TOWN OF LANIGAN

ZONING BYLAW

Prepared for:

THE TOWN OF LANIGAN

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THE TOWN OF LANIGAN

ZONING BYLAW NO. 5/2018

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

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

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

(2) The Mayor and Chief Administrative Officer are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.

(3) Bylaw No. 3-2014, the Zoning Bylaw, and all amendments thereto, are hereby repealed.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 the Bylaw this _____ day of _____, _____

_____
(Mayor)

SEAL

_____
(Chief Administrative Officer)

Certified a True Copy of the Bylaw adopted by Resolution of Council
On the _____ day of _____, of the year _____

THE TOWN OF LANIGAN

ZONING BYLAW

Being Schedule "A" to Bylaw No. 5/2018
of the Town of Lanigan

_____
(Mayor)

SEAL

_____
(Chief Administrative Officer)

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1 INTRODUCTION

Under the authority of *The Planning and Development Act, 2007*, and Bylaw No. 2/2014, the Official Community Plan of the Town of Lanigan, the Council of the Town of Lanigan in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.1 TITLE

This Bylaw shall be known and may be cited as the *Zoning Bylaw* of the Town of Lanigan.

1.2 SCOPE

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

1.3 PURPOSE

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

1.4 SEVERABILITY

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

2 INTERPRETATION

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

Abutting: Shall mean touching and sharing a common site line or boundary.

Accessory Building or Use: Shall mean a building or use which:

(a) is subordinate to and serves the principal building or principal use;
(b) is subordinate in area, extent, and purpose to the principal building or principal use served;
(c) contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and,
(d) is located on the same site as the principal building or principal use served.

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

Adult Day Care: Shall mean an establishment for the placement, care and supervision of adults, but does not include the provision of overnight supervision.

Adult Day Care – Type I: Shall mean an adult day care with up to five persons under supervision at any one time.

Adult Day Care – Type II: Shall mean an adult day care with more than five persons under supervision at any one time.

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

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

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

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

Animal, Domestic: an animal kept for companionship and amusement rather than for practical or commercial purposes and does not include any ungulate, poultry, fowl, bees, peacocks, non-caged pigeons, or animals used for farm use purposes.

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

Animal Hospital: Shall mean a place used for the care and treatment of small and large animals involving

out-patient care, medical procedures involving hospitalization, and the keeping of animals in outdoor pens.

Animal Shelter: a building, which may include outdoor facilities, used for the temporary accommodation or impoundment of animals.

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

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

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

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

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

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

Boarder: Shall mean a person who rents sleeping accommodations which have no individual cooking facilities, and who may be furnished with meals or other services as part of the consideration, but who is not a member of the household occupying the principal dwelling unit.

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

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

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

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

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

Building Line, Established: Shall mean a line, parallel to the front site line (and, in the case of corner sites, a line, parallel to the side site line along the flanking street), and set back the average distance from the edge of the street to the main walls of the existing buildings on a side of any block of the street where more

than half the lots have been built on.

Building Permit: Shall mean a permit issued under a Building Bylaw of the Town of Lanigan authorizing the construction of all or part of a building or structure.

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

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

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

Bulk Fertilizer Operation: Shall mean a facility for the storage and distribution of fertilizer in bulk quantities, but not including retail sales or processing.

Bylaw, this: Shall mean the *Zoning Bylaw of the Town of Lanigan.*

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

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

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

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

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

Chief Administrative Officer: Shall mean the Chief Administrative Officer for the Town of Lanigan.

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

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

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

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

organization.

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

Convenience Store: Shall mean a store offering 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.

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

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

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

Custodial Care Facility: Shall mean either:

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

(b) a facility for the accommodation of persons participating in a community training program pursuant to *The Correctional Services Act*,

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

Day Care Centre: Shall mean a facility for the non-parental care of over four (4) preschool age children on a daily basis, including after school programs, and licensed under *The Child Care Act* or *Education Act.*

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

Deck or Patio, Covered: Shall mean a single storey deck or patio which is covered with a permanent roof structure which may be enclosed by walls, windows or screens and which is attached to the dwelling but not integrated into the dwelling unit by virtue of the extension of the dwelling unit's heating or cooling system or the removal of the exterior door between the deck or patio and the dwelling unit. In addition, 50% of the walls must be openings and no basement may be constructed under the deck or patio. Typically an attached covered deck or patio would provide up to three-season accommodation and would not provide fully livable floor space.

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

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

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

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

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

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

Dwelling, Multiple Unit Apartment: Shall mean a building divided into three or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence and is accessed from the outside, a common indoor area, or both, but not including hotels, motels or townhouses.

Dwelling, Multiple Unit Townhouse: Shall mean a multiple-unit dwelling in which each unit has its own entrance to the outside and each unit is separated from other units by a common wall or ceiling which has no openings.

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

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

Dwelling, Semi-Detached: Shall mean a dwelling on its own site, with a common wall dividing the two dwelling units through at least 30% of the depth of the entire structure, measured from the front to the rear building lines.

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

Dwelling, Street Townhouse: Shall mean a dwelling, designed as one cohesive building in terms of architectural design, which contains three or more similar attached dwelling units each of which fronts on a street, has direct access to the outside at grade and is not wholly above another dwelling.

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

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

Educational Institution: Shall mean a post-secondary college, university or technical institution, but shall

not include a private school.

Fabric Covered Structure, Accessory: Shall mean a pre-manufactured structure consisting of wood framing, tubular metal, or tubular plastic frame, covered on the roof and sides with fabric, reinforced plastic, vinyl, or other sheet material, intended for temporary storage purposes.

Family Child Care Home: an accessory use to a dwelling, where the occupants of the dwelling provide child care services, supervision or pre-school services.

Family Child Care Home, Type I: a family child care home where the total number of children under care or supervision, including the number of children who are residents in the dwelling, does not exceed 4.

Family Child Care Home, Type II: a family child care home where the total number of children under care or supervision, including the number of children who are residents in the dwelling, does not exceed 8.

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

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

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

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

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

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

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

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

Fuel Storage Tank, Above Ground: Shall mean a storage tank, which is constructed below grade and which contains gasoline, diesel fuel, or propane for retail sale or dispensing into motor vehicles.

Fuel Storage Tank, Underground: Shall mean a storage tank, any portion of which is above grade and which contains gasoline, diesel fuel, or propane for retail sale or dispensing into motor vehicles.

Fuel Bulk Storage Tank, Bulk: Shall mean a storage tank for the purpose of storing fuels for distribution.

Garden Suite: Shall mean a small, ground oriented dwelling unit located in the rear yard of a single detached dwelling and contained within a detached accessory building that has cooking, food preparation,

sleeping and sanitary facilities which are separate from those of the single detached dwelling.

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

Garage, Public: Shall mean any garage available to the public, operated for gain, and which is used for repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles, including major repairs.

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

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

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

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

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

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

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

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

Hard Surfaced: Shall mean the provision of a durable, dust-free material constructed of concrete, asphalt or similar pavement.

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

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

(a) Corrosives;
(b) Explosives;
(c) Flammable and combustible liquids;
(d) Flammable solids; substances liable to spontaneous combustion; substances that on contact with

water emit flammable gases;
(e) Gases, compressed, deeply refrigerated, liquefied or dissolved under pressure;
(f) Oxidizing substances; organic peroxides;
(g) Poisonous (toxic) or infectious substances;
(h) Radioactive materials;
(i) Waste Dangerous Materials; and/or,
(j) Any other environmentally hazardous substance.

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

Highway Corridor Sign: Shall mean an off-site advertising sign which is located in the Highway Sign Corridor as designated in the Official Community Plan.

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

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

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

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

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

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

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

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

(a) the processing of raw or finished materials;
(b) the manufacturing or assembly of goods, products or equipment;
(c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations of goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible with non-industrial development;
(d) the storage or transshipment of materials, goods and equipment, including warehouses.
(e) The training of personnel in general industrial operations;

(f) Indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial use.

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

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

Junk and Salvage Yards: Shall mean 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, Boarding: Shall mean the temporary accommodation of dogs, cats or other domestic animals for commercial purposes.

Landscaping: Shall mean the changing, rearranging, or adding to the original vegetation of a site, including site grading, addition of topsoil, grass, trees, plants, sidewalks and other natural or decorative features.

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

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

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

Light Manufacturing: Shall mean a light industrial use where all processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building, including, but not limited to apparel, food, drapes, clothing accessories, bedspreads, decorations, artificial plants, jewelry, instruments, computers, and electronic devices.

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

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

Lounge: Shall mean a room or area adjoining a restaurant that permits the sale of beer, wine or spirits for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted, either in the lounge or in the restaurant attached to the lounge. The area of a lounge may not exceed 50% of the public assembly area in the adjoining restaurant.

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

Mayor: Shall mean the Mayor of the Town of Lanigan.

Medical, Dental and Optical Laboratories: Shall mean a place fitted with medical and scientific

equipment and used for the conduct of medical, dental or optical investigations, experiments, and tests; or for the manufacture of medicines or medical aid devices, but does not include the manufacture of industrial chemicals.

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

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

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

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

Municipality: Shall mean the Town of Lanigan.

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

Nonconforming Building: Shall mean a building:

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

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

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

Nonconforming Use: Shall mean a lawful specific use:

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

(b) that on the date this Bylaw or any amendment hereto becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued, will not comply with this Bylaw.

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

Official Community Plan: Shall mean the *Official Community Plan* for the Town of Lanigan.

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

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

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

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

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

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

but does not include the provision of health related services.

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

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

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

Pole Shed: Shall mean a temporary structure characterized by the lack of a formal foundation which makes use of poles dug into the ground, set in place using a stabilizing agent such as cement or concrete, to support the structures roof and walls. Typical uses for this type of structure include, but are not limited to, equipment storage, garages or workshops.

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

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

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

Public Work: Shall include:

(a) systems for the production, distribution or transmission of electricity;
(b) systems for the distribution, storage or transmission of natural gas or oil;
(c) facilities for the storage, transmission, treatment, distribution or supply of water; and/or,
(d) facilities for the collection, treatment, movement or disposal of sanitary sewage.
(e) telephone, internet, cable television or light distribution or transmission lines; and,
(f) facilities for the collection, storage, movement and disposal of storm drainage.

Recreational Facility, Commercial: Shall mean a recreation or amusement facility operated as a business and open to the general public, but not including adult entertainment.

Recreational Facility, Public: Shall mean a recreation or amusement facility operated by the province, municipality, or a non-profit organization and open to the general public, but not including adult entertainment.

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

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

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

Residential Care Facility: Shall mean a licensed or approved group care home 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.

Residential Care Facility - Type I: Shall mean a residential care home in which the number of residents, excluding staff, does not exceed four.

Residential Care Facility - Type II: Shall mean a residential care home in which the number of residents, excluding staff, is more than four.

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

Retail Store: Shall mean a place where goods, wares, or merchandise are offered for sale or rent, and may

include the manufacturing of products to be sold on site, provided the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

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

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

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

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

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

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

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

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

Sight Triangle: Shall mean the triangular area formed within a site by the intersecting front and side site lines at a street intersection, an intersection of a street and a flanking lane, or an intersection of a street and a driveway, and the straight line joining said site lines at points which are a measured distance along both site lines (refer to Figure 2-1 below). In the case of a street intersection, at a corner site, the measured distance shall be 4.5 m. In the case of a lane or driveway intersecting a street, the measured distance shall be 4.5 m.

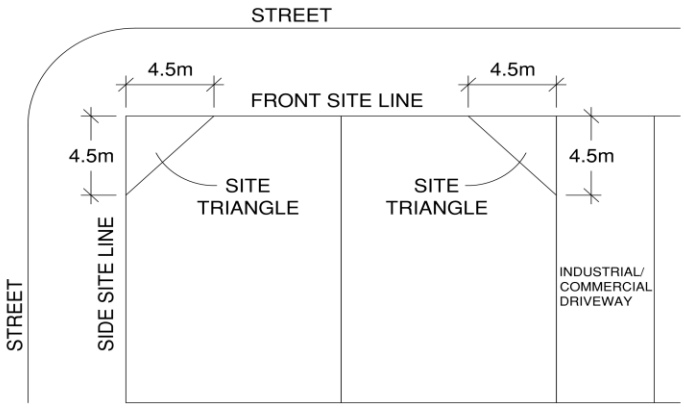

Figure 2-1: Sight Triangles

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

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

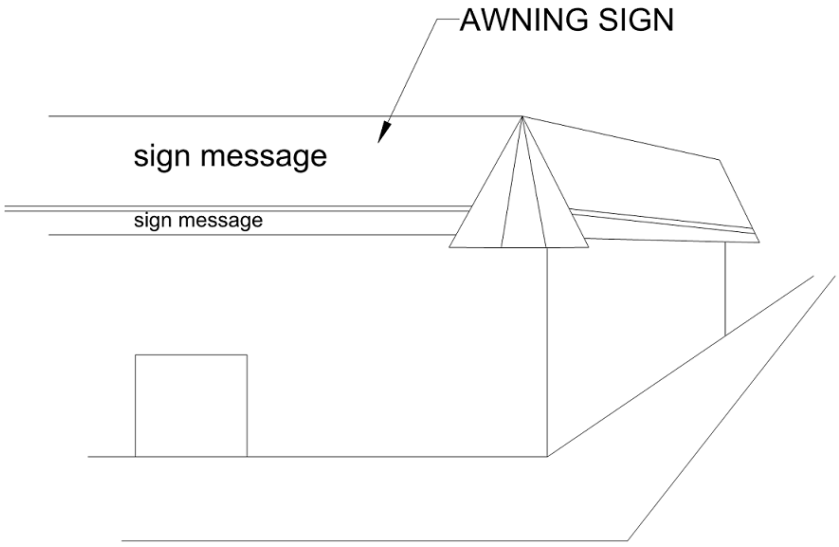

Figure 2-2: Illustration of Awning Sign

Sign, Canopy: Shall mean a sign consisting of a rigid, multi-sided structure supported by columns or posts embedded in the ground (refer to Figure 2-3).

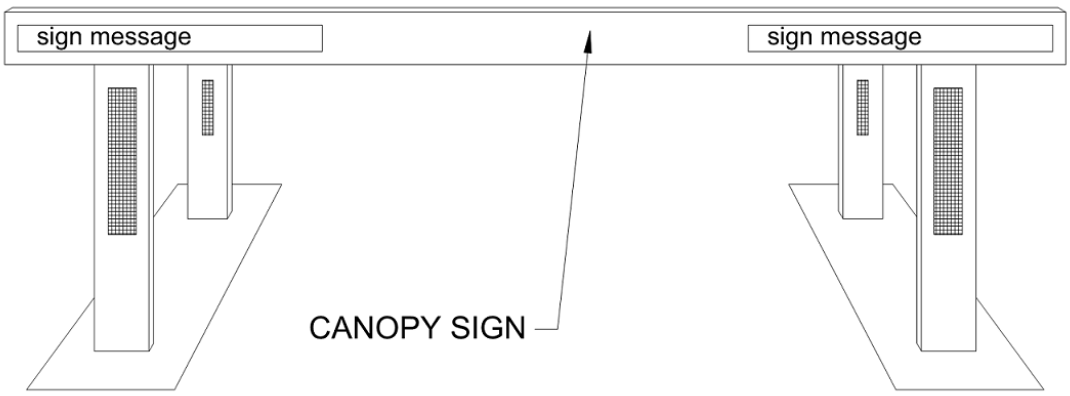

Figure 2-3: Illustration of Canopy Sign

Sign, Directional / Information: Shall mean a sign giving directions, instructions or facility information but not including any advertising copy.

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

Sign, Face Area: Shall mean the area of the single face of any sign and is calculated using the illustration in Figure 2-4.

