

RURAL MUNICIPALITY OF
DUCK LAKE NO. 463
ZONING BYLAW



BYLAW NO. _____

RM OF DUCK LAKE NO. 463
ZONING BYLAW

PREPARED FOR:

RM OF DUCK LAKE NO. 463

PREPARED BY:

Northbound Planning Ltd.

Meota, SK

September 2023

A BYLAW TO ADOPT A ZONING BYLAW

BYLAW NO. _____

The Rural Municipality of Duck Lake No. 463, in the Province of Saskatchewan, in an open meeting assembled enacts as follows:

- 1) Pursuant to sections 46 and 75 of *The Planning and Development Act, 2007* the Rural Municipality of Duck Lake No. 463 (the RM), hereby adopts a Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- 2) The Reeve and Rural Municipal Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- 3) Bylaw No. 05-85, the former Zoning Bylaw is hereby repealed.

This Bylaw shall come into force and take effect upon final approval of the Minister of Government Relations.

Read a First Time the _____ day of _____, _____

Read a Second Time the _____ day of _____, _____

Read a Third Time the _____ day of _____, _____

Adoption of this Bylaw this _____ day of _____, _____

Reeve

(SEAL)

Administrator

Certified a true copy of
Bylaw No. _____ adopted by resolution
of the Council this

____ day of _____ 2023

Reeve

(S E A L)

Administrator

RURAL MUNICIPALITY OF DUCK LAKE NO. 463

ZONING BYLAW

SCHEDULE 'A' to

BYLAW NO. ____

Table of Contents

- Table of Contents 1**
- 1.0 Introduction 4**
- 2.0 Administration 5**
 - Development Officer 5
 - Application for a Development Permit..... 5
 - Development by a Railway 8
 - Developments Not Requiring a Development Permit..... 8
 - Validity and Effective Time Period for Development Permit Applications 9
 - Review of Applications..... 10
 - Discretionary Use Applications 10
 - Notice of Decision:..... 12
 - Revocation of Decision:..... 12
 - Development Appeal Board 13
 - Fees and Amendment to the Bylaws 13
 - Minor Variances to the Zoning Bylaw 13
 - Enforcement, Offences and Penalties..... 13
- 3.0 General Regulations 14**
 - One Principal Building and Use Permitted on a Site..... 14
 - Frontage on Road 14
 - Permitted Yard Encroachments 14
 - Non-conforming Uses, Buildings and Sites 15
 - Natural Environment, Riparian Area Protection Regulations 15
 - Landscaping, Grading and Levelling of a Site..... 15
 - Public Works, Water and Sewer Systems, Utilities, and Facilities of the RM..... 16
 - Move-In Residential Buildings 16
 - Bulk Fuel Storage and Sales 16
 - Home Based Businesses..... 17
 - Bed and Breakfast and Vacation Farms..... 17
 - Outfitting Operations and Lodges..... 18
 - Park Model Cottages, Modular Homes, Manufacture and Mobile Homes 19

Buildings to be Moved	19
Demolition of Buildings	20
Wind Energy Systems	20
4.0 Zoning Districts and Zoning Map	22
Classification of Zoning Districts.....	22
Zoning District Map	22
Boundaries of Zoning Districts	22
Zoning District Schedules.....	22
5.0 A – Agricultural District.....	23
Intent	23
Permitted Uses.....	23
Discretionary Uses	23
Accessory Uses.....	24
Regulations.....	24
Discretionary Use Evaluation Criteria and Regulations	27
6.0 CR – Country Residential District	31
Intent	31
Permitted Uses.....	31
Accessory Uses.....	31
Discretionary Uses	32
Regulations.....	32
7.0 H – Hamlet District.....	35
Intent	35
Permitted Uses.....	35
Accessory Uses.....	36
Discretionary Uses	36
Regulations.....	36
Discretionary Use Evaluation Criteria and Regulations	38
8.0 LD1 – Lakeshore Development 1 District	40
Intent	40
Permitted Uses.....	40
Accessory Uses.....	40
Discretionary Uses	40

Prohibited Uses	40
Regulations.....	41
Floor Area Requirements.....	42
Fences.....	42
Outdoor Storage.....	42
Specific Development Standards and Criteria for Discretionary Uses.....	43
9.0 LD2 – Lakeshore Development 2 District	44
Intent	44
Permitted Uses.....	44
Accessory Uses.....	44
Discretionary Uses	44
Prohibited Uses	44
Regulations.....	45
Floor Area Requirements.....	46
Fences.....	46
Outdoor Storage.....	46
Specific Development Standards and Criteria for Discretionary Uses.....	46
10.0 F – Forestry District.....	49
Intent	49
Permitted Uses.....	49
Accessory Uses.....	49
Discretionary Uses	49
Regulations.....	49
11.0 C – Commercial District.....	50
Intent	50
Permitted Uses.....	50
Public Utilities.....	50
Accessory Uses.....	50
Discretionary Uses	50
Discretionary Use Evaluation Criteria and Regulations	53
12.0 Interpretation	54
13.0 Zoning District Map.....	68

1.0 Introduction

Under the authority provided by section 46 of *The Planning and Development Act, 2007* provides that the Council of a municipality may pass a Zoning Bylaw. Therefore, the Reeve and Council of the Rural Municipality Duck Lake No. 463 in the Province of Saskatchewan in open meeting enact as follows:

1.1 Title

This Bylaw shall be known and may be cited as the "Zoning Bylaw" of the Rural Municipality of Duck Lake No. 463.

1.2 Purpose

This Bylaw has been created to regulate development within the Rural Municipality of Duck Lake No. 463 to provide for the amenity of the area as well as for the health, safety and welfare of the inhabitants of the RM.

1.3 Scope

All development hereafter shall be permitted within the limits of the RM only when in conformity with the provisions with in this Bylaw.

1.4 Severability

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

1.5 Other Legislative and Bylaw Requirements

Nothing in this Bylaw affects the duty or obligation of a person to obtain a Development Permit, or to obtain any other permit, license or other authorization required by any Bylaw, or the Act, or any regulation pursuant to those provincial regulations.

1.6 Bylaw Compliance

Errors and/or admissions by the Development Officer or someone acting under their direction administering this Bylaw while processing applications for development do not clear any party of responsibility for complying with the provisions of this Bylaw or any other bylaw of the RM or relieve any applicant from liability for failure to comply

with this Bylaw.

No mistake or omission by the Development Officer or someone acting under their direction relieves any applicant from liability for failure to comply with this Bylaw.

2.0 Administration

2.1 Development Officer

- (1) The Administrator of the Rural Municipality of Duck Lake No. 463 shall be the Development Officer responsible for the administration of this Bylaw, and in their absence, by such other employee of the RM as the Council designates from time to time. Council may appoint a Development Officer subject to the approval of Council to whom duties in the administration of the Zoning Bylaw may be delegated.

2.2 Application for a Development Permit

- (1) No person shall undertake a development or commence a use unless a development permit has first been obtained or is exempt as described in this Bylaw.
 - (a) Any person wishing to erect, alter, install, remove any building or structure within the jurisdictional boundaries of the RM shall be required to submit a Development Permit Application unless exempted in subsection 2.4.
- (2) A development permit cannot be issued in contravention of any of the provisions of this Bylaw except as provided in an appeal pursuant to the Act.
- (3) A building permit shall not be issued unless a development permit, where required, has also been issued.
- (4) The application for a development permit shall be made to the Development Officer in **"Form A"** as adopted or amended by resolution of Council and is not defined in this Bylaw.
 - (a) Where no new construction is proposed, but where a change to the intensity of use results, applicants shall still be required to submit a Development Permit Application and supply a written description of the proposed development in place of such plans.
- (5) Any Development Permit Application will be required to contain:
 - (a) Electronic building plans, or printed building plans on paper no larger than 11 x 17 sized paper. Plans must be prepared by a qualified professional. The Development Officer may accept alternative forms of printed plans with prior consultation. Plans shall also contain:

- (i) Elevations, or diagrams showing the type, installation and/or construction schematics of the proposed building or structure.
- (b) Site plans, which shall contain:
 - (i) The proposed use of land and any buildings or parts of buildings on the site;
 - (ii) A north arrow;
 - (iii) The property boundaries, all existing structures within the property boundaries, and setbacks from the proposed development to the property boundaries (i.e., dwellings, decks, garages, etc.);
 - (iv) The street frontage of the lot;
- (6) The Development Officer retains the right to ask for any studies or research they believe is necessary for making a decision on a development permit, at the cost of the applicant, before rendering a decision. Such inclusion may contain, but is not limited to:
 - (a) Major drainage paths for water travelling over the lot.
 - (b) A Real Property Surveyors Report (RPSR) showing all existing structures and easements on the site.
 - (c) Reclamation plans, emergency response plans, etc.
 - (d) Any and all photos or pictures of the proposed development in its existing condition (i.e., Move-In Residential Buildings).
 - (e) Site elevations and the 1:500 flood elevation.
 - (f) Geotechnical investigation prepared by a professional engineer.
 - (g) The location of all existing vegetation on site, and a description of any alteration to surface vegetation.
- (7) **Real Property Surveyors Reports (RPSRs):**
 - (a) A development permit application for a proposed residence on potentially hazardous land as defined by provincial regulation, this Bylaw, and the Official Community Plan, or lands that have an interest registered on the title pursuant to Section 130 of the Act, must be accompanied by a RPSR prepared by a Saskatchewan Land Surveyor, which illustrates that the proposed elevation of the finished main floor is above the Minimum Building Elevation as defined herein.
- (8) **Letter of Credit, Bonds and Servicing Agreements:**

Council may require the submission of a letter of credit, performance and reclamation bonds, servicing agreement, or any other form of assurance to ensure that the

development is constructed and completed in accordance with the development standards and regulations set forth within this Bylaw.

(a) All agreements for letter of credits, performance and reclamation bonds, and servicing agreements shall individually stipulate procedures for the release or completion of the agreement that will be mutually agreed upon between the RM and development proponents.

(9) **Hazard Lands:**

(a) Where a proposed development of a building is to be located on land considered by the RM or under provincial regulation to be potentially hazardous, the land may be deemed "hazard lands". The RM may require the applicant to submit additional information to determine if the development will be within: the 1:500-year flood hazard area; and/or, within 50.0 metres (164.0 feet) of any slope that may be potentially unstable as determined by Council or the Development Officer.

(b) The Development Officer or Council may require that before a permit be issued in a flood hazard area the applicant may be required to supply the following:

(i) Professionally prepared information confirming that all development, redevelopment or alterations and additions will be adequately flood proofed to at least 0.5 metres (1.6 feet) above the 1:500-year flood elevation. This 1:500-year flood elevation plus any prescribed additional freeboard is commonly known as the estimated Minimum Building Elevation (MBE).

(ii) The bottom of the joists on the first floor, or the bottom surface of the slab on grade, of the building or structure is to be above the MBE.

(iii) Basements are prohibited, except where flood proofing is undertaken. The basement is to be designed to withstand any forces generated by flood water or ice up to and including the MBE.

(iv) Plumbing outlets may be permitted in basements below the MBE provided they contain an automatic shut-off valve approved by a certified inspector.

(v) Electrical outlets may be permitted in basements below the MBE provided they contain an independent switch for each outlet. The main switch box, heating and air conditioning units shall be located above the MBE.

(vi) Foundations and walls of any building or structure shall be adequately flood proofed to an elevation above the MBE. All plans for development shall be certified by a Professional Engineer.

(c) Actions identified in an assessment prepared pursuant to preceding sections which prevent, change, mitigate or remedy hazards in lands deemed hazardous may be incorporated as conditions to issuance of any development permit that may be issued.

(d) The RM may refuse a permit for any development for which, in its opinion, the proposed actions are inadequate to address the adverse effects that may result in excessive costs to RM.

(10) Development Along Riverbanks

(a) Development of subdivision proposed on or within 50 meters (100 ft) of the crest of a slope greater than 15% shall require supporting evidence of slope stability by a professional engineer.

(b) The Development Officer may impose special conditions, such as but not limited to, engineered footings, drainage and/or septic systems in an effort to protect against erosion and/or stability of the bank.

(c) Trees or vegetation shall not be cleared from any land within 20 meters (66 ft.) of any watercourse, water body, escarpment, or of the crest of a slope greater than 15% where the removal could have a negative impact on the water body or bank stability.

(d) Unless a report by a registered professional engineer proves that it is safe to waive the building setbacks the following setbacks shall apply for all developments along a coulee, ravine or valley with or without a permanent watercourse. The top of the bank shall be that line where the gradient of the slope measured from the upland leading down to the water body or watercourse first exceeds 20 percent.

Table 1: Minimum Building Setback from the Top of a Bank:

Vertical Depth of Coulee, Ravine or Valley	Minimum Building or Structure Setback from the Top of the Bank
Less than 3 Meters (9.8 ft.)	10 metres (32.8 ft.)
Greater than 3 meters (9.8 ft.) and less than 15 meters (49.2 ft.)	10 metres (32.8 ft.)
Greater than 15 meters (49.2 ft.) and less than 30 meters (98.4 ft.)	15 metres (49.2 ft.)
Greater than 30 meters (98.4 ft.)	20 metres (65.6 ft.)

(e) Where a Parcel of land borders on or contains a water body the setback from the bank of the water body shall be determined by the Municipality but shall not be less than 30 meters (98.4 ft.) from a water body of 8 hectares (20 acres) or more.

2.3 Development by a Railway

- (1) Where new development is proposed in proximity to an existing or proposed rail line, the *FCM -RAC Guidelines for New Development in Proximity to Railway Operations* will be employed for guidance. Rail operators may be engaged to determine relevant considerations for new development, and development standards and setbacks may be employed to protect the public and new development, and to minimize potential nuisance.

