

Bylaw No 486 13

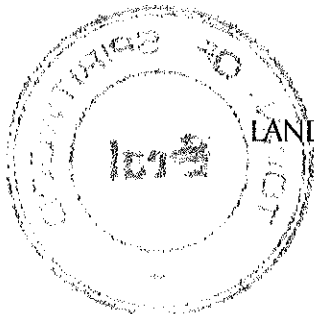
TOWN OF SPIRITWOOD ZONING BYLAW

Prepared for:

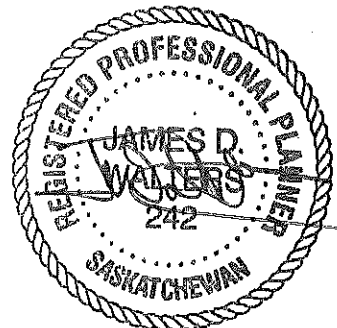
THE TOWN OF SPIRITWOOD

Prepared by:

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LANDSCAPE ARCHITECTURE AND PLANNING
SASKATOON, SK



NOVEMBER 2013



THE TOWN OF SPIRITWOOD

ZONING BYLAW

Bylaw No. 486 / 13

A Bylaw of the Town of Spiritwood to adopt a Zoning Bylaw.

The Council of the Town of Spiritwood, in the Province of Saskatchewan, in open meeting assembled enacts as follows:

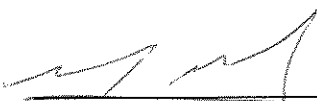
- (1) Pursuant to Section 34(1) of *The Planning and Development Act, 2007* the Council of the Town of Spiritwood hereby adopts the Town of Spiritwood Zoning Bylaw, identified as Schedule "A" to this Bylaw.
- (2) The Mayor and Town Administrator are hereby authorized to sign and seal Schedule "A" which is attached to and forms part of this Bylaw.
- (3) Bylaw No. 238/87, the Zoning Bylaw, and all amendments thereto, are hereby repealed.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 12th day of November, 2013

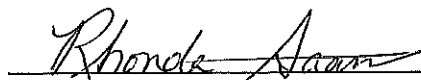
Read a Second Time the 24th day of June, 2014

Read a Third Time the 24th day of June, 2014

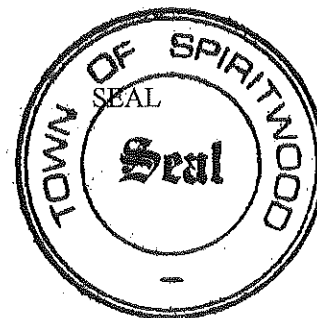
Adoption of this Bylaw this 24th day of June, 2014



(Mayor)



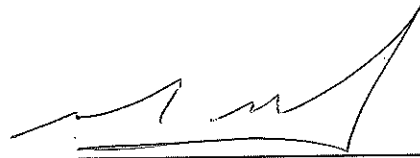
(Town Administrator)



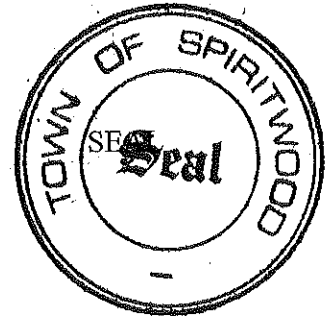
THE TOWN OF SPIRITWOOD

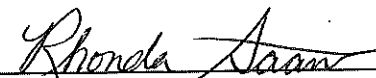
ZONING BYLAW

Being Schedule "A" to Bylaw No. 486 / 13
of the Town of Spiritwood



(Mayor)

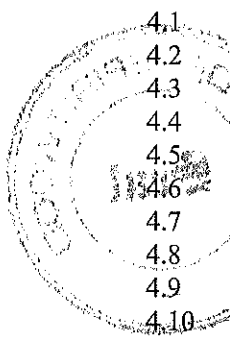




(Town Administrator)

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1 INTRODUCTION

Under the authority of *The Planning and Development Act, 2007*, and Bylaw No. 487/13, the Official Community Plan of the Town of Spiritwood, the Council of the Town of Spiritwood in the Province of Saskatchewan, in open meeting, hereby enact as follows:

1.1 TITLE

This Bylaw shall be known and may be cited as the *Zoning Bylaw* of the Town of Spiritwood.

1.2 SCOPE

Development shall be permitted within the limits of the Town of Spiritwood only when 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 for the Town of Spiritwood.

1.4 SEVERABILITY

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

2 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:

Accessory Building or Use - shall mean a building or use which:

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

Act - shall mean *The Planning and Development Act, 2007*.

Administrator - shall mean the Administrator of the Town of Spiritwood.

Adult Day Care - shall mean an establishment for the placement, care and supervision of adults, but does not include the provision of overnight supervision.

Adult Day Care - Type I - shall mean an adult day care with up to five persons under supervision at any one time.

Adult Day Care - Type II - shall mean an adult day care with more than five persons under supervision at any one time.

Alteration - shall mean any structural change in, or addition to, a building or structure, and shall include a change from one type of use to another.

Ambulance Station - shall mean a facility for receiving requests for ambulance service and for the stationing of one or more ambulances until dispatched in response to calls for service, which is operated by a person or corporation having a valid and subsisting ambulance licence issued pursuant to *The Ambulance Act* and having a current contract with the Regional Health Authority.

Ancillary Use - shall mean 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 Hospital - shall mean a place used for the care and treatment of small and large animals involving out-patient care, medical procedures involving hospitalization, and the keeping of animals in outdoor pens.

Apartment House - shall mean a building divided into three (3) or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence, as distinct from a hotel or motel.

Bare Land Condominium - shall mean a condominium divided into bare land units as defined in *The Condominium Property Act, 1993*.

Bare Land Unit - shall mean a bare land unit as defined within *The Condominium Property Act, 1993*.

Bed and Breakfast Home - shall mean 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 person or 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.

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

Building Bylaw - shall mean any Bylaw of the Town of Spiritwood regulating the erection, alteration, repair, occupancy or maintenance of buildings or structures.

Building Front Line - shall mean the line of the wall of the building, or any projecting portion of the building, and production thereof excluding permitted obstructions which faces the front site line.

Building Height - shall mean 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 - shall mean 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 - shall mean a permit issued under a Building Bylaw of the Town of Spiritwood authorizing the construction of all or part of a building or structure.

Building, Principal - shall mean the building in which is conducted the main or primary use of the site on which said building is situated.

Building Rear Line - shall mean the line of the wall of the building or any projecting portion of the building and production thereof excluding permitted obstructions which faces the rear site line.

Building Side Line - shall mean the line of the wall of the building, or any projecting portion of the building and production thereof excluding permitted obstructions, which faces the side site line.

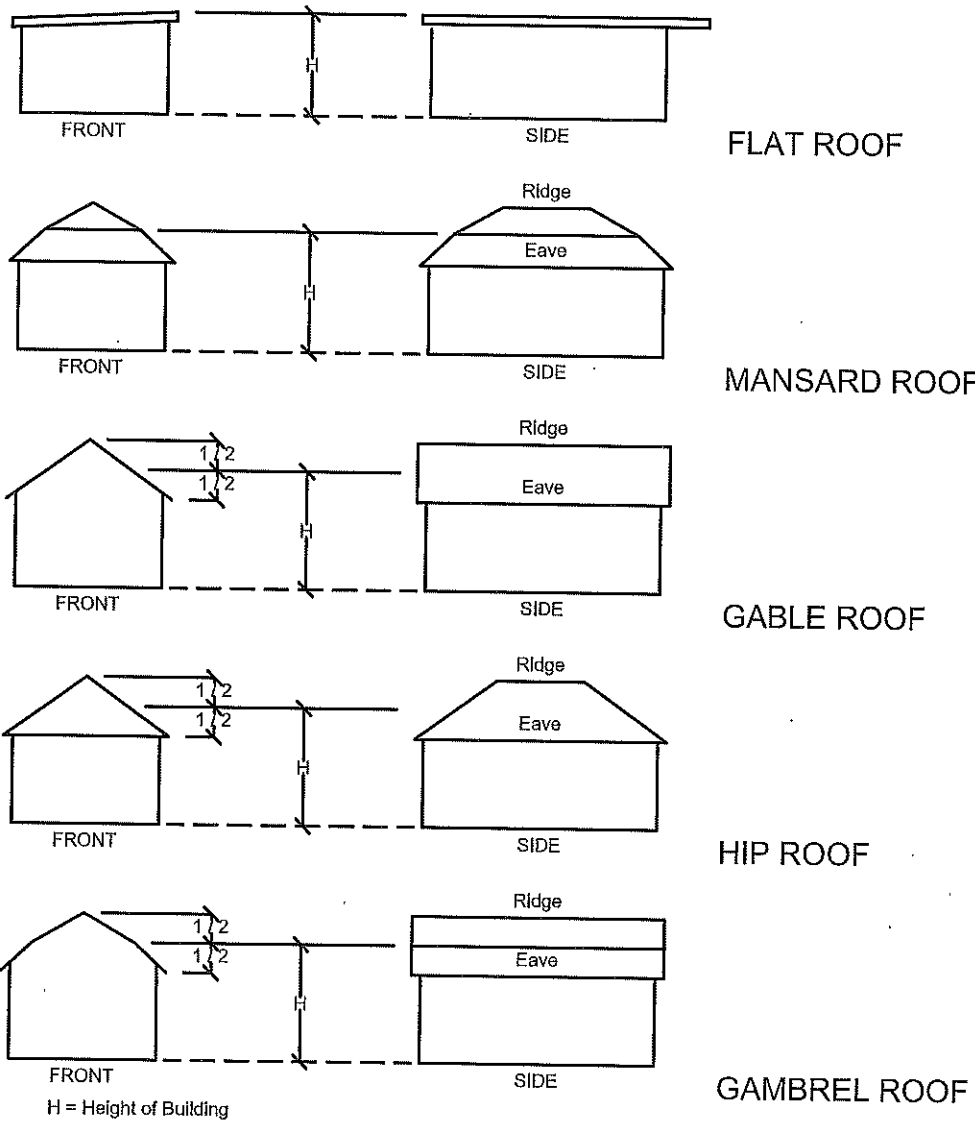


FIGURE 2-1: Interpretation of Building Height Measurement

Carport - shall mean a roofed enclosure for the parking of a motor vehicle or motor vehicles which has less than 60% of the total perimeter enclosed by walls, doors or windows and is attached to a principal building.

Car Wash - shall mean a building or portion of a building which is used for the washing of vehicles, including full service, automatic and hand operated facilities.

Cemetery - shall mean property used for the interment of the dead and may include facilities for the storage of ashes of human remains that have been cremated.

Club - shall mean 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.

Community Centre - shall mean 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 - shall mean 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 - shall mean 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.

Corner Site - shall mean a site at the intersection or junction of two or more streets.

Council - shall mean the Council of the Town of Spiritwood.

Cultural Institution - shall mean an establishment such as a museum, art gallery, library and similar facilities of historical, educational or cultural interest.

Custodial Care Facility - shall mean 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.

Day Care Centre - shall mean 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 - shall mean a raised open platform, with or without rails, attached to a principal building.

Development - shall mean 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 Permit - shall mean a document authorizing a development, issued pursuant to this *Zoning Bylaw*.

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

Dwelling - shall mean a building used or intended for residential occupancy excluding a Mobile Home, but may include a Manufactured Home, Modular Home or Ready-to-Move Home, as herein defined.

Dwelling Group - shall mean 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, Manufactured - shall mean a factory-built, one or two section dwelling, conforming to CSA Standard CAN/CSA-Z240 and A277, and which is transported to the site for placement on a fixed approved foundation which complies with the requirements of the National Building Code.

Dwelling, Modular - shall mean a dwelling which is constructed of pre-fabricated parts, unit modules and/or finished sections built in a factory, and which are transported to the site for assembly on a fixed approved foundation which complies with the requirements of the National Building Code.

Dwelling, Multiple Unit Apartment Style - shall mean a building divided into three or more dwelling units as herein defined, each of which is occupied or intended to be occupied as a permanent home or residence, but not hotels, motels or townhouses.

Dwelling, Multiple Unit Townhouse - shall mean a building divided into three or more dwelling units, with a common wall dividing the dwelling units throughout at least 40% of the depth of the entire structure, measured from the front to the rear building lines.

Dwelling, Ready-to-Move (RTM) - shall mean a ready-to-move one unit dwelling which is built to completion off-site using conventional lumber and building practices according to the current National Building Code of Canada, and which is transported to the site as a complete unit for placement on a fixed approved foundation which complies with the requirements of the National Building Code.

Dwelling, Semi-Detached - shall mean a dwelling unit on its own site, with a common wall dividing the two dwelling units through at least 30% of the depth of the entire structure, measured from the front to the rear building lines.

Dwelling, Single Detached - shall mean a detached building consisting of one dwelling unit as herein defined, but shall not include a mobile home as herein defined.

Dwelling, Two-Unit - shall mean a detached building divided into two dwelling units.

Dwelling Unit - shall mean a separate set of living quarters, whether occupied or not, usually containing sleeping facilities, sanitary facilities and a kitchen or kitchen components. For the purposes of this definition, "kitchen components" include, but are not limited to, cabinets, refrigerators, sinks, stoves, ovens, microwave ovens or other cooking appliances and kitchen tables and chairs.

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

Efficiency Unit - shall mean a dwelling unit in a multiple unit dwelling that contains no bedroom separate from a living room or living-dining room.

Estimated Peak Water Level (E.P.W.L.) - shall mean the calculated water level use 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 - shall mean the area of the single face of any sign and is calculated using the illustration in Figure 2-2.

Face Area, Total Sign - shall mean the total amount of sign face area on a sign including all sides.

Fence - shall mean an artificially constructed barrier erected to enclose or screen areas of land.

Financial Institution - shall mean a bank, credit union, trust company, or similar establishment.

Flankage - shall mean the side site line of a corner site which abuts the street.

Flood Hazard Area - shall mean the area below the E.P.W.L.. The flood hazard area has two zones; the Flood Fringe and the Floodway.

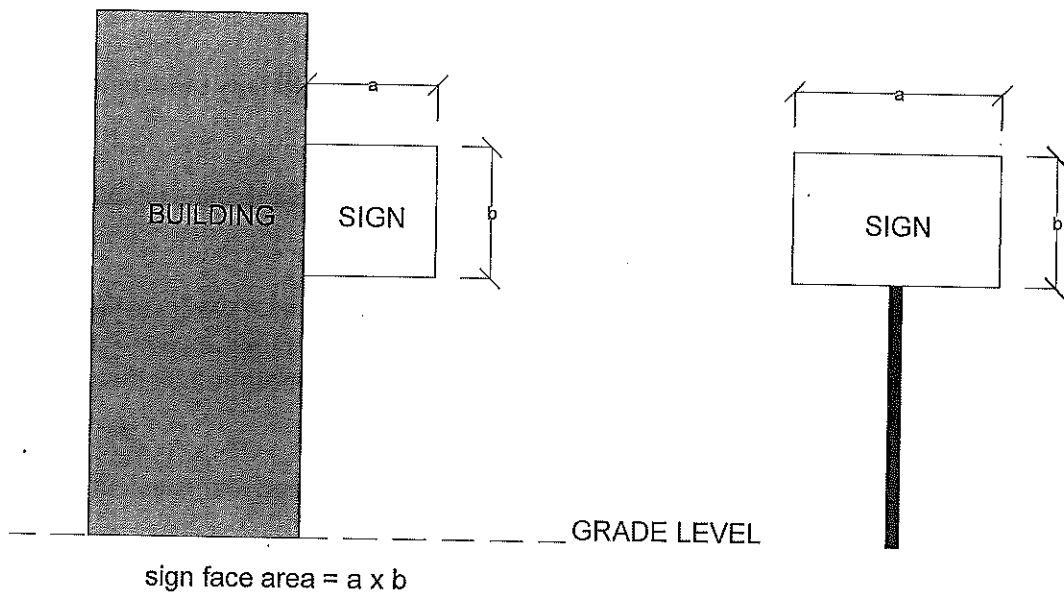


FIGURE 2-2: Calculation of Sign Face Area

Flood Fringe - shall mean 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.

Floor Area - shall mean 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.

Floodway - shall mean a zone within the flood hazard area where typically only necessary infrastructure is allowed (e.g. water intakes and outfalls, bridge piers and abutments, etc.) or development that is of low value and non-obstructive (e.g. parks, nature areas, parking lots, and recreational trails). The floodway contains the deepest, fastest, and most destructive flood waters 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 metre per second; and
- (c) encroachment (fill) into the flood fringe would raise upstream water levels by more than 0.3 metres

Flood Proofing - shall mean techniques or measures taken to permanently protect a structure or development from flood damage. These can include measures such as elevation building (e.g. building on fill or piers), constructing dykes, creating upstream storage, diversions and channelization.

Frontage - shall mean the side of a site abutting a street and, in the case of a corner site, the shorter of the sides is the frontage.

Fuel Storage Tank, Above Ground - shall mean a storage tank, any portion of which is above grade and containing gasoline, diesel fuel, or propane for retail sale or dispensing into motor vehicles.

Garage, Private - shall mean a garage used for storage purposes only, where no business, occupation or service is conducted for gain, other than an approved home based business, and in which no space is rented for commercial vehicles to a non-resident of the premises.

Garage, Public - shall mean any garage available to the public, operated for gain, and which is used for repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles, including painting, body work and major repairs.

Garage, Storage - shall mean a garage exclusively used for the storage of motor vehicles and where no repair facilities are maintained.

Gas Bar - shall mean a building or facility used for the retail sale of motor vehicle fuels from fixed pumps.

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

Hazard Land - shall mean land which is subject to flooding, ponding, subsidence, landslides or erosion.

Hazardous Material - shall mean 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, liquified or dissolved under pressure;
- (f) Oxidizing substances; organic peroxides;
- (g) Poisonous (toxic) or infectious substances;
- (h) Radioactive materials;
- (i) Waste Dangerous Materials; and/or,
- (j) Any other environmentally hazardous substance.

Health Care Clinic - shall mean 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.

Home Based Business - shall mean an accessory use of a dwelling unit by a resident of the dwelling for a business which is secondary and incidental to the primary use of the dwelling as a residence, and does not change the residential character of the buildings or site.

