

# ZONING BYLAW

## Rural Municipality of Willner

### No. 253

### ByLaw No. 02/2011

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altered in any way*



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## Section 1 - Introduction

### 1.1 Title

This Bylaw shall be known as the “Zoning Bylaw of the Rural Municipality of Willner No. 253”

### 1.2 Scope

All development within the limits of the Municipality shall be in conformity with the provisions of this Bylaw.

### 1.3 Severability

If any part of this Bylaw, including anything shown on the Zoning District Map, is declared to be invalid for any reason, by an authority of competent jurisdiction, the validity of the Bylaw as a whole, or any other part, Section or provision of this Bylaw will not be affected.

## Section 2 - Administration

### 2.1 Development Officer

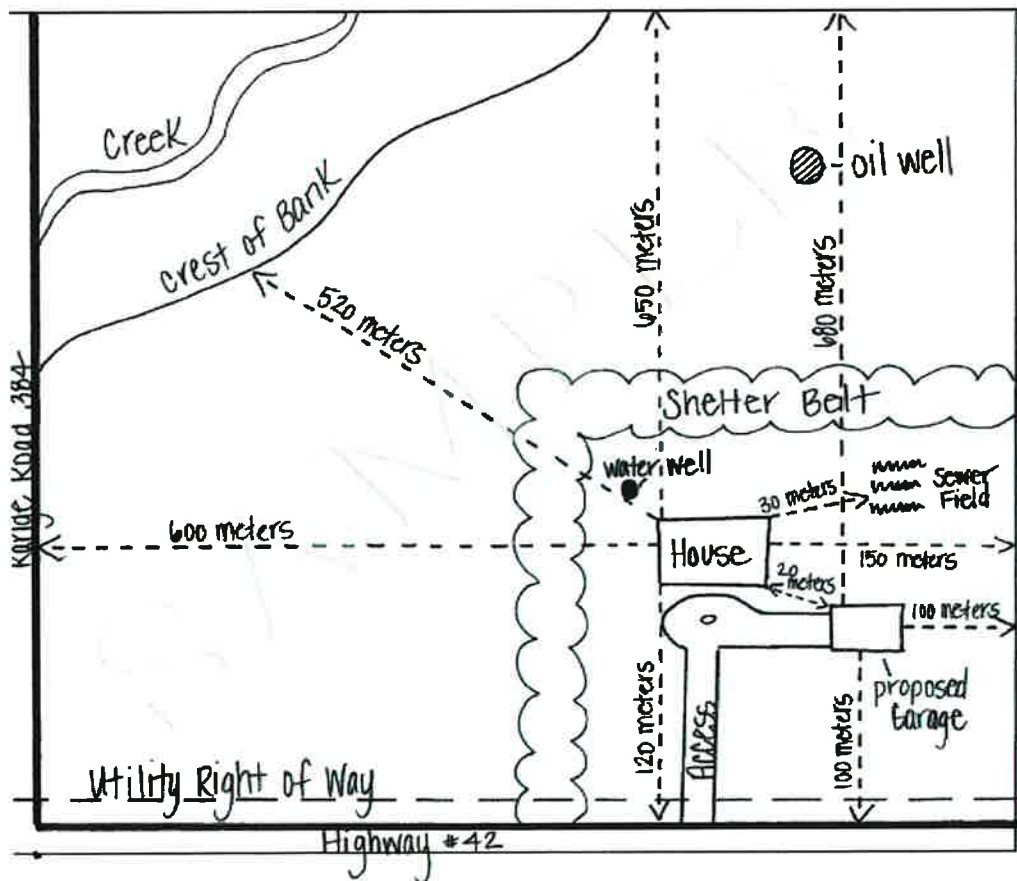
The Rural Municipal Administrator shall be the Development Officer responsible for the administration of this Bylaw.

### 2.2 Application for a Development Permit

- a. Every person shall obtain a development permit before commencing any development within the Municipality, except those developments that are listed as exempt in each district.
- b. The Development Officer will receive the application from the landowner/developer and review for completeness.
- c. The completed development permit application shall include:
  - A description of the intended use or proposed development including any change in building use or land use change
  - Legal land description
  - The signature of the applicant and the registered landowner(s)
  - A copy of the Certificate of Title
  - Estimated commencement and completion dates
  - Floor Plans and elevations of the proposed development (which will be kept at the Municipal Office for future reference)
  - any other information needed to assess the application.
  - An attached site plan which shall include:
    - All adjacent roads, highways, service roads and access to the site (label on site plan)
    - Rights-of-ways and easements (gas, oil, power, drainage easements, etc)
    - All drainage courses
    - Location of proposed development
    - Existing development on the site
    - Landscaping details (existing trees, removal of trees, proposed plantings, berming, water features, etc)
    - Setbacks to property line, road and services
    - Top of bank and water

- Existing and proposed services:
- Location of well or cistern
- Method and location of sewage disposal
- Sign location and details like artwork, colors, size, lights, etc
- Parking and loading facilities
- Sidewalks, patios, playgrounds
- North arrow
- Any additional information deemed necessary by Council or the Development Officer

**SAMPLE SITE PLAN:**



**2.3 Referral of Application**

- a. The Development Officer may refer any application to Council for a decision on the interpretation of the Bylaw or regarding special conditions provided for in the

Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide further information necessary to render a decision.

- b. The Development Officer may refer the application to any internal or external departments or organizations for review or comment.

## **2.4 Issuing Permits**

Upon completion of the review of an application for development, the Development Officer shall determine if the proposed development is either a permitted use or a discretionary use:

- a. **Permitted Use:**

- i. The Development Officer will review the application and issue a development permit when the application conforms to the Zoning Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw
- ii. The Development Officer will issue a notice of refusal when the application does not comply with a provision or regulation of this Bylaw and shall reference the specific provision or regulation the application did not meet.
- iii. All applicants shall be provided the effective date of the decision and information on their right of appeal.

- b. **Discretionary Use:**

- i. The Development Officer will review the application and prepare a report for Council on the proposal discussing or examining the criteria for consideration of that discretionary use and submit the application, along with the report, to Council for a decision.
- ii. At least 7 days before the application is to be considered by Council, the Development Officer shall provide notice to the public for the discretionary use application. The notice must be provided to:
  - 1. The assessed owners of property within 75 metres of the boundary with the applicant's land; and
  - 2. Any other owners the Development Officer feels should be notified or who may have an interest in the lands.
- iii. Council shall make a decision on a discretionary use, by resolution, that approves, approves with development standards or conditions, or refuses

the discretionary use on that site and that instructs the Development Officer to:

1. Issue a development permit incorporating any specific development standards set by Council, where the development complies with the standards of this Bylaw.
2. Issue a notice of refusal to the applicant stating the reasons for the refusal, referencing the specific discretionary use criteria the application did not meet.
3. All applicants shall be provided the effective date of the decision and information on their right of appeal.

c. A new development permit approval is required when:

- i. The approved use ceases and is replaced by another use.
- ii. The approved use ceases for a 12 month period.
- iii. The development or use is not started within 12 months.
- iv. The intensity of use increases.

d. Council is deemed to have granted discretionary approval to a use, or specific intensity of use, that becomes discretionary on a site as a result of the adoption or amendment of this Bylaw, as of the date that this Bylaw or amendment comes into effect.

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

- a. Nothing in this Bylaw shall exempt any person from: complying with a Building Bylaw or any other Bylaw in force within the Municipality; or from obtaining any permission required by this or any other Bylaw of the Municipality, the province or the federal government.
- b. A building permit, where required, shall not be issued for a development unless a required development permit has been issued. A building permit issued before a development permit is not valid until the required development permit has been issued.

## **2.6 Appeals**

- a. Council will appoint an Appeals Board (The Board) in accordance with Section 49 and 214 to 218 of *The Planning and Development Act, 2007* (the Act).

- b. The composition of the Board, the secretary, remuneration and expenses, powers, duties and responsibilities shall be as per Council's Development Appeals Board policy which will be adopted by resolution.
- c. The Appeals Board has the authority to hear an appeal based on:
  - i. The approval of a development permit where it is alleged the Development Officer misapplied the zoning bylaw in making a decision on the proposal.
  - ii. The refusal of the Development Officer to issue a development permit because the proposal contravenes the Zoning Bylaw.
  - iii. Council's approval of a discretionary use with development standards or conditions (only the conditions or standards may be appealed).
  - iv. An order to repair or correct contraventions under a Nuisance Bylaw, Property Maintenance Bylaw and/or Zoning Bylaw adopted under *The Municipalities Act* (Sections 364 and 365 ) or *The Planning and Development Act, 2007* (Section 242).
- d. The Appeals Board does not have the authority to hear an appeal based on:
  - i. A discretionary use application that is refused.
  - ii. Council refusal to amend a zoning bylaw or to rezone land.
  - iii. A decision concerning a subdivision application.
- e. Anyone starting an appeal must send a written notice of appeal to the Secretary of the Appeals Board within:
  - i. 30 days of a Development Officer's decision being issued.
  - ii. 30 days of the failure of a Council to make a decision.
  - iii. 30 days of receiving a permit with terms and conditions.
  - iv. 15 days if appealed under *The Municipalities Act*, or 30 days under *The Planning and Development Act, 2007*, of an order being served to repair or correct contraventions.
- f. The Board must hold a public hearing on the appeal within 30 days of receiving a notice of appeal.
- g. At least ten days before the hearing, the Board must notify affected parties about the hearing. The notice must be served by personal service, ordinary mail or registered mail.



