

RURAL MUNICIPALITY OF WILTON No. 472

ZONING BYLAW

Prepared For:

THE RURAL MUNICIPALITY OF WILTON No. 472

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The Rural Municipality of Wilton No. 472

Bylaw No. 16-2013

A Bylaw of the Rural Municipality of Wilton No. 472.

The Council of the Rural Municipality of Wilton, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Rural Municipality of Wilton No. 472 hereby adopts the Rural Municipality of Wilton No. 472 Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Reeve and Rural Municipal Administrator of the Rural Municipality of Wilton No. 472 are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. 03/89, the *Zoning Bylaw*, and all amendments thereto, are hereby repealed.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 _____ day of _____,

Read a Second Time the _____ day of _____,

Read a Third Time the _____ day of _____,

Adoption of this Bylaw this _____ day of _____,

(Reeve)

SEAL

(Rural Municipal Administrator)

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

On the _____ day of _____, of the year

(signature) _____, (date)

A Commissioner for Oaths in the Province of Saskatchewan

My appointment expires

THE RURAL MUNICIPALITY OF WILTON No. 472
ZONING BYLAW

Being Schedule “A” to Bylaw No. 16-2013
of the Rural Municipality of Wilton No. 472

(Reeve)

SEAL

(Rural Municipal Administrator)

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1. INTRODUCTION

1.1 Title

This Bylaw shall be known as the "Zoning Bylaw of the Rural Municipality of Wilton No. 472".

1.2 Scope

All development within the limits of the municipality shall be in conformity with the provisions of this bylaw, subject to the right of appeal provisions of *the Act*.

1.3 Purpose

This is a Bylaw to control the use and development of the land in the municipality and assist in implementing the Official Community Plan for the Rural Municipality of Wilton No. 472.

1.4 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.

2 INTERPRETATION

Whenever in this bylaw the following words or terms are used, they shall, unless the context otherwise provides be held to have the following meaning:

Accessory Building or Use: means a building or use which:

- (1) is subordinate to and serves the principal building or principal use;
- (2) is subordinate in area, extent and purpose to the principal building or principal use served;
- (3) contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and,
- (4) is located on the same site as the principal building or principal use served.

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

Agriculturally related commercial and industrial uses: means:

- (1) grain and seed storage, cleaning and drying;
- (2) fertilizing mixing sales (subject to provincial regulations);
- (3) livestock and poultry breeding services;
- (4) abattoirs; and,
- (5) other agriculturally related services.

Agroforestry: means a collective name for the practice of intentionally using trees within land use systems and practices in which woody perennials are deliberately integrated with crops and/or animals on the same land management unit either in a spatial or temporal sequence.

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

Amusement Park: means development including go-cart, paint ball and miniature golfing facilities, concessions and arcades, swimming pools, water slides, batting cages and other similar uses.

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

Animal, Exotic: shall mean any animal that is not domesticated in Saskatchewan and is wild by nature.

Animal Unit: means the kind and number of animals calculated in accordance with the following:

KIND OF ANIMAL	NUMBER THAT EQUALS ONE ANIMAL UNIT
(1) <u>Poultry</u>	
(a) hens, cockerels, capons	100
(b) chicks, broiler chicken	200
(c) turkeys, geese, ducks	50
(d) ostrich	7
(e) emu	16
(2) <u>Hogs</u>	
(a) boars or sows	3
(b) gilts	4
(c) feeder pigs	6
(d) weanling pigs	20
(3) <u>Wild Boars</u>	
(a) boars or sows	3
(b) gilts	4
(c) feeder pigs	6
(d) weanling pigs	20
(4) <u>Sheep</u>	
(a) rams or ewes	7
(b) lambs	14
(5) <u>Goats, Llamas, Alpacas, etc.</u>	7
(6) <u>Cattle</u>	
(a) cows or bulls	1
(b) feeder cattle	1.5
(c) replacement heifers	2
(d) calves	4
(7) <u>Horses</u>	
(a) foals or ponies	2
(b) other than foals or ponies	1
(8) <u>Other</u>	
(a) bison cows or bulls	1
(b) bison calves	4
(c) elk, reindeer	4
(d) deer	7

Apartment House: means a building divided into three (3) or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence, as distinct from a hotel or motel, but excluding townhouses and street townhouses as herein defined.

Auction Market: means building, structure, or lot, or part thereof, used as a premises where goods and materials that are to be sold by public auction.

Applicant: means a developer or person applying for a development permit under this bylaw.

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

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

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

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

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

Building Bylaw: means any bylaw of the Rural Municipality of Wilton No. 472 regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

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

Building Height: means the vertical distance of a building measured from grade level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof (refer to Figure 2-1).

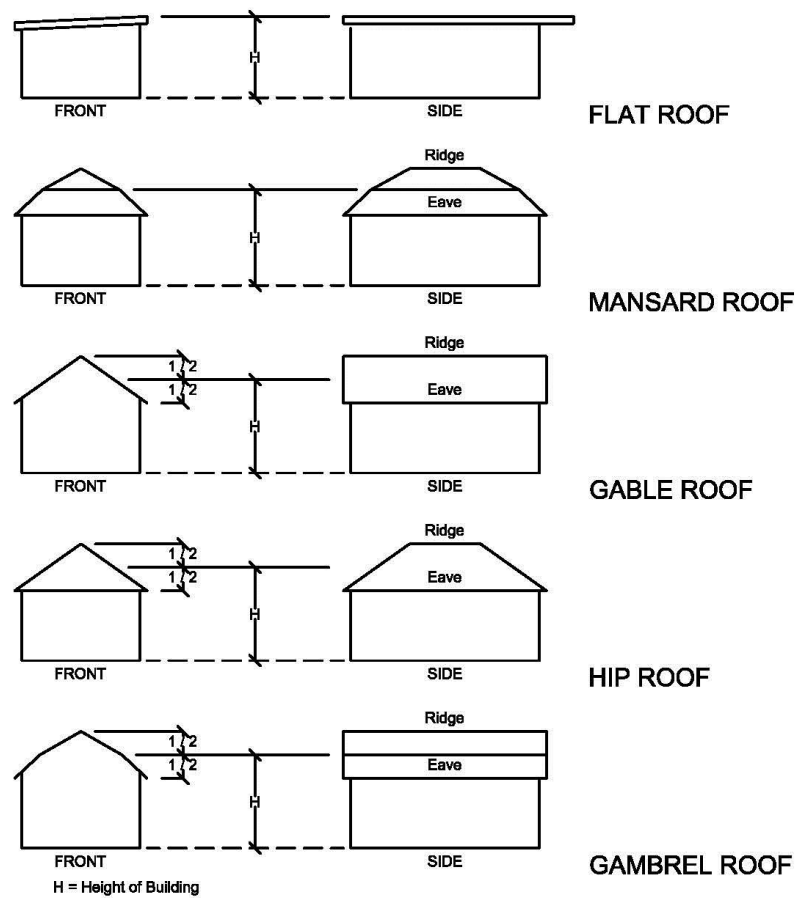


FIGURE 2-1: Interpretation of
Building Height Measurement

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

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

Building, Principal: means the main building in which the principal use of the site is conducted.

Business Dwelling: means an accessory dwelling unit accessory to a commercial or industrial use in a commercial or industrial zoning district that is intended to accommodate an owner, manager, employee of the company who must live onsite to accomplish their tasks.

Campground: means the seasonal operation of an area of land managed as a unit, providing temporary short-term accommodation for tents, tent trailers, travel trailers, recreational vehicles and campers, used by travellers and tourists.

Campsite: means a designated and delineated area within a campground, tourist camp or trailer court that is intended to accommodate a single tent, tent party or trailer coach.

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

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

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

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

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

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

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

Council: means the Council of the Rural Municipality of Wilton No. 472.

Cultural Institution: means an establishment such as a museum, art gallery, library and similar facilities of historical, educational or cultural interest.

Custodial Care Facility: means either:

- (1) a facility for the temporary detention or open custody of persons pursuant to the provisions of *The Youth Criminal Justice Act* (Canada) or *The Summary Offences Procedure Act*, 1990 (Saskatchewan); or,
- (2) a facility for the accommodation of persons participating in a community training program pursuant to *The Correctional Services Act*.

in which the number of persons in detention, custody or residence does not exceed five.

Day Care Centre: means a facility for the non-parental care of over four (4) preschool age children on a daily basis and licensed under *The Child Care Act*.

Deck: means a raised open platform, with or without rails, attached to a principal building.

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

Development Permit: means a document authorizing a development issued pursuant to this Bylaw.

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

Dwelling Group: means a group of two or more detached one unit dwellings, two unit dwellings or multiple unit dwellings or combinations thereof occupying the same site.

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

Dwelling, Semi-Detached: means a dwelling unit on its own site, attached to another dwelling unit on its own site, with a common wall dividing the two dwelling units throughout at least 40% of the length of the entire structure, measured from the front to the rear building lines.

Dwelling, Single Detached: means a detached building consisting of one dwelling unit as herein defined, but shall not include a mobile home or prefabricated home as herein defined.

Dwelling, Street Townhouse: means a dwelling unit on its own site, attached to two or more other dwelling units, each on their own sites, with a common wall dividing the dwelling units throughout at least 40% of the depth of the entire structure.

Dwelling, Two-Unit: means a detached building divided into two dwelling units as herein defined.

Dwelling Unit: means 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.

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

Estimated Peak Water Level (E.P.W.L.): means the calculated water level used to determine the flood hazard area. It is based on the 1:500 peak flow for rivers, and the higher of the 1:500 peak calm level or the 1:100 peak calm level with a 1:5 wind from the most critical direction for most lakes.

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

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

Farm: means the land, buildings, and machinery used in the commercial production of farm products.

Farm Dwelling: means an accessory dwelling on a farm that is intended to accommodate farm workers.

Farm Based Business: means an occupation carried on by the operators of a farm, ancillary to the principal use.

Farm Operation: means conditions or activities which occur on a farm in connection with the commercial production of farm products, including agroforestry, but not including Intensive Livestock Operations or Intensive Agricultural Operations.

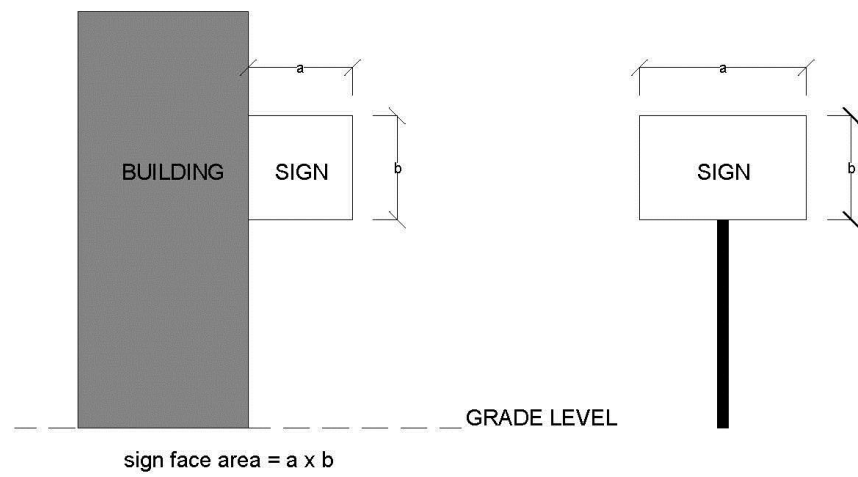


FIGURE 2-2: Calculation of Sign Face Area

Farm Product: means those plants and animals useful to man and including, but not limited to:

- (1) forages and sod crops;
- (2) grains and feed crops;
- (3) dairy and dairy products;
- (4) poultry and poultry products;
- (5) livestock, including breeding and grazing;
- (6) fruits;
- (7) vegetables;
- (8) flowers;
- (9) seeds;
- (10) grasses;
- (11) trees;
- (12) apiaries and honey production;
- (13) equine and other similar products; and,
- (14) other product which incorporate the use of food, feed, fibre or fur.

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

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

Flankage: means the side site line of a corner site which abuts the street.

Flood Hazard Area: means the flood hazard area means the area below the E.P.W.L. The flood hazard area has two zones; the Flood Fringe and the Floodway.

Flood Fringe: means a zone within the flood hazard area where some types of development may occur if suitably flood-proofed. The Flood Fringe is typically defined as that portion of the flood hazard area where:

- (1) depth of inundation above natural ground is less than 1.0 metre;
- (2) flow velocities are less than 1.0 metre per second; and,
- (3) encroachment (fill) into the Flood Fringe would raise upstream water levels by less than 0.3 metres.

Floodway: means a zone within the flood hazard area where typically only necessary infrastructure is allowed (eg. water intakes and outfalls, bridge piers and abutments, etc) or development that is of low value and non-obstructive (eg. parks, nature areas, parking lots, and recreational trails). The Floodway contains the deepest, fastest, and most destructive floodwaters and is typically defined as that portion of the flood hazard area where:

- (1) depth of inundation above natural ground is more than 1.0 metre;
- (2) flow velocities are greater than 1.0 metres per second; or,

- (3) encroachment (fill) into the Floodway would raise upstream water levels by more than 0.3 metres.

Flood Proofing: means techniques or measures taken to permanently protect a structure or development from flood damage. These can include measures such as elevating building (eg. building on fill or piers), constructing dykes, creating upstream storage, diversions, and channelization.

Foreshore: means the Crown Land lying between the shore of any watercourse and registered surface parcels.

Garden Suite: means a accessory, detached single-unit dwelling which is temporarily located on the same site as an existing dwelling unit to provide accommodation for a specific person or persons who are physically dependent on the residents of the existing dwelling unit, or to provide accommodations for a caregiver of whom a specific person or persons residing in the existing dwelling unit is physically dependent.

Gas Bar: means a building or facility used for the retail sale of motor vehicle fuels from fixed pumps.

Hazard Land: means land which may be subject to flooding, ponding, slumping, subsidence, landslides, erosion, or contamination by hazardous material.

Hazardous Material: means any product, substance or organism which, because of its quantity, concentration or risk of spill, or its physical, chemical or infectious characteristics, either individually or in combination with other substances, is an existing or potential threat to the physical environment, to human health or to living organisms, including but not limited to:

- (1) corrosives;
- (2) explosives;
- (3) flammable and combustible liquids;
- (4) flammable solids. substances liable to spontaneous combustion, substances that on contact with water emit flammable gases;
- (5) gases, compressed, deeply refrigerated, liquified or dissolved under pressure;
- (6) oxidizing substances; organic peroxides;
- (7) poisonous (toxic) and infectious substances;
- (8) radioactive materials;
- (9) waste Dangerous Materials; and,
- (10) any other environmentally hazardous substance.

Health Care Clinic: means a facility or institution engaged in the provision of services for health maintenance, diagnosis or treatment of human pain, injury or other physical condition on an out-patient basis.

Highway Sign Corridor: means a strip of land parallel and adjacent to a provincial highway where private signs may be permitted to advertise goods and services of local area businesses and attractions, as provided by regulations of the Department of Highways and Transportation entitled "*The Erection of Signs Adjacent to Provincial Highway Regulations, 1986*", as may be amended from time to time.

Home Based Business: means an occupation carried on by the occupants of a residence ancillary to a principal use.

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

Institutional Camp: means an area of land containing sleeping accommodations and facilities which are used to provide short term accommodation for persons engaged in passive or active recreation or leisure, which, without limiting the generality of the foregoing, shall include the following: children's camp or establishment, religious camp, artist's camp, retreat, educational camp, recreational camp, sports camp or other similar camp or establishment.

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

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

- (1) will contain 300 or more animal units; and,
- (2) provides less than 370 m² of space for each animal unit contained therein.

