

**The Rural Municipality of Grayson No. 184
Bylaw No. 2004-02**

**With amendments up to and including Bylaw No. 2004-04 passed on November 16, 2004
With amendments up to and including Bylaw No. 2009-03 passed on Dec 23, 2009
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SECTION 1 – INTRODUCTION

Title

This Bylaw shall be known and may be cited as the "Zoning Bylaw of the Rural Municipality of Grayson No. 184."

Authority

Pursuant to Section **34 (1)** of *The Planning and Development Act, 2007*, the Council of the Rural Municipality of Grayson No. 184 hereby adopts Zoning Bylaw No. 2004-02 of the Rural Municipality of Grayson No. 184.

Scope

This Bylaw applies to all land included within the boundaries of the Rural Municipality of Grayson No 184, herein referred to as "The Municipality." All development within the limits of the Municipality shall be in conformity with the provisions of this Bylaw.

Purpose

The purpose of this Bylaw is to control the use of land and regulate development in The Municipality in accordance with Bylaw 2004-01, The Basic Planning Statement. The intent of this Zoning Bylaw is to provide for the health, safety and general welfare of the residents of The Municipality:

- i) To minimize land use conflicts.
- ii) To establish minimum standards which maintain the amenity of The Municipality.
- iii) To ensure development and subdivisions are consistent with the goals and objectives of The Municipality.
- iv) To restrict development that places undue servicing demands on The Municipality, and
- v) To acknowledge and conserve the natural environment of The Municipality.

Severability

If any part of this Bylaw, including anything shown on the zoning district map, is declared to be invalid for any reason, by an authority of competent jurisdiction, that decision shall not

affect the validity of the Bylaw as a whole, or any other part, section or provision of this Bylaw.

SECTION 2 - ADMINISTRATION AND INTERPRETATION

2.1 Development Officer

1) The Administrator shall be responsible for the administration of the Zoning Bylaw. The Administrator may appoint a Development Officer subject to the approval of Council to whom duties in the administration of the Zoning Bylaw may be delegated.

2) The Development Officer may submit any application to Council for a decision on the interpretation of the Bylaw, or upon special circumstances provided in the Bylaw, and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide such further information, as they deem necessary, to make a decision.

2.2 Council

1) Council shall make all decisions regarding discretionary uses, development and servicing agreements, and Zoning Bylaw amendments in accordance with the procedures established by *The Planning and Development Act, 2007*, and in accordance with the Basic Planning Statement.

2) Council shall make a recommendation regarding all subdivision applications circulated to it by Community Planning Branch, Municipal Relations Division, Saskatchewan Government Relations and Aboriginal Affairs, prior to a decision being made by the Province.

2.3 Development Appeals Board

1) Establishment

Council shall appoint a Development Appeals Board within three months from the effective date of this Bylaw, in accordance with *The Planning and Development Act, 2007*.

2) Duties

a) The Development Appeals Board is bound by the Basic Planning Statement.

b) The Development Appeals Board may confirm, revoke, or vary the decision or development permit or any condition attached to any of these, or substitute a decision or permit that it considers advisable.

c) The Development Appeals Board shall adhere to the requirements of *The Planning and Development Act, 2007*.

d) The Development Appeals Board shall keep records of its proceedings. These proceedings shall be filed in the Rural Municipality office and shall be a public record.

e) Where a member of the Development Appeals Board has an interest in the matter before the Board, that member is duty-bound to declare a conflict of interest and shall not be entitled to vote there on.

3) Remuneration

Council may establish a separate Bylaw to provide for the payment of remuneration to the board members in any amount that Council may determine.

4) Right to Appeal

a) *The Planning and Development Act, 2007*, provides the right to appeal a decision made in respect of the Zoning Bylaw where a Development Officer:

- i) is alleged to have misapplied the Zoning Bylaw in issuing a Development Permit;
- ii) refuses to issue a Development Permit because it would contravene the Zoning Bylaw; or
- iii) issues an order, based on inspection, to the owner, operator, or occupant of land, buildings, or premises considered to contravene the Zoning Bylaw.

b) Appellants also may appeal where they are of the opinion that development standards prescribed by Council with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw and the Basic Planning Statement.

c) This right of appeal extends thirty days after the issuance or refusal of a Development Permit or order.

2.4 Fee For Zoning Amendment Application

When an application is made to Council for an amendment to this Bylaw, the applicant making the request shall bear the actual cost of advertising such zoning amendment as required pursuant to *The Planning and Development Act, 2007* and as per the R.M. of Grayson's Fees Bylaw.

2.5 Application for a Development Permit

No building or structure shall be erected, reconstructed or moved on a site, nor shall any building, structure or land be used for any other use that is permitted in the Zoning District concerned, until all Development Permits, Building Permits or other permits and licenses required by The Municipality are applied for and secured.

2.6 Development Not Requiring a Development Permit

The following do not require a Development Permit:

- a) Accessory Farm Buildings and Structures: farm buildings and structures where accessory to a permitted agricultural use or existing farmstead, (but excluding any ILO structures or new dwellings.)
- b) Public Utilities: any operation for the purposes of inspecting, repairing, or re-newing sewers, mains, cables, pipes, wires, tracks of similar public works as required by a public-utility and the installation of service connections to property in the municipality.
- c) Municipal facilities: any facilities installed and operated by The Municipality.
- d) Signs: subject to the provisions of Section 3.4

2.7 Application Requirements

Unless otherwise specified in this Bylaw, with every application for a development permit, a copy of a layout, or site plan, showing the dimensions of the site, the site size, the location on the site of any existing and all proposed development and the method and location of on-site sewage disposal facilities shall be submitted for approval to the Development Officer with such other information as may be required in support of the application. The applicant must be the registered owner of the property, intended owner of the property, or the contractor acting on behalf of the applicant, documented by an accepted Offer to Purchase or Agreement to Purchase.

2.8 Development Permit

Before commencing any principal or accessory use development, including a public utility use, every developer shall:

- 1) Complete and submit a Development Permit application (refer to permit application Appendix "A")
- 2) Receive a Development Permit for the proposed development unless the proposed development or use is exempt from development permit requirements.
- 3) A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw and the Basic Planning Statement.
- 4) No development or use shall commence without a Development Permit first being obtained.

2.9 Compliance with the Development Permit

- 1) In order to ensure that development occurs in compliance with this Bylaw, it is the owner or developer's responsibility to notify The Municipality when the development commences.
 - a) Inspections shall be undertaken as per the National Building Code of Canada and the Uniform Building and Accessibility Standards Act:
 - b) The Municipality shall carry out the inspection within 4 days (96 hours) of this notification.
- 2) Any developments that fail to notify The Municipality at the prescribed time shall be automatically invalid and development shall cease.
- 3) Farmstead residences are required to notify The Municipality before excavation or foundations are formed.

2.10 Building Permits, Licenses and Compliance with Other Bylaws

- 1) Nothing in this Bylaw shall exempt any person from complying with a building Bylaw, or any other Bylaw in force within The Municipality, or from obtaining any permission required by this, or any other Bylaw of The Municipality, the province or the federal government.
- 2) A building permit, where required, shall not be issued for a development unless a required Development Permit has been issued.

2.11 Application for Development Fees

- 1) The fees related to the Zoning Bylaw and Basic Planning Statement shall be set out in the RM of Grayson's Fees Bylaw.

2.12 Advertising for Discretionary Use Application

- 1) The Development Officer shall direct the applicant for a discretionary use, or carry out on behalf of the applicant, the advertisement of the proposed use by posting a notice of the application at the entrance to the property in question and by mailing a copy of the notice to the assessed owner of each abutting property, or property within a separation distance of an ILO for any discretionary use.
- 2) In addition to the posting and mailing of the notice specified in subsection 1), a copy of the notice shall be mailed to each assessed owner of property within a 75 meter (246 ft.) radius of the proposed development, when the proposed development is in the Resort Residential or Resort Hamlet Residential Districts, and the Development Officer shall publish a notice of the application, at least once a week for two consecutive weeks in a newspaper having circulation in the municipality, for an application for any discretionary use other than that specified in subsection 1).

- 3) The notice shall describe the use applied for, the location of the use, and specify the date, time and location of the Council meeting at which the application will be considered.
- 4) The notice shall be posted, mailed, and published at least three weeks prior to the date of the meeting.
- 5) The fees shall be set out in the RM of Grayson's Fees Bylaw.

2.13 Notification To Applicant

- 1) Written Notification: the applicant shall be notified in writing of the decision regarding the application within 30 days of all required information being submitted to Council.
- 2) Approval: If the proposal conforms to the provisions of this Bylaw, a Development Permit shall be issued, subject to any development standards, special regulations, or performance standards that may be required.
- 3) Refusal - Right to Appeal: If the Issuance of a Development Permit is denied, the reasons for the refusal shall be stated and the applicant shall be advised of any right to appeal the decision to the Development Appeals Board, subject to the provisions of *The Planning and Development Act, 2007*.

2.14 Development Permit – Invalid

A Development Permit shall be automatically invalid and development shall cease:

- 1) if the proposed development is not commenced within six (6) months from the date that a development permit has been issued;
- 2) if the proposed development is legally suspended, or discontinues for a period of six or more months unless otherwise indicated by Council or the Development Officer; or
- 3) when development is undertaken in contravention of this Bylaw, the development permit or specified development standards, and/or
- 4) when a written appeal notice is received by the Development Appeals Board secretary regarding the Development Permit.

2.15 Cancellation

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

- 1) where the Development Officer or Council is satisfied that a development permit was issued based on false or mistaken information,

2) where new information is identified pertaining to environmental protection, flood potential, or slope instability, and /or

3) when a developer requests a development permit modification

2.16 Stop-Work

The Development Officer may authorize action to stop any development which does not conform to this Bylaw, a development or servicing agreement, a Development Permit or condition, or a caveat under this Bylaw.

2.17 Offences and Penalties

Any person who violates this Bylaw may be charged and liable on summary conviction to the penalties in *The Planning and Development Act, 2007*.

2.18 Inspection of Premises

The Development Officer, or any official or employee of the Municipality acting under their direction, is hereby authorized to enter, at all reasonable hours, upon any property or premises in or about which there is reason to believe that provisions of this Bylaw are not being complied with, and for the purpose or carrying out their duties under this Bylaw. All construction must be finished within 24 months from the date on the building permit. The final inspection must be made prior to that date. Occupancy cannot take place until final inspection has been completed or a temporary permit has been received from the RM to be able to occupy the building.

2.19 Bylaw Compliance

Errors and/or omissions by any person administering or required to comply with the provisions of this Bylaw do not relieve any person from liability for failure to comply with the provisions of this Bylaw.

2.20 Performance Bonds

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

2.21 Moving a Building

No building shall be moved into or through The Municipality without first obtaining a Development Permit, unless exempted under this Bylaw.

2.22 Demolition of a Building

No building shall be demolished within The Rural Municipality without first obtaining a demolition permit in accordance with section 13 of 7776 *Uniform Building and Accessibility Standards Act*. Such a permit shall not be issued unless a proposal for the interim or long-term use and redevelopment of the site is also submitted and is in conformity with this Bylaw.