- h. In making an appeal to the Board, and hearing such appeal, the provisions of *The Planning and Development Act, 2007* shall apply.

## **2.7 Amending the Zoning Bylaw**

- a. Any person who seeks to amend this Zoning Bylaw must submit an application for amendment to the Development Officer who shall review and then refer the application to Council for consideration.
- b. The amendment application is subject to fees as set out in the **Municipal Fees Bylaw**.
- c. Prior to Council's review, the Development Officer may refer the amendment application to any internal or external departments or organizations for review or comment (ie. provincial departments, interested stakeholders, etc).
- d. The process for public notification and public participation during the Bylaw adoption process shall be as per the regulations of *The Planning and Development Act, 2007*.
- e. Premature rezoning of land for development shall not be practice. Council will ensure they have a proper proposal before making any decisions regarding amending the Zoning Bylaw.
- f. Council shall consider Zoning Bylaw amendments to accommodate proposals, only when specific development proposals, subdivision applications, servicing agreement and other information, as the case may be, have been presented to and reviewed by Council.

## **2.8 Zoning Agreements**

- a. Where an application is made to Council to rezone land to carryout a specific development, Council may request that the applicant enter into a Zoning Agreement pursuant to Section 69 of *The Planning and Development Act, 2007*.
- b. The agreement will describe the lands and the proposal for the lands and will also outline:
  - i. The uses of the land and buildings or other forms of development that are proposed.
  - ii. The site layout and design of external design (yard or lot).
  - iii. Time limits.

- c. The agreement shall run with the land, regardless of the landowner.
- d. Council will register an interest on the title of the land when the Zoning Bylaw amendment is approved.

## **2.9 Servicing Agreements and Development Levies**

- a. Council may require a subdivision applicant to enter into a Servicing Agreement to ensure conformity with the Official Community Plan and Zoning Bylaw and to ensure adequate funding for on-site and off-site infrastructure development as allowed for in *The Planning and Development Act, 2007*.
- b. Council may adopt a development levy bylaw and require a development permit applicant to enter into a development levy agreement to ensure conformity with the Official Community Plan and Zoning Bylaw and to ensure adequate funding for on-site and off-site infrastructure development as allowed for in *The Planning and Development Act, 2007*.
- c. Council may require the applicant to post and maintain a performance bond, irrevocable letter of credit or similar legal mechanism to ensure performance and to protect the public interest.
- d. Council may require the applicant to provide and maintain liability insurance to protect the applicant, municipality and the public.
- e. Council will ensure there is adequate municipal infrastructure and other public facilities prior to entering into the Agreement with the applicant, which may include sewage disposal, garbage disposal, availability and adequacy of source of water, recreational facilities, etc.

## **2.10 Fees and Advertising**

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

## **2.11 Offences and Penalties**

- a. Pursuant to Section 242 of *The Planning and Development Act, 2007* the Development Officer may issue a written order to the owner, operator and/or occupant of the land, building or premises for any contravention to this Zoning Bylaw or the Official Community Plan.
- b. Any person who violates this Zoning Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties outlined in Section 243 of *The Planning and Development Act, 2007*.

## Section 3 – General Regulations

The following regulations shall apply to all lands within the Rural Municipality of Willner:

### 3.1 Environmental Management and Hazard Lands

- a. Where the development of a building is proposed on or within 150 m of an area of potential hazard lands or environmentally sensitive lands, Council will require the applicant to submit sufficient supporting information to determine if the development is appropriate for the lands.
- b. Any development proposed on lands that have the potential to be considered hazard lands or environmentally sensitive lands, may be referred by the Development Officer to federal or provincial departments and other relevant environmental agencies for comments prior to a decision being made on the application.
- c. Supporting information submitted by the developer shall be in the form of a report, prepared by a professional that is competent to assess the suitability of the proposed development site with respect to:
  - i. The potential for flooding up to a 1:500 flood elevation level.
  - ii. The potential for slope instability before and after the development and any proposed improvements (geotechnical report).
  - iii. The suitability of the location for the proposed use or building given the site constraints.
  - iv. Other environmental hazards noted at time of review.
  - v. The required mitigation measures if development is recommended to proceed. Council may attach these measures as conditions for the development permit approval.
- d. Additional requirements for development within the flood plain of a river or stream include:
  - i. Residential structures containing habitable or potentially habitable rooms shall not be considered in a 1:500 flood elevation level.
  - ii. Intensive Livestock Operations (ILOs) shall ensure that buildings are flood proofed to the 1:500 flood elevations. Any areas for permanent ILO

- animal enclosures and manure storage facilities shall not be considered in the 1:500 flood elevations.
- iii. Intensive agricultural operations shall ensure buildings are flood proofed to the 1:500 flood elevation
  - e. Sanitary landfills and lagoons shall not be located on hazard lands.
  - f. Actions to avoid, prevent, mitigate or remedy hazards as identified by the professional report may be incorporated as conditions of a development permit.
  - g. A development permit will be refused if the proposed actions by the developer are inadequate to address the adverse conditions or will result in excessive municipal costs.

### **3.2 Number of Residences on a Parcel**

- a. Only one residence shall be allowed on a titled area unless:
  - i. A second or other additional residences are required on an agricultural parcel of at least 32.37 ha (80.0 ac) in size, agriculture is the principal use of the parcel, and the residence is to be occupied by a person who is engaged in the agricultural operation
  - ii. A multiple dwelling unit is allowed in accordance with this Bylaw
- b. Additional residences shall be subject to the development regulations for the applicable district.
- c. A development permit application for an additional residence will not be approved unless the additional residence is designed, sited, constructed, and finished in a manner that is visually compatible and harmonious with the character of the surrounding residential developments.

### **3.3 Mobile and Modular Homes**

- a. A mobile or modular home is considered a residence for the purpose of this bylaw.
- b. All residences, including mobile and modular homes, shall be attached to a permanent foundation or securely anchored to the ground and skirted prior to occupancy.
- c. Every mobile home shall bear CSAZ240 certification (or replacement thereof) and every modular home shall bear CSA A277 certification (or replacement thereof).

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

- a. The adoption or amendment of this Bylaw does not affect non-conforming buildings, non-conforming uses or non-conforming sites.
- b. An existing non-conforming use or intensity of use may continue if the use existed when this Bylaw was adopted and has not been discontinued for 12 consecutive months.
- c. Non-conforming buildings or sites may continue to be used, maintained and repaired in their present form.
- d. All non-conforming uses, sites and buildings shall follow the provisions of the Planning and Development Act, 2007.

### **3.5 Signs and Billboards**

- a. Notwithstanding the regulations provided in this section, all signs are subject to the RM of Willner Bylaw No.2/87 which is a bylaw concerning the erection of highway signs.
- b. All private signs within the RM, other than those adjacent to a provincial highway, shall comply with the following:
  - i. The following advertising signs are allowed: a sign that advertises agricultural commercial uses, home based businesses, the principal use of a site, or the principal products offered for sale on the site.
  - ii. Signs with no advertising, including government signs, memorial signs, directional signs, traffic control, no trespassing, hunting restrictions, farmyard identification signs and similar type signs will be allowed.
  - iii. Temporary signs and real estate signs, which shall be promptly removed after they are no longer needed.
- c. A maximum of two advertising signs are permitted on a titled area.
- d. Billboards and other off-site advertising signs are prohibited.
- e. All private signs shall be located so that no part of the sign is over a public right of way or obstructs the view of the travelling public.
- f. The maximum facial area of a sign shall be 4' x 8' (32 sq. ft) and a sample of the sign artwork shall be submitted to the RM of Willner No. 253 for review by the Development Officer prior to installation.

### **3.6 Storage of Vehicles**

- a. Notwithstanding anything contained in this Bylaw, no site shall be used for the parking or outside storage of more than 10 junked vehicles, which includes any automobile, tractor, truck, trailer or other vehicle that:
  - i. Has no valid license plate or is in a rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or in an abandoned condition.
  - ii. Is located on private land.
  - iv. Is not located within a structure erected in accordance with this bylaw.
- b. All junked vehicles shall be located in the rear yard and shall not be visible from the road by the travelling public.
- c. Sections 3.6 (a) and (b) shall not apply to lands that have received a development permit for a salvage yard or similar type development.
- d. All permitted salvage yards shall be screened from roadways or neighbouring properties with landscaping, fences or a combination of both.
- e. The use of an abandoned vehicle, or unlicensed vehicle or truck trailer unit for the purpose of a sign is prohibited.