Home Based Business - Type I - shall mean a home based business owned and operated by a resident or residents of the dwelling unit.

Home Based Business - Type II - shall mean a home based business owned and operated by a resident or residents of the dwelling unit, but where no more than one non-resident person may be employed on the site.

Hotel - shall mean 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.

Intersection - shall mean an area where two or more streets or lanes meet or cross at grade.

Junk and Salvage Yards - shall mean 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.

Kennel, Boarding - shall mean the temporary accommodation of dogs, cats or other domestic animals for commercial purposes.

Kennel, Breeding - shall mean the keeping of more than four dogs, cats or other domestic animals, male and female, and which are more than 12 months old, for breeding purposes.

Landscaping - shall mean the changing, rearranging, or adding to the original vegetation of a site, including site grading, addition of topsoil, grass, trees, plants, sidewalks and other natural or decorative features.

Lane - shall mean a public highway vested in the Crown as a secondary level of access to a lot or parcel of land.

Light Manufacturing - shall mean a light industrial use where all processing, fabricating, assembly, or disassembly of items takes place wholly within an enclosed building, including, but not limited to apparel, food, drapes, clothing accessories, bedspreads, decorations, artificial plants, jewellery, instruments, computers, electronic devices.

Linear Park - shall mean dedicated land developed in a linear fashion, between 15 and 35 metres in width, intended to facilitate pedestrian and cycling transportation, and may also facilitate the management of storm water.

Loading Space - shall mean a space, measuring at least 3.0 metres in width and 7.5 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 - shall mean an area of land with fixed boundaries and which is of record with the Information Services Corporation by Certificate of Title.

Lounge - shall mean a room or area adjoining a restaurant that permits the sale of beer, wine or spirits for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted, either in the lounge or in the restaurant attached to the lounge.

Mall - shall mean a single story commercial building in which, up to six (6) permitted or discretionary commercial uses are located together for their mutual benefit, each use having a separate entrance to the outside.

Mayor - shall mean the Mayor of the Town of Spiritwood.

Medical, Dental and Optical Laboratories - shall mean a place fitted with medical and scientific equipment and used for the conduct of medical, dental or optical investigations, experiments, and tests; or for the manufacture of medicines or medical aid devices, but does not include the manufacture of industrial chemicals.

Membrane Covered Structure - shall mean a structure consisting of a frame that is covered with a plastic, fabric, canvas or similar non-permanent material, which is used to provide storage for vehicles, boats, recreational vehicles, or other personal property. The term shall also apply to structures also commonly known as hoop houses, canopy covered carports, tent garages and can be fully or partially covered, but does not include gazebos.

Minister - shall mean the member of the Executive Council who, for the time being, is assigned the administration of *The Planning and Development Act, 2007*.

Mobile Home - shall mean 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.

Mobile Home Court - shall mean any parcel of land on which two or more occupied mobile homes are located and includes any structure used or intended to be used as part of the equipment of such mobile home court.

Mobile Home, Double Wide - shall mean a mobile home consisting of two sections, separately towable, but designed to be joined together into one building.

Mobile Home, Single Wide - shall mean a mobile home designed to be towed as a single load and less than 6.09 metres wide.

Mobile Home Site - shall mean an area of land in a mobile home court for the placement of a mobile home.

Mobile Home Subdivision - shall mean 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.

Motel - shall mean 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.

Municipal Facility - shall mean land and/or structures owned by the Municipality including, but not limited to, land and/or structures used for the following:

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

Municipality - shall mean the Town of Spiritwood.

Night Club - shall mean a building or portion thereof, where beer, wine or spirits are served to patrons for consumption on the premises, with or without food, and where a designated area for entertainment or dancing during certain hours of operation may also be provided.

Nonconforming Building - shall mean a building:

- (a) that is lawfully constructed or lawfully under construction, or in respect to which all required permits have been issued, on the date that this Bylaw or any amendment to the 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 hereto becomes effective does not or when constructed will not comply with this Bylaw.

Nonconforming Site - shall mean a site, consisting of one or more contiguous parcels, to which all required permits have been issued on the date that this Bylaw or any amendment to the Bylaw becomes effective, contains a use that conforms to the Bylaw, but the site area or site dimensions do not conform to the standards of the Bylaw for that use.

Nonconforming Use - shall mean a lawful specific use:

- (a) being made of land or a building or intended to be made of a land or of a building lawfully under construction, or in respect to which all required permits have been issued, on the date 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.

Office and Office Building - shall mean a building or part of a building used primarily for conducting the affairs of a business, profession, service, industry, or government in which no goods or commodities of business or trade are stored, transhipped, sold or processed.

Official Community Plan - shall mean the *Official Community Plan* for the Town of Spiritwood.

Parking Lot - shall mean 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 free, for charge, or for accommodation of clients or customers.

Parking, Off-street - shall mean accommodation for the parking of vehicles off a public street or lane.

Parking Space, Vehicle - shall mean a space within a building or parking lot for the parking of one vehicle and which has access to a developed street or lane, having minimum dimensions of 2.7 metres wide by 6.7 metres deep with direct lane access; 3.0 metres wide by 6.7 metres deep for a parallel space; and 2.7 metres wide by 6.0 metres deep for all other.

Permitted Use - shall mean any use or form of development, other than a discretionary use, specifically allowed in a zoning district subject to the regulations applicable to that zoning district.

Personal Care Home - shall mean 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.

Personal Service Shops - shall mean establishments engaged in providing the care of a person or their apparel, which include barber shops, hairstyle salons, laundries, dry cleaners, shoe repair, photographic studios and other similar uses.

Photography Studio - shall mean a place used for portrait or commercial photography, including the developing and processing of film, and the repair or maintenance of photographic equipment.

Place of Worship - shall mean 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 - shall mean a facility which provides a program for preschool aged children.

Public Hospital - shall mean a hospital operated by the Regional Health Authority.

Public Utility - shall mean a government, municipality or corporation under Federal or Provincial statute which operates a public work.

Public Work - shall include:

- (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; and/or,
- (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.

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 - shall mean 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.

Recycling Collection Depot - shall mean a building or structure used for collection and temporary storage of recyclable household material such as bottles, cans, plastic containers and paper.

Residential Care Facility - shall mean 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 Care Facility - Type I - shall mean a residential care facility in which the number of residents, excluding staff, does not exceed four.

Residential Care Facility - Type II - shall mean a residential care facility in which the number of residents, excluding staff, is more than four.

Restaurant - shall mean 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 Store - shall mean a place where goods, wares, or merchandise are offered for sale or rent, and may include the manufacturing of products to be sold on site, provided the gross floor area used for manufacturing does not exceed 25% of the gross floor area of the retail store.

Rooming House - shall mean a building that contains more than one rooming unit, including a boarding or lodging house.

Rooming Unit - shall mean a room or rooms for accommodation, other than a dwelling unit or other form of accommodation defined elsewhere in this Bylaw, with sleeping facilities but without private toilet facilities.

Safe Building Elevation (S.B.E.) - shall mean the level defined by the Ministry of Government Relations 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 Estimated Peak Water Level (E.P.W.L.) plus a freeboard value. The freeboard allows for uncertainties in the calculations,

and for other possible hazards such as ice shoves, 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.

School, Private - shall mean a facility which meets Provincial requirements for elementary, secondary, or higher education, and which does not secure the majority of its funding from taxation or any governmental agency, and may include vocational and commercial schools, music or dance schools and other similar schools.

School, Public - shall mean a facility which meets Provincial requirements for elementary or secondary education, and which secures the majority of its funding from taxation.

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

Service Station - shall mean 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.

Shipping Containers - shall mean a prefabricated metal container or box specifically constructed for the transport of goods by rail, ship or transport truck.

Shopping Centre - shall mean 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 commercial uses for their mutual benefit, including the use of off-street parking and other joint facilities.

Sight Triangle - shall mean 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 at points which are a measured distance along said site lines (refer to Figure 2-3).

Sign - shall mean any device, letters, figures, symbols, emblems, or pictures which are affixed to, or represented directly or indirectly upon a building or structure, which identify or advertise any object, product, place, activity, person, organization or business; and which is visible on a street or public thoroughfare.

Sign, Awning - shall mean a sign made from canvas, plastic or similar non-rigid material affixed to a frame and attached to a building wall (refer to Figure 2-4(a)).

Sign, Canopy - shall mean a sign consisting of a rigid, multi-sided structure supported by columns or posts embedded in the ground (refer to Figure 2-4(b)).

Sign, Directional / Information - shall mean a sign giving directions, instructions or facility information but not including any advertising copy.

Sign, Fascia - shall mean a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, and which does not project more than 0.25 metres from such building or structure.

Sign, Free-Standing - shall mean a non-movable sign, not affixed to a building, and which is supported by a pole or similar structure.

Sign, Marquee - shall mean a sign that is mounted or painted on, or attached to an awning, canopy or marquee.

Sign, Portable - shall mean a portable, free-standing sign, mounted on a wide based frame, with a single sign face area no greater than 6.0 m², which can be readily moved or transported to various locations (refer to Figure 2-4(c)).

Sign, Projecting - shall mean a sign which is wholly or partially dependent upon a building for support and which projects more than 0.25 metres beyond the wall of the building (refer to Figure 2-4(d)).

Sign, Roof - shall mean a sign that is mounted on the roof of a building, or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.

Sign, Temporary - shall mean a removable sign erected for a period of time not exceeding six months.

Site - shall mean one or more contiguous lots under one ownership and used, or intended to be used, by a single principal use or principal building.

Site, Corner - shall mean a site at the intersection of two or more streets (refer to Figure 2-5).

Site, Interior - shall mean a site other than a corner site.

Site Coverage - shall mean that portion of the site that is covered by principal and accessory buildings.

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

Site Line, Rear - shall mean the line at the rear of the site and opposite the front site line.

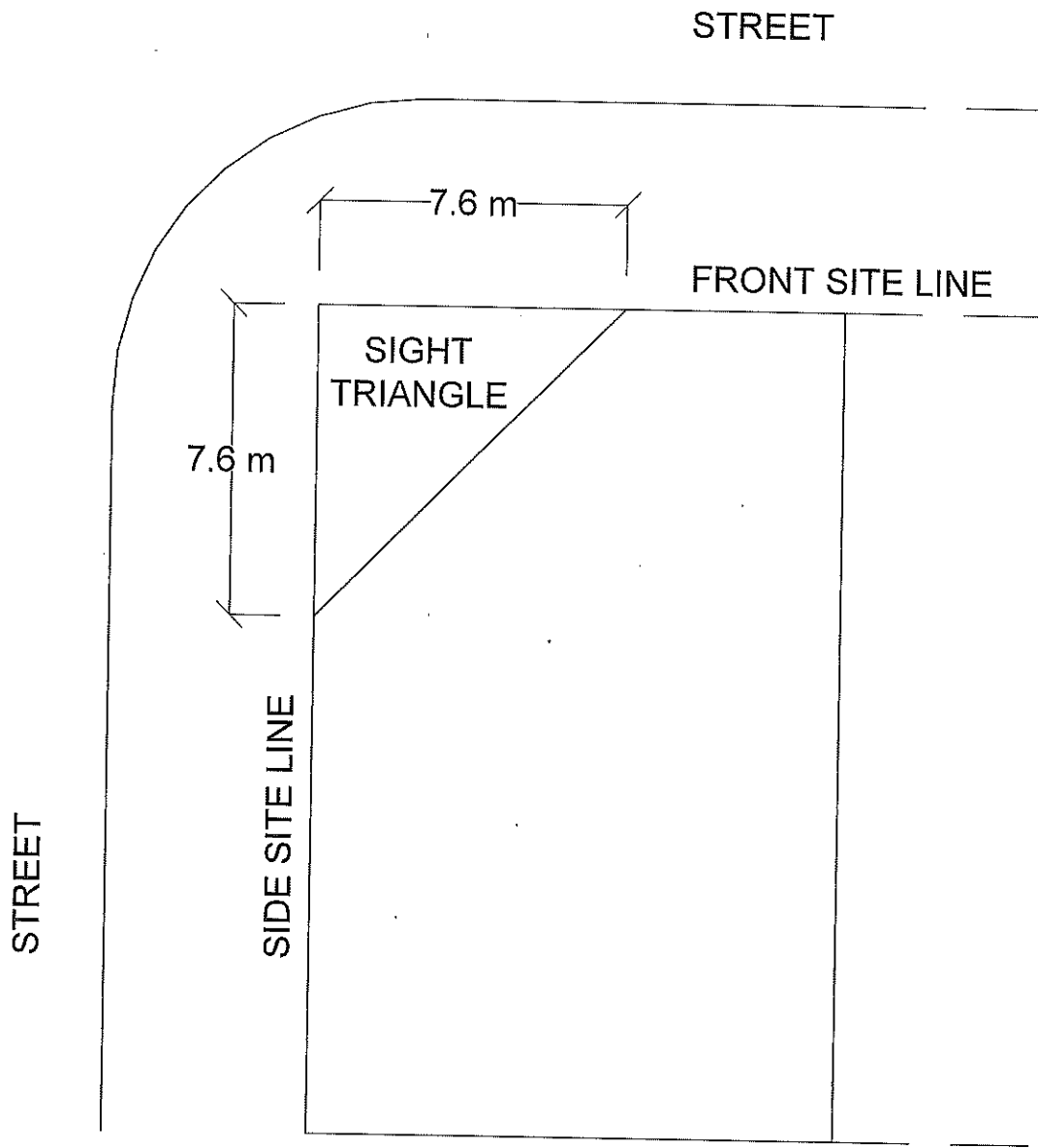


FIGURE 2-3: Sight Triangle

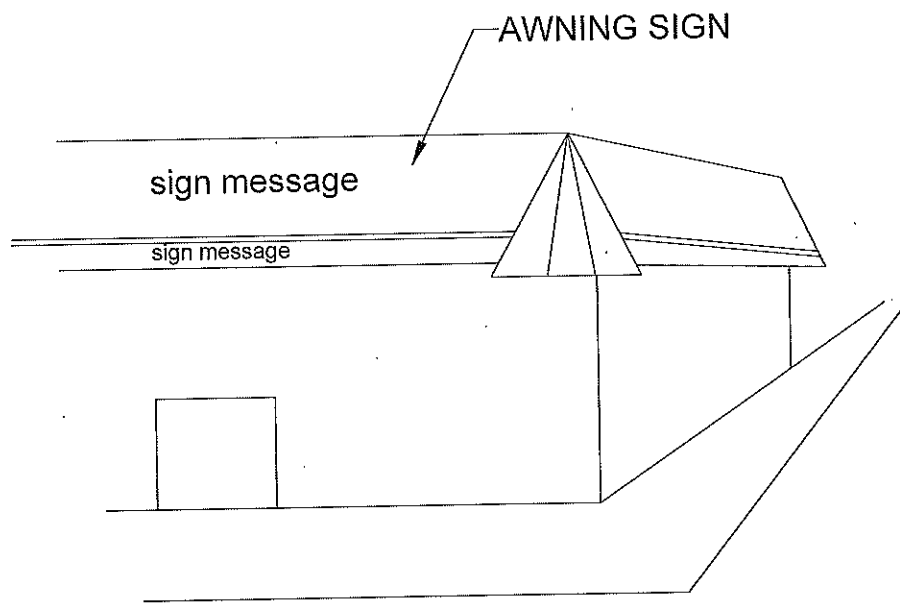


FIGURE 2-4(a): Illustration of Awning Sign

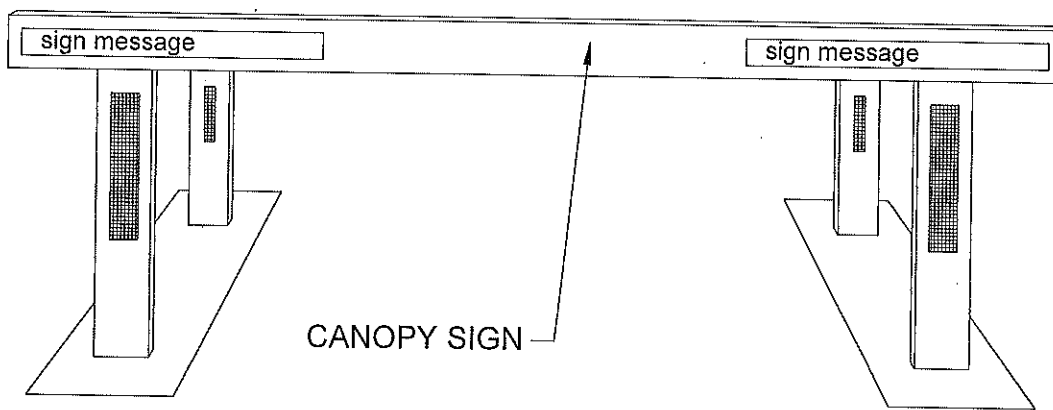


FIGURE 2-4(b): Illustration of a Canopy Sign

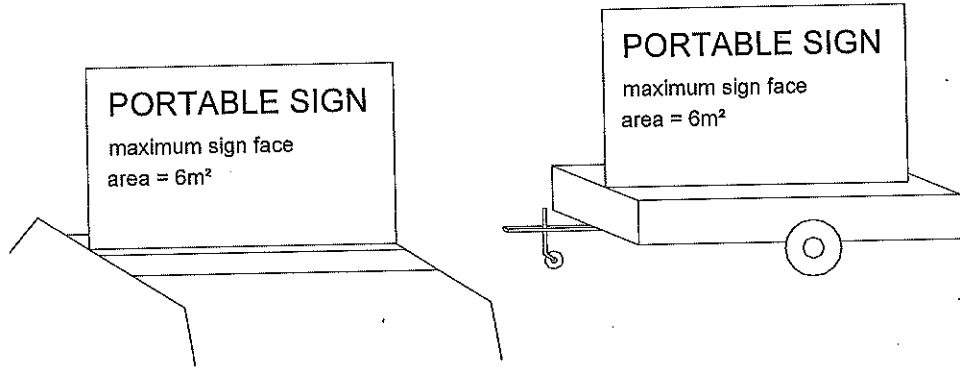


FIGURE 2-4(c): Illustration of Portable Signs

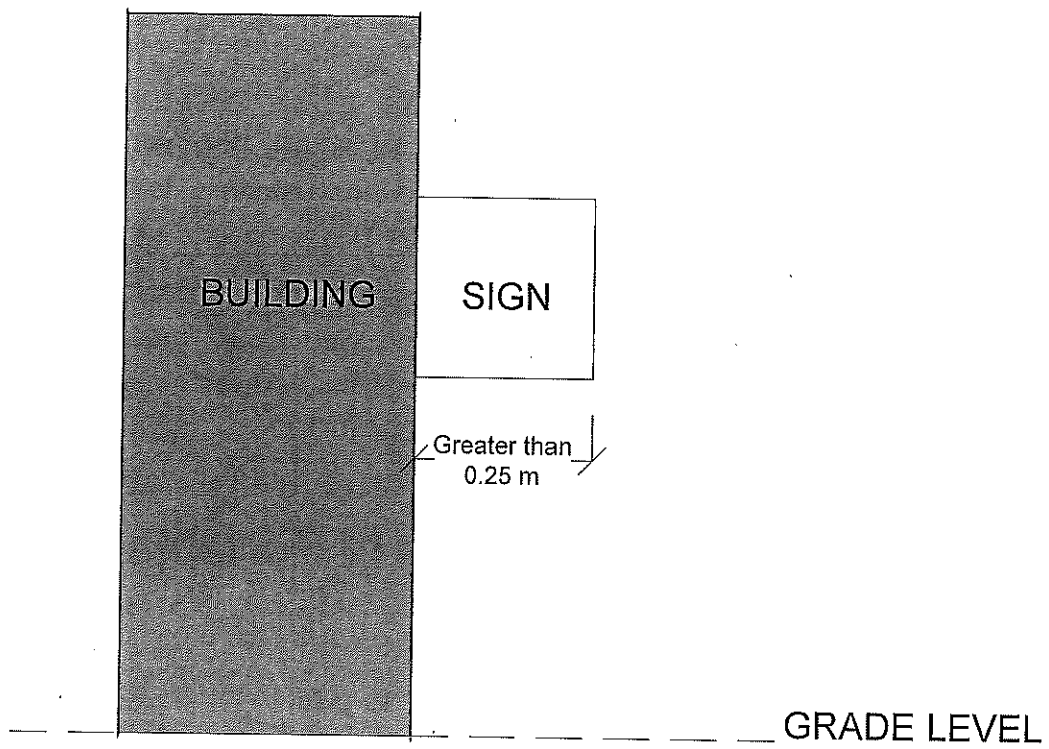


FIGURE 2-4(d): Illustration of a Projecting Sign

Site Line, Side - shall mean a site line other than a front or rear site line.