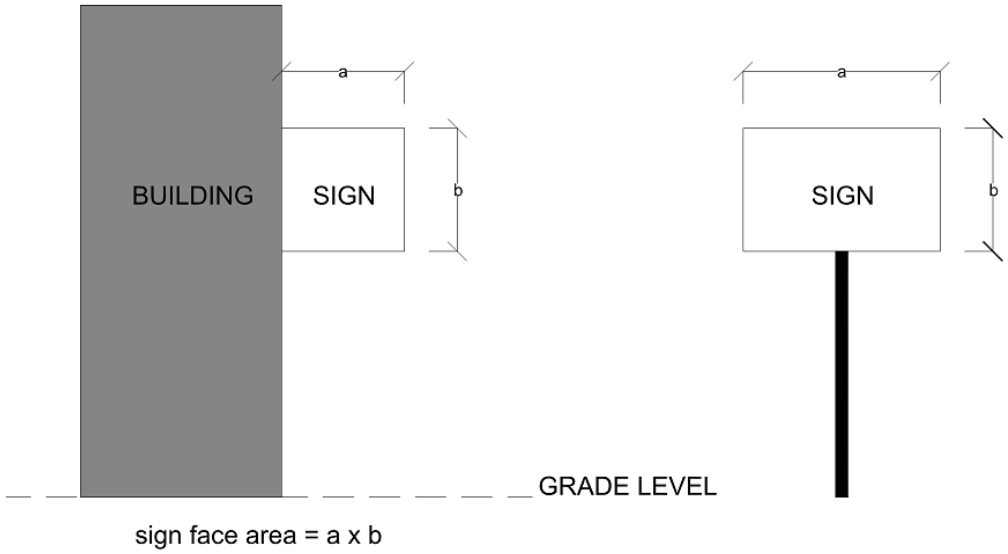

Figure 2-4: Calculation of Sign Face Area

Sign, Fascia: Shall mean a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, and which does not project more than 0.25 meters from such building or structure.

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

a pole or similar structure.

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

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

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

Sign, Portable: Shall mean a portable, free-standing sign, mounted on a wide based frame, with a single sign face area no greater than 4.5 m^2 or a total gross area no greater than 9.0 m^2, which can be readily moved or transported to various locations (refer to Figure 2-5).

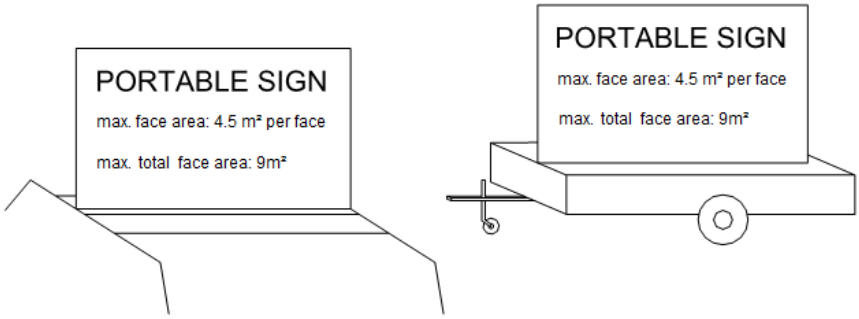

Figure 2-5: Illustration of Portable Signs

Sign, Projecting: Shall mean a sign which is wholly or partially dependent upon a building for support and which projects more than 0.25 meters beyond the wall of the building (refer to Figure 2-6).

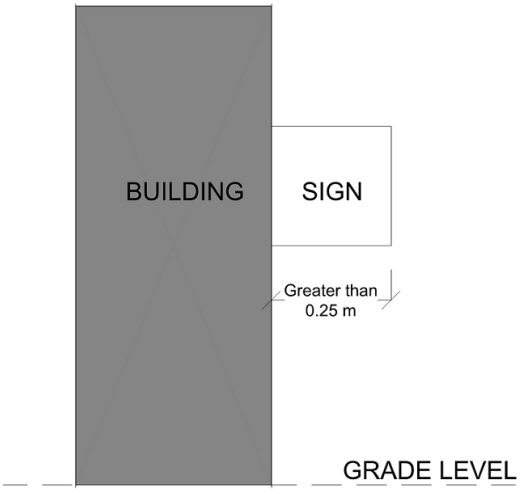

Figure 2-6: Illustration of Projecting Sign

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

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

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

Site: Shall mean an area of land:

(i) under one ownership considered as a unit;
(ii) having its principal frontage on a public street; and
(iii) not divided by a public street.

Site, Corner: Shall mean a site at the intersection of two or more streets (refer to Figure 2-6).

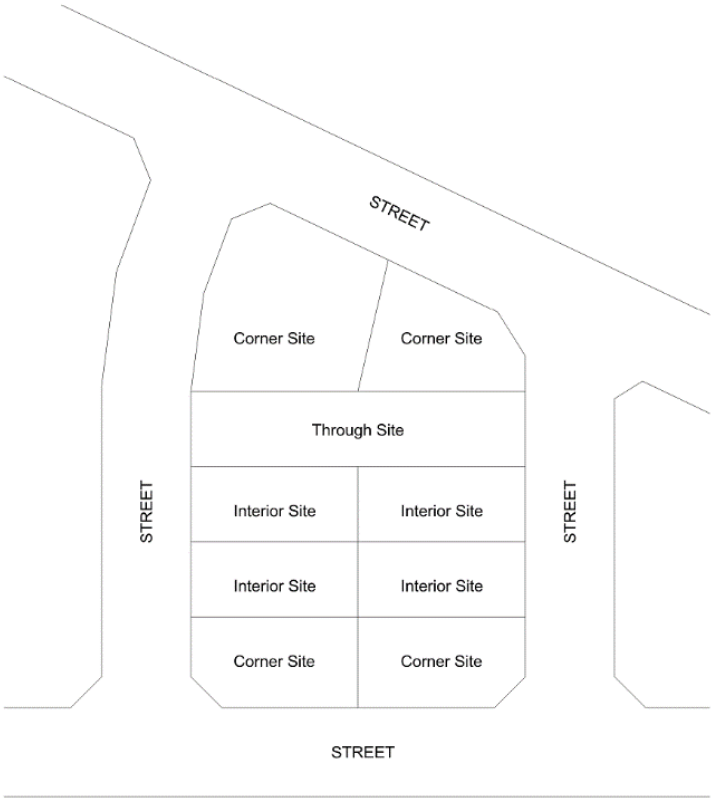

Figure 2-6: Illustration of Site Definition

Site, Interior: Shall mean a site other than a corner site (refer to Figure 2-6).

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

Site Line, Front: Shall mean the line that divides the site from the street right-of-way. In the case of a

corner site, the front site line shall mean the line separating the narrowest street frontage of the site from the street right-of-way.

Site Line, Rear: Shall mean the line (or point) at the rear of the site adjacent to a rear lane and opposite the front site line or in the case of no rear lane, the line or point at the rear of the site and opposite the front site line (refer to Figure 2-7).

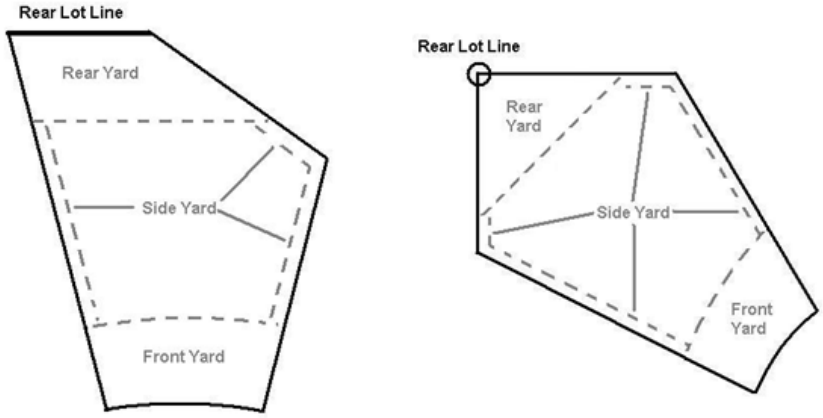

Figure 2-7: Illustration of Rear Site Lines

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

Site, Through: Shall mean a site not more than one lot in depth, having a frontage on two or more streets (refer to Figure 2-6).

Site Width: Shall mean the horizontal distance between the side boundaries of the site measured at a distance equal to the required minimum front yard from the front site line for the district in which the site is located (refer to Figure 2-8).

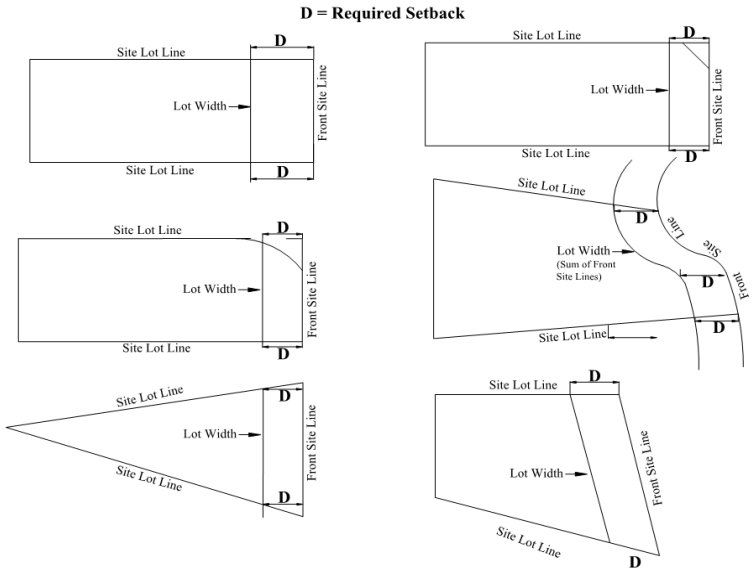

Figure 2-8: Illustrations of Site Width

Solar Collector: Shall mean photovoltaic solar panels or modules that uses the sun's energy to heat water or produce electricity. That water or electricity can be used immediately, stored for later use or in the case of electricity fed back to the grid for use by others.

Special Care Home: Shall mean a nursing home, supervisory care home, sheltered care home or other facility used for the purpose of providing supervisory care, personal care, and nursing care.

Storey: Shall mean that portion of any building which is situated between the top of any floor and the top of the floor next above it; and if there is no floor above it, that portion between the top of such floor and the ceiling above it. A basement or cellar shall not be counted as a storey if it is designed or used for ancillary activities such as long term storage, mechanical rooms, stairways, janitorial rooms, or parking garage; and at least one half of the height of the basement or cellar, from finished floor to finished ceiling, is located below grade level.

Street: Shall mean a public space, commonly used as a thoroughfare, which affords the principal means of access to abutting properties.

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

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

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

Structure: Shall mean anything erected or constructed, the use of which requires temporary or permanent location on, or support of, the soil, or attached to something having permanent location on the ground or soil; but not including pavements, curbs, walks or open air surfaced areas.

Substantial Completion: Shall mean the stage in the progress of the work when the work or designated portion thereof is sufficiently complete in accordance with the contract documents so that the owner can occupy or utilize the work for its intended use.

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

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

Temporary Development: Shall mean a building or use that may operate for a period of time determined

by the Town and which complies with all relevant development standards. A Development permit may be issued for a maximum of 12 months, after which time the development permit may be extended or re-issued at the discretion of the Town.

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

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

Town: Shall mean the Town of Lanigan.

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

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

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

(a) the processing of raw or finished materials;
(b) the manufacturing or assembly of goods;
(c) the cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial or commercial businesses or cleaning, servicing and repair operations to goods and equipment associated with personal or household use, where such operations have impacts that would make them incompatible with non-industrial development;
(d) the storage or trans-shipping of materials, goods and equipment, including warehouses;
(e) the training of personnel in general industrial operations; and/or,
(f) indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial use.

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

Use, Principal: the main purpose for which a building, structure or site is used.

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

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

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

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

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

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

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

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

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

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

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

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

3 ADMINISTRATION

3.1 DEVELOPMENT OFFICER

3.1.1 The Development Officer shall administer this Bylaw.

3.1.2 The Development Officer shall be the Chief Administrative Officer for the Town of Lanigan and any other person authorized, in writing, by Council to act as a Development Officer for the purposes of this Bylaw and *The Act*.

3.2 DEVELOPMENT PERMITS

3.2.1 Except as provided in Section 3.2.2 no person shall undertake a development or commence a use unless a development permit has first been obtained. A Development Permit cannot be issued in contravention of any of the provisions of this Bylaw subject to Sections 213 to 232 of *The Act*.

3.2.2 A development permit is not required, but all other applicable provisions of this Bylaw are to be followed, for the following:

(1) the maintenance of a public work by the municipality or a public utility;
(2) the construction of a public work by the municipality;
(3) the installation of a public work on any street or other public right-of-way by the municipality;
(4) maintenance and repairs that do not include structural alterations;
(5) accessory buildings under 9.3 square meters in area;
(6) fences; and
(7) excavation, stripping or site grading that is part of a Development Agreement which has been approved, signed and registered.

3.2.3 The effective period for a development permit is 12 months. This period may be extended by the Development Officer for an additional 12 months or any portion thereof if requested in writing by the permit holder. A development permit shall be automatically invalid:

(1) if the proposed development is not commenced within 12 months from the permit issuance date, or

(2) if the proposed development is legally suspended or discontinued, for a period of 12 or more months, unless otherwise indicated by Council or the Development Officer.

3.2.4 A building permit shall not be issued unless a development permit, where required, has been granted. If a development permit is deemed void, a new building permit or sign permit is required in conjunction with the issuance of a replacement development permit.

3.3 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

3.3.1 Except in the case of applications for a sign permit or a home based business, every application for a development permit 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 and civic address of the subject property.

(4) two copies of a site plan, drawn to scale with appropriate dimensions, showing the following information:

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

(b) the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions and the location of all doorways, walkways and pedestrian circulation areas;

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

(d) the location of commercial signage.

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

(6) two copies of the landscaping plan clearly indicating the following:

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

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

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

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

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

(f) snow removal storage and drainage plans.

3.3.2 The Development Officer may require the submission of documentation relating to the requirements of Section 4.16 Development on Hazard Lands, where relevant.

3.4 Development Permit Application Process

3.4.1 Applications for a development permit shall be submitted to the Development Officer in accordance with the requirements of this Bylaw.

3.4.2 The Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Bylaw, the *Official Community Plan* and *The Act*.

3.4.3 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 and time limits prescribed by Council pursuant to Section 56(1)(c) and (d) of *The Act*.

3.4.4 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.

3.4.5 The Development Officer may revoke a development permit where:

(1) the development permit has been issued in error;

(2) an approved development for a permitted use is not being developed in accordance with the provisions of this Bylaw, or in accordance with the standards and conditions specified in the development permit;

(3) the approval of a proposed development for a discretionary use is deemed to be invalid; or,

(4) a development is subject to an agreement which has been cancelled by Council pursuant to Sections 65 or 69 of *The Act*.

3.4.6 The Development Officer shall give the reasons for denying or revoking a development permit.

3.5 Development Appeals Board

3.5.1 A Development Appeals Board of the Town of Lanigan shall be appointed in accordance with Sections 213 to 227 of *The Act*.

3.6 Right of Appeal

3.6.1 Where an application for a PERMITTED USE has been REFUSED, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Town of Lanigan.

3.6.2 Where an application for a DISCRETIONARY USE has been APPROVED by Council, WITH PRESCRIBED SPECIAL DEVELOPMENT STANDARDS pursuant to this Bylaw, the applicant shall be advised that any development standards considered excessive, may be appealed to the Development Appeals Board of the Town of Lanigan.

3.6.3 Where an application for a DISCRETIONARY USE has been REFUSED by Council, the applicant shall be advised that there is no appeal pursuant to Section 219(2) of *The Act*.

3.6.4 An application for a Development Permit for a PERMITTED USE shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the Development Officer, and an appeal may be made as provided in Section 3.7.1 as though the application had been refused at the end of the period specified in this subsection.

3.6.5 Where a person wishes to appeal to the Board, he/she shall file written notice of his/her intention to appeal with the secretary of the Board, together with an application fee of $50.00.

