- a) Residential
  - i) Single detached dwelling
- b) Municipal facilities and/or buildings\*
- c) Public utilities, excluding solid and liquid waste disposal sites\*

#### **7.1.2 Accessory Uses and Buildings**

- a. Private garages, whether detached or attached to a dwelling unit
- b. Garden sheds used for the storage of non-industrial yard maintenance equipment
- c. Greenhouses where accessory to a residential use
- d. Keeping of animals on the same site as the residence
- e. Non-commercial orchards and flower, vegetable, and fruit gardens where accessory to a residence\*
- f. Signs\*
- g. Fences\*
- h. Retaining wall
- i. Swimming pool

### **7.2 Discretionary Uses**

#### **7.2.1 Principal Uses**

- a) Solid and liquid waste disposal facilities
- b) Recreational uses
  - i) Public sports fields or parks
  - ii) Golf courses

#### **7.2.2 Accessory/Ancillary Uses and Buildings**

- a) Home based business
- b) Bed and breakfast

### 7.3 Regulations

#### 7.3.1 Site Requirements

- a) Size
  - i) Residential:  
Minimum – 5 hectares (12 acres)  
Maximum – 16 hectares (40 acres)
  - ii) All other uses: Minimum – none
- b) Frontage
  - i) Residential: Minimum – 30 metres (100 feet)
  - ii) All other uses: Minimum – none

#### 7.3.2 Setback Requirements:

- f) In any yard abutting a municipal road allowance, municipal grid road, main access road, or provincial highway, all buildings shall be set back at least 45 metres (148 feet) from the centreline of the road or road allowance. (Note: A greater distance may be required by the Ministry of Highways and Infrastructure, all applications abutting a provincial highway will be referred).
- a) The minimum setback of buildings, including a dwelling, from the intersection of the centrelines of two or more highway or municipal road right-of-ways shall be 92 metres (300 feet).
- b) A yard abutting any other road: Minimum – 7.6 metres (25 feet).
- c) Rear yard setbacks shall be 15m (50ft).
- d) Any other yard: Minimum – 3 metres (10 feet).

#### Amended Bylaw 5, 2020

- ~~e) The yard requirements shall not apply to any public utility, municipal facility, or public recreational use. A setback distance may be required by the Ministry of Highways and Infrastructure, all applications abutting a provincial highway will be referred.~~

#### **e) The yard requirements shall not apply to public recreational uses.**

- f) Where minimum front, side or rear yards are required, the following yard encroachments shall be permitted:
  - i) Uncovered and open balconies, terraces, verandahs, decks, and patios having a maximum projection from the main wall of 3 metres (10 feet) into any required front or rear yard.

- ii) Window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 metres (2 feet) into any required yard.

### 7.3.3 Floor Area:

- a) Detached accessory buildings: Maximum – 100 square metres (1076 square feet)

### 7.3.4 Outside Storage:

- a) No outside storage shall be permitted in a front yard or yard abutting a road.
- b) Outside storage located in a side or rear yard shall be screened by landscaping or vegetation so as not to be visible from a road or abutting property.

### 7.3.5 Keeping of Animals

- a) Four (4) large animals will be permitted per 5 hectare (12 acre) site. For each additional 1.2 hectares (3 acres), one (1) additional large animal will be permitted.
- b) Birds and small animals shall be allowed as domestic pets excluding poultry and small animals considered livestock (goats, sheep).
- c) Animals shall not be pastured within 15 metres (50 feet) of any dwelling not owned by the owner of the animals and no buildings or structures intended to contain birds or animals shall be located within 30 metres (100 feet) of a dwelling or 15 metres (50 feet) of a property line.
- d) The use of vacant residential sites for pasture of animals is prohibited.

### 7.3.6 Fences

- a) The use of barbed wire or other similar wire for fencing materials is prohibited
- b) Fences that are in the required front yard shall not exceed 1.2 metres (4 feet) in height. Fences in all other required yards shall not exceed 1.8 metres (6 feet) in height.

## 7.4 Discretionary Use Standards & Criteria

### 7.4.1 Recreational Uses

- g) The developer of a recreational use shall submit to Council as part of the development permit application a plan that describes the details of the development, adjacent land uses and shall include a complete site plan.
- h) An increase in the area of land or in the number or size of buildings used shall require a development permit subject to discretionary approval by Council.
- i) Council will require that uses be separated from a residence by a distance of 300 meters (985 feet) unless the applicant can establish to the satisfaction of Council, that the use will not emit noxious odors, dust, smoke, light or noise limiting the enjoyment or use of a nearby residence.
- j) Insofar as possible, proposed recreational uses shall respond to the natural topography and drainage of the site and employ minimal clearing of native vegetation.

- k) Council may apply special standards as a condition of discretionary approval limiting the size of operation and buildings used for the operation.
  - l) Council will consider the following an asset in the development of a golf course or other manicured green space for recreational use:
    - iv) An alternative water source to potable water; and
    - v) Water conserving irrigation systems.
  - m) Council may require special standards for the location, setback or screening of any area devoted to the outdoor storage of materials, machinery and equipment or vehicles permitted in conjunction with the use.
  - n) Council may require special standards to roads to meet the demands of the operation or enter into a road maintenance or heavy haul agreement that will provide for the additional costs of municipal services and protection of municipal infrastructure.
- 7.4.2 All discretionary uses are subject to Section 3.37 of this bylaw.

## **8      *HCR - HIGH (DENSITY) COUNTRY RESIDENTIAL DISTRICT***

**INTENT:** The purpose of the High (Density) Country Residential District is to accommodate multi parcel residential development and subdivision proposals at a higher density than is allowed in the Medium (Density) Country Residential District.

\*Denotes no development permit is required if Section 2.4 of this bylaw is satisfied.

### **8.1    Permitted Uses**

#### 8.1.1    Principal Uses

- a)    Residential
  - i)    Single detached dwelling
- b)    Municipal facilities and/or buildings\*
- c)    Public utilities, excluding solid and liquid waste disposal sites\*

#### 8.1.2    Accessory Uses and Buildings

- a)    Private garages, whether detached or attached to a dwelling unit
- b)    Garden sheds used for the storage of non-industrial yard maintenance equipment
- c)    Greenhouses where accessory to a residential use
- d)    Keeping of animals on the same site as the residence
- e)    Non-commercial orchards and flower, vegetable, and fruit gardens, where accessory to a residence\*
- f)    Signs\*
- g)    Fences\*
- h)    Retaining wall
- i)    Swimming pool

### **8.2    Discretionary Uses**

#### 8.1.3    Principal Uses

- a)    Commercial uses
  - i)    Convenience stores with or without gas bars
- b)    Recreational uses
  - i)    Public sports fields or parks

- ii) Golf courses
- c) Solid and liquid waste disposal facilities

### 8.1.4 Accessory/Ancillary Uses and Buildings

- a) Home based business
- b) Bed and breakfast

## 8.3 Regulations

### 8.3.1 Site Requirements

#### a) Size

Amended Bylaw 16, 2020

- i) Residential: Minimum – 0.2 hectare (0.5 acres), existing subdivided lots

~~1 hectare (2.5 acres), new subdivided lots~~

Maximum – 2.0 hectare (5 acres)

- ii) Commercial: Minimum – 900 square metres (9,688 square feet)

- iii) All other uses: Minimum – none

#### b) Frontage

- i) Residential: Minimum – 30 metres (100 feet)

- ii) Commercial: Minimum – 30 metres (100 feet)

- iii) All other uses: Minimum – none

### 8.3.2 Setback Requirements

- a) In any yard abutting a municipal road allowance, municipal grid road, main access road, or provincial highway all buildings shall be set back at least 45 metres (148 feet) from the centreline of the road or road allowance. (Note: A greater distance may be required by the Ministry of Highways and Infrastructure, all applications abutting a provincial highway will be referred).
- b) The minimum setback of buildings, including a dwelling, from the intersection of the centerlines of two or more highway or municipal road right-of-ways shall be 92 metres (300 feet).
- c) A yard abutting any other road: Minimum – 7.6 metres (25 feet).
- d) Rear yards setbacks shall be – 3 metres (10 feet) for existing subdivided lots

15m (50ft) for new subdivided lots



- e) Any other yard: Minimum – 3 metres (10 feet).

Amended Bylaw 5, 2020

- ~~f) The yard requirements shall not apply to any public utility, municipal facility, or public recreational use. A setback distance may be required by the Ministry of Highways and Infrastructure, all applications abutting a provincial highway will be referred.~~

- e) The yard requirements shall not apply to public recreational uses.

### 8.3.3 Floor Area

- a) Detached accessory buildings: Maximum – 100 square metres (1,076 square feet).
- b) No accessory building is permitted to have a maximum floor area greater in size than the principal dwelling.