2.23 Temporary Development Permits

Council may issue a temporary Development Permit, with specified conditions for a specified period of time, to accommodate temporary uses, operations, or developments incidental to construction, temporary accommodation, or temporary gravel operations or asphalt plants.

2.24 Liability Insurance

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

2.25 Referral to Saskatchewan Health

A copy of all approved Development Permits involving the installation of water and sanitary services shall be supplied to the local office of Saskatchewan Health.

2.26 Servicing Agreements

Where a development proposal involves a subdivision, Council may require the developer to enter into a servicing agreement to ensure appropriate servicing pursuant to Section 143 of *The Planning and Development Act, 2007*. Council may direct the Administration to vary the agreement on a case-by-case basis, or not require it.

2.27 Caveats

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

SECTION 3: GENERAL REGULATIONS

The following regulations shall apply to all Zoning Districts in this Bylaw.

3.1 Licenses, Permits, and Compliance with Other Bylaws and Legislation

Nothing in this Bylaw shall exempt any person from complying with the requirements of a building Bylaw or any other Bylaw in force within The Municipality or law within the Province of Saskatchewan; or from obtaining any license, permission, permit, authority, or approval required by this or any other bylaw of The Municipality or any law of the Province of Saskatchewan. Where the provisions in this Bylaw conflict with those of any other municipal or provincial requirements, the more stringent regulations shall prevail.

3.2 One Principal Building or Use Permitted on a Site

1) In any Zoning District in this Bylaw, the principal use of the land must be established prior to any accessory buildings, structures, or uses being permitted except for garages which can be established prior to the residence on a site in any Zoning District.

2) Not more than one principal building or use shall be permitted on any one site except for:

- a) Public utility uses;
- b) Institutional uses;
- c) Agricultural uses;
- d) Ancillary uses as specified in this Bylaw;
- e) Recreational Storage Compounds.

3.3 Uses Permitted In All Zoning Districts

1) Nothing in this Bylaw shall prevent the use of any land as a public street or public park.

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) Nothing in this Bylaw shall prevent the use of any land for the erection of buildings or structures, or the installation of other facilities, essential to the operation of public works provided that such use, building, or structure shall be in substantial compliance with the relevant provisions of this Bylaw and shall not adversely affect the character or amenity of the neighbourhood in which the same is located.

3.4 Signs and Billboards

- 1) Signs located in a Highway Sign Corridor or situated along a highway shall be regulated entirely by the requirements of "The Erection of Signs Adjacent to Provincial Highway Regulations, 1986", and subsection 2 of this Bylaw shall not apply.
- 2) Signs located other than in a Highway Sign Corridor shall be regulated by the 12 following requirements:
 - a) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.
 - b) A sign shall advertise only an agricultural use, commercial use, home based business, the principal use of a site, or the principal products offered for sale on a premises.
 - c) A maximum of two advertising signs are permitted on any site, or quarter section.
 - d) Government signs, memorial signs, and directional signs that bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs, are exempt from restriction.
 - e) Temporary, portable and real estate signs are permitted, but shall be removed within 30 days of the event's end.
 - f) Billboard and other off site advertising signs are prohibited, except in a highway sign corridor.
 - g) All private signs shall be located so that no part of the sign is over a public right of way.
- 3) Signs located in a Public Right of Way shall be procured and erected by the rural Municipality. The cost of which shall be paid to The Municipality in an amount as determined by Council.
- 4) The maximum facial area of a sign shall be:
 - a) For residential uses:
 - i) One permanent sign is permitted per site; and
 - ii) the facial area of a sign may not exceed 2 meters² (12 ft²);
 - b) For Commercial and Institutional Uses:
 - i) no more than two permanent signs are permitted per principal use;
 - ii) the facial area of a sign may not exceed 3 meters² (32.3 ft²)
 - iii) a sign may be double-faced
 - iv) no sign shall exceed 4.6 meters (15 ft) in total height above the ground,

c) Farmsteads are exempt from facial area restrictions.

3.5 Signage on Natural and Human Heritage Sites

Small plaques, markers, and interpretation signs will be encouraged on properties that have significant natural or human heritage resources, with the approval of the owner, and where the signage is appropriate in scale, design, and placement with the site and surrounding area, and does not cause safety concerns.

3.6 Parking Provisions

1) Off street parking and loading facilities shall be provided for every use in the Municipality in accordance with the following:

- a) Dwellings: 2 parking spaces per dwelling unit.
- b) Hotels and Motels: 1 parking space for each unit.
- c) Places of assembly: 1 parking space for every 10 seats.
- d) Commercial use: 1 parking space for every 18m² (194 ft²) of gross floor area.
- e) Recreation Uses: the parking requirement for permitted recreational uses will be 1 parking space for every 18m² (194ft²) of gross floor area. Parking requirements for discretionary recreational uses will be determined by Council on a case-by-case basis. (Revised - Bylaw No. 2004-04, November 16, 2004)

2) Parking Areas

The parking facility shall be located on the same site as the use for which it is intended. It shall be developed such that:

- a) it is reasonably accessible to the use and vehicles it is intended to serve; and
- b) all parking facilities shall be maintained by the owner of the property to the satisfaction of Council.

3.7 Front/Rear Yard Reduction

Notwithstanding the minimum depth of front or rear yard required by this Bylaw, where a site is situated between two sites each of which contains a principal building which projects beyond the standard required front or rear yard depth, the front or rear yard required on said site may be reduced to an average of the two established front or rear yards on the adjacent sites; but may not be less than 4.5 m (15 ft.) in a Residential 'district unless otherwise permitted in this bylaw.

3.8 Permitted Yard Encroachments

Where minimum front, side or rear yards are required in any zoning district, the following yard encroachments shall be permitted.

- 1) Uncovered and open balconies, terraces, verandahs, decks, and patios having a maximum projection from the main wall of 1.8 m (6 ft.) into any required front or rear yard.
- 2) Window sills, roof overhangs, eaves, gutters, bay windows, chimneys, and similar alterations projecting a distance of 0.6 m (2 ft.) into any required yard.

3.9 Minor Variances

- 1) The Development Officer may vary the requirements of this bylaw subject to the following requirements:
 - a) A minor variance may be granted for the following only:
 - i) Minimum required distance of a building from a lot line; and
 - ii) The minimum required distance of a building from any other building on the lot.
 - b) The maximum amount of a minor variance shall be 10% variation from the requirements of this bylaw.
 - c) The development must conform to all other requirements of this bylaw.
 - d) The relaxation of the bylaw requirement must not injuriously affect a neighbouring property.
 - e) No minor variance shall be granted for a discretionary use or form of development, or in connection with an agreement to rezone pursuant to Section 60 of The *Planning and Development Act, 2007*.
 - f) Minor variances shall be granted only in relation to residential properties.
- 2) An application form for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee of \$25.00.
- 3) Upon receipt of a minor variance application the Development Officer may:
 - a) Approve the minor variance;
 - b) Approve the minor variance and impose terms and conditions on the approval; or
 - c) Deny the minor variance.
- 4) Terms and condition imposed by the Development Officer shall be consistent with the general development standards in this bylaw.
- 5) Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing the reason for the refusal.
- 6) Where a minor variance is approved, with or without terms and conditions, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.

- 7) The written notice shall contain:
- a) A summary of the application;
 - b) Reasons for and an effective date of the decision;
 - c) Notice that an adjoining assessed owner has 20 days to lodge a written objection with the Development Officer, which, if received will result in the approval of the minor variance being revoked; and
 - d) Where there is an objection and the approval is revoked, the applicant shall be notified of the right to appeal to the Development Appeals Board.
- 8) A decision to approve a minor variance, with or without terms and conditions, does not take effect until 23 days from the date the notice was provided.
- 9) If an assessed owner of a property having a common boundary with the applicants land objects to the minor variance in writing to the Development Officer within the prescribed 20 day time period, the approval is deemed to be revoked and the Development Office shall notify the applicant in writing;
- a) Of the revocation of the approval; and
 - b) Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.
- 10) If an applicant for a minor variance is refused or approved with terms or condition, the applicant may appeal to the Development Appeals Board within 30 days of the date of that decision.

3.10 Street Frontage Required

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

3.11 Frontage for Irregular Sites

The minimum site frontage on sites having a curved front site line shall be measured by a line equal to the minimum site frontage in that particular Zoning District but located back and parallel to the midpoint of the chord of the front site line, and for the purpose of this paragraph the chord of the front site line is a straight line joining the two points where the side site lines intersect the front site line.

3.12 Private Garages, Carports, Sunrooms, Solariums and Greenhouses

Private garages, carports, sunrooms, solariums, and greenhouses attached to main buildings and having a substantial roof structure shall be considered as part of the main building and shall be subject to the regulations for the main building.

3.13 Home Based Businesses

- 1) Home-based businesses shall be accommodated provided that they are clearly secondary to the principal residential use of the dwelling unit, compatible with the surrounding residential area.

2) There shall be no exterior display, no exterior storage of materials, and no other exterior indication of the home based business or variation from the residential character of the dwelling.

3) Signage requirements shall comply with Section 3.4.

3.14 Accessory Dwelling Units (Garden Suites)

1) An accessory dwelling unit may be constructed within the site of a principal single detached dwelling in a residential zone. Only one accessory dwelling unit is permitted on each residential site and it may not be constructed on top of another accessory building, or boathouse when it interferes with the site line of the adjoining properties.

2) Back lots are exempt from these requirements.

3.15 Non-Conforming Buildings, Uses and Sites

1) Any lawful use of land, an existing building or structure or of any building lawfully under construction at the date of approval of this Bylaw, although such use, building or structure does not conform to the regulations of this Bylaw, shall be carried on in accordance with provisions of Section 88, of *The Planning and Development Act, 2007*, as a legal non-conforming use.

2) An existing site for which a registered title existed prior to coming into force of this Bylaw and which does not conform to the minimum site area or frontage requirements of this Bylaw shall be deemed conforming. A Development Permit may be issued for any such lot provided all other relevant regulations of this Bylaw are met.

3) No existing use, building or structure shall be deemed to be non-conforming by reason only of the conversion of this Bylaw from the Metric System of Measurement to the Imperial System of Measurement where such non-conformity is resultant solely from such change and is reasonably equivalent to the metric standard herein established.

3.16 Public Utilities, Pipelines, and Facilities of the Municipality

1) Public utilities and facilities of the municipality, shall be permitted uses in every zoning district, and no minimum site area or yard requirements shall apply.

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

3.17 Grading and Leveling of Sites

- 1) Any site proposed for development requires a Development Permit and shall be graded and leveled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property, or the stability of the land.
- 2) All excavations or filling shall be re-vegetated immediately after other construction activities permit, with a suitable ground cover as may be necessary to prevent erosion.
- 3) Where excavation or filling is proposed for any development, development may be restricted. Council may require the developer to provide an impact assessment report carried out by a qualified professional prior to making a decision on the Development Permit Application.
- 4) All vegetation and debris in the area to be re-graded must be removed from the site prior to site grading and leveling.
- 5) All topsoil from an area that is to be re-graded must be stripped, stockpiled, and replaced on the re-graded area, or re-located to a site approved by Council.

