

Village of Belle Plaine



Village of Belle Plaine

Zoning Bylaw No. 5-13

November 2022

TABLE OF CONTENTS

| | |
|--|----|
| TABLE OF CONTENTS | 1 |
| 1 INTRODUCTION | 4 |
| 1.1 AUTHORITY | 4 |
| 1.2 TITLE | 4 |
| 1.3 PURPOSE | 4 |
| 1.4 SCOPE | 4 |
| 1.5 SEVERABILITY | 4 |
| 2 DEFINITIONS | 5 |
| 3 ADMINISTRATION AND INTERPRETATION | 31 |
| 3.1 DEVELOPMENT OFFICER | 31 |
| 3.2 COUNCIL | 31 |
| 3.3 APPLICATION FOR A DEVELOPMENT PERMIT | 31 |
| 3.4 DEVELOPMENT NOT REQUIRING A PERMIT | 32 |
| 3.5 INTERPRETATION | 33 |
| 3.6 CONCEPT PLANS | 33 |
| 3.7 DEVELOPMENT PERMIT PROCEDURE | 34 |
| 3.8 DEVELOPMENT PERMIT: VALIDITY | 34 |
| 3.9 DEVELOPMENT PERMIT APPLICATIONS FEES | 35 |
| 3.10 FEE FOR ZONING AMENDMENT APPLICATION | 35 |
| 3.11 CONCURRENT PROCESSING OF DEVELOPMENT PERMITS, BUILDING PERMITS AND BUSINESS LICENSES | 35 |
| 3.12 REFERRAL UNDER THE PUBLIC HEALTH ACT | 36 |
| 3.13 PLANNED UNIT DEVELOPMENT (PUD) | 36 |
| 3.14 DEVELOPMENT APPEALS BOARD | 36 |
| 3.15 MINOR VARIANCES | 36 |
| 3.16 NON-CONFORMING BUILDINGS USES AND SITES | 38 |
| 3.17 DEVELOPMENT PERMIT: INVALID | 38 |
| 3.18 CANCELLATION | 38 |
| 3.19 STOP-WORK | 39 |
| 3.20 OFFENCES AND PENALTIES | 39 |
| 3.21 INSPECTION OF PREMISES | 39 |
| 3.22 BYLAW COMPLIANCE | 39 |
| 3.23 PERFORMANCE BONDS | 39 |
| 3.24 LIABILITY INSURANCE | 39 |
| 3.25 REGISTERING INTERESTS | 40 |
| 3.26 MOVING OF BUILDINGS | 40 |
| 3.27 DEMOLITION OF BUILDINGS | 40 |
| 3.28 TEMPORARY DEVELOPMENT PERMITS | 40 |
| 3.29 DEVELOPMENT AGREEMENTS AND ENGINEERING REPORTS | 40 |
| 3.30 SERVICING AGREEMENTS | 40 |
| 4 GENERAL REGULATIONS | 41 |

| | |
|--|----|
| 4.1 LICENSES, PERMITS, AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION | 41 |
| 4.2 PRINCIPAL USE | 41 |
| 4.3 MULTIPLE USES | 41 |
| 4.4 USES PERMITTED IN ALL ZONING DISTRICTS | 42 |
| 4.5 NUMBER OF PRINCIPAL BUILDINGS ON A SITE | 42 |
| 4.6 ACCESSORY BUILDINGS, USES AND STRUCTURES | 42 |
| 4.7 FRONT YARD REDUCTION | 43 |
| 4.8 FRONTAGE FOR IRREGULAR SITES | 43 |
| 4.9 PERMITTED YARD ENCROACHMENTS | 43 |
| 4.10 FENCE AND HEDGE HEIGHTS | 43 |
| 4.11 RESTORATION TO A SAFE CONDITION | 44 |
| 4.12 GRADING AND LEVELING OF SITES | 44 |
| 4.13 RESTRICTIONS ON CHANGES | 44 |
| 4.14 HEIGHT OF BUILDINGS | 44 |
| 4.15 HERITAGE PROPERTIES | 44 |
| 4.16 SIGNAGE ON NATURAL AND HUMAN HERITAGE SITES | 45 |
| 4.17 LANDSCAPE BUFFERS | 45 |
| 4.18 PROHIBITED AND NOXIOUS USES | 45 |
| 4.19 CLOSINGS | 46 |
| 4.20 RAILWAY CROSSINGS AND SIGHT DISTANCES AND CONSULTATION WITH RAILWAYS ON DEVELOPMENT ADJACENT TO RAILWAY INFRASTRUCTURE | 46 |
| 4.21 BARELAND CONDOMINIUM DEVELOPMENTS | 46 |
| 4.22 SATELLITE DISHES | 47 |
| 4.23 COMMUNICATION TOWERS | 47 |
| 4.24 PRIVATE GARAGES, SUNROOMS, SOLARIUMS, AND GREENHOUSES | 47 |
| 4.25 WIND POWER TURBINES AND TOWERS | 47 |
| 4.26 TRAILERS, BOX CARS, SEA AND RAIL CONTAINERS | 48 |
| 4.27 PARKING | 48 |
| 4.28 SWIMMING POOLS | 49 |
| 4.29 DISPOSAL OF WASTES | 49 |
| 4.30 SOLID AND LIQUID WASTE DISPOSAL FACILITIES | 50 |
| 4.31 DEVELOPMENT STANDARDS FOR DISCRETIONARY USES | 50 |
| 4.32 HOME OCCUPATIONS | 51 |
| 4.33 SECONDARY SUITES | 51 |
| 4.34 MODULAR HOMES | 52 |
| 4.35 BED AND BREAKFAST HOMES | 52 |
| 4.36 DAY CARE CENTRES AND PRE-SCHOOLS | 52 |
| 4.37 PERSONAL CARE HOMES | 53 |
| 4.38 SALVAGE YARDS (AUTO WRECKERS) | 53 |
| 4.39 TEMPORARY WORK CAMPS | 54 |
| 4.40 CAMPGROUNDS | 55 |
| 5 ZONING DISTRICTS AND ZONING MAPS | 55 |

| | |
|--|----|
| 5.1 ZONING DISTRICTS | 55 |
| 5.2 THE ZONING DISTRICT MAP | 56 |
| 5.3 BOUNDARIES OF ZONING DISTRICTS | 56 |
| 5.4 HOLDING DESIGNATION | 56 |
| 5.5 FUTURE URBAN DEVELOPMENT DISTRICT - FUD | 57 |
| 5.6 RESIDENTIAL DISTRICT - R1 | 60 |
| 5.7 RESIDENTIAL MULTIPLE DWELLING DISTRICT - R2 | 63 |
| 5.8 COMMERCIAL | 65 |
| 5.9 INDUSTRIAL DISTRICT - IND | 71 |
| 6 REPEAL AND ADOPTION | 79 |
| APPENDIX "A" DEVELOPMENT PERMIT APPLICATION REQUIREMENTS | 80 |
| APPENDIX "B" NOTICE OF DECISION | 84 |

1 INTRODUCTION

1.1 AUTHORITY

Under the authority granted by *The Planning and Development Act, 2007*, the Mayor and Council of the village of Belle Plaine in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.2 TITLE

This Bylaw shall be known and may be cited as the “Zoning Bylaw” of the Village of Belle Plaine.

1.3 PURPOSE

1.3.1 The purpose of this Bylaw is to regulate development and to control the use of land in the Village of Belle Plaine in accordance with the Official Community Plan (OCP) Bylaw 5-13

1.3.2 The intent of this Zoning Bylaw is to provide for the amenity of the area within the Village of Belle Plaine (hereinafter referred to as the Village) and for the health, safety, and general welfare of the inhabitants of Belle Plaine and area:

- a) To minimize land use conflicts;
- b) To establish minimum standards to maintain the amenity of the Village;
- c) To ensure development is consistent with the physical limitations of the land;
- d) To restrict development that places undue demand on the Village for services; and
- e) To provide for land-use and development that is consistent with the goals and objectives of the Village.

1.4 SCOPE

This Bylaw applies to all land included within the boundaries of the Village of Belle Plaine. All development within the limits of the Village of Belle Plaine shall hereafter conform to the provisions of this Bylaw.

1.5 SEVERABILITY

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

2 DEFINITIONS

Whenever the subsequent words or terms are used in the Village of Belle Plaine Official Community Plan, Bylaw No. 4-13 and this Bylaw, they shall, have the following definition unless the context indicates otherwise.

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

Accessory: A building or use that:

- a) Is subordinate to and serves the principal building or principal use;
- b) Is subordinate in area, mass, 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 assists the principal use;
- d) And is located on the same site as the principal building or use.

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

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 notification.

Administrator: The Administrator of the Village of Belle Plaine.

Aggregate Resource: Mineral materials including sand, gravel, clay, earth or mineralized rock, including recycled concrete.

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 agriculture.

Alteration or Altered: With reference to a building, structure or site means a change from one major occupancy class or division to another, or a structural change such as an addition to the area or height, or the removal or part of a building, or a change to the structure such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change to or closing of any required means of egress or a change to the fixtures, equipment, cladding, trim or any other items regulated by this Bylaw such as parking and landscaping.

Ancillary Use: A secondary and subordinate use to the principle use, which is specifically allowed, and may include an associated building that is specifically allowed pursuant to this Bylaw.

Animal Clinic: A building or part thereof used by a qualified veterinarian for the treatment of animal health needs where animals are not kept on the premises for surgery or kept overnight.

Animal Hospital: The premises of a veterinary surgeon where small, large domestic animals and livestock are treated or kept involving surgery and the keeping of animals in outdoor or indoor pens.

(Animal) Veterinary Clinics: A place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization, but shall not include the keeping of animals in outdoor pens.

Apartment Block: A building containing three or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence as distinct from a hotel or rooming house.

Application: A developer or person applying for a Development Permit under this Bylaw or for a subdivision approval to an approving authority under [The Planning and Development Act, 2007](#).

Attic: That portion of a building situated wholly or in part within the roof and which is less than one-half storey.

Automobile (Motor Vehicle): A self-propelled passenger vehicle that usually has four wheels and an internal-combustion engine, used for land transport.

Auto Wrecker: An area where motor vehicles are disassembled, dismantled or junked, or where vehicles not in operable condition, or used parts of motor vehicles, are stored or sold to the general public.

Awning: A structure that is mechanical and fabricated from plastic, canvas or metal that is spread across a frame designed to be attached to a wall and hung above a doorway or window.

Basement: That portion of a building that is partly or wholly underground.

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

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

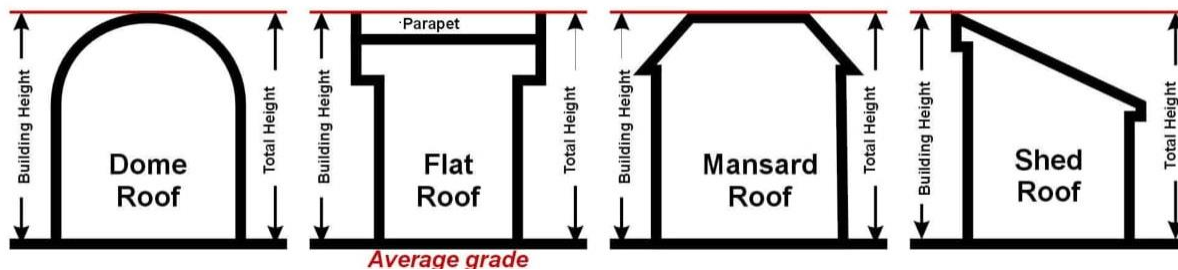
Buffer: A strip of land, vegetation or land use that physically separates two or more different land uses.

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

Building, Accessory (see Accessory)

Building Bylaw: A Bylaw of the Village of Belle Plaine authorized by [The Uniform Building and Accessibility Standards Act \(UBAS Act\)](#) to regulate the erection, placement, alteration, repair, renovation or reconstruction of a building.

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



Building Permit: A permit, issued under [The Building Bylaw](#) of the Village of Belle Plaine, authorizing the construction of, or the addition to, any building but does not include a Development Permit.

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

Building Line, Established: The average distance from the street line to the main wall of existing buildings on any side of any block where more than half the frontage of the block has been built on.

Bulk Fuel Sales and Storage: This includes land, buildings, and structures for the storage and distribution of fuels and oils including retail sales or key-lock operation.

Business Support Services: Activities intended to provide administrative, promotional or technical support for commercial and industrial activities.

Bylaw: The Village of Belle Plaine Zoning Bylaw.

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

Carlock Operation: A petroleum dispensing outlet without full-time attendants.

Carport: A building or structure or part thereof, where at least 40% of the area of the perimeter is open and unobstructed by a wall, door, post or pier and which is used for the parking or storage of motor vehicles.

Cemetery: A cemetery or columbarium within the meaning of *The Cemeteries Act* Chapter C-4, R.S.S. 1981, as amended from time to time.

Club: A group of people organized for a common purpose, to pursue common goals, interests or activities, and usually characterized by certain membership qualifications, payment of dues or fees, regular meetings, and a constitution and bylaws.

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

Commercial. Industrial Use, Large Scale: Commercial or Industrial land uses maintaining a lineal frontage in excess of 91.0 metres (298.56 feet).

Commercial. Industrial Use, Small Scale: Commercial or Industrial land uses maintaining a lineal frontage of 91.0 metres (298.56 feet) or less.

Compost: Materials used in gardening, agriculture, landscaping, erosion control, wetland construction, and landfill cover.

Concrete and Asphalt Plant: An industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facilities for the administration or management of the business, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment.

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

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

Construction Trades: Offices, shops and warehouses, with or without retail sales for trades associated with construction of buildings.

Contractors Yard: The yard of a contractor or company, including landscaping materials used as a depot for the storage and maintenance of equipment used by the contractor or company, and includes facilities for the administration or management of the business and the stockpiling or storage of supplies used in the business.

Convenience Store: A store offering for sale primarily food products, beverages, personal care items, hardware and printed matter and which primarily provides a convenient day-to-day service to residents in the vicinity.

Council: The Council of the Village of Belle Plaine.

Cultural Institution: Establishments such as museums, art galleries, libraries and similar facilities or historical, educational or cultural interests which are not commercially operated.

Day Care Centre: An establishment providing for the care, supervision and protection of children (or adults) but does not include the provision of overnight supervision.

Deck: Any raised floor structure at least 0.31 metres (1 foot) above the average ground level upon which it is constructed, either adjacent to a building or free-standing with stairway, ramp, or similar access.

Demolition Permit: A permit issued for the removal or dismantling of a building or structure within the Village's boundaries as prescribed under Section 13 of *The Uniform Building and Accessibility Standards Act*.

Development: The carrying out of any building, engineering, mining, or operations in, on, or over land, or making of any material change in the use or intensity of use of any building, or land, and shall include, but not be limited to, excavating, filling, grading or drainage of land.

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

Development Permit: A document issued by the Council of the Village of Belle Plaine that authorizes development pursuant to this Bylaw but does not include a building permit.

Directional Signage: Signage located offsite providing direction to, and information about, a specific enterprise or activity which does not contain general advertising.

Discretionary Use: Uses or development of land, buildings, or other structures that may be permitted in a Zoning District only at the discretion of Council and which conforms to all

discretionary use regulations and other regulations applicable to the district in which the use is located.

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

Dwelling Unity: One or more habitable rooms used, or fully capable of being used, as a residence where each unit provides sleeping, cooking and toilet facilities, but does not include rooming houses or rooming units.

Dwelling, Converted: A dwelling that is more than 30 years old that was originally designed or used as a one or two unit dwelling and in which additional dwelling units have been created.

Dwelling, Duplex: A building, including a bare land condominium, which is divided either vertically or horizontally into two dwelling units with separate entrances.

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

Dwelling, Multiple Unit: A building containing four or more dwelling units and shall include condominiums, village houses, row houses, and apartments, but not include a converted dwelling, rooming house, hotel, or motel.