3.7 Minor Variances

3.7.1 The Development Officer may vary the requirements of this Bylaw subject to the following conditions:

(1) a minor variance may be granted for variation only of:

(a) the minimum required distance of a building from the site line; and

(b) the minimum required distance of a building to any other building on the site

(2) the maximum amount of minor variance shall not exceed a 10% variation of the requirements of this Bylaw;

(3) the development shall conform to this Bylaw with respect to the use of land;

(4) the relaxation of this Bylaw shall not injuriously affect neighbouring properties;

(5) no minor variance shall be granted for a discretionary use, a discretionary form of development or in connection with an agreement on rezoning entered into pursuant to Section 69 of *The Planning and Development Act, 2007*; and

(6) minor variances shall only be granted for applications respecting single detached dwellings, two-unit dwellings, semi-detached dwellings, manufactured / mobile homes and accessory buildings to such developments.

3.7.2 An application for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee of $50.

3.7.3 On receipt of an application for minor variance, the Development Officer may:

(1) approve the minor variance;

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

(3) refuse the minor variance.

3.7.4 Where the Development Officer imposes terms and conditions on an approval pursuant to

subsection 3.7.3, the terms and conditions shall be consistent with the general development standards in this Bylaw.

3.7.5 Where an application for a minor variance is refused, the Development Officer shall notify the applicant in writing of the refusal and provide reasons for the refusal.

3.7.6 Where an application for a minor variance is approved, with or without terms and conditions being imposed, the Development Officer shall provide written notice to the applicant and to the assessed owners of property having a common boundary with the applicant's land that is the subject of the application.

3.7.7 The written notice required pursuant to subsection 3.7.6 shall:

(1) contain a summary of the application for minor variance;

(2) provide a reason for and an effective date of the decision;

(3) indicate that an adjoining assessed owner may within 20 days, lodge a written objection with the Development Officer; and

(4) where there is an objection described in clause (c), advise that the applicant will be notified of the right of appeal to the Development Appeals Board.

3.7.8 The written notice required pursuant to Subsection 3.7.6 shall be delivered:

(1) by registered mail; or

(2) by personal service.

3.7.9 Except as provided in subsection 3.7.10, a minor variance, with or without terms and conditions, does not take effect:

(1) in the case of a notice sent by registered mail, until 23 days from the date the notice was mailed;

(2) in the case of a notice that is delivered by personal service, until 20 days from the date the notice was served.

3.7.10 Where the assessed property owners who have received notice pursuant to subsection 3.7.6 provide written notice to the Development Officer that they do not object to the minor variance, the decision approving the minor variance takes effect on the day it is made.

3.7.11 If an assessed owner of property having a common boundary with the applicant's land that is the subject of the application objects, in writing, to the Development Officer respecting the approval of the minor variance within the time periods prescribed in subsection 3.7.9, the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:

(1) of the revocation of the approval; and

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

3.7.12 If an application for a minor variance is refused or approved with terms and conditions, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

3.8 Nonconforming Uses, Buildings and Sites

3.8.1 Where a lot is reduced in size as a result of acquisition for a public use by the Town, Provincial or Federal Government, School Division, or Public Utility, the site and buildings shall be deemed to conform with the provisions of this Bylaw and the site shall be considered to exist as it did prior to the acquisition.

3.8.2 No existing building, site or use shall be deemed to be nonconforming by reason only of the conversion between the Imperial System of Measurement and the International System of Units (S.I.) where such nonconformity results solely from such conversion and is reasonably equivalent to the S.I. standard herein established.

3.9 Discretionary Use Applications

3.9.1 *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 recommended conditions that may 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 give notice by ordinary mail to assessed owners of property within 75 meters of the boundary of the applicant's land.

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

(g) 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 the site.

(h) 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.

(i) Where an application for a discretionary use is approved by resolution of Council, the Development Officer shall issue a development permit subject to any conditions prescribed

by Council. Council shall consider applications in terms of the requirements contained in Section 3.9.2 of this Bylaw.

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

(k) Where an application for a discretionary use does not meet the zoning regulations, for the applicable zoning district, the Development Officer shall:

(i) advise the applicant that before the discretionary use can be considered by Council, the development permit application must be refused on the grounds of zoning non-compliance but that the applicant has the right to appeal; and

(ii) advise the applicant that if the appeal is granted, the discretionary use can then be considered by Council.

3.9.2 *Terms and Conditions for Discretionary Use Approvals*

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

(a) site drainage of storm water;

(b) the location of buildings with respect to buildings on adjacent property;

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

(d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;

(e) control of noise, glare, dust and odour;

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

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

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

(i) intensity of use.

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

(3) Council's approval of a discretionary use application is valid for a period of 12 months from the

date of approval. Council may direct that a discretionary use extension be granted for an additional 12 month period by the Development Officer, upon request of the applicant.

(4) A discretionary use approval shall be deemed to be invalid for the following reasons:

(a) if the proposed use or proposed form of development has not commenced within the 12 month period;

(b) the proposed development is not proceeding in accordance with the terms and conditions of its approval;

(c) If an approved discretionary use ceases to operate for a period of 24 months or more.

The Development Officer shall advise the owner and Council when a prior approval is no longer valid.

3.9.3 *General Discretionary Use Evaluation Criteria*

Council will apply the following general criteria, and, where applicable, the use specific criteria in Section 3.9.4, 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 must demonstrate that it will maintain the character, density and purpose of the zoning district, where necessary through the provision 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 demonstrate that it is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.

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

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

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

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

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

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

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

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

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

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

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

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

(2) *Dwelling groups:*
(also refer to Section 5.5)

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

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

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

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

(3) *Multiple unit dwellings*:

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

(i) adherence to any concept plan prepared for the proposed development area, including the proposed location of all forms of multiple unit dwellings;

(ii) the convenience of parking; and,

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

(4) *Night clubs and taverns*

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

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

(c) Night clubs and taverns shall maintain the character, density and purpose of the surrounding area and the district they lay within.

(5) *Shopping centres and malls*:

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

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

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

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

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

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

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

(i) municipal servicing capacity;
(ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
(iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and,
(iv) utilization of hazardous substances.

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

(7) *Light manufacturing:*

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

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

(8) *Indoor storage rental facilities, and recycling depots:*

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

(9) *Golf courses:*

(a) Consideration will be given to the compatibility of the golf course with future land use plans and adjacent land uses.

(b) Insofar as possible, proposed golf courses shall respond to the natural topography and drainage 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.

(10) *Dwelling units attached to and in conjunction with any permitted use:*

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

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

(11) *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 meters in height, and not more than 4.0 meters in height, with no material piled higher than the height of the perimeter fence.

(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.

(12) *Bulk petroleum sales and storage and bulk fertilizer sales and storage:*

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

(13) *Parking Lots*

(a) No sign of any kind, other than those designating the parking lot name, entrance, exits, or conditions of use, may be erected or maintained.

(b) All lighting fixtures must be oriented in a manner to direct the light away from adjacent lots.

(c) A durable surface must be provided and maintained and the lot must be graded to dispose of all surface water.

(d) Parking lots shall be landscaped to improve visual appearance of the site.

(e) Where the parking lot abuts a residential property boundary a minimum landscape buffer of 2.0 meters shall be provided.

(14) *Temporary Relocatable Work Camps*

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

(i) the location, type and purpose of the camp, including the number of persons proposed to live in the camp, the number of buildings, and the arrangement on the site of the proposed buildings;

(ii) suitability of the methods for supplying water, sewage and waste disposal facilities;

(iii) on-site parking and traffic considerations, and access for fire-fighting and other emergency equipment;

(iv) the length of time required for the temporary camp, including proposed occupancy length, removal date and reclamation measures once the camp is no longer needed; and

(v) information regarding the necessity of the work camp in attracting and attaining skilled workers.

(15) *Freight handling facilities, warehouses, and Cannabis Production Facilities:*

(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 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 or Cannabis Production Facility.

3.10 Zoning Compliance, Offences and Penalties

(1) Pursuant to Section 242(2) of *The Act*, the Development Officer may issue a zoning compliance order for development that contravenes this bylaw in order to achieve bylaw compliance.

(2) Any person who violates this bylaw is guilty of an offence and liable upon summary conviction, to penalties and subject to an order as stated in Section 243 of *The Act.*

3.11 Fees

3.11.1 *Amendment of the Zoning Bylaw*

(1) In addition to the fees outlined in Section 3.11.2 (3), 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 it they conclude that the proposed amendment is unsuitable or unnecessary.

(2) Council shall give notice of its intention to consider a Zoning Bylaw amendment pursuant to the provisions of Section 207 to 211 of *The Act*.

3.11.2 *Application Fees*

(1) An applicant for a development permit shall pay an application fee in accordance with the following:

(a) Permitted principal use: $100

(b) Permitted accessory use: $50

(c) Permitted ancillary use: $50

(d) Discretionary principal use: $150

(e) Discretionary accessory use: $100

(f) Discretionary ancillary use: $50

(g) Development Appeal Fee: up to $50 as specified by the Development Appeals Board.

(h) Permanent signs: $30 for the first $5,000 of sign construction value and $5 for every $1,000 of sign construction in excess of $5,000

(i) Highway corridor signs: Set annually by Council

These fees shall be in addition to any fee required by Section 3.11.1 above.

(2) Detailed review costs:

(a) General: Where a development or subdivision proposal involves a detailed review, a plan or Zoning Bylaw amendments, a development agreement, a servicing agreement, detailed development conditions, liability insurance, performance bonds, caveats, or legal and professional planning advice, Council may require the applicant to 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, legal and professional planning costs, municipal administration fees and site inspection fees, as determined by Council.

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

(3) An applicant seeking amendment to the Zoning Bylaw shall pay the following fees:

(a) The costs of advertising associated with the application; and

(b) the following fees, where applicable:

(i) Text amendments: $200; and/or

(ii) Map amendments:
Class 1 Districts: FUD, CS, PR
Class 2 Districts: C1, C2, M1
Class 3 Districts: R1, R2, RA, RMH

Zoning Map Amendments		To		
		Class 1	Class 2	Class 3
From	Class 1	$100	$200	$500
	Class 2	$100	$200	$300
	Class 3	$100	$200	$200

(c) Where an application to amend the Zoning Bylaw involves the amendment within two or more of the above classes, the sum of the amendment fees shall apply for all classes, in addition to the fee for the text amendment, if applicable.

3.11.3 *Special Provisions for Contract Zoning Agreements*

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

4 GENERAL REGULATIONS

4.1 LICENCES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

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

4.2 BUILDING LINES

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

4.3 NUMBER OF PRINCIPAL BUILDINGS PERMITTED ON A SITE

Only one principal building shall be placed on a site with the exception of dwelling groups, shopping centres, industrial complexes, recreation facilities, schools, hospitals and public works.

4.4 HEIGHT RESTRICTIONS

4.4.1 *Exemptions from Building Height Requirements*

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

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

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

4.4.2 *Walk-Out Basements*

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

(1) The maximum height of any building elevation facing a front yard or flanking street is not more than 12.0 meters.

(2) The height for the lowest floor or walk-out basement at the rear elevation shall not exceed 3.6 meters measured from the approved rear yard building grade to the top of the finished floor above the slab. In addition the total height of the rear building elevation shall not exceed 15.6 meters measure from the approved rear yard building grade.

4.5 Visibility Clearance at Intersections (Sight Triangles)

In any district, nothing shall be erected, placed, planted, or allowed to grow so as to obscure vision at a height of one (1) meter or greater above the elevation of the centre of the abutting street or lane within the triangular area labelled as "Sight Triangle", with distances measured accordingly, in Figure 2-1 in Section 2 of this Bylaw.

4.6 Required Yards and Open Space

4.6.1 *Minimum Yards Required*

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

4.6.2 *Permitted Obstructions in Required Yards*

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

(1) *In all yards:*

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

(2) *In front yards:*

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

(b) lighting fixtures and lamp posts;

(c) non-covered raised patios and non-covered decks not more than 0.4 meters above grade;

(d) non-covered raised patios and non-covered decks more than 0.4 meters above grade, projecting not more than 1.8 meters into the required front yard;

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

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

(3) *In rear yards:*

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

(b) non-covered raised patios and non-covered decks measuring more than 0.6 meters

in height above grade, projecting not more than 3.0 meters into a required rear yard, provided they are located at least 3.0 meters from the rear site line;

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

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

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

(f) On interior sites, enclosed private swimming pools

(4) *In side yards:*

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

(b) non-covered raised patios measuring more than 0.6 meters in height above grade and non-covered decks provided they are located at least 0.6 meters from the side site line;

(c) architectural features, eaves, chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 meters into the required side yard;

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

4.7 Bare Land Condominiums

4.7.1 Regulations and development standards for buildings, uses and sites in all zoning districts shall also apply to buildings, uses and bare land units that are part of an approved bare land condominium plan.

4.8 Fences

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

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

4.8.3 In any **Commercial, Industrial, Community Service, Parks** or **FUD** district, no wall, fence or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 3.0 meters above grade level and in no case shall a fence be erected to a height of more than 2.0

meters above grade level in the required front yard, except for the **C1 District**, where no wall, fence or similar structure shall be erected between a front site line and a front building line to a height of more than 1.0 meters above grade level.

4.8.4 On a corner lot in any district, no hedge planting, tree, wall, fence, or similar structure, not being a building, shall be erected, placed, planted, or maintained within the Sight Triangle, as described in Figure 2-3 and Section 4.5 of this Bylaw, to a height greater than 1.0 meter as illustrated in Figure 4-1.

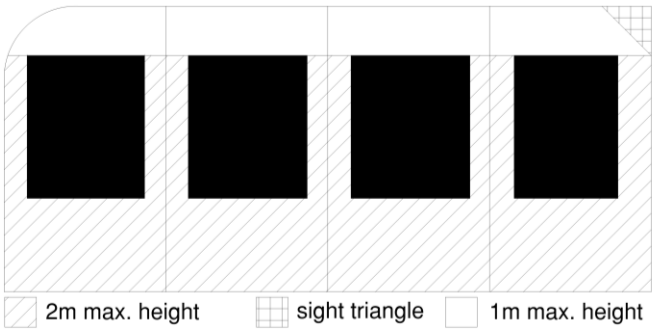

Figure 4-1: Fence Requirements

4.9 Accessory Buildings, Structures & Uses

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

4.9.2 *Time of Construction*

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

(1) Where a development permit has been issued for a principal building, Council shall allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed within the effective time period of the development permit for the associated principal building, the accessory building shall be removed.

4.9.3 *Height of Accessory Buildings*

(1) In any Commercial, Industrial, Community Service, or Future Urban Development district accessory buildings are not to exceed the height of the principal building.

(2) In the R1, R2 and RMH zoning districts, accessory buildings are not to exceed the height of the principal building and in no case shall the height of an accessory building exceed 5.25 meters from the floor or grade level to the peak height of the roof.

(3) In the RA Zoning District, accessory buildings shall not exceed 10.0 meters from the floor or grade level to the peak height of the roof.

(4) Garden and garage suites shall be subject to the height requirements contained in Section 4.28.6 of this Bylaw.

4.9.4 *Private Garages and Carports*

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

(2) On any site in any **Residential** district or any site used for residential purposes in any district, only one detached garage not exceeding 120 square meters in area is permitted.

(3) On sites within the **RA** district that are 2.0 ha and above in size, only one detached garage not exceeding 500 square meters is permitted.

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

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

4.9.5 *Location and Size of Accessory Buildings*

(1) Detached accessory buildings on any site used for residential purposes and in all residential districts are subject to the following regulations:

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

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

(c) Accessory buildings shall have a minimum side yard setback of 0.6 meters where the accessory building is over 1.8 meters behind the rear wall of the principal building, otherwise, the minimum side yard setback shall be 1.2 meters.

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

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

(2) Detached accessory buildings in all commercial, industrial and future urban development districts are subject to the following regulations:

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

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

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

4.9.6 *Number of Accessory Buildings*

(1) In any Residential district or on any site used for residential purposes, there shall be no more than three accessory buildings on a site.

4.9.7 *Accessory Fabric Covered Structures and Pole Sheds*

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

(2) Fabric covered structures and pole sheds shall be permitted as an accessory structure in the **C2** and **M1** districts.

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

(4) Development applications for fabric covered structures and pole sheds must include a drawing stamped by a Professional Engineer to ensure the structure will meet the requirements of the *National Building Code of Canada*.