3.18 Restoration to a Safe Condition

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

3.19 Restrictions on Changes

- 1) The purpose for which any land or building is used shall not be changed, nor shall any new building or addition to any existing building be erected, and no land shall be severed from any site, if such change, erection or severance creates a situation that contravenes any of the provisions of this Bylaw applicable to each individual remaining building, accessory building, or site.
- 2) Notwithstanding the provisions of clause 1) of this subsection, no person shall be deemed to have contravened any provision of this Bylaw if only part or parts of any site or lot has, or have, been conveyed to, or acquired by, The Municipality or the Province of Saskatchewan for a public work.

3.20 Prohibited and Noxious Uses

- 1) Notwithstanding any use contained within a building, no land shall be used and no building or structure shall be erected, altered or used for any purpose which is noxious and, without limiting the generality of this subsection, for any purpose that creates or is likely to become a nuisance or offense, or both:

- a) by the creation of noise or vibration;
- b) by reason of the emission of gas, fumes, smoke, dust or objectionable odour;
- c) by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery, or other such material, or
- d) by any combination of things in (a), (b), and (c) of this subsection.

2) In addition, any use is prohibited which, by its nature or the materials used therein, is declared by *The Public Health Act and Regulations* to be a noxious trade, business, or manufacturer.

3) Intensive Livestock Operations shall comply with the provisions of *The Agriculture Operations Act* in managing their operations.

3.21 Storage of Hazardous Substances

The storage of chemical, fertilizer and combustible materials are subject to the requirements of the *Hazardous Substances Regulations* administered by Saskatchewan Environment. All necessary requirements and permits must be met and obtained.

3.22 Communication Towers

1) Communication towers shall not be permitted in, or located closer than 100 meters (330 ft.) from any Residential District.

2) The owner of a communication tower may be required to enter into a road maintenance agreement with The Municipality.

3.23 Disposal of Wastes

Subject to all Acts and Regulations pertaining in any way to the storage, handling, and disposal of any waste material or used item, and except as permitted by these Acts and Regulations, no liquid, solid, or gaseous wastes shall be allowed to be discharged into any stream, creek, river, lake, pond, slough, intermittent drainage channel or other body of water, onto or beneath the surface of any land, or into the air.

3.24 Solid and Liquid Waste Disposal Facilities

1) Domestic waste disposal systems located on the site and serving only the principal use will be a permitted use to that principal use.

2) No development or use of land which requires solid or liquid waste disposal facilities shall be permitted unless those facilities are approved by Saskatchewan Health and the Saskatchewan Watershed Authority. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by Saskatchewan

Agriculture and Food, Saskatchewan Environment, Saskatchewan Health and the Saskatchewan Watershed Authority.

3) Liquid manure storage facilities and the application of manure on agricultural land will be considered a permitted accessory use to agriculture.

3.25 Development Standards for Solid and Liquid Waste Disposal Facilities

Municipal and commercial solid or liquid waste disposal facilities are subject to the following conditions:

- 1) The facility will be located as near as practical to the source of waste.
- 2) The facility will have undergone satisfactory review as required by provincial authorities for environmental assessment and operational design.
- 3) The facilities will be located at least 300 meters (1000 ft) for liquid waste, and 457 meters (2500 ft) for solid waste from any residence or recreational use.
- 4) The development of any new disposal sites shall take into consideration seasonal winds.
- 5) Adequate precautions shall be taken to prevent pollution of ground water by disposal operations.
- 6) Solid waste disposal facilities shall be located in proximity to an all- weather road.
- 7) Council may apply special standards for screening, fencing and reclamation of the site.

3.26 Development Standards for Bed and Breakfast Homes and Vacation Farms

Vacation farms and bed and breakfast homes are subject to the following conditions:

- 1) Vacations farms shall be ancillary to an agricultural farm operation or rural residence and may include cabins and overnight camping areas.
- 2) A maximum of five cabins shall be permitted as part of a vacation farm.
- 3) One sign located on site advertising the vacation farm or bed and breakfast home is permitted. The size shall comply with Section 3.4.
- 4) Vacation farms and bed and breakfast homes shall be licensed by the Department of Health.
- 5) Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence developed as a farmstead site or rural residence.

3.27 Development Standards for Agricultural Tourism Uses

Agricultural tourism uses are subject to the following conditions:

- 1) Agricultural tourism uses shall be ancillary to an agricultural farm operation or rural residence.
- 2) Agricultural tourism uses shall display a high visual quality and shall be integrated into the rural environment by virtue of appropriate design, location and landscaping.
- 3) One sign located on site advertising the agricultural tourism use is permitted. The size shall comply with Section 3.4.
- 4) Agricultural tourism uses may only be approved where they would not:
 - a) unduly interfere with the amenities or change the character of the neighborhood;
 - b) materially interfere with or affect the use and enjoyment of adjacent properties;
 - c) adversely impact the environment; or
 - d) result in excessive demand on Municipal services, utilities or public roadways.

3.28 Development Standards for Campgrounds

Campgrounds are subject to the following conditions:

- 1) The operator of a campground shall provide the development officer with a plan of the campground, identifying any buildings, uses of land and the location of all roadways and trailer coach or tent campsites with dimensions. The addition or rearrangement of campsites, the construction or moving of buildings, and material change in use of portions of land, or the filling or clearing of land shall require a Development Permit, and the operator shall submit for approval an amended plan incorporating the development.
- 2) A campground shall have within its boundaries a buffer area abutting the boundary of not less than 4.5 metres (15 ft) which shall contain no buildings.
- 3) The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be no less than 46.5 metres² (500 ft²) in area with its corners clearly marked.
- 4) One sign located on site advertising the campground is permitted. The size shall comply with Section 3.4.
- 5) No portion of any campsite shall be located within a roadway or required buffer area.
- 6) Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.

7) Each trailer coach shall be located at least 3 metres (10 ft) from any other trailer coach, and each campsite shall have dimensions sufficient to allow such location of trailer coaches.

8) The space provided for roadways within a campground shall be at least 7.5 meters (25 ft) in width. No portion of any campsite, other use or structure shall be located in any roadway.

9) A campground may include as ancillary uses a Laundromat or a confectionery designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.

10) *The Public Health Act* shall be complied with in respect to all operations and development of the campground.

11) Council may require the developer to enter into an agreement for development standards in accordance to Section 235 of the Planning and Development Act. 2007.

12) The development and/or owner of the campground shall only install underground septic tanks for the campground. Above ground septic tanks are prohibited.

13) Any lots to be serviced by electricity shall be provided by the developer and/or owner of the campground.

3.29 Development Standards for Mineral Resource Extraction Industries

Mineral Resource Extraction Industries are subject to the following conditions:

1) Mineral Resource Extraction Industries shall have regard to adjacent land uses and no material is to be stored or piled on any road allowance or within 30 meters (100 ft) of the bank of any river or watercourse.

2) The owner of the land and the mineral resource extraction operator may be required to enter into a restoration agreement to reclaim the site.

3) The general resource extraction operator and any person who hauls the aggregate may be required to enter into a road maintenance agreement.

4) The mineral resource extraction operator must report the amount of aggregate extracted by December 1 of each year.

5) Council may require the mineral resource extraction operator to post a performance bond to guarantee adherence to the above noted agreements.

6) Council may apply special standards and requirements based on provincial guidelines (i.e. *Guidelines for Environmental Protection During Development and*

Restoration of Sand and Gravel Pits, Saskatchewan Environment and Public Safety, 1983), to ensure compatibility with adjacent land uses, safe operation and suitable reclamation.

3.30 Bareland Condominium Developments

- 1) Bareland Condominium Development shall comply with the minimum site area and yard setbacks as stated in the residential zones.*
- 2) One primary dwelling unit and one accessory use are permitted per bareland condominium lot.*
- 3) Bareland condominium developments may include private open space and one accessory building for joint recreation use by residents of the development shall be permitted, subject to all yard setback requirements of the zone in which it is located.*

3.31 Campers

Excluding campgrounds and workcamps which have received appropriate permits and approvals, allowing campers on property and charging a fee is prohibited in any zoning district within the R.M.

3.32 Wind Turbine

- 1) All parts of a wind turbine shall be located at least three times the total height of the structure from any site boundary
- 2) A site plan that shows the location of the wind energy system(s) including roads, underground cabling, fencing, drainage and access shall be submitted as part of the development permit application.
- 3) When required by Council, as a condition of development the Developer shall enter into an agreement with the municipality to ensure all roads and accesses are constructed to municipal standards.
- 4) The developer is required to consult with the adjacent properties within a 50 km radius surround the proposal prior to the review of the development permit application.
- 5) Setback distances from a tower to a residence shall be:
 - a) 1000 m from each tower when there are two towers on a quarter section
 - b) 2000 m from each tower when there are three or more towers on quarter section.
 - c) Setback distances may be increased, if deemed necessary through consultations and/or studies, from provincial parks, environmental sensitive areas, wetlands, or other protected areas.

- 6) Site Suitability:
 - a) The minimum site size for the allowance of any wind energy system shall be 2.0 hectares (5.08) acres.
 - b) For residential applications, wind energy components and towers shall be erected in rear-yards only
 - c) The wind energy system shall not be located on environmentally sensitive lands
 - d) All wind energy systems or towers shall be enclosed within a locked protective fencing of a minimum height of 1.85 metres (6.0 feet).
 - e) Council may require the developer to take mitigating measures to ensure the development produces minimal environmental impacts to the surrounding lands.
- 7) Other Specifications:
 - a) Development permit applications for wind energy systems shall be accompanied by a manufacturer's engineering certificate of structural safety or certification of structural safety from a Saskatchewan Professional Engineer.
 - b) The proposed height of the wind energy system shall be included in the development permit application. Maximum total wind tower height or total system height shall be at the discretion of the Council and will be based on the surrounding land uses.
 - c) There shall be no sounds, light, glare, heat, dust or other emissions that will, in Council's opinion, detract from the amenity of the area. Council may require the developer to take mitigating measures to ensure the development produces minimal disturbance to the surrounding lands.
 - d) Landscaping shall be provided by the developer, where deemed necessary by Council, to maintain safety, protection and the character of the surrounding area.
 - e) No advertising shall appear on the tower or blades.
 - f) Any changes to the original development permit shall require a new permit to be issued.

3.33 Development Standards for Modular Homes, Park Model Trailer Homes and RTM's (Ready to Move)

- 1) All modular homes, park model trailers and RTM's shall:
 - a. be placed on a permanent foundation comprised of concrete or preserved wood. The foundation shall be designed and sealed by a qualified professional engineer.
 - b. be permanently connected to water and sewer services and any other public utilities that may be acquired by the owner or occupant of the dwelling shall also be permanently connected.
 - c. bear the applicable and appropriate Canadian Standards Association (CSA) certification.
- 2) All other applicable zoning regulations and requirements shall apply.

