



RURAL MUNICIPALITY OF LUMSDEN No. 189

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# ZONING BYLAW

Consolidated Version - July 6, 2022

# RURAL MUNICIPALITY OF LUMSDEN NO. 189

## ZONING BYLAW

Prepared For:

THE RURAL MUNICIPALITY OF LUMSDEN NO. 189

Prepared By:

**CROSBY HANNA & ASSOCIATES**  
LANDSCAPE ARCHITECTURE AND PLANNING  
Saskatoon, SK

AND

**JOHN WOLFENBERG**  
PROFESSIONAL COMMUNITY PLANNING SERVICES LTD.

August 2012

# The Rural Municipality of Lumsden No. 189

## Bylaw No. 7-2012

A Bylaw of the Rural Municipality of Lumsden No. 189 to adopt a Zoning Bylaw.

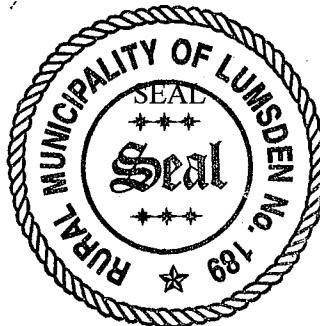
The Council of the Rural Municipality of Lumsden No. 189, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Rural Municipality of Lumsden No. 189 hereby adopts the Rural Municipality of Lumsden No. 189 Zoning Bylaw, as identified as Schedule "A" to this Bylaw.
- (2) The Reeve and Chief Administrative Officer are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. 2-2000, the Zoning Bylaw, and all amendments thereto, are hereby repealed.
- (4) This Bylaw shall come into force on the date of final approval by the Minister of Government Relations.

Read a First Time the            16th    day of        August,            2012  
 Read a Second Time the        11    day of    October ,    2012  
 Read a Third Time the         11    day of    October ,    2012  
 Adoption of this Bylaw this    11    day of    October ,    2012

  
 (Reeve)

  
 (Chief Administrative Officer)



Certified a true copy of the Bylaw adopted by Resolution of Council  
 On the 11 day of October , of the year 2012

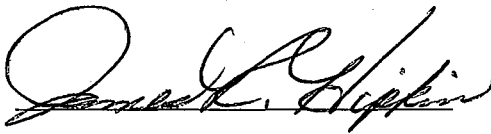
(signature) Darcie Cooper (date) Oct. 15, 2012

A Commissioner for Oaths in the Province of Saskatchewan  
 My appointment expires May 31, 2014

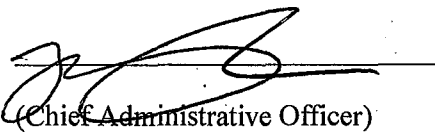
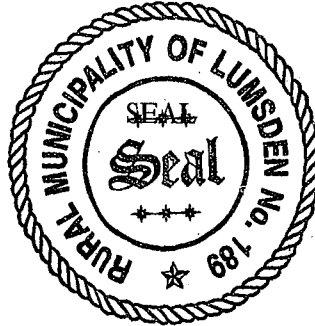
# The Rural Municipality of Lumsden No. 189

## Zoning Bylaw

Being Schedule "A" to Bylaw No. 7-2012  
of the Rural Municipality of Lumsden No. 189



(Reeve)



(Chief Administrative Officer)





## Amendments to Zoning Bylaw No. 07/2012

- Bylaw No. 09-2013**                      Zoning Map Amendment - October 8, 2013
- Rezone Webfam subdivision (ptn. NE ¼ 18-19-20-W2) from M1 - Industrial District (by contract) to M - Industrial District.
  - Delete the M1 - Industrial District.
- Bylaw No. 13-2013**                      Text Amendment - October 8, 2013
- Add new definitions for the following terms: bakeries, butcher shop, dairy processing, “distilleries, wineries and breweries”, farmer’s market and farm stand.
  - Deleted and replaced “Keeping of Animals Regulations” in the CR1 - Low Density Country Residential District, CR2 - Medium Density Country Residential District, CR3 - High Density Country Residential District and R1 - Low Density Valley Residential District.
  - Bakeries, butcher shops, dairy processing, “distilleries, wineries and breweries”, farmer’s markets and farm stands are all added as discretionary land-uses to the A-Agriculture District.
  - The list of discretionary uses in the R1-Low Density Valley Residential District is deleted and replaced with a new list.
  - Development standards for institutional uses in the R1 - Low Density Valley Residential District is deleted and replaced with a new development standards.  
**(contact municipal office for full list)**
- Bylaw No. 14-2013**                      Zoning Map Amendment - November 12, 2013
- Rezone Wirtz subdivision (ptn. SE ¼ 33-19-20-W2) from A - Agriculture District to CR2 - Medium Density Country Residential District.
- Bylaw No. 01-2014**                      Zoning Map Amendment - February 28, 2014
- Rezone a portion of SE ¼ 04-20-21-W2 from CR1 - Low Density Country Residential District to CR2 - Medium Density Country Residential District.
- Bylaw No. 03-2014**                      Text Amendment - March 14, 2014
- Definition for the term “garden suite” is deleted and replaced with a new term.
  - A new definition for the term “garage suite” is added.
  - A new subsection related to special standards and regulations for garage suite regulations is added.
  - A new section is added that address temporary accommodation and use.
  - Garden suites are changes from a permitted use to a discretionary use in the A - Agriculture District.
  - Garage suites (with development standards) are added to the A - Agriculture District as a discretionary use.
  - Garage suites (with development standards) are added to the CR1 - Low Density Country Residential District as a discretionary use.
  - In the CR1 - Low Density Country Residential District, the term “distilleries, wineries and breweries” is amended to read as follows: “distilleries, wineries and breweries, including restaurant facilities, orchards, vineyards and other associated uses.”

- Garage suites (with development standards) are added to the CR2 - Medium Density Country Residential District as a discretionary use.
- Garage suites (with development standards) are added to the CR3 - High Density Country Residential District as a discretionary use.
- Garage suites (with development standards) are added to the HDMU - High Density Mixed Use Residential District as a discretionary use.
- Garage suites (with development standards) are added to the R1 - Low Density Valley Residential District as a discretionary use.
- The list of commercial discretionary uses in the R1 - Low Density Valley Residential District is deleted and replaced with a new list.
- Home based business is added to the R1 - Low Density Valley Residential District as a permitted accessory use.
- Standards for garage suites in the R1 - Low Density Valley Residential District are added.
- Standards for garage suites in the R2 - Medium Density Valley Residential District are added.
- Garage suites (with development standards) are added to the R2 - Medium Density Valley Residential District as a discretionary use.
- A list of permitted accessory buildings and uses is added to the R2 - Medium Density Valley Residential District.
- Garage suites (with development standards) are added to the R3 - Planned Valley Residential District as a discretionary use.
- Standards for garage suites in the R3 - Planned Valley Residential District are added.

**Bylaw No. 04-2014**

## Zoning Map Amendment - June 23, 2014

- Rezone Parcel 7, Plan 95R37747 in SW ¼ 30-19-21-W2 from R1 - Low Density Valley Residential District to A - Agriculture District.

**Bylaw No. 07-2014**

## Text Amendment - September 5, 2014

- The “General Regulations” section of the bylaw is amended by adding a new subsection which addresses the building area of accessory buildings.
- A subsection is added which clarifies the situation of accessory buildings in situations where accessory buildings are greater than that of the principal.
- New setbacks for accessory buildings in residential and country-residential districts are added.
- Regulations for accessory buildings in the HDMU - High Density Mixed Use Residential District are amended.

**Bylaw No. 12-2014**

## Text Amendment - November 21, 2014

- Added discretionary use criteria for “farm dwellings”.
- Changes “Farm Dwellings” from a permitted use to a discretionary use in the A - Agriculture District.
- “Solids and liquid waste management or disposal facilities, subject to Section 4.14.6” is added as a permitted use in the R3 - Planned Valley Residential District.

- Bylaw No. 03-2015** Zoning Map Amendment - June 24, 2015
- Rezone portion of NW ¼ 32-19-21-W2 from A - Agriculture District to C2 - Highway Commercial District.
- Bylaw No. 06-2015** Zoning Map Amendment - June 24, 2015
- Rezone Parcel F, Plan 101959577 in the SW ¼ 36-19-21-W2 from Agriculture District to C2 - Highway Commercial District.
- Bylaw No. 11-2015** Text Amendment - August 5, 2015
- A definition for term “Industrial Complex” is added.
  - “Use Specific Discretionary Use Evaluation Criteria” is added for “industrial complexes” and “temporary stockpiling of gravel, clay sand or other materials”.
  - The regulations for “One Principal Building Per Site” are amended by stating that “industrial complexes” may have more than one principal building per site.
  - “Temporary stockpiling of gravel, clay, sand or other similar materials:” is added as a discretionary resource-based use in the A - Agriculture District.
  - “Ambulance Stations” and “Auto Towing and Limousine Services” are added as permitted uses in the M - Industrial District.
  - “Industrial Complexes” are added as a discretionary use in the M - Industrial District.
  - “Construction Trades Establishments” are added as a permitted use in the M - Industrial District.
- Bylaw No. 03-2016** Text and Zoning Map Amendment - May 13, 2016
- A definition for the term “Sand and Gravel Extraction Industry” is added.
  - A definition for the term “Sand and Gravel Extraction, Private” is added.
  - The definition for the term “site frontage” is deleted.
  - A new definition is added for the term “Site Width”, which also specifies how site width is measured on rectangular sites and non-rectangular sites.
  - “Section 3.7.4 Use Specific Discretionary Use Criteria” is amended by renumbering subsections 22, 23 and 24.
  - The \$250.00 single parcel country residential subdivision fee is expanded to also apply to single parcel commercial & industrial subdivisions, boundary alterations and parcel tie code removals.
  - The maximum combined area of all detached accessory buildings in the R2 - Medium Density Valley Residential, CR2 - Medium Density Country Residential and CR3 - High Density Country Residential districts are changed. Provisions are also put in place to potentially allow the maximum combined area of accessory buildings to exceed the maximum site area specified; given certain conditions.
  - The regulations for “Setbacks from Roads” are amended.
  - “Sand and Gravel Extraction, Private” is added as a permitted use in the A - Agriculture District.
  - The maximum site area development standard in the A - Agriculture District are deleted for the following uses: “Modular Home Courts”, “Kennels”, “Machine Shops and Metal Fabricators”, “Outfitter Base Camps”, “Veterinary Clinics and Hospitals, Including Large Animal Boarding”, “Detention Centers and Correctional Institutions”, “Places of Worship”, Solid and Liquid Waste Disposal Facilities, Including Soil Farms

for Rehabilitation of Contaminated Soils, Subject to Section 3.6.3(11) of the Official Community Plan” and “Solid Waste Disposal Sites, Sewage Lagoons, Pesticide Container Collection Sites and Associated Facilities”.

- The commercial uses in the A - Agriculture District are renumbered.
- A new footnote related to special limitations and standards for Table 6-1 and the A - Agriculture District. The footnote states that the total area of a private sand and gravel extraction use shall not exceed 0.4 hectares.
- A provision related to maximum density in the HDMU - High Density Mixed Use Residential District is added.
- Regulations for home-based businesses in the R1 Low Density Valley Residential District are deleted.
- The regulations for the “Keeping of Animals” in the R2 - Medium Density Valley Residential District are replaced with a new set of regulations.
- The Zoning District Map from Section 17 are amended by replacing sheets 1 and 2 (of 11) with new sheets 1 and 2.

**Bylaw No. 04-2016**

Zoning Map Amendment - July 4, 2016

- Rezone Parcel C, Plan 70R00362 in SE ¼ 04-20-21-W2 from CR1 - Low Density Country Residential District to CR2 - Medium Density Country Residential District.

**Bylaw No. 12-2016**

Zoning Map Amendment - October 13, 2016

- Rezone portion of NE ¼ 31-19-21-W2 from partially A - Agriculture District and partially to C2 - Highway Commercial District to full C2 - Highway Commercial District.

**Bylaw No. 07-2017**

Text Amendment - July 25, 2017

- The list of development types that do not require development permits is amended by stating that farm buildings and structures under 50 m<sup>2</sup> and circular grain storage bins where accessory to a permitted agriculture use are exempt. Prior to this, all accessory farm buildings and structures accessory to a permitted agricultural use where exempt (excluding any intensive livestock operation structure and new dwelling).
- The conditions for homebased business in the R1, CR1, CR2, CR3 and HDMU districts are also applied to the R2 and R3 district.
- “Indoor and Outdoor Storage Rental Facilities” is added as a permitted use to the M - Industrial District.

**Bylaw No. 01-2018**

Zoning Map Amendment - June 14, 2019

- Rezone portion of E ½ 06-20-21-W2 from A - Agriculture District to C2 - Highway Commercial District.

**Bylaw No. 04-2018**

Text and Zoning Map Amendment - January 24, 2019

- A definition for the term “Commercial Complex” is added.
- A definition for the term “Dwelling Manufacturing (Off-Site)” is added.
- “Use Specific Discretionary Use Evaluation Criteria” is added for “Commercial Complexes”.
- The regulations for “One Principal Building Per Site” are amended by stating that “commercial complexes” may have more than one principal building per site.
- “Commercial Complex” is added as a discretionary use to the C1- General Commercial District and C2 - Highway Commercial District.

- “Dwelling Manufacturing Facility (Offsite)” is added a discretionary use to the C2 - Highway Commercial District and M - Industrial District.
- Rezone a portion of SW ¼ 17-19-19-W2 from A - Agriculture to C2 - Highway Commercial.

**Bylaw No. 06-2018**

Zoning Map Amendment - December 14, 2018

- Rezone SE ¼ 04-19-20-W2 Ext. 95 from A - Agriculture District to C2 - Highway Commercial District.

**Bylaw No. 14-2018**

Zoning Map Amendment - February 7, 2019

- Rezone portion of SE ¼ 05-20-19-W2 from A - Agriculture District to CR1 - Low Density Country Residential District.

**Bylaw No. 15-2018**

Zoning Map Amendment - December 6, 2018

- Rezone portion of NE ¼ 11-20-22-W2 and Parcel A, Plan No. 101292487 from A - Agriculture to C2 - Highway Commercial.

**Bylaw No. 16-2018**

Zoning Map Amendment - December 6, 2018

- Rezone LSD 11-01-19-21-W2 Ext. 284 from R1 - Low Density Valley Residential District to A - Agriculture District.

**Bylaw No. 18-2018**

Text Amendment - February 7, 2019

- The definition for the term “Agriculturally Related Commercial and Industrial Uses” is deleted and replaced with a new definition.
- A definition for the term “Cannabis” is added.
- The definition for the term “Farm Operation” is deleted and replaced with a new definition.
- A definition for the term “Cannabis Production Facility” is added.
- A definition for the term “Cannabis Production Facility (micro)” is added.
- The definition for the term “Greenhouse” is deleted and replaced with a new definition.
- A definition for the term “Greenhouse (commercial)” is added.
- Standards and regulations for “Cannabis Production Facilities” are added.
- “Cannabis Production Facility” is added to the A - Agriculture District as a discretionary use.
- The term “Nurseries, Greenhouses and Garden Centres” is changed to “Nurseries, Greenhouses (commercial) and Garden Centres” in Table 14-1 and Table 15-1.
- “Cannabis Production Facility” and “Cannabis Production Facility (micro)” are added to the M - Industrial District, C2 - Highway Commercial District and C1 - General Commercial District as discretionary uses.

**Bylaw No. 03-2019**

Zoning Map Amendment - June 3, 2019

- Rezone Parcel A, Plan 101446736 Ext. 264 from A - Agriculture District to C2 - Highway Commercial District.

**Bylaw No. 19-2019**

Text Amendment - January 23, 2020

- Add “Distilleries, Wineries and Breweries” as a discretionary use in the M - Industrial District.

- Bylaw No. 2020-02** Text Amendment – June 29, 2020
- Add that the Development Officer shall give written notice to assessed owners of property within 1.6 kilometre radius of the legal boundaries of the land(s) proposed for a rezoning.
- Bylaw No. 2020-06** Text Amendment – September 17, 2020
- Add a definition for “Agricultural Tourism Use”.
  - Add regulations for “Agricultural Tourism Use”.
  - Add “Agricultural Tourism Use” as a discretionary use in the Agriculture District.
- Zoning Map Amendment – September 17, 2020
- Rezone Parcel A, Plan 101442989 Ext. 253 from A - Agriculture District to the CR2 - Medium Density Country Residential District.
- Bylaw No. 2020-14** Zoning Map Amendment – February 4, 2021
- Consolidate and update Zoning Maps
- Bylaw No. 2021-04** Text Amendment – January 6, 2022
- Add a definition for “Residential Homestay”
  - Add a definition for “Short term Accommodation”
  - Add regulations for “Residential Homestays”
  - Add “Residential Homestays” as a discretionary use in the A – Agriculture, CR1 – Low Density Country Residential, CR2 – Medium Density Country Residential, R1 – Low Density Valley Residential, R2 – Medium Density Valley Residential, and R3 – Planned Valley Residential Districts.
- Bylaw No. 2021-08** Text Amendment – June 20, 2022
- Amend section 4.14.20 to include residential zoning districts
  - Add “Cannabis Production Facilities (micro)” as a discretionary use in the CR1 – Low Density Country Residential and the R1 – Low Density Valley Residential Districts
- Bylaw No. 2021-10** Text Amendment – June 20, 2022
- Add subsection 3.16 regarding Specific Development Permit Requirements for Architectural Control Districts
  - Add “Architectural Control Overlay District (AC)” to subsection 5.1.1
  - Add “Section 17.0 AC – Architectural Control Overlay District” regarding regulations and development standards for AC districts
  - Renumber and rename “Section 17.0 Maps” to “Section 18.0 Maps”
  - Add Appendix A
- Map Amendment – June 20, 2022
- Rezone the Hamlet of Deer Valley from R3 – Planned Valley Residential District to R3-AC – Planned Valley Residential District - Architectural Control Overlay District
- Bylaw No. 2021-12** Text Amendment – June 28, 2022
- Amend section 4.14.1 regarding development standards for home based businesses
  - Add section 4.14.23 regarding development standards for Equestrian Centres

- Delete “Home based businesses and farm based businesses” from Table 6-1 as a discretionary land use in the A – Agriculture District
- Change “Home based businesses” in Table 6-1 from a permitted to a discretionary land use in the A – Agriculture District
- Add “Cannabis Production Facilities (micro)” and “Equestrian Centres” to Table 6-1 as discretionary uses in the A – Agriculture District
- Add “Residential Homestay” to Table 7-1 as a discretionary land use in the CR1- Low Density Residential District



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## **1.0 INTRODUCTION**

### **1.1 Title**

This Bylaw shall be known as the “Zoning Bylaw of the Rural Municipality of Lumsden No. 189”.

### **1.2 Scope**

All development within the limits of the Municipality shall be in conformity with the provisions of this bylaw, subject to the right of appeal provisions of the Act.

### **1.3 Purpose**

This is a Bylaw to control the use and development of the land in the Municipality and assist in implementing the Official Community Plan.

### **1.4 Severability**

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

### **1.5 Transition**

Pursuant to Section 257 of *The Planning and Development Act, 2007 (the Act)*, every agreement, contract, subdivision approval or power entered into, undertaken or exercised pursuant to *The Planning and Development Act, 1983*, or a zoning bylaw enacted thereto continues in force under *the Act* (and this zoning bylaw) until it is amended, repealed or replaced as authorized by *the Act*.

## 2.0 INTERPRETATION

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

**Above Ground Fuel Storage Tank:** means a tank which is 90% above the surface of the ground, which is used by a fuel dealer to dispense gasoline or diesel fuels.

**Accessory Building or Use:** means a building or use which:

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

**(Revised Bylaw 07-2014 - September 5, 2014)**

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

**Agriculturally related commercial and industrial uses:** means:

- (a) grain and seed storage, cleaning and drying;
- (b) fertilizing mixing sales (subject to provincial regulations);
- (c) livestock and poultry breeding services;
- (d) abattoirs; and,
- (e) other agriculturally related services, excluding Cannabis Production Facilities.

**(Revised Bylaw 18-2018 - February 7, 2019)**

**Agricultural Tourism Use:** means a tourism oriented commercial land use related to the retail sale of products or the provision of entertainment associated with an agricultural operation or a rural environment and without limiting the generality of the above includes:

- (a) historical farms;
- (b) educational tours, demonstrations, or workshops;
- (c) farm zoos;
- (d) gift shops;
- (e) restaurants;
- (f) event venues;
- (g) art galleries;

(h) cultural entertainment facilities; and

(i) photography.

**(Revised Bylaw No. 2020-06 - September 17, 2020)**

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

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

**Animal Unit:** means the kind and number of animals calculated in accordance with the following:

KIND OF ANIMAL	NUMBER THAT EQUALS ONE ANIMAL UNIT
(1) <u>Poultry</u>	
a) hens, cockerels, capons	100
b) chicks, broiler chicken	200
c) turkeys, geese, ducks	50
d) ostrich	7
e) emu	16
(2) <u>Hogs</u>	
a) boars or sows	3
b) gilts	4
c) feeder pigs	6
d) weanling pigs	20
(3) <u>Wild Boars</u>	
a) boars or sows	3
b) gilts	4
c) feeder pigs	6
d) weanling pigs	20
(4) <u>Sheep</u>	
a) rams or ewes	7
b) lambs	14
(5) <u>Goats, Llamas, Alpacas, etc.</u>	7
(6) <u>Cattle</u>	

	a) cows or bulls	1
	b) feeder cattle	1.5
	c) replacement heifers	2
	d) calves	4
(7)	<u>Horses</u>	
	a) colts or ponies	2
	b) other than colts or ponies	1
(8)	<u>Other</u>	
	a) bison cows or bulls	1
	b) bison calves	4
	c) elk, reindeer	4
	d) deer	7

**Auction Market:** means building, structure, or lot, or part thereof, used as a premises where goods and materials that are to be sold by public auction.

**Applicant:** means a developer or person applying for a development permit under this bylaw.

**Bakeries:** means facilities for the mixing, compounding or baking bread, biscuits, cakes or other baked products including the sale of baked products and other food products.

**(Revised Bylaw 13-2013 - October 8, 2013)**

**Bed and Breakfast Home:** means a dwelling unit in which the occupants thereof use a portion of the dwelling unit for the purpose of providing, for remuneration, sleeping accommodation and one meal per day to members of the general public, for periods of one week or less, and in which:

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

**Buffer Area:** means a strip of land, vegetation or a land use that physically separates two or more different land uses by a distance as identified in this bylaw.

**Building:** means a structure used for the shelter or accommodation of persons, animals, or chattels.

**Building Bylaw:** means any bylaw of the Rural Municipality of Lumsden No. 189 regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

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



**Building Height:** means the vertical distance of a building measured from grade level to the highest point of the roof surface, if a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof (refer to Figure 2-1).

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

**Building Permit:** means a permit issued under a building bylaw of the municipality authorizing the construction of all or part of any building.

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

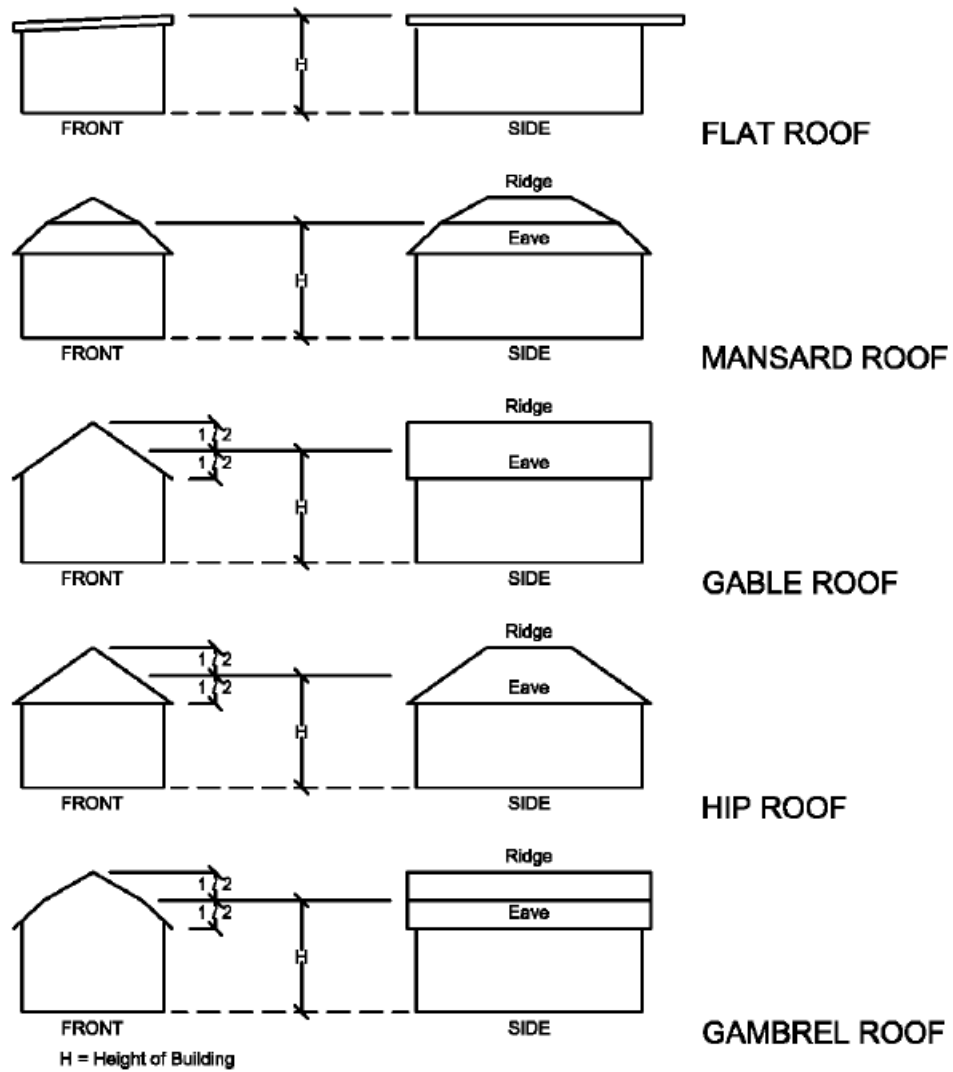
**Building Setback:** means the distance from the curb or other established line within which no buildings may be erected.

**Business Dwelling:** means an accessory dwelling unit accessory to a commercial or industrial use in a commercial or industrial zoning district that is intended to accommodate an owner, manager, employee of the company who must live onsite to accomplish their tasks.

**Butcher Shop:** means facilities for the butchering of animals for food including the retail sale of meat and other food products.

**(Revised Bylaw 13-2013 - October 8, 2013)**

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



**FIGURE 2-1: Interpretation of Building Height Measurement**

**Campsite:** means a designated and delineated area within a campground, tourist camp or trailer court that is intended to accommodate a single tent, tent party or trailer coach.

**Cannabis:** means as defined in *The Cannabis Act (Canada)*.  
(Revised Bylaw 18-2018 - February 7, 2019)

**Cannabis Production Facility:** means a facility approved under federal and provincial regulations, that is used in whole or in part for the planting, cultivation, testing, harvesting, processing and distribution of the cannabis plant and any of its derivatives.  
(Revised Bylaw 18-2018 - February 7, 2019)

**Cannabis Production Facility (micro):** means a Cannabis Production Facility located within a building that has less than 200m<sup>2</sup> of production space.  
(Revised Bylaw 18-2018 - February 7, 2019)

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

**Chief Administrative Officer:** means the Chief Administrative Officer of the R.M. of Lumsden No. 189.

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

**Commercial Complex:** means a group of two (2) or more attached or detached independent principal buildings located on the same site and which are not for long-term human habitation and where each form of development comprising of the complex is a permitted or approved discretionary use in the Zoning District in which the complex is located.  
(Revised Bylaw No. 04-2018 - January 24, 2019)

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

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

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

**Council:** means the Council of the Rural Municipality of Lumsden No. 189.

**Custodial Care Facility:** means either:

- (a) a facility for the temporary detention or open custody of persons pursuant to the provisions of *The Youth Criminal Justice Act (Canada)* or *The Summary Offences Procedure Act, 1990 (Saskatchewan)*; or,
- (b) a facility for the accommodation of persons participating in a community training program pursuant to *The Correctional Services Act*.

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

**Dairy Processing:** means facilities for the processing and sale of dairy products such as cheese, cream, yogurt, ice cream and other goods, but not including facilities for the keeping, rearing, or milking of animals.

**(Revised Bylaw 13-2013 - October 8, 2013)**

**Day Care Centre:** means a facility for the non-parental care of over four (4) preschool age children on a daily basis and licensed under *The Child Care Act*.

**Deck:** means a raised open platform, with or without rails, attached to a principal building.

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

**Development Appeals Board:** means a board required by Section 49 of *The Planning and Development Act* to be established in every zoning bylaw, which may be a District Development Appeals Board if municipalities have authorized an agreement pursuant to subsection 214(3).

**Development Permit:** means a document authorizing a development issued pursuant to this Bylaw.

**Development Officer:** means an employee of the R.M. of Lumsden No. 189 appointed by R.M. Council to act as a Development Officer to administer this Bylaw.

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

**Distilleries, Wineries and Breweries:** means facilities for the production of alcoholic and other beverages, including the distillation, aging, blending, fermenting, bottling, storage, distribution, promotion and sale of said beverages.

**(Revised Bylaw 13-2013 - October 8, 2013)**

**Dugout:** means an earthen excavation designed to collect and store runoff.

**Dwelling Group:** means a group of two or more detached one unit dwellings, two unit dwellings or multiple unit dwellings or combinations thereof occupying the same site.

**Dwelling Manufacturing Facility (Off-Site):** means a development which used for the manufacturing/assembly, display and/or sale of Modular Dwellings, Ready-to-move (RTM) dwellings, and/or Manufactured Homes. Dwellings/homes may be constructed indoors or outdoors, in whole or in part and sold in separate, partly assembled pieces or as a completed dwelling unit.

**(Revised Bylaw No. 04-2018 - January 24, 2019)**

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

**Dwelling, Semi-Detached:** means a dwelling unit on its own site, attached to another dwelling unit on its own site, with a common wall dividing the two dwelling units throughout at least 40% of the length of the entire structure, measured from the front to the rear building lines.

**Dwelling, Single Detached:** means a detached building consisting of one dwelling unit as herein defined, but shall not include a mobile home or prefabricated home as herein defined.

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

**Educational Institution:** means post-secondary college, university or technical institution, but shall not include a private school.

**Equestrian Centre:** means a facility at which horses are boarded, exercised or trained in equestrian skills or at which equestrian competitions are held.

**Estimated Peak Water Level (E.P.W.L.):** means the calculated water level used to determine the flood hazard area. It is based on the 1:500 peak flow for rivers, and the higher of the 1:500 peak calm level or the 1:100 peak calm level with a 1:5 wind from the most critical direction for most lakes.

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

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

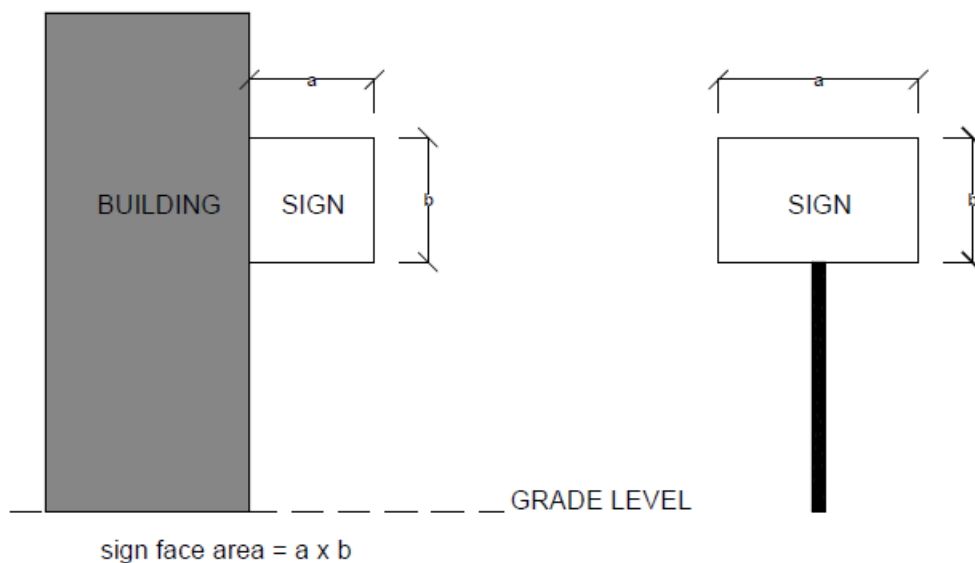
**Farm:** means the land, buildings, and machinery used in the commercial production of farm products.

**Farm Dwelling:** means an accessory dwelling on a farm that is intended to accommodate farm workers.

**Farm Based Business:** means an occupation carried on by the operators of a farm, ancillary to the principal use.

**Farm Operation:** means conditions or activities which occur on a farm in connection with the commercial production of farm products, including agroforestry, but not including Intensive Livestock Operations, Intensive Agricultural Operations and cannabis production and cultivation.

**(Revised Bylaw 18-2018 - February 7, 2019)**



**FIGURE 2-2: Calculation of Sign Face Area**

**Farm Product:** means those plants and animals useful to man and including, but not limited to:

- (a) forages and sod crops;
- (b) grains and feed crops;
- (c) dairy and dairy products;
- (d) poultry and poultry products;
- (e) livestock, including breeding and grazing;
- (f) fruits;
- (g) vegetables;
- (h) flowers;
- (i) seeds;
- (j) grasses;
- (k) trees;
- (l) apiaries and honey production;
- (m) equine and other similar products; and,
- (n) other product which incorporate the use of food, feed, fibre or fur.

**Farmer's Market:** means a permanent structure, operated on a seasonal or year-round basis, which allows for agricultural producers to retail their products and agriculture-related items directly to consumers and enhance income through value-added products, services and activities.

**(Revised Bylaw 13-2013 - October 8, 2013)**

**Farm Stand:** means a direct marketing operation without a permanent structure and only offering outdoor shopping. Such an operation is seasonal in nature and may feature locally-produced agricultural products, enhanced agricultural products, and handmade crafts. Farm stands are typically operated by one producer or group of producers.

**(Revised Bylaw 13-2013 - October 8, 2013)**

**Fence:** means an artificially constructed barrier erected to enclose or screen areas of land.

**Financial Institution:** means a bank, credit union, trust company, or similar establishment.

**Flankage:** means the side site line of a corner site which abuts the street.

**Flood Hazard Area:** means the flood hazard area means the area below the E.P.W.L. The flood hazard area has two zones; the Flood Fringe and the Floodway.

**Flood Fringe:** means a zone within the flood hazard area where some types of development may occur if suitably flood-proofed. The Flood Fringe is typically defined as that portion of the flood hazard area where:

- (a) depth of inundation above natural ground is less than 1.0 metre;

- (b) flow velocities are less than 1.0 metre per second; and,
- (c) encroachment (fill) into the Flood Fringe would raise upstream water levels by less than 0.3 metres.

**Floodway:** means a zone within the flood hazard area where typically only necessary infrastructure is allowed (eg. water intakes and outfalls, bridge piers and abutments, etc.) or development that is of low value and non-obstructive (eg. parks, nature areas, parking lots, and recreational trails). The Floodway contains the deepest, fastest, and most destructive floodwaters and is typically defined as that portion of the flood hazard area where:

- (a) depth of inundation above natural ground is more than 1.0 metre;
- (b) flow velocities are greater than 1.0 metres per second; or,
- (c) encroachment (fill) into the Floodway would raise upstream water levels by more than 0.3 metres.

**Flood Proofing:** means techniques or measures taken to permanently protect a structure or development from flood damage. These can include measures such as elevating building (eg. building on fill or piers), constructing dykes, creating upstream storage, diversions, and channelization.

**Foreshore:** means the Crown Land lying between the shore of any watercourse and registered surface parcels.

**Garden Suite:** shall mean a self-contained dwelling unit that is accessory to a one unit dwelling or farm dwelling.

**(Revised Bylaw 03-2014 - March 14, 2014)**

**Garage Suite:** shall mean a self-contained dwelling unit that is attached to a detached garage, and that is accessory to a one unit dwelling or farm dwelling.

**(Revised Bylaw 03-2014 - March 14, 2014)**

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

**Greenhouse:** means a building with glass or clear plastic walls and roof for the cultivation and exhibition of plants under controlled conditions.

**(Revised Bylaw 18-2018 - February 7, 2019)**

**Greenhouse (commercial):** means a greenhouse that includes a retail aspect catering to the general horticulture needs of the general public for financial gain and includes outdoor storage of landscaping supplies, but excludes the growth of cannabis.

**(Revised Bylaw 18-2018 - February 7, 2019)**

**Hazard Land:** means land which may be subject to flooding, ponding, slumping, subsidence, landslides, erosion, or contamination by hazardous material.

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



- (a) corrosives;
- (b) explosives;
- (c) flammable and combustible liquids;
- (d) flammable solids. substances liable to spontaneous combustion, substances that on contact with water emit flammable gases;
- (e) gases, compressed, deeply refrigerated, liquefied or dissolved under pressure;
- (f) oxidizing substances; organic peroxides;
- (g) poisonous (toxic) and infectious substances;
- (h) radioactive materials;
- (i) waste Dangerous Materials; and,
- (j) any other environmentally hazardous substance.