### **3.7 Public Utilities, Pipelines, and Facilities of the Municipality**

- a. Public utilities and facilities of the Municipality, except solid and liquid waste disposal sites, shall be allowed in all districts unless otherwise specified by this Bylaw and no minimum site area or yard requirements shall apply.
- b. Where a pipeline, other utility or transportation facility, crosses a municipal road Council may apply special design standards as considered necessary to protect the municipal interest in the road, including but not limited to requiring the pipeline to be punched under the road.

### **3.8 Waste Disposal Facilities**

- a. Development of a new solid or liquid waste disposal facility or expansion of an existing facility will be subject to provincial requirements as well as the following, as specified by Council upon issuing a permit:
  - i. A buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area.

- ii. A lagoon or sanitary landfill disposal area shall be located outside the 1:500 flood hazard areas.
  - iii. Any solid or liquid waste disposal facility shall be fenced to provincial standards.
- b. Criteria for approving a lagoon or sanitary landfill disposal area:
- i. A municipal or regional landfill or lagoon project must undergo a provincial environmental impact assessment and a public hearing process to determine if the proposal is considered suitable for the area.
  - ii. Any necessary mitigation measures will be specified as conditions of the permit approval.
  - iii. Private landfills and lagoons will be considered, provided they meet provincial requirements, and are located so they will not interfere with existing or future residential, recreational, or tourism development.
  - iv. Sanitary landfills and lagoons shall not be located on hazard lands as defined by this bylaw.

### 3.9 Manure Application

The minimum separation distance between occupied residences, other than the residence of the applicator, and the location where manure is to be spread is listed within Table 3.9.

**Table 3.9  
Location Separation Criteria for Manure Spreading to Dwellings**

Distance between manure application and the nearest residence	Method of Manure Application		
	Injected	Incorporated within 24 hours	No incorporation
Communities of 1-1000 people	200m	400m	800m
Communities of 1001-5000 people	400m	800m	1200m
Communities of >5001 people	400m	800m	1600m



### **3.10 Home Based Businesses**

- a. A home based businesses shall be a secondary use to the residential or agricultural use on the property.
- b. The agricultural use or residential use shall be established on the property prior to the establishment of the home based business.
- c. A home based businesses shall cause no variation in the residential or agricultural character or the appearance of the residence, accessory residential building, or land, except for permitted signs.
- d. Outside storage or goods and materials may be allowed upon request and at the approval of Council.
- e. All permits issued for a home based business shall be subject to the condition that the permit may be revoked at any time if, in the opinion of the Council, the conditions under which the permit was originally issued are no longer met. Where a permit is revoked the use shall cease immediately.

### **3.11 Domestic Animal Kennel**

- a. An animal kennel shall be for domestic animals only, as defined by this bylaw.
- b. A kennel shall not be located within or adjacent to a high density residential subdivision or closer than 304.8 m (1,000.0 ft) from the boundary of a high density residential subdivision. Exceptions may be made when a highway, arterial road or secondary road bisects the 304.8 m (1,000.0 ft) separation distance.
- c. All pens, rooms, exercise runs and holding stalls shall be soundproofed.
- d. All facilities shall meet provincial regulations, when necessary.
- e. No facility or exterior exercise area used to accommodate the animals shall be located within 25.0 m (82.0 ft) of any property line of the parcel on which the facility is to be sited.
- f. All exterior exercise areas (runs) shall be enclosed with a fence with a minimum height of 1.8 m (6.0 ft.).
- g. All facilities, including buildings and exterior exercise areas, shall be required to be sited behind the residence.
- h. All facilities shall be visually screened from existing dwellings on adjoining parcels.

### **3.12 Bed-and-Breakfast and Vacation Farm Operations**

- a. A bed and breakfast or vacation farm operation shall be a secondary use on the property.
- b. A bed and breakfast operation or vacation farm operation shall be for overnight or short term accommodation purposes only. The operation shall not be used for long term accommodation.
- c. The agricultural use or residential use shall be established on the property prior to the establishment of the operation.
- d. The bed and breakfast operation may include rooms and a vacation farm operation may include rooms, cabins, and overnight camping areas.
- e. The maximum number of rooms, cabins or overnight camping areas permitted will be specified as a condition of the development permit.
- f. On-site signs will be permitted in accordance with Section 3.5.
- g. All operations shall be licensed pursuant to *The Public Health Act*, where tourist accommodations require health approval and obtaining this license will be a condition of approval.
- h. Bed-and-breakfast operations shall be located in a residence used as the operator's principal residence, or located in a dwelling accessory to and established on the same site as the operator's principal residence.

### **3.13 Camping Facilities**

- a. The operator of a camping facility shall provide the Development Officer with a plan of the development, identifying:
  - i. any buildings
  - ii. uses of land
  - iii. changes to the land, grading/drainage, storm water management
  - iv. location of garbage collection
  - v. location of washroom facilities and utilities
  - vi. emergency evacuation plan
  - vii. location of all roadways with dimensions

- viii. campsites with dimensions
  - ix. location of parking areas
  - x. any other amenities to be developed on the land in connection with the campground
- b. The addition or rearrangement of campsites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a new development permit, and the operator shall submit, for approval, an amended plan incorporating the changes.
  - c. There shall be a buffer area abutting the boundary of not less than 4.5m (14.76 ft.), which shall contain no buildings and shall be left in its natural state.
  - d. No portion of any campsite shall be located within a roadway or required buffer area.
  - e. Each campsite shall have direct and convenient access to the internal developed roadway.
  - f. The space provided for roadways within a campground shall be at least 7.5m (24.6 ft.) in width.
  - g. The development may include uses such as recreational, laundry or confectionary facilities designed to meet the needs of the users of the campsites, and one residence for the accommodation of the operator.
  - h. All provincial regulations, including *The Public Health Act*, shall be complied with in respect to all operations and development of the camping facility.

### **3.14 Intensive Livestock Operations (ILOs)**

- a. Applications for ILOs are received by Saskatchewan Agriculture. As part of the review process, a referral is sent to the RM as well as to the Ministry of Municipal Affairs - Community Planning Branch
- b. In addition to provincial approvals, the RM of Willner will also require the developer to apply for a municipal development permit.
- c. In order to manage the development of ILOs and surrounding land use interests, Council will need to review all applications for development of an ILO, including any rendering facility or abattoir.
- d. Location Separation Criteria

- i. In order to ensure ILO development occurs in acceptable locations, new ILO development proposed subsequent to the date of the adoption of this Bylaw or a proposed expansion of an existing ILO (existing at the date of adoption of this Bylaw) Council will consider an approval in conjunction with the location separation criteria in this Section and in Table 3.14:

**Table 3.14  
Maximum Separation Criteria for ILO to Specific Uses (in metres)**

Specific Use	Animal Units				
	100-299	300-499	500-2000	2000-5000	>5000
Residence, tourist accommodation, or campground	300	400	800	1200	1600
Area authorized for a multi-parcel residential subdivision, hamlet, urban municipality <100 population	400	800	1200	1600	2000
Urban municipality 100-500 population	800	1200	1600)	2400)	2400
Urban municipality 501-5000	1200	1600	2400	3200	3200
Urban municipality >5000	1600	2400	3200	3200	3200

- Distances are measured between livestock facilities and building/site development
- Distances do not apply to residences associated with the operation.

e. Public consultation

- i. Council will advertise any proposal for an intensive livestock operation, as defined by this Bylaw, in the local newspaper and will provide an opportunity for public comment for a minimum of 21 days prior to making a decision. All costs associated with advertising will be the responsibility of the developer.
- ii. Council will encourage developers to hold a separate public open house prior to considering the development permit to provide information to affected landowners.
- iii. If the developer does not hold a public open house, Council will hold a separate public meeting prior to considering the development permit application to ensure community interests are considered before a decision is made by the Council. The open house will be at the cost of the developer.