4.9.8 *Temporary Fabric Covered Structures*

(1) In any District, temporary fabric covered structures shall be allowed for a period not to exceed seven days in a calendar year.

4.9.9 *Shipping Containers*

(1) Shipping containers shall be prohibited in all districts except the **CS, C2** and **M** districts, where they shall be permitted as discretionary uses.

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

(3) Shipping containers shall:

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

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

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

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

(4) Shipping containers shall be kept clean, level, maintained, and placed in an orderly manner. Application for a development permit for shipping containers must occur prior to relocation

to the site.

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

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

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

(8) Shipping containers are prohibited from being plumbed in any manner.

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

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

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

(b) for the purpose of loading and unloading of items associated with the principal use for a period of not more than 10 days in any six month period. The Development Officer may grant one extension of up to 10 days for large-scale projects.

(11) When placed on a site pursuant to subsection (10), the shipping containers shall:

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

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

(c) not be located within 1.2 meters of the interior edge of a sidewalk.

4.9.10 *Private Swimming Pools*

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

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

(b) private swimming pools shall not be located any closer than 1.2 meters from any side or rear property line;

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

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

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

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

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

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

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

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

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

(l) gates, which forms part of an Enclosure, shall comply with the following:

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

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

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

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

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

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

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

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

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

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

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

4.9.11 *Easements*

All buildings or structures shall be located on a site so as to comply with the requirements of any easement or other development restriction registered as an interest on the title of the subject property. It shall be the responsibility of the property owner and the person or corporation who has registered the interest to ensure compliance with said easement or restriction.

4.9.12 *Construction Bins*

(1) Construction bins may be temporarily placed on a site in any district:

(c) during active construction on a site where the construction bin is used solely for construction operations on site, provided that a valid building permit has been issued for construction, and provided that the construction bin is removed from the site upon completion of construction; or,

(d) for the purpose of loading and unloading of items associated with the principal use for a period of not more than 10 days in any six month period. The Development Officer may grant one extension of up to 10 days for large-scale projects.

(e) In the cause of repairs and renovations resulting from a sewer backup, for the temporary storage of items for a period of time not to exceed 6 months

(2) When placed on a site pursuant to subsection (1), the construction bin shall:

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

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

(f) not be located within 1.2 meters of the interior edge of a sidewalk.

4.10 Off-Street Parking and Loading

4.10.1 *Parking and Loading Spaces Required With Development*

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

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

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

(4) All required parking facilities shall be located on the same site as the principal building or use, with the exception of lands within the C1 or C2 districts, where required parking spaces may be located on a remote site. In the C1 or C2 districts, remote parking may be approved where the remote site is within 150 meters of the principal building or use and where the remote site is located within a Commercial or Industrial district. As a condition of approval of a remote parking site, the owner of the principal use site shall register an interest on the parking lot title to ensure than the land remains as a required parking lot in accordance with Section 235 of *The Act*. The owner shall provide the Town with a copy of the registration of said interest.

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

4.10.3 *General Regulations for Off-street Parking and Loading*

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

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

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

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

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

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

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

Table 4-1: Parking and Loading Space Dimension Requirements		
Type of Space	**Minimum Dimension**	**Minimum Vertical Clearance**
Parking spaces having direct access to a registered lane	2.5 meters x 5.5 meters	2.0 meters
Parallel parking spaces	3.0 meters x 6.7 meters	2.0 meters
Barrier free parking spaces	3.9 meters x 6.0 meters for one space, or 6.3 meters x 6.0 meters for two spaces side by side	2.0 meters
Parking spaces other than those described above	2.7 meters x 6.0 meters	2.0 meters
Loading space	3.0 meters by 7.5 meters	4.0 meters

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

Parking Angle in Degrees	Width of Aisle or Driveway
75 to 90	6.0 meters (two-way traffic)
50 to 74	5.5 meters (two-way traffic)
49 or less	3.7 meters (one-way traffic only)

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

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

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

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

4.10.4 *Required Off-street Parking and Loading in All Districts*

(1) The minimum off-street parking requirements for all districts are set out in Table 4-2. The required off-street parking categories are then cross-referenced by use in the District Development Standards tables throughout Section 6 of this Bylaw.

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

(3) In all districts, all required driveways, aisles, ramps and required parking and loading spaces must be appropriately surfaced by gravel, asphalt, concrete or other similar material.

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

4.10.5 *Parking and Storage of Vehicles in Residential Areas*

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

(2) Large recreation vehicles may be parked in front, side and rear yards on a residential site provided the vehicle is not within 1.2 meters of the interior edge of the sidewalk.

4.10.6 *Barrier Free Parking Requirements*

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

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

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

Table 4-2: Off-Street Parking Requirements in All Districts	
Parking Category	**Off-Street Parking Spaces Required**
0	No off-street parking required
1	1 space per dwelling unit
2	1 space per dwelling unit plus 0.1 space per dwelling unit for visitors
3	1 space plus 1 space for each guest room
4	1 space per 50 m^2 of gross floor area
5	1 space per 28 m^2 of gross floor area
6	1 space per 4 beds plus 1 space per employee
7	3 spaces per 10 seats in main assembly area (or (where no fixed seating is provided) 1 space per 2.5 m^2 of gross floor area devoted to main assembly area.
8	1 space per 4 seats intended for patrons use
9	1 space per 2 guest rooms plus 1 space per 15m^2 of gross floor area devoted to the public assembly plus the applicable parking requirements for any other use contained on the site.
10	1 space per 50 m^2 of gross floor area, or 1 space per 3 employees, whichever is greater.
11	1 space per 90 m^2 of gross floor area
12	1 space plus one space per 5 persons enrolled in the facility
13	1 space for 8 patrons at design capacity
14	1 space plus 1 additional space for every 10 persons enrolled in the facility per day
15	1 space per 10 seats in main assembly are or (where no fixed seating is provided) 1 space per 7.5 m^2 of gross floor area devoted to main assembly area
16	1 space per non-resident employee
17	1 space per staff member
18	1 space per staff member plus 3 spaces for each classroom, with parking permitted in a front, side and/or rear yard
19	1 space per bay
20	1.2 spaces per classroom plus 1 space per 8 students at design capacity
21	1 space per 50 m^2 of gross floor area, excluding garage area
22	1 space per 50 m^2 of gross floor area or, for primarily outdoor recreational uses, 1 space per 8 patrons at design capacity

4.11 SIGNS

All signs shall be subject to the following regulations:

4.11.1 *General*

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

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

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

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

(5) Permitted home based businesses may display one (1) fascia sign, not exceeding 0.4 m^2 in area, identifying the name of the home based business. Such signs shall not be illuminated and shall be affixed to the principal building. (**Note**: On multiple unit residential buildings, other permission may be required to display a home based business sign and no right to place such a sign in such situations is conveyed in this Bylaw).

(6) Signs for Cannabis Production Facilities and Cannabis Retail Stores shall not contain any images but may include the business name in alpha-numeric characters and are subject to the additional regulations in Section 4.11.

4.11.2 *Application for 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 subsection (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.

4.11.3 *Denying or Revoking 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 three 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.

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

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

(a) No roof signs shall be permitted;

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

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

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

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

Table 4-3: Sign Regulations in Residential and FUD Districts

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

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

4.11.5 *On any site in any Community Service district, signs may be erected as follows:*

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

(a) No roof signs shall be permitted;

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

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

Table 4-4: Sign Regulations in Community Service Districts

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

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

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

(1) Sign provisions applying to permitted principal commercial/industrial uses, community service uses and residential uses in Commercial and Industrial districts are set out in Table 4-5. The following provisions also apply:

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

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

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

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

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

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

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

(i) Electronic message centre signs shall comply with all requirements contained herein;

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

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

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

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

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

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

(i) In the C1 district, no projecting sign may project perpendicularly from the property line more than 3.0 m or beyond a point 0.6 m from the building side of the curb line, whichever is less;

(ii) In the C1 district, no projecting sign may be suspended less than 2.6 m above the surface of a public sidewalk or pedestrian right-of-way;

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

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

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

Table 4-5: Sign Regulations in Commercial and Industrial Districts						
Use	**Max. # of Signs**	**Max. Total Sign Face Area (m^2)**	**Max # of Freestanding Signs**	**Max. Height of Freestanding Signs (m)**	**Max Sign Face Area for Freestanding Signs (m^2)**	
					Per Face	**Total**
All principal commercial / industrial uses for which a permit has been issued	n/a	n/a	(1)	(2)	(3)	(3)
All principal community service uses for which a permit has been issued	3	18	1	3	6	12
All principal residential uses for which a permit has been issued	1 (4)	0.4 (4)	0	n/a	n/a	n/a

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

(2) In the C1 district: 6 m
In the C2 and M districts: 10 m

(3) In the C1 district: maximum 5 m^2 sign face area and 10 m^2 total sign face area.
In the C2 and M districts: maximum 9 m^2 sign face area and 18 m^2 total sign face area.

(4) Multiple unit dwellings and dwelling groups are permitted one additional sign, up to one (1) square meter, showing the name of the building or group.

4.11.8 *Portable Sign Regulations*

(1) No portable sign shall have a single face area greater than 4.5 m^2 or a gross face area greater than 9 m^2.

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

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

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

4.11.9 *Highway Sign Corridor*

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

(2) Other standards and regulations:

(i) the owner of the highway corridor sign shall be responsible for ensuring that the

sign meets all other provincial standards and regulations;

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

(3) The design and construction of highway corridor signs require Council approval once a year, unless the sign is owned by the Town.

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

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

(i) Electronic message centre signs shall comply with all requirements contained herein;

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

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

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

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

(6) Dimensions

(i) highway corridor signs shall be at least 3.05 meters in height and shall not exceed 2.44 meters in width measured on the side of the sign face; and

(ii) highway corridor sign faces shall not exceed 1.22 meters in height or 2.44 meters in width.

(iii) each sign may include an additional sign face, which shall not exceed 0.72 meters in height or 2.44 meters in width, which shall be restricted to advertising community events.

4.12 LANDSCAPING

4.12.1 *General Regulations for Landscaping*

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

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

(b) Notwithstanding clause (a) above, required landscaped areas for single-unit, two-unit, and semi-detached dwellings may be used for parking.

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

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

(e) All areas set aside for plant materials and turf are encouraged to be provided with an underground sprinkler irrigation system or other adequate means of irrigation, with at least one outside spigot for each principal building.

(f) All trees provided for planting are encouraged to be a minimum 45 mm caliper for deciduous trees and 1800 mm in height for coniferous trees.

(g) All shrubs provided for planting are encouraged to be a minimum height and spread of 450 mm.

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

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

(j) Shrubs are encouraged to be planted in the overall minimum ratio of one shrub per 20 square meters of required site landscape area or fraction thereof.

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

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

Landscaping shall be designed and constructed to allow compliance with an approved drainage plan.

4.12.2 *Required Landscaping in Residential and Community Service Districts*

(1) A landscaped strip of not less than 4.5 meters in depth throughout lying parallel to and abutting the front site line of the site may be required by the Development Officer to be provided for. This provision shall not apply to single detached dwellings, semi-detached dwellings, two-unit dwellings, manufactured or modular homes, and multiple unit dwellings of 4 or less units.

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

4.12.3 *Required Landscaping in Commercial Districts*

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

(2) In the C2 district a landscaped strip of not less than 4.5 meters in depth throughout lying parallel to and abutting the front site line shall be provided on every site.

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

(5) In the C1 and C2 districts, where a site abuts any site zoned to a Residential district without intervening dedicated lands or registered lane, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 meters which shall not be used for any purpose except landscaping.

4.12.4 *Required Landscaping in the Industrial District*

(1) In the M district a landscaped strip of not less than 4.5 meters in depth throughout lying parallel to and abutting the front site line shall be provided on every site.

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

(3) In the M districts, where a site abuts any site zoned to an R, MU, CS or C district without intervening dedicated lands or a registered lane, there shall be a strip of land adjacent to the abutting site line of not less than 3.0 meters which shall not be used for any purpose except landscaping.

4.13 Servicing

4.13.1 Holding tanks, septic tanks and wells are not permitted in the areas of the Town which can be serviceable from existing municipal water and sewer lines.

4.13.2 Developments outside the serviceable areas shall be connected to a private sewage disposal system approved by the authority responsible for approval of such systems under *The Public Health Act, 1994* with the agreement being registered on title.

4.13.3 When servicing becomes available, holding and septic tanks are to be disconnected and connection must be made to municipal services as per *The Public Health Act, 1994.*

4.14 Storage of Materials and Unlicensed or Inoperative Vehicles

4.14.1 In any Residential zoning district:

(1) No front yard shall be used for the storage of unlicensed or uninsured motor vehicles or of materials or goods of any type.

(2) No yard shall be used for storage or collection of hazardous material.

(3) No yard or portion thereof shall be used for the storage of machinery not normally used for the maintenance of the residential property.

(4) Outside storage of partially dismantled or inoperative motor vehicles is not permitted.

(5) Only one unlicensed or uninsured motor vehicle may be stored outdoors on a residential site outside of a fully enclosed building if it is shielded or screened from view. The unlicensed motor vehicle shall not be visible by someone standing at ground level from outside the property on which the vehicle is stored. Covering inoperable motor vehicles with tarps or car covers are also acceptable methods.

4.15 Outside Storage and Waste Material Storage

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

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

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

4.16 Development on Hazard Lands

4.16.1 Where a proposed development or subdivision is to be located on potential hazard lands, the applicant shall submit a professional report prepared and stamped by a professional engineer registered to practice in Saskatchewan. The report shall assess the geotechnical suitability of the site, susceptibility to flooding, including topographical surveys to delineate the flood hazard line, or other environmental hazards, together with any required mitigation measures.

4.16.2 Actions identified, in a report prepared pursuant to Section 4.16.1, for prevention, change, mitigation or remedy 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 conditions present on the hazard lands or will result in excessive municipal costs.

4.17 Buildings or Uses Occupying More than One Lot

4.17.1 Where an application is made for development of a building or use that will occupy more than one lot as herein defined, the parcel of land comprised of said lots shall be considered a site for the purposes of administering this Bylaw.

4.18 Frontage on Road

4.18.1 No development permit shall be issued unless the site intended to be used, or upon which a building or structure is to be erected, abuts or has frontage on and access to an existing public road.

4.19 Building to Be Moved

4.19.1 No building shall be moved within or into the Town of Lanigan without the issuance of a development permit unless such building is exempt under Section 3.2.2 of this Bylaw. Prior to any building being moved within or into the Town, the applicant shall:

(1) obtain a satisfactory municipal building inspector's report;

(2) enter into a development and servicing agreement when, in the sole opinion of the Town, the water and sanitary sewer connections, asphalt pavement, or curb and sidewalk need to be replaced or repaired;

(3) provide appropriate security to the municipality for any damages to the Town infrastructure; and

(4) pay all required fees.

4.20 Demolition of Buildings

4.20.1 No building shall be demolished within the Town of Lanigan without the issuance of a demolition permit, unless it is exempt under Section 3.2.2. Prior to any building being moved within or into the Town, the applicant shall:

(1) pay any taxes, fees or charges owing to the Town against the subject property;

(2) cap-off any water and sewer connections in a manner required by the Town;

(3) provide a security bond given to the municipality for any damages to Town infrastructure; and

(4) pay all required fees.

4.21 Excavation, Stripping and Grading

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

4.21.2 A development permit is required for the excavation, stripping and grading of land and the modification of wetlands.

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

(i) excavation for construction or building purposes associated with a valid development permit or a valid certificate of approval for subdivision; or
(ii) excavation or the removal of vegetation for maintenance or landscaping purposes on a site where a development permit has previously been issued;

4.21.4 A person wishing to excavate, strip or grade land, or modify wetlands shall provide the following information in their application for a development permit:

(i) the location and area of the site on which the excavation, stripping, grading or modification of wetlands is to take place;
(ii) where required by the Development Officer, the existing land use, wetlands and vegetation, including a natural areas screening report; and
(iii) the amount and type of vegetation, soil or other material to be removed or relocated, and the condition in which the land is to be left when the excavation is complete.