### 8.3.4 Site Coverage

- a) Non-vegetated site coverage: Maximum - 55%

### 8.3.5 Keeping of Animals

- a) Other than domestic pets, no animals shall be allowed on any site.

### 8.3.6 Fences

- a) The use of barbed wire or other similar wire for fencing materials is prohibited
- b) Fences that are in the required front yard shall not exceed 1.2 metres (4 feet) in height. Fences in all other required yards shall not exceed 1.8 metres (6 feet) in height.

## 8.4 Discretionary Use Standards & Criteria

### 8.4.1 Home Based Business

- a) No home based business shall include auto body repair or repainting operations.
- b) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business.
- c) All home based businesses are subject to Section 3.12 of this bylaw.

### 8.4.2 Commercial uses

- a) Access/egress points shall not be continuous along a street and shall be at least 10 metres (32 feet) apart.
- b) Council may attach special conditions to the development permit to regulate the hours of operation.

### 8.4.3 Recreational Uses

- a) The developer of a recreational use shall submit to Council as part of the development permit application a plan that describes the details of the development, adjacent land uses and shall include a complete site plan.
- b) An increase in the area of land or in the number or size of buildings used shall require a development permit subject to discretionary approval by Council.
- c) Council will require that uses be separated from a residence by a distance of 300 meters (985 feet) unless the applicant can establish to the satisfaction of Council, that the use will not emit noxious odors, dust, smoke, light or noise limiting the enjoyment or use of a nearby residence.
- d) Insofar as possible, proposed recreational uses shall respond to the natural topography and drainage of the site and employ minimal clearing of native vegetation.
- e) Council may apply special standards as a condition of discretionary approval limiting the size of operation and buildings used for the operation.
- f) Council will consider the following an asset in the development of a golf course or other manicured green space for recreational use:
  - i) An alternative water source to potable water; and
  - ii) Water conserving irrigation systems.
- g) Council may require special standards for the location, setback or screening of any area devoted to the outdoor storage of materials, machinery and equipment or vehicles permitted in conjunction with the use.
- h) Council may require special standards to roads to meet the demands of the operation or enter into a road maintenance or heavy haul agreement that will provide for the additional costs of municipal services and protection of municipal infrastructure.

### 8.4.4 All discretionary uses are subject to criteria in Section 3.37 of this bylaw.

## **9 LD – LAKESHORE DEVELOPMENT DISTRICT**

**INTENT:** The intent of this district is to accommodate seasonal cottage and year round residential in proximity to a lake.

### **9.1 Permitted Uses**

\*Denotes no development permit is required if Section 2.4 of this bylaw is satisfied.

#### 9.1.1 Principal Uses

- a) Residential uses
  - i) Single detached dwelling
- b) Municipal facilities and/or buildings\*
- c) Public utilities, except solid and liquid waste disposal facilities\*
- d) Public sports fields and parks

#### 9.1.2 Accessory Uses and Buildings

- a) Private garages, whether detached or attached to a dwelling unit
- b) Garden sheds used for the storage of non-industrial yard maintenance equipment
- c) Greenhouse where accessory to a residential use
- d) Non-commercial orchards and flower, vegetable, and fruit gardens, where accessory to a residence\*
- e) Keeping of animals on the same site as the residence
- f) Signs\*
- g) Fences\*
- h) Retaining wall

### **9.2 Discretionary Uses**

#### 9.2.1 Principal Uses

- a) Commercial uses
  - i) Convenience stores
- b) Accessory/Ancillary Uses and Buildings
  - i) Home based business
  - ii) Bed and breakfast

### 9.3 Regulations

#### 9.3.1 Site Requirements

##### a) Size

- i) All residential sites which exist as at 07 January 1991, and which conformed to site area requirements on that date, shall be deemed to be conforming in terms of site area.
- ii) Residential sites deemed to be conforming, pursuant to i) (above), that are modified as a result of the alteration of the boundaries of such sites, shall be deemed to be conforming in terms of site area, provided that the site area continues to conform to the site area requirements existing as of 07 January 1991.
- iii) All other residential sites: Minimum – 1,115 square metres (12,000 square feet)

##### b) Frontage

- i) All residential sites which existed as at 07 January 1991, and which conformed to site frontage requirements on that date, shall be deemed to be conforming in terms of site frontage.
- ii) Residential sites deemed to be conforming, pursuant to i) (above), that are modified as a result of the alteration of the boundaries of such sites, the site frontage continues to conform to the site frontage requirements existing as at 07 January 1991.
- iii) All other residential sites: Minimum 23 metres (75 feet)

#### 9.3.2 Setback Requirements

- a) For the purpose of this section a lakefront residential lot shall include any residential lot that abuts the bank of the lake, or abuts public, municipal or environmental reserve land that abuts the bank of the lake.
- b) The minimum setback of buildings, including dwellings, from the intersection of the centerlines of two or more municipal road right-of-ways shall be 92 metres (300 feet).
- c) Lakefront residential lots:
  - i) Front yard (abutting street)
    - 1) Principal buildings: Minimum – 6 metres (20 feet)
    - 2) Accessory buildings: Minimum – 1.5 metres (5 feet)
  - ii) Side yard: Minimum – 1.5 metres (5 feet)
  - iii) Rear yard (lake side)
    - 1) Principal buildings: Minimum – 6 metres (20 feet)
    - 2) Accessory buildings: Minimum – 4.5 metres (15 feet), including boathouses
  - iv) Maximum non-vegetated site coverage is 55%

- v) Accessory buildings shall not cover more than 30% of the required front yard for principal buildings.
- vi) Where minimum front, side or rear yards are required, the following yard encroachments shall be permitted:
  - 1) Uncovered and open balconies, terraces, verandahs, decks, and patios having a maximum projection from the main wall of the principal building of 3 metres (10 feet) into any required front or rear yard.
  - 2) Window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 metres (2 feet) into any required yard.
- d) All other residential lots:
  - i) Front yard (abutting street)
    - 1) All buildings: Minimum – 6 metres (20 feet)
  - ii) Side yard: Minimum – 1.5 metres (5 feet)
  - iii) Rear yard
    - 1) Principal buildings: Minimum – 6 metres (20 feet)
    - 2) Accessory buildings: Minimum – 1.5 metres (5 feet)
  - iv) Maximum non-vegetated site coverage is 55%
  - v) Where minimum front, side or rear yards are required, the following yard encroachments shall be permitted:
    - 1) Uncovered and open balconies, terraces, verandahs, decks, and patios having a maximum projection from the main wall of the principal building of 3 metres (10 feet) into any required front or rear yard.
    - 2) Window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 metres (2 feet) into any required yard.
- e) Commercial uses:
  - i) All yards: Minimum – 6 metres (20 feet)
- f) Public parks, municipal facilities and public utilities:
  - i) All yards: No requirements
- g) All other uses:
  - i) Yard abutting a street: Minimum – 6 metres (20 feet)
  - ii) All other yards: Minimum – 1.5 metres (5 feet)

### 9.3.3 Floor Area

- c) Residential
  - v) Single detached dwelling: Minimum – 70 square metres (753 square feet)

vi) Detached garages: Maximum – 70 square metres (753 square feet)

vii) All other accessory buildings: Maximum – 20 square metres (215 square feet)

### 9.3.4 Sign Size

a) In addition to the regulations in Section 3.8, the following apply:

i) The maximum facial area of a sign on residential sites shall be 1.2 square metres (12.9 square feet)

ii) The maximum facial area of a sign on all other sites shall be 3.5 square metres (37.7 square feet)

### 9.3.5 Protection of Trees

a) The removal of trees within 90 metres (300 feet) of a shoreline shall not be permitted except for the purpose of construction of access ways, pathways, trails or buildings and the clearing of dead or diseased trees. Access ways shall not be cleared greater than 3 metres (9.8 feet) in width. For building construction, removal of trees further than 2 metres (6.5 feet) from the building shall not be allowed.

### 9.3.6 Fences

a) The use of barbed wire or other similar wire for fencing materials is prohibited.

b) Fences within 7.6 metres (25 feet) of the lakeside property line shall have a maximum height of 1.2 metres (4 feet). Fences that are more than 7.6 metres (25 feet) from the lake property line shall have a maximum height of 1.8 metres (6 feet).

### 9.3.7 Keeping of Animals

a) Other than domestic pets, no animals shall be allowed on any site.

## 9.4 Discretionary Use Standards & Criteria

9.4.1 The location, size and intensity of the use shall be appropriate to the site and shall not be intrusive for the lake or surrounding development. Council will consider the additional pressure and impacts the development would place on the lake and surrounding environment. Development will only be favourably considered where impact will be minimal.