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



Dwelling, Single-Detached: A building containing only one dwelling unit, including a bare land condominium and shall not include a mobile home as herring defined.



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



Dwelling, Triplex: A building, including a condominium which is divided vertically into three dwelling units, each with its own entrance.

Educational Institution: An establishment dedicated for the purpose of providing education and instruction in any branch of knowledge.

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

Farm Building/Yard: Improvements such as barns, granaries, etc. used in connection with the growing and sale of trees, shrubs and sod or the raising or production of crops, livestock or poultry, fur production, beekeeping and situated on a parcel of land used for the farm operation.

Fence: A structure used to enclose or screen areas of land.

Fill (Clean Fill): Soil, rock or other material approved by the Village.

Flanking: Means to the side of a lot, parcel or site.

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

Flood Level (Designed):

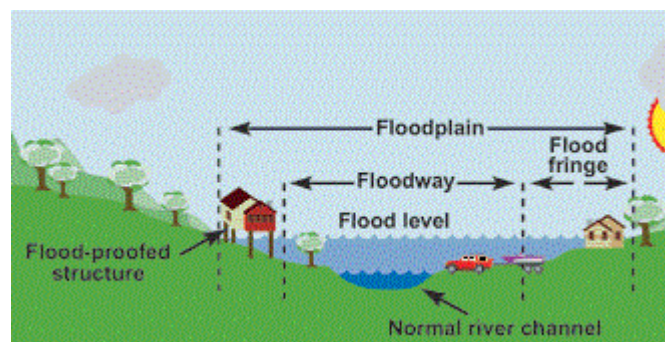
- a) A 1:500-year flood;
- b) A flood having a return period greater than 1:500 years;
- c) A recorded flood having a water surface elevation equal to or exceeding that of a 1:500-year flood.

Flood Fringe: The portion of the floodplain inundated by 1:500-year flood that is not the floodway.

Flood plain: means the area inundated by water from the watercourse or water body during a 1:500 year flood and is made up of the floodway and flood fringe.

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

Floodway: The portion of the floodplain adjoining the channel where the waters in the 1:500-year flood are projected to meet or exceed a depth of one metre or a velocity of one metre per second.



Floor Area: The maximum area contained within the outside walls of a building, excluding in the case of a dwelling, any private garage, porch, veranda, open deck, unfinished attic, or unfinished basement or cellar and in a commercial or industrial building, any utility room.

Freeboard Elevation: The elevation of the Design Flood Level (the 1:500 flood elevation) plus an extra 0.50 metres (1.64 feet) to provide protection against wave run-up and ice surge.

Frontage (Lot Frontage): The distance across the street side of a lot (a lot must front on a street), between the points where the sidelines of the lot meet the street right of way or boulevard or, where a lot is irregular in shape and is narrowest at the front street end, the width of the lot shall be measured parallel to the street line at the centre of the front lot line, and at a setback from the front lot line no greater than the minimum permitted building setback.

Future Land Use Map: In its projections, the map specifies certain areas for residential growth and others for residential, industrial, commercial and conservation. The Future Land Use Map for Belle Plaine is attached as Appendix "a" in the Official Community Plan.

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

Garage, Public: A building or place where motor vehicles are stored or repaired for remuneration but does not include car washing establishments, an auto sales lot or an automobile service station.

Garden (Granny) Suite: A second, small, dwelling on the site of a primary, single-family dwelling that accommodates one or two family members of the owner/occupants of the primary residence and is intended to allow the family to live independently but with the support nearby of the extended family.

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

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

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

Greenhouse, Private: A building for the growing of flowers, plants, shrubs, trees and similar vegetation that are transplanted outdoors on the same site containing such greenhouse(s), and where greenhouse products may not be offered for sale.

Greenways: A linear park which may accommodate pathways principally for foot traffic and/or bicycles. Typically, greenways are planned along creeks or streams and managed as natural environments, or bikeways along landscaped roads.

Group Home (see Personal Care Home)

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

Hazard(ous) Land: Land having inherent environmental hazards; land subject to flooding, earth movement, or slope instability, land with poor natural drainage, groundwater seepage, erosion, steep slopes, rock formations, or other similar features.

Health Service Facility (Health Clinic): A building or part thereof used by qualified health service practitioners for the treatment of human health needs.

Heritage Resource: The history, culture and historical resources of an area and its residents.

Highway Commercial: Commercial activities normally located along highways, major roadways and in other locations considered strategic by the type of business involved serving the needs of local residents and the traveling public.

Highway Sign Corridor: A strip of land parallel and adjacent to a provincial highway, where private signs may be permitted to advertise goods and services of local area businesses and attractions, as provided by resolutions of the Department of Highways [*The Erection of Signs Adjacent to Provincial Highway Regulations*](#), 1986, as may be amended from time to time.

Home Occupation (Home Based Business): An occupation, trade, profession, or craft customarily conducted for gain in a dwelling unit or accessory building by the resident or residents, which is clearly incidental and secondary to the principal use of the site and which does not create or become a public nuisance as a result of noise, traffic, pollution, or parking. Home occupations shall not occupy more than 25% of the total finished floor area of a dwelling unit in any Residential District.

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

Industrial Exclusionary Uses: refers to certain industrial activities that may be characterized as exhibiting a high potential for adversely affecting the safety, use, amenity, or enjoyment of adjacent and nearby industrial and non-industrial sites due to their scale, appearance, noise, odour, emissions and hazard potential. Such activities are considered exclusionary when the only means of mitigating the associated negative effects on surrounding land uses is through spatial separation. Exclusionary uses would include but not be limited to the following: Landfill, Ethanol Plant, Transformer Stations, Uranium Refineries, Anhydrous Ammonia Storage and Distribution Centres.

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

Industrial Park: An area of land set aside for industrial development, usually located close to transport facilities, especially where more than transport mode coincides, i.e. highways, railroads, airports, etc.

Infill Development: Redevelopment within existing areas or neighbourhoods.

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

Kennel, Boarding: The temporary accommodation of more than four dogs, cats or other domestic animals for commercial purposes.

Kennel, Breeding: The keeping of domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

Kennel, Enclosure: An accessory building or enclosure intended to house one or more domestic animals.

Landfill: A specially engineered site for disposing of solid waste on land, constructed so that it will reduce hazard to public health and safety.

Landscaped Area: An area not built upon and not used for any purpose other than as an open space that may include grass, shrubs, flowers, trees, and similar types of vegetation and may contain paths, walks, patios, fences and similar outdoor amenities, but does not include parking areas, parking lots, driveways or ramps.

Land Use Zoning District: Divisions identified in the Zoning Bylaw establishing permitted and discretionary uses of land or buildings with attendant regulations.

Lane: A secondary public thoroughfare intended primarily to give access to the rear or side of the abutting property.

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

Loading Space: A space measuring at least 3.0 metres (9.84 feet) in width and 8.5 metres (27.88 feet) in depth, located on a lot, and having access to a street or lane, in which a vehicle may park to load or unload.

Lot (see Site): An area of land with fixed boundaries on record with the Information Services Corporation (ISC) by Certificate of Title. For the purposes of this Bylaw the terms “lot” and “site” shall be deemed not to mean the same.

Lot Coverage: The percentage of the lot area covered by all the buildings above the ground level.

Lounge: A room or area adjoining a restaurant set aside for the sale of beverage alcohol for consumption on the premises, with or without food, and where no area has been set aside for dancing or entertainment, either in the lounge or in the adjoining restaurant. The area of a lounge may not exceed 50% of the public assembly area in the adjoining restaurant, subject to Provincial Regulations.

Manufacturing Establishment: A firm or business engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of components parts, the manufacturing of products and the blending of materials.

Marquee: A roof-like structure of a permanent nature which projects from the wall of a building that is independently supported by a system of columns or piers without walls over an entrance to a building.

Mayor: The Mayor of the Village of Belle Plaine.

Medicinal Marijuana Production Facility (MMPF): a facility, licensed by the Federal Government for all onsite activities, used solely for the growing, production, manufacturing, processing, testing, destroying, labeling, packaging, storing, and shipping of marijuana and marijuana products for medical purposes. This does not include the retail sale of marijuana for recreational purposes.

Minister: The member of the Executive Council to whom for the time being is assigned the administration of [*The Planning and Development Act, 2007*](#).

Mini-Storage: A commercial facility made up of more than one unit in which customers can rent space to store possessions.

Mixed-Use: A mix of land uses that facilitate the mixing, rather than separation of, land uses in one distinctive environment, either vertically in the same building or horizontally adjacent. It is intended to be compatible with adjacent uses.

Mobile Home: A prefabricated trailer coach support on a steel frame that conforms to the Canadian Standards Association # Z240 MH. A trailer coach may be used as a dwelling all year round; has water faucets and shower or other bathing facilities that may be connected to water

distribution system; has facilities for washing and a water closet or other similar facility that may be connected to a sewage system.



Mobile Home Park: A site under single management for the placement of two or more mobile homes and shall include all accessory buildings necessary to the operation but does not include an industrial or construction camp or tourist campsite. For the purpose of this Bylaw the terms mobile home park and mobile home court shall be deemed to mean the same.

Mobile Home Site: An area of land in a mobile home park that is intended to be occupied by one mobile home and for exclusive use of its occupants with access to a driveway or a public street.

Mobile Home Subdivision: Any subdivision of land and the development thereof for the purpose of accommodating mobile homes in such a manner that each home is situated on its own site, which shall contain a minimum site area of 450.00 m² (5000.00 ft²) and in which all such sites, public open spaces, internal streets and lanes, buffer zones and other amenity areas form a contiguous area of development.

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

Modular (Manufactured) Home Subdivision: Any subdivision of land and the development thereof for the purpose of accommodating modular homes in such a manner that each home is situated on its own site, which shall contain a minimum site area of 450.00 m² (5000.00 ft²), and in which all sites, public open space internal streets, buffer zones, and other amenity areas form a contiguous area of development.

Motel or Motor Hotel: A building or buildings consisting of a number of individual rental units, intended for the use of the traveling public, each containing at least a bedroom and bathroom, and each having convenient access to a parking space for the use of the occupants of the units and may or may not provide food service.

Multiple-Unit Building: A building containing two (2) or more distinct uses, each of which is allowed in the Zoning District in which the building is located.

Multiple Complementary (Vertically Integrated) Activities: 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 sales of manufactured goods produced onsite.

Municipality: The Village of Belle Plaine.

Municipal Reserve: Dedicated lands that are provided to a municipality for public use, or that were dedicated as public reserve and transferred to a municipality pursuant to [*The Planning and Development Act, 2007*](#).

Museum: An institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling and exhibiting to the public for its instructional and enjoyment, a collection of artifacts of historical interest.

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

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

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

Office or Office Building: A building or part of a building used primarily for conducting the affairs of a business, profession, service, industry or government in which no goods or commodities of business or trade are stored, trans-shipped, sold or processed.

Park Model trailer/Unit: A unit designed to facilitate occasional relocation, with living quarters for a temporary or seasonal use; has water faucets and shower or other bathing facilities that may be connected to a water distribution system; and has facilities for washing and a water closet or some other similar facility that may be connected to a sewage system. It has a gross floor area not exceeding 50 m² (540 ft²). CSA Number Z241.



Park Model Trailer 102



Park Model Recreational Unit

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

Parking Space: A space within a building or parking lot for the parking of one (1) motor vehicle including convenient access to a public lane or street and shall be not less than 2.5 metres (8.20 feet) wide and 6.0 metres (19.69 feet) in length.

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

Patio: Any hard surface or floor structure less than 0.31 metres (1 foot) above the average ground level upon which it is constructed.

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

Person: A “person” shall apply to an individual, association, firm, partnership, corporation, trust, or agent, and their heirs, executors, or other legal representatives of a person to whom the same can apply according to the law.

Personal Service Trades: A building or part of a building in which persons are employed in furnishing services and administering to customer's personal and or grooming needs but does not include the provision of health related services.

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

Pond: Any constructed containment of water for the purpose of landscape enhancement, keeping ornamental fish or aquatic plants, or for other similar purposes, but not a swimming pool.

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

Public Work: A facility as defined under *The Planning and Development Act 2007* including a system, work, plant, equipment, or service, whether owned or operated by the Municipality, or by a corporation under Federal or Provincial statute, that furnishes any of the following services and facilities to, or for the use of, the inhabitants of the Village of Belle Plaine:

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

Real-Estate Signage: Signage directly associated with the sale of a property on which it is located and which maintains a gross surface area of less than 1.0 m² (10.76 ft²).

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

Recreational Vehicle: A vehicle, such as a camper or motorhome, used for traveling and recreational activities.

Recreation Vehicle (RV) Park: An area of land, managed as a unit, providing short-term, accommodation for motorhomes and camping trailers, including accessory facilities such as administration offices and laundry facilities.

Recycling Collection Depot (Neighbourhood): A building or structure used for the collection and temporary storage of recyclable household material such as bottles, cans, plastic

containers, paper and paint, but shall not include the processing of recyclable material other than compaction; the collection and storage of oil, solvents or other hazardous material; or outdoor compaction or storage.

Recycling Collection Facility (Commercial): A building or structure intended to accommodate the collection, sorting, processing and temporary storage of recyclable materials that would otherwise be considered waste. These types of uses include outdoor processing or storage.

Redevelopment (see Infill Development)

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

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

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

Retails Store (Shop): A building or part of a building thereof, or a place, where goods, wares, merchandise, substances, or articles are offered or kept for sale or rent, and may include servicing and the manufacture of products on site for sale on the site so long as the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

Right-Of-Way: The land set aside for use as a roadway or utility corridor. Rights-of-way are purchased prior to the construction of a new road or utility line, and usually enough extra land is purchased for the purpose of providing mitigative features. Sometimes a road rights-of-way are left vacant after the initial roadway facility is constructed to allow for future expansion.

Rooming House (Boarding House): A building which contains a room or rooms for accommodation other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, where meals may or may not be provided, with sleeping facilities and with or without private toilet facilities.

RTM (Ready to Move) Home: A residential dwelling that is constructed offsite in a yard or factory to Canadian National Building Code and transported as a single unit to a site for permanent installation on a permanent foundation including a basement.



Satellite Dish: A parabolic antenna utilized for the reception of satellite transmitted television or radio waves.

Salvage Yard (Wrecking): A parcel of land where second-hand, discarded or scrap materials are bought, sold, exchanged, stored, processed or handles. Materials include scrap iron, structural steel, rages, rubber tires, discarded goods, equipment, appliances or machinery.

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

Secondary Suite: A self-contained dwelling unit which is an accessory use to, and located within, a detached building in which the principal use is a one unit dwelling and does not occupy more than 35% of the gross floor area of the dwelling, including the basement.

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

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

Setback: The distance required to obtain the front yard, rear yard or side yard provisions of this Bylaw.

Shipping Container: A container originally designed for use as a means of storing and transporting cargo via ship, rail, air or truck.

Shopping Centre: A building or group of buildings located on one or more contiguous and/or non-contiguous lot or site, in which four (4) or more of the uses allowed in the Zoning District are co-located for their mutual benefit including the use of off-street parking and other joint facilities.

Should, Shall or May:

- “Shall” is an operative word which means the action is obligatory.
- “Should” is an operative word which means that in order to achieve plan objectives, it is strongly advised that the action be taken.
- “May” is an operative word meaning a choice is available, with no particular direction or guidance intended.

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

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

Sign, Canopy: A sign attached to, or painted on an awning, canopy or freestanding canopy.

Sign, Fascia: A sign fastened to, or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign and which does not project more than 0.5 metres (1.64 feet) from such building or structure.

Sign, Freestanding: A sign, except a billboard, independently supported and visible separated from a building or other structure and permanently fixed to the ground.

Sign, Height: The vertical distance measured from the highest point of the sign to grade level at the centre of the sign.

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

Sign, Off-Premises: A sign which contains any message chosen by a person other than the person in control of the premises upon which the sign is located.