2.4 Developments Not Requiring a Development Permit

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

- (1) The construction, installation, or maintenance of a public work by the RM or a public utility.
- (2) Internal maintenance and repairs that do not include structural alterations (i.e., mechanical or electrical work), where the alteration does not result in a change of use or an increase in the number of dwelling units within the building or on the site.
- (3) Fences, subject to height restrictions listed within each specific zoning district.
- (4) Buildings and structures under 9.3 metres squared (100 square feet).
- (5) Signs posted on developers' property.
- (6) Official temporary uses include the use of all or part of a building as a temporary polling station, returning officer's headquarters, candidates campaign offices and any other official temporary use in connection with a federal, provincial or municipal election, referendum or census.
- (7) Private on-site domestic sewage systems subject to compliance with *The Saskatchewan Onsite Wastewater Disposal Guide, The Shoreland Pollution Control Regulations, 1976*, and approval from the appropriate provincial authority responsible for their administration.
- (8) Landscaping, all landscaping (including trees and shelterbelts), driveways, parking areas, flower beds, provided the natural drainage pathway is not adversely affected and does not cause negative impacts to adjacent properties. Landscaping shall be contained entirely within lot boundaries.
- (9) All uses for land in which the sole purpose is wildlife and conservation management, however, excludes Game Farms (Harvest Preserve).
- (10) Agricultural principal uses excluding Intensive Livestock Operations' and their accompanying accessory buildings (garage, deck, gazebo, storage buildings etc.).
- (11) Membrane covered structures.

2.5 Validity and Effective Time Period for Development Permit Applications

This section shall apply to both permitted and discretionary use applications.

- (1) If the development or use authorized by a development permit is not commenced within six [6] months from the date of issue of a permit and completed within twelve [12] months of its issue, the permit is deemed void unless an extension has been granted prior to its expiry.

- (2) If the use changes or there is a change to the intensity of use, a new development permit application shall be required.
- (3) Where the RM has approved a use for a limited time, as specified on "Form B", and that time has expired, that use of land or structure on that property shall cease until a new application is submitted and approval is provided.
- (4) A development permit extension may be granted for an additional twelve (12) month period by the Development Officer. The Development Officer shall provide a written letter granting the extension. Where the use is a discretionary matter of Council, permit extension shall only be granted upon its review and by resolution.

2.6 Review of Applications

- (1) The Development Officer is responsible for reviewing all applications to ensure that the proposed development complies with all applicable regulations and provisions of this Bylaw and the policies contained in the OCP.
- (2) The Development Officer shall be empowered to make a decision regarding a development permit application for a "permitted use."
- (3) The Development Officer may refer any application to Council for a decision on the interpretation of the Bylaw or regarding special conditions provided for in the Bylaw and shall inform the applicant of the date and time when Council will consider the matter. Council or the Development Officer may require the applicant to provide further information necessary to render a decision.
- (4) Council or the Development Officer may require the applicant to provide such further information as may be required prior to rendering a decision.
- (5) Council or the Development Officer may require a development or subdivision proponent to complete and provide a Comprehensive Development review as per the policies outlined in the OCP.

2.7 Discretionary Use Applications

This section addresses special provisions and specific development standards that apply to discretionary development permits. These regulations shall apply in addition to the standard development permit regulations, as well as any standards listed in specific zoning districts.

Per the Twin Rivers Planning District Plan, the RM shall refer discretionary use developments, at Council's discretion, within the Twin Rivers Planning District to the Commission for comments.

- (1) Council may approve the application, reject the application, or approve the application with conditions, including a condition limiting the length of time that the use may be conducted on the site to secure the objectives of the OCP or Zoning Bylaw, with respect to:

(a) The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of buildings.

(b) The accessibility and traffic patterns for persons and vehicles, the type and volume of that traffic and the adequacy of proposed off-street parking and loading.

(c) The safeguards afforded to minimize noxious or offensive emissions including noise, glare, dust, and odour.

(d) Any treatment given, as determined by Council, to aspects including landscaping, screening, open spaces, parking and loading areas, lighting and signs, but not including the colour, texture or type of materials, and any architectural detail.

(2) **General Discretionary Use Evaluation Criteria:**

In exercising its discretion Council will apply the evaluation criteria identified below (as applicable) to all discretionary uses, and should determine the extent and nature of the information and analysis required to render a decision:

(a) Roadways: the assessment of capacity of existing roadway infrastructure to accommodate the proposed use.

(b) Air Resources: assess and consider the potential impacts and effects on local air resources.

(c) Soil Resources: assess and consider the potential impacts and effects on local soil resources.

(d) Water Resources: assess and consider the generation of waste resulting from the proposed use, and the capacity of existing water management services.

(e) Natural and Heritage Resources: assess and consider the potential impacts and effects on natural, cultural and heritage resources.

(f) Sustainability: assess and consider the potential impacts and effects on social, economic and physical sustainability of the RM.

(g) Surrounding Land Uses: assess for potential land use conflicts with existing surrounding land uses.

(h) Municipal Servicing Capacity: assess the demands on service provision provided by the RM.

(i) Potential Impacts on Lakes and Waterbodies: assess the impacts of development on lakes and waterbodies and the public access to it.

(3) **Advertising Discretionary Use Applications:**

(a) The Development Officer shall advise the applicant that advertisement for the proposed use will be required by:

- i) mailing a copy of the notice to the assessed owner or occupant (lessee), and landowners of each property within 1 km of the subject property;
- ii) posting notice at the Municipal office and/or other public bulletin boards; and
- iii) any electronic information communication or distribution method employed by the RM.

(b) The Development Officer may increase the notification area, or method (i.e., posting in the newspaper) at their its discretion. Broader notification is intended may be employed to engage parties which may be impacted by uses which have greater potential for land use conflict, or creation of nuisance, or widespread potential impact(s) along travel routes.

(c) The notice shall be posted and provided to the parties noted in subsection 3(a)(i) at least seven days prior to the date of the meeting at which the application will be considered. The notice will be mailed at least twelve days prior to the date of the meeting unless additional time is required for post handling.

(d) The applicant shall pay to the RM all costs associated with the public notification.

2.8 Notice of Decision:

Upon completion of the review of an application for development, the Development Officer shall provide a Notice of Decision identified as "Form B", as adopted by Council. The form shall state one of the following options:

- (1) An approval, where the application conforms to this Bylaw, incorporating any special regulations, performance standards or development standards authorized by this Bylaw where necessary.
- (2) A refusal, where the application does not comply with a provision or regulation of this Bylaw, or in the opinion of Council the development does not meet the evaluation criteria for suitability, stating the reasons for the refusal, and advising the applicant of any right of appeal that they may have.

2.9 Revocation of Decision:

This section shall apply to both permitted and discretionary use applications.

- (1) Where an approved development is not being developed in accordance with the provisions of this Bylaw, or with the standards and conditions specified in the development permit, the RM may revoke or suspend the development permit. The development permit shall not be reissued or reinstated until all deficiencies have been corrected.

- (2) Revocation of the development permit shall be submitted to the applicant in writing, stating the reason for the revocation, the effective date, the means of remedying the contravention, and any legislated right of appeal.

2.10 Development Appeal Board

- (1) Council shall appoint a Development Appeal Board in accordance with sections 49 and 214 to 218 of the Act.

2.11 Fees and Amendment to the Bylaws

- (1) Where a person requests Council to amend the OCP, Zoning Bylaw, or other planning bylaw, that person shall pay to the RM a fee equal to the costs associated with the public advertisement of the proposed amendment, pursuant to the requirements of Part X of the Act.
- (2) Any application made in accordance with this Bylaw shall be subject to an application fee which may be established by separate bylaw of the RM in accordance with section 51 of the Act and may be subject to amendment from time to time at the discretion of Council.
- (3) These fees shall be in addition to any building permit and inspection fees, or other fees as may be prescribed by the provincial or federal government regulatory agencies.

2.12 Minor Variances to the Zoning Bylaw

- (1) The Development Officer shall review minor variance applications in accordance with section 60 of the Act.
- (2) An application for a minor variance to the Zoning Bylaw shall be made to the Development Officer in a form as prescribed by the Development Officer.

2.13 Enforcement, Offences and Penalties

- (1) The Development Officer shall proceed with enforcement in accordance with sections 242 to 245 of the Act.

3.0 General Regulations

3.1 One Principal Building and Use Permitted on a Site

- (1) Not more than one principal use shall be established and not more than one principal building shall be placed on any one site except for:
 - (a) Uses and facilities owned and/or operated by the RM;
 - (b) Any public works or public utility; and
 - (c) Multiple complementary principal uses (excluding any residential use or sleeping accommodation), buildings, or structures on sites under private lease, subject to adherence to all site and setback regulations. (See definition of “horizontal integration”)

3.2 Frontage on Road

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

3.3 Permitted Yard Encroachments

- (1) Cantilevered construction for bay windows, bow windows, chimney chases, bookcases, built in cabinets, gutters, windowsills, canopies, eaves, accessory building under 100 sq. ft., and fire escapes to a maximum projection of 0.61 metres (2.0 feet) in to the required yard;
- (2) Wheelchair ramps to main floor level;
- (3) Light standards, flag poles, and permitted signs;
- (4) Handrails are permitted in all yards;
- (5) Private on-site domestic sewage systems subject to clause 2.3(7);
- (6) Fences subject to the specific requirements of the zoning district in which they are located; and
- (7) Driveways and walkways in the absence of a retaining wall or alteration to the natural topography of the site.

3.4 Non-conforming Uses, Buildings and Sites

- (1) The provisions of the Act, sections 88 to 93 inclusive, shall apply to all lawful existing non-conforming buildings, uses, and sites.

3.5 Natural Environment, Riparian Area Protection Regulations

- (1) Within riparian areas, areas of sensitive biological and animal habitats, or areas adjacent to waterbodies or potentially unstable slopes, the removal of trees shall not be permitted except for purposes of construction of access ways, park development, buildings, or the clearing of dead or diseased trees. Clearance of trees for access ways shall not be permitted greater than 3 m (9.8 feet) in width or further than 2 m (6.5 feet) from buildings.

(a) Clearing of trees or vegetation for reasons other than those stated above, or in greater quantity or affected area, shall require municipal approval through development permitting, and shall be subject to any policy or regulation of the RM with respect to protection of natural habitats or risk minimization where (potential) hazard lands area involved.

3.6 Landscaping, Grading and Levelling of a Site

- (1) Any site proposed for development shall be graded and levelled at the developers or owner's expense as is necessary to provide for adequate surface drainage within the parcel boundaries.
- (2) Grading, leveling or placement of fill shall be located entirely within the boundaries of the site with accommodation of drainage routes incorporated into the landscaping.
- (3) Fill must be placed so that natural drainage courses, ditches, and culverts are not blocked or diverted, and does not cause off-site adverse effects to neighbouring properties and shall be adequately setback from property boundaries.
- (4) Failure to perform reasonable measures to prevent erosion of fill material into water bodies or water courses is in violation of this Bylaw and provincial regulation and is subject to enforcement. Persons found in violation will be subject to a penalty that reflects the recovery cost of the RM to perform site remediation and treatment.
- (5) As a part of a development permit or subdivision application, the RM may require the submission of a drainage plan which, to the acceptance of the RM, demonstrates how surface water through the area will be managed such that suitability of proposed development, and in-flows and out-flows, are properly provided. The responsibility and costs of any drainage planning shall generally be at the sole expense of the proponent.

3.7 Public Works, Water and Sewer Systems, Utilities, and Facilities of the RM

- (1) Public works and municipal facilities, except for solid and liquid waste disposal sites, shall be permitted uses in every zoning district, and unless otherwise specified by this Bylaw, no minimum site or yard requirements shall apply.
- (2) Subject to the provincial regulations administered by the appropriate government ministries, 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 any land or into the air.
- (3) Where available, every dwelling and every building containing washroom facilities shall be connected to a sewer and water supply system. All costs related to connection are at the proponent's expense. If sewer and water not available pit privies must meet or exceed Public Health requirements.
- (4) Where a collection, distribution, or transmission line will cross a registered road allowance, the RM may apply special design standards as it considers necessary to protect existing and future improvements to the road.
- (5) Final locations for water and sewage distribution and collection systems shall be chosen in consultation with the *Water Security Agency* or other regulating authorities and shall abide by all applicable provincial legislation.

3.8 Move-In Residential Buildings

- (1) Applicants shall be required to submit photos showing the current condition of the dwelling, including photos of all external walls.
- (2) Council shall consider the feasibility of moving of the structure on to a site and the potential impacts to roadways, vegetation, utilities, or disruption to existing properties.
- (3) Applicants will be required to submit detailed plans and timing for the moving in of structures. Where upgrades to infrastructure or relocation of utilities is required, the responsibility for any associated costs will be the sole responsibility of the applicant.
- (4) Move-In Residential Buildings shall have exteriors completed within twelve (12) months.

3.9 Bulk Fuel Storage and Sales

- (1) Fuel pumps and accessory equipment including any fuel sales kiosk on a pump island shall be located at least 6.0 metres (19.7 feet) from any street or other property boundary.
- (2) Above-ground fuel storage tanks which meet the standards of the *Canadian National Fire Code* may be permitted when associated with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use where that use is permitted in the zoning district.

- (3) The total storage capacity for above-ground fuel storage tanks on any single service station or gas bar shall not exceed the regulations and requirements set out by the *Canadian National Fire Code*.
- (4) Above-ground fuel storage tanks shall be:
 - (a) Located at least 3.0 metres (9.8 feet) from any property line or building;
 - (b) Notwithstanding (a) above, above-ground fuel storage tanks associated with a gas bar or service station shall be:
 - (i) Located at least 6.0 metres (19.7 feet) from any property line or building.
 - (c) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3.0 metres (9.8 feet) from any property line, at least 7.5 metres (24.6 feet) from any open flame or other ignition source, and at least 4.5 metres (14.8 feet) from any door or window.
 - (d) Notwithstanding (b) above, above-ground fuel storage tanks associated with a gas bar or service station shall be located at least 6.0 metres (19.7 feet) from any property line, at least 7.5 metres (24.6 feet) from any open flame or other ignition source, and at least 4.5 metres (14.8 feet) from any door or window.
 - (e) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.