9.4.2 Council will assess the location of entry and exit points to the site and their interrelation with existing intersections or land constraints. The proposal shall provide safe and sufficient access and circulation for vehicle traffic and avoid hazards.

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

9.4.4 Council will consider the capacity of existing road infrastructure and utilities to service the development and assess the impacts on the environment where new roads or utilities are required to service the development. The location of the development will only be favourably considered where minimal impact is required to service the development.

9.4.5 Commercial uses

- a) Council may attach special conditions to the development permit to regulate the hours of operation.

9.4.6 Home Based Business

- a) No home based business in this district shall include auto body repair or repainting operations.
- b) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district.
- c) All Home Based Businesses are subject to criteria in Section 3.12 of this bylaw.

9.4.7 All discretionary uses are subject to criteria in Section 3.37 of this bylaw.

## **10 S – STORAGE DISTRICT**

**INTENT:** The intent of this district is to designate areas owned by the Rural Municipality of Hoodoo No. 401 for storage around Wakaw Lake.

### **10.1 Permitted Uses**

\*Denotes no development permit is required if Section 2.4 of this bylaw is satisfied.

- 10.1.1 Storage sheds and buildings for the purpose of storage only
- 10.1.2 Outdoor storage of licensed vehicles, recreational vehicles and equipment
- 10.1.3 Communal storage compounds for public outdoor storage of recreational vehicles and equipment and for storage of any vehicles, materials, and equipment
- 10.1.4 Municipal facilities and/or buildings\*
- 10.1.5 Non-commercial flower, fruit and vegetable gardens and trees\*

### **10.2 Prohibited Uses**

- 10.2.1 Habitable buildings
- 10.2.2 Commercial buildings and uses
- 10.2.3 Use of any recreational vehicle, structure or building for a use other than storage. Eating and sleeping are prohibited on the site.

### **10.3 Accessory Uses**

- 10.3.1 Fences\*

### **10.4 Regulations**

- 10.4.1 Site Requirements
  - a) Minimum site area
    - i) Communal storage compound 1000 square metres (10764 square feet)
    - ii) Storage sheds and buildings and outdoor storage areas 150 square metres (1615 square feet)
  - b) Maximum site area
    - i) Communal storage compound: no regulation
    - ii) All other uses: 465 square metres (5005 square feet)
  - c) Minimum site frontage: 9 metres (29.5 feet)
  - d) Minimum yard requirements



- i) Front: 6 metres (20 feet)
- ii) Side: 1.5 metres (5 feet)
- iii) Rear: 1.5 metres (5 feet)

### Amended Bylaw 18, 2021

#### ~~e) Floor area and ceiling height~~

~~i) Floor Area — Maximum 92.9 sq. meters (1,000 sq. ft.)~~

~~ii) Ceiling Height — Maximum 3.7 meters (12 ft.)~~

#### **e) Floor area and ceiling height**

**(i) 1<sup>st</sup> Storage building Floor Area Maximum 92.9 sq. metres (1,000 sq. ft.) with a maximum ceiling height of 3.65 Metres (12 Feet) and a maximum peak height of 4.88 Metres (16 Feet)**

**(ii) 1 building with a maximum of 18.58 sq. metres (200 sq. ft.) or 2 other buildings with a maximum combined floor area of 18.58 sq. metres (200 sq. ft.) with a maximum ceiling height of 2.44 metres (8 ft) and peak height of 3.04 metres (10 ft)**

#### 10.4.2 Vehicles

- a) All vehicles designed for use on public highways and stored outside an enclosed building shall bear a current provincial license.

#### 10.4.3 Storage of Fuel and Chemicals

Provincial regulations for storage of gasoline and fuels as they would apply to residential properties shall apply to any site in this district. Storage of other hazardous chemicals is prohibited.

#### 10.4.4 Recreational vehicles are prohibited to hook up to sewer or water.

#### 10.4.5 Buildings, recreational vehicles or any other livable space permitted to be stored in the district shall not be inhabited.

## **11 HC - HIGHWAY COMMERCIAL DISTRICT**

**INTENT:** The intent of this district is to accommodate commercial development along the major highways in the RM of Hoodoo No. 401 for servicing existing residents and the travelling public.

### **11.1 Permitted Uses**

\*Denotes no development permit is required if Section 2.4 of this bylaw is satisfied.

#### **11.1.1 Principal Uses**

- a) Commercial uses
  - i) Agricultural equipment dealers and service establishments
  - ii) Agricultural seed, fuel, and chemical supply establishments
  - iii) Agricultural service and contracting establishments
  - iv) Commercial nurseries and greenhouses with or without retail sales
  - v) Confectionaries with or without gas bars
  - vi) Construction trades without outdoor storage
  - vii) Motor vehicle dealers and service establishments
  - viii) Watercraft or recreational vehicle equipment dealers and service establishments
  - ix) Motels and hotels
  - x) Personal service shops
  - xi) Restaurants and other places for the sale and consumption of food and related items
  - xii) Retail stores
  - xiii) Veterinary clinics and hospitals
- b) Residential
  - i) One dwelling unit for the operator of a commercial use where ancillary to that use and located on the same site
- c) Public utilities, except solid and liquid waste disposal facilities\*
- d) Municipal facilities and/or buildings\*

#### **11.1.2 Accessory Buildings and Uses**

Including uses and buildings customarily accessory and subordinate to the principal use on the site but not including residences.

## **11.2 Discretionary Uses**

- a) Commercial Uses
  - i) Auction marts
  - ii) Abattoirs
  - iii) Outdoor storage yards for construction materials and extractive industries
  - iv) Storage facilities, warehousing, supply and distribution facilities
  - v) Welding, machine shops and metal fabricating
  - vi) Salvage yards, auto and machinery wreckers
  - vii) Concrete plants
- b) Recreational uses
  - i) Commercial recreation facilities
- c) Solid and liquid waste disposal facilities

## **11.3 Regulations**

### **11.3.1 Site Area Requirements**

- a) Public utilities and municipal facilities: Minimum – none
- b) All other uses: Minimum – 1000 square metres (10,764 square feet)

### **11.3.2 Site Frontage Requirements**

- a) Public utilities and municipal facilities: Minimum – none
- b) All other uses: Minimum – 30 metres (100 feet)

### **11.3.3 Yard Requirements**

- a) In any yard abutting a municipal road allowance, municipal grid road, main farm access road, or provincial highway all buildings shall be setback at least 45 metres (148 feet) from the centreline of the road or road allowance. (Note: A greater distance may be required by the Ministry of Highways and Infrastructure, all applications abutting a provincial highway will be referred).
- b) The minimum setback of buildings, including a dwelling, from the intersection of the centrelines of two or more highway or municipal road right-of-ways shall be 92 metres (300 feet).
- c) A yard abutting any other road: Minimum – 7.6 metres (25 feet)
- d) A yard abutting a railway: Minimum – none

- e) Any other yard: Minimum- 3 metres (10 feet)

Amended Bylaw 5, 2020

~~f) The yard requirements shall not apply to any public utility or municipal facility~~

### 11.3.4 Outside Storage

- a) Outside storage is prohibited in a required yard abutting a road, except for the display of vehicles or machinery in operating condition which are for sale and which shall be neatly arranged.
- b) Outside storage located in a side or rear yard shall be suitably screened to the satisfaction of Council.

## 11.4 Discretionary Use Standards & Criteria

### 11.4.1 Separation Distance Requirements

- a) All discretionary commercial uses shall be separated from a residence not occupied by the operator of the use or a hotel, motel or restaurant by a distance of at least 300 metres (985 feet) unless the applicant can establish to the satisfaction of Council that the use will not emit noxious odours, dust, smoke, or noise limiting the enjoyment or use of the nearby use.

### 11.4.2 Salvage Yards, Auto and Machinery Wrecking Yards

- a) No wrecked, partially dismantled or inoperative vehicle or machinery shall be stored or displayed in any required yard abutting a road.
- b) Council may apply special standards as a condition of a discretionary use approval regarding the screening and location of areas for the storage and display of vehicles, machinery and parts thereof, designed to avoid unsightly premises.
- c) The proximity and location of residential and tourist facilities shall be considered in making this discretionary use decision.

### 11.4.3 Outdoor storage

- a) The use shall be screened and appropriately designed to avoid unsightly premises.
- b) Council may apply special standards as a condition of a discretionary use approval regarding the screening and location of areas for outdoor storage.

### 11.4.4 Discretionary Uses involving the Housing of Agricultural Animals

- a) Council may apply special standards in the issuing a development permit limiting the number of animals that may be harboured on the site at any point in time.
- b) The proximity and location of residential and tourist facilities shall be considered in making this discretionary use decision.

