

Town of Ponteix

Zoning Bylaw

Bylaw No. 04-2022

Town of Ponteix

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1. Pursuant to Section 34(1) of *The Planning and Development Act, 2007*, the Council of the Town of Ponteix hereby adopts the 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. This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the 14 day of September , 2022
Read a Second Time the 8 day of November , 2022
Read a Third Time and Adopted the 8 day of November , 2022



Mayor



Chief Administrative Officer



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

on the _____ day of _____ , _____

Town of Ponteix

Zoning Bylaw

Schedule "A" to Bylaw No. 04-2022

Table of Contents

1. Introduction.....	1
1.1. Title	1
1.2. Purpose of the Zoning Bylaw	1
1.3. Scope of the Zoning Bylaw	1
1.4. Severability	1
1.5. How to Use this Zoning Bylaw	1
2. Administration	2
2.1. Development Officer & Council	2
2.2. Development Permits	2
2.3. Development Applications	4
2.4. Development Application Procedures	4
2.5. Development Application Evaluation Criteria	9
2.6. Development Appeals	9
2.7. Minor Variances	10
2.8. Development Application Fees	10
2.9. Nonconforming Uses, Buildings, & Sites	11
2.10. Restoration to a Safe Condition	11
2.11. Bylaw Enforcement, Offences, & Penalties	11
3. General Regulations	13
3.1. Uses Permitted in all Zoning Districts	13
3.2. Prohibited & Noxious Uses	13
3.3. Principal Buildings, Structures, & Uses	13
3.4. Accessory Buildings, Structures, & Uses	14
3.5. Exceptions to Development Standards	14
3.6. Building Heights	15
3.7. Fences	16
3.8. Signs	16
3.9. Off-Street Parking & Loading	17
3.10. Outdoor Storage	18
3.11. Landscaping	18

3.12.	Site Grading, Levelling & Drainage.....	19
3.13.	Development on Hazard Lands.....	19
3.14.	Development in Proximity to Provincial Highways or Railways.....	20
3.15.	Development in Proximity to Pipelines & Transmission Lines.....	20
3.16.	Heritage & Archaeological Resource Management.....	21
3.17.	Environmental Management.....	22
3.18.	Storage & Handling of Hazardous Materials.....	22
3.19.	Water, Wastewater & Waste Disposal.....	23
3.20.	Bare Land Condominium Developments.....	23
4.	Use-Specific Regulations.....	24
4.1.	Home-Based Businesses.....	24
4.2.	Bed and Breakfasts & Vacation Rentals.....	25
4.3.	Secondary, Garden, and Garage Suites.....	25
4.4.	Modular Dwellings.....	26
4.5.	Multi-Unit Dwellings.....	26
4.6.	Dwelling Groups.....	27
4.7.	Residential Care Homes, Daycares, & Preschools.....	27
4.8.	Campground, RV Parks, & Mobile Home Parks.....	28
4.9.	Commercial & Industrial Development.....	28
4.10.	Cannabis.....	29
4.11.	Swimming Pools.....	29
4.12.	Solar Collectors & Satellite Dishes.....	30
4.13.	Telecommunication Towers.....	30
4.14.	Shipping Containers.....	30
4.15.	Public Utilities & Municipal Facilities.....	31
4.16.	Solid & Liquid Waste Disposal Facilities.....	31
5.	Zoning Districts.....	32
5.1.	Classification of Zoning Districts.....	32
5.2.	Zoning District Map.....	32
5.3.	Boundaries of Zoning Districts.....	32
5.4.	Zoning District Schedules.....	32

6. R1 Residential	33
6.1. Intent.....	33
6.2. Permitted & Discretionary Uses.....	33
6.3. Development Standards.....	34
7. R2 Residential-Mobile.....	36
7.1. Intent.....	36
7.2. Permitted & Discretionary Uses	36
7.3. Development Standards.....	37
8. C1 Local Commercial	38
8.1. Intent.....	38
8.2. Permitted & Discretionary Uses	38
8.3. Development Standards.....	39
9. M1 Regional Commercial - Light Industrial	40
9.1. Intent.....	40
9.2. Permitted & Discretionary Uses	40
9.3. Development Standards.....	41
10. CS Community Service.....	43
10.1. Intent.....	43
10.2. Permitted & Discretionary Uses	43
10.3. Development Standards.....	44
11. UH Urban Holding.....	45
11.1. Intent.....	45
11.2. Permitted & Discretionary Uses	45
11.3. Development Standards.....	46
Exhibit A: Definitions.....	47
Exhibit B: Zoning District Map	59

1. Introduction

Under the authority provided by *The Planning and Development Act, 2007 (The Act)*, the Council of the Town of Ponteix, in the Province of Saskatchewan, in open meeting hereby enacts as follows:

1.1. Title

This Bylaw No. 04-2022 shall be known and may be cited as the Zoning Bylaw of the Town of Ponteix.

1.2. Purpose of the Zoning Bylaw

The purpose of this Bylaw is to regulate land use and development within the Town of Ponteix in accordance with the Town of Ponteix Official Community Plan Bylaw No. 03-2022 (OCP).

1.3. Scope of the Zoning Bylaw

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

1.4. Severability

A decision of a Court that one or more of the provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of other provisions or parts of the provisions of this Bylaw.

1.5. How to Use this Zoning Bylaw

1.5.1. Administration

The application requirements, processes, and evaluation criteria for all types of development applications are contained in **Section 2.0**.

1.5.2. Regulations

General regulations that apply to all forms of development are contained in **Section 3.0** while additional regulations that apply to specific uses or types of uses are contained in **Section 4.0**.

1.5.3. Zoning District Schedules and Map

The Zoning District Schedules and Map (**Exhibit B**) are explained in **Section 5.0**.

1.5.4. Definitions

The definitions contained in **Exhibit A** shall apply to both this Bylaw and the OCP.

1.5.5. Interpretation

Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.

2. Administration

2.1. Development Officer & Council

2.1.1. Development Officer

The Chief Administrative Officer of the Town of Ponteix shall be the Development Officer responsible for the administration of this Bylaw. The Development Officer shall:

- a. Receive, record, and review development permit applications.
- b. Issue a decision on development permits for permitted uses.
- c. Assist Council with issuing a decision on discretionary uses, zoning amendments, OCP amendments, and development and servicing agreements.
- d. Administer any Public Notification process as required by this Bylaw or any other Bylaw adopted by the municipality
- e. Collect development application fees according to the fee schedule established in this Bylaw or any other Bylaw adopted by the municipality
- f. Maintain for inspection by the public during regular office hours, a copy of this Bylaw, the Zoning District Map, and any amendments.
- g. Perform other duties as determined by Council.

2.1.2. Council

The Town of Ponteix Council shall:

- a. Issue a decision on discretionary uses, zoning amendments, OCP amendments, and development and servicing agreements in accordance with *The Act*, the OCP, and this Bylaw.
- b. Make a recommendation on all subdivision application referrals received from the Saskatchewan Ministry of Government Relations, prior to a decision being made by the Minister.

2.2. Development Permits

2.2.1. Development Permit Required

No person shall commence a new use or undertake development, including repairs and renovations involving structural alterations, without first obtaining a development permit, except as provided in **Section 2.2.7.**

2.2.2. Development Permit Must Not Contravene

A development permit shall not be issued for any structure or use in contravention of any provisions of this Bylaw or the OCP, except as provided in an appeal pursuant to *The Act*.

2.2.3. Frontage on Road

A development permit shall not be issued unless the site abuts or has frontage on a public street.

2.2.4. Building Permit

A building permit shall not be issued unless a development permit, where required, has also been issued. Applications for a development permit and building permit may be reviewed concurrently.

2.2.5. Development Permit Validity

A development permit is valid for a period of 12 months. This period may be extended by the Development Officer for an additional 12 months if requested in writing by the permit holder before the development permit expires. A development permit shall be considered void if:

- a. The use is not commenced while the development permit is valid;
- b. A building permit, if required, is not obtained while the development permit is valid; or
- c. The building permit expires while the development permit is no longer valid.

2.2.6. Cancellation of a Development Permit

Council or the Development Officer may cancel a development permit and issue an order to stop development:

- a. Where the Development Officer or Council is satisfied that a development permit was issued based on false or mistaken information;
- b. Where new information is identified pertaining to environmental protection, flood potential, or slope instability which was not available at the time the development permit was issued; or
- c. When a developer requests a development permit modification.

2.2.7. Developments Not Requiring a Development Permit

A development permit is not required for the following, but all other applicable provisions of this Bylaw shall apply:

- a. The maintenance or construction of a public work by the municipality or public utility;
- b. Maintenance and repairs that do not include structural alterations;
- c. Accessory buildings and structures equal or less than 9.3 m² (100 ft²) in area;
- d. The erection of any fence or stand-alone wall (retaining wall, screen, etc.);
- e. The planting of any trees, shrubs, or landscaping; and
- f. A temporary building where the sole purpose is incidental to the construction or alteration of a building for which a building permit has been granted.

2.2.8. Buildings to be Moved

No building shall be moved within or into the Town of Ponteix without the issuance of a development permit, unless exempt under **Section 2.2.7**.

2.2.9. Demolition of Buildings

No building or structure larger than 100 ft² in area shall be demolished within the Town of Ponteix without the issuance of a demolition permit, unless exempt under **Section 2.2.7**.

2.3. Development Applications

2.3.1. Development Application Requirements

The requirements included in this section apply to applications for development permits for permitted uses and discretionary uses as well as for proposed Zoning Bylaw and OCP amendments.

2.3.2. Required Information

Any development application shall be submitted with the required fees to the Development Officer and shall include the following information:

- a. The names and contact information of the applicant, the property owner, and the person who prepared the application and/or supporting material.
- b. The legal description (parcel, block, plan) of the subject property.
- c. A description of the proposed development or use on the subject property.
- d. A Site Plan that should include:
 - i. A north arrow, the subject site property boundaries and dimensions, and all adjacent properties, streets, and rights-of-way.
 - ii. The location of any existing buildings, structures, utility poles, underground utilities, easements, and trees. This includes existing wells, lagoons, septic fields, etc.
 - iii. The location and size of proposed buildings or structures, including all front, side and rear setback dimensions. This includes wells, lagoons, septic fields, etc.
 - iv. The location of any entrances or exterior doorways, walkways, pedestrian circulation areas and site access;
 - v. The location and size of all proposed parking spaces, driveways, vehicle circulation areas, and loading spaces; and
 - vi. The location and size of any proposed signs.
 - vii. Estimated start and completion dates.
 - viii. Floor plans and site elevations.
- e. Any other required information or supporting studies as determined to be relevant by the Development Officer or Council.

2.3.3. Development Application Fees

Development application fees for development permits for permitted uses and discretionary uses, zoning amendments, OCP and other types of applications are outlined in **Section 2.8** of this Bylaw.

2.4. Development Application Procedures

2.4.1. General Development Application Procedures

In addition to those listed for specific applications in **Sections 2.4.2 - 2.4.4**, the following procedures apply to all development permit applications for permitted uses and discretionary uses, as well as for proposed Zoning Bylaw and OCP amendments:

- a. Upon receiving the development application, the Development Officer will examine the application for conformance with the OCP, this Bylaw, and any other applicable policies, regulations, or standards.
- b. Prior to making a decision or conducting public notice and referring the application to Council, the Development Officer may circulate the application to appropriate government agencies or interested groups for comment.

- c. The applicant shall be notified in writing of the decision on their application and shall be advised of their right to appeal in accordance with **Section 2.6** of this Bylaw and *The Act*.
- d. A copy of all approved development permit applications involving the installation of water and sanitary services shall be sent to the Health Authority.

2.4.2. Permitted Use Application Procedures (approved by the Development Officer)

In addition to the general development applications procedures in **Section 2.4.1**, the following procedures apply to all development permit applications for permitted uses as demonstrated by **Figure 1**:

- a. If a person applies for a development permit for a development or use that is permitted in its zoning district and conforms to all provisions of this Bylaw and the OCP, then the Development Officer shall issue a development permit.
- b. Performance standards, development standards, or conditions may be applied in accordance with *Section 62(4) of The Act*, however they must be consistent with the standards or conditions of this Bylaw.

2.4.3. Discretionary Use Application Procedures (approved by Council)

In addition to the general development application procedures in **Section 2.4.1**, the following procedures apply to all development permit applications for discretionary uses in accordance with *Sections 54-58 of The Act* and as demonstrated by **Figure 1**:

- a. If a person applies for a development permit for a development or use that is listed as a discretionary use in its zoning district, the Development Officer shall give public notice of the application in accordance with *Section 55 of The Act* and the *Town Public Notice Bylaw*.
- b. The Public Notice shall be distributed to the assessed owners of property within a minimum 75 metres of the site of the application and shall indicate the date of the Council meeting at which the discretionary use application will be considered.
- c. The Development Officer shall prepare a report for Council concerning the discretionary use application that may contain recommendations for conditions of approval to be applied in accordance with *Section 62(3) and 56(3) of The Act* to ensure the development or use satisfies the development application evaluation criteria in **Section 2.5**.
- d. Council shall consider the application together with the Development Officer's report and any written or verbal submissions received from the public before issuing a decision by Council resolution to either:
 - i. Approve the discretionary use application as is;
 - ii. Approve the discretionary use application with performance standards, development standards, or conditions according to *Section 56(3) of The Act* to ensure the development or use satisfies the development application evaluation criteria in **Section 2.5**; or
 - iii. Reject the discretionary use application.