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

**Highway Sign Corridor:** means 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 regulations of the Department of Highways and Transportation entitled "*The Erection of Signs Adjacent to Provincial Highway Regulations, 1986*", as may be amended from time to time.

**Home Based Business:** means an occupation carried on by the occupants of a residence ancillary to a principal use.

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

**Industrial Complex:** means a building or group of buildings, located on the same site and managed as a single unit, in which individual spaces are leased to permitted or discretionary industrial uses, associated business and office support services and off street parking and loading facilities. No spaces within an industrial complex may be used for human habitation.

**(Revised Bylaw 11-2015 - August 5, 2015)**

**Intensive Agricultural Operation:** means an intensified system of tillage from the concentrated raising of crops for market and without restricting the generality of the above includes:

- (a) sod farms;
- (b) market gardens;
- (c) greenhouses;
- (d) nurseries and other similar uses; and
- (e) u-pick operations.

**Intensive Livestock Operation (ILO):** means the operation or facilities for rearing, confinement or feeding of poultry, hogs, sheep, goats, cattle horses or domesticated game animals, in such numbers that the facility and portion of a site used for the operation:

- (a) will contain 300 or more animal units; and,
- (b) provides less than 370 m<sup>2</sup> of space for each animal unit contained therein.

**Intersection:** means an area where two or more streets or lanes meet or cross at grade.

**Irrigation System:** means a permanent underground or temporary above grade watering network for use during plant establishment period and times of drought.

**Junk and Salvage Yards:** means uses including, but not limited to, uses involved in salvaging, storing or selling scrap metal, paper, plastic, glass, wood and other waste material, as well as unlicensed vehicles and used vehicle parts.

**Kenel:** means the accommodation of dogs, cats or other domestic animals for commercial purposes.

**Landscaping:** means the modification and enhancement of a site through the use of any or all of the following elements:

- (a) *hard landscaping:* means landscaping consisting of non-vegetative materials, such as brick, stone, concrete, tile and wood, but excluding monolithic concrete and asphalt.
- (b) *soft landscaping:* means landscaping consisting of vegetation, such as trees, shrubs, hedges and grass.
- (c) *architectural elements:* means landscaping consisting of wing walls, sculptures, etc.

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

**Liquid Manure Lagoon:** earthen structures designed to provide biological treatment and long term storage of animal waste. These structures may be either in-ground (earthen structures or concrete tanks) or above-ground (concrete or steel tanks).

**Loading Space:** means a space, measuring at least 2.4 metres in width and 8.4 metres in depth, located on a site, and having access to a street or lane, in which a vehicle may park to load or unload goods.

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

**Manure Storage Facility:** Confinement locale, constructed either as an open lot or enclosed, roofed structure, associated with modern livestock production facilities. Manure storage facilities are now classified primarily on the type and consistency of manure to be handled in the system (liquid and solid).

**Mineral Resource Processing:** means the blasting, crushing, washing, screening, weighing, sorting, blending and/or refining of mineral resources.

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

**Mobile Home:** means a trailer coach:

- (a) that is used as a dwelling all year round;
- (b) that has water faucets and shower or other bathing facilities that may be connected to a water distribution system;
- (c) that has facilities for washing and a water closet or other similar facility that may be connected to a sewage system; and,
- (d) that conforms to *Canadian Standards Association, Construction Standard No. Z240.2.1-1979* and amendments thereto.

**Modular Home Court:** means any parcel of land on which two or more occupied modular homes are located and includes any structure used or intended to be used as part of the equipment of such modular home court.

**Modular Home Subdivision:** means any residential subdivision of land containing lots under either freehold or leasehold tenure for the purpose of accommodating mobile homes in such a manner that each mobile home is situated on its own lot and in which all such lots, public open spaces, internal streets and lanes, buffer zones and other amenity areas form a contiguous area of development.

**Modular Unit:** means a factory built frame or shell which comprises supporting and non-supporting walls, siding and other components of a prefabricated home representing only a section of a dwelling and has neither chassis, running gear nor its own wheels.

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

**Modular Home, Single Wide:** means a modular home that is designed to be moved and placed onto a permanent foundation as a whole unit in a single load and which is less than 5 metres in width.

**Modular Home, Double Wide:** means a modular home that is designed to be moved and placed onto a permanent foundation in two or more modular units that, when joined together, exceed 8 metres in width.

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

**Motor Vehicle, Farm and Heavy Equipment Use:** means any building, premises or land in which or upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sales of accessories or equipment for trucks or similar commercial vehicles.

**Municipal Facility:** means land and / or structures owned by the Municipality that are used for:

- (a) office and meeting space;
- (b) storage of municipal equipment and supplies;
- (c) recreation; and/or,
- (d) other institutional purposes.

**Municipality:** means The Rural Municipality of Lumsden No. 189.

**Nacelle:** means the framing and housing at the top of a wind tower that encloses the gearbox and generator.

**Noise Receptor:** means permanent or seasonal residences, hotels/motels, nursing/retirements homes, rental residences, hospitals, campgrounds, and noise sensitive buildings such as schools and places of worship.

**Non-Conforming Building:** means a building:

- (a) that is lawfully constructed or lawfully under construction, or in respect of which all required permits have been issued, at the date a Zoning Bylaw or any amendment to this Bylaw affecting the building or land on which the building is situated or will be situated becomes effective; and,
- (b) that on the date this Bylaw or any amendment to this Bylaw becomes effective does not, or when constructed will not, comply with this Bylaw.

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

**Non-Conforming Use:** means a lawful specific use:

- (a) being made of land or a building or intended to be made of land or a building lawfully under construction, or in respect to which all required permits have been issued, on the date of this bylaw or any amendment hereto becomes effective; and,
- (b) that on the date this Bylaw or any amendment hereto becomes effective does not, or in the case of a building under construction or in respect of which all required permits have been issued, will not comply with this Bylaw.

**Non-Participating Noise Receptor:** means a noise receptor on a property that is not associated with the wind energy facility by means of legal agreement for the installation and operation of a wind turbine or wind turbines and/or equipment, machinery and structures utilized in connection with the conversion of wind to electrical energy which is located on that property.

**Office and Office Building:** means 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 trade are stored, transhipped, sold or processed.

**Official Community Plan (OCP):** means the Official Community Plan Bylaw, as most recently amended, for the R.M. of Lumsden No. 189.

**Outfitter Base Camp:** means a commercial recreation facility that provides outfitting services by a licensed outfitter and which may include accommodation licensed under *The Public Accommodation Regulations* and the storage and provision of related outfitting equipment, or the dressing, butchering, cleaning or freezing of game or fish, as part of the service.

**Outfitting Equipment:** means equipment and supplies, including boats, canoes and other water vessels, aircraft, motor vehicles, motors, fuel, fishing and hunting gear and any other equipment for use in:

- (a) hunting, taking or catching wildlife;
- (b) angling, taking or catching fish; and/or,
- (c) ecotourism, including the viewing and photographing of natural areas, flora and fauna.

**Parking Lot:** means an open area of land, other than a street, used for the temporary parking of more than four vehicles and available for public use whether cost-free, for a fee or for accommodation of clients or customers.

**Parking, Off-Street:** means accommodation for the parking of vehicles off a public street or lane.

**Parking Space, Vehicle:** means a space within a building or parking lot for the parking of one vehicle, having minimum dimensions of 2.4 metres wide by 5.5 metres deep, and which has access to a developed street or lane.

**Participating Noise Receptor:** means a property that is associated with the Wind Energy Facility by means of a legal agreement with the property owner for the installation and operation of a wind turbine or wind turbines and/or equipment, machinery and structures utilized in connection with the conversion of wind to electrical energy which is located on that property.

**Permitted Use:** means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

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

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

**Preschool:** means a facility which provides a program for preschool aged children.

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

**Principal Use:** means the main activities conducted on a site.

**Public Hospital:** means a hospital operated by the Regional Health Authority.

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

**Public Work:** means:

- (a) systems for the production, distribution or transmission of electricity;
- (b) systems for the distribution, storage or transmission of natural gas or oil;
- (c) facilities for the storage, transmission, treatment, distribution or supply of water;
- (d) facilities for the collection, treatment, movement or disposal of sanitary sewage;

- (e) telephone, internet, cable television or light distribution or transmission lines; and,
- (f) facilities for the collection, storage, movement and disposal of storm drainage.
- (e) point-to-point and point-to-multi-point wireless communication facilities and towers including cellular, radio and television broadcasting, using a variety of technologies.

**Recreational Facility, Commercial** - Shall mean a recreation or amusement facility operated as a business and open to the general public for a fee.

**Recreational Facility, Public** - Shall mean a recreation or amusement facility operated by the province, municipality, or a non-profit organization and open to the general public.

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

**Recreational Vehicle, Park Model:** means a unit designed to be towed by a heavy-duty tow vehicle but is of restricted size and weight so that it does not require a special highway movement permit. The maximum width when being towed is 2.6 metres. Designed for infrequent towing it is not fitted with a 12-volt system for fixtures and appliances. Once on site in the set-up mode it must be connected to local utilities. This recreational vehicle is built on a single chassis mounted on wheels. It usually has one or more slide-outs, but when in set-up mode the gross trailer does not exceed 37.2 square metres. It conforms to the CSA Z-240 standard for vehicles.

**Reeve:** means the Reeve of the Rural Municipality of Lumsden No. 189.

**Rental Suite:** means dwelling unit located within, and accessory to, a single detached dwelling, including the development or conversion of basement space or above-grade space to a separate dwelling unit, or the addition of new floor space to an existing single detached dwelling.

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

**Residential Homestay:** a dwelling unit where short-term accommodation is provided without meals. **(Revised Bylaw 04-2021 – January 6, 2022)**

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

**Retail / Service Commercial:** means the sale or display of merchandise to the public, including the storage of merchandise on or about the premises in quantities sufficient only to supply the establishment or establishments engaged in such merchandise sales, or providing the care of a person or their apparel and accessories, including but not limited to childcare services, beauty salons and barber shops, massage services, health clubs, tanning beds, spas, esthetician services, laundry services, laundromats, dry cleaning, shoe repair, tailor or seamstress services, photographic studios and other similar uses, including the provision of health related services.

**Rotor:** means the blades and hubs of a wind turbine that rotate during its operation.

**Safe Building Elevation (S.B.E.):** means the level defined by The Ministry of Municipal Affairs at time of subdivision and by municipal bylaw to which flood-proofing must be undertaken for developments in the flood hazard area. The S.B.E. is calculated as the E.P.W.L. plus a freeboard value. The freeboard allows for uncertainties in the calculations, and for other possible hazards such as ice shove, ice jams, and erosion. The Saskatchewan Watershed Authority usually recommends a freeboard of 0.5 m for most situations. For dykes used as flood-proofing, a freeboard of 0.6 m is usually recommended. In areas with high uncertainty in the hydrology or hydraulic response of the lake or river, a freeboard of up to 1.0 m may be recommended.

**Sand and Gravel Extraction Industry:** means the extraction, crushing, washing, screening, weighing, sorting, blending, refining, and stockpiling of sand and gravel for commercial or industrial use.  
(Revised Bylaw 03-2016 - May 13, 2016)

**Sand and Gravel Extraction, Private:** means the small-scale extraction of sand or gravel for strictly private use by an individual on privately-owned land. (Revised Bylaw 03-2016 - May 13, 2016)

**Sanitary Landfill Disposal Site:** means a facility where waste is isolated from the environment until it is safe. It is considered safe when it has completely degraded biologically, chemically and physically.

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

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

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

**Sewage Lagoon:** means a waste stabilization pond providing primary and/or secondary treatment of sewage effluent, but not including a private sewage lagoon serving one residential dwelling unit.  
(Revised Bylaw 04-2021 – January 6, 2022)

**Short Term Accommodation:** the provision of sleeping and bathing quarters for a period of not more than 30 days.

**Sight Triangle:** means the triangular area formed, on corner sites, by the intersecting front and side site lines at a street intersection and the straight line joining said site lines (refer to Figure 2-3).

**Sign:** means any writing (including letter or word), billboard, pictorial representation (including illustration or decoration), emblem (including devise, symbol or trademark), flag (including banner or pennant), or any other figure of similar character which:

- (a) is a structure or any part thereof, or is attached to, painted on, or in any manner represented on a building;
- (b) is used to announce, direct attention to, or advertise a use or building; or,
- (c) is visible from outside the building.



**Sign, Area Identification:** means a sign which identifies a cluster subdivision development or industrial area by means of a name, identifying symbol or logo, but does not include any advertising of companies, products or services.

**Sign, Billboard:** means a large poster panel with a maximum single sign face not to exceed 23.23 m<sup>2</sup> or a painted bulletin and includes any structure, panel, board or object designed exclusively to support such poster, panel, or a painted bulletin. These signs typically advertise off-site products and services.

**Sign Face Area:** means the area of the single face of any sign.

**Sign, Temporary:** means a removable sign erected for a period of time not exceeding six months.

**Site:** means one or more contiguous lots under one title and used, or intended to be used, by a single principal use.

**Site, Corner:** means a site at the intersection or junction of two (2) or more streets (refer to Figure 2-4).

**Site, Interior:** means a site other than a corner site (refer to Figure 2-4).

**Site Plan:** A plan, to scale, showing uses and structures proposed for a parcel of land. It includes lot lines, streets, building sites, preserved open space, buildings, major landscape features, and locations of proposed utility lines.

**Site, Through:** means a site not more than one lot in depth, having a frontage on two streets more or less parallel (refer to Figure 2-4).

**site Coverage:** means that portion of the site that is covered by principal and accessory buildings.

**Site Drainage Plan:** means a plan which shows the existing and proposed topography of a site, with contour intervals and drawn to scale, with appropriate dimensions and sufficient spot elevations to adequately demonstrate to the Development Officer that the proposed drainage pattern will not have an adverse affect on neighbouring properties and streets.

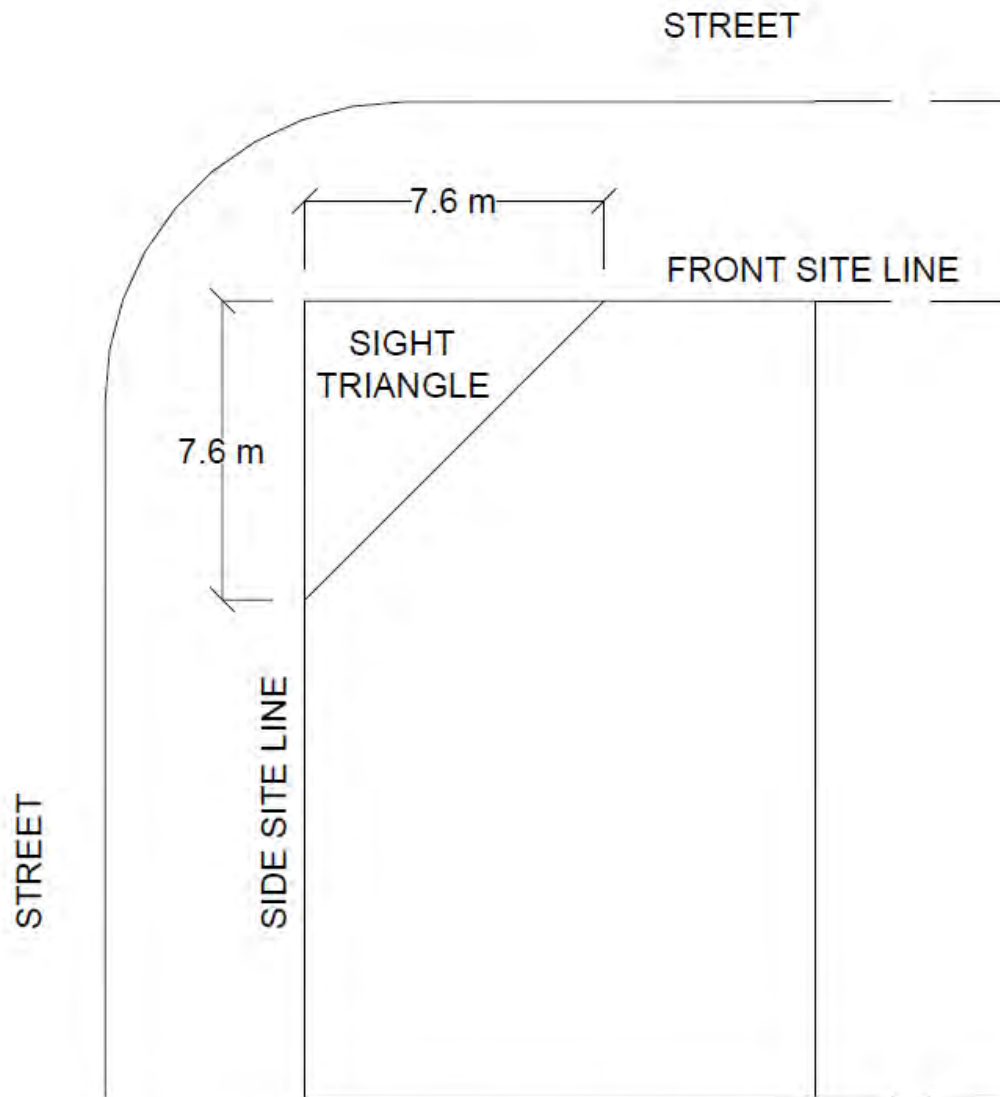


FIGURE 2-3: Sight Triangle

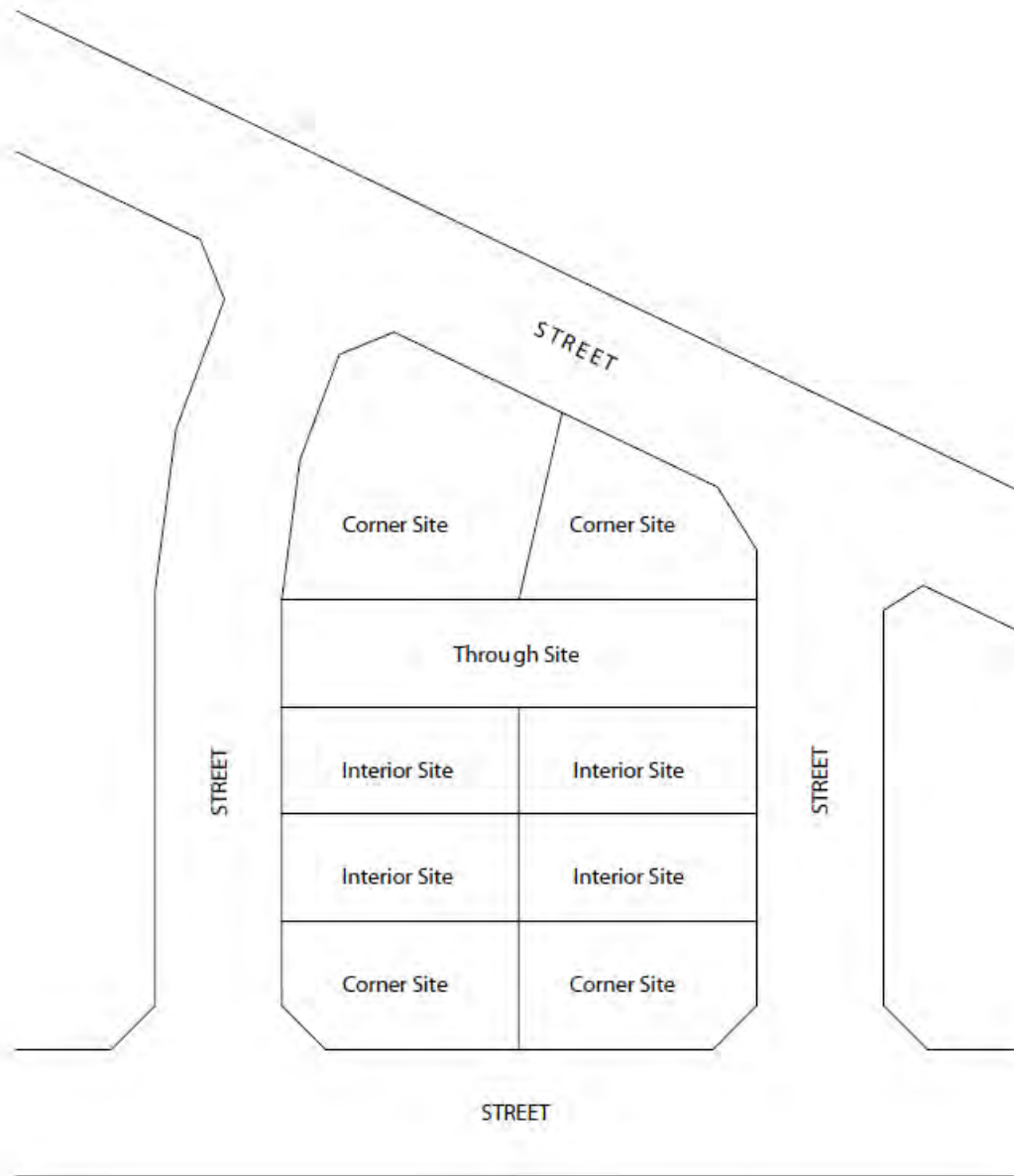


FIGURE 2-4: Illustration of Site Definition

**Site Line, Front:** means the boundary at the front of the site.

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

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

**Site Width:**

- (a) for Rectangular Sites: means the horizontal distance between the side site lines measured along the front site line.
- (b) for Non-Rectangular Sites: means the average of the horizontal distances between the side site lines measured along the front and rear site lines.

**(Revised Bylaw 03-2016 - May 13, 2016)**

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

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

**Subdivision:** means a division of land as described in the regulations pursuant to *The Land Surveys Act, 2000*.

**Telecommunications Facility:** mean:

- (a) microwave towers, including mobile (cellular) phone towers and associated facilities;
- (b) internet receiving and/or transmittal towers and associated facilities;
- (c) radar stations;
- (d) radio and television towers and associated facilities; and,
- (e) any other tower or structure used for receiving and/or transmitting electromagnetic radiation.

**Tourism Base Camp:** means a commercial recreation facility which provides outfitting services for the viewing of natural areas and wildlife, but not including services for hunting, taking, catching or angling of wildlife or fish, and which may include accommodation licensed under *The Public Accommodation Regulations* and the storage and provision of related outfitting equipment.

**Tourist Camp:** means a facility which has two or more cabins for the accommodation of the travelling public and may also have provision for the accommodation of trailers, tent trailers, tents and recreational vehicles.

**Training Centre:** means an establishment which conducts technical training and instruction in a technical subject or trade.

**Trailer Coach:** means any vehicle used or constructed in such a way as to enable it to be used as a conveyance upon public roads or highways and includes a self-propelled or non-self-propelled vehicle designed, constructed or reconstructed in such a manner as to permit occupancy as a dwelling or sleeping place for one or more persons notwithstanding that its running gear is removed or that it is jacked-up.

**Trailer Court:** means a site for the accommodation of two or more camp sites for trailer coaches, including any building or structure used or intended for use as part of the equipment for such trailer court, but does not include an industrial or construction camp.

**Transformer Substation:** means a central facility comprised of a power transformer(s), disconnect and interrupting devices, support structures and associated controls and equipment such as cooling fans for transforming the electrical outputs from the wind turbine generators to a higher voltage for input to the grid transmission system.

**Trapping:** means the taking of fur animals by a trapper licensed under the *Wildlife Act, 1998* and associated regulations, by means of traps, where the trapper has several traps operating at one time and checks them in a planned and regular manner, and may include temporary accessory buildings secondary and accessory to the use.

**Truck Stop:** means any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sales of accessories or equipment for trucks or similar commercial vehicles. A truck stop shall also be defined to include those overnight accommodations and restaurant facilities primarily for the use of truck crews.

**Use:** means the purpose or activity for which a piece of land or its buildings is designed, arranged or occupied or maintained.

**Use, Agricultural Related Commercial:** means a service to the agricultural community such as grain and seed cleaning and drying, fertilizer distribution, implement and machinery assemblage, sale and service, veterinary clinics, hatcheries, apiaries, bulk fuel sales, stock yards, feed mills, oil seed processing plants, and other similar uses.

**Use, General Industrial:** means any of the following activities:

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

**Use, Hazardous Industrial:** means an industrial use involving the manufacturing, storage, processing, transshipment, collection, treatment or disposal of hazardous materials or chemicals (specifically excluding agricultural fertilizer, herbicide or pesticide warehousing and/or sales facilities, depots for the collection of farm chemical containers, and ethanol and biodiesel plants and associated production facilities).

**Veterinary Clinic:** means a place for the care and treatment of small and/or large animals involving out-patient care and medical procedures involving hospitalization, and may include the keeping of animals in outdoor pens.

**Warehouse:** means a building used primarily for the storage of goods and materials.

**Waste Management or 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 manure storage area for an intensive livestock operation.

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

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

**Wind Energy Facility:** means a single wind turbine and all equipment, machinery and structures utilized in connection with the conversion of wind to electrical energy. This may include, but is not limited to, all associated transmission, storage, collection and supply equipment, substations, transformers, site access, service roads and machinery.

**Wind Farm:** means a wind energy facility consisting of two or more wind turbines.

**Wind Turbine:** means a device that converts kinetic energy of the wind into rotational energy to turn an electrical generator shaft. A wind turbine typically consists of a rotor, nacelle, unit transformer and supporting tower. The height of a wind turbine tower is measured from the base of the tower foundation to the highest point of the blades at their apex.

**Wind Turbine Setback:** means the measured horizontal distance from the centre line or point of a wind turbine or transformer substation to the nearest part of a public road or railway or property boundary.

**Yard:** means an unoccupied space open to the sky on the same site with a building or structure as defined by this Bylaw.

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

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

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

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

## 3.0 ADMINISTRATION

### 3.1 Development Officer

3.1.1 The Rural Municipal Administrator (Administrator) shall be the development officer responsible for the administration of this Bylaw. The Administrator may appoint a Development Officer subject to the approval of Council, to whom duties in the administration of the Zoning Bylaw may be delegated.

### 3.2 Application For a Development Permit

3.2.1 Except as provided in Section 3.3, no person shall undertake a development or commence a use unless a Development Permit has first been obtained. A Development Permit cannot be issued in contravention of any of the provisions of this Bylaw subject to Sections 225 and 226 of *The Act*.

3.2.2 All residences require a development permit, including farm residences.

3.2.3 Intensive livestock and poultry operations with 300 or more animal units shall be considered intensive livestock operations under this bylaw and will also require a Development Permit.

### 3.3 Development Not Requiring a Permit

3.3.1 Developments which do not require a development permit include:

(1) Accessory Farm Buildings and Structures: Farm buildings and structures, with a building floor area less than 50m<sup>2</sup> and circular grain storage bins, where accessory to a permitted agriculture use, but excluding any Intensive Livestock Operation structure or new dwelling.

**(Revised Bylaw 07-2017 - July 25, 2017)**

(2) Small Accessory Buildings: Single storey accessory buildings with a building floor area less than 9.3 m<sup>2</sup> or 15 m in height and which will be accessory to a lawful use within the Zoning Districts established by this Bylaw, provided the use meets the Building Setback Requirements of the applicable Zoning District.

(3) Public Works: Any operation for the purposes of inspecting, repairing, or renewing sewers, mains, cables, pipes, wires, tracks or similar public works as required by a public utility, and the installation of service connections to property in the municipality.

Note: a permit is required for the installation of new transmission lines for public works defined herein.

(4) Signs: Subject to the provisions of Section 4.10 of this bylaw.

(5) Maintenance: Maintenance and repairs that do not include any structural alterations.

(6) Fences

(7) Trapping

- (8) Temporary Confinement of Livestock: The temporary confinement of livestock during the winter months as part of a farm operation.
- (9) Linear Public Utilities: Any operation to install, inspect, repair, or renew lines for sewers, potable water, cables, wires or similar public works as required by a public utility except where the line will cross or lie within the limits of a public road.
- (10) Petroleum or natural gas wells or extraction wells: These facilities are exempt only where legal and physical access to the proposed well site has been previously approved by an R.M. permit and may be issued under the authority of *The Municipalities Act*. Related facilities such as storage batteries shall require a Development Permit.

3.3.2 Development listed in Section 3.3.1 of this Bylaw must be allowed in the zoning district in which they are located and must comply with the regulations of this Bylaw.

### 3.4 Other Permit Requirements

- 3.4.1 A building permit shall not be issued unless a Development Permit, where required, has also been issued.
- 3.4.2 Nothing in this Bylaw shall exempt any person from complying with the requirements of a building bylaw or any other bylaw in force within the Municipality, or from obtaining permission required by this or any other bylaw in the Municipality, the province or the federal government.
- 3.4.3 Where the provisions in this Bylaw conflict with those of any other municipal, provincial or federal requirement, the higher and/or more stringent standards shall prevail.

### 3.5 Application Requirements

- 3.5.1 Except in the case of applications for a home based business, every application for a development permit and every application for a discretionary use shall be accompanied by the following:
  - (1) the names, addresses and telephone numbers of the applicant, property owner and person or consultant who prepared the plans being submitted, including a local contact person.
  - (2) the proposed use of the site or building to be constructed, or the proposed use of the existing building floor area to be altered or occupied, including the area of the proposed building or renovations.
  - (3) the complete legal description of the subject property.
  - (4) a copy of a site plan, drawn to scale with appropriate dimensions, showing the following information:
    - (a) north arrow, roads adjacent to the site, all property boundaries, identified frontage of site, site area, site elevations, and the location of any existing buildings, structures, utility poles and wires, underground utilities, easements, building encroachments, and type and location of existing trees;
    - (b) the location and size of proposed buildings or structures, including all front, side and rear yard setback dimensions where relevant;
    - (c) the location and size of all entrances and exits to the site; and,



- (d) the method and location of on-site sewage disposal facilities and, where proposed, manure storage facilities.

3.5.2 For certain developments or discretionary uses, additional information shall be required in support of the application, as follows:

- (1) Mobile Home Court, Modular Home Court, Campground, Tourism Base Camp, Tourist Camp, Outfitter Base Camp, and Trailer Court:

An applicant for a discretionary use approval for the above-uses shall provide documentation to Council's satisfaction:

- (a) a plan of the site, identifying any buildings, uses of land and the location of all roadways, buildings, structures, mobile home sites and campsites with dimensions. The addition or rearrangement of sites or accommodation facilities, the construction or moving of buildings, material changes in use of portions of land, or the filling or clearing of land shall require a development permit, and the applicant shall submit for approval an amended plan incorporating the proposed development.

- (2) Intensive Livestock Operation:

An applicant for a discretionary use approval for an Intensive Livestock Operation shall provide documentation, to Council's satisfaction:

- (a) of distances to the nearest land uses, development types and municipal limits, whether within the Municipality or within an adjacent municipality, listed in Section 6, Table 6-1 of the Official Community Plan and measured as specified in the notes to that table;
- (b) that the water supply is sufficient for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation;
- (c) of proposed methods of manure management, including on-site storage or stockpiling, transportation, and spreading, incorporation or disposal;
- (d) of proposed odour management and control measures, including proposed odour management and control related to earthen manure storage facilities and liquid manure lagoons, and odour management and control measures related to the ventilation of hog or poultry barns;
- (e) of the location and extent of sufficient lands to be used for the spreading of manure from the ILO, as well as proposals for the annual confirmation of the continued availability of such lands;
- (f) of the proposed methodology for monitoring on-site and neighbouring wells for water quality and quantity purposes after the ILO has begun operation, and for reporting on same to Council; and,
- (g) with applications for wild boar and other exotic species operations, expansions or alterations, a containment plan, setting out in detail the techniques and methods to be used to keep the animals contained.

## (3) Intensive Agricultural Operation:

An applicant for a discretionary use application for an intensive agricultural operation where intensive irrigation is required shall provide documentation, to Council's satisfaction:

- (a) that the water supply is sufficient for the development and that the supply for neighbouring developments will not be adversely affected by the proposed operation.

## (4) Commercial / Industrial Use:

An applicant for a discretionary use approval for a commercial or industrial use may be required to provide:

- (a) documentation, to Council's satisfaction as specified in Section 3.5.3(2) of the Official Community Plan and documentation that the locational criteria in Section 3.5.3(11) of the Official Community Plan are satisfied.

## (5) Hazardous Industrial Use:

An applicant for a discretionary use approval for a hazardous industrial use shall provide documentation, to Council's satisfaction:

- (a) of distances to the nearest land uses, development types and municipal limits, whether within the Municipality or within an adjacent municipality, listed in Section 6, Table 6-1 of the Official Community Plan and measured as specified in the notes to that table (refer to Section 3.5.3(15) of the Official Community Plan); and
- (b) of the distance to the nearest permanent surface water course or permanent water body.

## (6) Solid or Liquid Waste Management or Disposal Facility:

An applicant for a discretionary use approval for a public work in the form of a solid or liquid waste management or disposal facility shall provide documentation, to Council's satisfaction:

- (a) of distances to the nearest land uses, development types and municipal limits, whether within the Municipality or within an adjacent municipality, listed in Table 6-1 of the Official Community Plan and measured as specified in the notes to that table (refer to Section 3.6.3(8) of the Official Community Plan).

## (7) Dwelling in Country Residential Zoning District:

An application for a dwelling in any residential zoning district or the High Density Mixed Use Residential District shall provide:

- (a) a copy of a site drainage plan, drawn to scale, with appropriate dimensions except for the following:
  - (i) Development that does not involve the erection of any buildings or changes in site grades.

## (8) Wind Energy Facilities (one turbine)

An application for a wind energy facility shall provide documentation, to Council's satisfaction as follows:

- (a) A site location plan showing the subject property, adjacent roads, railways, telecommunications facilities (to ensure avoidance of microwave transmission corridors), property lines and all habitable buildings within one 1.6 km (1 mile) of the proposed development.
- (b) A detailed site plan drawn to scale showing the location of the proposed wind turbine(s) and all associated facilities indicating cable locations for domestic useage and power grid connections, existing vegetation, proposed access and landscaping.
- (c) Confirmation of site ownership by the proponent or where the land is not owned by the proponent evidence of site control and right to access through provisions of a lease or easement agreement with the owner.
- (d) Proponents are responsible for obtaining any required federal or provincial permits, licences and approvals for construction and maintenance of wind energy conversion facilities and must remit a copy to the municipality.
- (e) Details respecting the colour and markings for the proposed tower including required lighting in accordance with federal aviation requirements.
- (f) Validation by a professional engineer of the structural integrity of the proposed supporting tower and foundation or a description of required manufacturing specifications.

## Wind Energy Facilities (two or more turbines)

- (g) A site location plan showing the subject property, adjacent roads, railways, telecommunications facilities (to ensure avoidance of microwave transmission corridors), property lines and all habitable buildings within 1.6 km (1 mile) of the proposed development.
- (h) A detailed site plan drawn to scale showing the location of the proposed wind turbine(s) and all associated facilities indicating cable locations for domestic useage and power grid connections, existing vegetation, proposed access and landscaping.
- (i) Confirmation of site ownership by the proponent or where the land is not owned by the proponent evidence of site control and right to access through provisions of a lease or easement agreement with the owner.
- (j) Proponents are responsible for obtaining any required federal or provincial permits, licences and approvals for construction and maintenance of wind energy conversion facilities and must remit a copy to the municipality.

- (k) Details respecting the colour and markings for the proposed tower including required lighting in accordance with federal aviation requirements.
  - (l) Validation by a professional engineer of the structural integrity of the proposed supporting tower and foundation or a description of required manufacturing specifications.
  - (m) Illustration of sight line vistas from residential buildings within one (1) mile of the proposed development utilizing photographic representations of the development area;
  - (n) A decommissioning plan addressing the manner of physical removal of the facility, removal of any hazardous materials and site restoration to a natural condition, should the use of the facility be discontinued.
- (9) New Communal Water or Sewer System:
- (a) an application for any new communal water system or communal sewer system shall include a copy of the system drawings, as required by the *Public Health Act, 1994* and associated regulations or *The Environmental Management and Protection Act* and associated regulations.

(10) Gravel Operations:

An application for a discretionary use approval for the excavating, stripping or grading of sand, gravel, clay or similar materials, such as gravel pits and gravel crushing operations, shall include the following documentation:

- (a) a plan showing the location of the area of the operation relative to the site boundaries, the depth of excavation, and the quantity of material to be removed;
- (b) a plan showing the distances to the adjoining land uses as listed in “Table 6-1 – Required Separation Distances Between Uses” of the Official Community Plan;
- (c) a description of the excavation, stripping or grading operation proposed;
- (d) a detailed timing and phasing program covering the time span of the proposed operation;
- (e) a description of reclamation and rehabilitation measures to be conducted both during and following the operation consistent with *The Reclamation Guidelines for Sand and Gravel Operations* provided by the Ministry of Environment. Those guidelines recommend that “reclamation practices should ensure a physical stabilization of the soils and achieve a sustainable land use so that the land may be returned to a productive state as soon as possible after the operation has completed”, and that “reclamation operations should be carried out concurrently with extraction”;
- (f) a description of the measures to be taken for the prevention and lessening of dust and other nuisances during and after the operation; and,
- (g) road maintenance measures and proposed truck routes.

Council may impose requirements in addition to those set out above. Council may also require a performance bond by any person or company undertaking any work outlined in (e) above to ensure that the development is carried out in the manner specified. The amount of the performance bond is to be set at the discretion of Council.

Council shall enter into a formal Road Maintenance Agreement with the Developer or Contractor.