### 11.4.5 Concrete Plants

- a) The development shall have adequate/appropriate water supplies.
- b) The storage and disposal of sanitary sewage shall be an acceptable method at the discretion of Council and shall be approved by the appropriate governing regulatory agency.
- c) The proximity and location of residential and tourist facilities shall be considered in making this discretionary use decision.

### 11.4.6 All discretionary uses are subject to criteria in Section 3.37 of this bylaw.

## **13 MH - MOTOR HOME DISTRICT**

**INTENT:** The intent of this district is to accommodate the development of temporary forms of housing to diversify housing options in the RM of Hoodoo No. 401.

### **13.1 Permitted Uses**

\*Denotes no development permit is required if Section 2.4 of this bylaw is satisfied.

#### **13.1.1 Principal Uses**

- a) Park model trailer
- b) Motor home trailer
- c) Recreation Uses:  
Sports field, parks, playgrounds, picnic grounds, hiking and cross country trails
- d) Public utilities, excluding municipal solid and liquid waste disposal facilities\*
- e) Municipal facilities and/or buildings\*

#### **13.1.2 Accessory Buildings & Uses**

- a) Buildings, structures or uses customarily accessory to and subordinate to the principal use located on the same site but not including a dwelling unit.

### **13.2 Prohibited Uses**

- a) Mobile home
- b) Modular home
- c) Removal of the axels or wheels of any vehicles
- d) Tents, truck campers, tent trailers, or converted buses
- e) Home based businesses
- f) Privy vault
- g) Partially dismantled or inoperative motor vehicles
- h) Dwelling units in an accessory building. Accessory buildings shall be used for storage purposes only and shall not accommodate living, sleeping or eating.

### 13.3 Regulations

#### 13.4.1 Site Area

- a) Motor Homes and Park Model Trailers:

Minimum – 330 square metres (3550 square feet)

Maximum – 465 square metres (5005 square feet)

#### 13.4.2 Site Frontage

- a) Motor Homes and Park Model Trailers: Minimum – 10 metres (32.5 feet)

#### 13.4.3 Yard Requirements

- a) A cement or gravel pad is required where the motor home or park model trailer will be located and shall meet the setback requirements.

- b) Front Yard:

- i) All uses: 3 metres (10 feet)

Amended Bylaw 1, 2019

- ~~c) Side Yard:~~

- ~~i) Motor Home: Minimum 2.4 metres (8 feet on each side);~~

- ~~ii) Park Model Trailers: Minimum 2.4 metres (8 feet)~~

~~Abutting Street 3 metres (10 feet)~~

- ~~iii) All other uses: Minimum 1.5 metres (5 feet on each side)~~

- c) Side Yard:**

- i) All uses: Minimum 1.5 metres (5 feet)**

- ii) No encroachments shall be permitted in a side yard, including awnings and slide outs.**

- d) Rear Yard:

- i) All uses: Minimum 2.4 metres (8 feet)

#### 13.4.4 Accessory Buildings and Structures

- a) A maximum of two accessory buildings are permitted on a site

- b) Accessory buildings and decks cannot be attached to a motor home or park model trailer.

- c) Yard Requirements

- i) Front Yard: Minimum – the minimum front yard requirement of the principal building shall apply;
- ii) Side Yard: Minimum – 2.4 metres (8 feet)  
Decks without roofs: Minimum – 0.5 metres (1.6 feet)
- iii) Rear Yard: Minimum – 1.5 metres (5 feet)
- d) Building Size and Height
  - i) Building Size:

### Amended Bylaw 1 of 2019

- ~~1) Accessory building on a non-permanent foundation: Maximum – 20 square metres (215 square feet)~~

### **1) Accessory building: Maximum – 20 square metres (215 square feet)**

- ii) Building Height:
  - 1) No accessory building shall exceed 4 metres (13 feet) at peak of roof.

#### 13.4.5 Retaining walls and Landscape Development

- iii) The construction of landscape development, and retaining walls requires a development permit in order to address drainage issues to the satisfaction of Council. Such development must be contained entirely within the site and there will be no encroachment on neighbouring lands.

#### 13.4.6 Outside Storage

- a) No outside storage shall be permitted in the front yard.
- b) Any combustible materials shall be safely stored.
- c) Propane storage shall be limited to no more than two 30-pound tanks.
- d) Outside storage is not permitted unless suitably screened.

#### 13.4.7 Fences

- c) The use of barbed wire or other similar wire for fencing materials is prohibited
- d) Fences that are in the required front yard shall not exceed 1.2 metres (4 feet) in height. Fences in all other required yards shall not exceed 1.8 metres (6 feet) in height.

#### 13.4.8 Parking Requirements

- a) At least one parking space must be provided onsite in addition to the parking space for the park model trailer or motor home trailer.
- b) Visitor parking must be provided by the developer; one (1) parking space per lot.



### 13.4.9 Motor Home Trailers and Park Model Trailers

- a) No motor home trailer or park model trailer shall exceed a size of 50 square metres (538 square feet) or a length of 14.6 metres (48 feet).

#### Amended Bylaw 1, 2019

- ~~b) A motor home trailer or park model trailer will be permitted only if the unit is less than 20 years of age calculated from the date of manufacture.~~
- b) A motor home trailer or park model trailer will be permitted only if the unit is less than 20 years of age calculated from the date of manufacture. A permit may be renewed for a prescribed period not to exceed 10 years, where an inspection of the motor home trailer and park model trailer is to Council's satisfaction.
- c) The applicant shall sign a memorandum of understanding to acknowledge that the motor home trailer or park model trailer shall be removed when the age of the unit becomes 20 years of age.
- d) The motor home or park model trailer shall not be modified to be made permanent through removal of axles and/or wheels.

#### Amended Bylaw 3, 2022

- ~~e) The motor home trailer or park model trailer must be a self-contained unit and connected to communal water and sewer facilities unless alternative water and wastewater services for the site have been approved by Saskatchewan Health Authority and Council prior to the approval of a development permit. Where there is no communal water or sewage in the proposal, the motor home, mobile home or park model trailers must have a system for sewage and waste water disposal that has been approved by the regulatory authority prior to the approval of a development permit.~~
- e) The motor home trailer or park model trailer must be a self-contained unit and connected to communal water unless alternative water services for the site have been approved by Saskatchewan Health Authority and Council prior to the approval of a development permit. The motor home, mobile home or park model trailers must have a system for sewage and wastewater disposal that has been approved by the regulatory authority.
- f) The motor home trailer or park model trailer shall not be kept for rent or lease.
- g) A copy of the bill of sale or registration and a photo must be submitted with each development permit application.
- h) The replacement of a motor home trailer or park model trailer on a property requires a new development permit.

## **14 RV – RECREATIONAL VEHICLE DISTRICT**

### Amended Bylaw 14, 2020

**INTENT:** The intent of this district is to provide the structured regulation of recreational vehicles, trailer coaches, and park model recreational vehicles as principal uses and as special dwelling groups within the RM of Hoodoo No. 401.

### **14.1 Permitted Uses**

#### 14.1.1. Principal Uses

- a) Dwellings in the form of Recreational vehicles (RV), park model trailers and park model RVs.
- b) Public utilities\* and municipal facilities\*, excluding municipal solid and liquid waste disposal facilities.
- c) Historical and archeological sites and uses.\*

#### Amended Bylaw 14, 2021

- d) Recreational uses\*:
  - i) Nature trails, cross-country skiing and hiking trails.
  - ii) Sports fields, parks, playgrounds, and picnic areas.
  - iii) Swimming pools where located on the common property within a bare land condominium for use by residents

\* Denotes no development permit is required if Section 2.4 of this bylaw is satisfied.

#### 14.1.2 Accessory Buildings, Structures & Uses

Buildings, structures or uses secondary to, and located on the same site with the principal or discretionary use, are permitted, provided they are constructed of rigid material and are not listed as a prohibited use.

### **14.2 Discretionary Uses**

14.2.1 The following principal uses and their accessory uses are discretionary in this district:

- a) Residential Uses
  - i) Dwelling groups composed of bare land condominium units (subject to 14.5.1).
- b) Recreational Uses
  - i) Boat launches and marinas

## 14.2.2 Accessory Uses

- a) Storage sites (watercraft, trailers, car dollies, etc.)
- b) Parking Areas

## 14.3 Prohibited Uses

14.3.1 For the purpose of clarity, the following uses and structures are prohibited in this district:

- a) Single detached dwellings on permanent or non-permanent foundations
- b) Yurts
- c) Tiny Homes
- d) Membrane-Covered Structures
- e) Mobile Homes
- f) Shipping containers
- g) Garages, carports, membrane-covered buildings and structures, and similar uses

[Amended Bylaw 14, 2021](#)

- h) Private swimming pools

## 14.4 Regulations

In the case of a moveable dwelling unit on wheels, these site area regulations shall be measured as the area directly below the outer walls of the unit, and the yard requirements shall be measured from the outer walls of the unit (including any fold-outs or slide-outs).