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

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

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

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

- (1) *hard Landscaping*: means landscaping consisting of non-vegetative materials, such as brick, stone, concrete, tile and wood, but excluding monolithic concrete and asphalt.
- (2) *soft Landscaping*: means landscaping consisting of vegetation, such as trees, shrubs, hedges and grass.
- (3) *architectural Elements*: means landscaping consisting of wing walls, sculptures, etc.

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

Land Farm: means a bioremediation technology in which contaminated soils are mixed with soil amendments such as soil bulking agents and nutrients, and then they are tilled into the earth. The material is periodically tilled for aeration. Contaminants are degraded, transformed, and immobilized by microbiological processes and by oxidation. Soil conditions are controlled to optimize the rate of contaminant degradation. Moisture content, frequency of aeration, and pH are all conditions that must be controlled. Land farming differs from composting because it actually incorporates contaminated soil into soil that is uncontaminated.

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

Linear Park: means dedicated land developed in a linear fashion, between 15 and 35 metres in width, intended to facilitate pedestrian and cycling transportation, and may also facilitate the management of storm water.

Loading Space: means a space, measuring at least 2.4 metres in width and 8.4 metres in depth, located on a site, and having access to a street or lane, in which a vehicle may park to load or unload goods.

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

Lounge: means a room or area adjoining a restaurant that permits the sale of beer, wine or spirits for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted, either in the lounge or in the restaurant attached to the lounge.

Mall: means a single story commercial building in which, up to six (6) commercial uses are located together for their mutual benefit, each use having a separate entrance to the outside.

Membrane-Covered Structure: means a 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 are not membrane-covered structures.

Mineral Resource Processing: means the blasting, crushing, washing, screening, weighing, sorting, blending and/or refining of mineral resources.

Minister: means the member of the Executive Council to whom, for the time being, is assigned the administration of *The Planning and Development Act, 2007*.

Mobile Home: means a trailer coach:

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

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

Mobile Home, Double Wide: means a mobile home consisting of two sections, separately towable, but designed to be joined together into one building.

Mobile Home, Single Wide: means a mobile home designed to be towed as a single load and less than 6.09 metres wide.

Mobile Home Site: means an area of land in a mobile home court for the placement of a mobile home.

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

Modular Unit: means a factory built frame or shell which comprises supporting and non-supporting walls, siding and other components of a prefabricated home representing only a section of a dwelling and has neither chassis, running gear nor its own wheels.

Modular Home: means a factory built home that is manufactured as a whole or modular unit and is designed to be moved on a removable chassis to be used as a one unit dwelling, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.

Modular Home, Single Wide: means a modular home that is designed to be moved and placed onto a permanent foundation as a whole unit in a single load and which is less than 5 metres in width.

Modular Home, Double Wide: means a modular home that is designed to be moved and place onto a permanent foundation in two or more modular units that, when joined together, exceed 8 metres in width.

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

Motor Vehicle, Farm and Heavy Equipment Use: means any building, premises or land in which or upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sales of accessories or equipment for trucks or similar commercial vehicles.

Municipal Facility: means land and / or structures owned by the Municipality that are used for:

- (1) office and meeting space;
- (2) storage of municipal equipment and supplies;
- (3) recreation; and/or,
- (4) other institutional purposes.

Municipality: means The Rural Municipality of Wilton No. 472.

Nacelle: means the framing and housing at the top of a wind tower that enclose the gearbox and generator.

Noise Receptor: means permanent or seasonal residences, hotels/motels, nursing/retirements homes, rental residences, hospitals, campgrounds, and noise sensitive buildings such as schools and places of worship.

Noise Receptor, Participating: means a property that is associated with the Wind Energy Facility by means of a legal agreement with the property owner for the installation and operation of a wind turbine or wind turbines and/or equipment, machinery and structures utilized in connection with the conversion of wind to electrical energy which is located on that property.

Noise Receptor, Non-Participating: means a noise receptor on a property that is not associated with the wind energy facility by means of legal agreement for the installation and operation of a wind turbine or wind turbines and/or equipment, machinery and structures utilized in connection with the conversion of wind to electrical energy which is located on that property.

Non-Conforming Building: means a building:

- (1) that is lawfully constructed or lawfully under construction, or in respect of which all required permits have been issued, at the date a 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,
- (2) 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: means a site, consisting of one or more contiguous parcels, that on the day of a zoning bylaw or any amendment to a zoning bylaw becomes effective, contains a use that conforms to the bylaw, but the site area or site dimensions do not conform to the standards of the zoning bylaw for that use.

Non-Conforming Use: means a lawful specific use:

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

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

Official Community Plan (OCP): means the Official Community Plan Bylaw, as most recently amended, for the Rural Municipality of Wilton No. 472.

Outfitter Base Camp: means a commercial recreation facility that provides outfitting services by a licensed outfitter and which may include accommodation licensed under *The Public*

Accommodation Regulations and the storage and provision of related outfitting equipment, or the dressing, butchering, cleaning or freezing of game or fish, as part of the service.

Outfitting Equipment: means equipment and supplies, including boats, canoes and other water vessels, aircraft, motor vehicles, motors, fuel, fishing and hunting gear and any other equipment for use in:

- (1) hunting, taking or catching wildlife;
- (2) angling, taking or catching fish; and/or,
- (3) ecotourism, including the viewing and photographing of natural areas, flora and fauna.

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

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

Parking Space, Vehicle: means a space within a building or parking lot for the parking of one vehicle, having minimum dimensions of 2.4 metres wide by 5.5 metres deep, and which has access to a developed street or lane.

Passive Recreation Use: means a recreational land use that does not require significant development upon the site and does not lessen the natural character of the area.

Permitted Use: means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

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

Personal Service Shops: means establishments engaged in providing the care of a person or their apparel, which include barber shops, hairstyle salons, laundries, dry cleaners, shoe repair, photographic studios and other similar uses.

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

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

Preschool: means a facility which provides a program for preschool aged children.

Public Hospital: means a hospital operated by the Regional Health Authority.

Public Utility: means a government, municipality or corporation under Federal or Provincial statute which operates a public work.

Public Work: means:

- (1) systems for the production, distribution or transmission of electricity;
- (2) systems for the distribution, storage or transmission of natural gas or oil;
- (3) facilities for the storage, transmission, treatment, distribution or supply of water;
- (4) facilities for the collection, treatment, movement or disposal of sanitary sewage;
- (5) telephone, internet, cable television or light distribution or transmission lines;
- (6) facilities for the collection, storage, movement and disposal of storm drainage; and,
- (7) roads, pathways, Parks, and transportation networks

Principal Building: means the main building in which the principal use of the site is conducted.

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

Recreational Facility: means a recreation or amusement facility open to the general public.

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

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

- (1) processing of recyclable material other than compaction;
- (2) collection and storage of paints, oil, solvents or other hazardous material; nor,
- (3) outdoor compaction.

Reeve: means the Reeve of the Rural Municipality of Wilton No. 472.

Rental Suite: means dwelling unit located within, and accessory to, a single detached dwelling, including the development or conversion of basement space or above-grade space to a separate dwelling unit, or the addition of new floor space to an existing single detached dwelling.

Residential Care Facility: means a licensed or approved group care facility governed by Provincial regulations that provides, in a residential setting, 24 hour care of persons in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual.

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

Retail / Service Commercial: means the sale or display of merchandise to the public, including the storage of merchandise on or about the premises in quantities sufficient only to supply the establishment or establishments engaged in such merchandise sales, or providing the care of a person or their apparel and accessories, including but not limited to childcare services, beauty salons and barber shops, massage services, health clubs, tanning beds, spas, esthetician services, laundry services, laundromats, dry cleaning, shoe repair, tailor or seamstress services, photographic studios and other similar uses, including the provision of health related services.

Rotor: means the blades and hubs of a wind turbine that rotate during its operation.

Rural Municipal Administrator: means the Rural Municipal Administrator(s) for the Rural Municipality of Wilton No. 472.

Safe Building Elevation (S.B.E.): means the level defined by The Ministry of Municipal Affairs at time of subdivision and by municipal bylaw to which flood-proofing must be undertaken for developments in the flood hazard area. The S.B.E. is calculated as the E.P.W.L. plus a freeboard value. The freeboard allows for uncertainties in the calculations, and for other possible hazards such as ice shove, ice jams, and erosion. The Saskatchewan Watershed Authority usually recommends a freeboard of 0.5 m for most situations. For dykes used as flood-proofing, a freeboard of 0.6 m is usually recommended. In areas with high uncertainty in the hydrology or hydraulic response of the lake or river, a freeboard of up to 1.0 m may be recommended.

School: means 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.

Screening: means a fence, wall, berm or planted vegetation located so as to visually shield or obscure one abutting area of use from another.

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

Sight Triangle: means the triangular area formed, on corner sites, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines. (refer to Figure 2-3).

Sign: means 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:

- (1) is a structure or any part thereof, or is attached to, painted on, or in any manner represented on a building;
- (2) is used to announce, direct attention to, or advertise a use or building; or,
- (3) is visible from outside the building.

Sign, Area Identification: means a sign which identifies a cluster subdivision development or industrial area by means of a name, identifying symbol or logo, but does not include any advertising of companies, products or services.

Sign, Billboard: means a large poster panel with a maximum single sign face not to exceed 23.23 m² or a painted bulletin and includes any structure, panel, board or object designed exclusively to support such poster, panel, or a painted bulletin. These signs typically advertise off-site products and services.

Sign Face Area: means the area of the single face of any sign.

Sign, Portable: A portable, free-standing sign, mounted on a wide based frame, with a single sign face area no greater than 6.0 m , which can be readily moved or transported to various locations.

Sign, Temporary: means a removable sign erected for a period of time not exceeding six months.

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

Site, Corner: means a site at the intersection or junction of two (2) or more streets (refer to Figure 2-4).

Site, Interior: means a site other than a corner site (refer to Figure 2-4).

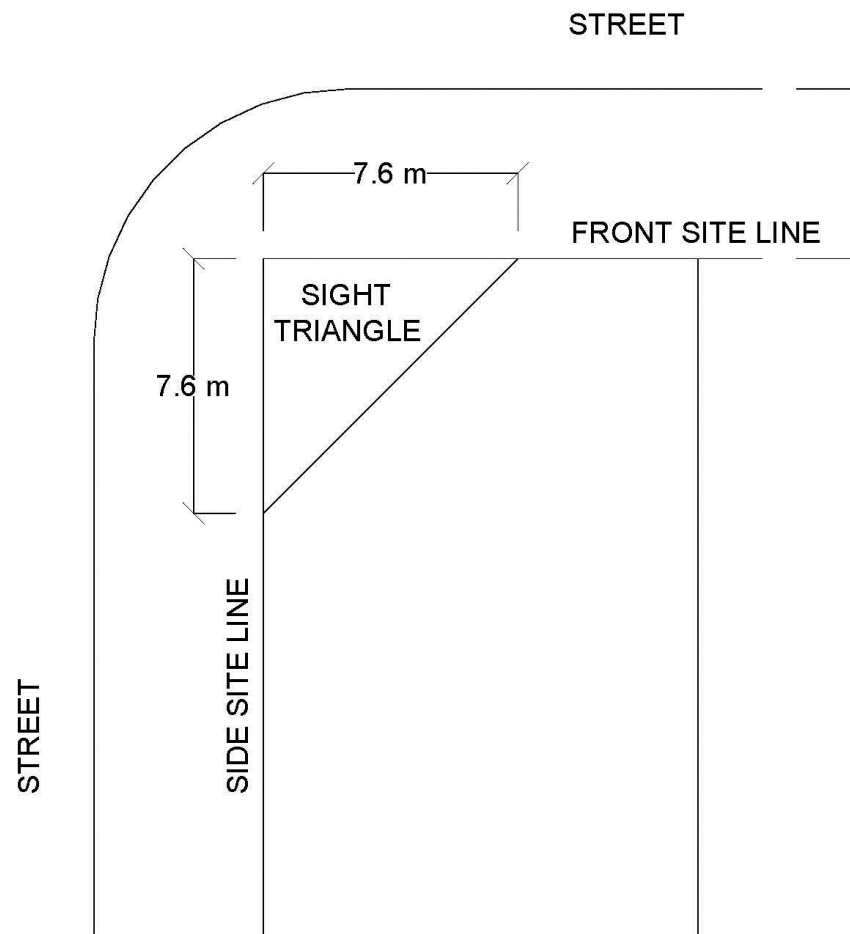


FIGURE 2-3: Sight Triangle



FIGURE 2-4: Illustration of Site Definition

Site, Through: means a site not more than one lot in depth, having a frontage on two streets more or less parallel (refer to Figure 2-4).

Site Coverage: means that portion of the site that is covered by principal and accessory buildings.

Site Drainage Plan: means a plan which shows the existing and proposed topography of a site, with contour intervals and drawn to scale, with appropriate dimensions and sufficient spot elevations to adequately demonstrate to the Development Officer that the proposed drainage pattern will not have an adverse affect on neighbouring properties and streets.

Site Frontage:

- (1) for Rectangular Sites: means the horizontal distance between the side site lines of the site measured along the front site line.
- (2) for Non-Rectangular Sites: means the average of the horizontal distances between the side site lines of the site measured along the front and rear site lines.

Site Line, Front: means the boundary at the front of the site. The boundary line between the lot and the public road allowance.

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

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

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

Structure: means 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: means a division of land as described in the regulations pursuant to *The Land Surveys Act, 2000*.

Telecommunications Facility: mean:

- (1) microwave towers, including mobile (cellular) phone towers and associated facilities;
- (2) internet receiving and/or transmittal towers and associated facilities;
- (3) radar stations;
- (4) radio and television towers and associated facilities; and,

- (5) any other tower or structure used for receiving and/or transmitting electromagnetic radiation.

Temporary Building: means a building without a foundation or footing, and that is to be removed upon expiration of a designated time period.

Temporary Use: means a use established for a fixed period of time and that is to be discontinued upon the expiration of the time period specified for that use.

Temporary Work Camp: means a temporary residential complex used to house camp workers by various contracting firms on a temporary basis of more than 28 days and less than one (1) year. The camp is usually made up of a number of mobile units, clustered in such fashion as to provide sleeping, eating, recreation and other basic living facilities.

Tourism Base Camp: means a commercial recreation facility which provides outfitting services for the viewing of natural areas and wildlife, but not including services for hunting, taking, catching or angling of wildlife or fish, and which may include accommodation licensed under *The Public Accommodation Regulations* and the storage and provision of related outfitting equipment.

Tourist Camp: means 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 trailers, tents and recreational vehicles.

Training Centre: means an establishment which conducts technical training and instruction in a technical subject or trade.

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

Trailer Court: means a site for the accommodation of two or more camp sites for trailer coaches, including any building or structure used or intended for use as part of the equipment for such trailer court, but does not include an industrial or construction camp.

Transformer Substation: means a central facility comprised of a power transformer(s), disconnect and interrupting devices, support structures and associated controls and equipment such as cooling fans for transforming the electrical outputs from the wind turbine generators to a higher voltage for input to the grid transmission system.

Trapping: means the taking of fur animals by a trapper licensed under the *Wildlife Act, 1998* and associated regulations, by means of traps, where the trapper has several traps operating at one time and checks them in a planned and regular manner, and may include temporary accessory buildings secondary and accessory to the use.

Tree Nursery: means the use of land for raising shrubs, trees and bedding plants.

Truck Stop: means any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sales of accessories or equipment for trucks or similar commercial vehicles. A truck stop shall also be defined to include those overnight accommodations and restaurant facilities primarily for the use of truck crews.

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

Use, Agricultural Related Commercial: means a service to the agricultural community such as grain and seed cleaning and drying, fertilizer distribution, implement and machinery assemblage, sale and service, veterinary clinics, hatcheries, apiaries, bulk fuel sales, stock yards, feed mills, oil seed processing plants, and other similar uses.