Sign, Portable: A freestanding sign mounted on a portable frame with a single sign face are of not less than 1.9 m² or greater than 6.0 m² (64.59 ft²) that can be readily moved or transported.

Sign, Projecting (Awning): A sign which is wholly or partially dependent upon a building for support and which projects more than 0.5 metres (1.64 feet) from such building (including Awning Signs).

Sign, Temporary: A sign, which is not permanently installed or affixed in position, nor connected to any service, advertising a product or activity on a limited basis.

Site: An area of land, consisting of one or more lots consolidated under a single certificate of title or tied at Information Services Corporation (ISC), considered as a unit devoted to a certain use or occupied by a building or a permitted group of buildings, and the customary accessories and open spaces belonging to the same.

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

Site, Corner: A site at the intersection of two or more public streets, or upon two parts of the same street, the adjacent sides of which street or streets (or, in the case of a curved corner, the tangents at the street extremities of the side site lines) contain an angle of not more than one hundred and thirty-five (135) degrees. In the case of a curved corner, the corner of the site shall be that point on the street at the point of intersection of said tangents.

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

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

Site, Through: A site other than a corner site, having separate frontages on two streets. The front site line of a through site shall be determined by predetermined building lines. This is only acceptable for Commercial and Industrial Zones.

Site, Width: The horizontal distance between the side boundaries of the site measured at a distance from the front lot line equal to the minimum front yard required for the district in which the site is located.

Site Line: Any boundary of a site.

Site Line, Front: The line separating the site from the street; for a corner site, the shorter line abutting a street; but in the case of a corner site with two street lines of equal length, the front site line shall be designated by predetermined building lines.

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

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

Site Plan: A plan showing the location of existing and proposed buildings on a site in relationship to the site lines.

Special Care Facility (Home): An institutionalized nursing home, supervisory care home, sheltered care home or other facility used for the purpose of providing supervisory care, personal care, and nursing care.

Special Needs Housing: Multiple unit dwellings or dwelling groups operated by a non-profit corporation or public authority and used exclusively for the domestic habitation or senior citizens, disabled persons, occupants of subsidized housing, or the cohabitant spouse and children of persons noted above.

Storey: That portion of a building, other than an attic or basement, between the upper surface of any floor and the upper surface of the floor next above.

Storey, One-Half: That portion of a building situated wholly or in part within the roof and in which there is sufficient space to provide a height in accordance with the National Building Code of Canada, between finished floor and finished ceiling over a floor area which is not less than one-third nor more than two-thirds of the floor area of the storey next below.

Stakeholders: Individuals, groups or organizations who have a specific interest or “stake” in a particular need, issue situation or project and may include members of the local community residents, community groups or local, provincial and federal governments.

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

Strip Mall (Mini Mall): A building of not more than 604.0 m² (6501.61 ft²) in gross floor area in which a minimum of three (3) and a maximum of six (6) of the permitted or discretionary uses of the Zoning District are located together for their mutual benefit.

Structural Alteration: The construction or reconstruction of supporting elements of a building or other structure.

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

Subdivision: A division of land and includes a division of a quarter section into legal subdivision as described in the regulations made pursuant to [The Land Surveys Act, 2000](#).

Swimming Pool: Any body of water permanently located outdoors or indoors, contained by artificial means and used and maintained for the purpose of swimming, wading, or diving and having a depth of 0.61 metres (2.0 feet) or more at any point.

Tavern: An establishment, or portion thereof, where the primary business is the sale of beverage alcohol for consumption on the premises, with or without food, and where no live entertainment or dance floor is permitted, subject to Provincial Regulations.

(Tele)Communication Facility: A structure situated on a non-residential site that is intended for transmitting or receiving television, radio or cellular communications, excluding those use exclusively for dispatch communications.

Temporary Garage: Shall mean a temporary prefabricated shelter constructed with a metal or plastic frame and covered with a tarpaulin or other similar type of fabric or plastic cover used primarily for the storage of vehicles or other equipment's accessory to a residential use only.

Tourist Campground: An area of land, managed as a unit, providing short-term accommodation for tents, camping trailers, motorhomes and campers, including accessory facilities such as administration offices and laundry facilities.

Village: The Village of Belle Plaine.

Village Administrator: The Administrator of the Village of Belle Plaine.

Trailer (Camping), Motorhome: Any vehicle designed, constructed or reconstructed in such a manner as will permit occupancy as a dwelling or sleeping place for one or more persons, notwithstanding that its running gear is removed or jacked up, is used or constructed in such a way as to enable it to be used as a conveyance upon public streets or highways, and includes self-propelled and non-self-propelled vehicles.



Motorhome



Camping Trailer

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

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

Used For: Includes “arranged for”, “designed for”, “intended for”, “maintained for”, and “occupied for”.

Utility Shed: An accessory building or structure used for the storage of goods with a maximum floor area of 14.0 m² (144 ft²).

Vehicle Repair and Maintenance Service:

- A. **Indoor:** Includes all land uses which perform maintenance services to motorized vehicles and contain all operations (except vehicle storage) entirely within an enclosed building.
- B. **Outdoor:** Maintenance services have all or any portion of their operations located outside of an enclosed building.

Warehouse: A building used for the storage and distribution or wholesale goods and materials.

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

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

Wind Energy Conversion System: A system composed of a wind turbine, tower and associated control electronics with a capacity of less than 100 kW for non-residential use or 10 kW for residential use. It will be considered an accessory use and is intended to provide onsite power for a principal use.

Wind Turbine: The individual component of a Wind Energy Conversion System that converts kinetic energy from the wind into electrical energy, independent of the electrical conductors, electrical storage system, electrical metering, or electrical inverters.

Wind Turbine, Electrical: An individual component of a Wind Energy Conversion System which converts kinetic wind energy to electrical energy through electric currents.

Wind Turbine, Mechanical: A individual component of a Wind Energy Conversion System which converts kinetic wind energy to mechanical energy through motion.

Work Camp: A temporary Industrial or Construction camp established for the purpose of providing accommodation for employees, and without restricting the generality of the above, the camp is usually made up of a number of mobile units, clustered in such a fashion as to provide sleeping, eating and other basic living facilities.

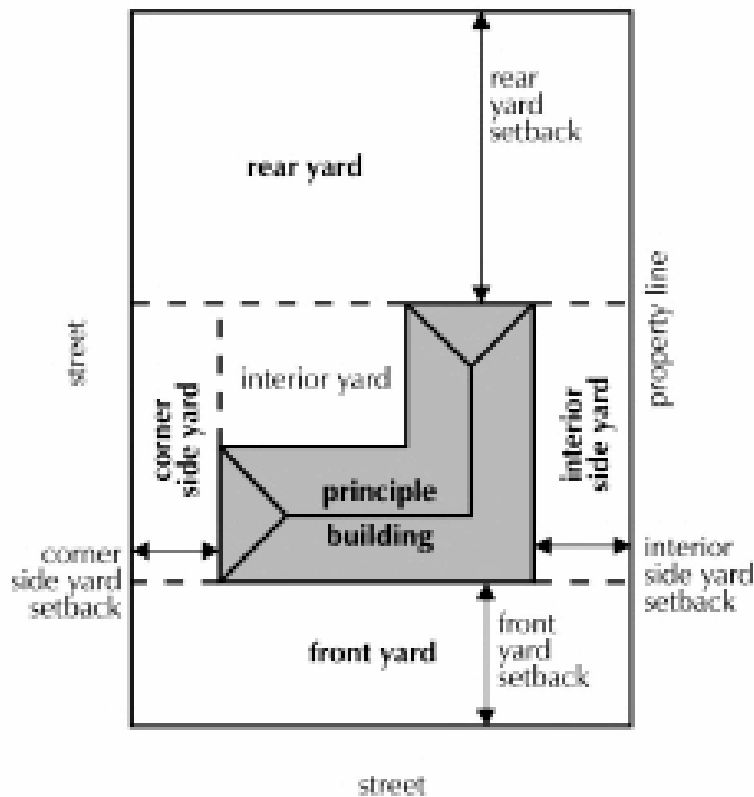
Yard: Open, uncovered space open to the sky on the same site with a building or structure.

Yard, Front: The area between the side site lines and the front site line to the front building line (see Location of yards and measurement setbacks image below).

Yard, Rear: The area between the side site lines and the front site line to the rear of the building line, (corner and interior) (see Location of yards and measurement setbacks image below).

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

Yard, Side: The area between the front and rear yards and between the side site line and the side building line (see Location of yards and measurement setbacks image below).



Location of yards and measurement of setbacks

Metric to Imperial Conversions

| Distance (metres to feet) | | | |
|----------------------------------|---------|-------------|----------|
| 0.5 metres | 1.64 ft | 17 metres | 55 ft |
| 2 metres | 7 ft | 19.8 metres | 65 ft |
| 2.5 metres | 8 ft | 30 metres | 98 ft |
| 3 metres | 10 ft | 46 metres | 150 ft |
| 4.2 metres | 14 ft | 50 metres | 164 ft |
| 4.5 metres | 15 ft | 75 metres | 246 ft |
| 5 metres | 16 ft | 80 metres | 262 ft |
| 5.5 metres | 18 ft | 90 metres | 295 ft |
| 6 metres | 20 ft | 100 metres | 328 ft |
| 6.5 metres | 21 ft | 150 metres | 492 ft |
| 7.5 metres | 25 ft | 200 metres | 656 ft |
| 10 metres | 33 ft | 230 metres | 755 ft |
| 11 metres | 36 ft | 305 metres | 1,000 ft |
| 12 metres | 39 ft | 467 metres | 1,532 ft |
| 15 metres | 49 ft | | |
| 15.3 metres | 50 ft | | |

| Area (m ² to ft ²) | | | |
|---|-----------------------|----------------------|------------------------|
| 0.5 m ² | 10.7 ft ² | 100 m ² | 1,076 ft ² |
| 1 m ² | 5.4 ft ² | 150 m ² | 1,615 ft ² |
| 5 m ² | 53.8 ft ² | 230 m ² | 2,475 ft ² |
| 9.3 m ² | 100 ft ² | 450 m ² | 4,844 ft ² |
| 14 m ² | 144 ft ² | 465 m ² | 5,005 ft ² |
| 27.9 m ² | 300 ft ² | 540 m ² | 5,812 ft ² |
| 37.2 m ² | 400 ft ² | 560 m ² | 6,000 ft ² |
| 45 m ² | 485 ft ² | 900 m ² | 9,687 ft ² |
| 50 m ² | 538 ft ² | 930 m ² | 10,000 ft ² |
| 56 m ² | 600 ft ² | 6,070 m ² | 1.5 acres |
| 60 m ² | 646 ft ² | 0.8 hectare | 2 acres |
| 78 m ² | 839 ft ² | 1 hectare | 2.5 acres |
| 83.6 m ² | 900 ft ² | 2 hectare | 5 acres |
| 92.96 m ² | 1,000 ft ² | | |

*Conversions are rounded to the nearest decimal point.

3 ADMINISTRATION AND INTERPRETATION

3.1 DEVELOPMENT OFFICER

3.1.1 The Village Administrator shall be the Development Officer responsible for the administration of this Bylaw and in their absence by such other employee of the Municipality as the Council designates from time to time.

3.1.2 The Development Officer shall:

- a) Receive, record, and review development permit applications and issue decisions in consultation with Council, particularly those decisions involving subdivision, discretionary uses, development permit conditions, and development and servicing agreements;
- b) Maintain, for inspection by the public during office hours, a copy of this Bylaw, zoning maps and amendments, and ensure that copies are available to the public at a reasonable cost;
- c) Make available, for public inspection during office hours, a register of all development permits and subdivision applications and decisions;
- d) Collect development fees, according to the fee schedule established in this Bylaw or any other Development Fee Bylaw adopted by the Village;
- e) Perform other duties as determined by Council.

3.1.3 The Development Officer shall be empowered to make a decision, in consultation with Council, regarding a development application for a "Permitted Use".

3.2 COUNCIL

3.2.1 Council shall make all decisions regarding Discretionary uses, Development and Servicing Agreements, and Zoning Bylaw amendments.

3.2.2 Council shall make a recommendation regarding all subdivision applications circulated to it by Saskatchewan Ministry of Government Relations prior to a decision being made by the Minister.

3.2.3 Council shall act on discretionary use, rezoning and subdivision applications in accordance with the procedures established by *The Planning and Development Act 2007*, and in accordance with the Official Community Plan Bylaw No. 2-21.

3.3 APPLICATION FOR A DEVELOPMENT PERMIT

3.3.1 Unless the proposed development or use is exempt from Development Permit requirements, before commencing any principal or accessory use development including public utility use, every developer shall:

- a) Complete and submit a Development Permit application (refer to Permit application in Appendix "A"); and
- b) Receive a Development Permit for the proposed development.

3.3.2 A Development Permit shall not be issued for any use in contravention of any of the provisions of this Bylaw and the Official Community Plan.

3.3.3 Except where a particular development is specifically exempted by Section 3.4 of this Bylaw, no development or use shall commence without a Development Permit first being obtained.

3.4 DEVELOPMENT NOT REQUIRING A PERMIT

The following developments shall be exempt from Development Permit requirements, but shall conform to all other Bylaw requirements (e.g. building permits, setbacks, environmental and development standards):

3.4.1 RESIDENTIAL ZONING DISTRICTS

- a) Buildings and structures under 9.0 m² in area, which are accessory to a principal, residential use except where such dwelling is a discretionary use;
- b) The erection of any fence, wall, gate, television antenna, or radio antenna; and
- c) Relocation of any residential or accessory building provided development standards are still met on the site.

3.4.2 COMMERCIAL ZONING DISTRICTS

- a) Buildings and structures that are accessory to a permitted, principal or commercial use, except where such use is discretionary;
- b) The erection of any fence or gate; and
- c) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a building permit has been granted.

3.4.3 ACCESSORY USES

All accessory uses, unless otherwise specified in this Bylaw.

3.4.4 OFFICIAL USES

Uses and buildings undertaken, erected, or operated by the Village of Belle Plaine.

3.4.5 INTERNAL ALTERATIONS

Residential Buildings

- a) Internal alterations to a residential building, provided that such alterations do not result in a change of use or an increase in the number of dwelling units within the building or on the site;

All Other Buildings

- b) Internal alterations and maintenance to other buildings, including mechanical or electrical work, provided that the use, or intensity of use of the building, does not change.

3.4.6 LANDSCAPING

Landscaping areas, driveways and parking lots provided the natural or designed drainage pattern of the site and adjacent sites are not adversely impacted.

3.5 INTERPRETATION

- a) Where any provision of this Bylaw appears unclear, Council shall make the final Bylaw interpretation.
- b) All Bylaw requirements shall be based on the stated metric units. The imperial units shows in this Bylaw shall be approximate guidelines only.

3.6 CONCEPT PLANS

3.6.1 A Concept Plan shall be completed prior to consideration of an application by Council by any person proposing to rezone, subdivide or re-subdivide land for multi-parcel residential, commercial or industrial purposes. The purpose of this review is to identify and address social, environmental, health and economic issues and to encourage the development of high quality residential, recreational, commercial, and industrial developments. The scope and required detail of the Concept Plan will be based on the scale and location of the proposed development and shall address such areas as the following:

- a) Proposed land use(s) for various parts of the area;
- b) The effect on adjacent land uses and integration of the natural landscape regarding the planning and design of the area;
- c) The location of, and access to, major transportation routes and utility corridors;
- d) The provision of services respecting the planning for future infrastructure within the Municipality;
- e) Sustainable development and environmental management practices regarding surface and groundwater resources, storm water management, flooding and protection of significant natural areas;
- f) Appropriate information specific to the particular land use (residential, commercial or industrial).

3.6.2 The Concept Plan must be prepared in accordance with the overall goals and objectives of the District Office Community Plan. Council shall not consider any development applications until all required information has been received. The responsibility for undertaking all technical investigations and hosting public meetings as required shall be borne solely by the applicant.