- iv. Council will make a decision on a proposed livestock operation within 45 days of receiving all information necessary to make a decision. If an extension is required, Council will notify the developer in writing, including reasons for the extension, and the length of the extension.
- f. Water Supply and Protection
- i. There shall be a water supply adequate for the proposed development and the development shall not contaminate any water supply source. Prior to approval, Council may:
    - 1. Require the applicant to demonstrate that appropriate measures will be in place to minimize the risk of contamination of water sources.
    - 2. Require the applicant to demonstrate an adequate water supply is available for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation.
- g. Additional Information
- i. Council may require the applicant to obtain recommendations from appropriate agencies and address issues regarding water supply, quality and quantity considerations and manure management plans to evaluate the suitability of the site
  - ii. *The Agricultural Operations Act* and other provincial legislation may apply to the development of an ILO. When considering the operational or environmental aspects of a proposed project that does not trigger a provincial review, Council may wish to refer a development permit application to the appropriate agencies for advice and recommendations.
- h. Application of manure will be carried out in accordance with Section 3.9.
- i. Permit conditions
- i. As a condition of approval, Council shall specify the maximum number of animal units for which the approval is made to reduce the potential for land use conflicts with neighbouring uses.
  - ii. Council may impose development standards which specify the location of holding areas, buildings or manure storage facilities on the site, the locations may vary from the separation criteria in Table 3.14
- j. Existing Livestock Operations

- i. ILOs existing at the time of the adoption of this Bylaw may continue as is. However if there is any expansion of the operation or change of animal species or type of operation the developer will be required to obtain new approvals from the RM in accordance with the requirements and conditions of this Bylaw.
- k. Development permits are required for any proposed:
  - i. New ILO
  - ii. Expansion of an existing ILO
  - iii. Any temporary facility or part of a site
  - iv. Change of animal species or type of operation

### **3.15 Gravel Pits and Gravel Crushing Operations**

- a. All gravel operations shall meet provincial requirements and guidelines as well as addition municipal requirements.
- b. Land use incompatibility, nuisance and pollution shall be minimized by considering appropriate routes, buffers, screening, etc.
- c. All operations shall have efficient servicing, haul routes and have a high consideration for public safety.
- d. Council will specify development conditions including recommendations from provincial agencies and reports from qualified person regarding site development, services, modifications to application and location of operation.
- e. Council will specify conditions regarding cost recovery and cost-sharing of municipal road construction and maintenance expenses due to increased haulage by trucks carrying mineral resources.
- f. Minimum excavation setbacks are as follows:
  - i. 805 metres (0.5 miles) from any dwelling,
  - ii. 15 metres (50 feet) from the limit of a developed road allowance
  - iii. 805 metres (0.5 miles) from any recreational or heritage lands which should not be disturbed
  - iv. 30 metres (100 feet) from any hazard lands

- g. All gravel operations shall have direct access to a developed road that meets municipal standards.
- h. Applicants will be required to provide:
  - i. A plan showing the location of the proposed area of operation, site boundaries, the depth of excavation and the quantity of topsoil to be removed.
  - ii. A description of the excavation, stripping or grading operation, which includes a decommissioning plan.
  - iii. A detailed timing and phasing of the project including the length of the proposed operation.
  - iv. A plan showing the final site conditions and post-development land use plan following the completion of the operation.
  - v. A description of the measures to be taken for the prevention or mitigation of dust, noise, public safety, erosion and other effects to surrounding land uses and the public, during and after the operation.
  - vi. Information that identifies the projected volumes of truck traffic on roads, the proposed road impacts (e.g. road deterioration), and the proposed measures to minimize negative (e.g. noise, dust, excessive speed) impacts on other road users and the public.

### **3.16 Dwelling Groups**

- a. Access to sites shall be from a road internal to the dwelling group parcel.
- b. No dwelling shall be closer than 6 m to any other dwelling.
- c. All buildings on a dwelling group parcel shall maintain the required yards to the property lines of the parcel provided for the District and the required set back to the centre line of a road.

### **3.17 Wind Energy Systems**

- a. Where a number of Wind Energy Systems are proposed to operate in close proximity to each other as a Wind Farm and the electrical power that is generated will be sold to a public or private utility, the proposed development shall be deemed a discretionary use in the Agricultural District.

- b. All roads and accesses required to facilitate the development shall be proposed by the developer as part of the development permit application. As a condition of development the Developer shall enter into an agreement with the municipality to ensure all roads and accesses are constructed to municipal standards.
- c. The developer may be required to enter into a road maintenance agreement, in accordance with the regulations of The Municipalities Act.
- d. Where a single Wind Energy System is proposed to operate and supply electrical power to a residence or will be sold to a public or private utility, the proposed development shall be deemed a discretionary use in the Agricultural District and the Country Residential District.
- e. Site Suitability:
  - i. The minimum site size for the allowance of any wind energy system shall be 2.0 hectares (5.08 acres).
  - ii. The wind energy system shall not be located on environmentally sensitive lands where there would be an irreversible detrimental effect on the lands.
  - iii. For residential applications, wind energy components and towers shall be erected in rear yards only.
  - iv. All wind energy systems and towers shall be enclosed within a located protective fencing of a minimum height of 1.85 m (6 ft.).
  - v. Council may require the developer to take mitigating measures to ensure the development produces minimal environmental impacts to the surrounding lands.
- e. The minimum distance from a residence shall be a minimum distance of:
  - i. 500m (1604 ft.) for up to two towers, where the resident owner is hosting the towers.
  - ii. 1500m (4921 ft.) for up to two towers where the resident owner is not hosting the tower(s) and from any neighbouring residences.
  - iii. 2000m (6561 ft.) for all residences where three or more towers are combined in a quarter section. This applies to residences on the subject lands and on neighbouring properties.
- f. Construction and Operating Requirements:
  - i. A development permit application for wind energy systems shall be accompanied by a manufacturer's engineering certificate of structural



safety or certification of structural safety via a Saskatchewan Professional Engineer.

- ii. Installation plans (including concrete specifications and anchoring specifications) shall be certified by a Saskatchewan Professional Engineer.
- iii. An approved electrical permit shall be obtained and provided to Council for all wind energy systems and may be a condition of the permit approval.
- iv. Maximum total wind tower height and total system height shall be at the discretion of Council.
- v. Council may require the developer to take mitigating measure to ensure the development produces minimum disturbance to the surrounding lands.

## Section 4 - Zoning Districts

### 4.1 Districts

- a. For the purpose of applying this Bylaw, the Municipality is divided into Zoning Districts.
- b. All parts of the Municipality shall be designated as A - Agricultural District except those areas specifically designated on the detailed Zoning Bylaw Map as another District, attached to and forming part of this bylaw.

### 4.2 Boundaries

- a. The boundaries of all Zoning Districts are shown on the map entitled, "Zoning Bylaw Map" which is attached to, and forms a part of this Bylaw. Unless otherwise shown on the Map, the boundaries of the Districts are site lines, centre lines of streets, lanes, roads or such lines extended, and the boundaries of the Municipality. Unless otherwise shown on an amendment to the Zoning Bylaw Map, the Zoning District boundary, coincident with a parcel boundary, moves with a minor adjustment to that boundary.

### 4.3 Regulations

- a. Regulations for the Zoning Districts are outlined in the following Sections:
  - i. Agricultural District
  - ii. High Density Residential District
  - iii. Country Residential
  - iv. Highway Commercial District

## Section 5 - Agricultural District (A)

The objective of this district is to provide for the primary use of land in the form of agricultural development and associated agricultural uses. Other uses compatible with agricultural development are also provided for as well as location dependent natural resource development. Fragmentation of agricultural land in this district will generally be avoided.

### **5.1 Permitted Uses that are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:**

Agricultural Uses including:

- i. Field crops
- ii. Pastures for the raising of livestock (excluding ILOs)
- ~~iii. Keeping of animals, not including a Domestic Animal Kennel~~

iii. Keeping of Animals on residential sites other than farmsteads, not including a Domestic Animal Kennel:

a. 1 (one) Animal Units will be permitted on a site of greater than 2 hectares (5 acres) up to 4 hectares (10 acres) in size.

2 (two) Animal Units will be permitted on a site of greater than 4 hectares (10 acres) up to 8 hectares (20 acres) in size.

3 (three) Animal Units will be permitted on a site of greater than 6 hectares (15 acres) up to 12 hectares (30 acres) in size.

For each additional 4 hectares (10 acres) one additional animal unit will be permitted. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.

b. Animals shall not be pastured within 15 meters (50 feet) of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain birds or animals shall be located within 30 meters (100 feet) of a property line

c. For this section "Animal Units" shall be one and the same as described, detailed and referenced by the Saskatchewan Agriculture Operations Act and the Saskatchewan Agricultural Operations Regulations.