SECTION 4: ZONING DISTRICTS

4.1 Districts

For the purpose of applying this Bylaw, the municipality is divided into zoning districts. All parts of The Municipality shall be designated as A - Agricultural District except those areas specifically designated on the detailed Zoning District Maps as another district.

4.2 Boundaries

1) The locations and boundaries of all Zoning Districts except the A-Agricultural District are shown on the maps entitled "Zoning District Map" which are attached to, and form a part of this Bylaw. Unless otherwise shown on the map, the boundaries of the said districts are site lines, centre lines of streets, lanes, roads or such lines extended and the boundaries of The Municipality.

2) The land use Overlays are shown on the maps entitled "Supplementary Map," which are attached to, and form a part of this Bylaw. These maps will be used by the Development Officer and Council to determine areas where development and land use may affect or be affected by flood, sensitive environmental lands, hazardous lands, or heritage resources.

4.3 Regulations

For the purpose of this Bylaw the Rural Municipality of Grayson is divided into the following Zoning Districts and Overlays that may be referred to by the appropriate symbols. Regulations for the following land use zones are outlined in the following sections:

Districts:

Section 5: Agricultural District- A
Section 6:Country Residential District- CR
Section 7:Resort Residential District- RR
Section 8:Resort Hamlet District - RH
Section 9:Commercial District - C

Overlays:

Section 10: Sensitive Environment Overlay - SE
Section 11: Flood Hazard Lands Overlay - FH Section
12: Erosion and Slope Instability Overlay - SI Section
13: Heritage Resource Overlay - HR
Supplementary Map 1. Sensitive Environment Area (SE)
Supplementary Map 2. Potential Flood hazard Areas (FH)
Supplementary Map 3. Potential Slope instability Are (SI)
Supplementary Map 4. Potential Archaeological /Heritage Site (HR)
(Revised - Bylaw No. 2004-04, November 16, 2004)

SECTION 5 - A - AGRICULTURAL DISTRICT

5.1 Permitted Uses

- 1) Field crops.
- 2) Pastures for the raising of livestock including Intensive Livestock Operations with less than 300 Animal Units. (Revised - Bylaw No. 2004-04, November 16, 2004)
- 3) Residential units – single detached dwellings, modular homes, mobile homes, park model trailer homes and RTM units (See subsection 3.33)
- 4) Beehive and honey extraction facilities.
- 5) Game Farms.
- 6) Manure Application.
- 7) Petroleum exploration or extraction wells, pipelines and related facilities.
- 8) Fish Farms.
- 9) Buildings owned or operated by The Municipality.
- 10) Historical and archaeological sites.
- 11) Wildlife and conservation management areas.
- 12) Public parks and public recreational facilities.
- 13) Radio, television and microwave towers.
- 14) Places of worship.
- 15) Cemeteries.
- 16) Public utilities
- 17) Mineral resource extraction industry and storage
- 18) Geo-Termal

5.2 Discretionary Uses

- 1) Intensive livestock operations.
- 2) Intensive agricultural operations.
- 3) Commercial agricultural use.
- 4) Harvest Preserves.
- 5) One residence ancillary or accessory to an ILO.
- 6) Ethanol Plants.
- 7) Recreational Storage Compounds.
- 8) Institutional use.
- 9) Personal Care homes or residential care facility.
- 10) Home based businesses, where ancillary to a farmstead or residence.
- 11) Agricultural tourism use.
- 12) Bed and breakfast homes where ancillary to a farmstead or residence
- 13) Vacation farms where ancillary to a farmstead.
- 14) Airports and private airstrips.
- 15) Solid and liquid waste disposal facility.
- 16) Workcamps
- 17) Campgrounds
- 18) Wind Turbine
- 19) Sea and Rail Containers
- 20) Commercial recreation uses

5.3 Accessory Uses

- 1) Any buildings, structures, or uses which are accessory to the principal use of the site, but only once the principal use or discretionary use has been established.
- 2) Facilities for the sale of farm products grown by the agricultural operation.
- 3) Orchards, market garden, horticultural operations where accessory to a farmstead.
- 4) Private garages, sheds and buildings accessory to any single detached dwelling on the site.

5.4 Site Regulations in the Agricultural District

5.4.1 Area Site Requirements

- 1) Agricultural Operation - one quarter section 64.8 ha (160 acres) or equivalent, shall be the minimum site area required to constitute an agricultural operation. Quarter sections where smaller parcels have been subdivided out for other uses shall be considered to constitute an agricultural operation. (Revised - Bylaw No. 2004-04, November 16, 2004)
- 2) The enclosure of all livestock shall comply with the industry guidelines set out for that specific animal type. Fencing regulations will be adhered to in order to minimize conflict with other land uses.
- 3) A Farmstead may contain:
 - a) residences for the operators of an agricultural use;
 - b) facilities for the temporary holding of livestock raised in an operation , in fewer numbers than constitutes an I.L.O.
 - c) buildings for permitted accessory and ancillary uses; and
 - d) the keeping of domestic animals and livestock will be permitted to a maximum of one animal unit per 371.6 meters² (4000 ft²) or 10 animal units/acre.
 - d) Rural Residences shall have a minimum site area of 2 ha (5 acres). In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum site area.
 - e) Existing or abandoned farmsteads shall be viewed as highly suitable for rural residential development.
 - f) All discretionary uses shall have a minimum site area of 2 ha (5 acres) excepting cemeteries or crematoria that shall have no minimum area.

5.4.2 Area Building Frontage and Setback Regulations

- 1) The minimum site frontage shall be 30 meters (98 ft). Sites for resource based and institutional uses may be exempted from minimum frontage and site area requirements.
- 2) Front Yards - all buildings shall be set back a minimum of 60 meters (196 ft) from the centre line of any municipal road allowance or provincial highway and/or a minimum of 90 meters (294 feet) from the intersection of the centre lines of any municipal roads or provincial highway.
- 3) All shelterbelts, tree and shrub plantings, portable structures, machinery and earth or gravel piles shall comply with the same setback requirement as for buildings.
- 4) Side Yards - all buildings shall be set back a minimum of 15 meters (49ft) from the side property line. Where a side yard abuts a municipal road allowance or a provincial highway, the front yard requirements shall apply.
- 5) Rear yards - all buildings shall be set back a minimum of 15 meters (49 ft) from the rear property line.

5.5 Development Standards for Discretionary Uses

5.5.1 Intensive Livestock Operations

- 1) Council is governed by the location criteria contained in the Basic Planning Statement, Section 4.2.3 in the issuing of a discretionary approval for an I.L.O.
- 2) Development of any temporary facility or part of a site shall also require a development permit as a discretionary use if it meets the definition of an I.L.O.
- 3) Council shall be notified of proposed changes to the management of a livestock operation, which will affect the number, and/or type of animals, the storage and management of manure or management of mortalities. Council may require the livestock operation to make application for a new discretionary approval.
- 4) Application Requirements

Every application for an ILO shall indicate:

- a. The number and type of AUs;
- b. The methods or strategies proposed for manure storage and disposal;
- c. Source of surface water; method of water treatment;
- d. Copies of all written agreements with the owners of land parcels intended for disposal of manure, if parcels are not owned by the operator of the ILO;
- e. Identification and location of surface and groundwater sources, which may potentially be affected by the operation, including distance to water source;

- f. Reasons for this site being chosen for the operation, including characteristics that would make the site and land suitable for the development;
- g. Identification that there is a reasonable need or demand for the operation in the region;
- h. Expected volume, type and frequency of traffic associated with the operation;
- i. Additional servicing requirements needed to carry out the development (road upgrades, water source, utilities, etc.)
- j. A detailed site plan, at an appropriate scale. The site plan shall include:
 - i. The size of the operation
 - ii. The location of existing and proposed buildings and the uses of each building
 - iii. Location and area of each parcel (on and off-site) to be used for the storage or disposal of manure
 - iv. Location of water source, if located on-site
 - v. Location of sewage lagoon
 - vi. Location(s) of residence(s) associated with the operation as well as the location of residences not associated with the operation on adjacent sites
 - vii. Location of surface water on the site of the ILO

5) Criteria for Approval

- a. In addition to the requirements of this bylaw, every application for an ILO shall satisfy the requirements and regulations of *The Agricultural Operations Act, 1995* and amendments thereto.
- b. ILOs require all applicable approvals and licenses from the Saskatchewan Ministry of Agriculture.
- c. Council may require an assessment or study of the soils and hydrology of the site. Such assessment shall be carried out by a qualified professional and would be at the developer's own cost;
- d. The proponent may be required to demonstrate, in the form of a professional study and at the developer's cost, that the water supply is sufficient to support the development. The study should also demonstrate that the water supply of neighbouring properties will not be impacted;

6) Requirements for Public Notice:

In addition to the public notice requirements for a discretionary use, the following shall be required for an ILO:

- a. Written notice shall be provided to all assessed owners of property within 3 km (1.9 miles) of the building site.

- b. Notice shall be provided in one issue of a newspaper published or circulated in the municipality. If a local newspaper is not available, Council and the proponent may mutually agree upon another form of public notice.
- c. Council will encourage, and may require, the proponent to hold a public meeting, separate from the public hearing, at the developer's own cost.

7) Development Standards

- a. As a condition of approval, Council may specify the maximum number of AUs permitted in the operation.
- b. In order to reduce land use conflicts, Council may specify the lands, which may and may not be used for spreading, disposing or storing manure, as a condition of approval.
- c. Council may refer a development permit application for an ILO to the Ministry of Agriculture for review and comment, Council may request recommendations regarding the management of manure, nutrients, and mortality. Recommendations from the Ministry of Agriculture may be attached to the permit as development standards.
- d. Where municipal roads could be affected by the operation, Council may require the developer to enter into a road maintenance agreement under Section 22 of *The Municipalities Act*.
- e. As a condition of approval, Council may specify requirements, based on the zoning bylaw, regarding the disposal of manure produced by the ILO, or other measures intended to reduce odour, environmental concerns, or potential conflict with neighbouring uses.

5.5.2 Application of Manure

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

- a) Liquid manure shall be spread by direct injection into the soil.
- b) Solid manure shall be incorporated into the soil within 48 hours.
- c) Solid or liquid manure shall not be spread on snow covered or frozen ground.

2) Upon application to Council, other procedures for the application of manure may be approved where the applicant establishes that the objectives of the Basic Planning Statement will be achieved to a similar standard.

3) Council may exempt in whole or in part an applicant from this section where:

- a) the manure to be spread comes from an intensive operation of less than 300 animal units, and
- b) the manure will be spread on land owned or managed by the operator of the I.L.O. as a crop fertilizer to meet nutrient requirements.

5.5.3 Commercial Uses

- 1) Where ancillary to a farmstead, Council may apply special standards as a condition or discretionary approval limiting the size of operation and buildings used for the operation.
- 2) An increase in the area of land for a commercial use, or the number or size of buildings used for the commercial operation, shall require a Development Permit subject to discretionary approval.
- 3) Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of machinery, vehicles or vehicular parts in conjunction with a commercial operation including any salvage or vehicle storage yard.