### 14.4.1 Site Area

- |    |  |   |
|----|--|---|
| a) | RVs, park model trailers,<br>and park model RVs: | Min. – 175 sq. metres (1,883.68<br>sq. ft.)<br>Max. – 900 sq. metres (9,687,5 sq.<br>ft.) |
| b) | Public utilities, municipal facilities:          | None  |
| c) | All other uses:                                  | None  |

### 14.4.2 Site Frontage

- |    |  |                                  |
|----|--|----------------------------------|
| a) | RVs, park model trailers,<br>and park model RVs: | Minimum – 9.0 metres (29.5 feet) |
| b) | Public utilities, municipal facilities:          | None                             |
| c) | All other uses:                                  | None                             |

### 14.4.3 Yard Requirements

- a) Front Yard:
  - i) RVs, park model trailers, and park model RVs: Minimum – 3.0 metres (10.0 feet)
  - ii) Public utilities, municipal facilities: None
  - iii) All other uses: Minimum – 3.0 metres (10.0 feet)
- b) Side Yard:
  - i) RVs, and park model RVs: Minimum – 0.91 metres (3.0feet); and shall be 4.5 metres from any other RV as measured from any fully extended slide-out or fold-out, or vertical structure face.
  - ii) Park model trailers: Minimum – 1.52 metres (5.0 ft)
  - iii) Public utilities, municipal facilities: None
  - iv) All other uses: Minimum – 0.91 metres (3.0 feet)
- c) Rear Yard:
  - i) RVs, park model trailers, and park model RVs: Minimum – 3.0 metres (10.0 feet)
  - ii) Public utilities, municipal facilities: None
  - iii) All other uses: Minimum – 3.0 metres (10.0 feet)
- d) Site Coverage:
  - i) RVs, park model trailers, and park model RVs: Maximum of 55% calculated as the combination of: the area of any RV, park model trailer, or park model RV (including any slide-out or fold-out); any accessory buildings or structures, decks, porches, gazebos, etc.; and a minimum of one (1) 2.8 m by 6 m (16.8 m<sup>2</sup>) vehicle parking space.
  - ii) All other uses: None
- e) Decks:
  - i) Maximum of 1.0 m (3.28 feet) above grade.
  - ii) Maximum width of 3.6 m (12 feet).

- iii) Cannot be longer than the length of the residential unit or dwelling.
- iii) All decks must maintain a setback distance of 1.52 m (5 feet) from the site or bare land unit site boundary.
- iv) Roof structures for shade and rain cover are allowed, but cannot be structurally attached to the principal RV, or park model RV.
- v) Maximum height of covered deck is 3.65 m (12 feet) as measured from ground level at the tallest portion of the deck.
- vi) Cannot be enclosed with framing, screening, or any other sort of material.
- vii) Are considered separate from accessory or ancillary standards or regulation.

### 14.4.4 Accessory and Ancillary Buildings & Structures

- i) No accessory building or structure shall be attached to a RV, or park model RV serving as a principal use of a site or bare land unit.
- ii) Yard Requirements:
  - 1) Front Yard: 3.0 metres (10.0 feet) from the structure wall to the front site line, except 1.5 metres (5.0 feet) for sites backing the lakeshore (may have common property or dedicated lands in between the lot/unit boundary and the waterbody).
  - 2) Side Yard: 1.5 metres (5.0 feet) from the structure wall to the side site line.
  - 3) Rear Yard: 1.5 metres (5.0 feet) from the structure wall to the rear site line, except 3.0 metres (10.0 feet) for sites backing the lakeshore (may have common property or dedicated lands in between the lot/unit boundary and the waterbody).
- iii) Floor Area:
  - 1) Accessory or ancillary buildings: max. 9.29 sq. metres (100 sq. feet)
- iv) Maximum of two (2) accessory building or structures per site.
- v) Height: Maximum 3.65 metres (12 feet)

### 14.4.5 Removal of Trees and Vegetation

- a) The removal of trees and vegetation shall not be permitted except for purposes of construction of access ways, park development, buildings or the clearing of dead or diseased trees. Clearance of trees for access ways shall not be permitted greater than 3.0 metres (9.8 feet) in width and no further than 2.0 metres (6.6 feet) from buildings or structures.

### 14.4.6 Fences

- a) Bare land units shall not be fenced with wooden fences. A metal post and chain link fence with screening slots may be erected. Bare land unit site fences are exempt from permitting in accordance with 2.4.1e).

- b) A fence may be erected around larger common areas or the outer perimeter of a bare land condominium property, and notwithstanding 2.4.1e), shall require a development permit.
- d) The maximum height of any fence shall be 1.8 metres (6 feet).

### 14.4.7 Outdoor Storage

- a) Membrane covered structures are prohibited.
- b) No outside storage shall be permitted within individual sites.
- c) No shipping containers shall be permitted within this zoning district.
- d) Propane storage is limited to three (3) 30-pound tanks total. This may include up to two (2) tanks which serve the residential use or dwelling unit, and one additional tank for a bbq, grill, heater, or fireplace.

### 14.4.8 Parking

- a) At minimum, sites must accommodate the parking of one (1) RV, park model trailer, or park model RV, such that it will adhere to site requirements; and one vehicle parking space measuring no less than 2.8 m by 6 m.
- b) No parking of vehicles, trailers, etc., shall be allowed within a municipal road right-of-way or internal private roadway as common property to a bare land condominium.
- c) Council may require the provision and designation of off-site communal parking areas to address additional resident parking needs and those of visitors.
- c) No boats, trailers and car dollies, etc. shall be allowed within a site.

### 14.4.9 Recreational Vehicle, park model trailer, or park model RV (Dwelling Unit) Specifics

- a) The date of manufacture shall be provided through a copy of the bill of sale or registration.
- b) The age of a RV, park model trailer, or park model RV unit shall not exceed twenty (20) years. Permits for all units will be issued for a limited amount of time and calculated as: twenty years, minus the age of the unit at the time of permit approval, which equals the maximum length of the permit.
  - i) Notwithstanding subclause b), the RM may issue permits for any lesser time it deems appropriate subject to the recreational dwelling unit being less than 20 years old.
  - ii) Upon inspection of the RV, park model trailer, or park model RV unit to Council's satisfaction, it may extend the length of the development permit for a prescribed period not to exceed an additional ten (10) years.
  - iii) Upon expiry of a permit, or extension thereof, the use shall cease to be valid and must be immediately removed from the site.

- iv) The applicant shall sign a memorandum of understanding to acknowledge that the RV, park model trailer, or park model RV shall be removed when the age of the unit becomes 20 years of age.
- c) The replacement or relocation within a site of a RV, park model trailer, or park model RV on a site shall require the submission of a new development permit application.
- d) A photo of the proposed unit must be submitted with each application.
- e) Axels and/or wheels shall not be removed from RV or park model RV units.
- f) A RV, park model trailer, or park model RV unit shall not be kept for rent or lease.
- g) Park model trailers existing on a site as of July 31, 2020, which exceed 50.17 m<sup>2</sup> (540 ft<sup>2</sup>) shall be deemed legally non-conforming with respect to building size only.

### 14.4.10 Water and Sewage System

- a) A RV, park model trailer, or park model RV must be a self-contained unit and connected to communal water and sewer facilities unless alternative water and wastewater services for the site have been approved by appropriate provincial regulatory authority and Council prior to the approval of a development permit. Where there is no communal water or sewage in the proposal, the RV, park model trailer, or park model RV must have a system for sewage and wastewater disposal that has been approved by the provincial regulatory authority prior to the approval of a development permit.
- b) The minimum size for on-site sewage tanks shall be as specified by the proper provincial permitting authority. A copy of the approved permit shall be provided by the applicant to the RM office once received.

### 14.4.11 Use of Dedicated Lands

- a) The use of *dedicated lands* shall be in accordance with the requirements of the Act.

## 14.5 Specific Discretionary Use Standards and Evaluation Criteria

### 14.5.1 Dwelling Groups (Recreational Vehicles, Park Model Trailers, and Park Model Recreational Vehicles)

For the purpose of the RV – Recreational Vehicle District, and notwithstanding any other definition in this bylaw, “dwelling groups” shall be defined as: a group of recreational dwellings consisting of a combination of recreational vehicles, park model trailers, park model recreational vehicles, and allowable accessory uses, clustered on one site which is separated into bare land condominium units, and shall not include any form of permanent dwelling.