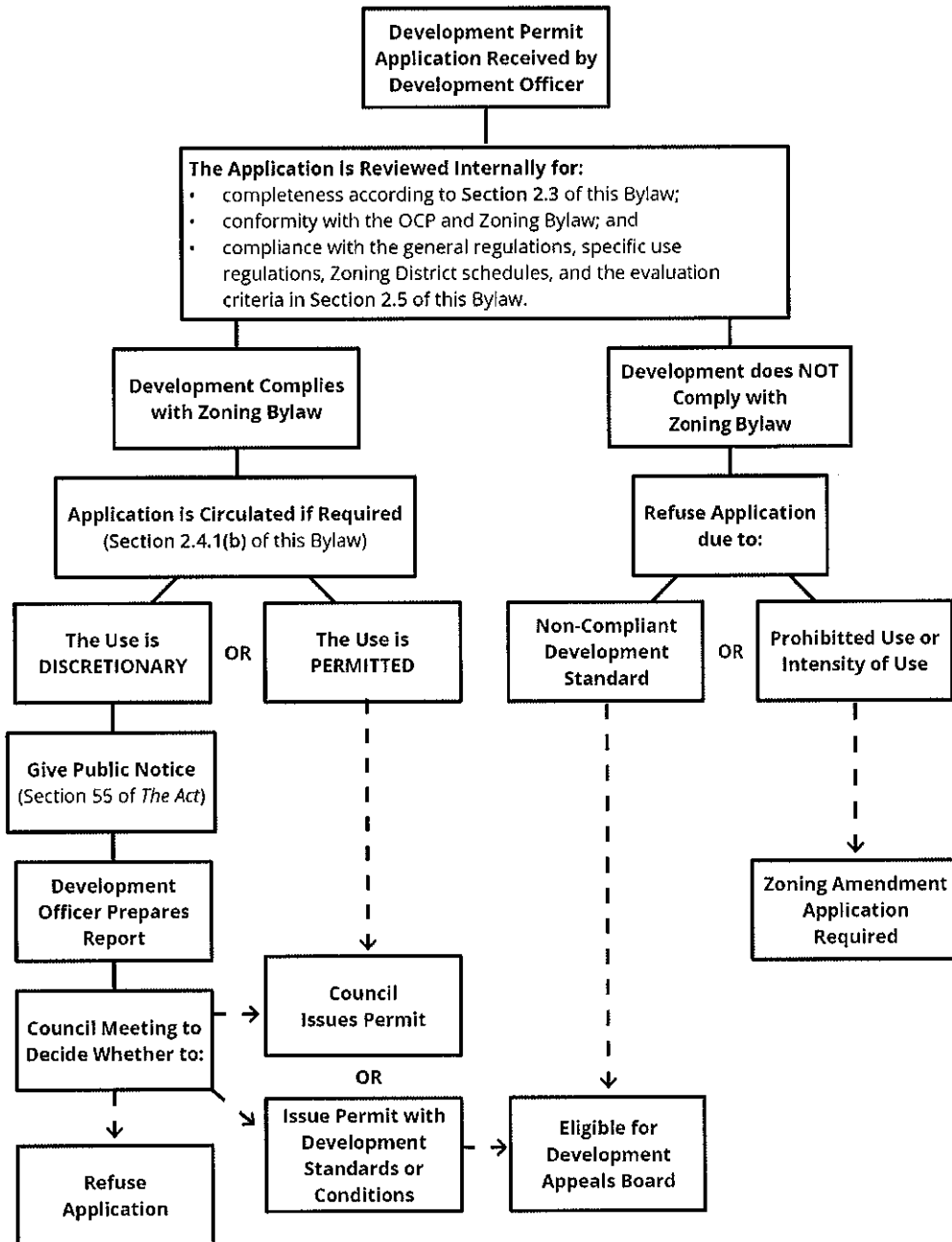


Figure 1: Development Permit Application Process

2.4.4. Planning Bylaw Amendment Application Procedures (approved by Council)

In addition to the general development application procedures in **Section 2.4.1**, the following procedures apply to all applications for proposed Zoning Bylaw and OCP amendments, as demonstrated by **Figure 2**:

- a. If a person applies for an OCP amendment or Zoning Bylaw amendment (including a rezoning of their property) Council may decide to consider the application by passing a resolution authorizing the Development Officer to proceed with preparing draft bylaws and public notices, and to authorize the date and time for a required public hearing. If Council decides not to agree to consider the amendment or rezoning, then the applicant shall be notified in writing of the decision.
- b. Council shall give the bylaws first reading only and shall publish a public notice of its intent to amend the OCP or Zoning Bylaw, once a week for two consecutive weeks in accordance with *Section 207 of The Act*. The first advertisement must be at least two weeks before the date of the public hearing.
- c. The public hearing shall be held before the second reading by Council. The hearing may be held during a Council meeting if Council resolves to suspend the meeting for the hearing. The hearing may be closed once all representations are heard and all written submissions are accepted. If objections are received, Council may decide to either:
 - i. Alter the bylaw to address concerns or objections;
 - ii. Approve the bylaw amendment as is; or
 - iii. Refuse the application by withdrawing the Bylaw.
- d. If a zoning amendment complies with the OCP, the amendment takes effect when Council gives the bylaw and passes third reading. The Development Officer shall send a copy of the zoning bylaw amendment to the Ministry of Government Relations within 15 days of the date the bylaw is passed.
- e. An OCP amendment requires Ministerial Approval from the Community Planning branch before it can come into effect.
- f. If an amendment to the OCP is required to allow a zoning amendment or rezoning, 3rd Reading of the zoning amendment or rezoning must be delayed as the amendment can only come into effect after the OCP amendment receives ministerial approval.
- g. Separate bylaws are needed to amend an OCP and a Zoning Bylaw, but they may be prepared and reviewed in conjunction.

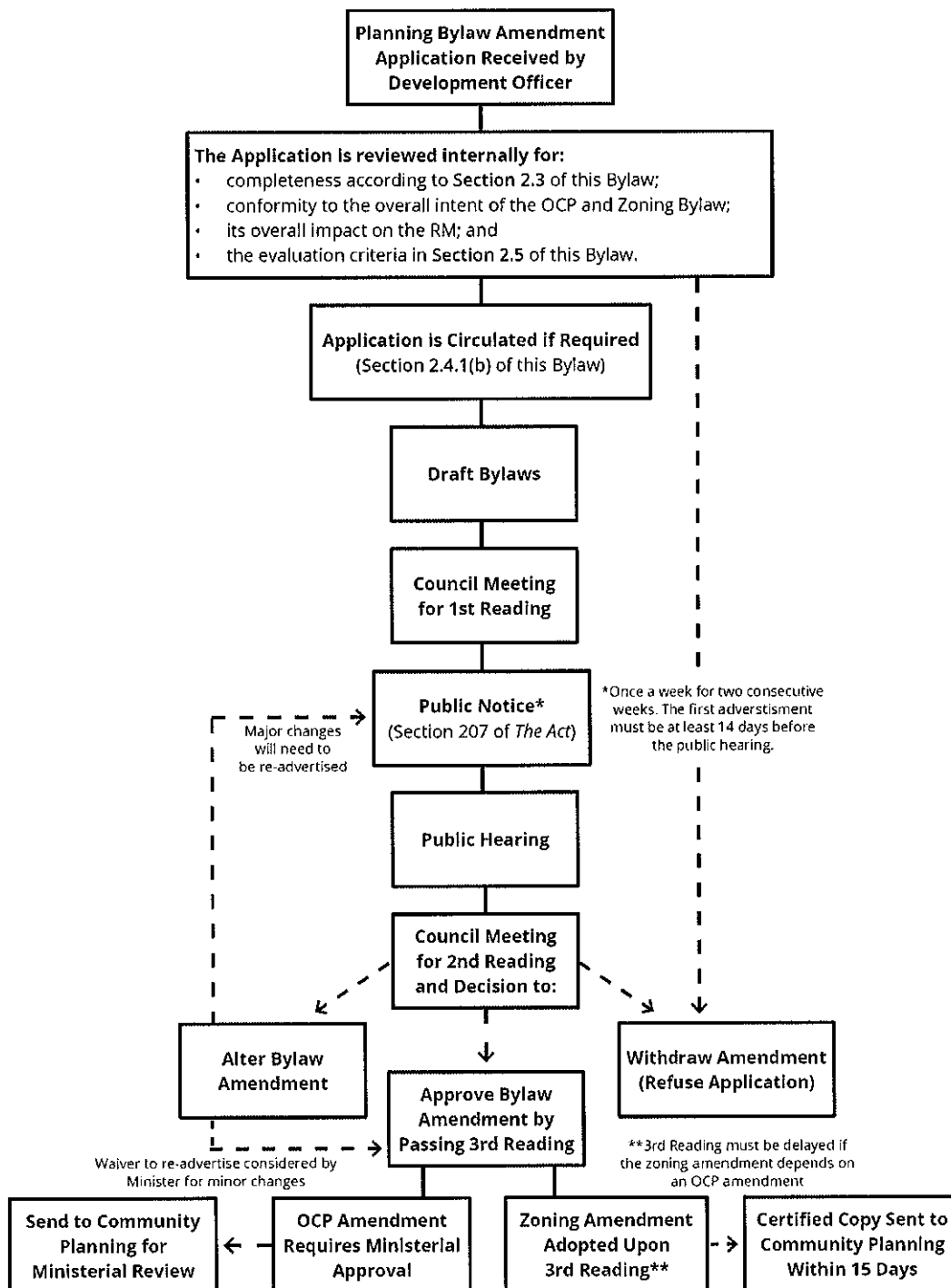


Figure 2: OCP & Zoning Bylaw Amendment Application Process

2.5. Development Application Evaluation Criteria

When evaluating applications for development permits for permitted uses and discretionary uses, as well as for proposed zoning amendments and OCP amendments, the Development Officer and Council shall consider whether such proposals:

- a. Conform with all relevant provisions of the OCP, this Bylaw, and any other applicable policies and regulations;
- b. Can be economically serviced by community infrastructure including roadways, water and sewer (if available), solid waste disposal, parks, schools, community facilities, and utilities;
- c. Create no undue burden on municipal finances;
- d. Are compatible with neighbouring properties and overall land use patterns and character;
- e. Can be suitably drained in accordance with **Section 3.12** of this Bylaw.
- f. Are suitable for the proposed site and are not detrimental to the health, safety, convenience, and general welfare of residents and visitors;
- g. Provide adequate off-street parking that is designed to minimize congestion and hazards;
- h. Impact traffic volume on local streets through residential areas;
- i. Give consideration to pedestrian safety and convenience both within the site, and in terms of its connectivity to the surrounding area; and
- j. Provide sufficient landscaping, such as vegetated buffers between industrial, residential, and agricultural uses, and wherever possible, shall preserve existing vegetation.

2.6. Development Appeals

2.6.1.

Council shall appoint a Development Appeals Board (DAB) within 90 days of the adoption of this Bylaw to hear and issue decisions on development appeals in accordance with *Section 214(1) of The Act*.

2.6.2.

A person who wishes to make an appeal to the DAB shall do so in writing to the Development Officer within 30 days of the date of issuance or refusal of a development permit application.

2.6.3.

The DAB has the authority under *Section 219 of The Act* to allow variances to the standards of this Bylaw, including standards and conditions specified for a permitted or discretionary use.

2.6.4.

The DAB does not have the authority to vary and will not hear appeals based on a decision by the Development Officer or Council to:

- a. Refuse a use or intensity of use not permitted in a Zoning District.
- b. Refuse a discretionary use or intensity of a discretionary use.
- c. Refuse a rezoning of the person's land.

2.6.5.

A decision by the DAB may be appealed to the Saskatchewan Municipal Board in accordance with *Section 226 of The Act*.

2.6.6. Development Appeals Fees

Development appeal application fees are outlined in **Section 2.8** of this Bylaw.

2.7. Minor Variances

2.7.1.

Applications for a minor variance shall be made to the Development Officer, who shall review the application and issue a decision in accordance with *Section 60 of The Act*.

2.7.2.

The Development Officer may grant a minor variance of up to 10% of any minimum setback or minimum distance between buildings or structures for either a permitted or discretionary use as specified by this Bylaw.

2.7.3.

The Development Officer shall maintain a registry of all minor variance applications.

2.7.4. Minor Variances Fees

Minor variance application fees are outlined in **Section 2.8** of this Bylaw.

2.8. Development Application Fees

2.8.1. Application Fees

An applicant of a development application shall pay an application fee according to **Table 1**:

Table 1: Development Application Fees

Application Type	Fee
Development Permit – Permitted Use	\$100
Development Permit – Discretionary Use	\$150
Zoning Bylaw Amendment	\$200
OCP Bylaw Amendment	\$200
Minor Variance	\$25
Development Appeal	\$75
Home-Based Business	\$25
Demolition Permit	\$15

2.8.2. Costs of Advertising

In addition to the above fees schedule, the applicant shall be responsible for the costs of any required public advertising in accordance with this Bylaw and *The Act*.

2.8.3. Professional Application Review

The Development Officer may also require the application to be reviewed by planning, engineering, legal or other professionals, with the cost of this review to be potentially borne by the applicant through a Service Agreement or Development Levy pursuant to *The Act*.

2.8.4. Interest & Registration

Council may require development agreements, servicing agreements and other documents to be registered or caveated against affected lands, to protect municipal and public interests. The cost of the registration of an interest or caveat will be the responsibility of the applicant.

2.9. Nonconforming Uses, Buildings, & Sites

2.9.1.

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

2.9.2.

A legally nonconforming use or building pursuant to **Section 2.9.1** may be enlarged, reconstructed, repaired or renovated provided that:

- a. The element of nonconformity is not increased; and
- b. All other applicable provisions of this Zoning Bylaw are satisfied.

2.10. Restoration to a Safe Condition

2.10.1.

Nothing in this Bylaw shall prevent the strengthening, or the restoration to a safe condition, of any building or structure, provided such strengthening or restoration will not increase the height, area or volume so as to contravene the provisions of this Bylaw.

2.10.2.

Repairs, renovations, and restorations may be subject to development permit and building permit requirements.

2.11. Bylaw Enforcement, Offences, & Penalties

2.11.1.

All development within the Town of Ponteix must comply with the provisions of this Zoning Bylaw, whether or not a permit has been issued for the development.