### 3.6 Development Permit Application Process

- 3.6.1 The Development Officer shall review all applications for completeness and shall inform an applicant whose application is not complete, of the information or documentation required to complete the application, and that the application will not be considered until it is complete.
- 3.6.2 The Development Officer may submit any application to Council for a decision on the interpretation of the bylaw, or on special conditions provided in the bylaw, and shall inform the applicant of this action. Council or the Development Officer may require the applicant to provide such further information as may be required to make a decision.
- 3.6.3 Upon completion of the review of a complete application for development, the Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Zoning Bylaw, the Official Community Plan and *The Act*.
- 3.6.4 Where an application is made for a development permit with respect to a development for a discretionary use which has been approved by Council, the Development Officer shall issue a development permit subject to any specified development standards prescribed by Council Pursuant to Section 56(3) of *The Act*.
- 3.6.5 Every decision of the Development Officer with respect to an application for a development permit shall be in writing and a copy of the decision shall be sent to the applicant.
- 3.6.6 The Development Officer may revoke a development permit where:
- (1) the development permit has been issued in error; and/or,
  - (2) an approved development is not being developed or operated in accordance with the provisions of this Zoning Bylaw, or in accordance with the standards and conditions specified in the development permit.
- 3.6.7 The Development Officer shall give the reasons for denying or revoking a development permit.

### 3.7 Discretionary Use Applications

- 3.7.1 The following procedures shall apply to discretionary use applications:
- (1) Applicants must file with the Development Officer a development permit application, a site plan, and other plans and information as required by the Development Officer and pay the required application and public hearing fees.
  - (2) The application will be examined by the Development Officer for conformance with the Official Community Plan, this Zoning Bylaw and any other applicable policies and regulations.

- (3) The Development Officer may request comments from other government agencies, where applicable.
- (4) The Development Officer will prepare a report concerning the application including recommendations that conditions be applied to an approval.
- (5) The Development Officer will set a date for the meeting at which the application will be considered by Council and will give notice by ordinary mail to assessed owners within 75 metres of the boundary of the applicant's land or, for the following uses, to the assessed owner of each property within 1.6 km (1 mile) of the proposed discretionary use:
  - (a) a commercial use in a hamlet or country residential district;
  - (b) any new Intensive Livestock Operation or expansion or alteration to an Intensive Livestock Operation;
  - (c) kennels; or
  - (d) wind energy conversion facilities including wind farms.
- (6) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council.
- (7) Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site.
- (8) The Development Officer shall notify the applicant of Council's decision by ordinary mail addressed to the applicant at the address shown on the application form.

### 3.7.2 *Discretionary Use Evaluation Criteria*

Council will apply the following general criteria, and where defined, use specific criteria, in the assessment of the suitability of an application for a discretionary use or discretionary form of development.

- (1) The proposal must be in conformance with all relevant sections of the Official Community Plan and Zoning Bylaw and must demonstrate that it will maintain the character, density and purpose of the zoning district where necessary through the provisions of buffer areas, separation and screening.
- (2) The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.
- (3) The proposal must not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
- (4) The proposal must provide sufficient landscaping and screening, and, where possible, shall preserve existing vegetation.
- (5) The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not

possible, further appropriate provisions shall be made so as to ensure no adverse parking or access affect occur.

- (6) Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment such as the cumulative effect of locating an activity that may currently generate traffic, noise, etc. not in keeping with the character of the adjacent area.
- (7) Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.
- (8) All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.
- (9) Proposals for discretionary use which may result in heavy truck traffic, particularly in commercial and industrial districts, should be located to ensure that such traffic takes access to or from major streets or designated truck routes.

### 3.7.3 *Terms and Conditions for Discretionary Use Approvals*

- (1) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. In approving any discretionary use, to minimize land use conflict, Council may prescribe specific development standards related to:
  - (a) site drainage of storm water;
  - (b) the location of buildings with respect to buildings on adjacent property;
  - (c) access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic;
  - (d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
  - (e) control of noise, glare, dust and odour;
  - (f) landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties;
  - (g) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs;
  - (h) prescribed specified time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and;
  - (i) intensity of use.
- (2) Council may approve discretionary use applications for a limited period of time where it is considered important to monitor and re-evaluate the proposal and its conformance with the objectives of this Bylaw.
- (3) Council's approval of a discretionary use application is valid for a period of 12 months from the date of the approval. An approval shall be deemed to be invalid if the proposed

use or proposed form of development has not commenced within that time or if the Council determines, within the 12 month period, that the proposed development is not proceeding in accordance with the terms and conditions of its approval. The Development Officer shall advise the applicant and Council when a prior approval is no longer valid.

- (4) Council may direct that a discretionary use permit extension be granted for an additional 12 month period by the Development Officer, upon request of the applicant.
- (5) If an approved discretionary use or form of development ceases to operate for a period of twelve (12) months or more, the discretionary use approval shall no longer be valid. The Development Officer shall advise the owner and Council when a prior approval is no longer valid.
- (6) Council may instruct the Development Officer to issue a notice of refusal to the applicant, where the applicant has been given adequate opportunity to alter the proposal to comply with the Bylaw. The notice shall state the reason for refusal.
- (7) Prior to issuance of a development permit for the establishment of a gravel pit or gravel crushing operation, Council may require the developer to enter into an agreement, pursuant to Section 235 of *The Act*, to define the responsibilities of the operator and operation requirements. Any of the following criteria, along with any additional criteria in accordance with an agreement set by Council and the developer, may be prescribed in such an agreement, subject to 3.7.4 (21) of this Bylaw:
  - (a) conditions respecting the operation of the pit or quarry;
  - (b) responsibilities of the developer and/or operator concerning the reclamation of the site;
  - (c) the routing of trucks to and from the site;
  - (d) the planting of trees on and/or near the site, and/or in another location to the satisfaction of Council;
  - (e) the erection of fencing and signs;
  - (f) the maintenance of municipal roadways; and/or
  - (g) the posting by the developer of a performance bond to guarantee adherence to the above or any other requirements that Council may specify.

#### 3.7.4 Use Specific Discretionary Use Evaluation Criteria

Council will apply the following use specific criteria to the assessment of the suitability of an application for a particular discretionary use or discretionary form of development.

- (1) Bus Terminals and Car Washes:
  - (a) The location of the bus terminal or car wash will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
    - (i) municipal servicing capacity;



- (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation; and/or,
  - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians.
- (b) Bus terminals are also subject to 4.14.11
- (2) Convenience Stores:
  - (a) Convenience stores should be located on corner sites only.
  - (b) The location of the convenience store will only be favourably considered where it can be demonstrated that residential amenity will not be unreasonably compromised.
  - (c) Vehicle car parking and access areas should not form a dominant element in the streetscape.
  - (d) Any new parking and loading areas should be landscaped to improve the visual appearance of this site.
- (3) Community Service Uses, Clubs, Places of Worship, Public and Commercial Recreation Facilities:
  - (a) Schools, clubs and places of worship should, where possible, be located on corner sites to facilitate access.
  - (b) Public elementary and secondary schools should, where possible, be located adjacent to public open spaces.
  - (c) The site should be accessible from a major road network to avoid heavy traffic volumes on residential access roads.
  - (d) Consideration should be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
  - (e) Vehicle car parking and access areas should not form a dominant element in the streetscape.
- (4) Dwelling Groups
  - (a) All parking areas, private garages or vehicular access to units or sites within a dwelling group should be from a roadway which is common property internal to the parcel.
  - (b) All dwelling groups should have vehicular access to a public street from at least two points which are sufficiently separated to provide accessible ingress and egress in the case of emergency.
  - (c) The suitability of a proposal will be considered with respect to:
    - (i) the capacity of the adjoining street system to handle the size and location of the development. The development will not cause excessive traffic to pass through adjoining low density residential development;

- (ii) the density of a dwelling group and building separations will be consistent with similar residential structures on separate subdivided parcels; and,
  - (iii) bareland condominium proposals for dwelling groups will only be considered if there is a provision for adequate common property on the parcel.
- (5) Multiple Unit Dwellings:
  - (a) Multiple unit dwellings may be developed where located on a second or higher floor over office, retail, restaurant, cafe and personal service use on the main floor.
  - (b) The parking required for multiple unit dwellings is additional to the parking required for the commercial uses.
  - (c) The suitability of a proposal will be considered with respect to:
    - (i) adherence to any concept plan prepared for the proposed development area, including the proposed location of all forms of multiple unit dwellings;
    - (ii) the convenience of parking; and,
    - (iii) appropriate size and quality of proposed dwelling units.
- (6) Night Clubs and Taverns:
  - (a) The location of the night club will only be favourably considered where it can be demonstrated that the use will have a minimal impact on the amenity of the surrounding district and adjacent areas and that these areas will not be unreasonably compromised.
  - (b) The character of adjacent residential districts, along the zone interface, shall, where possible, be protected and maintained through the provision of buffer areas, separation distances and / or screening.
  - (c) Night clubs and taverns shall maintain the character, density and purpose of the surrounding area and the district they lay within.
- (7) Ambulance Stations:
  - (a) The site shall be accessible from a major road network to avoid heavy traffic volumes on residential access roads.
  - (b) Consideration shall be given to the location of entry and exit points of the site and their relationship with existing intersections and adjacent residential units.
  - (c) The character of adjacent residential uses shall be protected and maintained through the provision of buffer areas, separation distances and screening.
- (8) Restaurants, with or without associated lounges:
  - (a) Restaurants, with or without associated lounges, where possible, should be located near similar community and support facilities.

- (b) The character of adjacent residential districts, along the zone interface, should, where possible, be protected and maintained through the provision of buffer areas, separation distances and / or screening.
- (9) Lumber yards, home improvement centres, building supply establishments and construction trades:
  - (a) The location of lumber yards, home improvement centres, building supply establishments and construction trades will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
    - (i) municipal servicing capacity;
    - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
    - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and/or,
    - (iv) utilization of hazardous substances.
  - (b) All materials and goods used in conjunction with construction trades shall be stored within an enclosed building, or within an area hidden from view by screening.
- (10) Auto body shops, construction trades, freight handling facilities, taxidermy and accessory tanning of hides, warehouses, light manufacturing, and welding and machine shops:
  - (a) The location of the use will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
    - (i) municipal servicing capacity;
    - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
    - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and,
    - (iv) utilization of hazardous substances.
  - (b) Warehouses and freight handling facilities shall be accessible from a major road network to avoid heavy traffic volumes on access roads. Consideration shall be given to the location of entry and exit points to the site and their interrelation with existing intersections or land constraints; and,
  - (c) No outside storage is permitted for a wholesale establishment.
- (11) Light manufacturing:

- (a) All materials and goods used in conjunction with light manufacturing plants shall be stored within an enclosed building, or within an area hidden from view by screening.
  - (b) All manufacturing and assembly operations in conjunction with a light manufacturing plant shall be conducted within an enclosed building.
- (12) Abattoirs:
- (a) Shall be located at least 91.4 metres from residential areas, schools, hospitals, motels and restaurants.
- (13) Tourist campgrounds:
- (a) Wherever possible, and appropriate, any existing trees and mature landscaping shall be retained.
  - (b) Solid waste storage facilities (including adequate space for both recycling and general waste bins shall be provided on-site and appropriately located and screened or landscaped to avoid any adverse visual impact from the road and within the development.
  - (c) There shall be adequate manoeuvring space on-site.
  - (d) The prevention of on-street congestion caused by the ingress and egress of vehicles shall be considered.
- (14) Laundromats:
- (a) The location of laundromats will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have minimal impact on the surrounding, adjacent areas, particularly along the residential zone interface.
  - (b) Consideration shall be given to the area's municipal servicing capacity.
- (15) Golf Courses:
- (a) Consideration will be given to the compatibility of the golf course with adjacent land uses.
  - (b) Insofar as possible, proposed golf courses shall respond to the natural topography and drainways of the site, and employ minimal clearing of native vegetation.
  - (c) Buffers shall be provided to protect existing, adjacent neighbourhoods by mitigating the adverse impacts of sound, visibility and traffic.
  - (d) Council will consider the following as an asset in the development of a golf course:
    - (i) maximum use of existing landforms and native grasses and vegetation;
    - (ii) an alternative water source to potable water; and,

- (iii) water conserving irrigation systems.
- (16) Intensive agricultural uses (excluding livestock):
- (a) The location of agricultural uses will only be favourably considered where it can be demonstrated that the use and intensity is appropriate to the site and that it will have a minimal impact on the surrounding, adjacent areas. Consideration may be given, but is not limited to, the following effects:
    - (i) municipal servicing capacity;
    - (ii) anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation;
    - (iii) anticipated increased levels or types of vehicle traffic, unsafe conditions or situations for vehicles, cyclists or pedestrians; and,
    - (iv) utilization of hazardous substances.
- (17) Accessory Dwelling Units:
- (a) Dwelling units attached to commercial establishments shall have a main entrance separate from that of the commercial establishment. An emergency exit must be provided in addition to the main entrance.
  - (b) The minimum floor area of each dwelling unit shall be 28 square metres.
- (18) Junk and salvage yards and auto wreckers:
- (a) Junk and salvage yards and auto wreckers shall be enclosed by an opaque or solid perimeter fence at least 2.0 m in height, and not more than 5.0 metres in height, with no material piled higher than the height of the perimeter fence.
  - (b) The perimeter fence shall not be located in the required front yard. The required front yard shall be used for no other purpose than landscaping and necessary access driveways to the site.
- (19) Bulk petroleum tanks:
- (a) Shall be located at least 91.4 metres from residential areas, schools, hospitals, motels.
- (20) Livestock auction facilities, meat packing plants, and stockyards:
- (a) Shall be located at least 300 metres from all residential and community service districts.
- (21) Mineral Resource Extraction Industry:
- (a) In reviewing an application, Council shall consider the environmental implications of the operation including plans for site restoration.
  - (b) In addition to the public notification provisions for discretionary uses contained within this Bylaw, Council shall require details of the application be circulated to

property owners adjacent to the proposed haul roads to obtain public input on the proposed site.

- (c) The applicant shall ensure that dust and noise control measures are undertaken at the request of and to the satisfaction of Council, to prevent the operation from becoming an annoyance to neighbouring land owners.
- (d) The applicant shall apply appropriate methods for minimizing the noise created from machinery and equipment through proper location and property screening including locating stock piles to act as a noise barrier.
- (e) The applicant shall keep the site in a clean and tidy condition free from rubbish and non-aggregate debris.
- (f) The disturbed area shall be progressively reclaimed to a land capability equivalent to the pre-disturbance land capability (for example, agricultural land) or a post-disturbance condition and land use (for example, conversion to wetland) which are satisfactory to Council.

(22) Farm Dwellings

An applicant proposing to develop a farm dwelling consistent with the definition for farm dwelling under this bylaw must demonstrate to the satisfaction of Council that the dwelling will be used by the owner in conjunction with the principal use of the subject farm land for agricultural purposes.

**(Revised Bylaw 12-2014 - November 21, 2014)**

**(Revised Bylaw 03-2016 - May 13, 2016)**

(23) Industrial complexes:

- (a) An application for the proposed development of an industrial complex must be accompanied by a plan showing the proposed siting of buildings with provisions for vehicular access and its connection to the municipal road system, internal roads, lanes, parking and loading spaces and proposed landscaping and site drainage considerations. The required parking for an industrial complex shall consist of the combined parking requirement for all its individual proposed industrial uses as provided by **Table 4-1 Parking Requirements**.
- (b) Parking, loading and service areas shall be screened appropriately from view from external road(s).
- (c) Every proposed application for a discretionary use in an industrial complex must demonstrate to Council's satisfaction that the proposed use will maintain the character of the complex and will not be detrimental to the health, safety, convenience and general welfare of adjoining business development.  
**(Revised Bylaw 11-2015 - August 5, 2015)**  
**(Revised Bylaw 03-2016 - May 13, 2016)**

(24) Temporary Stockpiling of Gravel, Clay, Sand or Other Similar Materials:

- (a) Approvals for the temporary stockpiling of gravel, clay, sand or other similar materials shall expire 12 months after the date of issue. If stockpiling is to occur

for more than 12 months on a site, an additional discretionary use approval is required.

- (b) Council may direct where stockpiles are located on a site to minimize the visual impact of the stockpiles on adjacent development.
- (c) The applicant shall ensure that dust and noise control measures are undertaken at the request of and to the satisfaction of Council, to prevent the operation from becoming an annoyance to neighbouring land owners.
- (d) the applicant shall keep the site in a clean and tidy condition, free from rubbish and debris.

**(Revised Bylaw 11-2015 - August 5, 2015)**

**(Revised Bylaw 03-2016 - May 13, 2016)**

(25) Commercial Complexes

- (a) An application for the proposed development of a commercial complex must be accompanied by a plan showing the proposed siting of buildings with provisions for vehicular access and its connection to the municipal road system, internal roads, lanes, parking and loading spaces and proposed landscaping and site drainage considerations. The required parking for a commercial complex shall consist of the combined parking requirements for all its individual proposed commercial uses as provided by **Table 4-1 Parking Requirements**.
- (b) Parking, loading and service areas shall be screened appropriately from view from external road(s).
- (c) Every proposed application for a discretionary use in a commercial complex must demonstrate to Council's satisfaction that the proposed use will maintain the character of the complex and will not be detrimental to the health, safety, convenience and general welfare of adjoining business development.  
**(Revised Bylaw No. 04-2018 - January 24, 2019)**

### 3.8 Validity of a Development Permit

- 3.8.1 If development authorized by a development permit is not commenced within twelve (12) months of the date of issue, the permit ceases to be valid.
- 3.8.2 A development permit extension may be granted for an additional twelve (12) month period by the Development Officer.
- 3.8.3 Permits may be extended by the Development Officer for one or more periods to a maximum of two (2) additional years.

### 3.9 Amending the Zoning Bylaw

- 3.9.1 Any person seeking to amend this Zoning Bylaw may submit an application for such amendment and, upon payment of the required fee, the Development Officer shall refer such application to Council for consideration.
- 3.9.2 Council may authorize a proposed amendment to the Zoning Bylaw, and that amendment may be

adopted by bylaw, subject to Section 3.9.3.

- 3.9.3 Sections 206 - 212 of *The Act* shall govern the process to be followed with respect to public notice and public participation in the adoption of a bylaw proposed to amend this Zoning Bylaw.
- 3.9.4 In addition to the requirements from 3.9.3 from above, for all rezoning bylaw amendments, the Development Officer shall give notice by written notice to assessed owners of property within a 1.6 kilometre (1 mile) radius of the legal boundaries of the land(s) proposed for rezoning. The notice shall be sent out after first reading of a rezoning bylaw amendment and at least 14 full business days before the public hearing for the rezoning bylaw amendment. **(Revised Bylaw No. 02-2020 – June 29, 2020)**

### 3.10 Development Appeals Board

- 3.10.1 Council shall appoint a Development Appeals Board in accordance with Sections 49(j) and 213 to 227 of *The Act*.
- 3.10.2 A person who wishes to appeal to the Development Appeals Board shall, within 30 days of the date of issuance of or refusal to issue a development permit, file a written notice of intention to appeal, and the appeal fee, with the secretary of the Development Appeals Board.
- 3.10.3 A person whose application for a discretionary use or development has been approved with prescribed development standards may appeal any development standards considered excessive, to the Development Appeals Board.
- 3.10.4 An appellant shall make the appeal within 30 days of the date of the issuance of, or refusal to issue, a development permit.
- 3.10.5 Nothing in this section authorizes a person to appeal a decision of the council:
- (1) refusing to amend the Zoning Bylaw; or,
  - (2) rejecting an application for approval of a discretionary use.
- 3.10.6 In making an appeal to the Development Appeals Board, and hearing such appeal, the provisions of *The Act* shall apply.

### 3.11 Minor Variances

- 3.11.1 Council may grant a variance of up to 10% of any yard requirement or minimum required distances between buildings for a use in which a development permit has been issued. All such variances shall be subject to the conditions and granted in accordance with the procedures contained in Section 60 of *The Act*.
- 3.11.2 Council shall maintain a registry of the location and all relevant details of the granting of such variances.



## 3.12 Fees

### *3.12.1 Amendment of the Zoning Bylaw*

In addition to the fees outlined in Section 3.12.2(4), where a person requests Council to amend the Zoning Bylaw, that person shall pay to the municipality a fee equal to the costs associated with the public advertisement of the proposed amendment and the costs associated with providing direct written notice to owners of land that is the subject of the proposed amendment. Council may choose not to proceed with the advertising if it concludes that the proposed amendment is unsuitable or unnecessary.

### *3.12.2 Application fees:*

- (1) An applicant for a development permit shall pay an application fee in accordance with the following:
  - (a) Permitted principal use: \$50.00
  - (b) Permitted accessory use: \$50.00
  - (c) Permitted ancillary use: \$50.00
  - (d) Discretionary principal use \$100.00
  - (e) Discretionary accessory use \$100.00
  - (f) Discretionary ancillary use: \$100.00
  - (g) Development Appeal Fee up to \$50.00 as specified by the Development Appeals Board.

These fees shall be in addition to any fee required by Section 3.12.1 above.

- (2) Subdivision review for all subdivision applications:
  - (a) Single parcel country residential, commercial, industrial, boundary alteration, or parcel tie code removal: \$250.00  
**(Revised Bylaw 03-2016 - May 13, 2016)**
  - (b) Multiple Parcel Country Residential: \$500.00
  - (c) Multiple Parcel Industrial or Commercial: \$500.00
- (3) Detailed review costs:
  - (a) General: Where a development or subdivision proposal involves a detailed R.M. review, a plan or Zoning Bylaw Amendment, a development agreement, a servicing agreement, detailed development conditions, liability insurance, performance bonds, caveats, or R.M. legal and professional planning advice, Council may require the applicant to pay the full cost of the additional application review and administration costs, as Council may determine by resolution.

- (b) Items: Such costs may include Council meetings, R.M. legal and professional planning costs, municipal administration fees and R.M. site inspection fees, as determined by Council.
  - (c) Documentation: Such costs may be addressed and clarified in R.M. Council specified documents, including development and servicing agreements.
- (4) Where a person applies to Council to amend the Zoning Bylaw, that person shall pay to the Municipality the following fees, where applicable:
- (a) Text amendments: \$400
  - (b) Map amendments:  
 Class 1 Districts: A  
 Class 2 Districts: C, M  
 Class 3 Districts: H, CR1, CR2, CR3, HDMU, R1, R2, R3

Zoning Map Amendments		To		
		Class 1	Class 2	Class 3
From	Class 1	\$200	\$400	\$800
	Class 2	\$200	\$400	\$800
	Class 3	\$200	\$400	\$600

Where an application to amend the Zoning Bylaw involves amendment within two or more of the above categories the sum of the amendment fees shall apply for all categories.

These fees shall be in addition to any fee required by Section 3.12.1 above.

### 3.13 Zoning By Agreement

3.13.1 A zoning designation which is subject to an agreement entered into pursuant to the provisions of Section 69 of *The Act* and Section 5.1.4 of the Official Community Plan, shall be indicated on the Zoning District Map by the addition of the bylaw number authorizing the agreement after the zoning district designation.

### 3.14 Offenses and Penalties

3.14.1 Pursuant to Section 242 of *The Act*, the Development Officer may inspect any development suspected of contravening *The Act*, or any regulation or bylaw made pursuant to *The Act*. If it is determined that a contravention exists, the Development Officer may notify the owner in writing and instruct the owner to correct the contravention within a set time period. If for any reason the contravention has not been corrected within that time, the Development Officer may extend the time period or issue a zoning compliance order pursuant to Section 242(4) of *The Act* to achieve bylaw conformance.

3.14.2 Any person who violates this Bylaw is guilty of an offence and is liable, on summary conviction, to the penalties provided by Section 243 of *The Act*.

### 3.15 Building Permits, Licences and Compliance with Other Bylaws

- 3.15.1 Nothing in this Bylaw shall exempt any person from complying with a Building Bylaw, or any other bylaw in force within the Municipality, or from obtaining any permission required by this, or any other bylaw of the Municipality, the Province, or the Federal Government.
- 3.15.2 A building permit, where required, shall not be issued by Council or its agent for a development unless a required development permit has been issued.

### 3.16 Specific Development Permit Requirements for the Architectural Control Overlay District

- 3.16.1. In addition to the requirements of section 3.5, every application for a development permit in the Architectural Control Overlay District for the Organized Hamlet of Deer Valley (R3-AC) shall be accompanied by building construction drawings.
- 3.16.2. The building construction drawings are required to be drawn at a standard metric scale and at a specific detail to allow for compliance with the standards in Appendix “A” and shall include the following:
- (a) fully dimensional and annotated plans of all floors;
  - (b) fully dimensional and annotated elevations of all sides of the building;
  - (c) all materials and colours on all elevations to be listed on elevational drawings, and/or in a finish schedule, detailing:
    - (i) wall cladding, grout, trim, corner boards, door, and window surround;
    - (ii) roof materials;
    - (iii) main roof: soffits, fascia, eavestrough;
    - (iv) porch roof: soffits, fascia eavestrough;
    - (v) porch floors and stairs to the house/porch;
    - (vi) columns and column bases, balustrades; and
    - (vii) windows and doors, including garage doors;
    - (viii) clearly annotated existing finishes and/or materials;
    - (ix) elevations on all floors; and
    - (x) slopes of all roofs.
- 3.16.3. The complete application will be forwarded to the Deer Valley Design Review Committee to determine conformance with the architectural controls attached as Appendix “A” to this bylaw.

The Design Review Committee may request more information from the applicant to assist with the review process.

- 3.16.4. Upon review of the application, the Deer Valley Design Review Committee shall make a recommendation to;
  - (a) Issue a Development Permit;
  - (b) Deny the Issuance of a Development Permit; or
  - (c) Issue a Development Permit subject to specific Terms and Conditions.
- 3.16.5. The Development Officer may issue a development permit without review by the Deer Valley Design Review Committee, for any alteration, or repair to an existing building, where in the opinion of the Development Officer, the intended changes do not significantly alter an existing building or development and are in conformance with the standards attached as Appendix "A".
- 3.16.6. The Development Officer shall notify the applicant of the decision in writing.
- 3.16.7. The applicant will be responsible for any applicable fees associated with the Design Review.

**(Revised Bylaw 10-2021 – June 20, 2022)**

## 4.0 GENERAL REGULATIONS

Except as noted, the following regulations shall apply to all zoning districts in this bylaw:

### 4.1 Frontage On The Road

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

### 4.2 Development on Hazard Land

4.2.1 Where a proposed development of a building is to be located on land considered by Council to be potentially hazardous, including but not limited to a wetland, water body or watercourse where flooding may occur, or a slope that is subject to slumping and erosion, the lands shall be deemed “hazardous” and Council shall require the applicant to submit sufficient topographic information to determine if the development will be within 50 metres of:

- (1) any slope(s) that may be unstable;
- (2) any river or stream flood plain; and/or,
- (3) any other land that may be subject to flooding.

4.2.2 Council may require that before a permit may be issued, the applicant shall submit a report prepared by a professional competent to assess the suitability of the site for a development described in Section 4.2.1, and which in the opinion of Council, shows that the proposed site and development is suitable with respect to the following where relevant:

- (1) the potential for flooding up to the Safe Building Elevation to be determined from specific site investigations, or where not involving any building, such lower elevation as may be suitable for the proposed use.
- (2) the potential for slope instability;
- (3) the required mitigation measures for construction on areas of high water tables, in slopes or on contaminated sites, if any.

4.2.3 Actions identified in an assessment prepared pursuant to Section 4.2.2 which prevent, change, mitigate or remedy hazards in lands deemed hazardous may be incorporated as conditions to issuance of any development permit that may be issued. Council shall refuse a permit for any development for which, in Council’s opinion, the proposed actions are inadequate to address the adverse effects or will result in excessive municipal costs.

### 4.3 Building To Be Moved

4.3.1 No building shall be moved within, or into, the Municipality, without first obtaining a development permit from the Development Officer, except as exempt from requiring a development permit as specified in Section 3.3.1.

### 4.4 Waste Disposal

4.4.1 No development or use of land that requires sewage disposal or landfill facilities shall be permitted unless those facilities are approved by the Regional Health Authority and/or Saskatchewan Environment. Disposal of liquid, solid, or gaseous waste shall be governed by Acts administered by the Departments of Agriculture and Food, Environment, Health and the Saskatchewan Watershed Authority.

### 4.5 Water

4.5.1 Development or use of land shall be permitted where a suitable, potable water supply can be furnished to the requirements of the Regional Health Authority and/or the Saskatchewan Watershed Authority.

### 4.6 Storage of Chemicals, Fertilizers and Combustible Materials

4.6.1 The storage of chemicals, fertilizers and combustible materials are subject to the requirements of both the federal and provincial governments. All necessary approvals from other regulatory agencies must be obtained prior to issuance of a development permit. Development permit conditions may include the requirement that all permits or licenses required by other regulatory agencies be obtained before development proceeds.

### 4.7 One Principal Building Per Site

4.7.1 Not more than one principal building shall be permitted on any one site except for:

- (1) Public works;
- (2) Institutional uses;
- (3) Agricultural uses;
- (4) Dwelling groups;
- (5) Mobile homes in mobile home courts;
- (6) Recreation facilities;
- (7) Schools; or
- (8) Ancillary uses as specifically provided for in this Bylaw

- (9) Industrial Complex  
(Revised Bylaw 11-2015 - August 5, 2015)
- (10) Commercial Complex  
(Revised Bylaw No. 04-2018 - January 24, 2019)

## 4.8 Non-Conforming Buildings, Sites and Uses

- 4.8.1 The adoption or amendment of this bylaw does not affect non-conforming buildings, sites and uses.
- 4.8.2 The provisions of *The Act*, Sections 88 to 93 inclusive, shall apply to all non-conforming buildings and uses.
- 4.8.3 Non-conforming buildings or sites may continue to be used, maintained and repaired in their present form.
- 4.8.4 No existing use or building shall be deemed to be non-conforming by reason only of the conversion of the measurements in this Bylaw from the Imperial System of measurement to the Metric System of measurement where such non-conformity results solely from the conversion and is reasonably equivalent to the metric Bylaw regulations.

## 4.9 Modular Homes

- 4.9.1 Wherever a single detached dwelling is allowed in any commercial, industrial or agricultural district, it may be in the form of a modular home subject to Sections 4.9.2 to 4.9.5 of this Bylaw.
- 4.9.2 Every modular home shall bear CSA A277 certification, or a replacement thereof, and shall be attached to a permanent foundation.
- 4.9.3 Mobile homes are prohibited in all districts.
- 4.9.4 The total area of all subsequent additions to a modular home shall not exceed 50% of the area of the original modular home.
- 4.9.5 All subsequent additions, accessory buildings and structures to a modular home shall equal or exceed the quality and appearance of the modular home, and shall harmonize with the modular home's exterior.

## 4.10 Regulations for Signs and Billboards

### *4.10.1 Signs Located in Highway Sign Corridor*

- (1) Signs located in a highway sign corridor shall be regulated entirely by the requirements of *The Erection of Signs Adjacent to Provincial Highway Regulations, 1986* or amendments thereto, and Section 4.10.2 shall not apply.

### *4.10.2 Signs Other than in a Highway Sign Corridor*

- (1) Any sign located in other than a highway sign corridor, may only advertise agricultural

commercial uses, home based businesses, the principal use of a site, or the principal products offered for sale on a site.

- (2) Government signs, memorial signs, signs identifying residential occupants or addresses and directional signs that bear no advertising, including traffic control, no trespassing, hunting restriction and similar signs, are exempt from restriction.
- (3) Temporary signs and real estate signs are permitted only as long as the temporary condition exists for the property.
- (4) All private signs shall be located so that no part of the sign is over a public right of way.

#### *4.10.3 Signs in Residential Districts*

- (1) Signs and billboards will be prohibited in any residential district in the Municipality except for signs advertising the principal use of a site or the principal products offered for sale on a site. Permitted signs shall be subject to the following requirements:
  - (a) No more than two (2) signs shall be permitted on the premises.
  - (b) No sign shall be in the excess of 3 m<sup>2</sup> in sign face area, but the two permitted signs may be combined and the total sign face area shall not exceed 6 m<sup>2</sup>. Each sign may be double faced.
  - (c) No sign shall be illuminated unless the source of light is steady and suitably shielded.
  - (d) The maximum height of any sign shall be 3.5 metres

#### *4.10.4 Signs in Other Districts*

- (1) Signs and billboards that are not located in a highway sign corridor or a residential district, and that advertise agricultural commercial uses, farm or home based businesses, the principal use of a site or the principal products offered for sale on a site, are subject to the following requirements:
  - (a) No more than two (2) signs shall be permitted on the premises.
  - (b) No sign shall be in the excess of 6 m<sup>2</sup> in sign face area, but the two permitted signs may be combined and the total sign face area shall not exceed 12 m<sup>2</sup>. Each sign may be double faced.
  - (c) No sign shall be illuminated unless the source of light is steady and suitably shielded.
  - (d) The maximum height of any sign shall be 6 metres.

## **4.11 Public Works, Pipelines and Municipal Facilities**

*4.11.1* Public works and facilities of the Municipality, except solid and liquid waste disposal sites, shall



be permitted uses in every zoning district, and unless otherwise specified by this bylaw, no minimum site or yard requirements shall apply.

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

## 4.12 Vehicle Storage

4.12.1 Notwithstanding anything contained in this Bylaw, no person shall use any site in any residential district, for the parking or storage of more than one (1) vehicle that is not in running order.

4.12.2 Section 4.12.1 shall not apply to permitted machinery or automotive salvage yards, auction markets or agricultural implement, recreational vehicle, automobile, marine and mobile home sales and service establishments.

4.12.3 Council may require that such vehicles be screened from roadways or neighbouring properties by landscape features or fences or a combination thereof.

## 4.13 Manure Disposal

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

- (1) Liquid manure shall be spread by direct injection into the soil.
- (2) Solid manure shall be incorporated into the soil within 24 hours.
- (3) Manure (solid nor liquid) shall not be spread on ground that is frozen or covered in frost or snow.

4.13.2 Upon application to Council, other procedures for disposal of manure may be approved where the applicant establishes to the satisfaction of Council that the objectives of the Official Community Plan will be achieved to a similar or better standard. Council may specify a limited time during which the approval will be valid.

4.13.3 Council may exempt in whole or in part an applicant from this section where each of the following are true:

- (1) the manure to be spread comes from an ILO of less than 300 animal units.
- (2) the manure will be spread on land owned by the operator of the ILO.
- (3) adverse weather conditions prevent the incorporation of manure in which case incorporation of the spread manure may be delayed until weather conditions permit.

## 4.14 Special Standards and Regulations

4.14.1 *Home Based Businesses*

- (1) Home based businesses, including Residential Homestays shall be subject to the following development standards:
- a) The following uses are prohibited as home based businesses in any residential district:
    - i) Outdoor storage of heavy construction or industrial supplies;
    - ii) Auto body repair or repainting operations.
  - b) The home based business is ancillary to the residential use of the property.
  - c) The home based business shall only be valid during the period of time the property is occupied as a residence of the applicant.
  - d) A maximum of one (1) non-resident person shall be employed by the operator of the home based business.
  - e) No variation in the residential character and appearance of the residential use shall be allowed.
  - f) There shall be no exterior alterations associated with the home based business that are inconsistent with the residential character of the residential use and the property.
  - g) One (1) sign shall be allowed in association with the home based business. The sign shall be less than or equal to a facial area of one (1) metre squared.
  - h) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television, or radio interference detectable beyond the boundaries of the building containing the home based business shall be produced.
  - i) One (1) off-street parking space shall be required for a non-resident employee. The required parking space may be located in the required front yard. Additional off-street parking spaces may be required, where in the opinion of the Development Officer, due to the nature of the business or site, the provision of parking is necessary to maintain the residential character of the area. The siting and screening of all required parking spaces shall be to the satisfaction of the Development Officer.
  - j) All permits issued for a home based business shall be subject to revoked at any time if, in the opinion of the Development Officer, the conditions under which the permit was originally issued are no longer met.
  - k) Any increase in the intensity of the home based business operation as originally approved shall require a new discretionary use approval.

**(Revised Bylaw 2021-12 – June 28, 2022)**

- (2) Home based businesses in the R1, CR1, CR2, CR3 – Country Residential and HDMU – High Density Mixed Use Districts shall be subject to the subsections 4.14.1 (1)(a) and 4.14.1 (1) (c) to (f) and the following conditions:
- (a) Non-resident employees are not permitted for home based businesses in these Districts;

- (b) No heavy construction or industrial equipment or supplies shall be stored outdoors on any site for a home-based business in these districts;
- (c) Council may also apply special standards in the issuing of a development permit limiting the size of the operation and buildings used for the operation. Any increase in the approval as originally applied for or approved shall require a new discretionary use approval.

#### *4.14.2 Adult Day Care Facilities Type I and Type II*

- (1) Adult day care facilities may be approved as an ancillary use or as a principal use.
- (2) In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (3) Required parking spaces shall not be located in a required front yard.
- (4) In addition to the development standards of the zoning district, adult day care facilities that are listed as discretionary uses shall be evaluated and developed in accordance with Section 3.7 of this Bylaw.

#### *4.14.3 Day Care Centres and Preschools*

- (1) Day care centres and pre-schools may be approved as an ancillary use or as a principal use. In any residential district, no exterior alterations shall be undertaken to a dwelling or former dwelling which would be inconsistent with the residential character of the building or property.
- (2) Required parking spaces shall not be located in a required front yard.
- (3) In addition to the development standards contained within the zoning district, Section 3.7 of this Bylaw shall apply to the review and approval of day care centres and pre-schools which are listed as discretionary uses.