- a) Individual bare land units shall be treated as their own site within a bare land condominium plan. Collectively, the units within the bare land condominium shall be considered the “dwelling group” and shall consist of recreational dwellings as described

above. In addition to discretionary use approval of the dwelling group, the development of each individual bare land unit will require a discretionary use permit application, and the regulations of this district shall apply to the unit.

- b) The RM will consider its ability to effectively administer, regulate, and enforce the development of dwelling groups bare land units, such that approval of such development is in the long-term best interests of the RM and its ratepayers.
- c) Where additional bare land units are proposed for addition within an existing bare land condominium plan:
  - i) New discretionary use approval is required from Council to address the additional units and increase in intensity of use. Any new development of individual units thereon is subject to the permitting process of the RM; and
  - ii) Council will consider any previous issues in the permitting, development, and use of the existing development, and whether expansion is desirable and in the interest of the RM and its ratepayers.
- d) Appropriate locations for the proposed use shall be considered based on the visual aesthetics of the surrounding area in relation to the tourist industry.
- e) Applications shall be required to demonstrate that the proposed use shall not cause adverse effects in regards to:
  - i) Safety;
  - ii) Surrounding existing development; and
  - iii) Noise
- f) One RV, park model trailer, or park model RV will be permitted per bare land condominium unit.
- g) Council will consider the proposed location, the suitability of road access or the need for upgrades. Direct or proximate access to main transportation routes will be desired. Where road upgrades are deemed necessary by Council, the developer may be required to enter into a development agreement to upgrade the road to the appropriate RM standard.
- h) In relation to the specific context of the site, Council will consider the provision of adequate and appropriately placed areas of common space and recreation.
- i) Council will consider the layout and dimension of any internal road network for the reasonable maneuvering of private vehicles and trailers, and service and emergency vehicles.
- j) Council will consider the proposed methods of potable water supply and wastewater management, and any need to establish a site-specific utility to serve the site.



### 14.5.2 Storage and Parking Areas

- a) In relation to the specific context of the site, Council will consider the provision of adequate and appropriately placed common areas for off-site and visitor parking, and for personal outside storage (eg. trailers, watercraft, car dollies, etc.).
- b) Storage and parking areas are not to be used for any overnight accommodation for residents within the dwelling group, or their visiting guests.
- c) Shall abut and take access from the internal road network.”

### 14.5.3 Boat Launches and Marinas

- a) Boat launches and marinas shall require any applicable ministry or agency approval or permission prior to development.
- b) In the opinion of Council, boat launches or marinas must demonstrate that the development does not compromise any sensitive wildlife or aquatic habitat, or promote exceeding the carrying capacity of the waterbody on which it is located.
- c) Where located on public or dedicated lands, access to the general public must be maintained.
- d) Where located on dedicated lands, any applicable permitting and agreement shall be made the municipality in accordance with the Act.

## 15 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:

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

**Accessory Dwelling Unit:** a second dwelling may be constructed on the site of a primary single detached dwelling in a residential zone. This unit is intended to allow extended family members temporary accommodation and may contain cooking, eating, living, sleeping and sanitary facilities.

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

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

**Animal Unit (A.U.):** 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	100
	Chicks, Broiler Chickens	200
	Turkeys, Geese, Ducks	50
	Exotic Birds	25
Hogs	Boars and Sows	3
	Gilts	4
	Feeder Pigs	6
Sheep	Rams or Ewes	7
	Lambs	14
Goats	including llamas and Alpacas	7
Cattle	Cows and Bulls	1
	Feeder Cattle	1.5
	Replacement Heifers	2
	Calves	4
Horses	Colts and Ponies	2
	Other	1
Other	Domesticated Native Ungulates	1

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

**Applicant:** a developer or a person applying for a development permit under this Bylaw or for a subdivision approval to an approving authority under *The Planning and Development Act, 1983*.

**Bank:** a line defining the edge of the bed of a body of water which has been covered by water long enough to rest it from vegetation or where there is a distinction in the character of the vegetation and soil where the vegetation extends into the water. In the case of shoreland parcels or plans of subdivision that have been surveyed, the bank is identified on the survey plan.

### **Amended Bylaw 14, 2020**

**Bare Land Condominium:** a condominium divided into bare land units as defined in *The Condominium Property Act, 1993*.

**Bare Land Unit:** a bare land unit as defined within *The Condominium Property Act, 1993*.

**Bed & Breakfast Home:** a dwelling unit licensed as a tourist home under the Tourist Accommodation Regulations, 1969 as amended from time to time in which overnight accommodation with in the dwelling unit, along with one meal served before noon, is provided to the travelling public for a charge.

**Billboard:** a private free-standing sign including supporting structures which advertises goods, products, services, organizations, or facilities that are available from, located on, or refer to, a site other than the site on which the sign is located and which is greater than 4.6 square metres (49.5 square feet) in facial area.

**Boathouse:** an accessory building used for boat storage which must be located on owner's lot and comply with all Bylaw setbacks.

**Building:** a structure used for the shelter or accommodation of persons, animals, or chattels.

**Building, Accessory:** a subordinate detached building appurtenant to a main building or main use and located in the same site, the purpose of which is to provide better and more convenient function of the main building or main use (excluding garden suites and secondary accommodation).

**Building Height:** the vertical distance of a building measured from the finished grade level to the highest peak of the roof.

**Building Permit:** a permit issued under a building bylaw of the municipality authorizing the construction of all or part of any building.

**Campground:** an area used for a range of overnight camping experiences, from tenting to serviced recreational vehicle sites, including accessory facilities which support the use, such as administration offices and laundry facilities, but not including the use of mobile homes or park model trailers. Sites shall be for temporary use only and not for permanent year-round basis.

### **Amended Bylaw 1, 2021**

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

**Communal Dwelling:** the dwelling unit(s) on land owned by Hutterite colonies who use the land for agricultural, educational and other shared purposes.

**Council:** the Council of the Rural Municipality of Hoodoo No. 401.

### **Amended Bylaw 1, 2021**

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

**Development:** the carrying out of any building, engineering, mining or other operations; in, on, or over land, or the making of any material change in the use of any building or land and shall include, but not limited to, excavating, filling, grading or drainage of land.

**Development Permit:** a document authorizing a development issued pursuant to this bylaw.

**Discretionary Use:** a use or form of development specified in this bylaw which may be allowed following application to, and approval of the Council; and any conditions required by Council based on the development standards contained in this bylaw.

### **Amended Bylaw 14, 2020**

**Dwelling:** a building or structure used or intended for residential occupancy.

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

### **Amended Bylaw 14, 2020**

**Dwelling, Single detached:** a detached building consisting of one dwelling unit as herein defined and occupied or intended to be occupied as a permanent home or residence but not including a mobile home, **tiny home** or trailer coach as herein defined.

### **Amended Bylaw 14, 2020**

**Dwelling, Tiny Home:** a sub-category of a single detached dwelling designed for placement on a permanent or non-permanent foundation which is notably smaller in volume and floor area which typically, but not exclusively, has a floor area less than 37.16 sq. metres (400 sq. feet), and which does not bear a CSA certification. Where specifically employed as a form of residential use, it shall not be synonymous with any other form of dwelling.

**Dwelling, Two Unit Attached:** a building consisting of two dwelling units separated by a common party wall without opening throughout the entire structure.

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

**Family Child Care Home** – a child care facility located in a building where the principal use is a dwelling unit and which is licensed by the Province of Saskatchewan pursuant to *The Child Care Act*.

**Farmstead:** an area comprised of cropland or pasture and a building site consisting of:

- a) the residence of the farm operator, partners or employee including a mobile home on a permanent foundation; and
- b) accessory and ancillary buildings or facilities related to the farm operation including facilities for the temporary holding of livestock in lesser numbers than constitutes an intensive livestock operation.

**Flood Fringe:** As per the definitions in the Statements of Provincial Interest Regulations.

**Floodway:** As per the definitions in the Statements of Provincial Interest Regulations.

**Floor Area:** the maximum habitable area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, sun lounge, basement, or attic.

**Garage Loft:** A garage loft is a living area located above or within a detached garage which is accessory to a single detached dwelling and developed as a secondary suite that has separate cooking, sleeping and bathroom facilities.

### Amended Bylaw 14, 2020

~~**Garage:** an accessory building, or part of a building, used or intended to be used for the storage of personal items or motor vehicle(s).~~

**Garage:** an accessory building or structure, or part of a building or structure, used or intended to be used for the storage of personal items or motor vehicle(s), and shall include also carports.

**Garden Suites:** is an additional separate dwelling unit located on the same site as the principal dwelling unit.

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

**Hazard Land:** lands which may be prone to flooding, shoreline erosion or slope instability hazards or any hazard that may result in life loss or injury, property damage, social and economic disruption or environmental degradation. Hazards may include surface and subsurface features such as active and abandoned gas/oil wells, mines, unstable slopes, areas exhibiting subsidence and other natural or man-made features.