5.5.4 Harvest Preserves

- 1) Shall be ancillary to an agricultural farm operation or rural residence.
- 2) Shall be located a minimum of 2.4km (1.5 miles) from any other residential site.
- 3) Shall comply with all federal and provincial legislation and regulations.
- 4) Shall comply with the Agricultural Tourism Development requirements in Section 3.27.
- 5) Council may apply special standards as a condition of discretionary approval limiting the size of operation, buildings used for the operation, and any other safety measures deemed necessary.

5.5.5 Home Based Businesses

Shall comply with Section 3.13

5.5.6 Campgrounds

Shall comply with Section 3.28

5.5.7 Vacation Farms and Bed-and-Breakfast Homes

Shall comply with Section 3.26

5.5.8 Sign Regulations

Shall comply with Section 3.4.

5.5.9 Workcamps

- 1) Federal, Provincial or municipal work camps do not require a development permit.

- 2) A development permit for a temporary work camp may be issued for up to two (2) years. The permit may be renewed at Council's discretion. Consideration for renewal will depend on compliance with the conditions and complaints received regarding the development.
- 3) An application for a development permit for a work camp must provide the following information:
 - a) the location, type and purpose of the camp;
 - b) adjacent land uses;
 - c) the method of supplying water, and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with Provincial regulations and be to the satisfaction of the Local Health Authority;
 - d) the number of persons proposed to live in the camp;
 - e) the start date for development, date of occupancy by residents, and removal date for the camp;
 - f) reclamation measures once the camp is no longer needed; and
 - g) letters of support from the adjacent land owners or residents, or other agencies (emergency services) when required by Council.
- 4) As a condition of approval, the Development Authority may include conditions to uphold all conditions in the Zoning Bylaw, and may also include the following:
 - a) requirement for municipal road upgrading (if required) or entering into a road use agreement with respect to impact on the roadway used to provide access to the camp, such as dust control and other matters;
 - b) requirements to limit noise to daytime hours (generally 7am to 11 pm) with the exception of generator noise, which must be mitigated by shielding or other method when it may be detrimental to an adjacent property;
 - c) requirement to maintain any existing natural buffers (trees, etc.); and
 - d) requirement to mitigate traffic impact by using vans or buses for transporting workers to and from job sites or urban areas.
- 5) Council may require a performance bond to ensure that the development is constructed and completed in accordance with the time frames and development standards required in the approval.

5.5.10 Sea and Rail Containers

- 1) All sea and rail containers must have a setback of 350 metres from any lake.

5.5.11 Commercial Recreation Uses:

- 1) Council may apply additional development standards as a condition of a discretionary used approval. Development standards may limit the size of the operation, the number of size of buildings or other conditions.

- 2) All commercial recreation uses shall be separated from a residence that is Not occupied by the operator of the commercial use, a hotel, a motel or restaurant. Setback distance shall be dependent on the type of commercial recreation use.
- 3) An increase in the area of land for a commercial recreation facility, or the number of size of buildings used for the operation, shall require a development permit subject to a discretionary use approval.

5.5.12 Feedlots

- 1) All feedlots that meet the criteria for an ILO, as defined by this bylaw, shall be subject to subsection 4.2.3 of the Basic Planning Statement and subsection 5.5.1 of this zoning bylaw.
- 2) Development of any temporary feedlot operation, not including the wintering of livestock, shall require a development permit for a discretionary use.
- 3) Council shall be notified of proposed changes to a feedlot operation, including changes to the number or type of animal, the storage and management of manure or management of mortalities. In any of these cases, Council may require the operation to make application for a new discretionary approval.

SECTION 6 - CR- COUNTRY RESIDENTIAL DISTRICT

6.1 Permitted Uses

- 1) One residential unit – single detached dwelling, modular home, mobile home, park model trailer home or RTM unit (See subsection 3.33)
- 2) Public utilities and municipal facilities.

6.2 Discretionary Uses

- 1) Golf courses.
- 2) Public sports fields and parks.
- 3) Rinks, arenas, and community halls.
- 4) Equestrian facility.
- 5) Other public or non-profit recreational facilities.
- 6) Non-residential schools and educational institutions.
- 7) Places of worship and religious institutions.
- 8) Bed and Breakfast homes.
- 9) Home based businesses.
- 10) Vacation farms.

6.3 Accessory Uses

- 1) Any buildings, structures, or uses which are accessory to the principal use of the site, but only once the principal use or discretionary use has been established.
- 2) Facilities for the sale of farm products grown by the agricultural operation.
- 3) Orchards, market garden, horticultural operations where accessory to a farmstead.
- 4) Private garages, shed and buildings accessory to any dwelling unit on the site.
- 2) Field crops
- 3) Pastures
- 4) Sea and Rail Containers are prohibited

6.4 Site Regulations in the Residential District

6.4.1 Area Site Requirements

- 1) Residential: Minimum 2 hectares (5 acres)
Maximum 16 hectares (40 acres)
- 2) Rural Residences may be exempted from these requirements:

a) In the case of a parcel physically severed as a result of road right-of-way or railway plans, drainage ditch, pipeline or transmission line, development, or natural features such as watercourses, water bodies there shall be no maximum site area. Existing residential parcels may be enlarged to include adjoining land physically severed as a result of the above noted barriers.

b) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum or maximum site area.

- 3) Institutional and Recreational: Minimum 2 hectares (5 acres)
Maximum 16 hectares (40 acres)

6.4.2 Area Building Frontage and Setback Regulations

1) The minimum site frontage for principal and accessory buildings shall be 30 meters (98 ft). Institutional uses may be exempted from minimum frontage and site area requirements.

2) Front Yards - all buildings shall be set back a minimum of 60 meters (196 ft) from the centre line of any municipal road allowance or provincial highway and/or a minimum of 90 meters (294 feet) from the intersection of the centre lines of any municipal roads or provincial highway.

3) All shelterbelts, tree and shrub plantings, portable structures, machinery and earth or gravel piles shall comply with the same setback requirement as for buildings.

4) Side Yards - all buildings shall be set back a minimum of 15 meters (49ft) from the side property line. Where a side yard abuts a municipal road allowance or a provincial highway, the front yard requirements shall apply.

5) Rear yards - all buildings shall be set back a minimum of 15 meters (49 ft) from the rear property line.

6.4.3 Residential Lot Density

A quarter section located within this district may contain a maximum of four sites for any residential use to preserve the rural character of this district.

6.5 The Keeping of Livestock

The keeping of domestic animals and livestock will be permitted up to a maximum of 5 animal units/acre. Animal contained on small residential lots should be managed in such a way that surface water or wells on the land are properly protected.

6.6 Development Standards for Discretionary Uses

6.6.1 Home Based Businesses

Shall comply with Section 3.13

6.6.2 Campgrounds

Shall comply with Section 3.28

6.6.3 Vacation Farms and Bed-and-Breakfast Homes
Shall comply with Section 3.26

SECTION 7 - RR - RESORT RESIDENTIAL DISTRICT

(Valley Planning Area Only)

7.1 Permitted Uses

- 1) One residential unit – single detached dwelling, modular home, mobile home, park model trailer home, RTM unit, or camper (See subsection 3.33)
- 2) Public utilities and municipal facilities “**excluding pit privies**”
- 3) **Geo-Thermal**

7.2 Discretionary Uses

- 1) Rinks and marinas.
- 2) Bed and breakfast homes.
- 3) Home based business.
- 4) Public sports fields and parks.
- 5) Community halls, museums and libraries.
- 6) Places of worship and religious institutions.
- 7) Non-residential schools and educational institutions.
- 8) Other public or non-profit recreational facilities.
- 9) Personal care homes.
- 10) *Dwelling Groups*
- 11) *Accessory uses that are larger than 40 ft x 60 ft*
- 12) *Wind Turbine*

7.3 Accessory Uses

- 1) Any buildings, structures, or uses, which are accessory to the principle use of the site, but only after the principle use or discretionary use has been established.
- 2) One accessory dwelling unit (Garden Suite) and/or private garage.
- 3) Two detached sheds or buildings accessory to any dwelling unit on the site.
- 4) **Sea and Rail Containers are prohibited**

7.4 Site Regulations in the Resort Residential District

7.4.1 Area Site Requirements

- 1) Residential: Minimum: 450m² (5000 ft²)
- 2) *Dwelling Units: Minimum: 225m² per dwelling unit*
- 3) Institutional and Recreational: Minimum: 0.8 hectares (2 acres)
- 4) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum site area.

7.4.2 Building Size Requirements

- 1) The Principle building shall be a minimum of 53 m² (576 ft²), with the exception of park model trailer homes, for which there will be no minimum building size.
- 2) *Dwelling Groups: Minimum of 75m² (820 ft²) per dwelling unit.*
- 3) *Campers shall be exempt from building size requirements*

7.4.3 Building Frontage and Setback Regulations

- 1) The minimum site frontage shall be 16 meters (50 ft). Sites for public utilities and institutional uses may be exempted from minimum frontage and site area requirements.

2) Front Yards - principal and accessory buildings shall be set back a minimum of 6 meters (20 ft) from the property line adjacent to a municipal road allowance or Provincial highway, except when the accessory building has no doors on the road side of the building the minimum set back shall be 1.3 meters (4 ft.) from the property line adjacent to a municipal road allowance or Provincial Highway.

3) Side Yards - all buildings shall be set back a minimum of 1.5 meters (5 ft) from the side property line.

4) Rear Yards - principle buildings shall be set back a minimum of 6 meters (20 ft) from the rear property line. Accessory buildings shall be set back a minimum of 1.5 meters (5 feet) from the rear property line except where a public or environmental reserve exists adjacent to the rear yard, no set back will be required.

5) Accessory buildings shall be set back 1.3 meters (4 ft.) from the primary building.

6) *In the case of Semi-detached and Multiple Unit Dwelling in Dwelling Groups the minimum frontage is 7.62 meters (25 feet) and the minimum side yard is reduced to 0 meters/feet, where a common wall exists between units.*

7.4.4 Fence and Hedge Heights

1) No hedge, fence, retaining wall or other structure shall be erected past any property line.

2) No hedge, fence, or other structure not otherwise permitted shall be erected in a required front yard, to a height of more than 1 meter (3 ft.) above grade level.

3) No hedge, fence, or other structure not otherwise permitted shall be erected in a rear . yard on a lakeside site, to a height of more than 1 meter (3 ft) above grade level.

4) No hedge, fence, screen, wall or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 2 meters (6 ft).

7.4.5 Dwelling Groups

1) All parking areas, private garages, or vehicular access to units or sites within a dwelling group shall be from a roadway which is common property internal to the parcel.

2) All dwelling groups shall have vehicular access to a public street from at least two points which are sufficiently separated to provide separate access and egress in case of fire or other emergencies.