3.10 Home Based Businesses

- (1) Home based business shall clearly incidental and secondary or ancillary to the use of the use of the site.
- (2) Home based businesses shall cause no variation in the residential or residential farm character and appearance of the dwelling, accessory residential building, or land, except for permitted signs
- (3) All permits issued for home-based businesses shall be subject to the condition that the permit may be revoked at a time if, in the opinion of Council, the conditions under which the permit was originally issued are no longer met. Where a permit is revoked the use shall cease immediately.
- (4) Persons employed within the dwelling in the home-based business shall be full time residents of the dwelling. Council may, in its approval, provide for up to two other persons employed by the home-based business where such persons are employed to work off site.

3.11 Bed and Breakfast and Vacation Farms

- (1) Vacation farms shall be ancillary to an agricultural farm operation and located on the same site as a farmstead, and may include bed and breakfast, cabins, and overnight camping areas. Accommodations and camping are to be provided to patrons on a short-term basis not exceeding 14 days.

- (2) Council may specify the maximum number of cabins permitted as part of a vacation farm operation.
- (3) Off-site signs may be permitted at the discretion of Council where necessary to provide directions from a highway or roadway to the operation.
- (4) Vacation farms and bed and breakfast operations shall be licensed pursuant to *The Public Health Act*, where tourist accommodations require health approval.
- (5) Bed-and-breakfast operations shall be located in a single detached dwelling used as the operator's principal residence or located in a dwelling accessory to and established on the same site as the operator's principal residence.
- (6) Council will consider applications with respect to the following criteria:
 - (a) The proposed structures are suitable for the proposed development.
 - (b) There is a water source suitable for public consumption at the facility.
 - (c) There are suitable utilities and sewage disposal system for the facility.
 - (d) There are appropriate levels of access to the site and off-street parking for the users of the facility.
 - (e) The development will not be in conflict with adjacent uses or uses currently on site.

3.12 Outfitting Operations and Lodges

- (1) Council may prescribe specific development standards related to the size of the operation or buildings used for the operation.
- (2) Council may prescribe specific development standards related to control of noise, glare, dust and odour.
- (3) Storage:
 - (a) Outside storage shall be prohibited. All items associated with the commercial use shall be retained within an approved building.
 - (b) Empty lots are restricted from the temporary storing of seasonal buildings or recreational equipment or vehicles in the off-season period.
- (4) Signage:
 - (a) Off-site signs may be permitted at the discretion of Council where necessary to provide directions from a highway or roadway to the operation.
- (5) Parking and Landscaping:

(a) There shall be adequate off-street parking available for the proposed use. Parking shall be developed such that a minimum of one parking space is provided per potential patron.

(6) Criteria and Standards for Outfitter Lodge:

(a) The applicant or outfitter shall provide a letter, along with the development permit application, outlining the proposed method of operation, promotional strategy, services and amenities to be provided to guests, a detailed list of equipment to be used, and any other information that will assist Council in making their decision.

(b) The outfitter lodge shall be located in close proximity to the proposed hunting or fishing area.

(c) A site plan shall be submitted along with the development permit application that, in addition to the requirements of section 2.2.5 shows:

- 1) size of the proposed/existing site
- 2) the property in relation to highways, roads, lakes or rivers, or crown land
- 3) location of proposed and existing buildings,
- 4) location of proposed or existing septic tanks, fields, lagoons, etc.,
- 5) anything else that is relevant to the site and its operation.

(d) If the Outfitters Lodge is proposed to be located on Crown land, approvals from the Crown must be submitted as part of the development permit application.

3.13 Park Model Cottages, Modular Homes, Manufacture and Mobile Homes

- (1) The date of manufacture of the structure or trailer must not be greater than 5 years old at the time of development permit application.
- (2) Review of the development permit application shall consider feasibility of moving of the structure on to a site and the potential impacts to roadways, vegetation, utilities, or disruption to existing properties.
- (3) Applicants will be required to submit detailed plans and timing for the moving in of structures. Where upgrades to infrastructure or relocation of utilities is required, the responsibility for any associated costs will be the sole responsibility of the applicant.

3.14 Buildings to be Moved

- (1) No building including, but not limited to, any residential commercial or industrial building shall be moved within or into the area covered by this Bylaw without first

obtaining a development permit, subject to the standards required for new construction, and obtaining any other required municipal or provincial permit.

3.15 Demolition of Buildings

- (1) The building shall be demolished within the area covered by this Bylaw without obtaining a permit. A permit shall be granted where all requirements of the building bylaw are met and the building is not designated a heritage building.

3.16 Wind Energy Systems

Wind energy systems are subject to the following requirements:

- (1) A site plan shall be submitted as part of the development permit application that includes:
 - (a) Property lines, existing uses and vegetation on the site;
 - (b) Adjacent land uses within 500 meters;
 - (c) Proposed wind energy system;
 - (d) Associated development including but not limited to roads and access, cabling, distribution and transmission lines, power grid connections, fencing and proposed landscaping.
- (2) Development applications shall include the proposed wind turbine height as defined by this bylaw. A wind turbine shall not exceed the height recommended by the manufacturer or a Professional Engineer in Canada.
- (3) Development applications shall include either a manufacturer's engineering certificate of structural safety or certification of structural safety from a Professional Engineer in Canada.
- (4) Prior to the review of the development permit application; the developer may be required to consult with adjacent property owners surrounding the proposal within a minimum 500-metre radius.
- (5) The following site suitability standards shall apply to wind energy systems:
 - (a) The minimum site size for the allowance of a wind energy system shall be 2.0 hectares (5 acres).
 - (b) A wind energy system shall be setback a minimum of 90 metres (300 feet) or 1.5 times the wind turbine tower's height, whichever is greater, from an intersection of any municipal road allowance or provincial highway. The Ministry of Highways may require a greater distance as deemed necessary.
 - (c) The minimum separation distance of 1.5 times the wind turbine height, as defined in this bylaw, shall apply to all:
 - i) Dwelling units
 - ii) Municipal road allowances or railway corridors

- iii) Property lines
 - iv) Provincial highways, except when a greater distance is required as deemed necessary by the Ministry of Highways.
- (d) Notwithstanding clause 3.15.5(c), Council will require a separation of 500 metres between the base of a wind turbine tower and a dwelling unit on adjacent sites where a wind farm is proposed.
- (e) The wind energy system shall not be located on environmentally sensitive lands.
- (6) 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 other than those that are necessary for the operation of the system and to meet Transport Canada lighting requirements. Council may require the developer to undertake studies to determine potential impacts and to implement mitigating measures to ensure the wind energy system produces minimal disturbance to the surrounding lands.
- (7) Landscaping and fencing shall be provided by the applicant, where deemed necessary by Council, to maintain safety, protection and the character of the surrounding lands.
- (8) The colour and markings for proposed wind energy systems including required lighting shall be in accordance with federal aviation requirements.
- (9) No advertising shall appear on the wind energy system.
- (10) 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.
- (11) Any changes to the original development permit shall require a new permit to be issued.
-

4.0 Zoning Districts and Zoning Map

4.1 Classification of Zoning Districts

- (1) For the purpose of this zoning bylaw, the Rural Municipality of Duck Lake No. 463 is divided into the following zoning districts, and the boundaries of which are shown on the “Zoning District Map.” Such zoning districts may be referred to by the appropriate symbol, as shown below:

A – Agricultural District

CR – Country Residential District

H – Hamlet District

LD1 – Lakeshore Development 1 District

LD2 – Lakeshore Development 2 District

F – Forestry District

C – Commercial District

4.2 Zoning District Map

- (1) The Zoning District Map accompanies and forms part of this Bylaw and is referred to in this Bylaw adopted by the Rural Municipality of Duck Lake No. 463 signed by the Reeve and RM Administrator and under the seal of the RM.

4.3 Boundaries of Zoning Districts

- (1) The boundaries of the zoning districts referred to in this Bylaw, together with an explanatory legend, notations, and reference to this Bylaw, are shown on the map entitled, Zoning District Map.
- (2) Unless otherwise shown, the boundaries of zoning districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of Rural Municipality of Duck Lake No. 463.

4.4 Zoning District Schedules

- (1) The uses or forms of development allowed within a zoning district, along with regulations or standards which apply are contained in the individual schedules in this Bylaw.
 - (2) Any site that does not conform to the specific district site sizes or frontage requirements shall be deemed to be a conforming site for the existing use provided that a Certificate of Title existed in the Land Titles Office prior to the coming into force of this Bylaw.
-

5.0 A – Agricultural District

5.1 Intent

The general purpose of the District is to encourage retention of agricultural land for crop production, livestock operations, related agricultural use, and to allow non-form residential development at a level which will not jeopardize existing agricultural operations or remove good farmland from production and those specific permitted uses as indicated.

5.2 Permitted Uses

- (1) Agricultural – field crops, bee keeping, ranching, grazing, and other similar uses (excluding intensive livestock operations 300 animal units or greater) customarily carried on in the field of general agriculture, including the sale, on the premises, of any produce grown or raised on the premises;
- (2) Agricultural commercial uses, processing and similar uses; grain elevators, grain and seed storage, drying and cleaning; agriculture fertilizer storage; oil and gas-related commercial uses (excluding mineral resource primary processing and trans modal facilities), processing, manufacturing and distribution facilities;
- (3) Non-farm residential development in the form of single detached dwellings, RTM, modular and mobile homes;
- (4) Cemeteries, places of worship, and community halls;
- (5) Public utilities, excluding solid and liquid waste facilities;
- (6) Historical and Archeological Sites;
- (7) Petroleum pipelines and related facilities, oil and gas exploration or extraction wells and related facilities, related primary processing facilities, and trans modal facilities;
- (8) Bulk fuel storage and sales;
- (9) Institutional uses; recreational uses; sports fields; golf courses; and other similar uses.

5.3 Discretionary Uses

- (1) Implement and machinery sales and service; motor vehicle sales and servicing;
- (2) Stockyards and auction marts; abattoirs; animal kennels;
- (3) Residential subdivisions;

- (4) Home based business; vacation farms; bed and breakfast homes; outfitters, campgrounds, agricultural tourism; and other similar uses;
- (5) Aggregate resource extraction, storage, processing and crushing; natural resource storage and processing facilities;
- (6) Concrete manufacturing, storage and processing facilities;
- (7) Salvage and wrecking yards;
- (8) Intensive livestock operations; Intensive agricultural operations;
- (9) Solid and liquid waste disposal facility; soil farms.
- (10) Cemeteries, Crematorium or Mausoleum, places of worship, and Community Halls
- (11) Bulk Fuel Storage and Sales
- (12) Institutional Uses; recreational uses; sports fields; golf courses; and other similar uses
- (13) Campground
- (14) Animal Kennel
- (15) Private Airstrip

5.4 Accessory Uses

The following uses shall be accessory to an existing principal building or use, and shall be considered as a permitted development, and subject to all site regulations listed in Section 5.5:

- (1) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- (2) Farmstead development, with a principal agricultural use, including one (1) single detached dwelling, or mobile home, on a permanent foundation;
- (3) One (1) additional residence may be permitted on an agricultural holding for the purpose of housing workers or family directly involved in the agricultural operation.

5.5 Regulations

(1) Site Area Requirements:

(a) Agricultural Use(s):

- (i) One quarter section, 64 hectares (158 acres) or equivalent shall be the minimum site area required to constitute a farm land holding. Equivalent shall mean 64 hectares (158

acres) or such lesser amount as remains in an agricultural holding because of the registration of road widening, road right-of-way or railway plans or pipeline development, or natural features such as streams or bodies of water, or because of subdivision as permitted herein, but in any case, not less than 57 hectares (140 acres) unless otherwise specified in this Bylaw. Subdivision of land will be permitted for consolidation purposes subject to meeting the total area requirement for a farm land holding.

(ii) Any agricultural holding which does not conform to the minimum site area requirement shall be deemed conforming regarding site area, provided that a registered title for the site existed in the Land Titles Office prior to the coming into force of this Bylaw.

(iii) A reduced site area below 64 hectares (158 acres), but not below 14 hectares (34.5 acres) will be permitted for the purposes of farm land consolidation and estate planning and settlement subject to a resolution of Council.

(b) Agricultural-related commercial development: **Minimum** – 0.4 ha (0.99 acres).

(c) Market Garden, nurseries or greenhouses, commercial horticultural operations; intensive livestock operations; intensive agricultural operations: **Minimum** – 0.8 ha (2.0 acres); **Maximum** – as determined by demonstrated space needs necessary for a viable principle agricultural use.

(d) Non-farm residential development: **Minimum** – 4.05 ha (10 acres); a maximum site area may be determined at the discretion of Council to accommodate existing developed farm yard sites or accommodate sites fragmented from the balance of the quarter section by either natural (river, creek, coulee, etc.) or man-made (developed road, railway, etc.) barrier.