3.7 DEVELOPMENT PERMIT PROCEDURE

Where an application for a Development Permit is made for a permitted use in conformity with this Bylaw, *The Planning and Development Act, 2007*, and all other Village Bylaws, the Council shall hereby direct the Development Officer to issue a Development Permit.

3.7.1 DISCRETIONARY USE APPLICATION

3.7.1.1 Where an application for a Development Permit is made for a discretionary use, the Development Officer shall advise the Council as soon as practicable.

3.7.1.2 As soon as practicable after Council is advised that an application has been made for a Development Permit for a discretionary use, Council shall consider the application. Prior to making a decision, Council may refer the application to whichever Government Agencies, the Industrial Corridor Steering Committee or other interested groups, as Council may consider appropriate. Council also may require the application to be reviewed by planning, engineering, legal, or other professionals, with the cost of this review to be borne by the applicant.

3.7.1.3 Upon approval of a discretionary use by resolution of Council, the Development Officer shall issue a Development Permit for the discretionary use at the location and under such terms and development standards specified by Council in its resolution.

3.7.2 DEVELOPMENT PERMIT DECISION

3.7.2.1 The applicant shall be notified in writing of the decision of their application within thirty (30) days of all required information being submitted to the Development Officer. The applicant shall be advised of their right appeal a decision on a permitted use application and any terms and conditions attached to a discretionary use application to the Development Appeals Board, subject to the provisions of *The Planning and Development Act, 2007*.

3.7.2.2 If the proposal conforms to the provisions of this Bylaw a Development Permit shall be issued subject to any development standards, special regulations, or performance standards that may be required.

3.8 DEVELOPMENT PERMIT: VALIDITY

3.8.1 A Development Permit is valid for a period of twelve (12) months unless otherwise stipulated when the permit is issued.

3.8.2 Where the Development Officer determines that a development is being carried out in contravention of any condition of a Development Permit or any provision of this Bylaw, the Development Officer shall suspend or revoke the Development Permit and notify the permit holder that the permit is no longer in force.

3.8.3 Where the Council is satisfied that a development, the permit for which has been suspended or revoked, will be carried out in conformity with the conditions of the Permit and the

requirements of this Bylaw the Council may reinstate the Development Permit and notify the permit holder that the permit is valid and in force.

3.9 DEVELOPMENT PERMIT APPLICATIONS FEES

3.9.1 An applicant seeking the approval of a Development Permit application for a permitted OR discretionary use shall pay the required fee as set out in the [Development Fee Bylaw](#) of the Village.

3.9.2 There shall be no Development Permit application fee for accessory buildings to a residential use, sign permits, licenses for home occupations or other forms of business licenses.

3.9.3 The Development Officer shall direct the applicant for a discretionary use, or carry out on behalf of the applicant, the advertisement of the proposed use by posting a notice of the application at the entrance to the property in question and by mailing a copy of the notice to the assessed owner of each abutting property and each assessed owner of property within a 75.0 metre radius of the proposed development, at least 7 days before the application goes before council. [The Discretionary use process as outlined in the Planning and Development Act, 2007, as amended will be followed and amplified by using municipal website and social media notices to enhance notice provisions of any discretionary use application.](#)

3.9.4 The Development Officer shall publish a notice of the application in accordance with the provision of [The Planning and Development Act, 2007](#), whereby the applicant shall pay to the Municipality a fee equal to the costs associated with the public advertisement. [Further amplification will be provided in a Development Fee Bylaw.](#)

3.10 FEE FOR ZONING AMENDMENT APPLICATION

When an application is made to Council for an amendment to this Bylaw, the applicant making the request shall bear the actual cost of advertising such zoning amendment as permitted by [The Planning and Development Act, 2007](#). Council also may require the applicant to pay all costs incurred in a professional review of the application and in carrying out a public hearing. [Fees will be prescribed in Development Fee Bylaw which may be amended from time to time to reflect cost recovery.](#)

3.11 CONCURRENT PROCESSING OF DEVELOPMENT PERMITS, BUILDING PERMITS AND BUSINESS LICENSES

A Building Permit, where required, shall not be issued unless a Development Permit has been issued or is issued concurrently. Nothing in this Bylaw shall exempt any person from complying with a Building Bylaw, or any other Bylaw in force within the Municipality, or from obtaining any permission required by this or any other Bylaw of the Municipality, the Province or the Federal Government.

3.12 REFERRAL UNDER THE PUBLIC HEALTH ACT

The Development Officer shall make available, in addition to plumbing permits and plan information, a copy of all approved Development Permit applications involving installation of water and sanitary services, should such information be requested by provincial officials under *The Public Health Act and Regulations*. The developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for their development that is acceptable to Council and meets *The Public Health Act and Regulations* requirements.

3.13 PLANNED UNIT DEVELOPMENT (PUD)

Specific zone regulations shall not apply to Planned Unit Development Contract Zoning. Uses permitted within a PUD include: residential, commercial, light industrial, recreation, and open space. However, the project shall produce an environment of table and desirable character and shall incorporate at least equivalent standards of building separation, parking, height and other requirements and provisions of this Bylaw.

3.14 DEVELOPMENT APPEALS BOARD

3.14.1 Council shall appoint a Development Appeals Board consisting of five members, to hear and determine appeals in accordance with Section 213 to 227 inclusive, of *The Planning and Development Act, 2007*.

- a) Where an application for a permitted use has been denied, the applicant shall be advised of the right of appeal to the Development Appeals Board.
- b) Appellants also may appeal where they are of the opinion that development standards prescribed by Council with respect to a discretionary use exceed those necessary to secure the objectives of the Zoning Bylaw.
- c) The Development Officer shall make available to all interested persons copies of the provisions of *The Planning and Development Act, 2007* respecting decisions of the Development Officer and the right of appeal.
- d) In, addition proponents may appeal decisions of Council with respect to a "Stop Order" under the provisions Section 219 of *the Planning and Development Act , 2007*

3.15 MINOR VARIANCES

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

- a) A minor variance may be granted for the following only:
 - i) Minimum required distance of a building from a lot line; and
 - ii) The minimum required distance of a building from any other building on the lot.
- b) The maximum amount of a minor variance shall be 10% variation from the requirements of this Bylaw.

- c) The development must conform to all other requirements of this Bylaw.
- d) The relaxation of the Bylaw requirement must not injuriously affect a neighbouring property.
- e) No minor variance shall be granted for a discretionary use or form of development, or in connection with an agreement to rezone pursuant to Section 60 of *The Planning and Development Act, 2007*.

3.15.2 An application form for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee of \$50.00.

3.15.3 Upon receipt of a minor variance application the Development Officer may:

- a) Approve the minor variance;
- b) Approve the minor variance and impose terms and conditions on the approval; or
- c) Deny the minor variance.

3.15.4 Terms and conditions imposed by the Development Officer shall be consistent with the general development standards in this Bylaw.

3.15.5 Where a minor variance is refused, the Development Officer shall notify the applicant in writing, providing reasons for the refusal.

3.15.6 Where a minor variance is approved, with or without terms, the Development Officer shall provide written notice to the applicant and to the assessed owners of the property having a common boundary with the applicant's land that is the subject of the approval.

3.15.7 The written notice shall contain:

- a) A summary of the application;
- b) Reasons for and an effective date of the decision;
- c) Notice that an adjoining assessed owner has 20 days to lodge a written objection with the Development Officer, which, if received, will result in the approval of the minor variance being revoked; and
- d) Where there is an objection and the approval is revoked, the applicant shall be notified of the right to appeal to the Development Appeals Board.

3.15.8 A decision to approve a minor variance, with or without terms and conditions, does not take effect until twenty-three (23) days from the date the was provided.

3.15.9 If an assessed owner of a property having an adjoining property with the applicants land objects to the minor variance in writing to the Development Officer with the prescribed 20 day time period, the approval is deemed to be revoked and the Development Officer shall notify the applicant in writing:

- a) Of the revocation of the approval; and
- b) Of the applicant's right to appeal the revocation to the Development Appeals Board within 30 days of receiving the notice.

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

3.16 NON-CONFORMING BUILDINGS USES AND SITES

3.16.1 Any use of land or any building or structure lawfully existing at the time of passing this Bylaw that is rendered non-conforming by the enactment of this Bylaw or any subsequent amendments, may be continued, transferred, or sold in accordance with provisions of Section 88 to 93 inclusive of *The Planning and Development Act, 2007*.

3.16.2 No enlargement, additions, or reconstruction of a non-conforming use, building or structure shall be undertaken, except in conformance with these provisions.

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

3.16.4 No existing site shall be deemed to be non-conforming by reason only of its dimensions or are failing to at least equal the standards prescribed for proposed sites in the Zoning District in which the site is located.

3.17 DEVELOPMENT PERMIT: INVALID

A Development Permit shall be automatically invalid and development shall cease, as the case may be:

- a) If the proposed development is not commenced within the period for which the Development Permit is valid;
- b) If the proposed development is legally suspended or discontinued, for a period of six or more months, unless otherwise indicated by Council of the Development Officer;
- c) When development is undertaken in contravention of this Bylaw, the Development Permit and specified development standards;

3.18 CANCELLATION

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

- a) Where the Development Officer or Council is satisfied that a Development Permit was issued based on false or mistaken information;
- b) Where new information is identified pertaining to environmental protection, flood potential, or slope instability; and/or
- c) When a developer requests a Development Permit modification.

3.19 STOP-WORK

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

3.20 OFFENCES AND PENALTIES

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

3.21 INSPECTION OF PREMISES

The Development Officer, or any official or employee of the Municipality acting under their direction, is hereby authorized under provisions outlined in [*The Planning and Development Act, 2007*](#) to enter, at all reasonable hours, with the consent of the owner upon any property or premises in or about which there is reason to believe that provisions of this Bylaw are not being complied with, and for the purpose of carrying out their duties under this Bylaw.

3.22 BYLAW COMPLIANCE

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

3.23 PERFORMANCE BONDS

Council may require a developer, including host owners of property where a Garden (Granny) Suite accessory dwelling is located, to post and maintain a performance bond to ensure developer performances and to protect the public interest.

3.24 LIABILITY INSURANCE

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

3.25 REGISTERING INTERESTS

Council may require that development and servicing agreements and other documents be registered as an Interest on a Title on affected lands, in accordance with [The Land Titles Act](#), to protect Municipal and public interests.

3.26 MOVING OF BUILDINGS

No building shall be moved within or into or out of the area covered by this Bylaw without obtaining a Development Permit from the Development Officer, unless such building is exempt under Section 3.4 of this Bylaw.

3.27 DEMOLITION OF BUILDINGS

No building shall be demolished without first obtaining a Development Permit from the Development Officer. Such Permit shall not be issued unless a proposal for the interim or long-term use of redevelopment of the site is also submitted and the proposed use is in conformity with this Bylaw. A separate Development Permit is required for any redevelopment of the site.

3.28 TEMPORARY DEVELOPMENT PERMITS

The Development Officer may issue a temporary Development Permit, with specified conditions for a specified period of time to accommodate developments incidental to approved construction, temporary accommodation, oil and gas sector activities, temporary gravel operations or asphalt plants. Nothing in this Bylaw shall prevent the use of land or the erection or use of any building or structure for a construction camp, work camp, tool shed, scaffold, or other building or structure incidental to an necessary for construction work on the premises, but only for long as such use, building or structure is necessary for such construction work as has not been finished or abandoned.

3.29 DEVELOPMENT AGREEMENTS AND ENGINEERING REPORTS

3.29.1 Council may request a developer to enter into a Development Agreement to ensure development conformity with The Official Community Plan and this Bylaw.

3.29.2 Council may require all proponents to provide engineering and other qualified professional reports for construction of buildings, site development, infrastructure ,drainage, geo-technical or other related studies necessary to develop within the municipality and risk management reports to diminish future liability for proponent and municipality..

3.30 SERVICING AGREEMENTS

3.30.1 Where a development proposal involves subdivision, Council may require a developer to enter into a servicing agreement to ensure appropriate servicing pursuant to [The Planning and](#)

Development Act, 2007. Council may direct Administration to vary the agreement on a case-by-case basis, or not require it.

3.30.2 In accordance with Section s172 to 176 inclusive, *The Planning and Development Act, 2007*, the agreement may provide for:

- a) The undertaking and installation of storm sewers, sanitary sewers, drains, water mains and laterals, hydrants, sidewalks, boulevards, curbs, gutters, street lights, graded, graveled or paved streets and lanes, connections to existing services, area grading and levelling of land, street name plates, connecting and boundary streets, landscaping of parks and boulevards, public recreation facilities.
- b) The payment of levies and charges, in whole or in part, for the capital cost of providing, altering, expanding or upgrading sewage, water, drainage and other utility services, public highway facilities or park and recreation space and facilities located within or outside the proposed subdivision that directly or indirectly serve the proposed subdivision.

4 GENERAL REGULATIONS

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

4.1 LICENSES, PERMITS, AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

In their interpretation and application, the provisions of this Bylaw shall be held to be the minimum requirements adopted for the promotion of the public health, safety, and general welfare. Nothing in this Bylaw shall exempt any person from complying with the requirements of a building regulation Bylaw or any other Bylaw in force within the Village of Belle Plaine or law within the Province of Saskatchewan or Canada; or from obtaining any license, permission, permit, authority, or approval required by this or any other Bylaw of the Village of Belle Plaine or any law of the Province of Saskatchewan or Canada. Where requirements in this Bylaw conflict with those of any other municipal, provincial, or federal requirement, the more stringent regulations shall prevail.

4.2 PRINCIPAL USE

In any Zoning District in this Bylaw, the principal use of the land must be established prior to any accessory buildings, structure, or uses being permitted.

4.3 MULTIPLE USES

Notwithstanding anything contained in this Bylaw, where any land, building, or structure is used for more than one purpose, all provisions of this Bylaw relating to each use shall be complied

with, but no dwelling shall be located within 3.0 metres of any other building on the site except to a building accessory to such dwelling.

4.4 USES PERMITTED IN ALL ZONING DISTRICTS

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

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

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

4.5 NUMBER OF PRINCIPAL BUILDINGS ON A SITE

4.5.1 Only one principal building shall be permitted on any one site except for the following: parks, schools, hospitals, recreation facilities, special care homes, senior citizen homes and approved dwelling groups and condominium developments.

4.5.2 Multiple unit residential buildings (e.g. duplex, fourplex) are considered to be one principal building under this Bylaw and all other uses and buildings on the site must be accessory.

4.6 ACCESSORY BUILDINGS, USES AND STRUCTURES

4.6.1 Subject to all other requirements of this Bylaw, an accessory building, use or structure is permitted in any district when accessory to an established principal use which is permitted or discretionary use in that same district, and for which a Development Permit has been issued.

4.6.2 No accessory building may be constructed, erected or moved on to any site prior to the time of construction of the principal building to which it is accessory.

4.6.3 Where a building on a site is attached to a principal building by a solid roof or by structural rafters, and where the solid roof or rafters extend at least one third of the length of the building wall that is common with the principal building, the building is deemed to be part of the principal building.

4.7 FRONT YARD REDUCTION

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

4.8 FRONTAGE FOR IRREGULAR SITES

Where the site frontage is along a cul-de-sac, curve or is irregular, the minimum site frontage shall be 11.0 metres and the mean site width shall not be less than the minimum frontage for regular sites in the same Zoning District.

4.9 PERMITTED YARD ENCROACHMENTS

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

- a) Uncovered and open balconies, terraces, verandas, decks, and patios having a maximum projection from the main wall of 1.8 metres into any required front or rear yard; and
- b) Window sills, roof overhangs, eaves, gutters, bay windows, chimneys and similar alterations projecting a distance of 0.6 metres into any required yard.