Site, Through - shall mean a site not more than one lot in depth, having a frontage on two streets more or less parallel (refer to Figure 2-5).

Site Width - shall mean for rectangular sites, the horizontal distance between the side boundaries of the site measured along the front site line. For non-rectangular sites, the average of the horizontal distances between the side boundaries of the site measured along the front and rear site lines (refer to Figure 2-6).

Street - shall mean a public thoroughfare which affords the principal means of access to the abutting property.

Structural Alteration - shall mean the construction or reconstruction of supporting elements of a building or other structure.

Structure - shall mean anything erected or constructed, the use of which requires temporary or permanent location on, or support of, the soil, or attached to something having permanent location on the ground or soil; but not including pavements, curbs, walks or open air surfaced areas.

Suite, Garage - shall mean a self-contained dwelling unit that is attached to a detached garage on a site on which the principal use is a single detached dwelling, and to which the suite is an accessory use.

Suite, Garden - shall mean a self-contained dwelling unit that is located in the rear or side yard of a site on which the principal use is a one unit dwelling, and to which the suite is an accessory use.

Suite, Secondary - shall mean a self-contained dwelling unit that is an accessory use to, and located within, a detached building in which the principal use is a single detached dwelling.

Tavern - shall mean a building or portion thereof where beer, wine, or spirits are served to patrons for consumption on the premises, with or without food, and where no entertainment or dance floor is permitted.

Temporary Building - shall mean a building under 34 square metres in floor area without a foundation or footing, and that is to be removed upon expiration of a designated time period.

Temporary Use - shall mean a use established for a fixed period of time and that is to be discontinued upon the expiration of the time period specified for that use.

Terrace - shall mean a level, artificially surfaced area adjacent to a principal building, not covered by a roof, at or within 0.6 metres of the finished grade; including patios.

Theatre - shall mean a place devoted to showing motion pictures or dramatic, dance, musical or other live performances.

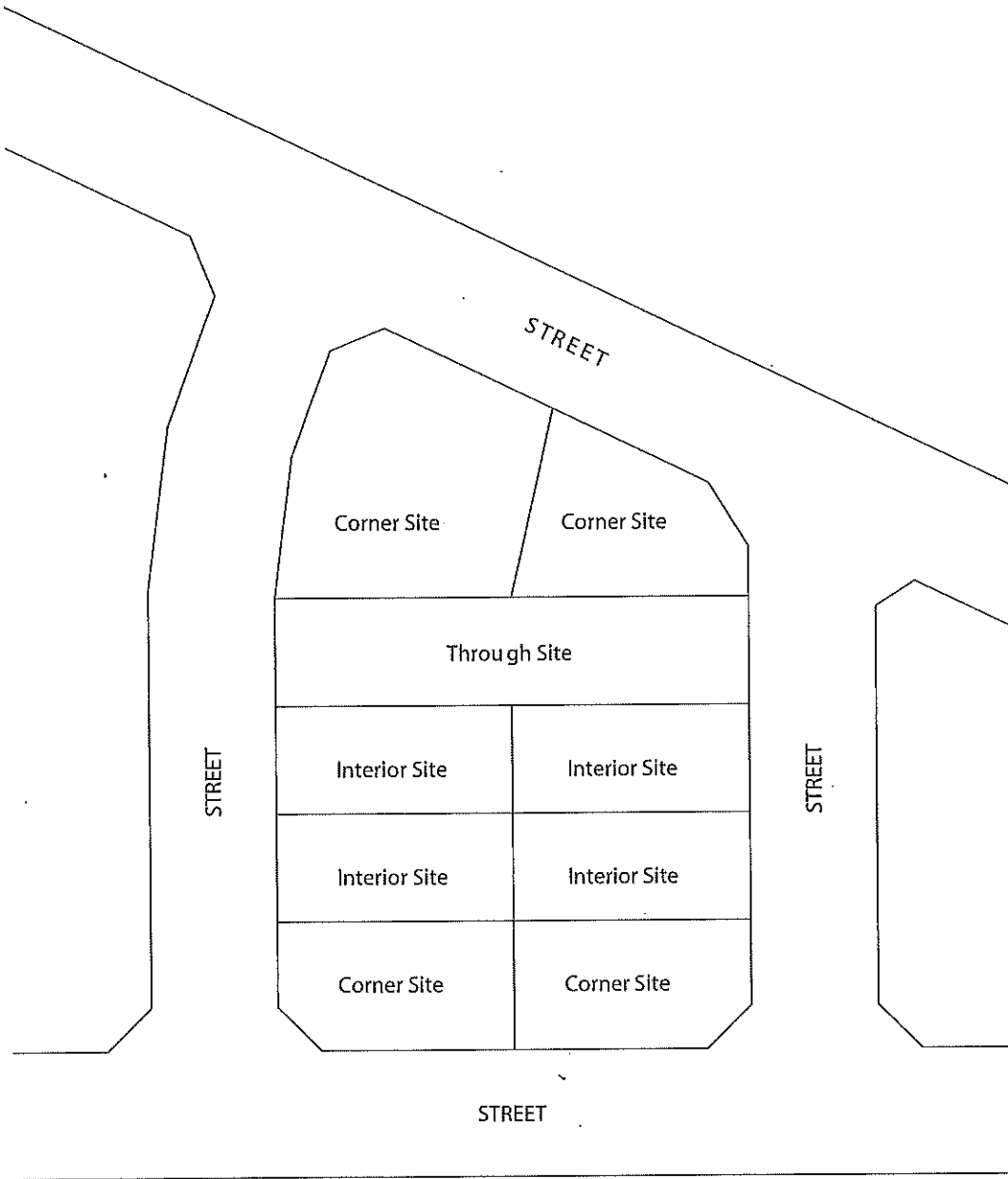


FIGURE 2-5: Illustration of Site Definition

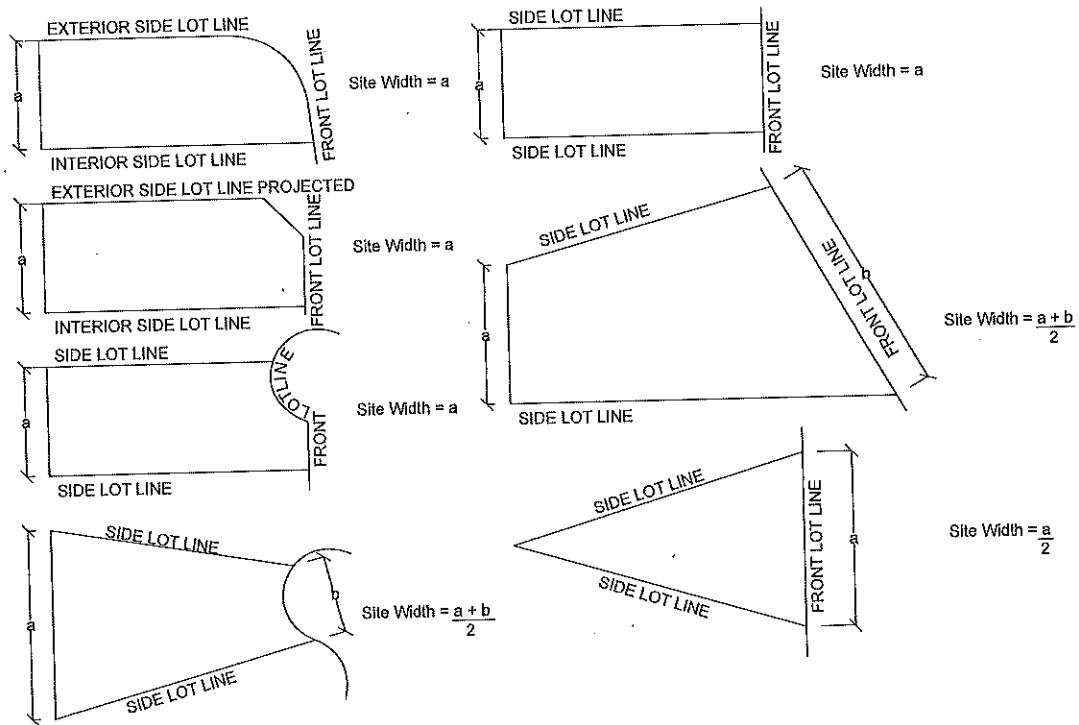


FIGURE 2-6: Illustrations of Site Width

Tourist Campground - shall mean a tract or parcel of land which provides for the location of tents or recreation vehicles used by travellers and tourists for overnight accommodation.

Town - shall mean the Town of Spiritwood.

Townhouse, Street - shall mean a dwelling unit on its own site, having direct access to the exterior, attached to two or more other dwelling units each on their own sites, with a common wall dividing the dwelling units throughout at least 40% of the depth of the entire structure.

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

Use - shall mean the purpose or activity for which a piece of land, or its building is designed, arranged, intended, occupied or maintained.

Use, General Industrial - shall mean any of the following activities:

- (a) the processing of raw or finished materials;
- (b) the manufacturing of 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; and/or,
- (f) indoor display, office, technical or administrative support areas or any sales operation accessory to the general industrial use.

Veterinary Clinic - shall mean a place for the care and treatment of small animals involving outpatient care and medical procedures involving hospitalization, but shall not include the keeping of animals in outdoor pens.

Wall Height - shall mean the vertical distance of a building measured at the outermost building face, from grade level to the top of the wall, not including the roof.

Warehouse - shall mean a building used primarily for the storage of goods and materials.

Wholesale Establishment - shall mean 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.

Yard - shall mean an unoccupied space open to the sky on the same site with a building or structure

Yard, Front - shall mean the area between the side site lines and the front site line to the front building line.

Yard, Rear - shall mean the area between the side site lines, and the rear site line to the rear building line.

Yard, Required - shall mean a yard or yards required by this Bylaw and within which, unless specifically permitted, no building or structure, or part of a building or structure shall be erected.

Yard, Side - shall mean 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 ADMINISTRATION

3.1 DEVELOPMENT OFFICER

3.1.1 The Development Officer shall administer this Bylaw.

3.1.2 The Development Officer shall be the Administrator of the Town of Spiritwood and any other person authorized, in writing, by the Administrator to act as a Development Officer for the purposes of this Bylaw and *The Act*.

3.2 DEVELOPMENT PERMITS

3.2.1 Except as provided in Section 3.2.2 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 213 to 232 of *The Act*.

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

- (1) the maintenance of a public work by the municipality or a public utility;
- (2) the construction of a public work by the municipality;
- (3) the installation of a public work on any street or other public right-of-way by the municipality;
- (4) maintenance and repairs that do not include structural alterations;
- (5) accessory buildings under 9.3 square metres in area; and,
- (6) fences do not require a permit under the Zoning Bylaw, but require a permit under the fence bylaw.

3.2.3 The effective period for a development permit is 12 months. This period may be extended by the Development Officer for an additional 12 months if requested in writing by the permit holder. A development permit shall be automatically invalid:

- (1) if the proposed development is not commenced within 12 months from the permit issuance date, or
- (2) if the proposed development is legally suspended or discontinued, for a period of 12 or more months, unless otherwise indicated by Council or the development officer.

3.2.4 A building permit shall not be issued unless a development permit, where required, has been granted. If a development permit is deemed void, a new building permit or sign permit is required in conjunction with the issuance of a replacement development permit.

3.2.5 An application for a development permit shall be processed concurrently with an application for a sign permit. The development permit shall take the form of a stamp affixed to the required sign permit.

3.3 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

3.3.1 Except in the case of applications for a sign permit, a portable sign license or a home based business, every application for a development permit 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 and civic address of the subject property.
- (4) two copies of a site plan, drawn to scale with appropriate dimensions, showing the following information:
 - (a) north arrow, streets and lanes adjacent to the site, key plan showing nearby lot patterns, all property boundaries, identified frontage of site, site area, site elevations and the location of any existing buildings, structures, utility poles and wires, fire hydrants, underground utilities, easements, building encroachments, and the 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 and the location of all doorways, walkways and pedestrian circulation areas; and,
 - (c) the location and size of all proposed parking spaces, aisles and vehicle circulation areas, loading spaces, and entrances and exits to the site.
- (5) two copies of scaled plans, showing the dimensioned floor plans and elevations, including both interior and exterior wall and floor dimensions and room areas and dimensions.

3.3.2 The Development Officer may require the submission of documentation relating to the requirements of Section 4.15 of this Bylaw, where relevant.

3.4 DEVELOPMENT PERMIT APPLICATION PROCESS

- 3.4.1 Applications for a development permit shall be submitted to the Development Officer in accordance with the requirements of this Bylaw.
- 3.4.2 The Development Officer shall issue a development permit for a development that complies in all respects with the requirements of this Bylaw, the *Official Community Plan* and *The Act*.
- 3.4.3 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 and time limits prescribed by Council pursuant to Section 56(1)(c) and (d) of *The Act*.
- 3.4.4 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.
- 3.4.5 The Development Officer may revoke a development permit where:
- (1) the development permit has been issued in error;
 - (2) an approved development for a permitted use is not being developed in accordance with the provisions of this Bylaw, or in accordance with the standards and conditions specified in the development permit;
 - (3) the approval of a proposed development for a discretionary use is deemed to be invalid; or,
 - (4) a development is subject to an agreement which has been cancelled by Council pursuant to Sections 65 or 69 of *The Act*.
- 3.4.6 The Development Officer shall give the reasons for denying or revoking a development permit.

3.5 DEVELOPMENT PERMIT APPLICATION FEES

- 3.5.1 Development permit application fees are outlined in Section 3.11.

3.6 DEVELOPMENT APPEALS BOARD

- 3.6.1 A Development Appeals Board of the Town of Spiritwood shall be appointed in accordance with Sections 213 to 227 of *The Act*.

3.7 RIGHT OF APPEAL

- 3.7.1 The decision of a municipality concerning an existing or proposed development may be appealed within 30 days of the development officer's decision.
- 3.7.2 Where an application for a PERMITTED USE has been REFUSED, the applicant shall be advised of the right of appeal to the Development Appeals Board of the Town of Spiritwood.
- 3.7.3 Where an application for a DISCRETIONARY USE has been APPROVED by Council, WITH PRESCRIBED SPECIAL DEVELOPMENT STANDARDS pursuant to this Bylaw, the applicant shall be advised that any development standards considered excessive, may be appealed to the Development Appeals Board of the Town of Spiritwood.
- 3.7.4 Where an application for a DISCRETIONARY USE has been REFUSED by Council, the applicant shall be advised that there is no appeal pursuant to Section 219(2) of *The Act*.
- 3.7.5 An application for a Development Permit for a PERMITTED USE shall be deemed to be refused when a decision thereon is not made within 40 days after the receipt of the application in its complete and final form by the Development Officer, and an appeal may be made as provided in Section 3.7.2 as though the application had been refused at the end of the period specified in this subsection.
- 3.7.6 Where a person wishes to appeal to the Board, he/she shall file written notice of his/her intention to appeal with the secretary of the Board, together with a sum of not more than \$50.00 that the Board may specify to be applied to the expenses of the appeal.

3.8 MINOR VARIANCES

- 3.8.1 The Development Officer may grant a variance of up to ten percent (10%) of any yard requirement or minimum required distances between buildings for a use that is a permitted or discretionary use as specified in this Bylaw. All such variances shall be subject to the conditions and granted in accordance with the procedures contained in Section 60 of *The Act*.
- 3.8.2 The Development Officer shall maintain a registry of the location and all relevant details of the granting of such variances.
- 3.8.3 An application for a minor variance shall be in a form prescribed by the Development Officer and shall be accompanied by an application fee of \$50.00.

3.9 NONCONFORMING USES, BUILDINGS AND SITES

- 3.9.1 Non-conforming uses, non-conforming buildings and non-conforming sites shall be subject to Sections 88 - 93 inclusive of *The Act*.

3.9.2 No existing building, site or use shall be deemed to be non-conforming by reason only of the conversion from the Imperial System of Measurement to the International System of Units (S.I.) where such nonconformity results solely from such conversion and is reasonably equivalent to the S.I. standard herein established.