(e) All other uses – No minimum

(2) **Frontage Requirements:**

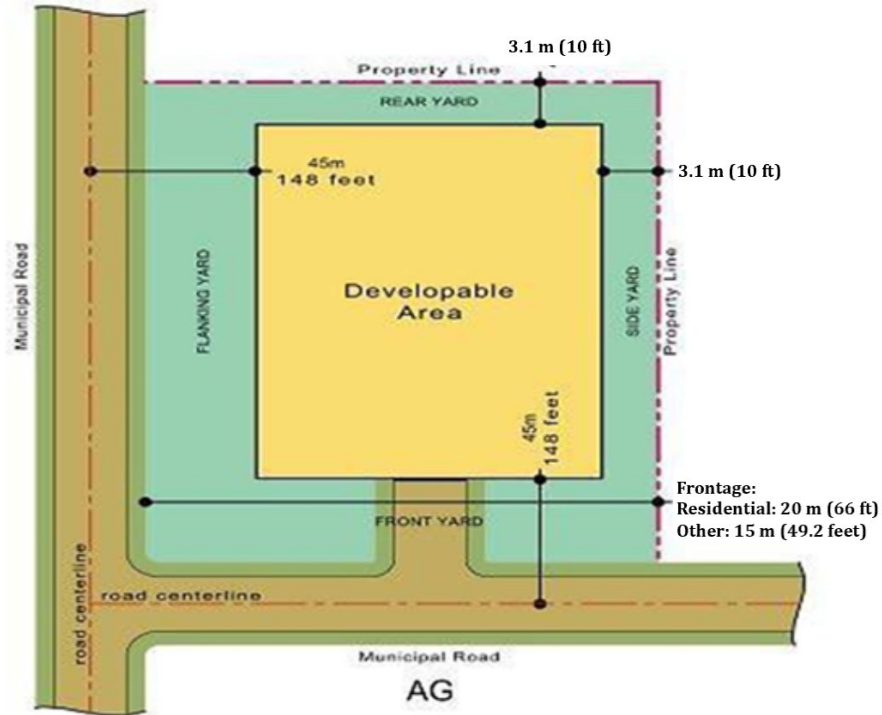
(a) A site to be created by subdivision shall not be permitted unless the proposed parcels and the remainder of the parcel being subdivided abuts, or has frontage on a registered and developed road, and upgrades or construction of any road may be requested through a signed servicing agreement at the developers cost.

(b) Developed municipal road allowances shall mean an existing paved or graded all-weather road on a registered right of way, or road allowance that meets the RM road construction standards, or unless satisfactory arrangements have been made with Council for the improvement or building of a road.

(c) Residential Development: **Minimum** - 20 metres (66 ft)

(d) All other uses: **Minimum** – 15 metres (49.2 feet)

Figure 1: Site Requirements - Ag Example



(3) Density Requirements:

(a) A maximum of six (6) parcels are permitted per quarter section, or equivalent* located within this District, for any agricultural, residential or commercial principal use, unless more than three sites existed prior to the passage of this Bylaw. Parcels for public utilities and works are excluded from any density calculation.

(4) Road Setback Requirements:

(a) All buildings and structures shall be set back at least 45 metres (148 feet) from the centerline of any municipal road, road allowance, provincial highway, or as required by the ministry responsible for provincial highways.

(b) The minimum setback of all buildings and structures shall be 3.1 metres (10 ft) from the parcel boundaries if the above section 5.5(4)(a) does not apply.

(5) Separation of Uses:

(a) A 457-metre separation is required between residences not occupied by a livestock operator and/or employee involved in the operation and intensive livestock operations, as measured from a dwelling to the area of confinement or animal waste storage.

(i) A lesser separation may be considered, where in the opinion of Council, it is demonstrated that a closer distance would not unduly affect the owner of either land use or cause a public safety hazard. Site specific conditions will be evaluated in the assessment of health risk or potential nuisance in considering a reduced setback.

(b) A 457-metre separation is required between residences, and solid or liquid waste facilities, as measured from a dwelling to the waste facilities.

(i) A lesser separation may be considered, where in the opinion of Council, it is demonstrated that a closer distance would not unduly affect the owner of either land use or cause a public safety hazard, or conflict with any provincial regulation.

5.6 Discretionary Use Evaluation Criteria and Regulations

The general discretionary use evaluation criteria listed in Section 2 shall apply to all discretionary uses, where more specific evaluation criteria and regulation is deemed appropriate by Council, it shall be supplemented below.

(1) Aggregate resource extraction, storage, processing and crushing; concrete manufacturing, storage and processing facilities; salvage and wrecking yards

(a) Council may specify approval conditions regarding, but not limited to:

(i) daily operations of the aggregate pit (i.e., hours of operations, crushing times, potential nuisance related matters, etc.);

(ii) site rehabilitation and reclamation;

(iii) site landscaping and fencing;

(b) Council may require the submission of a surety, or performance, or reclamation bond at time of application and permitting;

(c) Applications shall have adequate set back and sufficient screening of any outdoor storage area from existing incompatible development or a municipal road allowance. The proposed use may be required to provide appropriate screening to the satisfaction of Council.

(2) Implement and machinery sales and service; motor vehicle sales and servicing; bulk fuel storage and sales; market garden, nurseries or greenhouses, commercial horticultural operation.

(a) Site size shall be appropriate, in Council's opinion, for the receipt, distribution or dispatch by vehicles of materials, goods or merchandise through the designation of a clearly defined parking, unloading or loading space on a site plan.

(b) Locations are encouraged to be adjacent to major transportation routes.

(3) Intensive livestock operations; intensive agricultural operations; stockyards and auction marts; abattoirs; animal kennels.

(a) A livestock operation shall only be considered intensive where more than 300 animal units are confined to an area of less than 370 m² per unit. The review and evaluation of the discretionary use will include the following:

- (i) The RM shall proceed with public notification providing sufficient time to advertise the application, notify surrounding landowners, and shall include dates for the applicants open house regarding the proposal;
 - (ii) Pursuant to clause (i), the applicant shall be required to host an open house and provide information about the proposal, showing conformance to provincial intensive livestock regulations;
 - (iii) Council may not render a decision until public notification procedures as outlined above have been completed, and provincial approvals have been received;
 - (iv) Sites where wintering or temporary housing of livestock shall not classify as an intensive livestock operation under this Bylaw but may be subject to provincial regulation and subject to provincial approval for the use and a suitable waste management plan.
- (b) The intensive livestock operation or kennel may include on-site residential development affiliated with the operation;
- (c) All applicants shall be required as a condition of permit approval to provide applicable documentation and approval from any federal or provincial ministries or agencies;
- (d) Site size shall be appropriate, at Council's discretion, for the receipt, distribution or dispatch by vehicles of materials, goods, product or merchandise through the designation of a clearly defined parking, unloading or loading space on the site plan;
- (e) Applicants shall be required to enter into an agreement to upgrade municipal road allowances to primary weight standards to ensure all-season access to facilities where deemed necessary by the RM;
- (f) The temporary confinement of livestock for seasonal feeding, wintering, or calving of less than 300 animal units shall not be considered by Council to be an intensive livestock operation or require discretionary use approval.

(4) Solid and liquid waste disposal facility; soil farms

- (a) All applicants shall be required as a condition of approval to provide applicable approval from provincial approving authorities;
- (b) Locations are encouraged to be adjacent to major transportation routes and will be evaluated on the basis of potential impacts on municipal infrastructure.

(5) Campgrounds

(a) In addition to the general requirements regarding discretionary use applications provided in section 2.7 of this Bylaw, the operator of a campground shall provide the Development Officer with a plan of the campground, identifying:

(i) Any buildings, uses of land, and the location of all roadways and trailer coach or tent campsites with dimensions and utility service provided to each campsite;

(ii) Location of garbage collection;

(iii) Location of washroom facilities and utilities;

(iv) Emergency evacuation plan;

(v) Location of all roadways and trails;

(vi) Details of water supply and sewage disposal;

(vii) Water – Source, protection from contamination, treatment methods to be used, results of water quality testing done;

(viii) Sewage disposal – Proposed sewage disposal method, the expected daily volume of sewage, the size and location of holding tanks, and confirmation that the proposed disposal location receiving effluent from the tanks will accept the sewage;

(ix) Any other details required by a public health officer; and

(x) Proof that any public water system and on-site sewage disposal system have been evaluated and approved by the Health Authority. Water and waste disposal shall meet all regulatory requirements.

(xi) Other as requested.

(b) The addition or rearrangement of campsites, the construction or moving of buildings, and the 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.

(c) A campground shall have within its boundaries a vegetative landscape buffer abutting the entire perimeter boundary with the exception of access road(s) into and out of the campground. Council may prescribe the overall width, depth, and height of the required buffer as is appropriate to each proposal.

(d) Each campsite shall have a minimum 1.0 metre (3 ft) vegetation buffer along the full length of the rear and side property lines to buffer noise and create privacy and shelter.

(e) Each campsite shall have a minimum frontage of 12.2 metres (40 ft) and minimum site area of 371.6 m² (4,000 ft²).

(f) A campground shall have signage for traffic navigation and shall post one (1) sign to identify each individual campsite.

(g) No portion of any campsite shall be located within a roadway or required buffer area.

(h) Each campsite shall have direct and convenient access to a developed roadway, which is not located in any required buffer area.

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

(j) Parking shall be on individual campsites and not on any roadway.

(k) A campground may include as accessory uses, a laundromat or confectionary designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.

(l) A campground may include as accessory uses, a recreational site (playground, ball diamond, skating rink) to meet the needs of the occupants of the campsites.

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

6.0 CR – Country Residential District

6.1 Intent

To accommodate residential development where there are more sites proposed than are allowed in the Agricultural District. The Country Residential District will be used for residential purposes with limited agricultural uses allowed on the sites.

6.2 Permitted Uses

(1) Residential

- (a) Single detached dwelling, RTM
- (b) Manufactured homes including Modular and Mobile homes
- (c) Park Model Cottages

(2) Institutional

- (a) Schools, education institutions
- (b) Churches, religious institutions
- (c) Community Halls
- (d) Municipal offices and shops

(3) Recreational

- (a) Sports fields, rinks, parks, golf courses and other similar uses.

(4) Public Utilities

- (a) Public utilities and works, excluding solid and liquid waste facilities

6.3 Accessory Uses

- (1) Buildings, structures or uses accessory to and located on the same site with the main building or use shall be considered permitted and subject to the site regulations of the principal, unless otherwise specified in this Bylaw.

6.4 Discretionary Uses

The following uses shall be permitted but only by resolution of Council and only in locations and under conditions specified in such resolution of Council.

- (1) Solid and liquid waste disposal facilities.
- (2) Move-In Residential Buildings subject to any general regulation regarding the residential use
- (3) Animal Kennel excluding animal breeders
- (4) Bed & Breakfast, Home Based Business
- (5) Schools, Educational Institutions
- (6) Churches, religious institutions
- (7) Community Halls
- (8) Municipal Offices and Shops
- (9) Sports Fields, Rinks, Parks Golf Courses and other similar uses
- (10) Public Utilities and works, excluding solid and liquid waste facilities
- (11) Group Homes

6.5 Regulations

(1) Site Area Requirements

- (a) Residential uses: **Minimum** – 302 sq. m (3,250 sq. ft.)
- (b) Service stations: **Minimum** – 928 sq. m (10,000 sq. ft.)
- (c) Other commercial uses: **Minimum** – 232 sq. m (2,500 sq. ft.)
- (d) All other permitted uses: **Minimum** – 464 sq. m (5,000 sq. ft.)
- (e) All other discretionary uses: **Minimum** – 464 sq. m (5,000 sq. ft.)

(2) Site Frontage Requirements

- (a) Residential Uses: **Minimum** – 6.0 m (19.7 ft.)
- (b) Commercial Uses: **Minimum** – 7.5 m (25 ft.)

(c) All other permitted uses: **Minimum** – 15 m (50 ft.)

(d) All other discretionary uses: **Minimum** – 30 m (100 ft.)

(3) Yard Requirements

(a) Front Yard: **Minimum** – 6.0 m (20 ft.)

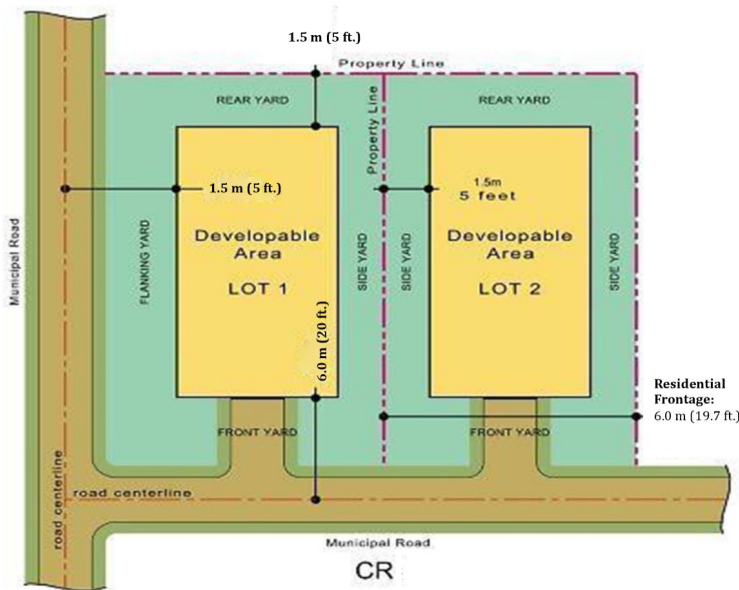
(b) Side Yard: **Minimum** – 1.5 m (5 ft.)
except for semi-detached dwellings where the party wall is above a property line, the side yard requirement is not applicable.

(c) Rear Yard: **Minimum** – 1.5 m (5 ft.)

(d) Decks: Uncovered decks to any property line **Minimum** – 1.5 m (5 ft.)

(4) No wall, fence or other structure not otherwise permitted shall be erected in a required front yard or on a site line adjacent to a required front yard to a height of more than 1.0 metres above grade level.

Figure 2: Site Requirements - CR Residential Example



6.6 Keeping of Livestock

On any parcel within the Country Residential Zoning District, the equivalent of 0.5 animal units shall be permitted per acre.