(Amending Bylaw No. 03/2020 – December 11, 2020)

- iv. Facilities for the direct sale of field crops
- v. Manure application subject to Section 3.9.
- b. Accessory uses and buildings related to:
  - i. An established agricultural use
  - ii. An established residential use (private garages, sheds, and associated out buildings)
  - iii. Orchards and vegetable, horticultural or fruit gardens
- c. Installation and repair of public utilities
- d. Development and expansion of municipal facilities
- e. Signs, subject to Section 3.5
- f. Wire fences that are no closer to the roadway than the edge of the municipal road right-of-way.
- g. Parking of private or agricultural vehicles on private lands
- h. Landscaping on private lands
- i. Sidewalks, steps, patios, decks
- j. Antenna and telecommunication tower to a maximum of 15.24m (50 ft)

**5.2 Permitted Uses that require development permit approval:**

- a. First residence on a parcel
- b. [Petroleum exploration, extraction wells and related facilities](#)
- c. [Petroleum pipelines and related facilities](#)
- d. [Mineral mines or extraction facilities](#)

[\(Amending Bylaw No. 01/2012 – August 10,2012\)](#)

**5.3 Discretionary Uses**

The following uses will be permitted at Council's discretion:

- a. Agricultural Uses
  - i. New or expanding Intensive Livestock Operation (ILO)
  - ii. Intensive agricultural operations

- iii. Commercial agricultural operations
  - iv. Agricultural product processing
  - i. Agricultural equipment, fuel and chemical supply establishment
  - vi. Agriculture service and contracting establishments
- b. Residential Uses
- i. Residence (for more than one on 80 acres or more)
  - ii. Bed and breakfast operation
  - iii. Vacation farm operation
- c. Accessory uses and buildings related to:
- i. An established Intensive Livestock Operation
  - ii. An established Intensive Agricultural Operation
  - iii. An established Commercial Agricultural Operation
  - iv. Honey extraction facilities and bee keeping.
  - v. Home Based Business
  - vi. Domestic Animal Kennel
  - vii. Solid and liquid waste disposal facilities
- d. Resource based uses:
- ~~i. Petroleum exploration, extraction wells and related facilities~~
  - ~~ii. Petroleum pipelines and related facilities~~
  - ~~iii. Mineral mines or extraction facilities  
(Amending Bylaw No. 01/2012 – August 10, 2012)~~
  - i. Gravel pits and gravel crushing operations  
(Amending Bylaw No. 01/2012 – August 10, 2012)
- e. Commercial Uses:
- i. Salvage and storage yards

- ii. Recreational commercial uses (sports arenas, golf courses, tourist campgrounds, or similar type uses)

f. Community Uses:

- i. Places of worship, cemeteries, and non-residential schools
- ii. Radio, television and microwave towers
- iii. Public parks and public recreational facilities
- iv. Historical sites, archaeological sites, wildlife and conservation management areas
- v. Institutional camps
- vi. Wind Energy Systems

## 5.4 Regulations

a. Subdivision

- i. The subdivision of any land within the Agricultural District is subject to the policies contained in the Official Community Plan.
- ii. Only three subdivisions and the remnant of the quarter section will be allowed in this district for a total of four parcels on a quarter section.

b. Frontage

- i. Minimum site frontage shall be 20 m for all parcels
- ii. Exemptions from minimum frontage may be considered by Council for resource based uses and community uses, as listed in Section 5.3

c. Site Size

- ~~i. Minimum site size shall be 0.8 ha (2 acres)~~
- ~~ii. Maximum subdivided site size shall be 4.04 ha (10 acres), except in the case of agricultural land uses and recreational commercial uses, then there shall be no maximum subdivided site size. (Amending Bylaw No. 02/2015 – April 29, 2025)~~

~~ii. Exemptions from minimum area requirements may be considered by Council for resource based uses and community uses, as listed in Section 5.3~~

i. Agricultural Uses:

Minimum: 80 acres

Maximum: None

Exemptions: The minimum site size may be a lesser area depending on existing physical circumstances, i.e., limitations or demarcations, peculiar to a proposed agricultural site, such as a highway or rail line, creek, coulee or other topographical restraints.

ii) Non-Farm Residential (residence as principle use):

Minimum: 2 acres

Maximum: 10 acres

Exemptions: The maximum site size may be a greater area depending on existing physical circumstances, i.e., limitations or demarcations, peculiar to a proposed non-farm residential site, such as a shelter belt, existing buildings, a highway or rail line or topographical restraints (creek, coulee, slough or similar topographical features).

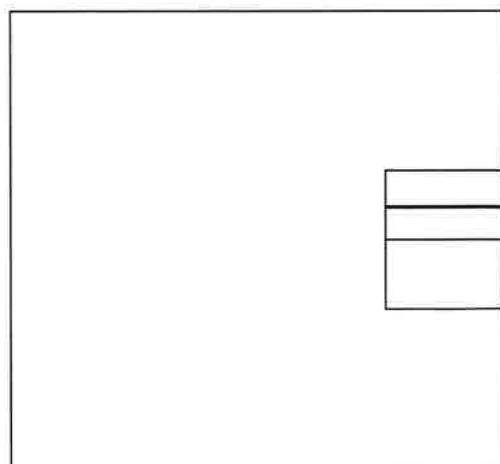
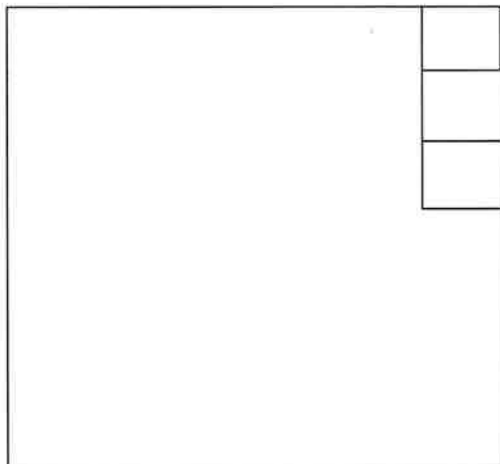
iii. All Other Uses:

Minimum: 2 acres

Maximum: 80 acres

Exemptions: Lesser or greater site areas may be considered by Council for resource based uses and community uses, as listed in Section 5.3.

(Amending Bylaw No. 04/2016 – June 21, 2016)



d. Access:

- i. All development requiring a development will require access to a developed road
- ii. For the purposes of Bylaw "developed road" shall mean an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council
- iii. A site to be created by subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.

e. Setback Requirements

- i. The minimum setback of buildings, including a residence, from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 m (150 ft).
- ii. The minimum setback of buildings, including a residence, from the intersection of the center lines of two or more municipal road right-of-ways shall be 92 m (300 ft.).
- iii. Trees, shrubs, stone piles, portable structures, machinery or other objects, such as wells, dugouts, or reservoirs on private property shall also adhere to the regulations in 5.4(e)(i) and 5.4(e)(ii).
- iv. No residence shall be located with less than a minimum separation distance to an operation, other than the residence of the operation, as follows:
  1. The separation distance to an ILO as regulated in Section 3.14
  2. 305 m from a licensed public or private liquid waste disposal facility
  3. 457 m from a licensed public or private solid waste disposal facility
  4. 305 m from a honey processing facility.
  5. 305 m to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan



6. 600 m to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan
7. no dwelling or other building shall be located within the approach surface for any functional airport or airstrip.

## **5.5 Criteria for Discretionary Use Applications**

Council shall use the following criteria in making a decision on a discretionary use development permit application:

- a. A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- b. The proposed development shall be located on a parcel conforming to all requirements of this Zoning Bylaw, including site size, frontage, setbacks and access.
- c. No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
- d. The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- e. Commercial Uses, including Commercial Agricultural Developments:
  - i. Any proposed commercial development or commercial agricultural development must access onto a main corridor road, unless the development is tied to the particular location by a natural resource.
  - ii. A road of a standard that meets the demands of the operation shall provide access to the site. If required, the operator will enter into a heavy haul agreement with the RM.
  - iii. Any unsightly outdoor storage of machinery, vehicles, or materials including any salvage or vehicle storage yard shall be adequately screened from the public's view.
  - iv. In the application for an intensive operation, the applicant shall identify the proposed supply of water for the operation where intensive irrigation is required, showing that the supply shall be sufficient to meet the needs of that operation without adverse effects on the supply of water used by neighbouring properties
- f. Home Based Businesses:

- i. No heavy construction or industrial equipment or supplies shall be on any site for a home based business in this District.
  - ii. Any increase in the operation as applied for or approved shall require a new discretionary use approval
  - iii. Outside storage may be approved if Council deems the storage will not be unsightly and that it will not negatively affect adjacent properties.
- g. Bed-and-breakfast and Vacation Farm:
  - i. The proposed structures are suitable and comfortable for the proposed development.
  - ii. There shall be a water source suitable for public consumption at the facility.
  - iii. There shall be suitable utilities and sewage disposal system for the facility.
  - iv. There shall be appropriate levels of access to the site and off-street or road parking for the users of the facility.
  - v. The development shall not be in conflict with adjacent uses or uses currently on site.
  - ii. The development shall only be for overnight or short term accommodations purposes. Council will not approve an operation intended for extended periods of accommodations.
- h. Camping Facilities
  - i. Each site shall have access from an interior roadway.
  - ii. A water source for public consumption shall be available on site.
  - iii. Suitable utilities, sewage disposal systems and facilities shall be available on site.
  - iv. The development shall not conflict with adjacent uses or uses currently on site.
  - v. An emergency services plan shall been discussed and agreed to by the service providers and the applicant.
- i. Additional Residence:

- i. If more than one residence is proposed on an agricultural parcel of 80 acres or more, Council may consider the use if agriculture is the principal use of the parcel, and the additional residence is to be occupied by a person who is engaged in the agricultural operation full time.
- j. Other requirements of this bylaw specific to the proposed use are met.