4.10 FENCE AND HEDGE HEIGHTS

4.10.1 No hedge, fence or other structure shall be erected past any property line and may not exceed a heights:

- a) Higher than 1.0 metres above grade level in a required front yard; and/or
- b) Higher than 2.0 metres above grade level in a required rear yard.

4.10.2 Except permitted accessory buildings, no fence or other structure shall be erected to a height of more than 2.0 metres.

4.10.3 No barbed wire, or razor wire fences shall be allowed.

4.11 RESTORATION TO A SAFE CONDITION

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

4.12 GRADING AND LEVELING OF SITES

Every development shall be graded and levelled at the owner's expense to provide for adequate surface drainage that does not adversely affect adjacent property or the stability of the land.

- a) All excavations or filling shall be re-vegetated immediately after other construction activities conclude with a suitable ground cover as may be necessary to prevent erosion;
- b) All vegetation and debris in an area to be re-graded or filled must be removed from the site prior to site grading and leveling; and
- c) All topsoil from an area that is to be re-graded must be stripped, stockpiled and replaced on the re-graded area, or relocated to a site approved by Council.

4.13 RESTRICTIONS ON CHANGES

4.13.1 The purpose for which any land or building is used shall not be changed, no new building or addition to any existing building shall be erected and no land shall be severed from any site, if such change, erection or severance creates a situation that contravenes any of the provisions of this Bylaw applicable to each individual remaining building, accessory building, site, or lot.

4.13.2 Notwithstanding the provisions of subsection 4.13.1, no person shall be deemed to have contravened any provision of this Bylaw if only part or parts of any site or lot has, or have, been conveyed to, or acquired by, the Municipality of the Province of Saskatchewan for a public work.

4.14 HEIGHT OF BUILDINGS

Where a maximum height of buildings is specified in any Zoning District, the maximum height shall be measured from average grade level to the highest point on the building exclusive of any chimney or antenna.

4.15 HERITAGE PROPERTIES

Provincial and Municipal heritage properties subject to preservation agreements are subject to development review processes as defined by *The Heritage Property Act*. Provincial designations are afforded special protection and any alterations and development must be reviewed and approved by the Heritage Programs of the Province of Saskatchewan.

4.16 SIGNAGE ON NATURAL AND HUMAN HERITAGE SITES

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

4.17 LANDSCAPE BUFFERS

4.17.1 Landscape buffers are intended to improve land use compatibility and environmental quality by reducing noise, lighting glare and other nuisances or facilitating natural drainage. Landscape buffers, where required to separate uses from adjacent properties may be required to provide a minimum 1.0 metre vegetative landscape buffer, unless a fence is required for other reasons.

4.17.2 Primary entrances into the Village and parking lots abutting major roads will require a landscape buffer.

4.17.3 Notwithstanding any other provisions in this Bylaw, where buffers are required for greenways, trails, parks and landscaped areas, they shall be required to reflect the character and intent of the District Official Community Plan.

4.18 PROHIBITED AND NOXIOUS USES

4.18.1 The keeping of livestock shall not be allowed except for permitted agricultural uses in the FUD - Future Urban Development District.

4.18.2 Any use is prohibited which, by its nature or the materials used therein, is declared by *The Public Health Act and Regulations* to be a noxious trade, business, or manufacture.

4.18.3 NOXIOUS USES

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

- a) By the creation of noise or vibration;
- b) By the emission of light and glare;
- c) By reason of the emission of gas, fumes, smoke, dust or objectionable odour;
- d) By reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, motor vehicles, trailers or parts of vehicles or trailers, machinery or other such material; and/or

- e) By any combination of things in this subsection.

4.19 CLOSINGS

In the event a dedicated street or lane shown on the Zoning District Map, forming part of this Bylaw, is closed, the property formerly in such street or lane shall be included within the Zoning District of the adjoining property on either side of such closed street or lane. If a closed street or lane is the boundary between two or more different Zoning Districts, the new district boundaries shall be the former centre line of the closed street or lane.

4.20 RAILWAY CROSSINGS AND SIGHT DISTANCES AND CONSULTATION WITH RAILWAYS ON DEVELOPMENT ADJACENT TO RAILWAY INFRASTRUCTURE

Notwithstanding anything contained in this Bylaw, where any public street crosses a railway at the same grade, no building or structure shall be erected within 46.0 metres of the point of intersection of the centre line of both the railway and the street.

Consultation with the Railways shall be required when a potential development is proposed for a

- a) development or redevelopment proposals in proximity to rail facilities or for proposals for rail-serviced industrial parks;
- b) road and utility Infrastructure works which may affect a rail facility;
- c) transportation plans that incorporate freight transportation issues; and
- d) all new, expanded or modified rail facilities.

The Village should consult with the railways regarding proposed land development and/or infrastructure projects which may have impacts on existing drainage patterns. Similarly, the railways should consult with the Village where facility expansions or changes may impact drainage patterns to adjacent uses.

Recent Railway Guidelines and Policies have been implemented to provide better guidance on residential development adjacent to railways and continued to be updated. Resources are available from FCM and Railway Companies.

4.21 BARELAND CONDOMINIUM DEVELOPMENTS

4.21.1 Bareland Condominium Developments shall comply with the minimum site area, coverage, width, height and yard setbacks as stated in the Residential Zoning Districts.

4.21.2 One primary dwelling unit and one accessory building are permitted per Bareland Condominium lot.

4.21.3 Bareland Condominium Developments may include private open space and one accessory building for joint recreation use by residents of the development shall be permitted, subject to all yard setback requirements of the Residential District in which it is located.

4.22 SATELLITE DISHES

4.22.1 Satellite dishes in excess of 1.0 metre in diameter shall not be located in any front yard, side yard, and shall not be permitted to be erected on the roof of any principal building that located within a Residential District that is less than three (3) storeys in height.

4.22.2 Satellite dishes located in Residential Districts, which exceed 1.0 metre in diameter, shall only be erected on the roof of an accessory building if said accessory building is located entirely within a rear yard; and

4.22.3 Satellite dishes may be erected in Commercial or Industrial Districts for communication purposes or re-broadcasting of television signals and subsection 4.22.1 shall not apply.

4.23 COMMUNICATION TOWERS

The erection of Cellular telephone transmission towers is under the provision of Industry Canada standards and regulations, and may occur in all Zoning Districts, however, Council recommends that they be located no closer than 100 metres (328.09 feet) to, any Residential District and consultation with adjacent residents is undertaken.

4.24 PRIVATE GARAGES, SUNROOMS, SOLARIUMS, AND GREENHOUSES

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

4.25 WIND POWER TURBINES AND TOWERS

4.25.1 Mechanical wind generation units shall only be considered as a Discretionary Use within a Community Service or Live/Work Residential Acreage District. Wind generation units require a

- a) Minimum setback of 400 metres for potential fall zone below the turbine;
- b) Maximum noise standard of 40 decibels.

4.25.2 Wind Turbines and Towers are prohibited in all other Districts within the Village of Belle Plaine.

4.26 TRAILERS, BOX CARS, SEA AND RAIL CONTAINERS

4.26.1 No person shall park or store on any part of a site, any unlicensed rail or sea container, truck, bus or coach body for the purpose of advertising or warehousing within any Zoning District.

4.26.2 Mobile Storage containers may be accommodated for warehousing or storage purposes under the following conditions:

- a) Must be properly anchored;
- b) Shall be located a minimum of 3.0 metres from the primary building and behind the rear wall of the primary building;
- c) Containers determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality;
- d) Must meet the National Building Code Standards as applicable; and
- e) Must apply for a Development Permit every five (5) years.

4.27 PARKING

4.27.1 All required parking and loading facilities are intended for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the principal building or use for which the parking and loading facilities are provided. Parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, sale or storage of goods of any kind.

4.27.2 Required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular point of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site.

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

- a) It is reasonably accessible to the use and vehicles it is intended to serve;
- b) It meets the satisfaction of the Municipality regarding design;
- c) It is appropriately landscaped to the satisfaction of the Municipality;
- d) All parking facilities shall be maintained to the satisfaction of the Municipality by the owner of the property;
- e) Each parking space within a parking facility shall be a minimum of 2.5 metres wide and 6 metres long except that parallel parking spaces shall be a minimum of 6.5 metres long;
- f) Where two or more uses are permitted on any one site or where two or more uses are to share common parking facilities, the off-street parking requirements for each use shall

be calculated as if each is a separate use and the total number of off-street parking spaces so calculated shall be provided; and

- g) One (1) barrier free parking space shall be provided for any required parking facility accommodating between 4 and 100 parking spaces.

4.27.4 Any parking facility shall be developed to the satisfaction of the Municipality within one (1) year of the completion of the development for which the Development Permit was issued.

4.27.5 When a building is enlarged or altered in such a manner as to cause an intensification or change of use, provisions shall be made for additional parking spaces as required by the previous subsection.

4.28 SWIMMING POOLS

4.28.1 Notwithstanding anything contained in this Bylaw, a swimming pool is permitted as an accessory use to permitted uses in any Residential District or a motel (motor hotel) in a Highway Commercial District, to be located in the side yard or rear yard of any lot/site if:

- a) No part of such pool is located closer to any lot or street line than the minimum distance required for the principal building located on such lot;
- b) The maximum height of such pool is 1.2 metres above the average finished grade level of the ground adjoining the pool;
- c) Every swimming pool shall be enclosed by a non-climbable fence of at least 1.8 metres in height and not more than 10 centimetres (4 inches) from the ground, and located at a distance of not less than 1.5 metres from the pool; and
- d) Any deck attached to or abutting a swimming pool shall be considered as part of the swimming pool.

4.28.2 Any building or structure, other than a dwelling, required for changing clothing or for pimping or filtering facilities, or other similar accessory uses, shall comply with the provisions in the applicable Zoning Districts in Section 5 of this Bylaw respecting access buildings.

4.29 DISPOSAL OF WASTES

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

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

governed by Acts administered by Saskatchewan Agriculture, Saskatchewan Environment, Saskatchewan Health and the Saskatchewan Watershed Authority.

4.30 SOLID AND LIQUID WASTE DISPOSAL FACILITIES

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

- a) The facility will be located as near as practical to the source of waste;
- b) The facility will have undergone satisfactory review as required by Provincial Authorities for environmental assessment and operational design;
- c) The facilities will be located at least 300 metres for liquid waste and 457 metres for solid waste from any residence or recreational use;
- d) The development of any new disposal sites shall take into consideration seasonal winds;
- e) Adequate precautions shall be taken to prevent pollution of ground water by disposal operations;
- f) Solid Waste disposal facilities shall be located in proximity to an all-weather road; and
- g) Council may apply special standards for screening, fencing and reclamation of the site.

4.31 DEVELOPMENT STANDARDS FOR DISCRETIONARY USES

This section addresses special provisions and specific development standards that apply to the following listed developments. The changing nature and mitigation measures available make it impossible to address every specific condition, however any condition required in any provision in this Zoning Bylaw must reflect the intent of the Act reflects as the Act states:

“In approving a discretionary use, the council may prescribe specific development standards or conditions with respect to that use, but only if those standards or conditions:

- (a) are based on and are consistent with general development standards or conditions made applicable to discretionary uses by the zoning bylaw; and
- (b) are, in the opinion of the council, necessary to secure the objectives of the zoning bylaw with respect to:
 - (i) the nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of buildings;
 - (ii) 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;
 - (iii) the safeguards afforded to minimize noxious or offensive emissions including noise, glare, dust and odour; or
 - (iv) any treatment given, as determined by the 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 architectural detail.”

These standards apply in addition to any standards of the District. It is important to note, that the specific conditions listed in this section, and in any section of this bylaw or the District

Schedules is to provide guidance to Council and those pursuing a “Discretionary Use” development in the Municipality. As noted in the preceding section, *The Planning and Development Act, 2007* is very specific as to what conditions can be applied under the provisions of the Act and municipal zoning bylaws. Council is bound by those provisions and may only address items listed.

4.32 HOME OCCUPATIONS

Home Occupations (Home Based Businesses) are subject to the following conditions:

- Home based occupations and businesses will be accommodated provided that they are clearly secondary to the principal residential use of the dwelling unit, compatible with the surrounding residential area and not of a size that provide services or products that would detrimentally affect the viability of the neighbourhood.
- One home occupation shall be allowed per dwelling unit. Home occupations shall be conducted entirely within the dwelling or accessory building.
- One advertising display sign shall be allowed on the site or premise from which the home occupation is conducted. No LED or neon signs shall be allowed.
- There shall be no exterior display or storage of any merchandise or material relating to the home occupation.
- No equipment or process used in the home occupation shall create dust, noise, vibration, glare, fumes, odour or air pollution that is detectable at or beyond the property lines of the lot where the home occupation or business is located.
- Up to two (2) persons other than a resident of the dwelling unit may be engaged in any home occupation as an employee or volunteer.
- Parking: The home occupation shall not cause or add to on-street parking congestion or cause an increase in traffic through residential zones.
 - No more than one business vehicle, for which off-street parking is provided, shall be operated in connection with the home occupation.
 - Parking of vehicles of employees hired for offsite jobs shall not be allowed at, or in the vicinity of, the dwelling unit.
- All Business Permits issued for home occupations shall expire on December 31 of the year issued. Home occupations are subject to the condition that the permit may be revoked at any time if, in the opinion of Council, the use is or has become detrimental to the amenities adjoining the properties and the neighbourhood.

4.33 SECONDARY SUITES

- Secondary suites may be constructed within a principal, single detached dwelling in a Residential Zoning District. Only one secondary suite is permitted on each residential site.
- Secondary suites must be located within the principal dwelling and must have a separate entrance from the principal dwelling either from a common indoor landing or directly from

the exterior of the building. Secondary suites must contain cooking, eating, living, sleeping and sanitary facilities.

- Secondary suites may not exceed 60 m² or 35% of the total floor space, including basements, and may not have more than two bedrooms.

4.34 MODULAR HOMES

- All modular homes shall be in place on a permanent concrete foundation at a standard comparable to a single detached dwelling.
- All modular homes shall be multi-modular, with the width approximately equivalent to the length and shall have architectural features similar or complementary to adjacent nearby dwellings.
- Modular homes shall be permanently connected to water and sewer services provided by the Municipality and permanently connected as available to other public utilities.
- All other require of this Bylaw apply.

4.35 BED AND BREAKFAST HOMES

- Bed and breakfast homes shall be located in a single detached dwelling used as the operator's principal residence. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building or property.
- Required parking spaces may be permitted in a required front yard.
- One advertising display sign located on the site or premise advertising the bed and breakfast home is permitted. The facial area of a sign shall not exceed 0.5 m².
- No more than three (3) guest rooms shall be allowed in a bed and breakfast home.
- The only meal to be provided to registered guests shall be breakfast. No food preparation or cooking for guests shall be conducted within any bedroom make available for rent. All facilities shall meet public health regulations and be kept in a manner satisfactory to the District Health Region.

4.36 DAY CARE CENTRES AND PRE-SCHOOLS

- Day care centres and pre-schools may be approved as an accessory use or as a principal use.
- In any Residential Zoning District, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- Day care centres or pre-schools which are located in residential districts shall provide at least 3.25 m² of fenced onsite outdoor play space for each child present in the facility at any one time.
- Required parking spaces may be located in a required front yard.

4.37 PERSONAL CARE HOMES

- Personal care home may be approved as an accessory use or as a principal use.
- In any Residential Zoning District, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- Required parking spaces may be located in a required front yard.
- No building or structure used for the purpose of a personal care home shall be used for the purpose of keeping boarders or lodgers.
- The use shall not generate substantially more traffic or parking than is normal for the district in which the use is located.
- A home must be licensed as a personal care home in accordance with *The Personal Care Homes Act* if it provides accommodation, meals and assistance or supervision with activities of daily living to an adult aged 18 or older who is not a relative.