Use, General Industrial: means any of the following activities:

- (1) the processing of raw or finished materials;
- (2) the manufacturing or assembly of goods, products or equipment;
- (3) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible with non-industrial development;
- (4) the storage or transshipping of materials, goods and equipment, including warehouses;
- (5) the training of personnel in general industrial operations; or,
- (6) indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial use.

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

Veterinary Clinic: means a place for the care and treatment of small and/or large animals involving outpatient care and medical procedures involving hospitalization, and may include the keeping of animals in outdoor pens.

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

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

Waste Management or Disposal Facility, Liquid: means a facility to accommodate any liquid waste in solution or suspension from residential, commercial, institutional and industrial sources, but does not include a septic system for a single residence, or a manure storage area for an intensive livestock operation.

Waste Management or Disposal Facility, Solid: means a facility, including waste transfer stations and landfills, to accommodate discarded materials, substances or objects which originated from residential, commercial, institutional and industrial sources, but not including dangerous goods, hazardous waste or biomedical waste.

Waste Transfer Station: means a facility where solid waste is stored and sorted prior to being transported to another or adjacent site for recycling, treatment or disposal.

Waste, Liquid: means any liquid waste in solution or suspension from residential, commercial, institutional and industrial sources.

Waste, Solid: means discarded solid materials or objects which originated from residential, commercial, institutional and industrial sources.

Wildlife Management Activities: means activities involved in the proper management of an area or region for the continuous production of wildlife therefrom.

Wind Energy Facility: means a single wind turbine and all equipment, machinery and structures utilized in connection with the conversion of wind to electrical energy. This may include, but is not limited to, all associated transmission, storage, collection and supply equipment, substations, transformers, site access, service roads and machinery.

Wind Farm: means a wind energy facility consisting of two or more wind turbines.

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

Wind Turbine Setback: means the measured horizontal distance from the centre line or point of a wind turbine or transformer substation to the nearest part of a public road or railway or property boundary.

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

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

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

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

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

3 ADMINISTRATION

3.1 Development Officer

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

3.2 Application for Development Permit

- 3.2.1 No person shall undertake a development or commence a use unless a Development Permit has first been obtained, except as provided in Section 3.3. A Development Permit cannot be issued in contravention of any of the provisions of this Bylaw subject to Sections 213 to 227 of *The Act*.
- 3.2.2 Farm residences require a development permit.
- 3.2.3 Intensive livestock and poultry operations with 300 or more animal units shall be considered intensive livestock operations under this bylaw and will also require a development permit.

3.3 Developments Not Requiring A Development Permit

- 3.3.1 Development listed in Section 3.3.2 of this Bylaw must be allowed in the zoning district in which they are located and must comply with the regulations of this Bylaw.
- 3.3.2 Developments which do not require a development permit include:
 - (1) Accessory Farm Buildings and Structures
Farm buildings and structures, where accessory to a permitted agricultural use, excluding Intensive Livestock Operation structures and new dwellings.
 - (2) Small Accessory Buildings
Single storey accessory buildings with a building floor area less than 9.3 m², with the exception of oil & gas wells and related facilities.

(3) Public Works

Any operation for the purposes of inspecting, repairing, or renewing sewers, mains, cables, pipes, wires, tracks or similar public works as required by a public utility, and the installation of service connections to property in the municipality.

Note: a permit is required for the installation of all new transmission lines associated with facilities and systems for public works as defined herein.

(4) Municipal Facilities

Any facility, including buildings and structures, installed and operated by the Rural Municipality.

(5) Maintenance

Maintenance and repairs that do not include any structural alterations.

(6) Fences(7) Trapping(8) Temporary Confinement of Livestock

The temporary confinement of livestock as part of a legally existing farm operation.

3.4 Other Permit Requirements

3.4.1 A building permit shall not be issued unless a Development Permit, where required, has been issued.

3.4.2 Nothing in this Bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within the municipality, or from obtaining permission required by this or any other law or bylaw in the municipality, the province or the federal government.

3.4.3 Where the provisions in this Bylaw conflict with those of any other municipal, provincial or federal requirement, the higher and/or more stringent standards shall prevail.

3.5 Application Requirements

3.5.1 Applications for a development permit and applications for a discretionary use, with the exception of applications for a home based business, shall be accompanied by the following:

- (1) the names, addresses and telephone numbers of the applicant, property owner and person or consultant who prepared the plans being submitted, including a local contact person.
- (2) the proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied, including the area of the proposed building or renovations.
- (3) the complete legal description of the subject property.
- (4) a copy of a site plan, drawn to scale with appropriate dimensions, showing the following information:
 - (a) north arrow, roads adjacent to the site, all property boundaries, identified frontage of site, site area, site elevations, and the location of any existing buildings, structures, utility poles and wires, underground utilities, easements, building encroachments, and type and location of existing trees;
 - (b) the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions where relevant;
 - (c) the location and size of all entrances and exits to the site;
 - (d) the method and location of on-site sewage disposal facilities and, where proposed, manure storage facilities, including a valid sewage disposal permit issued by Public Health; and,

3.5.2 For certain developments or discretionary uses, additional information shall be required in support of the application, as follows:

- (1) Mobile Home Courts, Campgrounds, Tourist Base Camps, Tourist Camps, Outfitter Base Camps, and Trailer Courts:

An applicant for a discretionary use approval for the above-uses shall provide documentation to Council's satisfaction:

- (a) a plan of the site, identifying any buildings, uses of land and the location of all roadways, buildings, structures, mobile home sites and campsites with dimensions. The addition or rearrangement of sites or accommodation facilities, the construction or moving of buildings, material changes in use of portions of land, or the filling or clearing of land shall require a development permit, and the applicant shall submit for approval an amended plan incorporating the proposed development.

(2) Intensive Livestock Operations:

An applicant for a discretionary use approval for an intensive livestock operation (ILO) shall provide documentation, to Council's satisfaction:

- (a) of distances to the nearest land uses, development types and municipal limits, whether within the municipality or within an adjacent municipalities, listed in "Table 6-1 - Required Separation Distances Between Uses" of the Official Community Plan and measured as specified in the notes to that table;
- (b) that the water supply is sufficient for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation;
- (c) of proposed methods of manure management, including on-site storage or stockpiling, transportation, and spreading, incorporation or disposal;
- (d) of proposed odour management and control measures, including proposed odour management and control related to earthen manure storage facilities and liquid manure lagoons, and odour management and control measures related to the ventilation of hog or poultry barns;
- (e) of the location and extent of sufficient lands to be used for the spreading of manure from the ILO, as well as proposals for the annual confirmation of the continued availability of such lands; and
- (f) of the proposed methodology for monitoring on-site and neighbouring wells for water quality and quantity purposes after the ILO has begun operation, and for reporting on same to Council.

(3) Intensive Agricultural Operations:

An applicant for a discretionary use application for an intensive agricultural operation where intensive irrigation is required shall provide documentation, to Council's satisfaction:

- (a) that the water supply is sufficient for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation.

(4) Commercial / Industrial Use

An applicant for a discretionary use approval for a commercial or industrial use may be required to provide documentation, to Council's satisfaction:

- (a) as specified in Section 3.7.3(10) of the Official Community Plan and documentation that the locational criteria in Section 3.7.3(9) of the Official Community Plan are satisfied.

(5) Hazardous Industrial Use

An applicant for a discretionary use approval for a hazardous industrial use shall provide documentation, to Council's satisfaction:

- (a) of distances to the nearest land uses, development types and municipal limits, whether within the Municipality or within an adjacent municipality, listed in "Table 6-1 - Required Separation Distances Between Uses" of the Official Community Plan and measured as specified in the notes to that table (refer to Section 3.7.3 (13) of the Official Community Plan); and,
- (b) of the distance to the nearest permanent surface water course or permanent water body.

(6) Solid or Liquid Waste Management or Disposal Facility:

An applicant for a discretionary use approval for a public work in the form of a solid or liquid waste management or disposal facility shall provide documentation, to Council's satisfaction:

- (a) of distances to the nearest land uses, development types and municipal limits, whether within the municipality or within an adjacent municipalities, listed in "Table 6-1 - Required Separation Distances Between Uses" of the Official Community Plan and measured as specified in the notes to that table (refer to Section 3.2.3 (10) of the Official Community Plan).

(7) New Communal Water System:

- (a) An application for any new communal water system or communal sewer system shall include a copy of the system drawings, as required by the *Public Health Act, 1994* and associated regulations or *The Environmental Management and Protection Act* and associated regulations.

(8) Wind Energy Facilities (one turbine)

An application for a wind energy facility shall provide documentation, to Council's satisfaction as follows:

- (a) A site location plan showing the subject property, adjacent roads, railways, telecommunications facilities (to ensure avoidance of microwave transmission corridors), property lines and all habitable buildings within one (1) one mile of the proposed development.
- (b) A detailed site plan drawn to scale showing the location of the proposed wind turbine(s) and all associated facilities indicating cable locations for domestic useage and power grid connections, existing vegetation, proposed access and landscaping.
- (c) Confirmation of site ownership by the proponent or where the land is not owned by the proponent evidence of site control and right to access through provisions of a lease or easement agreement with the owner.
- (d) Proponents are responsible for obtaining any required federal or provincial permits, licences and approvals for construction and maintenance of wind energy conversion facilities and must remit a copy to the municipality.
- (e) Details respecting the colour and markings for the proposed tower including required lighting in accordance with federal aviation requirements.
- (f) Validation by a professional engineer of the structural integrity of the proposed supporting tower and foundation or a description of required manufacturing specifications.

(9) Wind Energy Facilities (two or more turbines)

An application for a wind energy facility shall provide documentation, to Council's satisfaction as follows:

- (a) A site location plan showing the subject property, adjacent roads, railways, telecommunications facilities (to ensure avoidance of microwave transmission corridors), property lines and all habitable buildings within one (1) one mile of the proposed development.
- (b) A detailed site plan drawn to scale showing the location of the proposed wind turbine(s) and all associated facilities indicating cable locations for domestic useage and power grid connections, existing vegetation,

proposed access and landscaping.

- (c) Confirmation of site ownership by the proponent or where the land is not owned by the proponent evidence of site control and right to access through provisions of a lease or easement agreement with the owner.
- (d) Proponents are responsible for obtaining any required federal or provincial permits, licences and approvals for construction and maintenance of wind energy conversion facilities and must remit a copy to the municipality.
- (e) Details respecting the colour and markings for the proposed tower including required lighting in accordance with federal aviation requirements.
- (f) Validation by a professional engineer of the structural integrity of the proposed supporting tower and foundation or a description of required manufacturing specifications.
- (g) illustration of sight line vistas from residential buildings within one (1) mile of the proposed development utilizing photographic representations of the development area;
- (h) a decommissioning plan addressing the manner of physical removal of the facility, removal of any hazardous materials and site restoration to a natural condition, should the use of the facility be discontinued.

(10) Gravel Operations:

An application for a discretionary use approval for the excavating, stripping or grading of sand, gravel, clay or similar materials, such as gravel pits and gravel crushing operations, shall include the following documentation:

- (a) a plan showing the location of the area of the operation relative to the site boundaries, the depth of excavation, and the quantity of material to be removed;
- (b) a plan showing the distances to the adjoining land uses as listed in “Table 6-1 - Required Separation Distances Between Uses” of the Official Community Plan;
- (c) a description of the excavation, stripping or grading operation proposed;
- (d) a detailed timing and phasing program covering the time span of the proposed operation;

- (e) a description of reclamation and rehabilitation measures to be conducted both during and following the operation consistent with *The Reclamation Guidelines for Sand and Gravel Operations* provided by the Ministry of Environment. Those guidelines recommend that “reclamation practises should ensure a physical stabilization of the soils and achieve a sustainable land use so that the land may be returned to a productive state as soon as possible after the operation has completed”, and that “reclamation operations should be carried out concurrently with extraction”.
- (f) a description of the measures to be taken for the prevention and lessening of dust and other nuisances during and after the operation; and,
- (g) road maintenance measures and proposed truck routes;

Council may impose requirements in addition to those set out above. Council may also require a performance bond by any person or company undertaking any work outlined in Section 3.5.2 (10) to ensure that the development is carried out in the manner specified. The amount of the performance bond is to be set at the discretion of Council

Council shall enter into a formal Road Maintenance Agreement with the Developer or Contractor.

3.6 Development Permit Application Process

- 3.6.1 The Development Officer shall review all applications for completeness and shall inform an applicant whose application is not complete of the information or documentation required to complete the application, and that the application will not be considered until it is complete.
- 3.6.2 The Development Officer may submit any application to Council for a decision on the interpretation of the bylaw, or on special conditions provided in the bylaw, and shall inform the applicant of this action. Council or the Development Officer may require the applicant to provide such further information as may be required to make a decision.
- 3.6.3 Upon completion of the review of a complete application for development, the Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Zoning Bylaw, the Official Community Plan and *The Planning and Development Act, 2007*.
- 3.6.4 Where an application is made for a development permit with respect to a development for a discretionary use which has been approved by Council, the Development Officer shall issue a development permit subject to any specified development standards prescribed by

Council pursuant to Section 56(3) of *The Planning and Development Act, 2007*.

- 3.6.5 Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.
- 3.6.6 The Development Officer may revoke a development permit where:
 - (1) the development permit has been issued in error; and/or,
 - (2) an approved development is not being developed or operated in accordance with the provisions of this Zoning Bylaw, or in accordance with the standards and conditions specified in the development permit.
- 3.6.7 The Development Officer shall give the reasons for denying or revoking a development permit.

3.7 Validity of a Development Permit

- 3.7.1 If development authorized by a development permit is not commenced within twelve (12) months of the date of issue, the permit ceases to be valid.
- 3.7.2 A development permit extension may be granted for an additional twelve (12) month period by the Development Officer.
- 3.7.3 Where a discretionary use approval has been issued by Council for a garden suite for a specific 24 month period, the associated development permit issued for the garden suite shall cease to be valid 24 months from the date of its issuance.

3.8 Discretionary Use Applications

- 3.8.1 Discretionary Use Application Process
 - (1) The following procedures shall apply to discretionary use applications:
 - (a) Applicants must file with the Development Officer a development permit application, a site plan, any other plans and information as required by the Development Officer and pay the required application and public hearing fees;
 - (b) The application will be examined by the Development Officer for conformance with the Official Community Plan, this Bylaw, and any other applicable policies and regulations;

- (c) The Development Officer may request comments from other government agencies where applicable;
- (d) The Development Officer will prepare a report concerning the application including recommendations that conditions be applied to an approval;
- (e) The Development Officer will set a date for the meeting at which the application will be considered by Council and will be given notice by ordinary mail to assessed owners of property within 75 metres of the boundary of the applicant's land. The Development Officer will prepare on-site notification posters which must be placed on the site by the Development Officer and must remain on the site until the application is considered by Council;
- (f) In addition to the requirements set out in (e) above, the Development Officer shall advertise the proposed discretionary use by mailing a copy of a notice of the application to the assessed owner of each property within 1.6 kilometres of the proposed discretionary use for the following:
 - (i) any new intensive livestock operation or expansion or alteration to an intensive livestock operation;
 - (ii) kennels;
 - (iii) wind energy conversion facilities;
 - (iv) commercial use in a residential district.
- (g) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council;
- (h) Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on site; and,
- (i) The Development Officer shall notify the applicant of Council's decision by ordinary mail addressed to the applicant at the address shown on the application form.
- (j) Where an application for discretionary use is approved by resolution of Council, the Development Officer shall issue a development subject to any specified development standards prescribed by Council pursuant to Section 3.18.4 below.
- (k) Where an application for a discretionary use is approved by resolution of Council

but the proposed development does not meet the zoning regulations for the applicable zoning district, the Development Officer shall:

- (i) advise the applicant of Council's approval of the discretionary use application, and
 - (ii) advise the applicant that the development permit application must be refused on the grounds of zoning non-compliance but the applicant has the right of appeal.
- (1) The Development Officers shall maintain a registry of the location and all the relevant details respecting the granting of the discretionary use approval.
- (2) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning districts in which they are located. In approving any discretionary use to minimize land use conflict, Council may prescribe specific development standards related to:
 - (a) site drainage of storm water;
 - (b) the location of buildings with respect to buildings on adjacent properties;
 - (c) access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic;
 - (d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
 - (e) control of noise, glare, dust and odour;
 - (f) landscaping, screening, fencing, and preservation of existing vegetation to buffer adjacent properties;
 - (g) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs;
 - (h) prescribed specific time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and
 - (i) intensity of use.
- (3) Council's approval of a discretionary use application is valid for a period of twelve (12) months from the date of approval. An approval shall be deemed to be invalid if the

proposed use or proposed form of development has not commenced within that time or if the Council determines, within the twelve (12) month period, that the proposed development is not proceeding in accordance with the terms and conditions of its approval. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid.