4.21.5 Except as provided for in Section 4.21.6, a development permit shall not be issued unless there is an approved development plan or subdivision for the area.

4.21.6 The Development Officer may issue a development permit for the excavation, stripping and grading of land when satisfied that the excavation is necessary for the interim use, development or maintenance of the subject land, prior to a development plan or subdivision being approved for the area.

4.22 Storage of chemicals, Fertilizers and Combustible materials

4.22.1 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.

4.23 Water

4.23.1 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 the Saskatchewan Water Security Agency.

4.24 Trailer Coaches and Tents

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

(a) in a permitted tourist campground;

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

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

4.25 Lighting of Sights

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

4.26 Prohibited Uses

4.26.1 The following uses are prohibited in all districts:

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

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

5 SPECIAL REGULATION AND STANDARDS

5.1 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 meters from any property line or building, unless the tank has a capacity of 5,000 litres or less, in which case it shall be located at least 1 meter from same;

(b) located at least 6 meters from any property line or building in the case of a tank used in association with a service station or gas bar;

(c) separated from each other and be accessible for firefighting purposes to the satisfaction of the Development Officer; and,

(d) located at least 15 meters from the boundary of any site where the principal use is residential.

(4) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3 meters from any property line or 6 meters from any property line in the case of a service station or gas bar, at least 7.5 meters from any open flame or other ignition source, and at least 4.5 meters from any door or window.

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

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

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

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

5.2 Adult Day Care Facilities, Residential Care Homes and Custodial Care Facilities

(1) Adult day care facilities, residential care homes, and custodial care facilities may be approved as an ancillary use or as a principal use.

(2) In any Residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building, property, or streetscape.

(3) Required parking spaces shall not be located in a required front yard.

(4) No building or structure used for the purpose of a custodial care facility or a residential care home shall also be used for the purpose of keeping boarders or lodgers.

(5) Section 3.9 of this Bylaw shall apply to the review and approval of adult day care facilities, residential care homes, or custodial care homes that are listed as discretionary uses.

5.3 Bed and Breakfast Homes

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

(2) Where otherwise permitted, required parking spaces may be located in a front yard.

(3) Section 3.9 of this Bylaw shall apply to the review and approval of bed and breakfast homes that are listed as discretionary uses.

(4) The operator of the bed and breakfast lodging may advertise with a small, static sign subject to Section 4.11.

5.4 Day Care Centres and Pre-Schools

(1) Day care centres and pre-schools may be approved as an ancillary use or as a principal use. In any Residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building, property, or streetscape.

(2) Required parking spaces shall not be located in a front yard.

(3) In addition to the development standards contained within the zoning district, Section 3.9 of this Bylaw shall apply to the review and approval of day care centres and pre-schools that are listed as discretionary uses.

5.5 Dwelling Groups

(1) The minimum side yard shall be measured from the closest main wall of the principal building closest to the side site line.

(2) All principal buildings forming part of the dwelling group shall be located at least 1.5 m from any other principal building in the group.

(3) Council may apply special development standards to reduce conflict with neighbouring uses. These special development standards may include increased setback requirements, enhanced landscaping and fencing, the location and screening of parking areas, and the location of vehicular access points.

5.6 Garden and Garage Suites

(1) No more than one garden or garage suite accessory to a single detached dwelling shall be allowed per site. No garden or garage suite shall be permitted on a site which contains a secondary suite.

(2) The maximum floor area of a garden or garage suite shall not exceed the area of the principal dwelling or 77 m^2, whichever is less.

(3) Garden and garage suites shall have a full bathroom, kitchen, and a maximum of two bedrooms.

(4) All habitable areas of a garden or garage suite shall be above grade.

(5) Condominium plans to provide a separate title for a garden or garage suite shall not be approved.

(6) The maximum building height of a garden suite shall be 4.3 m and shall not exceed one storey in height. The maximum height of a garage suite shall be 5.5 m or the height of principal dwelling, whichever is less.

(7) Garden and garage suites shall be located in the rear yard and shall be setback a minimum of 4.0 meters from the principal dwelling.

(8) The minimum side yard setback for a garden or garage suite shall be 1.2 m., however, on a corner site, where a garden or garage suite abuts a flanking street other than a lane, the required side yard shall not be less than that required for the principal dwelling.

(9) The minimum rear yard setback for a garden or garage suite shall be 2.0 m. The minimum rear yard setback may be reduced to 1.2 m on sites with a rear lane.

(10) No portion of a garage or garden suite may be located on, under or over a registered easement.

(11) The cumulative floor area of a garden or garage suite and all accessory buildings located in a rear yard shall not occupy more than 50% of the rear yard.

(12) Windows and doors in garden or garage suites shall be of a size and in locations which will not result in the loss of privacy for residents of adjacent sites.

(13) Mechanical units such as air conditioners and vents shall be located so as not to constitute a nuisance to adjacent properties.

(14) One parking space shall be provided for each dwelling unit on the site. On sites with a rear or side lane, the parking space for the garden or garage suite shall be accessed from said lane.

(15) The site plan submitted for a garden or garage suite must include details regarding utility service connections. The site plan must be approved by the Town and by all utility agencies which provide services to the site.

(16) Sites containing garden or garage suites shall be adequately drained. A site drainage plan shall be submitted to the Town.

(17) A building permit is required for garden or garage suites which shall comply with all relevant building, plumbing and development codes.

(18) Wherever possible, there should be only one water service from the street to the principal dwelling and the garden or garage suite.

5.7 Home Based Businesses

(1) All applications for home based businesses must be considered as Type I or Type II. The development standards for Type I and Type II home based businesses are contained in sub-sections (4) and (5), respectively.

(2) Without limiting the authority of the Development Officer to approve other types of home based business applications, the following uses are specifically permitted as home based businesses, subject to the applicable development standards within sub-sections (4) and (5):

(a) art restoration;
(b) beauty parlours, barber shops;
(c) the creation of crafts for sale off-site, such as novelties and souvenirs, corsage and flower arrangements, gift baskets, and other handicrafts including but not limited to ceramics, pottery, leather goods and jewellery;
(d) dressmaker, seamstress, or tailor;
(e) electrology, acupuncture, reflexology, and massage therapy;
(f) the instruction of art, dancing, or music, limited to no more than three students at a time;
(g) office of a professional, or one who offers skilled services to clients and is not engaged in the sale of goods or products to clients;
(h) photography studios;
(i) typing, word processing, and computer programming services.

(3) Without limiting the authority of the Development Officer to deny applications for other types of home based businesses which do not meet the requirements of this Bylaw, the

following uses are prohibited as home based businesses, whether or not applications for such uses would otherwise comply with the applicable standards of this Bylaw:

(a) businesses utilizing large power tools and machinery, or businesses involved in the mass production of similar items or products;
(b) restaurants, drinking establishments or tea rooms;
(c) health or fitness clubs;
(d) headquarters or base of operations of a taxi, trucking, delivery, or towing operation;
(e) hotels, motels and hospitals;
(f) laundry services;
(g) motion picture or recording studios;
(h) the painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery;
(i) rental services;
(j) upholstery services;
(k) veterinary services, boarding or grooming of animals;
(l) welding or metal works;
(m) any use that creates noise, vibration, smoke, dust, odour, air pollution, heat, glare, bright light, hazardous or unacceptable waste, or electrical, television, or radio interference detectable by sensory perception or by scientific instruments at or beyond the boundaries of the building or beyond the unit walls within a multiple unit dwelling.

(4) The following development standards shall apply to all Type I home based businesses:

(a) No persons other than residents of the dwelling shall be employed in the home based businesses on the site.

(b) Home based businesses shall be conducted entirely indoors, and no more than 20% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 30 m^2, may be occupied by home based businesses.

(c) An attached garage or detached accessory building may be occupied by a home based business, provided that the total area devoted to home based businesses does not exceed 30 m^2 on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.

(d) There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the buildings and property.

(e) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building containing the home based business shall be produced.

(f) No more than one business related vehicle and one business related trailer, each with a gross vehicle weight of no more than 5,000 kg and a total length of no more than 6.0 meters, may be stored on or in the vicinity of the site.

(g) Regardless of the number of home based businesses that may be located on any one site, a total of no more than seven (7) client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000 kg, or by a vehicle with a total length of more than 6.0 meters.

(h) A total of no more than 2.0 cubic meters of storage may be permitted within a dwelling on any one site, and a total of no more than 4.0 cubic meters of storage may be permitted within an attached or detached accessory building in relation to home based businesses. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.

(i) Where the operator of a home based business is not the owner of the subject property, the operator shall provide to the Town a letter of authorization from the owner of the subject property. Where a home based business is proposed for a dwelling which is part of a condominium, the owner shall provide to the Town a letter of authorization from the condominium board.

(5) The following development standards shall apply to all Type II home based businesses:

(a) In accordance with the definition of a Type II home based business, no more than one non-resident person shall be employed in relation to home based businesses on any one site.

(b) Home based businesses shall be conducted entirely indoors, and no more than 20% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 40 m^2, may be occupied by home based businesses.

(c) An attached garage or detached accessory building may be occupied by home based businesses, provided that the total area devoted to home based businesses does not exceed 58 m^2 on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.

(d) There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the building and property.

(e) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building containing the home based business shall be produced.

(f) One off-street parking space shall be required for a non-resident employee, and, if otherwise permitted, this space may be located in a required front yard. Additional off-street parking spaces may be required, where in the opinion of the Development Officer, due to the nature of the business or the site, the provision of parking is necessary to maintain the residential character of the area. The siting and screening of all required parking spaces shall be undertaken to the satisfaction of Council.

(g) No more than one business related vehicle and one business related trailer, each with a gross vehicle weight of no more than 5,000 kg and a total length of no more than 6.0 meters, may be stored on or in the vicinity of the site.

(h) Regardless of the number of home based businesses that may be located on any one site, a total of no more than fourteen (14) client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000 kg, or by a vehicle with a total length of more than 6.0 meters.

(i) A total of no more than 2.0 cubic meters of storage may be permitted within a dwelling on any one site, and a total of no more than 4.0 cubic meters of storage may be permitted within an attached or detached accessory building in relation to home based businesses. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.

(j) Where the operator of a home based business is not the owner of the subject property, the operator shall provide to the Town a letter of consent from the owner of the subject property. Where a home based business is proposed for a dwelling which is part of a condominium, the owner shall provide to the Town a letter of consent from the condominium board.

5.8 Parking Lots

(1) No sign of any kind, other than those designating the parking lot name, entrances, exits, or conditions of use, may be erected or maintained.

(2) All lighting fixtures must be oriented in a manner to direct the light away from adjacent lots.

(3) The lot must provide adequate drainage as determined by the Town to dispose of all surface water.

(4) Parking lots shall be landscaped to improve the visual appearance of the site.

(5) Where parking lot abuts a residential property boundary a minimum landscape buffer of 2.0 meters which, complies with the requirements contained in Section 4.12, shall be provided.

5.9 Secondary Suites

(1) No more than one secondary suite shall be located in any single detached dwelling. No secondary suite shall be permitted on a site which contains a garden or garage suite.

(2) No more than two bedrooms are allowed for any secondary suite.

(3) No more than three persons are allowed to occupy any secondary suite.

(4) One off-street parking space is required for any secondary suite in addition to the required parking for the principal residential building on the site. The required parking space for any secondary suite shall not be located in a required front yard, unless the subject site has no access to a rear lane, and shall be paved and screened.

(5) Any secondary suite shall comply with the requirements of the National Building Code, subject to the approval of the Municipal Building Official.

(6) The floor area occupied by a secondary suite shall be considered as part of the principal dwelling. Any secondary suite shall not be separated from the principal building through condominium conversion or subdivision of land.

(7) In order to accommodate a secondary suite, a single detached dwelling must have a gross floor area, including the area of any basement, of at least 100 m^2.

(8) The maximum floor area of a secondary suite shall be no more than 50% of the gross floor area, including the area of the basement, of the building in which it is located, or 65 m^2, whichever is the lesser.

(9) The exterior finishing of a secondary suite shall be consistent with the exterior of the remainder of the principal dwelling to give the entire building the appearance of a single dwelling.

(10) Where a secondary suite has an entrance which is separate from that of the principal dwelling, the entrance may only be located on a side or rear wall of the principal dwelling.

5.10 Service Stations and Gas Bars

(1) Fuel pumps and other apparatus for dispensing or storage of fuel, located all or partly above grade level, shall be at least six meters 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) Where operated as the principal use on a site, gas bars are subject to the regulations and standards for service stations.

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

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

(b) The site shall have at least two separate entrances for vehicles, at least 15 meters apart; and,

(c) Sites shall be designed so that the delivery and unloading of bulk fuel shall not

obstruct access to the fuel pumps or create obstructions on any adjacent street.

5.11 Solar Panels and Collectors

The installation and operation of a solar collector or panel, and supporting structures shall be permitted in all zoning districts subject to the following:

(1) A solar collector or panel may be located on the roof or wall of a building or structure.

(2) Solar panels and collectors and associated operating structures attached to a building shall not exceed a height of 1.0 meters above the highest point of the roof upon which it is located.

(3) In all residential and commercial districts, solar panels and collectors and associated operating structures, if attached to or erected upon an accessory building or structure, shall not exceed a height of 2.0 meters above the highest elevation of the accessory building that it is located on.

(4) A solar collector or panel that is mounted on a wall:

(i) may project a maximum 1.5 m from the surface of that wall, when the wall is facing a rear lot line; and in all other cases, 0.6 m from the surface of that wall.

(4) A solar collector or panel shall comply with yard and height regulations of the underlying zoning district.

5.12 Cannabis Retail Stores

(1) Cannabis retail stores must maintain a 150 meter setback from schools, licensed daycares and playgrounds.

5.13 Geothermal Energy Systems

(1) All plumbing, reservoirs and pumps and other requirements associated with Geothermal Energy Systems shall require plumbing, electrical and building permits, as required, and shall meet all applicable requirements of the National Building Code.

(2) Plans for Geothermal Energy Systems shall be stamped by a qualified professional engineer or have the system and installation certified by an accredited member of the Canadian GeoExchange Coalition.

(3) Geothermal Energy Systems shall comply with CSA Standard C448 and subsequent amendments. Exceptions may be allowed, at the discretion of the Town, provided documented proof is provided that shows that the exception meets or exceeds CSA Standard C488.

(4) All Geothermal Energy Systems shall be a closed loop system. Open loop systems shall not be permitted.

(5) Heat transfer fluids used within a Geothermal Energy System shall be the most environmentally friendly type available at the time of installation, such as propylene glycol. In no case may an ethylene glycol based fluid be used, nor shall any flammable or combustible agent such as methanol, ethanol, natural gas, or propane be used.

(6) Brand names or advertising associated with a Geothermal Energy System or the system's installation shall not be visible from any public area or roadway.

(7) Upon abandonment or termination of any Geothermal Energy System, the facility and components associated with the use of the system, above grade and 0.6 m below grade, shall be removed and the site restored at the owner's expense.

(8) Only vertical geothermal energy systems will be permitted.

(9) All components of the Geothermal Energy System must be a minimum of 0.6 meters away from any property line.

5.14 Family Child Care Homes

(1) Family child care homes may be approved as an accessory use to a dwelling.

(2) A family child care home shall provide at least 3.25 m^2 of fenced on-site outdoor play space for each child present in the facility at one time.

(3) In any residential district, no exterior alterations shall be undertaken to a dwelling which would be inconsistent with the residential character of the building or property.

5.15 Manufactured Home Courts

(1) Road rights-of-way within manufactured home courts shall be at least 15 m in width, with hard-surfaced roadways of a minimum 6 m in width, and drained.

(2) A minimum of 10% of the area of the manufactured home court shall be set aside as communal open space or devoted to recreational facilities.

(3) A site and yard requirements for manufactured homes in the RMH – Manufactured Home District, shall apply to individual manufactured home sites within a manufactured home court.

(4) *The Public Health Act, 1994*, and the regulations passed thereunder, shall be complied with in respect to all operations and development of a manufactured home court.