3) Council will apply the following criteria in considering dwelling groups:

- a) the size and location will be such that the access system has sufficient capacity to handle the added development and that the development will not cause excessive traffic through existing residential areas; and*
- b) there will be adequate access to the lake for the development; and*
- c) the proposal will provide for adequate sewer and water supply services.*

7.4.6 Campers

The following criteria shall apply where campers are proposed as residential units on Private lots:

- 1) Development permits shall be applied for on an annual basis. New applications will be required each year and shall be subject to the permit application fee.*
- 2) One camper shall be allowed per titled lot.*
- 3) Prior to the issuance of a development permit for a camper, the following is required:*
 - i. a power connection is required on the lot;*
 - ii. water shall be supplied to the lot through a well or water tank; and*
 - iii. the lot will be required to have a holding tank in the ground which has been approved and inspected by the health Inspector and/or Regional Health Authority.*
- 4) The camper shall be accessible and mobile at all times. Permanently securing a camper on a lot is prohibited.*
- 5) All campers are required to be licensed by the owner of the property and/or lot. The renting out of campers is prohibited as per Section 3.31 of the Zoning Bylaw.*
- 6) Additions and/or structural alterations to campers will not be allowed.*
- 7) Decks will be considered an accessory use and will require a development permit application to be submitted to the RM.*
- 9) Setbacks shall be in accordance with Section 7.4 of the Zoning Bylaw*
- 10) Where a development permit has been issued, it is required that the permit be physically visible from the exterior of the camper.*

7.5 The Keeping of Livestock

The keeping of livestock is prohibited.

7.6 Development Standards for Discretionary Uses

7.6.1 Home Based Business

Shall comply with Section 3.13.

7.6.2 Bed and Breakfast Homes

Shall comply with Section 3.28.

7.6.3 Parking Regulations

Shall comply with Section 3.6

7.6.4 Sign Regulations

Shall comply with Section 3.4

7.6.5 Off Season Storage

- 1) The storage of fishing shacks and trailers shall be in a proper manner so as not to create a nuisance or view obstruction to adjacent property owners.

2) Empty lots are restricted from the temporary storing of seasonal buildings or recreational equipment or vehicles.

7.6.6 Accessory uses larger than 40ft x 60ft

1) The accessory use does not obstruct the view of the lake from adjoining properties or interfere with the site lines.

2) The height of the accessory use shall not exceed 10 ft (not including the peak of the roof)

a) Council may consider a height higher than 10 ft for the purpose of an accessory dwelling unit above the accessory use.

3) Shall comply with all setback and site size requirements in the district.

4) Shall meet all building bylaw requirements

6) Accessory buildings shall not include commercial uses

SECTION 8 - RH - RESORT HAMLET RESIDENTIAL DISTRICT

(Valley Planning Area Only)

8.1 Permitted Uses

- 1) One residential unit – single detached dwelling, modular home, mobile home, park model trailer home, TRM unit, or camper (See subsection 3.33)
- 2) Public utilities and municipal facilities “excluding pit privies”
- 3) **Geo-Thermal**

8.2 Discretionary Uses

- 1) Rinks and marinas.
- 2) Bed and breakfast homes.
- 3) Home based business.
- 4) Public sports fields and parks.
- 5) Community halls, museums and libraries.
- 6) Places of worship and religious institutions.
- 7) Non-residential schools and educational institutions.
- 8) Other public or non-profit recreational facilities.
- 9) Personal care homes.
- 10) *Dwelling Groups*
- 11) Accessory uses that are larger than 40 ft x 60 ft
- 12) *Wind Turbine*

8.3 Accessory Uses

- 1) Any buildings, structures, or uses, which are accessory to the principle use of the site, but only after the principle use or discretionary use has been established.
- 2) One accessory dwelling unit (Garden Suite) and/or private garage.
- 3) Two detached sheds or buildings accessory to any dwelling unit on the site.
- 4) **Sea and Rail Containers are prohibited**

8.4 Site Regulations in the Resort Hamlet Residential District

8.4.1 Area Site Requirements

- 1) Residential Minimum: 450m² (5000 ft²)
- 2) *Dwelling Groups: Minimum: 225 m² per dwelling unit*
- 3) Institutional and Recreational: Minimum: 0.8 hectares (2 acres)
- 4) In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum site area.

8.4.2 Building Size Requirements

- 1) The Principle building shall be a minimum of 53m² (576 ft²), with the exception of park model trailer homes, for which there will be no minimum building size.
- 2) *Dwelling Groups: Minimum of 75m² (820ft²) per dwelling unit.*
- 3) *Campers shall be exempt from building size requirements*

8.4.3 Building Frontage and Setback Regulations

- 1) The minimum site frontage shall be 16 meters (50 ft). Sites for public utilities and institutional uses may be exempted from minimum frontage and site area requirements.

- 2) Front Yards - principal and accessory buildings shall be set back a minimum of 6 meters (20 ft) from the property line adjacent to a municipal road allowance or Provincial highway, except when the accessory building has no doors on the road side of the building the minimum set back shall be 1.3 meters (4 ft.) from the property line adjacent to a municipal road allowance or Provincial Highway.
- 3) Side Yards - all buildings shall be set back a minimum of 1.5 meters (5 ft) from the side property line.
- 4) Rear Yards - principle buildings shall be set back a minimum of 6 meters (20 ft) from the rear property line. Accessory buildings shall be set back a minimum of 1.5 meters (5 feet) from the rear property line.
- 5) Accessory buildings shall be set back 1.3 meters (4 ft.) from the primary building.
- 6) *In the case of Semi-detached and Multiple Unit Dwellings in Dwelling Groups the minimum frontage is 7.62 meters (25 feet) and the minimum side yard is reduced to 0 meters/feet, where a common wall exists between units*

8.4.4 Fence and Hedge Heights

- 1) No hedge, fence, retaining wall or other structure shall be erected past any property line.
- 2) No hedge, fence, or other structure not otherwise permitted shall be erected in a required front yard, to a height of more than 1 meter (3 ft.) above grade level.
- 3) No hedge, fence, or other structure not otherwise permitted shall be erected in a rear yard on a lakeside site, to a height of more than 1 meter (3 ft) above grade level.
- 4) No hedge, fence, screen, wall or similar structure, excepting permitted accessory buildings, shall be erected to a height of more than 2 meters (6 ft).

8.4.5 Dwelling Groups

- 1) *All parking areas, private garages, or vehicular access to units or sites within a dwelling group shall be from a roadway which is common property internal to the parcel.*
- 2) *All dwelling groups shall have vehicular access to a public street from at least two points which are sufficiently separated to provide separate access and egress in case of fire or other emergencies.*
- 3) *Council will apply the following criteria in considering dwelling groups:*
 - a) *the size and location will be such that the access system has sufficient capacity to handle the added development and that the development will not cause excessive traffic though existing residential areas; and*
 - b) *there will be adequate access to the lake for the development; and*
 - c) *the proposal will provide for adequate sewer and water supply services.*

8.4.6 Campers

The following criteria shall apply where campers are proposed as residential units on Private lots:

- 1) Development permits shall be applied for on an annual basis. New applications will be required each year and shall be subject to the permit application fee.*
- 2) One camper shall be allowed per titled lot.*
- 3) Prior to the issuance of a development permit for a camper, the following is required:*
 - i. a power connection is required on the lot;*
 - ii. water shall be supplied to the lot through a well or water tank; and*
 - iii. the lot will be required to have a holding tank in the ground which has been approved and inspected by the health Inspector and/or Regional Health Authority.*
- 4) The camper shall be accessible and mobile at all times. Permanently securing a camper on a lot is prohibited.*
- 5) All campers are required to be licensed by the owner of the property and/or lot. The renting out of campers is prohibited as per Section 3.31 of the Zoning Bylaw.*
- 6) Additions and/or structural alterations to campers will not be allowed.*
- 7) Decks will be considered an accessory use and will require a development permit application to be submitted to the RM.*
- 9) Setbacks shall be in accordance with Section 7.4 of the Zoning Bylaw*
- 10) Where a development permit has been issued, it is required that the permit be physically visible from the exterior of the camper.*

8.5 The Keeping of Livestock

The keeping of livestock is prohibited.

8.6 Development Standards for Discretionary Uses

8.6.1 Home Based Business

Shall comply with Section 3.13.

8.6.2 Bed and Breakfast Homes

Shall comply with Section 3.28.

8.6.3 Parking Regulations

Shall comply with Section 3.6

8.6.4 Sign Regulations

Shall comply with Section 3.4

8.6.5 Off Season Storage

- 1) The storage of fishing shacks and trailers shall be in a proper manner so as not to create a nuisance or view obstruction to adjacent property owners.*
- 2) Empty lots are restricted from the temporary storing of seasonal buildings or*

recreational equipment or vehicles.

8.6.6 Accessory uses larger than 40ft x 60ft

- 1) The accessory use does not obstruct the view of the lake from adjoining properties or interfere with the site lines.
- 2) The height of the accessory use shall not exceed 10 ft (not including the peak of the roof)
 - a) Council may consider a height higher than 10 ft for the purpose of an accessory dwelling unit above the accessory use.
- 3) Shall comply with all setback and site size requirements in the district.
- 4) Shall meet all building bylaw requirements
- 5) Accessory buildings shall not include commercial uses

SECTION 9 -C - COMMERCIAL DISTRICT

9.1 Permitted Uses

Agricultural Resource Commercial.

- 1) Agricultural equipment sales and service facilities.
- 2) Agricultural seed, fuel and chemical supply facilities.
- 3) Agricultural service and contracting establishments.
- 4) Agricultural grain facilities.

Highway/Resort Commercial

- 1) Commercial nurseries and greenhouses.
- 2) Confectioneries with or without gas bars.
- 3) Construction trades without outdoor storage.
- 4) Motor vehicle dealers and service establishments.
- 5) Recreations vehicle equipment dealers and service establishments.
- 6) Motels and hotels.
- 7) Personal service shops.
- 8) Veterinary clinics and hospitals.
- 9) Retails Stores.
- 10) Restaurants and other eating establishments.
- 11) Pubs.
- 12) Public utilities and Municipal Facilities
- 13) Campgrounds.
- 14) Marinas and boat rentals.
- 15) Mooring and Marine storage.
- 16) Recreational Storage Compounds.

9.2 Discretionary Uses

Agricultural Resource Commercial

- 1) Abattoirs, hide defleshing and tanning facilities.
- 2) Stockyards and Auction marts.
- 3) Agricultural implement and prefabricated building component.
- 4) Light manufacturing.
- 5) Agricultural product processing
- 6) Fish product processing.

Highway/Resort Commercial

- 1) Outdoor storage yards for construction materials and extractive industries.
- 2) Storage facilities, warehousing, supply and distribution facilities.
- 3) Welding, machine shops and metal fabricating.
- 4) Salvage yards, auto and machinery wreckers.
- 5) Wood and natural products processing and fabrications.
- 6) Aggregate Mixing and Cement Plants
- 7) Commercial recreation facilities.
- 8) Solid and liquid waste disposal facilities.
- 9) Septic Services.
- 10) Landscaping services.

9.3 Accessory Uses

- 1) One single detached residential dwelling, modular home or mobile home placed on a permanent foundation when used as a residence for the owner, manager or caretaker of a permitted or discretionary use where ancillary to that use and located on the same site.
- 2) Any buildings, structures or uses, which are accessory to the principal use of the site, but only once the principal use or discretionary use has been established.
- 3) Sea and Rail Containers are prohibited.