- (4) Council may direct that a discretionary use permit extension be granted for an additional twelve (12) month period by the Development Officer.
- (5) If an approved discretionary use or form of development ceases to operate for a period of twelve (12) consecutive months or more, the discretionary use approval shall no longer be valid. The Development Officer shall advise the owner and Council when a prior approval is no longer valid.
- (6) Where Council has approved a discretionary use for a limited time, as provided in this Bylaw, and that time period has expired, that use of land and/or use of buildings on that land shall cease until such time as Council gives a new discretionary use approval and a new development permit is issued.

3.8.2 General Discretionary Use Evaluation Criteria

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

- (1) The proposal must be in conformance with all relevant sections of the Official Community Plan and Zoning Bylaw and must demonstrate that it will maintain the character, density and purpose of the zoning district where necessary through the provisions of buffer areas, separation and screening.
- (2) The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.
- (3) The proposal must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.

3.8.3 Terms and Conditions for Discretionary Use Approvals

- (1) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provision of the zoning district in which they are located. In approving a discretionary use application, Council may prescribe specific development standards to minimize land use conflict with respect to:

- (a) site drainage of storm water;
 - (b) the location of buildings with respect to buildings on adjacent property;
 - (c) access to, number and location of parking and loading facilities including adequate vehicular access;
 - (d) control of noise, glare, dust and odour; and,
 - (e) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs to ensure compatibility with the height, scale, setbacks and design of buildings in the surrounding area, and with land uses in the general area.
- (2) Council may approve discretionary use applications for a fixed period of time where it is considered important to monitor and reevaluate the proposal and its conformance with the objectives of this Bylaw.
- (3) Prior to issuance of a development permit for the establishment of a gravel pit or gravel crushing operation, Council may require the developer to enter into an agreement, pursuant to Section 235 of *The Act*, to define the responsibilities of the operator and operation requirements. Any of the following criteria, along with any additional criteria in accordance with an agreement set by Council and the developer, may be prescribed in such an agreement:
- (a) Conditions respecting the operation of the pit or quarry;
 - (b) Responsibilities of the developer and/or operator concerning the reclamation of the site;
 - (c) The routing of trucks to and from the site;
 - (d) The planting of trees on and/or near the site, and/or in another location to the satisfaction of Council;
 - (e) The erection of fencing and signs;
 - (f) The maintenance of municipal roadways; and/or,
 - (g) The posting by the developer of a performance bond to guarantee adherence to the above or any other requirements that Council may specify.

3.8.4 Use-Specific Discretionary Use Evaluation Criteria

Council will apply the following use-specific criteria to the assessment of the suitability of an application for a particular discretionary use or discretionary form of development.

(1) Bus Terminals and Car Washes:

- (a) The location of the bus terminal or car wash will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation; and/or
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists, or pedestrians.
- (b) Bus terminals are also subject to 4.14.9.

(2) Bulk Petroleum Tanks:

- (a) Shall be located at least 91.4 metres from residential areas, schools, hospitals, and motels.

(3) Community Service Uses, Clubs, Places of Worship, Public and Commercial Recreation Facilities:

- (a) Schools, clubs and places of worship should, where possible, be located on corner sites to facilitate access.
- (b) Public elementary and secondary schools should, where possible, be located adjacent to public open spaces.
- (c) The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads.
- (d) Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.

- (e) Vehicle car parking and access areas should not form a dominant element in the streetscape.
- (4) Accessory Dwelling Units:
 - (a) Dwelling units attached to commercial establishments shall have a main entrance separate from that of the commercial establishment. An emergency exit must be provided in addition to the main entrance; and,
 - (b) The minimum floor area of each dwelling unit shall be 28 square metres.
- (5) Livestock Auction Facilities, Meat Packing Plants, and Stockyards:
 - (a) Shall be located at least 300 metres from all residential and community service districts.
- (6) Abattoirs:
 - (a) Shall be located at least 91.4 metres from residential areas, schools, hospitals, motels and restaurants.
- (7) Junk and Salvage Yards and Auto Wreckers:
 - (a) Junk and salvage yards and auto wreckers shall be enclosed by an opaque or solid perimeter fence at least 2.0 metres in height, and not more than five metres in height, with no material piled higher than the height of the perimeter fence; and,
 - (b) The perimeter fence shall not be located in the required front yard. The required front yard shall be used for no other purpose than landscaping and necessary access driveways to the site.
- (8) Lumber yards, home improvement centres, building supply establishments and construction trades:
 - (a) The location of lumber yards, home improvement centres, building supply establishments and construction trades will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to the following effects:
 - (i) municipal servicing capacity;

- (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or,
 - (iv) utilization of hazardous substances.
 - (b) All materials and goods used in conjunction with construction trades shall be stored within an enclosed building, or within an area hidden from view by screening.
- (9) Auto body shops, construction trades, freight handling facilities, taxidermy and accessory tanning of hides, warehouses, light manufacturing, and welding and machine shops:
- (a) The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas.
Consideration may be given but is not limited to the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or,
 - (iv) utilization of hazardous substances.
 - (b) All materials and goods used in conjunction with construction trades shall be stored within an enclosed building, or within an area hidden from view by screening;
 - (c) Warehouses and freight handling facilities shall be accessible from a major road network to avoid heavy traffic volumes on access roads.
Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints; and,
 - (d) No outside storage is permitted for a wholesale establishment.

(10) Light Manufacturing:

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

(11) Indoor storage rental facilities, recycling and collection depots, and storage garages:

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

(12) Tourist Campgrounds:

- (a) Wherever possible, and appropriate, any existing trees and mature landscaping shall be retained;
- (b) Solid waste storage facilities (including adequate space for both recycling and general waste bins) shall be provided on-site, appropriately located, and screened or landscaped to avoid any adverse visual impact from the road and within the development;
- (c) There shall be adequate manoeuvring space on-site; and,
- (d) The prevention of on-street congestion caused by the ingress and egress of vehicles shall be considered.

(13) Golf Courses:

- (a) Consideration will be given to the compatibility of the golf course with adjacent land uses;
- (b) Insofar as possible, proposed golf courses shall respond to the natural topography and drainways of the site, and employ minimal clearing of native vegetation;
- (c) Buffers shall be provided to protect existing, adjacent neighbourhoods by mitigating the adverse impacts of sound, visibility and traffic;

- (d) Council will consider the following as an asset in the development of a golf course:
 - (i) maximum use of existing landforms and native grasses and vegetation;
 - (ii) an alternative water source to potable water; and,
 - (iii) water conserving irrigation systems.
- (14) Intensive Agricultural Uses (excluding livestock):
 - (a) The location of agricultural uses will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding adjacent areas. Consideration may be given, but is not limited to, the following effects:
 - (i) municipal servicing capacity;
 - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
 - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or,
 - (iv) utilization of hazardous substances.

3.9 Amending the Zoning Bylaw

- 3.9.1 Any person seeking to amend this Zoning Bylaw may submit an application for such amendment and, upon payment of the required fee, the Development Officer shall refer such application to Council for consideration.
- 3.9.2 Council may authorize an amendment to a zoning bylaw, and that amendment shall be adopted by bylaw.
- 3.9.3 Sections 206 - 212 of *The Planning and Development Act, 2007*, shall govern the process to be followed with respect to public notice and public participation in the adoption of a bylaw proposed to amend this Zoning Bylaw.

3.10 Development Appeals Board

- 3.10.1 Council shall appoint a Development Appeals Board in accordance with Sections 49(j) and 213 to 227 of *The Planning and Development Act, 2007*.
- 3.10.2 A person who wishes to appeal to the Development Appeals Board shall, within 30 days of the date of issuance of or refusal to issue a development permit, file a written notice of intention to appeal, and the appeal fee, with the secretary of the Development Appeals Board.
- 3.10.3 A person whose application for a discretionary use or development has been approved with prescribed development standards may appeal any development standards considered excessive, to the Development Appeals Board.
- 3.10.4 An appellant shall make the appeal within 30 days of the date of the issuance of, or refusal to issue, a development permit.
- 3.10.5 Nothing in this section authorizes a person to appeal a decision of the council:
- (1) refusing to rezone land; or,
 - (2) rejecting an application for approval of a discretionary use.
- 3.10.6 In making an appeal to the Development Appeals Board, and hearing such appeal, the provisions of *The Planning and Development Act, 2007* shall apply.

3.11 Minor Variances

- 3.11.1 Council may grant a variance of up to 10% of any yard requirement or minimum required distances between buildings for a use that conforms to this bylaw. All such variances shall be subject to the conditions and granted in accordance with the procedures contained in Section 60 of *The Planning and Development Act, 2007*.
- 3.11.2 Council shall maintain a registry of the location and all relevant details of the granting of such variances.

3.12 Fees

- 3.12.1 Amendment of the Zoning Bylaw

In addition to an application fee, where a person requests Council to amend the Zoning Bylaw, that person shall pay to the municipality a fee equal to the costs associated with

the public advertisement of the proposed amendment and the costs associated with providing direct written notice to owners of land that is the subject of the proposed amendment. Council may choose not to proceed with the advertising if it concludes that the proposed amendment is unsuitable or unnecessary.

3.12.2 Application fees

- (1) An applicant for a development permit shall pay an application fee in accordance with the Planning and Development Fee Bylaw

These fees shall be in addition to any fee required by Section 3.12.1 above.

- (2) An applicant for a subdivision application shall pay an application fee in accordance with the Planning and Development Fee Bylaw

These fees shall be in addition to any fee required by Section 3.12.1 above.

- (3) Detailed review costs:

- (a) General: Where a development or subdivision proposal involves a detailed R.M. review, a plan or Zoning Bylaw Amendment, a development agreement, a servicing agreement, detailed development conditions, liability insurance, performance bonds, caveats, or R.M. legal and professional planning advice, Council may require the applicant pay the full cost of the additional application review and administration costs, as Council may determine by resolution.

- (b) Items: Such costs may include Council meetings, R.M. legal and professional planning costs, municipal administration fees and R.M. site inspection fees, as determined by Council.

- (c) Documentation: Such costs may be addressed and clarified in the R.M. Council specified documents: Such costs may be addresses and clarified in R.M. Council specified documents, including development and servicing agreements.

- (4) Where a person applies to Council to amend the Zoning Bylaw, that person shall pay to the municipality in accordance with The Planning and Development Fee Bylaw:

These fees shall be in addition to any fee required by Section 3.12.1 above.

3.13 Zoning by Agreement

- 3.13.1 A zoning designation which is subject to an agreement entered into pursuant to the provisions of Section 69 of *The Act* and Section 5.1.4 of the Official Community Plan, shall be indicated on the Zoning District Map by the addition of the bylaw number authorizing the agreement after the zoning district designation.

3.14 Offences and Penalties

- 3.14.1 Pursuant to Section 242(4) of *The Act*, the Development Officer may issue a zoning compliance order for development that contravenes this bylaw to achieve bylaw compliance.
- 3.14.2 Any person who violates this Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties provided by Section 243 of *The Act*.

3.15 Zoning Compliance Certificate

- 3.15.2 To initiate a zoning compliance review, an application fee of \$100.00 is required along with the legal land description, a current Real Property Report prepared by a licenced surveyor and contact information for the application.
- 3.15.2 After the R.M. completes a zoning compliance review, it will issue a zoning compliance certificate which includes:
- (1) identification of the property's zoning designation and a brief description of what the intent of the zoning district is;
 - (2) a list of permitted and discretionary uses provided in the applicable zoning district;
 - (3) an itemized list of building permits that have been issued for the property including the permit number, a description of the building and a statement confirming the status of each permit. Where a permit remains open, a summary of the deficiencies that remain will be included;
 - (4) here a Real Property Report is provided, all site development will be compared to our records for building permits to ensure buildings which require a permit have obtained such approval and confirmation that the property setbacks for each has been met;
 - (5) identification of any orders that have been issued for the property; and

- (6) identification of any other items that are deemed important which may be contained within the title file.
- 3.15.3 The certificate shall be provided in letter format, with any notices, requirements, and/or applications for outstanding permits included in the letter.
- 3.15.4 The R.M. shall not comment or provide a perspective concerning the property that is based on speculation. All information provided will be substantiated within the title file, municipal records, or Real Property Report.

4 GENERAL REGULATIONS

Except as noted, the following regulations shall apply to all zoning districts in this bylaw:

4.1 Frontage on the Road

A development permit shall not be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts, or has frontage on a graded all-weather registered road, or unless satisfactory arrangements have been made with Council for the improvement or building of a road, where required.

4.2 Development on Hazard Lands

4.2.1 Where a proposed development of a building is to be located on land considered by Council to be potentially hazardous, including but not limited to a wetland, water body or watercourse where flooding may occur, the lands shall be deemed “hazardous” and Council shall require the applicant to submit sufficient topographic information to determine if the development will be within 50 metres of:

- (1) any slope(s) that may be unstable;
- (2) any river or stream flood plain; and/or,
- (3) any other land that may be subject to flooding.

4.2.2 Council may require that before a permit may be issued, the applicant shall submit a report prepared by a professional competent to assess the suitability of the site for a development described in Section 4.2.1, and which in the opinion of Council, shows that the proposed site and development is suitable with respect to the following where relevant:

- (1) the potential for flooding up to the Safe Building Elevation, to be determined from specific site investigations, or where not involving any building, such lower elevation as may be suitable for the proposed use;
- (2) the potential for slope instability; and/or
- (3) the required mitigation measures for construction on areas of high water tables, in slopes or on contaminated sites if any.

- 4.2.3 Actions identified in an assessment prepared pursuant to Section 4.2.2 which prevent, change, mitigate or remedy hazards in lands deemed hazardous may be incorporated as conditions to issuance of any development permit that may be issued. Council shall refuse a permit for any development for which, in Council's opinion, the proposed actions are inadequate to address the adverse effects or will result in excessive municipal costs.

4.3 Building to be Moved

- 4.3.1 No building shall be moved within, or into, the municipality, without first obtaining a development permit, except as provided in Section 3.3, from the Development Officer.

4.4 Waste Disposal

- 4.4.1 No development or use of land which requires sewage disposal or landfill facilities shall be permitted unless those facilities are approved by the Regional Health Authority and/or Saskatchewan Environment. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by the Departments of Agriculture and Food, Environment, Health and the Saskatchewan Watershed Authority.

4.5 Water

- 4.5.1 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 Regional Health Authority and/or the Saskatchewan Watershed Authority.

4.6 Storage of Chemicals, Fertilizers and Combustible Materials

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

4.7 One Principal Building Permitted on a Site

- 4.7.1 Not more than one principal building shall be permitted on any one site except for:

- (1) public works;

- (2) institutional uses;
- (3) agricultural uses;
- (4) dwelling groups;
- (5) mobile homes in mobile home courts;
- (6) recreation facilities;
- (7) schools; and,
- (8) ancillary uses as specifically provided for in this Bylaw.