Animals shall not be pastured within 12 m (40 ft) of any dwelling or sell not owned by the owner of the animals and no building or structures intended to contain birds or animals shall be located within 30.5 m (100 ft) of a dwelling or property line.

For the sake of the Country Residential Zoning District, animal units and location will exempt chickens. Within this district (CR) hens will only be permitted. No person shall have more than twelve (12) hens at one location within this Zoning District. That the hens must be contained in a twenty-four-hour containment at least 6 m (20ft) from any owned dwelling or structure and 6 m (20ft) from the property line

7.0 H – Hamlet District

7.1 Intent

To accommodate a range of existing and complementary uses within hamlets in the RM and to provide for their orderly growth.

7.2 Permitted Uses

(1) Residential

(a) Single detached dwelling, RTM

(b) Manufactured homes including Modular and Mobile homes

(c) Park Model Cottages

(2) Commercial

(a) Retail Stores, Offices, Personal Service Establishments

(b) Restaurants, confectioneries and other places for the sale and consumption of food and related items.

(c) Establishments for the servicing, storage and sale of motor vehicles, farm machinery and equipment.

(3) Institutional

(a) Schools, education institutions

(b) Churches, religious institutions

(c) Community Halls

(d) Municipal offices and shops

(4) Recreational

(a) Sports fields, rinks, parks, golf courses and other similar uses.

(5) Public Utilities

(a) Public utilities and works, excluding solid and liquid waste facilities

7.3 Accessory Uses

(1) Buildings, structures or uses accessory to and located on the same site with the main building or use shall be considered permitted and subject to the site regulations of the principal, unless otherwise specified in this Bylaw.

(a) All accessory uses, buildings or structures require the submission of an application for a development permit and building permit prior to commencing the use or construction.

(b) Setbacks and general performance standards for accessory buildings shall meet the same requirements as the principal use or building.

7.4 Discretionary Uses

The following uses shall be permitted but only by resolution of Council and only in locations and under conditions specified in such resolution of Council.

- (1) Construction and landscape yards; Storage yards and compounds
- (2) Agricultural commercial operations including fertilizer sales but not storage of agricultural products
- (3) Licensed establishments, taverns, pubs, breweries, and hotels
- (4) Move-In Residential Buildings subject to any general regulation regarding the residential use
- (5) Bed & Breakfast, Home Based Business
- (6) Greenhouse and horticultural commercial
- (7) Mechanic shop
- (8) Outfitting lodge
- (9) Solid and liquid waste disposal facilities

7.5 Regulations

(1) Site Area Requirements

(a) Residential uses: **Minimum** – 302 sq. m (3,250 sq. ft.)

(b) Service stations: **Minimum** – 928 sq. m (10,000 sq. ft.)

- (c) Other commercial uses: **Minimum** – 232 sq. m (2,500 sq. ft.)
- (d) All other permitted uses: **Minimum** – 464 sq. m (5,000 sq. ft.)
- (e) All other discretionary uses: **Minimum** – 464 sq. m (5,000 sq. ft.)

(2) **Site Frontage Requirements**

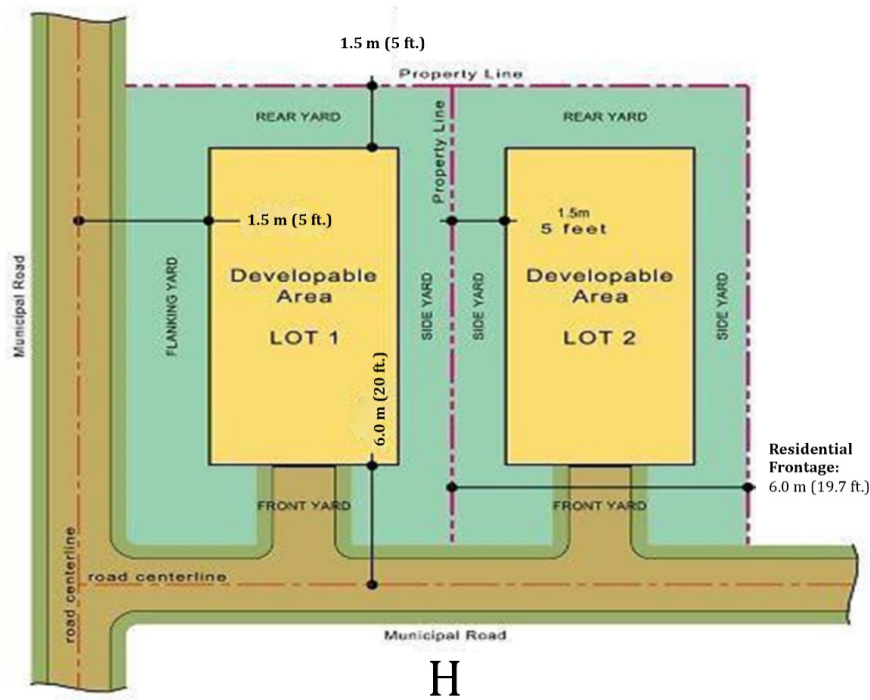
- (a) Residential Uses: **Minimum** – 6 m (19.7 ft.)
- (b) Commercial Uses: **Minimum** – 7.5 m (25 ft.)
- (c) All other permitted uses: **Minimum** – 15 m (50 ft.)
- (d) All other discretionary uses: **Minimum** – 30 m (100 ft.)

(3) **Yard Requirements**

- (a) Front Yard: **Minimum** – 6.0 m (20 ft.)
- (b) Side Yard: **Minimum** – 1.5 m (5 ft.) except for semi-detached dwellings where the party wall is above a property line, the side yard requirement is not applicable.
- (c) Rear Yard: **Minimum** – 1.5 m (5 ft.)
- (d) Decks: Uncovered decks to any property line **Minimum** – 1.5 m (5 ft.)

- (4) No wall or fence shall be erected in a required front yard or on a site line adjacent to a required front yard to a height of more than 1.0 metres above grade level.

Figure 3: Site Requirements - Hamlet Residential Example



7.6 Discretionary Use Evaluation Criteria and Regulations

The general discretionary use evaluation criteria listed in Section 2 shall apply to all discretionary uses, where more specific evaluation criteria and regulation is deemed appropriate by Council, it shall be supplemented below.

- (1) **Auto wreckers; construction yards; storage yards, and similar uses;**
 - (a) The proponent may be required to enter into a development agreement with the RM regarding routing of large trucks, and the maintenance of municipal roadways;
 - (b) Council may specify approval conditions regarding, but no limited to:
 - (i) daily operations (i.e., hours of operations, crushing times, etc.);
 - (ii) site rehabilitation and reclamation;
 - (iii) site landscaping and fencing;
 - (c) Council may require the submission of a surety or performance bond at time of application;

(d) Applications should be adequately set back and sufficient screened from any outdoor storage area from existing incompatible development or a municipal road allowance. The proposed use may be required to provide appropriate screening to the satisfaction Council;

(e) Locations are encouraged to be adjacent to major transportation routes;

8.0 LD1 – Lakeshore Development 1 District

8.1 Intent

The purpose of this district is to provide and regulate sites for low-density residential development (i.e., single detached dwellings, cabins, etc.) and additional uses that are compatible.

8.2 Permitted Uses

The following uses are permitted in this district:

- (1) Residential
 - (a) Single-detached dwellings, RTM
- (2) Public utilities, excluding municipal solid and liquid waste disposal facilities.
- (3) Historical and archaeological sites and uses, recreational sites, walking and cross-country ski trails and similar uses.

8.3 Accessory Uses

Buildings, structures or uses secondary to and located on the same site with the principal or discretionary use are permitted.

- (1) Loft garages excluding kitchen facilities

8.4 Discretionary Uses:

The following principal uses and their accessory uses are discretionary in this district:

- (1) Commercial Uses:
 - (a) Home based businesses subject to a principal dwelling established
- (2) Residential Uses:
 - (a) Move-In Residential Buildings
 - (b) Park model cottages, modular homes, manufactured and mobile homes

8.5 Prohibited Uses:

The following uses are prohibited in this district:

- (1) Shipping containers, sea cans and similar structures

8.6 Regulations

(1) Site Area:

- (a) Residential uses: **Minimum** – 719.65 sq. metres (7,746.25 sq. ft.)
Maximum – 983.87 sq. metres (10,590.25 sq. ft.)
- (b) Public utilities: **None**
- (c) All other uses: **Minimum** – 700 sq. metres (7,534.73 sq. ft.)

(2) Site Frontage:

- (a) Residential uses: **Minimum** – 18.3 metres (60 ft)
- (b) Public utilities: **None**
- (c) All other uses: **Minimum** – 15 metres (50 ft)

(3) Yard Requirements:

(a) **Front Yard**

- (i) Public utilities **None**
- (ii) All uses: **Minimum** – 6 metres (20 ft)

(b) **Side Yard:**

- (i) Public utilities **None**
- (ii) All uses: **Minimum** – 1.5 metre (5 ft.)

(c) **Rear Yard:**

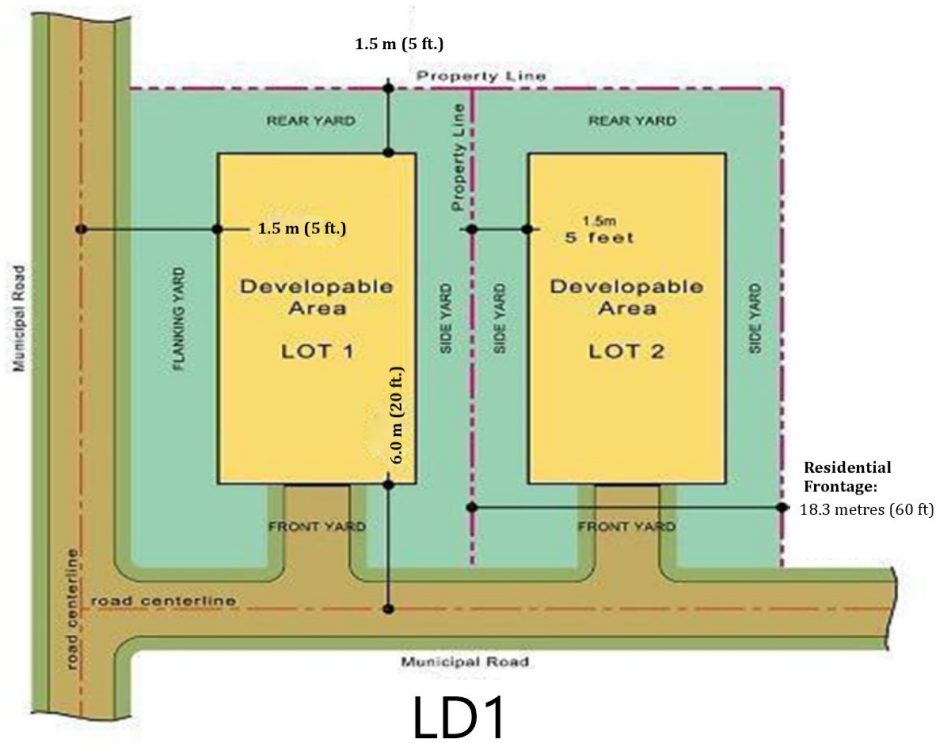
- (i) Public utilities **None**
- (ii) All uses: **Minimum** – 1.5 metres (5 ft)

(d) **Decks and Balconies:**

(i) Notwithstanding the foregoing, all uncovered decks will be required to be set back a minimum of 1.5 metres (5 ft.) from any site line.

(ii) Covered decks and balconies shall be considered part of the principal building and shall abide by the principal building setback requirements.

Figure 4: Site Requirements - Lakeshore District Example



(e) Accessory Buildings and Structures

(i) Private garages, carports and accessory buildings that are attached by a roof to a residential building shall be considered a part of the building and subject to the yard requirements of the building. Uncovered decks will not be considered a part of the principal building setback requirements.

8. Floor Area Requirements

- (1) Single detached dwellings **Minimum** – 50 sq. m. (538 sq. ft.) on the main floor

8. Fences

- (1) Shall be a maximum height of 1 metre (3 feet) above an unaltered grade in a required front yard and 2 metres (6 feet) above grade in any other yard.

8. Outdoor Storage

- (1) No outside storage shall be permitted in the front yard.

8.10 Specific Development Standards and Criteria for Discretionary Uses

(1) Commercial Uses

(a) Home based businesses, personal service establishments:

(i) Current home-based businesses shall be allowed to remain and be considered an existing non-conforming use; however, new applications may not be considered by Council if there is no principal dwelling established on site.

(ii) Shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property; except for permitted signs.

(iii) Council will consider the potential impact(s) to local traffic and parking, and the proposal's plans to address said potential impacts.

(2) Residential Uses

(a) Move-In Residential Buildings:

(i) Subject to requirements outlined in section 3.8.

(b) Park model cottages, modular homes, manufactured and mobile homes:

(i) The date of manufacture of the structure or trailer must not be greater than 5 years old at the time of development permit application.

(ii) Council will consider the feasibility of moving of the structure on to a site and the potential impacts to roadways, vegetation, utilities, or disruption to existing properties.

(iii) Applicants will be required to submit detailed plans and timing for the moving in of structures. Where upgrades to infrastructure or relocation of utilities is required, the responsibility for any associated costs will be the sole responsibility of the applicant.

9.0 LD2 – Lakeshore Development 2 District

9.1 Intent

The purpose of this district is to provide and regulate sites intended for residential use of park model cottages, modular homes, manufactured and mobile homes and additional uses that are compatible.

9.2 Permitted Uses

The following uses are permitted in this district:

- (1) Residential
 - (a) Park model cottages, modular homes, manufactured and mobile homes
- (2) Public utilities, excluding municipal solid and liquid waste disposal facilities.
- (3) Historical and archaeological sites and uses, recreational sites, walking and cross-country ski trails and similar uses.