5.16 Multiple Unit Dwellings

(1) Multiple unit dwellings shall be of size, scale and outward appearance consistent with the character of the neighbourhood;

(2) Multiple unit dwellings containing 5 or more units shall provide landscaping that is compatible with the neighbourhood's residential properties and shall be consistent with the

character of the neighbourhood.

(3) Up to two required parking and loading spaces may be located in the required yard and the remainder shall be located in side or rear yards.

(4) 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.

5.17 Temporary Relocatable Work Camps

Temporary relocatable work camps may be approved as a discretionary use and are subject to the following:

(1) Existing natural buffers (e.g. trees, natural topography, etc.) shall be maintained, where possible.

(2) Required road upgrades to support traffic generated by the temporary camp shall be the responsibility of the applicant.

(3) The site shall provide for adequate parking to accommodate the temporary camp residents and associated support workers, to the satisfaction of Council.

5.18 The Keeping of Domestic Animals, Poultry, Cattle and Other Large Animals

(1) The keeping of domestic animals as pets is permitted in all districts, subject to relevant bylaws and legislation governing noise and public health.

(2) Cattle and other livestock are prohibited in all residential districts.

(3) Notwithstanding Section 5.18(2), within the **RA** district, poultry will be permitted in numbers not exceeding ten (10) animals, on residential sites of at least 4.0 ha. Poultry will be permitted in numbers not exceeding five (5) animals, on residential sites of at least 2.0 ha.

(4) Within the **RA** district large animals, which only include horses, sheep, goats, llamas and alpacas will be permitted in numbers not exceeding four (4) animals, on residential sites of at least 4.0 ha. Two (2) large animals will be permitted on residential sites of at least 2.0 ha. All other animals shall be limited to domestic pets of the residents of the site.

(5) Horses, other permitted large animals, and poultry shall not be pastured within 15 meters of any dwelling not owned by the owner of the animals and no building or structures intended to contain animals shall be located within 30 meters of a dwelling or property line.

(6) The use of vacant residential sites for pasture of animals is prohibited.

5.19 Driveway Regulations

(1) Driveways for all residential dwellings, excluding multiple unit dwellings, are subject to the following standards:

(a) The maximum driveway width within a street area shall be equal to 60% of the site width. Where the garage is accessed in the flanking side of a corner site, the maximum driveway width may be increased to the width of the garage to a maximum of 11 meters. On corner sites, one driveway shall be permitted on each side fronting a street.

(b) The maximum driveway coverage on private property shall be 60% of the total front yard area for rectangular sites. The maximum driveway area on private property may be increased to 75% of the total front yard area for non-rectangular sites.

(2) Driveways for all multiple unit dwellings, are subject to the following standards:

(a) The location of street access to parking facilities shall be determined by the Development Officer.

(b) Street access to parking facilities shall not exceed 7.3 meters in width, unless otherwise determined by the Development Officer.

(c) No parking spaces shall be provided within any required front yard, except at the discretion of the Development Officer.

(d) All parking spaces shall be suitably screened from view from adjacent streets.

(e) All visitor parking spaces shall be clearly marked or signed as such.

6 ZONING DISTRICTS

6.1 CLASSIFICATION OF ZONING DISTRICTS

In order to carry out the purpose and provisions of this Bylaw, the Town 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
Low Density Residential	**R1**
Medium Density Residential	**R2**
Large Lot Residential	**RA**
Mobile Home Residential	**RMH**
Community Service	**CS**
Downtown Commercial	**C1**
Highway Commercial	**C2**
Industrial	**M**
Future Urban Development	**FUD**

6.2 THE ZONING DISTRICT MAP

The map, bearing the statement "This is the Zoning District Map referred to in Bylaw No. 5/2018 adopted by the Council and signed by the Mayor and Chief Administrative Officer, and under the seal of the Town shall be known as the "Zoning District Map" and such map is declared to be an integral part of this Bylaw.

6.3 BOUNDARIES OF ZONING DISTRICTS

6.3.1 The boundaries of such districts referred to, together with explanatory legend, notation and reference, are shown on the map entitled "Zoning District Map".

6.3.2 All streets, lanes and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

6.3.3 Streets, lanes, and road allowances which are shown on the Zoning District Map and which have been permanently closed pursuant to Section 13 of The Municipalities Act, shall be in the same district as the land abutting both sides of the permanently closed street, lane or road allowance. If the land abutting each side of the permanently closed street, land or road allowance was located in different zoning districts before the said street, lane or road allowance was permanently closed, the centre line of such permanently closed street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

6.3.4 On un-subdivided land, the zoning district boundary shall be determined by the scale shown on the Zoning District Map.

6.4 Zoning Districts

The uses or forms of development allowed within a zoning district, along with regulations or standards which apply, are contained in the District Schedules in Section 7.

6.5 Transitional Zoning Provisions

Buildings lawfully existing at the time of the approval of this Bylaw shall be limited in terms of site width, front and rear yard setback, site coverage and off-street parking and loading requirements to the regulations of the zoning district in which they are located, or to their current dimensions, whichever is the least restrictive.

6.6 Properties with More than One Zoning District

Where a site or lot is divided into more than one zoning district, the development and use of any portion of the site shall be in accordance with the requirements of the applicable zoning district and subject to Section 4.3 herein.

7 DISTRICT SCHEDULES

7.1 R1 - LOW DENSITY RESIDENTIAL DISTRICT

7.1.1 *Purpose*

The purpose of the **R1** - Low Density Residential district is to provide for residential development in the form of single detached dwellings and other compatible uses.

7.1.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 7-1.

7.1.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

7.1.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 7-1.

7.1.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **R1** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

7.1.6 *Exceptions to Development Standards*

(1) Where on a corner site, a side yard of at least 4.5 meters is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 meters.

7.1.7 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

7.1.8 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

7.1.9 *Landscaping*

Landscaping is subject to Section 4.12.

Table 7-1: R1 – Low Density Residential District Development Standards

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards							
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m^2)	Maximum Bldg Height (m)	Maximum Site Cvg (%)
Residential Uses												
(1)	Garden and garage suites	D	1	5.6	Section 4.28.6							
(2)	Residential care homes - type I	P	6	5.2	450(1)	12(2)	6	7.5(3)	1.2(4)	75	10.5	50
(3)	Residential care homes – type II	D	6	5.2	450(1)	12(2)	6	7.5 (3)	1.2(4)	75	10.5	50
(4)	Secondary suites	D	1	5.9	Section 4.28.9							
(5)	Semi-detached dwellings	P	1		225(5)	7.5	6	7.5	1.2(4)(6)	42	10.5	60
(6)	Single detached dwellings	P	1		450(1)	12(2)	6	7.5 (3)	1.2(4)	75	10.5	50
(7)	Two unit dwellings	P	1		450(1)	15	6	7.5	1.2(4)	84	10.5	
Commercial Uses												
(1)	Adult day care – type I	P	6	5.2017	450(1)	12(2)	6	7.5 (3)	1.2(4)	75	10.5	50
(2)	Adult day care – type II	D	6	5.2	450(1)	12(2)	6	7.5 (3)	1.2(4)	75	10.5	50
(3)	Bed and breakfast homes	D	3	5.3	450(1)	12(2)	6	7.5 (3)	1.2(4)	75	10.5	50
(4)	Convenience stores	D	5		450	15	6	7.5	3(7)	- -	10.5	- -
(5)	Daycare centres and preschools	D	14	5.4	450	15	6	7.5	3(7)	- -	10.5	- -
(6)	Family child care homes – type I	P	0	5.14	450(1)	12(2)	6	7.5 (3)	1.2(4)	75	10.5	50
(7)	Family child care homes – type II	D	0	5.14	450(1)	12(2)	6	7.5 (3)	1.2(4)	75	10.5	50
(8)	Home based business – type I	P	0	5.7	Same as principal use							
(9)	Home based business – type II	D	16	5.7	Same as principal use							
Community Service, Municipal, Recreational, Institutional and Other Uses												
(1)	Ambulance stations	D	11		225	6	6	7.5	3(7)	- -	- -	- -
(2)	Clubs	D	4	3.9.4(1)	450	15	6	7.5	3(7)	- -	- -	- -
(3)	Community centres	D	4	3.9.4(1)	450	15	6	7.5	3(7)	- -	- -	- -
(4)	Custodial care facilities	D	12	5.2	450	15	6	7.5	3(7)	- -	- -	- -
(5)	Municipal facilities	P	0		- -	- -	- -	- -	- -	- -	- -	- -
(6)	Parking lots	D	0	5.8	- -	- -	3	3	3	- -	- -	- -
(7)	Parks and playgrounds	P	0		- -	- -	- -	- -	- -	- -	- -	10
(8)	Places of worship	P	15	3.9.4(1)	450	15	6	7.5	3(7)	- -	- -	- -
(9)	Public elementary and secondary schools	D	18		- -	- -	- -	7.5	3(7)	- -	- -	- -
(10)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		- -	- -	- -	- -	- -	- -	- -	- -

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

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

Special limitations and standards regarding Table 7-1 and the R1 district:

(1) where the site is serviced by a rear lane; otherwise 510 square meters
(2) where the site is serviced by a rear lane; otherwise 15 meters
(3) on a corner site, the minimum rear yard may be reduced to 3.0 meters where a side yard of at least 4.5 meters is provided adjacent to the flanking street
(4) except for corner sites, where it shall be 3.0 meters along the flanking street
(5) where the site is serviced by a rear lane, otherwise 255 square meters
(6) except that no side yard shall be required where a common wall dived the two dwelling units
(7) or ½ the building height, whichever is greater

7.2 R2 – Medium Density Residential District

7.2.1 *Purpose*

The purpose of the **R2** – Medium Density Residential District is to provide for residential development in the form of single detached, semi-detached, two-unit dwellings, multiple unit dwellings, dwelling groups and other compatible uses.

7.2.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 7-2.

7.2.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

7.2.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 7-2.

7.2.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **R2** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

7.2.6 *Exceptions to Development Standards*

(1) Where on a corner site, a side yard of at least 4.5 meters is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 meters.

7.2.7 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

7.2.8 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

7.2.9 *Landscaping*

Landscaping is subject to Section 4.12.

Table 7-2: R2 – Medium Density Residential District Development Standards

	Principal Use	Designation	Parking Category	Subject to Section(s)	Development Standards							
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m^2)	Maximum Bldg Height (m)	Maximum Site Cvg (%)
Residential Uses												
(1)	Garden and garage suites	D	1	5.6	Section 4.28.6							
(2)	Dwelling groups	D	2	3.9.4 (2) 5.5	4000	6/unit(1)	6	7.5	3.5	50/unit	- -	60
(3)	Multiple unit dwellings (apartments)	P	2	3.9.4 (3) 5.16	185/ unit	6/unit(1)	6	7.5	1.8(2)	40/unit	15	50
(4)	Multiple unit dwellings (townhouses)	P	2	3.9.4 (3) 5.16	225/unit	6/unit	6	7.5	1.8(2)	46/unit	15	50
(5)	Residential care homes - type I	P	6	5.2	450(3)	12(5)	6	7.5(6)	1.2(7)	75	10.5	50
(6)	Residential care homes – type II	D	6	5.2	450(3)	12(5)	6	7.5(6)	1.2(7)	75	10.5	50
(7)	Secondary suites	D	1	5.9	Section 4.28.9							
(8)	Semi-detached dwellings	P	1		225(4)	7.5	6	7.5	1.2(7)(8)	46	10.5	50
(9)	Single detached dwellings	P	1		450(3)	12(5)	6	7.5(6)	1.2(7)	75	10.5	50
(10)	Street townhouse dwellings	P	1		225	6	6	7.5	1.8(2)	46/unit	15	50
(11)	Two unit dwellings	P	1		450(3)	15	6	7.5	1.2(7)	84	10.5	50
Commercial Uses												
(1)	Adult day care – type I	P	6	5.2	450(3)	12(5)	6	7.5(6)	1.2(7)	75	10.5	50
(2)	Adult day care – type II	D	6	5.2	450(3)	12(5)	6	7.5(6)	1.2(7)	75	10.5	50
(3)	Bed and breakfast homes	D	3	5.3	450(3)	12(5)	6	7.5(6)	1.2(7)	75	10.5	50
(4)	Convenience stores	D	5		450	15	6	7.5	3(9)	- -	- -	- -
(5)	Daycare centres and preschools	D	14	5.4	450	15	6	7.5	3(9)	- -	- -	- -
(6)	Family child care homes – type I	P	0	5.14	450(3)	12(5)	6	7.5(6)	1.2(7)	75	10.5	50
(7)	Family child care homes – type II	D	0	5.14	450(3)	12(5)	6	7.5(6)	1.2(7)	75	10.5	50
(8)	Home based business – type I	P	0	5.7	Same as principal use							
(9)	Home based business – type II	D	16	5.7	Same as principal use							
Community Service, Municipal, Recreational, Institutional and Other Uses												
(1)	Ambulance stations	D	11		225	7.5	6	7.5	3(9)	- -	- -	- -
(2)	Clubs	D	4	3.9.4(1)	450	15	6	7.5	3(9)	- -	- -	- -
(3)	Community centres	D	4	3.9.4(1)	450	15	6	7.5	3(9)	- -	- -	- -
(4)	Cultural institutions	D	4	3.9.4(1)	450	15	6	7.5	3(9)	- -	- -	- -
(5)	Custodial care facilities	D	12	5.2	450	15	6	7.5	3(9)	- -	- -	- -
(6)	Municipal facilities	P	0		- -	- -	- -	- -	- -	- -	- -	- -
(7)	Parking lots	D	0	5.8	- -	- -	3	3	3	- -	- -	- -
(8)	Parks and playgrounds	P	0		- -	- -	- -	- -	- -	- -	- -	10
(9)	Places of worship	P	15	3.9.4(1)	450	15	6	7.5	3(9)	- -	- -	- -
(10)	Private schools	D	20		450	15	6	7.5	3(9)	- -	- -	- -
(11)	Public elementary and secondary schools	D	18		- -	- -	- -	7.5	3(9)	- -	- -	- -

Table 7-2: R2 – Medium Density Residential District Development Standards

	Principal Use	Designation	Parking Category	Subject to Section(s)	Development Standards							
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m^2)	Maximum Bldg Height (m)	Maximum Site Cvg (%)
(12)	Public recreation facilities	D	22	3.9.4(1)	450	15	7.5	7.5	3(9)	- -	- -	- -
(13)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		- -	- -	- -	- -	- -	- -	- -	- -

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

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

Special limitations and standards regarding Table 7-2 and the R2 district:

(1) to a maximum requirement of 18 meters

(2) for multiple unit dwellings of two or three storeys, the side yard shall be 3.0 meters; for multiple unit dwellings over three storeys, the side yard shall be ½ the building height to a maximum of 6.0 meters; on corner sites, the side yard shall never be less than 3.0 meters

(3) where the site is serviced by a rear lane, otherwise 510 square meters

(4) where the site is served by a rear lane; otherwise 255 square meters

(5) where the site is served by a rear; otherwise 15 meters

(6) on a corner site, the minimum rear yard may be reduced to 3.0 meters where a side yard of at least 4.5 meters is provided adjacent to the flanking street

(7) except for corner sites, where it shall be 3.0 meters along the flanking street

(8) except that no side yard shall be required where a common wall dived the two dwelling units

(9) or ½ the building height, whichever is greater

7.3 RA – Acreage Residential District

7.3.1 *Purpose*

The purpose of the **RA** – Acreage Residential District is to accommodate single detached residential dwellings on large lots, and other compatible uses.

7.3.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 7-3.

7.3.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

7.3.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 7-3.

(2) The keeping of animals is subject to Section 5.19.

7.3.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **RA** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

7.3.6 *Exceptions to Development Standards*

(1) Where on a corner site, a side yard of at least 6 meters is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 4.5 meters.

7.3.7 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

7.3.8 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

7.3.9 *Landscaping*

Landscaping is subject to Section 4.12.