4.8 Non-Conforming Buildings, Sites and Uses

- 4.8.1 The adoption or amendment of this bylaw does not affect non-conforming buildings, sites and uses.
- 4.8.2 The provisions of *The Planning and Development Act, 2007*, Sections 88 to 93 inclusive, shall apply to all non-conforming buildings and uses.
- 4.8.3 Non-conforming buildings or sites may continue to be used, maintained and repaired in their present form.

4.9 Mobile Homes and Modular Homes

- 4.9.1 Wherever a single detached dwelling is allowed it may be in the form of a mobile home, or a modular home subject to Sections 4.9.2 and 4.9.3.
- 4.9.2 Every mobile home shall bear CSA Z240 certification, or a replacement thereof, and shall be attached to a permanent foundation, or securely anchored to the ground and skirted, prior to occupancy.
- 4.9.3 Every modular home shall bear CSA A277 certification, or a replacement thereof, and shall be attached to a permanent foundation.

4.10 Regulations for Signs and Billboards

4.10.1 Signs Located in Highway Sign Corridor

- (1) Signs located in a highway sign corridor shall be regulated by the requirements of "*The Erection of Signs Adjacent to Provincial Highway Regulations, 1986*" and

amendments thereto, as well as Sections 4.10.2 through 4.10.10.

4.10.2 Signs Not Requiring a Sign Permit

- (1) Government signs, memorial signs, signs identifying residential or farm occupants or addresses and directional signs that bear no advertising, including traffic control, no trespassing, hunting restriction, and similar signs, are permitted, and do not require a permit.
- (2) Temporary signs and real estate signs are permitted only as long as the temporary condition exists for the property.
- (3) A fascia sign which is attached to a building other than a dwelling that indicates the name or address of the building, the name of the person or institution occupying the building and the activities carried out in the building, including hours of operation and rates charged is permitted, provided that the sign face area does not exceed 1.5 m².
- (4) A fascia sign attached to a dwelling identifying the name of a home-based business or farm-based business for which a permit has been issued is permitted, provided that the sign face area does not exceed 0.4 m².
- (5) Murals or works of art which contain no advertising.

4.10.3 Application for Sign Permits

- (1) Applications for sign permits must be made in writing to the Development Officer by the owner, lessee or authorized agent of the building or premises on which the sign is to be erected. The written application shall be accompanied by plans, specifications, construction details and other information sufficient to inform the Development Officer of the exact nature and location of the intended sign.
- (2) Prior to issuing a sign permit for a free standing, projecting or roof sign, the Development Officer may require that the supplementary documentation described in (1) above, contain the professional stamp of a certified professional engineer qualified to certify that the sign design satisfies all relevant legislation, codes and Bylaws.

4.10.4 Permit and Licence Fees

- (1) An applicant for a development permit shall pay an application fee in accordance with the Planning and Development Fee Bylaw

4.10.5 General Sign Regulations

- (1) Signs shall not be located in sight triangles for intersections or driveways or in such a manner that they visually obstruct sight triangles or otherwise jeopardize public safety.
- (2) Except as otherwise provided, no sign shall project beyond the property lines of the site to which it pertains.
- (3) Any sign may only advertise agricultural commercial uses, home based businesses, the principal use of a site, or the principal products offered for sale on a site.
- (4) All private signs shall be located so that no part of the sign is over a public right of way.
- (5) Any permitted external lighting used to illuminate a sign shall be directed away from vehicular thoroughfares and pedestrian pathways.
- (6) Signs shall not be erected, attached or maintained upon trees or utility poles, or drawn or painted on rocks or other natural features.
- (7) Third-party advertising signs, including signs affixed to or painted on a vehicle or trailer, shall be prohibited in all zoning districts, except signs in the highway sign corridor which comply with the rest of Section 4.10.

4.10.6 Licensing of Portable Signs

- (1) Portable signs intended for rental or lease at more than one site during a 12 month period, or located at more than one site during a 12 month period must be licensed.
- (2) The annual licence shall be in the form of a licence sticker which must be affixed anywhere on the top third of the sign on the end or face closest to the street.
- (3) A licence sticker is not transferable from one portable sign to another.

4.10.7 Denying or Revoking Sign Permits

- (1) The Development Officer may deny or revoke a sign permit for any of the following reasons:
 - (a) erection of the sign has not commenced within twelve months from the

date of issue of the permit;

- (b) the sign does not conform to all relevant provisions of this Bylaw;
- (c) the sign being constructed or erected does not conform to the approved drawings; and/or,
- (d) the sign is not in a proper state of repair.

4.10.8 Signs in Agriculture, Commercial and Industrial Districts

- (1) Sign provisions applying to permitted principal commercial / industrial uses, community service uses and residential uses are set out in Table 4-2. The following provisions also apply:
 - (a) Illuminated signs applying to commercial / industrial or community service uses shall have an internal light source or an external light source shielded so that the light is directed only at the face of the sign;
 - (b) A freestanding sign applying to a commercial / industrial use may be located in a required yard provided that the Development Officer is satisfied that it does not create an obstruction to vehicle or pedestrian traffic or a hazard to public safety;
 - (c) Freestanding signs shall maintain a minimum vertical clearance of 3.0 m above grade over any vehicle circulation area on the site;
 - (d) Signs other than freestanding signs shall have a minimum vertical clearance of 2.7 m above grade where they project more than 7.5 cm from the building face;
 - (e) Awning signs shall not project more than 1.8 m from the building face;
 - (f) Projecting signs shall not project more than 1.8 metres above the eaves or parapet of a supporting building;
 - (g) Except in the **C** - Commercial District, no sign shall project beyond the property lines of the site to which it pertains;
 - (h) In the **C** - Commercial District only, no projecting sign may project perpendicularly from the property line more than 3.0 metres or beyond a point 0.6 metres from the building side of the curb line, whichever is less;
 - (i) In the **C** - Commercial District only, no projecting sign may be suspended

less than 2.6 metres above the surface of a public sidewalk or pedestrian right-of-way;

- (j) Roof signs are permitted only on a principal building on any site and only one roof sign shall be permitted on each principal building;
- (k) No portion of any roof sign may project beyond any exterior wall or parapet of the building upon which it is placed; and,
- (l) One Area Identification Sign of a maximum area of 8 metres square, and not exceeding 2.5 metres in height may be erected on one lot of an industrial park development in place of one of the freestanding signs permitted in Section 4.10.8 (1) (b), at the discretion of Council, providing that endorsement is obtained from the lot owner and any affected Community Association. No less than 40% of any sign face must be devoted to the area name.

Table 4-2 SIGN REGULATIONS IN AGRICULTURAL, COMMERCIAL AND INDUSTRIAL DISTRICTS						
Uses	Maximum No. of Signs Permitted	Maximum Total Sign Face Area (m ²)	Maximum No. of Freestanding Signs	Maximum Height of Freestanding Signs (m)	Maximum Sign Face Area of Free Standing Signs (m ²)	
					Per Face	Total
All principal residential uses for which a permit has been issued	1	0.4	0	n/a	n/a	n/a
All commercial/industrial uses, ancillary or accessory to residential uses for which a permit has been issued	1	0.4	0	n/a	n/a	n/a
All principal commercial/industrial uses for which a permit has been issued	--	--	(1)	(2)	(3)	(4)
All community service uses for which a permit has been issued	3	18	1	3	6	12

- (1) In the **C** - Commercial District, a maximum of one free standing sign shall be permitted on sites with a minimum site width of 20 metres; and,
In the **M** - Industrial District, a maximum of one free standing sign shall be permitted.
- (2) In the **C** - Commercial District: 6 metres; and,
In the **M** - Industrial District: 10 metres
- (3) In the **C** - Commercial District: maximum 5 square metres sign face area; and,
In the **M** - Industrial District: maximum 9 square metres sign face area.

Table 4-2 SIGN REGULATIONS IN AGRICULTURAL, COMMERCIAL AND INDUSTRIAL DISTRICTS						
Uses	Maximum No. of Signs Permitted	Maximum Total Sign Face Area (m ²)	Maximum No. of Freestanding Signs	Maximum Height of Freestanding Signs (m)	Maximum Sign Face Area of Free Standing Signs (m ²)	
					Per Face	Total

- (4) In the **C** - Commercial District: maximum 10 square metres total sign face area; and,
In the **M** - Industrial District: maximum 18 square metres total sign face area.

4.10.9 Portable Sign Regulations

- (1) No portable sign shall have a single face area greater than 6.0 m².
- (2) No portable sign shall have a height greater than 3.0 metres above grade.
- (3) No portable sign shall occupy any space required for off-street parking unless the site contains off-street parking in excess of that required under this Bylaw.
- (4) On any single site, no portable sign may be located closer than 20.0 metres from any other portable sign.

4.11 Public Works, Pipelines and Facilities of the Municipality

- 4.11.1 Public works and facilities of the Municipality, except solid and liquid waste disposal sites, shall be permitted uses in every zoning district, and unless otherwise specified by this bylaw, no minimum site or yard requirements shall apply.
- 4.11.2 Where a pipeline or other utility or transportation facility will cross a municipal road, Council may apply such special design standards as it considers necessary to protect the municipal interest in the existing and future improvements to the road.

4.12 Vehicle Storage

- 4.12.1 Notwithstanding anything contained in this Bylaw, no person shall use any site in any hamlet district, for the parking or storage of more than two (2) unlicensed vehicles outside of an enclosed building.
- 4.12.2 Sections 4.12.1 shall not apply to permitted machinery or automotive salvage yards, auction markets or agricultural implement, recreational vehicle, automobile, marine and mobile home sales and service establishments.

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

4.13 Manure Disposal

- 4.13.1 The use of agricultural land for the disposal and recycling of manure produced by an approved intensive livestock operation is permitted subject to the following regulations:

- (1) Liquid manure shall be spread by direct injection into the soil.
- (2) Solid manure shall be incorporated into the soil within 24 hours.
- (3) Manure (solid nor liquid) shall not be spread on ground that is frozen or covered in frost or snow.

- 4.13.2 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 or better standard. Council may specify a limited time during which the approval will be valid.

- 4.13.3 Council may exempt in whole or in part an applicant from this section where each of the following are true:

- (1) the manure will be spread on land owned by the operator of the ILO.
- (2) adverse weather conditions prevent the incorporation of manure in which case incorporation of the spread manure may be delayed until weather conditions permit.

4.14 Special Standards and Regulations

- 4.14.1 Home Based Businesses and Farm Based Businesses

- (1) Home based businesses and farm based businesses shall be subject to the following development standards:
 - (a) The use is clearly ancillary to the use of a farm as an agricultural operation or the dwelling unit as a private residence.
 - (b) The operator of the business is a resident of the dwelling unit and, in the case of a farm based business only, up to five (5) non-resident employees

may be employed at the site. Any employee shall be directly under the hire and management of the operator of the business. Where the business is of a building or service contractor, additional employees may be involved only at the client building site.

- (c) No variation in the residential or residential farm character and appearance of the dwelling, ancillary residential building, or land shall be permitted, except for permitted signs.
- (d) The permitted use shall be valid only during the period of time the property is occupied as a residence of the applicant for such permitted use.
- (e) All permits issued for home based businesses shall be subject to the condition that the permit may be revoked at any time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met.

4.14.2 Campgrounds, Tourist Camps and Trailer Courts

- (1) The applicant for a development permit for a campground, tourist camp or trailer court shall provide the Development Officer with a plan of the site, identifying any buildings, uses of land and the location of all roadways and recreation vehicle or tent campsites sites with dimensions. The addition or rearrangement of sites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a development permit, and the applicant shall submit for approval an amended plan incorporating the proposed development.
- (2) A campground, tourist camp or trailer court shall have, within its boundaries, a buffer area abutting the boundary of not less than 4.5 metres in width, which shall contain no buildings.
- (3) A site for each recreation vehicle and campsite permitted in the campground, tourist camp or trailer court shall be designated and clearly marked on the ground.
- (4) Each site shall have a minimum area of 150 square metres.
- (5) No portion of any campsite shall be located within an internal roadway or required buffer area.
- (6) Each site shall have direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.

- (7) Each recreation vehicle shall be located at least 4.5 metres from any other recreation vehicle and each site shall have dimensions, location and orientation sufficient to allow for such location of recreation vehicles.
- (8) The space provided for roadways within a campground, tourist camp or trailer court shall be at least 7.5 metres in width. No portion of any site, other use or structure shall be located in any roadway.
- (9) A campground, tourist camp or trailer court may include, as an ancillary use, a laundromat or a confectionary designed to meet the needs of occupants of the sites and a one unit dwelling for the accommodation of the operator.
- (10) No recreation vehicle shall be stored on any campsite when the campground is not open.
- (11) *The Public Health Act*, and Regulations passed thereunder, shall be complied with in respect of all operations and development of campgrounds.

4.14.3 Mobile Home Courts

- (1) Mobile home courts shall have, within their boundaries, a buffer area abutting the boundary which shall:
 - (a) have a minimum depth of not less than 8 metres in width, which shall contain no buildings or structures.
 - (b) not contain any roads, except those which connect a public roadway to the road system within the mobile home court.
- (2) Each mobile home site permitted in a mobile home court shall be designated and clearly marked on the ground.
- (3) Each mobile home site shall have a minimum area of 379.8 square metres.
- (4) No portion of any mobile home site shall be located within an internal roadway or required buffer area.
- (5) Each mobile home site shall have direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
- (6) Each mobile home shall be located at least 4.5 metres from any other mobile home and each mobile home site shall have dimensions, location and orientation sufficient to allow for such location of mobile homes.

- (7) The space provided for roadways within a mobile home court shall be at least 7.5 metres in width. No portion of any mobile home site, other use or structure shall be located in any roadway.
- (8) A mobile home court may include, as an ancillary use, a laundromat or a confectionary designed to meet the needs of occupants of the mobile home court and a one unit dwelling for the accommodation of the operator.
- (9) *The Public Health Act*, and Regulations passed thereunder, shall apply to all operations and development of mobile home courts.

4.14.4 Public Works in the Form of Solid and Liquid Waste Management or Disposal Facilities

- (1) Development and maintenance of a public work in the form of a solid or liquid waste disposal facility will be subject to the following special standards:
 - (a) A buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area.
 - (b) Any solid or liquid waste disposal facility shall be fenced.

4.14.5 Bed and Breakfast Homes and Vacation Farms

- (1) Bed and breakfast homes and vacation farms shall be subject to the following requirements:
 - (a) Vacation farms shall be ancillary to an agricultural operation and may include bed and breakfast, cabins and overnight camping areas.
 - (b) Bed and breakfast operations shall be located in, and ancillary to, a single detached dwelling used as the operator's principal residence developed as a farm operation site or country residence
 - (c) Only one sign, not exceeding 1.5 square metres in sign face area, advertising the vacation farm or bed and breakfast home, and located on-site, is permitted.
 - (d) Vacation farms and bed and breakfast homes shall be licensed pursuant to *The Public Health Act*, where tourist accommodations require health approval.
 - (e) Council may specify a maximum number of bedrooms, cabins or camping

sites, or combination thereof, as a special standard in the issuing of a discretionary approval for a bed and breakfast home or vacation farm application.

4.14.6 Custodial Care Facilities and Residential Care Facilities

- (1) Custodial care facilities and residential care facilities may be approved as an accessory use or as a principal use.
- (2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (3) Required parking spaces shall not be located in a required front yard.
- (4) No building or structure used for the purpose of a custodial care facility or a residential care facility shall be used for the purpose of keeping boarders or lodgers.
- (5) In addition to the development standards of the zoning district, custodial care facilities and residential care facilities that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.7.

4.14.7 Service Stations

- (1) Fuel pumps and other apparatus for dispensing or storage of fuel, located all or partly above grade level, shall be at least 6 metres from a site line.
- (2) All automobile parts, dismantled vehicles and similar articles or equipment are to be stored within a building.
- (3) Where service stations occupy a corner site, only one access point shall be on the flanking street.