2.11.2.

In the event of a conflict between this Bylaw and the OCP, the provisions of the OCP shall prevail.

2.11.3.

Nothing in this Bylaw shall exempt any person from complying with any other federal, provincial, or municipal requirement. Developers are responsible for obtaining all applicable federal and provincial approvals.

2.11.4.

Where the requirements of this Bylaw conflict with those of any other federal, provincial, or municipal requirement, the more stringent requirement shall apply.

2.11.5.

Pursuant to *The Act* (s. 242-245), the Development Officer may issue a stop order for development that contravenes this Bylaw or the standards and conditions specified in a development permit in order to achieve compliance.

2.11.6.

Any person who violates this Bylaw is guilty of an offence and liable on summary conviction to the penalties set forth in *The Act*.

2.11.7.

Errors and/or omissions by the Development Officer or someone acting under their direction while administering this Bylaw do not relieve any person from liability for failure to comply with the provisions of this Bylaw.

3. General Regulations

3.1. Uses Permitted in all Zoning Districts

3.1.1.

Nothing in this Bylaw shall prevent the use of any land for:

- a. A public street or public park; and/or
- b. Municipal facilities and public utilities, excluding solid and liquid waste disposal sites.

3.1.2.

Nothing in this Bylaw shall prevent the erection of any properly authorized traffic sign or signal, or any sign or notice of any local or other government department or authority.

3.2. Prohibited & Noxious Uses

3.2.1. Prohibited Uses

Any land use, excluding those listed under **Section 3.1**, that is not listed as either a permitted, discretionary, or accessory use in its current Zoning District shall be prohibited and will not be accommodated without a zoning amendment in accordance with **Section 2.4.4**.

3.2.2. Noxious Uses

No land shall be used for any purpose that is noxious without appropriate mitigation measures that ensure the health and well-being of people and the environment are protected.

3.3. Principal Buildings, Structures, & Uses

3.3.1.

Only one principal building or use shall be permitted on any one site except the following in accordance with all applicable provisions of this Bylaw:

- a. Parks;
- b. Schools;
- c. Hospitals;
- d. Healthcare clinics;
- e. Recreation facilities;
- f. Residential care homes;
- g. Senior citizen homes;
- h. Dwelling groups;
- i. Shopping centres; and
- j. Condominium developments.

3.3.2.

Notwithstanding **Section 3.3.1**, Council may, at its discretion, issue a development permit for additional principal buildings or uses on a site.

3.3.3.

In any Zoning District, the principal use of the land must be established prior to the establishment of any accessory buildings, structures, or uses.

3.4. Accessory Buildings, Structures, & Uses

3.4.1.

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

3.4.2.

Subject to all other requirements of this Bylaw, an accessory building, structure, or use is permitted in any Zoning District when accessory to an established principal permitted or discretionary use.

3.4.3.

A Development Permit must be obtained for any accessory building, structure, or use, unless exempt under **Section 2.2.7** of this Bylaw.

3.4.4.

Accessory buildings or structures shall comply with the following minimum setback requirements, unless otherwise specified in this Bylaw:

- a. Front yard setback: 3.0 m (9.84 ft)
- b. Side yard setback: 1.2 m (3.94 ft)
- c. Rear yard setback: 1.2 m (3.94 ft) or 1.5 m (4.92 ft) to a lane
- d. Distance to principal building: 1.5 m (4.92 ft)

3.4.5.

In any residential zoning district, there shall be no more than three (3) accessory buildings on a site, excluding accessory buildings and structures equal or less than 9.3 m² (100 ft²) in area.

3.4.6.

No accessory building or structure shall be used as a dwelling, unless otherwise specified in this Bylaw.

3.4.7.

The area of accessory buildings or structures shall be combined with the area of the principal building to determine the overall site coverage.

3.4.8.

Private garages, carports, and other accessory buildings attached to a principal building by a substantial roof structure shall be considered as part of the principal building.

3.5. Exceptions to Development Standards

3.5.1. Permitted Yard Projections

The following projections are permitted into any required front, rear, or side yard setback provided that they comply with the National Building Code:

- a. In Front and Rear Yards:
 - i. Unenclosed porches, verandas, decks, balconies, and raised patios up to a maximum 1.5 m (4.9 ft) so long as the front yard setback is no less than 3.0 m (9.84 ft).
 - ii. Roof overhangs, eaves, and gutters up to a maximum 1.0 m (3.3 ft).

- iii. Cantilevered bay or bow windows, chimney chases, window sills, or fire escapes up to a maximum 0.6 m (2.0 ft).
- b. In Side Yards:
 - i. Roof overhangs, eaves, and gutters up to a maximum 0.6 m (2.0 ft).
 - ii. Cantilevered bay or bow windows, chimney chases, window sills, or fire escapes up to a maximum 0.6 m (2.0 ft).
- c. In All Yards:
 - i. Walkways, uncovered driveways, hand rails, and steps or ramps which are necessary to access a main floor are permitted in all required yards.
 - ii. Approved signs in accordance with **Section 3.8** of this Bylaw.

3.5.2. Front Yard Reduction

Where a site is situated between two sites that each contain a principle building which project beyond the minimum front yard setback as required by this Bylaw, then the front yard setback on the middle site may be reduced to an average of the two established front yards on the adjacent sites.

3.5.3. No Side Yard Required for Shared Party Walls

No side yard shall be required from a common party wall shared between semi-detached dwellings, townhouses, or other multiple-unit dwellings or commercial buildings.

3.6. Building Heights

3.6.1. How to Measure

Building height shall be measured from average grade level to the highest point of the roof structure, exclusive of any chimney, antenna, satellite dish, solar panel, or any other similar protrusions that are separate from the roof structure.

3.6.2. Principal Buildings

The height of any principal buildings or structures shall not exceed 10.0 metres (32.8 feet), unless otherwise specified in this Bylaw. Taller principal buildings may be considered by resolution of Council (discretionary use approval).

3.6.3. Accessory Buildings

The height of residential accessory buildings or structures shall not exceed 6.0 metres (19.7 feet), unless otherwise specified in this Bylaw. Taller accessory buildings may be considered by resolution of Council (discretionary use approval).

3.6.4. Exceptions

Telecommunication towers, wind turbines, grain elevators, and other similar structures may be considered that exceed the maximum height requirements in **Sections 3.6.2 and 3.6.3** above provided they comply with all other provisions of this Bylaw.

3.7. Fences

3.7.1. In all Zoning Districts

- a. No fence or similar structure shall interfere with traffic sightlines and shall not be located in a required sight triangle according to **Section 3.14.1** of this Bylaw
- b. Barbed-wire, razor wire, or electrified fences shall be prohibited

3.7.2. In any Residential Zoning District

The height of any fence or similar structure shall be subject to the following height maximums measured from grade;

- a. In a required front yard: 1.52 metres (5.0 feet)
- b. In a required rear yard: 2.13 metres (7.0 feet)

3.7.3. In any Community Service, Commercial, Industrial, or Urban Holding Zoning District

For safety purposes or to provide a buffer between uses, a fence may be required by the Development Officer or Council as a condition of approval according to **Sections 2.4.2.b and 2.4.3.c** of this Bylaw.

3.8. Signs

3.8.1. In all Zoning Districts

- a. All signage shall be appropriate in scale, design, and placement in order to avoid detracting from the character of the area.
- b. Elections signs, signs bearing notice of a property available for sale or lease, and other temporary signs providing information on a specific property are permitted on a temporary basis provided they comply with **Section 3.8** of this Bylaw.
- c. Wayfinding signs, plaques, or other commemorative signs or monuments will be encouraged that identify areas of the Town or properties with significant natural or human heritage provided they comply with **Section 3.8** of this Bylaw.
- d. Billboard signs advertising a business, service, or product not affiliated with the property for which it is located, shall require discretionary use approval by Council.
- e. No sign shall project beyond the property lines of the site to which it pertains.
- f. No sign shall be mounted or located in any manner that jeopardizes public safety and shall not be located within a sight triangle pursuant to **Section 3.14.1**.
- g. The Town may issue an order to remove signs that are either no longer relevant, in a state of disrepair, potentially offensive in nature, or represent a potential safety hazard.
- h. Council may waive any and all sign requirements for signs owned by the Town or any non-profit community group.

3.8.2. In any Residential Zoning District

No signs shall be permitted in residential zoning districts except:

- a. Signs with the building address
- b. Signs for discretionary uses may be permitted by Council as a condition of approval according to **Section 2.4.3.c** of this Bylaw.
- c. An approved home-based business, daycare, preschool, bed and breakfast operation, or other similar uses may display one (1) fascia sign, not exceeding 1.5 m² (16.12 ft²) in area,

that shall not be illuminated and shall be affixed to the principal building or located as close to the dwelling as possible.

3.8.3. In any Community Service, Commercial, Industrial, or Urban Holding Zoning District

- a. In addition to their building or awning sign, approved community service or commercial uses may have one (1) freestanding sign, which may be fixed or portable, located on the same property to which it applies.
- b. Freestanding and portable signs shall not exceed 3.0 m² (32.29 ft²) in area.
- c. Illuminated signs shall only be turned on during operating hours and shall not be intermittent.
- d. Proposed signs for new developments shall be demonstrated on the development permit application according to **Section 2.3.2.d.vi**.
- e. Signs applying to community services shall not display advertising of any commercial service or product.

3.9. Off-Street Parking & Loading

3.9.1. In all Zoning Districts

- a. Parking spaces shall not be located in a required front yard unless located on a designated parking pad, driveway, or parking lot.
- a. All required parking lots, parking spaces, and loading spaces shall be surfaced in a suitable material that can be used year-round
- b. Any access and egress points shall be clearly marked rather than continuous along the public-right of way.

3.9.2. In any Residential Zoning District or a Residential Use in Any Zoning District

- a. One (1) off-street parking space shall be provided per dwelling unit in all Zoning Districts, which shall be located on the same site as the dwelling unit.
- b. Tandem parking spaces shall be permitted when more than one parking space is required by this Bylaw due to an approved principal or accessory use.
- c. Parking of recreational vehicles is prohibited in the front yard (roadside) of a residential site from November 1 to March 31, inclusive.
- d. Where a residential site provides recreational vehicle parking from April 1 to October 31, the number of recreational facilities shall not exceed two (2), and shall be parked on a driveway or parking pad in the front, side, or rear yards on provided the vehicle is not within 1.5 m (4.9 ft) of the front lot line.

3.9.3. In any Community Service, Commercial, Industrial, or Urban Holding Zoning District

- a. No off-street parking or loading spaces are required unless the Development Officer or Council determines that not providing off-site parking or loading spaces would result in traffic congestion or parking spill out on to public roads.
- b. Any required off-street parking or loading spaces pursuant to **Section 3.9.3.a** shall be contained in a designated area on the subject site or may be located on a site that is within a convenient walking distance to a maximum of 150 m from the site where the principal use or building is located.

3.10. Outdoor Storage

When permitted in association with any approved use in any Zoning District, all outside storage of vehicles, equipment, machinery, waste, etc. is subject to the following requirements:

3.10.1. In all Zoning Districts

- a. No yard shall be used for the storage or collection of hazardous material.
- b. Council may establish additional standards for the location and screening of any area devoted to outdoor storage.

3.10.2. In any Residential Zoning District or a residential use In any Zoning District

- a. No outdoor storage shall be located in the front yard.
- b. Outdoor storage is permitted in a side or rear yard only when clearly accessory and incidental to the principal residential use.

3.10.3. In any Community Service, Commercial, Industrial, or Urban Holding Zoning District

No outdoor storage shall be located in the front yard except for:

- a. The neatly arranged display of items for sale; or
- b. In association with an approved storage yard subject to suitable screening at the discretion of Council.

3.11. Landscaping

3.11.1.

Developers and landowners shall, wherever possible, practice landscaping strategies that:

- a. Uses native species;
- b. Avoids the removal of existing trees and vegetation; and
- c. Integrates stormwater management to avoid disrupting natural drainage patterns.

3.11.2.

Landscaped areas must not be completely hardscaped with impermeable material.

3.11.3.

No person shall cut or remove any tree that is not located on their own property including municipal property without being granted permission by the landowner.

3.11.4.

Landscaping or structures of any kind shall not obstruct vehicular or pedestrian travel within an adjacent public right-of-way.

3.11.5.

As a condition of approval for a development permit pursuant to **Section 2.4**, the Development Officer or Council may include additional landscaping requirements or may require a landscape plan to be submitted that demonstrates a suitable degree of landscaping to enhance the site or provide a visual screen from an adjacent use or public right-of-way.

3.11.6.

Any landscaping, including subsequent planting, which is required by this Bylaw or as a condition of approval for a Development Permit shall be maintained in a healthy growing condition or shall otherwise be replaced.

3.12. Site Grading, Levelling & Drainage

3.12.1.

In accordance with the OCP, every development shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent properties, public rights-of-way, or the stability of the land.

3.12.2.

A drainage plan demonstrating the approach to grading and levelling the land according to **Section 3.12.1** above may be required at the discretion of the Development Officer or Council.

3.12.3.

Significant filling, raising, excavating or sloping of sites, which could potentially impact neighbouring properties, with respect to drainage or stability shall be strictly prohibited.

3.13. Development on Hazard Lands

3.13.1.

Where a proposed development or subdivision is to be located on land considered by Council to be potentially hazardous, Council may require the applicant to submit a report prepared by a qualified professional in accordance with *Section 5.2.6* of the OCP to assess the suitability of the land for the proposed development or subdivision, as well as identify any required mitigation measures.

3.13.2.

Actions identified in a report prepared pursuant to **Section 3.13.1** may be incorporated as conditions to the issuance of any development permit and may be required to be registered on title as an interest in accordance with *The Act*.

3.13.3.

Development of new buildings or additions to buildings within the floodway of the 1:500 year flood elevation of Notukeu Creek or any other watercourse or water body shall be prohibited. Flood proofing of new development to a safe building elevation of, at minimum, 0.5 metres above the 1:500 year flood elevation shall be required.