4.38 CRITERIA FOR MEDICAL MARIJUANA PRODUCTION FACILITIES (MMPF)

- MMPFs shall meet all applicable federal, provincial, and municipal regulations. Proof of compliance with the applicable federal and/or provincial regulations will be required as part of the Development Permit application prior to issuing a Development Permit.
- All MMPFs must comply with the National Building Code of Canada.
- A waste management plan may be required as a condition of the Development Permit.
- MMPFs shall be located at a minimum distance of 200 metres (656 feet) from a residential parcel, daycare, community centre, playground, school or park, unless specified otherwise by the applicable federal agencies. This shall be measured from the nearest point for the building foundation of the MMPF to the nearest point of the site line of the above listed uses.
- Where a licensed MMPF ceases operation, the facility and buildings shall be decommissioned and remediated in accordance with applicable provincial and federal regulations. A decommissioning plan may be required at the time the Development Permit application is made.
- No on-site activity shall impact surrounding areas by reason of unsightliness, the emission of odours, liquid effluence, dust, fumes, smoke, vibration, noise or glare.

4.38 SALVAGE YARDS (AUTO WRECKERS)

The following additional considerations shall be made for all applications for a Salvage Yard/Auto Wrecker or similar operation:

- This includes salvage yards, auto wreckers, auto repair shops, body shops and similar uses, all salvage vehicles and materials, vehicles waiting repair, salvage or removal and similar uses.
- No vehicles or parts thereof shall be located in the front yard.

- All salvage yards shall be totally hidden from the view of the travelling public, provincial highways, or any public road by utilizing distance and careful location, natural or planted vegetation, an earth berm, opaque fence or other appropriate methods approved by Council.
- All salvage or auto wrecking yards shall be totally enclosed by a sturdy fence built to a minimum height of 2.5 metres and constructed of material suitable to conceal from view the materials stored on the site. No materials shall be stacked above the height of the fence.
- A Performance Bond may be required by Council to ensure the development meets the required development standards.

4.39 TEMPORARY WORK CAMPS

- Temporary Work Camps are an accessory use to an industrial or resource development.
- A Development Permit for a Work Camp may be issued for up to one (1) year, at which time an application must be made for the continuance of the use for one (1) additional year, after which time a new Development Permit approval is required.
- An application for a Development Permit must provide the following information and a Concept Plan for the development:
 - The location, type and purpose of the camp.
 - Adjacent land uses.
 - The method of supplying water and sewage and waste disposal to the camp. The proposed method of sewage disposal must comply with the Saskatchewan Onsite Wastewater Disposal Guide in accordance with the Saskatchewan Public Health Act.
 - The number of persons proposed to live in the camp.
 - The method of providing garbage disposal and pest control in the camp.
 - The start date for development, date of occupancy by residents and removal day for the camp.
- A Temporary Work Camp for accommodation purposes must be:
 - Linked to a specific project for which a valid and current Development Permit has been issued and can only accommodate workers for this project;
 - Able to accommodate a minimum of twenty (2) persons and a maximum of three-hundred (300) persons;
 - Secured by the installation of appropriate fencing around the project accommodation and onsite security staff;
 - Provide adequate onsite parking for private vehicles; and
 - Separated (buffered) from adjacent land uses.
- The final review of an application will not be completed prior to the receipt and evaluation of all required information by the Development Officer, the District Health Region and any other relevant agency deemed necessary by the Village.
- The Work Camp buildings and structures must be removed from site when the project is completed.

- The Developer must post a Performance Bond sufficient to remove and/or reclaim the site after the project is either completed or if work has stopped to the extent that the need for the camp no longer exists.

4.40 CAMPGROUNDS

Campgrounds are subject to the following:

- The operator of a campground shall provide the Development Officer with a plan of the campground identifying any buildings, uses of land and the location of all roadways and trailer coach or tent campsites with dimensions. The addition or re-arrangement of campsites, the construction or moving of buildings, material change in use of portions of land or the filling of clearing of land shall require a Development Permit, and the operator shall submit for approval an amended plan incorporating the development.
- A campground shall have within its boundaries, a buffer area abutting the boundary of not less than 4.5 metres which shall contain no buildings.
- The operator of a campground shall designate a campsite for each trailer coach or tent party, which shall be less than 150 m² in area with its corners clearly marked.
- One permanent sign located onsite advertising the campground is permitted per site;
 - The facial area of a sign shall not exceed 0.5 m²;
 - No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
 - Temporary signs not exceeding 1.0 m² advertising the sale or lease of property or other information relating to a temporary condition affecting the property.
- No portion of any campsite shall be located within a roadway or required buffer area.
- Each campsite shall have direct and convenient access to a developed roadway which is not located in any required buffer area. The space provided for roadways within a campground shall be at least 7.5 metres in width.
- Each trailer coach shall be located at least 3.0 metres from any other trailer coach and each campsite shall have dimensions sufficient to allow such location of trailer coaches.
- A campground may include, an ancillary uses, a laundromat or a confectionery designed to meet the needs of the occupants of the campsites, and one single detached dwelling for the accommodation of the operator.
- *The Public Health Act* shall be complied with in respect to all operations and development of the campground.

5 ZONING DISTRICTS AND ZONING MAPS

5.1 ZONING DISTRICTS

For the purpose of this Bylaw, the Village of Belle Plaine is divided in several Zoning Districts that may be referred to by the appropriate symbols.

| | | | |
|------------|-------------------------------|------------|-------------------|
| FUD | Future Urban Development | C1 | Commercial |
| R2 | Multiple Dwelling Residential | IND | Industrial |
| R1 | Residential | CS | Community Service |

5.2 THE ZONING DISTRICT MAP

The map, bearing the statement “This is the Zoning District Map referred to in Bylaw No. 5.13 adopted by the Village of Belle Plaine”, signed by the Mayor and by the Village Administrator under the seal of the Village, shall be known as the “Zoning Districts Map”, and such map is hereby declared to be an integral part of this Bylaw.

5.3 BOUNDARIES OF ZONING DISTRICTS

5.3.1 The boundaries of the Zoning Districts referred to in this Bylaw, together with an explanatory legend, notations and reference to this Bylaw, are shown on the map entitled “Zoning Districts Map”.

5.3.2 Unless otherwise shows, the boundaries of the Zoning Districts are site lines, centre lines of streets, lanes, road allowances, or such lines extended and the boundaries of the Municipality.

5.3.3 Where the boundary of a Zoning District crosses a parcel, the boundaries of the Zoning Districts shall be determined by the use of the scale shown on the map.

5.3.4 Where the boundary of a Zoning District is also a parcel boundary and the parcel boundary moves by the process of subdivision, the Zoning District boundary shall move with that parcel boundary, unless the boundary is otherwise located by amendment to the Bylaw.

5.4 HOLDING DESIGNATION

5.4.1 Where on the Zoning Districts Map the symbol for a Zoning District has suffixed to it the holding symbol “H”; any lands so designated on the map shall be subject to a holding provision in accordance with Section 71 of *The Planning and Development Act, 2007*.

5.4.2 Any lands subject to a holding provision shall only be used for those uses existing on the land when the “H” is applied and for public works.

5.5 FUTURE URBAN DEVELOPMENT DISTRICT - FUD

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a Development Permit from the Development Officer. No person shall within any FUD District use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

5.5.1 PERMITTED USES

- a) Agricultural crop production and horticultural uses and buildings and structures accessory including the application of manure on agricultural land;
- b) Commercial greenhouses, market gardens, and sod farms;
- c) Uses, buildings and structures accessory to the foregoing permitted uses;
- d) Recreational uses and sports grounds;
- e) Public works;
- f) Offices and clinics of veterinarians;
- g) Uses in existence when the Bylaw comes into force.

5.5.2 DISCRETIONARY USES

The following uses may be permitted in the FUD District only by resolution of Council and only in locations specified by Council:

- a) Maximum of one (1) single family dwelling per site and buildings accessory thereto;
- b) Recreational Vehicle Storage yards;
- c) Home occupations;
- d) Large accessory buildings;
- e) Keeping of livestock, but excluding intensive livestock operations, poultry farms, hatcheries or commercial dog kennels;
- f) Cemeteries.

5.5.3 SITE DEVELOPMENT REGULATIONS

| | |
|------------------------------|--|
| Minimum site area | Recreational: 2 hectares Offices & clinics of veterinarians: 1 hectare Agricultural uses: 8 hectares |
| Minimum site frontage | 30 metres |
| Maximum site coverage | 10% |
| Front yard | 15 metres |
| Side yard | 7.5 metres for dwelling and buildings accessory thereto, except the minimum side yard abutting a public street shall be 10 metres. |
| Rear yard | 10 metres for dwellings and buildings accessory thereto |

| | |
|--|--|
| | except that the minimum rear yard abutting a public street shall be 30 metres. |
|--|--|

Notwithstanding the above, the minimum yard is 60.0 metres from the centreline of a municipal road.

5.5.4 SIGNAGE

- a) One permanent sign is permitted per site;
- b) In the care of a home occupation, an additional permanent sign is permitted;
- c) The facial area of a sign shall not exceed 0.5 m²;
- d) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public; and
- e) Temporary signs not exceeding 1.0 m² advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted.

5.5.5 SINGLE DETACHED DWELLINGS

- a) To recognize existing uses, Council will consider building or expansion of single detached dwellings in a FUD District on a site that holds an existing single detached dwelling.
- b) The development of a single detached dwelling on vacant or idle land, or in a new subdivision for large site residential use, will not be considered except in conjunction with the adoption of a Concept Plan to the Official Community Plan that designates the area for large site residential use.
- c) Council may consider approval of a single detached dwelling accessory or ancillary to another existing use, where the location will not interfere with future development pursuant to the Plan and any Concept Plan adopted under that plan.

5.5.6 ACCESSORY BUILDINGS

- a) No accessory building shall be located within 3.0 metres of a side or rear site line except where the minimum yard abuts a public street, in which case the minimum side or rear yard shall be 7.6 metres/
- b) The Building Floor Area for large accessory buildings on a residential site may not exceed 150 m².

5.5.7 SUPPLEMENTARY REGULATIONS

- a) Council will consider the applications for discretionary use with respect to the following criteria:
 - i) The sewer, water, and utility servicing capacity is available to service the development without excessive impact on other uses being serviced by the system;
 - ii) The proposed development will be consistent with any concept plans in force in the area and will not be inconsistent with the future use and development plans of the Official Community Plan,; and

- iii) The development will not require the development of new streets and utility lines except as may be provided for in existing plans under the Official Community Plan and that the proposal is not premature.
- b) Where a development is proposed at a location at which standard connection to the Village's existing sewer and water system is not feasible to the developer shall, at their own expense, provide suitable water supply and sewage disposal facilities for that development acceptable to Council which meets *The Public Health Act and Regulations* requirements.
- c) Any building or structure used for the habitation or shelter of animals permitted in this Zoning District shall be located a minimum distance of 76.0 metres from an occupied dwelling on an adjoining site.

5.6 RESIDENTIAL DISTRICT - R1

No person shall initiate any permitted, discretionary, or accessory use prior to obtaining a Development Permit from the Development Officer. No person shall within any R1 District use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

5.6.1 PERMITTED USES

- a) One single detached dwelling;
- b) Duplex, or two family dwelling;
- c) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- d) Playgrounds and swimming pools;
- e) Public works buildings and structures excluding offices, warehouses, and storage yards.

5.6.2 DISCRETIONARY USES

The following uses may be permitted in the R1 District only by resolution of Council and only in locations specified by Council:

- a) Home occupations;
- b) Secondary suites;
- c) Child and adult daycare;
- d) Modular homes;
- e) Mobile homes;
- f) Bed and breakfast homes;
- g) Personal care homes;
- h) Places of worship.

5.6.3 SITE DEVELOPMENT REGULATIONS

Single detached dwelling:

| | |
|-------------------------------|--|
| Minimum site area | 450 m ² |
| Minimum floor area | 78 m ² |
| Minimum site frontage | 15 metres |
| Height | 9 metres for Principal building, 5 metres for Accessory building |
| Maximum site coverage | 50% |
| Minimum parking spaces | 2 |
| Minimum front yard | 7.5 metres |
| Minimum rear yard | 1.2 metres |

| | |
|--------------------------|--|
| Minimum side yard | 1.5 metres unless on a corner site the side yard shall be 3 metres |
|--------------------------|--|

Duplexes:

| | |
|-------------------------------|--|
| Minimum site area | 540 m ² |
| Minimum floor area | 50 m ² |
| Minimum site frontage | 18 metres |
| Height | 9 metres for Principal building; 5 metres for Accessory building |
| Maximum site coverage | 50% |
| Minimum parking spaces | 2 |
| Minimum front yard | 7.5 metres |
| Minimum rear yard | 1.2 metres |
| Minimum side yard | 1.5 metres unless on a corner site the side yard shall be 3 metres |

Mobile Homes:

| | |
|-------------------------------|---|
| Minimum site area | 450 m ² where the site is served by a lane, otherwise 600 m ² |
| Minimum floor area | 92.96 m ² |
| Minimum site frontage | 14 metres where the site is served by a lane, otherwise 20 metres |
| Height | 9 metres for Principal buildings |
| Maximum site coverage | 50% |
| Minimum parking spaces | 2 |
| Minimum front yard | 7.5 metres |
| Minimum rear yard | 1.2 metres |
| Minimum side yard | 1.5 metres unless on a corner site the side yard shall be 3 metres |

5.6.4 ACCESSORY BUILDINGS AND STRUCTURES

- a) All accessory buildings shall be located a minimum of 1.2 metres from the principal building and 0.8 metres from the side site line, unless the side site line is an abutting street, then the side yard shall be 3.6 metres.
- b) No accessory building shall be located in the required front yard.
- c) All accessory buildings shall not exceed 83.6 m² in area and shall not exceed 5 metres in height from grade level to the underside of the eave, or the height of the principal building, whichever is less.
- d) All accessory buildings shall be located a minimum of 0.8 metres from the rear site line except where an accessory building has a door or doors opening onto a lane then it shall not be located less than 1.2 metres from the site line abutting the lane.
- e) All activities related to artisan studios, crafts and workshops shall be conducted within an enclosed building. No exterior storage of materials, goods or waste products is permitted except within a waste disposal bin for collection.
- f) No attached structure (i.e. deck) shall have a total floor area greater than the main floor area of the principal building. In calculating the main floor area of a principal building the area of an attached garage shall be excluded.
- g) Fabric covered structures consisting of wood, metal or plastic framing covered on the roof and one or more sides with fabric, plastic, vinyl or other sheet material shall be permitted, when properly anchored, on residential sites.

5.6.5 SIGNAGE

- a) One permanent sign is permitted per site. In the case of home occupation, and additional permanent sign is permitted in a window of the dwelling;
- b) The facial area of a sign shall not exceed 0.5 m²;
- c) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- d) Temporary signs not exceeding 1 m² advertising the sale or lease of the property, or other information relating to a temporary condition affecting the property, are permitted.

5.7 RESIDENTIAL MULTIPLE DWELLING DISTRICT - R2

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a Development Permit from the Development Officer. No person shall within any R2 District use any land or erect, alter or use any building or structure except in accordance with the following provisions”

5.7.1 PERMITTED USES

- a) Row houses, townhouses;
- b) Fourplexes;
- c) Uses, buildings and structures accessory to the foregoing permitted uses and located on the same site with the main use;
- d) Playgrounds and swimming pools;
- e) Public works, buildings and structures excluding warehouses, storage yards and waste management or sewage facilities.

5.7.2 DISCRETIONARY USES

The following uses may be permitted in the R2 District but only by resolution of Council and only in locations specified in such a resolution of Council:

- a) Apartment buildings;
- b) Home occupations;
- c) Personal care homes;
- d) Bed and breakfast homes;
- e) Child and adult daycare.