#### *4.14.4 Campgrounds, Tourist Camps and Trailer Courts*

- (1) The applicant for a development permit for a campground, tourist camp or trailer court shall provide the Development Officer with a plan of the site, identifying any buildings, uses of land and the location of all roadways and recreation vehicle or tent campsites sites with dimensions. The addition or rearrangement of sites, the construction or moving of buildings, the material change in use of portions of land, or the filling or clearing of land shall require a development permit, and the applicant shall submit for approval an amended plan incorporating the proposed development.
- (2) A campground, tourist camp or trailer court shall have, within its boundaries, a buffer area abutting the boundary of not less than 4.5 metres in width, which shall contain no buildings.
- (3) A site for each recreation vehicle and campsite permitted in the campground, tourist camp or trailer court shall be designated and clearly marked on the ground.

- (4) Each site shall have a minimum area of 150 square metres.
- (5) No portion of any campsite shall be located within an internal roadway or required buffer area.
- (6) Each site shall have direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
- (7) Each recreation vehicle shall be located at least 4.5 metres from any other recreation vehicle and each site shall have dimensions, location and orientation sufficient to allow for such location of recreation vehicles.
- (8) The space provided for roadways within a campground, tourist camp or trailer court shall be at least 7.5 metres in width. No portion of any site, other use or structure shall be located in any roadway.
- (9) A campground, tourist camp or trailer court may include, as an ancillary use, a laundromat or a confectionary designed to meet the needs of occupants of the sites and a one unit dwelling for the accommodation of the operator.
- (10) No recreation vehicle shall be stored on any campsite when the campground is not open.
- (11) *The Public Health Act*, and Regulations passed thereunder, shall be complied with in respect of all operations and development of campgrounds.

#### 4.14.5 Modular Home Courts

- (1) Modular home courts shall have, within their boundaries, a buffer area abutting the boundary which shall:
  - (a) have a minimum depth of not less than 7.5 metres in width, which shall contain no buildings or structures.
  - (b) not contain any roads, except those which connect a public roadway to the road system within the modular home court.
- (2) Each modular home site permitted in a modular home court shall be designated and clearly marked on the ground.
- (3) Each modular home site shall have a minimum area of 379.8 square metres.
- (4) No portion of any modular home site shall be located within an internal roadway or required buffer area.
- (5) Each modular home site shall have direct and convenient access to a developed internal roadway, which shall not be located in any required buffer area.
- (6) Each modular home shall be located at least 4.5 metres from any other modular home and each modular home site shall have dimensions, location and orientation sufficient to allow for such location of modular homes.

- (7) The space provided for roadways within a modular home court shall be at least 7.5 metres in width. No portion of any modular home site, other use or structure shall be located in any roadway.
- (8) A modular home court may include, as an ancillary use, a laundromat or a confectionary designed to meet the needs of occupants of the modular home court and a one unit dwelling for the accommodation of the operator.
- (9) *The Public Health Act*, and Regulations passed thereunder, shall apply to all operations and development of modular home courts.

#### 4.14.6 *Public Works in the Form of Solid and Liquid Waste Management or Disposal Facilities*

- (1) Development and maintenance of a public work in the form of a solid or liquid waste disposal facility will be subject to the following special standards:
  - (a) A buffer strip containing trees, shrubs or a berm shall be located surrounding a lagoon or sanitary landfill disposal area.
  - (b) Any solid or liquid waste disposal facility shall be fenced.

#### 4.14.7 *Bed and Breakfast Homes and Vacation Farms*

- (1) Bed and breakfast homes and vacation farms shall be subject to the following requirements:
  - (a) Vacation farms shall be ancillary to an agricultural operation and may include bed and breakfast, cabins and overnight camping areas.
  - (b) Bed and breakfast operations shall be located in, and ancillary to, a single detached dwelling used as the operator's principal residence developed as a farm operation site or country residence
  - (c) Only one sign, not exceeding 1.5 square metres in sign face area, advertising the vacation farm or bed and breakfast home, and located on-site, is permitted.
  - (d) Vacation farms and bed and breakfast homes shall be licensed pursuant to *The Public Health Act*, where tourist accommodations require health approval.
  - (e) Council may specify a maximum number of bedrooms, cabins or camping sites, or combination thereof, as a special standard in the issuing of a discretionary approval for a bed and breakfast home or vacation farm application.

#### 4.14.8 *Custodial Care Facilities, Residential Care Facilities and Personal Care Homes*

- (1) Custodial care facilities, residential care facilities – type I and type II – and personal care homes may be approved as an accessory use or as a principal use.
- (2) In any residential district, no exterior alterations shall be undertaken to a dwelling or

former dwelling which would be inconsistent with the residential character of the building or property.

- (3) Required parking spaces shall not be located in a required front yard.
- (4) No building or structure used for the purpose of a custodial care facility or a residential care facility shall be used for the purpose of keeping boarders or lodgers.
- (5) In addition to the development standards of the zoning district, custodial care facilities and residential care facilities – type I and type II - that are listed as discretionary uses shall be reviewed and approved in accordance with Section 3.7 of this Bylaw.

#### *4.14.9 Service Stations*

- (1) Fuel pumps and other apparatus for dispensing or storage of fuel, located all or partly above grade level, shall be at least six metres from a site line.
- (2) All automobile parts, dismantled vehicles and similar articles or equipment are to be stored within a building.
- (3) Where service stations occupy a corner site, only one access point shall be on the flanking street.

#### *4.14.10 Gas Bars*

- (1) Where operated as the principal use on a site, gas bars are subject to the regulations and standards for service stations.
- (2) Where a gas bar is allowed to operate in conjunction with another use on a site, the following standards and regulations apply:
  - (a) All fuel pumps and above ground storage tanks shall be at least five metres from any building on the site, and six metres from any site line.
  - (b) The site shall have at least two separate entrances for vehicles, at least 15 metres apart.
  - (c) Access to, and parking for, fuel dispensing apparatus shall not obstruct access to the site, or other required off street parking spaces on the site.

#### *4.14.11 Above Ground Fuel Storage Tanks*

- (1) Above-ground fuel storage tanks which meet the standards of the National Fire Code may be permitted in association with service stations, gas bars and other permitted industrial or commercial uses where the dispensing of fuel to vehicles is a standard aspect of the use.
- (2) The total storage capacity for above-ground fuel storage tanks on any single service station or gas bar shall not exceed the regulations and requirements set out by the National Fire Code.

- (3) Above-ground fuel storage tanks shall be:
  - (a) located at least 3.0 metres from any property line or building; however, for uses other than gas bars and service stations, the 3.0 metre separation distance may be reduced to 1.0 metre for tanks with a capacity of 5,000 litres or less.
  - (b) separated from each other and be accessible for firefighting purposes to the satisfaction of the Development Officer.
- (4) Notwithstanding (3) above, above ground fuel storage tanks associated with a gas bar or service station shall be:
  - (a) located at least 6 metres from any property line or building.
  - (b) separated from each other and be accessible for firefighting purposes to the satisfaction of the Development Officer.
  - (c) at least 15 metres from the boundary of any site within a Residential District.
- (5) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3.0 metres from any property line, at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.
- (6) Notwithstanding (5) above, above ground fuel storage tanks associated with a gas bar or service station shall be located at least 6.0 metres from any property line, at least 7.5 metres from any open flame or other ignition source, and at least 4.5 metres from any door or window.
- (7) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.

#### *4.14.12 Accessory Uses, Buildings and Structures*

- (1) Accessory uses and buildings shall be subordinate to, and located on the same site as the principal building or use, and used in conjunction with that principal use.
- (2) Accessory buildings shall not include any dwelling units or habitable rooms except where specifically provided for within a zoning district and subject to all other relevant provisions of this bylaw and the Official Community Plan.
- (3) Time of Construction:

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

- (a) Where a Development Permit has been issued for a principal building, Council may, at its discretion, allow prior development of an accessory building where such building is required for the storage of construction material or equipment. If the principal building is not completed in the time period required, the accessory building is to be removed.

- (4) Height of Accessory Buildings:
- (a) Detached accessory buildings in the CR1, CR2, CR3, HDMU, R1, R2 and R3 Districts are not to exceed a height of 10 metres.
  - (b) Detached accessory buildings in any agricultural district, commercial or industrial district - no height restrictions.

(4a) Building Area of Accessory Buildings

Where this Bylaw specifies the maximum building area for accessory buildings, that area shall mean the combined building area of all accessory buildings on the site.

- (a) The maximum combined building area of all detached accessory buildings are as follows:
  - (i) R2 District: 300 m<sup>2</sup>
  - (ii) CR2 District: 250 m<sup>2</sup>
  - (iii) CR3 District: 200 m<sup>2</sup>

**(Revised Bylaw 03-2016 - May 13, 2016)**
- (b) The maximum combined building area for accessory buildings on any site as prescribed in (a) may be increased by 10% for each additional hectare (or portion thereof) in site area for a particular site that exceeds the minimum site area requirement for the zoning district in which it is located. (For example, where the area of a particular site exceeds the site area minimum of the zoning district by 2.5 hectares, the maximum building floor area in the R2 District would be increased a maximum of 75 m<sup>2</sup> to a combined total of 375 m<sup>2</sup>. In the CR2 District, the increase could be 62.5 m<sup>2</sup> to a combined total of 312.5 m<sup>2</sup>, and in the CR3 District, an increase of 40 m<sup>2</sup> to a combined total area of 240 m<sup>2</sup>.)
 

**(Revised Bylaw 07-2014 - September 5, 2014)**  
**(Revised Bylaw 03-2016 - May 13, 2016)**

(5) Location of Accessory Buildings:

Notwithstanding the following provisions in any district except A, R1 and R2, any accessory building that exceeds the area of the principal building on a site shall be situated on the site behind the rear building line of the principal building.

- (a) Detached accessory buildings in any residential or country residential district are subject to the following regulations:
  - (i) Yard, front: minimum – 15 metres
  - (ii) Yard, rear: minimum – 5 metres
  - (iii) Yard, side: minimum – 5 metres

**(Revised Bylaw 07-2014 - September 5, 2014)**  
**(Revised Bylaw 07-2017 - July 25, 2017)**
- (b) Detached accessory buildings in any agricultural or commercial district are subject to the following regulations:



- (i) Yard, front: minimum - same as principal use
  - (ii) Yard, rear: minimum - 3 metres, except trailer courts, campgrounds and tourist camps where the minimum shall be 4.5 metres and mobile home courts where the minimum shall be 7.5 metres.
  - (iii) Yard, side: minimum - 3 metres, except trailer courts, campgrounds and tourist camps where the minimum shall be 4.5 metres and mobile home courts where the minimum shall be 7.5 metres.
- (c) Detached accessory buildings in the High Density Mixed Use Residential district are subject to the following regulations:
- (i) Yard, front: minimum – 6 metres
  - (ii) Yard, rear: minimum – 1.2 metres
  - (iii) Yard, side: minimum – 1.2 metres
- (6) Accessory dwelling units shall only be permitted to accommodate:
- (a) a residence for an operator, or for employees and/or partners engaged in farm operation, intensive livestock operation, or intensive agricultural operation, subject to Section 3.4.3 (4) of the Official Community Plan
  - (b) a residence for an operator, manager, an employee and/or partner engaged in a commercial or industrial operation in a commercial or industrial zoning district subject to the following provisions:
    - (i) the dwelling unit must be physically attached to the primary building where commercial or industrial operations are underway;
    - (ii) the business dwelling shall have a main entrance separate from that of the commercial or industrial establishment;
    - (iii) an emergency exit must be provided in addition to the main entrance.
  - (c) a garden suite, subject to the following provisions:
    - (i) Garden suites shall be constructed on grade and without a basement.
    - (ii) Modular homes, park model recreational vehicles but not mobile homes or non-park recreational vehicles, subject to all wheels and axles being removed, may be allowed as garden suites.
    - (iii) Services:

1. *Water and Sewer:*

A garden suite shall be connected to the water and sewer service

of the principal residential buildings.

2. *Other Services:*

All other services (cable, electrical, natural gas, telephone) may have separate connections or connect to those services of the principal residential building.

- (iv) A minimum of one offsite parking stall shall be provided for a garden suite.
- (v) Garden suites may be only approved where they would not:
  - 1. change the character of the neighbourhood or area;
  - 2. adversely affect the natural environment;
  - 3. result in any increase in demand on municipal services or public utilities.
- (vi) An applicant for a Garden suite shall be required to sign an Agreement with the Municipality to ensure that the Garden suite will comply with all Bylaw requirements.
- (d) a garage suite, subject to the following provisions:
  - (i) The maximum height for a garage suite shall be 5.5 m or the height of the garage, whichever is the least.
  - (ii) The maximum floor area of a garage suite shall be 50 m<sup>2</sup> and the minimum floor area shall be 30 m<sup>2</sup>.
  - (iii) The minimum distance between a detached garage containing a garage suite and the principal residential building on the site shall be 4 m.
  - (iv) No decks on garage suites shall be allowed.
  - (v) Garage suites may only be approved where they would not:
    - 1. change the character of the neighbourhood or area;
    - 2. adversely affect the natural environment;
    - 3. result in any increase in demand on municipal services or public utilities.

**(Revised Bylaw 03-2014 - March 14, 2014)**

(7) Satellite Dishes and Solar Collectors:

- (a) Satellite Dishes and Solar Collectors:

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

- (i) in any District such structures shall not be located in any front yard, side yard and in the case of a corner site, in any portion of the rear yard which is within three (3) metres of the side property line adjacent to a flanking street unless it is screened from the flanking street to the satisfaction of the Development Officer;
- (ii) in any District such structures, if freestanding, shall not exceed a height of ten (10) metres above grade level;
- (iii) in any District such structures if attached to a principal building, shall not exceed a height of ten (10) metres above the lowest elevation of: roof surface of a flat roof; the decking of a mansard roof; and the eaves of a gable, hip or gambrel roof; and,
- (iv) in any District such structures, if attached to or erected upon an accessory building, shall not exceed the maximum permitted height of the accessory building upon which such structure is attached or erected.

(8) Rental Suites:

(a) Rental Suites:

A Rental Suite may be attached as a discretionary use to any Single Detached Dwelling in any zoning district, subject to approval of a Building Inspector hired or contracted by the Rural Municipality. Rental Suites are subject to the following requirements:

- (i) cooking facilities, food preparation, sleeping and sanitary facilities within the structure and which are physically separate from those of the principal dwelling.
- (ii) the suite also has an entrance separate from the entrance to the principal dwelling, either from a common indoor landing or directly from the side or rear of the structure.
- (iii) the suite may not be established on a site where a Garden Suite or Business Dwelling is located - refer to Section 4.14.10 (7).

*4.14.13 Outfitter Base Camps, Tourism Base Camps, Tourist Camps*

- (1) All outfitter base camps shall be located at least 305 metres from a dwelling unit that is not part of the operation.
- (2) All accommodation provided in conjunction with outfitter base camps, tourism base camps and tourist camps shall comply with *The Public Health Act*, and Regulations passed

thereunder.

- (3) Council may establish standards limiting the total number of guests and guest rooms, and the location of buildings and accessory activities as a condition of issuing a discretionary use permit for outfitter base camps, tourism base camps and tourist camps. Any increase in the number of guests or guest rooms shall require a new discretionary approval.
- (4) Outfitter base camps, tourism base camps and tourist camps may be ancillary to a permitted agricultural operation and located on the same site.
- (5) A use that is established as an ancillary use to an agricultural operation shall cease to be permitted when the operator ceases to be resident on the site.

#### *4.14.14 Dugouts, Sewage Lagoons and Manure Storage Pits*

- (1) Dugouts, sewage lagoons and manure storage pits shall maintain a minimum separation distance of 15 metres from the legal boundaries of the surface parcel on which they are situated.
- (2) Dugouts may not be dug within 38 metres of an established dugout.

#### *4.14.15 Truck Stops*

- (1) Truck stops shall not be constructed within 300 m of a school, educational facility, playground, library or place of worship.
- (2) The minimum width of a driveway in a truck stop shall be 9.2 metres.
- (3) No more than two access driveways shall connect a truck stop to any street.
- (4) Gas bars at the site of a truck stop shall comply with Sections 4.14.10 and 4.14.11.
- (5) Above ground fuel storage tanks shall comply with Section 4.14.11

#### *4.14.16 Kennels (Boarding and Breeding)*

- (1) An outdoor area must be provided for animals to run free, without being chained, in an area enclosed by a fence which provides safety for the animals and neighbours to the satisfaction of Council.
- (2) Outdoor animal enclosures may not be in front yards.

#### *4.14.17 Auction Markets*

- (1) Outside storage shall not be permitted at auction markets except for the display of motor vehicles, farm machinery, and heavy farm equipment;
- (2) Council may require that additional parking spaces be provided for auction markets.
- (3) Temporary storage and accessory repair of goods and materials to be sold shall be permitted.

- (4) Wrecking, destruction or dismantling of goods and materials shall not be permitted.

*4.14.18 Wind Energy Facilities (one turbine)*

- (1) Wind energy facilities shall be accommodated as a discretionary use in each zoning district in this Bylaw, either as an accessory use to an established principal use on a site or as the principal use of a site.
- (a) Wind turbines are limited to a maximum of 50 metres.
- (b) Wind turbines are limited to a maximum name plate capacity of 100kW.
- (c) The setback of a wind turbine to any public road right of way and railway rights of way that existed on the day the proponent submitted an application to the Municipality to construct, install, or expand the wind energy conversion facility shall be greater than or equal to the height of the turbine as herein defined.
- (d) The setback of a wind turbine to any property boundary of a Non-Participating Noise Receptor that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy conversion facility, shall be greater than or equal to the height of the wind turbine.
- (e) Council may approve a lesser separation where the applicant submits a copy of the agreement between the developer of a wind turbine and the Non-Participating Noise Receptor, agreeing to a lesser separation. Such agreements must contain the provision that the parties to the agreement will register an interest on the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of The Act to register an interest to the title(s) of the affected lands.
- (2) Council will evaluate Discretionary Use application for single Wind Turbines with the following criteria:

Wind turbines shall be located in a manner in which they are separated from the nearest non-participating noise receptor in the following way:

- (a) Wind turbines with a rotor diameter between 0.1 m and 5.0 m: 100 metre separation distance;
- (b) Wind turbines with a rotor diameter between 5.01 m and 12.5 m: 250 metre separation distance; and
- (c) Wind turbines with a rotor diameter greater than 12.5 m: 350 metre separation distance.

*4.14.19 Wind Farms (two or more turbines)*

- (1) Wind Farms shall be accommodated as a discretionary use in the A - Agricultural District, either as an accessory use to an established principal use on a site or as the principal use of a site. The following standards apply to Wind Farms:

- (a) Wind Turbines are limited to a maximum height of 50 meters.
  - (b) Wind Turbines are limited to a maximum name plate capacity of 100kW.
  - (c) The setback of a wind turbine to any public road right of way and railway rights of way that existed on the day the proponent submitted an application to the Municipality to construct, install, or expand the wind energy conversion facility shall be greater than or equal to the height of the turbine as herein defined.
  - (d) The setback of a wind turbine to any property boundary of a Non-Participating Noise Receptor that existed on the day the proponent submitted an application to the Municipality to construct, install or expand the wind energy conversion facility, shall be greater than or equal to the height of the wind turbine.
  - (e) Council may approve a lesser separation where the applicant submits a copy of the agreement between the developer of a wind turbine and the Non-Participating Noise Receptor, agreeing to a lesser separation. Such agreements must contain the provision that the parties to the agreement will register an interest on the titles of the affected land. Where such agreements are made, Council shall be a party to the agreement and may use Section 235 of The Act to register an interest to the title(s) of the affected lands.
- (2) Council will evaluate Discretionary Use application for Wind Farms with the following criteria:

Wind Farms shall be separated from the nearest non-participating noise receptor by a distance of 550 metres.

#### *4.14.20 Cannabis Production Facility*

- (1) Cannabis Production Facilities may be allowed as a discretionary use in designated agricultural, commercial, industrial, and residential zoning districts if the activity and proposed location ensures that it will have minimal impact on adjacent land uses and meets the following requirements:
  - (a) All Cannabis Production Facilities must maintain a minimum setback of 150 metres from schools or playgrounds.
  - (b) All materials and goods used in conjunction with a Cannabis Production Facility shall be stored within an enclosed building, no outside storage is permitted for a Cannabis Production Facility.
  - (c) All Cannabis Production Facilities must be approved by and comply with all provincial and federal authorities and regulations related to the growing, cultivation, processing and wholesale distribution of cannabis.
  - (d) Prior to approval, applicants/operators of a Cannabis Production Facility shall provide proof to the RM of compliance with provincial and federal licensing regulations.

- (e) Meets municipal servicing capacity.
- (f) Mitigates anticipated levels of noise, odour, smoke, fumes, dust, lighting, glare, vibration or other emissions emanating from the operation.
- (g) Mitigates anticipated increased levels or types of vehicular traffic, unsafe conditions or situations for vehicles, cyclists and/or pedestrians.
- (h) Ensures the safe handling and disposal of hazardous and dangerous substances and materials.
- (i) The building and site shall display a high aesthetic quality and shall be integrated into the surrounding environment by virtue of appropriate design, location and landscaping.
- (j) Signage for a Cannabis Production Facility shall not contain any images, but may include the business name in alpha-numeric characters.

**(Revised Bylaw No. 18-2019 - February 7, 2019)**

**(Revised Bylaw 08-2021 – June 20, 2022)**

#### *4.14.21 Agricultural Tourism Use*

- (1) Notwithstanding other provisions of this Bylaw, an Agricultural Tourism Use is subject to the following development standards:
  - (a) Agricultural Tourism Uses may be allowed as a discretionary use in the Agricultural Zoning District, either as a principal use or as an ancillary use to a farm operation, country-residence, or rural environment.
  - (b) Agricultural Tourism Uses shall display a high visual quality and shall be integrated into the rural environment by virtue of appropriate design, location and landscaping.
  - (c) Agricultural Tourism Uses may only be approved where they would not:
    - (i) unduly interfere with the amenities or change the character of the neighbourhood;
    - (ii) materially interfere with or affect the use and enjoyment of adjacent properties;
    - (iii) adversely impact the surrounding natural environment;
    - (iv) result in excessive demand on municipal service, utilities or public roadway access.
  - (d) Agricultural Tourism Uses shall comply with all Provincial environmental and health regulations.

**(Revised Bylaw No. 2020-06 – September 17, 2020)**

#### *4.14.22 Residential Homestays*

(1) Notwithstanding other provisions of this Bylaw, a Residential Homestay providing short term accommodation is subject to the following development standards:

- (a) Residential homestays may be allowed as a discretionary use where ancillary to an agriculture operation or residence.
- (b) Residential homestays may be located in accessory buildings, garden suites, and garage suites provided the buildings are connected to water and sewer services on the principal site and meet all requirements of *The Public Health Act*, where public accommodations require health approval.
- (c) Council may specify the maximum number of bedrooms, buildings, or combination thereof, as a standard in issuing discretionary use approval for a residential homestay.
- (d) A minimum of 1 parking space shall be provided per guest room in addition to the required parking stalls for the dwelling unit.

**(Revised Bylaw 04-2021 – January 6, 2022)**

4.14.23 *Equestrian Centres*

Notwithstanding other provisions of this Bylaw, Equestrian Centres are subject to the following development standards:

- a) The following plans, strategies and/or reports may be required as part of the application:
  - (i) water supply,
  - (ii) sewage disposal,
  - (iii) drainage,
  - (iv) grading,
  - (v) geotechnical reports,
  - (vi) traffic impact assessment,
  - (vii) storm water management,
  - (viii) manure disposal and/or,
  - (ix) any other deemed necessary by the Development Officer.
- b) The maximum number of animals kept on site, or on the site at any one time shall be at the discretion of Council.
- c) An animal is kept on site, for the purposes of this section, when it is on the site overnight.
- d) Council may require the applicant enter into a Development Agreement with the RM of Lumsden No. 189 to ensure maintenance or a contribution to the maintenance of the road accessing the



parcel containing the equestrian facility, based on projected use and intensity of the equestrian facility.

- e) Equestrian Facilities shall comply with all Provincial environmental and health regulations.

**(Revised Bylaw 2021-12 – June 28, 2022)**

## 4.15 Setback from Roads

The minimum setback of buildings, trees, dugouts and solid fences from the nearest boundary of a developed municipal road allowance, grid road, main farm access road or provincial highway on all sites shall be 35 metres (114 feet).

Developments on sites that do not abut such roads, such as developments adjacent to an internal access road, shall observe the minimum setbacks identified in the specific regulations for the zoning district in which they are located.

**(Revised Bylaw 03-2016 - May 13, 2016)**

## 4.16 Building Lines

Where a building line in a hamlet district has been established by existing buildings in a block having at least one half of the lots built on, new development may conform to this line.

## 4.17 Parking and Loading Regulations

### *4.17.1 General Parking Requirements*

For every building or structure, there shall be provided and maintained off-street parking spaces as required by Table 4-1, subject to the provisions in the rest of Section 4.17. Enclosed or covered parking spaces or areas shall be governed by the development standards required within specific zoning districts.

<b>Table 4-1 Parking Requirements</b>	
<b>Use</b>	<b>Minimum Parking Requirements</b>
Residence	1 space per dwelling unit, <i>plus</i> 1 space if a garden suite or rental unit is on site.
Community Centres and Facilities; Clubs; Intensive Recreation Uses; Auctioneering Establishments	1 space per 10 m <sup>2</sup> of gross floor area devoted to public use, or 1 space for every 10 seats devoted to patrons (if applicable), whichever is greater.
Churches	1 space per 15 seating places plus 1 space per 20 m <sup>2</sup> of the floor area of the largest assembly room in the building.
Curling Rinks	8 spaces per sheet of ice.
Confectionary and Retail stores; Banks; Personal Service Establishments; Sales; Service; Rentals or Repair Shops; Home Improvement Centres	1 space per 20 m <sup>2</sup> of gross floor area.
Motels and Hotels	1 space per guest room.
Business Offices	1 space per 18 m <sup>2</sup> of gross floor area, or 5 spaces, whichever is

	greater.
Elementary Schools	1 space per employee.
High Schools	1 space per employee, <i>plus</i> 5 spaces per classroom.
Eating Establishments, including Restaurants	1 space per 5 seats devoted to patrons' use, accommodated according to maximum capacity.
Service Stations	4 spaces per service bay.
Animal Shelters; Service Stations or Veterinary Clinics	1 space per 100 square metres of gross floor area.
Passive Recreation	1 space per 4 persons' of the project's design capacity.
Industrial Uses	1 space per 3 employees on maximum work shift, or 1 space per 67 m <sup>2</sup> of gross floor area, whichever is greater.
Any other principal or ancillary use	1 space per 27 m <sup>2</sup> of gross floor area.
Any combination of the above	The aggregate of the parking as required above.

#### 4.17.2 *Parking Area Provisions*

- (1) No part of any minimum required side yards shall be used for parking, storage or loading of motor vehicles; although access to parking, storage or loading of motor vehicles may cross required side yards, and side yards may be used as fire lanes, provided they meet all other requirements of fire lanes.
- (2) Each parking space shall be a minimum of 2.5 metres wide. Parallel parking spaces must be a minimum of 6.5 metres long, all other parking spaces must be a minimum of 6 metres long.
- (3) Required parking, with the exception of required and/or disabled persons parking, may be located on another site, provided that all required parking is within 150 metres of the use.
- (4) Separate sites and uses may share parking spaces provided that enough parking spaces are constructed to meet the off-street parking requirements of all uses sharing the site. In cases where peak parking demands for different uses offset each other, Council may consider deferring parking requirements as provided in Section 4.17.3.
- (5) Where two or more uses share one building or are on a site where two or more uses share common parking facilities, then the off-street parking requirements for each use shall be calculated as if each is a separate use and adding them together.
- (6) Parking spaces and areas required under this Bylaw shall only be used for the parking of vehicles incidental to the uses which have been issued permits, in respect to which such parking spaces and areas are required.
- (7) A minimum turning radius of 6 metres shall be provided at all intersections of private approaches with public streets.
- (8) No part of any public street shall be included in any calculation of the parking space allotment for a specific site.
- (9) Immediately upon change of use or change of district, the parking requirements set out in Table 4-1 shall be required.

- (10) In cases where the provisions of Table 4-1 require that more than 4 parking spaces be required in a single yard, regardless of zoning district, such parking must meet the following conditions laid out in Section 4.17.3 in addition to other applicable conditions laid out in Section 4.17.2.

#### *4.17.3 Parking Areas Requiring more than 4 Parking Spaces*

- (1) Every parking area shall be provided with direct, unobstructed access to and from a public street by a private approach which
  - (a) if designated for one-way vehicular movement, shall have a minimum unobstructed width of 3.5 metres, exclusive of any islands or other such physical separation;
  - (b) if designated for two-way vehicular movement, shall have a minimum unobstructed width of 6 metres, exclusive of any islands or other such physical separation.
- (2) The maximum distance of any such private approach shall be no greater than 9 metres at the point of intersection of the approach and street line.
- (3) The maximum distance between a private approach and an intersection of street lines, measured along the street, shall be 30 metres.
- (4) The angle of intersection between a driveway and a street line shall be between 75 degrees and 105 degrees.
- (5) The parking and loading areas and approaches thereto shall be hard-surfaced.
- (6) Adequate facilities allowing for the proper drainage of all parking areas shall be provided and shall be designed such that there is no detrimental effect to adjoining properties from such water disposal methods or system design.
- (7) Lighting fixtures shall be so designed and installed that the light is directed downward and reflected away from public roads, as well as from dwelling units on adjacent sites.
- (8) Landscaping:
  - (a) Where, in a yard in any zoning district, a parking area which is required to provide for more than 4 off-street parking spaces abuts a residential use and/or zoning district, a continuous strip of landscaped open space of minimum width of 4.5 metres shall be provided along the site lines of said yard or site.
  - (b) Where, in a yard in any zoning district, a parking area which is required to provide for more than 4 off-street parking spaces abuts a street, then a strip of landscaped open space shall be provided along the site line adjoining the said street, and the said landscaped open space shall be continuous except for aisles or driveways required for access to the parking area and shall be a minimum of 3 metres in width along said site line.

#### *4.17.4 Loading Provisions*

- (1) When any new Agricultural, Commercial, or Industrial development occurs or when any

such existing use is changed, enlarged or increased in capacity, a minimum of one (1) off-street vehicular loading and unloading space shall be provided and maintained in accordance with the following provisions:

- (a) The minimum size for an off-street loading space shall be:
  - (i) for buildings with a gross floor area of 1,400 m<sup>2</sup> or less, a minimum area of 17 m<sup>2</sup>, and a minimum width of 3 metres; and,
  - (ii) for buildings with a gross floor area of more than 1,400 m<sup>2</sup> a minimum area of 33.5 m<sup>2</sup> a minimum width of 3 metres and a minimum clear height of 4.25 metres.
- (b) Loading spaces must be located either within or abutting the building containing the use;
- (c) No loading spaces shall be provided within a minimum front yard;
- (d) Loading spaces provided within the minimum side yard shall be open and uncovered; and,
- (e) Every off-street loading space and access shall be hard surfaced if the access is from a street or lane which is hard surfaced. Where hard surfacing is provided or required, it shall be constructed of concrete, asphalt, or a similar durable, dust-free material.

## 4.18 Landscaping Requirements

*4.18.1* Landscaping compliant with the rest of Subsection 4.18 shall be provided in the following areas:

- (1) The first three (3) metres of the minimum required front yard measured from the front property line.
- (2) A strip of soft landscaping abutting the front of the principal building, where loading does not occur, to an average depth of two (2) metres.
- (3) In the case of a corner site, the side yard abutting the flanking street to a minimum perpendicular width of three (3) metres.
- (4) In the case where a site abuts a residential district, the side or rear yard abutting the residential district to a minimum perpendicular width of three (3) metres.

*4.18.2 General Landscaping Requirements:*

- (1) Where this bylaw specifies that landscaping is required, it shall be developed and maintained in accordance with the following standards and policies:
  - (a) Plant material shall be species capable of healthy growth in the region and shall conform to the current Canadian Standards for Nursery Stock of the Canadian Nursery Landscape Association;

- (b) Areas designated for planting shall be provided with an underground permanent irrigation system or other adequate means of irrigation commensurate with landscaping requirements, with at least one outside hose bibb for each principal building. Commercial or industrial sites are required to use commercial grade irrigation products;
- (c) Landscaping areas required to be provided within front or side yards shall not be used for any purpose except for signs or structures otherwise permitted, or driveways leading to a parking or loading facility;
- (d) Required landscaping shall be completed in accordance with the approved landscape plan by the end of the construction season in which occupancy, partial occupancy, or use of the building or site has taken place. When occupancy, partial occupancy, or use of the building or site has taken place after the end of the construction season, all required and approved landscaping shall be completed by June 1<sup>st</sup> of the following year. For the purposes of this section, 'construction season' means May 1<sup>st</sup> through October 31<sup>st</sup> of the same calendar year; and,
- (e) Required and approved landscaping shall be suitably maintained in a neat and tidy condition at all times, and plant material installed or retained shall be maintained in healthy, vigorous condition at all times.

4.18.3 The Development Officer shall not approve an application for a development permit in the event that:

- (1) Any required landscape plans have not been submitted;
- (2) Any required landscape plans do not, in the opinion of the Development Officer, provide an adequate or suitable degree of landscaping necessary to enhance the visual amenity of the site or provide a visual screen where required by this Bylaw.

4.18.4 Landscaping shall be a condition of the issuance of a development permit when the existing use of a building or structure is significantly enlarged, undergoes a significant capacity increase, or is changed to a new use.

4.18.5 Any landscaping, including planting thereon, which is required to be provided by this Bylaw shall be maintained in a healthy growing condition or shall otherwise be replaced.

4.18.6 Any land for landscaped open space shall be included in any calculation of site area, setbacks, density or yard requirements as required by this Bylaw.

4.18.7 Requirements for Landscape Plans

- (1) When landscaping is required under this Bylaw, landscaping plans shall be attached to a development permit application and shall form part of that application. The landscape plans shall be prepared in accordance with Subsection 4.18.7 (2).
- (2) Landscape Plan Submission Requirements:
  - (a) Two copies of every landscape plan must be submitted to the satisfaction of the Development Officer, showing, to scale, physical features, including existing and proposed grades, the size and type of existing vegetation to be removed and

retained, the size, type and location of plant material to be provided, the location of hard landscaping such as fences, retaining walls, walkways and curbs, and the details of the proposed irrigation system, including the location of any outside hose bibbs.

- (b) A declaration, signed by the property owner and applicant, shall be affixed to required landscape plans, specifically acknowledging that the landscaping specified on the plans is a condition of the issuance of a development permit for the property and that such development will be complete by the date set out in the development permit.

## 4.19 Outside Storage and Garbage Storage

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

- (1) No outside storage shall be located in the front yard, except for the neatly arranged display of items for sale.
- (2) Outside storage in a side or rear yard shall be screened from adjacent sites by a fence at least 1.9 metres in height, or a combination of fence and soft landscaping screening a minimum of 1.9 metres in height.
- (3) Unless otherwise directed by this Bylaw, garbage and waste material shall be stored in weatherproof and animal-proof containers and shall be visually screened from all adjacent sites and public thoroughfares.

## 4.20 Permitted Yard Encroachments

4.20.1 The following are not considered encroachments and shall be considered part of the principal or accessory building and all applicable regulations will apply to it as it would be to the principal or accessory building:

- (1) any deck or floor area attached to a principal or accessory building that has a permanent roof structure and/or solid glass, or screen walls; and,
- (2) any private garage attached to a principal building.

4.20.2 The following yard encroachments shall be permitted in any required yard:

- (1) steps 1.6 metres or less above grade level, as measured at the highest point of the steps, that are necessary for access to a permitted building or for access to a site from a street or lane;
- (2) window sills, eaves, gutters, belt courses, pilaster or other similar vertical columns, cornices, bay windows, chimneys and similar non-structural alterations may project a distance of 0.6 metres from the building into any required yard, but not closer than 0.5 metres to a site line;

- (3) raised patios, decks and sidewalks not more than 0.4 metres above grade level, as measured at the outside edge of the patio, deck or sidewalk;
- (4) trees, shrubs, walkways, trellises or flag poles, so long as these fixtures do not extend into or over public land, subject to Section 4.15; and,
- (5) lighting fixtures and lamp posts.

## 4.21 Aggregate Resource Extraction Industry

4.21.1 Notwithstanding other provisions of this Bylaw, an aggregate extraction industry is subject to the following development standards:

- (1) In reviewing an application, Council shall consider the environmental implications of the operation including plans for site restoration.
- (2) In addition to the public notification provisions for discretionary uses contained in this Bylaw, Council shall require that details of the application be circulated to property owners adjacent to the proposed haul roads to obtain public input on the proposed site.
- (3) The applicant shall ensure that dust and noise control measures are undertaken at the request of and to the satisfaction of Council to prevent the operation from becoming an annoyance to neighbouring land owners.
- (4) The applicant shall apply appropriate methods for minimizing the noise created from machinery and equipment through proper location and property screening including locating stock piles to act as a noise barrier.
- (5) The applicant shall keep the site in a clean and tidy condition free from rubbish and non-aggregate debris.
- (6) The disturbed area shall be progressively reclaimed to a land capability equivalent to the pre-disturbance land capability (for example, agricultural land) or a post-disturbance condition and land use (for example, conversion to wetland) which are satisfactory to Council. These conservation and reclamation procedures shall be in accordance with applicable provincial guidelines.
- (7) Property approaches shall be located away from existing residential dwelling units.
- (8) The applicant shall be responsible for providing an estimate and a corresponding financial guarantee, in a form acceptable to Council, equal to the cost of reclamation of the pit, to be held by the Municipality for the lifespan of the operation.
- (9) An aggregate resource extraction industry shall have regard to adjacent land uses and no material is to be stored or piled on any road allowance or within 30 m (100 ft) of the bank of any river or watercourse.
- (10) The applicant, operator, or any person who hauls the aggregate resource may be required by Council to enter into a road maintenance agreement.