3.10 DISCRETIONARY USE APPLICATIONS

3.10.1 Discretionary Use Application Process

- (1) The following procedures shall apply to discretionary use applications:
 - (a) Applicants must file with the Development Officer a development permit application, a site plan, any other plans and information as required by the Development Officer and pay the required application and public hearing fees;
 - (b) The application will be examined by the Development Officer for conformance with the *Official Community Plan*, this Bylaw, and any other applicable policies and regulations;
 - (c) The Development Officer may request comments from other government agencies where applicable;
 - (d) The Development Officer will prepare a report concerning the application including recommendations that conditions be applied to an approval;
 - (e) 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 of property within 75 metres of the boundary of the applicant's land. The Development Officer will prepare on-site notification posters which must be placed on the site by the Development Officer and must remain on the site until the application is considered by Council;
 - (f) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council;
 - (g) 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; and,
 - (h) 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.

- (i) Where an application for a discretionary use is approved by resolution of Council, the Development Officer shall issue a development permit subject to any specified development standards prescribed by Council pursuant to Section 3.10.4.
- (j) Where an application for a discretionary use is approved by resolution of Council but the proposed development does not meet the zoning regulations for the applicable zoning district, the Development Officer shall:
 - (i) advise the applicant of Council's approval of the discretionary use application and,
 - (ii) advise the applicant that the development permit application must be refused on the grounds of zoning non-compliance but that applicant has the right of appeal.
- (k) The Development Officer shall maintain a registry of the location and all the relevant details respecting the granting of the discretionary use approval.

3.10.2 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/or,

- (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 3.10.4 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.

3.10.3 General Discretionary Use Evaluation Criteria

Council will apply the following general criteria, and, where applicable, the use specific criteria in Section 3.10.4, 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 must demonstrate that it will maintain the character, density and purpose of the zoning district, where necessary through the provision 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 demonstrate that it is not 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, wherever 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 effects 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 on a site adjacent to or already accommodating 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 uses 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.

3.10.4 Use-Specific Discretionary Use Evaluation Criteria

The 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 Section 4.12.6.

(2) *Convenience Stores:*

- (a) Convenience stores should, where possible, be located on corner sites to facilitate access;
- (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; and,
- (d) Any new parking and loading areas should be landscaped to improve the visual appearance of this site.

(3) *Community Service Uses, Clubs, 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 space;
- (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; and,
- (e) Vehicle car parking and access areas should not form a dominant element in the streetscape.

(4) *Dwelling Groups* - also refer to Section 4.12.5:

- (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 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 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, café 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; and,
- (c) Night clubs and taverns shall maintain the character, density and purpose of the surrounding area and the district they lay within.

(7) *Shopping Centres and Malls:*

- (a) Malls and shopping centres shall have clearly defined pedestrian walkways between the sidewalk and building entrances;
- (b) It must be demonstrated to the satisfaction of council that mitigation of vehicular traffic impacts has been addressed;
- (c) Parking lots, service areas, and loading zones shall be appropriately screened from view of the street;
- (d) Primary access to malls and shopping centres shall preferably be from a thoroughfare street system; and,
- (e) The number and location of vehicle entrances to a commercial development shall be consistent with the existing or anticipated design of adjacent streets and consideration shall be given to the minimum number of entrances needed to move traffic onto and off the site safely and efficiently.

(8) *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.
- (9) *Restaurants, with or without associated lounges:*
- (a) Restaurants, with or without associated lounges, where possible, should be located near similar community and support facilities; and
 - (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.
- (10) *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.
- (11) *Auto body shops, construction trades, freight handling facilities, taxidermy and accessory tanning of hides, warehouses, light manufacturing, light industrial uses, 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) 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;
- (c) 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,
- (d) No outside storage is permitted for a wholesale establishment.

(12) *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; and,
- (b) All manufacturing and assembly operations in conjunction with a light manufacturing plant shall be conducted within an enclosed building.

(13) *Indoor storage rental facilities, recycling and collection depots, and storage garages:*

- (a) The use shall be located where practical, in a non-highly visible area, and screened to avoid any adverse visual impact. Landscaping and screening acceptable to Council shall be provided in all yards facing a public roadway or properties in residential use.

(14) *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; and
- (d) The prevention of on-street congestion caused by the ingress and egress of vehicles shall be considered.

(15) *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 a minimal impact on the surrounding, adjacent areas, particularly along the residential zone interface; and
- (b) Consideration shall be given to the area's municipal servicing capacity.

(16) *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.

(17) *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.

(18) *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; and,
- (b) The minimum floor area of each dwelling unit shall be 28 square metres.

(19) *Junk & salvage yards and auto wreckers:*

- (a) Junk & 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 five metres in height, with no material piled higher than the height of the perimeter fence; and,
- (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.

(20) *Abattoirs:*

- (a) Shall be located at least 91.4 metres from residential areas, schools, hospitals, motels and restaurants.

(21) *Bulk Petroleum Tanks:*

- (a) Shall be located at least 91.4 metres from residential areas, schools, hospitals, motels.

(22) *Livestock auction facilities, meat packing plants, and stockyards:*

- (a) Shall be located at least 300 metres from all residential and community service districts.

(23) *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) one 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 usage 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.

3.11 FEES

3.11.1 Amendment of the Zoning Bylaw

- (1) In addition to the fees outlined in Section 3.11.2(3), 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.
- (2) Council shall give notice of its intention to consider a Zoning Bylaw amendment pursuant to the provisions of Sections 207 to 211 of *The Act*.

3.11.2 Application Fees

- (1) An applicant for a development permit shall pay an application fee in accordance with the following:
 - (a) Permitted principal use: \$100.00

- (b) Permitted accessory use: \$100.00
- (c) Permitted ancillary use: \$100.00
- (d) Discretionary principal use: \$200.00
- (e) Discretionary accessory use: \$200.00
- (f) Discretionary ancillary use: \$200.00
- (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 3.11.1 above.

- (2) Detailed review costs:
 - (a) General: Where a development or subdivision proposal involves a detailed review, a plan or Zoning Bylaw Amendment, a development agreement, a servicing agreement, detailed development conditions, liability insurance, performance bonds, caveats, or 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, legal and professional planning costs, municipal administration fees and site inspection fees, as determined by Council.
 - (c) Documentation: Such costs may be addressed and clarified in Council specified documents, including development and servicing agreements.
- (3) An applicant seeking amendment to the *Zoning Bylaw* shall pay the following fees:
 - (a) The costs of advertising associated with the application; and,
 - (b) The following fees, where applicable:
 - (i) Text amendments: \$200; and/or,
 - (ii) Map amendments:
 - Class 1 Districts: FUD, CS, PR
 - Class 2 Districts: C1, C2, C2A, M1
 - Class 3 Districts: R1, R2, R3,

Zoning Map Amendments		To		
		Class 1	Class 2	Class 3
From	Class 1	\$100	\$200	\$500
	Class 2	\$100	\$200	\$300
	Class 3	\$100	\$200	\$300

Where an application to amend the *Zoning Bylaw* involves amendment within two or more of the above classes, the sum of the amendment fees shall apply for all classes, in addition to the fee for a text amendment, if applicable.

3.11.3 Special Provisions for Contract Zoning Agreements

- (1) A zoning designation which is subject to an agreement entered into pursuant to the provisions of Section 69 of *The Act* shall be indicated on the *Zoning District Map* by the addition of the Bylaw number authorizing agreement after the zoning district designation.

3.12 ZONING COMPLIANCE, OFFENCES AND PENALTIES

- (1) Pursuant to Section 242(2) of *The Act*, the Development Officer may issue a zoning compliance order for development that contravenes this bylaw in order to achieve bylaw compliance.
- (2) Any person who violates this bylaw is guilty of an offence and liable upon summary conviction, to penalties and subject to an order as stated in Section 243 of *The Act*.

4 GENERAL REGULATIONS

4.1 LICENCES, PERMITS AND COMPLIANCE WITH OTHER BYLAWS AND LEGISLATION

Nothing in this Bylaw shall exempt any person from complying with the requirement of any other municipal or provincial regulations and requirements and from obtaining any licence, permission, permit, authorization or approval required by such requirements or regulations.

4.2 BUILDING LINES

Where a building line in a residential district has been established by existing buildings in a block having at least one half the lots built upon, the front yard requirement for the applicable zoning district will be considered to be the existing building line.

4.3 NUMBER OF PRINCIPAL BUILDINGS PERMITTED ON A SITE

Only one principal building shall be placed on a site with the exception of dwelling groups, shopping centres, health care clinics, recreation facilities, schools, hospitals, senior citizens' homes, personal care homes and public works.

4.4 HEIGHT RESTRICTIONS

Any height limitations or regulations shall not apply to spires, belfries, cupolas, television and solar collectors, or other appurtenances usually required to be placed above the roof level, and not intended for human occupancy.

4.5 VISIBILITY CLEARANCE AT INTERSECTIONS

On a corner lot, in any residential district, nothing shall be erected, placed, planted, or allowed to grow so as to obscure vision at a height of 1 metre or greater above the elevation of the centre of the abutting street within a triangular area formed by the intersecting lot lines abutting the streets and a straight line joining said lot lines at points 4.5 metres distant from the intersection of the lot lines.

4.6 REQUIRED YARDS AND OPEN SPACE

4.6.1 Minimum Yards Required

No portion of any yard or open space required about any principal building or use shall provide any portion of a yard or open space for any other principal building or use.

4.6.2 Permitted Obstructions in Required Yards

The following shall not be considered to be obstructions and shall not be considered in the determination of yard dimensions or site coverage:

(1) *In all yards:*

- (a) steps or ramps of 1.6 metres or less above grade level which are necessary for access to a permitted building or for access to a site from a street or lane; trees; shrubs; walks; uncovered driveways; fences; trellises; flag poles and wheelchair ramps.

(2) *In front yards:*

- (a) Overhanging eaves and gutters projecting not more than 1 metre;
- (b) Lighting fixtures, lamp posts, raised open patios, open decks, canopies or balconies having a projection of not more than 0.6 metres; and,
- (c) Sills, belt cornices, pilasters or other similar vertical columns, cornices and chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres.

(3) *In rear yards:*

- (a) Raised patios and decks measuring 0.6 metres in height above grade or less provided they do not project to within 3 metres of the rear site line.
- (b) Raised patios, terraces and decks measuring more than 0.6 metres in height above grade, provided they do not project to within 3 metres of the rear site line.
- (c) Overhanging eaves and gutters, sills, belt courses, pilasters or other similar vertical columns, cornices and chimneys, bay windows, bow windows or other projecting windows, projecting not more than 1 metre into the yard;
- (d) On interior sites, enclosed private swimming pools when attached to the principal building, projecting not more than 3 metres into the yard; and,
- (e) Laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky.

(4) *In side yards:*

- (a) Raised patios, terraces and decks measuring 0.6 metres or less in height

above grade;

- (b) Raised patios and decks measuring more than 0.6 metres in height above grade and canopies and balconies provided they do not project more than 25% of the width of the required yard;
- (c) Sills, belt courses, pilasters or other similar vertical columns, cornices, eaves and chimneys, bay windows, bow windows or other projecting windows, projecting not more than 0.6 metres into the yard; and,
- (d) Laundry drying equipment, recreational equipment, garbage stands and private swimming pools and tennis courts when open to the sky.

4.7 FENCES

- 4.7.1 A principal building or use must be established on a site prior to the erection of a fence or wall on the site.
- 4.7.2 A fence may be erected to safeguard public safety on a site during the period of construction of the principal building or use or due to the presence of a natural hazard on the site.
- 4.7.3 No wall, fence or other structure not otherwise permitted shall be erected in a required front yard or on a site line adjacent to a required front yard to a height of more than 1.0 metres above grade level.
- 4.7.4 No wall, fence, screen or similar structure, excepting permitted accessory buildings, shall be erected in a required side or rear yard, or on a site line adjacent to a required side or rear yard, to a height of more than 2.0 metres above grade level.
- 4.7.5 Sections 4.7.1 and 4.7.2 (above) do not apply in **C1, C2, C2A, M1** or **FUD** districts, except that in the case of a corner site, no wall, fence, screen, hedge or other structure shall be placed so as to create a visual obstruction in an established intersection sight triangle.
- 4.7.6 A development permit is required for the erection of all fences.

4.8 ACCESSORY BUILDINGS AND STRUCTURES

- 4.8.1 Accessory 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.
- 4.8.2 *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 cases:

- (1) Where a Development Permit has been issued for a principal building, Council shall 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 within the effective time period of the development permit for the associated principal building, the accessory building shall be removed.

4.8.3 Height of Accessory Buildings

- (1) In any Commercial, Industrial, Community Service, or Future Urban Development district accessory buildings are not to exceed the height of the principal building.
- (2) In any residential district accessory buildings are not to exceed the height of the principal building and in no case shall the wall height exceed 3 metres.

4.8.4 Private Garages and Carports

- (1) Private garages and carports attached to the principal building by a substantial roof structure are considered as part of the principal building and subject to the regulations governing the principal building.
- (2) On any site with legal access to a rear lane in the **R1** and **R2** zoning districts, only one detached garage, not exceeding 90 square metres in area, subject to Sections 4.8.5 and 4.8.6 (below), is permitted.
- (3) Except when conforming with established building lines, no main door of a garage which faces a road shall be within 7.5 metres of the front site line faced by the door.
- (4) Except when conforming with established building lines, no main door of a garage which faces a road shall be within 3.0 metres of the side site line faced by the door.

4.8.5 Location and Size of Accessory Buildings (Including Private Garages and Carports)

- (1) Detached accessory buildings in all residential districts are subject to the following regulations:
 - (a) Accessory buildings located in the required rear yard shall not occupy more than forty percent (40%) of the required rear yard, and shall not obstruct access to any lane.
- (2) Detached accessory buildings in all zoning districts are subject to the following regulations:
 - (a) Detached accessory buildings are not to be located in any front yard;

- (b) *Yard, rear:* minimum - 0.6 metres, except where the main door faces the rear site line, the minimum shall be 1.2 metres;
- (c) *Yard, side:* except as provided for in Section 4.8.4(4), minimum - 0.75 metres where the accessory building is over 1.8 metres behind the rear wall of the principal building, otherwise 1.5 metres;
- (d) Detached accessory buildings shall be located at least one metre from the principal building.
- (e) Private garages and carports, attached to the principal building by a substantial roof structure, are considered as part of the principal building and subject to the regulations governing the principal building.

4.8.6 *Number of Accessory Buildings*

In any residential district, there shall be no more than three (3) accessory buildings on a site.

4.8.7 *Satellite Dishes and Solar Collectors*

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

- (1) In any Commercial, Community Service or Residential 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;
- (2) In any Commercial, Community Service or Residential district such structures, if freestanding, shall not exceed a height of five (5) metres above grade level;
- (3) In any Commercial, Community Service or Residential district such structures if attached to a principal building, shall not exceed a height of five (5) 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,
- (4) In any Commercial, Community Service or Residential 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.

4.8.8 *Permanent Membrane Covered Structures*

- (1) In all Zoning Districts anchored membrane covered structures up to 18.6 m² (200

square feet) are permitted.

- (2) In all Industrial Districts and the C2 - Highway Commercial and C2A - Large Lot Highway Commercial Districts, anchored membrane covered structures are permitted.
- (3) Applications for a development permit for an anchored membrane covered structure must include a drawing stamped by a Professional Engineer attesting to the fact that the structure meets Section 4 of the National Building Code and the structure must be accompanied by documentation that indicated it meets CSA Standard A660.
- (4) In all cases, the placement of an anchored membrane covered structure must comply with the site and yard requirements for accessory buildings for the applicable Zoning District.

4.8.9 Temporary Membrane Covered Structures

- (1) Temporary membrane covered structures may be placed on a site in any Zoning District for a period not to exceed seven (7) days in a calendar year to accommodate special events such as weddings, parties or community functions.

4.8.10 Shipping Containers

- (1) No shipping container shall be used, placed or stored on any lot other than a lot in an industrial or highway commercial district.
- (2) A shipping container shall only be used for shipping or storage purposes accessory to the principal use of the site and shall comply with the site requirements for accessory buildings for the applicable Zoning District.
- (3) All shipping containers must be sand blasted and repainted to a neutral colour prior to their placement above grade on a site.
- (4) Shipping containers shall not be placed in any front yard and shall be screened from view by a solid fence or hedge.
- (5) When placed on a site pursuant to 4.8.10 (4), the shipping container shall:
 - (a) be located so as to not create a safety hazard; and,
 - (b) not be located on a public street or dedicated land.
- (6) Notwithstanding subsection 4.8.10(1), shipping containers may be placed temporarily on a site in a Residential Zoning District or the C1 - Downtown Commercial District:

- (a) to be used solely for the storage of supplies and equipment required in connection with building construction on a site authorized by a building permit. The shipping container must be removed from the site upon the completion of building construction;
 - (b) for the purpose of loading and unloading items associated with the principal use of the site; and,
 - (c) for a period of not more than 30 days or for an extended 30 day period for large scale construction projects, subject to the approval of the Development Officer. For major projects, this time limit may be extended at the discretion of the Development Officer.
- (7) The total floor area of shipping containers used on any site shall not exceed 15% of the floor area of the principal building on the site.

4.8.11 Secondary Suites, Garden and Garage Suites

- (1) A secondary, garden or garage suite may be allowed as a discretionary accessory use to a permitted single detached dwelling in the **R1** or **R2** zoning districts, subject to the Discretionary Use Evaluation Criteria contained in Section 3.10.3 herein and having regard to:
- (a) the compatibility of the use with the siting, grade elevations, height, roof slopes and building types and materials characteristic of surrounding low density housing and development; and,
 - (b) its effect on the privacy of adjacent properties.
- (2) The requirements for accessory buildings outlined in Sections 4.8.1 to 4.8.10 herein do not apply to secondary suites, garden or garage suites. Specific requirements for secondary suites are contained in subsection (3), and for garden and garage suites in subsection (4) below. All secondary, garden and garage suites are subject to the following general requirements:
- (a) No more than one secondary, garden or garage suite shall be allowed per single detached dwelling.
 - (b) No more than three bedrooms allowed for any secondary, garden or garage suite.
 - (c) No more than three persons are allowed to occupy any secondary, garden or garage suite.
 - (d) One off-street parking space is required for any secondary, garden or garage

suite in addition to the required parking for the principal residential building on the site. The parking space for the principal residential building may be located in a required front yard. The required parking space for any suite shall not be located in a required front yard, unless the subject site has no access to a rear lane, and shall be paved and screened to the satisfaction of Council.