3.13.4.

The Development Officer or Council shall refuse a permit for any proposed development for which the proposed actions are inadequate to address the conditions present on the hazard land or that will result in excessive municipal costs.

3.14. Development in Proximity to Provincial Highways or Railways

3.14.1. Development in Sight Triangles

No building, structure, earth pile or vegetation in any Zoning District shall obstruct the vision of drivers within a sight triangle according to the following measurements, and as demonstrated in

Figure 3:

- a. Intersection of two municipal roads: A sight triangle with a measurement of 2.0 m (6.56 ft) from the intersection of the lot boundaries.
- b. Intersection of a municipal road and a lane: A sight triangle measuring 1.0 m (3.28 ft) from the intersection of the lot boundary and the lane.
- c. Sight triangles involving a provincial highway or the railway shall be determined by MHI.

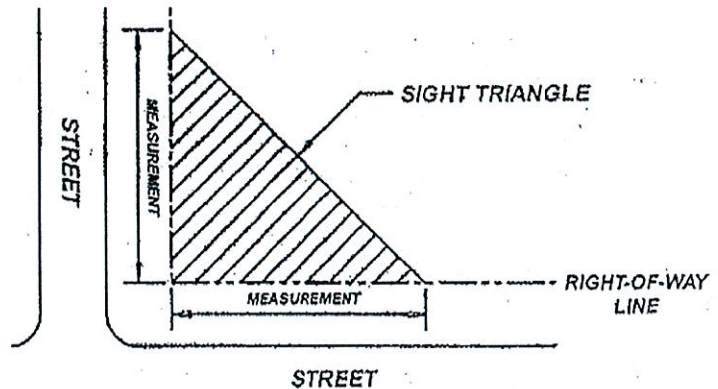


Figure 3: Sight Triangle Diagram (Source: Government of Saskatchewan)

3.14.2. Development in Proximity to Provincial Highways

- a. Any proposed development within 90 metres of a provincial highway right-of way requires a roadside development permit from the Ministry of Highways and Infrastructure (MHI).
- b. Any development, including buildings, trees/shrubs, granaries, dugouts, wells, etc., may be subject to minimum setbacks from a provincial highway. Setbacks vary depending on the highway classification and shall be confirmed through correspondence with MHI.

3.14.3. Development in Proximity to the Railway

- a. The minimum setback from the railway to buildings or structures shall be 30 metres, unless a greater or lesser amount is established through consultation with MHI and the railway company, and is subsequently approved by Council.
- b. All development in proximity to a railway shall conform to the regulations contained within Transport Canada's Standards Respecting Railway Clearances (pursuant to the Railway Safety Act), and other relevant regulations as described in the OCP.

3.15. Development in Proximity to Pipelines & Transmission Lines

3.15.1.

Any proposed development or subdivision involving pipelines or transmission lines shall be sited in accordance with all relevant federal and provincial regulations. Refer to "Land Use Planning for Pipelines publication by Canadian Standards Association (CS) PLUS663".

3.15.2.

The minimum setback from any development to the right-of-way or easement of an existing pipeline or transmission line shall be 15 metres, unless a greater setback is required by federal and provincial regulations, or a lesser setback has been granted by the owner of the pipeline.

3.15.3.

Any proposed development or subdivision located within 350 metres of the centreline of any existing pipelines, utilities, or transmission right-of-way shall require consultation from the owner/operator.

3.15.4.

In accordance with The National Energy Board, anyone proposing to conduct a ground disturbance or excavation within 30 metres of the centreline of a pipeline must:

- a. Ascertain whether a pipeline exist;
- b. Notify the pipeline company of the nature and schedule of the excavation; and
- c. Conduct the excavation in accordance with such regulations.

3.16. Heritage & Archaeological Resource Management

3.16.1.

Any proposed development or use that may adversely impact designated heritage properties shall be reviewed and approved in consultation with the provincial ministry or agency responsible for *The Heritage Property Act*.

3.16.2.

Where a proposed development or subdivision is to be located on potentially heritage sensitive land according to the Heritage Conservation Branch's Developers' Online Screening Tool, the Development Officer shall refer any development application for comments to provincial departments, other relevant agencies, or qualified professionals.

3.16.3.

If it is determined following further screening that a Heritage Resource Impact Assessment (HRIA) be required, it is the responsibility of the developer to have it carried out by a qualified professional under an approved investigation permit. The study shall meet the requirements of the Heritage Conservation Branch and establish:

- a. The presence and location of heritage sites within the project areas;
- b. Suitable mitigation measures to be implemented;
- c. The content, structure, and importance of those heritage sites; and
- d. The need for follow-up investigations.

3.16.4.

Lands that are subject to a proposed subdivision where significant historical, cultural, or heritage resources are present may be dedicated as Environmental Reserve in accordance with *Section 185* of *The Act*.

3.17. Environmental Management

3.17.1.

The Development Officer shall refer any application to relevant provincial departments, other agencies, or qualified professionals where a proposed development or subdivision has the potential to adversely threaten the natural environment, including:

- a. Critical wildlife habitats;
- b. Native grasslands;
- c. Surface waterbodies and watercourses;
- d. Groundwater or aquifer quality; and
- e. Air quality.

3.17.2.

The Development Officer or Council may require the applicant to submit a report prepared by a qualified professional in accordance with *Section 5.2.6* of the OCP to assess the impact of the proposed development or subdivision on the natural environment, as well as identify any required mitigation measures.

3.17.3.

Actions identified in comments and/or a report pursuant to **Sections 3.17.1 and 3.17.2** may be incorporated as conditions to the issuance of any development permit and may be required to be registered on title as an interest in accordance with *The Act*.

3.17.4.

The Development Officer or Council shall refuse any development application for which the proposed actions are inadequate to address the negative impact on the natural environment.

3.18. Storage & Handling of Hazardous Materials

3.18.1.

Any proposed development involving the storage and handling of hazardous materials or substances shall comply with all relevant provincial and federal regulations, including *The Hazardous Substances and Waste Dangerous Goods Regulations*, *The Environmental Management and Protection Act*, *The Dangerous Goods Act*, and the *Fire Safety Act*. The municipality shall be provided with a copy of all required licenses, permits, and approvals.

3.18.2.

The Development Officer or Council may require the applicant to submit a report prepared by a qualified professional in accordance with *Section 5.2.6* of the OCP to assess the safety of the proposed development or use, as well as identify any required mitigation measures to minimize the adverse impacts of the hazardous materials.

3.18.3.

The Development Officer or Council may require the applicant to submit an Emergency Management Plan in support of the proposed development.

3.19. Water, Wastewater & Waste Disposal

3.19.1.

Every residence or building containing washroom facilities shall be connected to municipal water supply and wastewater system at the owner's expense.

3.19.2.

Developments outside the serviceable areas shall be connected to private sewage disposal systems in accordance with the Saskatchewan Onsite Wastewater Disposal Guide and all provincial licensing requirements.

3.19.3.

In accordance with *the Water Security Agency Act* and any other provincial regulations administered by the Ministries responsible for Health and Environment, no liquid, solid, or gaseous wastes shall be discharged onto any land, into the air, or into any stream, creek, river, lake, pond, slough, drainage channel, any other body of water.

3.20. Bare Land Condominium Developments

3.20.1.

Bare land condominium developments shall be within an appropriate Zoning District for the proposed use and should comply, in so much as possible, with the regulations and development standards of the proposed use as contained in this Bylaw.

3.20.2.

Each bare land condominium unit must have access to a public street or internal private street that connects to a public street.

3.20.3.

Bare land condominium developments may include private open space and amenity areas for use by members of the condominium association.

4. Use-Specific Regulations

4.1. Home-Based Businesses

4.1.1.

Home-based businesses may be accommodated as an accessory use within a dwelling used as the owner's residence, or building accessory to the dwelling, provided they are clearly secondary to the principal residential use, compatible with the surrounding residential area, and do not create any conflict with neighbouring properties or detract from the residential character of the area.

4.1.2.

The owner and operator(s) of the home-based business shall be full-time residents of the dwelling.

4.1.3.

If the property where the home-based business is located is not owned by the home-based business owner, then a letter from the property owner to the Development Officer authorizing the operation of the home-based business is required.

4.1.4.

No more than two (2) home-based businesses shall be allowed per dwelling unit.

4.1.5.

The approval of a home-based business does not exempt the property regulations for outdoor storage in **Section 3.10** or any other part of this Bylaw. There shall be no exterior display or storage of any merchandise or material related to the home-based business.

4.1.6.

No equipment or process used in the home-based business shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable beyond the premises for which the home-based business is conducted.

4.1.7.

Any business vehicle associated with the home-based business shall require an off-street parking space. No more than one (1) business vehicle associated with the home-based business shall be stored on the premises.

4.1.8.

Long-term parking of vehicles of clients or employees hired for off-site jobs shall not be allowed on or near the premises for which the home-based business is conducted.

4.1.9. Signage

Signage shall be provided in accordance with **Section 3.8.2.c** of this Bylaw.

4.1.10.

In addition to the information listed in **Section 2.3**, applications for home-based businesses shall include: a description of the proposed business; an indication of the number of business-related visits per day; parking provision details; and the number of off-site employees.

4.1.11.

Approval for the home-based businesses may be revoked at any time, if in the opinion of the Development Officer or Council, the use is or has become detrimental to the amenity of the area.

4.2. Bed and Breakfasts & Vacation Rentals

4.2.1.

A bed and breakfast or vacation rental may operate in a detached dwelling or secondary, garage, or garden suite provided that it obtains any required licensing from the Ministry of Health or any other Provincial Ministry.

4.2.2.

No exterior alterations shall be undertaken to a dwelling that would be inconsistent with the residential character of the building and surrounding area.

4.2.3. Signage

Signage shall be provided in accordance with **Section 3.8.2.c** of this Bylaw.

4.2.4.

Approval for the bed & breakfast or vacation rental operation may be revoked at any time, if in the opinion of the Development Officer or Council, the use is or has become detrimental to the amenity of the area.

4.3. Secondary, Garden, and Garage Suites

4.3.1.

One (1) secondary, garden, or garage suite may be constructed within a principal, single-detached dwelling in the R1 Zoning District as demonstrated in **Figure 4**.

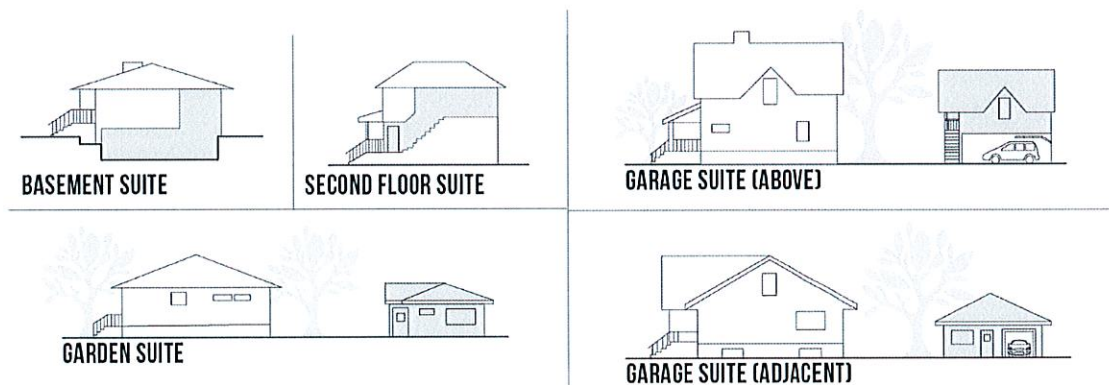


Figure 4: Types of Secondary Suites

4.3.2.

Secondary suites must have a separate entrance from the principal dwelling either from a common indoor landing or directly from the exterior of the building.

4.3.3.

Secondary suites must contain cooking, eating, living, sleeping, and private sanitary facilities.

4.3.4.

Secondary, garden, and garage suites shall have a minimum floor area of 41.8 square metres (450 square feet), a maximum of two (2) bedrooms and shall not exceed 74.3 square metres (800 square feet) or 40% of the total gross floor area of the principal dwelling, whichever is less.

4.3.5.

The minimum distance between the principal dwelling and a garden or garage suite is 3.0 m.

4.3.6.

The windows of a garden or garage suite shall be placed in such a way to minimize overlook into yards and windows of abutting properties.

4.4. Modular Dwellings

4.4.1.

In any district where a dwelling is allowed, the dwelling may be in the form of a modular dwelling but not a mobile dwelling, park model, or trailer coach.

4.4.2.

Modular dwellings shall be placed on a permanent foundation at a standard comparable to a conventional detached dwelling.

4.4.3.

All wheels, hitches, and running gear must be removed and skirting must be installed within thirty days after the arrival of the home.

4.4.4.

Modular dwellings shall complement neighbouring properties and shall not detract from the character of the area.

4.4.5.

Modular dwellings shall bear the applicable safety certification and shall meet the requirements of the National Building Code and the Building Bylaw.

4.5. Multi-Unit Dwellings

4.5.1.

Where listed as discretionary, multiple-unit dwellings with three (3) or more dwelling units such as triplexes, fourplexes, townhouses, and apartment buildings may be allowed subject to the Building Bylaw, the National Building Code of Canada, and all relevant provisions of this Bylaw.

4.5.2.

Preferred locations for multi-unit dwellings shall be corner sites or sites adjacent to public parks and open spaces.

4.5.3. Signage

Signage shall be provided in accordance with **Section 3.8.2.c** of this Bylaw.

4.6. Dwelling Groups

4.6.1.

Where listed as discretionary, dwelling groups may be allowed subject to the Building Bylaw, the National Building Code of Canada, and the provisions of this Bylaw, where applicable.

4.6.2.