- (11) By November 1 of each year or the end of the hauling season, whichever comes first, the applicant or operator must report the amount of material extracted by the operation that year to Council.
- (12) Any approval of an aggregate extraction industry shall be for a maximum period of two years and may be renewed at the discretion of Council providing the requirements of this Bylaw continue to be met.
- (13) An applicant shall be required to enter into a development agreement with the Municipality to ensure the mineral resource extraction industry complies with all relevant requirements of this Bylaw including any additional conditions of approval necessary to secure the objectives of this Bylaw.

## 4.22 Prohibition of Species Breeding

4.22.1 The breeding of rats and other rodents and crickets and other insects is prohibited in all zoning districts in the Municipality.

## 4.23 Bare Land Condominiums

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

## 4.24 Temporary Accommodation and Use

4.24.1 Nothing in this bylaw shall prevent the use of land, or the use of any building, modular home, trailer coach, recreational vehicle, or park model RV as a temporary dwelling incidental to and necessary for the construction of a permanent principal dwelling on the site but only so long as the temporary dwelling is necessary for such construction work that is in progress and has not been abandoned. A development permit shall be required for a proposed use by a property owner of a modular home, trailer coach, recreational vehicle, or park model RV for temporary accommodation during the period of construction activity on a site. The effective period of a development permit for temporary occupancy is 12 months and may be extended by the development officer for an additional 12 month period.

**(Revised Bylaw 03-2014 - March 14, 2014)**



## 5.0 ZONING DISTRICTS

### 5.1 Classification of Zoning Districts

5.1.1 In order to carry out the purpose and provisions of this Bylaw, the Rural Municipality is divided into the following Zoning Districts, the boundaries of which are shown on the “**Zoning District Map**”. All parts of the Municipality shall be designated as **A** – Agricultural District except those areas specifically designated on the detailed Zoning District Map as another district. Such Districts may be referred to by the appropriate symbols:

Districts	Symbols
Agriculture	A
Low Density Country Residential	CR1
Medium Density Country Residential	CR2
High Density Country Residential	CR3
High Density Mixed Use Residential	HDMU
Low Density Valley Residential	R1
Medium Density Valley Residential	R2
Planned Valley Residential District	R3
General Commercial	C1
Highway Commercial	C2
Industrial	M
Architectural Control Overlay District	AC

(Revised Bylaw 09-2013 - October 8, 2013)

(Revised Bylaw 10-2021 – June 20, 2022)

### 5.2 Zoning District Maps

5.2.1 The map, bearing the statement “This is the Zoning District Map which accompanies Bylaw Number 7-2012 adopted by the Rural Municipality of Lumsden, No. 189” and signed by the Reeve and Rural Municipal Administrator under the seal of the Rural Municipality shall be known as the “**Zoning District Map**” and such map is hereby declared to be an integral part of this Bylaw.

### 5.3 Boundaries

5.3.1 The boundaries of such districts referred to, together with explanatory legend, notation and reference, are shown on the map entitled “**Zoning District Map**”.

5.3.2 All streets, lanes and road allowances, if not otherwise specifically designated, shall be deemed to be in the same zoning district as the property immediately abutting upon such streets, lanes and road allowances. If the land abutting each side of a street, lane or road allowance is located in different zoning districts, the centre line of such street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

5.3.3 Streets, lanes, and road allowances which are shown on the “**Zoning District Map**” and which have been permanently closed pursuant to Section 13 of *The Municipalities Act*, shall be in the same district as the land abutting both sides of the permanently closed street, lane or road

allowance. If the land abutting each side of the permanently closed street, lane or road allowance was located in different zoning districts before the said street, lane or road allowance was permanently closed, the centre line of such permanently closed street, lane or road allowance shall be deemed to be the district boundary, unless otherwise specifically designated.

- 5.3.4 In unsubdivided land, the zoning district boundary shall be determined by the scale shown on the “**Zoning District Map**”.

## 5.4 Regulations

- 5.4.1 Regulations for the zoning districts are outlined in the following sections of this Bylaw.

## 5.5 Transitional Zoning Provisions

### 5.5.1 *Former Permitted and Discretionary Uses*

Land uses or developments in existence on a site that were listed as permitted or discretionary uses under Zoning Bylaw No. 2-2000, or any amendment thereto, and are listed as discretionary uses under this bylaw, shall be considered permitted uses; however, no alteration or enlargement of the land use or development shall take place except in conformity with relevant development standards in this Bylaw.

## 5.6 Properties with More than One Zoning District

- 5.6.1 Where a site or lot is divided into more than one zoning district, each portion of the site or lot shall be developed and used in accordance with the provisions of the applicable zoning districts.

## 5.7 Overlay Zoning Districts

- 5.7.1 The overlay zone shall be in addition to and shall overlay all other zones where it is applied so that any parcel of land lying in the overlay zone shall also lie in one of the other zones provided for by this Bylaw. The effect is to create a new zone, which has the characteristics and limitations of the underlying zone, together with the characteristics and limitations of the overlay zone.
- 5.7.2 Unless specifically exempted, the regulations, standards and criteria of the overlay zone shall also supplement and be applied in addition but not in lieu of any regulations, standards, and criteria applicable to the underlying zone.
- 5.7.3 Where there appears to be a conflict between the requirements of the overlay zone and those of the underlying zone, the overlay zone regulations shall take precedence.

**(Revised Bylaw 10-2021 – June 20, 2022)**

## **6.0 AGRICULTURE DISTRICT**

### **6.1 INTENT**

The objective of the **A** – Agriculture District is to provide for the primary use of land in the form of agricultural development, associated residences, limited single-parcel country residential development, location-dependent natural resource development, other uses compatible with agricultural development, and to protect the existing agricultural economic nature of the Municipality, the rural lifestyle of its residents and the natural environment.

### **6.2 PERMITTED AND DISCRETIONARY USES AND DEVELOPMENT STANDARDS**

The permitted and discretionary uses and applicable development standards are laid out in Table 6-1.

### **6.3 PROHIBITED USES**

Uses prohibited in the **A** – Agriculture District are as follows:

### **6.4 ACCESSORY BUILDINGS**

6.4.1 Accessory buildings and uses shall be permitted subject to Section 4.14.12.

6.4.2 Farm dwellings, subject to Section 3.4.3 (4) of the Official Community Plan.

### **6.5 REGULATIONS**

#### *6.5.1 Site Requirements*

- (1) Minimum and maximum site size, site width, and yard requirements are shown in Table 6-1.
- (2) In addition to the requirements set out in Table 6-1, the following requirements apply:
  - (a) No dwelling shall be located within 305 metres of an Intensive Livestock Operation (ILO) unless such dwelling is located on the same parcel in conjunction with the ILO, or unless the owners of the dwelling, the land upon which the dwelling is located and the ILO enter into a written agreement approved by Council.
  - (b) A single residential parcel subdivision must be located a minimum of 800 metres of an Intensive Livestock Operation (ILO) unless such dwelling is located on the same parcel in conjunction with the ILO, or unless the owners of the dwelling, the land upon which the dwelling is located and the ILO enter into a written agreement

approved by Council.

## 6.6 STANDARDS FOR DISCRETIONARY USES

Council will consider discretionary use applications in the A – Agriculture District with regard to Section 3.7.2 Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows:

- 6.6.1 Intensive agricultural operations including, but not limited to intensive livestock operations subject to Section 3.4.3 (5) of the Official Community Plan.
- 6.6.2 Personal care homes shall be licensed under *The Personal Care Homes Act*.
- 6.6.3 *Discretionary Commercial Uses*
  - (1) Where ancillary to a farm operation, or a single detached dwelling, Council may prescribe specific development standards in the issuing of a development permit limiting the size of operation, buildings used for operation, and number of non-resident employees. Any increase in the area of land for a commercial use, or the number or size of buildings used for the commercial operation, shall require a new discretionary approval by Council.
  - (2) Council may specify specific development standards for the location, setback, or screening of any area devoted to the outdoor storage of machinery, vehicles, or vehicular parts in conjunction with a commercial operation including any salvage or vehicle storage yard.

## 6.7 EXCEPTIONS TO DEVELOPMENT STANDARDS

Exceptions to development standards in A – Agriculture District, are as follows:

### 6.8 OFF-STREET PARKING AND LOADING

Off-street parking and loading requirements are subject to Section 4.17.

### 6.9 OUTSIDE STORAGE

Outside storage, including garbage storage, is subject to Section 4.19.

<b>Table 6-1</b>								
<b>A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS</b>								
<b>for the Rural Municipality of Lumsden No. 189</b>								
<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>					
			Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
<b><i>Agricultural Uses</i></b>								
(1) Agriculturally related commercial and industrial uses subject to Section 3.4.3 (7) in the Official Community Plan	D	3.5.2 (4) 3.7.4	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15 <sup>(7)</sup>
(2) Farm operations	P		64 <sup>(2)</sup>	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(3) Intensive livestock operations subject to Section 3.4.3 (5) in the Official Community Plan	D	3.5.2 (2)	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(4) Intensive agricultural operations subject to Section 3.4.3 in the Official Community Plan	D	3.5.2 (2) 3.7.4 (16)	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(5) Manure disposal for an ILO	D	4.13	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
<b><i>Resource Based Uses</i></b>								
(1) Mineral exploration and extraction, excluding gravel pits subject to Section 3.6.3 (17) in the Official Community Plan	P		--	--	--	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15 <sup>(7)</sup>
(2) Petroleum exploration, pipelines, oil & gas wells and related facilities subject to Section 3.6.6 (17) in the Official Community Plan	P		--	--	--	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15 <sup>(7)</sup>
(3) Mineral Resource Processing	D	3.7.4 (10)	--	--	--	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15 <sup>(7)</sup>
(4) Temporary stockpiling of gravel, clay, sand or other similar materials	D	3.7.3(23)	--	--	--	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(5) Sand and gravel extraction, private	P		--	--	--	--	--	--
<b><i>Residential Uses</i></b>								

**Table 6-1**  
**A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS**  
**for the Rural Municipality of Lumsden No. 189**

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>					
			Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(1) Farm Dwellings subject to 3.4.3 (4) in the Official Community Plan	D	4.14.12 (6)	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(2) Garden suites	D	4.14.12 (6)	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(3) Home based businesses	D	4.14.1	2.01 <sup>(8)</sup>	4.0 <sup>(9)</sup>	--	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(4) Modular home courts	D	3.5.2 (1) 4.14.5	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(5) Rental Suite	P	4.14.12 (8)	Must be developed within Single Detached Dwelling					
(6) Single detached dwellings (as a principal use) subject to Section 3.3.3 (8) in the Official Community Plan	P		2.01 <sup>(3)</sup>	4.0 <sup>(3)</sup>	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(7) Garage Suites	D	4.14.12 (6)	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
<b>Commercial Uses</b>								
(1) Bed and breakfast homes	P	4.14.7	2.01 <sup>(8)</sup>	4.0 <sup>(9)</sup>	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(2) Campgrounds	D	3.5.2 (1) 3.7.4 (13) 4.14.4	1.01	(4)	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(3) Custodial care facilities	D	4.14.8	2.01 <sup>(8)</sup>	4.0 <sup>(9)</sup>	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(4) Golf courses	D	3.7.4 (15)	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(5) Grain elevators	D		1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15 <sup>(8)(7)</sup>
(6) Gravel pits and gravel crushing operations subject to Table 6-1 of the Official Community Plan	D	3.5.2 (10)	--	--	60	15 <sup>(5)</sup>	15 <sup>(5)</sup>	15 <sup>(7)</sup>
(7) Kennels	D	4.14.16	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15

**Table 6-1**  
**A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS**  
**for the Rural Municipality of Lumsden No. 189**

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>					
			Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(8) Machine shops and metal fabricators	D	3.7.4 (10)	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15 <sup>(7)</sup>
(9) Outfitter base camps	D	3.5.2 (1) 4.14.13	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(10) Personal care homes	D	4.14.8	2.01 <sup>(8)</sup>	4.0 <sup>(9)</sup>	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(11) Residential care facilities	D	4.14.8	2.01 <sup>(8)</sup>	4.0 <sup>(9)</sup>	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(12) Tourism base camps	D	3.5.2 (1) 4.14.13	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(13) Tourist camps	D	3.5.2 (1) 4.14.13	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(14) Veterinary clinics and hospital, including large animal boarding	D		1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(15) Bakeries	D		1.01 <sup>(8)</sup>	2.02 <sup>(9)</sup>	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(16) Butcher shops	D		1.01 <sup>(8)</sup>	2.02 <sup>(9)</sup>	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(17) Dairy Processing	D		1.01 <sup>(8)</sup>	2.02 <sup>(9)</sup>	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(18) Distilleries, wineries, breweries, including restaurant facilities, orchards, vineyards and other associated uses.	D		1.01 <sup>(8)</sup>	2.02 <sup>(9)</sup>	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(19) Farmer's markets	D		1.01 <sup>(8)</sup>	2.02 <sup>(9)</sup>	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(20) Farmer stands	D		1.01 <sup>(8)</sup>	2.02 <sup>(9)</sup>	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(21) Cannabis Production Facility	D	4.14.20	1		60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(22) Agricultural Tourism Use	D	4.14.21	1		60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15

**Table 6-1****A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS****for the Rural Municipality of Lumsden No. 189**

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>					
			Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(23) Residential Homestay	D	4.14.22	2.01 <sup>(8)</sup>		4.0 <sup>(9)</sup>	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(24) Cannabis Production Facilities (micro)	D	4.14.20	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(25) Equestrian Centres	D	4.14.23	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
<b><i>Municipal, Recreational, Institutional and Other Uses</i></b>								
(1) Airports and airstrips	D		(1)	--	--	15 <sup>(5)</sup> (6)	15 <sup>(6)</sup>	15
(2) Cemeteries and crematoria	D		--	--	--	--	--	--
(3) Community halls	P		--	--	--	15 <sup>(6)</sup>	15 <sup>(6)</sup>	15
(4) Detention centres and correctional institutions	D		1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(5) Historical and archaeological sites	P		--	--	--	--	--	--
(6) Municipal facilities	P		--	--	--	--	--	--
(7) Parks and playgrounds	P		--	--	--	--	--	--
(8) Places of worship	D	3.7.4 (3)	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(9) Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--	--	3
(10) Radar stations	D		--	--	--	10	10	10
(11) Recreation facilities	D	3.7.4 (3)	(1)	--	--	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(12) Schools and educational facilities	D	3.7.4 (3)	(1)	--	--	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(13) Solid and liquid waste disposal facilities including soil farms for the rehabilitation of contaminated soils subject to Section 3.6.3 11) of the Official Community Plan	D	3.5.2 (6) 4.14.6	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15



**Table 6-1**  
**A - AGRICULTURE DISTRICT DEVELOPMENT STANDARDS**  
**for the Rural Municipality of Lumsden No. 189**

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>					
			Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(14) Solid waste disposal sites, sewage lagoons, pesticide container collection sites, and associated facilities	D	4.14.14	1.01	--	60	15 <sup>(5)</sup>	15 <sup>(6)</sup>	15
(15) Telecommunications facilities	P		--	--	--	10	10	10 <sup>(8)</sup>
(16) Wildlife and ecological conservation areas	P		--	--	--	--	--	--
(17) Wind energy conversion facilities, including wind farms	D	3.5.2 (8)	Development Standards as laid out in Section 4.14.18 & 4.14.19					

**Use Designations:**

(P) - Permitted Use

(D) - Discretionary Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of, the Council; and which complies with the development standards laid out in Section 6.6 and others as required by Council and/or contained in this Bylaw.

**Special limitations and standards regarding Table 6-1 and the A - Agriculture District:**

- (1) private facilities: 1.01 hectares. Publicly-owned facilities: no minimum.
- (2) or a lesser amount as identified in Section 3.4.3 (8) of the Official Community Plan.
- (3) or a greater or lesser amount as approved by Council subject to Section 3.3.3(8)(c)(ii) of the Official Community Plan.
- (4) private facilities: 6.06 hectares. Publicly-owned facilities: no maximum.
- (5) except where all or a portion of yard abuts municipal road allowance or highway, in which cases Council may require minimum front and/or side yard of up to 45 metres from the centre-line.
- (6) Council may require a more stringent standard, as part of the discretionary use process, should safety, noise, pollution and/or other concerns require.
- (7) where rear yard abuts a railway or a railway reserve no rear yard is required.
- (8) unless developed ancillary to a farm operation, in which case 64 hectares, and subject to (2) above, or if associated with an approved single detached dwelling, the site size of the single detached dwelling site shall be acceptable.
- (9) no maximum shall apply if developed ancillary to a Farm Operation, or if associated with an approved single detached dwelling, the site size of the

single detached dwelling site shall be acceptable.

(10) The total area of a private sand and gravel extraction use shall not exceed 0.4 hectares.

**(Revised Bylaw 13-2013 - October 8, 2013)**

**(Revised Bylaw 03-2014 - March 14, 2014)**

**(Revised Bylaw 12-2014 - November 21, 2014)**

**(Revised Bylaw 11-2015 - August 5, 2015)**

**(Revised Bylaw 03-2016 - May 13, 2016)**

**(Revised Bylaw 18-2018 - February 7, 2019)**

**(Revised Bylaw 2020-06 – September 17, 2020)**

**(Revised Bylaw 04-2021 – January 6, 2022)**

**(Revised Bylaw 2021-12 – June 28, 2022)**

## **7.0 CR1 – LOW DENSITY COUNTRY RESIDENTIAL DISTRICT**

### **7.1 INTENT**

The objective of the **CR1** – Low Density Country Residential District is to provide for low density multiple-lot country residential development and other compatible development in specific areas with standards for such development which does not directly support agriculture.

### **7.2 PERMITTED AND DISCRETIONARY USES AND DEVELOPMENT STANDARDS**

The permitted and discretionary uses and applicable development standards are laid out in Table 7-1.

### **7.3 PROHIBITED USES**

Uses prohibited in **CR1** – Low Density Country Residential District are as follows:

#### *7.3.1 Solid and Liquid Waste Disposal*

- (1) The construction and operation of Solid and Liquid Waste disposal Sites is prohibited within the **CR1** – Low Density Country Residential District.

### **7.4 ACCESSORY BUILDINGS AND USES**

*7.4.1* The following accessory buildings and uses shall be permitted and are subject to Section 4.14.12:

- (1) Private garages, whether detached or attached to a dwelling unit.
- (2) Garden sheds used for the storage of non-industrial yard maintenance equipment.
- (3) Greenhouses where accessory to a residential use.
- (4) Keeping of animals on the same site as the residence, subject to Section 7.5.3.
- (5) Barns and stables for animals permitted by Section 7.5.3.
- (6) Orchards and vegetable, horticultural or fruit gardens, where accessory to a residence.
- (7) Field crops.

### **7.5 REGULATIONS**

#### *7.5.1 Site Requirements*

The minimum site size, site width, and yard requirements are shown in Table 8-1.

### 7.5.2 *Building Height Requirements*

Maximum building height requirements are shown in Table 8-1.

### 7.5.3 *Keeping of animals*

- (1) Large animals, which include only horses, cattle, sheep, goats, llamas and alpacas, will be permitted on a site, in numbers not exceeding 2 animal units per 2 ha of site area. The maximum number of animal units allowed shall be 6. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.
- (2) Animals shall not be pastured within 15.25 metres of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 metres of a property line.

**(Revised Bylaw 13-2013 - October 8, 2013)**

## 7.6 STANDARDS FOR DISCRETIONARY USES

Council will consider discretionary use applications in the **CR1** – Low Density Country Residential District with regard to Section 3.7.2 Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

### 7.6.1 *Home Based Businesses*

- (1) Home based businesses are subject to Section 4.14.1.
- (2) No home based business in this district shall include auto body repair or repainting operations.
- (3) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district.

7.6.2 Personal care homes shall be licensed under *The Personal Care Homes Act*.

### 7.6.3 *Garden Suites*

- (1) In any Country Residential District, garden suites shall not exceed 69 m<sup>2</sup> in gross floor area.

## 7.7 OFF-STREET PARKING AND LOADING

Off-street parking and loading requirements are subject to Section 4.17.

## 7.8 OUTSIDE STORAGE

Outside storage, including garbage storage, is subject to Section 4.19.

**Table 7-1**  
**CR1 - LOW DENSITY COUNTRY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS**  
**for the Rural Municipality of Lumsden No. 189**

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>							
			Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Bldg Height (m)	Minimum Floor Area (m <sup>2</sup> )
<b>Residential Uses</b>										
(1) Garden suites	D	4.14.12 (6)	4.01	8.01	61	10 <sup>(1)</sup>	15	10	4.4	--
(2) Rental Suite	D	4.14.12 (8)	Must be developed within Single Detached Dwelling							
(3) Single detached dwellings as a principal use	P	3.5.2 (7)	4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	90
(4) Garage Suites	D	4.14.12 (6)	4.01	8.01	61	10 <sup>(1)</sup>	15	10	--	--
(5) Residential Homestay	D	4.14.22	4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	--
<b>Commercial Uses</b>										
(1) Bed and breakfast homes	D	4.14.7	4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	90
(2) Day care centres	D	4.14.3	4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	90
(3) Home based businesses	D	4.14.1	4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	90
(4) Personal care homes	D	4.14.8	4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	90
(5) Bakeries	D		4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	90
(6) Butcher Shops	D		4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	90
(7) Dairy Processing	D		4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	90
(8) Distilleries, wineries and breweries, including restaurant facilities, orchards, vineyards and other associated uses.	D		4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	90
(9) Farmer's markets	D		4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	90
(10) Farm stands	D		4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	90
(12) Cannabis Production Facilities (micro)	D	4.14.20	4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	--
<b>Municipal, Recreational, Institutional and Other Uses</b>										
(1) Community halls	P		--	--	--	10 <sup>(1)</sup>	15	10	15	--

(2)	Historical and archaeological sites	P		--	--	--	--	--	--	--	--
(3)	Municipal facilities	P		--	--	--	--	--	--	--	--
(4)	Parks and playgrounds	P		--	--	--	--	--	--	--	--
(5)	Places of worship	P		4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	--
(6)	Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--	--	3	--	--
(7)	Recreation facilities	D	3.7.4 (3)	--	--	--	10 <sup>(1)</sup>	15	10	15	--
(8)	Schools and educational facilities	D	3.7.4 (3)	4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	--
(9)	Wildlife and ecological conservation areas	P		--	--	--	--	--	--	--	--
(10)	Wind energy facilities	D	3.5.2 (8)	Development Standards as laid out in Section 4.14.18							
(11)	Residential Homestay	D	4.14.22	4.01	8.01	61	10 <sup>(1)</sup>	15	10	15	--

**Use Designations:**

(P) - Permitted Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of, the Council; and which complies with the development standards laid out in Section 7.6 and others as required by Council and/or contained in this Bylaw.

**Special limitations and standards regarding Table 7-1 and the CR1 - Low Density Country Residential District:**

- (1) except where all or a portion of yard abuts municipal road allowance or highway, in which cases Council may require minimum front and/or side yard of up to 45 metres from the centre-line.

**(Revised Bylaw 13-2013 - October 8, 2013)**

**(Revised Bylaw 03-2014 - March 14, 2014)**

**(Revised Bylaw 04-2021 – January 6, 2022)**

**(Revised Bylaw 08-2021 – June 20, 2022)**

**(Revised Bylaw 2021-12 – June 28, 2022)**

## **8.0 CR2 – MEDIUM DENSITY COUNTRY RESIDENTIAL DISTRICT**

### **8.1 INTENT**

The objective of the **CR2** – Medium Density Country Residential District is to provide for medium density multiple-lot country residential development and other compatible development in specific areas with standards for such development which does not directly support agriculture.

### **8.2 PERMITTED AND DISCRETIONARY USES AND DEVELOPMENT STANDARDS**

The permitted and discretionary uses and applicable development standards are laid out in Table 9-1.

### **8.3 PROHIBITED USES**

Uses prohibited in **CR2** – Medium Density Country Residential District are as follows:

#### *8.3.2 Solid and Liquid Waste Disposal*

- (1) The construction and operation of Solid and Liquid Waste disposal Sites is prohibited within the **CR2** – Medium Density Country Residential District.

### **8.4 ACCESSORY BUILDINGS AND USES**

*8.4.1* The following accessory buildings and uses shall be permitted and are subject to Section 4.14.12:

- (1) Private garages, whether detached or attached to a dwelling unit.
- (2) Garden sheds used for the storage of non-industrial yard maintenance equipment.
- (3) Greenhouses where accessory to a residential use.
- (4) Keeping of animals on the same site as the residence, subject to Section 8.5.3.
- (5) Barns and stables for animals permitted by Section 8.5.3.
- (6) Orchards and vegetable, horticultural or fruit gardens, where accessory to a residence.
- (7) Field crops.

### **8.5 REGULATIONS**

#### *8.5.1 Site Requirements*

The minimum site size, site width, and yard requirements are shown in Table 8-1.

#### *8.5.2 Building Height Requirements*

Maximum building height requirements are shown in Table 8-1.

### 8.5.3 Keeping of animals

- (1) Large animals, which include only horses, cattle, sheep, goats, llamas and alpacas, will be permitted on a site, in numbers not exceeding 2 animal units per 2 ha of site area. The maximum number of animal units allowed shall be 6. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.
- (2) Animals shall not be pastured within 15.25 metres of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 metres of a property line.
- (3) The use of vacant residential sites for pasture of animals is prohibited.  
(Revised Bylaw 13-2013 - October 8, 2013)

## 8.6 STANDARDS FOR DISCRETIONARY USES

Council will consider discretionary use applications in the **CR2** – Medium Density Country Residential District with regard to Section 3.7.2 Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

### 8.6.1 Home Based Businesses

- (1) Home based businesses are subject to Section 4.14.1.
- (2) No home based business in this district shall include auto body repair or repainting operations.
- (3) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district.

8.6.2 Personal care homes shall be licensed under *The Personal Care Homes Act*.

### 8.6.3 Garden Suites

- (1) In any Country Residential District, garden suites shall not exceed 69 m<sup>2</sup> in gross floor area.

## 8.7 OFF-STREET PARKING AND LOADING

Off-street parking and loading requirements are subject to Section 4.17.

## 8.8 OUTSIDE STORAGE

Outside storage, including garbage storage, is subject to Section 4.19.



<b>Table 8-1</b>										
<b>CR2 - MEDIUM DENSITY COUNTRY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS</b>										
<b>for the Rural Municipality of Lumsden No. 189</b>										
<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>							
			Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Bldg Height (m)	Minimum Floor Area (m <sup>2</sup> )
<b>Residential Uses</b>										
(1) Garden suites	D	4.14.12 (6)	1.01	4.0	31	10 <sup>(1)</sup>	8	8	4.4	
(2) Rental Suite	D	4.14.12 (8)	Must be developed within Single Detached Dwelling							
(3) Single detached dwellings as a principal use	P	3.5.2 (7)	1.01	4.0	31	10 <sup>(1)</sup>	8	8	15	90
(4) Garage Suites	D	4.14.12 (6)	1.01	4.0	31	10 <sup>(1)</sup>	8	8		
(5) Residential Homestays	D	4.14.22	1.01	4.0	61	10 <sup>(1)</sup>	15	15	15	--
<b>Commercial Uses</b>										
(1) Bed and breakfast homes	D	4.14.7	1.01	4.0	61	10 <sup>(1)</sup>	15	15	15	90
(2) Day care centres	D	4.14.3	1.01	4.0	61	10 <sup>(1)</sup>	15	15	15	90
(3) Home based businesses	D	4.14.1	1.01	4.0	61	10 <sup>(1)</sup>	15	15	15	90
(4) Personal care homes	D	4.14.8	1.01	4.0	61	10 <sup>(1)</sup>	15	15	15	90
<b>Municipal, Recreational, Institutional and Other Uses</b>										
(1) Community halls	P		--	--	--	10 <sup>(1)</sup>	15	15	15	--
(2) Historical and archaeological sites	P		--	--	--	--	--	--	--	--
(3) Municipal facilities	P		--	--	--	--	--	--	--	--
(4) Parks and playgrounds	P		--	--	--	--	--	--	--	--
(5) Places of worship	P		1.01	4.0	61	10 <sup>(1)</sup>	15	15	15	--
(6) Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--	--	3	--	--
(7) Recreation facilities	D	3.7.4 (3)	--	--	--	10 <sup>(1)</sup>	15	15	15	--
(8) Schools and educational facilities	D	3.7.4 (3)	1.01	4.0	61	10 <sup>(1)</sup>	15	15	15	--
(9) Wildlife and ecological conservation areas	P		--	--	--	--	--	--	--	--
(10) Wind energy facilities	D	3.5.2 (8)	Development Standards as laid out in Section 4.14.18							

**Use Designations:****(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

**(D) - Discretionary Use**

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of, Council; and which complies with the development standards laid out in Section 8.6 and others as required by Council and/or contained in this Bylaw.

**Special limitations and standards regarding Table 8-1 and the CR2 - Medium Density Country Residential District:**

- (1) except where all or a portion of yard abuts municipal road allowance or highway, in which cases Council may require minimum front and/or side yard of up to 45 metres from the centre-line.

**(Revised Bylaw 03-2014 - March 14, 2014)**

**(Revised Bylaw 04-2021 – January 6, 2022)**

## **9.0 CR3 – HIGH DENSITY COUNTRY RESIDENTIAL DISTRICT**

### **9.1 INTENT**

The objective of the **CR3** – High Density Country Residential District is to provide for high density multiple-lot country residential development and other compatible development in specific areas with standards for such development which does not directly support agriculture.

### **9.2 PERMITTED AND DISCRETIONARY USES AND DEVELOPMENT STANDARDS**

The permitted and discretionary uses and applicable development standards are laid out in Table 9-1.

### **9.3 PROHIBITED USES**

Uses prohibited in **CR3** – High Density Country Residential District are as follows:

#### *9.3.2 Solid and Liquid Waste Disposal*

- (1) The construction and operation of Solid and Liquid Waste disposal Sites is prohibited within the **CR3** – High Density Country Residential District.

### **9.4 ACCESSORY BUILDINGS AND USES**

*9.4.1* The following accessory buildings and uses shall be permitted and are subject to Section 4.14.12:

- (1) Private garages, whether detached or attached to a dwelling unit.
- (2) Garden sheds used for the storage of non-industrial yard maintenance equipment.
- (3) Greenhouses where accessory to a residential use.
- (4) Keeping of animals on the same site as the residence, subject to Section 9.5.3.
- (5) Barns and stables for animals permitted by Section 9.5.3.
- (6) Orchards and vegetable, horticultural or fruit gardens, where accessory to a residence.
- (7) Field crops.

### **9.5 REGULATIONS**

#### *9.5.1 Site Requirements*

The minimum site size, site width, and yard requirements are shown in Table 9-1.

### 9.5.2 *Building Height Requirements*

Maximum building height requirements are shown in Table 9-1.

### 9.5.3 Keeping of animals

(1) Keeping of animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.

(2) The use of vacant residential sites for pasture of animals is prohibited.

**(Revised Bylaw 13-2013 - October 8, 2013)**

## 9.6 STANDARDS FOR DISCRETIONARY USES

Council will consider discretionary use applications in the **CR3** – High Density Country Residential District with regard to Section 3.7.2 Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

### 9.6.1 *Home Based Businesses*

(1) Home based businesses are subject to Section 4.14.1.

(2) No home based business in this district shall include auto body repair or repainting operations.

(3) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district.

9.6.2 Personal care homes shall be licensed under *The Personal Care Homes Act*.

### 9.6.3 *Garden Suites*

(1) In any Country Residential District, garden suites shall not exceed 69 m<sup>2</sup> in gross floor area.

## 9.7 OFF-STREET PARKING AND LOADING

Off-street parking and loading requirements are subject to Section 4.17.

## 9.8 OUTSIDE STORAGE

Outside storage, including garbage storage, is subject to Section 4.19.

**Table 9-1**  
**CR3 - HIGH DENSITY COUNTRY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS**  
**for the Rural Municipality of Lumsden No. 189**

Use	Permitted or Discretionary	Subject to Sections	Development Standards							
			Minimum Site Area (ha)	Maximum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Bldg Height (m)	Minimum Floor Area (m <sup>2</sup> )
<b>Residential Uses</b>										
(1) Garden suites	D	4.14.12 (6)	0.4	1.0	31	10 <sup>(1)</sup>	8	8	4.4	
(2) Rental Suite	D	4.14.12 (8)	Must be developed within Single Detached Dwelling							
(3) Single detached dwellings as a principal use	P	3.5.2 (7)	0.4	1.0	31	10 <sup>(1)</sup>	8	8	15	90
(4) Garage Suites	D	4.14.12 (6)	0.4	1.0	31	10 <sup>(1)</sup>	8	8		
<b>Commercial Uses</b>										
(1) Bed and breakfast homes	D	4.14.7	0.4	1.0	31	10 <sup>(1)</sup>	8	8	15	90
(2) Day care centres	D	4.14.3	0.4	1.0	31	10 <sup>(1)</sup>	8	8	15	90
(3) Home based businesses	D	4.14.1	0.4	1.0	31	10 <sup>(1)</sup>	8	8	15	90
(4) Personal care homes	D	4.14.8	0.4	1.0	31	10 <sup>(1)</sup>	8	8	15	90
<b>Municipal, Recreational, Institutional and Other Uses</b>										
(1) Community halls	P		--	--	--	10 <sup>(1)</sup>	8	8	15	--
(2) Historical and archaeological sites	P		--	--	--	--	--	--	--	--
(3) Municipal facilities	P		--	--	--	--	--	--	--	--
(4) Parks and playgrounds	P		--	--	--	--	--	3	--	--
(5) Places of worship	P		0.4	1.0	31	10 <sup>(1)</sup>	8	8	15	--
(6) Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--	--	--	--	--
(7) Recreation facilities	D	3.7.4 (3)	--	--	--	10 <sup>(1)</sup>	8	8	15	--
(8) Schools and educational facilities	D	3.7.4 (3)	0.4	1.0	31	10 <sup>(1)</sup>	8	8	15	--
(9) Wildlife and ecological conservation areas	P		--	--	--	--	--	--	--	--
(10) Wind energy facilities	D	3.5.2 (8)	Development Standards as laid out in Section 4.14.18							

**Use Designations:****(P) - Permitted Use**

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

**(D) - Discretionary Use**

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of, Council; and which complies with the development standards laid out in Section 9.6 and others as required by Council and/or contained in this Bylaw.

**Special limitations and standards regarding Table 9-1 and the CR3 - High Density Country Residential District:**

- (1) except where all or a portion of yard abuts municipal road allowance or highway, in which cases Council may require minimum front and/or side yard of up to 45 metres from the centre-line.

**(Revised Bylaw 03-2014 - March 14, 2014)**

## **10.0 HIGH DENSITY MIXED USE RESIDENTIAL DISTRICT**

### **10.1 INTENT**

The objective of the **HDMU** – High Density Mixed Use Residential District is to provide for a mix of comprehensively planned high and low density residential uses and compatible commercial and community service uses.

The **HDMU** – High Density Mixed Use Residential District shall be applied only to accommodate approval by agreement (under section 69 of *The Planning and Development Act, 2007*) of a specific development proposal that Council considers suitable under the policy and guidelines established for the High Density Mixed Use Residential District.

### **10.2 PERMITTED AND DISCRETIONARY USES AND DEVELOPMENT STANDARDS**

The permitted and discretionary uses and applicable development standards are laid out in Table 10-1.

### **10.3 PROHIBITED USES**

Uses prohibited in **HDMU** – High Density Mixed Use Residential District are as follows:

#### *10.3.1 Animals*

- (1) The keeping, handling, sale or transshipment of cattle, horses, pigs, goats, llamas, alpacas, poultry, sheep or other livestock is prohibited within this district.

### **10.4 ACCESSORY BUILDINGS AND USES**

- 10.4.1 Accessory buildings and uses, except dwelling units, shall be permitted and are subject to Section 4.14.12.  
(Revised Bylaw 07-2014 - September 5, 2014)

### **10.5 REGULATIONS**

#### *10.5.1 Site Requirements*

The minimum site size, site width, and yard requirements are shown in Table 10-1.

#### *10.5.2 Building Height Requirements*

Maximum building height requirements are shown in Table 10-1.

## 10.6 STANDARDS FOR DISCRETIONARY USES

Council will consider discretionary use applications in the **HDMU** – High Density Mixed Use Residential District with regard to Section 3.7.2 Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

### *10.6.1 Commercial Uses*

- (1) Council may apply special standards in the issuing of a development permit for screening of storage areas or fencing in commercial uses adjacent to residential uses.
- (2) Council may apply special development standards regarding yard requirements for commercial uses to reduce conflict with neighbouring uses.

### *10.6.2 Home Based Businesses*

- (1) Home based businesses are subject to Section 4.14.1.
- (2) No home based business in this district shall include auto body repair or repainting operations.
- (3) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district.