9.3 Accessory Uses

Buildings, structures or uses secondary to and located on the same site with the principal or discretionary use are permitted.

- (1) Bunkhouses, ancillary sleeping accommodations
- (2) Loft garages excluding kitchen facilities
- (3) The placement of one (1) recreational vehicle (Camper, RV, Motorhome, Travel Trailer, or similar unit) as a principal dwelling subject to section 7.11

9.4 Discretionary Uses:

The following principal uses and their accessory uses are discretionary in this district:

- (1) Commercial Uses:
 - (a) Home based businesses subject to a principal dwelling established

9.5 Prohibited Uses:

The following uses are prohibited in this district:

- (1) Single Detached Dwellings, RTMs

- (2) Shipping containers, sea cans and similar structures

9.6 Regulations

(1) Site Area:

- (a) Residential uses: **Minimum** – 719.65 sq. metres (7,746.25 sq. ft.)
Maximum – 983.87 sq. metres (10,590.25 sq. ft.)
- (b) Public utilities: **None**
- (c) All other uses: **Minimum** – 700 sq. metres (7,534.73 sq. ft.)

(2) Site Frontage:

- (a) Residential uses: **Minimum** – 18.3 metres (60 ft)
- (b) Public utilities: **None**
- (c) All other uses: **Minimum** – 15 metres (50 ft)

(3) Yard Requirements:

(a) **Front Yard**

- (i) Public utilities **None**
- (ii) All uses: **Minimum** – 6 metres (20 ft)

(b) **Side Yard:**

- (i) Public utilities **None**
- (ii) All uses: **Minimum** – 1.5 metre (5 ft.)

(c) **Rear Yard:**

- (i) Public utilities **None**
- (ii) All uses: **Minimum** – 1.5 metres (5 ft)

(d) **Decks and Balconies:**

(i) Notwithstanding the foregoing, all uncovered decks will be required to be set back a minimum of 1.5 metres (5 ft.) from any site line.

(ii) Covered decks and balconies shall be considered part of the principal building and shall abide by the principal building setback requirements.

(e) **Accessory Buildings and Structures**

(i) Private garages, carports and accessory buildings that are attached by a roof to a residential building shall be considered a part of the building and subject to the yard requirements of the building. Uncovered decks will not be considered a part of the principal building setback requirements.

(f) **Bunkhouses, Ancillary Sleeping Accommodations**

(i) Buildings and structures which are secondary to the principal or discretionary use and which will permit overnight sleeping accommodations but such buildings or structures shall not contain kitchen facilities.

(ii) The granting of a development permit to accommodate overnight sleeping accommodation shall not be construed, in any way, as consent or approval for a future subdivision for the use.

9.7 Floor Area Requirements

(1) Park Model Cottages, Modular Homes, Manufacture and Mobile Homes: **Minimum** – 20 sq. m. (215 sq. ft.) on the main floor

9.8 Fences

(1) Shall be a maximum height of 1 metre (3 feet) above an unaltered grade in a required front yard and 2 metres (6 feet) above grade in any other yard.

9.9 Outdoor Storage

(1) No outside storage shall be permitted in the front yard.

9.10 Specific Development Standards and Criteria for Discretionary Uses

(1) **Commercial Uses**

(a) Home based businesses, personal service establishments:

(i) Current home-based businesses shall be allowed to remain and be considered an existing non-conforming use; however, new applications may not be considered by Council if there is no principal dwelling established on site.

(ii) Shall not cause a variation in the residential character and appearance of the dwelling, accessory residential building, or property; except for permitted signs.

(iii) Council will consider the potential impact(s) to local traffic and parking, and the proposal's plans to address said potential impacts.

9.11 Recreational Vehicles as Principal Uses Special Standards

- (1) The placement of one (1) recreational vehicle (Camper, RV, Motorhome, Travel Trailer, or similar unit) as a principal dwelling on sites with an area less than 2.048 ha (5.0 acres) and upon receipt of written confirmation and acknowledgment from the applicant that the recreational vehicle shall not remain as the principal use after September 15, 2024, by either removing the recreational vehicle from the site, or constructing a principal dwelling on site.

Recreational Vehicles (Motor Homes, Travel trailer, and similar units) are subject to the following conditions:

(a) A motor home or trailer home must have an approved development permit prior to placing on a lot.

(b) A motor home or trailer home and all accessory buildings shall be removed before September 15, 2024 unless there is an approved development permit for a residential principal use.

(c) A motor home or trailer home cannot be older than 1990.

(d) The applicant shall sign a memorandum of understanding to acknowledge that the motor home or trailer home shall be removed by September 15, 2024.

(e) If the motor home or trailer home remains on the land after the period identified in 1(d) above has expired, Council will enforce the removal of the unit.

(f) A second temporary motor home or trailer home will be allowed as a visitor to the site for a period of no more than 21 consecutive days within a calendar year.

(g) Sites may contain a maximum of 250 gallons of propane total, and any tank size over 100 pounds shall require the landowner to complete appropriate gas-fitting permits and have the tank inspected by a licensed gas-fitter. Within the 250 gallons, only a maximum of two (2) 100-pound bottles shall be used at one time.

(h) The motor home or trailer shall not be modified to be made permanent through removal of axles and/or wheels.

(i) Home based businesses shall not be allowed on the site until the permanent residence has been constructed.

(j) The motor home or trailer home must be a self-contained unit and connected to the communal water and sewer facilities serving the subdivision. The motor home or trailer home must have a system for sewage and waste water disposal that has been approved by the development authority prior to the approval of a development permit.

(k) The motor home or trailer home is not to be kept for rent, lease or hire.

(l) The motor home or trailer home is not a mobile home.

(m) A copy of the bill of sale or registration and a photo must be submitted with each

application.

(n) The replacement of a motor home or trailer home on a property requires a new development permit.

10.0 F – Forestry District

10.1 Intent

The intent of this district is to correspond to those areas of Crown land designated as provincial forest pursuant to *The Forest Resources Management Act* and described in *The Forest Resources Management Regulations*. Lands designated as provincial forest are administered by the Ministry of the Environment.

10.2 Permitted Uses

- (1) Agricultural – field crops, bee keeping, ranching, grazing, and other similar uses
- (2) Logging, processing of timber and associated forestry uses.
- (3) Mineral and petroleum resource exploration and development
- (4) Wildlife and Ecological Conservation Sites
- (5) Historical and archaeological sites and uses
- (6) Recreational sites, walking and cross-country ski trails and similar uses
- (7) Aggregate resource extraction, storage, processing and crushing
- (8) Public utilities and works, excluding solid and liquid waste facilities

10.3 Accessory Uses

- (1) Buildings, structures or uses secondary to and located on the same site with the principal or discretionary use are permitted.

10.4 Discretionary Uses

- (1) Outfitting and hunting base camps

10.3 Regulations

- (1) The legislation and regulations governing development in this district are administered by the Ministry of the Environment. Enquiries regarding development in the Provincial Forest District shall be direct to the Ministry of the Environment for more information.
- (2) Any person undertaking commercial activity in the Provincial Forest District which would require the use of municipal roads, shall contact the RM regarding location of trucking routes, hours of operation, road maintenance and any other aspects of concern to the RM.

11.0 C – Commercial District

11.1 Intent

To accommodate general commercial and other compatible development in specific areas, with standards for such development.

11.2 Permitted Uses

(1) Commercial

(a) Retail Stores, Offices, Personal Service Establishments

(b) Restaurants, confectioneries and other places for the sale and consumption of food and related items.

(c) Establishments for the servicing, storage and sale of motor vehicles, farm machinery and equipment.

(d) Gas bars with or without confectionaries

(e) Hotels and motels

(2) Public Utilities

(a) Public utilities and works, excluding solid and liquid waste facilities

11.3 Accessory Uses

Buildings, structures or uses accessory to and located on the same site with the main building or use.

11.4 Discretionary Uses

The following uses shall be permitted but only by resolution of Council and only in locations and under conditions specified in such resolution of Council.

(1) Construction and landscape yards; Storage yards and compounds

(2) Agricultural commercial operations including fertilizer sales but not storage

(3) Licensed establishments, taverns, pubs, breweries, and hotels

(4) Move-In Residential Buildings subject to any general regulation regarding the residential use

(5) Animal Kennel excluding animal breeders

- (6) Bed & Breakfast, Home Based Business
- (7) Greenhouse and horticultural commercial
- (8) Mechanic shop
- (9) Outfitting lodge

11.5 Regulations

(1) Site Area

- (a) Residential uses: **Minimum** – 302 sq. m (3,250 sq. ft.)
- (b) Service stations: **Minimum** – 928 sq. m (10,000 sq. ft.)
- (c) Other commercial uses: **Minimum** – 232 sq. m (2,500 sq. ft.)
- (d) All other permitted uses: **Minimum** – 464 sq. m (5,000 sq. ft.)
- (e) All other discretionary uses: **Minimum** – 464 sq. m (5,000 sq. ft.)

(2) Site Frontage

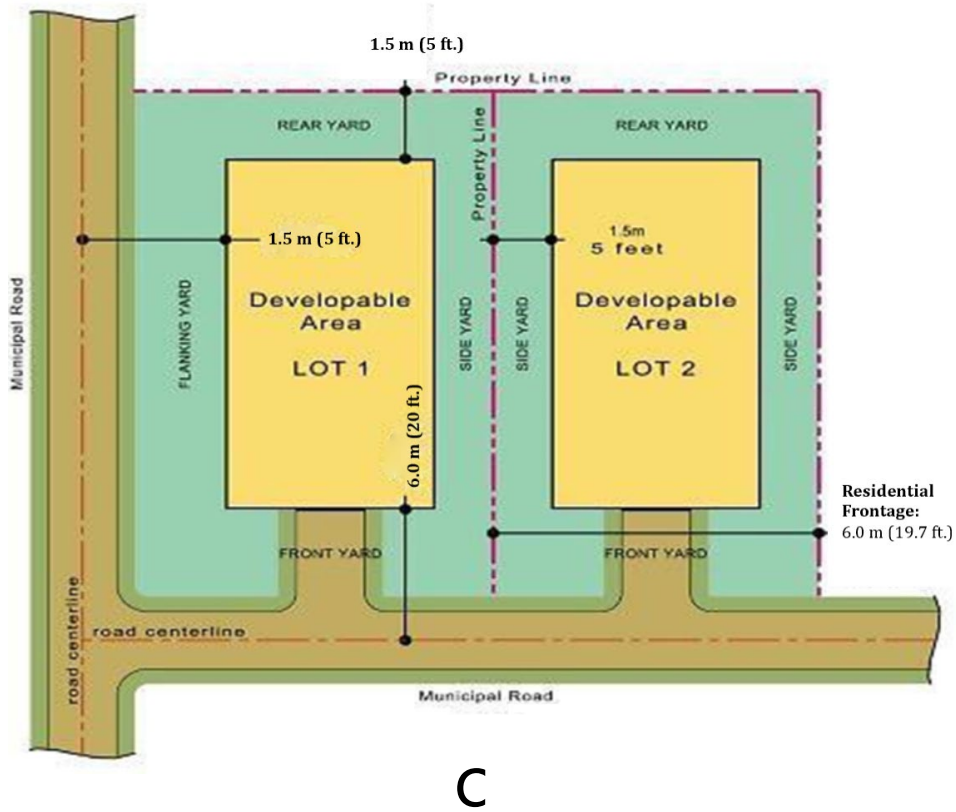
- (a) Residential Uses: **Minimum** – 6 m (19.7 ft.)
- (b) Commercial Uses: **Minimum** – 7.5 m (25 ft.)
- (c) All other permitted uses: **Minimum** – 15 m (50 ft.)
- (d) All other discretionary uses: **Minimum** – 30 m (100 ft.)

(3) Yard Requirements

- (a) Front Yard: **Minimum** – 6.0 m (20 ft.)
- (b) Side Yard: **Minimum** – 1.5 m (5 ft.) except for semi-detached dwellings where the party wall is above a property line, the side yard requirement is not applicable.
- (c) Rear Yard: **Minimum** – 1.5 m (5 ft.)
- (d) Decks: Uncovered decks to any property line **Minimum** – 1.5 m (5 ft.)

- (4) No wall, fence or other structure not otherwise permitted shall be erected in a required front yard or on a site line adjacent to a required front yard to a height of more than 1.0 metres above grade level.

Figure 5: Site Requirements – Commercial Example



(3) Yard Requirements

- | | |
|-----------------|---|
| (a) Front Yard: | Minimum – 6.0 m (20 ft.) |
| (b) Side Yard: | Minimum – 1.5 m (5 ft.) except for semi-detached dwellings where the party wall is above a property line, the side yard requirement is not applicable. |
| (c) Rear Yard: | Minimum – 1.5 m (5 ft.) |
| (d) Decks: | Uncovered decks to any property line
Minimum – 1.5 m (5 ft.) |

11.6 Discretionary Use Evaluation Criteria and Regulations

The general discretionary use evaluation criteria listed in Section 2 shall apply to all discretionary uses, where more specific evaluation criteria and regulation is deemed appropriate by Council, it shall be supplemented below.