9.4 Site Regulations in the Commercial District

9.4.1 Area Site Requirements

- 1) The minimum site area shall be 2 ha (5 acres). In the case of a parcel that existed prior to the adoption of this Bylaw there shall be no minimum site area.
- 2) Public utilities and municipal facilities are exempted from site area and site frontage requirements.

9.4.2 Area Building Frontage and Setback Regulations

- 1) The minimum site frontage for principal and accessory buildings shall be 30 meters (98 ft).
- 2) Front Yards - all buildings shall be set back a minimum of 60 meters (196 ft) from the centre line of any municipal road allowance or provincial highway and/or a minimum of 90 meters (294 feet) from the intersection of the centre lines of any municipal roads or provincial highway.
- 3) All portable structures, machinery and earth or gravel piles shall comply with the same setback requirement as for buildings.
- 4) Shelterbelts, tree and shrub plantings shall be set back a minimum of 25 meters (80 ft) from the side and/or rear property lines.
- 5) Side Yards - all buildings shall be set back a minimum of 30 meters (98 ft) from the side property line. Where a side yard abuts a municipal road allowance or a provincial highway, the front yard requirements shall apply.
- 6) Rear yards - all buildings shall be set back a minimum of 30 meters (98 ft) from the rear property line.

9.5 Development Standards for Commercial Uses

9.5.1 Discretionary Commercial Uses

- 1) Council may apply special standards as a condition of discretionary approval limiting the size of operation, buildings used for the operation.
- 2) All discretionary commercial uses shall be separated from a residence, not occupied by the operator of the use, or a hotel, motel, or restaurant by a distance of at least 400 meters (1320 ft).
- 3) An increase in the area of land for a commercial use, or the number or size of buildings used for the commercial operation, shall require a development permit subject to discretionary approval.

9.5.2 Outside Storage

- 1) Outside storage is prohibited in a required yard abutting a road, except for the display of vehicles or machinery in operating condition, which are for sale.
- 2) Council may apply special standards as a condition or a discretionary use approval regarding the location of areas for the storage and display of vehicles or machinery.
- 3) No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard abutting a road.-
- 4) Council may require special standards for the location setback or screening of any area devoted to the outdoor storage of machinery, vehicles or vehicular parts in conjunction with a commercial operation including any salvage or vehicle storage yard.

9.5.3 Campgrounds

Shall comply with Section 3.28

9.5.4 Sign Regulations

Shall comply with Section 3.4.

9.5.5 Parking Regulations

Shall comply with Section 3.6.

SECTION 10 - SENSITIVE ENVIRONMENT OVERLAY – SE

10.1 The Intent of this Overlay Area is to acknowledge and protect natural, environmental features and systems within the municipality.

10.2 Defining The Boundary

The Sensitive Environment Overlay corresponds to the Valley Planning Area, the former Pheasant Hills Planning District and is defined by legal property.

10.3 Permitted Uses

- 1) Pedestrian trails and bicycle pathways.
- 2) Natural and nature-like open areas.
- 3) Dwellings existing at the date of the passing of this Bylaw, and accessory buildings thereto.
- 4) Livestock grazing.

10.4 Discretionary Uses

- 1) Parks and playgrounds
- 2) Drainage ditches, culverts, and other drainage works.
- 3) Residential development.
- 4) Public works buildings and structures.

10.5 Prohibited Uses

- 1) Off-Road vehicles.

10.6 Site Regulations in the Sensitive Environment Area

1) Within this area any new development will respect the Basic Planning Statement criteria by protecting rare and endangered species, preserving wildlife corridors, retaining natural vegetation and minimal loss of habitat.

2) With the exception of a single-unit residential development, for a proposed development located within the Sensitive Environment Area, Council shall require the developer to have an environmental assessment carried out by a qualified professional. The site analysis shall identify potential impacts and mitigative measures of the proposed development on the SE.

3) Council requires that mitigative measures identified in the report shall become condition of the Development Permit and that the developer adopts mitigative measures to ensure the environmental protection objectives are met.

SECTION 11 - FLOOD HAZARD LANDS OVERLAY – FH

11.1 The Intent of this Overlay Area is to restrict development in areas that are considered hazardous for development in order to minimize property damage due to flooding.

11.2 Defining the Area

For all proposed development in this area the developer shall be required to contact Sask. Watershed Authority to determine the 1:500 year return frequency flood event and necessary freeboard.

11.3 Permitted Uses

- 1) Agricultural uses, but not including buildings and structures accessory thereto; and does not include Intensive Livestock Operations or harvest preserves.
- 2) Recreational uses.
- 3) Wildlife habitats and sanctuaries.

11.4 Discretionary Use

- 1) Single Residential Unit/Development provided it is constructed in accordance with appropriate flood proofing measures.

11.5 Site Regulations in the Flood Hazard Land Areas

- 1) No person shall use any land, erect, alter or use any building or structure within the Flood Hazard Lands without a development permit.
- 2) No person shall backfill, grade, deposit earth or other material, excavate, or store goods or materials on these lands.
- 3) "Hazardous Substances and Waste Dangerous Goods" are prohibited, as defined by the *Hazardous Substances and Waste Dangerous Goods Control Regulations of the Environmental Management and Protection Act of Saskatchewan*.

11.6 Flood Proofing Regulations

- 1) A development permit shall not be issued for any land use, erection, alteration or use of any building or structure within the Flood Hazard Lands Overlay Area unless the site/development meets approved flood proofing measures to the 1:500 flood frequency level. ;
- 2) Any existing buildings may be replaced or expanded subject to appropriate flood proofing measures being provided.
- 3) For the purpose of this Bylaw, appropriate flood proofing measures shall mean:
 - a) all buildings shall be designed to prevent structural damage by flood waters;
 - b) the first floor of all buildings shall be constructed above the designated flood level.
 - c) All electrical and mechanical equipment within a building shall be located above the designated flood level.

SECTION 12 - EROSION AND SLOPE INSTABILITY OVERLAY – SI

12.1 The Intent of this Overlay Area is to restrict development in areas that are considered hazardous for development for reasons of excessive soil erodability and/or ground instability.

12.2 Defining the Area

No new development shall be permitted in any readily eroded or unstable slope area if the proposed development will be affected by or increase the potential hazard presented by erosion or slope instability. For the purpose of this Bylaw, the area considered to present potential erosion and/or slope instability hazard includes the slopes of the Qu'Appelle Valley and its tributary creeks and gully's extending from the edge of the flood plain in the valley, to the ridge of the slope at the top, plus a setback of 100 metres.

12.3 Permitted Uses

- 1) Agricultural uses, but not including buildings and structures accessory thereto; and does not include irrigation works, Intensive Livestock Operations or harvest preserves.
- 2) Recreational uses.
- 3) Wildlife habitats and sanctuaries.

12.4 Discretionary Uses

- 1) One Single Residential Unit/Development.

12.5 Prohibited Uses

- 1) Off-Road vehicles except on roadways.

12.6 Site Regulations in the Erosion and Slope Instability Area

- 1) Any application for a Development Permit or a Building Permit on any parcel of land that lies wholly or partially within an area designated in the "SI Slope Instability Overlay Area, must be accompanied by a detailed site analysis prepared by a geotechnical engineer registered in the Province of Saskatchewan. The site analysis shall indicate topography, surface drainage, geological, and geotechnical conditions at the site of the proposed development and related to the conditions at the site of the proposed development and related to the conditions general area as they relate to slope instability and erosion hazards. A Professional Engineer, licensed to practice in the Province of Saskatchewan and competent in the design of foundations may provide a sealed letter indicating this is not required, providing the Engineer or Engineering firm, in their site investigation deems it so. The

Professional Engineer must evaluate the site conditions to determine that the conditions do not require a complete geotechnical investigation, due to location, topography, or other conditions observed during the site review.

2) The geotechnical engineer shall answer the following questions:

a) Will the proposed development be detrimentally affected by natural erosion or slope instability?

b) Will the proposed development increase the potential for erosion or slope instability that may affect the proposed development, or any other property?

3) Unless the geotechnical engineer or Professional Engineer can answer "no" in response to both of the above questions, further analysis will be required. The required analysis must define the hazard as it may affect the proposed development and any other potentially affected property. The engineering report will identify hazard mitigation measures including engineered works and other measures deemed to be effective in eliminating or managing anticipated erosion and slope stability impacts, and will identify and explain known and suspected residual hazards. The responsibility for monitoring and responding to monitored findings shall be resolved before approval is granted.

4) A Development Permit shall not be issued unless the report on the site, presented by the professional Geotechnical Engineer or Professional Engineer, indicates that the site is suitable for development or outlines suitable mitigating measures and documents residual hazard.

5) If such an evaluation is not done, or having been done, Council determines that excessive remedial or servicing measures are necessary to safely and efficiently accommodate the proposed development, Council shall not be required to approve the application for development.

SECTION 13 - HERITAGE RESOURCE OVERLAY- HR

13.1 The Intent of this Overlay Area is to ensure the protection of significant heritage resources located on land proposed for development.

13.2 Defining the Boundary

Archaeological, historic features and palaeontological sensitive lands within the Rural Municipality include:

- 1) lands located within the same quarter-section as, or within 500 meters of, a Site of a Special Nature as defined in *The Heritage Property Act*.
- 2) lands in major river valleys such as the Qu'Appelle river and its major tributaries and/or within one kilometer of their edges.
- 3) lands within 500 meters of other previously recorded sites, unless they can be shown to be of low heritage significance.

13.3 Site Regulations in the Heritage Resources Overlay Area

- 1) The municipality will require the developer to search and identify any known heritage sites within 500 meters of any recorded heritage sensitive lands and to comply with all Province of Saskatchewan legislation.
- 2) Any substantive development that lies within these sensitive lands shall be referred to the provincial Heritage Unit for a heritage review.
- 3) Should a Heritage Resource Impact Assessment 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 should establish:
 - a) the presence of heritage sites within the project areas;
 - b) suitable mitigation measures that could be implemented;
 - c) the content, structure, and importance of those heritage sites; and
 - d) the need for an scope of any mitigative follow-up.
- 4) If such an assessment is not done or having been done, Council may defer the issuance of a Development Permit until such time as all mitigation requirements have been met.

13.4 Heritage Resource Development

- 1) Heritage resource development shall be a discretionary use in all zones.
- 2) Heritage resource development shall be exempted from site and frontage area requirements.

SECTION 14- DEFINITIONS

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

Accessory: a use, or structure, normally incidental, subordinate, exclusively devoted to, and located on the same site as the principal use or building.

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

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

Act: *The Planning and Development Act 2007*, Province of Saskatchewan, as amended from time to time.

Agricultural: a use of land, buildings or structures for the purpose of animal husbandry, fallow, field crops, forestry, market gardening, pasturage, private greenhouses and includes the growing, packing, treating, storing and sale of produce produced on the premises and other similar uses customarily carried on in the field of general agricultural.