4.14.8 Gas Bars

- (1) Where operated as the principal use on a site, gas bars are subject to the regulations and standards for service stations.
- (2) Where a gas bar is allowed to operate in conjunction with another use on a site, the following standards and regulations apply:
 - (a) All fuel pumps and above ground storage tanks shall be at least 5 metres from any building on the site, and 6 metres from any site line.

- (b) The site shall have at least two separate entrances for vehicles, at least 15 metres apart.
- (c) Access to, and parking for, fuel dispensing apparatus shall not obstruct access to the site, or other required off street parking spaces on the site.

4.14.9 Above Ground Fuel Storage Tanks

- (1) Above-ground fuel storage tanks which meet the standards of the National Fire Code may be permitted in association with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use.
- (2) The total storage capacity for above-ground fuel storage tanks on any single service station or gas bar shall not exceed the regulations and requirements set out by the National Fire Code.
- (3) Above-ground fuel storage tanks shall be:
 - (a) located at least 3.0 metres from any property line or building; however, for uses other than gas bars and service stations, the 3.0 metre separation distance may be reduced to 1.0 metre for tanks with a capacity of 5,000 litres or less.
- (4) Notwithstanding (2) above, above ground fuel storage tanks associated with a gas bar or service station shall be:
 - (a) located at least 6 metres from any property line or building.
 - (b) at least 15 metres from the boundary of any site within a Residential district.
- (5) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3.0 metres from any property line, at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.
- (6) Notwithstanding (4) above, above ground fuel storage tanks associated with a gas bar or service station shall be located at least 6.0 metres from any property line, at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.

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

4.14.10 Accessory Uses, Buildings and Structures

- (1) Accessory uses and buildings shall be subordinate to, and located on the same site at the principal building or use, and used in conjunction with that principal use.

- (2) Time of Construction:

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

- (a) Where a Development Permit has been issued for a principal building, Council may, at its discretion, allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed in the time period required, the accessory building is to be removed.
- (3) Garden suites shall require discretionary use approval every twenty four months.

- (4) Height of Accessory Buildings:

- (a) *Agricultural, Commercial and Industrial Districts:*

Detached accessory buildings in any agriculture district, commercial district or industrial district – same as principal use.

- (5) Area of Accessory Buildings:

- (a) *Agricultural, Commercial and Industrial Districts:*

Detached accessory buildings in any agriculture district, commercial district or industrial district - no area restrictions.

- (b) *Garden Suites:*

- (i) In the **A** - Agriculture district, the building floor area of garden suites shall not exceed 115 square metres.
 - (ii) In any zoning district other than the **A** - Agriculture district in which garden suites are a permitted or discretionary use, the building floor area of garden suite shall not exceed 69 square metres.

(6) Location of Accessory Buildings:

(a) *Agricultural, Commercial and Industrial Districts:*

Detached accessory buildings in any agricultural or commercial district are subject to the following regulations:

(i) *Front Yard:*

minimum - same as principal use

(ii) *Rear Yard:*

minimum - 3 metres, except trailer courts, campgrounds and tourist camps where the minimum shall be 4.5 metres and mobile home courts where the minimum shall be 7.5 metres; and,

(iii) *Side Yard:*

minimum - 3 metres, except trailer courts, campgrounds and tourist camps where the minimum shall be 4.5 metres and mobile home courts where the minimum shall be 7.5 metres.

(7) Accessory dwelling units shall only be permitted to accommodate:

- (a) a farm dwelling as a residence for an operator, or for employees and/or partners engaged in farm operation, intensive livestock operation, or intensive agricultural operation, subject to Section 3.4.3 (5) of the Official Community Plan
- (b) a business dwelling as a residence for an operator, manager, an employee and/or partner engaged in a commercial or industrial operation in a commercial or industrial zoning district, subject to the following provisions:
 - (i) the dwelling unit must be physically attached to the primary building where commercial or industrial operations are underway.
 - (ii) the business dwelling shall have a main entrance separate from that of the commercial or industrial establishment;
 - (iii) an emergency exit must be provided in addition to the main entrance; and,

- (c) a garden suite, subject to the following provisions:
 - (i) Garden suites shall be constructed at grade and without a basement.
 - (ii) Modular homes and mobile homes, subject to all wheels and axles being removed, may be used as garden suites in the **A** - Agriculture District; they shall not be used as garden suites in any other zoning district.
 - (iii) Services:
 - a. *Water and Sewer:*

A garden suite shall be connected to the water and sewer service of the principal residential buildings.
 - b. *Other Services:*

All other services (cable, electrical, natural gas, telephone) may have separate connections or connect to those services of the principal residential building.
 - (iv) A minimum of one offsite parking stall shall be provided for a garden suite.
 - (v) Council may approve a garden suite as a discretionary use for a temporary period of up to 24 months on the same site with a principal residential use for which a development permit has been issued in the following zoning districts:
 - a. **A - Agriculture District** subject to Section 6.6.2;

A new approval will be required for the continuation of use for additional 24 month periods, and requires that the garden suite continues to adhere to the other requirements of Sections 4.14.10 (7).
 - (vi) A garden suite shall not be issued a permit on a site that has a rental suite - refer to Section 4.14.10 (8).
 - (vii) Evidence shall be provided by the applicant to the Municipality

that the occupant(s) of the garden suite require care and support provided by the residents of the principal dwelling unit, or are required to provide care and support to residents of the principal residential dwelling unit.

(8) **Rental Suites:**

A Rental Suite may be attached as a discretionary use to any Single Detached Dwelling in any zoning district, subject to approval of a Building Inspector hired or contracted by the Rural Municipality. Rental Suites are subject to the following requirements:

- (a) cooking facilities, food preparation, sleeping and sanitary facilities within the structure and which are physically separate from those of the principal dwelling.
- (b) the suite also has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure.
- (c) the suite may not be established on a site where a Garden Suite or Business Dwelling is located - refer to Section 4.14.10 (7).

(9) **Swimming Pools:**

Private swimming pools, both above ground and in-ground, both open and covered, shall be permitted in any zone where residential uses are permitted, subject to the following conditions:

- (a) *Open Pools:*
 - (i) Open pools shall be enclosed within a fence a minimum of 1.8 metres in height located not less than 1.2 metres from the pool.
 - (ii) Open pools shall not be constructed closer than 1.5 metres to any site line plus additional horizontal distance equal to the height of the top edge of the pool about finished grade at the site line(s). For the purpose of the foregoing, the distance to the site line shall be measured from the nearest inside edge of the pool.
 - (iii) No part of an open pool including an associated apron or platform shall be constructed closer to a street line than the front yard requirements for a principal building in the zoning district within which it is located.

- (b) Covered pools shall conform with the building accessory requirements relevant to the zoning district in which they are located.

4.14.11 Outfitter Base Camps and Tourism Base Camps

- (1) All outfitter base camps shall be located at least 305 metres from a dwelling unit that is not part of the operation.
- (2) All accommodation provided in conjunction with outfitter base camps and tourism base camps shall comply with *The Public Health Act*, and Regulations passed thereunder.
- (3) Council may establish standards limiting the total number of guests and guest rooms, and the location of buildings and accessory activities as a condition of issuing a discretionary use permit for outfitter base camps and tourism base camps. Any increase in the number of guests or guest rooms shall require a new discretionary approval.
- (4) Outfitter base camps and tourism base camps may be ancillary to a agricultural operation for which a permit has been issued and located on the same site.
- (5) A use that is established as an ancillary use to an agricultural operation shall cease to be permitted when the operator ceases to be resident on the site.

4.14.12 Dugouts, Sewage Lagoons and Manure Storage Pits

- (1) Dugouts, sewage lagoons and manure storage pits shall maintain a minimum separation distance of 15 metres from the legal boundaries of the surface parcel on which they are situated.
- (2) Dugouts may not be dug within 38 metres of an established dugout.

4.14.13 Kennels (Boarding and Breeding)

- (1) An outdoor area must be provided for animals to run free, without being chained, in an area enclosed by a fence which provides safety for the animals and neighbours to the satisfaction of Council.
- (2) Outdoor animal enclosures may not be in front yards.

4.14.14 Auction Markets

- (1) Outside storage shall not be permitted at auction markets except for the display of motor vehicles, farm machinery, and heavy farm equipment;
- (2) Council may require that additional parking spaces be provided for auction markets.
- (3) Temporary storage and accessory repair of goods and materials to be sold shall be permitted.
- (4) Wrecking, destruction or dismantling of goods and materials shall not be permitted.

4.14.15 Truck Stops

- (1) Truck stops shall not be constructed within 300 metres of a school, education facility, playground, library or place of worship.
- (2) The minimum width of a driveway in a truck stop shall be 20 metres.
- (3) No more than two access driveways shall connect a truck stop to any street.
- (4) Gas bars on the site of a truck stop shall comply with Sections 4.14.8 and 4.14.9
- (5) Above ground fuel storage tanks shall comply with Section 4.14.9

4.14.16 Satellite Dishes and Solar Collectors

- (1) The installation and operation of a free standing satellite dish or solar collector, and their supporting structures shall be permitted in all zoning districts, subject to the following:
 - (a) in any District such structures shall not be located in any front yard, side yard and in the case of a corner site, in any portion of the rear yard which is within three (3) metres of the side property line adjacent to a flanking street unless it is screened from the flanking street to the satisfaction of the Development Officer;
 - (b) in any District such structures, if freestanding, shall not exceed a height of ten (10) metres above grade level;
 - (c) in any District such structures if attached to a principal building, shall not

exceed a height of ten (10) metres above the lowest elevation of: roof surface of a flat roof; the decking of a mansard roof; and the eaves of a gable, hip or gambrel roof; and,

4.14.17 Wind Energy Facilities (one turbine)

- (1) Wind energy facilities shall be accommodated as a discretionary use in each zoning district in this Bylaw, either as an accessory use to an established principal use on a site or as the principal use of a site.

- (a) Wind turbines are limited to a maximum height of 50 metres.
- (b) Wind turbines are limited to a maximum name plate capacity of 100kW.
- (c) The setback of a wind turbine to any public road right of way and railway rights of way that existed on the day the proponent submitted an application to the Municipality to construct, install, or expand the wind energy conversion facility shall be greater than or equal to the height of the turbine as herein defined.
- (d) The setback of a wind turbine to any property boundary of a Non-Participating Noise Receptor that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy conversion facility, shall be greater than or equal to the height of the wind turbine.
- (e) Council may approve a lesser separation where the applicant submits a copy of the agreement between the developer of a wind turbine and the Non-Participating Noise Receptor, agreeing to a lesser separation. Such agreements must contain the provision that the parties to the agreement will register an interest on the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of The Act to register an interest to the title(s) of the affected lands.

- (2) Council will evaluate Discretionary Use application for single Wind Turbines with the following criteria:

Wind turbines shall be located in a manner in which they are separated from the nearest non-participating noise receptor in the following way:

- (a) Wind turbines with a rotor diameter between 0.1 m and 5.0 m: 100 metre separation distance;

- (b) Wind turbines with a rotor diameter between 5.01 m and 12.5 m: 250 metre separation distance; and
- (c) Wind turbines with a rotor diameter greater than 12.5 m: 350 metre separation distance.

4.14.18 Wind Farms (two or more turbines)

- (1) Wind Farms shall be accommodated as a discretionary use in the A - Agricultural District, either as an accessory use to an established principal use on a site or as the principal use of a site. The following standards apply to Wind Farms:
 - (a) Wind Turbines are limited to a maximum height of 50 meters.
 - (b) Wind Turbines are limited to a maximum name plate capacity of 100kW.
 - (c) The setback of a wind turbine to any public road right of way and railway rights of way that existed on the day the proponent submitted an application to the Municipality to construct, install, or expand the wind energy conversion facility shall be greater than or equal to the height of the turbine as herein defined.
 - (d) The setback of a wind turbine to any property boundary of a Non-Participating Noise Receptor that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy conversion facility, shall be greater than or equal to the height of the wind turbine.
 - (e) Council may approve a lesser separation where the applicant submits a copy of the agreement between the developer of a wind turbine and the Non-Participating Noise Receptor, agreeing to a lesser separation. Such agreements must contain the provision that the parties to the agreement will register an interest on the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of The Act to register an interest to the title(s) of the affected lands.
- (2) Council will evaluate Discretionary Use application for Wind Farms with the following criteria:
Wind Farms shall be separated from the nearest non-participating noise receptor by a distance of 550 metres.

4.14.19 Exotic Species Operations

- (1) Applications for operations containing exotic species, including expansions or alterations of the operation shall set out in detail, in a containment plan, the techniques and methods to be used to keep the animals contained.

4.14.20 Mineral Resource Extraction Industry

- (1) In reviewing an application, Council shall consider the environmental implications of the operation including plans for site restoration.
- (2) Council shall require details of the application be circulated to property owners adjacent to the proposed haul roads to obtain public input on the proposed site.
- (3) The applicant shall ensure that dust and noise control measures are undertaken at the request of and to the satisfaction of Council, to prevent the operation from becoming an annoyance to neighbouring land owners.
- (4) The applicant shall apply appropriate methods for minimizing the noise created from machinery and equipment through proper location and property screening including locating stock piles to act as a noise barrier.
- (5) The applicant shall keep the site in a clean and tidy condition free from waste and non-aggregate debris.
- (6) The disturbed area shall be progressively reclaimed to a land capability equivalent to the pre-disturbance land capability (for example, agricultural land) or a post-disturbance condition and land use (for example, conversion to wetland) which are satisfactory to Council. These conservation and reclamation procedures shall be in accordance with applicable provincial guidelines.
- (7) Property approaches shall be located away from existing residential dwelling units.
- (8) The applicant shall be responsible for providing an estimate and a corresponding financial guarantee, in a form acceptable to Council, equal to the cost of reclamation of the pit, to be held by the Municipality for the lifespan of the operation.
- (9) The mineral resource extraction industry shall have regard to adjacent land uses and no material is to be stored or piled on any road allowance or within 30 m (100 ft) of the bank of any river or watercourse.

- (10) The applicant, operator or any person who hauls the mineral resource may be required by Council to enter into a road maintenance agreement.
- (11) By November 1 of each year or the end of the hauling season, whichever comes first, the applicant or operator must report the amount of material extracted by the operation that year to Council.
- (12) An applicant shall be required to enter into a development agreement with the Municipality to ensure the mineral resource extraction industry complies with all relevant requirements of this Bylaw including any additional conditions or approval necessary to secure the objectives of this Bylaw.

4.15 Setback from Centre Line of Roads

The minimum setback of buildings, including dwellings, from the centre line of a municipal road allowance, grid road, main farm access road or provincial highway on all sites shall be 45 metres (150 feet). Development of buildings on sites that do not abut such roads shall observe the minimum front yard setbacks as identified in the specific regulation for those districts.

4.16 Parking

4.16.1 General Parking Requirements

For every building or structure, there shall be provided and maintained off-street parking spaces as required by Table 4-3, subject to the provisions the rest of Section 4.16.