### *10.6.3 Garden Suites*

- (1) Mobile homes and recreational trailers shall not be used as garden suites in the **HDMU** – High Density Mixed Use Residential District.
- (2) In the **HDMU** – High Density Mixed Use Residential District, garden suites shall not exceed 69 m<sup>2</sup> in gross floor area.

## 10.7 OFF-STREET PARKING AND LOADING

Off-street parking and loading requirements are subject to Section 4.17.

## 10.8 OUTSIDE STORAGE

Outside storage, including garbage storage, is subject to Section 4.19.

## 10.9 MAXIMUM DENSITY

Unless otherwise exempted, residential subdivisions within the Urban/Rural Joint Planning Area as defined in Figure 8-1 of the Lumsden Joint Growth Strategy Report, attached as Appendix A to this Bylaw, shall not exceed a density of 4.0 dwelling units per hectare.

**(Revised Bylaw 03-2016 - May 13, 2016)**



<b>Table 10-1</b>								
<b>HDMU - HIGH DENSITY MIXED USE RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS</b>								
<b>for the Rural Municipality of Lumsden No. 189</b>								
<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>					
			Minimum Site Area (m <sup>2</sup> )	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Site Coverage (%)
<b>Residential Uses</b>								
(1) Dwelling groups	D	3.7.4 (4) 4.12.5	4,000	no min	no min	3 <sup>(1)</sup>	no min	75
(2) Dwelling units in conjunction with and attached to any other permitted use	P		no min	no min	no min	1.2	4.5	no max
(3) Multiple unit dwelling (apartments)	P		(2)	6 / unit <sup>(3)</sup>	3	(4) (5)	no min	75
(4) Multiple unit dwelling (townhouses)	P		185 / unit	6 / unit	3	(4) (5)	no min	75
(5) Semi-detached dwellings	P		255 <sup>(6)</sup>	7.5	3	1.2 <sup>(7) (5)</sup>	4.5	75
(6) Single detached dwellings	P		255 <sup>(6)</sup>	11 <sup>(10)</sup>	3	1.2 <sup>(7)</sup>	4.5	75
(7) Street townhouse dwellings	P		185	6	3	(4) (5)	no min	75
(8) Two unit dwellings	P		510 <sup>(8)</sup>	11	3	1.2 <sup>(7)</sup>	4.5	75
(9) Garden suites <sup>(9)</sup>	D	4.14.12 (6)	255 <sup>(6)</sup>	11 <sup>(10)</sup>	3	1.2 <sup>(7)</sup>	4.5	75
(10) Rental suites	D	4.14.12 (8)	Must be developed within Single Detached Dwelling					
(11) Garage Suites	D		255 <sup>(6)</sup>	11 <sup>(10)</sup>	3	1.2 <sup>(7)</sup>	4.5	75
<b>Commercial Uses</b>								
(1) Adult daycare – Types I and II	P	4.14.2	255 <sup>(6)</sup>	11 <sup>(10)</sup>	3	1.2 <sup>(7)</sup>	4.5	75
(2) Bakeries with retail sales	P		225	6	no min	1.5	4.5	no max
(3) Bed and breakfast homes	D	4.14.7	255 <sup>(6)</sup>	11 <sup>(10)</sup>	3	1.2 <sup>(7)</sup>	4.5	75
(4) Clubs	P		225	6	no min	1.5	4.5	no max
(5) Commercial recreation facilities, excluding rinks and golf courses	D	3.7.4 (3)	225	6	no min	1.5	4.5	no max
(6) Convenience stores, with or without associated gas bars	P	3.7.4 (2)	225	6	no min	1.5	4.5	no max
(7) Daycare centres and preschools	P	4.14.3	225	6	no min	1.5	4.5	no max



**Table 10-1**  
**HDMU - HIGH DENSITY MIXED USE RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS**  
**for the Rural Municipality of Lumsden No. 189**

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>					
			Minimum Site Area (m <sup>2</sup> )	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Site Coverage (%)
(6) Parks and playgrounds	P		no min	no min	no min	no min	3	no max
(7) Places of worship	P		225	6	no min	1.5	4.5	no max
(8) Public works, excluding solid and liquid waste disposal sites	P		no min	no min	no min	no min	no min	no max
(9) Public Recreation facilities	D	3.7.4 (3)	225	6	no min	1.5	4.5	no max
(10) Schools and educational facilities	D	3.7.4 (3)	225	6	no min	1.5	4.5	no max

**Use Designations:**

(P) - Permitted Use

Means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of, the Council; and which complies with the development standards laid out in Section 10.6 and others as required by Council and/or contained in this Bylaw.

**Special limitations and standards regarding Table 10-1 and the HDMU – High Density Mixed Use Residential District:**

- (1) or ½ the building height, whichever is greater.
- (2) for multiple unit dwellings containing three to six units, the minimum site area shall be 550 square metres; for multiple unit dwellings containing seven or more dwelling units, the minimum site area shall be 630 square metres.
- (3) to a maximum of 21 metres.
- (4) for one storey multiple unit dwellings, the minimum side yard requirement shall be 1.8 metres, unless the dwelling is on a corner site, in which case the minimum side yard requirement shall be 3 metres for the side flanking the street;  
for multiple unit dwellings that are two (2) or three (3) storeys, the minimum side yard requirements shall be 3 metres;  
for multiple unit dwellings that are four (4) storeys or higher, the minimum side yard requirement shall be ½ of the building height, to a maximum of six (6) metres.
- (5) except that no side yard is required where a common wall divides two dwelling units.
- (6) unless site is served by a lane, in which case 225 metres per unit.
- (7) except for corner sites, which shall be 3 metres along flanking street.

- (8) unless a site is served by a lane, in which case 450 square metres.
- (9) garden suites shall not exceed 69 m<sup>2</sup>
- (10) unless a site is served by a lane, in which case 9 metres.
- (11) unless the site is served by a lane, in which case 15 metres.
- (12) unless a site is served by a lane, in which case 1.5 metres.

**(Revised Bylaw 03-2014 - March 14, 2014)**

# 11.0 R1 – LOW DENSITY VALLEY RESIDENTIAL DISTRICT

## 11.1 INTENT

To accommodate low density residential development that existed as of August 1, 2012. This shall not be applied by Council after August 1, 2012.

## 11.2 DEVELOPMENT

Subject to all other bylaw requirements, only the following developments and subdivisions shall occur.

### *11.2.1 Permitted Uses*

#### Residential

- (1) Single detached dwellings

#### Recreation

- (2) Parks and passive recreation

### *11.2.2 Discretionary Uses*

#### Residential

- (1) Garden suites
- (2) Garage suites

**(Revised Bylaw 13-2013 - October 8, 2013)**

**(Revised Bylaw 03-2014 - March 14, 2014)**

#### Commercial

- (1) Bed and breakfast establishments
- (2) Golf courses
- (3) Bakeries
- (4) Butcher shops
- (5) Dairy processing
- (6) Distilleries, wineries and breweries, including restaurant facilities, orchards, vineyards and other associated uses
- (7) Farmers markets
- (8) Farm stands
- (9) Residential Homestay
- (10) Cannabis Production Facilities (micro)

(Revised Bylaw 03-2014 - March 14, 2014)  
 (Revised Bylaw 04-2021 – January 6, 2022)  
 (Revised Bylaw 08-2021 – June 20, 2022)

Institutional  
 (1) Institutions

## 11.3 DEVELOPMENT STANDARDS

### *11.3.1 Residential*

(1)	Site Size	8.5 ha
(2)	Site Width	30 metres
(3)	Front Yard (from an RM road centre line)	46 metres
(4)	Side Yard (from an RM road centre line)	46 metres
(5)	Side Yard (abutting no highway or road)	15 metres
(6)	Rear Yard	15 metres

### *11.3.2 Recreational*

(1)	Site Size	No minimum
(2)	Yards - All	Same as residential uses

### *11.3.3 Golf Course*

No minimum requirements

### *11.3.4 Institutional and Commercial Uses, except golf courses*

(1)	Site Size:	As determined necessary by Council
(2)	Site Width:	As determined necessary by Council
(3)	Yards:	Same as residential uses

**(Revised Bylaw 13-2013 - October 8, 2013)**

## 11.4 ACCESSORY BUILDINGS AND USES

*11.4.1* The following accessory buildings and uses shall be permitted and are subject to Section 4.14.12:

- (1) Private garages, whether detached or attached to a dwelling unit.
- (2) Garden sheds used for the storage of non-industrial yard maintenance equipment.
- (3) Greenhouses where accessory to a residential use.
- (4) Keeping of animals on the same site as the residence, subject to Section 11.5.1.
- (5) Barns and stables for animals permitted by Section 11.5.1.
- (6) Orchards and vegetable, horticultural or fruit gardens, where accessory to a residence.
- (7) Field crops
- (8) Home based businesses

**(Revised Bylaw 03-2014 - March 14, 2014)**

## 11.5 REGULATIONS

### *11.5.1 Keeping of animals*

- (1) Large animals, which include only horses, cattle, sheep, goats, llamas and alpacas, will be permitted on a site, in numbers not exceeding 2 animal units per 2 ha of site area. The maximum number of animal units allowed shall be 6. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.
- (2) Animals shall not be pastured within 15.25 metres of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 metres of a property line.”

**(Revised Bylaw 13-2013 - October 8, 2013)**

## 11.6 STANDARDS FOR DISCRETIONARY USES

Council will consider discretionary use applications in the **R1** – Low Density Valley Residential District with regard to Section 3.7.2 Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

### *11.6.1 Garden Suites*

Garden Suites are subject to Section 4.14.12 (6)

- (1) In any Country Residential District, garden suites shall not exceed 69 m<sup>2</sup> in gross floor area.

**(Revised Bylaw 03-2016 - May 13, 2016)**

### *11.6.2 Garage Suites*

Garage suites are subject to Section 4.14.12 (6)

**(Revised Bylaw 03-2014 - March 14, 2014)**

**(Revised Bylaw 03-2016 - May 13, 2016)**

### *11.6.3 Residential Homestay*

Residential homestays are subject to Section 4.14.22.

**(Revised Bylaw 04-2021 – January 6, 2022)**

### *11.6.4 Cannabis Production Facilities (micro)*

Cannabis production facilities (micro) are subject to 4.14.20.

**(Revised Bylaw 08-2021 – June 20, 2022)**

## 11.7 OFF-STREET PARKING AND LOADING

Off-street parking and loading requirements are subject to Section 4.17.

## 11.8 OUTSIDE STORAGE

Outside storage, including garbage storage, is subject to Section 4.19.

## 11.9 SUBDIVISION

No further subdivision of a residential site shall be permitted unless, Council, at its discretion, deems the re-subdivision of the residential site is consistent with the objectives of the “R1 Low Density Valley Residential Zone.



## 12.0 R2 – MEDIUM DENSITY VALLEY RESIDENTIAL DISTRICT

### 12.1 INTENT

The objective of the R2 - Medium Density Valley Residential District is to accommodate the continued development and use of the integrated residential/recreational Deer Valley development according to established development standards. This district shall not be applied by Council after August 1, 2012.

### 12.2 DEVELOPMENT

Subject to all other bylaw requirements, only the following developments and subdivisions shall occur.

#### *12.2.1 Permitted Uses*

##### Residential

- (1) Single Detached Dwellings

##### Recreation

- (2) Parks and passive recreation

#### *12.2.2 Discretionary Uses*

- (1) Intensive recreation uses
- (2) Golf courses
- (3) Institutional uses
- (4) Garden suites
- (5) Bed and breakfast establishments
- (6) Home based businesses
- (7) Garage suites
- (8) Residential Homestay

**(Revised Bylaw 03-2014 - March 14, 2014)**

**(Revised Bylaw 04-2021 – January 6, 2022)**

### 12.3 DEVELOPMENT STANDARDS

#### *12.3.1 Residential*

- |     |  |                      |
|-----|--|----------------------|
| (1) | Site Size - minimum  | 2,024 m <sup>2</sup> |
| (2) | Site Size – maximum  | 8.5 ha               |
| (3) | Site Width   | 30 metres            |
| (4) | Front Yard (from an RM road centre line)                               | 46 metres            |
| (5) | Front Yard (on an internal subdivision road, from the front site line) | 15 metres            |
| (6) | Side Yard (from an RM road centre line)                                | 46 metres            |

(7)	Side Yard (on an internal subdivision road, from the front site line)	6 metres
(8)	Side Yard (on corner sites where the dwelling faces the side yard that abuts the street)	12 metres
(9)	Side Yard (abutting no highway or road)	4.8 metres

### *12.3a Accessory Buildings and Uses*

*12.3a.1* The following accessory buildings shall be permitted and are subject to Section 4.14.12:

- (1) Private garages, whether detached or attached to a dwelling unit.
- (2) Garden sheds used for the storage of non-industrial yard maintenance equipment.
- (3) Greenhouses where accessory to a residential use.
- (4) Keeping of animals on the same site as the residence, subject to Section 12.4.1.
- (5) Barns and stables for animals permitted by Section 12.4.1.
- (6) Orchards and vegetable, horticultural or fruit gardens, where accessory to a residence.
- (7) Field crops.

**(Revised Bylaw 03-2014 - March 14, 2014)**

### *12.3.2 Recreational*

#### Parks and Passive Recreation

(1)	Site Size	No minimum
(2)	Site Width	No minimum
(3)	Yards	Same as residential

#### Intensive Recreation and Institutional Uses

(4)	Site size	0.4 ha
(5)	Site Width	30 metres
(6)	Yards	Same as residential

### *12.3.3 Golf Course*

No minimum requirements

### *12.3.4 Institutional Uses*

(1)	Site Size	As determined necessary by Council
(2)	Site Width	As determined necessary by Council
(3)	Yards	same as residential uses

## 12.4 REGULATIONS

### *12.4.1 Keeping of animals*

- (1) Large animals, which include only horses, cattle, sheep, goats, llamas and alpacas, will be permitted on a site, in numbers not exceeding 2 animal units per 2 ha of site area, to a maximum of 6 animal units in total. All other animals shall be limited to domestic pets of the residents of the site, but in no case shall the numbers exceed that equal to one animal unit.

- (2) Animals shall not be pastured within 15.25 metres of any dwelling not owned by the operator of the pasture or owner of the animals, and no buildings or structures intended to contain animals shall be located within 30 metres of a property line.
- (3) The use of vacant residential sites for pasture of animals is prohibited.  
**(Revised Bylaw 03-2016 - May 13, 2016)**

## 12.5 STANDARDS FOR DISCRETIONARY USES

Council will consider discretionary use applications in the **R2** – Medium Density Valley Residential District with regard to Section 3.7.2 Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

### *12.5.1 Home Based Businesses*

Home based businesses are subject to Section 4.14.1.

- (1) No home based business in this district shall include auto body repair or repainting operations.
- (2) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district.

### *12.5.2 Garden Suites*

Garden Suites are subject to Section 4.14.12 (6)

- (1) In any Country Residential District, garden suites shall not exceed 69 m<sup>2</sup> in gross floor area.

### *12.5.3 Garage Suites*

Garage suites are subject to Section 4.14.12 (6)  
**(Revised Bylaw 03-2014 - March 14, 2014)**

### *12.5.4 Residential Homestay*

Residential Homestays are subject to Section 4.14.22.  
**(Revised Bylaw 04-2021 – January 6, 2022)**

## 12.6 PROHIBITED USES

All trucks over one (1) metric tonne capacity and all construction equipment, of any kind, shall not be parked or stored on any site.

## **13.0 R3 – PLANNED VALLEY RESIDENTIAL DISTRICT (BY AGREEMENT)**

### **13.1 INTENT**

The objective of the R3 - Planned Valley Residential District is to accommodate the continued development and use of the integrated residential/recreational Deer Valley development according to established development standards. This district shall not be applied by Council after August 1, 2012.

### **13.2 DEVELOPMENT**

Subject to all other bylaw requirements, only the following developments and subdivisions shall occur.

#### *13.2.1 Permitted Uses*

##### Residential

- (1) Single Detached Dwellings

##### Recreation

- (2) Parks
- (3) Extensive recreation
- (4) Golf courses

##### Other uses

- (5) Solid and liquid waste management or disposal facilities, subject to Section 4.14.6  
**(Revised Bylaw 12-2014 - November 21, 2014)**

#### *13.2.2 Discretionary Uses*

- (1) Any form of residential that can be shown to Council's satisfaction that it responds well to site conditions, and to reliably documented market, social, and demographic trends and housing needs, without detracting from the rural character of the area
- (2) Intensive recreation
- (3) Institutional uses
- (4) Garden suites
- (5) Bed and breakfast establishments
- (6) Home based businesses
- (7) Garage Suites
- (8) Residential Homestay

**(Revised Bylaw 03-2014 - March 14, 2014)**

**(Revised Bylaw 04-2021 – January 6, 2022)**

## 13.3 DEVELOPMENT STANDARDS

### *13.3.1 Residential*

Minimum standards for R3 Residential development shall be as specified for R2 Minimum Density Residential Zone unless otherwise approved by Council as part of a Development Agreement. In this regard Council may consider variations in housing form including multi-unit residential, varying lot sizes and densities from one part of the development to another, or other similar options.

### *13.3.2 Other Uses*

Minimum standards for all other uses as may be approved shall be in accordance with applicable sections of this bylaw unless otherwise approved by Council. Council will consider variance from standards where the proposed option adapts to approved variations under Section 6(1), above, or provides a benefit to the public while complementing the proposed residential use and remaining consistent with the overall intent of the General Planning Statement. Council may consider variations in site size and frontage, site access, setbacks and yard requirements, and other similar options. Council will not consider variances that change requirements related to off-site uses, such as distances to ILO's.

## 13.4 STANDARDS FOR DISCRETIONARY USES

Council will consider discretionary use applications in the **R3** – Planned Valley Residential District with regard to Section 3.7.2 Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

### *13.4.1 Home Based Businesses*

Home based businesses are subject to Section 4.14.1.

- (1) No home based business in this district shall include auto body repair or repainting operations.
- (2) No heavy construction or industrial equipment or supplies shall be stored on any site for a home based business in this district.

### *13.4.2 Garden Suites*

Garden Suites are subject to Section 4.14.12 (6)

- (1) In any Country Residential District, garden suites shall not exceed 69 m<sup>2</sup> in gross floor area.

### *13.4.3 Garage Suites*

Garage suites are subject to Section 4.14.12 (6) (**Revised Bylaw 03-2014 - March 14, 2014**)

#### *13.4.4 Residential Homestay*

Residential Homestays are subject to Section 4.14.22.

**(Revised Bylaw 04-2021 – January 6, 2022)**

### **13.4 PROHIBITED USES**

All trucks over one (1) metric tone capacity and all construction equipment, of any kind, shall not be parked or stored on any site.

### **13.5 ANIMALS**

The keeping of animals shall be restricted to domestic pets.

## **14.0 C1 – GENERAL COMMERCIAL DISTRICT**

### **14.1 INTENT**

The objective of the C1 - General Commercial District is to provide for general commercial and other compatible development in specific areas, with standards for such development.

### **14.2 PERMITTED AND DISCRETIONARY USES AND DEVELOPMENT**

#### **STANDARDS**

The permitted and discretionary uses and applicable development standards are laid out in Table 14-1.

### **14.3 PROHIBITED USES**

Uses prohibited in C1 – General Commercial District are as follows:

### **14.4 ACCESSORY BUILDINGS AND USES**

*14.4.1* Accessory buildings and uses, except dwelling units, shall be permitted and are subject to Section 4.14.12.

### **14.5 REGULATIONS**

#### *14.5.1 Site Requirements*

The minimum site size, site width, and yard requirements are shown in Table 14-1.

#### *14.5.2 Building Height Requirements*

Maximum building height requirements are shown in Table 14-1.

### **14.6 STANDARDS FOR DISCRETIONARY USES**

Council will consider discretionary use applications in the C1 – General Commercial District with regard to Section 3.7.2 Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

*14.6.1* All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.

## 14.7 OFF-STREET PARKING AND LOADING

Off-street parking and loading requirements are subject to Section 4.17.

## 14.8 LANDSCAPING

Landscaping is subject to Section 4.18.

## 14.9 OUTSIDE STORAGE

Outside storage, including garbage storage, is subject to Section 4.19.



<b>Table 14-1</b>							
<b>C1 - GENERAL COMMERCIAL DISTRICT DEVELOPMENT STANDARDS</b>							
<b>for the Rural Municipality of Lumsden No. 189</b>							
<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>				
			Minimum Site Area (m <sup>2</sup> )	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
<b>Residential Uses</b>							
(1) Business dwellings	D	4.14.12 (6)	577	15	8	3	3
<b>Commercial Uses</b>							
(1) Automotive sales and repair	D		577	15	8	3	3
(2) Bakeries with retail sales	P		577	15	8	3	3
(3) Bus terminals	D	3.7.4 (1) 4.14.11	577	15	8	3	3
(4) Car and truck washes	D	3.7.4 (1)	577	15	8	3	3
(5) Commercial recreational uses	D	3.7.4 (3)	577	15	8	3	3
(6) Commercial service establishments	D		577	15	8	3	3
(7) Convenience stores and confectionaries, with or without associated gas bars	P		577	15	8	3	3
(8) Daycare Centres and preschools	D	4.14.3	577	15	8	3	3
(9) Financial institutions	P		577	15	8	3	3
(10) Gas bars, with or without associated convenience stores	P	4.14.10 4.14.11	577	15	8	3	3
(11) Health care centres	P		577	15	8	3	3
(12) Hotels	D		577	15	8	3	3
(13) Medical and dental offices	D		577	15	8	3	3
(14) Motels	D		577	30	15	3	3
(15) Nurseries, greenhouses (commercial) and garden centres	D		577	15	8	3	3
(16) Offices and office buildings	D		577	15	8	3	3
(17) Parking lots	D		577	15	8	3	3
(18) Personal service establishments	D		577	15	8	3	3

<b>Table 14-1</b>							
<b>C1 - GENERAL COMMERCIAL DISTRICT DEVELOPMENT STANDARDS</b>							
<b>for the Rural Municipality of Lumsden No. 189</b>							
<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>				
			Minimum Site Area (m <sup>2</sup> )	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(19) Photographer studios	D		577	15	8	3	3
(20) Repair shops and repair services	D		577	15	8	3	3
(21) Restaurants, with or without associated lounges	P		577	15	8	3	3
(22) Retail food outlets	P		577	15	8	3	3
(23) Retail stores, but not including auction markets	P		577	15	8	3	3
(24) Service stations	D	4.14.9 4.14.11	577	30	15	3	3
(25) Veterinary clinics	D		577	15	8	3	3
(26) Commercial Complex	D	3.7.4 (25)	10,000 (1 ha)	45	15	8	8
(27) Dwelling Manufacturing Facility (Offsite)	D		4,000 (0.4 ha)	45	15	8	6
(28) Cannabis Production Facility	D	4.14.20	577	15	8	3	3
(29) Micro Cannabis Production Facility	D	4.14.20		15	8	3	3
<b>Industrial Uses</b>							
(1) Indoor storage rental facilities	D	3.7.4 (12)	577	15	8	3	3
<b>Municipal, Recreational, Institutional and Other Uses</b>							
(1) Ambulance stations	D	3.7.4 (7)	577	15	8	3	3
(2) Community halls	P		577	15	8	3	3
(3) Historical and archaeological sites	P		--	--	--	--	--
(4) Municipal facilities	P		--	--	--	--	--
(5) Parks and playgrounds	P		--	--	--	--	--

<b>Table 14-1</b>							
<b>C1 - GENERAL COMMERCIAL DISTRICT DEVELOPMENT STANDARDS</b>							
<b>for the Rural Municipality of Lumsden No. 189</b>							
<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>				
			Minimum Site Area (m <sup>2</sup> )	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(6) Places of worship	P		577	15	8	3	3
(7) Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--	--
(8) Public recreation facilities	P		577	15	8	3	3
(9) Wind energy facilities	D	3.5.2 (8) 4.14.18	As laid out in Section 4.14.18				

**Use Designations:**

(P) - Permitted Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of, Council; and which complies with the development standards laid out in Section 14.6 and others as required by Council and/or contained in this Bylaw.

**Special limitation and standards regarding Table 14-1 and the C1 - General Commercial District :**

(1) or 10% of site depth, whichever is greater

**(Revised Bylaw No. 04-2018 - January 24, 2019)**

**(Revised Bylaw No. 18-2018 - February 7, 2019)**

## **15.0 C2 – HIGHWAY COMMERCIAL DISTRICT**

### **15.1 INTENT**

The objective of the C2 - Highway Commercial District is to provide for commercial, light industrial and other compatible development in specific areas, with standards for such development.

### **15.2 PERMITTED AND DISCRETIONARY USES AND DEVELOPMENT**

#### **STANDARDS**

The permitted and discretionary uses and applicable development standards are laid out in Table 15-1.

### **15.3 PROHIBITED USES**

Uses prohibited in C2 – Highway Commercial District are as follows:

### **15.4 ACCESSORY BUILDINGS AND USES**

*15.4.1* Accessory buildings and uses, except dwelling units, shall be permitted and are subject to Section 4.14.12.

### **15.5 REGULATIONS**

#### *15.5.1 Site Requirements*

The minimum site size, site width, and yard requirements are shown in Table 15-1.

#### *15.5.2 Building Height Requirements*

Maximum building height requirements are shown in Table 15-1.

### **15.6 STANDARDS FOR DISCRETIONARY USES**

Council will consider discretionary use applications in the C2 – Highway Commercial District with regard to Section 3.7.2 Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

*15.6.1* All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.

## 15.7 OFF-STREET PARKING AND LOADING

Off-street parking and loading requirements are subject to Section 4.17.

## 15.8 LANDSCAPING

Landscaping is subject to Section 4.18.

## 15.9 OUTSIDE STORAGE

Outside storage, including garbage storage, is subject to Section 4.19.

**Table 15-1**  
**C2 - HIGHWAY COMMERCIAL DISTRICT DEVELOPMENT STANDARDS**  
**for the Rural Municipality of Lumsden No. 189**

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>				
			Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
<b>Residential Uses</b>							
(1) Business Dwelling	D	4.14.12 (6)	0.4	45	(1)	8	6
<b>Commercial Uses</b>							
(1) Agricultural supplies and equipment sales and service	P		0.4	45	(1)	8	6
(2) Auction markets	D	3.7.4 (20) 4.14.17	0.4	45	(1)	8	6
(3) Automotive sales and service including recreational vehicle sales and service and mobile home sales	P		0.4	45	(1)	8	6
(4) Bus terminals	D	3.7.4 (1) 4.14.11	0.4	45	(1)	8	6
(5) Car and truck washes	D	3.7.4 (1)	0.4	45	(1)	8	6
(6) Commercial recreational uses	D	3.7.4 (3)	0.4	45	(1)	8	6
(7) Convenience stores and confectionaries	P		0.4	45	(1)	8	6
(8) Gas bars, with or without associated convenience stores	P	4.14.10 4.14.11	0.4	45	(1)	8	6
(9) Hotels	D		0.4	45	(1)	8	6
(10) Malls	D		0.4	45	(1)	8	6
(11) Motels	D		0.4	45	(1)	8	6
(12) Motor vehicle, farm and heavy equipment related uses	D		0.4	45	(1)	8	6
(13) Nurseries, greenhouses and garden centres	P		0.4	45	(1)	8	6
(14) Offices and office buildings	P		0.4	45	(1)	8	6
(15) Parking lots	P		0.4	45	(1)	8	6
(16) Personal service establishments	P		0.4	45	(1)	8	6
(17) Repair shops, auto body shops and repair services	P		0.4	45	(1)	8	6

<b>Table 15-1</b>							
<b>C2 - HIGHWAY COMMERCIAL DISTRICT DEVELOPMENT STANDARDS</b>							
<b>for the Rural Municipality of Lumsden No. 189</b>							
<u>Use</u>	Permitted or Discretionary	Subject to Sections	<b>Development Standards</b>				
			Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(18) Restaurants	P		0.4	45	(1)	8	6
(19) Retail food outlets	P		0.4	45	(1)	8	6
(20) Retail stores	P		0.4	45	(1)	8	6
(21) Service stations	D	4.14.9 4.14.11	0.4	45	(1)	8	6
(22) Training Centres	P		0.4	45	(1)	8	6
(23) Veterinary clinics	P		0.4	45	(1)	8	6
(24) Commercial Complex	D	3.7.4 (25)	1	45	(1)	8	8
(25) Dwelling Manufacturing Facility (Offsite)	D		0.4	45	(1)	8	6
(26) Cannabis Production Facility	D	4.14.20	0.4	45	(1)	8	6
(27) Micro Cannabis Production Facility	D	4.14.20		45	(1)	8	6
<b>Industrial Use</b>							
(1) Bulk fuel sales and storage	D	3.7.4 (19) 4.14.11	0.4	45	(1)	8	6
(2) Construction trades establishments	D	3.7.4 (9)	0.4	45	(1)	8	6
(3) Construction or contractor yards	D	3.7.4 (9)	0.4	45	(1)	8	6
(4) Indoor and outdoor storage rental facilities	P		0.4	45	(1)	8	6
(5) Light manufacturing or processing facilities	D	3.7.4 (10) 3.7.4 (11)	0.4	45	(1)	8	6
(6) Lumber yards, home improvement centres and building supply establishments	D	3.7.4 (9)	0.4	45	(1)	8	6
(7) Truck stops	D	4.14.15	0.4	45	(1)	8	6
(8) Warehouses and wholesale establishments	P		0.4	45	(1)	8	6

**Table 15-1**  
**C2 - HIGHWAY COMMERCIAL DISTRICT DEVELOPMENT STANDARDS**  
**for the Rural Municipality of Lumsden No. 189**

<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>				
			Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(9) Welding and machine shops	D	3.7.4 (10)	0.4	45	(1)	8	6
<b><i>Municipal, Recreational, Institutional and Other Uses</i></b>							
(1) Ambulance stations	D	3.7.4 (7)					
(2) Community halls	P		0.4	45	(1)	8	6
(3) Campgrounds	D	3.5.2 (1) 3.7.4 (13) 4.14.4	0.4	45	(1)	8	6
(4) Historical and archaeological sites	P		--	--	--	--	--
(5) Municipal facilities	P		--	--	--	--	--
(6) Parks and playgrounds	P		--	--	--	--	--
(7) Places of worship	P		0.4	45	(1)	8	6
(8) Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--	--
(9) Public recreation facilities	P		0.4	45	(1)	8	6
(10) Wind energy facilities	D	3.5.2 (8) 4.14.18	As laid out in Section 4.14.18				

**Use Designations:**

(P) - Permitted Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

(D) - Discretionary Use

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of, Council; and which complies with the development standards laid out in Section 15.6 and others as required by Council and/or contained in this Bylaw.



<b>Table 15-1</b>						
<b>C2 - HIGHWAY COMMERCIAL DISTRICT DEVELOPMENT STANDARDS</b>						
<b>for the Rural Municipality of Lumsden No. 189</b>						
<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>			
			Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)

**Special limitations and standards regarding Table 15-1 and the C2 - Highway Commercial District:**

- (1) Site having frontage on a Provincial Highway: A minimum of 46 metres from the centre line of the highway, or such greater distance as required by the Saskatchewan Department of Highways and Transportation. Site having frontage on a public roadway other than a provincial highway: A minimum of 15 metres, or such greater distance as required by Council.

**(Revised Bylaw No. 04-2018 - January 24, 2019)**

**(Revised Bylaw No. 18-2018 - February 7, 2019)**

## **16.0 M – INDUSTRIAL DISTRICT**

### **16.1 INTENT**

The objective of the **M** - Industrial District is to provide for light industrial, heavy industrial and other compatible development in specific areas, with standards for such development.

### **16.2 PERMITTED AND DISCRETIONARY USES AND DEVELOPMENT**

#### **STANDARDS**

The permitted and discretionary uses and applicable development standards are laid out in Table 16-1.

### **16.3 PROHIBITED USES**

Uses prohibited in **M** – Industrial District are as follows:

### **16.4 ACCESSORY BUILDINGS AND USES**

*16.4.1* Accessory buildings and uses, except dwelling units, shall be permitted and are subject to Section 4.14.12.

### **16.5 REGULATIONS**

#### *16.5.1 Site Requirements*

The minimum site size, site width, and yard requirements are shown in Table 16-1.

#### *16.5.2 Building Height Requirements*

Maximum building height requirements are shown in Table 16-1.

### **16.6 STANDARDS FOR DISCRETIONARY USES**

Council will consider discretionary use applications in the **M** – Industrial District with regard to Section 3.7.2 Discretionary Use Evaluation Criteria and Section 3.7.3 Terms and Conditions for Discretionary Use Approvals as well as additional development standards noted as follows.

*16.6.1* All operations shall comply with all regulations of Saskatchewan Environment and Saskatchewan Labour which govern their operation and development.

## 16.7 OFF-STREET PARKING AND LOADING

Off-street parking and loading requirements are subject to Section 4.17.

## 16.8 LANDSCAPING

Landscaping is subject to Section 4.18.

## 16.9 OUTSIDE STORAGE

Outside storage, including garbage storage, is subject to Section 4.19.

<b>Table 16-1</b>								
<b>M - INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS</b>								
<b>for the Rural Municipality of Lumsden No. 189</b>								
<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>					
			Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	
<b>Residential Uses</b>								
(1) Business dwellings	D	4.14.12 (6)	1	45	(1)	8	8 <sup>(2)</sup>	
<b>Commercial Uses</b>								
(1) Auto body and paint shops	D		1	45	(1)	8	8 <sup>(2)</sup>	
(2) Auction marts	D	3.7.4 (10) 4.14.7	1	45	(1)	8	8 <sup>(2)</sup>	
(3) Grain Elevators	D		1	45	(1)	8	8 <sup>(2)</sup>	
(4) Repair shops	D		1	45	(1)	8	8 <sup>(2)</sup>	
(5) Veterinary clinics, not including the boarding of large animals	D		1	45	(1)	8	8 <sup>(2)</sup>	
(6) Ambulance Stations	P		1	45	(1)	8	8 <sup>(2)</sup>	
(7) Auto towing and limousine services	P		1	45	(1)	8	8 <sup>(2)</sup>	
(8) Dwelling Manufacturing Facility (Offsite)	D	3.7.4(17)	1	45	(1)	8	8 <sup>(2)</sup>	
(9) Cannabis Production Facility	D	4.14.20	1	45	(1)	8	8 <sup>(2)</sup>	
(10) Micro Cannabis Production Facility	D	4.14.20		15	(1)	8	8 <sup>(2)</sup>	
<b>Industrial Uses</b>								
(1) Asphalt and cements plants, and gravel yards	D		1	45	(1)	8	8 <sup>(2)</sup>	
(2) Auto-wrecking yards	D		1	45	(1)	8	8 <sup>(2)</sup>	
(3) Automotive sales and services including sales and service of recreational vehicles and mobile homes	P		1	45	(1)	8	8 <sup>(2)</sup>	
(4) Bulk fuel sales and storage	D	3.7.4 (19) 4.14.11	1	45	(1)	8	8 <sup>(2)</sup>	
(5) Construction yards	P		1	45	(1)	8	8 <sup>(2)</sup>	
(6) Dry goods storage yards	D		1	45	(1)	8	8 <sup>(2)</sup>	

<b>Table 16-1</b>							
<b>M - INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS</b>							
<b>for the Rural Municipality of Lumsden No. 189</b>							
<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>				
			Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(7) Grain storage, milling, cleaning and/or drying facilities	D		1	45	(1)	8	8 (2)
(8) Kennels	D	4.14.16	1	45	(1)	8	8 (2)
(9) Landscaping establishments	P		1	45	(1)	8	8 (2)
(10) Manufacturing or processing facilities	D	3.7.4 (10) 3.7.4 (11)	1	45	(1)	8	8 (2)
(11) Mineral Resource Processing	D	3.7.4 (21)	1	45	(1)	8	8 (2)
(12) Petroleum products storage and wholesale	D	3.7.4 (19) 4.14.11	1	45	(1)	8	8 (2)
(13) Railway freight yards	D	3.7.4 (10)	1	45	(1)	8	8 (2)
(14) Sale of building supplies and products	P		1	45	(1)	8	8 (2)
(15) Sawmills, wood treatment plants and associated industries	D		1	45	(1)	8	8 (2)
(16) Trucking and transfer yards	D	4.14.15	1	45	(1)	8	8 (2)
(17) Warehouses and wholesale facilities	D	3.7.4 (10)	1	45	(1)	8	8 (2)
(18) Industrial Complex	D	3.7.4(17)	1	45	(1)	8	8 (2)
(19) Indoor and outdoor storage rental facilities	P		1	45	(1)	8	8 (2)
(20) Construction Trade Establishments	P		1	45	(1)	8	8 (2)
<b><i>Municipal, Recreational, Institutional and Other Uses</i></b>							
(1) Historical and archaeological sites	P		--	--	--	--	--
(2) Municipal facilities	P		--	--	--	--	--
(3) Parks	P		--	--	--	--	--
(4) Public works, excluding solid and liquid waste disposal sites	P		--	--	--	--	--

<b>Table 16-1</b>					
<b>M - INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS</b>					
<b>for the Rural Municipality of Lumsden No. 189</b>					
<u>Use</u>	Permitted or Discretionary	Subject to Sections	<u>Development Standards</u>		
			Minimum Site Area (ha)	Minimum Site Width (m)	Minimum Front Yard (m)
(5) Wind energy facilities	D	3.5.2 (8) 4.14.18	As laid out in Section 4.14.18		

**Use Designations:**(P) - Permitted Use(D) - Discretionary Use

means a use or form of development allowed as of right in a zoning district, subject to the regulations contained in this Bylaw.