Table 7-3: RA – Acreage Residential District Development Standards

	Principal Use	Designation	Parking Category	Subject to Section(s)	Development Standards							
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m^2)	Maximum Bldg Height (m)	Maximum Site Cvg (%)
Residential Uses												
(1)	Garden and garage suites	D	1	5.6	Section 4.28.6							
(2)	Single detached dwellings	P	1		2,000	35	6	9(1)	1.5	75	10.5	40
Commercial Uses												
(1)	Adult day care – type I	P	6	5.2	2,000	35	6	9(1)	1.5	75	10.5	40
(2)	Adult day care – type II	D	6	5.2	2,000	35	6	9(1)	1.5	75	10.5	40
(3)	Bed and breakfast homes	D	3	5.3	2,000	35	6	9(1)	1.5	75	10.5	40
(4)	Daycare centres and preschools	D	14	5.4	2,000	35	6	9	1.5	75	10.5	40
(5)	Family child care homes – type I	P	0	5.14	2,000	35	6	9(1)	1.5	75	10.5	40
(6)	Family child care homes – type II	D	0	5.14	2,000	35	6	9(1)	1.5	75	10.5	40
(7)	Home based business – type I	P	0	5.7	Same as principal use							
(8)	Home based business – type II	D	16	5.7	Same as principal use							
(9)	Residential care facilities – type I	P	6	5.2	2,000	35	6	9(1)	1.5	75	10.5	40
(10)	Residential care facilities – type II	D	6	5.2	2,000	35	6	9(1)	1.5	75	10.5	40
Community Service, Municipal, Recreational, Institutional and Other Uses												
(1)	Ambulance stations	D	11		225	7.5	6	4.5	3(2)	- -	- -	- -
(2)	Clubs	D	4	3.9.4(1)	450	15	6	4.5	3(2)	- -	- -	- -
(3)	Community centres	D	4	3.9.4(1)	450	15	6	4.5	3(2)	- -	- -	- -
(4)	Custodial care facilities	D	12	5.2	2,000	35	6	9	1.5	75	- -	40
(5)	Municipal facilities	P	0		- -	- -	- -	- -	- -	- -	- -	- -
(6)	Parking lots	D	0	5.8	- -	- -	3	3	3	- -	- -	- -
(7)	Parks and playgrounds	P	0		- -	- -	- -	- -	- -	- -	- -	10
(8)	Places of worship	P	15	3.9.4(1)	450	15	6	4.5	3(2)	- -	- -	- -
(9)	Public elementary and secondary schools	D	18		- -	- -	- -	4.5	3(2)	- -	- -	- -
(10)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		- -	- -	- -	- -	- -	- -	- -	- -

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

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

Special limitations and standards regarding Table 7-3 and the RA district:

(1) on a corner site, the minimum rear yard may be reduced to 4.5 meters where a side yard of at least 6.0 meters is provided adjacent to the flanking street

(2) or ½ the building height, whichever is greater, to a maximum of 6.0 meters

7.4 RMH – Manufactured Home Residential District

7.4.1 *Purpose*

The purpose of the **RMH** – Manufactured Home Residential district is to provide for residential development in the form of manufactured homes and other compatible uses.

7.4.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 7-4.

7.4.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

7.4.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 7-4.

7.4.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **RMH** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

7.4.6 *Exceptions to Development Standards*

(1) Where on a corner site, a side yard of at least 4.5 meters is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 meters.

7.4.7 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

7.4.8 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

7.4.9 *Landscaping*

Landscaping is subject to Section 4.12.

Table 7-4 RMH – Manufactured Home Residential District Development Standards

	Principal Use	Designation	Parking Category	Subject to Section(s)	Development Standards							
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m^2)	Maximum Bldg Height (m)	Maximum Site Cvg (%)
Residential Uses												
(1)	Manufactured home courts	P	1	5.15	10,000	Section 4.28.15						
(2)	Manufactured homes	P	1		360	12	4.5	4.5	1.2(1)(2)	60	6	50
Commercial Uses												
(1)	Convenience stores	D	5		450	15	4.5	4.5	3(3)	- -	- -	- -
(2)	Day care centres and preschools	D	14	5.4	450	15	4.5	4.5	3(3)	- -	- -	- -
(3)	Family child care homes – type I	P	0	5.14	360(1)	12	4.5	4.5	1.2(2)	75	- -	50
(4)	Family child care homes – type II	D	0	5.14	360(1)	12	4.5	4.5	1.2(2)	75	- -	50
(5)	Home based businesses – type I	P	0	5.7	same as principal use							
(6)	Home based businesses – type II	D	16	5.7	same as principal use							
(7)	Laundromats	D	4		450	15	4.5	4.5	3(3)	- -	- -	- -
Community Service, Municipal, Recreational, Institutional and Other Uses												
(1)	Community centres	D	4	3.9.4(1)	450	15	4.5	4.5	3(3)	- -	- -	- -
(2)	Cultural institutions	D	4	3.9.4(1)	450	15	4.5	4.5	3(3)	- -	- -	- -
(3)	Municipal facilities	P	0		- -	- -	- -	- -	- -	- -	- -	- -
(4)	Parking lots	D	0	5.8	- -	- -	3	3	3	- -	- -	- -
(5)	Parks and playgrounds	P	0		- -	- -	- -	- -	- -	- -	- -	10
(6)	Places of worship	D	15	3.9.4(1)	450	15	4.5	4.5	3(3)	- -	- -	- -
(7)	Public recreational facilities	D	22	3.9.4(1)	- -	- -	- -	4.5	3(3)	- -	- -	- -
(8)	Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		- -	- -	- -	- -	- -	- -	- -	- -

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

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

Special limitations and standards regarding Table 7-4 and the RMH district:

(1) where the main entrance door on the long side of the manufactured home faces a side site line, 4.5 meters on that side

(2) except for corner sites where it shall be 3.0 meters along the flanking street

(3) or ½ the average building height, whichever is greater

7.5 CS – Community Service District

7.5.1 *Purpose*

The objective of the **CS** – Community Service District is to provide for a range of community services and other compatible uses.

7.5.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 7-5.

7.5.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

7.5.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 7-5.

7.5.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **CS** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria, Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

7.5.6 *Exceptions to Development Standards*

7.5.7 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

7.5.8 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

7.5.9 *Landscaping*

Landscaping is subject to Section 4.12.

Table 7-5: CS – Community Service District Development Standards

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards							
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Minimum Bldg Floor Area (m^2)	Maximum Bldg Height (m)	Maximum Site Cvg (%)
Community Service, Municipal, Recreational, Institutional and Other Uses												
(1)	Ambulance stations	P	21		225	6	6	7.5	1.2	- -	- -	- -
(2)	Cemeteries	P	0		- -	- -	6	7.5	1.2	- -	- -	- -
(3)	Community centres	P	4		225	6	6	7.5	1.2	- -	- -	- -
(4)	Cultural institutions	P	4		225	6	6	7.5	1.2	- -	- -	- -
(5)	Custodial care facilities	D	6	5.2	225	6	6	7.5	1.2	- -	- -	- -
(6)	Educational institutions	P	17		225	6	6	7.5	1.2	- -	- -	- -
(7)	Municipal facilities	P	0		450	15	6	- -	- -	- -	- -	- -
(8)	Parks and playgrounds	P	0		- -	- -	- -	- -	- -	- -	- -	- -
(9)	Places of worship	P	15		225	6	6	7.5	1.2	- -	- -	- -
(10)	Public elementary and high schools	P	18		225	6	6	7.5	1.2	- -	- -	- -
(11)	Public works, excluding warehouses, storage yards, and sewage lagoons	P	0		- -	- -	- -	- -	- -	- -	- -	- -
(12)	Public hospitals	P	6		225	6	6	7.5	1.2	- -	- -	- -
(13)	Public recreational facilities	P	22		225	6	6	7.5	1.2	- -	- -	- -
(14)	Telecommunication towers	P	0		- -	- -	- -	- -	- -	- -	- -	- -
(15)	Tourist campgrounds	P	5									
(16)	Tourist information centres and booths	P	4									
Commercial Uses												
(1)	Adult day cares	P	14	5.2	225	6	6	7.5	1.2	- -	- -	- -
(3)	Clubs	P	5		225	6	6	7.5	1.2	- -	- -	- -
(4)	Commercial recreation facilities	P	22		225	6	6	7.5	1.2	- -	- -	- -
(5)	Convenience stores, with or without associated gas bars	D	5		225	6	6	7.5	1.2	- -	- -	- -
(6)	Day care centres and preschools	P	14	5.4	225	6	6	7.5	1.2	- -	- -	- -
(7)	Funeral homes	P	4		225	6	6	7.5	1.2	- -	- -	- -
(8)	Health care clinics	P	28		225	6	6	7.5	1.2	- -	- -	- -
(9)	Medical, dental and optical laboratories	P	5		225	6	6	7.5	1.2	- -	- -	- -
(10)	Parking lots	D	0	5.8	- -	- -	3	3	3	- -	- -	- -
(11)	Private schools	P	18		225	6	6	7.5	1.2	- -	- -	- -
(12)	Restaurants, with or without associated lounges	D	8		225	6	6	7.5	1.2	- -	- -	- -
(13)	Special care homes	P	6		225	6	6	7.5	1.2	- -	- -	- -

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

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

Special limitations and standards regarding Table 7-5 and the CS district:

7.6 C1 – Downtown Commercial District

7.6.1 *Purpose*

The objective of the **C1** – Downtown Commercial district is to facilitate a range of commercial and other compatible uses.

7.6.2 *Permitted and Discretionary Use*

Uses are listed and designated in Table 7-6.

7.6.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

7.6.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 7-6.

7.6.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **C1** district with respect to Section 3.10.3 – General Discretionary Use Evaluation Criteria, Section 3.10.4 – Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

7.6.6 *Exceptions to Development Standards*

7.6.7 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

7.6.8 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

7.6.9 *Landscaping*

Landscaping is subject to Section 4.12.

Table 7-6: C1 – Downtown Commercial District Development Standards

	Principal Use	Designation	Parking Category	Subject to Section(s)	Development Standards					
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Site Coverage (m^2)
Commercial Uses										
(1)	Bakeries with retail sales	P	0		225	7.5	- -	(1)	(2)	- -
(2)	Bus terminals	D	0		225	7.5	- -	(1)	(2)	- -
(3)	Cannabis retail store	D	0	4.11.1(6) 5.12	225	7.5	- -	(1)	(2)	- -
(4)	Car washes	D	0		225	7.5	7.5	(1)	(2)	- -
(5)	Clubs	P	0		225	7.5	- -	(1)	(2)	- -
(6)	Commercial recreation facilities, excluding golf courses	P	0		225	7.5	- -	(1)	(2)	- -
(7)	Construction trades	D	0	3.9.4(6)	225	7.5	- -	(1)	(2)	- -
(8)	Convenience stores	P	0		225	7.5	- -	(1)	(2)	- -
(9)	Daycare centres and preschools	P	0		225	7.5	- -	(1)	(2)	- -
(10)	Financial institutions	P	0		225	7.5	- -	(1)	(2)	- -
(11)	Fitness centres	P	0		225	7.5	- -	(1)	(2)	- -
(12)	Funeral homes	P	0		225	7.5	- -	(1)	(2)	- -
(13)	Gas bars	D	0	5.10	225	7.5	7.5	(1)	(2)	- -
(14)	Health care clinics	P	0		225	7.5	- -	(1)	(2)	- -
(15)	Home based businesses – type I	P	0	5.7	same as principal use					
(16)	Home based businesses – type II	D	0	5.7	same as principal use					
(17)	Hotels and motels	P	0		930	30	7.5	(1)	(2)	- -
(18)	Lumber yards, home improvement centres and building supply establishments	D	0	3.9.4(6)	225	7.5	- -	(1)	(2)	- -
(19)	Malls	D	0	3.9.4(5)	930	30	7.5	7.5	6	- -
(20)	Medical, dental and optical labs	P	0		225	7.5	- -	(1)	(2)	- -
(21)	Night clubs	D	0	3.9.4(4)	225	7.5	- -	(1)	(2)	- -
(22)	Offices and office buildings	P	0		225	7.5	- -	(1)	(2)	- -
(23)	Parking lots	D	0	5.8	225	7.5	- -	(1)	(2)	- -
(24)	Personal service shops	P	0		225	7.5	- -	(1)	(2)	- -
(25)	Photography studios	P	0		225	7.5	- -	(1)	(2)	- -
(26)	Printing plants and newspaper offices	P	0		225	7.5	- -	(1)	(2)	- -
(27)	Private schools	P	0		225	7.5	- -	(1)	(2)	- -
(28)	Public garages	D	0		225	7.5	- -	(1)	(2)	- -
(29)	Radio and television studios	P	0		225	7.5	- -	(1)	(2)	- -
(30)	Repair services restricted to the repair of household goods and appliances	P	0		225	7.5	- -	(1)	(2)	- -
(31)	Restaurants, with or without associated lounges	P	0		225	7.5	- -	(1)	(2)	- -
(32)	Retail stores	P	0		225	7.5	- -	(1)	(2)	- -
(33)	Service stations	P	0	5.10	930	30	7.5	(1)	(2)	- -
(34)	Shopping centres	D	0	3.9.4(5)	930	30	7.5	7.5	6	- -

Table 7-6: C1 – Downtown Commercial District Development Standards

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards					
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Site Coverage (m^2)
(35)	Taverns	D	0	3.9.4(4)	225	7.5	- -	(1)	(2)	- -
(36)	Theatres	P	0		225	7.5	- -	(1)	(2)	- -
(37)	Tourist information centres and booths	P	0		225	7.5	- -	(1)	(2)	- -
(38)	Veterinary clinics	P	0		225	7.5	- -	(1)	(2)	- -
Community Service and Other Uses										
(1)	Protective services (add definition)	P	0		225	7.5	- -	(1)	(2)	- -
(2)	Community centres	P	0		225	7.5	- -	(1)	(2)	- -
(3)	Cultural institutions	P	0		225	7.5	- -	(1)	(2)	- -
(4)	Municipal facilities	P	0		225	7.5	- -	(1)	(2)	- -
(5)	Parks and playgrounds	P	0		- -	- -	- -	- -	3	
(6)	Places of worship	P	0		225	7.5	- -	(1)	(2)	- -
(7)	Public recreational facilities	P	0		225	7.5	- -	(1)	(2)	- -
(8)	Public works excluding warehouses, storage yards and sewage lagoons	P	0		- -	- -	- -	- -	- -	
Residential Uses										
(1)	Dwelling units in conjunction with and attached to any other permitted use	D	0	3.9.4(10)	same as principal use					
(2)	Multiple unit dwellings (apartments)	D	2	3.9.4(3) 5.16	185/unit	6/ unit(3)	7.5	(4)	6	60
(3)	Multiple unit dwellings (townhouses)	D	2	3.9.4(3) 5.16	225/unit	6/unit	7.5	(4)	6	60

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

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

Special limitations and standards regarding Table 7-6 and the C1 district:

(1) where the side site line abuts any Residential District without an intervening street or lane, the minimum side yard shall be 1.5 meters

(2) where the rear site line abuts any residential district without an intervening street or lane, the minimum rear yard shall be 6.0 meters

(3) to a maximum of 18 meters

(4) for one-story multiple unit dwellings, the minimum side yard requirement shall be 1.8 meters, unless dwelling is on a corner site, in which case the minimum side yard requirement shall be 3.0 meters for the side flanking the street; for multiple unit dwellings that are two (2) to three (3) storeys, the minimum side yard requirement shall be 3.0 meters; for multiple unit dwellings that are four (4) storeys or higher, the minimum side yard requirement shall be ½ the average building height to a maximum of 6.0 meters

7.7 C2 – HIGHWAY COMMERCIAL DISTRICT

7.7.1 *Purpose*

The purpose of the **C2** – Highway Commercial District is to provide for development in the form of a range of highway commercial and other compatible uses.

7.7.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 7-7.

7.7.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

7.7.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 7-7.

7.7.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **C2** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria and to Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

7.7.6 *Exceptions to Development Standards*

7.7.7 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

7.7.8 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

7.7.9 *Landscaping*

Landscaping is subject to Section 4.12.