Table 4-3 PARKING REQUIREMENTS	
Use	Minimum Parking Requirements
(1) Residence	1 space per dwelling unit
(2) Places of worship, Halls, Clubs and other places of assembly	1 space per 9 m ² of gross floor area devoted to public use
(3) Retail and Office Commercial Uses	1 space per 18 m ² of gross floor area, or 3 spaces, whichever is greater
(4) Industrial uses	1 space per 3 employees, or 67 m ² of gross floor area, whichever is greater
(5) Eating establishments, including restaurants	1 space per 4 seats devoted to patrons' use, accommodated according to maximum capacity
(6) Schools	1 space per employee, <i>plus</i> 5 spaces per classroom
(7) Hotels and motels	1 space per 2 employees, <i>plus</i> 1 space per guestroom
(8) Passive recreation	1 space per 4 persons' of the project's design capacity

Table 4-3 PARKING REQUIREMENTS	
(9) Any other principal or ancillary use	1 space per 27 m ² of gross floor area
(10) Any combination of the above	The aggregate of the parking as required above

4.16.2 Parking Area Provisions

- (1) No part of any minimum required side yards shall be used for parking, storage or loading of motor vehicles; although access to parking, storage or loading of motor vehicles may cross required side yards, and side yards may be used as fire lanes, provided they meet all other requirements of fire lanes.
- (2) Each parking space shall be a minimum of 2.5 metres wide. Parallel parking spaces must be a minimum of 6.5 metres long, all other parking spaces must be a minimum of 6 metres long.
- (3) Required parking, with the exception of required and/or disabled persons parking, may be located on another site, provided that all required parking is within 150 metres of the use.
- (4) Separate sites and uses may share parking spaces provided that enough parking spaces are constructed to meet the off-street parking requirements of all uses sharing the site. In cases where peak parking demands for uses sharing parking offset each other, Council may consider deferring parking requirements as provided in Section 4.16.3.
- (5) Where two or more uses share one building or on a site where two or more uses share common parking facilities, then the off-street parking requirements for each use shall be calculated as if each is a separate use and adding them together.
- (6) Parking spaces and areas required under this Bylaw shall only be used for the parking of vehicles incidental to the uses which have been issued permits, in respect to which such parking spaces and areas are required.
- (7) A minimum turning radius of 6 metres shall be provided at all intersections of private approaches with public streets.
- (8) No part of any public street shall be included in any calculation of the parking space allotment for a specific site.
- (9) Immediately upon change of use or change of district, the parking requirements set out in Table 4-3 shall be required.

- (10) In cases where the provisions of Table 4-3 require that more than 4 parking spaces be required in a single yard, regardless of zoning district, such parking must meet the following conditions laid out in Section 4.16.3 in addition to other applicable conditions laid out in Section 4.16.2.

4.16.3 Parking Areas Requiring more than 4 Parking Spaces

- (1) Every parking area shall be provided with direct, unobstructed access to and from a public street by a private approach, which:
 - (a) if designed for one-way vehicular movement, shall have a minimum unobstructed width of 3.5 metres, exclusive of any islands or other such physical separation; or,
 - (b) if designed for two-way vehicular movement, shall have a minimum unobstructed width of 6 metres, exclusive of any islands or other such physical separation.
- (2) The maximum distance of any such private approach shall be no greater than 9 metres at the point of intersection of the approach and street line.
- (3) The minimum distance between a private approach and an intersection of street lines measures along the street shall be 30 metres.
- (4) The angle of intersection between a driveway and a street line shall be between 75 degrees and 105 degrees.
- (5) The parking and loading areas and approaches thereto shall be hard-surfaced.
- (6) Adequate facilities allowing for the proper drainage of all parking areas shall be provided and shall be designed such that there is no detrimental effect to adjoining properties from such water disposal methods or system design.
- (7) Lighting fixtures shall be so designed and installed that the light is directed downward and reflected away from public roads, as well as from dwelling units on adjacent sites.
- (8) Landscaping:
 - (a) Where, in a yard in any zoning district, a parking area which is required to provide for more than 4 off-street parking spaces abuts a residential use and/or zoning district, then a continuous strip of landscaped open space of minimum width of 4.5 metres shall be provided along the site lines of said

yard or site.

- (b) Where, in a yard in any zoning district, a parking area which is required to provide for more than 4 off-street parking spaces abuts a street, then a strip of landscaped open space shall be provided along the site line adjoining the said street, and the said landscaped open space shall be continuous except for aisles or driveways required for access to the parking area and shall be a minimum of 3 metres in width along the said site line.

4.17 Landscaping

4.17.1 General Landscaping Regulations

- (1) Landscaping compliant with the rest of Section 4.17 shall be provided in the following areas:
 - (a) The first 3 metres of the minimum required front yard measured from the front property line.
 - (b) A strip of soft landscaping abutting the front of the principal building, where loading does not occur, to an average depth of 2 metres.
 - (c) In the case of a corner site, the side yard abutting the flanking street to a minimum perpendicular width of 3 metres.
- (2) Where this Bylaw specifies that landscaping is required, it shall be developed and maintained in accordance with the following standards and policies:
 - (a) Plant material shall be species capable of healthy growth in the region and shall conform to the current Canadian Standards for Nursery Stock of the Canadian Nursery Landscape Association;
 - (b) Areas designated for planting shall be provided with adequate means of irrigation commensurate with landscaping requirements,
 - (c) Landscaping required to be provided within front or side yards shall not be used for any purpose except for signs or structures otherwise permitted, or driveways leading to a parking or loading facility;
 - (d) Required landscaping shall be completed in accordance with the approved landscape plan by the end of the construction season in which occupancy, partial occupancy, or use of the building or site has taken place. When

occupancy, partial occupancy, or use of the building or site has taken place after the end of the construction season, all required and approved landscaping shall be completed by June 1st of the following year. For the purposes of this section, 'construction season' means May 1st through October 31st of the same calendar year; and,

- (e) Required and approved landscaping shall be suitably maintained in a neat and tidy condition at all times, and plant material installed or retained shall be maintained in healthy, vigorous condition at all times.

4.17.2 The Development Officer shall not approve an application for a development permit in the event that:

- (1) Any required landscape plans have not been submitted; or,
- (2) Any required landscape plans do not, in the opinion of the Development Officer, provide an adequate or suitable degree of landscaping necessary to enhance the visual amenity of the site or provide a visual screen where required by this Bylaw.

4.17.3 Landscaping shall be a condition of the issuance of a development permit when the existing use of a building or structure is significantly enlarged, undergoes a significant capacity increase, or is changed to a new use.

4.17.4 Any landscaping, including planting thereon, which is required to be provided by this Bylaw shall be maintained in a healthy growing condition or shall otherwise be replaced.

4.17.5 Any land for landscaped open space shall be included in any calculation of site area, setbacks, density or yard requirements as required by this Bylaw.

4.17.6 Requirements for Landscape Plans

- (1) When landscaping is required under this Bylaw, landscaping plans shall be attached to a development permit application and shall form part of that application. The landscape plans shall be prepared in accordance with Section 4.17.6 (2).
- (2) Landscape Plan Submission Requirements:
 - (a) Two copies of every landscape plan must be submitted to the satisfaction of the Development Officer, showing, to scale, all physical features, including existing and proposed grades, the size and type of existing vegetation to be removed and retained, the size, type and location plant material to be provided, the location of hard landscaping such as fences,

retaining walls, walkways and curbs, and the details of the proposed irrigation system, including the location of any outside hose bibbs.

- (b) A declaration, signed by the property owner and applicant, shall be affixed to required landscape plans, specifically acknowledging that the landscaping specified on the plans is a condition of the issuance of a development permit for the property and that such development will be complete by the date set out in the development permit.

4.18 Outside Storage and Garbage Storage

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

- (1) No outside storage shall be located in the front yard, except for the neatly arranged display of items for sale.
- (2) Outside storage in a side or rear yard shall be screened from adjacent sites by a fence at least 1.9 metres in height, or a combination of fence and soft landscaping screening a minimum of 1.9 metres in height. Where adjacent to a public road, storage areas shall provide a landscaped strip of at least 2.0 metres in horizontal depth between the required fence and the required right of way.
- (3) Unless otherwise directed by this Bylaw, garbage and waste material shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares.

4.19 Permitted Yard Encroachments

4.19.1 The following are not considered encroachments and shall be considered part of the principal or accessory building and all applicable regulations will apply to its as it would be to the principal or accessory building:

- (1) any deck or floor area attached to a principal or accessory building that has a permanent roof structure and/or solid glass, or screen walls; and,
- (2) any private garage attached to a principal building.

4.19.2 The following yard encroachments shall be permitted in any required yard:

- (1) steps 1.6 metres or less above grade level, as measured at the highest point of the steps, that are necessary for access to a permitted building or for access to a site from a street or lane;
- (2) window sills, eaves, gutters, belt courses, pilasters or other similar vertical columns, cornices, bay windows, chimneys and similar non-structural alterations may project a distance of 0.6 metres from the building into any required yard, but not closer than 0.5 metres to a site line;
- (3) raised patios, decks and sidewalks not more than 0.4 metres above grade level, as measured at the outside edge of the patio, deck or sidewalk.
- (4) trees, shrubs, walkways, trellises or flag poles, so long as these fixtures do not extend into or over public land; and,
- (5) lighting fixtures and lamp posts.

4.20 Prohibition of Species Breeding

4.20.1 The breeding of rats other rodents and crickets and other insects is prohibited in all zoning districts in the Municipality.

4.21 Prohibition of Wild Boar Operations

4.21.1 Wild boar livestock operations are prohibited in all zoning districts in the Municipality.

5 ZONING DISTRICTS

5.1 Classification of Zoning Districts

- 5.1.1 In order to carry out the purpose and provisions of this Bylaw, the Rural Municipality is divided into the following Zoning Districts, the boundaries of which are shown on the “**Zoning District Map**”. Such districts may be referred to by the appropriate symbols.

Districts	Symbols
Agriculture	A
Hamlet	H
Commercial	C
Industrial	M

5.2 Zoning District Maps

- 5.2.1 The map, bearing the statement “This is the Zoning District Map which accompanies Bylaw Number 16-2013 adopted by the Rural Municipality of Wilton No. 472” and signed by the Reeve and Rural Municipal Administrator under the seal of the Rural Municipality shall be known as the “**Zoning District Map**” and such map is hereby declared to be an integral part of this Bylaw.

5.3 Boundaries

- 5.3.1 The boundaries of such districts referred to, together with explanatory legend, notation and reference, are shown on the map entitled “**Zoning District Map**”.
- 5.3.2 All streets, lanes and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.
- 5.3.3 Streets, lanes, and road allowances which are shown on the “**Zoning District Map**” and which have been permanently closed pursuant to Section 13 of *The Municipalities Act*, shall be in the same district as the land abutting both sides of the permanently closed street, lane or road allowance. If the land abutting each side of the permanently closed street, lane or road allowance was located in different zoning districts before the said

street, lane or road allowance was permanently closed, the centre line of such permanently closed street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

- 5.3.4 In unsubdivided land, the zoning district boundary shall be determined by the scale shown on the “**Zoning District Map**”.

5.4 Regulations

- 5.4.1 Regulations for the zoning districts are outlined in the following sections of this Bylaw.

5.5 Transitional Zoning Provisions

- 5.5.1 Former Permitted and Discretionary Uses

Land uses or developments in existence on a site that were listed as permitted or discretionary uses under Zoning Bylaw No. 03/89, or any amendment thereto, and are listed as discretionary uses under this bylaw, shall be considered permitted uses; however, no alteration or enlargement of the land use or development shall take place except in conformity with relevant development standards in this Bylaw.

5.6 Properties with More than One Zoning District

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

6 A - AGRICULTURE DISTRICT

6.1 Intent

The objective of the **A - Agriculture District** is to provide for the primary use of land in the form of agricultural development, associated residences, limited single-parcel country residential development, location-dependent natural resource development and other uses compatible with agricultural development.

6.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are laid out in Table 6-1.

6.3 Prohibited Uses

Uses prohibited in **A - Agriculture District** are as follows:

6.4 Accessory Buildings

6.4.1 Accessory buildings and uses shall be permitted subject to Section 4.14.10.

6.4.2 Farm dwellings, subject to Section 3.4.3 (5) of the Official Community Plan.

6.5 Regulations

6.5.1 Site Requirements

- (1) Minimum and maximum site size, site width, and yard requirements are shown in Table 6-1.
- (2) In addition to the requirements set out in Table 6-1, the following requirements apply:
 - (a) No dwelling shall be located within 305 metres of an intensive livestock operation (ILO) unless such dwelling is located on the same parcel in conjunction with the ILO, or unless the owners of the dwelling, the land

the dwelling is located on and the ILO enter into a written agreement approved by Council.

- (b) A single residential parcel subdivision must be located a minimum of 800 metres of an intensive livestock operation (ILO) unless such dwelling is located on the same parcel in conjunction with the ILO, or unless the owners of the dwelling, the land the dwelling is located on and the ILO enter into a written agreement approved by Council.

6.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the A - Agriculture District with regard to Section 3.8.2 Discretionary use Evaluation Criteria and Section 3.8.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

6.6.1 Intensive agricultural operations including, but not limited to, *intensive livestock operations* subject to Section 3.4.3 (3) of the Official Community Plan.

6.6.2 Garden Suites

- (1) Modular homes and mobile homes may be used as garden suites in the A - Agriculture District.
- (2) In the A - Agriculture District, garden suites shall not exceed 115 square metres in gross floor area.

6.6.3 Personal care homes shall be licensed under *The Personal Care Homes Act*.

6.6.4 Discretionary Commercial Uses

- (1) Where ancillary to a farm operation, or single detached dwelling, Council may prescribe specific development standards in the issuing of a development permit limiting the size of operation, buildings used for the operation, and number of non-resident employees. Any 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 discretionary approval by Council.
- (2) Council may specify specific development standards for the location, setback, or screening of any area devoted to the outdoor storage of machinery, vehicles, or vehicular parts in conjunction with a commercial operation including any salvage or vehicle storage yard.

6.7 Exceptions to Development Standards

Exceptions to development standards in **A** - Agriculture District, are as follows:

6.8 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.16.

6.9 Outside Storage

Outside storage, including garbage storage is subject to Section 4.18.

6.10 Temporary Accommodation

A mobile home or trailer coach may be permitted for a period of up to one year on an existing farm dwelling or residential site, while a permanent dwelling unit is being erected on the same site.

Table 6-1 - A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS
for the Rural Municipality of Wilton No. 472

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Table 6-1 - A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS
for the Rural Municipality of Wilton No. 472

[illegible]

Table 6-1 - A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS
for the Rural Municipality of Wilton No. 472

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>					
			Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(1) Airports and airstrips	D		(1)	no max	no min	15 ⁽⁶⁾	10 ⁽⁶⁾	10
(2) Cemeteries and crematoria	D		no min	no max	no min	no min	no min	no min
(3) Community halls	P		no min	no max	no min	15	10 ⁽⁶⁾	10
(4) Detention centres and correctional institutions	D		0.8	6.06	30	15	10 ⁽⁶⁾	10
(5) Historical and archeological sites	P		no min	no max	no min	no min	no min	no min
(6) Municipal facilities	P		no min	no max	no min	no min	no min	no min
(7) Parks and playgrounds	P		no min	no max	no min	no min	no min	3
(8) Places of worship	D	3.8.4 (3)	0.8	6.06	30	15 ⁽⁵⁾	10 ⁽⁶⁾	10
(9) Public works, excluding solid and liquid waste disposal sites	P		no min	no max	no min	no min	no min	3
(10) Radar stations	D		no min	no max	no min	10	10	10
(11) Recreation facilities	D	3.8.4 (3)	(1)	(4)	no min	15 ⁽⁵⁾	10 ⁽⁶⁾	10
(12) Schools and educational facilities	D	3.8.4 (3)	(1)	(4)	no min	15 ⁽⁵⁾	10 ⁽⁶⁾	10
(13) Solid and liquid waste management or disposal facilities, land farms and associated facilities subject to Sections 3.2.3 (5) and 3.2.3 (10) of the Official Community Plan	D	3.5.2 (6) 4.14.4 4.14.12	0.8	6.06	30	15 ⁽⁵⁾	10 ⁽⁶⁾	10
(14) Telecommunications facilities	D		no min	no max	no min	10	10	10
(15) Wildlife and ecological conservation areas	P		no min	no max	no min	no min	no min	no min
(16) Wind energy facilities, including wind farms	D	3.5.2 (8) 4.14.17 4.14.18	Development Standards as laid out in Section 4.14.17 and 4.14.18					

Use Designations:

Table 6-1 - A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS
for the Rural Municipality of Wilton No. 472

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>					
			Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)

(P) - Permitted Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - 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 which complies with the development standards laid out in Section 6.6 and others as required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-1 and the A - Agriculture District:

- (1) Private facilities: 1.01 hectares. Publicly-owned facilities: no minimum.
- (2) or a lesser amount as identified in Section 3.4.3 of the Official Community Plan
- (3) or a greater site size as identified in Section 3.6.3 of the Official Community Plan
- (4) Private facilities: 6.06 hectares. Publicly-owned facilities: no maximum.
- (5) the same as farm operations
- (6) council may require a more stringent standard, as part of the discretionary use process, should safety, noise, pollution and/or other concerns require
- (7) where rear yard abuts a railway or a railway reserve no rear yard is required
- (8) unless developed ancillary to a farm operation, in which case 64 hectares, and subject to ⁽²⁾ above
- (9) no maximum shall apply if developed ancillary to a Farm Operation
- (10) the development standards are equivalent to the development standards of the permitted use that the home based or farm based business is operated in conjunction with

7 H - HAMLET DISTRICT

7.1 Intent

The objective of the **H** - Hamlet District is to provide for limited residential and commercial growth in the form of infilling of existing vacant land in existing hamlets.