A use or form of development specified in this Bylaw, which may be allowed following application to, and approval of, Council; and which complies with the development standards laid out in Section 16.6 and others as required by Council and/or contained in this Bylaw.

**Special limitations and standards regarding Table 16-1 and the M - Industrial District:**

- (1) Site having frontage on a Provincial Highway: A minimum of 46 metres from the centre line of the highway, or such greater distance as required by the Saskatchewan Department of Highways and Transportation. Site having frontage on a public roadway other than a provincial highway: A minimum of 15 metres, or such greater distance as required by Council.
- (2) where abutting railway track, no setback is required

**(Revised Bylaw 11-2015 - August 5, 2015)****(Revised Bylaw 07-2017 - July 25, 2017)****(Revised Bylaw 04-2018 - January 24, 2019)****(Revised Bylaw 18-2018 - February 7, 2019)**

## **17.0 AC – Architectural Control Overlay District**

### **17.1 INTENT**

The objective of the AC – Architectural Control Overlay District is to provide appropriate development standards to preserve the physical character of an area or to promote a selected design theme for an area, such as the Organized Hamlet of Deer Valley.

### **17.2 REGULATIONS**

- (1) No use or development of land or buildings is permitted in an AC Overlay District except where it is consistent with section 73 of *The Planning and Development Act, 2007* and section 9.0 of the Official Community Plan.
- (2) The Architectural Control Overlay District for the Organized Hamlet of Deer Valley is established and shall apply to the lands zoned R3 – Planned Valley Residential District (By Agreement) within the Organized Hamlet of Deer Valley.
- (3) In an area where the Architectural Control Overlay District for the Organized Hamlet of Deer Valley is established, all development must conform to the architectural controls attached as Appendix “A” to this Bylaw and which forms part of this Bylaw.

### **17.3 PERMITTED AND DISCRETIONARY USES AND DEVELOPMENT**

#### **STANDARDS**

All permitted, discretionary, and prohibited land uses in the underlying zone apply equally to as permitted, discretionary, and prohibited land uses in the Architectural Control District Overlay Zone.

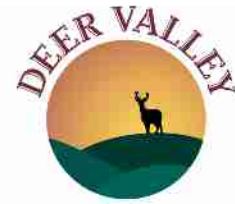
**(Revised Bylaw 10-2021 – June 20, 2022)**

# **Appendix A: Architectural Control Overlay District R3-AC**



# Architectural Controls

## Organized Hamlet of Deer Valley



### **Vision**

The Organized Hamlet of Deer Valley within the RM of Lumsden No. 189 has become synonymous with scenic natural surroundings, integration of recreation, an appreciation of nature, as well as quality homes in close proximity to a world class golf course. These characteristics promote a quality of life found in few other locations. It is the intent and spirit of these architectural controls to promote and foster design cohesiveness, a sense of community identity and to preserve the natural amenities of the surrounding area by providing guidance on the form of development that is appropriate for this area.

The development of the Deer Valley Architectural Controls was guided by the following principles:

- The community of Deer Valley considers the valley a haven for wildlife and people alike.
- The community of Deer Valley takes pride in our exceptional location and has made a great effort in working with the lay of the land.
- The Deer Valley Golf Club allowed the landscape and natural contours of the valley to dictate where the 18-hole world class golf course would be located.
- The community of Deer Valley has an established commitment to the valley, maintaining and respecting the delicate balance of land and nature. Residential development within the community is an extension of that commitment by providing lots that are spacious and generously proportioned.

### **Theme**

A key aspect of the Deer Valley community is the interaction with the natural environment. To achieve this blending with the beautiful natural surroundings, several design features will need to be incorporated.

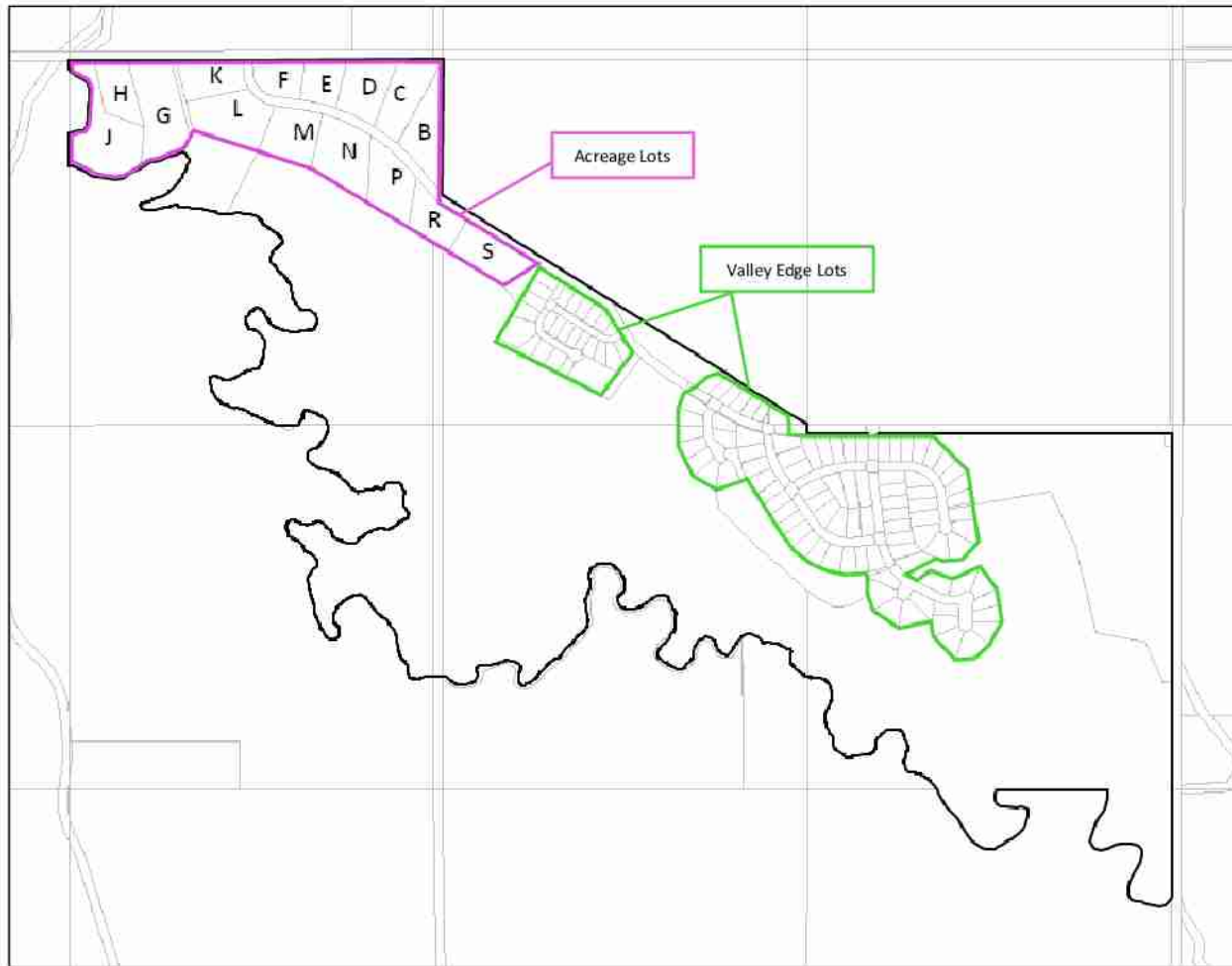
- Each new home must incorporate design features which express the use of natural materials giving the impression of permanence and durability. For example, it is recommended that each new home include a minimum of 25% stone or brick with additional stone or brick features on the other 3 sides.
- Design features include those of Craftsman styling which may include proportioned columns on the front of the house, framing a porch or covered entryway. This is an example of a proven structure that enhances many qualities of the streetscape including the sense of timeless design. Rather than requiring a specific architectural style, emphasis is to be placed on the importance of the front entry as well as detailed door and window trims and an attractive palate of materials and colors. As well, wall articulations and roof shapes create visual interest and character in a house and break up the massing of these surfaces.
- Four-sided architecture is required to respect the near and distant view corridors of other residents. The design should include private open spaces in the front and rear and takes advantage of front, rear, and side views of the house. Architectural design should include covered outdoor area to take advantage of the special environment. The design elements should also reduce the dominance of the garage doors.
- All landscaping development should respect, not dominate, the natural environment. Planting of natural prairie grasses and vegetation is encouraged.

### **Lot Information**

The Organized Hamlet of Deer Valley has two separate standards for the Residences and Acreages. Please refer to the map on the following page to determine which set of standards applies to your property.

# Architectural Controls

## Organized Hamlet of Deer Valley



### Valley Edge Lots

- Bungalows (may be walk-outs).
- Height restriction 6.6M.
- Street setback 7M.
- Side yard width minimum 3.5M
- House and retaining walls must be designed to follow the natural landscape.

### Interior Lots

- Bungalows, Bi-levels, Two Stories.
- Street setback minimum 10M.
- Side yard width minimum 3.5M.

### Minimum Square Footages

- Bungalows - 1300 SF
- Two Stories - 1700 SF Height Restriction 9M.
- Minimum floor areas do not include garages, decks, and basements. It applies to gross building area at or above grade only.

### Exterior Finishes

- Brick, Tyndall stone, or stucco.
- All stucco-finished homes must have detailed trim around windows and doors.
- Cedar log homes may be approved on an individual basis.
- Vinyl siding will not be approved.
- Any new materials that may become available to the market will be considered on an individual basis.

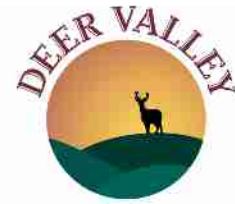
### Colors

- Bright primary colours (red, blue or yellow) shall be prohibited.



# Architectural Controls

## Organized Hamlet of Deer Valley



- Bright pastel versions of primary or secondary colors (orange, purple, green) shall be prohibited.

### **Fences**

- No fences from street to setback will be approved.
- Fences must be 60% transparent – valley view only.

### **Roofs**

- Roofing materials of high quality are required.
  - Hand split cedar shakes, pine shakes, or cedar shingles; stained or natural color.
  - Clay or colored concrete roofing tiles
  - Asphalt shingles: Mirage or Cathedral XL or equivalent.
- All roofs must have overhangs with a 2-foot minimum.
- Exposed metal flues will not be approved.
- Cedar or pine shakes shall be permitted.
- Stained or natural coloured cedar shingles shall be permitted.
- Clay or coloured (in accordance with 17.3.3 above) concrete roofing tiles shall be permitted.
- Architectural or dimensional shingles shall be permitted.
- 3-tab shingles shall be prohibited.
- Any new materials that may become available to the market will be considered on an individual basis.

### **Garages**

- Architectural treatments of the garage are an ingredient of a more pleasing streetscape.
- Dwellings shall have a minimum of a two-vehicle garage.
- Where three or more garage bays exist on a dwelling, the bays shall be staggered.
- Lot widths are sufficient to accommodate a mix of side entry garages.

### **Driveways**

- Must be interlocking paving stones, concrete, or exposed aggregate.
- Asphalt, gravel, or sand driveways are not permitted.
- Driveways must be completed within two (2) years of occupancy.

### **Additional Accessory Buildings**

- Only one additional accessory building shall be over 15.6 m<sup>2</sup> (200 ft<sup>2</sup>).
- The maximum size of any additional accessory building shall be 222.97 m<sup>2</sup> (2,400 ft<sup>2</sup>).
- All accessory buildings shall be complementary to the style and character of the principal dwelling.
- Temporary, such as pup and sea can, or permanent fabric covered accessory buildings shall be prohibited.

### **Slope Stability**

- Only minimal grading should be allowed on existing lots, with no imported fill. The slopes to the rear of the lot should not be disturbed and trees on the existing slopes should not be cut.
- All construction debris and excess fill from basement excavations must be removed off-site. Dumping of any type of fill or construction debris adjacent to or on/over the crest of slope is not allowed.
- Detached structures such as surface decks or gazebos could be installed within the setback distances provided in the GE reports, recognizing the risk of movement of these structures due to potential future slope movements.
- Vegetation established at the rear of the lot near the top of slope should be of a drought resistant nature that does not require excessive watering. Irrigation at the top of the slope should be kept to a minimum.
- Surface runoff must be controlled to avoid uncontrolled channelized flow over the slope crest. Minor site grading should be conducted to reduce the drainage area flowing over the crest of the slope.
- All roof drains should be located to direct runoff onto a gentle slope leading away from the house and to the front of the lot to prevent surface erosion.
- Any buried water or sewer lines should be constructed with watertight connections to manholes and catch basins to ensure that excessive seepage into the ground does not occur.

# Architectural Controls

## Organized Hamlet of Deer Valley



- The stability of the valley slope is highly dependent on the current slope drainage conditions. Underground sprinkler systems, swimming pool and decorative ponds should not be installed without a site specific geotechnical report; as this could introduce water into the slope and impact the long-term stability of the slopes.

### **Other Requirements**

- Construction completion within one (1) year of construction commencement.
- Occupancy is permitted once the house is 95% complete.
- Landscaping must be complete within two (2) years of occupancy. Trees and shrubs should respect the natural environment, lay of the land and neighbors' views.

### **Lot Information - Acreages**

#### **Valley Edge Acreages**

- Bungalows, Bi-levels, Two Stories.
- House and retaining walls must be designed to follow the natural landscape.

#### **Interior Acreages**

- Bungalows, Bi-levels, Two Stories.

### **Minimum Square Footages**

- Bungalows - 1400 SF
- Two Stories - 1800 SF Height Restriction 9M.
  - Minimum floor areas do not include garages, decks and basements.
  - Square footage applies to gross building area at or above grade only.
  - Minimum total width of house complete with attached garage is fifty (50) feet.

### **Building Setbacks**

<b><u>Lots</u></b>	<b><u>Road</u></b>	<b><u>Golf Course</u></b>	<b><u>Side</u></b>	<b><u>Back</u></b>
B to K	50 feet	n/a	25 feet	25 feet
L to P	50 feet	100 feet	50 feet	n/a
R to S	50 feet	85 feet	50 feet	n/a

All dwellings shall be located in an area that complies with the Geotechnical Report.

### **Exterior Finishes**

- Brick, stone, stucco or fiber-cement type sidings.
- Stucco-surfaces on homes must have detailed trim around windows and doors.
- Log homes may be approved on an individual basis.
- Vinyl siding will not be approved.
- Any new materials that may become available to the market will be considered on an individual basis.

### **Colors**

- Bright primary colours (red, blue or yellow) shall be prohibited.
- Bright pastel versions of primary or secondary colors (orange, purple, green) shall be prohibited.

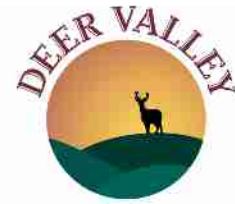
### **Fences**

- Fences must be 60% transparent – valley view.
- No barbed wire or page wire allowed.



# Architectural Controls

## Organized Hamlet of Deer Valley



- All fences must be aesthetically acceptable and compatible with nature of the development.

### **Roofs**

- Roofing materials of high quality are required.
  - Hand split cedar shakes, pine shakes, or cedar shingles; stained or natural color.
  - Clay or colored concrete roofing tiles
  - Asphalt shingles: Mirage or Cathedral XL or equivalent.
- All roofs must have a minimum overhang of 18".
- Exposed metal flues will not be approved.
- Cedar or pine shakes shall be permitted.
- Stained or natural coloured cedar shingles shall be permitted.
- Clay or coloured (in accordance with 17.4.3 above) concrete roofing tiles shall be permitted.
- Architectural or dimensional shingles shall be permitted.
- 3-tab shingles shall be prohibited.
- Any new materials that may become available to the market will be considered on an individual basis.

### **Garages**

- A two-car attached garage is a minimum requirement.
- Where three or more garage bays exist on a house, the bays must be staggered.
- Windows are required where the side is visible from the street.

### **Driveways**

- Interlocking paving stones, concrete, asphalt or as a minimum must be completed with a gravel surface.
- Driveways must be completed in conjunction with the building of the residence.

### **Slope Stability**

- Only minimal grading should be allowed on existing lots, with no imported fill. The slopes to the rear of the lot should not be disturbed and trees on the existing slopes should not be cut.
- All construction debris and excess fill from basement excavations must be removed off-site. Dumping of any type of fill or construction debris adjacent to or on/over the crest of slope is not allowed.
- Detached structures such as surface decks or gazebos could be installed within the setback distances provided in the GE reports, recognizing the risk of movement of these structures due to potential future slope movements.
- Vegetation established at the rear of the lot near the top of slope should be of a drought resistant nature that does not require excessive watering. Irrigation at the top of the slope should be kept to a minimum.
- Surface runoff must be controlled to avoid uncontrolled channelized flow over the slope crest. Minor site grading should be conducted to reduce the drainage area flowing over the crest of the slope.
- All roof drains should be located to direct runoff onto a gentle slope leading away from the house and to the front of the lot to prevent surface erosion.
- Any buried water or sewer lines should be constructed with watertight connections to manholes and catch basins to ensure that excessive seepage into the ground does not occur.
- The stability of the valley slope is highly dependent on the current slope drainage conditions. Underground sprinkler systems, swimming pool and decorative ponds should not be installed without a site specific geotechnical report; this could introduce water into the slope and impact the long-term stability of the slopes.

### **Additional Buildings**

- Maximum size is 40' x 60' (only one out-building over 200 sq ft is allowed).
- All out-buildings shall be complementary to and in keeping with the style and character of the main dwelling house on the lot.
- Out buildings over 200 square feet in size cannot be located on the Valley Side of the main dwelling house
- Out buildings 200 square feet or less in size only require a 25 ft setback from the side and back property lines. A 50 ft setback from the road is still required.
- Temporary, such as pup and sea can, or permanent fabric covered accessory buildings shall be prohibited.
- No garage, trailer, camper, motor home, mobile home or recreational vehicle shall be used as a residence on the Lot, either temporarily or permanently.
- Only one primary private dwelling house shall be erected and standing on the Lot at any one time.

**Architectural Controls**  
**Organized Hamlet of Deer Valley**



**Other Requirements, Restrictions and Notices**

- Construction shall be completed within one (1) year of construction commencement.
- Occupancy is permitted once the house is 95% complete.
- Landscaping must be complete within two (2) years of occupancy. The planting of trees and shrubs that respect the natural environment, lay of the land and neighbors' views is encouraged. Shelter belt trees such as Caragana's will not be allowed in the golf course setback zones on Lots L to S Plan No. 101918279.

**Architectural Controls**  
**Organized Hamlet of Deer Valley**



**Building Plans Checklist - Residential**

The following checklist is required for Deer Valley's approval of building plans prior to submission for RM of Lumsden approval.

1. Block \_\_\_\_\_ Lot \_\_\_\_\_ Plan \_\_\_\_\_
2. Owner \_\_\_\_\_
3. Builder \_\_\_\_\_ House Type \_\_\_\_\_
4. Are financial considerations of lot met? \_\_\_\_\_
5. 4 site plans and 4 sets house plans  
(3 for RM of Lumsden and 1 for Deer Valley ) \_\_\_\_\_
6. Height restrictions - Valley Edge Bungalow 6.6M \_\_\_\_\_  
- Two Story 9M \_\_\_\_\_
7. Side yard width \_\_\_\_\_  
Street setback \_\_\_\_\_
8. Ground Engineering Geo-technical Report received? \_\_\_\_\_
9. Do Plans meet Ground Engineering requirements? \_\_\_\_\_  
(GE reports April 25, 2000, Sept.28, 2000, Jan. 19, 2001)
10. Soffits 2 feet minimum \_\_\_\_\_
11. Roofing - street appeal \_\_\_\_\_  
- materials \_\_\_\_\_  
- color \_\_\_\_\_
12. Exterior - material(s) \_\_\_\_\_  
- color(s) \_\_\_\_\_
13. Square footage of house \_\_\_\_\_
14. Driveway - materials \_\_\_\_\_  
- correct side if applicable \_\_\_\_\_

**Inform Builder:**

1. Water and Sewer connection placement \_\_\_\_\_  
(on curb as 'WCB')
2. "Garbage is the Enemy" Reminder (Site Clean up) \_\_\_\_\_

Lot Owner and/or Homebuilder \_\_\_\_\_ Date \_\_\_\_\_

Organized Hamlet of Deer Valley \_\_\_\_\_ Date \_\_\_\_\_



**Architectural Controls**  
**Organized Hamlet of Deer Valley**



**Building Plans Checklist - Acreages**

The following checklist is required for Deer Valley's approval of building plans and must be submitted prior to Building Permit submission to the RM of Lumsden.

1. Acreage Lot No. \_\_\_\_\_
2. Owner \_\_\_\_\_
3. Builder \_\_\_\_\_ House Type \_\_\_\_\_
4. Are financial considerations of lot met? \_\_\_\_\_
5. 4 site plans and 4 sets house plans  
(3 for RM of Lumsden and 1 for Deer Valley) \_\_\_\_\_
6. Ground Engineering Geo-technical Report received? \_\_\_\_\_
7. Do Plans meet Ground Engineering requirements?  
(GE reports April 25, 2000, Sept. 28, 2000, Jan. 19, 2001) \_\_\_\_\_
8. Soffits – 18” minimum \_\_\_\_\_
9. Roofing - materials \_\_\_\_\_  
- color \_\_\_\_\_
10. Exterior - material(s) \_\_\_\_\_  
- color(s) \_\_\_\_\_
11. Square footage of house \_\_\_\_\_

Inform Builder:

1. Water connection placement \_\_\_\_\_
2. “Garbage is the Enemy” Reminder (Site Clean up) \_\_\_\_\_

Owner and/or Homebuilder \_\_\_\_\_ Date \_\_\_\_\_












Deer Valley Development Inc. \_\_\_\_\_ Date \_\_\_\_\_



## 18.0 MAPS

ZONING DISTRICT MAP

ZONING DISTRICTS

-  AGRICULTURE
-  LOW DENSITY COUNTRY RESIDENTIAL
-  MEDIUM DENSITY COUNTRY RESIDENTIAL
-  HIGH DENSITY COUNTRY RESIDENTIAL
-  HIGH DENSITY MIXED USE RESIDENTIAL
-  LOW DENSITY VALLEY RESIDENTIAL
-  MEDIUM DENSITY VALLEY RESIDENTIAL
-  PLANNED VALLEY RESIDENTIAL
-  GENERAL COMMERCIAL
-  HIGHWAY COMMERCIAL
-  INDUSTRIAL

• This is the Zoning District Map which accompanies Bylaw Number \_\_\_\_\_ adopted by the RM of Lumsden.


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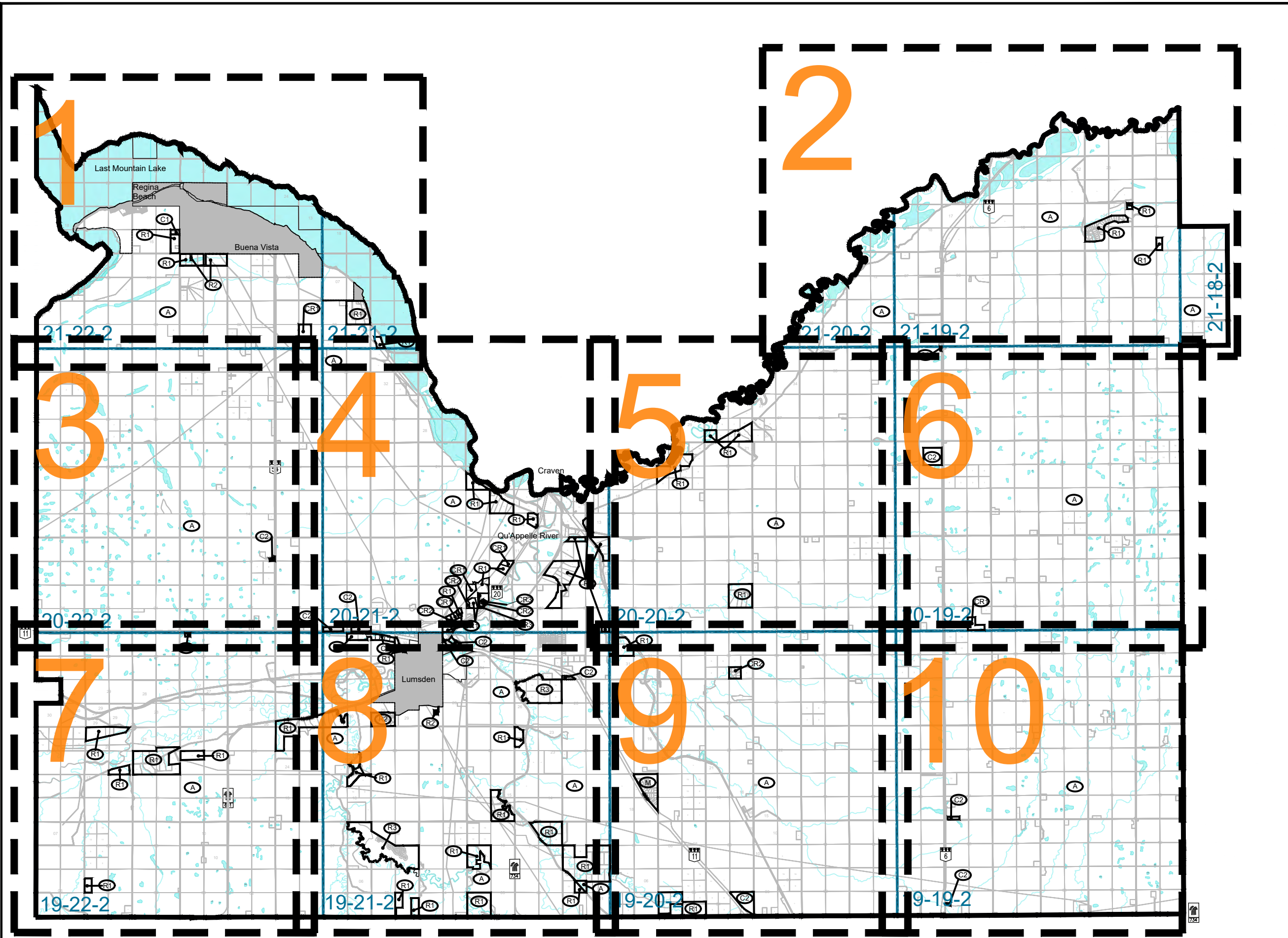
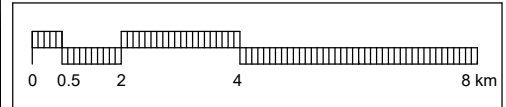
Administrator \_\_\_\_\_

• Approved on the \_\_\_\_\_ day of \_\_\_\_\_

Minister  
Saskatchewan Government Relations

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COMMUNITY PLANNING F (306) 652-9613

Sheet 1 of 11  DATE 2020-04-28  
PROJECT NO. CHA 20010



ZONING DISTRICT MAP

ZONING DISTRICTS

- A AGRICULTURE
- CR1 LOW DENSITY COUNTRY RESIDENTIAL
- CR2 MEDIUM DENSITY COUNTRY RESIDENTIAL
- CR3 HIGH DENSITY COUNTRY RESIDENTIAL
- HDML HIGH DENSITY MIXED USE RESIDENTIAL
- R1 LOW DENSITY VALLEY RESIDENTIAL
- R2 MEDIUM DENSITY VALLEY RESIDENTIAL
- R3 PLANNED VALLEY RESIDENTIAL
- C1 GENERAL COMMERCIAL
- C2 HIGHWAY COMMERCIAL
- M INDUSTRIAL

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Administrator \_\_\_\_\_

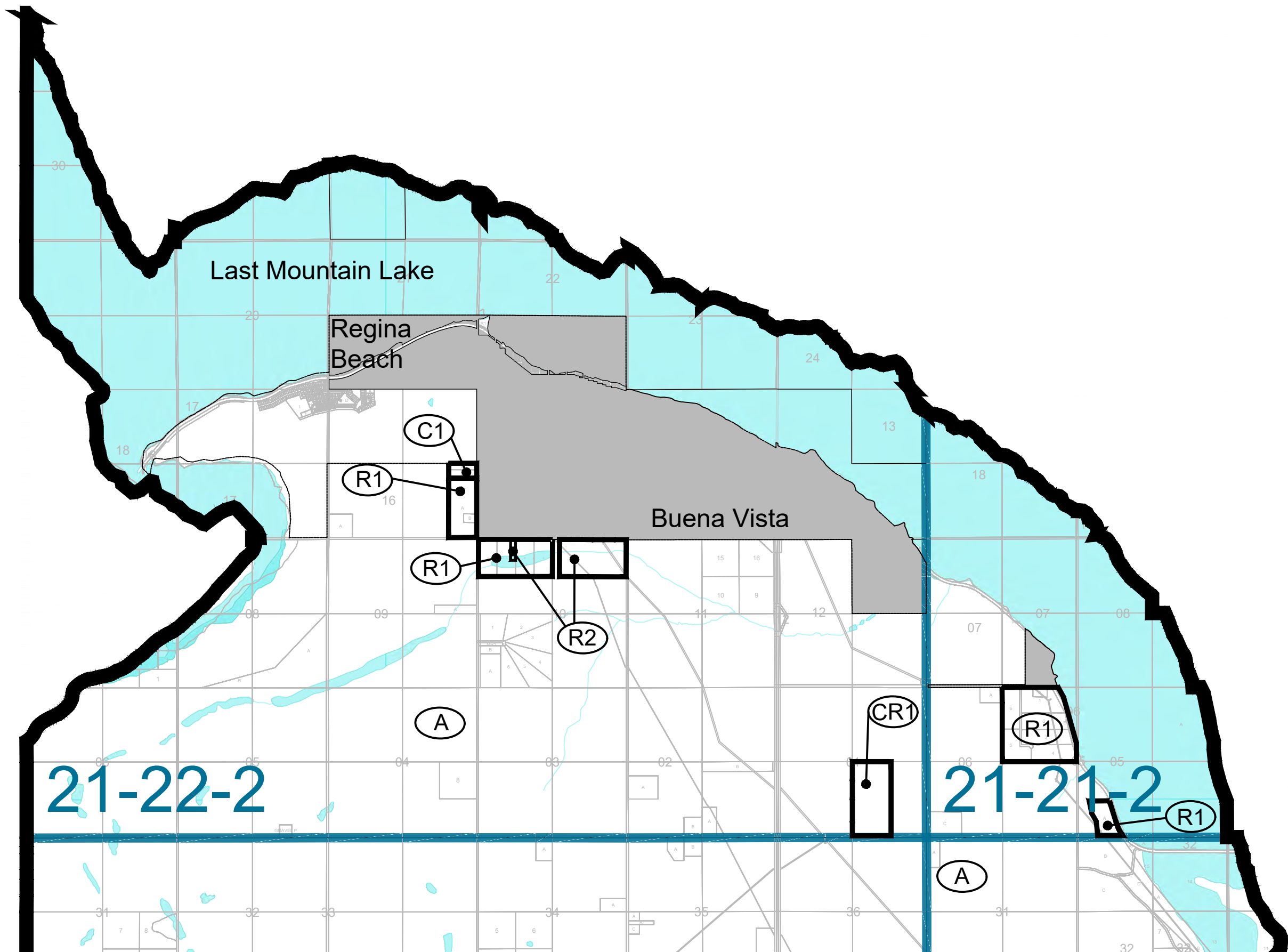
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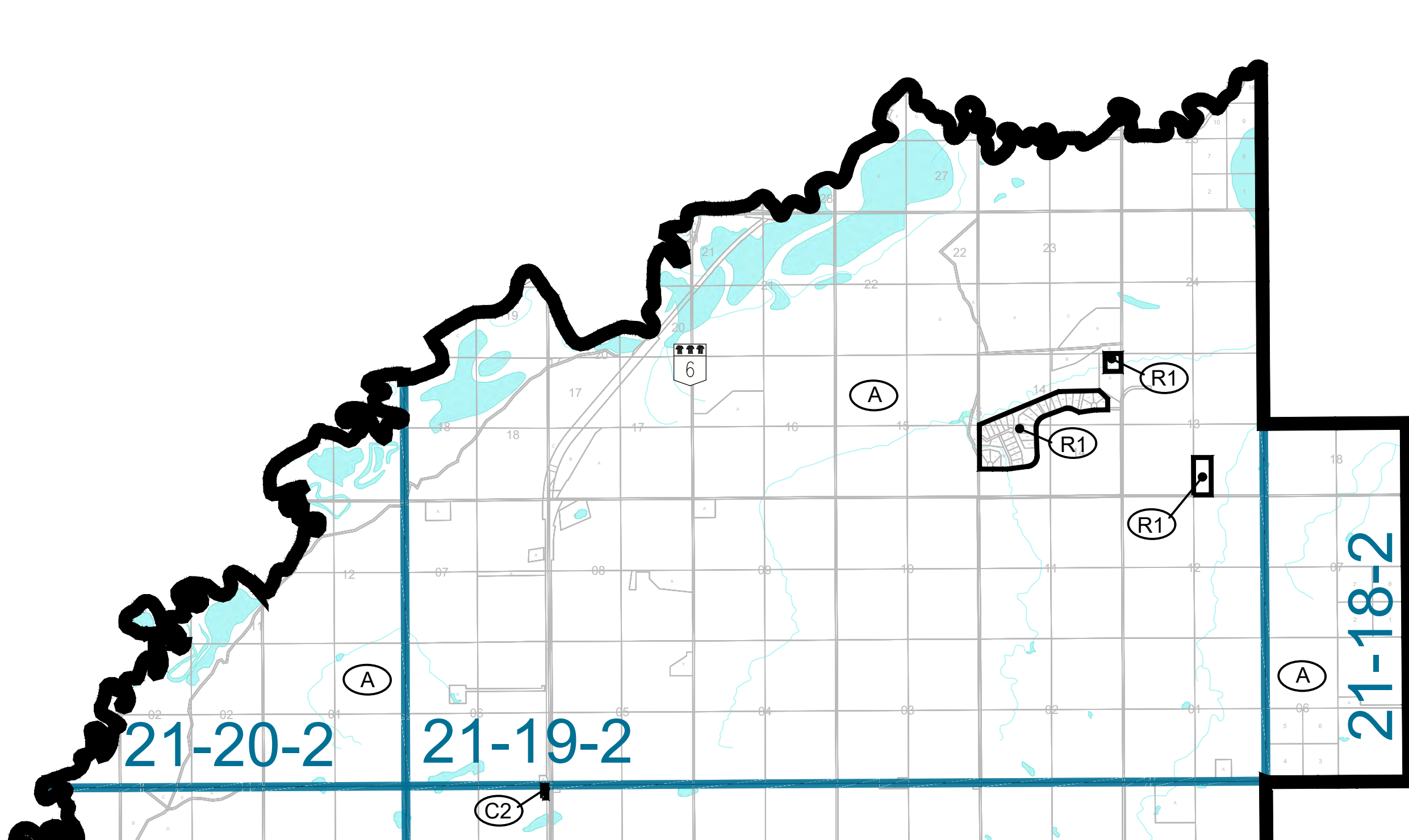
**Figure 1**  DATE: 2020-04-28  
Sheet 2 of 11 PROJECT NO: CHA 20010



ZONING DISTRICT MAP

ZONING DISTRICTS

- A AGRICULTURE
- CR1 LOW DENSITY COUNTRY RESIDENTIAL
- CR2 MEDIUM DENSITY COUNTRY RESIDENTIAL
- CR3 HIGH DENSITY COUNTRY RESIDENTIAL
- HDMU HIGH DENSITY MIXED USE RESIDENTIAL
- R1 LOW DENSITY VALLEY RESIDENTIAL
- R2 MEDIUM DENSITY VALLEY RESIDENTIAL
- R3 PLANNED VALLEY RESIDENTIAL
- C1 GENERAL COMMERCIAL
- C2 HIGHWAY COMMERCIAL
- M INDUSTRIAL



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Administrator \_\_\_\_\_

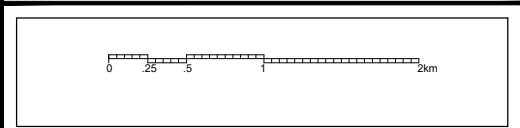
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**Figure 2**  DATE 2020-04-28  
Sheet 3 of 11 PROJECT NO. CHA 20010



21-22-2

21-21-2

20-22-2

20-21-2

RURAL MUNICIPALITY of LUMSDEN No. 189

ZONING DISTRICT MAP

ZONING DISTRICTS

- A AGRICULTURE
- CR1 LOW DENSITY COUNTRY RESIDENTIAL
- CR2 MEDIUM DENSITY COUNTRY RESIDENTIAL
- CR3 HIGH DENSITY COUNTRY RESIDENTIAL
- HDML HIGH DENSITY MIXED USE RESIDENTIAL
- R1 LOW DENSITY VALLEY RESIDENTIAL
- R2 MEDIUM DENSITY VALLEY RESIDENTIAL
- R3 PLANNED VALLEY RESIDENTIAL
- C1 GENERAL COMMERCIAL
- C2 HIGHWAY COMMERCIAL
- M INDUSTRIAL