Where the regulations and development standards of the Zoning District cannot reasonably be applied, alternative standards shall be arranged and included as conditions of the development permit to ensure the proposed development complies with the evaluation criteria in **Section 2.5** of this Bylaw.

4.6.3.

The site for a dwelling group may include common areas for open space, internal roadways, a building for recreation for use of the residents of the development, and other communal uses.

4.6.4.

Each dwelling unit with the dwelling group must have access to an internal walkway or private road that connects to a public road.

4.6.5.

Private roads internal to the development shall have a minimum width of 7.5 m (24.6 ft).

4.6.6.

The density of a dwelling group shall be comparable to other permitted or discretionary uses listed in the Zoning District.

4.6.7. Signage

Signage shall be provided in accordance with **Section 3.8.2.c** of this Bylaw.

4.7. Residential Care Homes, Daycares, & Preschools

4.7.1.

A residential care home, daycare, or preschool may be approved as a principle or accessory use provided that it obtains the required provincial license and operates in conformity with the applicable provincial act and regulations.

4.7.2.

No exterior alterations shall be undertaken to a dwelling that would be inconsistent with the residential character of the building and surrounding area.

4.7.3. Outdoor Play Space

Daycares and pre-schools shall be required to provide a fenced-in outdoor play space.

4.7.4. Signage

Signage shall be in accordance with **Section 3.8.2.c** of this Bylaw.

4.8. Campground, RV Parks, & Mobile Home Parks

4.8.1.

In accordance with **Section 2.3.2.**, any application for a campground, RV park, or mobile home park shall include a Site Plan that demonstrates the layout and location of sites, roadways, parking areas, buildings, utilities, and anything else identified by the Development Officer or Council.

4.8.2.

A campground or RV / mobile home park shall have within its boundaries, a buffer area abutting the boundary of the site of not less than 4.5 meters which shall contain no buildings.

4.8.3.

The areas of each site shall be clearly demarcated and shall not be located within a required buffer area or roadway.

4.8.4.

All sites shall be served by an internal all-weather roadway of at least 7.5 meters in width.

4.8.5.

A campground or RV / mobile home park may include the following accessory uses:

- a. Laundromat
- b. Washroom / shower facilities
- c. Confectionary
- d. Swimming pool and other recreational uses
- e. Accommodations for the owner and / or operator(s) of the park

4.8.6. Campground & RV Parks

- a. The development and operations of the campground or RV park shall comply with The Public Health Act and any other relevant provincial or federal legislation.
- b. The owner or operator of the campground or RV park shall be required to obtain all necessary licensing in accordance with The Public Accommodations Regulations of Saskatchewan.

4.8.7. Mobile Home Parks

- a. Any application for a new mobile home park shall require an accompanying concept plan to be prepared in accordance with the OCP
- b. Mobile, RTM, and modular housing types shall bear the appropriate CSA certification.
- c. All mobile, RTM and modular housing types shall be placed on a permanent foundation at a standard comparable to a detached dwelling.

4.9. Commercial & Industrial Development

4.9.1.

Any required services or utilities shall be of suitable standard and sufficient capacity to meet the needs of the proposed development.

4.9.2.

Adjacent properties shall not be unduly disturbed by any nuisance generated by the development such as dust, noise, light, odour, or smoke.

4.9.3.

The Development Officer or Council may require professional validation or a detailed study that demonstrates the suitability of the land for the proposed use and that negative environmental impacts will be limited.

4.9.4.

The Development Officer or Council may apply specific development standards or conditions to the development permit for commercial or industrial development to satisfy the development application evaluation criteria in **Section 2.5** of this Bylaw.

4.10. Cannabis

4.10.1.

The development and operation of a Cannabis Retail Shop or Production Facility shall comply with all federal and provincial regulations and the Town shall be provided with a copy of all required licenses, permits, and approvals.

4.10.2.

Any potential nuisances including but not limiting to noise, light, smell, traffic, or dust shall be disclosed to the municipality with a plan to mitigate all nuisances to an acceptable level.

4.11. Swimming Pools

4.11.1.

Private swimming pools are permitted as an accessory use to an approved dwelling unit, subject to the following regulations:

- a. Swimming pools shall only be located in a required rear or side yard.
- b. All swimming pools and related appurtenances shall be setback a minimum 1.5 m (4.9 ft) from the rear and side site lines, and the principal building.
- c. A yard containing a swimming pool shall be completely enclosed by a lockable fence of 1.8 m (6.0 ft) in height.
- d. Any building or structure, including maintenance equipment such as heating, filtering, disinfectant, and re-circulation equipment shall be subject to the provisions of this Bylaw respecting accessory uses, buildings, and structures.
- e. Any maintenance equipment or lights shall be designed, constructed, and maintained so not to disturb neighbouring properties.

4.11.2.

In addition to complying with the above regulations and all other requirements of this Bylaw, development permits for private in-ground swimming pools should require a geotechnical analysis report.

4.12. Solar Collectors & Satellite Dishes

The installation of solar collectors and satellite dishes and their supporting structures may be permitted as an accessory use subject to the following regulations:

- a. They must be located on the same site as the principal use;
- b. They shall be suitably installed and structurally secured according to the manufacturer's or professional engineer's certificate of structural safety;
- c. Any solar collector or satellite dish not attached to a building shall adhere to the same setbacks as accessory buildings and structures in **Section 3.4.4** of this Bylaw;
- a. Any solar collector or satellite dish and associated structures attached to a building shall not exceed a height of 1.0 metres above the highest point of the roof upon which it is located unless erected on the roof of an accessory building that is entirely located in a rear yard.
- d. The solar collector or satellite dish shall comply with applicable provincial requirements.

4.12.1. Solar Power & Net Metering

The solar collector shall be used solely to produce electricity for uses on the same site, including net metering;

4.13. Telecommunication Towers

4.13.1.

The development and operation of a telecommunication tower shall comply with all federal and provincial regulations and the Town shall be provided with a copy of all required licenses, permits, and approvals.

4.13.2.

The Town will consult with Industry Canada and the proponent to determine a suitable location for new communication towers. In determining the suitability of a proposed telecommunication tower, Council shall consider the:

- a. Availability and suitability of the land;
- b. Compatibility of neighbouring land uses;
- c. Height, design, and structural integrity of the tower;
- d. Potential for any detrimental environmental impacts; and
- e. The health and safety of the public.

4.14. Shipping Containers

4.14.1.

Shipping containers are prohibited in the R1, R2, and C1 Zoning Districts unless used temporarily where the sole purpose is incidental to the construction or alteration of a building for which a building permit has been granted.

4.14.2.

Prior to placement of the shipping container on the lot, the property owner shall apply for a development permit from the Development Officer, or a temporary development permit if in the R1, R2, and C1 Zoning Districts.

4.14.3.

No container shall be used for the purpose of signage or advertising.

4.14.4. Repurposed Shipping Containers

Notwithstanding **Section 4.11.1** above, shipping containers that are repurposed for uses other than temporary storage may be considered in the R1, R2, and C1 Zoning Districts subject to all permits and requirements applicable to that use, provided it:

- a. Complements its surroundings;
- b. Does not detract from existing community character; and
- c. Adheres to the National Building Code.

4.15. Public Utilities & Municipal Facilities

4.15.1.

Public utilities and municipal facilities shall not be subject to any site area or yard requirements, unless otherwise specified by this Bylaw.

4.15.2.

Specific development standards such as minimum setbacks may be established, at Council's discretion, to protect existing or planned investments in public utilities and municipal facilities.

4.16. Solid & Liquid Waste Disposal Facilities

4.16.1.

The disposal facility shall be fenced and may require additional buffers such as trees, shrubs or a berm.

4.16.2.

The location and design of the facility shall take into consideration the direction of prevailing winds and the impact or nuisance to nearby properties.

4.16.3.

The disposal facility location shall be located a minimum 457 metres from any new residential development or 300 metres for any existing residential use. Council may consider a reduced setback from new residential development of 300 metres in rare circumstances where no other option exists and all potential nuisances are adequately mitigated.

4.16.4.

Development and operation of the facility shall comply with all provincial environmental and health regulations and the municipality shall be provided with a copy of all required licenses, permits, and approvals.

4.16.5.

Council may require professional validation or a detailed study that demonstrates the suitability of the land, and that negative environmental impacts, such as groundwater or aquifer contamination, will be limited or mitigated to an acceptable level.

5. Zoning Districts

5.1. Classification of Zoning Districts

For the purpose of this Zoning Bylaw, the Town of Ponteix is divided into the following Zoning Districts, which may be referred to by their corresponding symbols in **Table 3**.

Table 3: Zoning Districts

Zoning District	Symbol
Residential	R1
Residential-Mobile	R2
Local Commercial	C1
Regional Commercial – Light Industrial	M1
Community Service	CS
Urban Holding	UH

5.2. Zoning District Map

The map enclosed herein as **Exhibit B**, adopted by Council and signed by the Mayor and Chief Administrative Officer, and under the seal of the Town of Ponteix shall be known as the Town of Ponteix Zoning District Map and is an integral part of this Bylaw. The Zoning District Map identifies the Zoning District that applies to every parcel within the municipal boundaries.

5.3. Boundaries of Zoning Districts

5.3.1.

The boundaries of the Zoning Districts referred to in this Bylaw, together with an explanatory legend and notations, are shown on the Zoning District Map.

5.3.2.

Unless otherwise shown, the boundaries of the Zoning Districts are site lines, centre lines of streets, rights-of-way, road allowances or such lines extended, and the municipal boundary.

5.4. Zoning District Schedules

5.4.1.

The uses or forms of development allowed within a Zoning District, along with regulations or standards which apply, are contained in the district schedules that follow.

6. R1 | Residential

6.1. Intent

The intent of the R1 – Residential Zoning District is primarily to provide sites for low-density residential development including 1- and 2-unit dwellings, as well as other additional compatible uses. Other housing types, including higher density residential development will be considered in appropriate locations to support a range of housing needs in the community.

6.2. Permitted & Discretionary Uses

Subject to the application process in **Section 2.4** of this Bylaw, the Development Officer shall consider a development permit for permitted uses and Council shall consider a development permit for discretionary uses.

The following uses listed in **Tables 4 and 5** and no others are allowed in the R1 Zoning District:

Table 4: Permitted & Discretionary Principal Land Uses in the R1 Zoning District

Principal Land Use	Permitted/ Discretionary	Use-Specific Regulation
Convenience Store	D	Section 4.9
Daycare; Preschool	D	Section 4.7
Dwelling, Multi-Unit	D	Section 4.5
Dwelling, One-Unit	P	-
Dwelling, Two-Unit	P	-
Dwelling Group	D	Section 4.6
Municipal Facility	P	-
Natural Area; Open Space	P	-
Park; Playground; Sports Field	P	-
Place of Worship	P	-
Public Utilities, excluding waste disposal sites; Public Works	P	Section 4.15
Residential Care Home	D	Section 4.7

Table 5: Permitted & Discretionary Accessory Land Uses in the R1 Zoning District

Accessory Land Use	Permitted/ Discretionary	Use-Specific Regulation
Accessory buildings, structures, and uses	P	Section 3.4
Bed & Breakfast; Vacation Rental	D	Section 4.2
Home-Based Business	P	Section 4.1
Suite, Garden or Garage	D	Section 4.3
Suite, Secondary	P	Section 4.3

6.3. Development Standards

6.3.1. Subdivision

- All subdivisions shall be adequately serviced to municipal and provincial standards.
- All uses shall have adequate access and egress to the municipal or provincial road system.
- All parcels created as a result of a proposed subdivision, including the remainder, shall abut or have frontage on a registered street.
- The applicant of a proposed development or subdivision shall be responsible for the costs of providing any required new or upgraded municipal services and/or streets.

6.3.2. Site Size Requirements for Specific Uses

Table 6: Site Size Requirements in the R1 Zoning District

Land Use	Min. Site Area	Min. Site Frontage	Minimum Setback				Max. Site Coverage
			Front Yard	Int. Side Yard	Ext. Side Yard	Rear Yard	
Dwelling, Single- Detached	360 m ² (3,875 ft ²)	12.0 m (39.4 ft)	4.5 m (14.8 ft)	1.2 m (3.9 ft)	3.0 m (9.8 ft)	4.5 m (14.8 ft)	50%
Dwelling, Duplex	360 m ² (3,875 ft ²)	12.0 m (39.4 ft)	4.5 m (14.8 ft)	1.2 m (3.9 ft)	3.0 m (9.8 ft)	4.5 m (14.8 ft)	50%
Dwelling, Semi- Detached	360 m ² (3,875 ft ²)	12.0 m (39.4 ft)	4.5 m (14.8 ft)	1.2 m (3.9 ft)	3.0 m (9.8 ft)	4.5 m (14.8 ft)	50%
Dwelling, Townhouse	360 m ² (3,875 ft ²)	12.0 m (39.4 ft)	4.5 m (14.8 ft)	1.2 m (3.9 ft)	3.0 m (9.8 ft)	4.5 m (14.8 ft)	50%
Apartment	450 m ² (4,844 ft ²)	15.0 m (49.2 ft)	4.5 m (14.8 ft)	1.5 m (4.9 ft)	3.0 m (9.8 ft)	4.5 m (14.8 ft)	60%
Other Principal Uses	450 m ² (4,844 ft ²)	15.0 m (49.2 ft)	4.5 m (14.8 ft)	1.5 m (4.9 ft)	3.0 m (9.8 ft)	4.5 m (14.8 ft)	60%

6.3.3. Standards for Discretionary Uses

Council shall consider development permit applications for discretionary uses in the R1 Zoning District with respect to the intent, uses, and development standards of this schedule and may apply conditions designed to achieve them per:

- a. The development application evaluation criteria in **Section 2.5**;
- b. Any relevant general regulations in **Section 3.0**;
- c. Any relevant use-specific regulations in **Section 4.0**; and
- d. The Vision, Goals, Objectives and Policies of the OCP.