- (e) Any secondary, garden or garage suite shall comply with the requirements of the National Building Code, subject to the approval of the Municipal Building Inspector.
 - (f) Any secondary, garden or garage suite shall not be separated from the principal building through condominium or bare land condominium conversion or subdivision of land.
- (3) Secondary suites shall be subject to the following additional requirements:
- (a) In order to accommodate a secondary suite, a single detached dwelling must have a gross floor area, including the area of any basement, of at least 100 m².
 - (b) The maximum floor area of a secondary suite shall be no more than forty percent (40%) of the gross floor area of the single detached dwelling in which it is located or 70 m², whichever is the lesser.
 - (c) The minimum floor area for a secondary suite shall be 30 m².
 - (d) The exterior finishing of a secondary suite shall be consistent with the exterior of the remainder of the principal building to give the entire building the appearance of a single dwelling.
- (4) Garden and garage suites shall be subject to the following requirements:
- (a) The minimum side yard for garden and garage suites shall be the same as the yard requirement that applies to the principal building in the applicable zoning district for all lots in a residential block, including corner lots.
 - (b) Garden and garage suites shall only be permitted on sites that are served by a lane.
 - (c) The maximum height of a garden suite shall be 4.3 m. The maximum height of a garage suite shall be 5.5 m or the height of the garage, whichever is the lesser.
 - (d) The maximum floor area of a garden or garage suite shall be 50 m² and the minimum floor area shall be 30 m².

- (e) The minimum distance between a detached garage containing a garage suite and the principal building on the site shall be 4 m.
- (f) No decks on garden or garage suites shall be allowed.
- (g) Windows contained within a garage or garden suite shall be placed and sized such that they minimize overlook into yards and windows of abutting properties by:
 - (i) offsetting window placement to limit direct views of abutting rear or side yard amenity areas or direct view into a garage or garden suite on an abutting site;
 - (ii) strategic placement of windows in conjunction with landscaping or the placement of other accessory buildings; and,
 - (iii) placement of larger windows such as living room windows, to face a lane, flanking street or towards the interior of the lot.
- (h) Park Model Recreational Vehicles subject to all wheels and axles being removed, may be allowed as garden suites.

4.9 OFF-STREET PARKING AND LOADING

4.9.1 Parking and Loading Spaces Required With Development

- (1) No person shall erect, enlarge, or extend any building or structure permitted under this Bylaw, unless the required parking and loading spaces are provided and maintained in connection with the new, enlarged, or altered building or structure.
- (2) When the intensity of use of any building, structure, or premises is increased through the addition of dwelling units, floor area, seating capacity, or other specified units of measurement for required parking and loading facilities, parking and loading facilities as required in this Bylaw shall be provided for any increase in intensity of use.
- (3) Wherever the existing use of a building or structure is changed to a new use, parking and loading facilities shall be provided as required for the new use; however, if the building or structure was erected prior to the effective date of this Bylaw, additional parking and loading facilities are mandatory only in the amount by which the requirements for the new use exceed the requirements for the existing use.
- (4) All required parking facilities shall be located on the same site as the principal building or use, with the exception of lands within the **C1**, **C2**, or **C2A** districts, where required parking spaces may be located on a remote site. In the **C1**, **C2**, and

C2A districts, remote parking may be approved where the remote site is within 150 metres of the principal building or use and where the remote site is located within a Commercial or Industrial district.

- (5) Pursuant to section 4.9.1 (4), remote parking within the **C1**, **C2**, and **C2A** districts is permitted provided the owner of the principal use site registers an interest on the parking lot title to ensure that the land remains as a required parking lot in accordance with Section 235 of *The Act*.
- (6) When the calculation of parking requirements results in a fractional required parking space, this fractional requirement shall be rounded up to the next whole number.

4.9.2 *Payment in Lieu of Required Off-street Parking Facilities*

- (1) Council may exempt any applicant for a use permitted in the **C1**, **C2** or **C2A** district from the requirement of providing off-street parking facilities where, in lieu thereof, the applicant pays or agrees to pay the Council the sum of money calculated by multiplying the number of off-street parking spaces that would otherwise be required by \$2,000.
- (2) The payment of or agreement to pay such sums of money shall be subject to such terms and conditions as Council may determine.

4.9.3 *General Regulations for Off-street Parking and Loading*

- (1) All required parking and loading facilities shall only be used for the purpose of accommodating the vehicles of clients, customers, employees, members, residents or visitors in connection with the principal building or use for which the parking and loading facilities are provided, and the parking and loading facilities shall not be used for driveways, access or egress, commercial repair work, display, signage, sale or storage of goods of any kind.
- (2) Required parking and loading facilities shall provide for and include an adequate, safe and convenient arrangement of vehicular points of ingress or egress, driveways, internal roadways, aisles and ramps, unloading and loading of motor vehicles all in relation to buildings and entry points to buildings on the site. Such facilities shall comply with the following design, development and maintenance standards:
 - (a) All required parking and loading facilities shall be clearly demarcated and have adequate storm water drainage and storage facilities;
 - (b) Where warranted, on-site traffic signs shall be provided;
 - (c) In situations where lighting of off-street parking and loading facilities is to be provided, the lighting shall be arranged, installed and maintained to

deflect, shade and focus light away from any adjacent land used or intended to be used for residential purposes;

- (d) All required parking and loading spaces shall be clear of any access driveways, aisles, ramps, columns, signs or other similar obstructions, and shall conform to the minimum dimensions set out in Table 4-1.

Table 4-1 Parking and Loading Space Dimension Requirements		
Type of Space	Minimum Dimension	Minimum Vertical Clearance
Parking spaces having direct access to a registered lane	2.7 metres x 6.0 metres	2.0 metres
Parallel parking spaces	3.0 metres x 6.7 metres	2.0 metres
Parking spaces other than those described above	2.7 metres x 6.0 metres	2.0 metres
Loading space	3.0 metres by 7.5 metres	4.0 metres

- (e) All required parking and loading spaces shall, without excessive vehicular manoeuvring, have direct access to a driveway, aisle or registered lane leading to a public street. Driveways and aisles which provide access to parking or loading spaces shall conform to the following minimum dimensions:

<u>Parking Angle in Degrees</u>	<u>Width of Aisle or Driveway</u>
75 to 90	6.0 metres (two-way traffic)
50 to 74	5.5 metres (two-way traffic)
49 or less	3.7 metres (one-way traffic only)

For the purpose of the above minimum dimensions, angles shall be measured between the centre line of the parking or loading space and the centre line of the driveway or aisle;

- (f) All entrances to and exits from a required parking facility shall be designed in such a manner to minimize traffic congestion and interference with traffic movement along public streets;
- (g) Driveways leading to a public street or public right-of-way or to an internal private roadway, aisle, ramp or parking space shall be of sufficient length and width to accommodate expected vehicle volumes and therefore minimize traffic congestion and interference of traffic movement within the required parking facility and along public streets. The length, width and slope of such driveways shall be based upon accepted engineering roadway design principles; and,

- (h) For multiple unit dwellings, all parking spaces shall be suitably screened from view from adjacent streets, and all required visitor parking spaces shall be clearly marked or signed as such.

4.9.4 Required Off Street Parking and Loading in All Districts

- (1) The minimum off street parking requirements for all districts are set out in Table 4-2. The required off-street parking categories are then cross-referenced in Tables 6-1 to 6-10.
- (2) In all residential districts, required off-street parking shall not be located in any required front yard.
- (3) Each non-residential principal building with a building floor area greater than 500 m² shall provide one off-street loading space.

Table 4-2 Off-Street Parking Requirements in All Districts	
Parking Category	Off-Street Parking Spaces Required
0	No off-street parking required
1	1 space per dwelling unit
2	1 space per dwelling unit plus 0.1 space per dwelling unit for visitors
3	1 space plus 1 space for each guest room
4	1 space per 50 m ² of gross floor area
5	1 space per 28 m ² of gross floor area
6	1 space per 4 beds plus 1 space per employee
7	1 space plus 1 space for each non-resident staff member
8	3 spaces per 10 seats in main assembly area (or (where no fixed seating is provided) 1 space per 2.5 m ² of gross floor area devoted to main assembly area.
9	1 per 4 seats intended for patrons use
10	1 space per 2 guest rooms plus 1 space per 15m ² of gross floor area devoted to the public assembly plus the applicable parking requirements for any other use contained on the site.
11	1 space per 50 m ² of gross floor area, or 1 space per 3 employees, whichever is greater.
12	1 space per 90 m ² of gross floor area
13	1 space per 28 m ² of gross floor area, or 1 space per 3 employees, whichever is greater
14	1 space plus one space per 5 persons enrolled in the facility
15	1 space for 8 patrons at design capacity

16	1 space plus 1 additional space for every 10 persons enrolled in the facility per day
17	1 space per 10 seats in main assembly area or (where no fixed seating is provided) 1 space per 7.5 m ² of gross floor area devoted to main assembly area
18	1 space per non-resident employee
19	1 space per staff member
20	1 space per staff member plus 3 spaces for each classroom, with parking permitted in a front, side and/or rear yard
21	1.2 spaces per classroom plus 1 space per 4 students at design capacity
22	1 space per bay
23	1 space per 3 beds plus 1 space per 4 employees
24	1.2 spaces per classroom plus 1 space per 8 students at design capacity

4.10 SIGNS

All signs shall be subject to the following regulations:

4.10.1 General

- (1) In addition to signs permitted as set out below, temporary election signs, and temporary signs bearing notice of sale or lease or other information relating to a temporary condition affecting the property, are permitted.
- (2) Signs shall not be located in sight triangles for intersections or driveways or in such a manner that they visually obstruct sight triangles or otherwise jeopardize public safety.
- (3) Except as otherwise provided, no sign shall project beyond the property lines of the site to which it pertains.
- (4) Subject to the general provisions governing their location, directional signs providing on-site directions for the convenience and safety of persons using the site shall be permitted.
- (5) Permitted home based businesses may display one (1) fascia sign, not exceeding 0.4 m² in area, identifying the name of the home based business. Such sign shall not be illuminated and shall be affixed to the principal building. (Note: On multiple unit residential buildings, other permission may be required to display a home based business sign and no right to place such a sign in such situations is conveyed in this Bylaw.)
- (6) The Town may issue an order to remove signs that relate to abandoned uses, are in disrepair or represent a potential safety hazard.

4.10.2 Application for Permits

- (1) Applications for sign permits must be made in writing to the Development Officer by the owner, lessee or authorized agent of the building or premises on which the sign is to be erected. The written application shall be accompanied by plans, specifications, construction details and other information sufficient to inform the Development Officer of the exact nature and location of the intended sign.
- (2) Prior to issuing a sign permit for a free standing, projecting or roof sign, the Development Officer may require that the supplementary documentation described in (1) above, contain the professional stamp of a certified professional engineer qualified to certify that the sign design satisfies all relevant legislation, codes and Bylaws.

4.10.3 Licensing of Portable Signs

- (1) Portable signs intended for rental or lease at more than one site during a one-year period, or located at more than one site during a one-year period must be licensed.
- (2) The annual license shall be in the form of a license sticker which must be affixed anywhere on the top one-third of the sign on the end or face closest to the street.
- (3) A license sticker is not transferable from one portable sign to another.

4.10.4 Denying or Revoking Permits

- (1) The Development Officer may deny or revoke a sign permit for any of the following reasons:
 - (a) erection of the sign has not commenced within three months from the date of issue of the permit;
 - (b) the sign does not conform to all relevant provisions of this Bylaw;
 - (c) the sign being constructed or erected does not conform to the approved drawings; and/or,
 - (d) the sign is not in a proper state of repair.

4.10.5 On any site in the Future Urban Development district or any Residential district, signs may be erected as follows:

- (1) Sign provisions applying to permitted principal residential uses, commercial uses and community service uses in any Residential district or the Future Urban Development district are set out in Table 4-3. The following provisions also apply:

- (a) No roof signs shall be permitted;
- (b) Illuminated signs shall have a steady internal light source or a steady external light source shielded so that the light is directed only at the face of the sign;
- (c) Signs applying to community service uses must not display advertising of any commercial service or product.

Table 4-3 Sign Regulations in Future Urban Development and Residential Districts						
Use	Max. # of Signs	Max. Total Sign Face Area (m ²)	Max # of Freestanding Signs	Max. Height of Freestanding Signs (m)	Max Sign Face Area for Freestanding Signs (m ²)	
					Per Face	Total
All principal residential uses for which a permit has been issued	1 ⁽¹⁾	0.4 ⁽¹⁾	0	n/a	n/a	n/a
All principal commercial uses for which a permit has been issued	2	6	1	2.5	2	4
All principal community service uses for which a permit has been issued	2	10	1	3	2.5	5

(1) Multiple unit dwellings and dwelling groups are permitted one additional sign, up to one (1) square metre in area, showing the name of the building or group.

4.10.6 On any site in the Community Service district, signs may be erected as follows:

- (1) Sign provisions applying to permitted principal community service uses, residential uses and commercial uses in the Community Service district are set out in Table 4-4. The following provisions also apply:
 - (a) No roof signs shall be permitted;
 - (b) Illuminated signs shall have a steady internal light source or a steady external light source shielded so that the light is directed only at the face of the sign; and,
 - (c) Signs applying to community service uses must not display advertising of any commercial service or product.

Table 4-4 Sign Regulations in Community Service District						
Use	Max. # of Signs	Max. Total Sign Face Area (m ²)	Max # of Freestanding Signs	Max. Height of Freestanding Signs (m)	Max Sign Face Area for Freestanding Signs (m ²)	
					Per Face	Total

All principal community service uses for which a permit has been issued	3	18	1	3	6	12
All principal residential uses for which a permit has been issued	1 ⁽¹⁾	0.4 ⁽¹⁾	0	n/a	n/a	n/a
All principal residential uses for which a permit has been issued	2	18	1	6	6	12

(1) Multiple unit dwellings and dwelling groups are permitted one additional sign, up to one (1) square metre in area, showing the name of the building or group.

4.10.7 On any site in any Commercial or Industrial district, signs may be erected as follows:

- (1) Sign provisions applying to permitted principal commercial / industrial uses, community service uses and residential uses are set out in Table 4-5. The following provisions also apply:
 - (a) Illuminated signs applying to commercial / industrial or community service uses shall have an internal light source or an external light source shielded so that the light is directed only at the face of the sign;
 - (b) A free standing sign applying to a commercial / industrial use may be located in a required yard provided that the Development Officer is satisfied that it does not create an obstruction to vehicle or pedestrian traffic or a hazard to public safety;
 - (c) Free standing signs shall maintain a minimum vertical clearance of 3.0 m above grade over any vehicle circulation area on the site;
 - (e) Signs other than free standing signs shall have a minimum vertical clearance of 2.7 m above grade where they project more than 7.5 cm from the building face;
 - (f) Awning signs shall not project more than 1.8 m from the building face;
 - (g) Projecting signs shall not project more than 1.8 metres above the eaves or parapet of a supporting building;
 - (h) Except in the C1 district, no sign shall project beyond the property lines of the site to which it pertains;
 - (i) In the C1 district only, no projecting sign may project perpendicularly from the property line more than 3.0 metres or beyond a point 0.6 metres from the building side of the curb line, whichever is less;
 - (j) In the C1 district only, no projecting sign may be suspended less than 2.6

metres above the surface of a public sidewalk or pedestrian right-of-way;

- (k) Roof signs are permitted only on a principal building on any site and only one roof sign shall be permitted on each principal building; and,
- (l) No portion of any roof sign may project beyond any exterior wall or parapet of the building upon which it is placed.

Table 4-5 Sign Regulations in Commercial and Industrial Districts						
Use	Max. # of Signs	Max. Total Sign Face Area (m ²)	Max # of Freestanding Signs	Max. Height of Freestanding Signs (m)	Max Sign Face Area for Freestanding Signs (m ²)	
					Per Face	Total
All principal commercial / industrial uses for which a permit has been issued	n/a	n/a	(1)	(2)	(3)	(3)
All principal community service uses for which a permit has been issued	3	18	1	3	6	12
All principal residential uses for which a permit has been issued	1 ⁽⁴⁾	0.4 ⁽⁴⁾	0	n/a	n/a	n/a

- (1) In the **C1** district, a maximum of one free standing sign shall be permitted on sites with a minimum site width of 20 metres.
In the **C2, C2A** and **M1** districts, a maximum of one free standing sign shall be permitted.
- (2) In the **C1** district: 6 metres
In the **C2, C2A** and **M1** districts: 10 metres
- (3) In the **C1** district: maximum 5 square metres sign face area and 10 square metres total sign face area.
In the **C2, C2A** and **M1** districts: 9 square metres sign face area and 18 square metres total sign face area.
- (4) Multiple unit dwellings and dwelling groups are permitted one additional sign, up to one (1) square metre, showing the name of the building or group.

4.10.8 *Portable Sign Regulations*

- (1) No portable sign shall have a single face area greater than 6.0 m².
- (2) No portable sign shall have a height greater than 3.0 metres above grade.
- (3) No portable sign shall occupy any space required for off-street parking unless the site contains off-street parking in excess of that required under this Bylaw.
- (4) On any single site, no portable sign may be located closer than 20.0 metres from any other portable sign.

4.11 HOME-BASED BUSINESSES - TYPE I AND TYPE II

4.11.1 All applications for home based businesses must be considered as a Type I or Type II Home Based Business. The development standards for Type I and Type II home based businesses

are contained in Sections 4.11.4 and 4.11.5.

4.11.2 Without limiting the authority of the Development Officer to approve other types of home based business applications, the following uses are specifically permitted as home based businesses, subject to the applicable development standards contained within Sections 4.11.4 and 4.11.5:

- (1) art restoration;
- (2) beauty parlours, barber shops;
- (3) the creation of crafts for sale off-site, such as novelties and souvenirs, corsage and flower arrangements, gift baskets, and other handicrafts including but not limited to ceramics, pottery, leather goods and jewellery;
- (4) dressmaker, seamstress, or tailor;
- (5) electrology, acupuncture, reflexology, and massage therapy;
- (6) the instruction of art, dancing, or music, limited to no more than three students at a time;
- (7) office of a professional, or one who offers skilled services to clients and is not engaged in the sale of goods or products to clients;
- (8) a photography studio;
- (9) typing, word processing, and computer programming services.