Table 7-7: C2 – Highway Commercial District Development Standards

	Principal Use	Designation	Parking Category	Subject to Section(s)	Development Standards					
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Maximum Site Coverage (%)
Commercial Uses										
(1)	Animal hospitals	P	5		450	7.5	4.5	(1)	3	- -
(2)	Auto body shops	D	5	3.9.4(6)	900	15	7.5	(1)	3	- -
(3)	Automobile, marine, recreational vehicle, agricultural equipment, and mobile home sales and service establishments	P	5		900	15	7.5	(1)	3	- -
(4)	Automotive and industrial supply stores	P	5		900	15	7.5	(1)	3	- -
(5)	Bingo halls	P	8		450	7.5	4.5	(1)	3	- -
(6)	Bulk fuel dealers	D	11	3.9.4(12) 5.1	450	7.5	4.5	(1)	3	- -
(7)	Bus terminals	P	5		450	7.5	4.5	(1)	3	- -
(8)	Cannabis retail store	D	5	4.11.1(6) 5.12	450	7.5	4.5	(1)	3	- -
(9)	Car washes	P	19		450	7.5	4.5	(1)	3	- -
(10)	Commercial recreation facilities	P	5		900	15	7.5	(1)	3	- -
(11)	Construction trades	D	5	3.9.4(6)	450	7.5	4.5	(1)	3	- -
(12)	Convenience stores	P	5		450	7.5	4.5	(1)	3	- -
(13)	Drive-in theatres	P	5		900	15	7.5	(1)	3	- -
(14)	Educational institutions	P	17		900	15	7.5	(1)	3	- -
(15)	Financial institutions	P	5		450	7.5	4.5	(1)	3	- -
(16)	Freight handling facilities	D	4	3.9.4(15)	900	15	7.5	(1)	3	- -
(17)	Funeral homes	P	15		450	7.5	4.5	(1)	3	- -
(18)	Gas bars	P	5	5.10	450	7.5	4.5	(1)	3	- -
(19)	Hotels and motels	P	9		900	15	7.5	(1)	3	- -
(20)	Indoor storage rental facilities	D	4	3.9.4(8)	450	7.5	4.5	(1)	3	- -
(21)	Light industrial uses	D	4		450	7.5	4.5	(1)	3	- -
(22)	Light manufacturing	D	11	3.9.4(7)	450	7.5	4.5	(1)	3	- -
(23)	Lumber yards, home improvement centres, and building supply establishments	P	4		900	15	7.5	(1)	3	- -
(24)	Malls	P	5	3.9.4(5)	900	15	7.5	(1)	3	- -
(25)	Miniature golf courses	P	5		450	7.5	4.5	(1)	3	- -
(26)	Nightclubs	D	8	3.9.4(4)	450	7.5	4.5	(1)	3	- -
(27)	Nurseries, greenhouses, and garden centres	P	4		450	7.5	4.5	(1)	3	- -
(28)	Offices and office buildings	P	5		450	7.5	4.5	(1)	3	- -
(29)	Parking lots	P	0	5.8	- -	- -	3	(1)	3	- -
(30)	Personal service shops	P	5		450	7.5	4.5	(1)	3	- -
(31)	Pet grooming establishments	P	5		450	7.5	4.5	(1)	3	- -
(32)	Recycling collection depots	D	4	3.9.4(8)	450	7.5	4.5	(1)	3	- -
(33)	Rental stores	P	5		450	7.5	4.5	(1)	3	- -

Table 7-7: C2 – Highway Commercial District Development Standards

	Principal Use	Designation	Parking Category	Subject to Section(s)	Development Standards					
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Maximum Site Coverage (%)
(34)	Repair services restricted to household goods and appliances	P	5		450	7.5	4.5	(1)	3	- -
(35)	Restaurants, with or without associated lounges	P	8		450	7.5	4.5	(1)	3	- -
(36)	Retail stores	P	5		450	7.5	4.5	(1)	3	- -
(37)	Service stations and public garages	P	5		900	15	7.5	(1)	3	- -
(38)	Shopping centres	P	5		900	15	7.5	(1)	3	- -
(39)	Storage garages	D	4	- -	450	7.5	4.5	(1)	3	- -
(40)	Taverns	D	8	3.9.4(4)	450	7.5	4.5	(1)	3	- -
(41)	Taxidermy and accessory tanning of hides	D	5	3.9.4(6)	450	7.5	4.5	(1)	3	- -
(42)	Tourist campgrounds	D	5	- -	900	15	7.5	(1)	3	- -
(43)	Tourist information centres and booths	P	4		450	7.5	4.5	(1)	3	- -
(44)	Trucking operations	D	4	- -	900	15	7.5	(1)	3	- -
(45)	Veterinary clinics	P	5		450	7.5	4.5	(1)	3	- -
(46)	Warehouses	D	4	3.9.4(15)	450	7.5	4.5	(1)	3	- -
(47)	Wholesale establishments	P	4		450	7.5	4.5	(1)	3	- -
(48)	Welding and machine shops	D	4	3.9.4(6)	450	7.5	4.5	(1)	3	- -
Residential Uses										
(1)	Dwelling units accessory to permitted uses and integrated as part of a principal building for the use of caretakers, owners or managers	D	1	3.9.4(10)	same as the principal use					- -
Community Service and Other Uses										
(1)	Protective services	P	21		450	7.5	4.5	(1)	3	- -
(2)	Municipal facilities	P	0		- -	- -	- -	- -	- -	- -
(3)	Parks and playgrounds	P	0		- -	- -	- -	- -	- -	- -
(4)	Places of worship	P	15		450	7.5	4.5	(1)	3	- -
(5)	Public recreational facilities	P	22		900	15	7.5	(1)	3	- -
(6)	Public works, excluding sewage lagoons	P	0		- -	- -	- -	- -	- -	- -

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

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

Special limitations and standards regarding Table 7-7 and the C2 district:

(1) 10% of the depth of the site to a maximum of 6.0 meters

7.8 M1 – Industrial District

7.8.1 *Purpose*

The purpose of the **M1** – Industrial District is to provide for development in the form of a range of industrial and other compatible uses.

7.8.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 7-8.

7.8.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

7.8.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 7-8.

7.8.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **M1** district with respect to Section 3.9.3 – Discretionary Use General Evaluation Criteria and to Section 3.9.4 – Discretionary Use Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

7.8.6 *Exceptions to Development Standards*

7.8.7 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

7.8.8 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

7.8.9 *Landscaping*

Landscaping is subject to Section 4.12.

Table 7-8: M1 – Industrial District Development Standards

	Principal Use	Designation	Parking Category	Subject to Section(s)	Development Standards					
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Maximum Site Coverage (%)
Industrial / Commercial Uses										
(1)	Abattoirs	D	11	3.9.4(6)	1,000	30	7.5	(1)	3	- -
(2)	Airports	D	- -		- -	- -	4.5	- -	- -	- -
(3)	Animal hospitals	P	5		1,000	30	7.5	(1)	3	- -
(4)	Auction markets, excluding livestock auction facilities	P	4		1,000	30	7.5	(1)	3	- -
(5)	Auto body shops	D	11	3.9.4(6)	1,000	30	7.5	(1)	3	- -
(6)	Automobile, marine, recreational vehicle and equipment, agricultural equipment, and mobile home sales and service establishments	P	4		1,000	30	7.5	(1)	3	- -
(7)	Boarding kennels	P	11		1,000	30	7.5	(1)	3	- -
(8)	Bulk fertilizer sales and storage	D	11	5.1 3.9.4(12)	1,000	30	7.5	(1)	3	- -
(9)	Bulk petroleum sales and storage	D	11	5.1 3.9.4(12)	1,000	30	7.5	(1)	3	- -
(10)	Cannabis production facilities	D	11	3.9.4(15)	1,000	30	7.5	(1)	3	- -
(11)	Car washes	P	11		1,000	30	7.5	(1)	3	- -
(12)	Cement and concrete plants	P	11		1,000	30	7.5	(1)	3	- -
(13)	Consignment centres	P	11		1,000	30	7.5	(1)	3	- -
(14)	Construction trades	P	11		1,000	30	7.5	(1)	3	- -
(15)	Gas bars	P	5	5.10	1,000	30	7.5	(1)	3	- -
(16)	General industrial uses	P	4		1,000	30	7.5	(1)	3	- -
(17)	Indoor storage rental facilities	D	11	3.9.4(8)	1,000	30	7.5	(1)	3	- -
(18)	Industrial complexes	P	4		1,000	30	7.5	(1)	3	- -
(19)	Junk yards, salvage yards and auto wreckers	D	11	3.9.4(11)	1,000	30	7.5	(1)	3	- -
(20)	Light manufacturing	P	11	3.9.4(7)	1,000	30	7.5	(1)	3	- -
(21)	Lumber yards, home improvement centres and building supply establishments	P	4		1,000	30	7.5	(1)	3	- -
(22)	Meat packing plants	D	4	- -	1,000	30	7.5	(1)	3	- -
(23)	Nurseries, greenhouses and garden centres	P	4		1,000	30	7.5	(1)	3	- -
(24)	Parking lots	P	0	5.8	- -	- -	3	3	3	
(25)	Pet food processing plants	D	4	- -	1,000	30	7.5	(1)	3	- -
(26)	Public garages	P	4		1,000	30	7.5	(1)	3	- -
(27)	Recycling depots	P	11		1,000	30	7.5	(1)	3	- -
(28)	Sand and gravel operations and gravel yards	D	11	- -	1,000	30	7.5	(1)	3	- -
(29)	Seed cleaning plants and feed mills	D	11		1,000	30	7.5	(1)	3	- -
(30)	Service stations	P	4	5.10	1,000	30	7.5	(1)	3	- -
(31)	Stockyards	D	11	- -	1,000	30	7.5	(1)	3	- -
(32)	Taxidermy and accessory tanning of hides	D	11	3.9.4(6)	1,000	30	7.5	(1)	3	- -
(33)	Telecommunication towers	P	0		- -	- -	4.5	(1)	3	
(34)	Transportation terminals and yards	P	4		1,000	30	7.5	(1)	3	- -

Table 7-8: M1 – Industrial District Development Standards

	Principal Use	Designation	Parking Category	Subject to Section(s)	Development Standards					
					Minimum Site Area (m^2)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Rear Yard (m)	Minimum Side Yard (m)	Maximum Site Coverage (%)
(35)	Veterinary clinics	P	4		1,000	30	7.5	(1)	3	- -
(36)	Warehouses	P	11		1,000	30	7.5	(1)	3	- -
(37)	Welding and machine shops	P	11		1,000	30	7.5	(1)	3	- -
(38)	Wholesale establishments	P	11		1,000	30	7.5	(1)	3	- -
Community Service and Other Uses										
(1)	Municipal facilities	P	0		- -	- -	- -	- -	- -	
(2)	Parks and playgrounds	P	0		- -	- -	- -	- -	- -	
(3)	Public works excluding sewage lagoons	P	0		- -	- -	- -	- -	- -	
Residential										
(1)	Dwelling units accessory to permitted uses and integrated as part of a principal building for the use of caretakers, owners or managers	D	1	3.9.4(10)	same as principal use					

Use Designations:

(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.

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

Special limitations and standards regarding Table 7-8 and the M1 district:

(1) 10% of the depth of the site, except where the rear yard abuts a railroad track or railroad yard, in which case no rear yard is required

7.9 FUD – Future Urban Development District

7.9.1 *Purpose*

The purpose of the **FUD** – Future Urban Development District is to provide for interim land uses where the future use of the land or the timing of development is uncertain due to issues of servicing, transitional use or market demand.

7.9.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 7-9.

7.9.3 *Accessory Uses*

(1) Accessory buildings and uses shall be permitted subject to Section 4.9.

7.9.4 *Standards and Regulations*

(1) Site and building requirements are shown in Table 7-9.

(2) The keeping of animals is subject to Section 5.19.

7.9.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **FUD** district with respect to Section 3.9.3 – General Discretionary Use Evaluation Criteria and to Section 3.9.4 – Use Specific Discretionary Use Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

7.9.6 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.10.

7.9.7 *Outside Storage*

Outside storage, including waste material storage, is subject to Section 4.15.

7.9.8 *Landscaping*

Landscaping is subject to Section 4.12.

Table 7-9: FUD – Future Urban Development District Development Standards

Principal Use		Designation	Parking Category	Subject to Section(s)	Development Standards						
					Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Building Floor Area (m^2)	Maximum Site Coverage (%)
Residential Uses											
(1)	Home based businesses – type I	P	0	5.7	same as principal use						
(2)	Home based businesses – type II	D	16	5.7	same as principal use						
(3)	Single detached dwellings	D	1		4	20	6	1.2(1)	7.5	75	50
Other Uses											
(1)	Agricultural fair grounds	D	0	- -	1	- -	- -	3	- -	- -	- -
(2)	Agricultural uses including crop farming, grazing and pasturage, and cultivation of land, but not including intensive livestock or poultry operations nor grazing or pasturing within 200 m of any street or Highway	P	0		16	- -	- -	- -	- -	- -	- -
(3)	Golf courses	D	3	3.9.4(9)	1	- -	- -	3	- -	- -	- -
(4)	Municipal facilities	P	0		- -	- -	- -	- -	- -	- -	- -
(5)	Nurseries, greenhouses and garden centres	D	3		1	- -	- -	3	- -	- -	- -
(6)	Public works excluding sewage lagoons	P	0		- -	- -	- -	- -	- -	- -	- -
(7)	Sports fields, parks and playgrounds	P	0		1	- -	- -	3	- -	- -	- -
(8)	Telecommunication towers	P	0		- -	- -	- -	3	- -	- -	- -
(9)	Temporary relocatable work camps	D	- -	3.9.4(14) 5.17	- -	- -	- -	3	- -	- -	- -
(10)	Truck maintenance and dispatch operations	D	0		1	- -	6	3	(2)	- -	- -

Use Designations:
(P) – Permitted Use: Any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations contained in this zoning bylaw.
(D) – Discretionary Use: Any use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, and contained in this zoning bylaw.

Special limitations and standards regarding Table 7-9 and the FUD district:

(1) except for corner sites, where it shall be 3.0 meters along the flanking street
(2) 10% of the depth of the site

8 MAPS

Town of Lanigan
SASKATCHEWAN

ZONING DISTRICT MAP

ZONING DISTRICTS

- R1 LOW DENSITY RESIDENTIAL
- R2 MEDIUM DENSITY RESIDENTIAL
- RA LARGE LOT RESIDENTIAL
- RMH MANUFACTURED HOME RESIDENTIAL
- CS COMMUNITY SERVICE
- C1 DOWNTOWN COMMERCIAL
- C2 HIGHWAY COMMERCIAL
- M INDUSTRIAL
- FUD FUTURE URBAN DEVELOPMENT

- This is the Zoning District Map which accompanies Bylaw Number 5/2018 adopted by the Town of Lanigan.

_____
Mayor

_____
Administrator

- Approved on the _____ day of _____ _____ .

_____
Minister
Saskatchewan Government Relations

CROSBY HANNA & ASSOCIATES
LANDSCAPE ARCHITECTURE
COMMUNITY PLANNING
407C 1st Ave. North
Saskatoon, SK S7K 1X5
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Overview
Sheet 1 of 3

DATE
2018-06-19

PROJECT NO.
CHA 17062

0 50 125 250 500 m

Town of Lanigan
SASKATCHEWAN

ZONING DISTRICT MAP

ZONING DISTRICTS

- R1 LOW DENSITY RESIDENTIAL
- R2 MEDIUM DENSITY RESIDENTIAL
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Sheet 2 of 3

DATE 2018-06-19

PROJECT NO. CHA 17062

0 25 50 100 m

Town of Lanigan
SASKATCHEWAN

ZONING DISTRICT MAP

ZONING DISTRICTS

- R1 — LOW DENSITY RESIDENTIAL
- R2 — MEDIUM DENSITY RESIDENTIAL
- RA — LARGE LOT RESIDENTIAL
- RMH — MANUFACTURED HOME RESIDENTIAL
- CS — COMMUNITY SERVICE
- C1 — DOWNTOWN COMMERCIAL
- C2 — HIGHWAY COMMERCIAL
- M — INDUSTRIAL
- FUD — FUTURE URBAN DEVELOPMENT

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Sheet 3 of 3

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