7. R2 | Residential-Mobile

7.1. Intent

The intent of the R2 – Residential-Mobile Zoning District is to provide sites for mobile homes as well as other additional compatible uses.

7.2. Permitted & Discretionary Uses

Subject to the application process in **Section 2.4** of this Bylaw, the Development Officer shall consider a development permit for permitted uses and Council shall consider a development permit for discretionary uses.

The following uses listed in **Tables 7 and 8** and no others are allowed in the R2 Zoning District:

Table 7: Permitted & Discretionary Principal Land Uses in the R2 Zoning District

Principal Land Use	Permitted/ Discretionary	Use-Specific Regulation
Convenience Store	D	Section 4.9
Daycare; Preschool	D	Section 4.7
Dwelling, Mobile	D	Section 4.4
Dwelling Group	D	Section 4.6
Municipal Facility	P	Section 4.15
Natural Area; Open Space	P	-
Park; Playground; Sports Field	P	-
Place of Worship	P	-
Public Utilities, excluding waste disposal sites; Public Works	P	Section 4.15

Table 8: Permitted & Discretionary Accessory Land Uses in the R2 Zoning District

Accessory Land Use	Permitted/ Discretionary	Use-Specific Regulation
Accessory buildings, structures, and uses	P	Section 3.4
Home-Based Business	P	Section 4.1

7.3. Development Standards

7.3.1. Subdivision

- a. All subdivisions shall be adequately serviced to municipal and provincial standards.
- b. All uses shall have adequate access and egress to the municipal or provincial road system.
- c. All parcels created as a result of a proposed subdivision, including the remainder, shall abut or have frontage on a registered street.
- d. The applicant of a proposed development or subdivision shall be responsible for the costs of providing any required new or upgraded municipal services and/or streets.

7.3.2. Site Size Requirements for Specific Uses

Table 2: Site Size Requirements in the R2 Zoning District

Land Use	Min. Site Area	Min. Site Frontage	Minimum Setback				Max. Site Coverage
			Front Yard	Int. Side Yard	Ext. Side Yard	Rear Yard	
Dwelling, Mobile	360 m ² (3,875 ft ²)	12.0 m (39.4 ft)	4.5 m (14.8 ft)	1.2 m (3.9 ft)	3.0 m (9.8 ft)	4.5 m (14.8 ft)	50%
Other Principal Uses	450 m ² (4,844 ft ²)	15.0 m (49.2 ft)	4.5 m (14.8 ft)	1.5 m (4.9 ft)	3.0 m (9.8 ft)	4.5 m (14.8 ft)	60%

7.3.3. Standards for Discretionary Uses

Council shall consider development permit applications for discretionary uses in the R1 Zoning District with respect to the intent, uses, and development standards of this schedule and may apply conditions designed to achieve them per:

- a. The development application evaluation criteria in **Section 2.5**;
- b. Any relevant general regulations in **Section 3.0**;
- c. Any relevant use-specific regulations in **Section 4.0**; and
- d. The Vision, Goals, Objectives and Policies of the OCP.

8. C1 | Local Commercial

8.1. Intent

The intent of the C1 – Local Commercial Zoning District is to accommodate commercial uses that are small in scale and provide goods and services to local residents.

8.2. Permitted & Discretionary Uses

Subject to the application process in **Section 2.4** of this Bylaw, the Development Officer shall consider a development permit for permitted uses and Council shall consider a development permit for discretionary uses.

The following uses listed in **Tables 10 and 11** and no others are allowed in the C1 Zoning District:

Table 10: Permitted & Discretionary Principal Land Uses in the C1 Zoning District

Principal Land Use	Permitted/ Discretionary	Use-Specific Regulation
Art Studio; Gallery	P	-
Community Facility; Library	P	-
Daycare; Preschool	P	Section 4.7
Dwelling, Multi-Unit; Mixed-Use Buildings	D	Section 4.5
Hotel; Motel	D	Section 4.9
Medical Clinic; Health Care Clinic	P	-
Municipal Facility	P	Section 4.15
Natural Area; Open Space	P	-
Office; Professional Services; Financial Services	P	Section 4.9
Park; Playground; Sports Field	P	-
Personal Services	P	Section 4.9
Place of Worship	P	-
Public Utilities, excluding waste disposal sites	P	Section 4.15
Recreational Use; Recreational Use, Commercial	P	
Restaurant; Café; Bakery	P	Section 4.9
Retail Store	P	Section 4.9
Social Club	P	-

Table 11: Permitted & Discretionary Accessory Land Uses in the C1 Zoning District

Accessory Land Use	Permitted/ Discretionary	Use-Specific Regulation
Accessory buildings, structures, and uses	P	Section 3.4

8.3. Development Standards

8.3.1. Subdivision

- All subdivisions shall be adequately serviced to municipal and provincial standards.
- All uses shall have adequate access and egress to the municipal or provincial road system.
- All parcels created as a result of a proposed subdivision, including the remainder, shall abut or have frontage on a registered street.
- The applicant of a proposed development or subdivision shall be responsible for the costs of providing any required new or upgraded municipal services and/or streets.

8.3.2. Site Size Requirements for Specific Uses

Table 12: Site Size Requirements in the C1 Zoning District

Land Use	Min. Site Area	Min. Site Frontage	Minimum Setback				Max. Site Coverage
			Front Yard	Int. Side Yard	Ext. Side Yard	Rear Yard	
Any Principal Land Use	250 m ² (2,691 ft ²)	7.5 m (24.6 ft)	0.0 m (0.0 ft)	0.0 m * (0.0 ft)	0.0 m (0.0 ft)	1.5 m (4.9 ft)	75%

* Unless abutting a residential site in which case the setback shall be 1.2 m (3.9 ft)

8.3.3. Standards for Discretionary Uses

Council shall consider development permit applications for discretionary uses in the C1 Zoning District with respect to the intent, uses, and development standards of this schedule and may apply conditions designed to achieve them per:

- The development application evaluation criteria in **Section 2.5**;
- Any relevant general regulations in **Section 3.0**;
- Any relevant use-specific regulations in **Section 4.0**; and
- The Vision, Goals, Objectives and Policies of the OCP.

9. M1 | Regional Commercial – Light Industrial

9.1. Intent

The intent of the M1 – Regional Commercial - Light Industrial Zoning District is to provide for a range of commercial uses and facilities that require larger sites, outdoor storage, and convenient vehicular access for highway traffic accommodating both local and the travelling public, as well as the orderly development of light industrial uses which are not unsightly, hazardous, or nuisances.

9.2. Permitted & Discretionary Uses

Subject to the application process in **Section 2.4** of this Bylaw, the Development Officer shall consider a development permit for permitted uses and Council shall consider a development permit for discretionary uses.

The following uses listed in **Tables 13 and 14** and no others are allowed in the Light Industrial-Commercial Zoning District:

Table 3: Permitted & Discretionary Principal Land Uses in the M1 Zoning District

Principal Land Use	Permitted/ Discretionary	Use-Specific Regulation
Abattoir; Meat Processing	D	Section 4.9
Bulk Fuel Sales and Storage	D	Section 4.9
Cannabis Production Facility	D	Section 4.8
Community Facility; Library	P	-
Contractor's Yard; Storage Yard	D	Section 4.9
Fertilizer Sales and Storage	D	Section 4.9
Gas Bar; Service Station	P	Section 4.9
Greenhouse, Commercial; Garden Centre	P	Section 4.9
Hotel; Motel	P	Section 4.9
Manufacturing	D	Section 4.9
Municipal Facilities	P	Section 4.9
Natural Area; Open Space	P	-
Oilfield Parking and Staging	D	Section 4.9
Place of Worship	P	-

Public Utilities	P	Section 4.15
Recreational Use; Recreational Use, Commercial	P	
Recycling Depot	D	Section 4.9
Restaurant; Café; Bakery	D	Section 4.9
Salvage Yard; Auto Wrecker	D	Section 4.9
Seed and Grain Processing and Storage	D	Section 4.9
Vehicle Sales and Service	P	Section 4.9
Warehousing	D	Section 4.9

Table 4: Permitted & Discretionary Accessory Land Uses in the M1 Zoning District

Accessory Land Use	Permitted/ Discretionary	Use-Specific Regulation
Accessory buildings, structures, and uses	P	Section 3.4

9.3. Development Standards

9.3.1. Subdivision

- All subdivisions shall be adequately serviced to municipal and provincial standards.
- All uses shall have adequate access and egress to the municipal or provincial road system.
- All parcels created as a result of a proposed subdivision, including the remainder, shall abut or have frontage on a registered street.
- The applicant of a proposed development or subdivision shall be responsible for the costs of providing any required new or upgraded municipal services and/or streets.

9.3.2. Site Size Requirements for Specific Uses

Table 5: Site Size Requirements in the M1 Zoning District

Land Use	Min. Site Area	Min. Site Frontage	Minimum Setback				Max. Site Coverage
			Front Yard	Int. Side Yard	Ext. Side Yard	Rear Yard	
Commercial Uses	500 m ² (5,382 ft ²)	15.0 m (49.2 ft)	4.5 m (14.8 ft)	1.5 m (4.9 ft)	1.5 m (4.9 ft)	3.0 m (9.8 ft)	75%
Industrial Uses	750 m ² (8,073 ft ²)	20.0 m (65.6 ft)	6.0 m (19.7 ft)	3.0 m (9.8 ft)	3.0 m (9.8 ft)	4.5 m (14.8 ft)	75%

9.3.3. Standards for Discretionary Uses

Council shall consider development permit applications for discretionary uses in the M1 Zoning District with respect to the intent, uses, and development standards of this schedule and may apply conditions designed to achieve them per:

- a. The development application evaluation criteria in **Section 2.5**;
- b. Any relevant general regulations in **Section 3.0**;
- c. Any relevant use-specific regulations in **Section 4.0**; and
- d. The Vision, Principles, Objectives and Policies of the OCP.

10. CS | Community Service

10.1. Intent

The intent of the CS – Community Service Zoning District is to provide areas for a range of activities that serve the community including social, recreational, institutional, and public services.

10.2. Permitted & Discretionary Uses

Subject to the application process in **Section 2.4** of this Bylaw, the Development Officer shall consider a development permit for permitted uses and Council shall consider a development permit for discretionary uses.

The following uses listed in **Tables 16 and 17** and no others are allowed in the Community Service Zoning District:

Table 6: Permitted & Discretionary Principal Land Uses in the CS Zoning District

Principal Land Use	Permitted/ Discretionary	Use-Specific Regulation
Campground	P	Section 4.8
Cemetery	P	-
Community Facility; Library	P	-
Daycare; Preschool	P	Section 4.7
Educational Facility	P	-
Fire Hall; Police Station	P	-
Medical Clinic; Health Care Clinic	P	-
Municipal Facility	P	Section 4.15
Natural Area; Open Space; Community Garden	P	-
Park; Playground; Recreational Use; Sports Field	P	-
Place of Worship	P	-
Public utilities, excluding waste disposal sites	P	Section 4.15
Social Clubs and Lodges	D	-

Table 7: Permitted & Discretionary Accessory Land Uses in the CS Zoning District

Accessory Land Use	Permitted/ Discretionary	Use-Specific Regulation
Accessory buildings, structures, and uses	P	Section 3.4

10.3. Development Standards

10.3.1. Subdivision

- a. All subdivisions shall be adequately serviced to municipal and provincial standards.
- b. All uses shall have adequate access and egress to the municipal or provincial road system.
- c. All parcels created as a result of a proposed subdivision, including the remainder, shall abut or have frontage on a registered street.
- d. The applicant of a proposed development or subdivision shall be responsible for the costs of providing any required new or upgraded municipal services and/or streets.

10.3.2. Site Size Requirements for Specific Uses

Table 8: Site Size Requirements in the CS Zoning District

Land Use	Min. Site Area	Min. Site Frontage	Minimum Setback				Max. Site Coverage
			Front Yard	Int. Side Yard	Ext. Side Yard	Rear Yard	
Any Principal Land Use	-	-	3.0 m (9.8 ft)	1.2 m (3.9 ft)	1.5 m (4.9 ft)	3.0 m (9.8 ft)	-

10.3.3. Standards for Discretionary Uses

Council shall consider development permit applications for discretionary uses in the Community Service Zoning District with respect to the intent, uses, and development standards of this schedule and:

- a. The development application evaluation criteria in **Section 2.5**;
- b. Any relevant general regulations in **Section 3.0**;
- c. Any relevant use-specific regulations in **Section 4.0**; and
- d. The Vision, Goals, Objectives and Policies of the OCP.

11. UH | Urban Holding

11.1. Intent

The intent of the UH – Urban Holding Zoning District is to reserve lands not immediately required for urban development and where the future use and timing of development is uncertain. Interim or transitional land uses, such as agricultural crop production, are provided for that will not jeopardize or restrict potential development of the area. Any rezoning to another Zoning District shall conform with the OCP and may require an accompanying Concept Plan.

11.2. Permitted & Discretionary Uses

Subject to the application process in **Section 2.4** of this Bylaw, the Development Officer shall consider a development permit for permitted uses and Council shall consider a development permit for discretionary uses.

The following uses listed in **Tables 19 and 20** and no others are allowed in the Urban Holding Zoning District:

Table 9: Permitted & Discretionary Principal Land Uses in the UH Zoning District

Principal Land Use	Permitted/ Discretionary	Use-Specific Regulation
Apiary; mushroom farm	D	-
Community Garden	D	-
Crop production; pastures; grazing	P	-
Habitat Conservation	P	-
Historical and archaeological sites	P	-
Natural Area; Open Space	P	-
Public utilities, excluding waste disposal sites	P	Section 4.15

Table 20: Permitted & Discretionary Accessory Land Uses in the UH Zoning District

Accessory Land Use	Permitted/ Discretionary	Use-Specific Regulation
Accessory buildings, structures, and uses	P	Section 3.4

11.3. Development Standards

11.3.1. Subdivision

The subdivision of lands within the UH Zoning District shall be prohibited without an accompanying Zoning Bylaw amendment.