## Section 6 – High Density Residential District (HDR)

The objective of this district is to provide for the subdivision and development of high density residential development. This District will be used to accommodate residential subdivisions that are close in proximity to each other and dense in nature. There will be limited agricultural uses allowed on the sites.

### **6.1 Permitted Uses that are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:**

- a. Installation and repair of public utilities, except solid and liquid waste disposal facilities
- b. Development and expansion of municipal facilities
- c. Signs, subject to Section 3.5
- d. Wire fences that are no closer to the roadway than the edge of the municipal road right-of-way
- e. Landscaping on private lands
- f. Sidewalks, steps, patios, decks
- g. Keeping of Animals
  - i. Limited to 2 domestic animals per site.

### **6.2 Permitted Uses that require development permit approval:**

- a. Residence
- b. Dwelling Groups
- c. Residential Accessory Buildings and Uses
  - i. Private garages
  - ii. Private garden sheds
  - iii. Private greenhouses

- iv. Orchards, vegetable, horticultural or fruit gardens
- v. Accessory uses and buildings related to an approved discretionary use
- d. Recreational uses:
  - i. Public sports fields and parks
  - ii. Other public or non-profit recreational facilities

### **6.3 Discretionary Uses:**

The following uses will be permitted at Council's discretion:

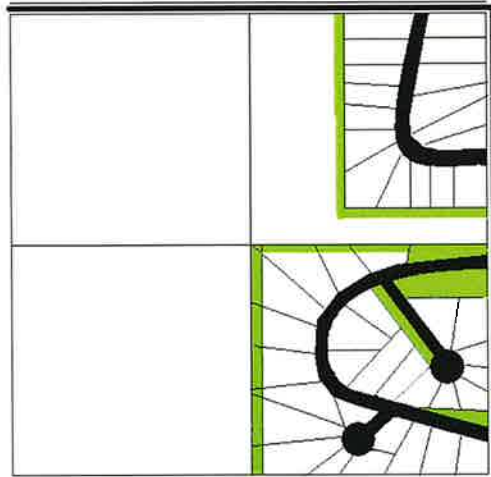
- a. Solid and liquid waste disposal facilities.
- b. Bed-and-breakfast Operations
- c. Home Based Businesses

### **6.4 Regulations**

- a. Subdivision
  - i. The subdivision of any land that does not meet the subdivision requirements within the Agricultural District or the Country Residential District will be required to be rezoned to this district and are subject to the policies contained in the Official Community Plan for Residential Lands.
  - ii. All residential subdivisions shall be located adjacent to an existing transportation corridor.
  - iii. All residential subdivisions shall be serviced to meet municipal standards.
  - iv. A buffer strip will be required in all residential subdivisions to separate residential uses and existing agricultural development.
- b. Frontage
  - i. Minimum site frontage shall be 20 m for all parcels.
  - ii. Exemptions from minimum frontage may be considered by Council for public utility uses and municipal facilities.
- c. Site Size
  - i. Minimum site size shall be 0.8 ha (2 acres).

- ii. Maximum site size shall be 4.04 ha (10 acres).
- iii. Exemptions from minimum area requirements may be considered by Council for public utility uses and municipal facilities.

#### SAMPLE SUBDIVISION



- d. Access:
  - i. All development requires access to a developed road that meets municipal standards.
  - ii. For the purposes of Bylaw "developed road" shall mean an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council
  - iii. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
  - iv. All lots within a subdivision shall be provided access from an internal subdivision road. The number of accesses from the municipal road will be limited to provide for the safety of the travelling public.

e. Setback Requirements

i. Front Yard:

1. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects such as wells, dugouts, or reservoirs on private property from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 m (150 ft.).
2. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects such as wells, dugouts, or reservoirs on private property from the intersection of the center lines of two or more municipal road right-of-ways shall be 90 m (300 ft.).
3. The minimum setback for buildings or other objects on private property from the internal subdivision road shall be 7.6 m (25 ft.).
4. No outside storage shall be permitted in the front yard.

ii. Side and Rear Yard:

1. The minimum setback for buildings or other objects on private property from any side or rear yard shall be a 3 m (10 ft.).
2. Outside storage located in a side or rear yard shall be screen by landscaping or vegetation so as not to be visible from a road.

iii. No residence shall be located with less than a minimum separation distance to an operation, other than the residence of the operation, as follows:

1. The separation distance to an ILO as regulated in Section 3.14
2. 305m (1000 ft.) from a licensed public or private liquid waste disposal facility.
3. 457 m (1500 ft.) from a licensed public or private solid waste disposal facility.
4. 305 m (1000 ft.) from a honey processing facility.
5. 305 m (1000 ft.) to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan

6. 600m (1968.5 ft.) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan
7. No dwelling or other building shall be located within the approach surface for any functional airport or airstrip.

## **6.5 Criteria for Discretionary Use Applications**

- a. A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- b. The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.
- c. No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
- d. The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- e. Home Based Businesses:
  - i. No home based business in this District shall include auto body repair or repainting operations
  - ii. No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this District
  - iii. Council may apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation.
  - iv. Any increase in the operation as applied for or approved shall require a new discretionary use approval.
  - v. Council will not consider outside storage of goods and materials for a home based business in the Residential District.
- f. Bed-and-breakfast Operation
  - i. The proposed structures are suitable and comfortable for the proposed development
  - ii. There shall be a water source suitable for public consumption at the facility



- iii. There shall be suitable utilities and sewage disposal system for the facility
  - iv. There shall be appropriate levels of access to the site and off-street or road parking for the users of the facility
  - v. The development shall not be in conflict with adjacent uses or uses currently on site.
  - vi. The development shall only be for overnight or short term accommodations purposes. Council will not approve an operation intended for extended periods of accommodations.
- g. Solid and liquid waste disposal facilities will only be permitted in the Residential District if there are no suitable sites within the Agricultural District.
- h. Other requirements of this bylaw specific to the proposed use are met.

## Section 7 – Country Residential District (CR)

The objective of this district is to provide for the subdivision and development of residential development that is less dense than allowed for in the High Density Residential District in Section 6 and denser than allowed for in the Agricultural District. The Country Residential District will allow for some animals uses on the site but still only a limited number of agricultural uses.

### **7.1 Permitted Uses that are exempt from permit approval provided they meet the requirements of this Zoning Bylaw, including setback regulations if applicable, include:**

- a. Installation and repair of public utilities, except solid and liquid waste disposal facilities
- b. Development and expansion of municipal facilities
- c. Signs, subject to Section 3.5
- d. Wire fences that are no closer to the roadway than the edge of the municipal road right-of-way
- e. Landscaping on private lands
- f. Sidewalks, steps, patios, decks
- g. Keeping of Animals
  - i. 2 domestic animals per site.
  - ii. 1 large animal (horse or cow) per site.

### **7.2 Permitted Uses that require development permit approval:**

- a. Residence
- b. Dwelling Groups
- c. Residential Accessory Buildings and Uses
  - i. Private garages
  - ii. Private garden sheds
  - iii. Private greenhouses

- iv. Orchards, vegetable, horticultural or fruit gardens
- v. Accessory uses and buildings related to an approved discretionary use
- d. Recreational uses:
  - i. Public sports fields and parks
  - ii. Other public or non-profit recreational facilities

### **7.3 Discretionary Uses:**

The following uses will be permitted at Council's discretion:

- a. Solid and liquid waste disposal facilities.
- b. Bed-and-breakfast Operations
- c. Home Based Businesses
- d. Domestic Animal Kennel
- e. Single Wind Energy Facility

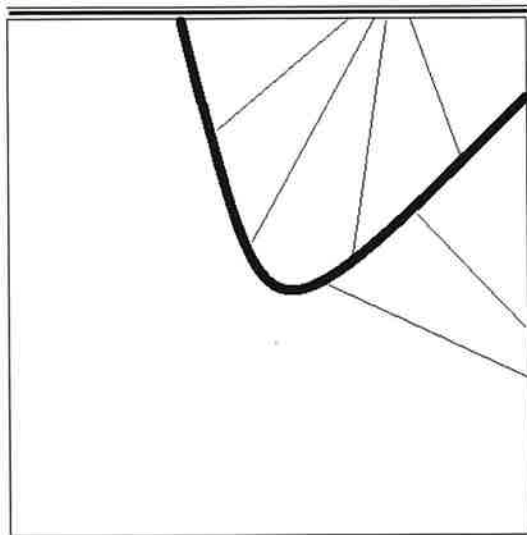
### **7.4 Regulations**

- a. Subdivision
  - i. This district will allow for the subdivision of land into residential parcels to a maximum of 8 sites per ¼ section. All policies contained in the Official Community Plan for Residential Lands will apply.
  - ii. All residential subdivisions shall be located adjacent to an existing transportation corridor.
  - iii. All residential subdivisions shall be serviced to meet municipal standards.
  - iv. A buffer strip will be required in all residential subdivisions to separate residential uses and existing agricultural development.
- b. Frontage
  - i. Minimum site frontage shall be 20 m for all parcels.
  - ii. Exemptions from minimum frontage may be considered by Council for public utility uses and municipal facilities.

c. Site Size

- i. Minimum site size shall be 2.02 ha (5 acres)
- ii. Maximum site size shall be 4.04 ha (10 acres)
- iii. Exemptions from minimum area requirements may be considered by Council for public utility uses and municipal facilities.