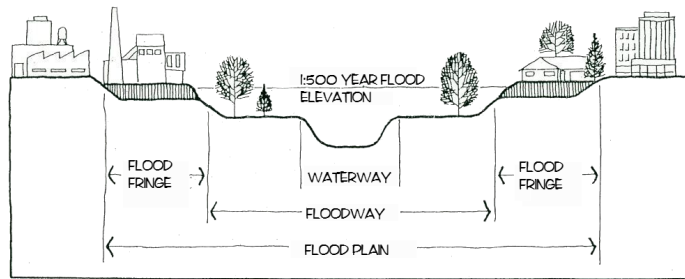
- (1) Auto wreckers; construction yards; storage yards, and similar uses;
 - (a) The Developer may be required to enter into a development agreement regarding routing of large trucks, and the maintenance of municipal roadways;
 - (b) Council may specify approval conditions regarding, but no limited to:
 - (i) daily operations (i.e., hours of operations, crushing times, etc.);
 - (ii) site rehabilitation and reclamation;
 - (iii) site landscaping and fencing;
 - (c) Council may require the submission of a surety or performance bond at time of application;
 - (d) Applications shall have adequate set back and sufficient screening of any outdoor storage area from existing incompatible development or a municipal road allowance. The proposed use may be required to provide appropriate screening to the satisfaction Council;
 - (e) Locations are encouraged to be adjacent to major transportation routes;

12.0 Interpretation

12.1 Definitions

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

1:500 Flood Hazard Elevation: an overflowing of a large amount of water beyond its normal confines, with a probability of a 1:500, or 0.2 percent (0.2 %) chance of happening in any given year.



1:500 Flood Hazard Elevation

Accessory Building or Use: a use or building that:

- (a) Is subordinate to and is exclusively devoted to the principal building or principal use;
- (b) Is subordinate in area, extent and purpose to the principal building or principal use served;
- (c) Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and,
- (d) Is located on the same site as the principal building or principal use served.
- (e) May include additional sleeping accommodations and washroom facilities, however it shall not include kitchen facilities.

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

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

Administrator: the Municipal Administrator for the Rural Municipality of Duck Lake No. 463.

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 activity.

Alteration: any structural change or addition made to any building or structure. This includes any structural change including but not limited to an addition to the area or height of a building, any changes to the structure or supports of a building, or the addition or expansion of a deck raised more than 16 inches above grade.

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

Animal Type	Number of Animals = 1 Animal Unit
Hens, cockerels, capons	100
Chicks, broiler chickens	200
Turkeys, geese, ducks	50
Exotic birds	25
Boars and sows	3
Gilts	4
Feeder pigs	6
Weanling pigs	20
Rams or ewes	7
Lambs	14
All (including llamas, alpacas, etc)	7
Cows and bulls	1
Feeder cattle	1.5
Replacement heifers	2
Calves	4
Colts and ponies	2
Other horses	1
Fallow deer	8.0
Fallow deer fawns	32.0
Elk	5.0
Elk calves	20.0

White tailed deer	8.0
White tailed deer fawns	32.0
Mule deer	8.0
Mule deer fawns	32.0

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

Approved: approved by the Council of the Rural Municipality of Duck Lake No. 463 or the Development Officer of the RM depending on the nature of the application in question.

Balcony: a platform projecting from the face of a wall, cantilevered or supported by columns or brackets, typically at least 2.4 metres (8.0 feet) above ground level.

Basement: a portion of a building that is partly or wholly underground and which has more than one (1) half of its height, from finished floor to finished ceiling, below grade level.

Buffer: a strip of land, vegetation or land use that physically separates. Does not equate to “Buffer Strip” under the Act.

Building: a structure constructed or placed on, in or over land but does not include a public highway.

Building Bylaw: a bylaw of the Rural Municipality of Duck Lake No. 463 regulating the erection, alteration, repair, occupancy, or maintenance of buildings and structures, adopted pursuant to *The Construction Codes Act*.

Building Floor Area: the sum of the gross horizontal area of all floors of a building. All dimensions shall be measured between exterior faces of walls or supporting columns separating two (2) buildings. Floor area is calculated excluding in the case of a dwelling, any private garage, porch, and veranda.

Building Height: the vertical distance of a building measured from grade level to the highest point of the roof.

Building Permit: a permit, issued under the Building Bylaw of the Rural Municipality of Duck Lake No. 463, authorizing the construction of all or part of a building or structure.

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

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

Bunkhouses: buildings and structures that are secondary to the principal or discretionary use and which will permit overnight accommodations, but such structures shall not contain kitchen facilities. Shall not be construed, in any way, as consent or approval for a future subdivision for

the use.

Camp: to remain overnight with or without a tent or temporary shelter.

Campground Site, Group: an area of land managed as a unit, used to provide accommodation for tents, and Recreational Vehicles. Sites shall be considered a campground where there is more than one (1) unit (i.e., campers, recreational vehicles, etc.) within an individual site boundary.

Campground Site, Seasonal: an area of land managed as a unit, used to provide accommodation for tents, and Recreational Vehicles. Sites shall be considered a campground where there one (1) unit (i.e., campers, recreational vehicles, etc.) within individual site boundaries, or two (2) or more units in a group site boundary. This type of site is rented for long-term periods to be determined by Council.

Campground Site, Non-Seasonal: an area of land managed as a unit, used to provide accommodation for tents, and Recreational Vehicles. Sites shall be considered a campground where there one (1) unit (i.e., campers, recreational vehicles, etc.) within individual site boundaries. This type of site is rented for short-term periods to be determined by Council.

Camping Unit: a vehicle or structure that is or may be used as a temporary living quarter or shelter, and typically includes: motor homes, cabin trailer, tent trailer, truck camper, tent, van, car, truck, recreational vehicle, houseboat and other similar uses.

Campsite: an area within a seasonal campground, designed and developed to accommodate a family or a specified number of persons in one camping unit.

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

Communication Tower: a structure or structures used for receiving and broadcasting radio, internet, cellular service or television signals.

Compatible: with respect to land use, that land uses are able to coexist near each other without conflict or are consistent and capable of being used in combination with each other.

Corner lot: a lot at the intersection or junction of two (2) or more streets.

Council: The Council of the Rural Municipality of Duck Lake No. 463.

Country Residence: includes a dwelling or site whose owner's principal source of household income is derived from a source other than the principal agricultural use of that site.

Deck or Porch: a raised open platform, with or without railings, which is at least 40 centimetres (16 inches) above grade and attached to the principal building.

Dedicated Lands: lands dedicated pursuant to the Act, and *The Dedicated Lands Regulations, 2009*, as buffer strips, environmental reserve, municipal reserve, public reserve, and walkways.

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.

Development Appeals Board: a board established pursuant to section 49 of the Act, which may be a District Development Appeals Board if municipalities have authorized an agreement pursuant to subsection 214(3) of the Act.

Development Officer: the individual(s) appointed pursuant to section 2.1 – Development Officer to administer this Bylaw.

Development Permit: a permit, issued by the Council of the Rural Municipality of Duck Lake No. 463 or its designated Development Officer that authorizes development but does not include a building permit.

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

Dwelling, Semi-Detached: means two dwelling units' side by side in one building unit with a common party wall which separates, without opening throughout the entire structure, the two dwelling units.

Dwelling, Single Detached: a detached building consisting of one dwelling unit as defined here; and occupied or intended to be occupied as a permanent home or residence, including an RTM when attached to its foundation on the site, but not including a mobile, modular, or manufactured home as defined.

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.

Elevation: the height of a point on the Earth's surface above sea level.

Environmentally sensitive lands and areas means lands or areas with natural features where precautions, mitigation or constraints are needed to minimize impacts. These include the following:

a ravine, coulee, swamp, natural drainage course or creek bed;

wildlife habitat, environmentally sensitive or significant natural or heritage areas;

flood-prone or potentially unstable land; or

land abutting lakes streams or rivers for pollution prevention, bank preservation or development protection from flooding.

Estimated Peak Water Level (EPWL): means the water level calculated by the *Water Security Agency* or other certified professional to determine a flood hazard area. It is based on the 1:500 peak flow for rivers and the higher of the 1:500 peak calm level or the 1:100 peak calm level with a 1:5 wind from the most critical direction for most water bodies.

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

Farmstead – a single site, which includes the residence of the farm operator and those buildings, or facilities that are related to the farm operation and may include cropland and pastures. A Farmstead may contain the following where located on the same parcel:

- A residence for the operator of an agricultural use
- A bunkhouse or additional residence for employees and partners of the operator engaged in the agricultural operation
- Facilities for the temporary holding of livestock raised in an operation, in lesser numbers than constitutes an ILO (unless approved as an ILO)
- Buildings for permitted accessory and ancillary use.

Fence: a constructed barrier erected to separate, enclose, screen or divide areas of land.

Flood plain: the area prone to flooding from a water body or watercourse that comprises the combined area of the flood way and flood fringe.

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

Flood way: the portion of the flood plain adjoining the channel where the waters in the 1:500-year flood are projected to meet or exceed a depth of 1.0 metre or a velocity of 1.0 metre per second.

Flood fringe: the portion of the flood plain where the waters in the 1:500-year flood are projected to be less than a depth of 1.0 metre or a velocity of 1.0 metre per second.

Frontage: the length of the site line front, the site line abutting the street providing access. In the case of a corner lot the shorter side shall be considered the front. Where a pie shaped or non-rectangular lot is involved, the average width of the lot measured by its front and rear lot lines may be considered as the value for calculating the minimum frontage requirement of the lot.

Garage, Private: A building used for storage purpose only, where no business is conducted

Greenhouse, Commercial: A greenhouse which also provides for the display and sale of bedding, household and ornamental plants and may include accessory uses related to the storing, displaying and selling of related gardening products. Does not include growing of cannabis

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

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

Hazard Lands: land that is contaminated, unstable, prone to flooding or otherwise unsuited for development or occupation because of its inherent danger to public health, safety or property.

Hazardous Material: any material, product, substance, organism, gas, liquid or anything else which because of its quantity, concentration, location risk of spill, chemical or infectious characteristics, carcinogenic or mutagenic properties, is a potential or current threat to the physical environment, human health, living organisms, water supplies or other resources.

Heritage Building or Site: any property or site that is designated by the RM, the Provincial Government or the Federal Government as being a site that should be protected and preserved to protect heritage resources within the RM.

Heritage Resources:

(a) Archaeological and paleontological objects; and

(b) Any property or site of interest for its architectural, historical, cultural, environmental, archaeological, paleontological, aesthetic or scientific value.

(c) Heritage resources include built sites and structures, archaeological sites and objects, paleontological localities and objects, traditional cultural locations and cultural landscapes.

Home Based Business: a business, occupation, trade, profession or craft customarily conducted entirely within a residential building or accessory building by the inhabitants of the dwelling, and where the use is clearly accessory and secondary to the residential use and does not change the character of the dwelling.

Horizontal Integration: the accommodation of multiple complimentary activities which could be considered principal permitted uses under single or multiple ownership within one or more buildings on a single parcel where these uses are considered to provide additional processing, and/or the sale of manufactured goods produced onsite.

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

Intersection: any place where two (2) or more streets meet or cross at grade.

Intensive Agriculture: an intensified system of tillage from the concentrated raising of crops and other plants for market and without restricting the generality of the above includes:

(a) sod farms;

(b) market gardens;

- (c) greenhouses;
- (d) nurseries, tree farms and other similar uses.

Intensive Livestock Operation: the confining of any of the following animals, in number equal or greater than 300 animal units, where the space per animal unit is less than 370 square meters:

- (a) poultry;
- (b) hogs;
- (c) sheep;
- (d) goats;
- (e) cattle;
- (f) horses;
- (g) any other animal prescribed by provincial regulation;

Landscaping: The provision of horticultural and other related compatible features or materials designed to enhance the visual amenity of a site or to provide a visual screen consisting of any combination of the following elements:

- (a) Soft landscaping consisting of vegetation such as trees, shrubs, vines, hedges, flowers, grass, and ground cover; and/or
- (b) Hard landscaping consisting of non-vegetative materials such as concrete, unit pavers, brick pavers or quarry tile, though does not include gravel, shale, or asphalt.

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

Lot: one surface parcel as defined under *Land Titles Act, 2000*, and used as a unit for the purpose of regulation under this Bylaw.

Lot Coverage: the percentage of the lot covered by building, such as principal and accessory use buildings as outlined in this Bylaw.

Lot Line, Front: the property line that divides the lot from the street, in the case of a corner lot, the line separating the narrowest street frontage on the lot from the street.

Lot Line, Rear: the line at the rear of the lot opposite the front lot line.

Lot Line, Side: a lot line which is neither the front or rear lot line.

Mechanic Shop: an establishment where repairs are made to automobiles by professional mechanics and technicians.

Membrane Covered Structures: a structure consisting of a frame that is covered with a plastic, fabric, canvas, or similar non-permanent material, which is used to provide storage for vehicles, boats, recreational vehicles, or other personal property. The term shall also apply to structures also commonly known as hoop houses, canopy covered carports, tent garages and can be fully or

partially covered, but does not include gazebos.

[Estimated] Minimum Building Elevation (MBE): an elevation a minimum of 0.5 metres above the EPWL which includes a necessary freeboard to adequately protect development from potential flooding, damage, erosion, ice, etc. The Water Security Agency usually recommends a freeboard of 0.5 metres for most situations and may be increased to 0.6 metres where dykes are used for flood proofing, or 1.0 metres in lake or river areas with greater uncertainty in estimating hydrological response. In some instances, the MBE may be registered to title with development standards as a condition of subdivision approval by the subdivision approving authority

Mobile or Manufactured Home: a trailer coach:

- (a) That is used as a dwelling for permanent or year-round living.
- (b) That has water faucets, wash basin, a shower or bathtub, and a toilet that may be connected to a water distribution and sewage collection system.
- (c) Certified by the manufacturer that it complies with the Canadian Standards Association Code CSA-Z240 series standards.
- (d) That is properly skirted and attached to a permanent foundation.

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

Move-in (MI) Residential Building: Shall mean a single detached dwelling constructed off site which is being relocated to a new site in the RM. A Move-in residential building has been used previously as a residential building.

Municipality – means the Rural Municipality of Duck Lake No. 463 unless explicitly stated otherwise.

Municipal Facility: any structures or land owned and/or maintained by the RM that are used for:

- (a) Office and meeting space.
- (b) Storage of municipal equipment and supplies.
- (c) Recreation.
- (d) Other institutional purposes.