Agricultural Commercial Business: the use of land, structure or building for the purposes of buying and selling or processing, storage and supply of commodities and services that support agricultural operations.

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

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

Animal Unit (A.U.): the kind and number of animals calculated in accordance with the following table:

Kind of Animal		Number of Animals = 1 Animal Unit
Poultry	Hens, cockerels, capons	100
	Chicks, broiler chickens	200

	Turkeys, geese, ducks	50
	Exotic birds	25
Hogs	Boars and sows	3
	Gilts	4
	Feeder pigs	6
	Weanling pigs	20
Sheep	Rams or ewes	7
	Lambs	14
Goats,	all (including llamas, alpacas etc.)	7
Cattle	Cows and bulls	1
	Feeder cattle	1 .5
	Replacement heifers	2
	Calves	4

Horses	Colts and ponies	2
	other horses	1
Other	Domesticated native ungulates (deer, elk, bison, etc.)	1

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

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

Billboard: a private free standing sign, including supporting structures, which advertises goods, products, services, organizations, or facilities that are available from, located on, or refer to, a site other than the site on which the sign is located, and which is greater than 2 square meters in facial area.

Building: a structure used for the shelter or accommodation of persons, animals, or chattels and includes any structure covered by a roof supported by walls or columns.

Building, Accessory: a subordinate detached building appurtenant to a main building or main use and located in the same site, the purpose of which is to provide better and more convenient function of the main building or main use.

Permit: a permit issued under The Building Bylaw of the RM of Grayson, authorizing the construction or the addition to any building but does not include a Development Permit.

Camper: a portable dwelling and/or trailer, whether, towed or driven, that is equipped for occupancy.

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

Commercial: the use of land, buildings, or structures for the purpose of buying and selling commodities, and supplying professional and personal services for compensation.

Commercial Recreation (Facility or Operation): an operation or facility used for recreation or amusement and operated as a business that is open to the general public for a fee.

Council: the Council of the Rural Municipality of Grayson No. 184.

Demolition Permit: is a permit issued for the removal or dismantling of a building or structure within The Municipality of Grayson's boundaries as prescribed under Section 13 of *The Uniform Building and Accessibility Standards 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 of any building or land and shall include, but not limited to, excavating, filling, grading or drainage of land.

Development Permit: a document issued by the Council of the RM of Grayson that authorizes development pursuant to this Bylaw, but does not include a building permit.

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

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

Dwelling, Duplex: A building divided horizontally into two (2) dwelling units.

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

Dwelling, Multiple Unit: A building containing three or more dwelling units and shall include condominiums, townhouses, row houses, and apartments as distinct from rooming house, hotel, or motel.

Dwelling, Semi-Detached: A building divided vertically into two (2) dwelling units by a common wall extending from the base of the foundation to the roofline.

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

Dwellings, Town House: A dwelling, designed as one cohesive building in terms of architectural design, which contains three (3) or more similar attached dwelling units each of which fronts on a street, has direct access to the outside at grade and is not wholly or partly above another dwelling.

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

Existing: in place, or taking place, on the date of the adoption of this Bylaw.

Farmstead: a single site which includes the residence of the farm operator and those buildings or facilities which are related to the farm operation, and may include cropland and pastures.

Feedlot: A fenced area where livestock are confined solely for the purpose of growing or finishing, and are sustained by means other than grazing. May be an intensive livestock operation (ILO) or a non-intensive livestock operation, refer to the definition for intensive livestock operation.

Fill: soil, rock, rubble, or other approved, non-polluting waste that is transported and placed on the existing, usually natural, surface of soil or rock, following the removal of vegetation cover, topsoil, and other organic material.

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

Flood, Design:

- i) a 1:500-year flood; or
- ii) a flood having a return period equal to 500 years; or iii) a flood having water surface elevations equal to a 500-year flood; or iv) a flood having approximately 0.2 percent risk of occurring any year.

Flood Hazard Area: The area that would be inundated by the design flood.

Flood Proofing: any combination of structural and non-structural additions, changes or adjustments to structures or land that will significantly reduce or eliminate flood damage to real estate or improved real property and their contents.

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

Freeboard Elevation: The elevation of the design flood level plus a freeboard of 0.5 meter, (approximately 1.6 ft)

Game Farm: Land and facilities on which domestic game farm animals are held for commercial purposes.

Garden Suites (see Accessory Dwelling Units)

Intensive Livestock Operation (ILO): The confining of any of the following animals, where the space per animal unit is less than 370 m² (3,982.78 ft²):

- poultry
- hogs
- sheep
- goats
- cattle

- horses
- any other prescribed animals.

Landscaping: any combination of trees, shrubs, flowers, grass, or other horticultural elements and may also include decorative stonework and paving, screening, berming, or other similar site design elements; all of which are designed to enhance the visual amenity of a site or to provide a visual screen.

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

Mobile Home: a trailer coach that may be used as a dwelling all year round; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to sewage system.

Mobile Home Park: a site under single management for the placement of two or more mobile homes and shall include all accessory buildings necessary to the operation. (Take out)

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

Motel: a series of dwelling units intended for the use of transient lodgers, each containing at least a bedroom and bathroom, and each having convenient access to a parking space for the occupants' use.

Municipality: the Rural Municipality of Grayson No. 184.

Municipal Road: a public roadway subject to the direction, control and management of the Municipality.

Non-Conforming Use: any use of land, building or structure lawfully existing or under construction where permits have been issued at the time of the passing of 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.

Parking Lot: an open area, other than a street, used for the temporary parking of more than four vehicles and available for public use and the use of employees working on, or from, the site.

Park Model Trailer Home: A residential unit designed for long-term or permanent installation on a permanent foundation (may have a basement), having architectural

features similar to permanent residential dwellings, and conforming to Canadian Standards Association (CSA) Standard A277.

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

Permitted Use: the use of land, buildings, or other structures that shall be permitted in a Zoning District where all requirements of this Zoning Bylaw are met.

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

Pit Privy: As per the definition in the Private Sewage Works Regulation

Principal Use: the main activities conducted on a site.

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

Public Road: a road allowance or a legally surveyed road vested in the name of Department of Highways.

Public Utility: a system, work, plant, equipment, or service, whether owned or operated by the Municipality, or by a corporation under Federal or Provincial state, that furnished services and facilities to, or for the use of, the municipal inhabitants:

- i. Communication by way of telephone lines, optical cable, microwave, and cable television services.
- ii. Delivery of water, natural gas, and electricity;
- iii. Public transportation by bus, rail, or other vehicle production, transmission;
- iv. Collection and disposal of sewage, garbage, and other waster; and
- v. Fire and Police Services.

Public Works: a facility as defined under *The Planning and Development Act, 1983*.

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

Recreational: the use of land for passive and active activities that may not require significant site development, or may require necessary and accessory building structures.

Reeve: the Reeve of the Rural Municipality of Grayson No. 184.

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

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

RTM (Ready to Move) Home: A residential unit that is constructed off site in a yard or factory, on one or more sections, transported to a site for permanent installation on a permanent foundation (may have a basement), having architectural features similar to permanent residential dwellings built on site, and conforming to Canadian Standards Association (CSA) Standard A277.

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

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

Sign: any device, letter, symbol, emblem or picture, that is affixed to or represented directly or indirectly upon a building, structure, or a piece of land and that 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, road, thoroughfare, or any other public place.

Site: an area of land with fixed boundaries, considered as a unit devoted to a certain use, and which has been registered in the Land Titles Office by Certificate of Title, and for which all portions of the land are consolidated under a single title.

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

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

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

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

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

Subdivision: a division of land, and includes a division of a quarter section into legal subdivisions as described in *The Land Titles Act*.

Temporary Use/Building: a use or building established for a fixed period of time and that is to be discontinued upon the expiration of the time period specified in the permit for that use or building.

Trailer Coach: any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public roads or highways and includes a self-propelled or non-self-

propelled vehicle designed, constructed or reconstructed in such a manner as to permit occupancy as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked-up. Use: the purpose or activity for which any land, building, structure, or premises, or part thereof is arranged, designed, or intended, or for which these may be occupied or maintained.

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

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

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

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

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.

Workcamp: a temporary facility for the use of employees affiliated with a remote work location where meals and overnight accommodation are typically provided.

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

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

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

Yard, Required: the minimum yard required by a provision of this bylaw.

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

Zone: a land area within the municipality, designated on the Zoning Map for specific, uniform development and subdivision standards and requirements.

SECTION 15 - ADOPTION

Bylaw No. 3/83 Pheasant Hills Planning District Zoning Controls - Schedule "B" is hereby repealed.

This Bylaw is adopted pursuant to *The Planning and Development Act, 1983*, and shall come into force on the date of final approval by the Minister of Government Relations and Aboriginal Affairs.

SEAL

Reeve

Rural Municipal Administrator

Certified A True Copy of Bylaw
No.2004-02 passed by the
Council of the Rural Municipality of
Grayson No. 184 on the 12th day of
March, 2004.

Administrator

This is exhibit "B" referred to in the affidavit of
sworn before me at the Town of Grayson , in the Province
of Saskatchewan this day of 2004.

A Commission for Oaths in and for
The Province of Saskatchewan.
My appointment expires

Bylaw No. 2004-02 Appendix "A" RURAL
MUNICIPALITY OF GRAYSON NO. 184

Instructions to applicant for the completion of the application form for a development permit or a change of land use.

The application number will be assigned by the R.M. office.

1. If you are applying for a permit for land which you do not own, please provide the name and address of the registered owner.

2. Present use of the land: (i.e. vacant lot, cottage or residential lot, cultivated farmland, pasture, etc.)

3. Description of proposed development: Fully describe what you propose to do. If your development includes any excavations, fills, land leveling, clearing, or removal of natural vegetation please provide complete details. Drawings, diagrams or photos are very helpful and may be required in some cases. Where your development includes the construction of a building a building permit is required.

4. Site plan: Your site plan should include the following information:

- a) North directional arrow;
- b) The scale to which it is drawn;
- c) The dimensions and lot lines of the lots or parcels;
- d) The dimensions and location of all existing and proposed buildings. Be sure to show the distances from the property lines to any buildings.
- e) The proposed development should be identified; (i.e. outline it in red)
- f) Topographical features; (i.e. watercourses, lakes, drainage ditches, sloughs, wooded areas, etc.)
- g) Location of streets, lanes, roads, power, gas or telephone lines, etc.
- h) Size and location of any easements or right-of-ways, if any;
- i) Adjoining land uses.

5. A Surveyor's Certificate (Real Property. Report) shall be provided to Council to be kept on file with the Development Permit application. This shall define where the boundaries of the lot lie, where construction will take place and be confirmed by legal survey.

6. When a proposed development lies in an environmentally sensitive area, flood hazard zone, slope instability district or in proximity of a heritage "Site of a Special Nature" the proponent will be required to obtain all necessary reports at their own cost. (See Zoning Bylaw Overlay districts)

7. Declaration by applicant: Be sure to complete this section and sign the application. An unsigned application will be returned.