5.7.3 SITE DEVELOPMENT REGULATIONS

Townhouse, Row house, Fourplex:

| | |
|-------------------------------|--|
| Minimum site area | 560 m ² |
| Minimum floor area | 56 m ² |
| Minimum site frontage | 20 metres |
| Height | 2 ½ storeys, 5 metres for Accessory building |
| Maximum site coverage | 50% |
| Minimum parking spaces | 1.5 spaces/dwelling unit |
| Minimum front yard | 6 metres |
| Minimum rear yard | 1.2 metres |
| Minimum side yard | 3 metres or 50% of the average wall height |

Apartment buildings:

| | |
|-------------------------------|--|
| Minimum site area | 930 m ² |
| Minimum floor area | 46.5 m ² per dwelling unit |
| Minimum site frontage | 25 metres |
| Maximum site coverage | 50% interior site, 60% corner site |
| Minimum parking spaces | 1.25 spaces/dwelling unit |
| Minimum front yard | 6 metres |
| Minimum rear yard | 7.5 metres |
| Minimum side yard | 3 metres or 50% of the average wall height |

5.8 COMMERCIAL

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a Development Permit from the Development Officer. No person shall within any C1 District use any land or erect, alter or use any building or structure, except in accordance with the following provisions:

PERMITTED USES:

- a) Banks, credit unions and other financial institutions;
- b) Business and/or professional offices;
- c) Medical, dental and other health care offices and clinics or health services;
- d) Barbers, hairdressers, and other similar personal services establishments;
- e) Restaurants, tea houses, coffee shops, and other similar retail food services;
- f) Storefront retail stores and outlets;
- g) Convenience stores;
- h) Motels and hotels;
- i) Theatres, assembly halls;
- j) Libraries, galleries, museums and other similar cultural institutions;
- k) Commercial recreation establishments such as bowling alleys, arcades and fitness centres;
- l) Licensed premises for the sale and consumption of alcoholic beverages;
- m) Storefront bakeries, butcher shops, and similar food processing with onsite retail sales;
- n) Outdoor markets and concessions (permanent, seasonal, or occasional);
- o) Small-scale repair trades such as tailors, jewelers, art and hand craft shops and studios, craftspeople and similar trades, including retail sales of art and craft products;
- p) Construction trades without yards;
- q) Dwellings attached to and behind, or above, commercial establishments;
- r) Buildings, structures or uses accessory to and located on the same site as the principal building or permitted use;
- s) Public works buildings and structures excluding offices, warehouses, storage yards, and waste management or sewage facilities.

5.8.1 DISCRETIONARY USES

The following uses may be permitted in the C1 District but only by resolution of Council and only in locations specified by such resolution of Council:

- a) Conference centres;
- b) Strip malls;
- c) Lumber and building supply establishments;
- d) Animal hospitals, or clinics and offices of veterinary surgeons;
- e) Recycling and collection depot (neighbourhood);
- f) Other innovative commercial or light industrial uses consistent with street level retail services.

5.8.2 SITE DEVELOPMENT REGULATIONS

Commercial Uses:

| | |
|-------------------------------------|--|
| Minimum site area | 230 m ² |
| Minimum site frontage | 7.5 metres; 30 metres for service stations |
| Maximum site coverage | 75% |
| Minimum front yard | No requirement for all others |
| Minimum rear & side yard | No requirement except when the side site line is the boundary of any Residential, Community Services District or abuts a public street, then the minimum side yard shall be 1.5 metres except when the rear site line abuts a railway right-of-way no rear yard need be provided |
| Accessory buildings | Setbacks for accessory buildings shall meet the same requirements as the principal use or building |

5.8.3 SIGNAGE

Signs and billboards shall be prohibited in the CI District except for signs advertising the principal use of the premises or the principal products offered for sale on the premises.

Permitted signs shall be subject to the following requirements:

- a) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- b) The facial area of the sign shall not exceed 0.5 m²;
- c) Temporary signs not exceeding 1 m² advertising the sale or lease of the property, or other information relating to a temporary condition affecting the property, are permitted.

5.8.4 PARKING

Off-street parking requirements shall be provided in accordance with the following:

| | |
|--|--|
| Dwelling unit | 1 parking space per unit |
| Places of assembly, institutional buildings | 1 parking space for each 50 m ² of floor area |
| All other uses | No requirement |

5.8.5 LANDSCAPING

Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres through which shall not be used for any purposes except landscaping.

5.8.6 SUPPLEMENTARY REGULATIONS

5.9.7.1 Dwelling Units

- a) Dwelling units are permitting as long as the principal use is undergoing.
- b) Dwelling units shall have a floor area smaller than or equal to the floor area in commercial use.
- c) Minimum floor area for each dwelling unit shall be 45 m².
- d) All dwelling units shall have an entrance separate from that of the commercial establishment.
- e) Dwelling units shall be located above or at the rear and attached to the principal commercial use.
- f) Dwelling units shall conform to the *Provincial Public Health and Fire Regulations*.

5.8.6.2 Strip Malls

- a) The Village will consider the appropriate separation to other uses that may be incompatible with strip mall retail and service activities.
 - b) The Village will consider the potential uses and street access to the site when making a discretionary use decision on a proposed strip mall. Access and egress points shall be designed to minimize conflict with adjacent land uses and not pose a safety hazard.
 - c) Other criteria may include the street façade, main street entrance, windows along the street and the relaxation of onsite parking requirements.
 - d) Landscaping shall be provided. If abutting a Residential or Community Service District, a suitable buffer composed of tree planting or a hedge shall be provided.
-
- a) The Village may require special standards for the location setback or screening of any area devoted to the property, vehicles or vehicular parts.
 - b) All mobile storage containers including rail and sea containers (seacans) shall require a Development Permit and are subject to the following regulations:
 - i) Shall require a Development Permit;
 - ii) A maximum of two (2) mobile storage containers are permitted per site which must be properly anchored;
 - iii) Shall be located a minimum of 3 metres from the primary building and behind the rear wall of the primary building; and
 - iv) Containers determined by the Municipality to be unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality.

5.10.7 LANDSCAPING

- a) A landscape plan shall be submitted with the Development Permit application.
- b) A landscaped strip of not less than 3 metres in width throughout the lot lying parallel and abutting the front site line shall be provided on every site.
- c) On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.

- d) Where a site abuts any Residential or Community Service District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres in width throughout which shall not be used for any purpose except landscaping.
- e) Fences and hedges may be erected, placed, planted, maintained or grown along a lot line only in conformance with the following regulations:
 - i) No fence, hedge or shrub, other than those required as screening, shall exceed 3 metres in height.
 - ii) No barbed wire, or razor wire, fences shall be allowed in a Commercial District.
 - iii) In the case of corner lots, no fences, hedges or shrubs shall be placed so as to create a visual obstruction in an established sight triangle.

5.8.8 PARKING REQUIREMENTS

| | |
|--------------------------------|--|
| Minimum site area | 2500 m ² |
| Minimum site frontage | 30 metres |
| Maximum building height | Principal building: 12 metres, Accessory buildings: 7.5 metres |
| Minimum front yard | 7.5 metres |
| Minimum rear yard | 1.5 metres with lane, 4.5 metres without lane |
| Minimum side yard | 1.5 metres, except 4 metres along a side site line abutting a street, and that the sum of both side yards exceeds 7.5 metres |

Parking Lots

- a) Are to be hard surfaced and designed to drain water onto a street or lane or into a storm sewer system with adequate capacity to handle such runoff; and
- b) Where a parking lot/area abuts any Residential or Community Service District without an intervening land there shall be a fence at least 1 metre in height and a strip of land adjacent to the abutting site line of not less than 1.5 metres in width throughout which shall not be used for any purpose except landscaping.

5.8.9 LOADING REQUIREMENTS

Where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site. The minimum area of an individual loading space shall be 10 m². Doors located in side yards shall not be used for delivery purposes.

| Gross Floor Area | Minimum Number of Loading Spaces |
|--|---|
| 90 m ² to 1300 m ² | 1 space |
| 1301 m ² to 2500 m ² | 2 spaces |

| | |
|----------------------|---|
| >2500 m ² | 2 spaces plus 1 space for each additional 2500 m ² |
|----------------------|---|

5.8.10 SIGNAGE

In the HPC District signs advertising the principal use of the premises or the names of the occupants of the premises or the principal products offered for sale are permitted. No sign shall be located in any manner that may obstruct or jeopardize the safety of the public.

| | |
|---|--|
| Maximum number of signs | Up to two (2) signs, which may be fascia, canopy, roof, projecting or any combination thereof, may be located on any site. |
| Maximum size | The facial area of a sign shall not exceed 20 metres. |
| Location | All signs, except for canopy and projecting signs, shall be located within the lot lines of the lot in which they are located. |
| Billboards or freestanding signs | One (1) billboard sign may be erected on any lot, in addition to other permitted signs. A site may have either a freestanding or billboard sign, but not both. |
| Special provisions | Bulk petroleum sales and storage, motor vehicle sales and service stations may erect one freestanding sign in addition to other permitted signs. |

5.8.11 SUPPLEMENTARY REGULATIONS

In addition to other applicable regulations or standards contained in this Bylaw the following standards apply to those uses or forms of development designated as discretionary in the C2 - Highway Commercial District.

5.8.11.1 Service Stations

- The minimum lot area for a service station shall be 900 m², with a required 30 metre frontage and 7.5 metre front yard;
- On a corner lot, only one access shall be constructed on the flankage, located a minimum of 6 metres from the intersection;
- Fuel pumps and other accessory equipment shall be located not less than 6 metres from any street or site line; and
- All automobile parts, dismantled vehicles, and similar articles shall be stored within a building or screened to the satisfaction of Council.

5.8.11.2 Mid-size Box Stores

- Mid-size box stores must be accessible to the public from both the street and from the development;

- b) The Village will consider the appropriate separation to other uses that may be incompatible;
- c) The Village will consider the potential uses and street access to the site when making a discretionary use decision on a mid-size box store. Access and egress points shall be designed to minimize conflict with adjacent land uses and not pose a safety hazard;
- d) Other criteria may include the street façade, main street entrance, windows along the street and the relaxation of onsite parking requirements; and
- e) Landscaping shall be provided. If abutting a Residential District, a suitable buffer composed of tree planting or a hedge shall be provided.

5.8.11.3 Bulk Petroleum Storage and Agrichemical Storage Sites

- a) Access to sites for discretionary uses or developments shall be located to ensure that heavy truck traffic takes access to or from arterial or collector streets or designated truck routes;
- b) All operations shall comply with all regulations of Saskatchewan Environment and Public Safety governing their development and operation;
- c) All outside storage shall be fenced and where the area abuts a Residential or Community Service District without an intervening street or lane, the storage area shall be screened with a solid fence or hedge at least 2 metres in height;
- d) Bulk petroleum storage tanks are to be located in accordance with the *National Fire Code of Canada, 1990*, as amended from time to time;
- e) Agrichemical sales and storage facilities are to be constructed and operated in compliance with *The Agrichemical Warehouse Standards Association's Warehousing Audit Protocols and User Guides*, as amended from time to time; and
- f) No yard shall be used for the storage or collection of hazardous material.

5.9 INDUSTRIAL DISTRICT - IND

No person shall initiate any permitted, discretionary or accessory use prior to obtaining a Development Permit from the Development Officer. No person shall with any IND District use any land or erect, alter or use any building or structure except in accordance with the following provisions:

5.9.1 PERMITTED USES

- a) Business and/or professional offices;
- b) Industrial malls containing a combination of permitted uses;
- c) Auto body shops;
- d) Construction and other industrial trades yards, plants, and/or offices;
- e) Warehousing and supply depots;
- f) Manufacturing, fabricating, processing, assembly, finishing, production or packaging or materials, goods or products that are not noxious;
- g) Agricultural and industrial machinery equipment and vehicle sales and service;
- h) Residential or agricultural building assembly areas;
- i) Semi-trailer and container parking lot;
- j) Oilfield supply and services;
- k) Lumber and building supply establishments;
- l) Contractors offices, workshops and yards;
- m) Construction of RTM homes;
- n) Indoor repair, rental, servicing, storage, wholesale of any commodity and/or retail sales of any goods, materials and/or commodities excluding any hazardous materials;
- o) Service stations, commercial cardlock operations;
- p) Moto and recreation vehicles sales, servicing and/or temporary storage compound;
- q) Trucking operations;
- r) Recycling and collection depots (Commercial);
- s) Public works buildings and structures excluding offices, warehouses, storage;
- t) Municipal yards and waste management or sewer facilities;
- u) Buildings, structures and uses accessory to, and located on the same site as, the principal building or use except any building or structure used for human habitation.

5.9.2 DISCRETIONARY USES

The following uses may be permitted in the IND District but only by resolution of Council and only in locations specified in such resolution of Council:

- a) Bulk petroleum sales and storage;
- b) Mobile storage container including sea and rail containers;
- c) Stockyards and auction marts;
- d) Junkyards and auto wreckers;
- e) Restaurants;
- f) Meat processing plants/abattoirs;
- g) Seed cleaning plants, feed mills and flour mills;
- h) Fertilizer sales and storage;

- i) Cement manufacturing;
- j) Aggregate material storage or handling operations.

Consultation with the Railways shall be required when a potential development is proposed for a

- a) development or redevelopment proposals in proximity to rail facilities or for proposals for rail-serviced industrial parks;
- b) road and utility Infrastructure works which may affect a rail facility;
- c) transportation plans that incorporate freight transportation issues; and
- d) all new, expanded or modified rail facilities.

The Village should consult with the railways regarding proposed land development and/or infrastructure projects which may have impacts on existing drainage patterns. Similarly, the railways should consult with the Village where facility expansions or changes may impact drainage patterns to adjacent uses.

5.9.3 PROHIBITED USES

The following uses shall be strictly prohibited within an Industrial District (IND):

- a) All uses of land, buildings or processes that may be noxious or injurious, or constitute a nuisance beyond the building which contains it by reason of the production or emission of dust, smoke, refuse, matter, odour, gas, fumes, noise, vibration or other similar substances or conditions;
- b) Dwelling units;
- c) All users of buildings and land except those specifically noted as permitted or discretionary.

5.9.4 SITE DEVELOPMENT REGULATIONS

| | |
|------------------------------|--|
| Minimum site area | 900 m ² |
| Minimum site frontage | 30 metres |
| Maximum site coverage | 75% |
| Minimum front yard | 7.5 metres unless abutting the highway or service road then 9 metres |
| Minimum rear yard | 3 metres or 10% of the depth of the lot whichever is greater unless the rear lot line abuts a railway in which case no rear yard is required |
| Minimum side yard | 3 metres except when the side site line is the boundary of any Residential, Community Service District or abuts a public street then the minimum side yard shall be 6 metres |

Accessory buildings

Setback for accessory buildings shall meet the same requirements as the principal use or building

There shall be no minimum site development requirements for public works buildings.

The Development officer may require a greater setback for a permitted or discretionary use if it is deemed that the use may substantially interfere with the safety and amenity of adjacent sites. The Development Officer may allow a building to be occupied by a combination of one or more of the permitted or discretionary uses listed within this Zoning District; however each use shall obtain a separate Development Permit.

5.9.5 OUTSIDE STORAGE

- a) Outdoor storage is permitted in side and rear yards.
- b) Commercial vehicles and equipment associate with a permitted use may be stored onsite provided the area used for storage of these vehicles does not exceed the area of the building used by the business to carry out its operations. No vehicles, materials or equipment shall be in a state of disrepair.
- c) All outside storage shall be fenced when the area abuts a Residential or Community Service District without an intervening street or lane, the storage area shall be screened with a solid fence or hedge at least 2 metres in heights.
- d) The Village may apply special standards as a condition or fore the discretionary use approval regarding the location of areas used for storage for that use.
- e) No wrecked, partially dismantled or inoperable vehicle or machinery shall be stored or displayed in any required yard. No yard shall be used for the storage or collection of hazardous material.
- f) The Village may require special standards for the location of setback or screening of any area devoted to the outdoor storage of vehicles in operating equipment and machinery normally used for the maintenance of the property, vehicles or vehicular parts.
- g) All mobile storage containers including rail and sea containers (seacans) shall require a Development Permit and are subject to the following regulations:
 - i) Shall require a Development Permit;
 - ii) A maximum of two (2) mobile storage containers are permitted per site which must be properly anchored;
 - iii) Shall be located a minimum of 3 metres from the primary building and behind the rear wall of the primary building; and
 - iv) Containers determined by the Municipality as unsightly, misused, unsafe, or inappropriate in any way, must be removed at the owner's expense within a time period specified by the Municipality.