SAMPLE SUBDIVISION



d. Access:

- i. All development requires access to a developed road
- ii. For the purposes of Bylaw "developed road" shall mean an existing paved or graded all-weather road on a registered right of way, or a road for which arrangements have been made with Council to provide for the construction of the road on a registered right of way to a standard approved by Council
- iii. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
- iv. All lots within a subdivision shall be provided access from an internal subdivision road. The number of accesses from the municipal road will be limited to provide for the safety of the travelling public.

e. Setback Requirements

i. Front Yard:

1. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects such as wells, dugouts, or reservoirs on private property from the centreline of a developed road, municipal road allowance, or provincial highway shall be 46 m (150 ft.).
2. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects such as wells, dugouts, or reservoirs on private property from the intersection of the center lines of two or more municipal road right-of-ways shall be 90 m (300 ft.).
3. The minimum setback for buildings or other objects on private property from the internal subdivision road shall be 7.6 m (25 ft.).
4. No outside storage shall be permitted in the front yard.

ii. Side and Rear Yard:

1. The minimum setback for buildings or other objects on private property from any side or rear yard shall be a 3 m (10 ft.).
2. Outside storage located in a side or rear yard shall be screen by landscaping or vegetation so as not to be visible from a road.

iii. No residence shall be located with less than a minimum separation distance to an operation, other than the residence of the operation, as follows:

1. The separation distance to an ILO as regulated in Section 3.14
2. 305m (1000 ft.) from a licensed public or private liquid waste disposal facility.
3. 457m (1500 ft.) from a licensed public or private solid waste disposal facility.
4. 305m (1000 ft.) from a honey processing facility.
5. 305m (1000 ft.) to a non-refrigerated anhydrous ammonia facility licensed by Province of Saskatchewan

6. 600m (1968.5 ft.) to a refrigerated anhydrous ammonia facility licensed by the Province of Saskatchewan.
7. No dwelling or other building shall be located within the approach surface for any functional airport or airstrip.

## **7.5 Criteria for Discretionary Use Applications**

- a. A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- b. The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access.
- c. No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
- d. The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- e. Home Based Businesses:
  - i. No home based business in this District shall include auto body repair or repainting operations
  - ii. No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this District
  - iii. Council may apply special standards in the issuing a development permit limiting the size of operation, and buildings used for the operation.
  - iv. Any increase in the operation as applied for or approved shall require a new discretionary use approval.
  - v. Council will not consider outside storage of goods and materials for a home based business in the Residential District.
- f. Bed-and-breakfast Operation
  - i. The proposed structures are suitable and comfortable for the proposed development
  - ii. There shall be a water source suitable for public consumption at the facility

- iii. There shall be suitable utilities and sewage disposal system for the facility
  - iv. There shall be appropriate levels of access to the site and off-street or road parking for the users of the facility
  - v. The development shall not be in conflict with adjacent uses or uses currently on site.
  - vi. The development shall only be for overnight or short term accommodations purposes. Council will not approve an operation intended for extended periods of accommodations.
- g. Solid and liquid waste disposal facilities will only be permitted in the Residential District if there are no suitable sites within the Agricultural District.
- h. Other requirements of this bylaw specific to the proposed use are met.

## **Section 8 - Highway Commercial and Industrial District (HCI)**

The objective of this district is to provide for highway commercial and industrial development uses along the Highway 11 corridor within the RM. Consideration for rezoning to this district will only apply to lands that within 3 miles of the Highway 11 corridor. Council has designated this area as being appropriate for commercial/industrial development as it is easily accessible by the travelling public. Council will prefer that a commercial/industrial subdivision take place rather than development on a quarter section, where possible.

All permitted and discretionary uses will be referred to the Ministry of Highways and Infrastructure to ensure the proposal is consistent with provincial setback requirements and other regulations.

### **8.1 Permitted Uses that require development permit approval:**

- a. Agricultural services, contracting and supply establishments
- b. Commercial nurseries or greenhouses, including retail.
- c. Services stations with or without confectionary
- d. Motor vehicle dealers and service establishments
- e. Motels and hotels
- f. Restaurants
- g. Retail stores
- h. Public utilities
- i. Accessory buildings to the above permitted uses.

### **8.2 Discretionary Uses**

- a. Abattoirs, skinning and tanning facilities
- b. Manufacturing
- c. Fabricating
- d. Agricultural product processing



- e. Auction Mart
- f. Outside Storage of materials visible from the Highway
- g. Signs
- h. Accessory buildings to the above discretionary uses.

### **8.3 Regulations**

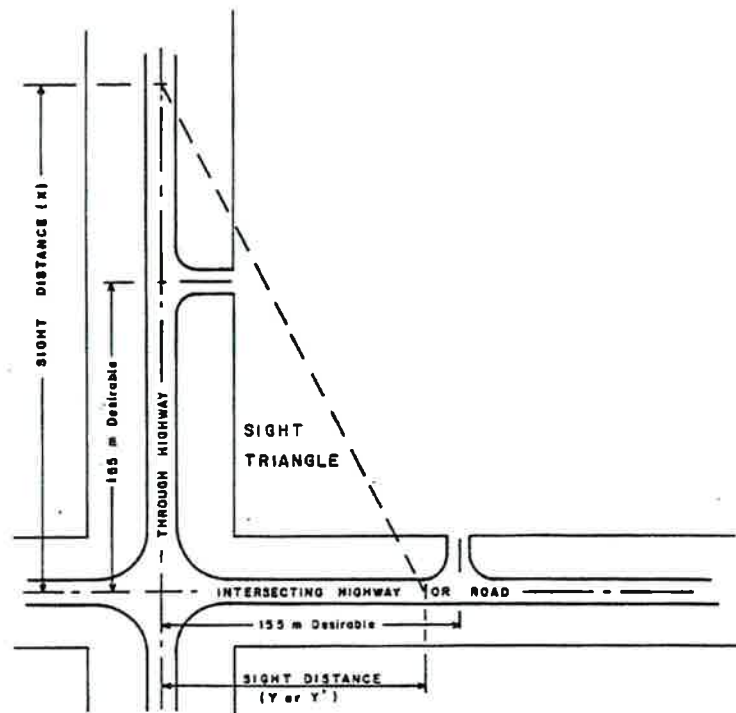
- a. Subdivision
  - i. New subdivision applications shall be accompanied by a concept plan as outlined in the Official Community Plan.
  - ii. All subdivisions shall be serviced to meet municipal standards and provincial standards.
- b. Frontage
  - i. Minimum site frontage shall be 30m (98.4 ft) m for all parcels.
  - ii. Exemptions from minimum frontage may be considered by Council for public utility uses and municipal facilities.
- c. Site Size
  - i. Minimum site size shall be 1000 sq. m (0.25 acres)
  - ii. Maximum site size shall be at the discretion of Council.
  - iii. Exemptions from minimum site size requirements may be considered by Council for public utility uses and municipal facilities.
- d. Access:
  - i. All subdivisions shall be located adjacent to Highway 11 and access may be required to be provided by a service road that meets provincial and municipal standards.
  - ii. A subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered developed road, including any road to be developed under a signed servicing agreement.
  - iii. All lots within a subdivision shall be provided access from an internal subdivision road. The number of accesses from the municipal road and

provincial highway will be limited to provide for the safety of the travelling public.

e. Setback Requirements

i. Front Yard:

1. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects on private property from the centreline of a provincial highway shall be at the discretion Council after discussions with the Ministry of Highways and Infrastructure.
2. The minimum setback for buildings, trees, shrubs, stone piles, portable structures, or other objects on private property from the centreline of a municipal road allowance, municipal grid road, and main farm access road shall be 45 m (150 ft).
3. The minimum setback for buildings on private property from the internal subdivision road shall be 7.6 m (25 ft)
4. No outside storage shall be permitted in the front yard.
5. The Ministry of Highways and Infrastructure site triangle at intersections shall be adhered to:



- ii. Side Yard:
  - 1. The minimum setback for buildings on private property from any side yard shall be a 3 m (10 ft).
- iii. Rear Yard
  - 1. The minimum setback for residences and commercial buildings on private property from any rear yard shall be a 3 m (10 ft).