11.3.2. Site Size Requirements for Specific Uses

Table 21: Site Size Requirements in the UH Zoning District

Land Use	Min. Site Area	Min. Site Frontage	Minimum Setback				Max. Site Coverage
			Front Yard	Int. Side Yard	Ext. Side Yard	Rear Yard	
Any Principal Land Use	-	-	6.0 m (19.7 ft)	3.0 m (9.8 ft)	3.0 m (9.8 ft)	5.0 m (16.4 ft)	-

11.3.3. Standards for Discretionary Uses

Council shall consider development permit applications for discretionary uses in the Urban Holding Zoning District with respect to the intent, uses, and development standards of this schedule and:

- The development application evaluation criteria in **Section 2.5**;
- Any relevant general regulations in **Section 3.0**;
- Any relevant use-specific regulations in **Section 4.0**; and
- The Vision, Goals, Objectives and Policies of the OCP.

Exhibit A: Definitions

Whenever the following words or terms are used in this Bylaw or the OCP, they shall be held to have the following meaning unless provided otherwise.

A

Abattoir: A facility for butchering or slaughtering animals, and to dress; cut; inspect; refrigerate; cure; and, manufacture meats and meat by-products.

Accessory: A use, building, or structure customarily associated with, incidental to, subordinate to, and located on the same parcel as the principal use, building or structure.

Act, The: *The Planning and Development Act, 2007* of the Province of Saskatchewan.

Adjacent: Contiguous or would be contiguous if not for a river; stream; rail line; street; utility right-of-way; reserve land; and, any other land identified in this Bylaw as adjacent land for the purpose of notification.

Agricultural Operation: As defined in *The Agricultural Operations Act*.

Agricultural Use: The use of land, buildings or structures for the purpose of animal husbandry; fallow; field crops; forestry; market gardening; pasturage; private (non-commercial) greenhouses; and, includes the growing; packing; treating; storing; and, sale of produce produced on the premises and other similar uses customarily carried in the field of general agriculture.

Alteration or Altered: any structural change or addition to a building or structure, including a change from one type of use to another.

Applicant: A developer or person applying for a development permit, subdivision approval or a bylaw amendment.

Automobile (Motor Vehicle): A self-propelled passenger vehicle that usually has two (2) to four (4) wheels; an internal combustion engine; alternative energy sources such as electrical, fuel cell or a hybrid of the two; and is used for land transport.

B

Bare Land Condominium: A bare land condominium involves dividing land into individually owned 'bare land units'. A proposed plan of survey to create a bare land condominium requires the subdivision of the land and subdivision approval pursuant to *The Act*. Buildings on each bare land unit are owned by the individuals. The balance of the land around the units is common property. Generally, buildings on private units or common property are not constructed until after the bare land condominium plan has been registered. To ensure compliance with municipal bylaws, the municipality should discuss with the developer, any proposed construction of buildings prior to registration of the condominium plan. All buildings and improvements on common property are owned by the condominium corporation. Bare land condominiums are sometimes managed as exclusive communities, with control over local access.

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

Bed and Breakfast: A dwelling unit, licensed as a tourist home under the *Public Accommodations Regulations*, in which overnight accommodation within the dwelling unit, along with one (1) meal served before noon, is provided to the traveling public for a charge.

Buffer: A strip of land, vegetation, or land use that physically separates two (2) or more different land uses.

Building: A structure constructed on, in or over land and used for the shelter or accommodation of persons; animals; goods; or, chattels, and includes any structure covered by a roof supported by walls or columns.

Building, Accessory: A subordinate building detached from a principal building, located on the same site, the purpose of which is to enclose a use accessory to or part of the principal use.

Building, Principal: A building within which the principal use of the parcel is housed or conducted.

Building Bylaw: A bylaw of the Town of Ponteix to regulate the erection; alteration; repair; occupancy; or, maintenance of buildings and structures.

Building Height: The height of a building according to **Section 3.6** of this Bylaw.

Building Permit: A permit issued under the Building Bylaw of the Town of Ponteix, authorizing the construction of all or part of any building or structure, and does not include a Development Permit.

C

Campground: An area used for a range of overnight camping experiences, from tenting to serviced RV sites, including accessory facilities which support the use, such as administration offices and laundry facilities, though not including the use of mobile homes or trailers on a permanent year-round basis.

Cannabis Production Facility: a federally licensed facility for the growing of cannabis plants and harvesting of product from those plants where all plant growth activities are carried out indoors.

Cannabis Retail Shop: A retail business operating from a storefront location authorized by *The Cannabis Control Act* selling any part of the cannabis plant, processed or unprocessed, including any derivative, concentrate or edible product originating from the cannabis plant.

Carport: A building or structure or part thereof, where the majority of the perimeter is open and unobstructed by a wall; door; post; or, pier, and which is used for the parking or storage of motor vehicles.

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

Commercial Use: The use of land, building(s), or structure(s) for the purpose of buying and selling commodities, and supplying professional and personal services for compensation.

Community Facility: Building or facilities used for recreational; social; educational; or, cultural activities and that are owned by a municipal corporation, non-profit corporation or other non-profit organization.

Condominium: Land, buildings and units including private and common property as defined under *The Condominium Property Act, 1993*.

Condominium Unit: A division of land or building as defined in *The Condominium Property Act, 1993*.

Convenience Store: The store offering for sale primarily food products; beverages; personal care items; hardware; and, printed matter and which primarily provides convenient day-to-day services to residents and visitors of the area.

Council: The elected Council of the Town of Ponteix.

D

Daycare Centre: An establishment providing for the care, supervision and protection of children, adults, or seniors, though does not include the provision of overnight supervision.

Demolition Permit: A permit issued for the removal or dismantling of a building or structure within the RM boundaries as prescribed under *The Construction Codes Act*.

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

Development Officer: A person appointed by Council to act as a Development Officer to administer this Bylaw.

Development Permit: A document issued by the Town of Ponteix that authorizes development pursuant to this Bylaw, and does not include a Building Permit.

Driveway: The portion of a parcel used to provide vehicular access from a street to a parking space or to an off-street parking or loading area located on the same parcel.

Dwelling: A building or part of a building intended for residential occupancy.

Dwelling, Mobile: A structure built on a deformation resistant frame or metal chassis that is defined in the Canadian Standards Association (CSA) and bears a CSA seal attesting that the structure complies with the #Z240 standards built prior to 2019 or CSA standard #A277 built after January 1, 2019. Mobile dwellings are constructed off-site in a yard or factory and include a deformation resistant frame to allow them to be placed on a surface riding foundation such as cribbing for ease of transportation to site.

Dwelling, Modular: A residential dwelling that is constructed off-site in a yard or factory, in one (1) or more sections, transported to a site for permanent installation on a permanent

foundation (may have a basement), having architectural features similar to permanent residential dwellings built on site, and conforming to CSA standard #A277.

Dwelling, Multi-Unit: A building containing three (3) or more dwelling units including a triplex, fourplex, townhouse, or apartment that are distinct from a rooming house, hotel or motel.

Dwelling, One-Unit: A building containing only one (1) dwelling unit that is occupied or intended to be occupied as a permanent home or residence, and may take the form of a Single-Detached Dwelling, Mobile Dwelling, or Modular Dwelling.

Dwelling, Single-Detached: A building containing only one (1) dwelling unit that is occupied or intended to be occupied as a permanent home or residence, and that shall not include a Recreational Vehicle, Mobile Dwelling, Truck Camper, 5th Wheel Trailer, or Trailer Coach as herein defined.

Dwelling, Townhouse: A building divided vertically into three or more attached dwelling units with common side walls under one roof, each having a separate exterior entrance.

Dwelling, Two-Unit: A building divided into two (2) dwelling units with separate entrances that are separated by a common party wall.

Dwelling Group: A group of single-detached, two-unit, or multiple unit dwellings clustered on one (1) site, built as one (1) development.

Dwelling Unit: One (1) or more habitable rooms used, or fully capable of being used as a residence, where each unit provides sleeping, cooking and toilet facilities.

E

Environmental Reserve: Dedicated lands that are provided to a municipality for protecting or conserving natural or environmentally sensitive areas, or that were dedicated as public reserve and transferred to a municipality pursuant to *The Act*.

Environmentally Sensitive Lands: As defined in *The Statements of Provincial Interest Regulations*.

Existing: In place, taking place, or with all approvals and permits in place on the date of the adoption of this Bylaw.

F

Fence: A structure used to enclose or screen areas of land according to **Section 3.7** of this Bylaw.

Flood: A temporary rise in the water level that results in the inundation of areas not ordinarily covered by water.

Flood Proof: A measure, or combination of structural and non-structural measures, incorporated into the design of a structure, which reduces or eliminates the risk of flood damage to a defined elevation.

Frontage (Site Frontage): The distance across the front site line along a public street (a site must front on a street).

G

Garage, Private: A building or part of a building used for, or intended to be used for the storage of motor vehicles and wherein neither servicing nor repairing of such vehicles are carried on for remuneration.

Gas Bar: A building or place where fuel and automotive fluids are sold and may be added to a vehicle on the property, and which may have a convenience store and/or restaurant.

Geotechnical Analysis: An assessment or estimation by a qualified expert of the earth's subsurface and the quality and or quantity of environmentally mitigative measures that would be necessary for development to occur.

Grade: The average elevation of the natural ground level at the walls of a building or structure as determined by the elevation of the outside corners of the building.

Greenhouse, Commercial: A building for the growing of flowers; plants; shrubs; trees; and, similar vegetation that are not necessarily transplanted outdoors on the same site, though are sold directly at wholesale or retail from the site.

H

Habitat Conservation: The planning, management and implementation of an activity with the objective of protecting the essential physical, chemical and biological characteristics of the environment.

Hazard Land: As defined in *The Statements of Provincial Interest Regulations*.

Hazardous: A use, substance, or industry that, because of its quality, concentration or physical or chemical infectious characteristics, either individually or in combination with other substances on the site, is an existing or potential threat to the physical environment, to human health or other living organisms.

Heritage Resource: As defined in *The Statements of Provincial Interest Regulations*.

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

Home-Based Business: Development consisting of the use of a conforming dwelling unit or residential accessory building as a business by the resident or residents, which is incidental and secondary to the residence and does not change the building's exterior character. This does not include a home office, bed and breakfast, or any use that is listed as discretionary or prohibited in the specific zoning district.

Hotel: A building, structure or part of a building or structure in which sleeping accommodation with or without meals is provided for tourists or travelers, and where guests register or record is kept, though does not include a motel or rooming house.

I

Industrial Use: The use of land, buildings or structures for the manufacturing, processing, assembling, fabrication, warehousing, and/or storage of goods and materials.

Institutional Use: The use of land, buildings or structures for religious; charitable; educational; health; or, welfare purposes and included churches; public or private schools; nursery schools; hospitals; and, special care.

J

K

L

Loading Space: A space measuring at least 2.5 metres (8.2 ft.) in width and 8.5 metres (27.9 ft.) in depth, located on a parcel, and having access to a street or land, in which a vehicle may park to load or unload.

M

Manufacturing: The mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products and the blending of materials.

Minister: The Minister of Government Relations for the Government of Saskatchewan.

Motel: A building or group of buildings on a parcel designed and operated to provide individual rental units for the use of the traveling public, each unit containing at least a bedroom and bathroom and providing convenient access to a parking space for the use of the occupants of the unit.

Municipal Facility: A building and/or site owned and/or operated by a municipal government, including but not limited to: offices, public works, public utilities, and community facilities.

N

Natural Areas: An area relatively undisturbed by human activities and characterised by indigenous species including remnant or self-sustaining areas with native vegetation, water or natural features.

Non-Conforming Site: A site consisting of one (1) or more contiguous parcels that, on the date a Zoning Bylaw or any amendment to a Zoning Bylaw becomes effective, contains a use that conforms to the Bylaw but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Non-Conforming Use: Any use of land, building, or structure lawfully existing or under construction where permits have been issued at the time of passing this Bylaw, the use of which does not comply with all the regulations of this Bylaw governing the zoning district in which it is located.

Noxious Use or Condition: Any use or facility that causes or produces harmful or hazardous noise; vapours; smoke; dust (particles suspending in or transported by air); vibrations; electrical or electromagnetic fields; glare; or, light.

O

Office: 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; trans-shipped; sold; or, processed.

Official Community Plan (OCP): The *Town of Ponteix Official Community Plan Bylaw No. 03-2022*, as per Section 32 of *The Planning and Development Act, 2007*.

Open Space: Passive and structured leisure and recreation areas that enhance the aesthetic quality and conserve the environment of the community, including parks; recreation; tourism nodes; and, natural areas.

P

Parcel: An area of land with fixed boundaries on record with the Information Services Corporation (ISC) by Certificate of Title. For the purposes of this Bylaw the term "parcel" and "site" shall be deemed not to mean the same. A site may constitute more than one parcel if they are contiguous and under the same landowner.

Parking Lot: An open area, other than a street, used for temporary parking of more than four (4) vehicles and available for public or private use.

Parking, Off-Street: Accommodation for the parking of vehicles on private property, off a public street or highway.

Parking Space: A space within a building or parking lot for the parking of one (1) motor or recreational vehicle including convenient access to a public right-of-way that shall be not less than 2.5 metres (8.2 ft.) in width and 5.5 metres (18.0 ft.) in length.

Personal Services: The provision of services related to a customer's personal and/or grooming needs, excluding the provision of health related services.

Place of Worship: A building set aside by any religious organization for public worship. Typical uses include churches; chapels; mosques; temples; synagogues; and, parish halls.

Processing: The processing and preparation of commodity or commodities produced off-site and may be sourced from multiple-locations.

Public Utility: A government, municipal or corporation under Federal or Provincial statute which operates a public work and/or provides a service to the general public.