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Reeve \_\_\_\_\_


Administrator \_\_\_\_\_

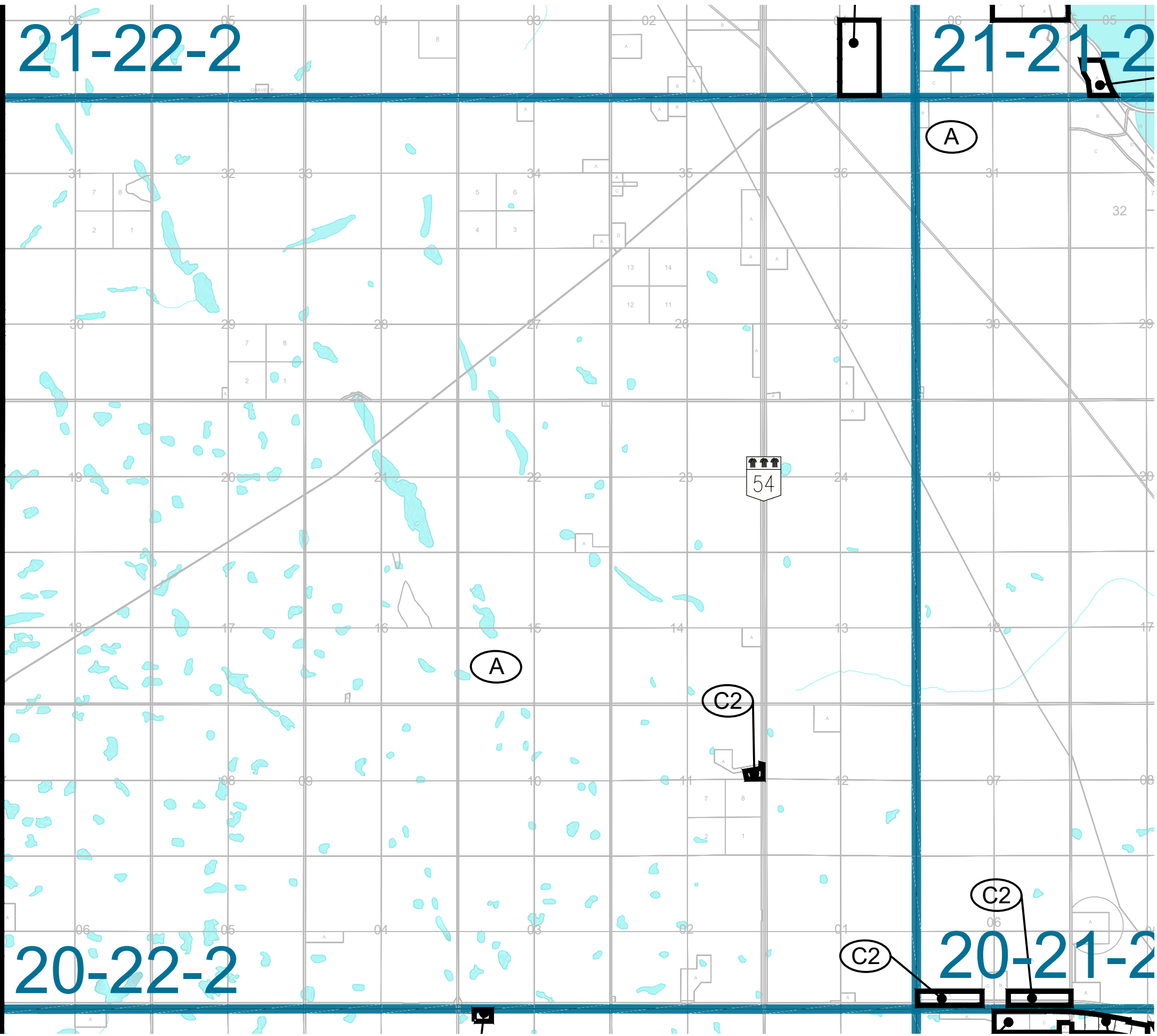
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**Figure 3**  DATE 2020-04-28  
Sheet 4 of 11 PROJECT NO. CHA 20010





ZONING DISTRICT MAP

ZONING DISTRICTS

-  AGRICULTURE
-  LOW DENSITY COUNTRY RESIDENTIAL
-  MEDIUM DENSITY COUNTRY RESIDENTIAL
-  HIGH DENSITY COUNTRY RESIDENTIAL
-  HIGH DENSITY MIXED USE RESIDENTIAL
-  LOW DENSITY VALLEY RESIDENTIAL
-  MEDIUM DENSITY VALLEY RESIDENTIAL
-  PLANNED VALLEY RESIDENTIAL
-  GENERAL COMMERCIAL
-  HIGHWAY COMMERCIAL
-  INDUSTRIAL

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Reeve \_\_\_\_\_


Administrator \_\_\_\_\_

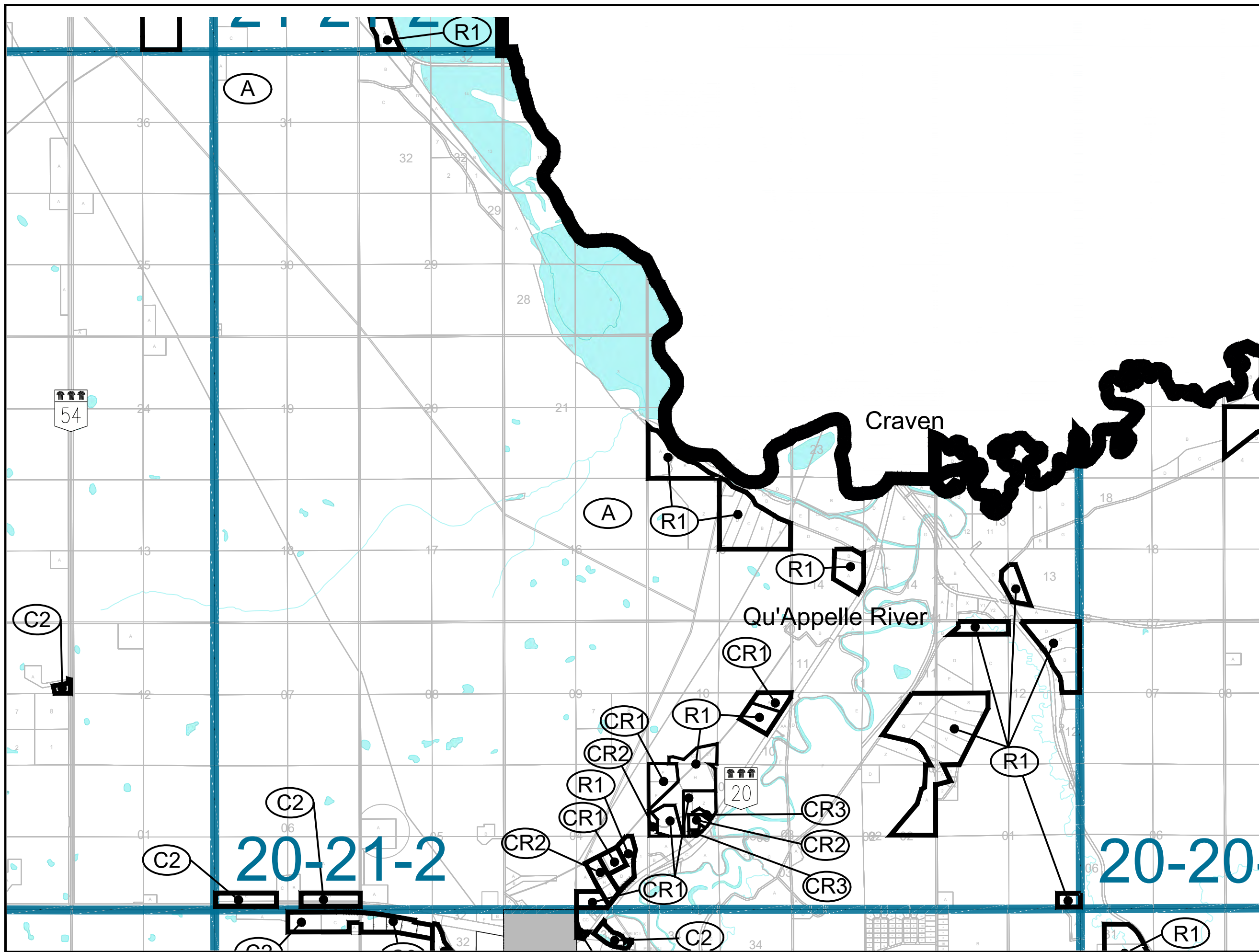
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**Figure 4**  DATE 2020-04-28  
Sheet 5 of 11 PROJECT NO. CHA 20010



ZONING DISTRICT MAP

ZONING DISTRICTS

- A AGRICULTURE
- CR1 LOW DENSITY COUNTRY RESIDENTIAL
- CR2 MEDIUM DENSITY COUNTRY RESIDENTIAL
- CR3 HIGH DENSITY COUNTRY RESIDENTIAL
- HDML HIGH DENSITY MIXED USE RESIDENTIAL
- R1 LOW DENSITY VALLEY RESIDENTIAL
- R2 MEDIUM DENSITY VALLEY RESIDENTIAL
- R3 PLANNED VALLEY RESIDENTIAL
- C1 GENERAL COMMERCIAL
- C2 HIGHWAY COMMERCIAL
- M INDUSTRIAL

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Reeve \_\_\_\_\_


Administrator \_\_\_\_\_

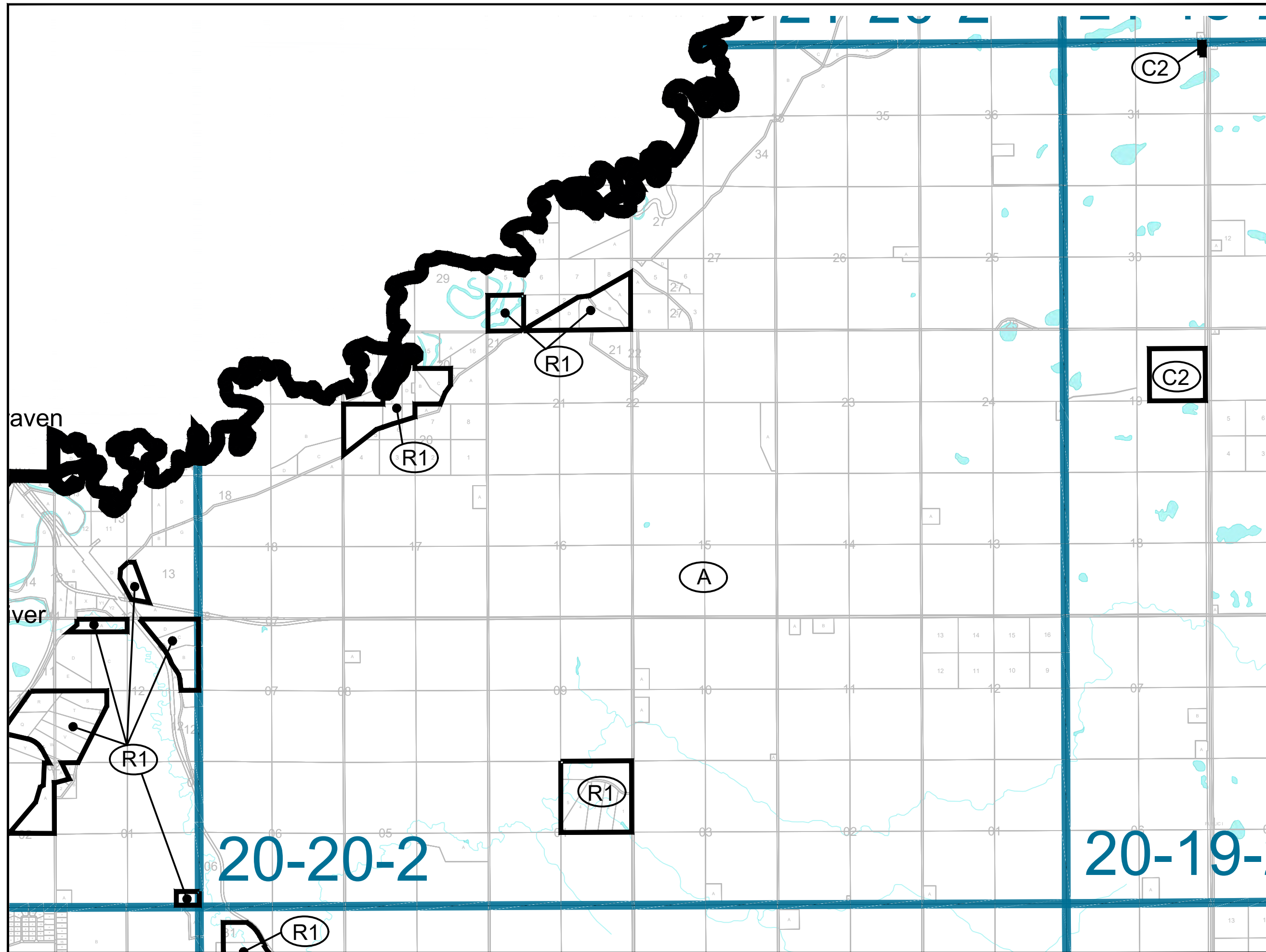
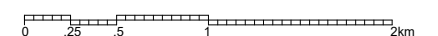
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**Figure 5**  DATE 2020-04-28  
Sheet 6 of 11 PROJECT NO. CHA 20010



- ZONING DISTRICTS**
- (A) AGRICULTURE
  - (CR1) LOW DENSITY COUNTRY RESIDENTIAL
  - (CR2) MEDIUM DENSITY COUNTRY RESIDENTIAL
  - (CR3) HIGH DENSITY COUNTRY RESIDENTIAL
  - (HDML) HIGH DENSITY MIXED USE RESIDENTIAL
  - (R1) LOW DENSITY VALLEY RESIDENTIAL
  - (R2) MEDIUM DENSITY VALLEY RESIDENTIAL
  - (R3) PLANNED VALLEY RESIDENTIAL
  - (C1) GENERAL COMMERCIAL
  - (C2) HIGHWAY COMMERCIAL
  - (M) INDUSTRIAL

• This is the Zoning District Map which accompanies Bylaw Number \_\_\_\_\_ adopted by the RM of Lumsden.

Reeve \_\_\_\_\_

Administrator \_\_\_\_\_

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LANDSCAPE ARCHITECTURE  
COMMUNITY PLANNING

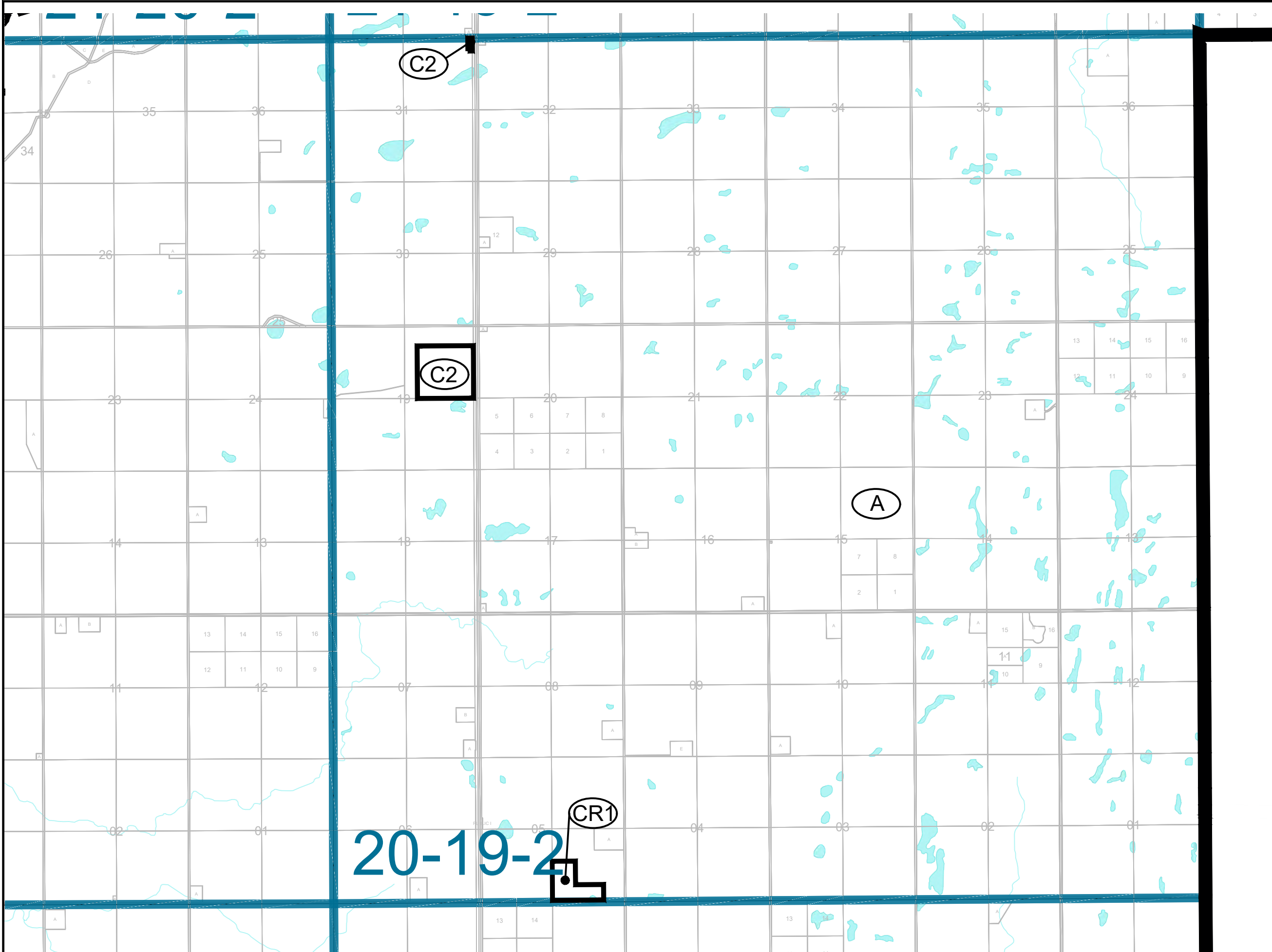
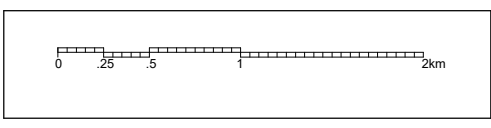
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**Figure 6**

Sheet 7 of 11

DATE  
2020-04-28

PROJECT NO.  
CHA 20010







20-22-2

RURAL MUNICIPALITY of LUMSDEN No. 189

ZONING DISTRICT MAP

ZONING DISTRICTS

- AGRICULTURE
- LOW DENSITY COUNTRY RESIDENTIAL
- MEDIUM DENSITY COUNTRY RESIDENTIAL
- HIGH DENSITY COUNTRY RESIDENTIAL
- HIGH DENSITY MIXED USE RESIDENTIAL
- LOW DENSITY VALLEY RESIDENTIAL
- MEDIUM DENSITY VALLEY RESIDENTIAL
- PLANNED VALLEY RESIDENTIAL
- GENERAL COMMERCIAL
- HIGHWAY COMMERCIAL
- INDUSTRIAL

This is the Zoning District Map which accompanies Bylaw Number \_\_\_\_\_ adopted by the RM of Lumsden.

Reeve \_\_\_\_\_

Administrator \_\_\_\_\_

Approved on the \_\_\_\_\_ day of \_\_\_\_\_

Minister  
Saskatchewan Government Relations

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**Figure 7** DATE 2020-04-28

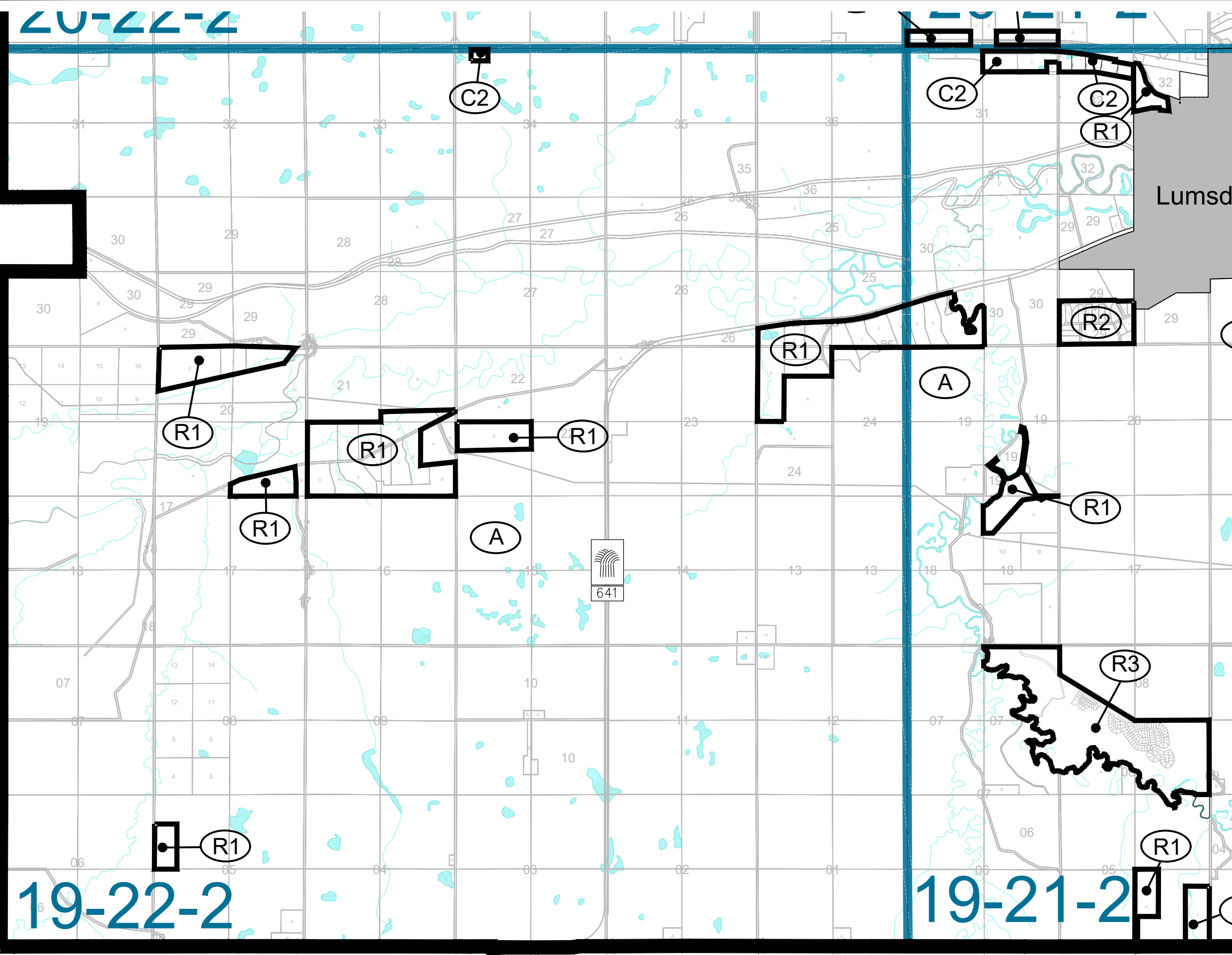
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19-22-2












19-21-2

Lumsden



ZONING DISTRICT MAP

ZONING DISTRICTS

-  AGRICULTURE
-  LOW DENSITY COUNTRY RESIDENTIAL
-  MEDIUM DENSITY COUNTRY RESIDENTIAL
-  HIGH DENSITY COUNTRY RESIDENTIAL
-  HIGH DENSITY MIXED USE RESIDENTIAL
-  LOW DENSITY VALLEY RESIDENTIAL
-  MEDIUM DENSITY VALLEY RESIDENTIAL
-  PLANNED VALLEY RESIDENTIAL
-  GENERAL COMMERCIAL
-  HIGHWAY COMMERCIAL
-  INDUSTRIAL


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Reeve \_\_\_\_\_


Administrator \_\_\_\_\_

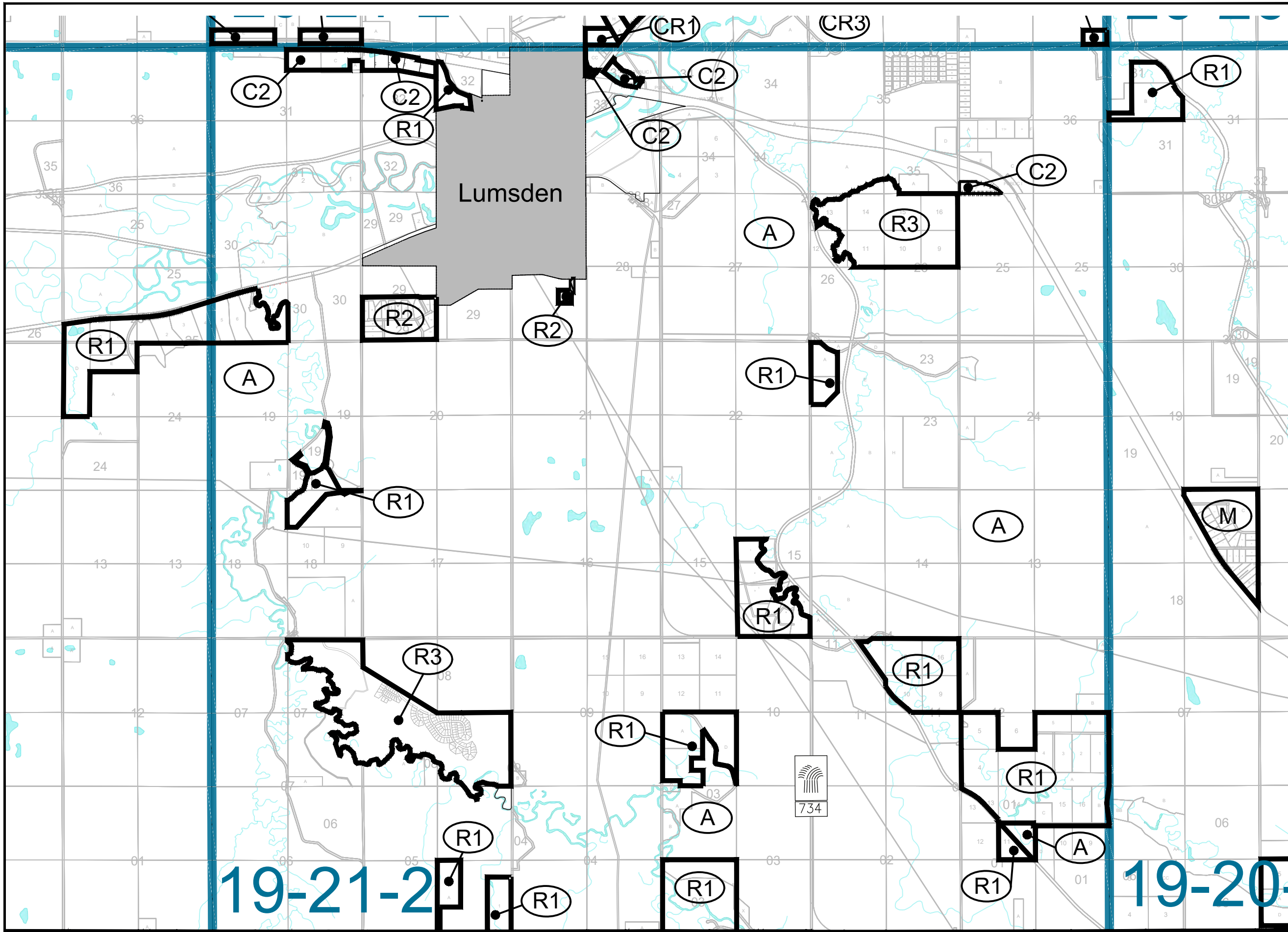
• Approved on the \_\_\_\_\_ day of \_\_\_\_\_

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**Figure 8**  DATE 2020-04-28  
Sheet 9 of 11 PROJECT NO. CHA 20010



- ZONING DISTRICTS**
- (A) AGRICULTURE
  - (CR1) LOW DENSITY COUNTRY RESIDENTIAL
  - (CR2) MEDIUM DENSITY COUNTRY RESIDENTIAL
  - (CR3) HIGH DENSITY COUNTRY RESIDENTIAL
  - (HDMU) HIGH DENSITY MIXED USE RESIDENTIAL
  - (R1) LOW DENSITY VALLEY RESIDENTIAL
  - (R2) MEDIUM DENSITY VALLEY RESIDENTIAL
  - (R3) PLANNED VALLEY RESIDENTIAL
  - (C1) GENERAL COMMERCIAL
  - (C2) HIGHWAY COMMERCIAL
  - (M) INDUSTRIAL

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Reeve \_\_\_\_\_

Administrator \_\_\_\_\_

• Approved on the \_\_\_\_\_ day of \_\_\_\_\_

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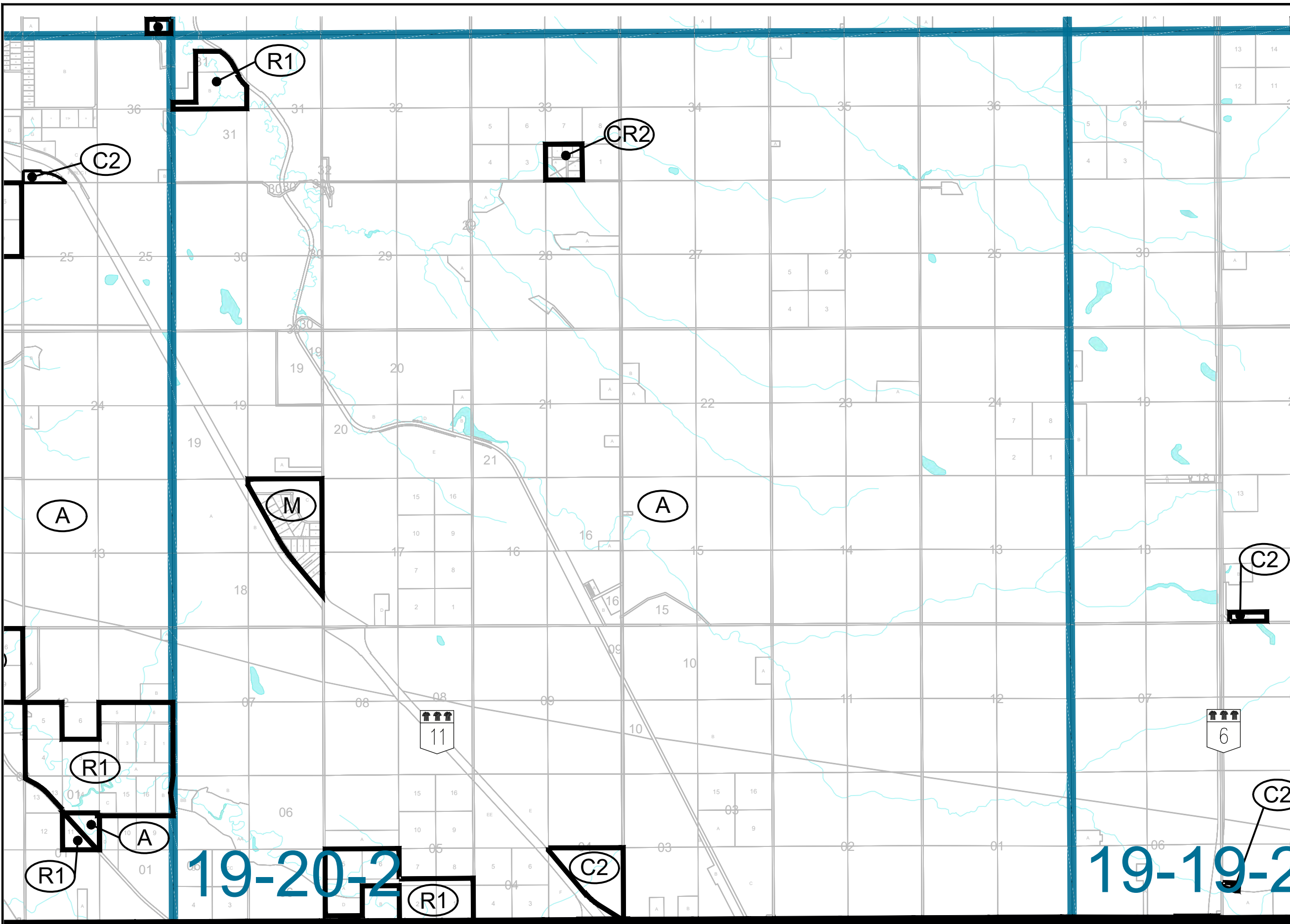
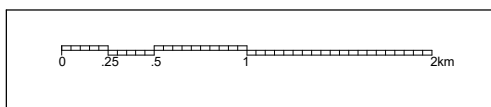
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**Figure 9**

Sheet 10 of 11

DATE 2020-04-28  
PROJECT NO. CHA 20010





ZONING DISTRICT MAP

ZONING DISTRICTS

- A AGRICULTURE
- CR1 LOW DENSITY COUNTRY RESIDENTIAL
- CR2 MEDIUM DENSITY COUNTRY RESIDENTIAL
- CR3 HIGH DENSITY COUNTRY RESIDENTIAL
- HDML HIGH DENSITY MIXED USE RESIDENTIAL
- R1 LOW DENSITY VALLEY RESIDENTIAL
- R2 MEDIUM DENSITY VALLEY RESIDENTIAL
- R3 PLANNED VALLEY RESIDENTIAL
- C1 GENERAL COMMERCIAL
- C2 HIGHWAY COMMERCIAL
- M INDUSTRIAL

• This is the Zoning District Map which accompanies Bylaw Number \_\_\_\_\_ adopted by the RM of Lumsden.

Reeve \_\_\_\_\_


Administrator \_\_\_\_\_

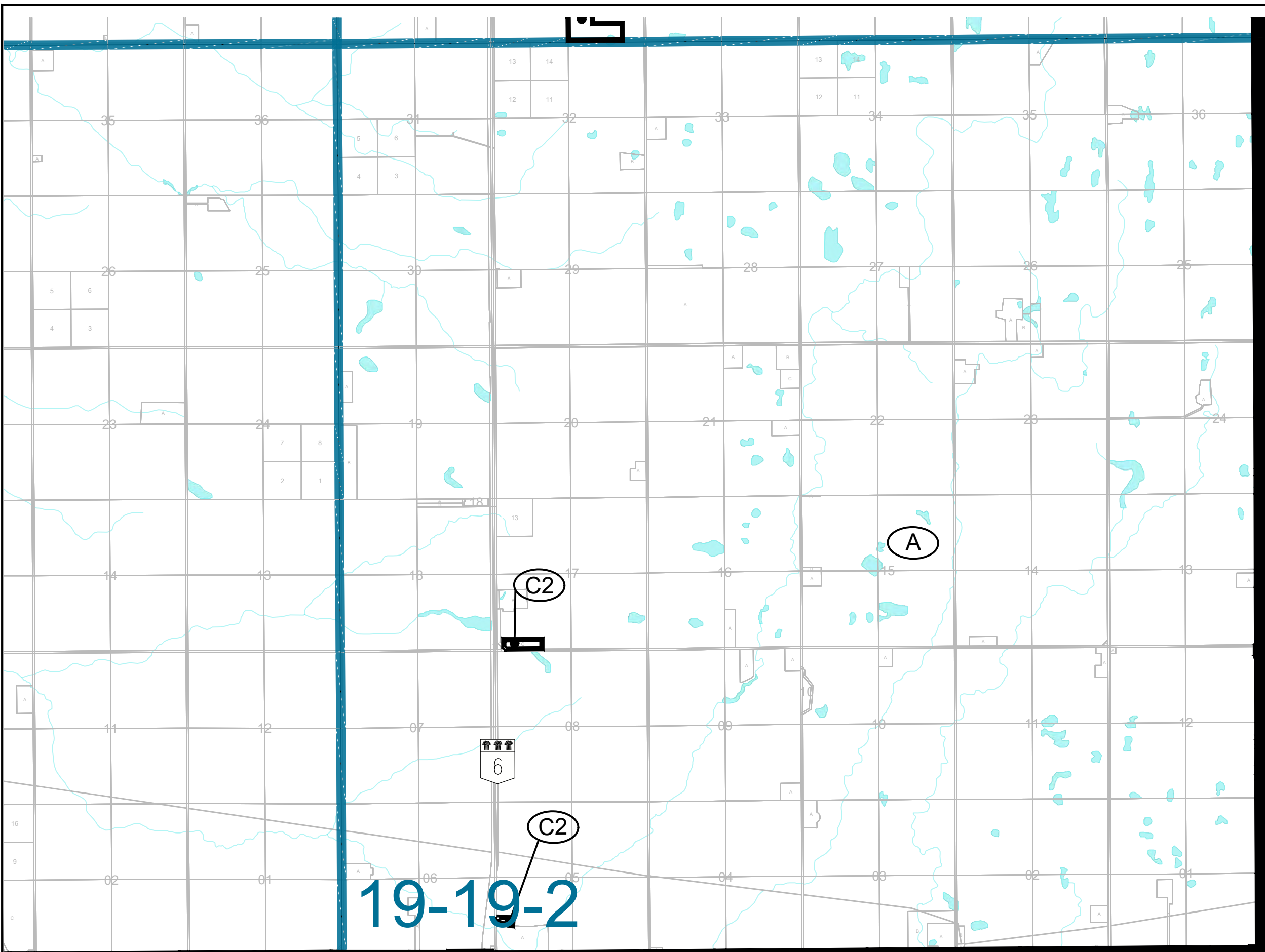
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**Figure 10**  DATE 2020-04-28  
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19-19-2