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

**Home Based Business:** a secondary occupation which is carried on by the occupants of a farmstead or residence and is ancillary to the principal use of the site.

### Amended Bylaw 14, 2021

**Hot Tub:** means an artificially created basin, lined with concrete, fibreglass, vinyl or similar material, intended to contain warm and aerated water for the use of persons for bathing, hydrotherapy, and other similar uses. A hot tub may be considered as a general accessory use to a principal residential use. Also commonly known as a spa.

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

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

- a) will contain 100 or more animal units; and
- b) provides less than 370 square metres (4000 square feet) of space for each animal unit contained therein.

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

**Loft:** a room or space directly under the roof of a building, which is used for accommodations.

**Marina:** a building, structure or place containing docking facilities and located on a waterway where boats and boat accessories are stored, serviced, repaired and where facilities for the sale of marine fuels and lubricants may be provided.

### Amended Bylaw 1, 2021

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

### Amended Bylaw 14, 2020

**Membrane-Covered Building or Structure:** a building or structure consisting of a frame that is covered with plastic, fabric, canvass or similar non-permanent material, which typically is used to provide storage for vehicles, boats, recreational vehicles or other personal property, or on a larger scale, for storage of commercial goods and materials. The terms shall also apply to structures known commonly as 'hoop houses', 'canopy-covered carports' and 'tent garages', and can be fully or partially covered. Gazebos and Yurts shall not be considered membrane-covered buildings or structures.

### Amended Bylaw 14, 2020

**Mobile Home:** ~~trailer coach~~ a portable residential building that may be used as a dwelling all year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system and conforming to the Canadian Standards Association (CSA) # Z240 MH.

**Modular Home:** A residential dwelling that is constructed off site in a yard or factory, in one or more sections, transported to a site for permanent installation on a permanent foundation (may have a basement), having architectural features similar to permanent residential dwelling built on site in the RM, and conforming to the Canadian Standards Association (CSA) # A277.

### Amended Bylaw 14, 2020

**Motor Home Trailer (Camping):** ~~Any vehicle designed, constructed or reconstructed in such a manner as will permit occupancy as a dwelling or sleeping place for one or more persons, notwithstanding that its running gear is removed or jacked up, is used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways, and includes self-propelled and non-self-propelled vehicles.~~



Motor Home – Camping Trailer

### Amended Bylaw 14, 2020

**Motor Home Trailer:** shall be synonymous with the definition of Recreational Vehicle but does not include Class B motor homes, hybrid travel trailers, pop-up (tent) trailers, or truck campers, or toy haulers.

**Non-Conforming Building:** a building:

- a) that is lawfully constructed or lawfully under construction or in respect of which all required permits have been issued, at the date this 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

- 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** any parcel of land lawfully existing at the time of the passing of this bylaw which does not comply with all the regulations of this bylaw governing the zone district in which it is located.

**Non-Conforming Use:** any use of land, building, or structure lawfully existing at the time of the passing of this bylaw which does not comply with all the regulations of this bylaw governing the zone district in which it is located.

### **Amended Bylaw 14, 2020**

**Park Model Recreational Vehicle (RV):** A unit designed to be towed by a heavy-duty tow vehicle (auto, van, pick-up truck, etc.) but is of restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 meters (8.6ft). Designed for infrequent towing, it is not fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode it must be connected to the local utilities. This recreational vehicle is built on a single chassis mounted on wheels. It usually has one or more slide-outs, but when in set-up mode the gross trailer area does not exceed 37.2 sq. meters (400 sq. feet). It conforms to the CSA Z-240 Standard for RVs and is similar in form and construction to the following:



### **Amended Bylaw 14, 2020**

**Park Model Trailer:** A unit, of a cottage style having a pitched roof, designed to facilitate occasional relocation, with living quarters for a seasonal use; has water faucets and shower or other bathing facilities that maybe connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. Maximum length no greater than 14.6 metre (48 feet) and shall not exceed 50.17 square metres (540 sq. ft.) in interior area. Park Model Trailers must meet or exceed CSA – Z241 standards and bear a label of certification from the Canadian Standards Association.

and is similar in form and construction to the following:



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

**Permitted Use:** a use or form of development allowed as of right in a zoning district subject to the regulations contained in this bylaw and other applicable bylaws and legislation.

**Personal Care Home:** a facility licensed under The Personal Care Homes Act that provides long term residential, social and personal care, including accommodations, meals, supervision or assistance for persons who have some limits on ability for self-care and are unrelated to the operator or owner.

**Principal Use:** the main activity conducted on a site.

**Principal Building:** the main building in which the principal use or the site is conducted.

**Privy vault:** means a storage or sewage holding tank placed under a toilet that is not connected to a plumbing system and that is intended to be used only for the confinement and storage of human excrement.

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

### **Amended Bylaw 5, 2020**

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

**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 excluding wind or solar energy systems;
  - 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.

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

**Reeve:** the Reeve of the Rural Municipality of Hoodoo No. 401.

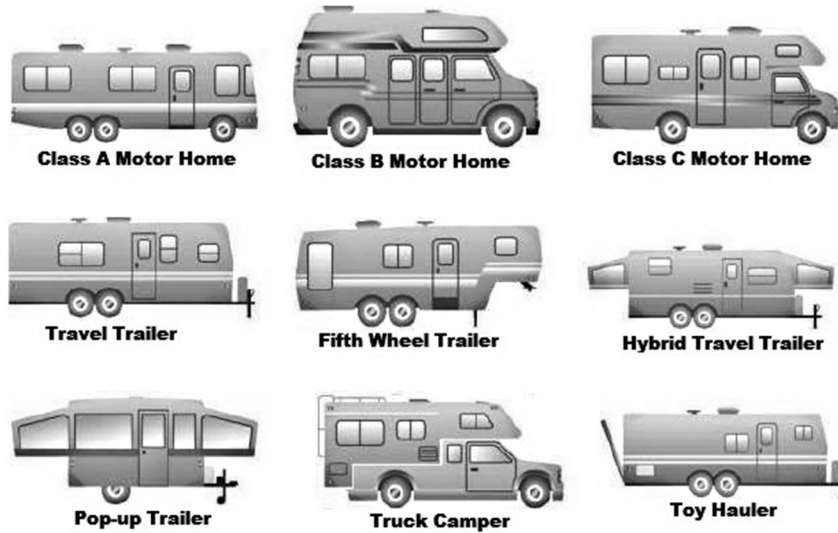
**Recreational (Commercial):** a public or private facility or amenity, a joint-use site or a park or playground that serves the surrounding neighbourhood with an intent to produce financial gain.

### **Amended Bylaw 14, 2020**

~~**Recreation Vehicle:** a vehicle used for personal pleasure or travels by an individual family which may or may not be towed behind a principle vehicle. Notwithstanding the generality of the above a recreational vehicle includes motor homes, camper trailers, truck campers, and 5<sup>th</sup> wheels.~~



**Recreational Vehicle (RV):** any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner as to permit the occupancy thereof as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked up. Typically used for short-term or seasonal camping, but not for year-round dwelling. It shall not include a mobile home, park model recreational vehicle, or park model trailer. Includes the following:



**Residence:** a single detached dwelling on a site which is not used as a farmstead.

**Riparian Area:** areas that boarder streams, lakes and wetlands that link water to land.

**RTM (Ready to Move) Home:** a residential dwelling that is constructed off-site in a yard or factory to Canadian National Building Code and transported as a single unit to a site for permanent installation on a permanent foundation including basement.

**Rural Municipal Administrator:** the official administrator for the municipality pursuant to *The Rural Municipality Act, 1989*.

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

**Sea and Rail Container:** a cargo container that is a prefabricated metal container or box constructed for the transportation of goods by ship, train, or highway tractor. (i.e. seacan)

### **Amended Bylaw 2, 2019**

**Seasonal:** ~~refers to land uses of a seasonal nature that are to be utilized between the dates of May long weekend to September 30th.~~

**Seasonal:** refers to land uses of a seasonal nature that are to be utilized between the dates of May 1<sup>st</sup> and September 30<sup>th</sup>. Seasonal land uses shall not be permitted outside of the dates May 1<sup>st</sup> to September 30<sup>th</sup> of each calendar year.

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

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

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

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

**Site, Building:** the area of a site upon which buildings are located including appurtenant and intervening spaces between the buildings.

### **Amended Bylaw 14, 2020**

**Site Coverage:** the area of the site which is covered by buildings or structures, and includes uncovered porches, decks, balconies, RV slide outs, and cantilevered building overhangs, but does not include eaves. Where employed with reference to vegetation, it shall also include areas covered by aggregates, hard surfaced landscaping materials, and similar non-vegetative features.