4.11.3 Without limiting the authority of the Development Officer to deny applications for other types of home based businesses which do not meet the requirements of this Bylaw, the following uses are prohibited as home based businesses, whether or not applications for such uses would otherwise comply with the applicable standards of this Bylaw:

- (1) businesses utilizing large power tools and machinery, or businesses involved in the mass production of similar items or products.
- (2) restaurants or tea rooms.
- (3) health or fitness clubs.
- (4) headquarters or base of operations of a trucking, delivery, or towing operation.
- (5) hotels and hospitals.
- (6) laundry services.
- (7) motion picture or recording studios.
- (8) the painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery.
- (9) rental services.
- (10) upholstery services.
- (11) veterinary services, boarding or care of animals.
- (12) welding or metal works.

4.11.4 *The following development standards shall apply to all Type I Home Based Businesses:*

- (1) No persons other than residents of the dwelling shall be employed in the home based businesses on the site.

- (2) Home based businesses shall be conducted entirely indoors, and no more than 20% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 30 m², may be occupied by home based businesses.
- (3) An attached garage or detached accessory building may be occupied by a home based business, provided that the total area devoted to home based businesses does not exceed 30 m² on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.
- (4) There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the buildings and property except for one permitted sign.
- (5) 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.
- (6) No more than one business related vehicle with a gross vehicle weight of no more than 5,000 kg and a total length of no more than 6.0 metres may be stored on or in the vicinity of the site.
- (7) Regardless of the number of home based businesses that may be located on any one site, a total of no more than seven (7) client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000 kg, or by a vehicle with a total length of more than 6.0 metres.
- (8) A total of no more than 2.0 cubic metres of storage may be permitted within a dwelling on any one site, and a total of no more than 4.0 cubic metres of storage may be permitted within an attached or detached accessory building in relation to home based businesses. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.

4.11.5 The following development standards shall apply to all Type II Home Based Businesses:

- (1) In accordance with the definition of a Type II home based business, no more than one non-resident person shall be employed in relation to home based businesses on any one site.
- (2) Home based businesses shall be conducted entirely indoors, and no more than 20% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 40 m², may be occupied by home based businesses.

- (3) An attached garage or detached accessory building may be occupied by home based businesses, provided that the total area devoted to home based businesses does not exceed 40 m² on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.
- (4) There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the building and property except for one permitted sign.
- (5) 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.
- (6) One off-street parking space shall be required for a non-resident employee, and this space may be located in a 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 the 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 undertaken to the satisfaction of Council.
- (7) No more than one business related vehicle with a gross vehicle weight of no more than 5,000 kg and a total length of no more than 6.0 metres may be stored on or in the vicinity of the site.
- (8) Regardless of the number of home based businesses that may be located on any one site, a total of no more than fourteen (14) client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000 kg, or by a vehicle with a total length of more than 6.0 metres.
- (9) A total of no more than 2.0 cubic metres of storage may be permitted within a dwelling on any one site, and a total of no more than 4.0 cubic metres of storage may be permitted within an attached or detached accessory building in relation to home based businesses. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.

4.12 SPECIAL REGULATIONS AND STANDARDS

This section addresses special provisions and specific development standards that apply to the following developments. These standards apply in addition to any standards of the district.

4.12.1 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 3.10 of this Bylaw.

4.12.2 Bed and Breakfast Homes

- (1) A bed and breakfast home may be located in a detached one unit dwelling or in a two-unit dwelling. No exterior alterations shall be undertaken which would be inconsistent with the residential character of the building or property.
- (2) Notwithstanding Section 4.9.4.(2) required parking spaces may be permitted in a front yard.
- (3) Section 3.10 of this Bylaw shall apply to the review and approval of bed and breakfast homes.
- (4) The operator of the bed and breakfast lodging may advertise with a sign subject to Section 4.10.

4.12.3 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 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) No building or structure used for the purpose of a custodial care facility or a residential care facility shall also 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 3.10 of this Bylaw.

4.12.4 Day Care Centres and Pre-Schools

- (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 3.10 of this Bylaw shall apply to the review and approval of day care centres and pre-schools which are listed as discretionary uses.

4.12.5 Dwelling Groups - also refer to Section 3.10.4 (4)

- (1) The minimum side yard of 3.5 m or $\frac{1}{2}$ the building height shall be measured from the closest main wall of the principal building closest to the side site line.
- (2) All principal buildings forming part of the group shall be located at least 3.5 m from any other principal building in the group.
- (3) The site area shall provide at least 370 square metres for each dwelling unit in the group located at grade level plus 65 square metres for any dwelling unit located above the main floor.
- (4) Council may apply special development standards regarding "yard requirements" to reduce conflict with neighbouring uses.

4.12.6 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 metres from any property line or building, unless the tank has a capacity of 5,000 litres or less, in which case it shall be located at least 1 metre from same;

- (b) separated from each other and be accessible for fire fighting purposes to the satisfaction of the Development Officer; and,
 - (c) located at least 15 metres from the boundary of any site within a Residential district.
- (4) The dispensing equipment associated with above-ground fuel storage tanks shall be located at least 3 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.
 - (5) Above-ground fuel storage tanks shall be protected from vehicles with suitable posts, guardrails or other similar means.
 - (6) At service stations and gas bars, above-ground fuel storage tanks which are located in view of a front or flanking street shall be landscaped or screened to the satisfaction of the Development Officer.
 - (7) The maximum height of an above-ground fuel storage tank shall be limited to the maximum permitted height of a free-standing sign in the zoning district.
 - (8) Painted lettering or other forms of signage may be located on above-ground fuel storage tanks subject to the sign regulations in the zoning district.

4.12.7 Mobile Homes

- (1) All mobile homes shall be placed on a permanent foundation comprised of a full or partial basement and/or concrete or preserved wood grade beam / pile structure, such foundation being not less than 600 millimetres above recommended or established grade. Basement wall and grade beam support shall be attached to the perimeter of the building.

4.12.8 Mobile Home Courts

- (1) Road rights-of-way within mobile home courts shall be at least 15 m in width, with hard-surfaced roadways of a minimum 6 m in width, and drained.
- (2) A minimum of 10% of the area of the mobile home court shall be set aside as communal open space or devoted to recreation facilities.
- (3) All site and yard requirements for mobile homes in the **R3** - Mobile Home Residential district shall apply to individual mobile home sites within a mobile home court.
- (4) *The Public Health Act, 1994*, and the Regulations passed thereunder, shall be complied with in respect to all operations and development of a mobile home court.

4.12.9 *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; and,
 - (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.

4.12.10 *Parking Lots*

- (1) No sign of any kind, other than those designating the parking lot name, entrances, exits, or conditions of use, may be erected or maintained.
- (2) All lighting fixtures must be oriented in a manner to direct the light away from adjacent lots.
- (3) A durable surface must be provided and maintained and the lot must be graded to dispose of all surface water.
- (4) Parking lots shall be landscaped to improve the visual appearance of the site.
- (5) Where parking lot abuts a residential property boundary a minimum landscape buffer of 2.0 metres shall be provided.

4.12.11 *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.

4.13 CELLULAR AND COMMUNICATION TOWERS

4.13.1 Cell towers and communication towers shall be permitted in all districts.

4.14 SERVICING

4.14.1 Holding tanks, septic tanks and wells are not allowed in the areas of the Town which can be serviceable from existing municipal water and sewer lines.

4.14.2 Developments outside the serviceable areas shall be connected to a private sewage disposal system approved by the authority responsible for approval of such systems under *The Public Health Act, 1994*.

4.15 STORAGE OF MATERIALS AND UNLICENSED OR INOPERATIVE MOTOR VEHICLES

In any Residential district:

4.15.1 No front yard shall be used for the storage of unlicensed or uninsured motor vehicles or of materials or goods of any type.

4.15.2 No yard shall be used for storage or collection of hazardous material.

4.15.3 No yard or portion thereof shall be used for the storage of machinery not normally used for the maintenance of the residential property.

4.15.4 Outside storage of partially dismantled or inoperative motor vehicles is not permitted.

4.15.5 Only one unlicensed or uninsured motor vehicle may be stored outdoors on a residential site.

4.16 DEVELOPMENT ON HAZARD LANDS

4.16.1 Prior to a proposed development or subdivision is to be located on what Council considers may be hazard land, the applicant shall submit a report prepared by a qualified professional. The report shall assess the hazard land, the suitability of the land for the proposed development or subdivision and, identify any required mitigation measures.

4.16.2 Actions identified, in a report prepared pursuant to Section 4.16.1, for prevention, change, mitigation or remedy 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 conditions present on the hazard land or will result in excessive municipal costs. Developments in a flood hazard area must have regard for the safe building elevation (S.B.E.)

4.16.3 Prior to a proposed development or subdivision of land with the area as identified on

Drawing 1, Section 6 - Concept Plans of the Town of Spiritwood Official Community Plan, Council may require that the applicant submit a report prepared by a qualified professional. The report shall assess the hazard land, the suitability of the land for the proposed development or subdivision and identify any required mitigation measures.

4.17 BUILDINGS OR USES OCCUPYING MORE THAN ONE LOT

Where an application is made for development of a building or use that will occupy more than one lot as herein defined, the parcel of land comprised of said lots shall be considered a site for the purposes of administering this Bylaw.

4.18 EXISTING NONCONFORMING BUILDINGS AND SITES

Where a building has been erected on or before the effective date of this Zoning Bylaw on a site having less than the minimum site width or area, or having less than the minimum front yard, side yard or rear yard required or more than the maximum site coverage permitted in this Zoning Bylaw, the building may be enlarged, reconstructed, repaired or renovated provided that:

- (1) the enlargement, reconstruction, repair or renovation does not further reduce the front yard, side yard or rear yard or further increase the site coverage that does not conform to this Zoning Bylaw.
- (2) all other applicable provisions of this Zoning Bylaw are satisfied.

4.19 FRONTAGE ON ROAD

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

4.20 BUILDING TO BE MOVED

No building shall be moved within or into the Town of Spiritwood without the issuance of a development permit unless such building is exempt under Section 3.2.2 of this Bylaw.

4.21 DEMOLITION OF BUILDINGS

No building shall be demolished within the Town of Spiritwood without the issuance of a demolition permit, unless it is exempt under Section 3.2.2.

4.22 GRADING AND LEVELLING OF SITES

Any site for which a development permit has been issued shall be graded and levelled at the

applicant's expense to provide for surface drainage which does not adversely affect adjacent property.

4.23 GARAGE AND YARD SALES

- (1) Garage or yard sales may be undertaken on any site in a Residential or Community Service zoning district provided the sale is conducted by a resident of the dwelling on the subject site, or by a non-profit group associated with a place of worship, public school, community association or other similar group or organization.
- (2) No more than four (4) sales may be conducted from one site in one calendar year, and any one sale may not last for more than three consecutive days.

4.24 WATER

No development or use of land shall be permitted where the proposal will adversely affect domestic and municipal water supplies, or where a suitable, potable water supply cannot be furnished to the requirements of the Regional Health Authority and the Saskatchewan Watershed Authority.

4.25 LANDSCAPING

4.25.1 General Landscaping Regulations

- (1) Landscaping compliant with the rest of Section 4.25 shall be provided in the following areas:
 - (a) The first 3 metres of the minimum required front yard measured from the front property line.
 - (b) A strip of soft landscaping abutting the front of the principal building, where loading does not occur, to an average depth of 2 metres.
 - (c) In the case of a corner site, the side yard abutting the flanking street to a minimum perpendicular width of 1.5 metres.
- (2) 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 adequate means of

irrigation commensurate with landscaping requirements,

- (c) Landscaping 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 1st of the following year. For the purposes of this section, 'construction season' means May 1st through October 31st 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.

4.25.2 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; or,
- (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.

4.25.3 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.

4.25.4 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.

4.25.5 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.

4.25.6 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 Section 4.25.6 (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, all physical features, including existing and proposed grades, the size and type of existing vegetation to be removed and retained, the size, type and location 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.

4.26 OUTSIDE STORAGE AND WASTE MATERIAL STORAGE

4.26.1 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. Where adjacent to a public road, storage areas shall provide a landscaped strip of at least 2.0 metres in horizontal depth between the required fence and the required right of way.
- (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.

4.27 PROHIBITED USES

4.27.1 The following uses are prohibited in all districts:

- (1) The breeding of rats and other rodents, crickets, and other insects.

4.28 BARE LAND CONDOMINIUMS

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

5 ZONING DISTRICTS

5.1 CLASSIFICATION OF ZONING DISTRICTS

In order to carry out the purpose and provisions of this Bylaw, the Town is divided into the following zoning districts, the boundaries of which are shown on the "Zoning District Map". Such districts may be referred to by the appropriate symbols.

<u>Districts</u>	<u>Symbols</u>
Low Density Residential	R1
Medium Density Residential	R2
Mobile Home Residential	R3
Downtown Commercial	C1
Highway Commercial	C2
Large Lot Highway Commercial	C2A
Community Service	CS
Industrial	M1
Future Urban Development	FUD
Parks and Recreation	PR

5.2 THE ZONING DISTRICT MAP

The map, bearing the statement "This is the Zoning District Map which accompanies Bylaw No. _____" adopted by the Council and signed by the Mayor and Administrator, and under the seal of the Town shall be known as the "Zoning District Map" and such map is declared to be an integral part of this Bylaw.

5.3 BOUNDARIES OF ZONING DISTRICTS

- 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, land 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 ZONING DISTRICTS

The uses or forms of development allowed within a zoning district, along with regulations or standards which apply, are contained in the District Schedules in Section 6.

5.5 PROPERTIES WITH MORE THAN ONE ZONING DISTRICT

Where a site or lot is divided into more than one zoning district, the development and use of any portion of the site shall be in accordance with the requirements of the applicable zoning district and subject to Section 4.3 herein.

6 DISTRICT SCHEDULES

6.1 R1 - LOW DENSITY RESIDENTIAL DISTRICT

6.1.1 *Purpose*

The objective of the **R1** - Low Density Residential district is to provide for residential development in the form of single detached dwellings and for other compatible uses.

6.1.2 *Permitted and Discretionary Uses*

Uses are listed and designated in Table 6-1.

6.1.3 *Accessory Uses*

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.1.4 *Standards and Regulations*

- (1) Site and building requirements are shown in Table 6-1.

6.1.5 *Standards for Discretionary Uses*

Council will consider discretionary use applications in the **R1** district with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

- (1) Off-street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities - type I, schools and places of worship, shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

6.1.6 *Exceptions to Development Standards*

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

6.1.7 *Off-Street Parking and Loading*

Off-street parking and loading requirements are subject to Section 4.9.

6.1.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.26.

**Table 6-4
R1 - LOW DENSITY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood**

Principal Use	Designation	Parking Category	Subject to Sections	Development Standards						
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Residential Uses										
(1) Secondary, Garden and Garage Suites	D	1	4.8.11	360 ⁽¹⁾	12 ⁽²⁾	6	1.2 ⁽³⁾	4.5	70	50
(2) Single detached dwellings	P	1								
Commercial Uses										
(1) Adult day care - type I	D	14	4.12.1	360 ⁽¹⁾	12 ⁽²⁾	6	1.2 ⁽³⁾	4.5	70	50
(2) Adult day care - type II	D	14	4.12.1	360 ⁽¹⁾	12 ⁽²⁾	6	1.2 ⁽³⁾	4.5	70	50
(3) Bed and breakfast homes	D	3	4.12.2	360 ⁽¹⁾	12 ⁽²⁾	6	1.2 ⁽³⁾	4.5	70	50
(4) Clubs	D	4	3.10.4 (3)	450	15	6	3 ⁽⁴⁾	4.5	70	50
(5) Convenience stores	D	5	3.10.4 (2)	450	15	6	3 ⁽⁴⁾	4.5	70	50
(6) Daycare centres and preschools	D	16	4.12.4	360 ⁽¹⁾	12 ⁽²⁾	6	1.2 ⁽³⁾	4.5	70	50
(7) Home based business - type I	P	0	4.11				Same as home			
(8) Home based business - type II	D	18	4.11				Same as home			
(9) Personal care homes - type I and type II	D	6	4.12.3	360 ⁽¹⁾	12 ⁽²⁾	6	1.2 ⁽³⁾	4.5	70	50
(10) Residential care facilities - type I and type II	D	7	4.12.3	360 ⁽¹⁾	12 ⁽²⁾	6	1.2 ⁽³⁾	4.5	70	50
Community Service, Municipal, Recreational, Institutional and Other Uses										
(1) Community centres	D	4	3.10.4 (3)	450	15	6	3 ⁽⁴⁾	4.5	70	50
(2) Municipal facilities	P	0		no min	no min	no min	no min	no min	no min	no max
(3) Parks and playgrounds	P	0		no min	no min	no min	no min	3	no min	no max
(4) Place of worship	D	8	3.10.4 (3)	450	15	6	3 ⁽⁴⁾	4.5	70	50
(5) Public schools	P	1920		no min	no min	6	3 ⁽⁴⁾	4.5	no min	no max
(6) Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		no min	no min	no min	no min	no min	no min	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 6.1.5 and others as required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-1 and the R1 district:

- (1) unless site is served by a lane, in which case 270 square metres
- (2) unless site is served by a lane, in which case 9 metres
- (3) except for corner sites, where it shall be 3 along the flanking street
- (4) or ½ the average building height, whichever is greater

6.2 R2 - MEDIUM DENSITY RESIDENTIAL DISTRICT

6.2.1 Purpose

The objective of the **R2** - Medium Density Residential district is to provide for residential development in the form of single detached, semi-detached, two-unit dwellings, multiple-unit dwellings, dwelling groups and for other compatible uses.

6.2.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-2.

6.2.3 Accessory Uses

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.2.4 Standards and Regulations

(1) Site and building requirements are shown in Table 6-2.

6.2.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **R2** district with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

(1) Off-street parking spaces for adult day care, day care centres, pre-school nurseries, residential care facilities - type I, schools and places of worship, shall be located in a side or rear yard and be screened if they are adjacent to a site used for residential purposes.