Public Works: Under The Act, means:

- systems for the production, distribution or transmission of electricity;
- systems for the distribution, storage or transmission of natural gas or oil;
- facilities for the storage, transmission, treatment, distribution or supply of water;
- facilities for the collection, treatment, movement or disposal of sanitary sewage;
- telephone, cable television or light distribution or transmission lines; or
- facilities for the collection, storage, movement and disposal of storm drainage.

Q

R

Recreational Use: The use of land for parks; playgrounds; tennis courts; lawn bowling greens; indoor and outdoor skating rinks; curling rinks; athletic fields; golf courses; picnic areas; swimming pools; day camps; community centres; and, all similar uses, together with the necessary and accessory buildings and structures; though does not include the racing of animals or motorized vehicles.

Recreational Use, Commercial: The use of land, building(s), or structure(s) for the purpose of selling a recreational amenity, including but not limited to the racing of animals or motorized vehicles, and paintball.

Recreational Vehicle (RV): A vehicle intended to provide temporary living accommodation, built as part of, or to be towed by a motor vehicle to be used on public highway without special permit. Recreational vehicles include truck campers; motor homes; fifth wheel trailers; travel trailers; and, tent trailers.

Residential Use: The use of land, buildings or structures for human habitation.

Restaurant: A building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building. Limited facilities may be permitted to provide for a take-out food function provided that such a facility is clearly secondary to the primary restaurant use.

Retail Store: A building or part thereof, or a place where goods; wares; merchandise; substances; or, articles are offered or kept for sale or rent. This may include limited servicing and manufacturing of products onsite for sale on the site, so long as it is accessory to the principal retail use of the site.

Rezoning: The act of changing the land use zoning district of land through an application for a zoning amendment, subject to conditions of this Bylaw and approval from Council.

Right-of-Way: The land set aside for use as a roadway or utility corridor.

Rooming House (Boarding House): A building which contains a room or rooms available to rent for short-term accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, where meals may or may not be provided, with sleeping facilities and that may or may not include private toilet facilities.

S

Salvage Yard: A facility where second-hand, discarded or scrap materials are bought; sold; exchanged; stored; processed; or, handled. Materials include scrap iron; structural steel; rages; rubber tires; discarded goods; equipment; appliances; or, machinery.

School: An educational facility under the jurisdiction of a Board of Education; a college; university; or, any other school established and maintained either wholly or partially at public expense, whether or not the same is a boarding school and includes any dormitory building accessory to the such school.

Service Station: A site used for the retail sale of lubricating oils and fuel, automobile accessories and for the servicing and repairing of motor vehicles essential to the operation of a motor vehicle. This does not include an auto body or painting shop, car sales lot or car washing establishment.

Setback: A required minimum separation distance, usually from the nearest point of a building or structure to a site line, railway, or centre line of a public street allowance.

Sight Triangle: The triangular area formed, on corner sites, by the intersection front and side site lines at an intersection and the straight line joining said site lines, as demonstrated by **Figure 3** and described in **Section 3.14.1** of this Bylaw.

Sign: Any device, letter, figure, symbol, emblem or picture, which is affixed to or represented directly or indirectly upon the exterior of a building, structure or a piece of land and which identifies or advertises any object, product, place, activity, person, organization, or business in such a way as to be visible to the public on any street or thoroughfare.

Sign, Billboard: A private free standing sign, including supporting structure, which advertises goods; products; services; organizations; or facilities that are available from, located on or refer to a site other than the site on which the sign is located.

Sign, Fascia: 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 0.5 metres (1.6 ft.) from such building or structure.

Sign, Directional or Wayfinding: Signage located off-site providing direction to, and information about, a specific enterprise or activity, which does not contain general advertising.

Site: An area of land, consisting of one (1) or more continuous parcels with the same landowner, considered as a unit devoted to a certain use or occupied by a building or permitted group of buildings, and the customary accessories and open spaces belonging to the same. For the purposes of this Bylaw the term "parcel" and "site" shall be deemed not to mean the same. A site may constitute more than one parcel if they are contiguous and under the same landowner.

Site, Corner: A site at the intersection of two (2) or more public roadways.

Site Area: The total horizontal area within the site lines of a site.

Site Coverage: The percentage of the site area covered by all the buildings above the ground level.

Site Depth: The horizontal distance between the front site and rear site lines, but where the front and rear site lines are not parallel to the site depth is the length of a line joining the midpoint of such site lines.

Site Line: Any boundary of a site.

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

Site Line, Rear: The site line at the rear of the site, opposite the front site line.

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

Site Plan: A plan showing the location of existing and proposed buildings and other features on a site in relationship to the site lines as further described in **Section 2.3.2.d**.

Solar Energy System, Commercial: A solar panel energy conversion system consisting of solar panels and associated control or conversion electronics, which is intended to produce power for resale or off-site distribution.

Solar Energy System, Private: A solar energy conversion system consisting of solar panels and associated control or conversion electronics, where the priority and intention is to provide electrical power for use on-site (either behind the meter or off-grid).

Storage Facility: A commercial business that rents or leases storage rooms; lockers; containers; modular storage units; and/or, outdoor space for businesses and individuals to store and access their goods.

Street: The whole and entire width of every highway, public street or road allowance vested in Her Majesty, in the right of the Province of Saskatchewan, and shown as such on a plan of survey registered at the Information Services Corporation (ISC).

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

Subdivision: A division of land, including a division of a quarter section, into legal subdivision as described in the regulations made pursuant to the *Land Surveys Act, 2000*.

Suite, Garage or Garden: An accessory dwelling unit located within a detached accessory building that has cooking, sleeping, and sanitary facilities which are separate from those of the single-detached dwelling. Typically garden suites are standalone structures while garage suites are either attached to or located above a detached garage.

Suite, Secondary: An accessory dwelling unit which may located within a single-detached dwelling or in a detached accessory building on the same property as a single-detached dwelling.

Sustainable: As defined in *The Statements of Provincial Interest Regulations*.

T

Telecommunication Tower: A structure situated on a non-residential site that is intended for transmitting or receiving television, radio or cellular communications, excluding those used exclusively for dispatch communications.

Trucking or Transportation Firm: The use of land, buildings or structures for the purpose of storing; repairing; loading trucks, transporting trailers and/or buses, and does not include an automobile service station, transportation sales or rental outlets.

U

Use: The activity or purpose for which any land, building, structure or premise, or part thereof is arranged, designed or intended, occupied or maintained.

Use, Accessory: See "Accessory".

Use, Discretionary: 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, as contained in this Bylaw.

Use, Permitted: A use or development which is rightfully allowed in its Zoning District subject to the regulations of this Bylaw and following application for a development permit that is approved by the Development Officer.

Use, Principal: The main or primary activity, for which a site or its buildings are designed; arranged; developed; intended; or, for which is occupied or maintained.

V

Vacation Rental: The short-term rental of a dwelling unit as temporary accommodation by a person or group of persons for up to 30 days or based on a daily or weekly rate by way of concession, permit, lease, license, rental agreement or similar arrangement, unless otherwise prohibited by this Bylaw, or any other Bylaw of the Town. A Vacation Rental may also include a single-detached dwelling which is owner occupied, and in which not more than two bedrooms are rented.

W

Warehousing: The use of a building for the storage and distribution of wholesale goods and materials.

Waterbody: A lake; pond; reservoir; lagoon; swamp; marsh; wetland; or, any other area containing standing surface water, either permanently or intermittently.

Watercourse: A river, stream, creek, gully, ravine, spring, coulee, valley floor, drainage ditch or any other channel having a bed and sides or banks in which water flows either permanently or intermittently.

Wind Energy System: Any structure(s) used for the conversion, production, and transmission of wind energy into electrical energy and related facilities connected to a substation or metering point.

Wind Energy System, Commercial (Wind Farm): Wind energy conversion system consisting of wind turbine(s), a tower and associated control or conversion electronics, which is intended to produce power for resale.

Wind Energy System, Private: Wind energy conversion system consisting of wind turbine(s), a tower and associated control or conversion electronics, where the priority and intention is to provide electrical power for use on-site (either behind the meter or off-grid).

Wind Energy System Height: The height from ground level to the tip of the blade at its highest point.

Work Camp: A temporary residential complex used to house workers/contractors on a temporary basis of more than 28 days and less than two years. The camp is made up of three or more mobile units or travel trailers, clustered in such fashion as to provide sleeping, food preparation/eating, recreation, parking and other basic living facilities. Modular, manufactured, or any type of dwelling on permanent foundations are not permitted. Typically, this use is required seasonally to support the short-term housing demands of a large-scale construction workforce.

X

Y

Yard: Uncovered space, open to the sky on the same site with a building or structure.

Yard, Front: The area from the front building line and the front site line, between the side site lines.

Yard, Rear: The area from the rear building line and the rear site line, between the side site lines.

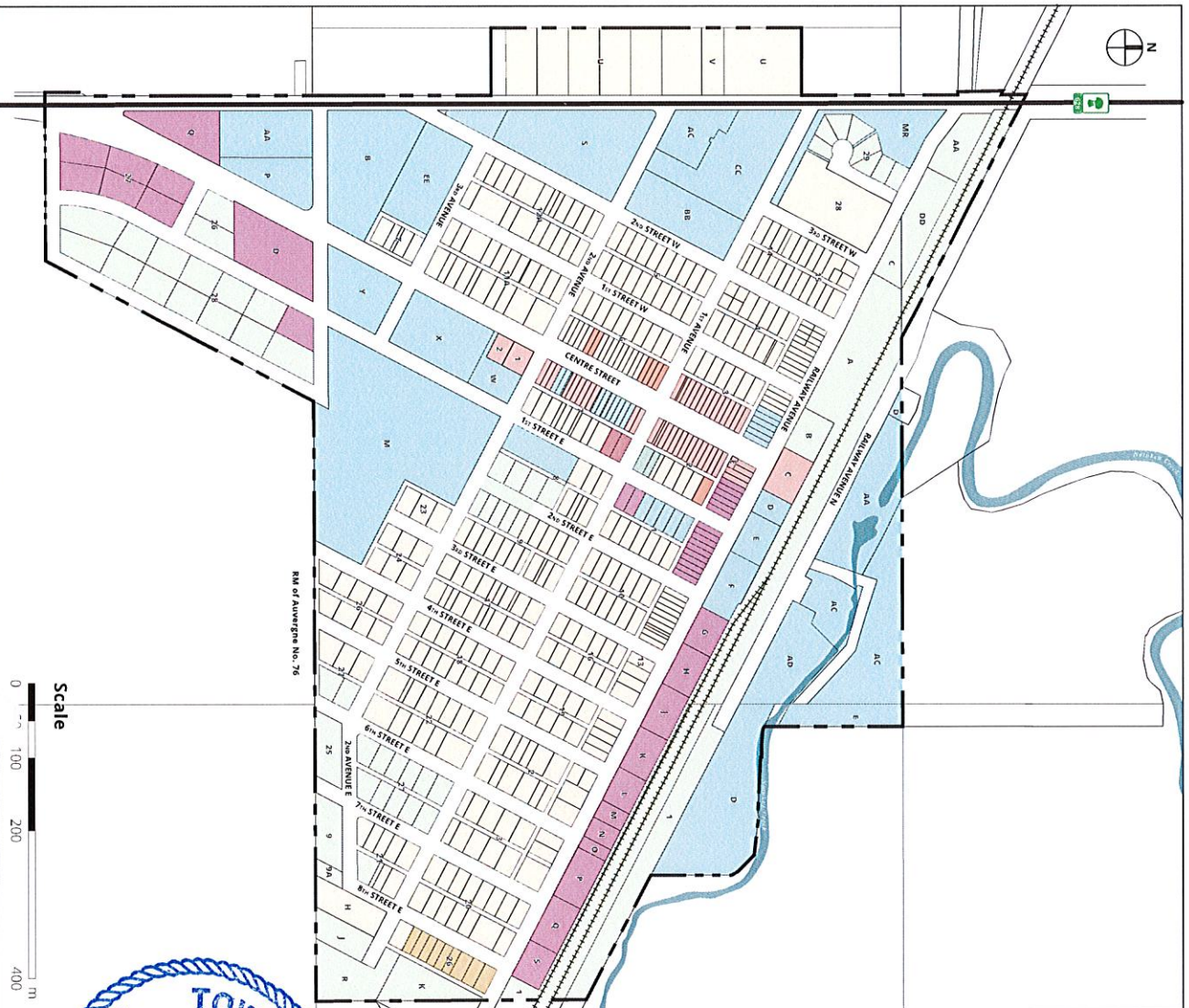
Yard, Side: The area between the side parcel line and the nearest wall of the principal or accessory building or structure on the site.

Z

Zoning District: Divisions identified in the Zoning Bylaw according to **Section 5.0** of this Bylaw that establish permitted and discretionary uses as well as development standards.

Exhibit B: Zoning District Map

TOWN OF PONTEIX | ZONING DISTRICT MAP



Legend

Transportation

- Highway 628
- Great Western Railway

Administrative

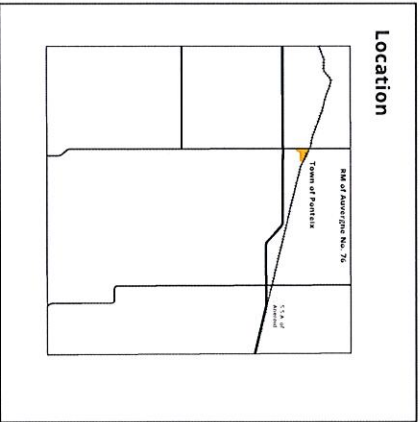
- Town Boundary
- Property Line

Natural + Physical Features

- Watercourse

Zoning District

- R1 Residential
- R2 Residential-Mobile
- C1 Local Commercial
- M1 Regional Commercial-Light Industrial
- C5 Community Service
- UH Urban Holding



TOWN OF PONTEIX

INCORPORATED

Mayor *[Signature]*

September 9, 2022