7.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are laid out in Table 7-1.

7.3 Prohibited Uses

Uses prohibited in **H** - Hamlet District are as follows:

7.3.1 Animals

- (1) The keeping, handling, sale or transshipment of cattle, horses, pigs, goats, llamas, alpacas, poultry, sheep or other livestock is prohibited within this district.

7.4 Accessory Buildings

- 7.4.1 Accessory buildings and uses shall be permitted and are subject to Section 4.14.10.

7.5 Regulations

7.5.1 Site Requirements

The minimum and maximum site size and yard requirements are shown in Table 7-1.

7.6 Standards for Residential Development

Anyone applying to move a home, RTM, or mobile home into the Hamlet of Lone Rock must provide proof that the structure is under 5 years old, or an appraisal exceeding \$75,000.00 before approval will be granted.

7.7 Standards for Discretionary Uses

Council will consider discretionary use applications in the **H** - Hamlet District with regard to Section 3.8.2 Discretionary use Evaluation Criteria and Section 3.8.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

7.7.1 Commercial Uses

- (1) Council may apply special standards in the issuing of a development permit for screening of storage areas or fencing in commercial areas adjacent to residential uses.
- (2) Council may apply special development standards regarding yard requirements for commercial uses to reduce conflict with neighbouring uses.

7.7.2 Home Based Businesses

- (1) Home based businesses are subject to Section 4.14.1.
- (2) No home based businesses in this district shall include auto body repair or repainting operations.
- (3) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district.

7.8 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.16.

7.9 Outside Storage

Outside storage, including garbage storage, is subject to Section 4.18.

Table 7-1 - H - HAMLET DISTRICT DEVELOPMENT STANDARDS
for the Rural Municipality of Wilton No. 472

Use				Development Standards					
		Permitted or Discretionary	Subject to Sections	Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Site Coverage
Residential Uses									
(1)	Rental Suite	D	4.14.10 (8)	Must be developed within Single Detached Dwelling					
(2)	Single detached dwellings as a principal use	D		464	15 ⁽¹⁾	6	1.5	4.5	50%
(3)	Semi-detached dwellings as a principal use	D		464	15 ⁽¹⁾	6	1.5	4.5	50%
Commercial Uses									
(1)	Auto wrecking yards	D	3.8.4 (7)	4000	30	6	1.5	4.5	no max
(2)	Automotive sales and service including recreational vehicle sales and service and mobile home sales	D		4000	30	6	1.5	4.5	no max
(3)	Bed and breakfast homes	D	4.14.5	464	15 ⁽¹⁾	6	1.5	4.5	50%
(4)	Construction yards	D	3.8.4 (8)	4000	30	6	1.5	4.5	no max
(5)	Home based businesses	D	4.14.1	464	15	6	1.5	4.5	50%
(6)	Hotels	D		4000	30	6	1.5	4.5	no max
(7)	Motels	D		4000	30	6	1.5	4.5	no max
(8)	Retail food outlets	D		4000	30	6	1.5	4.5	no max
(9)	Retail stores, but not including auction marts	D		4000	30	6	1.5	4.5	no max
(10)	Restaurants	D		4000	30	6	1.5	4.5	no max
(11)	Storage yards	D		4000	30	6	1.5	4.5	no max
(12)	Trailer Manufacturing	D	3.8.4 (9)	4000	30	6	1.5	4.5	no max
(13)	Warehouses and supply depots	D	3.8.4 (9)	4000	30	6	1.5	4.5	no max

Municipal, Recreational, Institutional and Other Uses

(1)	Community halls	D	3.8.4 (3)	464	15 ⁽¹⁾	6	1.5	4.5	no max
(2)	Historical and archaeological sites	D		no min	no min	no min	no min	no min	no max
(3)	Municipal facilities	D		no min	no min	no min	no min	no min	no max
(4)	Parking lots	D		no min	no min	6	1.5	no min	no max
(5)	Parks and playgrounds	D		no min	no min	no min	no min	no min	no max
(6)	Places of worship	D	3.8.4 (3)	464	15 ⁽¹⁾	6	3	4.5	no max
(7)	Public works, excluding solid and liquid waste disposal sites	D		464	no min	no min	no min	4.5	no max
(8)	Recreation facilities	D	3.8.4 (3)	464	15 ⁽¹⁾	6	3	4.5	no max
(9)	Schools and educational facilities	D	3.8.4 (3)	no min	no min	6	7.5	4.5	no max

Use Designations:**(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - 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 which complies with the development standards laid out in Section 7.6 and others as required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 7-1 and the H - Hamlet District:

- (1) if site is serviced by a lane: 12 metres

8 C - COMMERCIAL DISTRICT

8.1 Intent

The objective of the C - Commercial District is to provide for general commercial and other compatible development in specific areas, with standards for such development.

8.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are laid out in Table 8-1.

8.3 Prohibited Uses

Uses prohibited in C - Commercial District are as follows:

8.4 Accessory Buildings

8.4.1 Accessory buildings and uses shall be permitted and are subject to Section 4.14.10.

8.5 Regulations

8.5.1 Site Requirements

The minimum and maximum site size and yard requirements are shown in Table 8-1.

8.5.2 Building Height Requirements

Maximum building height requirements are shown in Table 8-1.

8.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the C - Commercial District with regard to Section 3.8.2 Discretionary use Evaluation Criteria and Section 3.8.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

- 8.6.1 All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.

8.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.16.

8.8 Landscaping

Landscaping is subject to Section 4.17.

8.9 Outside Storage

Outside storage, including garbage storage, is subject to Section 4.18.

Table 8-1 - C - COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Rural Municipality of Wilton No. 472

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>						
			Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Bldg Height (m)	
<i>Residential Uses</i>									
(1) Business dwellings	D	4.14.10 (7)	1115	30	7.5	3	3	15	
<i>Commercial Uses</i>									
(1) Automotive sales and repair	P		1115	30	7.5	3	3	15	
(2) Bakeries	P		1115	30	7.5	3	3	15	
(3) Bus terminals	D	3.8.4 (1) 4.14.9	1115	30	7.5	3	3	15	
(4) Car and truck washes	D		1115	30	7.5	3	3	15	
(5) Commercial recreational uses	D	3.8.4 (3)	1115	30	7.5	3	3	15	
(6) Commercial service establishments	D		1115	30	7.5	3	3	15	
(7) Convenience stores and confectionaries	P		1115	30	7.5	3	3	15	
(8) Daycare Centres	D		1115	30	7.5	3	3	15	
(9) Financial institutions	P		1115	30	7.5	3	3	15	
(10) Gas bars	D	4.14.8 4.14.9	1115	30	7.5	3	3	15	
(11) Hotels	D		1115	30	7.5	3	3	15	
(12) Lumber yard, home improvement centres and building supply establishments	D	3.8.4 (8)	1115	30	7.5	3	3	15	
(13) Medical and dental offices	D		1115	30	7.5	3	3	15	
(14) Motels	D		1115	30	7.5	3	3	15	
(15) Nurseries, greenhouses and garden centres	D		1115	30	7.5	3	3	15	
(16) Offices and office buildings	P		1115	30	7.5	3	3	15	
(17) Parking lots	D		1115	30	7.5	3	3	15	

Table 8-1 - C - COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Rural Municipality of Wilton No. 472

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>					
			Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Bldg Height (m)
(18) Personal service establishments	D		1115	30	7.5	3	3	15
(19) Repair shops and repair services	D		1115	30	7.5	3	3	15
(20) Restaurants	D		1115	30	7.5	3	3	15
(21) Retail food outlets	D		1115	30	7.5	3	3	15
(22) Retail stores, but not including auction markets	D		1115	30	7.5	3	3	15
(23) Service stations	D	4.14.7 4.14.9	1115	30	7.5	3	3	15
<i>Industrial Uses</i>								
(1) Indoor storage rental facilities	P		1115	30	7.5	3	3	15
<i>Municipal, Recreational, Institutional and Other Uses</i>								
(1) Community halls	P		1115	30	7.5	3	3	15
(2) Historical and archaeological sites	P		no min	no min	no min	no min	no min	no min
(3) Municipal facilities	P		no min	no min	no min	no min	no min	no min
(4) Parks and playgrounds	P		no min	no min	no min	no min	no min	no min
(5) Places of worship	P		1115	30	7.5	3	3	15
(6) Public works, excluding solid and liquid waste disposal sites	P		no min	no min	no min	no min	no min	no min
(7) Recreation facilities	P		1115	30	7.5	3	3	15
(8) Wind energy facilities	D	3.5.2 (8) 4.14.17	As laid out in Section 4.14.17					

Use Designations:**(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of, Council; and which complies with the development standards laid out in Section 8.6 and others as required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 8-1 and the C1 - General Commercial District :

9 M - INDUSTRIAL DISTRICT

9.1 Intent

The objective of the **M** - Industrial District is to provide for light industrial, heavy industrial and other compatible development in specific areas, with standards for such development.

9.2 Permitted and Discretionary Uses and Development Standards

The permitted and discretionary uses and applicable development standards are laid out in Table 9-1.

9.3 Prohibited Uses

Uses prohibited in **M** - Industrial District are as follows:

9.4 ACCESSORY BUILDINGS

- 9.4.1 Accessory buildings and uses shall be permitted and are subject to Section 4.14.10.

9.5 Regulations

9.5.1 Site Requirements

The minimum and maximum site size and yard requirements are shown in Table 9-1.

9.6 Standards for Discretionary Uses

Council will consider discretionary use applications in the **M** - Industrial District with regard to Section 3.8.2 Discretionary use Evaluation Criteria and Section 3.8.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

- 9.6.1 All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.

9.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.16

9.8 Landscaping

Landscaping is subject to Section 4.17.

9.9 Outside Storage

Outside storage, including garbage storage, is subject to Section 4.18.

Table 9-1 - M - INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS
for the Rural Municipality of Wilton No. 472

Use	Permitted or Discretionary	Subject to Sections	Development Standards					
			Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	
Residential Uses								
(1) Business dwellings	D	4.14.10 (7)	4000	30	7.5	3	(1)	
Commercial Uses								
(1) Auto body and paint shops	P		4000	30	7.5	3	(1)	
(2) Convenience stores	D		4000	30	7.5	3	(1)	
(3) Grain Elevators	D		4000	30	7.5	3	(1)	
(4) Gas stations	D	4.14.8 4.14.9	4000	30	7.5	3	(1)	
(5) Lumber yards, home improvement centres and building supply establishments	D	3.8.4 (8)	4000	30	7.5	3	(1)	
(6) Nurseries, greenhouses and garden centres	P		4000	30	7.5	3	(1)	
(7) Repair shops	P		4000	30	7.5	3	(1)	
(8) Restaurants	D		4000	30	7.5	3	(1)	
(9) Retail food outlets	D		4000	30	7.5	3	(1)	
(10) Service stations	D	4.14.7 4.14.9	4000	30	7.5	3	(1)	
(11) Veterinary clinics, not including the boarding of large animals	P		4000	30	7.5	3	(1)	
Industrial Uses								
(1) Abattoirs and accessory tanning of hides	D	3.8.4 (6)	4000	30	7.5	3	(1)	
(2) Asphalt and cements plants, and gravel yards	D	3.5.2 (9)	4000	30	7.5	3	(1)	
(3) Auction marts	P	4.14.14	4000	30	7.5	3	(1)	
(4) Auto-wrecking yards	D	3.8.4 (7)	4000	30	7.5	3	(1)	

Table 9-1 - M - INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS
for the Rural Municipality of Wilton No. 472

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>				
			Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(5) Automotive sales and services including sales and service of recreational vehicles, mobile homes, farm implements and machinery	P		4000	30	7.5	3	(1)
(6) Bulk fuel sales and storage	D	3.8.4 (2) 4.14.9	4000	30	7.5	3	(1)
(7) Construction yards	P		4000	30	7.5	3	(1)
(8) Dry goods storage yards	D		4000	30	7.5	3	(1)
(9) General industrial uses	P		4000	30	7.5	3	(1)
(10) Grain storage, milling, cleaning and/or drying facilities	D		4000	30	7.5	3	(1)
(11) Junk and salvage yards	D	3.8.4 (7)					
(12) Kennels	D	4.14.13	4000	30	7.5	3	(1)
(13) Landscaping establishments	P		4000	30	7.5	3	(1)
(14) Livestock auction facilities	D	3.8.4 (5) 4.14.14	4000	30	7.5	3	(1)
(15) Lumber yards, home improvement centres and building supply establishments	P		4000	30	7.5	3	(1)
(16) Manufacturing or processing facilities	D	3.8.4 (9) 3.8.4 (10)	4000	30	7.5	3	(1)
(17) Mineral Resource Processing	D	4.14.20	4000	30	7.5	3	(1)
(18) Petroleum products storage and wholesale	D	3.8.4 (2)	4000	30	7.5	3	(1)
(19) Railway freight yards	D	3.8.4 (9)	4000	30	7.5	3	(1)
(20) Sale of building supplies and products	P		4000	30	7.5	3	(1)
(21) Sawmills, wood treatment plants and associated industries	D		4000	30	7.5	3	(1)
(22) Stockyards	P		4000	30	7.5	3	(1)
(23) Taxidermy and accessory tanning of hides	D	3.8.4 (9)					
(24) Trucking and transfer yards	P	4.14.15	4000	30	7.5	3	(1)

Table 9-1 - M - INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS
for the Rural Municipality of Wilton No. 472

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>				
			Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(25) Warehouses and wholesale facilities	D	3.8.4 (9)	4000	30	7.5	3	(1)
(26) Welding and machine shops	P		4000	30	7.5	3	(1)

<i>Municipal, Recreational, Institutional and Other Uses</i>								
(1) Historical and archaeological sites	P		no min	no min	no min	no min	no min	no min
(2) Municipal facilities	P		no min	no min	no min	no min	no min	no min
(3) Parks	P		no min	no min	no min	no min	no min	no min
(4) Public works, excluding solid and liquid waste disposal sites	P		no min	no min	no min	no min	no min	no min
(5) Wind energy facilities	D	4.14.17	As laid out in Section 4.14.17					

Use Designations:

(P) - Permitted Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

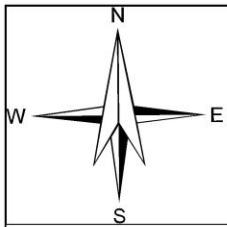
(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of, Council; and which complies with the development standards laid out in Section 9.6 and others as required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 9-1 and the M - Industrial District:

- (1) where abutting railway track, no setback is required, otherwise 10% of site depth

10 MAPS



Rural Municipality of Wilton No. 472

Zoning Map