6.2.6 Exceptions to Development Standards

(1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

6.2.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

6.2.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.26.

**Table 6-2
R2 - MEDIUM DENSITY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood**

	Designation	Parking Category	Subject to Sections	Development Standards						
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Residential Uses										
(1)	Dwelling groups	2	3.10.4 (4) 4.12.5	4000	no min	no min	3.5 ⁽⁴⁾	no min	50 / unit	60
(2)	Secondary, Garden and Garage Suites	1	4.8.11	Refer to Section 4.8.11						
(3)	Multiple unit dwellings (apartments)	2		185 / unit	6 / unit ⁽⁸⁾	6		no min	40 / unit	60
(4)	Multiple unit dwellings (townhouses)	2		225 / unit	18	6	(5)(9)	4.5	46 / unit	60
(5)	Semi-detached dwellings	1		275 ⁽²⁾	9 ⁽⁹⁾	6	1.2 ⁽⁵⁾⁽⁷⁾	4.5	46	60
(6)	Single detached dwellings	1		360 ⁽¹⁾	12 ⁽⁶⁾	6	1.2 ⁽⁷⁾	4.5	70	50
(7)	Street townhouse dwellings	1	3.10.4 (5)	225	6	6	1.2 ⁽⁵⁾⁽⁹⁾	4.5	46 / unit	60
(8)	Two unit dwellings	1		550 ⁽³⁾	18 ⁽¹⁰⁾	6	1.2 ⁽⁷⁾⁽⁶⁾	4.5	92	60
Commercial Uses										
(1)	Adult day care - type I	14	4.12.1	360 ⁽¹⁾	12 ⁽⁶⁾	6	1.2 ⁽⁷⁾	4.5	70	50
(2)	Adult day care - type II	14	4.12.1	360 ⁽¹⁾	12 ⁽⁶⁾	6	1.2 ⁽⁷⁾	4.5	70	50
(3)	Bed and breakfast homes	3	4.12.2	360 ⁽¹⁾	12 ⁽⁶⁾	6	1.2 ⁽⁷⁾	4.5	70	50
(4)	Clubs	4	3.10.4 (3)	450	15	6	3 ⁽⁴⁾	4.5	no min	50
(5)	Convenience stores	5	3.10.4 (2)	450	15	6	3 ⁽⁴⁾	4.5	no min	50
(6)	Daycare centres and preschools	16	4.12.4	360 ⁽¹⁾	12 ⁽⁶⁾	6	1.2 ⁽⁷⁾	4.5	70	50
(7)	Home based business - type I	0	4.11	Same as home						
(8)	Home based business - type II	18	4.11	Same as home						
(9)	Offices for professional, financial, and real estate services	5		360 ⁽¹⁾	12 ⁽⁶⁾	6	1.2 ⁽⁷⁾	4.5	70	50
(10)	Personal care homes - type I	6	4.12.3	360 ⁽¹⁾	12 ⁽⁶⁾	6	1.2 ⁽⁷⁾	4.5	70	50
(11)	Personal care homes - type II	6	4.12.3	360 ⁽¹⁾	12 ⁽⁶⁾	6	1.2 ⁽⁷⁾	4.5	70	50
(12)	Residential care facilities - type I	7	4.12.3	360 ⁽¹⁾	12 ⁽⁶⁾	6	1.2 ⁽⁷⁾	4.5	70	50
(13)	Residential care facilities - type II	7	4.12.3	360 ⁽¹⁾	12 ⁽⁶⁾	6	1.2 ⁽⁷⁾	4.5	70	50

**Table 6-2
R2 - MEDIUM DENSITY RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood**

	Designation	Parking Category	Subject to Sections	Development Standards						
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Principal Use										
Community Service, Municipal, Recreational, Institutional and Other Uses										
(1) Ambulance stations	D	12	3.10.4 (8)	235	6	6	3	4.5	no min	50
(2) Community centres	P	4		450	15	6	3 ⁽⁴⁾	4.5	no min	50
(3) Cultural institutions	P	4		450	15	6	3 ⁽⁴⁾	4.5	no min	50
(4) Custodial care facilities	D	14	4.12.3	360 ⁽¹⁾	12 ⁽⁶⁾	6	1.2 ⁽⁷⁾	4.5	70	50
(5) Municipal facilities	P	0		no min	no min	no min	no min	no min	no min	no max
(6) Parks and playgrounds	P	0		no min	no min	no min	no min	no min	3	no max
(7) Places of worship	P	8		450	15	6	3 ⁽⁴⁾	4.5	70	50
(8) Private schools	D	21	3.10.4 (3)	no min	no min	no min	3 ⁽⁴⁾	4.5	no min	no max
(9) Public schools	P	1920		no min	no min	6	3 ⁽⁴⁾	4.5	no min	no max
(10) Public works excluding offices, warehouses; storage yards and sewage lagoons	P	0		no min	no min	no min	no min	no min	no min	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 6.2.5 and others as required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-2 and the R2 district:

- (1) unless site is served by a lane, in which case 270 square metres
- (2) unless site is served by a lane, in which case 225 square metres
- (3) unless site is served by a lane, in which case 450 square metres
- (4) or ½ the building height, whichever is greater
- (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 9 metres
- (7) except for corner sites, in which case the minimum requirement shall be 3 metres along flanking street

- (8) to a maximum of 21 metres
- (9) for one-storey multiple unit dwellings, the minimum side yard requirement shall be 1.8 metres, unless 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 $\frac{1}{2}$ of the building height, to a maximum of six (6) metres unless site is served by a lane, in which case 1.5 metres
- (10)

6.3 R3 - MOBILE HOME RESIDENTIAL DISTRICT

6.3.1 Purpose

The objective of the **R3** - Mobile Home Residential district is to provide for development in the form of mobile homes and associated uses.

6.3.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-3.

6.3.3 Accessory Uses

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.3.4 Standards and Regulations

(1) Site and building requirements are shown in Table 6-3.

6.3.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **R3** district with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

6.3.6 Exceptions to Development Standards

6.3.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

6.3.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.26.

**Table 6-3
R3 - MOBILE HOME RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood**

Principal Use	Designation	Parking Category	Subject to Sections	Development Standards						
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Residential Uses										
(1) Mobile homes	P	1	4.12.7	360 ⁽¹⁾	12 ⁽²⁾	6	1.2 ⁽³⁾	4.5	65	50
(2) Mobile home courts	P	1	4.12.8	10000	60	(5)	(5)	(5)	no min	no max
Commercial Uses										
(1) Home based businesses - type I	P	0	4.11	Same as home						
Community Service, Government, Recreational, Institutional and Other Uses										
(1) Municipal facilities	P	0		no min	no min	no min	no min	no min	no min	no max
(2) Parks and playgrounds	P	0		no min	no min	no min	3	no min	no min	10
(3) Public works excluding offices, warehouses, storage yards and sewage lagoons	P	0		no min	no min	no min	no min	no min	no min	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 6.3.5 and others as required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-3 and the R3 district:

- (1) unless site is served by a lane, in which case 270 square metres
- (2) unless site is served by a lane, in which case 9 metres
- (3) except:
 - (a) where no lane is provided, one side yard shall be a minimum of 4.5 metres
 - (b) where the main entrance door on the long side of the home faces a side site line, 4.5 metres on that side
 - (c) on a corner site, a minimum side yard of 3 metres is required on the site line flanking the street

6.4 C1 - DOWNTOWN COMMERCIAL DISTRICT

6.4.1 Purpose

The objective of the **C1** - Downtown Commercial district is to provide for development in the form of a range of downtown commercial, community centre commercial and other compatible uses.

6.4.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-4.

6.4.3 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.4.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-4.

6.4.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **C1** district with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.4.6 Exceptions to Development Standards

- (1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

6.4.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

6.4.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.26.

Table 6-4 C1 - DOWNTOWN COMMERCIAL DISTRICT DEVELOPMENT STANDARDS for the Town of Spiritwood									
Principal Use	Designation	Parking Category	Subject to Sections	Development Standards					
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Maximum Site Coverage (%)
Residential Uses									
(1) Dwelling units in conjunction with and attached to any other permitted use	D	1	3.10.4 (18)	no min	no min	no min	(1)	(2)	no max
(2) Multiple unit dwellings (including apartments)	D	2	3.10.4 (5)	185 / unit	6 / unit	(4)	(5)	no min	60
Commercial Uses									
(1) Bakeries with retail sales	P	0		225	6	no min	(1)	(2)	no max
(2) Bus terminal	P	0	4.12.6	225	6	no min	(1)	(2)	no max
(3) Carwashes	P	22		225	6	no min	(1)	(2)	no max
(4) Clubs	P	0		225	6	no min	(1)	(2)	no max
(5) Commercial recreation facilities	P	415		225	6	no min	(1)	(2)	no max
(6) Construction trades	P	5		225	6	no min	(1)	(2)	no max
(7) Convenience stores	P	5		225	6	no min	(1)	(2)	no max
(8) Day Care Centres & Preschools	P	16	4.12.4	225	6	no min	(1)	(2)	no max
(9) Financial institutions	P	0		225	6	no min	(1)	(2)	no max
(10) Funeral homes	P	0		225	6	no min	(1)	(2)	no max
(11) Gas bars, with or without associated convenience stores	P	0	4.12.6 4.12.9	225	6	7.5	(1)	(2)	no max
(12) Health care clinics	P	0		225	6	no min	(1)	(2)	no max
(13) Hotels	P	10		225	6	no min	(1)	(2)	no max
(14) Lumber yards, home improvement centres and building supply establishments	D	11	3.10.4 (10)	225	6	no min	(1)	(2)	no max
(15) Malls	D	5	3.10.4 (7)	225	6	7.5	(1)	(2)	no max
(16) Medical, dental and optical laboratories	P	0		225	6	no min	(1)	(2)	no max
(17) Motels	P	10		225	6	no min	(1)	(2)	no max
(18) Offices and office buildings	P	5		225	6	no min	(1)	(2)	no max
(19) Parking lots	D	0	4.12.10	225	6	no min	(1)	(2)	no max
(20) Personal service shops	P	0		225	6	no min	(1)	(2)	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 6.5.5 and others as required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-5 and the C1 district:

- (1) where the side line of a site in any C1 district abuts any Residential district without an intervening street or lane: 1.5 metres; otherwise, no requirements
- (2) where the rear line of a site in any C1 district abuts any Residential district without an intervening street or lane: 4.5 metres; otherwise, no requirements
- (3) to a maximum of 21 metres
- (4) for multiple unit dwellings up to (and including) three (3) storeys, the minimum front yard requirement shall be 6 metres; for multiple unit dwellings over three (3) storeys, the minimum front yard requirements shall be 7.5 metres
- (5) for one-storey multiple unit dwellings, the minimum side yard requirement shall be 1.8 metres, unless 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

6.5 C2 - HIGHWAY COMMERCIAL DISTRICT

6.5.1 Purpose

The objective of the C2 - Highway Commercial district is to provide for development in the form of a range of highway commercial and other compatible uses.

6.5.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-5.

6.5.3 Accessory Uses

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.5.4 Standards and Regulations

(1) Site and building requirements are shown in Table 6-5.

6.5.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the C2 district with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.5.6 Exceptions to Development Standards

6.5.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

6.5.8 Landscaping

Landscaping is subject to Section 4.25

6.5.9 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.26.

**Table 6-5
C2 - HIGHWAY COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood**

Principal Use	Designation	Parking Category	Subject to Sections	Development Standards				
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Residential Uses								
(1) Dwelling units accessory to permitted uses and integrated as part of principal buildings, for the use of caretakers, owners or managers	D	1	3.10.4 (18)	(1)	(1)	(1)	(1)	(1)
Commercial and Industrial Uses								
(1) Animal hospitals	P	5		600	20	6	3	(2)
(2) Autobody shops	P	5		600	20	6	3	(2)
(3) Automobiles, marine, recreational vehicle and equipment, agricultural equipment and mobile home sales and service establishments	P	5	4.12.6	600	20	6	3	(2)
(4) Automotive and industrial supply stores	P	5		600	20	6	3	(2)
(5) Bingo halls	P	9		600	20	6	3	(2)
(6) Bulk fuel dealers	D	5	4.12.6 3.10.4 (21)	600	20	6	3	(2)
(7) Bus terminals	P	5	4.12.6 4.12.9	600	20	6	3	(2)
(8) Car washes	P	22		600	20	6	3	(2)
(9) Commercial recreational facilities	P	415		600	20	6	3	(2)
(10) Construction trades	P	5		600	20	6	3	(2)
(11) Convenience stores, with or without associated gas bars	P	5	4.12.6 4.12.9	600	20	6	3	(2)
(12) Drive-in theatres	P	5		600	20	6	3	(2)
(13) Freight handling facilities	D	5	3.10.4 (11)	600	20	6	3	(2)
(14) Funeral homes	P	17		600	20	6	3	(2)
(15) Gas bars, with or without associated convenience stores	P	4	4.12.6 4.12.9	600	20	6	3	(2)
(16) Health care clinics	P	5		600	20	6	3	
(17) Indoor storage rental facilities	D	12	3.10.4 (13)	600	20	6	3	(2)
(18) Light industrial uses	D	12	3.10.4 (11)	600	20	6	3	(2)

**Table 6-5
G2 - HIGHWAY COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood**

	Principal Use	Designation	Parking Category	Subject to Sections	Development Standards				
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(19)	Lumber yards, home improvement centres and building supply establishments	P	11		600	20	6	3	(2)
(20)	Miniature golf courses	P	5		600	20	6	3	(2)
(21)	Motels	P	10		1600	20	7.5	3	(2)
(22)	Nurseries, greenhouses and garden centres	P	4		600	20	6	3	(2)
(23)	Parking lots	P	0	4.12.10	no min	no min	6	3	(2)
(24)	Personal service shops	P	5		600	20	6	3	(2)
(25)	Recycling collection depots	D	4	3.10.4 (13)	600	20	6	3	(2)
(26)	Rental stores	P	5		600	20	6	3	(2)
(27)	Repair services, restricted to the repair of household goods and appliances	P	5		600	20	6	3	(2)
(28)	Restaurants, with associated lounges	D	9	3.10.4 (6)	600	20	6	3	(2)
(29)	Restaurants, without associated lounges	P	9		600	20	6	3	(2)
(30)	Retail stores	D	5		600	20	6	3	(2)
(31)	Service stations	P	11	4.12.6 4.12.11	600	20	6	3	(2)
(32)	Storage garages	D	4	3.10.4 (13)	600	20	6	3	(2)
(33)	Taverns	D	9	3.10.4 (6)	600	20	6	3	(2)
(34)	Taxidermy and accessory tanning of hides	D	5	3.10.4 (11)	600	20	6	3	(2)
(35)	Tourist campgrounds	D	5	3.10.4 (14)	600	20	6	3	(2)
(36)	Tourist information centres and booths	P	4		600	20	6	3	(2)
(37)	Trucking operations	P	11	4.12.6	600	20	6	3	(2)
(38)	Veterinary clinics	P	5		600	20	6	3	(2)
(39)	Warehouses	D	12	3.10.4 (11)	600	20	6	3	(2)
(40)	Welding and machine shops	P	11		600	20	6	3	(2)
(41)	Pottery studios	P	4		600	20	6	3	(2)
(42)	Fabrication or assembly operations excluding processing of raw materials	P	11		600	20	6	3	(2)

**Table 6-5
C2 - HIGHWAY COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood**

<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	Development Standards				
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Community Service, Municipal, Recreational, Institutional and Other Uses								
(1) Ambulance stations	D	5	3.10.4 (8)	600	20	6	3	(2)
(2) Municipal facilities	P	0		no min	no min	no min	no min	no min
(3) Parks and playgrounds	P	0		no min	no min	no min	no min	no min
(4) Places of worship	P	8		600	20	6	3	(2)
(5) Public works, excluding sewage lagoons	P	0		no min	no min	no min	no min	no min
(6) Public recreational facilities	P	5		no min	no min	no min	no min	no min

Use Designations:

(P) - Permitted Use

(D) - Discretionary Use

means a use or form of development allowed as of right in a zoning application to, and approval of the Council; and which complies with the development district, subject to the regulations contained in this Bylaw.

Special limitation and standards regarding Table 6-6 and the C2 district:

- (1) the development standards of dwelling units are equivalent to the development standards of the permitted use that the dwelling unit is built in conjunction with
- (2) 10% of the site depth

6.6 C2A - LARGE LOT HIGHWAY COMMERCIAL DISTRICT

6.6.1 Purpose

The objective of the **C2A** - Large Lot Highway Commercial district is to provide for development in the form of a range of highway commercial and other compatible uses on larger lots with greater yard setbacks than the **C2** district.

6.6.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-6.

6.6.3 Accessory Uses

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.6.4 Standards and Regulations

(1) Site and building requirements are shown in Table 6-6.

6.6.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **C2A** district with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.6.6 Exceptions to Development Standards

6.6.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

6.6.8 Landscaping

Landscaping is subject to Section 4.25.

6.6.9 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.26.