5.9.6 SIGNAGE

Signs and billboards are prohibited in the I1 Industrial District except for signs advertising the principal use of the premises or the names of the occupants of the premises. Permitted sign shall be subject the following regulations:

- a) No sign shall be located in any manner that may obstruct or jeopardize the safety of the public;
- b) Temporary signs not exceeding 1 m² advertising the sale or lease of the property or other information relating to a temporary condition affecting the property are permitted;
- c) Temporary signs advertising product prices or sales, special events related to retail and service activities, or advertising community or charity activities or event are permitted.

| | |
|---|--|
| Maximum number of signs | Up to two (2) signs, which may be fascia, canopy, roof, projecting or any combination thereof, may be located on any site. |
| Maximum size | The facial area of a sign shall not exceed 20 metres. |
| Location | All signs, except for canopy and projecting signs, shall be located within the lot lines of the lot in which they are located. |
| Billboards or freestanding signs | One (1) billboard sign may be erected on any lot, in addition to other permitted signs. A site may have either a freestanding or billboard sign, but not both. |
| Special provisions | Bulk petroleum sales and storage, motor vehicle sales and service stations may erect one freestanding sign in addition to other permitted signs. |

5.9.7 PARKING

Off-street parking requirements shall be provided in accordance with the following:

| | |
|---|--|
| Warehouses or manufacturing activities | 1 parking space for each 90 m ² of gross floor area |
| Principal buildings | 1 parking space for each 50 m ² of gross floor area, or 1 parking space of each 1.5 employees, whichever is greater |

5.9.8 LOADING REQUIREMENTS

Where the use of a building or site involves the receipt, distribution or dispatch by vehicles of materials, goods or merchandise, adequate space for such vehicles to stand for loading and unloading shall be provided on the site. The minimum area of an individual loading space shall be 17 m². Doors located in side yards shall not be used for delivery purposes.

| Gross Floor Area | Minimum Number of Loading Spaces |
|--|---|
| 90 m ² to 1300 m ² | 1 space |
| 1301 m ² to 2500 m ² | 2 spaces |

>2500 m²2 spaces plus 1 space for each additional 2500 m²**5.9.9 LANDSCAPING**

- a) A landscape strip of not less than 3 metres in width throughout lying parallel and abutting the front site line shall be provided at every site.
- b) On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
- c) Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres through which shall not be used any purpose except landscaping.

5.9.10 PERFORMANCE STANDARDS

An industrial operation including production, processing, cleaning, testing, repairing, storage or distribution of any material shall conform to the following standards:

- a) Emit no noise of industrial production audible beyond the boundary of the lot on which the operation takes place;
- b) Smoke - no process involving the use of solid fuel is permitted;
- c) Dust or ash - no process involving the emission of dust, fly ash or other particulate matter is permitted;
- d) Odour - the emission of any odorous gas or other odorous matter is prohibited;
- e) Toxic gases - the emission of any toxic gases or other toxic substances is prohibited;
- f) Glare or heat - No industrial operation shall be carried out that would produce glare or heat discernible beyond the property line of the lot;
- g) External storage - external storage of goods or material is permitted if kept in a neat and orderly manner or permitted in a required front yard;
- h) Industrial wastes - waste which does not conform to the standards established from time to time by Village Bylaws shall not be discharged into any Village sewers;
- i) The onus of proving to the authority having jurisdiction and Council's satisfaction that a proposed development does and will comply with these requirements rests with the developer

5.10 COMMUNITY SERVICE – CS

No persons shall initiate any permitted, discretionary or accessory use prior to obtaining a Development Permit from the Development Officer. No persons shall, within any CS District, use any land or erect, alter or use any building or structure except in accordance with the following provisions:

5.10.1 PERMITTED USES

- a) Elementary, high schools and other educational facilities;
- b) Lodges, social clubs, service clubs;
- c) Municipal offices, libraries, historic and cultural institutions, community halls;
- d) Places of worship;
- e) Health facilities and special care homes;
- f) Public works buildings and structures excluding storage yards and warehouses;
- g) Communication towers;
- h) Recreational - sports fields, parks, playgrounds, curling rinks, skating rinks, tennis courts, lawn bowling greens, swimming pools, and other similar uses. More than one recreational use may be permitted per site;
- i) Buildings, structures, or uses secondary or subordinate to, and located on the same site as, the principal use;
- j) Natural and nature-like open spaces;
- k) Pedestrian trails and bicycle pathways;
- l) Skateboard parks or BMX bike terrain;
- m) Scenic lookout and interpretation facilities, rest stops, and other public trail facilities;
- n) Public works buildings and structures excluding storage yards, warehouses, drainage ditches, culverts, and other drainage works, and shall include water reservoirs and sewage treatment facilities.

5.10.2 DISCRETIONARY USES

The following uses may be permitted in the Community Service District but only by a resolution of Council and only in locations specified in such resolution of Council:

- a) Golf courses, auto race tracks, horse race tracks, or other very large or very intensive use facilities;
- b) Wind generation units.

5.10.3 SITE DEVELOPMENT REGULATIONS

Permitted uses (other than education facilities, rinks and swimming pools):

| | |
|------------------------------|--------------------|
| Minimum site area | 450 m ² |
| Minimum site frontage | 15 metres |
| Minimum front yard | 6 metres |

| | |
|--------------------------|--|
| Minimum rear yard | 6 metres except where the rear of the site abuts any Residential District without an intervening street or lane, a rear yard of a least 7.5 metres shall be provided |
| Minimum side yard | Not less than half the height of the building or 3 metres, whichever is more |

Elementary and secondary schools:

| | |
|------------------------------|------------------------|
| Minimum site area | No minimum requirement |
| Minimum site frontage | 60 metres |
| Maximum site coverage | 75% |
| Minimum front yard | 15 metres |
| Minimum rear yard | 7.5 metres |
| Minimum side yard | 7.5 metres |

Skating, curling rinks and swimming pools:

| | |
|------------------------------|--|
| Minimum site area | 1208 m ² |
| Minimum site frontage | 20 metres |
| Minimum front yard | 7.5 metres |
| Minimum rear yard | 7.5 metres |
| Minimum side yard | 1.5 metres except on a corner site abutting a street then 3.6 metres |

Accessory buildings:

| | |
|---------------------------|---|
| Front site line | 7.5 metres |
| Principal building | 1.2 metres |
| Side site line | 0.8 metres unless the side site line is an abutting street then the side yard shall be 3.6 metres |

All accessory buildings with a door or doors opening onto a lane shall not be located less than 1.2 metres from the site line abutting the lane.

5.10.4 SIGNAGE

- a) The facial area of a sign shall not exceed 1 m²; and
- b) Signs and billboards are prohibited except for one information sign for each building or use and those bearing the notices of special event and activities, or other information, relating to a temporary condition affecting the site and shall not exceed 1 m² in size.

5.10.5 PARKING

Off-street parking requirements shall be provided in accordance with the following:

| | |
|---|--|
| Elementary school | 1 parking space for each staff member |
| High school | 1 parking space for each staff member, plus 1 parking space for each classroom |
| Churches and places of assembly | 1 parking space for each 50 m ² of floor area |
| Special care homes | 1 parking space for each bed |
| Institutional buildings, private clubs and lodges | 1 parking space for each 50 m ² of floor area |
| Recreational buildings, sports facilities and fields | 1 parking space for each of every 10 patrons or seats |

5.10.6 LANDSCAPING

- a) A landscaped strip of not less than 3 metres in width throughout lying parallel and abutting the front site line shall be provided on every site.
- b) On corner lots, in addition to the landscaping required in the front yard, the whole of any required side yard abutting the flanking street shall be landscaped.
- c) Where a site abuts any Residential District without an intervening land, there shall be a strip of land adjacent to the abutting site line of not less than 1.5 metres through which shall not be used for any purposes except landscaping.

6 REPEAL AND ADOPTION

MINISTERIAL APPROVAL

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

COUNCIL READINGS AND ADOPTION

Read a first time this 8th day of August 2022
Read a second time this 14th day of November 2022
Read a third time this 14th day of November 2022

MAYOR

ADMINISTRATOR

Ministerial Approval Date _____

Certified a True Copy of Bylaw 5-13

ADMINISTRATOR

APPENDIX “A” DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

Every development permit application shall include:

1) **Application Form**

A completed application form.

2) **Site Plan**

Two copies of a proposed development site plan showing, with labels, the following existing and proposed information (as the case may be):

- a) A scale and north arrow;
- b) A legal description of the site;
- c) Mailing address of owner or owner’s representative;
- d) Site lines and required site line setbacks;
- e) Front, rear, and side yard requirements;
- f) Site topography and special site conditions (which may require a contour map), including ponds, streams, other drainage runs, culverts, ditches, and any other drainage features;
- g) The location of any buildings, structures, easements, and dimensioned to the site line;
- h) The location and size of trees and other vegetation, especially natural vegetation;
- i) Proposed onsite and offsite services;
- j) Landscaping and other physical site features;
- k) A dimensioned layout of parking areas, entrances, and exits;
- l) Abutting roads and streets, including service roads and alleys;
- m) An outline, to scale, of adjacent buildings on adjoining sites;
- n) The use of adjacent buildings and any windows overlooking the new proposal;
- o) Fencing or other suitable screening;
- p) Garbage and outdoor storage areas; and
- q) Other, as required by the Development Officer or Council to effectively administer this Bylaw.

3) **Building Plan**

A plan showing, with labels, the elevations, floor plan, and a perspective drawing of the proposed development.

4) **Landscape Plan**

A landscape plan showing, with labels, the following:

- a) The existing topography;
- b) The vegetation to be retained and/or removed;
- c) The type and layout of:
 - i) Hard (e.g. structures) and soft (e.g. vegetation) landscaping;
 - ii) The open space system, screening, berms, slopes; and

- iii) Other, as required, to effectively administer this Bylaw;
- d) The types, sizes and numbers of vegetation materials;
- e) Areas to be damaged or altered by construction activities and proposed methods of restoration;
- f) A schedule of site stripping and grading, construction, and site restoration, including methods to be employed to reduce or eliminate erosion by wind, water, or by other means; and
- g) Historical and archeological heritage resources and management areas (A Heritage Resource Assessment as prescribed under *The Heritage Act* may be required).

5) Vicinity Map

A vicinity map showing, with labels, the location of the proposed development in relation to adjacent lands:

- a) Nearby municipal roads, highways and railways;
- b) Significant physical features, environmentally sensitive areas, and more or less pristine natural areas or features;
- c) Critical wildlife habitat and management areas;
- d) Mineral extraction resources and management areas; and
- e) Other, as required, to effectively administer this Bylaw.

6) Certificate of Title

A copy of the Certificate of Title, indicating ownership and all encumbrances.

7) Valid Interest

Development Permit applicants shall be required to provide information, to the Development Officer's or Council's satisfaction, that they have a current, valid interest in the land proposed for development. Proof of current valid interest may include:

- a) Proof of ownership;
- b) An agreement for sale;
- c) An offer or option to purchase;
- d) A letter of purchase;
- e) A lease for a period of more than 10 years;
- f) Other, as determined and accepted by Council, or the Development Officer.

8) Site Description for Subdivision Applications

- a) A proposed plan of subdivision prepared by a Saskatchewan Land Surveyor or Professional Community Planner and signed by the registered site owner or appointed agent;
- b) A Site Plan that identifies setbacks, neighbouring buildings and any natural features accompanied by an accurate sketch and air photo image (i.e. google image); and
- c) Photographic information and photographs showing the site in its existing state.

**Village of Belle Plaine
Application for a Development Permit**

1. Applicant:

- a. Name: _____
- b. Address: _____ Postal Code: _____
- c. Telephone Number: _____ Cell Phone: _____

2. Registered Owner: as above, or:

- a. Name: _____
- b. Address: _____ Postal Code: _____
- c. Telephone Number: _____

3. Property: Legal Description

Lot(s) _____ Block _____ Reg. Plan No. _____

4. Lot Size:

Dimensions _____ Area _____

5. Existing Land Use:

6. Proposed Land Use/description of Proposed Development:

7. Proposed date of Commencement: _____

Proposed date of Completion: _____

8. Other Information:

9. FOR NEW CONSTRUCTION PROVIDE A DETAILED SITE PLAN, drawn to scale on a separate sheet showing, with labels, the following existing and proposed information:

- a. A scale and north arrow;
- b. A legal description of the site;
- c. Mailing address of owner or owner's representative;
- d. Site lines and required site line setbacks;
- e. Front, rear, and side yard requirements;
- f. Site topography and special site conditions (which may require a contour map), including ponds, streams, other drainage runs, culverts, ditches, and any other drainage features;
- g. The location of any buildings, structures, easements, and dimensioned to the site line;
- h. The location and size of trees and other vegetation, especially natural vegetation;
- i. Proposed onsite and offsite services;
- j. Landscaping and other physical site features;
- k. A dimensioned layout of parking areas, entrances, and exits;
- l. Abutting roads and streets, including service roads and alleys;
- m. An outline, to scale, of adjacent buildings on adjoining sites;
- n. The use of adjacent buildings and any windows overlooking the new proposal;
- o. Fencing or other suitable screening;
- p. Garbage and outdoor storage areas; and
- q. Other, as required by the Development Officer or Council to effectively administer this Bylaw.

10. Mobile Homes: C.S.A.Z240 Approval Number (from Black and Silver Sticker)

Mobile Home date of Manufacture:

11. Declaration of Application:

I, _____ of the _____ of _____
_____ in the Province of Saskatchewan, do solemnly declare that the above statements contained within the application are true, and I make this solemn declaration conscientiously believe it to be true, and knowing that it is of the same force and effect as if make under oath, and by virtue of "The Canada Evidence Act".

I agree to indemnify and hold harmless the Village of Belle Plaine from and against any claims, demands, liabilities, costs, and damages related to the development undertaken pursuant to this application.

Date: _____ Signature: _____
\$50.00 fee applicable upon permit submission

APPENDIX “B” NOTICE OF DECISION

Village of Belle Plaine

Notice of Decision for a Development Permit or Zoning Bylaw Amendment

To: _____
(Applicant) (Address)

This is to advise you that your application for a:

_____ Permitted Use of Form of Development, or
_____ Discretionary Use of Form of Development, or
_____ Request for a Zoning Bylaw Amendment

Has been:

- ☐ Approved
- ☐ Approved subject to conditions or Development Standards, as listed in the attached schedule
- ☐ Refused for the following reason:

If your application has been approved with or without conditions, this form is considered to be the Development Permit granted pursuant to the Zoning Bylaw.

Right of Appeal

Please be advised that under Section 59 of *The Planning and Development Act, 2007*:

- ☐ **you may NOT appeal the refusal** of your application for a use or form of development that is not permitted within the Zoning District of the application;
- ☐ **you may NOT appeal the refusal** of your application for a discretionary use or form of development;
- ☐ **you may NOT appeal the refusal** of your application for an amendment to the Zoning Bylaw;
- ☐ **you MAY APPEAL those standards** that you consider excessive in the approval of the discretionary use of form of development; or
- ☐ **you MAY APPEAL the refusal** of your application if you feel that the Development Officer has misapplied the Zoning Bylaws in the issuing of this permit.

Your appeal must be submitted in writing within 30 days of the date of this notice to:

**Secretary, Development Appeals Board
Village of Belle Plaine
Belle Plaine, Sask.**

Date: _____
Development Officer

Note:

This Permit expires 12 months from the date of issue.

A Building Permit is also required for a building construction.