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

**Site Line, Rear:** the boundary at rear of the site and opposite the front site line.

**Site Line, Side:** a site boundary other than a front or rear site line.

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

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

**Subdivision:** a division of land including a division of a quarter section into legal subdivisions as described in the Land Titles Act.

### **Amended Bylaw 14, 2021**

**Swimming Pool:** means an artificially created basin, lined with concrete, fibreglass, vinyl or similar material, intended to contain water for the use of persons for swimming, diving, wading or other similar activity, which

is at least 600 millimetres in depth, and includes pools situated on top of the ground but does not include above-ground hot tubs (spas). A swimming pool shall not be considered as a general accessory or ancillary use.

**Tourist Camp:** a facility which has two or more cabins for the accommodation of the travelling public and may also have provision for the accommodation of trailers, tent trailer, tents and recreational vehicles.

### **Amended Bylaw 14, 2020**

**Trailer Coach:** see definition of Recreational Vehicle.

**Tree Nursery:** the use of land for raising shrubs, trees and bedding plants for the express purpose of commercial sale.

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

**Vacation Farm:** an operating farm which may, on a day basis or for overnight purposes, offer a farm life experience to groups, family, or individuals and which may provide:

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

**Water Disposal Facility; Liquid:** a facility to accommodate any waste which contains animal, mineral or vegetable matter in solution or suspension but does not include a septic system for a single residence or farmstead or a manure storage area for an intensive livestock operation.

**Waste Disposal Facility; Solid:** a facility to accommodate discarded materials, substances or objects which originated from residential, commercial, institutional and industrial sources which are typically disposed of in municipal or private landfills, but not including dangerous goods, hazardous waste or biomedical waste.

**Wind Energy System:** the electrical generating facility comprised of a wind turbine and accessory facilities, including but not limited to a generator, a transformer, storage, collection and supply equipment, cables, a substation and temporary or permanent wind monitoring tower(s).

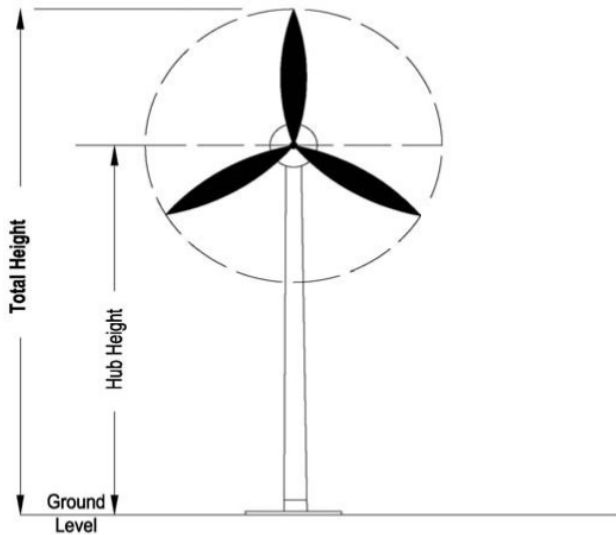
**Wind Farm:** a wind energy system that entails the installation of two or more wind turbines that are physically interconnected, designed and built to provide electricity for commercial sale and distribution to the electricity grid.

**Windmill:** a rotating structure designed to convert wind energy into mechanical energy for traditional agricultural purposes such as pumping water.

**Wind Tower:** the vertical structure above grade that supports the nacelle and rotor assembly, electrical generator and/or meteorological equipment.

**Wind Turbine:** a structure designed to convert wind energy into electrical energy as a utility and includes the wind turbine tower, rotor blades and nacelle.

**Wind Turbine Height:** the height from finished grade to the highest vertical point of the swept rotor arc, in the case of a wind turbine with a horizontal axis rotor.



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

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

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

**Yard, Side:** the part of a site which extends from a front yard to the rear yard between the sideline of a site and the nearest main wall of a building or structure.

### **Amended Bylaw 14, 2020**

**Yurt:** a circular domed tent-like structure composed of collapsible lattice framework and covered with pliable membrane material or canopy, used as a dwelling, or building or structure for personal storage."

## ***Appendix A***

### **Comprehensive Development Review for the Rural Municipality of Hoodoo No. 401**

1. A Comprehensive Development Review (CDR) shall be completed prior to consideration of an application by Council, by any person proposing to rezone, subdivide, or re-subdivide land for multi-parcel country residential, motor home areas, lakeshore or commercial and industrial purposes. The purpose of this review is to identify and address social, environmental, health and economic issues appropriately and to encourage the development of high quality residential, commercial, and industrial developments. This review proposes to address the following topics:
  - 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 Municipality;
  - e) Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas;
  - f) Appropriate information specific to the particular land use (residential, commercial or industrial).
2. The CDR must be prepared in accordance with the overall goals and objectives of the Official Community Plan.
3. The responsibility for undertaking all technical investigations and hosting public meetings as required by the CDR shall be borne solely by the applicant.
4. Council shall not consider any development application until all required information has been received.
5. The scope and required detail of the CDR will be based on the scale of the proposed development and its location. The quality and type of development shall be addressed in the CDR.
6. The following items shall be included in the preparation of a CDR:
  - a) Identification of the purpose and objectives of development including an inventory of current land uses within the plan area and evidence of compliance with the current Official Community Plan policies and Zoning Bylaw regulations.
  - b) Identification of plan area characteristics including:
    - i. Physical site characteristics, regional context, and the size and intensity of development proposed;
    - ii. Natural and heritage resources including screening of environmental, archaeological, and historically significant areas within and adjacent to the development;
    - iii. Identification of potential hazard lands within the plan area; and

- iv. Identification of the potential impact of proposed development on existing infrastructure and adjacent land uses.
- 7. Identification of the concept for development including a thorough description and explanation, illustrations, and any technical and professional analysis required to identify:
  - a) Proposed land uses;
  - b) The economic and social benefits and the impact on the plan area and the region providing evidence of positive community integration;
  - c) The subdivision design including phasing, identification of natural and constructed open space amenities, and allocation of Municipal and Environmental Reserve;
  - d) The identification of existing and required utility capacity including but not limited to power, natural gas, telecommunications, water supply, and onsite wastewater disposal systems;
  - e) Evidence that the carrying capacity of the soil within the plan area is sufficient to accommodate the proposed structures and wastewater created by the development with minimal or zero anticipated effect on the regional surface and groundwater systems quality;
  - f) The local hydrology, providing evidence that the design provides sufficient capacity to accommodate storm water and surface runoff locally to accommodate a 1:100 year flood event, with no significant increase in offsite flows resulting from development of the area;
  - g) The proposed buffering from, or integration with, adjacent land uses;
  - h) The impact of human activity and development on the natural environment and plans for the conservation and management of existing natural features within the plan area;
  - i) A transportation plan for the area identifying road requirements, major commuting routes and the potential impact of development on current roadway infrastructure; and
  - j) The local capacity of fire and protective services, schools and other supportive community and recreational facilities.
- 8. The applicant shall provide evidence of significant and effective public consultation acknowledging and attempting to incorporate the findings within the development proposal wherever possible to ensure that the development is perceived as beneficial to the area. The information required as part of the review process includes but is not limited to:
  - a) Submission of a consultation plan, identifying the program and timing of engagement;
  - b) Submission of a summary of findings, clearly identifying ideas and areas of support and challenges presented through the engagement process; and
  - c) Identification of strategies to respond to, and/or incorporate the challenges presented within the proposal including necessary conflict resolution.

## ***Form A***

### **Development Permit Application Requirements**

A development permit application shall include the following unless exempt by the Development Officer.

1) Application Form - A completed application form.

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

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

### 3) Building Plan

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

### 4) Landscape Plan

A landscape plan showing, with labels, the following:

- a) the existing topography,
- b) the vegetation to be retained and/or removed,
- c) the type and layout of: i) hard (e.g., structures) and soft (e.g., vegetation) landscaping,
  - ii) the open space system, screening, berms, slopes,
  - iii) other, as required, to effectively administer this Bylaw,
- d) the types, sizes and numbers of vegetation materials;
- e) areas to be damaged or altered by construction activities and proposed methods of restoration;
- f) a schedule of site stripping and grading, construction, and site restoration, including methods to be employed to reduce or eliminate erosion by wind, water, or by other means; and
- g) clearance from the Heritage Conservation Branch for heritage resources. The Heritage Conservation Branch's Exempt Activities Checklist for Private Landowners or Developer's Online Screening Tool can be utilized.

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

7) Copy of approved sewage permit

8) The permit needs to specify the site grade elevation before construction, as well as a condition of the permit is for the applicant to provide the final grade elevation after construction.