**Table 6-6
C2A - LARGE LOT HIGHWAY COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood**

Principal Use	Designation	Parking Category	Subject to Sections	Development Standards				
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Residential Uses								
(1) Dwelling units accessory to permitted uses and integrated as part of principal buildings, for the use of caretakers, owners or managers	D	1	3.10.4 (18)	(1)	(1)	(1)	(1)	(1)
Commercial and Industrial Uses								
(1) Animal hospitals	P	5		600	20	20	3	(2)
(2) Autobody shops	P	5		600	20	20	3	(2)
(3) Automobiles, marine, recreational vehicle and equipment, agricultural equipment and mobile home sales and service establishments	P	5	4.12.6	600	20	20	3	(2)
(4) Automotive and industrial supply stores	P	5		600	20	20	3	(2)
(5) Bingo halls	P	9		600	20	20	3	(2)
(6) Bulk fuel dealers	D	5	4.12.6 3.10.4 (21)	600	20	20	3	(2)
(7) Bus terminals	P	5	4.12.6 4.12.9	600	20	20	3	(2)
(8) Car washes	P	22		600	20	20	3	(2)
(9) Commercial recreational facilities	P	415		600	20	20	3	(2)
(10) Construction trades	P	5		600	20	20	3	(2)
(11) Convenience stores, with or without associated gas bars	P	5	4.12.6 4.12.9	600	20	20	3	(2)
(12) Drive-in theatres	P	5		600	20	20	3	(2)
(13) Freight handling facilities	D	5	3.10.4 (11)	600	20	20	3	(2)
(14) Funeral homes	P	17		600	20	20	3	(2)
(15) Gas bars, with or without associated convenience stores	P	4	4.12.6 4.12.9	600	20	20	3	(2)
(16) Health care clinics	P	5		600	20	20	3	
(17) Indoor storage rental facilities	D	12	3.10.4 (13)	600	20	20	3	(2)
(18) Light industrial uses	D	12	3.10.4 (11)	600	20	20	3	(2)

**Table 6.6
C2A - LARGE LOT HIGHWAY COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood**

	<u>Principal Use</u>	Designation	Parking Category	Subject to Sections	Development Standards				
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
(19)	Lumber yards, home improvement centres and building supply establishments	P	11		600	20	20	3	(2)
(20)	Miniature golf courses	P	5		600	20	20	3	(2)
(21)	Motels	P	10		600	20	20	3	(2)
(22)	Nurseries, greenhouses and garden centres	P	4		600	20	20	3	(2)
(23)	Parking lots	P	0	4.12.10	no min	no min	20	3	(2)
(24)	Personal service shops	P	5		600	20	20	3	(2)
(25)	Recycling collection depots	D	4	3.10.4 (13)	600	20	20	3	(2)
(26)	Rental stores	P	5		600	20	20	3	(2)
(27)	Repair services, restricted to the repair of household goods and appliances	P	5		600	20	20	3	(2)
(28)	Restaurants, with associated lounges	D	9	3.10.4 (6)	600	20	20	3	(2)
(29)	Restaurants, without associated lounges	P	9		600	20	20	3	(2)
(30)	Retail stores	D	5		600	20	20	3	(2)
(31)	Service stations	P	11	4.12.6 4.12.11	600	20	20	3	(2)
(32)	Storage garages	D	4	3.10.4 (13)	600	20	20	3	(2)
(33)	Taverns	D	9	3.10.4 (6)	600	20	20	3	(2)
(34)	Taxidermy and accessory tanning of hides	D	5	3.10.4 (11)	600	20	20	3	(2)
(35)	Tourist campgrounds	D	5	3.10.4 (14)	600	20	20	3	(2)
(36)	Tourist information centres and booths	P	4		600	20	20	3	(2)
(37)	Trucking operations	P	11	4.12.6	600	20	20	3	(2)
(38)	Veterinary clinics	P	5		600	20	20	3	(2)
(39)	Warehouses	D	12	3.10.4 (11)	600	20	20	3	(2)
(40)	Welding and machine shops	P	11		600	20	20	3	(2)
(41)	Pottery studios	P	4		600	20	20	3	(2)
(42)	Fabrication or assembly operations excluding processing of raw materials	P	11		600	20	20	3	(2)

**Table 6-6
C2A - LARGE LOT HIGHWAY COMMERCIAL DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood**

Principal Use	Designation	Parking Category	Subject to Sections	Development Standards				
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Community Service, Municipal, Recreational, Institutional and Other Uses								
(1) Ambulance stations	D	5	3.10.4 (8)	600	20	20	3	(2)
(2) Municipal facilities	P	0		no min	no min	no min	no min	no min
(3) Parks and playgrounds	P	0		no min	no min	no min	no min	no min
(4) Places of worship	P	8		600	20	20	3	(2)
(5) Public works, excluding sewage lagoons	P	0		no min	no min	no min	no min	no min
(6) Public recreational facilities	P	5		no min	no min	no min	no min	no min

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 6.6.5 and others as required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-7 and the C2A district:

- (1) the development standards of dwelling units are equivalent to the development standards of the permitted use that the dwelling unit is built in conjunction with
- (2) 10% of the site depth

6.7 CS - COMMUNITY SERVICE DISTRICT

6.7.1 Purpose

The objective of the CS - Community Service district is to provide for development in the form of a range of community services and other compatible uses.

6.7.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-7.

6.7.3 Accessory Uses

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.7.4 Standards and Regulations

(1) Site and building requirements are shown in Table 6-7.

6.7.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the CS district with respect to Section 3.10.3 General Discretionary Use Evaluation Criteria, Section 3.10.4 Use Specific Discretionary Use Evaluation Criteria, as may be applicable, and additional evaluation criteria and development standards that follows in this section.

6.7.6 Exceptions to Development Standards

(1) Where, on a corner site, a side yard of at least 6 metres is provided along the flanking street for a single detached dwelling, the minimum rear yard requirement is reduced to 3 metres.

6.7.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

6.7.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.26.

<p align="center">Table 6.7 CS - COMMUNITY SERVICE DISTRICT DEVELOPMENT STANDARDS for the Town of Spiritwood</p>										
Principal Use	Designation	Parking Category	Subject to Sections	Development Standards:						
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Commercial Uses										
(1) Clubs	P	5		225	6	6	3 ⁽¹⁾	4.5	no min	50
(2) Commercial recreational facilities, including rinks, golf courses and tourist campgrounds	P	5		225	6	6	3 ⁽³⁾	4.5	no min	50
(3) Daycare centres and preschools	P	16	4.12.4	360 ⁽³⁾	12 ⁽⁴⁾	7.5	1.2 ⁽²⁾	4.5	70	50
(4) Funeral homes	P	17		225	6	6	3 ⁽¹⁾	4.5	no min	50
(5) Health care clinics	P	5		225	6	6	3 ⁽¹⁾	4.5	no min	50
(6) Parking lots	D	0	4.12.10	no min	no min	3	3	3	no min	no max
(7) Private schools	P	6		no min	no min	no min	3 ⁽¹⁾	4.5	no min	no max
(8) Restaurants, with or without associated lounges	D	9	3.10.4 (9)	225	6	6	3 ⁽¹⁾	4.5	no min	50
Community Service, Government, Recreational, Institutional and Other Uses										
(1) Ambulance stations	P	12		225	6	6	3 ⁽¹⁾	4.5	no min	no max
(2) Cemeteries	D	0		no min	no min	6	3 ⁽¹⁾	4.5	no min	no max
(3) Community centres	P	4		225	6	6	3 ⁽¹⁾	4.5	no min	50
(4) Cultural institutions	P	4		225	6	6	3 ⁽¹⁾	4.5	no min	50
(5) Educational institutions	P	24		no min	no min	6	3 ⁽¹⁾	4.5	no min	no max
(6) Federal, provincial and municipal buildings and uses, excluding warehouses, storage yards and sewage lagoons	P	5		no min	no min	6	3 ⁽¹⁾	4.5	no min	no max
(7) Municipal facilities	P	0		no min	no min	no min	no min	no min	no min	no max
(8) Parks and playgrounds	P	0		no min	no min	no min	no min	3	no min	no max
(9) Places of worship	P	8		225	6	6	3 ⁽¹⁾	4.5	no min	50
(10) Public hospitals	P	23		no min	no min	6	3 ⁽¹⁾	4.5	no min	no max
(11) Public elementary and secondary schools	P	19, 20		no min	no min	no min	3 ⁽¹⁾	4.5	no min	no max
(13) Public works excluding warehouses, storage yards and sewage lagoons	P	0		no min	no min	no min	no min	no min	no min	no max
(14) Public recreational facilities	P	5		no min	no min	no min	3 ⁽¹⁾	4.5	no min	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 6.7.5 and others as required by Council and/or contained in this Bylaw.

Special limitation and standards regarding Table 6-8 and the CS district:

- (1) or ½ the building height, whichever is greater
- (2) except for corner sites, where it shall be 3 metres along the flanking street
- (3) unless site is served by a lane, in which case 270 square metres
- (4) unless site is served by a lane, in which case 9 metres

6.8 M1 - INDUSTRIAL DISTRICT

6.8.1 Purpose

The objective of the **M1** - Industrial district is to provide for development in the form of a range of industrial and other compatible uses.

6.8.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-8.

6.8.3 Accessory Uses

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.8.4 Standards and Regulations

(1) Site and building requirements are shown in Table 6-8.

6.8.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **M1** district with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards as follows in this section.

- (1) Discretionary commercial and industrial uses are subject to the following criteria:
- (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/or,
 - (iv) utilization of hazardous substances

6.8.6 Exceptions to Development Standards

6.8.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

6.8.8 Landscaping

Landscaping is subject to Section 4.25.

6.8.9 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.26.

<p align="center">Table 6-8 M1 - INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS for the Town of Spiritwood</p>									
Principal Use	Designation	Parking Category	Subject to Sections	Development Standards					
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	
Residential Uses									
(1) Dwelling units accessory to permitted units integrated as part of principal buildings, for the use of caretakers, owners or night managers	D	1	3.10.4 (18)	(1)	(1)	(1)	(1)	(1)	(1)
Commercial and Industrial Uses									
(1) Animal hospitals	P	5		1100	30	6	3 (3/4)		(2)
(2) Auction markets, excluding livestock auction facilities	P	4		1100	30	6	3 (3/4)		(2)
(3) Automobile, marine, recreational vehicle, and equipment, agricultural equipment and mobile home sales and service establishments	P	5	4.12.6	1100	30	6	3 (3/4)		(2)
(4) Bulk fertilizer operations	D	12	3.10.4 (21)	1100	30	6	3 (3/4)		(2)
(5) Bulk fuel dealerships and storage	D	5	3.10.4 (21)	1100	30	6	3 (3/4)		(2)
(6) Car washes	P	22		1100	30	6	3 (3/4)		(2)
(7) Cement and concrete plants	D	4		1100	30	6	3 (3/4)		(2)
(8) Consignment centres	P	4		1100	30	6	3 (3/4)		(2)
(9) Construction trades	P	4		1100	30	6	3 (3/4)		(2)
(10) Foundry works and boiler works	D	4		1100	30	6	3 (3/4)		(2)
(11) Gas bars	P	4	4.12.6 4.12.9	1100	30	6	3 (3/4)		(2)
(12) General industrial uses (see, Use, General Industrial)	P	4		1100	30	6	3 (3/4)		(2)
(13) Junk, salvage and auto wrecker yards	D	11	3.10.4 (19)	1100	30	6	3 (3/4)		(2)
(14) Light manufacturing	D	11	3.10.4 (11) 3.10.4 (12)	1100	30	6	3 (3/4)		(2)
(15) Lumber yards and building supply establishments	P	11		1100	30	6	3 (3/4)		(2)
(16) Nurseries, greenhouses and garden centres	P	4		1100	30	6	3 (3/4)		(2)
(17) Parking lots	P	0	4.12.10	1100	30	6	3 (3/4)		(2)
(18) Public garages	P	4		1100	30	6	3 (3/4)		(2)
(19) Sand and gravel operations	D	11		1100	30	6	3 (3/4)		(2)
(20) Seed cleaning plants and feed mills	D	11		1100	30	6	3 (3/4)		(2)

Table 6.8
M1 - INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood

	Principal Use	Designation	Parking Category	Subject to Sections	Development Standards					
					Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	
(21)	Service stations	P	11	4.12.6 4.12.11	1100	30	6	3 ⁽³⁾⁽⁴⁾	(2)	
(22)	Stock yards	D	11	3.10.4 (22)	1100	30	6	3 ⁽³⁾⁽⁴⁾	(2)	
(23)	Veterinary clinics	P	5		1100	30	6	3 ⁽³⁾⁽⁴⁾	(2)	
(24)	Warehouses	P	12		1100	30	6	3 ⁽³⁾⁽⁴⁾	(2)	
(25)	Wholesale establishments	P	4		1100	30	6	3 ⁽³⁾⁽⁴⁾	(2)	
Community Service, Municipal, Recreational, Institutional and Other Uses										
(1)	Municipal facilities, including recycling facilities	P	0		no min	no min	no min	no min	no max	
(2)	Parks	D	0		no min	no min	no min	no min	no min	
(3)	Public works, excluding sewage lagoons	P	0		no min	no min	no min	no min	no min	

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 6.8.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-9 and the M1 district:

- (1) the development standards of dwelling units are equivalent to the development standards of the permitted use that the dwelling unit is built in conjunction with
- (2) 10% of the site depth
- (3) except in the case of corner sites, in which case 4.5 metres is required on the side abutting the flanking street
- (4) except in the case of abutting a railway, in which case no minimum is required.

6.9 FUD - FUTURE URBAN DEVELOPMENT DISTRICT

6.9.1 Purpose

The objective of the **FUD** – Future Urban Development district is to provide for public open space within Town boundaries and to limit development therein in the interest of potential future development.

6.9.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-9.

6.9.3 Accessory Uses

(1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.9.4 Standards and Regulations

(1) Site and building requirements are shown in Table 6-9.

6.9.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **FUD** district with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

6.9.6 Exceptions to Development Standards

6.9.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

6.9.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.26.

**Table 6-9
FUD - FUTURE URBAN DEVELOPMENT DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood**

Principal Use	Designation	Parking Category	Subject to Sections	Development Standards				
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)
Agricultural Uses								
(1) Agricultural operations excluding intensive livestock and poultry operations	P	0		5000	15	6	6	6
(2) Intensive agricultural uses, including vegetable and fruit production, and excluding both operations relating to the raising of livestock and/or other animals, and operations carried on partially or entirely within buildings	D	4	3.10.4 (17)	1000	30	6	3 ⁽¹⁾	6 ⁽²⁾
Community Service, Municipal, Recreational, Institutional and Other Uses								
(1) Community centres	D	4	3.10.4 (3)	450	15	6	3 ⁽¹⁾	6 ⁽²⁾
(2) Cultural institutions	D	4	3.10.4 (3)	450	15	6	3 ⁽¹⁾	6 ⁽²⁾
(3) Farmers' markets and market gardens	D	4		450	15	6	3 ⁽¹⁾	6 ⁽²⁾
(4) Golf courses	D	0	3.10.4 (16)	no min	no min	no min	3 ⁽¹⁾	6 ⁽²⁾
(5) Greenhouses	D	4		450	15	6	3 ⁽¹⁾	6 ⁽²⁾
(6) Municipal facilities	P	0		no min	no min	no min	no min	no min
(7) Nature interpretation trails and associated facilities	P	0		no min	no min	no min	3 ⁽¹⁾	6 ⁽²⁾
(8) Public works, excluding sewage lagoons	P	0		no min	no min	no min	no min	6 ⁽²⁾
(9) Public recreation facilities	D	5	3.10.4 (3)	no min	no min	no min	3 ⁽¹⁾	6 ⁽²⁾
(10) Sports fields, parks and playgrounds	D	0		no min	no min	no min	3 ⁽¹⁾	6 ⁽²⁾
(11) Sewage lagoons	D	0		no min	no min	6 ⁽²⁾	3	6 ⁽²⁾
(12) Tourist information centres and booths	D	5		225	6	no min	3 ⁽¹⁾	6 ⁽²⁾
(13) Tourist campgrounds	D	5	3.10.4 (14)	1000	30	6	3 ⁽¹⁾	6 ⁽²⁾
(14) Walking, hiking and/or ski trails and associated facilities	P	0		no min	no min	no min	3 ⁽¹⁾	6 ⁽²⁾
(15) Wind turbines	D	0	3.10.4 (23)	no min	no min	no min	3 ⁽¹⁾	6 ⁽²⁾

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 6.9.5 and others as required by Council and/or contained in this Bylaw.

Special limitations and standards regarding Table 6-10 and the FUD district:

- (1) or ½ the building height, whichever is greater
- (2) or 10% of the depth of the site, whichever is greater

6.10 PR - PARKS AND RECREATION DISTRICT

6.10.1 Purpose

The objective of the **PR** – Parks and Recreation district is to provide for parks, open space, and recreational development and compatible uses in specific areas, with standards for such development.

6.10.2 Permitted and Discretionary Uses

Uses are listed and designated in Table 6-10.

6.10.3 Accessory Uses

- (1) Accessory buildings and uses shall be permitted subject to Section 4.8.

6.10.4 Standards and Regulations

- (1) Site and building requirements are shown in Table 6-10.

6.10.5 Standards for Discretionary Uses

Council will consider discretionary use applications in the **PR** district with respect to Section 3.10.3 Discretionary Use - General Evaluation Criteria and to Section 3.10.4 Discretionary Use - Specific Evaluation Criteria and to additional evaluation criteria and development standards that follows in this section.

- (1) Discretionary uses in the **PR** district will only be permitted where Council is assured that such development will be compatible with the future use of the area, as indicated in the Official Community Plan Bylaw.

6.10.6 Exceptions to Development Standards

6.10.7 Off-Street Parking and Loading

Off-street parking and loading requirements are subject to Section 4.9.

6.10.8 Outside Storage

Outside storage, including waste material storage, is subject to Section 4.26.

**Table 6-10
PR - PARKS AND RECREATION DISTRICT DEVELOPMENT STANDARDS
for the Town of Spiritwood**

Principal Use	Designation	Parking Category	Subject to Sections	Development Standards						
				Minimum Site Area (m ²)	Minimum Site Width (m)	Minimum Front Yard (m)	Minimum Side Yard (m)	Minimum Rear Yard (m)	Minimum Bldg Floor Area (m ²)	Maximum Site Coverage (%)
Commercial Uses										
(1) Market gardens	D	5		450	15	6	3	6	no min	40
(2) Nurseries, greenhouses and garden centres	D	5		450	15	6	3	6	no min	40
Community Services, Municipal, Recreational, Institutional and Other Uses										
(1) Municipal facilities	P	0		no min	no min	no min	no min	no min	no min	no max
(2) Nature interpretation trails and associated facilities	P	0		no min	no min	no min	no min	no min	no min	no max
(3) Public works, excluding sewage lagoons	P	0		no min	no min	no min	no min	no min	no min	no max
(4) Public recreation facilities	D	0	3.10.4 (3)	no min	no min	no min	no min	no min	no min	no max
(5) Sports fields, parks and playgrounds	P	0		no min	no min	no min	no min	no min	no min	no max
(6) Tourist information centres and booths	D	5		225	6	no min	3	6	no min	40
(7) Walking, hiking, and/or ski trails and associated facilities	P	0		no min	no min	no min	no min	no min	no min	no max
(8) Wind turbines	D	0	3.10.4 (23)	no min	no min	no min	no min	no min	no min	no max
										Refer to Section 3.10.4 (23)

Special limitations and standards regarding Table 6-11 and the PR district:

7 MAPS