Non-Conforming Building: a building:

- (a) That is lawfully constructed or lawfully under construction, or with respect to which all required permits have been issued, at the date a zoning bylaw or any amendment to a zoning bylaw affecting the building or land on which the building is situated or will be situated, becomes effective.

(b) That on the date a zoning bylaw or any amendment to a zoning bylaw becomes effective does not, or when constructed will not, comply with the zoning bylaw.

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

Non-Conforming Use: a lawful specific use:

(a) Being made of land or a building or intended to be made of land or of a building lawfully under construction, or with respect to which all required permits have been issued, at the date the zoning bylaw or any amendment to the zoning bylaw affecting the land or building becomes effective.

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

Official Community Plan (OCP): the Official Community Plan for the Rural Municipality of Duck Lake No. 463.

Park Model Home: a dwelling unit, of a cottage style having a pitched roof, designed to facilitate occasional relocation, with living quarters; has water faucets and shower or other bathing facilities that maybe connected to a water distribution system; and has facilities for washing and a water closet or other similar facility that may be connected to a sewage system. Park Model Trailers must meet or exceed CSA – Z241 standards and bear a label of certification from the Canadian Standards Association and is similar in form and construction to the following:



Permanent Foundation: any concrete pads, pilings made of any material, pony walls or other support structures made of concrete, wood, steel or other metal, placed on or in the ground where a building will be constructed or installed.

Permitted Use: a use permitted within the RM in a certain zoning district as long as all other bylaw and regulation requirements are met.

Personal Service Establishment: a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects, including barbershops, hairdresser, beauty salons, tanning salons, tailors, dressmakers, laundromats, shoe repair shops, photographers, but excluding any adult or sexually explicit services.

Principal Building, Structure or Use: the main or primary activity, for which a site or its buildings are designed, arranged, developed or intended, or for which it is occupied or maintained.

Public Works: a system, works, plant, equipment or service, whether owned or operated by or for the RM, or by a corporation under agreement with the RM, or under a federal or provincial statute, which furnishes any of the following services and facilities to the residents of the RM.

- a) Systems for the production, distribution or transmission of electricity.
- b) Systems for the distribution, storage, or transmission of natural gas or oil.
- c) Facilities for the storage, transmission, treatment, distribution or supply of water.
- d) Facilities for the collection, treatment, movement or disposal of sewage and garbage.
- e) Telephone or light distribution lines;
- f) Microwave and cell phone tower communication facilities.
- g) Facilities for optical cable, or cable television services.

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

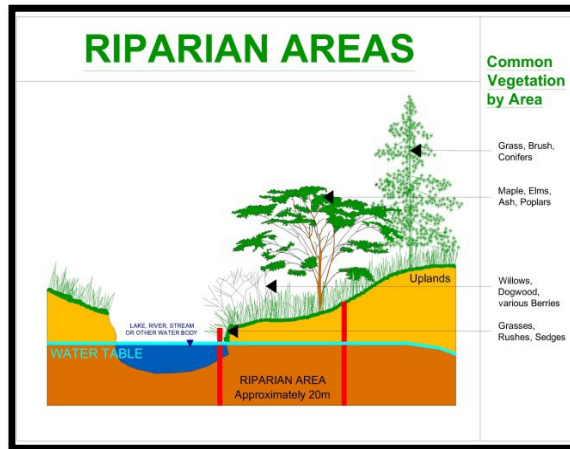
Ready-to-Move (RTM) Dwelling: a new single detached dwelling constructed off site to *National Building Code* or CSA-A277 standards to be moved onto a new permanent residential site building foundation.

Recreational Vehicle or RV: a tent trailer, travel trailer, truck camper, fifth wheel, motor home or other similar structure intended to provide temporary accommodation for travellers, tourists and campers.

Reeve: The Reeve of the Rural Municipality of Duck Lake No. 463.

Restaurant: a commercial establishment where the primary products sold are food and beverages prepared and served to customers on site at tables or chairs or off-site, as in the case of take out and drive-thru's.

Riparian Area: the areas along the edges of water bodies and waterways such as streams, rivers and lakes that act as important natural bio-filters that protect water bodies and water resources such as groundwater from excessive sedimentation, pollutants in surface water runoff and erosion. These areas and the vegetation within them are instrumental in water quality management and protection and need to be protected. The area that they cover can vary depending on the area where they are located but it will be assumed to be the first 20.0 metres (65.61 feet) from the shoreline of any water body in the RM unless evidence to the contrary is provided by what Council determines to be a qualified professional.

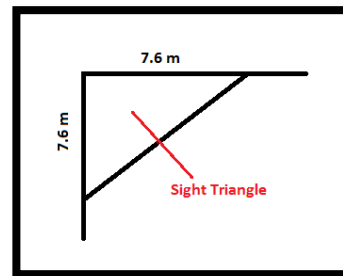


Sand and gravel: sand and gravel products, excluding ceramic clays, found on the surface of land and obtainable by either or both stripping off the surface or excavation.

Setback: the minimum distance certain developments must be set back from other uses due to their nature to disqualify future development or injuriously affect the existing development.

Shipping Container: means a durable metal container typically used for shipping goods long distances by rail, ship or trucks. It is commonly used as a storage container. Also known as a Sea Can.

Sight Triangle: the triangular area formed, on a corner site, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines at points which are a measured distanced along said site lines.



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

Site: a parcel or contiguous parcels of land under one ownership as defined in *The Lands Titles Act, 2000*.

Site Line, Front: the boundary that divides the site from the street, in the case of a corner site, the front site line shall mean the boundary separating the narrowest street frontage of the site.

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.

Solid Waste Facility: a site designed specifically to store and/or process solid waste on land in a way that protects and respects the health of residents and the environment in the surrounding area.

Statement of Provincial Interest: a statement of provincial interest respecting land use planning and development, as per the *Statement of Provincial Interest Regulations*, pursuant to *The Planning and Development Act, 2007*.

Storage Compound: means an area that is open and exposed to the natural elements and does not involve the erection of permanent structures, or the material alteration of the existing state of the land, and is intended for the storage of recreational and automotive vehicles and equipment, RVs, and trailers, but not for the storage, stockpiling or accumulation of industrial type goods, materials and/or equipment.

Street: a public thoroughfare which affords the principal means of access to the abutting property.

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

Structure, Temporary: anything that is built, constructed or erected, located on the ground or attached to something located on the ground but that may be relocated or moved and is not of a permanent nature.

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

Sustainable: meeting present needs without compromising the ability of future generations to meet their needs.

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

ac – acre(s)	m ² - square metre(s)
ft – feet	km – kilometre(s)
ft ² – square feet	ha - hectare(s)
m - metre(s)	

Warehouse: means a building or part of a building used primarily for the operation of general merchandise warehousing, cold storage, and other storage facilities and also includes a centre for the distribution of wholesale goods and commodities for resale to retailers; to industrial, commercial or professional users; to other wholesalers.

Wind Turbine, Height: measured as the distance from the base at grade level to the highest vertical point on the structure;

Yard: any part of a site unoccupied and unobstructed by any principal building or structure.

Yard, Front: a yard extending across the full width of a site between the front site line and the nearest main wall of the principal building.

Yard, Rear: a yard extending across the full width of the site between the rear site line and the nearest main wall of the principal building or structure on the site.

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

Zoning District: a specifically designated area of the RM that is subject to a corresponding set of development rules and policies contained within the Zoning Bylaw and Official Community Plan.

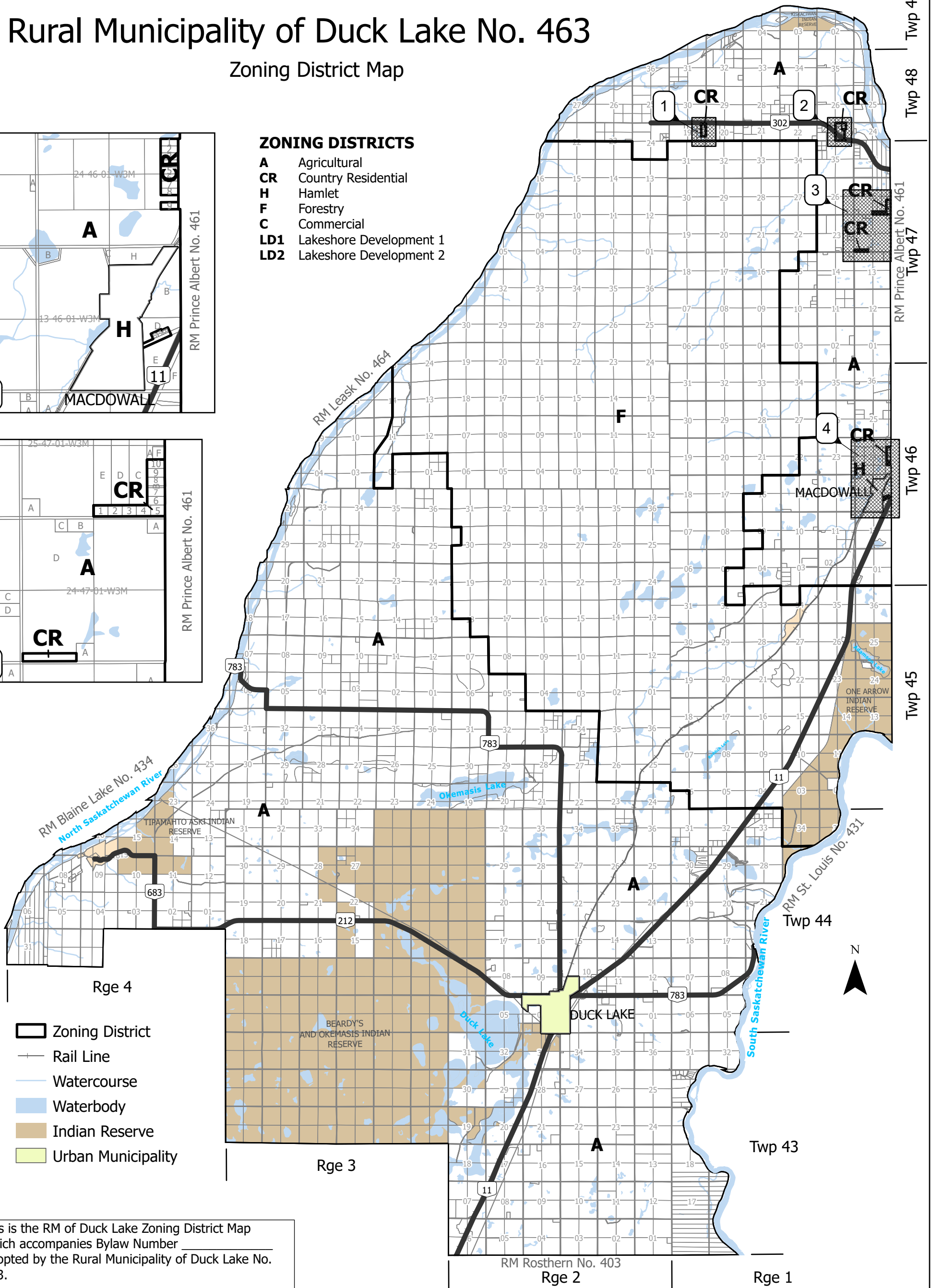
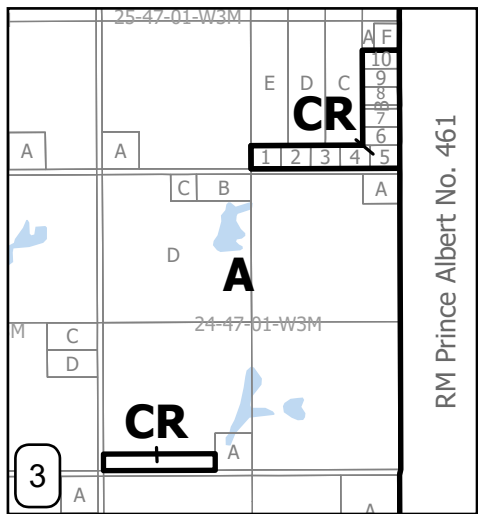
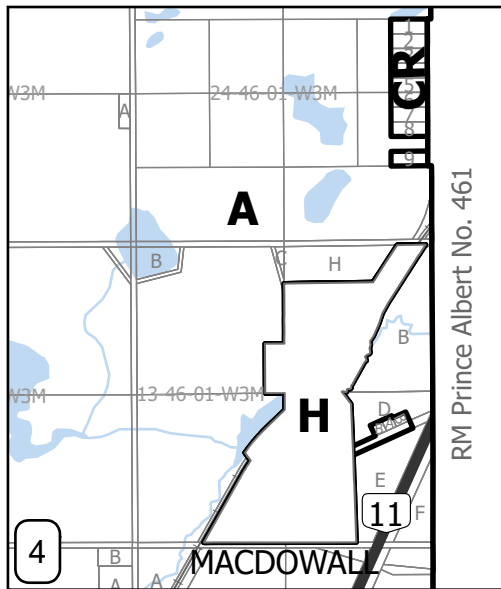
13.0 Zoning District Map

Rural Municipality of Duck Lake No. 463

Zoning District Map

ZONING DISTRICTS

- A** Agricultural
- CR** Country Residential
- H** Hamlet
- F** Forestry
- C** Commercial
- LD1** Lakeshore Development 1
- LD2** Lakeshore Development 2



- Zoning District
- Rail Line
- Watercourse
- Waterbody
- Indian Reserve
- Urban Municipality

• This is the RM of Duck Lake Zoning District Map which accompanies Bylaw Number _____ adopted by the Rural Municipality of Duck Lake No. 463.

Reeve

Administrator

• Approved on the _____ day of _____.

Minister
Saskatchewan Government Relations