## **8.5 Criteria for Discretionary Use Applications**

- a. A site plan and supporting documentation must be supplied to Council prior to making a decision on a discretionary use application.
- b. The proposed development shall be located on a parcel conforming to all requirements of this zoning bylaw, including site size, frontage, setbacks and access and to all provincial requirements.
- c. No new or expanded discretionary uses shall be located in the 1:500 flood elevations or on hazard lands without appropriate studies completed by qualified professionals with accompanying mitigating measures.
- d. The proposed discretionary use shall not negatively change the character of the immediate area or the use and enjoyment of adjacent lands for their existing use.
- e. Council will apply the criteria of the Official Community Plan when considering locations for commercial and industrial uses
- f. Year round access to the site shall be available.
- g. A road of adequate standard provides access and egress to the operation from a provincial highway to the site.
- h. If development of a discretionary use is proposed on a  $\frac{1}{4}$  section, Council will require to developer to provide information on why the entire  $\frac{1}{4}$  section will be needed for the development.
- i. Signs:
  - i. One business name sign is permitted per visible business unit front, and shall not exceed 15% of the area of the front of the building and shall not exceed 30 sq. m, parallel to the front of the building, nor exceed a depth of 0.3 m.
  - ii. All signs and artwork shall be approved as part of the development permit approval.

- j. Other requirements of this bylaw specific to the proposed use are met.

## Section 9 - Definitions

In this Bylaw when the following words or terms are used, they have the following meaning, unless the context provides otherwise:

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

**Act** – *The Planning and Development Act, 2007.*

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

**Animal Unit** – the kind and number of animals calculated in accordance with the following table:

Kind of Animal		Number of Animals = 1 Animal Unit
Cattle	Cows and bulls	1
	Feeder cattle	1.5
	Replacement heifers	2
	Calves	4
Horses	Colts and ponies	2
	Other horses	1
Domestic Animals	Dogs	1
	Puppies	2
	Cats	1
	Kittens	2
Poultry	Hens, cockerels, capons	100
	Chicks, broiler chickens	200
	Turkeys, geese, ducks	50

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

**Administrator** – the official administrator for the Municipality pursuant to *The Municipalities Act.*

**Applicant** – a developer or person applying for a development permit under this Bylaw, for a subdivision approval to an approving authority under The Act.

**Bed-and-Breakfast Operation**— a residence, licensed as a tourist home under *The Public Accommodation Regulations*, in which overnight accommodation within the unit, along with at least one meal served before noon, is provided to the travelling public for a charge.

**Building** – a structure used for the shelter or accommodation of persons, animals, or goods.

**Building, Accessory** – a subordinate detached building apart from the main building or main use and located in the same site, which provides better and more convenient function of the main building or main use.

**Building Permit** – a permit issued under a building Bylaw of the Municipality authorizing the construction of all or part of any building.

**Camping Facility** – 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.

**Care Services** means development to provide daytime personal care and education to children or elderly persons, but does not include overnight accommodation. Typical facilities would include daycare or "elder care" centres, day nurseries, family day home child care, nursery schools and play schools.

**Council** – the Council of the Rural Municipality of Willner No. 253.

**Dwelling, Single Detached** – a detached building consisting of one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, but shall not include a mobile home, modular home, or trailer coach as defined here.

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

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

**Development Permit** – a document authorizing a development issued pursuant to this Bylaw.

**Discretionary Use** – means a use of land or buildings or form of development that:

- (a) is prescribed as a discretionary use in this Bylaw; and

- (b) requires the approval of Council pursuant to Section 56 of the Act and this Bylaw.

**Domestic Animal** – shall include dogs and cats for the purposes of this bylaw.

**Dwelling Group** – a group of principal buildings used as dwellings, located on a single parcel, developed as a project, that may include rental, condominium or bare land condominium forms of tenure.

**Floor Area** – the sum of horizontal area contained within the outside of the outside walls of a building at each floor level at or above grade, excluding in the case of a dwelling, any private garage, porch, veranda, sun lounge, or unfinished room or attic.

**Hazard Land** – land which may be prone to flooding, slumping, subsidence, landslides, erosion, any other instability, or is located within the flood plain of a river, stream or lake.

**Home Based Business** – an occupation carried on by the occupants of a residence or agricultural operation and is a use secondary to the permitted use.

**Hotel** – a building which provides sleeping accommodation for which a fee is charged and may also contain commercial uses, facilities or services such as a restaurant, dining room, room service or convention room.

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

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

- (a) will contain 100 or more animal units
- (b) provides less than 370 m<sup>2</sup> of space for each animal unit
- (c) will contain more than 20 animal units for 10 or more days of the month within 300 m of water body not controlled by the operator
- (d) will contain more than 20 animal units for 10 or more days of the month within 30 m of a domestic well not controlled by the operator.

**Junked Vehicles** – any automobile, tractor, truck, trailer or other vehicle that:

- (a) has no valid license plate
- (b) is in rusted, wrecked, partly wrecked, dismantled, partly dismantled, inoperative or abandoned condition
- (c) is not contained within a permitted building
- (d) does not form part of a permitted business

**Kenel** - development used for the breeding, boarding, caring or training of domestic animals. Typical facilities include boarding and training establishments, and animal rescue homes.

**Mobile Home** – a trailer coach bearing CSA Z240 certification for mobile homes (or a replacement thereof):

- (a) that is used as a dwelling
- (b) that has water faucets and shower, or other bathing facilities, that may be connected to a water distribution system
- (c) that is equipped with facilities for washing and water closet, or other similar facility, which may be connected to a sewage system.

**Modular Home** – 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 one dwelling unit, and is certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-A277 standard.

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

**Municipality** – the Rural Municipality of Willner No.253

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

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



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

**Non-Conforming Use** – a lawful specific use:

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

**Outside Storage** – the storing, stockpiling or accumulating of goods, equipment or material in an area that is open or exposed to the natural elements.

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

**Permitted Use** – a use or form of development rightfully allowed in a zoning District, subject to the regulations contained in this Bylaw.

**Personal Service Shops** – a facility for providing a service to individuals, including but not limited to barbershops, professional services, medical clinics, drycleaners, etc.

**Principal Use** – the main activities conducted on a site.

**Principal Building** – the main building in which the principal use of the site is conducted.

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

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

**Quarter Section (¼ section)** – a quarter Section as defined by the Township Plan of Survey in the Land Titles Office, exclusive of any registered road, road widening, or railway right of way, but including any partial quarter Section defined on the Township Plan of Survey.

**Reeve** – the Reeve of the Rural Municipality of Willner No. 253

**Residence** – a single detached dwelling, mobile home or modular home

**School** – a site, building or other premises and improvements that is utilized for the purposes of educating students with a faculty.

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

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

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

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

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

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

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

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

**Subdivision** – a division of land, and includes a division of a quarter Section into legal subdivisions as described in the regulations made pursuant to *The Land Surveys Titles Act, 2000*.

**Trailer Coach** – any vehicle or dwelling that has been modified to allow for both transportation upon public roads or highways and also be utilized as a dwelling or sleeping place for one or more persons.

**Units of measure** – units of measure in this Bylaw are metric abbreviated as follows:

- m - metre(s)
- m<sup>2</sup> - square metre(s)
- km - kilometre(s)
- ha - hectare(s)
- ac - acre(s)
- ft - foot (feet)

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

**Vacation Farm** – an operating farm which may, on a day basis or for overnight purposes, offer a farm life experience to groups, families, or individuals and which may provide either or both of the following:

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

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

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

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

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

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

**Yard, Required** – the minimum yard required by a provision of this Bylaw.

**Yard, Side** – the part of a site that 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.

PART III – ADOPTION

1. This Bylaw is adopted pursuant to Section 46 and 75 of *The Planning and Development Act, 2007*, and shall come into force on the date of final approval by the Minister.



Reeve



Rural Municipal Administrator

Read a First time this 22 , day of September , 2011.

Read a Second time this 3 , day of November , 2011.

Read a Third time and adopted this 2 , day of March , 2012.

Pursuant to Sections 37(1)(c), 37(1)(d) and 76 of *The Planning and Development Act, 2007*, (the Act), Bylaw No. 02/2011 is approved:

- (a) except for Section 5.3(d) , i, ii and iii; and
- (b) on the condition that Council effect amendments that include mineral resource exploration and development as a permitted and use in the municipality consistent with *The Statements of Provincial Interest Regulations*.

The minor amendments referred to in Clause (b) are to be completed within 120 days of this decision. Pursuant to Section 37(3) of the Act, I hereby exempt Council from providing notice of the minor amendments.



Assistant Deputy Minister  
Ministry of Municipal Affairs

Date: May 22 / 2012.